

DEPARTMENTS OF TRANSPORTATION, AND HOUSING AND  
URBAN DEVELOPMENT, AND RELATED AGENCIES AP-  
PROPRIATIONS BILL, 2021

\_\_\_\_\_, 2020.—COMMITTED TO THE COMMITTEE OF THE WHOLE HOUSE ON THE  
STATE OF THE UNION AND ORDERED TO BE PRINTED

Mr. PRICE, of North Carolina, from the Committee on  
Appropriations, submitted the following

R E P O R T

[To accompany H.R. \_\_\_\_]

The Committee on Appropriations submits the following report in explanation of the accompanying bill making appropriations for the Departments of Transportation, Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2021.

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PROGRAM, PROJECT, AND ACTIVITY

During fiscal year 2021, for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99–177), as amended, with respect to appropriations contained in the accompanying bill, the terms “program, project, and activity” (PPA) shall mean any item for which a dollar amount is contained in appropriations acts (including joint resolutions providing continuing appropriations) and accompanying reports of the House and Senate Committees on Appropriations, or accompanying conference reports and joint explanatory statements of the committee of conference. This definition shall apply to all programs for which new budget (obligational) authority is provided, as well as to discretionary

grants and discretionary grant allocations made through either bill or report language.

The Committee directs the Departments and agencies funded by this bill to address each number listed in the reports in their respective operating plans and warns that efforts to operate programs at levels contrary to the levels recommended and directed in these reports would not be advised.

#### OPERATING PLANS AND REPROGRAMMING GUIDELINES

The Committee includes a provision (section 405) establishing the authority by which funding available to the agencies funded by this Act may be reprogrammed for other purposes. The provision specifically requires the advance approval of the House and Senate Committees on Appropriations of any proposal to reprogram funds that:

- creates a new program;
- eliminates a program, project, or activity (PPA);
- increases funds or personnel for any PPA for which funds have been denied or restricted by the Congress;
- redirects funds that were directed in such reports for a specific activity to a different purpose;
- augments an existing PPA in excess of \$5,000,000 or 10 percent, whichever is less;
- reduces an existing PPA by \$5,000,000 or 10 percent, whichever is less; or
- creates, reorganizes, or restructures offices different from the congressional budget justifications or the table at the end of the Committee report, whichever is more detailed.

The Committee retains the requirement that each agency submit an operating plan to the House and Senate Committees on Appropriations not later than 60 days after enactment of this Act to establish the baseline for application of reprogramming and transfer authorities provided in this Act. Specifically, each agency must provide a table for each appropriation with columns displaying the budget request; adjustments made by Congress; adjustments for rescissions, if appropriate; and the fiscal year enacted level. The table shall delineate the appropriation both by object class and by PPA. The report also must identify items of special Congressional interest. Should the agency create, alter, discontinue, or otherwise change any program as described in the agency's budget justification, those changes must be a part of the agency's operating plan. Finally, the agency shall submit with the operating plan a summary of the reporting requirements contained in this Act, the House and Senate reports, and the statement of the managers. The summary should include Inspector General and Government Accountability Office reports as well. In certain instances, the Committee may direct the agency to submit a revised operating plan for approval or may direct changes to the operating plan if the plan is not consistent with the directives of the conference report and statement of the managers.

The Committee expects the agencies and bureaus to submit reprogramming requests in a timely manner and to provide a thorough explanation of the proposed reallocations, including a detailed justification of increases and reductions and the specific impact of proposed changes on the budget request for the following fiscal

year. Any reprogramming request shall include any out-year budgetary impacts and a separate accounting of program or mission impacts on estimated carryover funds. Reprogramming procedures shall apply to funds provided in this Act, unobligated balances from previous appropriations Acts that are available for obligation or expenditure in fiscal year 2021, and non-appropriated resources such as fee collections that are used to meet program requirements in fiscal year 2021.

The Committee expects each agency to manage its programs and activities within the amounts appropriated by the Congress. The Committee reminds agencies that reprogramming requests should be submitted only in the case of an unforeseeable emergency or a situation that could not have been anticipated when formulating the budget request for the current fiscal year. Except in emergency situations, reprogramming requests should be submitted no later than June 30, 2021. Further, the Committee notes that when an agency submits a reprogramming or transfer request to the Committees on Appropriations and does not receive identical responses from the House and Senate, it is the responsibility of the agency to reconcile the House and Senate differences before proceeding and, if reconciliation is not possible, to consider the request to reprogram funds unapproved.

The Committee would also like to clarify that this section applies to working capital funds of both the Department of Transportation (DOT) and Department of Housing and Urban Development (HUD) and that no funds may be obligated from working capital fund accounts to augment programs, projects, or activities for which appropriations have been specifically rejected by the Congress, or to increase funds or personnel for any PPA above the amounts appropriated by this Act.

### CONGRESSIONAL BUDGET JUSTIFICATIONS

Budget justifications are the primary tool used by the House and Senate Committees on Appropriations to evaluate the resource requirements and fiscal needs of agencies. The Committee is aware that the format and presentation of budget materials is largely left to the agency within presentation objectives set forth by the Office of Management and Budget (OMB). In fact, OMB Circular A-11, part 1 specifically instructs agencies to consult with congressional committees beforehand. The Committee expects that all agencies funded under this Act will heed this directive.

The Committee expects all of the budget justifications to provide the data needed to make appropriate and meaningful funding decisions. The Committee continues the direction that justifications submitted with the fiscal year 2022 budget request by agencies funded under this Act contain the customary level of detailed data and explanatory statements to support the appropriations requests at the level of detail contained in the funding table included at the end of this report. Among other items, agencies shall provide a detailed discussion of proposed new initiatives, proposed changes in the agency's financial plan from prior year enactment, detailed data on all programs, and comprehensive information on any office or agency restructurings. At a minimum, each agency must also provide adequate justification for funding and staffing changes for each individual office and materials that compare programs,

projects, and activities that are proposed for fiscal year 2022 to the fiscal year 2021 enacted levels.

The Committee is aware that the analytical materials required for review by the Committee are unique to each agency in this Act. Therefore, the Committee expects that each agency will coordinate with the House and Senate Committees on Appropriations in advance on its planned presentation for its budget justification materials in support of the fiscal year 2022 budget request.

#### OTHER MATTERS

The Committee directs each of the Departments and agencies funded by this Act to identify opportunities to prioritize resilience, equity, regional efforts, and robust stakeholder engagement.

*Resiliency.*—The Committee believes that every new construction or major rehabilitation project funded by this Act should be constructed to the most current relevant standards and that these projects should address the risk of structure failure or loss of use from natural hazards throughout the lifetime of the project. As a measure of responsible fiscal prudence, resilient construction and land management practices should be integrated into every program funded by this Act.

*Performance measures.*—The Committee directs each of the Departments and agencies funded by this Act to comply with title 31 of the United States Code, including the development of their organizational priority goals and outcomes such as performance outcome measures, output measures, efficiency measures, and customer service measures.

*Customer service.*—The Committee continues to support efforts to improve customer service in accordance with Executive Order 13571. The Committee directs all Departments and agencies funded by this Act to develop standards to improve customer service and incorporate the standards into the performance plans required under title 31 of the United States Code. Further, the Committee recognizes not all Departments and agencies are subject to Executive Order 13571. For such Departments and agencies funded by this Act, the Committee directs the Departments and agencies to make continuous improvements and adopt best practices for improving customer service.

*Regional councils of government.*—The Committee recommends that all Departments and agencies funded by this Act list regional councils and councils of governments as eligible entities in competitions for Federal funding whenever local governments or non-profit agencies are eligible entities. Furthermore, the Committee encourages all Departments and agencies funded by this Act to actively seek opportunities for regional councils and councils of governments to serve as lead applicants and grantees in order to encourage and expand greater regional collaboration. In the competitive grants process, all Departments and agencies funded by this Act should work with entities having previous experience with administering Federal funding that resulted in successful, comprehensive, well-coordinated outcomes.

*Native plant preference.*—In undertaking a land management activity on lands under the jurisdiction of any of the Departments or agencies funded by this Act, including maintenance and restoration in response to degradation caused by human activity or natural

events (such as fire, flood, or infestation), the Committee continues to direct that it be the policy of the aforementioned agencies that preference shall be made, to the extent practicable, for the use of locally adapted native plant materials.

*Contracting.*—As the largest advertiser in the United States, the Federal government should work to ensure fair access to its advertising contracts for small, disadvantaged businesses and businesses owned by minorities and women. The Committee directs each Department and agency funded by this Act to submit the following information in a report to the House and Senate Committees on Appropriations no later than 30 days after the submission of the fiscal year 2022 budget justification: expenditures for fiscal year 2020 and expected expenditures for fiscal year 2021, respectively, for (1) all contracts for advertising services and (2) contracts for the advertising services of all Small Business Administration-recognized socioeconomic subcategory-certified small businesses, as defined in the Small Business Act, and women- and minority-owned businesses.

*Targeted investments in impoverished areas.*—The Committee supports targeted investments in impoverished areas, particularly in persistent poverty counties and in other high-poverty census tracts. To understand how programs funded through the Departments and agencies funded by this Act are serving these particular areas, House Report 116–106 directed those Departments and agencies to submit a report on the percentage of funds allocated by each program in fiscal years 2017, 2018, and 2019 and estimates for fiscal year 2020 that serve populations living in persistent poverty counties or census tracts. The Committee looks forward to receiving the reports on this information from the Departments and agencies funded by this Act, and reiterates that if current data collected for a program are unable to be readily aggregated by county or census tract, then a statement on the limitations of the data for that program shall satisfy such reporting requirement. Upon completing the initial report required by House Report 116–106, the Committee directs the Departments and agencies funded by this Act to update the information with the data for the next fiscal year. Therefore, in fiscal year 2021, the Departments and agencies funded by this Act shall report information for fiscal year 2020 to the House and Senate Committees on Appropriations within 90 days of such data being available. Further, for Departments and agencies funded by this Act that identify a program for which current data collected are unable to be readily aggregated by county or census tract, the Committee directs such Departments and agencies to consult with the House and Senate Committees on Appropriations prior to initiating the report for the next fiscal year in order to determine if available data which is similar in nature to county or census tract can satisfy such reporting requirement.

*Fair access to science and technology research.*—The Committee applauds the considerable progress made by the White House Office of Science and Technology Policy (OSTP) on the Department and agency public access plans required by the February 22, 2013 Memorandum on Increasing Access to the Results of Federally Funded Scientific Research. The Committee understands that 22 Departments and agencies with annual expenditures on research and development of \$100,000,000 or more have completed their

public access plans for increasing access to peer reviewed scholarly publications and digital data resulting from Federally funded research. The Committee encourages OSTP to continue its efforts to coordinate the implementation of public access policies across all Departments and agencies funded by this Act and to identify additional opportunities to enhance access to the results of Federally funded research. The Committee urges OSTP to report on an annual basis on the progress of all Departments and agencies funded by this Act in implementing their public access plans, including relevant measures of progress, and on additional steps being taken to improve access to the results of Federally funded research. Further, the Committee urges all Departments and agencies funded by this Act to continue their efforts toward full implementation of their public access plans, and to provide an update on their progress in their fiscal year 2022 budget justification.

*Land use.*—The Committee is concerned with urban sprawl, overwhelming traffic, and a lack of housing supply in job-rich areas. The Committee encourages HUD to consult with DOT and issue joint non-binding guidance outlining voluntary best practices for land use policies to increase the supply of affordable and market-rate housing. This guidance should provide recommendations for local, regional, and State land use agencies to improve their zoning, such as increasing density, reducing minimum lot sizes, creating by-right development for multi-family homes, streamlining or shortening the permitting processes, eliminating impact fees, or allowing accessory dwelling units. This guidance should also focus on providing best practices to local land use agencies and transit agencies who work together to promote transit-oriented development, and should consider best practices among urban, suburban, and rural communities.

*Building design.*—Since World War II, the United States has favored investment in virtual space over physical places, individual autonomy over community, and globalization over local prosperity. As a result, some cities are sprawling, fragmented, carbon-producing, inequitable, unsustainable, and disconnected and prefer individual mobility over human flourishing. Few buildings are carefully considered and those that are tend to be for the wealthiest. The Committee encourages design professionals, social scientists, health experts, industry, academia, and the Federal government to collaborate on mechanisms that promote cost-effective design best practices. This partnership could yield walkable, mixed-use, culturally rich, diverse, resilient, sustainable, healthy, and vibrant communities that empower all people to have lives of meaning and purpose. The Committee encourages HUD and DOT to coordinate with programs focused on community and livability at the Department of Agriculture and the Department of Health and Human Services to establish a new framework for design and building. HUD and DOT should convene a summit with other agencies and outside leaders in planning, architecture, and health to create a new framework for community livability.

*Foundations of Evidence-Based Policymaking Act and OPEN Government Data Act.*—The Committee commends DOT and HUD for taking steps to implement the Foundations of Evidence-Based Policymaking Act of 2018 (P.L. 115–435) and the OPEN Government Data Act, which was enacted as part of P.L. 115–435. DOT

has hired a chief data officer, an evaluation officer, and a senior staff member to focus on performing an agency capacity assessment and learning agenda, as required by P.L. 115–435. As part of its fiscal year 2021 budget request, HUD plans to hire a chief data officer in order to implement the requirements of P.L. 115–435 and requested funding under the Management and Administration accounts.

The Committee directs DOT and HUD to report to the House and Senate Committees on Appropriations no later than 120 days after enactment of this Act on the implementation of P.L. 115–435 and progress being made at the Departments. The Committee further urges DOT and HUD to develop guidance to ensure all relevant participants and grantees are provided the opportunity to comment on their respective Department-wide processes of prioritizing evidence needs. In addition, the Committee encourages DOT and HUD to work towards consolidating existing and leveraging new commercial technologies to implement Federal data initiatives and carry out pilot projects related to the implementation of the OPEN Government Data Act.

*Federal law enforcement.*—The Committee notes that the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2021 directs the Attorney General to establish a training program to cover the use of force and de-escalation, racial profiling, implicit bias, and procedural justice, to include training on the duty of Federal law enforcement officers to intervene in cases where another law enforcement officer is using excessive force, and make such training a requirement for Federal law enforcement officers. The Committee further notes that several Departments and agencies funded by this Act employ Federal law enforcement officers and are Federal Law Enforcement Training Centers partner organizations. The Committee directs such Departments and agencies to adopt and follow the training program established by the Attorney General, and to make such training a requirement for its Federal law enforcement officers. The Committee further directs such Departments and agencies to brief the House and Senate Committees on Appropriations on their efforts relating to training no later than 90 days after the Attorney General has established such a training program.

In addition, the Committee directs such Departments and agencies, to the extent that such Departments and agencies have not already done so, to submit their use of force data to the Federal Bureau of Investigation (FBI)’s National Use of Force Data Collection database. The Committee further directs such Departments and agencies to brief the House and Senate Committees on Appropriations no later than 90 days after enactment of this Act on their current efforts to tabulate and submit its use of force data to the FBI.

## TITLE I—DEPARTMENT OF TRANSPORTATION

## OFFICE OF THE SECRETARY

## SALARIES AND EXPENSES

Appropriation, fiscal year 2020 .....	\$115,490,000
Budget request, fiscal year 2021 .....	127,374,000
Recommended in the bill .....	126,174,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+10,684,000
Budget request, fiscal year 2021 .....	– 1,200,000

*Immediate Office of the Secretary.*—The immediate Office of the Secretary has primary responsibility to provide overall planning, direction, and control of departmental affairs.

*Immediate Office of the Deputy Secretary.*—The Office of the Deputy Secretary has primary responsibility to assist the Secretary in the overall planning, direction, and control of departmental affairs. The Deputy Secretary serves as the chief operating officer of the Department of Transportation (DOT).

*Office of the General Counsel.*—The Office of the General Counsel provides legal services to the Office of the Secretary and coordinates and reviews the legal work of the chief counsels' offices of the operating administrations.

*Office of the Under Secretary of Transportation for Policy.*—The Office of the Under Secretary of Transportation for Policy serves as the Department's chief policy officer, and is responsible for the coordination and development of departmental policy and legislative initiatives, international standards development and harmonization, aviation and other transportation-related trade negotiations, the performance of policy and economic analysis, and the execution of the Essential Air Service program.

*Office of the Assistant Secretary for Budget and Programs.*—The Assistant Secretary for Budget and Programs is responsible for developing, reviewing, and presenting budget resource requirements for the Department to the Secretary, the Congress, and Office of Management and Budget.

*Office of the Assistant Secretary for Governmental Affairs.*—The Office of the Assistant Secretary for Governmental Affairs is responsible for coordinating all Congressional, intergovernmental, and consumer activities of the Department.

*Office of the Assistant Secretary for Administration.*—The Office of the Assistant Secretary for Administration serves as the principal advisor to the Secretary on department-wide administrative matters and the responsibilities include leadership in acquisition reform and human capital.

*Office of Public Affairs.*—The Office of Public Affairs is responsible for the Department's press releases, articles, briefing materials, publications, and audio-visual materials.

*Office of the Executive Secretariat.*—The Executive Secretariat assists the Secretary and Deputy Secretary in carrying out their responsibilities by controlling and coordinating internal and external documents.

*Office of Intelligence, Security, and Emergency Response.*—The Office of Intelligence, Security, and Emergency Response is responsible for intelligence, security policy, preparedness, training and exercises, national security, and operations.



*Office of the Chief Information Officer.*—The Office of the Chief Information Officer serves as the principal advisor to the Secretary on information resources and information systems management.

#### COMMITTEE RECOMMENDATION

The Committee recommendation provides \$126,174,000 for the salaries and expenses of the offices comprising the Office of the Secretary of Transportation. The Committee recommendation includes individual funding levels in this Act for each office as in prior fiscal years.

In addition, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (P.L. 116—136) included \$1,753,000 for the salaries and expenses account to prevent, prepare for, and respond to coronavirus.

*Governmental and public affairs reorganization.*—The budget request proposes a reorganization of the governmental and public affairs operations across the Department. Specifically, the Office of the Secretary is seeking to transfer 1 full-time staff member from the governmental affairs offices of 9 operating administrations to the Office of Governmental Affairs in the Office of the Secretary and to transfer 1 full-time staff member from the public affairs offices of 8 operating administrations to the Office of Public Affairs in the Office of the Secretary. Under this proposal, the operating administrations would continue to be responsible for the salaries and benefits of these 17 employees, while the employees are organizationally and physically located within the Office of the Secretary. The Committee believes this reorganization would constitute an augmentation of funds as the operating administrations would be using fiscal year 2021 salaries and expenses appropriations to support the work of the Office of the Secretary. The Committee opposes this reorganization proposal, and section 194 of this Act prevents the Department from consolidating governmental and public affairs activities from the operating administrations into the Office of the Secretary. Further, if the Office of the Secretary wishes to move forward with expanding its governmental and public affairs capabilities, then the Committee directs the Department to request funding for such activities as part of its fiscal year 2022 budget justification.

*Departmental oversight.*—In addition to the routine oversight of the appropriations process conducted by the Committee, the Committee employs and uses its Surveys and Investigations division to conduct in depth reviews and analysis of program issues. The Surveys and Investigations division plays an important role in supporting the Committee's responsibility to appropriate taxpayer dollars wisely and provide oversight of those Federal funds. Each study is initiated with the full support of the Committee Chair and Ranking Member and Subcommittee Chair and Ranking Member.

The Surveys and Investigations division recently completed a report for the Committee on the Federal Railroad Administration's consolidated rail infrastructure and safety improvements (CRISI) grant program. While the Committee appreciates the Department's overall cooperation with the Surveys and Investigations division as it conducted this important review, there were specific and completely appropriate requests for information relating to the CRISI grant program which were denied by the Department, including in-

formation related to the scoring of CRISI applications and data that should have been readily available in the Department's financial systems. The Department's unwillingness to provide this information to the Surveys and Investigations division, and therefore the Committee, is unacceptable. The Committee directs the Department to be more forthcoming with information requested by the Surveys and Investigations division in future reviews. Further, the Explanatory Statement accompanying the Further Consolidated Appropriations Act, 2020 (P.L. 116-94) reminds the Department of Housing and Urban Development that providing timely and accurate information and technical assistance to the House and Senate Committees on Appropriations is an essential requirement of our Constitutional democracy and is necessary to conduct oversight of Federal resources and execution of Congressional direction. The Committee notes that this direction also applies to the Department of Transportation.

*Open skies.*—The Committee continues to urge the Department to take steps to ensure that U.S. airline carriers and their workers have a fair and equal opportunity to compete in accordance with open skies agreements with foreign governments. The Committee notes that DOT worked with the State Department to reach recent memorandums of agreement with foreign governments to ensure transparency, accountability, and enforcement remain important tenets of open skies agreements. The Committee directs the Department to continue to proactively work with the State Department to take appropriate action with any foreign governments where government subsidies have resulted in market distortion. The Committee directs the Department to provide regular updates to the Committee on their activities related to the fair enforcement of open skies agreements.

*Transportation accessibility and mobility.*—The Committee recognizes that availability, accessibility, and efficiency of transportation is essential for everyone to go about their daily lives and provide for themselves and their families. Transportation systems provide connections to job and economic opportunities, healthcare, childcare, education and workforce training, and many other services. However, some groups, including pregnant women, older adults, people with disabilities, and individuals of low income, may experience unique challenges with accessing or riding public transit, including making first and last mile connections, adjusting work schedules to align with transit schedules and, potentially, paying fares. The Committee recognizes the ongoing work by the Department to improve accessibility and mobility services and supports the goals of the Coordinating Council on Access and Mobility (CCAM), which is housed within the Federal Transit Administration (FTA). Within 30 days of completion of the CCAM report, which is expected in the Fall of 2020, the Committee directs the Department to brief the House and Senate Committees on Appropriations on the results of that report. To continue to increase accessibility in transportation, the Committee directs the Department to identify policy gaps in planning requirements, challenges or opportunities with Federal funding eligibilities in competitive grant and formula programs, and conduct research. In addition, the FTA shall complete an analysis of the challenges faced by and the acces-

sibility of public transit for pregnant women within 1 year of enactment of this Act and post the analysis on their website.

*Infrastructure coordinator.*—Mexico is the United States' third largest trading partner. The Committee supports strengthening coordination between the Department and other relevant Federal agencies to improve freight infrastructure development at the southwest border, which is critical to maintaining this bilateral trade relationship. Therefore, the Committee directs the Department to work with the General Services Administration (GSA), the Department of Homeland Security (DHS), and other relevant agencies to designate a lead infrastructure coordinator to facilitate more efficient development of infrastructure projects and to coordinate with his or her counterpart in the Mexican government. The Committee looks forward to receiving the report on the Department's efforts on this matter as required by House Report 116–106.

*Ports of entry (POE).*—The Committee directs the Department to coordinate with the Office of Management and Budget, GSA, and DHS, including U.S. Customs and Border Protection, regarding its efforts in support of those entities in opening and closing POEs that affect commercial motor vehicle traffic, including providing sufficient time to plan for operational and staffing changes. The Committee strongly encourages the Department to share relevant information with these entities, when appropriate, and to consider economic impacts, safety, and input from stakeholders transporting commercial goods when coordinating with respect to making operational changes to POEs. The Committee directs the Department to brief the House and Senate Committees on Appropriations no later than 60 days after enactment of this Act on its efforts in this regard.

*Value capture.*—The Committee understands value capture is the use of a portion of increased property values created as a result of public infrastructure investment and is usually part of a mixed funding and financing package. The Committee encourages more widespread consideration of value capture as a tool for economic development and as a non-Federal source of funding for transportation infrastructure, such as transit and passenger rail projects. The Committee encourages the Department to improve the dissemination of information and education on the benefits of value capture and guidance on policies and procedures necessary to utilize value capture, and to provide technical assistance as appropriate.

*Climate change and transportation.*—The transportation sector is a principal contributor to greenhouse gas emissions in the United States. The Committee recognizes the urgent need to reduce greenhouse gas emissions in order to mitigate the impacts of climate change, as well as the importance of the transportation sector in that effort. The Committee encourages the Department to integrate considerations of the impacts of climate change into all aspects of the Department's transportation planning and into competitive grant and formula programs.

*Alternative fuels.*—The Committee notes that the integration of alternative fuels into the national transportation system presents opportunities to address climate change and economic growth through electric vehicle recharging stations, passenger vehicle biofuel refueling, aviation alternative fuel usage, and increased use

of hydrogen, electric, and other fuels. The Committee directs the Department to brief the House and Senate Committees on Appropriations no later than 180 days after enactment of this Act on the efforts the Department is taking to encourage adoption of alternative fuels, including ongoing collaboration with the Department of Energy.

*Careers in transportation.*—Transportation is the backbone of the national economy, moving people, goods, and services across the country and beyond. The Committee recognizes the importance of ensuring the transportation industry workforce is sufficient to meet future demands. Therefore, the Committee encourages the Department to consider initiatives that could increase the number and diversity of the transportation workforce, including pilots, airport executives, engineers, truck drivers, inspectors, technicians, and maritime workers, and to focus on engaging the next generation on potential careers in transportation fields.

*Cost-benefit analysis.*—The Committee understands that the Department utilizes cost-benefit analysis to assist in the competitive grant application evaluation process. The Committee recognizes that given the wide array of projects eligible under competitive grant programs and the diverse types of benefits that might be applicable to these projects, it is difficult for the Department to use one standardized cost-benefit analysis form across the entire Department. The Committee further recognizes that completing multiple different cost-benefit analyses can be challenging for applicants. Therefore, the Committee urges the Department to continue to assist applicants in developing cost-benefit analyses through guidance, technical assistance, webinars, debriefs on past applications, and other means deemed appropriate by the Department.

*Distressed coal communities.*—The Committee encourages the Department to prioritize technical assistance to assist coal communities emerging from economic downturn and to help them utilize competitive grant programs to revitalize their communities.

*Nationally significant freight and highway (INFRA) projects.*—The Committee is concerned that the competitive grant process for INFRA includes limited transparency into the evaluation process. Consistent with the recommendations issued by the Government Accountability Office in GAO–19–541, as part of its annual report on the program, the Committee directs the Department to include a summary of each project for which an application was submitted and a single rating for each project’s ability to fulfill the goals outlined in section 117(a)(2) of title 23, United States Code. More transparency would allow project sponsors to improve applications in future competitions and enhance public confidence that the Department has selected the most urgent projects of national and regional significance. Further, the Committee encourages the Department to give priority consideration to projects which address the needs of large metropolitan cities and increase the flow of commerce, including at ports, and to applicants which have demonstrated a successful track record of managing and implementing complex projects on time and on budget.

## RESEARCH AND TECHNOLOGY

Appropriation, fiscal year 2020 .....	\$21,000,000
Budget request, fiscal year 2021 .....	11,033,000
Recommended in the bill .....	19,800,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	–1,200,000
Budget request, fiscal year 2021 .....	+8,767,000

The Office of the Assistant Secretary for Research and Technology coordinates, facilitates, and reviews the Department's research and development programs and activities; coordinates and develops positioning, navigation, and timing (PNT) technology; maintains PNT policy, coordination, and spectrum management; manages the nationwide differential global positioning system (GPS); and oversees and provides direction to the Bureau of Transportation Statistics, the Intelligent Transportation Systems Joint Program Office, the University Transportation Centers (UTCs) program, the John A. Volpe National Transportation Systems Center, and the Transportation Safety Institute.

## COMMITTEE RECOMMENDATION

The Committee recommendation provides \$19,800,000 for research and technology activities.

*Transportation resilience metrics study.*—The Committee continues to assert that new construction or major rehabilitation projects funded by the Department through competitive grant and formula programs should be constructed to the most current relevant standards and address the risk of structural failure or loss of use from natural hazards throughout the lifetime of the project. The Committee is pleased that the Department entered into an agreement in April 2020 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. The Committee understands the Transportation Research Board will identify and examine metrics to assess the resilience of existing infrastructure and to inform infrastructure investment planning across the surface, marine, and aviation modes for a wide array of natural disasters and hazards. The Committee looks forward to receiving the findings and recommendations of this study as required by P.L. 116–94.

*Highly automated systems safety center of excellence (HASS COE).*—As automated systems and technologies become increasingly widespread, the Committee continues to believe that the safety of the traveling public jointly depends on technology developers, owners and operators, and appropriate Federal regulations and effective oversight. The Committee appreciates the Department's efforts to date to launch the HASS COE as required by P.L. 116–94. As outlined in section 105 of P.L. 116–94, the HASS COE is intended to serve as a dedicated workforce at the Department capable of reviewing, assessing, and validating the safety of highly automated systems across all modes of transportation. To ensure the Department has the necessary expertise and capabilities within the HASS COE to collaborate with and provide support to all operating administrations, the Committee directs the Department to staff the HASS COE with full-time equivalents who have expertise in automation and human factors, computer science, data analytics,

machine learning, sensors, and other technologies involving automated systems. This would fulfill the Committee's intent in fiscal year 2020 to allow the Department to hire the best and brightest in these fields, including direct hires from outside the Federal government like industry or academia as well as detailees from operating administrations or other Federal agencies. While section 105 of P.L. 116-94 provides the Department the flexibility to utilize detailees from operating administrations or other Federal agencies, the HASS COE shall not be solely comprised of detailees. Nor shall the HASS COE consist of part-time, fee-for-service experts or be staffed on a project-by-project basis. The needs and requests of the operating administrations should drive the work of the HASS COE; however, each new project should not require assembling a staff. The use of part-time, fee-for-service experts shall be limited in scope to emerging issues or incidents requiring capabilities not already provided by the full-time experts within the HASS COE.

The Committee maintains the importance of having a dedicated workforce at the Department through the HASS COE to build internal expertise and capacity in complex transportation-based systems to ensure automated technologies are safe and work as intended. Therefore, the Committee provides \$3,000,000 for the HASS COE for the Department to retain the expertise outlined in section 105 of P.L. 116-94 through a dedicated, full-time equivalent workforce. The Committee directs the Department to continue to consult with the House and Senate Committees on Appropriations on the HASS COE and to submit a staffing plan and budget for the HASS COE to the House and Senate Committees on Appropriations for approval no later than 60 days after enactment of this Act.

*UTCs.*—The Committee continues to support UTCs, which are authorized under section 5505 of title 49, United States Code, and funded through the Federal Highway Administration consistent with the amounts authorized in the INVEST in America Act. The Committee is aware of the important role UTCs can play in conducting research and development activities on technologies for safe and efficient transportation that could reduce vehicle idling, decrease congestion, and manage urban arterials with scalable systems and real-time responsiveness. Further, the Committee encourages the Department to work with relevant UTCs to launch a clearinghouse for new innovations by providing a platform for bridge and structure stakeholders to find technically robust and unbiased information and reports that evaluate innovations and accelerate acceptance and implementation of new bridge and structure materials and technologies.

*Emergency planning transportation data initiative.*—The Committee recognizes that emergency planning decision-makers and the public require real-time roadway weather data to make important transportation decisions to protect public safety. A variety of weather events create hazardous driving conditions that lead to transportation accidents that could have been prevented with better data integration. P.L. 116-94 provided \$1,000,000 for the emergency planning transportation data initiative to conduct research and develop models of data integration of geo-located weather and roadway information for emergency and other severe weather conditions to improve public safety, emergency evacuation, and re-

sponse capabilities. The Committee encourages the Department to continue to support this initiative in fiscal year 2021.

*PNT technologies.*—PNT technologies are critical to all modes of transportation. The Department is the lead for civil PNT requirements and represents the civil departments and agencies in the development, acquisition, management, and operations of GPS. In 2019, the Department issued a request for information and subsequently a request for quotation for commercial technologies to support a backup GPS capability and complementary PNT services demonstration. The Committee understands 11 commercial technologies with a high level of technical readiness were selected to conduct field demonstrations, which took place in March 2020. The Committee further understands the Department is analyzing and assessing the data from these field demonstrations and will work with the Departments of Defense and Homeland Security, in coordination with members of the National Executive Committee for Space-Based PNT, to develop recommendations for a technology or a combination of technologies later this year. The Committee directs the Department to brief the House and Senate Committees on Appropriations on the results of the field demonstration and the Department's recommendations no later than 30 days after the recommendations have been finalized. This briefing should include estimates on the funding necessary to carry out the Department's recommendations. Further, the Committee provides \$5,000,000 to assist the Department in carrying out its recommendations.

*Recycled plastic materials in transportation.*—The Committee provides \$800,000 for the Secretary to enter into an agreement with the National Academies of Sciences, Engineering, and Medicine to conduct a study through the Transportation Research Board on the use of recycled plastic materials in transportation infrastructure. The study should (1) identify domestic and international examples of transportation infrastructure projects which have used recycled plastic materials and projects in which recycled plastic materials have been incorporated into or with other transportation infrastructure, (2) assess the effectiveness and utility of recycled plastic materials, (3) assess the extent to which recycled plastic materials are consistent with recognized specifications and standards for transportation infrastructure, (4) review relevant impacts of recycled plastic materials compared to non-waste plastic materials, (5) assess the health, safety, and environmental impacts of recycled plastic materials on humans and animals, (6) assess the ability of recycled plastic materials to withstand natural disasters and extreme weather events, and (7) assess the potential economic benefits of recycled plastic materials. The Committee directs the Secretary to submit to the House and Senate Committees on Appropriations a final study, with recommendations, developed by the National Academy of Sciences, Engineering, and Medicine no later than 2 years after enactment of this Act.

## NATIONAL INFRASTRUCTURE INVESTMENTS

## (INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2020 .....	\$1,000,000,000
Budget request, fiscal year 2021 .....	1,000,000,000
Recommended in the bill .....	1,000,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	---
Budget request, fiscal year 2021 .....	---

The national infrastructure investments program (also known as BUILD and formerly known as TIGER) was created in the American Recovery and Reinvestment Act (P.L. 111–5) to provide grants and credit assistance to State and local governments, tribal governments, U.S. territories, transit agencies, port authorities, metropolitan planning organizations, or a combination of such entities to improve the Nation’s transportation infrastructure. Eligible projects include highways and bridges, public transportation, freight and passenger rail, port infrastructure, and bicycle and pedestrian improvements. The national infrastructure investments program awards funds on a competitive basis to projects that will have a significant local or regional impact.

## COMMITTEE RECOMMENDATION

The Committee recommendation provides \$1,000,000,000 for the national infrastructure investments program to support multimodal, multijurisdictional transportation projects that are more difficult to accomplish through traditional transportation programs. Key tenets of this program include its flexibility and the ability for any public entity to apply directly and not through a State department of transportation as is the case with many Federal transportation programs. BUILD also fosters collaboration and leverages non-Federal investments from private, State, and local sources. The Committee has consistently heard from communities large and small on the difference BUILD grants have made in improving safety, state of good repair, economic competitiveness, environmental sustainability, and quality of life.

The Committee remains concerned that the Department continues to move away from the original intent of the program and has overemphasized road projects in fiscal years 2017, 2018, and 2019. In fiscal year 2019, the Department awarded 68 percent of the total funding available to 38 road projects. The remaining 32 percent of the funding was spread among 17 transit, rail, maritime, and aviation projects. The Department’s prioritization of road projects comes mostly at the expense of transit-related projects, which on average received about 32 percent of awards between fiscal years 2009 and 2016. This also contradicted direction in the Consolidated Appropriations Act, 2019 (P.L. 116–6) to invest in a variety of transportation modes. The Committee strongly reminds the Department that highway and bridge projects have dedicated funding sources through Highway Trust Fund formula programs. Therefore, the Committee directs the Department to achieve a more equitable distribution of fiscal year 2021 funding to the transportation modes which have been underfunded in fiscal years 2017, 2018, and 2019; including transit projects, passenger and freight



rail projects, port infrastructure improvement projects, bicycle and pedestrian projects, and multimodal infrastructure projects.

The Committee is also disappointed with the Department's efforts to prioritize rural communities over urban communities. Despite direction in P.L. 116–6 to award 50 percent of the funding to rural and urban areas, respectively, the Department awarded \$449,708,055 to rural projects and \$433,763,168 to urban projects. Instead of distributing the \$16,528,777 in the administrative costs evenly across the rural and urban set-asides, the Department decided to take the vast majority—\$16,236,832—of the administrative costs from the urban set-aside. P.L. 116–94 requires the Department to assign the administrative costs evenly across the rural and urban set-asides and this Act continues that requirement. Further, to ensure a more equitable distribution of fiscal year 2021 funding, the Committee requires the Department to distribute awards based on the population of the United States. Specifically, 40 percent of the funding will support projects in rural areas with a population of 250,000 or less, and 60 percent of the funding will support projects in urban areas with a population greater than 250,000. These percentages directly correlate to the number of people living in these areas in the 2010 Census. The Committee also notes that investments in projects can have benefits far beyond the project location. For example, projects in urban areas can provide benefits to rural areas. Therefore, the Committee encourages the Department to consider the benefits of a project to the fullest extent possible and to include all relevant geographic areas. In addition, the Committee urges the Department to consider projects in urban areas that use new and emerging technologies to improve traffic flow, enhance safety, and reduce congestion.

The Committee reminds the Department and applicants that BUILD grants support a broad variety of transportation projects including, but not limited to, highway, bridge, or road projects; transit projects; passenger and freight rail projects, including high speed passenger rail; port infrastructure improvement projects; intermodal projects; bicycle and pedestrian projects; and multimodal infrastructure projects, including infrastructure reuse projects and projects that improve transportation safety and efficiency at ports, piers, and parks. The Committee also reiterates that applicants from all 50 States, the District of Columbia, and all U.S. territories are eligible to apply for BUILD grants. The Committee notes that despite their eligibility and having submitted 114 applications between fiscal years 2009 and 2019, the U.S. territories have been awarded only 3 projects over the life of the program. The Committee encourages the Department to fairly consider applications for projects located in the U.S. territories.

*Notice of funding opportunity (NOFO).*—The Department's fiscal year 2020 NOFO again incorporates new criteria which the Department will use to evaluate and award grants. This contradicts the direction in P.L. 116–94 to consider and award projects based solely on the selection criteria from the fiscal year 2017 NOFO. The Committee directs the Department to only use the selection criteria from the fiscal year 2017 NOFO for fiscal year 2021.

*Planning grants.*—The Committee recognizes that planning support can be critical for communities seeking to invest in infrastructure projects, including transit, transit-oriented development, and

multimodal projects. The Committee provided funding for planning grants in fiscal years 2010, 2014, 2018, 2019, and 2020. Planning grants awarded in fiscal years 2010 and 2014 have spurred project development and, in turn, construction. The Committee is disappointed that the Department again did not award a single planning grant in fiscal year 2019. P.L. 116–94 requires the Department to use \$15,000,000 in fiscal year 2020 funding for planning grants, and the Committee is pleased that the Department’s fiscal year 2020 NOFO complies with this directive.

The Committee recommendation continues to support planning grants and requires the Department to award \$40,000,000 in grants for the planning, preparation, or design of projects. Of this amount, \$20,000,000 is provided for any eligible project and applicant with an emphasis on transit, transit-oriented development, and multimodal projects, and \$20,000,000 is provided for any eligible project located in or directly benefiting counties and census tracts experiencing persistent poverty or any territory or possession of the United States.

#### NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE FINANCE BUREAU

Appropriation, fiscal year 2020 .....	\$5,000,000
Budget request, fiscal year 2021 .....	4,250,000
Recommended in the bill .....	15,500,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+10,500,000
Budget request, fiscal year 2021 .....	+11,250,000

The National Surface Transportation and Innovative Finance Bureau (Bureau) is authorized under section 9001 of the Fixing America’s Surface Transportation (FAST) Act (P.L. 114–94). The Bureau administers and coordinates the Department’s existing transportation finance programs and INFRA competitive grant program and provides technical assistance and outreach to communities on financing and funding opportunities for transportation infrastructure.

#### COMMITTEE RECOMMENDATION

The Committee recommendation provides \$15,500,000 for the Bureau. The Committee opposes the proposal in the budget request to eliminate the maritime guaranteed loan (Title XI) program and to transfer existing loans from the Maritime Administration to the Bureau for administration.

*Transit-oriented development (TOD).*—In the FAST Act, Congress authorized TOD projects as an eligible use for credit assistance under the Transportation Infrastructure Finance and Investment Act (TIFIA) and Railroad Rehabilitation and Improvement Financing (RRIF) programs. The Committee notes with disappointment that the Department has not submitted a report required by House Report 116–106 summarizing potential TOD projects and applications and identifying statutory, regulatory, or administrative requirements that may be hindering the financing of TOD projects under TIFIA and RRIF. The Committee directs the Department to complete this report no later than 30 days after enactment of this Act.

*Rural community outreach.*—The FAST Act established the Bureau to provide assistance and communicate best practices to project sponsors seeking to take advantage of the TIFIA and RRIF programs. These credit assistance programs were created to leverage Federal dollars in the form of direct loans, loan guarantees, and lines of credit to finance surface and rail transportation projects. The Committee directs the Department to submit a report to the House and Senate Committees on Appropriations no later than 180 days after enactment of this Act summarizing the Bureau's efforts to conduct outreach to communities located outside metropolitan or micropolitan statistical areas and recommendations to improve outreach, communication, and technical assistance with rural communities. Further, the report should identify whether projects receiving, or that have received, assistance under the TIFIA program are located in a metropolitan statistical area, micropolitan statistical area, or neither, and should identify current statutory, regulatory, or administrative requirements that may be hindering the financing of TIFIA projects in areas outside of metropolitan or micropolitan statistical areas. If current data collected under the TIFIA program are unable to be readily aggregated as a metropolitan statistical area, micropolitan statistical area, or neither, then the Bureau is directed to report on the limitations of the data and provide available data which is similar in nature to metropolitan or micropolitan statistical areas.

*Planning grants to assist areas of persistent poverty.*—The Committee recognizes that planning support can be critical for communities seeking to invest in transportation infrastructure. Unfortunately, communities that lack the resources or expertise to adequately plan for such investments experience greater challenges in securing competitive grants to assist with project construction. Therefore, the Committee provides \$10,000,000 for a new competitive grant program for planning grants to assist areas of persistent poverty. These planning grants would support pre-construction activities including planning, engineering, design, environmental analysis, feasibility studies, and finance plans for highway, bridge, or road projects, bicycle and pedestrian projects, transit projects, passenger and freight rail projects, port infrastructure improvement projects, airport improvement projects, and intermodal projects that are located in or directly benefiting counties and census tracts experiencing persistent poverty or any territory or possession of the United States.

#### RAILROAD REHABILITATION AND IMPROVEMENT FINANCING PROGRAM

Appropriation, fiscal year 2020 .....	---
Budget request, fiscal year 2021 .....	---
Recommended in the bill .....	\$70,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+70,000,000
Budget request, fiscal year 2021 .....	+70,000,000

The RRIF program was established in the Transportation Equity Act for the 21st Century (P.L. 105–178) to provide direct loans and loan guarantees to State and local governments, government-sponsored entities, and railroads. Credit assistance under the program may be used for rehabilitating or developing rail equipment and facilities, developing or establishing intermodal facilities, and transit-oriented development.

## COMMITTEE RECOMMENDATION

The Committee recommendation provides \$70,000,000 for the modification cost for credit risk premium repayment for RRIF loans in cohort 3. Further, the Committee recommendation allows the credit risk premium for RRIF loans to be eligible for grants under the national infrastructure investments program.

## FINANCIAL MANAGEMENT CAPITAL

Appropriation, fiscal year 2020 .....	\$2,000,000
Budget request, fiscal year 2021 .....	2,000,000
Recommended in the bill .....	2,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	---
Budget request, fiscal year 2021 .....	---

The financial management capital program supports a multi-year project to upgrade the Department's financial systems, processes, and reporting capabilities and implement requirements of the Digital Accountability and Transparency (DATA) Act (P.L. 113–101).

## COMMITTEE RECOMMENDATION

The Committee recommendation provides \$2,000,000 for the financial management capital program.

## CYBER SECURITY INITIATIVES

Appropriation, fiscal year 2020 .....	\$15,000,000
Budget request, fiscal year 2021 .....	22,000,000
Recommended in the bill .....	19,300,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+4,300,000
Budget request, fiscal year 2021 .....	–2,700,000

The cyber security initiatives account is an effort to close performance gaps in the Department's cyber security. The account includes support for essential program enhancements, infrastructure improvements, and contractual resources to enhance the security of the Department's computer network and reduce the risk of security breaches.

## COMMITTEE RECOMMENDATION

The Committee recommendation provides \$19,300,000 to support the Secretary's cyber security initiatives.

## OFFICE OF CIVIL RIGHTS

Appropriation, fiscal year 2020 .....	\$9,470,000
Budget request, fiscal year 2021 .....	9,600,000
Recommended in the bill .....	9,600,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+130,000
Budget request, fiscal year 2021 .....	---

The Office of Civil Rights is responsible for advising the Secretary on civil rights and equal opportunity issues and ensuring the full implementation of the civil rights laws and departmental civil rights policies in all official actions and programs. This office is responsible for enforcing laws and regulations that prohibit discrimination in Federally operated and Federally assisted transportation programs and enabling access to transportation providers.

The Office of Civil Rights also handles all civil rights cases affecting Department employees.

#### COMMITTEE RECOMMENDATION

The Committee recommendation provides \$9,600,000 for the Office of Civil Rights.

#### TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

##### (INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2020 .....	\$10,879,000
Budget request, fiscal year 2021 .....	9,350,000
Recommended in the bill .....	10,879,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	---
Budget request, fiscal year 2021 .....	+1,529,000

This appropriation finances research activities and studies related to the planning, analysis, and information development used in the formulation of national transportation policies and plans. It also finances the staff necessary to conduct these efforts. The overall program is carried out primarily through contracts with other Federal agencies, educational institutions, non-profit research organizations, and private firms.

#### COMMITTEE RECOMMENDATION

The Committee recommendation provides \$10,879,000 for transportation planning, research, and development activities, of which \$1,000,000 is for the Interagency Infrastructure Permitting Improvement Center.

*Non-traditional and emerging transportation technology (NETT) council.*—The Committee recognizes the growth and innovation in new transportation technologies that seek to improve safety, alleviate congestion and shorten commute times, expand access and mobility for rural and urban communities, and enable a more efficient flow of commercial goods. The Committee understands hyperloop technology is an emerging transportation concept that has the potential to fulfill some of these objectives. P.L. 116–94 directed the Department, through the NETT Council, to conduct a study on new and emerging cross-modal transportation technologies, including hyperloop technology. The Committee looks forward to the NETT Council completing this study and directs the Department to brief the House and Senate Committees on Appropriations on the findings and recommendations no later than 30 days after the completion date set in P.L. 116–94. Further, the Committee provides \$2,000,000 for activities supporting such technologies that were initiated with funding provided in fiscal year 2020. Specifically, the Committee directs the Department to utilize fiscal year 2021 funding to conduct research to better understand the safety and regulatory needs of such technologies and to provide technical assistance to local and State governments for non-traditional and emerging technologies. The fiscal year 2021 funding may also be used to implement recommendations from the study conducted by the NETT Council. If the Department seeks to utilize the fiscal year 2021 funding to support these recommendations, then the Committee directs the Department to request and receive approval from

the House and Senate Committees on Appropriations for the use of such funds.

*Automated vehicle proving grounds.*—The auto industry is in the midst of a seismic technological shift that could significantly change the transportation of people and goods. Automated vehicle proving grounds are designated pilot sites to encourage testing and information sharing on automated vehicle technologies. The Committee is concerned with the lack of transparency as it relates to the automated vehicle proving grounds. The Committee directs the Department to report to the House and Senate Committees on Appropriations no later than 90 days after enactment of this Act on significant findings discovered from the automated vehicle testing at designated pilot sites, such as technological advancements and safety concerns.

#### WORKING CAPITAL FUND

##### (INCLUDING TRANSFER OF FUNDS)

Limitation, fiscal year 2020 .....	\$319,793,000
Budget request, fiscal year 2021 .....	n/a
Recommended in the bill .....	372,016,000
Bill compared with:	
Limitation, fiscal year 2020 .....	+52,223,000
Budget request, fiscal year 2021 .....	n/a

The Working Capital Fund (WCF) was created to provide common administrative services to the Department's operating administrations and outside entities that contract for the Fund's services. The WCF operates on a fee-for-service basis and receives no direct appropriations. It is fully self-sustaining and must achieve full cost recovery.

##### COMMITTEE RECOMMENDATION

The Committee recommends a limitation of \$372,016,000 on the Working Capital Fund, which fully supports the WCF's administration and information technology (IT) activities for the Department and the WCF's commodity IT shared services initiative. The limitation allows the Department to complete the commodity IT shared services initiative and, if needed, the migration of personnel associated with commodity IT. The limitation does not support non-commodity, programmatic IT consolidation in the WCF. The Committee continues to stipulate that the limitation is only for services provided to the Department of Transportation, not other entities. Further, the Committee directs that, as much as possible, services shall be provided on a competitive basis.

*Equipment inventory.*—The Committee notes that the Department committed to making changes to its asset management policies and procedures in response to the Office of Inspector General's November 4, 2019 audit of the Department's management of WCF laptop computers. The Department is directed to brief the House and Senate Committees on Appropriations no later than 90 days after enactment of this Act on the steps the Department has taken to improve the policies and procedures for laptop computer asset management.

## SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND OUTREACH

Appropriation, fiscal year 2020 .....	\$4,646,000
Budget request, fiscal year 2021 .....	4,714,000
Recommended in the bill .....	4,714,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+68,000
Budget request, fiscal year 2021 .....	--

The Office of Small and Disadvantaged Business Utilization and Outreach assists small, disadvantaged businesses and businesses owned by minorities and women in competing for contracting opportunities with the Department and Department-funded contracts or grants for transportation-related projects. The office also provides technical and financial assistance, bonding education, training, counseling, and procurement assistance, and administers the Department's Small Business Transportation Resource Center program.

## COMMITTEE RECOMMENDATION

The Committee recommendation provides \$4,714,000 for the small and disadvantaged business utilization and outreach account.

## PAYMENTS TO AIR CARRIERS

## (AIRPORT AND AIRWAY TRUST FUND)

Appropriation, fiscal year 2020 .....	\$162,000,000
Budget request, fiscal year 2021 .....	141,724,000
Recommended in the bill .....	162,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	--
Budget request, fiscal year 2021 .....	+20,276,000

The Essential Air Service (EAS) program provides subsidies to air carriers to maintain a minimal level of scheduled air service to small communities that had received air service prior to the Airline Deregulation Act of 1978. Since 1998, the source of funding for the EAS program has been "overflight fees," which are charged to carriers for Federal Aviation Administration navigational and surveillance services for flights that traverse, but neither take off from nor land in, the United States.

## COMMITTEE RECOMMENDATION

The following table shows the appropriation, overflight fees, and total program levels for the EAS program.

	Appropriations	Overflight fees	Total
FY 2020 Enacted .....	\$162,000,000	\$150,500,000	\$312,500,000
Request .....	141,724,000	153,000,000	294,724,000
Recommendation .....	162,000,000	153,000,000	315,000,000

In addition, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (P.L. 116-136) included \$56,000,000 for the Essential Air Service program to prevent, prepare for, and respond to coronavirus.

The Committee directs the Department to utilize all collected overflight fees and provides an additional \$162,000,000 for this vital link between small communities and the nation.

ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY OF  
TRANSPORTATION

(INCLUDING RESCISSIONS)

Section 101 prohibits the Office of the Secretary of Transportation from approving assessments or reimbursable agreements pertaining to funds appropriated to the operating administrations in this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

Section 102 requires the Secretary to post on the internet a schedule of all Council on Credit and Finance meetings, agendas, and meeting minutes.

Section 103 allows the Department's WCF to provide payments in advance to vendors for the Federal transit pass fringe benefit program and to provide full or partial payments to, and to accept reimbursements from, Federal agencies for transit benefit distribution services.

Section 104 allows the Department's WCF to provide payments in advance to commercial vendors for the Federal transit pass fringe benefit program and requires the Department to include safeguards in the contract with vendors.

Section 105 allows the Department's WCF to utilize not more than \$1,000,000 in fiscal year 2021 unused van pool benefits to provide contractual services in support of section 190 of this Act.

Section 106 extends the obligation date for the amounts made available for the national infrastructure investments program for fiscal years 2017, 2018, 2019, and 2020.

FEDERAL AVIATION ADMINISTRATION

The Federal Aviation Administration (FAA) is responsible for the safety of civil aviation, navigation and surveillance, and airports. The Federal government's regulatory role in civil aviation dates back 1926. When the Department of Transportation began its operations in 1967, the FAA became one of several modal administrations within the Department. FAA's mission expanded in 1995 with the transfer of the Office of Commercial Space Transportation from the Office of the Secretary and contracted in December 2001 with the transfer of civil aviation security activities to the Transportation Security Administration.

*Next Generation of Air Traffic Control (NextGen).*—The Committee places a high priority on NextGen programs and provides resources in the operations, facilities and equipment, and research, engineering, and development accounts to modernize air traffic control along with private sector stakeholders.

*NextGen Advisory Committee (NAC).*—The NAC includes an appropriate mix of the aviation community, including representatives from general aviation, commercial aviation, labor organizations, airports, local community representatives, and the Federal government. The Committee supports the current diverse NAC membership and believes that the NAC performs an important role in setting priorities for the FAA's air traffic control modernization efforts. The Committee encourages the FAA to implement NAC recommendations and directs the FAA to provide an annual update on



the status of NAC recommendations to the House and Senate Committees on Appropriations.

*Trust fund share of the FAA budget.*—In a break with convention, the Committee derives the FAA’s funding for the “Operations”, “Facilities and Equipment”, and “Research, Engineering and Development” accounts from the general fund of the Treasury rather than the Airport and Airway Trust Fund (AATF). As air passenger traffic plummeted as a result of the coronavirus pandemic, so did the revenue from aviation taxes that are remitted to the AATF. Then, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (P.L. 116–136) suspended certain aviation taxes through January 2021. Consequently, the AATF may have insufficient aviation tax revenue to meet all of its obligations in fiscal year 2021. The Committee expects AATF revenue and obligations to regain balance in fiscal year 2022.

#### OPERATIONS

Appropriation, fiscal year 2020 .....	\$10,630,000,000
Budget request, fiscal year 2021 .....	11,001,500,000
Recommended in the bill .....	11,051,500,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+421,500,000
Budget request, fiscal year 2021 .....	+50,000,000

This appropriation provides funds for the operation, maintenance, communications, and logistical support of the air traffic control and air navigation systems. It also covers administrative and managerial costs for the FAA’s regulatory, international, medical, engineering, and development programs as well as policy oversight and overall management functions.

The operations appropriation includes the following major activities: (1) operation of a national air traffic system on a 24-hour daily basis; (2) establishment and maintenance of a national system of aids to navigation; (3) establishment and surveillance of civil air regulations to ensure safety in aviation; (4) development of standards, rules and regulations governing the physical fitness of airmen, as well as the administration of an aviation medical research program; (5) administration of the acquisition, and research and development programs; (6) headquarters, administration, and other staff offices; and (7) development, printing, and distribution of aeronautical charts used by the flying public.

#### COMMITTEE RECOMMENDATION

The following table shows a comparison of the budget request and the Committee recommendation by budget activity.

FAA Operations Activities	Request	Recommendation
Aviation Safety .....	\$1,474,039,000	\$1,500,000,000
Air Traffic Organization .....	8,210,821,000	8,231,000,000
Commercial Space Transportation .....	27,555,000	27,555,000
Finance and Management .....	836,141,000	836,000,000
NextGen and Operations Planning .....	62,862,000	62,862,000
Security and Hazardous Materials Safety .....	124,928,000	129,000,000
Staff offices .....	265,154,000	265,083,000
Total, Operations .....	11,001,500,000	11,051,500,000

In addition, the CARES Act included \$25,000,000 in budgetary resources for the Operations account to prevent, prepare for, and respond to coronavirus.

*Aviation safety.*—Every FAA office and program’s primary, secondary, and tertiary mission is safety. The Committee provides funding for the FAA’s safety mission in each of the FAA’s appropriations accounts and will insist that the FAA demonstrate how these public resources are being used to provide the public good of safety. Eliminating human error is unobtainable and simply striving for human perfection will not appreciably improve safety. Instead, the Committee supports a systems and interdisciplinary approach to aviation safety to identify the root causes, circumstances, and conditions that increase the likelihood of human error and then develop countermeasures to minimize the frequency and impact of human error.

Consistent with the request, the Committee provides an increase of \$36,679,000 within the Operations account for improving aviation safety and oversight. This is the second in a series of investments to review and respond to the numerous recommendations made by multiple entities that completed or have yet to complete their review or investigation of the 737 MAX accidents or the aircraft certification process in general. The funds will also enhance the functionality or integrity of investigative or analytical systems such as the Investigation Repository/Cyber Analysis Virtual Environment (CAVE), Aviation Safety Information Analysis and Sharing (ASIAS), Aviation Safety Reporting Program (ASRP), and the FAA Hotline Information System (FHIS). The FAA’s request includes the creation of a new, single office, instead of multiple regional offices to oversee 78 Organization Designation Authorization (ODA) entities. The Committee believes in the merit to the proposal and invites the FAA to submit a reprogramming request to create the ODA Office to the House and Senate Committees on Appropriations in accordance with section 405 of this Act.

To further promote aviation safety, within the Aviation Safety budget activity, the Committee recommendation includes not less than \$285,000,000 for the Aircraft Certification Service (AIR) and not less than \$935,000,000 for the Flight Standards Service (AFS), which are \$4,773,000 and \$4,854,000 above the request, respectively. These increases above the request are for the AIR and AFS to collaborate early and often in furtherance of removing artificial barriers between AIR and AFS, including deeper engagement with the Aircraft Evaluation Groups, who can serve as a bridge between these engineering and operational specialists. In addition, to comply with recommendations regarding aircraft certification, AIR and AFS are to give greater weight to human factors, both physical and psychological, in their work from start to finish.

Aircraft have become increasingly automated, measurably improving safety, while also introducing new hazards, such as pilot complacency. In the fall of 2019, the FAA submitted a working paper to the International Civil Aviation Organization (ICAO) that outlined the potential for automation to degrade pilot skills that are essential in the event that automated systems fail. The ICAO will ultimately produce a comprehensive study and a set of international standards, but the final product could be years away. In the meantime, the Committee provides \$2,000,000 for the FAA to

study one aspect of pilot training that merits immediate attention due to its ubiquity—pilot dependency on automation, which was also identified among the recommendations regarding aircraft certification.

Section 303 of the FAA Reauthorization Act (P.L. 115–254) directed the FAA to update its safety critical staffing model to determine the number of aviation safety inspectors that FAA needs to fulfill its safety oversight mission. In November 2019, FAA informed the Department’s Office of Inspector General (OIG) that it updated the model and, as also required by section 303, the OIG initiated an audit of the model in March 2020. The Committee believes that safety is not strictly the number of FAA inspectors, but also the range of their training and work experience. Accordingly, the Committee provides \$2,000,000 for a staffing study of current AIR personnel training and work experience, such as whether it is equivalent to their private sector counterparts, the ratio of senior to junior inspectors, and FAA support for continued education and training. The Committee directs the FAA to submit quarterly reports to the House and Senate Committees on Appropriations beginning not later than 60 days after the date of enactment of this Act on the status of recommendations made by the National Transportation Safety Board, the Department of Transportation Special Committee to Review FAA’s Aircraft Certification Process, the Joint Authorities’ Technical Review, and the Komite Nasional Keselamatan Transportasi in the Aircraft Accident Investigation Report on Lion Air Flight 610.

In a June 2020 legal opinion (B–331090), the Government Accountability Office (GAO) found that the FAA relied on 49 U.S.C. 106(l)(6) to provide a routine aviation safety-related service to an airline carrier in exchange for money, which had the effect of circumventing the User Charge Statute (31 U.S.C. 9701) and improperly augmenting the FAA’s Operations appropriations. The Committee directs the FAA to submit a report to the House and Senate Committees on Appropriations not later than 90 days after the date of enactment of this Act on its usage of 49 U.S.C. 106(l)(6). The report shall include the guidelines, standards, and processes for using 49 U.S.C. 106(l)(6), including the offices and officials who propose, review, approve, and terminate the use of 49 U.S.C. 106(l)(6); the annual amount of money the FAA has collected from a person, firm, association, or corporation for aviation safety-related services since 1998 while relying on 49 U.S.C. 106(l)(6); the internal controls for enforcing these guidelines, standards, and processes; a complete list of aviation safety-related services and their associated costs that are available to any person, firm, association, or corporation; a description of how the FAA make these services and their costs known to the general public; and an explanation of how the FAA ensures that aviation safety-related services are neither performed nor performed any earlier than they otherwise would be for a person, firm, association, or corporation. Not later than 90 days after the FAA transmits such report to Congress, the GAO shall evaluate the report against its legal opinion, best practices for user fees, and best practices for procurement and brief the House and Senate Committees on Appropriations on such evaluation.

*Air tour management.*—The Committee shares the U.S. Court of Appeals for the District of Columbia Circuit’s opinion of the FAA and National Park Service’s underwhelming and unsuccessful effort to implement the Air Tour Management Act of 2000. The Committee directs the FAA to submit not later than 15 days after the date of enactment of this Act to the House and Senate Committees on Appropriations a court-approved plan for bringing 23 national parks into compliance with the Act and the subsequent court-required updates as of the date of enactment of this Act. The Committee reminds the FAA that it has a duty to provide leadership with regards to all aspects of aviation, including noise.

*Commercial space licensing.*—The Committee supports the DOT and the FAA in their efforts to move forward in reforming, streamlining, and reducing reporting requirements and timelines for the licensing of U.S. commercial launch services providers. The Committee directs the FAA to inform the Committee immediately if the licensing workload outpaces the Office of Commercial Space’s workforce capabilities and potential productivity gains from technology solutions.

*Commercial tour flights.*—The Committee directs the FAA to report to the House and Senate Committees on Appropriations not later than 180 days after the date of enactment of this Act on FAA responses to the National Transportation Safety Board recommendations regarding commercial air tour flights flying under 14 C.F.R. Pt. 91 and Pt. 135, including what action FAA has taken on each recommendation and why or why none was taken.

*Community engagement and noise.*—Community concerns need to be considered as the national airspace system evolves. Both the FAA and the aviation industry need to provide meaningful opportunities for the public to learn about aviation technology, research, and operations and to communicate how the sum of these factors affects their quality of life. The Committee provides an increase of \$5,000,000 for the FAA to hire additional staff to increase the FAA’s community engagement capacity, including participating in community roundtables and meetings with local officials; for contractor support to make more data about aircraft positions and altitude publicly available; to prepare air traffic histories and analyses; and to conduct environmental reviews.

Not later than 180 days after the date of enactment of this Act, the FAA shall submit a report to the House and Senate Committees on Appropriations, on the activities undertaken by the Regional Ombudsmen, who serve as the regional liaisons on issues regarding aircraft noise, pollution, and safety. Not later than 180 days after the date of enactment of this Act, the FAA shall provide a report to the House and Senate Committees on Appropriations cataloguing all FAA programs related to airport, aircraft, and environmental noise. Not later than 180 days after the date of enactment of this Act, the FAA shall provide a report to the House and Senate Committees on Appropriations describing the current FAA in-take and response process for noise complaints and the process expected after the Noise Complaint and Inquiry Database and Tracking System (Noise Portal) is implemented nationally.

The Committee awaits the conclusion of the Administrator’s ongoing review of the relationship between aircraft noise exposure and its effects on communities around airports, as required by sec-

tion 187 of the FAA Reauthorization Act (P.L. 115–254), which is estimated to be in autumn 2020.

*Contract tower program.*—The Committee recommendation includes \$172,800,000 for the contract tower program, including the contract tower cost share program. The Committee continues to strongly support the FAA contract tower program as a cost-effective and efficient way to provide air traffic control services to smaller airports across the country. The Committee expects FAA to continue to operate the 256 contract towers currently in the program, annualize funding for towers that will be added in 2020, and provide full-year funding for new airports expected to be added to the program in fiscal year 2021.

*Disease transmission.*—The FAA began as a safety agency and has diligently and dutifully remained so as the national airspace systems has grown in complexity, size, and sophistication. The Committee, however, believes that safety is more than people, products, and processes that promote an equal number of takeoffs and landings. The FAA is the Federal focal point for all aspects of aviation, including the risk of disease transmission. While the FAA may not be able to provide a definitive medical solution, it does have the power to convene the agencies and organizations that can. The coronavirus pandemic exposed a void in leadership with regards to contact tracing to identify aviation passengers possibly exposed to pathogens, the use of masks for aviation passengers and crewmembers, and recirculation of pathogens in airliner cabins. The Committee directs the FAA to inform the House and Senate Appropriations Committees if resources, new legislative authority, or clarifying existing legislative authority is needed to fill this void.

*FAA reauthorization.*—The Committee directs the FAA to submit a report to the House and Senate Committees on Appropriations on March 2, 2021, and September 8, 2021, on the status of implementation of the provisions in the FAA Reauthorization Act (P.L. 115–254), including a list of all mandates and associated deadlines, the primary office responsible for executing each mandate, and actions taken to date on implementing each mandate.

*Fuel dumping.*—The Committee is troubled by a January 14, 2020, fuel dump over Los Angeles and its surrounding communities. Not later than 180 days after the date of enactment of this Act, the FAA shall submit a report to the House and Senate Committees on Appropriations on the annual occurrences of fuel dumps in the United States over the fiscal year 2015–2020 period. This report shall include the location of the fuel dumps, the amount of fuel dumped, the population density of the community over which the fuel dump location occurred, if the fuel dump occurred over land, and the FAA’s process for reviewing fuel dumps.

*Human Intervention Motivation Study (HIMS) and the Flight Attendant Drug and Alcohol Program (FADAP).*—The Committee recognizes the effectiveness of the HIMS and the FADAP in mitigating drug and alcohol misuse through a peer identification and intervention program. The Committee recommends that the FAA continue to prioritize these programs and urges the FAA to continue this program from within available resources.

*Lunar exploration.*—The Committee notes the possible value of using the payload and lifting capabilities of the Space Launch Sys-

tem and encourages the FAA to continue to facilitate lunar exploration and development.

*Special issuance for pilot medical certification.*—Consistent with a 2018 opinion from the U.S. Court of Appeals for the District of Columbia Circuit, the FAA should develop an evidence-based framework to allow for the special issuance of first- or second-class medical certification for pilots with insulin-treated diabetes. The Committee reminds the FAA that a 2020 report to the House and Senate Committees on Appropriations on actions, taken or planned, for completing such a framework is overdue.

*Travel reports.*—The Committee directs the FAA to submit its travel reporting information profile, and senior federal travel and premium class travel reports to the House and Senate Committees on Appropriations in an electronic, searchable format without any personally identifiable information not less than 14 days after its submission to the GSA Travel Reporting Tool.

*Workforce diversity.*—To further the goal of workforce diversity, the Committee provides \$7,500,000 for the Minority Serving Institutions (MSI) internship program, which provides students from Historically Black Colleges and Universities, Hispanic Serving Institutions, students attending a college or university with a high percentage of Asian American and Pacific Islanders, Tribal Colleges and Universities, and Students with Disabilities the opportunity to participate in internship opportunities. The Committee also recognizes the contributions of the Educational Partnership Initiative within the FAA's Office of Civil Rights' National Outreach Program for Diversity and Inclusion. Establishing educational collaborations and partnerships between the FAA and colleges and universities with a high concentration of underserved groups forms a pipeline to fill mission-critical occupations at the FAA.

The Committee appreciates the FAA's many efforts to increase its own workforce diversity and that of the aviation industry at large. The success of these efforts, however, depends on widespread and sustained executive support both at headquarters and in the field. The Committee provides \$1,500,000 to increase support for the Science, Technology, Engineering, and Math Aviation and Space Education program (STEM AVSED). With dedicated staff, STEM AVSED can be formally incorporated with the MSI program, the pathways programs, the targeted disability hiring program, and the FAA-U.S. Air Force aviation workforce initiative announced on May 31, 2019. Not later than 90 days after the date of enactment of this Act, the FAA shall provide a briefing to the House and Senate Committees on Appropriations on how these multiple efforts are coordinated and evaluated, which offices and executives are involved, and the contributions made by the eight officially recognized employee associations:

- FAA Gay, Lesbian, or Bisexual Employees,
- National Asian and Pacific American Association,
- National Black Coalition of Federal Aviation Employees,
- Native American/Alaska Native Coalition for Federal Aviation Employees,
- National Coalition of Federal Aviation Employees with Disabilities,
- National Hispanic Coalition of Federal Aviation Employees,

- Professional Women Controllers, and
- Technical Women’s Organization.

The Committee continues to support the Women in Aviation Advisory Board established by section 612 of the FAA Reauthorization Act (P.L. 115–254) and is pleased that the Secretary appointed 30 members to the Board so it can begin its work to assess the education, training, mentorship, outreach, and recruitment of women in the aviation industry.

*Unfinished rulemakings.*—The Committee notes that the FAA has not met the statutory deadlines to comply with section 336 of the FAA Reauthorization Act (P.L. 115–254), which requires the FAA to issue an order for “secondary cockpit barrier on each new aircraft”; section 308 of the FAA Modernization and Reform Act of 2012 (P.L. 112–95), which requires the FAA to issue a rule related to alcohol and controlled substances testing of persons that perform safety-sensitive maintenance functions on commercial air carrier aircraft; and section 335(a) of the FAA Reauthorization Act (P.L. 115–254), which requires the FAA to update a rule related to flight attendant duty period limitations and rest requirements. The Committee directs the FAA to report every 30 days after the date of enactment of this Act to the House and Senate Committees on Appropriations, the House Committee on Transportation and Infrastructure, and the Senate Committee on Commerce, Science, and Transportation on actions taken and planned to promulgate final rules on these matters.

#### FACILITIES AND EQUIPMENT

Appropriation, fiscal year 2020 .....	\$3,045,000,000
Budget request, fiscal year 2021 .....	3,000,000,000
Recommended in the bill .....	3,045,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	— — —
Budget request, fiscal year 2021 .....	+45,000,000

The Facilities and Equipment (F&E) account is the principal means for modernizing and improving air traffic control and airway facilities. The appropriation also finances major capital investments required by other agency programs, experimental research and development facilities, and other improvements to enhance the safety and capacity of the airspace system.

#### COMMITTEE RECOMMENDATION

*Navigational aids monitoring equipment.*—The FAA is conducting an investment analysis of navigational aids monitoring equipment. Until such an analysis is completed and an investment decision is made, the Committee directs the FAA to make funding available to maintain the operational viability of the two existing navigational aids monitoring equipment systems—Integrated Control and Monitoring System (IMCS) and Universal Interlock Controller (UIC), which are currently deployed at 32 airports. The Committee appreciates that the FAA investment process is lengthy and involved, requiring careful analysis of the competing interests of different FAA programs and offices for limited resources. This studious approach, however, cannot be allowed to jeopardize the operational status of critical systems such as ICMS and UIC. Ensuring the viability of the ICMS and UIC systems includes, but is

not limited to, replacing any obsolete parts or software and maintaining an inventory of replacement parts.

*Radio modernization.*—The Committee directs that funding for NEXCOM above the budget request be used to accelerate the radio modernization program to address critical safety and obsolescence issues.

*Remote towers.*—Consistent with section 161 of the FAA Reauthorization Act (P.L. 115–254), the Committee encourages the FAA to use remote tower technology as a means to enhance safety, reduce costs, and expand air traffic control services at rural and small community airports.

	Request	Recommendation
Activity 1—Engineering, Development, Test and Evaluation		
Advanced Technology Development and Prototyping .....	26,600	26,600
William J. Hughes Technical Center Laboratory Sustainment .....	16,900	16,900
William J. Hughes Technical Center Infrastructure Sustainment .....	10,000	10,000
Separation Management Portfolio .....	21,200	21,200
Traffic Flow Management Portfolio .....	8,000	8,000
On Demand NAS Portfolio .....	10,500	10,500
NAS Infrastructure Portfolio .....	15,000	15,000
NextGen Support Portfolio .....	8,400	8,400
Unmanned Aircraft Systems (UAS) .....	22,000	22,000
Enterprise, Concept Development, Human Factors, & Demonstrations Portfolio .....	15,000	15,000
<b>TOTAL ACTIVITY 1 .....</b>	<b>153,600</b>	<b>153,600</b>
Activity 2—Air Traffic Control Facilities and Equipment		
a. En Route Programs		
En Route Automation Modernization (ERAM)—System Enhancements and Tech Refresh .....	66,900	66,900
En Route Communications Gateway (ECG) .....	2,350	2,350
Next Generation Weather Radar (NEXRAD)—Provide .....	3,600	3,600
Air Route Traffic Control Center (ARTCC) & Combined Control Facility (CCF) Building Improvements .....	101,200	101,200
Air/Ground Communications Infrastructure .....	7,850	7,850
Air Traffic Control En Route Radar Facilities Improvements .....	7,500	7,500
Oceanic Automation System .....	9,150	9,150
Next Generation Very High Frequency Air/Ground Communications (NEXCOM) .....	40,000	60,000
System-Wide Information Management .....	31,050	31,050
ADS -B NAS Wide Implementation .....	170,000	180,000
Windshear Detection Service .....	2,500	2,500
Air Traffic Management Implementation Portfolio .....	56,000	17,200
Time Based Flow Management Portfolio .....	16,250	20,000
NextGen Weather Processor .....	24,300	24,300
Airborne Collision Avoidance System X (ACASX) .....	5,100	5,100
Data Communications in Support of NG Air Transportation System .....	99,800	119,000
Reduced Oceanic Separation .....	10,450	20,000
En Route Service Improvements .....	2,000	2,000
Commercial Space Integration .....	11,000	11,000
<b>Subtotal En Route Programs .....</b>	<b>667,000</b>	<b>690,700</b>
b. Terminal Programs		
Standard Terminal Automation Replacement System (STARS) (TAMR Phase 1) .....	74,900	80,000
Terminal Automation Program .....	3,900	3,900
Terminal Air Traffic Control Facilities—Replace .....	55,000	55,000
ATCT/Terminal Radar Approach Control (TRACON) Facilities—Improve .....	84,600	90,000
NAS Facilities OSHA and Environmental Standards Compliance .....	28,900	28,900
Integrated Display System (IDS) .....	30,000	30,000
Terminal Flight Data Manager (TFDM) .....	79,050	100,000
Performance Based Navigation & Metroplex Portfolio .....	8,000	8,000
Unmanned Aircraft Systems (UAS) Implementation .....	26,600	26,600
Airport Ground Surveillance Portfolio .....	30,350	19,000
Terminal and EnRoute Surveillance Portfolio .....	78,600	62,500
Terminal and EnRoute Voice Switch and Recorder Portfolio .....	43,400	40,750



	Request	Recommendation
Implementation of Flight Object Exchange and Enterprise Information Management .....	10,500	10,000
Subtotal Terminal Programs .....	553,800	554,650
c. Flight Service Programs		
Aviation Surface Observation System (ASOS) .....	5,000	5,000
Future Flight Services Program .....	17,800	17,800
Alaska Flight Service Facility Modernization (AFSFM) .....	2,650	2,650
Weather Camera Program .....		2,000
Juneau Airport Wind System (JAWS)—Technology Refresh .....	1,000	1,000
Subtotal Flight Service Programs .....	26,450	28,450
d. Landing and Navigational Aids Program		
VHF Omnidirectional Radio Range (VOR) Minimum Operating Network (MON) .....	19,000	19,000
Wide Area Augmentation System (WAAS) for GPS .....	83,900	83,900
Runway Safety Areas—Navigational Mitigation .....	1,800	1,800
Landing and Lighting Portfolio .....	68,950	68,950
DME, VORTAC, TACAN (DVT) Sustainment Portfolio .....	10,000	20,000
Subtotal Landing and Navigational Aids Programs .....	183,650	193,650
e. Other ATC Facilities Programs		
Fuel Storage Tank Replacement and Management .....	32,400	32,400
Unstaffed Infrastructure Sustainment .....	60,200	60,200
Aircraft Replacement and Related Equipment Program .....	36,100	36,100
Airport Cable Loop Systems—Sustained Support .....	9,000	9,000
Alaskan Satellite Telecommunications Infrastructure (ASTI) .....	1,000	1,000
Facilities Decommissioning .....	4,800	4,800
Electrical Power Systems—Sustain/Support .....	149,400	149,400
Energy Management and Compliance (EMC) .....	7,400	7,400
Child Care Center Sustainment .....	1,000	2,000
FAA Telecommunications Infrastructure .....	34,700	34,700
Operational Analysis and Reporting Systems .....	15,900	11,000
TDM-to-IP Migration .....	11,300	38,000
Subtotal Other ATC Facilities Programs .....	363,200	386,000
TOTAL ACTIVITY 2 .....	1,794,100	1,853,450
Activity 3—Non-Air Traffic Control Facilities and Equipment		
a. Support Equipment		
Hazardous Materials Management .....	27,500	26,000
Aviation Safety Analysis System (ASAS) .....	23,500	23,500
National Air Space (NAS) Recovery Communications (RCOM) .....	12,000	12,000
Facility Security Risk Management .....	24,400	22,000
Information Security .....	18,500	18,500
System Approach for Safety Oversight (SASO) .....	29,200	29,200
Aviation Safety Knowledge Management Environment (ASKME) .....	9,700	9,700
Aerospace Medical Equipment Needs (AMEN) .....	28,300	26,800
System Safety Management Portfolio .....	21,500	21,500
National Test Equipment Program .....	3,000	3,000
Mobile Assets Management Program .....	2,500	2,500
Aerospace Medicine Safety Information Systems (AMSIS) .....	20,200	20,200
Configuration, Logistics, and Maintenance Resource Solutions (CLMRS) .....	29,300	20,350
Subtotal Support Equipment .....	249,600	235,250
b. Training, Equipment and Facilities		
Aeronautical Center Infrastructure Modernization .....	14,000	14,000
Distance Learning .....	1,000	1,000
Subtotal Training, Equipment and Facilities .....	15,000	15,000
TOTAL ACTIVITY 3 .....	264,600	250,250
Activity 4—Facilities and Equipment Mission Support		
a. System Support and Services		
System Engineering and Development Support .....	39,100	39,100
Program Support Leases .....	48,000	48,000
Logistics and Acquisition Support Services .....	12,000	12,000
Mike Monroney Aeronautical Center Leases .....	21,100	21,100

	Request	Recommendation
Transition Engineering Support .....	17,000	17,000
Technical Support Services Contract (TSSC) .....	28,000	28,000
Resource Tracking Program (RTP) .....	8,000	8,000
Center for Advanced Aviation System Development (CAASD) .....	57,000	57,000
Aeronautical Information Management Program .....	7,500	7,500
<b>TOTAL ACTIVITY 4 .....</b>	<b>237,700</b>	<b>237,700</b>
Activity 5—Personnel and Related Expenses		
Personnel and Related Expenses .....	550,000	550,000
<b>TOTAL ALL ACTIVITIES .....</b>	<b>3,000,000</b>	<b>3,045,000</b>

#### RESEARCH, ENGINEERING AND DEVELOPMENT

Appropriation, fiscal year 2020 .....	\$192,665,000
Budget request, fiscal year 2021 .....	170,000,000
Recommended in the bill .....	192,665,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	— —
Budget request, fiscal year 2021 .....	+22,665,000

This appropriation provides funding for long-term research, engineering, and development programs to improve the air traffic control system and to raise the level of aviation safety, as authorized by the Airport and Airway Improvement Act and the Federal Aviation Act. The appropriation also finances the research, engineering, and development needed to establish or modify federal air regulations.

#### COMMITTEE RECOMMENDATION

*Aviation professionals.*—The Committee supports increasing the strength and number of aviation professionals who are well-trained and can be relied upon to make air travel safe and efficient. To that end, the Committee provides \$5,000,000 for the aviation maintenance technician development program and \$5,000,000 for aviation workforce development program in accordance with section 625 of the FAA Reauthorization Act (P.L. 115–254). Additionally, the Committee directs the FAA to include the section 625 grant program as part of the workforce diversity briefing required under the “Operations” heading.

*Crew complements.*—The presence of two well-trained, qualified pilots in commercial aircraft is another example of safety through redundancy. Funding made available in this Act to study alternative crew complements for flight decks in commercial operations should prioritize the safety effects relative to two-person flights. This direction is not intended to limit FAA’s research and development activities related to unmanned aerial vehicles.

*Counter-Unmanned Aircraft Systems (UAS).*—The Committee concurs with the need for a plan, as required by section 383 of the FAA Reauthorization Act (P.L. 115–254), for certifying permitting, authorizing, or allowing the deployment of technologies or systems to detect and mitigate the potential risks posed by errant or hostile unmanned aircraft systems. The Committee provides \$14,000,000 for the Center of Excellence (COE) for UAS Research and believes it is very well-suited and capable of supporting the FAA’s section 383 work. When the FAA begins conducting the airspace hazard mitigation program, the Committee reminds the FAA that robust

results are derived from heterogeneous airport environments and operations.

*Environment and Energy.*—The recommendation provides \$21,000,000 for Environment and Energy, of which \$3,000,000 is additional funding for the FAA to analyze noise at a national level using existing public health surveillance datasets and to conduct field studies in the U.S.

*NextGen-Environmental Research-Aircraft Technologies and Fuels.*—The recommendation provides \$35,174,000 for NextGen-Environmental Research-Aircraft Technologies and Fuels to reduce aviation noise and exhaust emissions, of which \$3,000,000 is additional funding to support the Continuous Lower Energy, Emissions and Noise (CLEEN) program to reduce noise at its source—the aircraft engine.

	Request	Recommendation
Safety		
Fire Research and Safety .....	7,136	7,136
Propulsion and Fuel Systems .....	4,215	4,215
Advanced Materials/Structural Safety .....	1,003	1,191
Aircraft Icing/Digital System Safety/Aircraft Cyber .....	6,426	7,500
Continued Air Worthiness .....	9,642	11,269
Aircraft Catastrophic Failure Prevention Research .....	— —	3,000
Flightdeck/Maintenance/System Integration Human Factors .....	7,469	7,469
Safety System Management/Terminal Area Safety .....	5,485	5,485
Air Traffic Control/Technical Operations Human Factors .....	5,685	5,685
Aeromedical Research .....	10,235	11,500
Weather Research .....	6,236	7,750
Unmanned Aircraft Systems Research .....	24,035	24,035
Alternative Fuels for General Aviation .....	2,524	2,524
Commercial Space .....	5,840	5,840
NextGen—Wake Turbulence .....	3,698	3,698
NextGen—Air Ground Integration .....	6,757	6,000
NextGen—Weather Technology in the Cockpit .....	1,982	1,982
Information Security .....	4,769	4,769
NextGen—Flight Data Exchange .....	1,000	1,000
Total Safety .....	114,137	122,048
Environmental Sustainability		
Environment and Energy .....	17,911	21,000
NextGen Environmental Research—Aircraft Technologies and Fuels .....	27,009	35,174
Total Environmental Sustainability .....	44,920	56,174
Mission Support		
System Planning and Resource Management .....	8,022	11,522
William J. Hughes Technical Center Laboratory Facilities .....	2,921	2,921
Total Mission Support .....	10,943	14,443
Total Research Engineering & Development .....	170,000	192,665

GRANTS-IN-AID FOR AIRPORTS  
(LIQUIDATION OF CONTRACT AUTHORIZATION)  
(LIMITATION ON OBLIGATIONS)  
(AIRPORT AND AIRWAY TRUST FUND)  
(INCLUDING TRANSFER OF FUNDS)

	Limitation of contract authoriza- tion	Limitation of obligations
Appropriation, fiscal year 2020 .....	\$3,000,000,000	\$3,350,000,000
Budget request, fiscal year 2021 .....	3,350,000,000	3,350,000,000
Recommended in the bill .....	3,350,000,000	3,350,000,000
Bill compared to:		
Appropriation, fiscal year 2020 .....	350,000,000	---
Budget request, fiscal year 2021 .....	---	---

This funding provides grants for airport planning and development, noise compatibility and planning, the military airport programs, reliever airports, airport program administration, and other authorized activities.

The Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (P.L. 116–136) included \$10,000,000,000 for the Grants-in-Aid for Airports program to prevent, prepare for, and respond to coronavirus.

COMMITTEE RECOMMENDATION

*Airport technology research.*—The Committee recommendation includes not less than \$40,666,000 for the FAA’s airport technology research program to conduct research on topics such as concrete and asphalt airport pavement in accordance with section 744 of the FAA Reauthorization Act (P.L. 115–254); airport marking and lighting; airport rescue and firefighting; airport planning and design; wildlife hazard mitigation; and visual guidance.

*Emergency preparedness.*—The Committee directs the FAA to work with airport sponsors and other Federal, State and local agencies to help plan for emergency preparedness and response, including planning for what spaces on the airport might be needed in the future in accordance with section 149 of the FAA Reauthorization Act (P.L. 115–254) in order to effectively support these activities.

*Noise and environment.*—The Committee shares the frustration of communities experiencing airport and aircraft noise. Many factors influence how a community experiences airport and aircraft noise, including proximity to an airport, frequency of flights, time of day of those flights, aircraft fleet mix, weather, altitude, zoning and permitting of land use, and the location and concentration of arrival and departure procedures. Many of these factors are beyond the control of the FAA, but the FAA can use its convening power and aviation expertise to collaborate with air carriers, airports, aircraft manufacturers, pilots, research universities, State and local governments, and local communities to mitigate noise where possible. The Committee directs the Administrator to utilize available funds to implement the Environmental Mitigation Pilot Program and to conduct a series of studies and reports on aircraft noise in

accordance with the Airport Noise and Environmental Streamlining subtitle of the FAA Reauthorization Act (P.L. 115–254). The Committee directs the FAA to promote both the Airport Zero Emissions Vehicle and Infrastructure Pilot Program and the Voluntary Airport Low Emissions Program as opportunities for airports to meet their obligations under the Clean Air Act.

The Committee notes that the FAA completed its evaluation of alternative airplane noise metrics and has awarded a grant to the FAA’s Air Transportation Center of Excellence for Alternative Jet Fuels and Environment in April 2019 in order to study the health impacts of noise from overflights in accordance with sections 173 and 189 of the FAA Reauthorization Act (P.L. 115–254). Research on the health effects of aircraft noise in the United States is lagging. Studies on sleep disturbances due to a range of noise exposure could inform decisions about airport and flight operations.

*Sound insulation.*—The Committee directs the FAA to consider residences that were mitigated prior to 1993 with sound insulation as “unmitigated” if an airport can verify that the residences continue to fall within the latest day-night average sound level (DNL) 65 decibel (dB) contour, and have an interior noise level of DNL 45 dB or higher. The FAA should consider these residences as “unmitigated” because of uncertainty about whether the doors, windows, and other insulation installed would have achieved sufficient interior noise reductions as those manufactured and installed consistent with FAA standards. Any such retreatment should be limited to purchasing and installing windows and doors that conform to currently published FAA standards that would achieve a measurable reduction in interior noise levels.

#### GRANTS-IN-AID FOR AIRPORTS

Appropriation, fiscal year 2020 .....	\$400,000,000
Budget request, fiscal year 2021 .....	— — —
Recommended in the bill .....	500,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+100,000,000
Budget request, fiscal year 2021 .....	+500,000,000

This funding provides grants for airport planning and development, noise compatibility and planning, the military airport programs, reliever airports, airport program administration, and other authorized activities.

#### COMMITTEE RECOMMENDATION

*Prioritization.*—Section 47115(j)(3)(B) of title 49, United States Code, requires that not less than 50 percent of the funds made available under this heading shall be for grants at nonhub, small hub, reliever, and nonprimary airports. The Committee directs the FAA to restrict this set-aside to 50 percent and to use the remaining funds for grants at medium hub and large hub airports. In addition, the Committee directs the FAA to provide priority consideration for grant applications that complete previously awarded discretionary grant projects, and to provide priority consideration based on project justification and completeness of pre-grant actions.

*Temporary flight restrictions (TFR).*—The Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2019 made \$3,500,000 in Grants-in-Aid for Airports funding

available to provide reimbursement to airports that closed during a TFR for any residence of the President that is designated or identified to be secured by the U.S. Secret Service. The Committee is pleased that the FAA has awarded \$600,000 of these funds. The Committee is aware that the FAA is in the process to make additional awards and directs the FAA to make the selection process as non-adversarial and streamlined as possible. While documentation is necessary for the FAA to conduct its due diligence, the FAA is required to minimize the burden on the public in accordance with the Paperwork Reduction Act. Furthermore, working directly with the eligible airport sponsors is the most immediate way to identify financial losses due to the actions of the Federal government.

#### ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION ADMINISTRATION

Section 110 allows no more than 600 technical staff-years at the center for advanced aviation systems development.

Section 111 prohibits funds from being used to adopt guidelines or regulations requiring airport sponsors to provide FAA “without cost” building construction or space.

Section 112 allows reimbursement for fees collected and credited under 49 U.S.C. 45303.

Section 113 allows reimbursement of funds for providing technical assistance to foreign aviation authorities to be credited to the operations account.

Section 114 prohibits funds from being used for Sunday premium pay unless work was actually performed on a Sunday.

Section 115 prohibits funds from being used to buy store gift cards with Government issued credit cards.

Section 116 prohibits funds from being obligated or expended for retention bonuses for FAA employees without prior written approval of the DOT Assistant Secretary for Administration.

Section 117 requires, upon the request of an owner or operator, the Secretary to block the display of an owner or operator’s aircraft registration number in the aircraft situational display to industry program.

Section 118 prohibits funds from being used for salaries and expenses of more than nine political and Presidential appointees in the FAA.

Section 119 prohibits funds from being used to increase fees under 49 U.S.C. 44721 until the FAA provides a report to the House and Senate Committees on Appropriations that justifies all fees related to aeronautical navigation products and explains how such fees are consistent with Executive Order 13642.

Section 119A requires the FAA to notify the House and Senate Committees on Appropriations at least 90 days before closing a regional operations center or reducing the services provided.

Section 119B prohibits funds from being used to change weight restrictions or prior permission rules at Teterboro Airport in New Jersey.

Section 119C prohibits funds from being used to withhold from consideration and approval certain applications for participation in the contract tower program or for certain reevaluations of cost-share program participation.

Section 119D prohibits funds from being used to open, close, redesignate, or reorganize a regional office, the aeronautical center, or the technical center subject to the normal reprogramming requirements outlined under section 405 of this Act.

#### FEDERAL HIGHWAY ADMINISTRATION

The Federal Highway Administration (FHWA) provides financial assistance to the states to construct and improve roads and highways. It also provides technical assistance to other agencies and organizations involved in road building activities. Title 23 of the United States Code and other supporting statutes provide authority for the activities of the FHWA. Funding is provided by contract authority, while program levels are established by annual limitations on obligations, as set forth in appropriations Acts.

#### LIMITATION ON ADMINISTRATIVE EXPENSES

##### (HIGHWAY TRUST FUND)

##### (INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2020 .....	\$456,798,689
Budget request, fiscal year 2021 .....	478,897,049
Recommended in the bill .....	478,897,049
Bill compared with:	
Appropriation, fiscal year 2020 .....	+22,098,360
Budget request, fiscal year 2021 .....	--

The limitation on administrative expenses caps the amount from within the limitation on obligations that FHWA may spend on salaries and expenses necessary to conduct and administer the federal-aid highway program, highway-related research, and most other federal highway programs.

#### COMMITTEE RECOMMENDATION

The Committee recommends a limitation on FHWA administrative expenses of \$478,897,049. In addition, up to \$3,248,000 may be transferred to the Appalachian Regional Commission.

#### FEDERAL AID HIGHWAYS

##### (LIMITATION ON OBLIGATIONS)

##### (HIGHWAY TRUST FUND)

##### Limitation on obligations\*

Appropriation, fiscal year 2020 .....	\$46,365,092,000
Budget request, fiscal year 2021 .....	49,982,000,000
Recommended in the bill .....	61,130,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+14,764,908,000
Budget request, fiscal year 2021 .....	+11,148,000,000

\*These amounts do not include \$739,000,000 of contract authority exempt from the limitation on obligations. As a result, the total program level for fiscal year 2020 was \$47,104,092,000. The total recommended program level for fiscal year 2021 is \$61,869,000,000.

The Federal-aid highways program is funded by contract authority, and liquidating cash appropriations are subsequently provided to fund resulting outlays. The Committee sets, through the annual appropriations process, an overall limitation on the total contract

authority that can be obligated under the program in a given year. Programs included within the Federal-aid highways program are financed from the Highway Trust Fund.

Federal-aid highways and bridges are managed through a Federal-state partnership. States and localities maintain ownership of and responsibility for the maintenance, repair and new construction of roads. State highway departments have the authority to initiate Federal-aid projects, subject to FHWA approval of the plans, specifications, and cost estimates. The Federal government provides financial support, on a reimbursable basis, for construction and repair through matching grants.

#### COMMITTEE RECOMMENDATION

Consistent with the amounts authorized in the INVEST in America Act, the Committee recommends a total program level of \$61,869,000,000 for the regular Federal-aid highway program in fiscal year 2021. Included within the recommended amount is an obligation limitation of \$61,130,000,000 and \$739,000,000 in contract authority that is exempt from the obligation limitation.

*Coronavirus pandemic.*—The Committee recognizes the significant toll that the coronavirus-19 pandemic has taken on the budgets and staff of state departments of transportation. In conjunction with the authorized flexibilities provided for in the INVEST in America Act that will make \$14,742,808,640 available for operations and administrative expenses or to match other Federal funds, the Committee eliminates any requirements that states match Federal funds for most of the programs subject to the obligation limitation.

*Efficient allocation of funding.*—The Committee notes that in a 2016 report, the Congressional Budget Office indicated that, according to FHWA's analysis in the most recent Status of the Nation's Highways, Bridges, and Transit Conditions & Performance report, capital spending would produce greater benefits relative to costs if it was reoriented toward expanding urban interstates, making major repairs of urban highways and repairing bridges in both urban and rural areas. Roughly half of roads in rural areas are rated as having good pavement conditions, whereas, in urban areas, roughly one-quarter of the roads are rated as good. The Committee is concerned that the Department is not following the guidance suggested by its own analysis when making recommendations for funding and grant awards. The Department is also not providing up-to-date data on the funding distribution between urban and rural areas. The last year-end report for FHWA Highway Statistics is for 2016. Without updated data showing how Federal highway dollars are being distributed, it is more difficult for Congress to assess the effectiveness of how the states are distributing dollars to the urban areas with substandard pavement conditions. Consistent with section 1402 of the FAST Act, the Committee directs FHWA to annually publish data on the urban-rural obligations of Federal-Aid Highway funding by the state departments of transportation.

*Truck size and weight.*—In fiscal year 2020, the Committee directed the Department to expeditiously develop an implementation plan, including projected timelines, for conducting the research outlined in the Transportation Research Board's Truck Size and



Weight Research Plan. The Truck Size and Weight Research Plan outlines numerous projects, including those related to the impact of different truck configurations on driver safety, the service life and deterioration rates of bridges, and the condition of pavement. The Committee notes that it has not yet received this implementation plan and directs FHWA to brief the House and Senate Committees on Appropriations on the implementation plan within 90 days of enactment of this Act. The results of this research should be considered by the Department and Congress before any national changes in truck length or weight policy are considered.

*Permeable pavements.*—The Committee encourages the Secretary to accelerate research, demonstration, and deployment of permeable pavements to achieve flood mitigation, pollutant reduction, stormwater runoff reduction, environmental conservation, and resilience for new road construction and retrofit of existing roads. The Committee encourages the Secretary to conduct structural evaluations of flood-damaged pavements, with emphasis on local roads and highways subject to flooding and extended periods of inundation. Such evaluations will contribute to understanding the mechanisms of flood damage and how permeable pavements might be used to prevent or reduce damage from future flooding.

*Materials for highway construction.*—Innovative materials are key to increasing resilience in construction. The Committee encourages the Secretary to disseminate information on how States can prioritize the use of resilient and sustainable materials including, but not limited to, aggregates, cross laminated timber, and recycled composite carbon fiber materials. The Committee directs FHWA to work with the U.S. Geological Survey to ensure that information about efficient and environmentally friendly access to aggregates is available to stakeholders. The Committee also directs FHWA to work with stakeholders to enable optimal use of reclaimed asphalt and concrete materials as well as virgin aggregate resources. While innovative materials are an important source of highway materials, the Committee encourages the Department to support materials neutral decisions that do not promote or provide preference for specific building materials.

*Guardrails.*—The Committee supports continued efforts by the Secretary to help state and local departments of transportation capitalize on federal investment in Geosynthetic Reinforced Soil Integrated Bridge Systems. The Committee encourages the Secretary to consider testing of geo-synthetically reinforced soil guardrails for performance under vehicle impact and use this data to develop specifications for use in future roadway construction.

*Transportation demand management.*—Transportation demand management measures can improve multi-modal system efficiencies, offer a variety of options to commuters, and move people more effectively. In addition, such measures can reduce congestion, improve air quality, and increase resiliency. The Committee encourages the Department to work with state and local governments and other transportation stakeholders to implement such measures.

*Safe systems.*—The Committee is aware of the critical work that FHWA is doing to define, support, and encourage adoption of a safe systems approach to reduce and eventually eliminate fatalities and serious injuries on our nation's roadways. The Committee directs

FHWA to continue to work with the Road to Zero Coalition and other safety stakeholders to accelerate adoption of a safe systems approach by state and local transportation agencies. As part of establishing safe systems, cities nationwide are developing inter-agency Vision Zero plans to connect engineering, education, and enforcement with the goal of ending transportation deaths and serious injuries. The Committee directs FHWA to work with state and local stakeholders to facilitate the implementation of their Vision Zero plans and strategies.

*Complete streets.*—The Committee is concerned about recent increases in cyclist and pedestrian fatalities and encourages the adoption of a complete streets design model in which roads and streets are designed and operated to enable safe access for all users, including but not limited to pedestrians, bicyclists, motorists, and transit riders across a broad spectrum of ages and abilities. To lay the groundwork for the adoption of a complete streets design model, the Committee directs FHWA to review its current policies, rules, and procedures to determine their impact on safety for road users, particularly those outside automobiles, and to report their findings to the House and Senate Committees on Appropriations within one year after enactment of this Act. Subsequently, the Committee directs the Department to disseminate best practices for complete streets to state and local highway partners.

*Safe routes to schools.*—The Committee recognizes the important role infrastructure investments, education, and enforcement efforts can have in ensuring safe access to schools. Investments in sidewalks, bike paths, and alternative transportation have proven to increase safety and decrease the number of deaths and injuries associated with commutes to school. The Committee encourages FHWA to work with NHTSA, the Safe Routes to School Partnership, and state and local stakeholders to facilitate safe student access to schools.

*Center for Accelerating Innovation.*—The Committee anticipates that technologies addressing the first and last mile of any trip will allow consumers to become more comfortable with autonomous vehicle technology. The low speeds of parking solutions and low-speed deployments provide an opportunity to test systems and technologies. The Committee directs FHWA to prioritize first-mile/last-mile solutions when developing any notice of funding opportunity issued under the auspices of the Center for Accelerating Innovation.

*Advanced Transportation and Congestion Management Technologies Deployment (ATCMTD).*—Under the FAST Act, the ATCMTD has been able to fund 5 to 10 projects, annually, to make competitive grants for the development of model deployment sites for large scale installation and operation of advanced transportation technologies with the goal of improving safety, efficiency, system performance, and return on investment. The levels of funding provided under this heading will allow the Department to increase research funding for additional advancements in such transportation technologies.

*Freight.*—Our nation's major freight corridors improve our economic efficiency, advance exports and imports, increase the efficiency of national and international freight movement, promote

economic growth on a regional and national basis, and increase employment.

The proposed Interstate 69 extension over the Ohio River is a crucial corridor for the movement of freight. The Interstate 69 extension between Indiana and Kentucky would address capacity constraints and create a continuous transportation network from Canada to Mexico that will facilitate international trade and spur economic development. The Committee encourages FHWA to work with the relevant state departments of transportation to address capacity constraints at these chokepoints and develop robust funding plans to complete these critical projects.

In addition, the Committee believes critical commerce corridors (CCC), an authorized use of funds in the INFRA program, can improve our economic efficiency, reduce travel times, and promote safe travel on our nation's roads and highways. CCCs create a barrier on existing highways, physically separating lanes dedicated for heavy commercial trucks from lanes dedicated for passenger vehicles. The committee encourages the Secretary to consider applications for the creation of CCCs when awarding competitive grants funded by the Department.

*Border state infrastructure.*—The Committee again directs the Department to encourage States using Federal funds designated for border-state infrastructure to ensure participation of city and county governments along the U.S.-Mexico border in project selection processes. The Committee looks forward to the Department's report, as directed in House Report 116–106, on its efforts in this regard within 60 days of enactment of this Act.

*Pennsylvania.*—The Committee recognizes challenges faced on Interstate 380 and Route 2001 in the Commonwealth of Pennsylvania. Interstate 380 is a crucial artery for both regional tourism and access to Tobyhanna Army Depot. Pennsylvania Route 2001 is a key north-south route option in southeastern Pike County, Pennsylvania and is often the only option for north-south travel during the winter. In both cases, when snow and ice are present, these roads can be subject to significant traffic-safety hazards. The Committee directs FHWA to work with state and local stakeholders to address surface conditions and other improvements, including but not limited to, reconfiguration of an interchange to alleviate the recurring delays and chokepoints on both highways in order to reduce potentially dangerous backups.

*Cap park development.*—The Committee notes the growing interest in communities across the country in developing cap parks (also called a city deck park) in which a park is placed over a highway. These parks connect neighborhoods that have long been divided by highways and from other opportunities, reduce traffic congestion, improve air quality, and bring green space to communities. The Committee directs FHWA to analyze the benefits of such parks and to report to the House and Senate Committees on Appropriations within one year of enactment of this Act.

*Sonoran corridor.*—The Committee recognizes the importance of the Sonoran corridor to southern Arizona and the Tucson Valley. Upon completion, the Sonoran corridor will provide increased access to economic opportunity throughout southern and central Arizona. The Committee encourages FHWA to work with the State of Arizona to identify funds to facilitate the completion of tier II Envi-

ronmental Impact Statements on High Priority Corridors of less than 25 miles in distance and within 100 miles of the U.S.-Mexico border.

*Coastal erosion.*—The Committee recognizes the unique situation of Hawaii, Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands as it relates to shoreline erosion resulting from global sea level increases. The Committee directs FHWA to provide a report to the House and Senate Committees on Appropriation that details shoreline erosion impacting roadways in Hawaii and the U.S. Territories. The report shall include a list of coastal roads most vulnerable to sea level rise and recommendations for addressing shoreline erosion impacting these roadways. The Committee directs FHWA to provide technical assistance to departments of transportation in the affected states and territories as they develop their transportation budgets and priorities.

*New interstate designations.*—The Committee recognizes the benefits that communities achieve when existing roads are designated as interstates or future interstates. In particular, the Committee recognizes that the Louie B. Nunn Cumberland Parkway in Kentucky and the future Interstate 76 corridor through Texas, Oklahoma, Colorado, and New Mexico will be key economic drivers for their communities. In addition, the extension and completion of Interstate 73 through South Carolina will facilitate the safe evacuation of coastal areas. The Committee encourages FHWA to work with the appropriate state departments of transportation to facilitate the development of these highways.

*Congestion Mitigation and Air Quality (CMAQ).*—CMAQ programs are essential to reducing congestion and improving air quality nationwide. One popular use of CMAQ funds is to create high-occupancy vehicle (HOV) lanes to help reduce congestion. The Committee directs the Department to study how HOV lanes help to reduce traffic congestion and facilitate states meeting their air quality goals. The Department should evaluate different options for the future of HOV lanes and report to the House and Senate Committees on Appropriation within one year after enactment of this Act.

The Committee urges the FHWA to consider the feasibility of utilizing or deploying innovative technologies that provide traffic congestion relief, offer quick alternatives to costly road construction, result in safer roadways, provide positive protection, help eliminate crossover fatalities, offer flexibility, improve air quality, and decrease fuel consumption as part of any project the federal government provides financial support, on a reimbursable basis, for construction and repair through matching grants.

*Surface Transportation Block Grant (STBG) program.*—The STBG program provides the most flexible funding available to states and Metropolitan Planning Organizations (MPOs). MPOs that represent transportation management areas of at least five million people are in particular need of assistance in order to expedite project delivery for surface transportation block grants. The Committee encourages the Secretary to provide technical assistance to expedite project delivery in such transportation management areas.

*Manual on Uniform Traffic Control Devices (MUTCD).*—The Committee recognizes the importance that the MUTCD plays in

creating a uniform and safe experience for drivers nationwide. However, uniformity and safety are sometimes at odds with innovations, whether those innovations be in the form of patented products or new technologies for driving like electric vehicles. Each of these examples would require FHWA to conduct a rulemaking to amend the MUTCD, and the Committee encourages FHWA to analyze the need for rulemakings to amend the MUTCD.

*Design speeds.*—The Committee is concerned about the relationship between design speed, posted speed, and operating speed. The Committee is looking forward to the results of two upcoming projects underway by the National Cooperative Highway Research Program (NCHRP), NCHRP Project 17-76, “Guidance for the Setting of Speed Limits” and NCHRP Project 15-76, “Designing for Target Speed”. Following the completion of each study, the Department should summarize the findings and report to the House and Senate Committees on Appropriations detailing findings on how speed limits are set, how they impact roadway design, and the implications for enforcement and crashes where posted speeds and design speeds deviate.

*Tribal Technical Assistance Program (TTAP).*—The Committee is concerned about the lack of tribal input in regards to the restructuring of the TTAP. As the current two-year pilot program ends, the Committee directs FHWA to ensure proper tribal consultation as the agency decides how to proceed so that tribal nations receive appropriate technical assistance and capacity building opportunities.

*Emergency relief.*—FHWA’s Emergency Relief program provides funds for the repair and reconstruction of roads that have suffered serious damage from natural disasters. Over the past several years, many states have experienced significant needs for Emergency Relief funding, and since 2011, the Congress has appropriated more than \$6,400,000,000. In addition to needs in other states, California’s FHWA Emergency Relief program-eligible need is approximately \$879,000,000 from damage caused primarily by storm and wildfire events. The Committee encourages FHWA to continue to allocate funds to areas in need of assistance.

*Scenic byways.*—The scenic byways program includes a collection of 150 distinct and diverse roads nationwide that provide key economic benefits to the communities they traverse. The Committee directs FHWA to study the economic benefits of scenic byways and to make the report publicly available on the FHWA website.

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

LIQUIDATION OF CONTRACT AUTHORITY

Appropriation, fiscal year 2020 .....	\$47,104,092,000
Budget request, fiscal year 2021 .....	50,721,000,000
Recommended in the bill .....	61,869,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+14,764,908,000
Budget request, fiscal year 2021 .....	+11,148,000,000

## COMMITTEE RECOMMENDATION

The Committee recommends a liquidating cash appropriation of \$61,869,000,000. This is the amount required to pay the outstanding obligations of the highway program at levels provided in the Act and prior appropriations Acts.

## HIGHWAYS INFRASTRUCTURE PROGRAMS

Appropriation, fiscal year 2020 .....	\$2,166,140,392
Budget request, fiscal year 2021 .....	— — —
Recommended in the bill .....	1,000,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	— 1,166,140,392
Budget request, fiscal year 2021 .....	+1,000,000,000

The FAST Act provides contract authority for Highway programs funded from the Highway Trust Fund. This account provides additional funds from the General Fund of the Treasury for the programs funded by formula under the FAST Act and important safety and management priorities administered by the Federal Aid Highways Administration (FHWA).

## COMMITTEE RECOMMENDATION

The Committee recommends \$1,000,000,000 for Highway Infrastructure Programs. The following table provides funding levels for activities within this account:

	Request	Recommendation
Surface Transportation Block Grants .....	\$ — —	\$632,220,000
Appalachian Development Highway System .....	— — —	100,000,000
Puerto Rico Highway Program .....	— — —	3,150,000
Territorial Highway Program .....	— — —	630,000
Nationally Significant Federal Lands .....	— — —	150,000,000
Grade-Crossing Competitive Grants .....	— — —	50,000,000
Tribal Transportation Program .....	— — —	30,000,000
Advanced Digital Construction Management .....	— — —	15,000,000
Regional Infrastructure Accelerator .....	— — —	12,000,000
National Road Network Pilot .....	— — —	5,000,000
Tribal Fatalities Study .....	— — —	2,000,000
Total .....	— — —	1,000,000,000

*Nationally Significant Federal Lands.*—The Committee directs that when making grant awards under this heading, FHWA shall prioritize roadways that in the prior fiscal year have been closed or had speed reductions due to unsafe travel conditions as a result of the roadway's infrastructure condition and maintenance.

*Tribal transportation programs (TTP).*—The Committee recognizes that providing safe and adequate transportation over the more than 160,000 miles of roads and trails within Indian reservations, Indian lands, and Alaska Native Village communities is crucial for the safety and welfare of tribal and surrounding non-tribal communities. A prime objective of the TTP is to contribute to the economic development, self-determination, and employment of Indians and Native Americans. As a result, the Committee provides an additional \$30,000,000 for tribal transportation programs.

*Highway-rail grade crossings.*—The Committee notes that highway-rail grade crossing collisions are the second leading cause of all rail-related fatalities in the United States. In addition to the

amounts provided from the Highway Trust Fund for Section 130 of title 23, United States Code, the Committee provides an additional \$50,000,000 in competitive grants to improve the safety of highway-rail grade crossings.

*National Road Network Pilot Program.*—The Committee provides \$5,000,000 for continued work on developing and expanding a National Road Network Pilot program. Under the pilot program, the Committee directs FHWA to continue work on creating a standardized geospatial dataset which should support interagency interoperability among state departments of transportation. A unified data standard for all transportation agencies would provide myriad data sharing and reuse opportunities. As part of that dataset, FHWA should complete outreach to states to assist with improved and standardized data reporting of data that are attached to their linear road networks. The Committee encourages FHWA to develop a central source of geospatial data that supports interoperability of data. As part of the pilot program, FHWA may connect to databases produced by states or other federal agencies to provide real-time information. The Committee intends for purchases of software and hardware to be eligible expenses under the pilot program.

*Study on tribal transportation.*—The Committee provides \$2,000,000 for research that leads to decreases in highway and pedestrian fatalities among tribal populations. This research should build on reports mandated in the FAST Act and should be competitively awarded to state governments, academic institutions, or non-profits which have existing partnerships among tribal governments as well as traffic safety and transportation research expertise. Research should focus on priority areas identified in FHWA’s 2018 report “Options for Improving Transportation Safety in Tribal Areas”.

#### ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY ADMINISTRATION

Section 120 distributes obligation authority among federal-aid highway programs.

Section 121 credits funds received by the Bureau of Transportation Statistics to the federal-aid highways account.

Section 122 provides requirements for any waiver of the Buy America Act.

Section 123 requires Congressional notification before the Department provides credit assistance under the TIFIA program.

Section 124 requires 60-day notification to the House and Senate Committees on Appropriations of any grants as authorized under 23 U.S.C. 117.

Section 125 allows state DOTs to repurpose certain highway project funding to be used within 5 miles of its original designation.

Section 126 requires the Federal Highway Administration to adjudicate Buy America waivers based on the rules and regulations in effect before April 17, 2017, and to process those requests within 90 days of their receipt.

Section 127 specifies that obligation limitation provided in fiscal year 2020 shall not be subject to certain redistribution processes specified by section 120.

## FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

The Federal Motor Carrier Safety Administration (FMCSA) was established within the Department of Transportation (DOT) by Congress through the Motor Carrier Safety Improvement Act of 1999. FMCSA's mission is to promote safe commercial motor vehicle operations and to reduce truck and bus crashes. FMCSA works with federal, state, and local entities, the motor carrier industry, highway safety organizations, and the public to further its mission.

FMCSA resources are used to prevent and mitigate commercial vehicle accidents through regulation, enforcement, stakeholder training, technological innovation, and improved information systems. FMCSA also is responsible for enforcing federal motor carrier safety and hazardous materials regulations for all commercial vehicles entering the United States along its southern and northern borders.

## MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

## (LIQUIDATION OF CONTRACT AUTHORIZATION)

## (LIMITATION ON OBLIGATIONS)

## (HIGHWAY TRUST FUND)

Appropriation, fiscal year 2020 .....	\$288,000,000
Budget request, fiscal year 2021 .....	299,000,000
Recommended in the bill .....	379,500,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+91,500,000
Budget request, fiscal year 2021 .....	+80,500,000

This limitation controls FMCSA spending on salaries, operating expenses, and research. It provides resources to support motor carrier safety program activities and to maintain the agency's administrative infrastructure. This funding supports nationwide motor carrier safety and consumer enforcement efforts, including the Compliance, Safety, and Accountability Program, regulation and enforcement of freight transport, and federal safety enforcement at the U.S. borders. These resources also fund regulatory development and implementation, information management, research and technology, safety education and outreach, and the safety and consumer telephone hotline.

## COMMITTEE RECOMMENDATION

Consistent with the amounts authorized in the INVEST in America Act, the Committee recommends \$379,500,000 for the Operations and Programs account. Obligation limitation is for one year except \$98,073,000 is available until September 30, 2023, and \$20,000,000 is available until September 30, 2025. Of the amounts available until September 30, 2023, not less than \$85,000,000 is for information management and not less than \$13,073,000 is for the research and technology program.

*Hours of Service (HOS).*—The Committee has profound concerns about the safety and labor ramifications of the final rule that FMCSA issued on May 14, 2020 revising HOS. The final rule will extend driving time and distance while also reducing the amount of time a driver takes for rest. The changes will increase driver fatigue, a significant risk factor in large truck crashes. In particular,



the Committee is concerned about the effects of extending the short-haul exemption from 12 hours to 14 hours and extending the distance limit for short-haul drivers. In fact, 2016 research by the Insurance Institute for Highway Safety and the North Carolina Highway Safety Research Center found that truckers who reported driving after at least 12 hours since an extended sleep period were 86 percent more likely to crash than drivers who had been awake for less than eight hours. Truckers who reported driving more than five hours without stopping were more than twice as likely to crash as those who drove 1–5 hours. In that study, drivers using a short-haul exemption had a crash risk nearly five times as high as those drivers that were not using the exemption. In addition, proposed changes to the 30-minute rest break could significantly increase worker fatigue by eliminating off-duty time. The Committee directs FMCSA to complete the study required by Section 4306 of the IN-VEST in America Act before implementing such changes to HOS requirements.

*Truck parking.*—The Committee notes the importance of safe and appropriate places for truck drivers to park their vehicles so that drivers can comply with HOS rules and get appropriate rest. The Committee directs the Secretary to assist state and local entities in working with the private sector to develop strategies to increase the availability of safe truck parking so that truck drivers may safely comply with HOS and other regulations.

*Compliance, safety, accountability data.*—The Committee reiterates direction to FMCSA to address, in an expedited manner, the recommendations submitted by the National Academies of Sciences, Engineering, and Medicine in the manner specified by the Office of the Inspector General on September 25, 2019. The Committee believes that Compliance, Safety, Accountability data collected by the agency should be made available to the general public, consistent with the provisions of the FAST Act.

*Large truck crash causation study.*—In 2018, there were more than 4,400 fatal crashes involving large trucks, a more than 5 percent increase from the prior year and a more than 50 percent increase since 2009. More than 80 percent of those fatalities were occupants of other vehicles or non-occupants such as pedestrians or cyclists. Large trucks account for 4 percent of vehicles and 8 percent of all vehicles involved in fatal crashes, and they are 20 percent more likely to be involved in multi-vehicle crashes compared to passenger vehicles. The Committee applauds FMCSA and NHTSA for their proposal to update the large truck crash causation study. The Committee provides not less than \$3,300,000 to begin the study and directs the agencies to report to the House and Senate Committees on Appropriation regarding the methodology and timeline for the study within 90 days of enactment of this Act.

*Outfitters and guides.*—The Committee recognizes the important role that youth camps and outfitting guides play in the economy of certain states, including Idaho, Wyoming, and Montana. The Committee acknowledges that outfitters, guides, and youth camps engaged in interstate commerce must comply with requirements under FMCSA regulations and that complying with such regulations can be costly. The Committee encourages FMCSA to study the safety implications of exempting drivers of 9 to 15 passenger motor vehicles operated by an outdoor adventure and recreational

outfitter from work and location requirements under section 395.1(e) of title 49, Code of Federal Regulations, and to report to the House and Senate Committees on Appropriations with their findings.

MOTOR CARRIER SAFETY GRANTS  
(LIQUIDATION OF CONTRACT AUTHORIZATION)  
(LIMITATION ON OBLIGATIONS)  
(HIGHWAY TRUST FUND)

Appropriation, fiscal year 2020 .....	\$391,136,000
Budget request, fiscal year 2021 .....	403,000,000
Recommended in the bill .....	501,200,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+110,064,000
Budget request, fiscal year 2021 .....	+98,200,000

This limitation controls FMCSA's spending on motor carrier safety grants. Those grants are used to support compliance reviews in the states, identify and apprehend traffic violators, conduct roadside inspections, and conduct safety audits of new entrant carriers. Additionally, grants are provided to states for improvement of state commercial driver's license oversight activities.

COMMITTEE RECOMMENDATION

Consistent with the amounts authorized in the INVEST in America Act, the Committee recommends \$501,200,000 in obligation limitation and liquidating cash for the Federal Motor Carrier Safety Grant program. The following table provides funding levels for activities within this account:

	Request	Recommendation
Motor Carrier Safety Assistance Program .....	---	\$389,212,000
Commercial Driver's License .....	---	56,880,000
High Priority Activities Program .....	---	59,108,000
Commercial Motor Vehicle Operators Grants .....	---	1,000,000
Total .....	\$430,000,000	501,200,000

ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR CARRIER SAFETY  
ADMINISTRATION

Section 130 requires FMCSA to send notice of 49 CFR section 385.308 violations by certified mail, registered mail, or another manner of delivery, which records the receipt of the notice by the persons responsible for the violations.

Section 131 requires FMCSA to update annual inspection regulations to require that rear underride guards be inspected annually.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

The National Highway Traffic Safety Administration (NHTSA) was established in March 1970 to administer motor vehicle and highway safety programs. It was the successor agency to the National Highway Safety Bureau, which was housed in the Federal Highway Administration.

NHTSA's mission is to save lives, prevent injuries, and reduce economic costs due to road traffic crashes through education, re-

search, safety standards, and enforcement activity. To accomplish these goals, NHTSA establishes and enforces safety performance standards for motor vehicles and motor vehicle equipment, investigates safety defects in motor vehicles, and conducts research on driver behavior and traffic safety.

NHTSA provides grants and technical assistance to state and local governments to enable them to conduct effective local highway safety programs. Together with state and local partners, NHTSA works to reduce the threat of drunk, impaired, and distracted drivers, and to promote policies and devices with demonstrated safety benefits including helmets, child safety seats, airbags, and graduated driver's licenses.

NHTSA establishes and ensures compliance with fuel economy standards, investigates odometer fraud, establishes and enforces vehicle anti-theft regulations, and provides consumer information on a variety of motor vehicle safety topics.

#### OPERATIONS AND RESEARCH

Appropriation, fiscal year 2020 .....	\$194,000,000
Budget request, fiscal year 2021 .....	156,100,000
Recommended in the bill .....	214,073,440
Bill compared with:	
Appropriation, fiscal year 2020 .....	+20,073,440
Budget request, fiscal year 2021 .....	+57,973,440

The operations and research appropriation supports vehicle safety programs and the administrative expenses of the agency. These programs include research and analysis to establish best practices, guidance for vehicle safety, and rulemakings on safety standards and fuel economy standards. The account also includes enforcement of safety regulations including ensuring industry compliance with motor vehicle safety standards, investigations of safety-related defects and oversight of manufacturer recalls. Many of these programs are conducted in partnership with state and local governments, the private sector, universities, research units, and various safety associations and organizations.

#### COMMITTEE RECOMMENDATION

For vehicle safety programs, funded by the general fund, the Committee recommends \$214,073,440. Amounts are available for one year, except \$40,000,000 of the funds are available until September 30, 2022. The following table provides funding levels for activities within this account:

	Request	Recommendation
Rulemaking .....	\$22,586,000	\$42,000,000
Enforcement .....	19,542,000	42,000,000
Research and Analysis .....	32,805,000	48,000,000
Administrative Expenses .....	81,167,000	82,073,440
Total .....	156,100,000	214,073,440

*Office of Defects Investigation (ODI).*—Of the amounts provided for enforcement, no less than \$30,000,000 shall be for the ODI. The Committee continues to direct ODI to strengthen its collection and analysis of early warning data and vehicle defects, enhance defect investigations using a risk-based process, and increased enforcement to mitigate the impact of serious safety defects on drivers. In

2020, the Committee required NHTSA to report, by June 17, 2020, on how the agency will accomplish these goals. The report is overdue, and the Committee directs NHTSA to brief the House and Senate Committees on Appropriations regarding the status of the report within 30 days of enactment of this Act.

*Fuel-economy regulations.*—The Committee is deeply concerned about the negative environmental and economic effects of loosening fuel economy standards and is disappointed that NHTSA finalized the Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule. In particular, the Committee finds a number of economic assumptions that were included in the modeling implausible and is deeply alarmed that the rule did not pass a reasonable cost-benefit analysis. Because the Committee believes that flaws in the modeling have contributed to the rule, the Committee directs NHTSA to develop a comprehensive, internally consistent model of the market for vehicle sales that incorporates how consumers make choices about when to purchase a vehicle, whether that vehicle is purchased new from the manufacturer or used, and how consumers make choices about how often or how far to drive. To develop the model, NHTSA shall consult with industry and academic stakeholders and make the model public upon its completion. The Committee further directs NHTSA to ensure that they have the appropriate personnel to complete such modeling including economists and statisticians.

*Truck overrides.*—The Committee highlights that DOT has been researching overrides for more than 50 years and that NHTSA's proposed rulemaking in December 2015 to update truck rear impact guard requirements cited 362 annual fatalities associated with light vehicle crashes into the rear of trucks. The Committee directs NHTSA to prioritize working with relevant experts and stakeholders, including researchers, engineers, safety advocates, and the trucking industry, to facilitate the deployment and adoption of rear and side override protection devices. Last year, the Committee directed NHTSA to implement GAO recommendations on overrides and to complete a rulemaking to improve rear guards to meet the Insurance Institute for Highway Safety standards for Toughguard awards. The Committee repeats such direction, and requires NHTSA to brief the Committee within 30 days of enactment of this Act on the agency's progress on such requirements.

*Automatic emergency braking.*—The Committee notes that the safety benefits of automatic emergency braking on large trucks are well documented. The Insurance Institute for Highway Safety has found that the technology can reduce front-to-rear crashes with injuries by 56 percent. The costs to generating these benefits are not large. A September 2018 study by NHTSA found that the incremental cost to a truck driver of automatic emergency brakes would be less than \$350. The Committee directs NHTSA to complete a rulemaking, which was initiated in 2015, on automatic emergency braking within one year of enactment of this Act. The Committee further directs NHTSA to promulgate minimum performance standards as part of this rulemaking.

*Automated vehicle testing.*—The Committee notes that in November 2019 and February 2020, the National Transportation Safety Board (NTSB) issued recommendations to NHTSA regarding the

testing of autonomous vehicles on public roads including around automation tools that allow a vehicle to steer, accelerate, and brake automatically within a lane. The Committee directs NHTSA to comply with those recommendations with all deliberate speed and encourages NHTSA to require entities that are testing or intend to test a developmental automated driving system on public roads to submit a safety self-assessment to NHTSA. The Committee directs NHTSA to comply with the NTSB's recommendations and to brief the House and Senate Committees on Appropriations within 180 days of enactment of this Act on the agency's plan to comply with the recommendations.

*Advanced Driver Assistance Systems (ADAS).*—The Committee applauds the announcement by the Department to endorse “Clearing the Confusion”, the list of recommended ADAS terminology developed by a collaboration among the National Safety Council, AAA, Consumer Reports and data analytics company J.D. Power and is based on ADAS system functionality. To further these efforts, the Committee encourages NHTSA to develop minimum performance standards for these technologies.

*Autonomous vehicles.*—Changes in driving technology will bring significant changes to the roadways and will likely change how occupants position themselves in vehicles. To address the changing nature of safety, the Committee directs NHTSA to work with the Highly Automated Systems Safety Center of Excellence to ensure that the agency has access to staff with expertise relevant to the development of automated and partially automated vehicles. The Committee directs NHTSA to develop a research program in order to better understand the kinetics and injury outcomes associated with alternatively positioned vehicle occupants. NHTSA shall update the House and Senate Committees on Appropriations on their activities and plans related to autonomous vehicles within 180 days after enactment of this Act.

The Committee finds that the machine learning and other advanced computing methods could be more efficiently used in the implementation of Automated Driving Systems (ADS). The Committee encourages NHTSA to work with ADS stakeholders to identify and define their data needs with an eye towards the future goal of developing platforms to address those needs. Such a program of research would also support state governments as they assess the readiness of their infrastructure to accommodate autonomous vehicles.

*New Car Assessment Program (NCAP).*—The Committee directs NHTSA to conduct a review that outlines whether the crash test equipment used in NCAP adequately tests for the risks of injury for female, young adult, and elderly drivers and to report to the House and Senate Committees on Appropriations upon completion of the review, no later than December 31, 2023.

*Crashworthiness research.*—The Committee recognizes the importance that lightweight plastics and polymer composites play to improve automotive safety, meet consumer demand for innovative and autonomous vehicles, increase fuel efficiency, and support new U.S. highly skilled manufacturing jobs. The Committee encourages NHTSA to focus on updating the countermeasures in its frontal, side, rollover, front seatbacks, and lower interior impacts for children and small adults, including women, as well as pedestrian

crashworthiness projects, with an emphasis on decreasing the weight of vehicles in both traditional and autonomous vehicle structural designs. The Committee directs NHTSA to leverage lessons learned from lightweight materials research at the Department of Transportation, the Department of Energy, and by industry stakeholders in its development of safety-centered approaches for future lightweight automotive design.

*Research on older drivers.*—The Committee remains concerned about the safety of older drivers and sees promise in the development of tools that can prolong safe and independent mobility. The Committee would like to see more widespread testing of tools such as app-based software that provides in-vehicle assistance to elderly drivers. The Committee applauds NHTSA's current work on smart phone interventions for older drivers and directs NHTSA to carry out a pilot program in coordination with a university or multi-university consortia for such software in order to develop a framework that facilitates mobility for elderly drivers. Of the amounts provided under this heading, \$8,000,000 shall be available for a wide-scale field operational test of these technologies.

*Passengerless delivery vehicles.*—The Committee notes with interest the development of new technologies that may be able to provide deliveries of food and other essential items to members of the public. However, the Committee is concerned that these technologies have not been fully tested in a real-world setting, and will watch with significant interest the results of a new pilot program for such vehicles in the State of California. The Committee is hopeful that the safety and performance record of the vehicles will be superb, and that the results will provide NHTSA with additional information and data as they proceed with rulemakings around such vehicles.

*Motorcoach safety.*—Section 32703 of Public Law 112-141, the Moving Ahead for Progress in the 21st Century Act (MAP-21), required DOT to issue rules requiring seatbelts on motorcoaches, regulations for roof strength, anti-ejection safety countermeasures, and rollover crash avoidance. Within 60 days of enactment of this Act, the Committee directs NHTSA to update the House and Senate Committees on Appropriations regarding the Department's progress in implementing the motorcoach safety standards outlined in MAP-21.

*Overdue rulemakings.*—The Committee remains concerned about the slow progress by NHTSA on completing rulemakings mandated by Congress in MAP-21 and the FAST Act. The Committee directs the Inspector General of the Department of Transportation to conduct a study of NHTSA's rulemaking activities to determine a list of all congressionally mandated rulemakings related to 49 U.S.C. Chapter 301 which the DOT and NHTSA have failed to address consistent with required deadlines, the reasons for such delays, and potential actions to reduce delay in mandated rulemaking activities, including the prioritization of congressionally mandated rules in relation to general rulemaking activities.

OPERATIONS AND RESEARCH  
(LIQUIDATION OF CONTRACT AUTHORIZATION)  
(LIMITATION ON OBLIGATIONS)  
(HIGHWAY TRUST FUND)

Appropriation, fiscal year 2020 .....	\$155,300,000
Budget request, fiscal year 2021 .....	161,200,000
Recommended in the bill .....	170,612,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+15,312,000
Budget request, fiscal year 2021 .....	+9,412,000

This limitation controls NHTSA's spending from the Highway Trust Fund for Highway Safety Research and Development programs. Many of these programs are conducted in partnership with state and local governments, the private sector, universities, research units, and various safety associations and organizations. Programs funded by this account include research, demonstrations, and technical assistance to state and local governments around behavioral aspects of driver, occupant and pedestrian behavior. This account also funds NHTSA's National Center for Statistics and Analysis which collects and analyzes crash data and provides technical assistance to support State Highway Safety Activities.

COMMITTEE RECOMMENDATION

Consistent with the amounts authorized in the INVEST in America Act, for behavioral safety research funded by the operations and research account, the Committee recommends \$170,612,000 in liquidating cash and obligation limitation. Obligation limitation is available for one year, except for \$20,000,000 which is available until September 30, 2022 and \$3,000,000, for impaired driving detection, which is available until expended.

*Highway fatalities.*—Despite consistent progress, estimated highway fatalities still totaled more than 36,000 in 2019, with alcohol-impaired and speeding-related fatalities each totaling about one-third of that total. In addition, the national seat belt use rate has leveled off at about 90 percent, child safety restraint use needs to improve, distracted driving persists, motorcycle and pedestrian safety are an ongoing concern, and drugged driving and drivers impaired by multiple substances are emerging issues. Immediate steps must be taken to focus resources on a national campaign to save lives on the roadways. The Committee directs NHTSA to assert its leadership by developing and implementing such a national campaign, working with other federal agencies, the states, law enforcement, the public health community, industry, and others who can contribute to the goal of saving lives in an expedited manner. An initial report on the agency's plans and progress on this campaign should be provided to the House and Senate Appropriations Committees no later than one year after enactment of this Act. The report should include specific goals and any impediments to achieving those goals.

*Pedestrian fatalities.*—The Committee remains alarmed at the increased number of pedestrian fatalities, which over the last 10 years, have soared to more than 6,000, or roughly one-sixth of all traffic deaths in the United States. Reducing these fatalities and

injuries will take a concerted effort that includes enforcement of existing laws, changes in street design and engineering, and education of drivers and pedestrians. The Committee directs NHTSA to continue to work with FHWA and state and local stakeholders to conduct education and enforcement efforts in cities nationwide and to convene stakeholders to develop and publicize innovative solutions to reduce pedestrian fatalities. In addition, the Committee directs NHTSA to update data collection methodologies to evaluate pedestrian injuries and fatalities. In order to facilitate more robust risk analysis, NHTSA should partner with one or more academic institutions to develop modern pedestrian crash data collection protocols.

*Road to Zero coalition.*—The Committee believes that conquering persistent problems with speed, seat belt use, distraction, and substance-impaired driving requires a collaborative effort. In order to reduce motor vehicle fatalities, the Road to Zero coalition has awarded 25 safe system innovation grants totaling \$3,500,000 over three years to qualifying organizations and has shared these results with other stakeholders so that learning can be applied throughout the country. The Committee encourages the Department to remain engaged and involved with the Road to Zero coalition as it develops data-driven actions to meet the goal of reducing motor vehicle fatalities to zero. The Committee directs that NHTSA continue to fund grants for such activities at a level commensurate with that provided in fiscal years 2017 through 2020.

*Impaired driving detection.*—The Committee is concerned that available technology to detect impaired driving has changed since funding began for the DADDS program in 2011 and is encouraged by the development of a variety of sensor- and camera-based technologies in vehicles to detect impaired, drowsy and distracted driving. While the DADDS program has made significant progress, it has been almost 15 years since NHTSA last reviewed the available technology for detecting drivers impaired by alcohol. Within 60 days of enactment of this Act, the Committee directs NHTSA to contract with the Volpe National Transportation Systems Center to update the 2007 Review of Technology to Prevent Alcohol-Impaired Crashes. The Committee directs NHTSA to brief the House and Senate Committees on Appropriations within 30 days of receipt of the Volpe study.

Because additional technologies to detect drivers impaired by alcohol or other substances are emerging, the Committee is concerned about their ability to work in a repeatable manner and sees a need to eventually develop minimum performance standards for such technologies. As a result, the Committee directs that \$3,000,000, to remain available until expended, be available for NHTSA to acquire such technology, to develop a research plan and to collect data with the goal of eventually developing a test standard. In addition, NHTSA is directed to convene a public forum of national and international technology developers who have expertise in technologies that detect impaired driving in order to increase awareness of such technologies and to facilitate technology transfer from previously federally funded efforts.

*Drug-impaired driving.*—The Committee remains concerned with the growing problem of people driving under the influence of one or multiple substances, including marijuana and opioids. The Com-



mittee supports the goal of developing a reliable standard for all types of impaired driving and urges NHTSA to coordinate research efforts with states and other partners. At the same time, the Committee recognizes that developing a standard measurement of marijuana impairment, similar to blood alcohol concentration (BAC), remains unlikely in the near term. The Committee directs NHTSA to continue to robustly support Drug Recognition Expert (DRE) and Advanced Roadside Impaired Driving Enforcement (ARIDE) training and to prioritize the study and development of a standardized field sobriety test (SFST) to detect marijuana impairment.

The Committee directs NHTSA to work with the Department of Justice, the Department of Health and Human Services, and the Department of Commerce to ensure that state highway safety offices and state law enforcement have the most up-to-date information from the Federal government on detecting impaired driving including an inventory of available technologies to detect recent drug use such as oral fluid technologies. In order to increase the safety of the transportation network by reducing drug-impaired driving, the Committee directs NHTSA to work with states to determine their toxicology testing and funding needs and to provide states with flexibility in how they use impaired driving countermeasures grants, including, but not limited to, assistance with state toxicology labs.

*Child-car seat testing.*—In 2014, NHTSA issued a proposed rulemaking that would have required all car seats designed for children up to 40 pounds to be tested for side-impact collisions. By December 31, 2021, the Committee directs NHTSA to issue the long overdue rule to test car seats for effectiveness in side-impact car crashes and to update rules for frontal impacts. The Committee directs NHTSA to brief the House and Senate Committees on Appropriation within 60 days of enactment of this Act on the agency's plan to meet this deadline.

*Child hyperthermia.*—The Committee is deeply concerned about the ongoing crisis involving children dying of hyperthermia after being left alone in motor vehicles. In 2018 and 2019, a total of more than 100 children died in this tragic manner. NHTSA must pursue a two-pronged strategy of public education and technology solutions. Continued public education activities should include aggressive media and community outreach. Technological solutions should include requiring the automotive industry to swiftly install systems that detect the presence of a child and alert individuals inside and outside the vehicle. The Committee directs NHTSA to continue policies and programs implemented in 2019 to reduce the number of child deaths from hyperthermia. Of the amounts provided under this heading, the Committee directs that not less than \$3,000,000 shall be available for such activities.

*High visibility enforcement campaigns.*—High visibility traffic safety enforcement campaigns are effective, life-saving countermeasures for addressing increased safety belt and child safety seat use, drunk driving prevention, and control of distracted driving. The Committee continues to strongly support these campaigns and provides substantial resources to conduct them throughout the year. In order to enhance the effectiveness of these efforts, the Committee directs NHTSA to work with the Federal Highway Administration and state departments of transportation to use high-

way dynamic message signs, in compliance with the Manual on Uniform Traffic Control Devices, to support the national safety emphasis periods.

*Stroke victim transportation protocol.*—Stroke is a leading cause of death and long-term disability among adults in the United States but faster diagnosis and treatment greatly increases chances of survival. The Committee encourages NHTSA and its Office of Emergency Medical Services to work with states to develop and implement assessment, treatment, and transport-destination protocols to ensure that stroke patients are transported to the most appropriate hospital for treatment. Such protocols shall consider the capability of an emergency receiving facility to improve outcomes for patients suspected of having an emergent large vessel occlusion.

HIGHWAY TRAFFIC SAFETY GRANTS  
(LIQUIDATION OF CONTRACT AUTHORIZATION)  
(LIMITATION ON OBLIGATIONS)  
(HIGHWAY TRUST FUND)

Appropriation, fiscal year 2020 .....	\$623,017,000
Budget request, fiscal year 2021 .....	647,200,000
Recommended in the bill .....	855,488,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+232,471,000
Budget request, fiscal year 2021 .....	+208,288,000

This limitation controls NHTSA's spending on grants to states authorized under the FAST Act. The grant programs include: Highway Safety Programs, the National Priority Safety Program, and the High Visibility Enforcement Program. These grants provide flexible funding to States that develop a Highway Safety plan to address State highway safety issues. This account also includes incentive grants to states that meet specific statutory criteria in areas such as impaired and distracted driving, occupant protection, motorcyclist safety, and nonmotorized safety.

COMMITTEE RECOMMENDATION

Consistent with the amounts authorized in the INVEST in America Act, the Committee recommends \$855,488,000 in liquidating cash from the Highway Trust Fund to pay outstanding obligations of the Highway Traffic Safety Grant programs at the levels provided in this Act and prior Appropriations Acts. The Committee also recommends limiting obligations from the Highway Trust Fund in fiscal year 2021 for the Highway Traffic Safety Grant programs to \$855,488,000. The following table provides funding levels for activities within this account:

	Request	Recommendation
State and Community Highway Safety Grants .....	---	\$384,800,000
National Priority Safety Programs .....	---	390,900,000
High Visibility Enforcement Program .....	---	49,702,000
Administrative Expenses .....	\$30,086,000	30,086,000
Total .....	647,200,000	855,488,000

*Coronavirus pandemic.*—The Committee recognizes the significant toll that the coronavirus-19 pandemic has taken on the budg-

ets and staffing of state departments of transportation. In conjunction with the authorized flexibilities provided for in the INVEST in America Act and to ensure that state highway safety activities remain robust, the Committee eliminates any requirements that states match federal funds for grants made pursuant to chapter 4 of title 23, United States Code, for fiscal year 2021.

*Safety promotional materials.*—For the purpose of Federal grants administered by NHTSA, safety equipment purchased for traffic safety education trainings, such as child car seats, bicycle helmets and lights, and reflective vests, shall not be considered promotional materials or memorabilia.

*Distracted driving.*—The Committee notes that more than 2,800 people were killed in crashes involving a distracted driver in 2018. The Committee continues to fund NHTSA programs that support State efforts to educate the public and to enforce laws promoting safe driving habits and prevent unnecessary deaths.

*State traffic safety information system improvements.*—The Committee recognizes the potential dangers to drivers and pedestrians caused by the delays associated with mailed paper notices of out-of-state driving infractions. In coordination with the National Driver Registry funded under “Operations and Research,” and to help meet the outlined purpose of grants under sections 402 and 405 of title 23, United States Code, the Committee directs NHTSA to continue to provide technical assistance to States on improving the interoperability of state and national traffic safety information systems, and, where possible, to build capacity for a transition to digital notifications.

#### ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

Section 140 provides limited funding for travel and related expenses associated with state management reviews and highway safety core competency development training.

Section 141 exempts from the current fiscal year’s obligation limitation any obligation authority that was made available in previous public laws.

Section 142 provides additional funding for highway safety programs.

Section 143 prohibits funds from being used to enforce certain State maintenance of effort requirements under 23 U.S.C. 405.

#### FEDERAL RAILROAD ADMINISTRATION

The Federal Railroad Administration (FRA) was established by the Department of Transportation Act (P.L. 89—670) on October 15, 1966. FRA plans, develops, and administers programs and regulations to promote the safe operation of freight and passenger rail transportation in the United States. The U.S. freight railroad system consists of over 600 railroads and 140,000 miles of track, which deliver approximately 5,000,000 tons of goods each day. In addition, FRA oversees grants to the National Railroad Passenger Corporation (Amtrak) with the goal of assisting Amtrak with improving its passenger rail service and physical infrastructure.

## SAFETY AND OPERATIONS

Appropriation, fiscal year 2020 .....	\$224,198,000
Budget request, fiscal year 2021 .....	225,634,000
Recommended in the bill .....	236,134,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+11,936,000
Budget request, fiscal year 2021 .....	+10,500,000

The safety and operations account provides funding for FRA's safety program activities related to passenger and freight railroads. Funding also supports salaries and expenses and other operating activities related to FRA staff and programs.

## COMMITTEE RECOMMENDATION

The Committee recommendation provides \$236,134,000 for the safety and operations account. The following table provides funding levels for activities within this account.

	Request	Recommendation
Safe transportation of energy products .....	— — —	\$2,000,000
Automated track inspection program and data analysis .....	\$8,000,000	16,500,000
Railroad safety information system and front end interface .....	4,400,000	4,400,000
Positive train control support program .....	3,001,000	3,001,000
Confidential close call reporting system .....	3,000,000	3,000,000
Trespasser prevention .....	2,300,000	2,300,000
Highway-rail grade crossing safety .....	1,325,000	1,325,000

In addition, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (P.L. 116–136) included \$250,000 for the safety and operations account to prevent, prepare for, and respond to coronavirus.

*Competitive grants.*—The Committee remains concerned with the Department's ability to execute FRA's competitive grant programs in a timely manner. The Department has established a troubling pattern of delays. For example, the fiscal year 2018 restoration and enhancement grant program awards were selected on May 5, 2020, over 2 years after this funding was provided by the Congress; the fiscal year 2019 Federal-State partnership for state of good repair grant program awards were selected on May 27, 2020, over 1 year and 3 months after this funding was provided by the Congress; and the fiscal year 2019 consolidated rail infrastructure and safety improvements (CRISI) grant program awards were selected on March 12, 2020, over 1 year after this funding was provided by the Congress. These delays in selecting projects to receive awards have a compounding effect on each subsequent fiscal year, with the Department not issuing the Notice of Funding Opportunity (NOFO) for the next fiscal year until several months after the Congress provided funding for the grant program.

The Committee recognizes that competitive grant programs require dedicated staff and contract support to issue NOFOs, review applications, select projects for awards, execute grant agreements, and conduct project management oversight. In fiscal year 2021, the Committee again provides significant resources to help communities address transportation challenges through FRA competitive grant programs. This significant investment by the Congress in the Nation's rail infrastructure requires a robust program of grant management and oversight. Therefore, the Committee increases

the administrative set-asides for the Federal-State partnership for state of good repair and CRISI grant programs to up to 2 percent and directs FRA to administer and manage all competitive grant programs funded by this Act in a responsible manner.

*Coronavirus pandemic.*—The Committee recognizes the significant toll that the coronavirus pandemic has taken on the budgets and staff of State and local governments, Amtrak, and others. Therefore, the Committee eliminates the selection preference for projects which have a 50 percent or higher non-Federal match for the Federal-State partnership for state of good repair and CRISI grant programs for fiscal year 2021.

*Safe transportation of energy products.*—The Committee recommendation supports FRA's safe transportation of energy products programs, which includes safety inspectors, safety route managers, tank car quality assurance specialists, tank car research, and increased mileage of the automated track inspection program (ATIP) on routes that carry energy products.

*ATIP.*—ATIP uses track geometry measurement vehicles to automatically measure track conditions which supplement the work of FRA inspectors to ensure railroads are compliant with FRA track safety standards. The Committee recommendation supports the inspection of passenger rail routes, commuter rail routes, routes that carry energy products and other hazardous materials, and further enhancements to ATIP's inspection capabilities. The Committee notes that funds provided for ATIP in fiscal year 2021 are available to inspect tracks and analyze data from ATIP operations and inspections.

*Positive train control (PTC).*—The Committee recognizes that significant progress has been made by freight, passenger, and commuter railroads to implement PTC, with PTC systems in operation on 56,541 of the nearly 58,000 route miles required by the Rail Safety Improvement Act of 2008 (P.L. 110-432) as of March 31, 2020. In addition, as of March 31, 2020, 48.5 percent of approximately 229 host-tenant railroad relationships had achieved PTC interoperability. With the December 31, 2020 deadline to fully implement PTC quickly approaching, FRA and railroads must redouble their efforts to complete revenue service demonstration, resolve software and vendor challenges, achieve PTC interoperability, and submit and review PTC safety plans. The Committee is concerned that as of March 31, 2020, FRA has identified 4 railroads at risk of not fully implementing PTC by the December 31, 2020 deadline. The Committee directs FRA to continue to work with railroads on PTC testing and interoperability, provide technical assistance, actively monitor industry-wide progress, and take enforcement actions, including civil penalties, as necessary. In addition, the Committee directs FRA to continue to brief the House and Senate Committees on Appropriations on progress by railroads to implement PTC on a monthly basis until December 31, 2020, and as needed thereafter.

*Confidential close call reporting system (C3RS).*—The Committee commends FRA for its efforts to increase participation in C3RS, a voluntary program that enables participating railroads and their employees to identify, analyze, and mitigate safety risks and improve safety culture. Approximately 20 passenger, commuter, and freight railroads are participating in C3RS. To better understand

how C3RS helps promote and improve safety culture, the Committee directs the Government Accountability Office (GAO) to examine FRA's C3RS program and similar programs passenger, commuter, and freight railroads may have in place to encourage their employees to identify and report safety risks. The Committee directs GAO to report its findings and recommendations to the House and Senate Committees on Appropriations no later than 2 years after enactment of this Act.

*Trespasser prevention.*—Pedestrians trespassing on railroad property remains the leading cause of all rail-related fatalities, accounting for 62 percent of U.S. rail-related deaths in fiscal year 2018. The Committee commends FRA for its efforts to implement the National Strategy to Prevent Trespassing on Railroad Property (National Strategy), including developing a risk model, initiating grant opportunities to support local enforcement efforts, and increasing outreach through community summits and symposiums. The Committee recommendation provides funding for FRA to continue these activities in fiscal year 2021. The Committee looks forward to receiving an update of the National Strategy as required by House Report 116–106 and directs FRA to provide an update annually with the most current data available, FRA's progress on the milestones outlined in the National Strategy, and any potential new initiatives to reduce trespasser fatalities. FRA is directed to submit the updated National Strategy to the House and Senate Committees on Appropriations no later than June 30 each year.

*Highway-rail grade crossing safety.*—Highway-rail grade crossing collisions are the second leading cause of all rail-related fatalities in the United States. Between 2009 and 2018, the total number of accidents at public and private highway-rail grade crossings have remained constant, averaging about 2,100 per year. Despite more than half of all public crossings being equipped with active warning devices, 68 percent of collisions occur at crossings with active, functional warning devices. The Committee understands FRA is engaging in a data driven process to identify the most dangerous highway-rail grade crossings in the United States, which would allow FRA to engage with communities, State and local agencies, law enforcement, railroads, and advocacy organizations to identify potential local solutions. In addition, FRA has initiated a 3-year strategy to implement and demonstrate promising high- and low-technology solutions, assist communities in identifying Federal funding opportunities, improve outreach and partnerships, and conduct research and development. The Committee directs FRA to continue these activities and provides funding to support FRA's work in fiscal year 2021.

*Blocked railroad crossings.*—The Committee remains concerned with the increase in the prevalence of railroad crossings blocked by trains, and the potential impacts to communities and safety. The Committee commends FRA for launching a new, dedicated website for the public and law enforcement to report blocked highway-rail grade crossings. The information collected through this website could provide FRA a more complete picture of where, when, for how long, and how frequently blocked railroad crossings occur. The Committee directs FRA to utilize this information to work with communities, State and local agencies, law enforcement, railroads, and others to develop local solutions to blocked railroad crossings.

After the website has been operational for 1 year, the Committee directs FRA to compile and analyze the information submitted through the website. The Committee directs FRA to brief the House and Senate Committees on Appropriations on this analysis, including any identified trends and proposed actions to reduce the number, frequency, and long duration of blocked railroad crossings. This briefing shall occur no later than 90 days after the website has been operational for 1 year.

*On-time performance.*—A significant obstacle to establishing new passenger rail service or adding frequencies is the ability to obtain reliable access to host railroad tracks. The Committee recognizes the challenges host railroads face in balancing the demands of passenger and freight trains, which can impact on-time performance. These challenges are regularly reflected in Amtrak's existing service. In fiscal year 2019, Amtrak's long-distance trains were on time at stations only 42 percent of the time, while Amtrak's State-supported trains were on time about 78 percent of the time. Congress sought to address on-time performance through the Passenger Rail Investment and Improvement Act (PRIIA) of 2008 (P.L. 110-432). The Committee is pleased that following several years in Federal court, FRA and Amtrak are again working to develop new or improve existing metrics and minimum standards for measuring the performance and service quality of intercity passenger train operations as required by section 207 of PRIIA. FRA and Amtrak jointly developed proposed metrics and minimum standards, consulted with impacted stakeholders during the development process, and a notice of proposed rulemaking (NPRM) was issued by FRA on March 31, 2020. The Committee directs FRA and Amtrak to thoroughly review and consider all comments received in response to the NPRM and to issue a final rule as soon as practicable.

*New transportation projects utilizing existing corridors.*—The Committee is aware that metropolitan planners may seek to utilize existing transportation corridors in proposing new transportation projects, including high speed rail. The Committee notes that documentation of historic disruption of affected communities and potential negative impacts to communities are to be considered in the documentation required under the National Environmental Policy Act (NEPA). The Committee directs the Department to ensure NEPA documentation for projects which propose to utilize existing transportation corridors includes documentation of the effects of the historic disruption of affected communities. Further, the Committee encourages the Department to evaluate the impact of new transportation projects and their utilization of existing corridors and to provide recommendations on ways to mitigate community disruption from construction and operation of new transportation projects in existing transportation corridors, including high speed rail projects.

*Amfleet replacement.*—The Committee notes that the Further Consolidated Appropriations Act, 2020 (P.L. 116-94) directed FRA to utilize the flexibilities provided in 2 CFR 200.308(d)(1) in order to allow State acquisition costs and on-going capital charges related to Amtrak's new fleet to be an eligible activity in any future NOFOs for the CRISI and Federal-State partnership for state of good repair grant programs. The Committee continues this direction for these competitive grant programs for fiscal year 2021.

*Washington Union Station expansion project.*—The Committee recognizes the importance of Washington Union Station as a multimodal transportation hub for the National Capital Region and understands plans are underway to expand capacity and improve multimodal facilities at the station. The Committee directs FRA to continue working with the District of Columbia government on the expansion plan and to consider the feedback of all stakeholders, including residents of affected neighborhoods, in its planning process.

#### RAILROAD RESEARCH AND DEVELOPMENT

Appropriation, fiscal year 2020 .....	\$40,600,000
Budget request, fiscal year 2021 .....	41,000,000
Recommended in the bill .....	41,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+400,000
Budget request, fiscal year 2021 .....	— — —

The railroad research and development program provides science and technology support for FRA's policy and regulatory efforts. The program's objectives are to reduce the frequency and severity of railroad accidents through scientific advancement, and to support technological innovations in conventional and high speed railroads.

#### COMMITTEE RECOMMENDATION

The Committee recommendation provides \$41,000,000 for the railroad research and development program.

The Committee directs FRA to conduct research and development activities in all disciplines, including track, rolling stock, train control and communications, human factors, and railroad systems, in order to maximize gains in rail safety and encourages FRA to prioritize new technology and data analysis methods to improve safety in all areas of railroad operations.

*Safe transportation of energy products.*—The Committee provides \$2,500,000 for FRA to research and mitigate risks associated with the transportation of crude oil, ethanol, liquefied natural gas (LNG), and other hazardous materials, including tank car research in partnership with other Federal agencies.

The Committee is aware of several research and development projects FRA and the Pipeline and Hazardous Materials Safety Administration (PHMSA) are actively pursuing relating to the transportation of LNG in rail tank cars or the use of LNG as a fuel for locomotives. The Committee directs FRA, in collaboration with PHMSA, to continue to support cooperative research on the safe use of LNG in these applications which should inform rulemaking.

*Trespasser prevention and highway-rail grade crossing safety.*—As previously noted, the Committee is concerned that the two leading causes of all rail-related fatalities are trespassing on railroad rights-of-way and collisions at highway-rail grade crossings. Combined, these two causes account for 97 percent of all rail-related fatalities. The Committee urges FRA to continue research and development activities which could improve trespass detection and prevention, including at or near highway-rail grade crossings, and to assist with the National Strategy to Prevent Trespassing on Railroad Property. In addition, the Committee urges FRA to continue research and development activities on grade crossing technology



and engineering solutions, including human interactions with such technology.

*Short-line safety.*—The Committee provides \$3,000,000 to improve safety practices and training and develop safety management systems for Class II and Class III freight railroads. This funding supports FRA’s initiative to partner with short-line and regional railroads to build a stronger, more sustainable safety culture through safety culture assessments, training and education, including on the safe transportation of energy products and other hazardous materials, outreach activities, and research.

*System safety and risk reduction programs.*—The Committee recognizes that continued investments in critical rail infrastructure programs will make rail infrastructure, equipment, and the operating environment safer. Therefore, the Committee urges FRA to continue prioritizing investments in the development of technologies designed to verify the functional performance of complex electronic systems such as: PTC, passenger door control, railroad crossing equipment, communication systems, train and locomotive systems, train environmental control, railcar signs, infrastructure maintenance, and monitoring systems. The Committee recognizes the importance of deploying these technologies in new and existing systems and acknowledges investments made in such technologies by cities, transportation agencies, and railroads across the country. The Committee urges FRA to continue working with industry to develop standardized performance specifications, test and verification processes, and maintenance and diagnostics tools for such systems.

#### FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD REPAIR

Appropriation, fiscal year 2020 .....	\$200,000,000
Budget request, fiscal year 2021 .....	— — —
Recommended in the bill .....	200,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	— — —
Budget request, fiscal year 2021 .....	+200,000,000

The Fixing America’s Surface Transportation (FAST) Act (P.L. 114–94) authorized the Federal-State partnership for state of good repair grant program under section 11302. The purpose of these grants is to reduce the state of good repair backlog on publicly- or Amtrak-owned infrastructure, equipment, and facilities. Eligible activities include capital projects to: (1) replace existing assets in-kind or with assets that increase capacity or service levels; (2) ensure that service can be maintained while existing assets are brought into a state of good repair; and (3) bring existing assets into a state of good repair.

#### COMMITTEE RECOMMENDATION

The Committee recommendation provides \$200,000,000 for the Federal-State partnership for state of good repair grant program.

*Competitive grants.*—The Committee remains concerned with the Department’s ability to execute this competitive grant program in a timely manner. The Consolidated Appropriations Act, 2019 (P.L. 116–6) provided \$400,000,000 for the Federal-State partnership for state of good repair grant program and required the Department to select projects to receive awards no later than 180 days after en-

actment of P.L. 116–6. The Department did not issue the NOFO for fiscal year 2019 until October 8, 2019, more than 230 days after P.L. 116–6 was enacted. As a result of the Department’s slow pace in initiating the NOFO and selecting projects to receive the fiscal year 2019 funding, P.L. 116–94 directed the Department to make these awards by May 1, 2020. The Committee is extremely disappointed that the Department failed to meet this subsequent award date despite having more than 140 days between receiving applications on December 9, 2019 and May 1, 2020 to review applications and select projects to receive awards. While the Committee appreciates that the Department finally selected projects for the fiscal year 2019 funding on May 27, 2020, this came over 1 year and 3 months after this funding was provided by the Congress. As previously noted, these delays in issuing NOFOs and selecting projects to receive awards have a compounding effect on each subsequent fiscal year. In order to prevent future delays with the funding the Committee provides in fiscal year 2021, the Committee directs the Department to complete its work on the funding appropriated in fiscal year 2020 by December 20, 2020 as required by P.L. 116–94. Further, the Committee directs the Secretary to publish a NOFO for fiscal year 2021 no later than 60 days after enactment of this Act and to make awards no later than 240 days after enactment of this Act.

In addition, the Committee is concerned with the Department’s decision in NOFOs for fiscal years 2017, 2018, 2019, and 2020 to limit project eligibility to final design and construction activities and to “not fund any preliminary engineering, environmental work, or related clearances.” The FAST Act does not include such limitations for this grant program. The Department’s subjective decision to restrict project eligibility may have resulted in a reduced pool of applications in response to NOFOs in fiscal years 2017, 2018, and 2019, despite the significant state of good repair needs of the Nation’s railroad assets. Therefore, the Committee directs the Secretary to expand project eligibility in the fiscal year 2021 NOFO to include design, engineering, location surveys, mapping, environmental studies, and acquiring rights-of-way activities independently of or in conjunction with construction.

#### CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS

##### (INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2020 .....	\$325,000,000
Budget request, fiscal year 2021 .....	330,000,000
Recommended in the bill .....	500,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+175,000,000
Budget request, fiscal year 2021 .....	+170,000,000

Authorized under section 11301 of the FAST Act, the purpose of the CRISI grant program is to improve the safety, efficiency, and reliability of passenger and freight rail transportation systems. Eligible activities include a wide range of capital, regional and corridor planning, environmental analyses, research, workforce development, and training projects.

## COMMITTEE RECOMMENDATION

The Committee recommendation provides \$500,000,000 for the CRISI grant program. Of the total funds provided, not less than \$60,000,000 is for projects eligible under section 22907(c)(5) of title 49, United States Code; not less than \$90,000,000 is for projects eligible under section 22907(c)(2) of title 49, United States Code, that support the development of new intercity passenger rail service routes including alignments for existing routes; and not less than \$25,000,000 is for capital projects and engineering solutions targeting trespassing.

*Competitive grants.*—While the Committee is pleased that the Department awarded the funding appropriated in fiscal year 2019 on March 12, 2020, the Committee notes with disappointment that the Department did not issue the NOFO for fiscal year 2019 until August 19, 2019, more than 6 months after P.L. 116–6 was enacted, and awarded grants more than 270 days after the award date established in P.L. 116–6. Considering the Department’s disregard for the timelines established by the Congress in P.L. 116–6 for issuing the fiscal year 2019 NOFO and awarding grants, the Committee is deeply troubled with the Department’s unwillingness to provide flexibility to applicants with respect to the fiscal year 2020 NOFO application deadline. As with all FRA competitive grant programs, the Committee remains concerned with the Department’s ability to execute the CRISI grant program in a timely manner. In order to prevent future delays with the funding the Committee provides in fiscal year 2021, the Committee directs the Department to complete its work on the funding appropriated in fiscal year 2020 by October 15, 2020 as required by P.L. 116–94. Further, the Committee directs the Secretary to publish a NOFO for fiscal year 2021 no later than 30 days after enactment of this Act, provide applicants 90 days to respond to the NOFO, and make awards no later than 210 days after enactment of this Act.

In addition, the Committee is concerned with the Department’s pace in executing grant agreements for projects which have been selected for awards. As of April 2020, the CRISI grant program had a total unobligated balance of \$1,017,091,670.58. According to FRA, it takes between 6 to 12 months to finalize a grant agreement after a project is selected for an award, at which point the funding is obligated. Based on this timeline, FRA should complete grant agreements for all awards for fiscal years 2017 and 2018 in June 2020 and the Committee should see a significant decrease in unobligated balances. The Committee directs FRA to work expeditiously with project sponsors to execute grant agreements for fiscal years 2017 and 2018. Further, the Committee directs FRA to provide quarterly reports to the House and Senate Committees on Appropriations on the status of CRISI grant agreements and obligations for all awards for fiscal years 2017, 2018, and 2019.

*PTC.*—The Committee is pleased with the efforts made by commuter railroads to implement PTC and directs FRA to continue to provide technical assistance to commuter railroads as they move toward full implementation. The Committee reminds FRA that the deployment of PTC is an eligible project under section 22907(c)(1) of title 49, United States Code, and the Committee again expands PTC eligibility to include commuter railroads.

*Trespasser prevention.*—The Committee is committed to reducing the number of deaths from pedestrians trespassing on railroad rights-of-way. FRA identified funding as 1 of 4 strategic areas in its National Strategy to Prevent Trespassing on Railroad Property. The National Strategy notes that programs like CRISI could help communities implement targeted trespasser mitigation strategies. Therefore, the Committee provides not less than \$25,000,000 for capital projects and engineering solutions targeting trespassing and directs FRA to give preference to projects located in counties identified in the National Strategy as having the most pedestrian trespasser casualties. The Committee further directs FRA to provide technical assistance to applicants to ensure proposed trespasser mitigation projects meet CRISI grant program requirements.

#### MAGNETIC LEVITATION TECHNOLOGY DEPLOYMENT PROGRAM

Appropriation, fiscal year 2020 .....	\$2,000,000
Budget request, fiscal year 2021 .....	— —
Recommended in the bill .....	5,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+3,000,000
Budget request, fiscal year 2021 .....	+5,000,000

The magnetic levitation technology deployment (MAGLEV) program is authorized under section 322 of title 23, United States Code. The MAGLEV program funds transportation systems that employ magnetic levitation and are capable of safe use by the public at speeds in excess of 240 miles per hour.

#### COMMITTEE RECOMMENDATION

The Committee recommendation provides \$5,000,000 for the MAGLEV program. This funding is available for preconstruction planning activities and capital costs.

#### GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION (AMTRAK)

Amtrak was created by the Congress in the Rail Passenger Service Act of 1970 (P.L. 91–518) to operate intercity passenger rail service, which was previously operated by private railroads. Amtrak assumed the common carrier obligations of the private railroads in exchange for the right to priority access to the private railroad tracks for an incremental cost.

Amtrak operates more than 300 trains each day to more than 500 destinations in 46 States, the District of Columbia, and Canada. About 72 percent of the miles traveled by Amtrak trains are on tracks owned by other railroads, and Amtrak owns 624 route-miles of its own track, most of which is on the Northeast Corridor (NEC) from Washington, D.C. to Boston, Massachusetts. In fiscal year 2019, Amtrak carried 32.5 million people on the NEC, State-supported routes, and long-distance routes.

The FAST Act authorizes funding for Northeast Corridor grants to Amtrak and National Network grants to Amtrak, which encompasses Amtrak’s State-supported and long-distance routes, as well as other non-NEC activities.

## COMMITTEE RECOMMENDATION

The Committee recommendation provides a total of \$2,050,000,000 for Amtrak through the Northeast Corridor grants and National Network grants accounts, which is consistent with the FAST Act authorized structure.

In addition, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (P.L. 116–136) included \$1,018,000,000 for the Northeast Corridor grants and National Network grants accounts for Amtrak to prevent, prepare for, and respond to coronavirus.

*Congressional budget justification.*—The Committee appreciates the level of detail in the fiscal year 2021 budget justification and directs Amtrak to submit a budget justification with a similar level of detail for fiscal year 2022.

*Amtrak route network changes.*—The Committee strongly opposes the proposal in the budget request to fund a new National Network transformation grants program to restructure Amtrak’s long-distance service and require States to take over the costs and responsibilities of this service. Despite the proposal’s phased approach, in the long-term, the budget request would amount to shifting shared and system-related costs onto State-supported routes which would require States to contribute significantly more funding for service on Amtrak’s National Network. The Committee rejects this proposal and provides funding for Amtrak to continue to provide service through long-distance and State-supported routes.

The Committee also does not provide funding requested in Amtrak’s General and Legislative Report & Fiscal Year 2021 Grant Request to establish a corridor development program to modernize and expand Amtrak’s existing route network. The Committee understands Amtrak is conducting a review of its network and potential changes which could provide new or additional intercity service in fast-growing regions and corridors throughout the country that are currently underserved or not served at all by Amtrak. While the Committee understands Amtrak’s efforts are intended to address changing demographics and travel trends, such changes could have unintended consequences for long-distance customers, especially in rural and small communities where passenger rail serves as an important mobility option and economic driver.

The Committee directs Amtrak to seek any potential changes to its existing route network through the ongoing efforts to reauthorize the FAST Act. Further, the Committee directs Amtrak to conduct comprehensive outreach and consultation with State and local governments, the State-Supported Route Committee, its employees, communities, passenger rail organizations, railroads, and the public on any potential changes. Amtrak must engage in an open and transparent process which encompasses anyone who could be impacted, positively or negatively, by such changes. The Committee strongly reminds Amtrak that section 24701 of title 49, United States Code, requires Amtrak to operate a national passenger rail system, and urges Amtrak to ensure any potential changes also increase ridership in rural areas and improve service for long-distance customers.

*ADA policy reviews.*—In January 2020, Amtrak proposed a charge of \$25,000 to remove seats on a train from Chicago to Bloomington, Illinois to accommodate several passengers using

wheelchairs that were seeking to travel together. This proposed charge was based on a new policy on railcar reconfiguration that went into effect in 2019. Amtrak ultimately did not charge this amount, worked to ensure the group could travel together, and suspended the policy on railcar reconfiguration. However, this incident raises new questions about Amtrak's policies and compliance with the Americans with Disabilities Act (ADA) of 1990 (P.L. 101-336).

The Committee directs Amtrak to complete a review of the railcar reconfiguration policy and seat removal practices for passengers traveling with wheelchairs to ensure ADA compliance and accessibility. Further, the Committee directs Amtrak to conduct a holistic assessment and review of all Amtrak policies, procedures, protocols, and guidelines for compliance with the ADA. The Committee directs Amtrak to submit a report to the House and Senate Committees on Appropriations no later than 180 days after enactment of this Act summarizing the policies, procedures, protocols, and guidelines that were reviewed, including the railcar reconfiguration policy and seat removal practices for passengers traveling with wheelchairs, any necessary changes to ensure ADA compliance and accessibility, and an implementation plan and timeline for making changes or improvements identified in the review. The Committee strongly encourages Amtrak to engage with disability stakeholders during these reviews and when considering changes to its policies, procedures, protocols, and guidelines.

*ADA accessibility at Amtrak stations.*—July 26, 2020 will mark 30 years since the ADA was signed into law. Section 12162(e) of the ADA requires that all new and existing stations used in intercity rail transportation are made accessible to and usable by individuals with a disability. The ADA provided Amtrak 20 years to complete the necessary upgrades at existing stations. Beginning in fiscal year 2012, the Congress began providing \$50,000,000, annually, to Amtrak through the Federal grant to bring Amtrak-served facilities and stations into compliance with the ADA. The Committee expresses profound disappointment that as of February 2020, only 39 of the 387 stations at which Amtrak has either sole or shared ADA responsibilities were fully compliant with the ADA, and Amtrak remains more than 10 years away from full compliance with the ADA. Therefore, the Committee recommendation provides \$75,000,000 through the Northeast Corridor grants and National Network grants accounts to bring Amtrak-served facilities and stations into compliance with the ADA. Further, the Committee urges Amtrak to also use its non-Federal revenue to advance this work. In addition, the Committee directs Amtrak to submit a report to the House and Senate Committees on Appropriations no later than 120 days after enactment of this Act detailing the ADA stations program plan and timeline to make the remaining 348 stations ADA compliant and accessible.

*Station agents.*—The Committee directs Amtrak to provide a full-time station agent in each Amtrak station that had a ticket agent position eliminated in fiscal year 2018. Station agents assist passengers with their intercity passenger rail travel, conduct the sale of tickets, provide customer service during all hours that a station is open, and perform building maintenance duties. Amtrak is directed to continue to improve communication and collaboration with local partners and take into consideration the unique needs

of each community, including impacts to local jobs, when making decisions related to the staffing of Amtrak stations.

*Amtrak Police Department (APD).*—The APD has the responsibility of protecting Amtrak’s passengers, employees, property, and infrastructure. In 2019, Amtrak developed and deployed a new data driven system to help determine uniformed officer staffing levels throughout Amtrak’s network and to strategically deploy uniformed officers to areas with increasing rates of criminal activity. This resulted in reducing the number of uniformed officers in some divisions, increasing the number of uniformed officers in other divisions, and increasing uniformed officer visibility on trains and rights-of-way owned by Amtrak. While the Committee appreciates Amtrak’s efforts to increase safety by deploying resources to areas where incidents are occurring, it is important that these changes do not unintentionally result in a reduction in the overall police force in the long-term. Maintaining a high level of safety at Amtrak stations, on trains, and on rights-of-way is critical to the traveling public and to local, regional, and national security.

The Committee is pleased with Amtrak’s commitment to comply with section 151 of P.L. 116–94 to maintain a uniformed officer workforce in fiscal year 2020 that is not less than the staffing level on May 1, 2019. The Committee understands Amtrak is hiring uniformed officers to meet this directive and support its data driven workforce alignment. The Committee directs Amtrak to work expeditiously to fill these positions and to report quarterly to the House and Senate Committees on Appropriations on the total number of uniformed officers by division and on Amtrak’s hiring efforts. Further, section 151 of this Act continues to direct Amtrak to maintain a uniformed officer workforce in fiscal year 2021 that is not less than the staffing level on May 1, 2019.

*Contact centers.*—Amtrak employs a dedicated workforce at the contact center in Philadelphia, Pennsylvania. The contact center assists Amtrak’s customers with booking travel, managing their Amtrak Guest Rewards, arranging group or special travel, navigating reimbursements, addressing complaints, and more. While the Committee recognizes that Amtrak’s total call volumes have steadily declined as more of Amtrak’s customers choose self-service platforms like Amtrak’s website or mobile site, the Committee believes the employees at the contact center continue to provide an important service to Amtrak’s customers. Further, the Committee contends that Amtrak should continue to employ a dedicated Amtrak workforce to support the customer service functions currently provided at the Philadelphia contact center. The Committee understands that Amtrak does not have plans to actively reduce staff at the Philadelphia contact center, plans to continue making investments in the building where the contact center is housed, and is working to introduce new features for customers such as a chat communication channel which employees at the contact center would support. The Committee directs Amtrak to continue operations at the Philadelphia contact center with a dedicated workforce consisting of Amtrak employees. Further, the Committee directs Amtrak to report quarterly to the House and Senate Committees on Appropriations on the total number of Amtrak employees at the Philadelphia contact center, including specifics on separations, hiring, and vacancies.

*Private cars and charter trains.*—In fiscal year 2018, Amtrak issued new guidelines for private cars on Amtrak trains and charter trains operated by Amtrak. While the Committee understands these changes reflect Amtrak’s mandate to provide efficient, effective, and safe regularly scheduled passenger rail service, the Committee remains concerned with Amtrak’s implementation and communication of these guidelines. Amtrak is directed to continually review and evaluate the locations and trains that may be eligible for private car moves. If additional locations or trains meet Amtrak’s criteria, the Committee directs Amtrak to update the list of eligible locations and trains for private car moves in the Guidelines for Private Cars on Amtrak and to notify private car owners accordingly. In addition, the Committee directs Amtrak to continue to brief the House and Senate Committees on Appropriations on the effects of these guidelines on private cars and charter trains, including whether improvements and operational changes could be made to achieve Amtrak’s goals without negatively impacting private car and charter train operations, particularly in small, rural communities.

Amtrak is directed to include an updated report on private car and charter train policies in its fiscal year 2022 budget justification. The report should include the amounts and percentages by which revenues and usage declined for private cars and charter trains. For charter trains, such information should be provided as separate figures for Amtrak-owned and privately-owned charter trains. The Committee acknowledges that certain information may be commercially sensitive and cannot be made public. Therefore, the Committee directs Amtrak to provide such information through briefings to the House and Senate Committees on Appropriations.

*Communication with stakeholders.*—The Committee remains concerned that Amtrak continues to make and implement changes to operations and services without providing the public or its employees adequate time to understand proposed changes and provide feedback. Amtrak has made changes to policies and procedures relating to station agents, contact centers, private cars, charter trains, food and beverage service, law enforcement, and railcar configuration, all of which have impacts on its customers, employees, and communities. Therefore, the Committee directs Amtrak to continue efforts to increase engagement with customers, employees, stakeholders, and the public on proposals to change operations and services, including providing an opportunity to comment on policies prior to finalizing decisions.

*On-time performance.*—As previously stated, the Committee is concerned with Amtrak’s on-time performance for long-distance and State-supported routes. Under Federal law, host railroads are required to grant Amtrak trains priority over freight trains and Amtrak in turn is required to pay fees for its use. In fiscal year 2019, Amtrak paid host railroads approximately \$150,000,000 for use of the tracks, performance, and other resources needed to operate Amtrak trains. According to Amtrak’s Host Railroad Report Card, the grades host railroads received, based on delays caused to Amtrak trains in 2019, ranged from an “A” to an “F,” with the average grade for all host railroads being a “C.” The Committee urges Amtrak to continue engaging with host railroads to improve on-time performance for long-distance and State-supported routes.



*Cyber security.*—In 2019, the Amtrak Office of Inspector General (OIG) conducted an audit to assess Amtrak’s efforts to identify and address train control systems’ cyber security and resiliency and compared Amtrak’s efforts with the standards developed by the National Institute of Standards and Technology. Train control systems are critical to Amtrak’s ability to safely operate trains each day. Therefore, the Committee directs Amtrak to comply with the OIG recommendations to improve the cyber security and resiliency of Amtrak’s train control systems and the OIG is directed to brief the House and Senate Committees on Appropriations no later than 180 days after enactment of this Act on Amtrak’s actions to address these recommendations.

NORTHEAST CORRIDOR GRANTS TO THE NATIONAL RAILROAD  
PASSENGER CORPORATION

Appropriation, fiscal year 2020 .....	\$700,000,000
Budget request, fiscal year 2021 .....	325,466,000
Recommended in the bill .....	750,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+50,000,000
Budget request, fiscal year 2021 .....	+424,534,000

COMMITTEE RECOMMENDATION

The Committee recommendation provides \$750,000,000 for Northeast Corridor grants to Amtrak to support operating and capital activities for Amtrak’s NEC. This funding level provides \$5,000,000 for the Northeast Corridor Commission established under section 24905 of title 49, United States Code.

In addition, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (P.L. 116–136) included \$492,000,000 for the Northeast Corridor grants account for Amtrak to prevent, prepare for, and respond to coronavirus.

NATIONAL NETWORK GRANTS TO THE NATIONAL RAILROAD PASSENGER  
CORPORATION

Appropriation, fiscal year 2020 .....	\$1,300,000,000
Budget request, fiscal year 2021 .....	611,000,000
Recommended in the bill .....	1,300,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	— — —
Budget request, fiscal year 2021 .....	+689,000,000

COMMITTEE RECOMMENDATION

The Committee recommendation provides \$1,300,000,000 for National Network grants to Amtrak to support operating and capital activities for Amtrak’s long-distance and State-supported routes, and other non-NEC activities. This funding level provides \$2,000,000 for the State-Supported Route Committee established under section 24712 of title 49, United States Code.

In addition, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (P.L. 116–136) included \$526,000,000 for the National Network grants account for Amtrak to prevent, prepare for, and respond to coronavirus.

ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD ADMINISTRATION  
(INCLUDING RESCISSIONS)

Section 150 limits overtime to \$35,000 per Amtrak employee and allows Amtrak's president to waive this restriction for specific employees for safety or operational efficiency reasons. It also requires Amtrak to submit a report to the House and Senate Committees on Appropriations no later than 60 days after enactment of this Act summarizing overtime payments incurred by Amtrak for calendar year 2020 and the 3 prior calendar years. The summary shall include the total number of employees that received waivers and the total overtime payments paid to employees receiving waivers for each month for 2020 and the 3 prior calendar years.

Section 151 prohibits the use of funds made available to Amtrak to reduce the total number of Amtrak Police Department uniformed officers patrolling on board passenger trains or at stations, facilities, or rights-of-way below the staffing level on May 1, 2019.

Section 152 prohibits the use of funds made available by this Act by Amtrak in contravention of the Worker Adjustment and Retraining Notification Act.

Section 153 provides that unobligated balances remaining for the CRISI grant program after 6 years from the date of enactment of P.L. 116–6 and after 6 years from the date of enactment of P.L. 116–94 may be used for any eligible project under section 22907(c) of title 49, United States Code.

Section 154 rescinds certain unobligated balances.

FEDERAL TRANSIT ADMINISTRATION

The Federal Transit Administration (FTA) was established as a component of the Department of Transportation on July 1, 1968, when most of the functions and programs under the Federal Transit Act (78 Stat. 302; 49 U.S.C. 1601 et seq.) were transferred from the Department of Housing and Urban Development. The Federal Transit Administration administers Federal financial assistance programs for planning, developing, and improving comprehensive mass transportation systems in both urban and non-urban areas.

The most recent authorization for the programs under FTA is contained in the Fixing America's Surface Transportation (FAST) Act (P.L. 114–94). Annual appropriations Acts include annual limitations on obligations for the transit formula grants programs, and direct appropriations of budget authority from the General Fund of the Treasury for FTA's administrative expenses, some research programs, and capital investment grants.

ADMINISTRATIVE EXPENSES

Appropriation, fiscal year 2020 .....	\$117,000,000
Budget request, fiscal year 2021 .....	121,052,000
Recommended in the bill .....	121,052,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+4,052,000
Budget request, fiscal year 2021 .....	— — —

The FTA administers Federal financial assistance programs for planning, developing, and improving comprehensive mass transportation systems in both urban and non-urban areas. This appropria-

tion provides, from the General Fund of the Treasury, amounts for the administrative expenses of the agency.

#### COMMITTEE RECOMMENDATION

The Committee recommends a total of \$121,052,000 for FTA's administrative expenses, of which \$15,000,000 shall remain available until September 30, 2022. The Committee's recommendation provides these funds from the General Fund.

*Operating plans.*—The Committee directs FTA to comply with Act-wide directives for operating plans and reprogramming guidelines. Consistent with these guidelines, the Committee directs FTA to provide an operating plan to the House and Senate Committees on Appropriations within 60 days of enactment of this Act and to follow the reprogramming requirements contained in section 405 of this Act.

*Budget justifications.*—The Committee strongly encourages FTA to maintain the format and content of the fiscal year 2020 budget justification in the fiscal year 2022 documents. The Committee is disappointed by the lack of policy detail provided in the fiscal year 2021 budget justification.

*Annual new starts report.*—The Committee has again included language in the Act requiring FTA to submit the annual new starts report with the initial submission of the fiscal year 2022 budget request.

*Full funding grant agreements (FFGA).*—Title 49 of the United States Code requires that FTA notify the House and Senate Committees on Appropriations as well as the House Committee on Transportation and Infrastructure and the Senate Committee on Banking, Housing, and Urban Affairs 30 days before executing a FFGA. In its notification to the House and Senate Committees on Appropriations, the Committee directs FTA to include the following: (1) a copy of the proposed FFGA; (2) the total and annual Federal appropriations required for the project; (3) yearly and total Federal appropriations that can be reasonably planned or anticipated for future FFGAs for each fiscal year through 2024; (4) a detailed analysis of annual commitments for current and anticipated FFGAs against the program authorization, by individual project; (5) a financial analysis of the project's cost and the sponsor's ability to finance the project, which shall be conducted by an independent examiner, and which shall include an assessment of the capital cost estimate and the finance plan; (6) the source and security of all public- and private-sector financial instruments; (7) the project's operating plan, which enumerates the project's future revenue and ridership forecasts; and (8) a listing of all planned contingencies and possible risks associated with the project.

The Committee continues to direct FTA to inform the House and Senate Committees on Appropriations in writing 30 days before approving schedule, scope, or budget changes to any FFGA. Correspondence relating to such changes shall include any budget revisions or program changes that materially alter the project as originally stipulated in the FFGA, including any proposed change in rail car procurements.

In addition, the Committee directs FTA to continue reporting monthly to the House and Senate Committees on Appropriations on the status of each project with a FFGA or that is within two years

of a FFGA. The Committee directs that monthly reporting include any requests for letters of no prejudice and the levels of funds allocated and obligated, by fiscal year.

TRANSIT FORMULA GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

	Liquidation of contract authority	Limitation on obligations
Appropriation, fiscal year 2020 .....	\$10,800,000,000	\$10,150,348,462
Budget request, fiscal year 2021 .....	11,696,000,000	11,046,000,000
Recommended in the bill .....	16,595,000,000	15,945,200,000
Bill compared with:		
Appropriation, fiscal year 2020 .....	+5,795,000,000	+5,794,851,538
Budget request, fiscal year 2021 .....	+4,899,000,000	+4,899,200,000

The FAST Act provides contract authority for the transit formula grant programs funded from the mass transit account of the Highway Trust Fund. These programs include: urbanized area formula grants, state of good repair grants, formula grants for rural areas, growing states and high-density states, mobility for seniors and persons with disabilities, bus and bus facilities grants, bus testing facilities, planning programs, transit-oriented development, a pilot program for enhanced mobility, public transportation innovation, technical assistance and workforce development, and the National Transit Database. This Act sets an annual obligation limitation for such authority and provides liquidating cash. This account is the only FTA account funded from the Highway Trust Fund.

COMMITTEE RECOMMENDATION

Consistent with the levels authorized in the INVEST in America Act, the Committee recommends an obligation limitation of \$15,945,200,000 for formula programs and activities. The Committee's recommendation also includes \$16,595,000,000 in liquidating cash.

*Coronavirus pandemic.*—The Committee recognizes the significant toll that the coronavirus pandemic has taken on the budgets and staff of transit grantees. In conjunction with the authorized flexibilities provided for in the INVEST in America Act that will make \$5,794,851,538 available for operations and maintenance expenses or to match other Federal funds, the Committee eliminates requirements that states match Federal funds for certain amounts subject to the obligation limitation. The Committee directs that the flexibilities provided under this heading in this Act apply solely to funds newly obligated in fiscal year 2021. The Committee directs FTA to treat any funds previously obligated on grants as if those amounts were obligated with their original characteristics and Federal share. To facilitate administration of this provision, the Committee directs that these flexibilities be available to unobligated funds previously provided in prior Acts under the heading “Transit Infrastructure Grants” that were distributed by formula to urbanized areas or States.

*Transit-oriented development (TOD).*—The utilization and expansion of TOD is critical to revitalizing cities, reducing pollution and congestion, and enhancing economic opportunity. However, such projects require significant planning work before sponsors may apply for a Capital Investment Grant. The Committee directs that not less than \$15,000,000 should be made available for the FTA's Pilot Program for TOD as authorized under Section 20005(b) of MAP-21 (Public Law 112-141).

*Extending commuter rail service across state lines.*—The Committee supports instances where commuter rail service can be extended to communities that lie over a state boundary through an existing commuter rail system because the addition of commuter and transit rail services can facilitate local economic growth. The Committee directs the FTA to coordinate with FRA to identify opportunities for transit agencies and providers of commuter rail to extend their service over state lines. The Committee encourages FTA and FRA to provide such agencies with technical assistance to promote the development of additional cross-state-line commuting by rail. In addition, the Committee directs FTA and FRA to report to the House and Senate Committees on Appropriations within 180 days of enactment of this Act on innovative strategies to increase capacity for commuter and transit rail, especially across state boundaries.

*Transit worker assaults.*—The Committee is concerned about the safety of frontline transit workers, especially bus drivers. As a result, the Committee directs the Administrator to require grant recipients to report information on each assault on a transit worker to the National Transit Database as part of the risk evaluation process under FR 2019-10281. An assault on a transit worker shall include all events in which the safety or health of a transit worker is placed at risk while the transit worker is performing his or her duties including circumstances that do not require immediate medical attention or that do not result in a fatality.

*Innovation.*—Using funds under section 5312 of title 49, United States Code, the Accelerating Innovative Mobility (AIM) initiative is establishing a national network of transit agencies that will test and share project results and use FTA's technical assistance centers to promote promising innovations. The Committee encourages FTA to continue to develop innovative approaches to technical problems and to disseminate information and expand on the lessons learned from the Smart Cities challenge.

*Urban transit challenges.*—The Committee is concerned about urban transportation challenges relating to equity, access, and sustainability, including improving mobility options for transportation-challenged communities and ensuring robust public transportation, particularly in cities with dense urban populations. The Committee encourages FTA to address these challenges by prioritizing research collaborations with large research universities, particularly those with Minority Serving Institution status.

## TRANSIT INFRASTRUCTURE GRANTS

Appropriation, fiscal year 2020 .....	\$510,000,000
Budget request, fiscal year 2021 .....	— — —
Recommended in the bill .....	510,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	— — —
Budget request, fiscal year 2021 .....	+510,000,000

The FAST Act provides contract authority for the transit formula grants program from the mass transit account of the Highway Trust Fund. This account provides additional funds from the General Fund of the Treasury for important transit priorities authorized under Chapter 53 of title 49, United States Code.

## COMMITTEE RECOMMENDATION

The Committee recommends an additional \$510,000,000 in transit infrastructure grants to remain available until expended. The following table provides funding levels for activities within this account:

	Request	Recommendation
Bus and Bus Facilities .....	— — —	\$374,000,000
Low and No Emission Bus Grants .....	— — —	125,000,000
Passenger Ferry Program .....	— — —	10,000,000
Innovative Mobility .....	— — —	1,000,000
Total .....	— — —	510,000,000

In addition, the Coronavirus Aid, Relief and Economic Security Act (CARES Act) (P.L. 116–136) included \$25,000,000,000 through the Transit Infrastructure grants account for transit agencies to prevent, prepare for, and respond to coronavirus.

*Low and no emission bus grants.*—The Committee is pleased by the interest in low and no emission buses nationwide and provides \$125,000,000 under this heading, in addition to the amounts provided under “Transit Formula Grants”, for FTA to continue this competitive grant program authorized in the FAST Act. As part of the criteria for the fiscal year 2021 Notice of Funding Opportunity, the Committee encourages the FTA to include evaluation criteria that considers the number of electric buses the applicant currently has in revenue service.

*Transit vehicle innovation deployment centers project (TVIDC).*—The Committee remains keenly interested in the TVIDC project which provides critical research and technical assistance to advance innovation in transit. The Committee directs FTA to provide ongoing support to TVIDC and the recommendation includes \$5,000,000 from the low and no emission bus grants appropriation to support the work of TVIDC. The Committee directs FTA to work with TVIDC to focus on transit’s transition to low and no emission bus fleets. In that role, TVIDC should establish workforce development plans to support the new technologies, develop plans to expand transit bus testing to include automated vehicle technologies, cybersecurity testing, and component testing, establish procedures to efficiently and fairly divide testing responsibilities amongst the three FTA bus testing centers, establish testing protocols and priorities while also making recommendations about how to best disseminate results, establish FTA’s research priorities to support the

transition to zero emission fleets, including automation and fueling technologies, and continue to work with transit and power utilities to establish standards for bus fleet fueling.

*Bus and bus facilities.*—The Committee supports the FAST Act’s inclusion of competitive grants in the buses and bus facilities grant program and encourages FTA to follow the guidance set forth in the FAST Act when developing selection criteria for the program. Consistent with section 3017 of the FAST Act, the age and condition of buses, bus fleets, related equipment, and bus-related facilities should be the primary components of selection criteria. The amounts provided under this heading are in addition to the amounts provided under “Transit Formula Grants”.

*Green space surrounding bus terminals.*—The Committee finds that urban trees, vegetation, and other natural elements provide opportunities to mitigate transportation pollution, improve air quality, control storm water runoff, and reduce energy use while also serving as a welcoming component for passengers entering or exiting a bus transportation hub. As a result, the Committee includes language that clarifies that such projects are eligible for a grant under the bus and bus facilities program.

#### TECHNICAL ASSISTANCE AND TRAINING

Appropriation, fiscal year 2020 .....	\$5,000,000
Budget request, fiscal year 2021 .....	— —
Recommended in the bill .....	7,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+2,000,000
Budget request, fiscal year 2021 .....	+7,000,000

The FAST Act authorizes FTA to provide technical assistance under section 5314 of title 49, United States Code, for human resource and training activities, and workforce development programs.

#### COMMITTEE RECOMMENDATION

The Committee recommends \$7,000,000 for technical assistance and training authorized under section 5314(a)(2) of title 49, United States Code. In addition to the amounts provided under this heading for activities under section 5314 of title 49, United States Code, an additional \$9,000,000 is provided through the obligation limitation under the heading “Transit Formula Grants”.

*Workforce development and standards based training.*—The Committee directs that 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. The cooperative agreement should be with a national nonprofit organization with a demonstrated capacity to develop and provide such programs through labor management partnerships and apprenticeships.

*Mobility for people with disabilities and older adults.*—Of the total amounts made available for activities under section 5314 of title 49, United States Code, the Committee directs the Department to continue to fund agreements that support mobility for people with disabilities and older adults at an level commensurate

with the amounts dedicated to such agreements in each year since 2018.

*Bus Exportable Power Systems (BEPS).*—The Committee notes that communities and states are in need of more resilient and flexible options for generating power immediately after natural disasters. The BEPS technologies developed under previous FTA grants for research may have the ability to address this type of challenge by transforming hybrid buses into mobile power generators. The Committee directs FTA, with industry stakeholders and technical partners, to develop national standards for interoperability so that systems can use the same technology base and applications. The Committee recommendation includes not less than \$1,000,000 for the development of such standards.

*National Center for Applied Transit Technology (N-CATT).*—The Committee directs that funds made available under this heading continue to support the N-CATT. The N-CATT delivers expert, focused technical assistance to transit agencies and organizations in rural areas and small cities to use or develop transit technologies and innovations that make services more cost-effective and efficient.

#### CAPITAL INVESTMENT GRANTS

Appropriation, fiscal year 2020 .....	\$1,978,000,000
Budget request, fiscal year 2021 .....	1,888,690,000
Recommended in the bill .....	2,175,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+197,000,000
Budget request, fiscal year 2021 .....	+286,310,000

Grants for capital investment to rail or other fixed guideway transit systems are awarded to public bodies and agencies including states, municipalities, other political subdivisions of states; public agencies and instrumentalities of one or more states; and certain public corporations, boards and commissions under state law.

#### COMMITTEE RECOMMENDATION

The Committee recommends \$2,175,000,000 for Capital Investment Grants. The following table provides funding levels for activities within this account:

	Request	Recommendation
New Starts .....	---	\$1,250,000,000
Core Capacity .....	---	525,000,000
Small Starts .....	---	300,000,000
Expedited Project Delivery .....	---	100,000,000
Total .....	\$1,888,690,000	2,175,000,000

While the Committee believes that FTA is making progress on carrying out the program in accordance with the will of Congress, the Committee remains concerned about the execution of the Capital Investment Grant program. The Committee notes with dismay that important projects nationwide continue to experience difficulties in progressing through the FFGA process. The Committee directs FTA to continue to update the House and Senate Committees



on Appropriations on the status of projects that are in the current Capital Investment Grant funding pipeline.

The Committee directs FTA to continue to administer the program under current guidance and to proactively work with applicants and grantees to facilitate projects moving through the Capital Investment Grant pipeline and towards a FFGA. FTA is directed to evaluate, rate, and recommend projects for funding, and subsequently award grants to projects that meet the statutory requirements of 49 U.S.C. 5309. The Committee encourages FTA to fully consider Small Starts projects that would include stations that serve one or more Opportunity Zones, as defined in Public-Law 115–97. The Committee further directs that FTA may provide funding for projects without a FFGA. Funding is provided for projects that currently have executed grant agreements, and for projects that have met the statutory requirements of 49 U.S.C. 5309 and that are anticipating grant agreements in 2021.

The Committee directs FTA to enter into FFGAs in which the Capital Investment Grant contribution is not less than 40 percent of the net project cost, except at the direct request of the project sponsor. The Committee also directs the Secretary to provide notice to the House and Senate Committees on Appropriations not less than 90 days prior to altering or rescinding any rule, circular or guidance relating to the evaluation, rating, and approval process pursuant to 49 U.S.C. 5309.

The Committee directs the Secretary to submit the fiscal year 2022 annual report on funding recommendations as required by 49 U.S.C. 5309, to maintain the Federal funding commitments for all existing grant agreements, and to identify all projects with a medium or higher rating that anticipate requesting a grant agreement in fiscal year 2022. As part of the fiscal year 2022 budget request, the Committee directs the Secretary to submit a list of projects to which it expects to award an FFGA during the budget year.

*Coronavirus pandemic.*—The Committee recognizes that projects in the Capital Investment Grant pipeline may be experiencing significant uncertainty both with financing plans and project timelines due to the effects of the coronavirus pandemic. The Committee notes that projects currently under construction and in the Engineering phase are facing significantly different economic circumstances than when the project sponsor, along with FTA, determined the maximum Federal share of project costs. The Committee directs FTA to work with sponsors who have projects in the Engineering phase that may need additional Federal contributions to revise upward the Federal share of the project costs and to provide technical assistance, as necessary, to all projects as project sponsors look to revise financial plans or project timelines as a result of the coronavirus pandemic. The Committee further directs FTA to consider all possible flexibilities for projects that currently have an FFGA including deferred local share or increasing the Federal share for such projects.

*Expedited Project Delivery (EPD) grant program.*—The Committee is concerned about the pace of the FTA's efforts relating to the EPD pilot program and encourages FTA to issue further guidance on the implementation and continued management of the program. The Committee encourages the Department to finalize this guidance document within 120 days of enactment of this Act.

GRANTS TO THE WASHINGTON METROPOLITAN AREA TRANSIT  
AUTHORITY

Appropriation, fiscal year 2020 .....	\$150,000,000
Budget request, fiscal year 2021 .....	150,000,000
Recommended in the bill .....	150,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	---
Budget request, fiscal year 2021 .....	---

This program provides grants to the Washington Metropolitan Area Transit Authority (WMATA) for capital investment and asset rehabilitation activities as authorized by the Passenger Rail Investment and Improvement Act (PRIIA) of 2008 (P.L. 110–432). These funds, along with funds provided under FTA’s core formula programs, will help return the existing system to a state of good repair and improve the safety and reliability of service. Federal funds provided under this account are matched dollar-for-dollar by Virginia, Maryland, and the District of Columbia in equal proportions.

COMMITTEE RECOMMENDATION

The Committee provides \$150,000,000 for WMATA for critical capital and safety improvements. PRIIA created a successful Federal-State partnership under which the three WMATA jurisdictions collectively match this funding with another \$150,000,000 each year. This funding will maintain the Federal government’s commitment to a safe and reliable public transportation system for the National Capital Region.

*Cybersecurity.*—The Committee remains concerned that as systems for controlling various modes of transportation become more complex, the security of transportation could be compromised. As a result, the Committee again includes direction that WMATA work with the Secretary of Transportation and the Cybersecurity and Infrastructure Security Agency within the Department of Homeland Security to ensure that the agency is complying with best practices for the procurement of Industrial Control Systems. The Committee directs WMATA to include analysis of Internet of Things (IoT) and unknown and unauthorized devices in its cybersecurity plan.

*Safety improvements.*—The Committee notes that the Federal Transit Administration served as the safety oversight body for WMATA before the agency certified that the Washington Metrorail Safety Commission as the State Safety Oversight (SSO) body responsible for ensuring the safety of the Metrorail system. As a result, the FTA has direct experience with safety oversight. The Committee encourages the FTA to analyze the safety improvements achieved during and after their oversight and issue a report that includes best practices for transit agencies and SSOs.

ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT ADMINISTRATION

(INCLUDING RECISSIONS)

Section 160 exempts previously made transit obligations from limitations on obligations.

Section 161 allows funds appropriated for Capital Investment Grants and bus and bus facilities not obligated by September 30,

2024, plus other recoveries, to be available for other projects under 49 U.S.C. 5309.

Section 162 allows for the transfer of prior year appropriations from older accounts to be merged into new accounts with similar, current activities.

Section 163 prohibits the enforcement of the Rostenkowski Test.

Section 164 allows certain recipients of Low and No Emission Bus Grants to continue to partner with non-profits and companies as part of their grant applications.

Section 165 prohibits the use of funds to impede or hinder project advancement or approval for any project seeking a Federal contribution from the Capital Investment Grants program of greater than 40 percent of project costs.

Section 166 prohibits the use of funds to implement the June 29, 2018 “Dear Colleague” letter distributed by the Federal Transit Administration to Capital Investment Grant program project sponsors.

Section 167 prohibits the use of funds by the Department of Transportation to implement policies that require a project to receive a medium or higher project rating within the Capital Investment Grants program before taking actions to finalize an environmental impact statement.

Section 168 rescinds unobligated amounts made available in prior fiscal years from the formula grants account.

Section 169 rescinds unobligated amounts made available in prior fiscal years from the job access and reverse commute account.

Section 169A rescinds unobligated amounts made available in prior fiscal years from the research, training, and human resources account.

#### SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

##### OPERATIONS AND MAINTENANCE

##### (HARBOR MAINTENANCE TRUST FUND)

Appropriation, fiscal year 2020 .....	\$38,000,000
Budget request, fiscal year 2021 .....	30,700,000
Recommended in the bill .....	40,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+2,000,000
Budget request, fiscal year 2021 .....	+9,300,000

The Great Lakes Saint Lawrence Seaway System, located between Montreal and Lake Erie, is a binational, 15-lock system jointly operated by the U.S. Saint Lawrence Seaway Development Corporation (SLSDC) and its Canadian counterpart, the Canadian St. Lawrence Seaway Management Corporation. The SLSDC was established by the St. Lawrence Seaway Act of 1954, is a wholly owned government corporation, and an operating administration of the Department of Transportation. The SLSDC is charged with operating and maintaining the U.S. portion of the St. Lawrence Seaway, which includes the 2 U.S. locks in Massena, New York, vessel traffic control in portions of the St. Lawrence River and Lake Ontario, and trade development functions to enhance the utilization of the St. Lawrence Seaway. The Water Resources Development Act of 1986 (P.L. 99-662) authorized the Harbor Maintenance Trust Fund as a source of appropriations for the SLSDC operations

and maintenance. Additionally, the SLSDC generates non-Federal revenues which can be used for operations and maintenance.

#### COMMITTEE RECOMMENDATION

The Committee recommendation provides \$40,000,000 to fund the operations, maintenance, and capital infrastructure activities of the SLSDC. Of the total funds provided, not less than \$15,800,000 is for the seaway infrastructure program.

*Market development and promotion.*—The Committee provides \$4,000,000 for market development and promotion of the Great Lakes St. Lawrence Seaway navigation system, to be carried out in cooperation with system stakeholders. These resources may be used to enhance and expand existing marketing efforts, conduct market research, support marketing initiatives and trade promotion with the goal of growing the volume of waterborne commerce and passenger cruise activity on the system, or update signage for the SLSDC. The Committee directs the SLSDC to provide a strategic plan for the use of this funding to the House and Senate Committees on Appropriations no later than 120 days after enactment of this Act. The strategic plan should include details on market development and trade promotion, engagement and coordination with system stakeholders, how the SLSDC utilized or plans to use the \$2,000,000 provided for trade and economic development activities in the Further Consolidated Appropriations Act, 2020 (P.L. 116–94), activities initiated with fiscal year 2020 funding which could be continued with fiscal year 2021 funding, and potential proposals for additional market development and trade promotion activities in future fiscal years.

#### MARITIME ADMINISTRATION

The Maritime Administration (MARAD) is responsible for strengthening the U.S. maritime industry in support of the Nation's security and economic needs, as authorized by the Merchant Marine Act of 1936 (P.L. 74–835). MARAD's mission is to promote the development and maintenance of a U.S. merchant marine sufficient to carry the Nation's waterborne domestic commerce and a substantial portion of its waterborne foreign commerce, and to serve as a naval and military auxiliary in time of war or national emergency.

MARAD, working with the Department of Defense (DOD), provides a seamless, time-phased transition from peacetime to war-time operations, while balancing the defense and commercial elements of the maritime transportation system. MARAD also manages the maritime security program, the voluntary intermodal sealift agreement program, and the Ready Reserve Force, which assures DOD access to commercial and strategic sealift and associated intermodal capability. Further, MARAD's education and training programs through the U.S. Merchant Marine Academy (USMMA) and 6 state maritime academies help develop skilled U.S. merchant marine officers.

## MARITIME SECURITY PROGRAM

Appropriation, fiscal year 2020 .....	\$300,000,000
Budget request, fiscal year 2021 .....	314,007,780
Recommended in the bill .....	314,007,780
Bill compared with:	
Appropriation, fiscal year 2020 .....	+14,007,780
Budget request, fiscal year 2021 .....	— — —

The maritime security program (MSP) is authorized by chapter 531 of title 46, United States Code, to maintain and preserve a U.S. flag merchant fleet to serve the national security needs of the United States. MSP provides direct payments to U.S. flagship operators engaged in U.S.-foreign trade. Participating operators are required to keep the vessels in active commercial service and are required to provide intermodal sealift support to the DOD in times of war or national emergency.

## COMMITTEE RECOMMENDATION

The Committee recommendation provides \$314,007,780 for the maritime security program, consistent with the authorized funding level.

The Committee rejects the proposal in the budget request to rescind \$20,553,780 in unobligated balances from MSP. Instead section 171 of this Act requires MARAD to use unobligated balances from MSP to provide an additional \$500,000 in fiscal year 2021 for each vessel covered by an operating agreement as of the date of enactment of this Act.

## CABLE SECURITY FLEET PROGRAM

Appropriation, fiscal year 2020 .....	— — —
Budget request, fiscal year 2021 .....	— — —
Recommended in the bill .....	\$10,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+10,000,000
Budget request, fiscal year 2021 .....	+10,000,000

Section 3521 of the National Defense Authorization Act for Fiscal Year 2020 (P.L. 116–92) authorized the establishment of the cable security fleet program. The purpose of the cable security fleet program is to establish and maintain a fleet of United States-documented cable vessels to meet the national security requirements of the United States. The cable security fleet program will provide direct payments to U.S. flagship operators and participating operators are in turn required to operate in commercial service providing cable services and to make the vessel available upon the request of the DOD.

## COMMITTEE RECOMMENDATION

The Committee recommendation provides \$10,000,000 for the cable security fleet program, consistent with the authorized funding level.

The Committee directs MARAD to brief the House and Senate Committees on Appropriations no later than 90 days after enactment of this Act on its efforts to establish the cable security fleet program.

## OPERATIONS AND TRAINING

Appropriation, fiscal year 2020 .....	\$152,589,000
Budget request, fiscal year 2021 .....	137,797,000
Recommended in the bill .....	161,417,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+8,828,000
Budget request, fiscal year 2021 .....	+23,620,000

The operations and training account provides funding for headquarters and field offices to administer and direct MARAD operations and programs and for the operation of the USMMA.

## COMMITTEE RECOMMENDATION

The Committee recommendation provides \$161,417,000 for MARAD operations and training expenses. The following table provides funding levels for activities within this account.

	Request	Recommendation
USMMA operations .....	\$76,444,000	\$82,289,000
USMMA facilities maintenance and repair, equipment .....	5,500,000	5,500,000
Maritime environmental and technical assistance program .....	— — —	3,000,000
Short sea transportation program (America's marine highways) .....	— — —	14,775,000
MARAD headquarters operations .....	55,853,000	55,853,000
Total .....	137,797,000	161,417,000

In addition, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (P.L. 116–136) included \$3,134,000 for the operations and training account, of which \$1,000,000 was for USMMA operations, to prevent, prepare for, and respond to coronavirus.

*MARAD reorganization.*—The budget request proposes a reorganization within the MARAD headquarters operations program activity. Specifically, MARAD is seeking to establish 2 new offices—the Office of Policy and Strategic Engagement and the Office of Maritime Industry—and in turn to eliminate 2 existing offices—the Office of Environment and Compliance and the Office of Business and Finance Development. While this reorganization would not result in a reduction in full-time positions or full-time equivalents, the budget request does not provide sufficient information for the Committee to approve this reorganization. The Committee directs MARAD to request approval from the House and Senate Committees on Appropriations through the process outlined in section 405 of this Act if it wishes to move forward with this reorganization.

*MARAD staffing.*—The Committee continues to require MARAD to submit to the House and Senate Committees on Appropriations information on the number of vacancies at MARAD headquarters and regional offices, and the duties associated with each vacancy concurrent with the fiscal year 2022 budget justification.

*Sexual assault and sexual harassment at USMMA.*—While the Committee appreciates the USMMA's efforts to establish and staff the Sexual Assault/Sexual Harassment Prevention and Response Office, the USMMA has struggled to retain staff within this 4-person office. The Committee is concerned that staff turn-over and prolonged vacancies can result in challenges with developing relationships and trust with midshipmen and USMMA staff, implementing policies and training, and achieving the goal of reducing sexual assault and sexual harassment at the USMMA. The Com-

mittee directs the USMMA to fully staff the Sexual Assault/Sexual Harassment Prevention and Response Office and to increase its efforts to retain staff to ensure the office is a reliable and sustainable resource for midshipmen.

The Further Consolidated Appropriations Act, 2020 (P.L. 116–94) directs the Secretary to seek concurrent criminal jurisdiction over the USMMA campus, as authorized in section 3506 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (P.L. 115–232). This would allow local law enforcement to prosecute sexual assault incidents that occur on campus. The Committee understands that MARAD is taking steps to comply with this direction, including engaging with local authorities and coordinating with other Federal agencies, and plans to engage the USMMA community. The Committee directs MARAD to expeditiously work toward achieving campus-wide concurrent criminal jurisdiction and to brief the House and Senate Committees on Appropriations on its progress on a quarterly basis until the Department files a notice of jurisdictional relinquishment with the State of New York.

The USMMA is required to conduct a survey on sexual harassment and sexual assault every other year. The most recent Service Academy Gender Relations Survey was conducted with midshipmen in 2018 for the 2017–2018 Academic Year. While the Preliminary 2017–2018 Academic Year Biennial Survey and Report on Sexual Harassment and Sexual Assault at the United States Merchant Marine Academy was transmitted to the Congress on March 22, 2019, it did not include the results from the survey sessions held in November 2018. Further, the Committee notes with disappointment that MARAD failed to transmit the report to the House and Senate Committees on Appropriations by April 18, 2020 as required by P.L. 116–94. The next survey is scheduled to be conducted in 2020 for the 2019–2020 Academic Year. The Committee directs MARAD to work with the USMMA to ensure the preliminary and final report for the 2019–2020 Academic Year are completed in a timely manner as these surveys and accompanying analysis are important tools in determining the effectiveness of the policies, training, and procedures the USMMA has put into place to address sexual harassment and sexual assault and improving the culture at the USMMA.

*Shipyards.*—Due to the lack of available private shipyard facilities and the extended time to relocate vessels and assets, there is a backlog of maintenance, repair, and modernization projects which may impair maritime commerce and national security. To avoid displacement, costs, and impacts on East Coast and West Coast based vessels and personnel, the Committee encourages MARAD to continue utilizing privately owned shipyards for National Defense Reserve Fleet and Ready Reserve Force maintenance, repair, and modernization. The Committee also encourages MARAD to compile a list of available shipyards and to share such a list with other government partners.

*Economic development at public ports.*—In addition to supporting the movement of freight by water, rail, and road, public ports are increasingly involved in economic development activities. Public port property supports mixed-use commercial development, public marketplaces, docking for river or sea cruise ships and water taxis,

cultural and environmental development, and more. The Committee notes that there are limited Federal grant programs that support these types of activities. The Committee directs the Government Accountability Office to report to the House and Senate Committees on Appropriations no later than 18 months after enactment of this Act on public ports ability to contribute to economic development beyond freight and industrial manufacturing, and identify gaps in Federal grant programs to assist public ports in America's marine highway program. The report should assess the availability of Federal assistance to public ports, including through grants awarded by the Department through the port infrastructure development program and the national infrastructure investments program, and the process by which the Department reviews grant applications and awards funding. It should also assess the extent to which grants have been awarded for maritime dock rehabilitation, replacement, or retrofitting projects that support economic development projects at public ports.

*Domestic maritime centers of excellence (DMCOEs).*—Section 3507 of the National Defense Authorization Act for Fiscal Year 2018 (P.L. 115–91) authorized the Department to designate community and technical colleges or maritime training centers as DMCOEs and to enter into cooperative agreements with DMCOEs to support maritime workforce training and education. To help address the shortage in qualified U.S. maritime workers, MARAD may use up to \$2,000,000 of the funding provided to MARAD headquarters operations to assist DMCOEs in expanding their capacity to provide maritime and marine technology workforce training.

#### STATE MARITIME ACADEMY OPERATIONS

Appropriation, fiscal year 2020 .....	\$342,280,000
Budget request, fiscal year 2021 .....	337,700,000
Recommended in the bill .....	431,700,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+89,420,000
Budget request, fiscal year 2021 .....	+94,000,000

The state maritime academy (SMA) operations account provides financial assistance to 6 state maritime academies.

#### COMMITTEE RECOMMENDATION

The Committee recommendation provides \$431,700,000 for state maritime academy operations. The following table provides funding levels for activities within this account.

	Request	Recommendation
Schoolship maintenance and repair .....	\$30,500,000	\$30,500,000
[Training vessel sharing .....	— — —	8,000,000]
National security multi-mission vessel program .....	300,000,000	389,000,000
Student incentive program .....	2,400,000	2,400,000
Fuel assistance payments .....	1,800,000	3,800,000
Direct payments for SMAs .....	3,000,000	6,000,000
Total .....	337,700,000	431,700,000

In addition, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (P.L. 116–136) included \$1,000,000 for the state maritime academy operations account for direct payments for SMAs to prevent, prepare for, and respond to coronavirus.



*National security multi-mission vessel (NSMV).*—The NSMV will serve as a critical educational and training platform for the next generation of mariners, replacing 5 aging SMA training vessels while supporting Federal response capabilities for humanitarian assistance and disaster relief. In May 2019, MARAD selected a vessel construction manager to use commercial practices to contract with a single shipyard to construct up to 5 NSMVs according to MARAD specified designs, conduct oversight and management of vessel construction, and deliver the vessels to MARAD. In April 2020, the vessel construction manager selected a shipyard to construct up to 5 vessels, with the first vessel scheduled to be delivered in March 2023. Based on MARAD’s acquisition strategy, the expected cost per vessel was to be \$300,000,000. Despite MARAD’s efforts to develop a cost-effective program utilizing a single vessel design, series construction, commercial practices, and a commercial shipyard, the Committee understands the average per vessel construction cost is 4.5 percent higher than MARAD’s cost estimate. With \$900,000,000 appropriated in fiscal years 2018, 2019, and 2020 for the first 3 vessels, the Committee understands approximately \$704,400,000 must now be appropriated over fiscal years 2021 and 2022 to fully fund the third, fourth, and fifth vessels. Therefore, the Committee recommendation provides \$389,000,000 for the NSMV program to fully fund the third and fourth vessels and the Committee remains committed to fully funding the fifth vessel. The Committee directs MARAD to conduct vigorous oversight over the vessel construction manager to prevent any further cost escalations and delays in vessel delivery. Further, the Committee directs MARAD to provide briefings to the House and Senate Committees on Appropriations on the construction of the NSMVs on a quarterly basis.

#### ASSISTANCE TO SMALL SHIPYARDS

Appropriation, fiscal year 2020 .....	\$20,000,000
Budget request, fiscal year 2021 .....	— —
Recommended in the bill .....	20,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	— —
Budget request, fiscal year 2021 .....	+20,000,000

As authorized under section 54101 of title 46, United States Code, the assistance to small shipyards program provides grants, loans, and loan guarantees to small shipyards for capital improvements and training programs.

#### COMMITTEE RECOMMENDATION

The Committee recommendation provides \$20,000,000 for the assistance to small shipyards program.

#### SHIP DISPOSAL

Appropriation, fiscal year 2020 .....	\$5,000,000
Budget request, fiscal year 2021 .....	4,200,000
Recommended in the bill .....	5,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	— —
Budget request, fiscal year 2021 .....	+800,000

MARAD serves as the Federal government’s disposal agent for government-owned merchant vessels weighing 1,500 gross tons or

more. The ship disposal program provides resources to dispose of obsolete merchant-type vessels in the National Defense Reserve Fleet. These vessels pose a significant environmental threat due to the presence of hazardous substances such as asbestos and solid and liquid polychlorinated biphenyls.

#### COMMITTEE RECOMMENDATION

The Committee recommendation provides \$5,000,000 for ship disposal activities. This funding level provides \$3,000,000 to maintain the *NS Savannah* in protective storage in accordance with the Nuclear Regulatory Commission's license requirements while it is being disposed.

The Committee rejects the proposal in the budget request to rescind \$6,803,172 in unobligated balances from the ship disposal program.

#### MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

##### (INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2020 .....	\$3,000,000
Budget request, fiscal year 2021 .....	— —
Recommended in the bill .....	3,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	— —
Budget request, fiscal year 2021 .....	+3,000,000

The maritime guaranteed loan program, as established by Title XI of the Merchant Marine Act of 1936 (P.L. 74–835), provides for guaranteed loans for the construction, reconstruction, or reconditioning of vessels by the U.S. shipbuilding industry and for modernization of U.S. shipyards.

#### COMMITTEE RECOMMENDATION

The Committee recommendation provides \$3,000,000 for the administrative expenses of the maritime guaranteed loan program.

The Committee opposes the proposal in the budget request to eliminate the maritime guaranteed loan program and transfer existing loans for administration to the National Surface Transportation and Innovative Finance Bureau within the Office of the Secretary. Further, the Committee rejects the proposal in the budget request to rescind \$27,900,000 in unobligated balances from the maritime guaranteed loan program.

#### PORT INFRASTRUCTURE DEVELOPMENT PROGRAM

Appropriation, fiscal year 2020 .....	\$225,000,000
Budget request, fiscal year 2021 .....	— —
Recommended in the bill .....	300,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+75,000,000
Budget request, fiscal year 2021 .....	+300,000,000

The port infrastructure development program is authorized by section 50302(c) of title 46, United States Code, to improve port facilities and the transportation networks and flows of cargo in, around, and through ports. Port authorities, States and local governments, tribal governments, publicly chartered entities, and special purpose districts with a transportation function are eligible to apply for this competitive grant program.

## COMMITTEE RECOMMENDATION

The Committee recommendation provides \$300,000,000 for the port infrastructure development program.

The Committee directs MARAD to follow the eligibility requirements enumerated in this Act.

## ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

Section 170 authorizes MARAD to furnish utilities and services and to make necessary repairs in connection with any lease, contract, or occupancy involving government property under control of MARAD and allows payments received to be credited to the Treasury and to remain available until expended.

Section 171 requires MARAD to use prior year unobligated balances from the maritime security program to provide an additional \$500,000 in fiscal year 2021 for each vessel covered by an operating agreement as of the date of enactment of this Act and to make such payments no later than 60 days after enactment of this Act.

## PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

The Pipeline and Hazardous Materials Safety Administration (PHMSA) administers nationwide safety programs designed to protect the public and the environment from risks inherent in the commercial transportation of hazardous materials by pipeline, air, rail, vessel, and highway. Many of these materials are essential to the national economy. PHMSA's highest priority is safety, and it uses safety management principles and security assessments to promote the safe transport of hazardous materials and the security of the Nation's pipelines, underground natural gas storage facilities, and liquefied natural gas (LNG) facilities.

## OPERATIONAL EXPENSES

Appropriation, fiscal year 2020 .....	\$24,215,000
Budget request, fiscal year 2021 .....	24,215,000
Recommended in the bill .....	25,715,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+1,500,000
Budget request, fiscal year 2021 .....	+1,500,000

This appropriation finances the operational support costs for PHMSA, including the agency-wide functions of administration, management, policy development, legal counsel, budget, financial management, civil rights, human resources, acquisition services, information technology, and governmental and public affairs.

## COMMITTEE RECOMMENDATION

The Committee recommendation provides \$25,715,000 for PHMSA operational expenses, of which \$1,500,000 shall be for the pipeline safety information grants to communities program.

*Pipeline safety rulemaking.*—Congress required PHMSA to establish regulations on the use of automatic and remote-controlled shut-off valves on transmission pipeline facilities and hazardous liquid pipeline facilities leak detection systems in the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (P.L. 112–90). The Committee commends PHMSA for issuing a notice of proposed rulemaking (NPRM) on Pipeline Safety: Valve Installation

and Minimum Rupture Detection Standards on February 6, 2020 to address these overdue Congressional mandates. While the proposed rule is intended to address P.L. 112–90 and recommendations from the National Transportation Safety Board (NTSB), the Committee notes that the NTSB submitted comments on the NPRM indicating that the proposed actions will not satisfy safety recommendations P–11–9, P–11–10, and P–11–11. The Committee directs PHMSA to thoroughly review and consider all comments received in response to the NPRM and to issue a final rule no later than December 20, 2020 as required by the Further Consolidated Appropriations Act, 2020 (P.L. 116–94).

#### HAZARDOUS MATERIALS SAFETY

Appropriation, fiscal year 2020 .....	\$61,000,000
Budget request, fiscal year 2021 .....	60,700,000
Recommended in the bill .....	62,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+1,000,000
Budget request, fiscal year 2021 .....	+1,300,000

The hazardous materials safety program advances the safe and secure transport of hazardous materials (hazmat) in commerce by air, truck, rail, and vessel. PHMSA evaluates hazmat safety risks, develops and enforces regulations for transporting hazmat, educates shippers and carriers, investigates hazmat incidents and failures, conducts research, and provides grants to improve emergency response to transportation incidents involving hazmat.

#### COMMITTEE RECOMMENDATION

The Committee recommendation provides \$62,000,000 for the hazardous materials safety program. This funding level supports PHMSA's existing hazardous materials safety program, including the safe transportation of energy products, and provides \$1,000,000 for the community safety grant program.

*LNG by rail.*—The Committee remains concerned that the transportation of LNG by rail poses new and different risks to the public, environment, and property. The Committee is aware of several research and development projects PHMSA and the Federal Railroad Administration (FRA) are actively pursuing relating to the transportation of LNG in rail tank cars or the use of LNG as a fuel for locomotives. These activities are expected to continue through December 2021 and additional research projects are planned for fiscal years 2020 and 2021.

In addition, PHMSA entered into an agreement in April 2020 with the National Academies of Sciences, Engineering, and Medicine to conduct an independent study through the Transportation Research Board (TRB) on the transportation of LNG in rail tank cars as required by P.L. 116–94. The Committee understands the TRB will conduct this study in two phases. In Phase 1 the TRB will review ongoing and planned research, testing, and data analysis by PHMSA and FRA relating to the transportation of LNG in rail tank cars. In Phase 2 the TRB will gather and analyze information relating to the transportation of LNG in rail tank cars, including information on methods used to transport LNG by other modes, train operational controls, and emergency response planning.

The Committee is profoundly disappointed that the Department chose to initiate and complete a rulemaking to authorize the bulk transportation of LNG by rail in DOT-113 rail tank cars without having all the information in hand, in particular the results of ongoing research projects by PHMSA and FRA and the independent study by the TRB. The Committee is further concerned that this rulemaking was completed in record speed, with only 245 days between issuing the notice of proposed rulemaking and final rule. This fast-tracked process leads the Committee to believe the Department was more concerned with fulfilling the directives of Executive Order 13868, than with the safety of the communities living along potential LNG transportation routes. The Committee continues to assert that the ongoing research projects and the TRB study should have informed the Department's decision-making and this rulemaking. Therefore, no later than 30 days after the TRB has completed Phase 1 of the TRB study, the Committee directs PHMSA to brief the House and Senate Committees on Appropriations on actions the agency plans to take in response to the results of Phase 1, including any potential changes to the final rule authorizing the bulk transportation of LNG by rail in DOT-113 rail tank cars. In addition, no later than 30 days after the TRB has completed Phase 2 of the TRB study, which P.L. 116-94 required to be completed no later than December 20, 2020, the Committee directs PHMSA to brief the House and Senate Committees on Appropriations on actions the agency plans to take in response to the results of Phase 2, including any potential changes to the final rule authorizing the bulk transportation of LNG by rail in DOT-113 rail tank cars. Further, the Committee notes that the INVEST in America Act requires the Department to rescind any special permit or approval for the transportation of LNG by rail tank cars and places a stay on any regulation authorizing the transportation of LNG by rail tank cars until the Department completes a thorough evaluation of the safety, security, and environmental risks of transporting LNG by rail.

*Safe transportation of energy products.*—The Committee continues to closely monitor PHMSA's efforts to improve the safety of transporting Class 3 flammable liquids, including crude oil and ethanol, by rail. The Fixing America's Surface Transportation (FAST) Act (P.L. 114-94) established a schedule to phase-out certain rail tank cars used to transport Class 3 flammable liquids. In October 2019, the Bureau of Transportation Statistics reported that 34 percent of all tank cars transporting Class 3 flammable liquids in 2018 met the new safety requirements, which is a 14 percent increase over 2017. The Committee encourages the Department to work with industry to ensure continued progress on the tank car phaseout, and if possible, accelerate the phaseout timeline.

The Committee understands that the Department, in partnership with the Department of Energy, has completed the collaborative research study on the volatility and properties of crude oil from various locations, including the Bakken Shale in North Dakota, and to accurately assess and characterize volatility before transportation. The Committee directs the Department to brief the House and Senate Committees on Appropriations no later than 90 days after enactment of this Act on the findings and recommendations of the Crude Oil Characterization Research Study.

*Inland ports of entry.*—The Committee directs PHMSA to continue to work with local governments and their Mexican counterparts at international inland ports of entry with a high volume of hazardous materials crossing the border to reduce the risk associated with transporting and storing hazardous materials and to enhance the capacity of local officials in dealing with the threat of hazardous materials incidents.

PIPELINE SAFETY  
(PIPELINE SAFETY FUND)  
(OIL SPILL LIABILITY TRUST FUND)

	Oil Spill Liability Trust Fund	Pipeline Safety Fund	Underground Natural Gas Storage Facility Safety Account	Total
Appropriation, fiscal year 2020 .....	\$23,000,000	\$137,000,000	\$8,000,000	\$168,000,000
Budget request, fiscal year 2021 .....	22,000,000	131,000,000	10,000,000	163,000,000
Recommended in the bill .....	23,000,000	140,000,000	10,000,000	173,000,000
Bill compared with:				
Appropriation, fiscal year 2020 .....	— — —	+3,000,000	+2,000,000	+5,000,000
Budget request, fiscal year 2021 .....	+1,000,000	+9,000,000	— — —	+10,000,000

PHMSA oversees the safety, security, and environmental protection of more than 2,750,000 miles of pipelines and 152 LNG facilities through analysis of data, damage prevention, education and training, development and enforcement of regulations and policies, research and development, grants for State pipeline safety programs, and emergency planning and response to accidents. The pipeline safety program is responsible for a national regulatory program to protect the public against the risks to life and property in the transportation of natural gas, petroleum, and other hazardous materials by pipeline and the storage of natural gas underground.

COMMITTEE RECOMMENDATION

The Committee recommendation provides \$173,000,000 to continue pipeline safety operations, research and development, and State grants. Of the total, \$23,000,000 is from the Oil Spill Liability Trust Fund, \$140,000,000 is from the Pipeline Safety Fund, and \$10,000,000 is from the Underground Natural Gas Storage Facility Safety Account within the Pipeline Safety Fund. The following table provides funding levels for activities within this account.

	Request	Recommendation
Research and development .....	\$15,000,000	\$15,000,000
State pipeline safety grants .....	53,000,000	58,000,000
Underground natural gas storage facilities safety grants .....	8,000,000	8,000,000
One-Call State grants .....	— — —	1,058,000
State damage prevention grants .....	— — —	1,500,000

*Staffing and hiring plans.*—The Committee directs PHMSA to provide a report to the House and Senate Committees on Appropriations no later than 120 days after enactment of this Act detailing staffing and hiring plans for fiscal year 2021 and information on the actual turnover and hiring in fiscal year 2020. Based on the reports provided to the Committee for fiscal years 2018 and 2019, the Committee remains concerned with PHMSA's ability to fill ex-

isting vacancies and retain staff due in part to competition from the private sector. The Committee supports PHMSA's proposal in the budget request to utilize \$1,000,000 to recruit and retain qualified pipeline and LNG engineers through incentives such as tuition assistance and student loan reimbursement.

*LNG facilities.*—PHMSA is responsible for overseeing the safe operations of LNG facilities, evaluating the safety of siting LNG facilities, and conducting safety inspections during LNG facilities construction. The Committee recognizes that the increased work associated with LNG facilities requires additional staff. The Committee supports PHMSA's efforts to hire 5 inspectors and engineers to help address the potential risks associated with LNG facilities.

The PIPES Act of 2016 (P.L. 114–183) directed the Department to review and update minimum safety standards for LNG facilities, and PHMSA announced its intent to update Part 193 regulations in 2018. The Committee continues to support PHMSA's efforts to update regulations for LNG facilities, and urges PHMSA to conduct a thorough and methodical rulemaking process on Part 193 to ensure the safety of the public and environment. The Committee reiterates its direction from fiscal year 2020 and directs PHMSA to move forward with a notice of proposed rulemaking to update Part 193, provide a minimum of 45 days for public comment, and issue a final rule upon review and analysis of all comments. Further, the Committee directs PHMSA not to delay any efforts to complete the overdue Congressional mandates from P.L. 112–90 as the agency pursues updating Part 193 regulations.

#### EMERGENCY PREPAREDNESS GRANTS

##### (LIMITATION ON OBLIGATIONS)

##### (EMERGENCY PREPAREDNESS FUND)

Appropriation, fiscal year 2020 .....	\$28,318,000
Budget request, fiscal year 2021 .....	28,318,000
Recommended in the bill .....	28,318,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	---
Budget request, fiscal year 2021 .....	---

The Hazardous Materials Transportation Uniform Safety Act of 1990 (P.L. 101–615) requires PHMSA to: (1) develop and implement a reimbursable emergency preparedness grants program; (2) monitor public sector emergency response training and planning and provide technical assistance to States, political subdivisions, and tribal governments; and (3) develop and periodically update a mandatory training curriculum for emergency responders.

#### COMMITTEE RECOMMENDATION

The Committee recommendation provides \$28,318,000 for the emergency preparedness grants program.

*Energy products training.*—The Committee recognizes the important role the emergency preparedness grants program plays in training local emergency responders, including response activities related to the transportation of crude oil, ethanol, and other flammable liquids by rail. As PHMSA's responsibilities for the safe movement of LNG expands, the Committee directs PHMSA to enhance its training curriculum for local emergency responders to ac-

count for LNG facilities and the transportation of LNG in rail tank cars.

#### OFFICE OF INSPECTOR GENERAL

##### SALARIES AND EXPENSES

Appropriation, fiscal year 2020 .....	\$94,600,000
Budget request, fiscal year 2021 .....	98,150,000
Recommended in the bill .....	98,150,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+3,550,000
Budget request, fiscal year 2021 .....	— — —

The Office of Inspector General (OIG) was established in 1978 to provide an objective and independent organization that would be more effective in: (1) preventing and detecting fraud, waste, and abuse in departmental programs and operations; and (2) providing a means of keeping the Secretary of Transportation and the Congress fully and currently informed of problems and deficiencies in the administration of such programs and operations. According to the authorizing legislation, the Inspector General is to report dually to the Secretary of Transportation and to the Congress.

##### COMMITTEE RECOMMENDATION

The Committee recommends \$98,150,000 for the Office of Inspector General.

In addition, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (P.L. 116–136) included \$5,000,000 for the Office of Inspector General to conduct audits and investigations of projects and activities carried out by the Department of Transportation to prevent, prepare for, and respond to coronavirus.

The Committee is aware of the OIG’s increased scrutiny on the FAA certification process audit and the resources necessary to conduct a complete and thorough investigation.

*OIG leadership.*—On May 15, 2020, the President designated the Administrator of the Pipeline and Hazardous Materials Safety Administration (PHMSA) as the Acting Inspector General of the Department of Transportation while also maintaining the role of PHMSA Administrator. While the Committee appreciates the steps taken by the OIG and PHMSA to address potential conflicts of interests relating to audits and investigations involving PHMSA, the Committee remains concerned with requiring one individual to perform two important duties for the Department and the potential for other conflicts of interests with the Secretary and administrators of other DOT agencies that could arise while performing both roles. The Committee notes that the Government Accountability Office (GAO) published a report on June 8, 2020 entitled “Inspectors General: Independence Principles and Considerations for Reform” (GAO–20–639R) which underscores these concerns. Specifically, the GAO finds that “unique independence challenges exist when an acting IG holds a position as a senior employee or PAS [appointed by the President with the advice and consent of the Senate] official of the agency (outside of the OIG)” and “their existing portfolios of work and relationships may be more likely to appear to constitute threats of bias, familiarity, undue influence, or management participation than those of differently situated acting IGs.”



Despite this unique circumstance, the Committee expects the OIG to continue to provide the Department and the Congress a high level of independence and objectivity in carrying out audits and investigations. The Committee directs the Acting Inspector General to maintain this independence and, if necessary, to institute additional recusals and apply safeguards to protect the important work and integrity of the OIG. Further, the Committee directs the Secretary to ensure this dual role will not jeopardize the work of either the OIG or PHMSA. The Committee reminds the OIG, PHMSA, and entire DOT workforce that all DOT employees have the right to disclose wrongdoing within the executive branch of the Federal government and subsequent protection from retaliation for such disclosure under section 2302(b)(8) of title 5, United States Code.

*Audit reports.*—The Committee directs the OIG to continue forwarding copies of all audit reports to the Committee immediately after they are issued, and to continue to make the Committee aware immediately of any review that recommends cancellation or modifications to any major acquisition project or grant, or which recommends significant budgetary savings. The OIG is also directed to withhold from public distribution for a period of 15 days any final audit or investigative report that was requested by the House or Senate Committees on Appropriations.

#### GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION

Section 180 provides authorization for DOT to maintain and operate aircraft, hire passenger motor vehicles and aircraft, purchase liability insurance, buy uniforms, or allowances therefor.

Section 181 limits appropriations for services authorized by section 3109 of title 5, United States Code, to the rate permitted for an Executive Level IV.

Section 182 prohibits recipients of funds in this Act from disseminating personal information obtained by State DMVs in connection to motor vehicle records with an exception.

Section 183 prohibits funds in this Act for salaries and expenses of more than 125 political and Presidential appointees in DOT.

Section 184 stipulates that revenue collected by FHWA and FRA from States, counties, municipalities, other public authorities, and private sources for training may be credited to specific accounts within the agencies with an exception for State rail safety inspectors participating in training.

Section 185 prohibits DOT from using funds to make a loan, loan guarantee, line of credit, cooperative agreement, or discretionary grant, unless DOT provides a 3-day advance notice to the House and Senate Committees on Appropriations. The provision requires concurrent notice of any “quick release” of funds from FHWA’s emergency relief program, and prohibits notifications from involving funds not available for obligation. The provision also requires DOT to provide a comprehensive list of all loans, loan guarantees, lines of credit, cooperative agreements, or discretionary grants that will be announced with a 3-day advance notice to the House and Senate Committees on Appropriations.

Section 186 allows funds received from rebates, refunds, and similar sources to be credited to appropriations of DOT.

Section 187 allows amounts from improper payments to a third-party contractor that are lawfully recovered by DOT to be made available until expended to cover expenses incurred in recovery of such payments.

Section 188 requires that reprogramming actions have to be approved or denied by the House and Senate Committees on Appropriations, and reprogramming notifications shall be transmitted solely to the Appropriations Committees.

Section 189 allows funds appropriated to operating administrations to be obligated for the Office of the Secretary for costs related to assessments only when such funds provide a direct benefit to that operating administration.

Section 190 authorizes the Secretary to carry out a program that establishes uniform standards for developing and supporting agency transit pass and transit benefits, including distribution of transit benefits.

Section 191 allows the use of funds to assist a contract utilizing geographic, economic, or other hiring preference not otherwise authorized by law, only if certain requirements are met related to availability of local labor, displacement of existing employees, and delays in transportation plans.

Section 192 directs the Secretary of Transportation to work with the Secretary of Homeland Security to ensure that best practices for Industrial Control Systems procurement are up to date and that systems procured with funds provided under this title were procured using such practices.

Section 193 prohibits de-obligated funds associated with Cooperative Agreement No. FR-HSR-0118-12-01-01 from being made available for any purpose until the final determination of any litigation concerning such funds.

Section 194 prohibits DOT from using funds in this Act to consolidate governmental affairs activities across the Department in the Office of Governmental Affairs in the Office of the Secretary or public affairs activities across the Department in the Office of Public Affairs in the Office of the Secretary. The provision also prohibits operating administrations from transferring personnel to the Office of Governmental Affairs in the Office of the Secretary or the Office of Public Affairs in the Office of the Secretary.

## TITLE II—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

### MANAGEMENT AND ADMINISTRATION

#### EXECUTIVE OFFICES

Appropriation, fiscal year 2020 .....	\$14,217,000
Budget request, fiscal year 2021 .....	17,659,000
Recommended in the bill .....	15,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+783,000
Budget request, fiscal year 2021 .....	–2,659,000

The Executive Offices (EO) account funds the salaries and expenses for the leadership and executive management offices of the Department of Housing and Urban Development (HUD). Specifically, these offices are the Office of the Secretary, including the Executive Secretariat Division, the Office of the Deputy Secretary, the

Office of Congressional and Intergovernmental Relations, the Office of Public Affairs, the Office of Adjudicatory Services, the Office of Small and Disadvantaged Business Utilization, and the Center for Faith Based and Neighborhood Partnerships.

#### COMMITTEE RECOMMENDATION

*Affordable housing organization accreditation.*—The Committee directs the Department to consider a cooperative agreement with a highly qualified nonprofit entity that has developed affordable housing standards and is experienced with affordable housing organizations, including public housing agencies, to develop standards and protocols for implementing a national accreditation process for affordable housing organizations. Such entity shall offer voluntary, fee-based accreditation to affordable housing organizations. Those accreditation standards should include assessing the organization's operations, policies, procedures, practices, communications, and relationships with residents and stakeholders. The Committee directs the Department to report back to the Committees on Appropriations of the House and Senate not later than 120 days after the date of enactment of this Act on the feasibility of such an agreement.

*Collaboration with the Department of Health and Human Services (HHS).*—The Committee recognizes that a number of Department programs have an impact in improving health outcomes. The Committee is aware that the Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019 and Continuing Appropriations Act, 2019 (P.L. 115–245) encouraged HHS to devise a strategy on how to construct a decision-support tool that can contribute to community-participatory health prevention efforts. The Committee is interested in whether HUD can collaborate with HHS in such a decision support tool to assess the value of the Department's investments. The Committee encourages the Department, not later than 90 days after the date of enactment of this Act, to outline plans for collaboration with HHS and to make a recommendation for how HUD can help support the development of a local decision support tool.

*Director of domestic violence prevention activities.*—The Committee directs the Secretary to establish a Director of Domestic Violence Prevention Activities position within the Office of the Secretary, and to hire or appoint a person to fill that position, not later than 60 days after the date of enactment of this Act. The Director shall coordinate domestic violence prevention activities throughout the Department, including Department responsibilities under the Violence Against Women Act and serve as a liaison and central point of contact for HUD's work with external stakeholders involved in domestic violence prevention and advocacy.

*Energy codes.*—The Committee is concerned the Department has yet to update minimum energy efficiency standards, as required under 42 U.S.C. 12709, since the 2009 International Energy Conservation Code and American Society of Heating, Refrigerating, and Air-Conditioning Engineers Standard 90.1–2007. Further, the Committee notes the Department of Energy found that more recent model codes reduce energy use by more than 25 percent and are cost effective. The Committee urges the Department to obtain information from the housing, energy, energy conservation, and home-

owner sectors, and then assess the feasibility of updating the standards with respect to the energy efficiency, technological feasibility, economic justification, availability, and affordability factors for HUD-owned and -subsidized properties.

*Equal access to housing.*—The Committee is deeply disappointed that a report regarding lesbian, gay, bisexual, and transgender (LGBT) access to HUD programs, which was required by H. Rept. 114–129, is more than four years overdue. The Department has been unresponsive to repeated requests for this report. Thus, the recommendation requires the Department to issue the report required by H. Rept. 114–129 detailing (1) the Department’s strategy for continuing to ensure that LGBT individuals have access to HUD programs for which they are eligible, to be provided by HUD’s Office of Fair Housing and Equal Opportunity; and (2) the plan for disseminating this information to public housing authorities. The Department is directed to provide this report not later than 30 days after enactment of this Act, and the amount appropriated for the Office of the Secretary shall be reduced by \$10,000 for each day after that deadline that the report has not been submitted to the Congress.

*Federal Housing Administration (FHA) loans and Deferred Action for Childhood Arrivals (DACA) recipients.*—FHA loans have long been made to non-U.S. citizens who are lawful permanent or non-permanent residents of the U.S. under the same terms and conditions that they are available to U.S. citizens. The Secretary and other Department officials repeatedly told the Committee that this policy is unchanged, but omitted that the Department’s interpretation of the policy changed. The Committee is deeply disturbed that the Secretary and other Department officials may have knowingly misrepresented information about the implementation and enforcement of this policy on multiple occasions, in testimony and other communications with the Committee. The Committee directs the Office of Inspector General to conduct a thorough investigation on the change of the policy and whether officials made misrepresentations to Congress. The Committee strongly endorses resuming the previous interpretation of making FHA loans to DACA recipients. The Committee adamantly opposes the current interpretation that denies a path to homeownership for many DACA recipients.

*Housing protections for domestic violence survivors.*—The Department shall, not later than 90 days after the date of enactment of this Act, provide the Committee with information regarding the implementation status of housing protections for survivors of domestic violence, dating violence, sexual assault, and stalking as outlined in 34 U.S.C. 12491, including notification requirements, confidentiality requirements, and emergency transfers. The Department shall also provide information about the extent to which public housing agencies and owners have adopted emergency transfer policies since the publication of the Department’s model emergency transfer plan, and about the effectiveness of those emergency transfer policies in allowing survivors to access safe housing.

*Office of Congressional and Intergovernmental Relations (CIR).*—The Committee does not provide any funding to increase the staffing level of the CIR, thereby prohibiting the proposal to realign the Appropriations Liaison Division from the Office of the Chief Financial Officer (OCFO) to CIR. The Committee is adamantly opposed

to such a realignment because it would upend the current working relationship and natural affinity between the Committee and the OCFO. The Committee insists on direct and unobstructed communications with the OCFO and bureau budget offices.

*Top management challenges.*—In 2019, the HUD Office of Inspector General (OIG) identified eight top management challenges: (1) HUD’s Human Capital—Fewer Employees, Significant Reliance on Contracted Services, (2) Ensuring the Availability of Affordable Housing That Is Decent, Safe, Sanitary, and in Good Repair, (3) Protecting the Mortgage Insurance Programs, (4) Providing Adequate Monitoring and Oversight of Its Operations and Program Participants, (5) Administering Disaster Recovery Assistance, (6) Modernizing Technology and the Management and Oversight of Information Technology, (7) Instituting Sound Financial Management, and (8) Ensuring Ethical Conduct. The Committee is troubled to learn that the Department is stymied by basic business fundamentals. The OIG went out of its way to identify where progress is being made, such as information technology, but even that progress is hampered by challenges elsewhere, such as procurement. Given the related nature of these eight challenges and the need for sustained executive attention, not later than 30 days after the date of enactment of this Act, the Committee directs the Secretary to form an executive task force to address these challenges. The task force shall submit a report to the House and Senate Committees on Appropriations not later than 120 days after the date of enactment of this Act on a strategy and action items to address these eight challenges in the short- and long-term.

#### ADMINISTRATIVE SUPPORT OFFICES

Appropriation, fiscal year 2020 .....	\$563,378,000
Budget request, fiscal year 2021 .....	578,913,000
Recommended in the bill .....	600,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+36,622,000
Budget request, fiscal year 2021 .....	+21,087,000

The Administrative Support Offices (ASO) appropriation pays for the staff and activity cost that cannot be attributable to a specific Department programs. ASO offices provide Department-wide services for both the programs and the program staff. Specifically, these offices are the: Office of the Chief Financial Officer, the Office of the General Counsel, Office of the Assistant Secretary for Administration, the Office of Field Policy and Management, the Office of Departmental Equal Employment Opportunity, and the Office of the Chief Information Officer.

#### COMMITTEE RECOMMENDATION

The Committee recommends the following amounts for each ASO office.

Administrative Support Offices	Request	Recommendation
Office of Chief Financial Officer .....	\$70,776,000	\$71,576,000
Office of General Counsel .....	109,044,000	109,044,000
Office of the Assistant Secretary for Administration .....	266,258,000	286,258,000
Office of Field Policy and Management .....	65,200,000	65,200,000
Office of the Departmental Equal Employment Opportunity .....	4,435,000	4,535,000
Office of the Chief Information Officer .....	63,200,000	63,387,000

Administrative Support Offices	Request	Recommendation
Total, ASO .....	578,913,000	600,000,000

In addition, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (P.L. 116–136) included \$35,000,000 for the Administrative Support Offices account to prevent, prepare for, and respond to coronavirus.

*Hiring and separation report.*—The Committee directs HUD’s Office of the Chief Financial Officer and Office of the Human Capital Officer to submit quarterly reports to the House and Senate Committees on Appropriations on hiring and separations by program office. This report shall include position, titles, location, associated full-time equivalent, and include the Office of Inspector General and the Government National Mortgage Association.

*Office of the Chief Financial Officer (OCFO).*—The Committee does not approve the realignment of staff from the OCFO to the Office of Congressional and Intergovernmental Relations. Therefore, these staff and a corresponding amount of funding remain in OCFO. The Committee is adamantly opposed to such a realignment because it would upend the current working relationship and natural affinity between the Committee and the OCFO. The Committee insists on direct and unobstructed communications with the OCFO and bureau budget offices.

*Office space.*—The recommendation includes \$20,000,000 to support the efficient utilization of the Robert C. Weaver Federal Building and to support “reduce the footprint” efforts consistent with OMB Memorandum M–20–03. The Weaver Building has served continuously as the Department’s headquarters office space since it opened in 1968. In 2000, the building was named in honor of the first HUD Secretary and first African American member of a President’s Cabinet. The building was added to the National Register of Historic Places in 2008 as an exceptional and significant example of Brutalist architecture. Unlike most other Federal office buildings, the Department and the General Services Administration (GSA) have entered into a negotiated delegation agreement and share the cost of operating, maintaining, and improving the Weaver building, while GSA maintains responsibility for capital improvements. The current agreement was completed in 2019 and Department is now poised to begin long-term planning and immediate repairs to the Weaver building. The recommendation also supports the Department’s efforts to restack or consolidate leased space nationally and strongly encourages the Department to work with GSA to do so in Federally owned buildings where cost-efficient, inclusive of move and relocation costs. Not later than 90 days after the enactment date of this Act, the Secretary shall submit to the House and Senate Committees on Appropriations an expenditure plan for these funds. Any changes to this plan are subject to the reprogramming process described in section 405 of this Act.

*Top management challenges.*—Based on the eight top management challenges identified in 2019 by the HUD OIG, the Committee is concerned that the Department’s growing and complex mission rests on a fragile foundation. Since many of these challenges fall under the purview of an office within the ASO, the Committee directs the executives of the ASO to fully participate and support the executive task force that the Secretary is directed to

form under the heading “Management and Administration, Executive Offices” to address these eight challenges.

#### PROGRAM OFFICES

Appropriation, fiscal year 2020 .....	\$847,000,000
Budget request, fiscal year 2021 .....	900,149,000
Recommended in the bill .....	909,595,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+62,595,000
Budget request, fiscal year 2021 .....	+9,446,000

The Program Offices (PO) appropriation pays for the staff cost attributable to specific Department programs, whereas the cost of the assistance is accounted for in the preceding program accounts, such as Tenant-based Rental Assistance. Each PO office implements one or more HUD programs.

- The Office of Public and Indian Housing oversees the administration of the Public Housing, Housing Choice Voucher, and all of HUD’s Native American and Native Hawaiian programs.
- The Office of Community Planning and Development is responsible for the administration of Community Development Block Grants (CDBG), the Home Investment Partnership (HOME), Homeless Assistance Grants, and other community development programs.
- The Office of Housing implements Federal Housing Administration multi- and single-family homeownership programs and assisted rental housing programs.
- The Office of Policy Development and Research directs the Department’s annual research agenda to support the research and evaluation of housing and other departmental initiatives to improve HUD’s effectiveness and operational efficiencies.
- The Office of Fair Housing and Equal Opportunity receives, investigates, conciliates and recommends the issuance of charges of discrimination and determinations of non-compliance for complaints filed under Title VIII and other civil rights authorities.
- The Office of Lead Hazard Control and Healthy Homes is responsible for the Lead-Based Paint Hazard Reduction program and addressing multiple housing-related hazards affecting the health of residents, particularly children.

#### COMMITTEE RECOMMENDATION

The Committee recommends the following amounts for each PO office.

Program Offices	Request	Recommendation
Office of Public and Indian Housing .....	\$236,439,000	\$245,000,000
Office of Community Planning and Development .....	129,503,000	138,290,000
Office of Housing .....	411,878,000	400,000,000
Office of Policy Development and Research .....	35,443,000	35,443,000
Office of Fair Housing and Equal Opportunity .....	77,024,000	81,000,000
Office of Lead Hazard Control and Healthy Homes .....	9,862,000	9,862,000
Total .....	900,149,000	909,595,000

In addition, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (P.L. 116–136) included \$15,000,000 for the Pro-

gram Offices account to prevent, prepare for, and respond to coronavirus.

*Public and tribal housing inspections.*—The Committee provides additional resources for public and tribal housing to support ongoing public housing financial and physical assessment activities, continue work on 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).

*Transfers.*—The Committee is wholly dissatisfied with the Department’s decision to transfer \$2,000,000 in fiscal year 2020 funding from the salaries and expenses of the Office of Fair Housing and Equal Opportunity (OFHEO) to the Office of the Chief Financial Officer (OCFO) for a customer advisory board. While the transfer was technically in accordance with the thresholds in section 218 at the time, the Committee is troubled that with this action the Department has undermined a Congressional priority—ensuring access to fair housing—that was the outcome of a conference agreement negotiated between the House and Senate and signed into law by the President. P.L. 116-94 deliberately provided additional funds to OFHEO in fiscal year 2020 for the Department to conduct additional Fair Housing Act enforcement. Consequently, the Committee has modified section 218 to prohibit all transfers out of OFHEO, the Office of Lead Hazard Control and Healthy Homes, and the Office of the Departmental Equal Employment Opportunity.

#### WORKING CAPITAL FUND

##### (INCLUDING TRANSFER OF FUNDS)

The Department of Housing and Urban Development’s Working Capital Fund (WCF), in its present form, was established by the Consolidated Appropriations Act, 2016 (P.L. 114-113) to perform a limited number of commodity-like administrative functions where economies of scale can be achieved. These functions are limited in statute to the following: financial management, procurement, travel, relocation, human resources, printing, records management, space renovation, furniture, supply services, the operational expenses of the WCF, and information technology customer devices and support.

The Committee does not provide any funding to the WCF. Instead, the WCF staff and its activities are funded with transfers from the Department’s salary and expenses accounts (i.e., Executive Offices, Administrative Support Offices, Program Offices, and Government National Mortgage Association).

Prior to exercising discretion to centrally fund an activity, the Secretary shall have established transparent and reliable unit cost accounting for the offices and agencies of the Department that use the activity, and shall have ensured adequately trained staff within each affected office and agency on resource planning and accounting processes associated with the centralization of funds to this account.

Prior to exercising its authority to transfer funds for activities beyond what is required for shared service agreements, the Com-



mittee directs HUD to establish a clear execution plan for centralizing the additional activities, and to transmit that plan to the House and Senate Committees on Appropriations 15 days prior to transferring such funds into the WCF.

#### PUBLIC AND INDIAN HOUSING

##### TENANT-BASED RENTAL ASSISTANCE

Appropriation, fiscal year 2020 .....	\$23,874,050,000
Budget request, fiscal year 2021* .....	23,346,300,000
Recommended in the bill .....	25,739,312,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+1,865,262,000
Budget request, fiscal year 2021 .....	+2,393,012,000

\*Includes the separate Administration request for Moving To Work (MTW) for renewals and administrative fees of \$4,172,900,000 and \$340,400,000, respectively.

In fiscal year 2005, the Housing Certificate Fund was separated into two new accounts: Tenant-Based Rental Assistance and Project-Based Rental Assistance. This account administers the tenant-based Section 8 rental assistance program otherwise known as the Housing Choice Voucher program.

##### COMMITTEE RECOMMENDATION

The Committee recommends \$25,739,312,000 for Tenant-Based Rental Assistance. Consistent with the budget request, the Committee continues the advance of \$4,000,000,000 of the funds appropriated under this heading for Section 8 programs to October 1, 2021. The following table provides funding levels for activities within this account.

	Request	Recommendation
Voucher Renewals .....	\$21,130,900,000*	\$22,852,000,000
Administrative Fees .....	1,805,400,000*	2,154,812,000
Veterans Affairs Supportive Housing (VASH) .....	---	20,000,000
Tribal HUD-VASH .....	---	2,500,000
Tenant Protection Vouchers .....	100,000,000	125,000,000
Family Unification Vouchers .....	---	25,000,000
811 Mainstream Vouchers .....	310,000,000	310,000,000
Incremental Vouchers for Homelessness .....	---	250,000,000
[Survivors of Domestic Violence .....	---	40,000,000]
[Veterans .....	---	40,000,000]
Total .....	23,346,300,000	25,739,312,000

\*Includes the separate Administration request for MTW as noted above.

In addition, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (P.L. 116-136) included \$1,250,000,000 for the Tenant-Based Rental Assistance account to prevent, prepare for, and respond to coronavirus.

*Voucher renewals.*—The Committee provides \$22,852,000,000 for the renewal of tenant-based vouchers. The Committee directs the Department to monitor and report to the House and Senate Committees on Appropriations each quarter on the trends in Section 8 subsidies and to report on the required program alterations due to changes in rent or changes in tenant income. The Committee does not support the Administration's request to move funding for MTW public housing agencies into a separate account and, therefore, includes the renewal and administrative funding within the Tenant-Based Rental Assistance account.

*Incremental Vouchers to Address Homelessness.*—The Committee provides \$250,000,000 to reduce homelessness among families with children and the unsheltered, veterans, and, for the first time, provides dedicated resources for survivors of domestic violence.

*Veterans Affairs Supportive Housing (VASH) and additional resources to address veterans' homelessness.*—To continue the effort to eliminate homelessness among our Nation's veterans, the Committee provides \$20,000,000 for new, incremental vouchers dedicated to vulnerable veteran households through the VASH program. The Committee estimates that \$753,000,000 in voucher renewal funding is included in the overall fiscal year 2021 voucher renewal appropriation and reserves to support approximately 90,000 eligible VASH vouchers funded in prior years. Since 2008, the Committee has provided more than \$795,000,000 in targeted funding to increase the number of VASH vouchers available to address veteran homelessness and billions of dollars have been made available to renew VASH vouchers over the same period.

The Committee is concerned about the utilization of vouchers in the VASH program. HUD's 2019 point in time count indicates that there were 14,345 unsheltered homeless veterans. At the same time, there were more than 17,000 unutilized VASH vouchers. Further, some individuals are identified as a veteran in the point in time count, but are ineligible for a VASH voucher. While the VASH program has made significant strides in reducing veteran homelessness, HUD and the Department of Veterans Affairs (VA) must redouble efforts to improve agency coordination.

In addition to VASH funding, for the first time, the Committee is providing \$40,000,000 of the Incremental Vouchers to Address Homelessness for new vouchers to veterans with preference given to public housing authorities (PHAs) that demonstrate a strategy to coordinate services that these veterans need to become stably housed. These new vouchers will complement the VASH vouchers. Between VASH and this new funding, a total of \$60,000,000 is provided to address veteran homelessness, an increase of \$20,000,000 over fiscal year 2020. In providing these new vouchers, the Committee anticipates that HUD can more rapidly house homeless veterans, provide more access to all veterans, provide more available vouchers in diverse areas, and give the VASH program time to increase case manager staffing and improve VASH voucher utilization.

*Domestic violence.*—The Committee is also dedicating \$40,000,000 of the Incremental Vouchers to Address Homelessness to address homelessness among survivors of domestic violence, dating violence, sexual assault, or stalking. This is the first time such resources have been dedicated for this population.

*Vouchers for homeless Native American veterans.*—The Committee provides \$2,500,000 for rental assistance and associated administrative costs for the Tribal HUD-VASH program to serve Native American veterans who are homeless or at risk of homelessness living on or near a reservation, or other Indian areas. This program was first funded in fiscal year 2015, and because of the unique nature of the program, a separate renewal line is required. These resources are in addition to the VASH appropriations.

The Committee recognizes that the rural and remote nature of many Native communities presents unique barriers to hiring and

retaining qualified professionals who meet the VA standards for case managers. The Committee encourages HUD to continue working collaboratively with the VA and Tribal HUD–VASH funding recipients to implement their program. In addition, the Committee urges HUD to ensure that Tribal HUD–VASH funding recipients unable to fully implement their program due to challenges hiring and retaining case managers are not treated inequitably due to delays, particularly in performance evaluations and when applying for continued funding.

*Tenant Protection vouchers.*—The Committee provides \$125,000,000 for Tenant Protection vouchers. The Committee rejects proposals included in the budget request to reduce public housing, but includes this increase to address anticipated closures of certain public housing properties unrelated to any reductions proposed by the Administration. In its annual notice of funding awards for tenant protection vouchers, the Department shall also include each specific Property ID and name that experienced a triggering event to support each funding award.

*Section 811 Mainstream vouchers.*—The Committee provides \$310,000,000 for Section 811 tenant-based subsidies. This is \$80,950,000 over the fiscal year 2020 enacted level and sufficient to renew previously awarded eligible vouchers.

*Family Unification Program vouchers.*—The Committee provides \$25,000,000 for Family Unification vouchers. This is equal to the fiscal year 2020 level to provide housing vouchers on demand for at-risk youth who have “aged out” of foster care.

*Homeless veterans on U.S.-Mexico border.*—The Committee notes that there are many homeless veterans living on the U.S.-Mexico border, many of whom have not historically been counted in the point in time homeless survey. The Committee directs HUD to take action to ensure that VASH vouchers are made available to this unique population. The Committee further directs HUD to build upon previous work and develop strategies and recommendations for addressing and reducing veteran homelessness on the U.S.-Mexico border, and to provide a report to the House and Senate Committees on Appropriations on its efforts not later than 90 days after enactment of this Act.

*Small public housing agencies.*—The Committee is aware of confusion regarding the definition of “rural” as applied to small public housing agencies by HUD in implementing P.L. 115–174. The Committee directs HUD to provide a report to the relevant congressional committees not later than 120 days after enactment of this Act clarifying what small public housing agencies qualify as rural under such law.

*Fair market rents.*—The Committee is aware of the concerns regarding the data used to calculate fair market rents and directs the Department to work with its authorizing congressional committees to develop statutory flexibilities for operating the voucher program in such a way that vouchers will be usable in rapidly rising rental markets. The Committee further directs the Department to study the correlation of rapidly rising rental markets and areas, defined as high-growth by the latest census data, and to explore strategies to avoid displacement in these communities.

*Facial recognition.*—The Committee is concerned about the use of technology which facilitates or otherwise enables an automated or

semi-automated process to identify an individual based on physical characteristics, or logs characteristics of an individual's face, head, or body in Federally subsidized housing buildings and urges the Department to take into consideration possible abuse when evaluating the possible use of such technology. The Committee notes the National Institute of Standards and Technology's 2019 report, "Face Recognition Vendor Test (FRVT), Part 3: Demographics", which indicated a wide range in accuracy among face recognition algorithms and general findings of elevated false-positive identification errors among people of color, women, children and the elderly.

*Evictions data.*—The Committee directs the Department to explore what it would take to collect, analyze, and make publicly available data on evictions from all of its Federally-assisted housing properties, including classes protected under the Fair Housing Act, and report to the House and Senate Committees on Appropriations on its findings not later than 120 days after enactment of this Act.

*Homeownership assistance.*—The Committee directs HUD to report to the House and Senate Committees on Appropriations on the impediments and/or barriers of using Section 8 Housing Choice Voucher program funding for the purposes of home purchase assistance such as down payment assistance and closing costs not later than 120 days after enactment of this Act.

*Housing for the reentry population.*—The Committee is encouraged by the actions that HUD has taken to reduce the barriers that the reentry population faces in securing housing. Recognizing that a firm foundation including safe and reliable housing is a critical part of reducing recidivism, the Committee urges HUD to further explore other initiatives to reducing barriers.

*Mental health care for foster youth.*—The Committee recognizes that foster youth are significantly more likely to suffer from trauma or Post Traumatic Stress Disorder than their peers and, on average, move once to twice a year. Although children entering foster care are required to undergo physical health assessments, many children do not receive a mental health screening. The Committee strongly recommends that the Department collaborate with the Department of Health and Human Services to identify and support programs that could promote mental health screenings for foster youth.

*Administration's "rent reform" proposals.*—The Committee again does not include language implementing any of the Administration's "rent reform" proposals and funds accounts accordingly. The Committee believes these proposals would harm America's most vulnerable populations and do nothing to address the issues of poverty they face.

#### HOUSING CERTIFICATE FUND

##### (INCLUDING RESCISSIONS)

The Housing Certificate Fund, until fiscal year 2005, provided funding for both the project-based and tenant-based components of the Section 8 program. Project-Based Rental Assistance and Tenant-Based Rental Assistance are now separately funded accounts. The Housing Certificate Fund retains balances from previous years' appropriations.

## COMMITTEE RECOMMENDATION

Language is included to allow unobligated balances from specific accounts to renew or amend Project-Based Rental Assistance contracts.

## PUBLIC HOUSING CAPITAL FUND

Appropriation, fiscal year 2020 .....	\$2,869,894,000
Budget request, fiscal year 2021 .....	— —
Recommended in the bill .....	3,180,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+310,106,000
Budget request, fiscal year 2021 .....	+3,180,000,000

The Public Housing Capital Fund provides funding for public housing capital programs, including public housing development and modernization. Examples of capital modernization projects include replacing roofs and windows, improving common spaces, upgrading electrical and plumbing systems, and renovating the interior of an apartment.

## COMMITTEE RECOMMENDATION

The Committee recommends \$3,180,000,000 for the Public Housing Capital Fund. The recommendation does not include the proposals in the budget request to eliminate this account and direct unobligated balances to the Public Housing Operating Fund, to provide for competitive grants to demolish public housing, and to create a new Moving to Work account. The Committee continues to support a significant Federal commitment to public housing and rejects multiple proposals included in the budget request intended to facilitate a reduction of the public housing portfolio.

Within the amounts provided, the Committee directs that:

- Up to \$23,000,000 is to support the ongoing public housing financial and physical assessment activities of the Real Estate Assessment Center, pilot a new physical inspection process, and implement recommendations made in the March 2019 GAO report (GAO-19-254);

- Up to \$1,000,000 is to support the costs of administrative and judicial receiverships;

- Not to exceed \$74,650,000 is for emergency capital needs, excluding Presidentially-declared disasters. The Committee includes language in the Act to ensure that funds are used only for repairs needed due to an unforeseen and unanticipated emergency event or natural disaster that occurs during fiscal year 2021, or for certain security measures. Of that amount, \$20,000,000 is for safety and security measures, and \$34,650,000 is for public housing agencies under administrative and judicial receiverships or under the control of a Federal monitor;

- \$25,000,000 is for competitive grants to evaluate and reduce lead-based paint hazards;

- \$100,000,000 is for competitive grants for activities under the Healthy Homes Initiative, including addressing carbon monoxide poisoning, mold, and other household hazards;

- \$5,000,000 is for a radon testing demonstration;

- Up to \$30,000,000 is for lead service line replacement grants; and

—\$25,000,000 is for competitive grants to public housing agencies to install automatic sprinkler systems. The Secretary shall collect information on the presence or absence of automatic sprinkler systems in the public housing project and units and shall include such information collection on a sample basis.

The Committee directs that all PHAs, including those that are troubled, substandard, or are under the direction of HUD, a monitor, or a court-appointed receiver are eligible for funding for competitive grants for automatic sprinkler systems, lead service replacement lines, and both lead-based paint hazards and activities under the Healthy Homes Initiative. The Committee intends that the PHAs with the greatest need will have access to the funds. Additionally, the Committee directs that HUD consider increasing the amount of individual grants so that the scale of the problems can be addressed appropriately.

*Health hazards funding.*—Overall, the Committee recommendation provides \$525,000,000 in resources to improve the health and safety of residents living in all types of HUD-assisted housing. In addition to the \$185,000,000 in the Public Housing Capital Fund outlined above to address carbon monoxide, lead, radon, mold, and fire hazards, the Committee provides \$340,000,000 in the Office of Lead Hazard Control and Healthy Homes to address health hazards in HUD-assisted housing.

*Carbon monoxide poisoning.*—The Committee is alarmed at the continuing reports of deaths resulting from carbon monoxide poisoning in public housing subsidized by the Department. The Secretary indicated during the Subcommittee's hearing on HUD's budget request on March 4, 2020, that the Department was working on a rule. Therefore, the Committee directs the Secretary to promulgate a notice of proposed rulemaking not later than 6 months after enactment of this Act for the Housing Choice Voucher, Multifamily and Public Housing programs to add a requirement for functioning carbon monoxide detectors in units with fuel-fired/burning appliance(s), and/or an attached garage.

*Radon testing demonstration.*—As part of the \$5,000,000 competitive grant program provided for the radon testing demonstration, the Committee strongly recommends the Department consider the results it will obtain from the Radon Testing and Mitigation Demonstration Program to determine whether and, if so, how diagnostic testing for radon in current public housing should be conducted, how installation of radon mitigation systems should be conducted if radon is found at levels exceeding the Environmental Protection Agency's radon in air action level, and whether radon monitoring by credentialed professionals should be conducted for radon monitoring on a biennial basis in housing units in which radon exceedances were found and mitigated. Additionally, the Committee inquired with the Department in the first quarter of 2020 who in the Department is responsible for radon-related activities and has not yet received a response. The Department is directed to provide this information to the House and Senate Committees on Appropriations not later than ten days after the date of enactment of this Act.

*Emergency safety and security.*—The Committee directs the Department to review the process for awarding the emergency safety

and security set-aside within the Public Housing Capital Fund to ensure that the program is merit-based and takes into consideration factors such as the potential for measurable crime-reduction and improved public safety in neighborhoods adjacent to public housing. The Department is directed to provide an update on this review not later than ninety days after enactment of this Act.

#### PUBLIC HOUSING OPERATING FUND

Appropriation, fiscal year 2020 .....	\$4,549,000,000
Budget request, fiscal year 2021* .....	4,244,000,000
Recommended in the bill .....	4,649,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+100,000,000
Budget request, fiscal year 2021 .....	+405,000,000

\* Includes the Public Housing portion of the Administration's separate MTW request of \$672,000,000.

The Public Housing Operating Fund subsidizes the costs associated with operating and maintaining public housing. This subsidy supplements funding received by public housing authorities from tenant rent contributions and other income. In accordance with section 9 of the United States Housing Act of 1937, as amended, funds are allocated by formula to public housing authorities for the following purposes: utility costs; anti-crime and anti-drug activities, including the costs of providing adequate security; routine maintenance cost; administrative costs; and general operating expenses.

#### COMMITTEE RECOMMENDATION

The Committee recommends \$4,649,000,000 for the Federal share of PHA operating expenses.

In addition, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (P.L. 116–136) included \$685,000,000 for the Public Housing Operating Fund account to prevent, prepare for, and respond to coronavirus.

*Recycling and Zero Waste Pilot Program.*—The Committee recognizes the importance of recycling and zero-waste programs and supports expanding the availability of these programs in public housing. Therefore, the Committee directs the Department to create a pilot program that supports recycling and zero-waste programs in public housing and provides \$10,000,000 for such a pilot program.

*Quality assurance of physical inspections.*—The Committee is troubled by reports of deplorable living conditions found in some HUD-subsidized properties across the country. The scope of this issue spans geographic regions, highlights systemic problems, and calls into question the effectiveness of HUD oversight, and the Real Estate Assessment Center's (REAC) inspections of HUD-assisted housing. The Committee encourages the Department to work with the Congress on enforcement actions, including assessing civil monetary penalties, that HUD can take to ensure PHAs and landlords maintain the physical quality of HUD-assisted units. Similarly, while the Committee is supportive of efforts to quickly issue tenant-protection vouchers, the issuance of these vouchers is a tacit acknowledgement that the Department has failed to ensure units are maintained as decent, safe, and sanitary. Additionally, failure to maintain the physical condition of HUD-assisted properties results in a loss of critical affordable housing and tenant protection vouchers are of little value to families that encounter a lack of af-

fordable housing in their communities. The Committee directs the Department to solicit comments from stakeholders, including tenants, to identify ways the Department can improve its inspection protocols and oversight. The Committee will continue to closely monitor the Department's efforts and progress and directs the Department to submit to the House and Senate Committees on Appropriations not later than 60 days after enactment of this Act a report identifying how HUD is improving the inspection process and related protocols, including quality assurance of inspections, identified actions yet to be implemented, the status of actions undertaken, and a timeline for completion of all actions.

*Accessibility in public housing.*—The Committee directs the Department, not later than 180 days after enactment of this Act, to submit to the House and Senate Committees on Appropriations, the House Committee on Financial Services, and the Senate Committee on Banking, Housing, and Urban Affairs a report identifying what would be needed to assess the quantity of public housing stock nationwide that is compliant with Federal accessibility standards, including public housing stock built before 1991 as referenced by the Fair Housing Act of 1991. The report shall include the challenges HUD faces and the costs associated with helping PHAs to come into compliance with existing fair housing requirements, the costs to make the existing public housing portfolio accessible, and how to examine opportunities for improving accessibility in public housing, including opportunities for cost-savings, incorporating engineering best practices for retrofitting existing stock, and spurring non-governmental investment.

*Lead assessments in Federally-assisted housing.*—The Committee continues to believe that, given the significant impact lead exposure can have on children and their development, there continues to be a need for lead inspection standards within Federally-assisted housing, including public housing and the Housing Choice Voucher program. The Committee believes that the Department has the statutory authority necessary to require stringent inspections when checking homes for lead paint. Visual lead inspections have proven insufficient and more rigorous standards such as requiring risk assessments prior to a family moving into a home should be considered, where appropriate, to ensure that children living in Federally-assisted homes are protected from lead poisoning.

*Public housing located on cemeteries.*—The Committee directs the Department to survey governmental public housing authorities to determine how many PHAs are known to be built on cemeteries or historical burial grounds and to report to the House and Senate Committees on Appropriations on the results not later than one year after enactment of this Act.

*Operating Fund adjustment factors.*—The Committee is concerned that the Department's current methodology for calculating formula income and utility expenses for PHAs does not accurately reflect the reality that many PHAs experience locally. This is especially true for those PHAs that serve large elderly or disabled populations, or operate on a utility that is of higher cost than other parts of the country. The Committee appreciates that the Department takes seriously the concerns raised by PHAs and that HUD is reviewing its data and evaluating alternative approaches. The Committee directs the Department to report to the House and Sen-



ate Committees on Appropriations not later than 60 days after enactment of this Act on alternative methodologies for calculating PHA formula income for purposes of Operating Fund eligibility.

#### CHOICE NEIGHBORHOODS INITIATIVE

Appropriation, fiscal year 2020 .....	\$175,000,000
Budget request, fiscal year 2021 .....	— —
Recommended in the bill .....	250,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+75,000,000
Budget request, fiscal year 2021 .....	+250,000,000

The CHOICE Neighborhoods Initiative leverages significant public and private dollars to support locally driven strategies that address struggling neighborhoods with distressed public or HUD-assisted housing through a comprehensive approach to neighborhood transformation. The program uses Federal grants to help communities transform neighborhoods by revitalizing severely distressed public and/or assisted housing and catalyzing critical improvements in the neighborhood, including vacant property, housing, businesses, services, and schools.

#### COMMITTEE RECOMMENDATION

The Committee recommends \$250,000,000 for the CHOICE Neighborhoods Initiative program.

The Committee encourages the Department to give prior year planning grant recipients priority consideration when awarding implementation grants.

#### SELF-SUFFICIENCY PROGRAMS

Appropriation, fiscal year 2020 .....	\$130,000,000
Budget request, fiscal year 2021 .....	190,000,000
Recommended in the bill .....	155,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+25,000,000
Budget request, fiscal year 2021 .....	— 35,000,000

The Self-Sufficiency Programs account includes several programs which help low-income families living in subsidized housing enhance job skills, increase earnings, and improve their economic security. The Family Self-Sufficiency (FSS) program provide grants for FSS coordinators to Public Housing Authorities (PHAs) and, with enactment of the Family Self-Sufficiency Act, has expanded eligibility to residents of Project-Based Rental Assistance housing. The Resident Opportunity and Self-Sufficiency (ROSS) program funds Service Coordinators to work with residents of Public and Indian Housing, and the Jobs Plus Initiative provides grants to public housing authorities (PHAs), which are required to partner with Department of Labor jobs centers.

#### COMMITTEE RECOMMENDATION

The Committee recommendation continues the fiscal year 2020 consolidation of FSS, ROSS, and Jobs Plus into the Self-Sufficiency Programs (SSP) account and provides a total of \$155,000,000 for these programs. Previously, ROSS and Jobs Plus were funded through the Public Housing Capital Fund, while FSS was under its own account. The following table provides funding levels for activities under the SSP account:

	Request	Recommendation
Family Self-Sufficiency .....	\$90,000,000	\$105,000,000
Resident Opportunity and Self-Sufficiency .....	— — —	35,000,000
Jobs Plus .....	100,000,000	15,000,000
Total .....	190,000,000	155,000,000

*Expanding economic opportunity through Family Self-Sufficiency.*—The Committee strongly supports FSS, which helps low-income families living in HUD-assisted housing access economic opportunities that help increase earnings and build financial security. FSS is the Federal government’s largest asset building program for low-income families, and it is particularly critical now as a tool to help families recover from the economic impact of the COVID–19 pandemic. According to a 2018 evaluation of FSS programs in Lynn and Cambridge, MA, program participants increased their income by more than \$10,000 over a five-year period, accrued savings, improved credit scores, and reduced debt. The recommendation provides a \$25,000,000 increase to make the benefits of FSS available to an additional 12,500 to 25,000 HUD-assisted households. This will fully fund existing grantees as well as between 500 and 625 new FSS coordinators.

*Expanded FSS eligibility.*—The recommendation reflects authorizing changes made by the Family Self-Sufficiency Act and enacted in Public Law 115–174 (Section 306), which streamline FSS program administration and expand the program to residents of Project-Based Rental Assistance (PBRA) properties. The Committee notes that the Further Consolidated Appropriations Act, 2020 (P.L. 116–94) directed the Department to release regulations reflecting changes in P.L. 115–174 no later than 90 days after enactment of that Act, and as of this writing the regulation has not been released. The Committee directs the Department to release this regulation not more than 15 days after enactment of this Act. The Committee directs the Department to expand eligibility for new grants in fiscal year 2021 to owners of PBRA properties.

NATIVE AMERICAN PROGRAMS  
(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2020 .....	\$825,000,000
Budget request, fiscal year 2021 .....	600,000,000
Recommended in the bill .....	835,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+10,000,000
Budget request, fiscal year 2021 .....	+235,000,000

The Native American Programs account funds the Native American Housing Block Grants and Indian Community Development Block Grants programs. The Native American Housing Block Grants program, authorized by the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA), provides funding to American Indian tribes and tribally designated housing entities (TDHEs) to help address affordable housing needs in tribal communities. The Indian Community Development Block Grants program, authorized under title I of the Housing and Community Development Act of 1974, provides American Indian tribes the opportunity to compete for funding to address tribal community development needs.

## COMMITTEE RECOMMENDATION

The Committee recommendation provides \$835,000,000 for the Native American Programs account. The following table provides funding levels for activities within this account.

	Request	Recommendation
Native American Housing Block Grants—Formula .....	\$600,000,000	\$646,000,000
Title VI Loan Program .....	---	2,000,000
Native American Housing Block Grants—Competitive .....	---	110,000,000
Indian Community Development Block Grants .....	---	70,000,000
Training and Technical Assistance .....	---	7,000,000
Total .....	600,000,000	835,000,000

In addition, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (P.L. 116–136) included \$300,000,000 for Native American Programs, of which no less than \$200,000,000 was for Native American Housing Block Grants—Formula and up to \$100,000,000 was for Indian Community Development Block Grants, to prevent, prepare for, and respond to coronavirus.

A January 2017 report published by HUD confirmed that homelessness in tribal areas translates into overcrowded homes, finding that between 42,000 and 85,000 Native Americans were living with friends or relatives only because they had no place of their own and to prevent homelessness. According to the report, 33,000 new units are needed in Indian country to eliminate overcrowding and another 35,000 new units are needed to replace units that are physically inadequate. Recognizing this significant need for affordable housing and improving living conditions in tribal communities across the nation, the Committee recommendation provides \$110,000,000 for competitive grants to be awarded based on need and administrative capacity to recipients eligible under NAHASDA. The Committee notes that \$1,727,000 in funding appropriated in fiscal year 2017 remains available in the section 184 loan guarantee program for the construction of rental housing for law enforcement, healthcare, educational, technical, and other skilled workers. The Committee encourages tribes and TDHEs to consider utilizing this support for workforce housing when developing projects for competitive grants under the Native American Housing Block Grants—Competitive program.

*Formula grant overfunding.*—The Native American Housing Block Grants—Formula program allocation is based on need as measured in part by current assisted housing stock. However, housing data used to calculate allocations in any given year often contains inaccuracies that are subsequently corrected. These data revisions result in some Indian tribes having received grants in excess of their accurate formula allocation which in turn causes all other Indian tribes to be technically underfunded for that same year. To address this recurring problem, the Department has in the past recouped prior year awards made in excess of eligibility by offsetting current year awards. The Committee believes that this practice is within the Department’s authority. To ensure that the Native American Housing Block Grants—Formula program are allocated accurately and in accordance with statutory requirements, the Committee directs the Department to continue the practice of offsetting formula allocations in fiscal year 2021 should it receive

data indicating that an overpayment occurred, provided the Department takes action within 3 years from the date the Formula Response Form is sent out. If the Department recoups funds from a tribe and a subsequent appeals process determines that the funds should not have been recouped, the Committee directs the Department to increase the tribe's next funding allocation, following the final appeals determination, equal to the amount of the improperly recouped funds.

*Training and technical assistance.*—The Committee recommendation provides \$7,000,000 for training and technical assistance needs in Indian country to support the Native American Housing Block Grants program, the Indian Community Development Block Grants program, and other HUD programs in order to meet the needs of Native American families and tribal communities. The Committee directs HUD to use this funding to aid tribes with capacity challenges. The funding should be used for training, contract expertise, inspections, and other services necessary to address needs identified by tribes. Of the total funding provided, no less than \$2,000,000 shall be awarded to a national organization as authorized by section 703 of NAHASDA.

*Reservation housing.*—The Committee recognizes the importance of housing assistance provided as a result of NAHASDA and encourages the Department to support efforts by tribes to renovate substandard reservation housing. HUD has an obligation to ensure that housing in its inventory is transferred to Indian tribes, TDHEs, or eligible Native American families as expeditiously as possible.

*Coastal tribes.*—The Committee understands that several coastal tribal communities are actively working to relocate homes and other critical infrastructure to higher ground to mitigate the impacts of climate change. The Committee encourages HUD to prioritize funding and technical assistance resources to support these efforts and to encourage the use of resilient building and planning practices throughout Indian Country.

#### INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

Appropriation, fiscal year 2020 .....	\$1,600,000
Budget request, fiscal year 2021 .....	2,000,000
Recommended in the bill .....	1,600,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	— — —
Budget request, fiscal year 2021 .....	— 400,000

Section 184 of the Housing and Community Development Act of 1992 established a loan guarantee program for Native American individuals, tribes, and tribally designated housing entities to build new housing or purchase existing housing on trust land. This program provides access to private financing that otherwise might be unavailable because of the unique legal status of Indian trust land.

#### COMMITTEE RECOMMENDATION

The Committee recommendation provides \$1,600,000 for the Indian Housing Loan Guarantee Fund Program Account, of which \$1,100,000 is for the cost of section 184 guaranteed loans and \$500,000 is for administrative contract expenses to carry out the section 184 loan guarantee program. The Act allows HUD to use

prior year unobligated balances to support the cost of section 184 guaranteed loans. The fiscal year 2021 funding combined with the unobligated balances will support a total loan volume of \$1,000,000,000.

#### NATIVE HAWAIIAN HOUSING BLOCK GRANT

Appropriation, fiscal year 2020 .....	\$2,000,000
Budget request, fiscal year 2021 .....	---
Recommended in the bill .....	4,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+2,000,000
Budget request, fiscal year 2021 .....	+4,000,000

The Hawaiian Homelands Homeownership Act of 2000 created the Native Hawaiian Housing Block Grant program to provide grants to the State of Hawaii Department of Hawaiian Home Lands (DHHL) for housing activities on Hawaiian home lands, in order to develop, maintain, and operate affordable housing for eligible low-income Native Hawaiian families. As one of the United States' indigenous people, Native Hawaiian people have a unique relationship with the Federal government.

#### COMMITTEE RECOMMENDATION

The Committee recommendation provides \$4,000,000 for the Native Hawaiian Housing Block Grant program. The Committee encourages the Department to continue to provide technical assistance to DHHL in developing and executing plans to meet the housing needs of low-income Native Hawaiians.

#### NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

Appropriation, fiscal year 2020 .....	---
Budget request, fiscal year 2021 .....	-2,000,000
Recommended in the bill .....	---
Bill compared with:	
Appropriation, fiscal year 2020 .....	---
Budget request, fiscal year 2021 .....	+2,000,000

Section 184A of the Housing and Community Development Act of 1992 established a loan guarantee program for Native Hawaiian families who are eligible to reside on Hawaiian home lands and would otherwise face barriers to acquiring such financing because of the unique legal status of the Hawaiian home lands.

#### COMMITTEE RECOMMENDATION

The Committee rejects the proposal in the budget request to rescind \$2,000,000 in unobligated balances from the section 184A loan guarantee program. The Committee recommendation provides no new funding for the program as it continues to operate on a negative subsidy basis and has sufficient balances of prior year loan guarantee limitation to continue making section 184A loans.

## COMMUNITY PLANNING AND DEVELOPMENT

## HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

Appropriation, fiscal year 2020 .....	\$410,000,000
Budget request, fiscal year 2021 .....	330,000,000
Recommended in the bill .....	430,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+20,000,000
Budget request, fiscal year 2021 .....	+100,000,000

The Housing Opportunities for Persons with AIDS (HOPWA) program provides states and localities with resources to address the housing needs of low-income persons living with HIV/AIDS. Stable housing can reduce risky behavior, improve adherence to medication, and reduce HIV transmission. Funding is distributed primarily by formula to qualifying states and metropolitan areas based on the number of individuals living with HIV/AIDS reported to the Centers for Disease Control, housing costs, and poverty rates. Government grantees are required to have a HUD-approved comprehensive plan.

## COMMITTEE RECOMMENDATION

The Committee recommends \$430,000,000 for HOPWA, which is sufficient funding to ensure that grantees are held harmless as the agency implements HOPWA formula modernization. The Committee recommendation includes formula grants and funding for the renewal of certain expiring contracts that were previously funded under HOPWA competitive grants.

In addition, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (P.L. 116–136) included \$65,000,000 for the HOPWA program to prevent, prepare for, and respond to coronavirus.

## COMMUNITY DEVELOPMENT FUND

Appropriation, fiscal year 2020 .....	\$3,425,000,000
Budget request, fiscal year 2021 .....	— —
Recommended in the bill .....	3,525,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+100,000,000
Budget request, fiscal year 2021 .....	+3,525,000,000

The Community Development Fund, authorized by the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.), provides funding, primarily through Community Development Block Grants (CDBG), to State and local governments and other eligible entities to carry out community and economic development activities.

## COMMITTEE RECOMMENDATION

The Committee recommends a total of \$3,525,000,000 for the CDBG formula program for entitlement communities and States.

Of the amount provided for the CDBG formula programs, \$7,000,000 is for insular areas, per 42 U.S.C. 5306(a)(2), which is the same as the fiscal year 2020 enacted level.

In addition, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (P.L. 116–136) included \$5,000,000,000 for the Community Development Fund account to prevent, prepare for, and respond to coronavirus.

The recommendation continues language requiring the Department to notify grantees of their formula allocation not later than 60 days after enactment of this Act.

*Resilience.*—The Secretary is directed to continue to encourage grantees of the CDBG program to utilize funds for activities designed to increase project resilience to harden structures to withstand severe weather and other natural hazards including flooding, wind, and other hazards identified by the Secretary.

*Reinvestment in low- and moderate-income communities.*—The Committee reminds both the Department and grantees that a core tenet of the CDBG program is the improvement of the living environment of low- and moderate-income families. The Committee challenges grantees to refocus the level of CDBG investment in low- and moderate-income families and neighborhoods. CDBG funding is a tool to create equitable, viable, and cohesive neighborhoods throughout a jurisdiction. Further, the Committee notes that CDBG funding can be used to rebuild and revitalize areas affected by civil unrest and urges grantees to consider using CDBG funding in these areas.

*Distressed coal communities.*—The Committee encourages the Department to prioritize technical assistance to assist coal communities emerging from the economic downturn and help utilize CDBG funds to revitalize those communities.

*Transitional housing for individuals exiting recovery.*—The Committee recognizes the importance of stable transitional living environments for individuals in recovery from substance misuse disorder, including opioid addiction, and includes \$25,000,000 for activities authorized under section 8071 of the SUPPORT for Patients and Communities Act. The Committee directs HUD to encourage CDBG recipients to provide funding to organizations that offer transitional housing opportunities to those in recovery, further directs HUD to give special consideration to recipients that offer wrap-around services for those exiting recovery, and looks forward to receiving HUD's guidance on how relevant programs operated.

*Best practices.*—The Committee recognizes that the flexibility of CDBG is a great asset to bring development to communities with diverse needs and assets. The Committee urges the Department to conduct trainings on best development practices gleaned from success stories from urban areas to provide technical expertise to other struggling urban areas on how best to invest and leverage these grants. The Committee directs the Department to submit a report on these efforts not later than 120 days after enactment of this Act.

*Weatherization report.*—The Committee recognizes that many individuals who would otherwise be eligible for the Department of Energy's (DOE) Weatherization Assistance Program (WAP) have homes with structural deficiencies—particularly of the roof and building envelope—which preclude them from participating. Not later than 180 days after enactment of this Act, the Department shall issue a report characterizing the deficiencies of these homes and the costs to meet the requirements of the WAP and any exemplary models across the nation that include cooperation with HUD and DOE in improving properties at a neighborhood scale and engages residents in apprenticeship skills training. The report shall correlate the needs of the homes with the demographics of the resi-

dents and their geographical location with particular attention paid to cities eligible for Hardest Hit Funds. The Department is also directed to provide technical assistance and educational training opportunities to its regional staff and grantees on utilizing CDBG or other HUD housing rehabilitation funds, along-side complementary weatherization funds from Low Income Home Energy Assistance Program (LIHEAP) and DOE. HUD shall instruct grantees about the possibilities of a community approach in outreach.

*Home modification for aging in place.*—The Committee notes that cost is often a barrier for senior citizens who wish to safely age in the comfort of their own homes. The Committee encourages the Department to educate CDBG applicants about the benefit of using grants on accessible home modifications. The Committee directs the Department to conduct a briefing for the Committees on Appropriations of the House and Senate outlining what steps the Department has taken to increase availability and affordability of aging-friendly home modifications for low- and moderate-income seniors not later than 90 days after enactment of this Act.

*Responsible financial management.*—The Committee is troubled by the difficulty the Department continues to have in distributing enacted emergency funding to communities affected by natural disasters. This difficulty has been demonstrated in the Department's inability to publish allocations and other administrative guidance for CDBG-DR funding in a timely fashion and have been exacerbated by a paternalistic bureaucracy imposed by OMB through its statutorily granted apportionment authority, an authority which is merely ministerial in nature, but has been abused as a policy-making tool, contrary to the Congress's intent.

To assist in expediting the distribution of previously enacted emergency funding, the Committee recommendation includes a provision to alleviate the administrative burden of apportioning funding provided for CDBG-DR in the Further Additional Supplemental Appropriations for Disaster Relief Requirements Act, 2018, to allow the Department to focus on issuing the necessary administrative and programmatic guidance. In addition, HUD's OCFO, along with OMB are directed to provide reports and briefings to the Committee, not less frequently than monthly, on the status of funds appropriated to the Community Development Fund in Public Law 115-123. Such briefings shall include reports delineating the status of funds (including amounts allocated, obligated, and expended, by grantee) and the applicable apportionment schedule (including a justification and explanation for any funds not available for immediate obligation in the current fiscal quarter or otherwise subject to any precondition or limitation).

#### COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT

	Budget authority	Limitation on guaranteed loans
Appropriation, fiscal year 2020 .....	---	\$300,000,000
Budget request, fiscal year 2021 .....	---	---
Recommended in the bill .....	---	300,000,000
Bill compared with:		
Appropriation, fiscal year 2020 .....	---	---
Budget request, fiscal year 2021 .....	---	+300,000,000



The Section 108 Loan Guarantee program is a source of variable and fixed-rate financing for communities undertaking projects eligible under the CDBG program.

#### COMMITTEE RECOMMENDATION

The Committee recommendation continues the Section 108 Loan Guarantee program as a borrower-paid subsidy program, and therefore recommends providing no budget authority, but provides a limit on guaranteed loan volume of \$300,000,000.

#### HOME INVESTMENT PARTNERSHIPS PROGRAM

Appropriation, fiscal year 2020 .....	\$1,350,000,000
Budget request, fiscal year 2021 .....	— —
Recommended in the bill .....	1,700,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+350,000,000
Budget request, fiscal year 2021 .....	+1,700,000,000

The HOME Investment Partnerships Program provides block grants to participating jurisdictions (States and units of general local government) to undertake activities that expand the supply of affordable housing. HOME block grants are distributed based on formula allocations. Upon receipt of these Federal funds, State and local governments develop a housing affordability strategy to acquire, rehabilitate, or construct new affordable housing, or to provide rental assistance to eligible families.

#### COMMITTEE RECOMMENDATION

The Committee recommends \$1,700,000,000 for activities funded under this account, an increase of \$350,000,000 over fiscal year 2020. HOME is the largest Federal block grant to State and local governments designed exclusively to create affordable housing for low-income households and is therefore a crucial tool in the effort to address homelessness in the United States. HOME has invested \$36,700,000,000 since 1992 to help build and preserve about 1.3 million affordable homes and to provide direct rental assistance to more than 373,000 families. This investment has supported more than 656,260 jobs and leveraged over \$153,000,000,000 in other public and private funds.

*Housing shortages near Federal facilities.*—The Committee encourages the Department and HOME grantees to look for opportunities to increase the supply of housing near Federal facilities in rural areas, especially those that were opened in the last 10 years, if housing shortages exist in those areas.

#### SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY PROGRAM

Appropriation, fiscal year 2020 .....	\$55,000,000
Budget request, fiscal year 2021 .....	— —
Recommended in the bill .....	60,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+5,000,000
Budget request, fiscal year 2021 .....	+60,000,000

The Self-Help and Assisted Homeownership Opportunity Program (SHOP) helps support low-income homeownership by providing funding for non-profits that utilize the sweat-equity model to build housing for first-time homeowners. Funds are distributed through grants to nonprofit organizations and consortia that have

experience in providing or facilitating self-help homeownership opportunities. Grant funds are used for land acquisition and improvements associated with developing new, quality dwellings for low-income persons, including those living in colonias, using the self-help model.

#### COMMITTEE RECOMMENDATION

The Committee recommends \$60,000,000 for SHOP. The following table provides funding levels for activities within this account.

	Request	Recommendation
Self-Help Homeownership .....	---	\$10,000,000
Opportunity Program Section 4 Capacity Building .....	---	45,000,000
Set-Aside for Rural Capacity Building Activities (non-add) .....	---	[5,000,000]
National Organizations Rural Housing Capacity Building Activities .....	---	5,000,000
Total .....	---	60,000,000

Section 4 Capacity Building funds are set-aside within this account for activities described under section 4(a) of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note). Section 4 funds are awarded competitively to a limited number of non-profits, which use the funds to develop the capacity of community development corporations (CDCs) and community housing development organizations (CHDOs). The CDCs and CHDOs then undertake community development and affordable housing activities. Section 4 funds must be matched by recipients with at least three times the grant amount in private funding.

*Environmental hazards.*—Environmental hazards within the home can cause a number of adverse health effects including asthma, respiratory problems, and lead poisoning. The Committee encourages the Department to work with grantees to ensure that when rehabilitating existing dwellings, they provide for or facilitate the abatement and removal of environmental hazards, and ensure that dwellings for which abatement or removal is performed are quality dwellings that comply with local building and safety codes and standards.

#### HOMELESS ASSISTANCE GRANTS

Appropriation, fiscal year 2020 .....	\$2,777,000,000
Budget request, fiscal year 2021 .....	2,773,000,000
Recommended in the bill .....	3,415,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+638,000,000
Budget request, fiscal year 2021 .....	+642,000,000

The Homeless Assistance Grants account provides funding for programs under title IV of the McKinney Act, as amended by the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009. HEARTH Act programs include the Continuum of Care (CoC) competitive grants, the Emergency Solutions Grants (ESG) program, and the Rural Housing Stability Grants program.

## COMMITTEE RECOMMENDATION

The Committee recommends \$3,415,000,000 for Homeless Assistance Grants, to remain available until September 30, 2023. The following table provides funding levels for activities within this account.

	Request	Recommendation
Continuum of Care .....	\$2,486,000,000	\$2,586,000,000
Emergency Solutions Grants .....	280,000,000	290,000,000
Domestic Violence Survivors .....	---	75,000,000
Homeless Data Analysis Project .....	7,000,000	7,000,000
Youth Homelessness Demonstration .....	---	162,000,000
Youth Homeless Projects .....	---	82,000,000
Youth Homelessness Systems Planning Grants .....	---	70,000,000
Technical Assistance for Youth Homelessness .....	---	10,000,000
Unsheltered Homelessness Demonstration .....	---	250,000,000
Eviction prevention services .....	---	25,000,000
Technical Assistance .....	---	20,000,000
Total .....	2,773,000,000	3,415,000,000

The Committee recommendation provides an increase of \$638,000,000 for Homeless Assistance Grants, including a \$100,000,000 increase for new CoC grants; a \$25,000,000 increase to provide services for domestic violence survivors; an \$82,000,000 increase to comprehensively serve homeless youth and strengthen the system so every project has the tools to provide services for homeless youth; new funding for legal assistance for low-income tenants facing eviction; a new demonstration project to address unsheltered homelessness; and new funding for technical assistance to increase the capacity of service providers. Together with a new investment of \$250,000,000 for vouchers targeted to people currently experiencing homelessness, including homeless veterans and domestic violence survivors and a \$350,000,000 increase for the HOME program to increase the supply of affordable housing, this Act represents a major step forward in reducing homelessness across the nation.

*Addressing the needs of survivors of domestic violence, sexual violence, and stalking.*—The recommendation includes \$75,000,000 for rapid re-housing and supportive services projects for survivors of domestic violence, sexual assault, dating violence, and stalking. The Committee again recommends that the Department and CoCs partner with providers, including victim service providers, that have experience in delivering trauma-specific and culturally appropriate care to survivors.

*Comprehensive approaches to serving homeless youth.*— The Committee strongly believes that every CoC must provide safe, inclusive and culturally appropriate services for homeless youth. To move toward that goal, the recommendation provides \$162,000,000 to address youth homelessness, including \$82,000,000 for projects dedicated to providing services to homeless youth; up to \$70,000,000 for Youth Homelessness Systems Planning Grants to support CoC communities in modernizing their youth homelessness responses through systems change and capacity building; and \$10,000,000 for technical assistance to help every CoC better serve homeless youth. This recommendation is intended to advance best practices learned in this demonstration and ease the transition

from a demonstration program to services provided by all continua of care.

*Unsheltered homelessness.*— The surge in the unsheltered homeless population in certain areas of the United States is directly correlated with increased housing costs that put housing out of reach for low-income Americans. For example, the Committee is aware the State of California experienced a 16.4 percent increase in its homeless population from 2018 to 2019. The recommendation includes \$250,000,000 for a demonstration program to address unsheltered homelessness, targeted to the areas with the greatest need. In addition, the Committee directs the Secretary to prioritize interventions that will reduce unsheltered homelessness in both the CoC and ESG programs.

*Eviction prevention.*— More than 6,300 Americans are evicted every day—nearly one eviction every four minutes. Low income women, especially women of color, are at particularly high risk of eviction. Only 10 percent of tenants in eviction cases have legal representation, while 90 percent of landlords do. The recommendation provides \$25,000,000 for competitive grants to nonprofit or governmental entities to provide legal assistance, including assistance related to pretrial activities, trial activities, post-trial activities and alternative dispute resolution, at no cost to eligible low-income tenants at risk of or subject to eviction. The Committee also directs the Department to remind grantees that the ESG program can be used as a tool to prevent evictions.

*Protecting housing for mixed-status families.*—To avoid an increase in the numbers of homeless youth, the Committee again includes language prohibiting HUD from implementing the proposed rule “Housing and Community Development Act of 1980: Verification of Eligible Status” (Docket No. FR-6124-P-01), which the Department’s own analysis indicates would threaten the housing tenure of thousands of children who are United States citizens. The Department’s impact analysis also shows that the rule would increase HUD costs by \$193,000,000 to \$227,000,000 due to increased subsidies each year and incur eviction costs of between \$3,300,000 to \$4,400,000 to enforce the rule. The Committee rejects this and any other proposal that would likely increase the number of homeless youth.

*Equal access to homelessness programs.*—On June 12, 2020, the Department transmitted a draft of the proposed rule “Making Admission or Placement Determinations Based on Sex in Facilities Under Community Planning and Development Housing Programs” to Congress for review. The Committee has strong concerns with the proposed rule. The Supreme Court’s June 15, 2020 ruling in *Bostock v. Clayton County, Georgia* affirms the dignity and bodily integrity of all Americans and prohibits employment discrimination “simply for being homosexual or transgender”. Sex-based discrimination cannot be prohibited in one arena of public life and sanctioned in another. The proposed rule would allow a provider that accepts Federal funding to refuse services to transgender individuals who fail to conform to their shelter’s sex policy and would turn homeless service providers into secondary sex characteristics evaluators. The Committee rejects this approach. Section 235 halts the implementation of the proposed rule, and section 236 restores the 2015 placement guidance.

In addition, as previously noted, the recommendation requires the Department to issue the long overdue report required by H. Rept. 114–129 detailing the Department’s strategy for continuing to ensure that LGBT individuals have access to HUD programs for which they are eligible. The Department is directed to provide this report within 30 days of enactment of this Act, and the amount appropriated for the Office of the Secretary will be reduced by \$10,000 for each day after that deadline that the report has not been submitted to the Congress.

*Serving vulnerable youth populations.*—The Committee recognizes the challenges faced by vulnerable foster youth who face significantly higher risks of experiencing homelessness, domestic violence, and sex trafficking. The Committee has provided funding for the CoC program to take local, community-driven, and innovative approaches to ending housing insecurity and domestic violence. The Committee encourages HUD to diligently ensure that the CoC program continues to address all populations including vulnerable youth in foster care and youth who have aged out of care.

*Housing First.*— Across the nation, homeless service providers are using the Housing First approach to address the homeless crisis in their communities. The Committee strongly supports Housing First, which promotes better outcomes for those experiencing homelessness, including improved medical and behavioral health and lower rates of substance misuse, as well as reduced costs to taxpayers related to emergency health care, police, and incarceration services. Housing First allows people who have experienced homelessness to take advantage of available supportive services, which means people are less likely to drop out of the system and more likely to expeditiously address their problems and rebuild their lives, thus improving outcomes for clients and reducing costs for taxpayers. The Housing First approach has enjoyed strong bipartisan support since its adoption by the George W. Bush Administration. Housing First principles, which are the foundation for the permanent supportive housing and rapid re-housing programs funded through HUD’s Homeless Assistance Grants, are also the foundation of the HUD–VASH and Supportive Services for Veterans Families programs that have achieved significant reductions in veteran homelessness. Thus, the recommendation again includes language that requires the Department to use the criteria specified in the 2018 notice of funding availability (NOFA) when administering homeless assistance grants programs. HUD’s fiscal year 2018 NOFA provides a framework that prioritizes permanent housing first, while allowing for the strategic use of transitional housing for targeted populations.

*Emergency preparedness.*—The Committee is concerned about homeless service providers who require immediate resources during a public health crisis, such as the coronavirus–19 pandemic, to serve the homeless population, many of whom have serious underlying health conditions. The Committee directs the Secretary to share best practices from grantees that can enable homeless shelters to better respond to future public health crises. Best practices could include how to address staff shortages, sanitize equipment, create additional beds, or establish locations for self-quarantining. The Committee directs the Secretary to submit this report no later

than a year after enactment of this Act and to make it available to grantees and the public.

*Annual Homeless Assessment Report (AHAR) to Congress.*—The Committee is concerned that the AHAR does not include data on homelessness in U.S. territories. The Committee encourages the Department to collect and publish homelessness estimates for these jurisdictions in forthcoming versions of the AHAR to the greatest extent possible. The Committee also urges the Department to work with grantees to improve data quality, providing technical assistance if necessary.

*Aging homeless population.*—The Committee is concerned about the aging homeless population, and the vulnerability of seniors experiencing housing instability. The Committee directs the Department, within 120 days of enactment of this Act, to share best practices on how to serve this population, including analysis on gaps in services and recommendations for Federal support in addressing housing need, personal care services, home health, and transportation.

*Prioritizing local needs.*—The Committee recognizes that local communities are best able to determine the housing and service needs of different local homeless populations, including youth, families, veterans, persons with disabilities, and others, and may wish to prioritize activities targeted to populations for which they identify the greatest local gaps. The Committee encourages the Department to honor communities' local priorities and assessments of need.

*Tiny homes.*—The Department has made great efforts to find housing for the homeless, including homeless veterans. However, HUD has not tested the concept of awarding grants to eligible entities to purchase and construct rural, single unit, tiny homes for homeless individuals. This approach could provide a pathway to stable housing for the homeless, including homeless veterans. The Committee directs the Department to outline the legislative changes required to establish such a program on a pilot basis and the feasibility and estimated cost of the concept. The report with the aforementioned items should be provided to the House Financial Services Committee, Senate Committee on Banking, Housing, and Urban Affairs, the House and Senate Veterans Affairs Committees, and House and Senate Appropriations Committees no later than 60 days after enactment of this Act.

*Mental illness.*—The Committee recognizes that there is a correlation between homelessness and untreated mental illnesses. The recommendation includes language directing the Secretary to provide incentives to create projects that coordinate with housing providers and healthcare organizations to provide permanent supportive housing and rapid rehousing services.

## HOUSING PROGRAMS

### PROJECT-BASED RENTAL ASSISTANCE

Appropriation, fiscal year 2020 .....	\$12,570,000,000
Budget request, fiscal year 2021 .....	12,642,000,000
Recommended in the bill .....	13,451,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+881,000,000
Budget request, fiscal year 2021 .....	+809,000,000

The Project-Based Rental Assistance (PBRA) account provides a rental subsidy to private landlords tied to a specific housing unit so that the properties themselves, rather than the individual living in the unit, remain subsidized. PBRA provides safe, stable, and affordable housing to approximately 1.2 million households each year. Amounts provided in this account include funding for the renewal of expiring project-based contracts, including Section 8, moderate rehabilitation, and single room occupancy contracts, amendments to Section 8 project-based contracts, and administrative costs for contract administration.

#### COMMITTEE RECOMMENDATION

The Committee provides a total of \$13,451,000,000 for the annual renewals and amendments of project-based contracts. This includes \$400,000,000 provided as advance appropriations and \$350,000,000 for performance-based contract administrators. The Committee rejects the “rental reforms” proposed in the Administration’s budget request.

In addition, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (P.L. 116–136) included \$1,000,000,000 for PBRA to prevent, prepare for, and respond to coronavirus.

*Performance-Based Contract Administrators (PBCAs).*—The Department suspended PBCA management and occupancy reviews from 2011 to 2016 in response to litigation filed against the Department over the procurement process. The Committee is troubled by the findings in an Office of Inspector General (OIG) report indicating that this suspension resulted in owners not meeting contract requirements and HUD incurring more than \$5,600,000 in questionable costs. Furthermore, the Department’s lack of monitoring resulted in ongoing compliance issues which have resulted in the physical deterioration of some properties and put the health and safety of residents at risk. The Committee directs the Department to report to the House and Senate Committees on Appropriations not later than 90 days after enactment of this Act on the steps HUD has taken to implement the recommendations detailed in the OIG Audit Report Number 2020–FW–0001.

The OIG report demonstrates the important role PBCAs play in providing oversight and ensuring the safety of residents. The Committee reiterates its concern about the Department’s PBCA solicitation procedures, which have resulted in litigation, and due to the contract structure have increased costs and created the potential for excessive profits. The Committee is aware that HUD is working to develop a new solicitation for PBCA contracts that takes into account decisions by the Federal Circuit and Court of Appeals, complies with the Competition in Contracting Act, and meets requirements under the Federal Acquisition Regulations. The Committee reiterates that it is HUD’s responsibility to implement a new competition and award procedure that includes stakeholder comments, full and open competition, and is compliant with all Federal laws and regulatory requirements.

*Reimbursement delays.*—The Committee is aware of reimbursement delays to PHAs which have converted housing units under the Rental Assistance Demonstration program to be funded through PBRA. While the Committee understands that HUD’s Multifamily division continues to work with PHAs, delays in reim-

bursements can stymie the work and planning of PHAs. Accordingly, the Committee directs that, not later than 120 days after enactment of this Act, the Department provide a report to the House and Senate Committees on Appropriations with the following information for each PHA experiencing late payments: PHA name; property name; the date the PHA's first voucher submission was due; the actual date of the most recent voucher submission; the most recent voucher amount; the number of submitted and unpaid vouchers, including the number of days a reimbursement is overdue; the total amount of submitted and unpaid vouchers; and the date when PHAs should expect reimbursement to be issued.

#### HOUSING FOR THE ELDERLY

Appropriation, fiscal year 2020 .....	\$793,000,000
Budget request, fiscal year 2021 .....	853,000,000
Recommended in the bill .....	893,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+100,000,000
Budget request, fiscal year 2021 .....	+40,000,000

The Housing for the Elderly (Section 202) program provides eligible private, non-profit organizations with capital grants to finance the acquisition, rehabilitation, or construction of housing intended for low-income, elderly people. In addition, the program provides project-based rental assistance contracts (PRAC) to support operational costs for units constructed under the program.

#### COMMITTEE RECOMMENDATION

The Committee provides \$893,000,000 for Housing for the Elderly, which will fully fund contract renewals and amendments. Of the total amount, \$110,000,000 is provided for new construction of affordable senior housing, including up to \$10,000,000 for intergenerational housing; up to \$110,000,000 shall be directed to service coordinators and the continuation of congregate services grants to provide supportive services for frail residents; and \$14,000,000 is provided to extend the Integrated Wellness in Supportive Housing (IWISH) supportive services demonstration for two years. The Committee rejects the "rental reforms" proposed in the budget request.

In addition, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (P.L. 116–136) included \$50,000,000 for Housing for the Elderly to prevent, prepare for, and respond to coronavirus.

*Investments in new construction.*—In fiscal years 2018, 2019, and 2020, the Committee provided a total of \$246,000,000 in funding for new capital construction to address the acute shortage of affordable housing for seniors. After a significant amount of time for planning, the Committee is pleased that in February 2020 the Department announced an initial round of 18 awards for a total of \$51,647,750, which will result in an estimated 1,100 units for very low-income seniors. However, a significant portion of funds have yet to be made available by HUD. The Committee directs the Department to make all remaining funding provided in fiscal years 2018, 2019, and 2020, and the \$110,000,000 in funding provided in this Act, available not later than 60 days after enactment of this Act, and to award this funding not later than 180 days after enactment of this Act.



*Continuation of IWISH demonstration.*—HUD is currently implementing the IWISH demonstration program, a randomized controlled trial on the impact of an enhanced service coordination model on healthcare utilization and continued independent living among seniors in assisted housing. HUD and the Department of Health and Human Services (HHS) are working together to aggregate data for this demonstration, which is due to expire on September 30, 2020. The Committee provides \$14,000,000 to extend the IWISH demonstration for two years, allowing for collection of additional data, which will significantly strengthen the reliability of the research findings on the well-being of older low-income tenants. The Committee directs the Department to continue collaborating with HHS, and specifically the Administration for Community Living, as HUD evaluates the effectiveness of IWISH, including its potential for expansion and cost-savings implications for the healthcare system. The Committee further directs the Department to provide an interim evaluation to the House and Senate Committees on Appropriations not later than 90 days after enactment of this Act.

*Intergenerational housing.*—The recommendation provides up to \$10,000,000 to expand the supply of intergenerational dwelling units for elderly caregivers raising children, as described in the Living Equitably: Grandparents Aiding Children and Youth (LEGACY) Act (P.L. 108–186).

#### HOUSING FOR PERSONS WITH DISABILITIES

Appropriation, fiscal year 2020 .....	\$202,000,000
Budget request, fiscal year 2021 .....	252,000,000
Recommended in the bill .....	227,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+25,000,000
Budget request, fiscal year 2021 .....	-25,000,000

The Housing for Persons with Disabilities (Section 811) program provides eligible private, non-profit organizations with capital grants to finance the acquisition, rehabilitation or construction of supportive housing for disabled persons and provides project-based rental assistance (PRAC) to support operational costs for such units.

#### COMMITTEE RECOMMENDATION

The Committee provides \$227,000,000 for Section 811 activities, which will fully fund project rental assistance and project assistant contract renewals and amendments, to remain available until September 30, 2024. The recommendation also includes \$52,000,000 for new capital advances and project rental assistance contracts to increase the availability of affordable housing for persons with disabilities. The Committee rejects “rental reforms” proposed in the budget request.

In addition, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (P.L. 116–136) included \$15,000,000 for Housing for Persons with Disabilities to prevent, prepare for, and respond to coronavirus.

*Investments in new construction.*—The Committee recommendation includes \$52,000,000 for new capital advances and project rental assistance contracts to increase the availability of affordable

housing for persons with disabilities. From fiscal years 2018–2020, the Committee provided a total of \$152,700,000 for capital advances and project rental assistance contracts. Thus far, the Department has issued Notices of Funding Availability (NOFA) for \$112,000,000, but final awards have not been made. The Committee directs the Department to make all remaining funding provided in fiscal years 2018, 2019, 2020, and funding provided in this Act, available not later than 60 days after enactment of this Act, and to award that funding not later than 180 days after enactment of this Act.

*Importance of supportive services.*—In House Report 116–106, the Committee directed the Department to provide a report on vacancy rates and waiting lists (by State), how 811-funded projects are partnering with service providers including State health and human services departments and Medicaid agencies to provide access to community-based supportive services, and recommendations to ensure that necessary supportive services for tenants are provided in all units. The Committee looks forward to receiving this report and directs the Department to provide it to the House and Senate Committees on Appropriations not later than 50 days after enactment of this Act.

*Capital advances demonstration.*—The Committee is aware of the substantial demand for Section 811 properties and that individuals with mental disabilities must have access to wrap-around services to be successful and avoid more costly institutionalized care. The Committee directs the Secretary to include in fiscal year 2021 awards for new Capital Advances a competitively selected demonstration of up to 100 units that will include funding service coordination to supplement the necessary community-based and property-provided services and the coordination of employment opportunities. The demonstration shall measure the outcomes related to general well-being, health and healthcare utilization of persons with mental health disabilities; analyze the effectiveness of coordination related to the increased access to support services and employment opportunities; and recommendations regarding future models for assistance, including a strategy to work with State governments.

#### HOUSING COUNSELING ASSISTANCE

Appropriation, fiscal year 2020 .....	\$53,000,000
Budget request, fiscal year 2021 .....	45,000,000
Recommended in the bill .....	75,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+22,000,000
Budget request, fiscal year 2021 .....	+30,000,000

The Housing Counseling Assistance program, authorized under Section 106 of the Housing and Urban Development Act of 1968, works with a nationwide network of housing counseling agencies and counselors to provide tools to current and prospective homeowners and renters so that they can make responsible choices to address their housing needs. Housing counseling services range from addressing homelessness and preventing foreclosures and evictions to planning for first-time home purchases. Housing counselors also provide assistance to victims of natural disasters.

## COMMITTEE RECOMMENDATION

The Committee recommends \$75,000,000 for Housing Counseling Assistance, to remain available until September 30, 2022. The Committee retains language that provides two-year funding availability, requires the Department to make grants not later than 180 days after enactment, and allows multi-year agreements.

*Addressing the economic impact of the coronavirus pandemic.*—The Committee recognizes that as a result of the Coronavirus Disease 2019 (COVID-19) pandemic, housing counselors have experienced a significant increase in demand from consumers in need of services, in particular for rental assistance, foreclosure and eviction prevention, and reverse mortgage counseling. The bill provides funding to increase capacity to meet this demand and allows funds to be used to purchase equipment or technology to ensure services can be provided to consumers through electronic or virtual means in response to the COVID-19 pandemic.

*Housing counselor certification.*—The Committee is aware of the August 1, 2020 statutory deadline requiring that counseling services provided by the Department be provided by a HUD certified housing counselor. The Committee strongly supports this requirement, which is essential to ensuring consumers receive high quality services from a trained professional. The Committee is aware that the ongoing COVID-19 pandemic may impact the ability of counselors to prepare for and complete the required exam and directs the Department to ensure that certification trainings and exams can proceed with as little delay as possible. The Committee further directs HUD to provide technical assistance and flexibility to housing counseling organizations, if necessary, and to keep the Committee informed of any necessary actions that may be required in light of the COVID-19 pandemic.

*Real estate fraud.*—The Committee recommends the Department encourage housing counseling agencies to include education warnings about the risk of real estate wire fraud and steps buyers should take to protect themselves. The Committee also recommends the Department require the Office of Housing Counseling to develop brochures and flyers for Housing Counseling agencies to distribute to counseling clients and to group education participants.

## PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND

Appropriation, fiscal year 2020 .....	\$13,000,000
Budget request, fiscal year 2021 .....	14,000,000
Recommended in the bill .....	13,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	— — —
Budget request, fiscal year 2021 .....	– 1,000,000

The Office of Manufactured Housing Programs (OMHP) establishes and enforces Federal standards for the design and construction of manufactured homes to assure quality, durability, safety, and affordability. All manufactured homes are required to meet the Federal standards and fees are charged to producers to cover the costs of administering the program.

## COMMITTEE RECOMMENDATION

The Committee is deeply disappointed by the OMHP's unwillingness or inability to finalize a rule related to State Administrative

Agencies, who partner with OMHP to regulate and enforce the Federal manufactured housing program. The Committee provided \$1,000,000 above the President's budget request in fiscal 2020 in anticipation of a final rule and is disheartened that these funds will not be used for their intended purpose during the intended time. The Committee directs the OMHP to make meaningful progress towards a final rulemaking in an expeditious manner and to provide a written update to the House and Senate Committees on Appropriations on its progress every 30 days until the final rule is issued.

FEDERAL HOUSING ADMINISTRATION  
MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

	Limitation of direct loans	Limitation of guaranteed loans	Administrative contract expenses
Appropriation, fiscal year 2020 .....	\$1,000,000	\$400,000,000,000	\$130,000,000
Budget request, fiscal year 2021 .....	1,000,000	400,000,000,000	130,000,000
Recommended in the bill .....	1,000,000	400,000,000,000	130,000,000
Bill compared with:			
Appropriation, fiscal year 2020 .....	---	---	---
Budget request, fiscal year 2021 .....	---	---	---

The Federal Housing Administration (FHA) provides mortgage insurance for the purchase, refinance, and rehabilitation of single-family homes. FHA mortgage insurance is designed to encourage lenders to make credit available to borrowers whom the conventional market perceives as bearing more risk, including first-time homebuyers, minorities, lower-income families, and residents of underserved areas (central cities and rural areas).

COMMITTEE RECOMMENDATION

*FHA loan limits.*—The Committee encourages HUD to use the highest possible median house price to calculate FHA loan limits for Metropolitan Statistical Areas (MSA) that experienced a drop in FHA loan limits of 20 percent or more when the Housing Economic Recovery Act went into effect. To qualify, MSAs must be at least 1,300 square miles or more in land area.

*Reports on distressed assets.*—The disposition of defaulted FHA-held single family and multifamily mortgages is coordinated by the FHA's Office of Asset Sales with the goal of reducing the number and impact of distressed houses on communities across the country and keeping families in their homes. Understanding whether the FHA is achieving this goal depends on accurate and timely data on not only the terms of sale of the distressed assets, but their effect of these sales on the neighborhood. The Committee encourages the FHA to continue to publish regularly its report on Post Sale Results, to increase the participation of qualified non-profits and local government entities, and to undertake a longitudinal study of the post-sale neighborhood outcomes of the FHA's auction strategies.

*Small dollar loans.*—Not later than one year after enactment of this Act, the Secretary shall submit to the House and Senate Committees on Appropriations a review of its FHA single-family mortgage insurance policies, practices, and products to identify any barriers or impediments to supporting, facilitating, and making available mortgage insurance for mortgages having an original principal

obligation of \$70,000 or less. This review shall include a description of findings, administrative actions that the Department can take to remove barriers and impediments to providing mortgage insurance for such sized mortgages, and the individual and cumulative effect of such actions on the solvency of the Mutual Mortgage Insurance Fund.

#### GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

	Limitation of direct loans	Limitation of guaranteed loans
Appropriation, fiscal year 2020 .....	\$1,000,000	\$30,000,000,000
Budget request, fiscal year 2021 .....	1,000,000	30,000,000,000
Recommended in the bill .....	1,000,000	30,000,000,000
Bill compared with:		
Appropriation, fiscal year 2020 .....	---	---
Budget request, fiscal year 2021 .....	---	---

The FHA general insurance and special risk insurance (GI and SRI) program account includes 17 different programs administered by FHA. The GI fund includes a wide variety of insurance programs for special-purpose single and multifamily loans, including loans for property improvements, manufactured housing, multifamily rental housing, condominiums, housing for the elderly, hospitals, group practice facilities, and nursing homes. The SRI fund includes insurance programs for mortgages in older, declining urban areas that would not be otherwise eligible for insurance, mortgages with interest reduction payments, and mortgages for experimental housing and for high-risk mortgagors who would not normally be eligible for mortgage insurance without housing counseling.

#### GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

##### GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

	Limitation of guaranteed loans	Administrative contract expenses
Appropriation, fiscal year 2020 .....	\$550,000,000,000	\$30,500,000
Budget request, fiscal year 2021 .....	550,000,000,000	31,479,000
Recommended in the bill .....	1,500,000,000,000	55,500,000
Bill compared with:		
Appropriation, fiscal year 2020 .....	+950,000,000,000	+25,000,000
Budget request, fiscal year 2021 .....	+950,000,000,000	+24,021,000

Government National Mortgage Association guarantees the timely payment of principal and interest on mortgage-backed securities issued by private institutions such as mortgage companies and banks. The only loans in these privately issued securities are mortgages either issued or guaranteed by the Federal Housing Administration, the United States Department of Veterans Affairs, and the United States Department of Agriculture.

## POLICY DEVELOPMENT AND RESEARCH

## RESEARCH AND TECHNOLOGY

Appropriation, fiscal year 2020 .....	\$98,000,000
Budget request, fiscal year 2021 .....	94,650,000
Recommended in the bill .....	118,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+20,000,000
Budget request, fiscal year 2021 .....	+23,350,000

Title V of the Housing and Urban Development Act of 1970, as amended, directs the Secretary to undertake programs of research, evaluation, and reports relating to the Department's mission and programs. These functions are carried out internally and through grants and contracts with industry, non-profit research organizations, educational institutions, and through agreements with State and local governments and other Federal agencies. The research programs seek ways to improve the efficiency, effectiveness, and equity of HUD programs and to identify methods to achieve cost reductions. This appropriation is used to support HUD evaluation and monitoring activities and to conduct housing surveys. Finally, funds under this heading are used to support technical assistance activities to the various States, communities, and agencies that are charged with administering HUD's programs and funds.

## COMMITTEE RECOMMENDATION

The Committee recommends \$118,000,000 for this account.

Of the activities proposed in the budget request, the Committee recommends up to \$65,000,000 for the core research programs; including market surveys, research support and dissemination, data acquisition, housing finance studies, research partnerships, housing technology, and \$10,000,000 for cooperative agreements and research partnerships with Historically Black Colleges and Universities.

The Committee recommends up to \$22,000,000 for new and continuing studies and demonstration evaluations, including the:

- Collaboration with the Department of Health and Human Services to review existing programs and identify programmatic areas that could better prioritize or promote on-site childcare supportive services for HUD-assisted families, and make recommendations,
- Qualitative study of how publicly available data on rental property health and safety violations impact landlord and renter behavior,
- Feasibility study to explore how to collect different local policies related to evictions and a statistical effort relating to the creation of an evictions database, including how information is collected, consistent with civil rights protections, to understand eviction trends by classes protected under the Fair Housing Act,
- Unsheltered homelessness,
- Emergency Solutions Grants—CARES Act expansion and eviction prevention study,
- Effectiveness of disaster recovery funding,
- Opportunity Zones research,

- Integrated Wellness in Supportive Housing (IWISH) evaluation extension,
- MTW expansion,
- First-Time Home Buyer Education and Counseling Demonstration: COVID-19 follow-up, and
- Pay for Success-Permanent Supportive Housing Evaluation.

The recommendation does not include additional funding for the Envision Center technical assistance funded in fiscal year 2019 and directs the Department to provide a briefing and report to the House and Senate Committees on Appropriations on the outcomes from fiscal years 2019 and 2020 funding before seeking additional resources.

Further, the Committee's recommendation includes \$31,000,000 for all technical assistance. Of the funds made available under technical assistance, \$5,000,000 shall be available on a competitive basis to non-profit or private sector organizations to provide technical assistance to units of general local government or non-profit organizations that serve counties or census tracts that have had 20 percent or more of the population living in poverty as measured by the 1990 and 2000 decennial census and the most recent five-year data series available from the American Community Survey of the Census Bureau, and any territory or possession of the United States.

As in prior years, the Committee includes a provision in this Act prohibiting funds from being used for a doctoral dissertation research grant program. The Committee also includes a general provision in Title II of this Act that allows the Department to use prior year deobligated or unexpended funds made available to the Office of Policy Development and Research for other research and evaluations. The Committee provides this authority under the condition that any new obligations are subject to the regular re-programming procedures outlined in section 405 of this Act.

## FAIR HOUSING AND EQUAL OPPORTUNITIES

### FAIR HOUSING ACTIVITIES

Appropriation, fiscal year 2020 .....	\$70,300,000
Budget request, fiscal year 2021 .....	65,300,000
Recommended in the bill .....	80,300,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+10,000,000
Budget request, fiscal year 2021 .....	+15,000,000

The Office of Fair Housing and Equal Opportunity (OFHEO) is responsible for implementation and enforcement of the Fair Housing Act, Title VI of the Civil Rights Act of 1964, Section 109 of the Housing and Community Development Act of 1974, Section 504 of the Rehabilitation Act of 1973, Titles II and III of the Americans with Disabilities Act of 1990, the Architectural Barriers Act of 1968, the Age Discrimination Act of 1975, Title IX of the Education Amendments Act of 1972, and Section 3 of the Housing and Urban Development Act of 1968.

OFHEO is responsible for the enforcement, administration, development, and public understanding of federal fair housing policies and laws. OFHEO manages fair housing grants, investigates discrimination complaints, conducts civil rights compliance reviews,

and ensures civil rights protections are included in HUD programs, with the overall goal of preventing housing discrimination.

#### COMMITTEE RECOMMENDATION

The Committee recommends \$80,300,000 for the Office of Fair Housing and Equal Opportunity. The following table provides the funding for various fair housing activities undertaken by the office:

	Request	Recommendation
Fair Housing Assistance Program (FHAP) .....	\$23,900,000	\$27,000,000
Fair Housing Initiative Program (FHIP) .....	39,600,000	51,450,000
Limited English Proficiency Initiative .....	300,000	350,000
National Fair Housing Training Academy .....	1,500,000	1,500,000
Total .....	65,300,000	80,300,000

Of the funds provided for FHIP, not less than \$8,000,000 is for education and outreach programs, and not less than \$900,000 is for Fair Housing Organization Initiatives.

In addition, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (P.L. 116–136) included \$2,500,000 for the OFHEO to prevent, prepare for, and respond to coronavirus.

*FHIP grant disbursements.*—FHIP grants provide critical funding for fair housing entities which play a crucial role in rooting out instances of discrimination and streamlining the complaint process at HUD and in state and federal courts. After ongoing delays in executing FHIP grants—fiscal year 2019 grants were not awarded until March 2020—the Further Consolidated Appropriations Act, 2020 (P.L. 116–94) required that fiscal year 2020 grants be awarded not later than 180 days after enactment of the Act. The Department missed that deadline by two days. The Committee is concerned that the failure to administer these grants in a timely manner threatens the integrity of the program and stymies enforcement of the Fair Housing Act. The Committee again requires that fiscal year 2021 grants be awarded not later than 180 days after enactment of this Act. In addition, the Committee directs the Department to, not later than 30 days after enactment of this Act, provide the House and Senate Committees on Appropriations with a detailed plan and timeline to more swiftly implement the program for fiscal year 2021.

*Transfers from OFHEO.*—To improve the administration of this program and the timeliness of grantmaking, P.L. 116–94 included \$2,000,000 in additional salaries and expenses resources for OFHEO, yet the Department transferred that funding to the Office of the Chief Financial Officer. The Committee is troubled that this action undermined a Congressional priority—ensuring access to fair housing—and the recommendation prohibits all transfers out of OFHEO, as well as the Office of Lead Hazard Control and Healthy Homes, and the Office of the Departmental Equal Employment Opportunity.

*Disparate impact rule.*—The Committee is dismayed by policy decisions from the Department that indicate a shift away from enforcing the Fair Housing Act of 1968, or Title VIII of P.L. 90–284. The Committee believes that the changes proposed in 2019 to the disparate impact rule are inconsistent with decades of case law and that the current disparate impact regulation is consistent with the



disparate impact analysis outlined in the Supreme Court's decision in *Texas Dept. of Housing and Community Affairs v. Inclusive Communities Project, Inc.* The Committee believes the proposed changes will create nearly insurmountable barriers to addressing systemic causes of discrimination by making it almost impossible for plaintiffs who believe they have identified a disparate impact in housing policy to make a successful claim. These actions represent a fundamental abandonment of our obligations under the Fair Housing Act. The Committee directs the Secretary to provide the House and Senate Committees on Appropriations not later than 120 days after enactment of this Act a report on the data utilized to justify the proposed disparate impact rule change. Further, the Committee directs the Department, not later than 120 days after enactment of this Act, to collect and analyze data that estimates the financial impact of the exemption of insurance providers from disparate impact liability on housing providers who accept Section 8 vouchers or otherwise participate in federally subsidized housing programs, such as increased premiums and denial of insurance coverage.

*Fair housing report.*—The Committee is concerned that the OFHEO is inadequately staffed to resolve complaints of discrimination and find justice for families who become homeless or destabilized. The Committee directs the Department to include a comprehensive report on the disposition of housing discrimination complaints in the Secretary's annual fair housing report to Congress (42 U.S.C. 3608(e)(2)). This report should provide the following data for HUD and FHAP jurisdictions: the total number of complaints filed, pending and resolved in the last fiscal year and an analysis of whether the complaint was based on race, religion, sex, national origin, familial status (families with children under the age of 18), and/or disability. The report should also include an analysis of the average wait times from when a complaint is filed to when it is resolved, disaggregated by State, county, and protected basis.

*Discrimination against individuals with disabilities.*—The Committee reminds the Department of the directive included in House Report 116–106 to develop educational materials for individuals with disabilities and for housing providers regarding fair housing rights and obligations, including appropriate policies and practices when dealing with individuals with mental illnesses and intellectual or developmental disabilities. These materials should also assist individuals with disabilities who are leaving institutional or segregated settings by informing them of their legal rights, how to recognize discrimination, and what actions to take when faced with discrimination. The Committee directs the Department to complete these materials not later than 90 days after enactment of this Act.

## OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

## LEAD HAZARD REDUCTION

## (INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2020 .....	\$290,000,000
Budget request, fiscal year 2021 .....	360,000,000
Recommended in the bill .....	340,000,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+50,000,000
Budget request, fiscal year 2021 .....	– 20,000,000

The Office of Lead Hazard Control and Healthy Homes (OLHCHH) is responsible for the administration of the Lead-Based Paint Hazard Reduction program authorized by Title X of the Housing and Community Development Act of 1992. Through the Healthy Homes Initiative, the office also addresses multiple housing-related hazards affecting the health of residents, particularly children. The office develops lead-based paint regulations, guidelines, and policies applicable to HUD programs, and enforces the Lead Disclosure Rule issued under Title X. For both lead-related and healthy homes issues, the office designs and administers programs for grants, training, research, demonstration, and education.

## COMMITTEE RECOMMENDATION

The Committee recommendation includes \$340,000,000 for the OLHCHH. Of this amount, the Committee provides \$70,000,000 for the Healthy Homes Initiative and directs the Department to fund activities aimed at reducing incidences of asthma, mold, pests, and radon. The recommendation also includes \$30,000,000 for a Housing Choice Voucher Lead Risk Assessment Demonstration and allows \$2,000,000 to be transferred from the OLHCHH to Policy Development and Research for research and studies.

*Health hazards in public housing.*—Overall, this recommendation provides \$525,000,000 in resources to improve the health and safety of residents living in all types of HUD-assisted housing. This includes the funding provided in OLHCHH as well as \$170,000,000 provided in the Public Housing Capital Fund to address health hazards such as lead, mold, carbon monoxide, and radon in public housing. The Committee rejects the President's budget request to eliminate the Public Housing Capital Fund and transfer responsibility for addressing health hazards in public housing into OLHCHH.

*Radon testing.*—Radon is a radioactive gas that is created by natural processes underground and is the second-leading cause of lung cancer across the country. The Committee reminds the Department that Healthy Homes funds may be used to address radon. Funding to address radon and other health hazards in public housing are included in the Public Housing Capital Fund.

*Coordination with weatherization activities.*—The Committee directs that of the funds provided for the Healthy Homes Initiative, \$5,000,000 be used for pilot projects in up to five communities that are served by both the Healthy Homes Initiative and the Department of Energy Weatherization Assistance Program (WAP). The Committee directs that grantees under this pilot coordinate Healthy Homes and WAP activities and the Department's evaluation should assess whether that coordination leads to better out-

comes and cost savings in improving the safety and quality of homes. The Committee directs that the evaluation shall be provided to the House and Senate Committees on Appropriations and be made available to grantees and the public.

*Lead in drinking water.*—The Committee encourages the Secretary to work in coordination with the Environmental Protection Agency (EPA) on the EPA's programs to mitigate sources of lead exposure from water from the public water supply, ambient air, and industrial emissions. The Committee provides \$30,000,000 in the Public Housing Capital Fund for a pilot program for water pipe replacement in public housing properties where there is a companion program to replace municipal lead service lines.

*Housing Choice Voucher (HCV) Lead Risk Assessment Demonstration.*—According to the National Housing Law Project, more than 90,000 children in the HCV program have lead poisoning and an additional 340,000 children living in federally subsidized housing are at risk. The Committee notes the value of the OLHCHH as a tool to eliminate childhood lead poisoning. Lead risk assessments are essential in halting exposure to lead-based paint hazards, which has a devastating long-term impact on children's health. The Committee recognizes the need for increased lead inspection standards within federally assisted housing, including public housing and project-based assisted units occupied by a child under age 6. The Department continues to assert that it does not have the statutory authority to require more than a visual lead assessment in HCV housing units, and those limited actions are only required when a child under age 6 resides or is expected to reside in the unit. The Committee provides \$30,000,000 for a HCV Lead Risk Assessment Demonstration and directs HUD to provide the House and Senate Committees on Appropriations with a report on the implementation and findings of this demonstration, including whether public housing agencies can effectively incorporate a lead risk assessment or a lead hazard screen into the HCV units' Housing Quality Standards inspection process while preserving rental housing availability and affordability.

#### CYBERSECURITY AND INFORMATION TECHNOLOGY FUND

##### (INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2020 .....	\$280,000,000
Budget request, fiscal year 2021 .....	257,600,000
Recommended in the bill .....	293,000,000
Bill compared with	
Appropriation, fiscal year 2020 .....	+13,000,000
Budget request, fiscal year 2021 .....	+35,400,000

The Cybersecurity and Information Technology (CIT) Fund finances the information technology (IT) systems that support departmental programs and operations, including mortgage insurance, housing assistance and grant programs, as well as core financial and general operations. More importantly, the CIT prevents breaches into HUD's information technology systems, which contain personal identifiable information, sensitive financial data, and data exchanges with financial institutions.

## COMMITTEE RECOMMENDATION

*Federal Housing Administration (FHA) single-family IT.*—For the third consecutive year, the Committee is investing \$20,000,000 in the FHA single-family IT modernization project. However, the GAO has repeatedly reported to Congress that HUD has shortcomings in its IT management capability. For the FHA single-family IT modernization project, the Committee directs the Department to submit an update every two months to the House and Senate Committees on Appropriations comparing the planned and actual project development performance, including an explanation for any variance and corresponding corrective actions. The Committee further directs the GAO to evaluate these updates and brief the Committees not later than 30 days after the update is submitted.

*IT investment.*—In its top management challenges report, the HUD OIG identified IT as a significant risk to the Department's ability to accomplish its mission. The Department's IT systems are outdated and incompatible with current technology, making them susceptible to failure and breach. The depth and breadth of these issues requires a multiyear investment and strategy. To address these issues, the Committee provides \$35,400,000 above the request for migrating and retiring the remaining 15 COBOL-based legacy systems; streamlining, modernizing, and consolidating grant management systems, including the disaster grant system; and developing and deploying the Office of Native American Programs Loan Origination System.

*Performance plan.*—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 performance plan that—(A) identifies for each modernization project: (i) the functional and performance capabilities to be delivered by date, (ii) the estimated incremental costs associated and the estimated cumulative costs by deliverable date, and (iii) the estimated life-cycle cost; 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.

After the initial performance plan is submitted, the Department shall provide written updates at two-month intervals comparing the initial plan against actual performance. These updates should explain the reasons for any variance between what was planned and what is accomplished and should also explain the actions that will or have been taken to ensure that the Department's performance is in line with its plan.

## OFFICE OF INSPECTOR GENERAL

Appropriation, fiscal year 2020 .....	\$138,200,000
Budget request, fiscal year 2021 .....	133,300,000
Recommended in the bill .....	145,514,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+7,314,000
Budget request, fiscal year 2021 .....	+12,214,000

The Office of Inspector General (OIG) provides agency-wide audit and investigative functions to identify and correct management and administrative deficiencies that create conditions for waste, fraud, and mismanagement. The audit function provides internal audit, contract audit, and inspection services. Contract audits provide professional advice to agency contracting officials on accounting and financial matters relative to negotiation, award, administration, repricing, and settlement of contracts. Internal audits evaluate all facets of agency operations. Inspection services provide detailed technical evaluations of agency operations. The investigative function provides for the detection and investigation of improper and illegal activities involving programs, personnel, and operations.

#### COMMITTEE RECOMMENDATION

The Committee recommends \$145,514,000 for the Office of Inspector General.

The Committee recognizes the importance of the OIG's role in safeguarding against waste and fraud and upholding HUD as a principled and financially sound agency and therefore provides the OIG with funding for external audits. The congressionally mandated and self-initiated reports and investigations undertaken by the OIG continue to be extremely helpful to the Committee.

*CARES Act oversight.*— The Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (P.L. 116–136) included \$5,000,000 for the Office of Inspector General to conduct audits and investigations of projects and activities carried out by the Department of Housing and Urban Development to prevent, prepare for, and respond to coronavirus. The Committee directs the OIG to provide an assessment of HUD's use, accounting, and reporting of CARES Act funding to the House and Senate Committees on Appropriations no later than 120 days after enactment of this Act and at intervals thereafter as the OIG deems appropriate.

#### GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

##### (INCLUDING TRANSFER OF FUNDS)

##### (INCLUDING RESCISSIONS)

Section 201 splits overpayments evenly between Treasury and State HFAs.

Section 202 prohibits funds from being used to investigate or prosecute lawful activities under the Fair Housing Act.

Section 203 requires any grant or cooperative agreement to be made on a competitive basis, unless otherwise provided, in accordance with Section 102 of the Department of Housing and Urban Development Reform Act of 1989.

Section 204 relates to the availability of funds for services and facilities for GSEs and others subject to the Government Corporation Control Act and the Housing Act of 1950.

Section 205 prohibits the use of funds in excess of the budget estimates, unless provided otherwise.

Section 206 relates to the expenditure of funds for corporations and agencies subject to the Government Corporation Control Act.

Section 207 requires the Secretary to provide quarterly reports on uncommitted, unobligated, recaptured, and excess funds in each departmental program and activity.

Section 208 exempts GNMA from certain requirements of the Federal Credit Reform Act of 1990.

Section 209 authorizes HUD to transfer debt and use agreements from an obsolete project to a viable project, provided that no additional costs are incurred and other conditions are met.

Section 210 sets forth requirements for Section 8 voucher assistance eligibility, and includes consideration for persons with disabilities.

Section 211 distributes Native American Housing Block Grants to the same Native Alaskan recipients as in fiscal year 2005.

Section 212 instructs HUD on managing and disposing of any multifamily property that is owned or held by HUD.

Section 213 allows PHAs that own and operate 400 or fewer units of public housing to be exempt from asset management requirements.

Section 214 restricts the Secretary from imposing any requirements or guidelines relating to asset management that restrict or limit the use of capital funds for central office costs, up to the limits established in law.

Section 215 requires that no employee of the Department shall be designated as an allotment holder unless the CFO determines that such employee has received certain training.

Section 216 requires the Secretary to publish all notices of funding availability that are competitively awarded on the internet for fiscal year 2021.

Section 217 requires attorney fees for programmatic litigation to be paid from the individual program office and Office of General Counsel salaries and expenses appropriations.

Section 218 allows the Secretary to transfer up to 10 percent of funds or \$5,000,000, whichever is less, appropriated under the headings "Administrative Support Offices" or "Program Offices" to any other office funded under such headings with certain exceptions.

Section 219 requires HUD to take certain actions against owners receiving rental subsidies that do not maintain safe properties.

Section 220 places a salary and bonus limit on public housing agency officials and employees.

Section 221 requires the Secretary to notify the House and Senate Committees on Appropriations at least 3 full business days before grant awards are announced.

Section 222 prohibits funds to be used to require or enforce the Physical Needs Assessment (PNA).

Section 223 prohibits funds for HUD financing of mortgages for properties that have been subject to eminent domain.

Section 224 prohibits the use of funds to terminate the status of a unit of general local government as a metropolitan city with respect to grants under section 106 of the Housing and Community Development Act of 1974.

Section 225 allows funding for research, evaluation, and statistical purposes that is unexpended at the time of completion of the contract, grant, or cooperative agreement to be reobligated for additional research.

Section 226 authorizes the Secretary on a limited basis to use funds available under the “Homeless Assistance Grants” heading to participate in the multiagency performance partnership pilots program for fiscal year 2021.

Section 227 allows program income as an eligible match for continuum of care funds.

Section 228 permits HUD to provide one year transition grants under the continuum of care program.

Section 229 prohibits the use of funds 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” or the notice entitled, “Affirmatively Further Fair Housing Assessment Tool”.

Section 230 maintains current promise zone designations and agreements.

Section 231 prohibits funds from being used to establish review criteria, including rating factors or preference points, for competitive grants programs for envision center participation or coordination.

Section 232 prohibits funds from being used to make changes to the Annual Contributions Contract that was in effect on December 31, 2017.

Section 233 addresses the establishment of reserves for public housing agencies designated as Moving to Work agencies.

Section 234 prohibits funds from being used to make certain eligibility limitations as part of a notice of funding availability for competitive grant awards under the Public Housing Capital Fund.

Section 235 prohibits funds in this or any other Act from being used to implement, administer, enforce, or in any way make effective the proposed rule entitled the “Making Admission or Placement Determinations Based on Sex in Facilities Under Community Planning and Development Housing Programs.”

Section 236 codifies the sub-regulatory guidance issued by the Department of Housing and Urban Development on February 20, 2015, entitled “Appropriate Placement for Transgender Persons in Single-Sex Emergency Shelters and Other Facilities.”

Section 237 prohibits funds from being 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 on May 10, 2019 (Docket No. FR-6124-P-01), or any final rule based substantively on such proposed rule.

Section 238 rescinds all remaining balances from the Rental Housing Assistance account.

Section 239 allows for certain funding provided in Public Law 113-2 to be used to liquidate valid obligations through September 30, 2025.

## TITLE III—RELATED AGENCIES

## ACCESS BOARD

## SALARIES AND EXPENSES

Appropriation, fiscal year 2020 .....	\$9,200,000
Budget request, fiscal year 2021 .....	9,200,000
Recommended in the bill .....	9,200,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	---
Budget request, fiscal year 2021 .....	---

The United States Access Board (Access Board) was established by section 502 of the Rehabilitation Act of 1973 with the mission of promoting equality for people with disabilities through accessible design and the development of accessibility guidelines and standards for the built environment, transportation, communication, medical diagnostic equipment, and information technology.

The Access Board is responsible for developing guidelines under the Americans with Disabilities Act, the Architectural Barriers Act, and the Communications Act, as well as for developing standards under the Rehabilitation Act for accessible electronic and information technology used by Federal agencies. The Access Board enforces the Architectural Barriers Act and provides training and technical assistance on its guidelines and standards. The Access Board serves on the Election Assistance Commission's Board of Advisors and Technical Guidelines Development Committee to assist in developing voluntary guidelines for voting systems, including accessibility for people with disabilities. Additionally, the Board maintains a small research program that develops technical assistance materials and provides information needed for rulemaking.

## COMMITTEE RECOMMENDATION

The Committee recommends \$9,200,000 for the operations of the Access Board.

## FEDERAL MARITIME COMMISSION

## SALARIES AND EXPENSES

Appropriation, fiscal year 2020 .....	\$28,000,000
Budget request, fiscal year 2021 .....	28,900,000
Recommended in the bill .....	29,800,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+1,800,000
Budget request, fiscal year 2021 .....	+900,000

Established in 1961, the Federal Maritime Commission (FMC) is an independent agency, responsible for the regulation of oceanborne transportation in the foreign commerce of the United States. The FMC monitors ocean common carriers, marine terminal operators, conferences, ports, and ocean transportation intermediaries to ensure they maintain just and reasonable practices. Among other activities, the FMC also maintains a trade monitoring and enforcement program, monitors the laws and practices of foreign governments and their impacts on shipping conditions in the U.S., and enforces special regulatory requirements as they apply to controlled carriers.



The principal shipping statutes administered by the FMC are the Shipping Act of 1984 (46 U.S.C. 40101–41309), the Foreign Shipping Practices Act of 1988 (46 U.S.C. 42301–42307), section 19 of the Merchant Marine Act, 1920 (46 U.S.C. 42101–42109), sections 2 and 3 of Public Law 89–777 (46 U.S.C. 44101–44106), and section 834 of the Frank LoBiondo Coast Guard Authorization Act of 2018 (P.L. 115–282).

#### COMMITTEE RECOMMENDATION

The Committee recommendation provides \$29,800,000 for the FMC. Of the total funds provided, up to \$553,744 is available for the Office of Inspector General.

The Committee provides \$900,000 above the budget request to support the hiring of at least 5 full-time equivalents. The Committee directs the FMC to inform the House and Senate Committees on Appropriations no later than 30 days after enactment of this Act of its hiring plans for these additional resources.

#### NATIONAL RAILROAD PASSENGER CORPORATION

##### OFFICE OF INSPECTOR GENERAL

##### SALARIES AND EXPENSES

Appropriation, fiscal year 2020 .....	\$24,274,000
Budget request, fiscal year 2021 .....	26,248,000
Recommended in the bill .....	26,248,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+1,974,000
Budget request, fiscal year 2021 .....	— — —

The Office of Inspector General (OIG) is an independent, objective unit responsible for detecting and preventing fraud, waste, abuse, and violations of law and for promoting efficiencies and effectiveness at Amtrak.

#### COMMITTEE RECOMMENDATION

The Committee recommendation provides \$26,248,000 for the OIG. The recommendation will allow the OIG to undertake audits, evaluations, and investigations and will ensure effective oversight of Amtrak's programs and operations. The OIG's efforts have resulted in valuable reports and recommendations for the Committee and for Amtrak that have yielded cost savings and management improvements.

*CARES Act oversight.*—The Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (P.L. 116–136) provided \$1,018,000,000 for Amtrak to prevent, prepare for, and respond to coronavirus. The Committee recognizes the need for independent and objective oversight of Amtrak's implementation of the CARES Act funding, and appreciates the OIG's engagement memorandum of April 16, 2020, announcing its intent to monitor and assess Amtrak's administration of the CARES Act funding and any other emergency appropriations Amtrak may receive in response to the coronavirus pandemic. The Committee directs the OIG to provide an assessment of Amtrak's use, accounting, and reporting of the CARES Act funding to the House and Senate Committees on Ap-

proprations no later than 120 days after enactment of this Act and at intervals thereafter as the OIG deems appropriate.

#### NATIONAL TRANSPORTATION SAFETY BOARD

##### SALARIES AND EXPENSES

Appropriation, fiscal year 2020 .....	\$110,400,000
Budget request, fiscal year 2021 .....	116,400,000
Recommended in the bill .....	118,400,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+8,000,000
Budget request, fiscal year 2021 .....	+2,000,000

The National Transportation Safety Board (NTSB) is an independent Federal agency charged by Congress with investigating every civil aviation accident in the United States, as well as significant accidents in other modes of transportation—including railroad, highway, marine and pipeline—and issuing safety recommendations aimed at preventing future accidents.

In addition to its investigatory duties, the NTSB is responsible for maintaining the government's database of civil aviation accidents and conducting special studies of transportation safety issues of national significance. Furthermore, in accordance with the provisions of international treaties, the NTSB supplies investigators to serve as U.S. Accredited Representatives for aviation accidents overseas involving U.S.-registered aircraft, or involving aircraft or major components of U.S. manufacture. The NTSB also serves as the court of appeals for any airman, mechanic or mariner whenever certificate action is taken by the Administrator of the Federal Aviation Administration (FAA) or the U.S. Coast Guard Commandant, or when civil penalties are assessed by the FAA. In addition, the NTSB operates the NTSB Academy in Ashburn, Virginia.

##### COMMITTEE RECOMMENDATION

The Committee recommends \$118,400,000 for the salaries and expenses of the NTSB.

*Most Wanted List.*—The Committee notes that the U.S. Government Accountability Office (GAO) recently found in GAO-20-395 that the NTSB could improve transparency in the selection of the annual Most Wanted List. The Committee encourages the NTSB to comply with the recommendations contained in this GAO report.

*Merrimack Valley.*—The Committee commends the NTSB and its investigators for their outstanding work in producing the accident report on the September 13, 2018 Merrimack Valley, Massachusetts gas explosions. Moreover, the Committee commends the NTSB Chairman for meeting directly with families affected by the gas explosions following the report's release.

#### NEIGHBORHOOD REINVESTMENT CORPORATION

##### PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

Appropriation, fiscal year 2020 .....	\$158,500,000
Budget request, fiscal year 2021 .....	27,400,000
Recommended in the bill .....	208,500,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+50,000,000
Budget request, fiscal year 2021 .....	+181,100,000

The Neighborhood Reinvestment Corporation (NRC) was created by the Neighborhood Reinvestment Corporation Act (title VI of the Housing and Community Development Amendments of 1978). The NRC now operates under the trade name “NeighborWorks America” and helps local communities establish working partnerships between residents and representatives of the public and private sectors. These partnership-based organizations are independent, tax-exempt, community-based non-profit entities, often referred to as NeighborWorks organizations.

#### COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$208,500,000, of which \$5,000,000 shall be for a multi-family rental housing program and \$25,000,000 shall be for a competitive grant program to carry out neighborhood revitalization support activities in areas with concentrations of abandoned or distressed properties. The Committee directs that the NRC brief the House and Senate Committees on Appropriations, the House Committee on Financial Services, and the Senate Committee on Banking, Housing, and Urban Affairs on its proposed competition guidelines no later than 180 days after enactment of this Act.

*Aging in place.*—Due to the rising costs of long-term care and societal changes, the Committee continues to support aging in place programs that modify and improve older homes so that seniors may safely live in those homes for a longer period as they age. The Committee continues to encourage the NRC to continue to support training, counseling, and programs that assist seniors in sustainable aging in place and to identify the conflux of older housing stock, older-population states, and, in particular, older-population regions within those states and to invest robustly in those regions with aging in place housing programs.

#### SURFACE TRANSPORTATION BOARD

##### SALARIES AND EXPENSES

Appropriation, fiscal year 2020 .....	\$37,100,000
Budget request, fiscal year 2021 .....	37,500,000
Recommended in the bill .....	37,500,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	+400,000
Budget request, fiscal year 2021 .....	— — —

The Surface Transportation Board (STB) was created by the ICC Termination Act of 1995 (P.L. 104–88) and is the successor agency to the Interstate Commerce Commission. The STB is an economic regulatory and adjudicatory body charged by the Congress with resolving railroad rate and service disputes and reviewing proposed railroad mergers, and the regulation of other surface transportation carriers, including the intercity bus industry and surface pipeline carriers, and household-good carriers. The Surface Transportation Board Reauthorization Act of 2015 (P.L. 114–110) established the STB as a wholly independent agency.

#### COMMITTEE RECOMMENDATION

The Committee recommendation provides an appropriation of \$37,500,000 for the STB. The STB is estimated to collect

\$1,250,000 in fees, which will offset the appropriation for a total program cost of \$36,250,000.

*Cost-benefit analysis.*—In March 2019, a petition was filed with the STB to institute a rulemaking to adopt procedural rules that would require a cost-benefit analysis in certain future STB rulemaking proceedings. In response, the STB reviewed the practices at other agencies, including independent agencies that, like the STB, are not statutorily required to have cost-benefit analysis procedural rules. In November 2019, the STB issued a solicitation of information to request comments from stakeholders on whether and how particular cost-benefit analysis approaches might be more formally integrated into the STB’s rulemaking process. The Committee understands that there is significant interest in this matter. The Committee encourages the STB to thoroughly review and consider all comments received in response to the solicitation of information. If the STB decides to adopt a cost-benefit analysis procedure for significant rulemakings, then the Committee encourages the STB to request additional resources, as necessary, to ensure the STB has the staffing and expertise to undertake such cost-benefit analyses.

*Water carriers.*—The STB has jurisdiction over water carriers operating in U.S. non-contiguous domestic water transportation, including rate review regulation. To better understand the STB’s role and actions relating to water carriers, the Committee directs the Government Accountability Office (GAO) to examine the STB’s regulatory authorities and past and current actions by the STB utilizing its regulatory authorities in relation to carriers in U.S. non-contiguous domestic water transportation and to assess whether the principles and processes the STB has established for determining the reasonableness of railroad rates could be applied to determining the reasonableness of rates established by carriers in U.S. non-contiguous domestic water transportation. The Committee directs GAO to report its findings and recommendations to the House and Senate Committees on Appropriations no later than 18 months after enactment of this Act.

#### UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS

##### OPERATING EXPENSES

Appropriation, fiscal year 2020 .....	\$3,800,000
Budget request, fiscal year 2021 .....	3,800,000
Recommended in the bill .....	3,800,000
Bill compared with:	
Appropriation, fiscal year 2020 .....	---
Budget request, fiscal year 2021 .....	---

The mission of the United States Interagency Council on Homelessness (USICH) is to coordinate multi-agency Federal response to homelessness.

##### COMMITTEE RECOMMENDATION

The Committee recommends \$3,800,000 for continued operations of the United States Interagency Council on Homelessness. The recommendation places a limitation on the amount of funds that may be used for travel by the Executive Director.

*Housing First.*—The Committee reiterates its support for the Housing First approach to addressing homelessness. Housing First promotes better outcomes for those experiencing homelessness, including improved medical and behavioral health and lower rates of substance misuse, as well as reduced costs to taxpayers related to emergency health care, police, and incarceration services. The Committee recommendation prohibits funds from being spent to promote homelessness interventions unless those interventions include support for evidence-based interventions such as the Housing First model.

*Management concerns and GAO report.*—The Committee is profoundly concerned with the current management of the USICH. The Committee reminds the USICH that it is required to comply with provisions of title IV in this Act, which includes providing the Committee with its operating plan not less than 60 days after the date of enactment of this Act. The Further Consolidated Appropriations Act, 2020 (P.L. 116–94) was enacted on December 20, 2019, however, the USICH did not provide the Committee with its operating plan until March 11, 2020, 22 days after the required date of February 18, 2020, and then only upon request by the Committee.

Further, section 405 of title IV of the Further Consolidated Appropriations Act, 2020 requires the USICH to obtain approval from the House and Senate Committees on Appropriations before it reprograms funds and reorganizes or restructures offices. The Committee is concerned that the USICH has reorganized personnel and significantly reduced the function of the policy team without seeking or receiving Committee approval as required by section 405. The Committee directs the USICH to comply with title IV of this Act and to brief the House and Senate Committees on Appropriations not later than 30 days after the enactment of this Act on its plan to comply with these provisions in fiscal year 2021.

Additionally, the Committee is disturbed that the USICH inexplicably removed its strategic plan, *Home, Together: The Federal Strategic Plan to Prevent and End Homelessness* (*Home, Together*), from its web site, along with other resources related to this plan. *Home, Together* was adopted by a vote of the Council members in April 2018 and released in July 2018, and laid out a plan to address homelessness for fiscal years 2018–2022. The Committee directs the USICH to brief the House and Senate Committees on Appropriations on its work to develop a new strategic plan not later than 30 days after the enactment of this Act.

Further, the Committee directs the Government Accountability Office (GAO) to review the USICH's existing policies, procedures, and processes used to ensure compliance with the funding conditions and reporting requirements in Public Law 116–94 during fiscal year 2020 and to perform its statutory duties and functions in furtherance of its statutory mission, including the duties and functions related to *Home, Together*. The GAO shall consult with the House and Senate Committees on Appropriations on the scope of the report and shall report the results of its review to the Committees not later than one year after the enactment of this Act.

*Trauma-informed care.*—The Committee continues to wait for the USICH to provide a report on what steps can be taken to improve access to trauma-informed care and housing services across all Fed-

eral, state, and local homeless services, outreach, and prevention programs. The USICH was directed to complete this report in House Report 115–750 and it is now more than 10 months overdue. The Committee directs the USICH to complete this report not later than 30 days after the enactment of this Act, and to ensure it reflects current activities, including USICH’s definition of what constitutes trauma-informed care, what strategies USICH is undertaking to advance trauma-informed care, and how that approach will improve access to housing and supportive services.

## TITLE IV

### GENERAL PROVISIONS—THIS ACT

Section 401 prohibits the use of funds 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.

Section 402 prohibits the obligation of funds beyond the current fiscal year and the transfer of funds to other appropriations, unless expressly provided.

Section 403 limits consulting service expenditures through procurement contracts to those contracts contained in the public record, except where otherwise provided under existing law.

Section 404 prohibits funds from being used for certain types of employee training.

Section 405 specifies requirements for the reprogramming of funds and requires agencies to submit a report in order to establish the baseline for the application of reprogramming and transfer authorities.

Section 406 provides that not to exceed fifty percent of unobligated balances for salaries and expenses may remain available until September 30, 2022, for each account for the purposes authorized, subject to the approval of the House and Senate Committees on Appropriations.

Section 407 prohibits the use of funds for any project that seeks to use the power of eminent domain, unless eminent domain is employed only for a public use.

Section 408 prohibits funds from being transferred to any department, agency, or instrumentality of the U.S. Government, except where transfer authority is provided in this or any other appropriations Act.

Section 409 prohibits funds from being used to permanently replace an employee intent on returning to his or her past occupation following completion of military service.

Section 410 prohibits funds from being used by an entity unless the expenditure is in compliance with the Buy American Act.

Section 411 prohibits funds from being made available to any person or entity that has been convicted of violating the Buy American Act.

Section 412 prohibits funds from being used for first-class airline accommodations in contravention of sections 301–10.122 and 301–10.123 of title 41 CFR.

Section 413 prohibits funds from being used for the approval of a new foreign air carrier permit or exemption application if that

approval would contravene United States law or Article 17 bis of the U.S.-E.U.-Iceland-Norway Air Transport Agreement.

Section 414 restricts the number of employees that agencies may send to international conferences unless such attendance is important to the national interest.

Section 415 caps the amount of fees the Surface Transportation Board can charge or collect for rate or practice complaints filed at the amount authorized for district court civil suit filing fees.

Section 416 prohibits the use of funds to purchase or lease new light-duty vehicles for any executive fleet or fleet inventory, except in accordance with Presidential Memorandum-Federal Fleet Performance, dated May 24, 2011.

Section 417 prohibits funds from being used to maintain or establish computer networks unless such networks block the viewing, downloading, or exchange of pornography.

Section 418 prohibits funds from being used to deny an Inspector General timely access to any records, documents, or other materials available to the department or agency over which that Inspector General has responsibilities, or to prevent or impede that Inspector General's access to such records, documents, or other materials.

Section 419 prohibits funds to be used to pay award or incentive fees for contractors whose performance is below satisfactory, behind schedule, over budget, or failed to meet requirements of the contract, with exceptions.

Section 420 prohibits funds from being used in contravention of section 2635.702 of title 5 CFR.

## TITLE V—ADDITIONAL INFRASTRUCTURE INVESTMENTS

### DEPARTMENT OF TRANSPORTATION

#### OFFICE OF THE SECRETARY

#### NATIONAL INFRASTRUCTURE INVESTMENTS

##### (INCLUDING TRANSFER OF FUNDS)

##### COMMITTEE RECOMMENDATION

The Committee recommendation provides an additional \$3,000,000,000 for the National Infrastructure Investments program.

#### CYBER SECURITY INITIATIVES

##### COMMITTEE RECOMMENDATION

The Committee recommendation provides an additional \$10,500,000 for the Cyber Security Initiatives account.

### FEDERAL AVIATION ADMINISTRATION

#### FACILITIES AND EQUIPMENT

##### COMMITTEE RECOMMENDATION

The Committee recommendation provides an additional \$500,000,000 for the Facilities and Equipment account.

GRANTS-IN-AID FOR AIRPORTS

COMMITTEE RECOMMENDATION

The Committee recommendation provides an additional \$2,500,000,000 for Grants-in-Aid for Airports.

FEDERAL RAILROAD ADMINISTRATION

CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS

(INCLUDING TRANSFER OF FUNDS)

COMMITTEE RECOMMENDATION

The Committee recommendation provides an additional \$5,000,000,000 for the Consolidated Rail Infrastructure and Safety Improvements grant program.

MAGNETIC LEVITATION TECHNOLOGY DEPLOYMENT PROGRAM

COMMITTEE RECOMMENDATION

The Committee recommendation provides an additional \$100,000,000 for the Magnetic Levitation Technology Deployment Program.

NORTHEAST CORRIDOR GRANTS TO THE NATIONAL RAILROAD  
PASSENGER CORPORATION

(INCLUDING TRANSFER OF FUNDS)

COMMITTEE RECOMMENDATION

The Committee recommendation provides an additional \$5,000,000,000 for Northeast Corridor (NEC) grants to Amtrak to support operating and capital activities for Amtrak's NEC.

NATIONAL NETWORK GRANTS TO THE NATIONAL RAILROAD PASSENGER  
CORPORATION

COMMITTEE RECOMMENDATION

The Committee recommendation provides an additional \$3,000,000,000 for National Network grants to Amtrak to support operating and capital activities for Amtrak's long-distance and State-supported routes, and other non-NEC activities.

FEDERAL TRANSIT ADMINISTRATION

CAPITAL INVESTMENT GRANTS

COMMITTEE RECOMMENDATION

The Committee recommendation provides an additional \$5,000,000,000 for the Capital Investment Grants program.



MARITIME ADMINISTRATION

OPERATIONS AND TRAINING

COMMITTEE RECOMMENDATION

The Committee recommendation provides an additional \$125,000,000 for the operations and training expenses of the Maritime Administration.

STATE MARITIME ACADEMY OPERATIONS

COMMITTEE RECOMMENDATION

The Committee recommendation provides an additional \$345,500,000 for State Maritime Academy operations.

ASSISTANCE TO SMALL SHIPYARDS

COMMITTEE RECOMMENDATION

The Committee recommendation provides an additional \$100,000,000 for the Assistance to Small Shipyards program.

PORT INFRASTRUCTURE DEVELOPMENT PROGRAM

COMMITTEE RECOMMENDATION

The Committee recommendation provides an additional \$1,000,000,000 for the Port Infrastructure Development Program.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

COMMITTEE RECOMMENDATION

The Committee recommendation provides an additional \$7,500,000 for the Office of Inspector General.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

PUBLIC AND INDIAN HOUSING

PUBLIC HOUSING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

COMMITTEE RECOMMENDATION

The Committee recommendation provides an additional \$24,250,000,000 for the Public Housing Capital Fund.

CHOICE NEIGHBORHOODS INITIATIVE

(INCLUDING TRANSFER OF FUNDS)

COMMITTEE RECOMMENDATION

The Committee recommendation provides an additional \$300,000,000 for the CHOICE Neighborhoods Initiative program.

NATIVE AMERICAN PROGRAMS  
(INCLUDING TRANSFER OF FUNDS)

COMMITTEE RECOMMENDATION

The Committee recommendation provides an additional \$1,000,000,000 for the Native American Programs account.

NATIVE HAWAIIAN HOUSING BLOCK GRANT  
(INCLUDING TRANSFER OF FUNDS)

COMMITTEE RECOMMENDATION

The Committee recommendation provides an additional \$20,000,000 for the Native Hawaiian Housing Block Grant program.

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT FUND  
(INCLUDING TRANSFER OF FUNDS)

COMMITTEE RECOMMENDATION

The Committee recommendation provides an additional \$4,000,000,000 for the Community Development Block Grant formula program.

HOME INVESTMENT PARTNERSHIPS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

COMMITTEE RECOMMENDATION

The Committee recommendation provides an additional \$17,500,000,000 for the HOME Investment Partnerships program.

SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY PROGRAM

COMMITTEE RECOMMENDATION

The Committee recommendation provides an additional \$55,000,000 for the Self-Help and Assisted Homeownership Opportunity Program.

HOUSING PROGRAMS

ASSISTED HOUSING INVESTMENTS  
(INCLUDING TRANSFER OF FUNDS)

COMMITTEE RECOMMENDATION

The Committee recommendation provides \$750,000,000 for capital improvements for properties receiving project-based rental assistance.

HOUSING FOR THE ELDERLY  
(INCLUDING TRANSFER OF FUNDS)

COMMITTEE RECOMMENDATION

The Committee recommendation provides an additional \$750,000,000 for the Housing for the Elderly program.

HOUSING FOR PERSONS WITH DISABILITIES  
(INCLUDING TRANSFER OF FUNDS)

COMMITTEE RECOMMENDATION

The Committee recommendation provides an additional \$179,000,000 for the Housing for Persons with Disabilities program.

OFFICE OF LEAD HAZARD CONTROL AND HEALTHY HOMES

LEAD HAZARD REDUCTION

COMMITTEE RECOMMENDATION

The Committee recommendation provides an additional \$100,000,000 for the programs of the Office of Lead Hazard Control and Healthy Homes.

CYBERSECURITY AND INFORMATION TECHNOLOGY FUND

COMMITTEE RECOMMENDATION

The Committee recommendation provides an additional \$100,000,000 for the Cybersecurity and Information Technology Fund.

OFFICE OF INSPECTOR GENERAL

COMMITTEE RECOMMENDATION

The Committee recommendation provides an additional \$7,500,000 for the Office of Inspector General.

RELATED AGENCY

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

COMMITTEE RECOMMENDATION

The Committee recommendation provides an additional \$300,000,000 for the activities of the Neighborhood Reinvestment Corporation (NeighborWorks).

GENERAL PROVISIONS—ADDITIONAL INFRASTRUCTURE  
INVESTMENTS

Section 501 applies subchapter IV of chapter 31 of title 40, United States Code, to activities funded in this title, with exceptions.

Section 502 specifies conditions for the use of funding made available in this title under the headings “Northeast Corridor Grants to the National Railroad Passenger Corporation” and “National Network Grants to the National Railroad Passenger Corporation”.

#### HOUSE OF REPRESENTATIVES REPORTING REQUIREMENTS

##### STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the following is a statement of general performance goals and objectives for which this measure authorizes funding:

The Committee on Appropriations considers program performance, including a program’s success in developing and attaining outcome-related goals and objectives, in developing funding recommendations.

##### RESCISSION OF FUNDS

Pursuant to clause 3(f)(2) of rule XIII of the Rules of the House of Representatives, the following table lists the rescissions in the accompanying bill:

- Section 106 rescinds the remaining unobligated balances as of September 30, 2020 from amounts made available for the national infrastructure investments program in fiscal years 2017 and 2018, the remaining unobligated balances as of September 30, 2021 from amounts made available for the national infrastructure investments program in fiscal year 2019, and the remaining unobligated balances as of September 30, 2022 from amounts made available for the national infrastructure investments program in fiscal year 2020;
- Section 154 rescinds \$10,414,449.82 from the Capital and Debt Service Grants to the National Railroad Passenger Corporation, \$613,252.29 from the Railroad Safety Technology Program, \$9,867,630.69 from the Capital Assistance to States—Intercity Passenger Rail Service, \$12,650,365.14 from the Rail Line Relocation and Improvement Program, and \$3,019,483.21 from the Next Generation High-Speed Rail accounts under the Federal Railroad Administration;
- Section 168 rescinds \$1,606,849 from the Formula Grants account under the Federal Transit Administration;
- Section 169 rescinds \$320,230 from the Job Access and Reverse Commute account under the Federal Transit Administration;
- Section 169A rescinds \$31,634 from the Research, Training and Human Resources account under the Federal Transit Administration; and
- Section 238 rescinds all unobligated balances from the Rental Housing Assistance account under Housing Programs, Department of Housing and Urban Development.

##### TRANSFER OF FUNDS

Pursuant to clause 3(f)(2) of rule XIII of the Rules of the House of Representatives, the following statements are submitted describing the transfer of funds provided in the accompanying bill.

In title I, under National Infrastructure Investments, language is included to transfer funds to the Federal Highway Administration, the Federal Transit Administration, the Federal Railroad Administration, and the Maritime Administration to fund the award and oversight of grants and credit assistance made under the national infrastructure investments program.

In title I, under Transportation Planning, Research, and Development, language is included to transfer funds into this account from other Federal agencies for expenses incurred by the Interagency Infrastructure Permitting Improvement Center that are not related to transportation infrastructure.

In title I, under Working Capital Fund, language is included to limit the transfer of funds into this account from any agency of the Department.

In title I, under Grant-in-Aid to Airports (Airport and Airway Trust Fund), language is included to transfer funds to the Office of the Secretary to carry out the Small Community Air Service Development Program.

In title I, under Federal Highway Administration, Limitation on Administrative Expenses (Highway Trust Fund), language is included to transfer funds to the Appalachian Regional Commission.

In title I, under Consolidated Rail Infrastructure and Safety Improvements, language is included to transfer funds for projects selected for commuter rail passenger transportation to the appropriate agencies of the Department for administration.

In title I, under Maritime Guaranteed Loan (Title XI) Program Account, language is included to transfer funds to the Operations and Training account for program administration.

In title II, under Working Capital Fund, language is included to transfer funds into this account from any other offices or agencies of the Department.

In title II, under Native American Programs, language is included to transfer funds to the Program Offices—Public and Indian Housing account for program administration.

In title II, under the Office of Lead Hazard Control and Healthy Homes, language is included to transfer funds to Policy Development and Research.

In title II, under Cybersecurity and Information Technology Fund, language is included to transfer funds into this account from any other offices or agencies of the Department.

In title II, language is included in section 218 to transfer funds between the Administrative Support Offices and Program Offices, with certain exceptions and limitations.

In title V, under Department of Transportation, Office of the Secretary, National Infrastructure Investments, language is included to transfer funds to the Federal Highway Administration, the Federal Transit Administration, the Federal Railroad Administration, and the Maritime Administration to fund the award and oversight of grants and credit assistance made under the national infrastructure investments program.

In title V, under Department of Transportation, Federal Railroad Administration, Consolidated Rail Infrastructure and Safety Improvements, language is included to transfer funds for projects selected for commuter rail passenger transportation to the appropriate agencies of the Department for administration.

In title V, under Department of Transportation, Federal Railroad Administration, Northeast Corridor Grants to the National Railroad Passenger Corporation, language is included to transfer funds to the National Railroad Passenger Corporation-Office of Inspector General-Salaries and Expenses account to conduct audits and investigations of projects and activities.

In title V, under Department of Housing and Urban Development, Public and Indian Housing, Public Housing Capital Fund, language is included to transfer funds to the Department of Housing and Urban Development, Program Offices-Public and Indian Housing for program administration.

In title V, under Department of Housing and Urban Development, Public and Indian Housing, Choice Neighborhoods Initiative, language is included to transfer funds to the Department of Housing and Urban Development, Program Offices-Public and Indian Housing for program administration.

In title V, under Department of Housing and Urban Development, Public and Indian Housing, Native American Programs, language is included to transfer funds to the Department of Housing and Urban Development, Program Offices-Public and Indian Housing account for program administration.

In title V, under Department of Housing and Urban Development, Public and Indian Housing, Native Hawaiian Housing Block Grant, language is included to transfer funds to the Department of Housing and Urban Development, Program Offices-Public and Indian Housing account for program administration.

In title V, under Department of Housing and Urban Development, Community Planning and Development, Community Development Fund, language is included to transfer funds to the Department of Housing and Urban Development, Program Offices-Community Planning and Development for program administration.

In title V, under Department of Housing and Urban Development, Community Planning and Development, HOME Investment Partnerships Program, language is included to transfer funds to the Department of Housing and Urban Development, Program Offices-Community Planning and Development for program administration.

In title V, under Department of Housing and Urban Development, Housing Programs, Assisted Housing Investments, language is included to transfer funds to the Department of Housing and Urban Development, Program Offices-Office of Housing for program administration.

In title V, under Department of Housing and Urban Development, Housing Programs, Housing for the Elderly, language is included to transfer funds to the Department of Housing and Urban Development, Program Offices-Office of Housing for program administration.

In title V, under Department of Housing and Urban Development, Housing Programs, Housing for Persons with Disabilities, language is included to transfer funds to the Department of Housing and Urban Development, Program Offices-Office of Housing for program administration.

DISCLOSURE OF EARMARKS AND CONGRESSIONALLY DIRECTED  
SPENDING ITEMS

Neither the bill nor the report contains any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

COMPLIANCE WITH RULE XIII, CL. 3(e) (RAMSEYER RULE)

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, the Committee notes that the accompanying bill does not propose to repeal or amend a statute or part thereof.

CHANGES IN THE APPLICATION OF EXISTING LAW

Pursuant to clause 3(f)(1)(A) of rule XIII of the Rules of the House of Representatives, the following statements are submitted describing the effect of provisions in the accompanying bill that directly or indirectly change the application of existing law.

TITLE I—DEPARTMENT OF TRANSPORTATION

Language is included under Office of the Secretary, ‘Salaries and Expenses’ specifying certain amounts for individual offices of the Office of the Secretary and official reception and representation expenses, specifying transfer authority among individual offices of the Office of the Secretary, allowing up to \$2,500,000 in user fees to be credited to the account, and preventing funds for certain activities.

Language is included under the Office of the Secretary, ‘Research and Technology’ which limits the availability of funds, changes the availability of funds, provides funds for specified activities, allows funds received from other entities to be credited to the account, and deems the title of the office.

Language is included under the Office of the Secretary, ‘National Infrastructure Investments’ which authorizes and appropriates grant funding for surface transportation infrastructure to be competitively awarded at the discretion of the Secretary, limits the availability of funds, specifies grantee and project eligibility requirements, authorizes a portion of funds for planning, preparation, and design of projects, authorizes a portion of the funds for Federal credit assistance awards, specifies requirements for how the Secretary shall prioritize funding and select projects, specifies minimum and maximum grants sizes and sets limits on awards per project and per state, specifies a limit on Federal share of projects receiving awards, establishes minimum funding amounts for rural and urban projects, authorizes the Secretary to use funds for departmental administrative costs, and establishes requirements and deadlines for when and how the Secretary shall solicit applications for grants and make awards.

Language is included under the Office of the Secretary, ‘National Surface and Innovative Finance Bureau’ which makes funding available until expended, authorizes and appropriates planning grant funding to assist areas of persistent poverty, specifies grantee and project eligibility requirements, specifies a limit on Federal share of projects receiving awards, specifies minimum and maximum grant sizes, specifies requirements for how the Secretary

shall prioritize funding, and authorizes the Secretary to use funds for departmental administrative costs.

Language is included under Office of the Secretary, ‘Railroad Rehabilitation and Improvement Financing Program’ which authorizes and appropriates funding to repay the credit risk premium of certain loans, authorizes the Secretary to issue direct loans and loan guarantees under sections 501 through 504 of the Railroad Revitalization and Regulatory Reform Act, and provides authority availability.

Language is included under the Office of the Secretary, ‘Financial Management Capital’ which provides funds for financial systems and business process upgrades and changes the availability of funds.

Language is included under the Office of the Secretary, ‘Cyber Security Initiatives’ which provides funds for information technology security upgrades and changes the availability of funds.

Language is included under the Office of the Secretary, ‘Transportation Planning, Research, and Development’ which provides funds for conducting transportation planning, research, and development activities and making grants; changes the availability of funds; and specifies funding minimums for and authorities related to the Interagency Infrastructure Permitting Improvement Center.

Language is included that limits operating costs and capital outlays of the Working Capital Fund for the Department of Transportation (DOT); provides that services shall be provided on a competitive basis, except for non-DOT entities; restricts the transfer for any funds to the Working Capital Fund with certain approvals; and limits special assessments or reimbursable agreements levied against any program, project, or activity funded in this Act to only those assessments or reimbursable agreements that are presented to and approved by the House and Senate Committees on Appropriations.

Language is included under Office of the Secretary, ‘Small and Disadvantaged Business Utilization and Outreach’ limiting the availability of funds, specifying that funds may be used for business opportunities related to any mode of transportation, and specifying that funds may be used for activities previously under the heading “Office of the Secretary—Minority Business Resource Center”.

Language is included under the Office of the Secretary, “Payments to Air Carriers” that allows the Secretary of Transportation to consider subsidy requirements when determining service to a community, eliminates the requirement that carriers use at least 15-passenger aircraft, prohibits funds for communities within a certain distance of a small hub airport without a cost-share, allows amounts to be made available from the Federal Aviation Administration, and allows the reimbursement of such amounts from overflight fees.

Section 101 prohibits the Office of the Secretary of Transportation from approving assessments or reimbursable agreements pertaining to funds appropriated to the operating administrations in this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.



Section 102 requires the Secretary to post on the internet a schedule of all Council on Credit and Finance meetings, agendas, and meeting minutes.

Section 103 allows the Department's Working Capital Fund (WCF) to provide payments in advance to vendors for the Federal transit pass fringe benefit program and to provide full or partial payments to, and to accept reimbursements from, Federal agencies for transit benefit distribution services.

Section 104 allows the Department's WCF to provide payments in advance to commercial vendors for the Federal transit pass fringe benefit program and requires the Department to include safeguards in the contract with vendors.

Section 105 allows the Department's WCF to utilize not more than \$1,000,000 in fiscal year 2021 unused van pool benefits to provide contractual services in support of section 190 of this Act.

Section 106 extends the obligation date for the amounts made available for the national infrastructure investments program for fiscal years 2017, 2018, 2019, and 2020.

Language is included under the Federal Aviation Administration, "Operations" that specifies funds for certain activities; limits the availability of funds; derives funds from the general fund, specifies reprogramming authorities among activities; requires various staffing plans by a certain date with financial penalties for late submissions; permits the use of funds to enter into a grant agreement with a nonprofit standard setting organization to develop aviation safety standards; prohibits the use of funds for new applicants of the second career training program; prohibits funds to plan, finalize, or implement any regulation that would promulgate new aviation user fees not specifically authorized by law; credits funds received from other entities for expenses incurred in the provision of agency services; specifies funds for the contract tower program; prohibits funds from certain activities coordinated through the Working Capital Fund; and prohibits funds to eliminate the Contract Weather Observer program.

Language is included under Federal Aviation Administration, "Facilities and Equipment" that funds various activities from the general fund, limits the availability of funds, credits funds received from other entities for expenses incurred in the modernization of air navigation systems, and requires a capital investment plan.

Language is included under Federal Aviation Administration, "Research, Engineering and Development" that provides funds from the general fund; limits the availability of funds; credits funds received from other entities for expenses incurred for in research, engineering and development to the account; requires funds to be used in accordance with the report accompanying this Act; and specifies reprogramming authorities among amounts in the report subject to section 405 of this Act.

Language is included under Federal Aviation Administration, "Grants-in-aid for Airports" that provides funds from the Airport and Airway Trust Fund and from the general fund; specifies the availability of funds; prohibits funds for certain activities; sets a cost share requirement on certain airport construction projects; limits the availability of funds for certain activities; allows the participation of certain additional airports; allows the Federal share of certain grants to be 95 percent; allows funds to be used for admin-

istrative expenses, research, and the “Small Community Air Service Development Program”; and defines airport eligibility.

Section 110 allows no more than 600 technical staff-years at the center for advanced aviation systems development.

Section 111 prohibits funds from being used to adopt guidelines or regulations requiring airport sponsors to provide the FAA “without cost” building construction or space.

Section 112 allows reimbursement for fees collected and credited under 49 U.S.C. 45303.

Section 113 allows reimbursement of funds for providing technical assistance to foreign aviation authorities to be credited to the operations account.

Section 114 prohibits funds from being used for Sunday premium pay unless work was actually performed on a Sunday.

Section 115 prohibits funds from being used to buy store gift cards with government issued credit cards.

Section 116 prohibits funds from being obligated or expended for retention bonuses for FAA employees without prior written approval of the DOT Assistant Secretary for Administration.

Section 117 requires, upon the request of an owner or operator, the Secretary to block the display of an owner or operator’s aircraft registration number in the aircraft situational display to industry program.

Section 118 prohibits funds from being used for salaries and expenses of more than nine political and Presidential appointees in the FAA.

Section 119 prohibits funds from being used to increase fees under 49 U.S.C. 44721 until the FAA provides a report to the House and Senate Committees on Appropriations that justifies all fees related to aeronautical navigation products and explains how such fees are consistent with Executive Order 13642.

Section 119A requires the FAA to notify the House and Senate Committees on Appropriations at least 90 days before closing a regional operations center or reducing the services provided.

Section 119B prohibits funds from being used to change weight restrictions or prior permission rules at Teterboro Airport in New Jersey.

Section 119C prohibits funds from being used to withhold from consideration and approval certain applications for participation in the contract tower program or for certain reevaluations of cost-share program participation.

Section 119D prohibits funds from being used to open, close, redesignate, or reorganize a regional office, the aeronautical center, or the technical center subject to the normal reprogramming requirements outlined under section 405 of this Act.

Language is included under the Federal Highway Administration, ‘Limitation on Administrative Expenses’ that limits the amount to be paid, together with advances and reimbursements received, for the administrative expenses of the agency. In addition to this limitation, an amount is specified that is to be made available to the Appalachian Regional Commission for administrative expenses.

Language is included under the Federal Highway Administration, ‘Federal-aid Highways’ that limits the obligations for Federal-aid highways and highway safety construction programs; allows the

Secretary to charge, collect and spend fees for the costs of underwriting and servicing Federal credit instruments; and provides that such amounts are in addition to administrative expenses, and not subject to any obligation limitation or limitation on administrative expenses under section 608 of title 23, U.S.C., and are available until expended.

Language is included under the Federal Highway Administration, 'Federal-aid Highways' that liquidates contract authority from the Highway Trust Fund.

Language is included under the Federal Highway Administration, 'Highway Infrastructure Programs' that authorizes and appropriates additional amounts for activities eligible under sections 133(b), 130(a), 151, 165(b)(2), 165(c)(6), and section 202 of title 23, U.S.C., the Appalachian Development Highway System, the Nationally Significant Federal lands and tribal projects program, the Regional Infrastructure Accelerator Demonstration Program, and an Advanced Digital Construction Management System, as authorized under the FAST Act, a National Road Network Pilot Program, and a research study on Tribal populations. Language specifies the formula distribution of funding, applies and waives various statutory requirements for each subset of funding, and changes the availability of funds.

Section 120 distributes obligation authority among Federal-aid highways programs, contingent on enactment of authorization legislation.

Section 121 credits funds received by the Bureau of Transportation Statistics to the Federal-aid highways account.

Section 122 provides requirements for any waiver of the Buy America Act.

Section 123 requires Congressional notification before the Department provides credit assistance under section 603 and 604 of title 23, U.S.C.

Section 124 requires 60-day notification to the House and Senate Committees on Appropriations of any grants as authorized under 23 U.S.C. 117.

Section 125 allows state departments of transportation to repurpose certain highway project funding to be used within 5 miles of its original designation.

Section 126 requires the Federal Highway Administration to adjudicate Buy America waivers based on the rules and regulations in effect before April 17, 2017, and to process those requests within 90 days of their receipt.

Language is included under the Federal Motor Carrier Safety Administration, 'Motor Carrier Safety Operations and Programs' that provides a limitation on obligations and liquidation of contract authorization; changes the availability of funds; and specifies amounts available for specific activities.

Language is included under the Federal Motor Carrier Safety Administration, 'Motor Carrier Safety Grants' that provides limitation on obligations and liquidation of contract authorization; modifies the availability of certain funds; and specifies amounts available for various programs.

Section 130 requires the Federal Motor Carrier Safety Administration to send notices of certain violations such that the receipt of such notice is confirmed.

Section 131 requires the Federal Motor Carrier Safety Administration to require rear underride guards be inspected annually.

Language is included under National Highway Traffic Safety Administration, 'Operations and Research' that provides funds for vehicle safety activities; and modifies the period of availability of certain funds.

Language is included under National Highway Traffic Safety Administration, 'Operations and Research' that provides a limitation on obligations and a liquidation of contract authorization from the Highway Trust Fund; specifies amounts for various programs; and modifies the period of availability of certain funds.

Language is included under the National Highway Traffic Safety Administration 'Highway Traffic Safety Grants' that provides a limitation on obligations; changes the availability of funds; provides a liquidation of contract authorization from the Highway Trust Fund; specifies the amounts for various programs; prohibits and limits funds for specific purposes; and requires certain Congressional notifications.

Section 140 provides funding for travel and related expenses for state management reviews and highway safety core competency development training.

Section 141 exempts obligation authority that was made available in previous public laws from limitations on obligations set in this Act.

Section 142 authorizes and appropriates additional funding for activities eligible under section 403 of title 23 and changes the availability of funds.

Section 143 prohibits the National Highway Traffic Safety Administration from using funds to enforce requirements imposed by section 405(a)(9) of title 23.

Language is included under Federal Railroad Administration, 'Safety and Operations' which provides funds and funding availability.

Language is included under Federal Railroad Administration, 'Railroad Research and Development' which provides funds and funding availability.

Language is included under the Federal Railroad Administration, 'Federal-State Partnership for State of Good Repair' which provides funds, provides funding availability, allows the Secretary to withhold funds for a specified purpose, expands project eligibility, modifies preference relating to the Federal share of projects receiving awards, and establishes requirements and deadlines for when and how the Secretary shall solicit applications for grants and make awards.

Language is included under the Federal Railroad Administration, 'Consolidated Rail Infrastructure and Safety Improvements' which provides funds and provides funding availability. Language sets aside amounts for specified purposes, expands applicant eligibility, allows certain funds to be transferred based on criteria, expands project eligibility, modifies preference relating to the Federal share of projects receiving awards, and allows unobligated balances remaining after six years to be used for any eligible project. Language allows the Secretary to withhold funding for a specified purpose and establishes requirements and deadlines for when and how the Secretary shall solicit applications for grants and make awards.

Language is included under the Federal Railroad Administration, ‘Magnetic Levitation Technology Deployment Program’ which provides funds and funding availability.

Language is included under the Federal Railroad Administration, ‘Northeast Corridor Grants to the National Railroad Passenger Corporation’ which provides funds and funding availability, allows the Secretary to withhold funding for specified purposes, and sets aside amounts for specified activities.

Language is included under the Federal Railroad Administration, ‘National Network Grants to the National Railroad Passenger Corporation’ which provides funding and funding availability, allows the Secretary to withhold funding for a specified purpose, and prevents funding from being used for a specified purpose.

Section 150 limits overtime to \$35,000 per Amtrak employee and allows Amtrak’s president to waive this restriction for specific employees for safety or operational efficiency reasons. It also requires Amtrak to submit a report to the House and Senate Committees on Appropriations no later than 60 days after enactment of this Act summarizing overtime payments incurred by Amtrak for calendar year 2020 and the 3 prior calendar years. The summary shall include the total number of employees that received waivers and the total overtime payments paid to employees receiving waivers for each month for 2020 and the 3 prior calendar years.

Section 151 prohibits the use of funds made available to Amtrak to reduce the total number of Amtrak Police Department uniformed officers patrolling on board passenger trains or at stations, facilities, or rights-of-way below the staffing level on May 1, 2019.

Section 152 prohibits the use of funds made available by this Act by Amtrak in contravention of the Worker Adjustment and Retraining Notification Act.

Section 153 provides that unobligated balances remaining for the CRISI grant program after 6 years from the date of enactment of P.L. 116–6 and after 6 years from the date of enactment of P.L. 116–94 may be used for any eligible project under section 22907(c) of title 49, United States Code.

Section 154 rescinds certain unobligated balances.

Language is included under Federal Transit Administration, ‘Administrative Expenses’ specifying amounts for certain activities, modifying the period of availability, prohibiting a permanent office of transit security, and directing the submission of the annual report on new starts.

Language is included under Federal Transit Administration, ‘Transit Formula Grants’ that provides a limitation on obligations from the Highway Trust Fund, and provides for the liquidation of contract authority.

Language is included under Federal Transit Administration, ‘Transit Infrastructure Grants’ that specifies amounts for certain activities authorized by sections 5339, 5307, and 5312 of title 49 U.S.C., from the general fund, and are not subject to any limitation on obligations.

Language is included under Federal Transit Administration ‘Technical Assistance and Training’ that specifies amounts for certain activities.

Language is included under Federal Transit Administration, ‘Capital Investment Grants’ that specifies amounts for specific pur-

poses and requires the Secretary to continue to administer the capital investment grant program pursuant to 49 U.S.C. 5309.

Language is included under Federal Transit Administration, ‘Grants to the Washington Metropolitan Area Transit Authority’ that requires the Secretary to review projects before a grant is made, requires the Secretary to place the highest priority on safety investments, and allows the Secretary to waive the requirement for cellular phone service.

Section 160 exempts previously made transit obligations from limitations on obligations.

Section 161 allows funds appropriated for capital investment grants and bus and bus facilities not obligated by a certain date, plus other recoveries to be available for other projects under 49 U.S.C. 5309.

Section 162 allows for the transfer of prior year appropriations from older accounts to be merged into new accounts with similar, current activities.

Section 163 prohibits the enforcement of the Rostenkowski Test.

Section 164 allows certain recipients of Low and No Emission Bus Grants to continue to partner with non-profits and companies as part of their grant applications.

Section 165 prohibits the use of funds to impede or hinder project advancement or approval for any project seeking a Federal contribution from the Capital Investment Grants program of greater than 40 percent of project costs.

Section 166 prohibits the use of funds to implement the June 29, 2018 “Dear Colleague” letter distributed by the Federal Transit Administration to capital investment grant program project sponsors.

Section 167 prohibits the use of funds by the Department of Transportation to implement policies that require a project to receive a medium or higher project rating within the Capital Investment Grants program before taking actions to finalize an environmental impact statement.

Section 168 rescinds unobligated amounts made available in prior fiscal years from the formula grants account.

Section 169 rescinds unobligated amounts made available in prior fiscal years from the job access and reverse commute account.

Section 169A rescinds unobligated amounts made available in prior fiscal years from the research, training, and human resources account.

Language is included under the Saint Lawrence Seaway Development Corporation which authorizes expenditures, contracts, and commitments as may be necessary.

Language is included under the Saint Lawrence Seaway Development Corporation, ‘Operations and Maintenance’ which provides funds derived from the Harbor Maintenance Trust Fund and specifies a certain amount for the seaway infrastructure program.

Language is included under Maritime Administration, ‘Maritime Security Program’ which provides funds and funding availability.

Language is included under Maritime Administration, ‘Cable Security Fleet Program’ which provides funds and funding availability.

Language is included under Maritime Administration, ‘Operations and Training’ which provides funds for specific purposes, limits funding availability, requires submission of the annual re-

port on sexual assault and harassment at the United States Merchant Marine Academy, allows the use of prior year recoveries for specific purposes, and establishes deadlines for when the Secretary shall make grants.

Language is included under Maritime Administration, 'State Maritime Academy Operations' which provides funds for specific purposes and limits funding availability.

Language is included under Maritime Administration, 'Assistance to Small Shipyards' which provides funds and funding availability.

Language is included under Maritime Administration, 'Ship Disposal' which provides funds and funding availability.

Language is included under Maritime Administration, 'Maritime Guaranteed Loan (Title XI) Program Account' which provides funds, and transfers and merges funds with "Maritime Administration—Operations and Training".

Language is included under Maritime Administration, 'Port Infrastructure Development Program', which provides funds and funding availability, sets aside amounts for specified purposes, specifies grantee and project eligibility requirements, specifies a limit on Federal share of projects receiving awards, modifies preference relating to the Federal share of projects receiving awards, specifies a minimum grant size, specifies requirements for how the Secretary shall prioritize funding and select projects, allows proceeds of Federal credit assistance to be considered part of the non-Federal share of project cost under certain circumstances, and allows the withholding of funds for a specified purpose.

Section 170 authorizes the Maritime Administration (MARAD) to furnish utilities and services and to make necessary repairs in connection with any lease, contract, or occupancy involving government property under control of MARAD and allows payments received to be credited to the Treasury and to remain available until expended.

Section 171 requires MARAD to use prior year unobligated balances from the maritime security program to provide an additional \$500,000 in fiscal year 2021 for each vessel covered by an operating agreement as of the date of enactment of this Act and to make such payments no later than 60 days after enactment of this Act.

Language is included under Pipeline and Hazardous Materials Safety Administration, 'Operational Expenses' which provides funding and funding availability.

Language is included under Pipeline and Hazardous Materials Safety Administration, 'Hazardous Materials Safety' which provides funding and funding availability, allows fees collected under 49 U.S.C. 5108(g) to be deposited in the general fund of the Treasury, and allows credits to this appropriation for funds received from other entities for certain expenses.

Language is included under Pipeline and Hazardous Materials Safety Administration, 'Pipeline Safety' which specifies amounts derived from the Pipeline Safety Fund, the Oil Spill Liability Trust Fund, and the Underground Natural Gas Storage Facility Safety Account; limits availability of funds; and specifies a minimum amount for certain activities.

Language is included under Pipeline and Hazardous Materials Safety Administration, 'Emergency Preparedness Grants' which

specifies the amount derived from the Emergency Preparedness Fund, limits the availability of funds, allows up to four percent of funds for administrative costs, and allows prior year recoveries for certain activities.

Language is included under Office of Inspector General, 'Salaries and Expenses' that provides funding and provides the Inspector General with all necessary authority to investigate allegations of fraud by any person or entity that is subject to regulation by the Department of Transportation.

Section 180 provides authorization for DOT to maintain and operate aircraft, hire passenger motor vehicles and aircraft, purchase liability insurance, buy uniforms, or allowances therefor.

Section 181 limits appropriations for services authorized by section 3109 of title 5, United States Code, to the rate permitted for an Executive Level IV.

Section 182 prohibits recipients of funds in this Act from disseminating personal information obtained by State DMVs in connection to motor vehicle records with an exception.

Section 183 prohibits funds in this Act for salaries and expenses of more than 125 political and Presidential appointees in DOT.

Section 184 stipulates that revenue collected by the Federal Highway Administration (FHWA) and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for training may be credited to specific accounts within the agencies with an exception for State rail safety inspectors participating in training.

Section 185 prohibits DOT from using funds to make a loan, loan guarantee, line of credit, cooperative agreement, or discretionary grant, unless DOT provides a 3-day advance notice to the House and Senate Committees on Appropriations. The provision requires concurrent notice of any "quick release" of funds from FHWA's emergency relief program, and prohibits notifications from involving funds not available for obligation. The provision also requires DOT to provide a comprehensive list of all loans, loan guarantees, lines of credit, cooperative agreements, or discretionary grants that will be announced with a 3-day advance notice to the House and Senate Committees on Appropriations.

Section 186 allows funds received from rebates, refunds, and similar sources to be credited to appropriations of DOT.

Section 187 allows amounts from improper payments to a third-party contractor that are lawfully recovered by DOT to be made available until expended to cover expenses incurred in recovery of such payments.

Section 188 requires that reprogramming actions have to be approved or denied by the House and Senate Committees on Appropriations, and reprogramming notifications shall be transmitted solely to the Appropriations Committees.

Section 189 allows funds appropriated to operating administrations to be obligated for the Office of the Secretary for costs related to assessments only when such funds provide a direct benefit to that operating administration.

Section 190 authorizes the Secretary to carry out a program that establishes uniform standards for developing and supporting agency transit pass and transit benefits, including distribution of transit benefits.



Section 191 allows the use of funds to assist a contract utilizing geographic, economic, or other hiring preference not otherwise authorized by law, only if certain requirements are met related to availability of local labor, displacement of existing employees, and delays in transportation plans.

Section 192 directs the Secretary of Transportation to work with the Secretary of Homeland Security to ensure that best practices for Industrial Control Systems procurement are up to date and that systems procured with funds provided under this title were procured using such practices.

Section 193 prohibits de-obligated funds associated with Cooperative Agreement No. FR-HSR-0118-12-01-01 from being made available for any purpose until the final determination of any litigation concerning such funds.

Section 194 prohibits DOT from using funds in this Act to consolidate governmental affairs activities across the Department in the Office of Governmental Affairs in the Office of the Secretary or public affairs activities across the Department in the Office of Public Affairs in the Office of the Secretary. The provision also prohibits operating administrations from transferring personnel to the Office of Governmental Affairs in the Office of the Secretary or the Office of Public Affairs in the Office of the Secretary.

## TITLE II—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Language is included under Department of Housing and Urban Development, “Management and Administration”, “Executive Offices” that limits funds available for reception and representation and requires a report.

Language is included under Department of Housing and Urban Development, “Management and Administration”, “Administrative Support Offices” that specifies funds for the Office of the Chief Financial Officer, the Office of the General Counsel, the Office of the Assistant Secretary for Administration, the Office of Field Policy and Management, the Office of Departmental Equal Employment Opportunity, and the Office of the Chief Information Officer; allows funds for certain administrative expenses; requires a quarterly reports on congressional reports; requires congressional reports to be submitted electronically; applies a condition to obligation of funds for the financial transformation initiative; and requires an expenditure plan for the financial transformation initiative.

Language is included under Department of Housing and Urban Development, “Management and Administration”, “Program Offices” that specifies funds for the Office of Public and Indian Housing, Office of Community Planning and Development, Office of Housing, Office of Policy Development and Research, Office of Fair Housing and Equal Opportunity, and Office of Lead Hazard Control and Healthy Homes.

Language is included under Department of Housing and Urban Development, “Management and Administration”, “Working Capital Fund” which specifies the shared services to be used by the Department, specifies the conditions for reimbursement, and allows for additional salaries and expenses amounts to be merged with the Working Capital Fund.

Language is included under Department of Housing and Urban Development, 'Tenant-Based Rental Assistance' which specifies funds for certain programs, activities and purposes and limits the use and availability of certain funds; specifies the methodology for allocation of renewal funding (including renewals of enhanced vouchers); directs the Secretary to provide renewal funding based on validated voucher system leasing and cost data for the prior year; directs the Secretary, to the extent necessary, to prorate each public housing agency's (PHA) allocation; directs the Secretary to notify PHAs of their annual budget the later of 60 days after enactment of the Act or March 1, 2021; allows the Secretary to extend the notification period with the prior approval of the House and Senate appropriations committees; specifies the amounts available to the Secretary to allocate to PHAs that need additional funds and for fees; specifies the amount for additional rental subsidy due to unforeseen emergencies and portability; provides funding for public housing agencies with 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); provides funding for various adjustments in the allocations for public housing agencies; provides funding for public housing agencies that despite taking reasonable measures, would otherwise be required to terminate assistance for families as a result of insufficient funding; and provides funding for public housing agencies that have experienced increased costs or loss of units in an area with a Presidentially declared disaster.

Language is included under Department of Housing and Urban Development, 'Tenant-Based Rental Assistance' which provides funds for tenant protection vouchers; sets certain conditions for the Secretary to provide such vouchers; provides funds for residents of multi-family properties that would not otherwise have been eligible for tenant-protection vouchers; sets eligibility requirements for multi-family properties to participate in the program; requires the Secretary to issue guidance on requirements; sets conditions for the reissuance of vouchers; and allows the Secretary to use unobligated and recaptured funds from prior years.

Language is included under Department of Housing and Urban Development, 'Tenant-Based Rental Assistance' which provides funds for administrative and other expenses of public housing agencies to administer the section 8 tenant-based rental assistance program; sets an amount to be available to PHAs that need additional funds to administer their section 8 programs, including fees to administer tenant protection assistance, disaster related vouchers, Veterans Affairs Supportive Housing vouchers and other special purpose vouchers; provides for the distribution of funds; provides for a uniform percentage decrease of amounts to be allocated if funds are not sufficient; establishes that 'Moving to Work' (MTW) agencies be funded pursuant to their MTW agreements and in accordance with the requirements of the MTW program; provides funds for section 811 mainstream vouchers (and allows for adjustments in allocations for public housing agencies under certain circumstances); provides funds for incremental HUD-VASH; provides funds for rental assistance and administrative costs associated with tribal veteran vouchers subject to certain conditions; provides funding for Family Unification Program vouchers, subject to certain conditions; provides funding for incremental vouchers for individ-

uals and families who are experiencing homelessness, at risk of homelessness, or fleeing or attempting to flee domestic violence, dating violence, sexual assault, or stalking or for veterans and families that include a veteran family member, under certain conditions; and requires the Secretary to track special purpose vouchers.

Language is included under Department of Housing and Urban Development, 'Housing Certificate Fund' which rescinds prior year funds and allows the Secretary to use recaptures to fund project-based contracts and contract administrators.

Language is included under Department of Housing and Urban Development, 'Public Housing Capital Fund' which specifies the total amount available for certain activities; limits the availability of funds; limits the delegation of certain waiver authorities; specifies an amount for ongoing public housing financial and physical assessment activities; specifies an amount for administrative and judicial receiverships; specifies an amount for emergency capital needs, including for public housing agencies under administrative and judicial receiverships or under the control of a Federal monitor, and for safety and security measures; specifies an amount for competitive grants to public housing agencies to evaluate and reduce lead-based paint hazards and other housing-related hazards including carbon monoxide and mold in public housing, specifies an amount for competitive grants to public housing agencies for full service lead line replacement; specifies an amount for radon testing and mitigation in public housing; specifies an amount for competitive grants to public housing agencies for the installation of automatic sprinkler systems; establishes a limitation on amounts that can be transferred; makes funds available for bonuses for high performing PHAs; and establishes requirements for the notification to public housing agencies of their formula allocations.

Language is included under Department of Housing and Urban Development, 'Public Housing Operating Fund' which specifies the total amount available for certain activities; and modifies the period of availability.

Language is included under Department of Housing and Urban Development, 'Choice Neighborhoods Initiative' which allows the Secretary to make competitive grants for neighborhood rehabilitation; changes the availability of funds; allows funds to be used for services, development, and housing; declares funds not for "public housing"; requires a period of affordability; requires local planning and cost share; allows local governments, tribal entities, public housing authorities and non-profits to be grantees; allows for-profits to partner and apply with a public entity; requires grantees to partner with local organizations; establishes conditions for environmental review; requires grantees to create partnerships with other local organizations; requires the Secretary to consult with other Federal agencies; allows prior year program funds and HOPE VI funds to be used for this program; specifies that the Secretary shall issue the NOFA for these funds no later than 90 days after the enactment of this Act; and establishes the period during which the Secretary shall make grant awards and obligate unobligated balances.

Language is included under Department of Housing and Urban Development, 'Self-Sufficiency Programs' which allows the Secretary to waive or specify certain requirements, establishes entities

eligible to compete for funding, allows the establishment of escrow funds, allows the use of residual receipt accounts to hire coordinators for a number of sufficiency programs, and expands eligibility for Family Self-Sufficiency Programs to include Project-Based Rental Assistance properties.

Language is included under Department of Housing and Urban Development, 'Native American Programs' which provides funding and funding availability. Language specifies amounts and conditions for the Native American Housing Block Grants formula program, guaranteed notes and obligations as defined in section 502 of the Congressional Budget Act of 1974, the Indian Community Development Block Grant program, and training and technical assistance. Language authorizes and appropriates funding for competitive grants through the Native American Housing Block Grant program to be awarded at the discretion of the Secretary, specifies considerations for the Secretary in making funding awards, establishes minimum and maximum grant award sizes, and authorizes transfers of funds for administrative expenses.

Language is included under Department of Housing and Urban Development, 'Indian Housing Loan Guarantee Fund Program Account' which specifies the amount and availability of funds to subsidize total loan principal, specifies how to define the costs of modifying loans, provides a specific amount for administrative expenses, sets a total loan principal for fiscal year 2021, and allows the use of unobligated balances remaining from amounts made available under prior Acts for the cost of guaranteed loans.

Language is included under Department of Housing and Urban Development, 'Native Hawaiian Housing Block Grant' which provides funding and funding availability. Language prevents and authorizes certain activities.

Language is included under Department of Housing and Urban Development, 'Housing Opportunities for Persons with AIDS' which limits availability of funds and sets forth certain requirements for the allocation of funds, renewal of contracts, and grantee notification.

Language is included under Department of Housing and Urban Development, 'Community Development Fund' which limits the use and availability of certain funds; specifies the allocation of certain funds; prohibits grant recipients from selling, trading or transferring funds; prohibits the provision of funds to for-profit entities for economic development projects unless certain conditions are met; specifies an amount for activities authorized under section 8071 of the SUPPORT Act; requires grantee notification of formula allocations within 60 days of enactment; includes a reporting requirement on certain emergency designated funds; modifies apportionment requirements for certain emergency designated funds; and designates such repurposing as an emergency requirement.

Language is included under Department of Housing and Urban Development, 'Community Development Loan Guarantees Program Account' which limits the principal amount of loan guarantees; directs the Secretary to collect fees from borrowers adequate to result in credit subsidy cost of zero; and allows the Section 108 loan guarantee program to guarantee notes or other obligations issued by any State on behalf of non-entitlement communities in the State.

Language is included under Department of Housing and Urban Development, 'Home Investment Partnerships Program' which limits the availability of funds; specifies the allocation of certain funds for certain purposes; requires grantee notification within 60 days of enactment; and prohibits sections 218(g) and 231(b) of the Cranston-Gonzalez National Affordable Housing Act from applying with respect to the right of a jurisdiction to draw HOME funds that otherwise expired or would expire in 2016 through 2023, and to uninvested funds that otherwise were deducted or would be deducted in 2018 through 2023, respectively.

Language is included under Department of Housing and Urban Development, 'Self-help and Assisted Homeownership Opportunity Program' which specifies funding amounts for certain programs, limits the period of availability, and specifies certain amounts for rural activities and organizations.

Language is included under Department of Housing and Urban Development, 'Homeless Assistance Grants' which limits the availability of funds; specifies the allocation of certain funds for certain purposes; specifies matching requirements; requires the Secretary to establish minimum performance thresholds for projects; requires the Secretary to prioritize funding to grant applicants that demonstrate a capacity to reallocate funding to higher performing projects; requires grantees to integrate homeless programs with other social service providers; requires notification of formula allocations within 60 days of enactment.

Language is included under Department of Housing and Urban Development, 'Project-Based Rental Assistance' which provides funds, limits the availability of funds, specifies the allocation of certain funds for certain purposes, and allows the Secretary to recapture residual receipts from certain properties.

Language is included under Department of Housing and Urban Development, 'Housing for the Elderly' which limits the availability of funds; specifies the allocation of certain funds; designates certain funds to be used only for certain grants; allows funds to be used for specified inspections or inspection-related activities; allows funds to be used to renew certain contracts; allows the Secretary to waive certain provisions governing contract terms; allows excess funds held in residual receipts accounts, after contract termination, to be deposited in this account; and limits the availability and use of these funds.

Language is included under Department of Housing and Urban Development, 'Housing for Persons with Disabilities' which limits the availability of funds; specifies the allocation of certain funds; allows funds to be used for inspections or inspection-related activities; allows funds to be used to renew certain contracts; allows funds held in residual account, after contract termination, to be deposited in this account; and limits the availability and use of these funds.

Language is included under Department of Housing and Urban Development, 'Housing Counseling Assistance' that provides funds for described purposes, limits the availability of funds, specifies amounts to be used for specified purposes, requires the Secretary to make grants within a specified time frame, and allows multiyear agreements subject to the availability of annual appropriations.

Language is included under Department of Housing and Urban Development, 'Payment to Manufactured Housing Fees Trust Fund' that permits fees to be assessed, modified, and collected for dispute resolution and installation programs; permits temporary borrowing authority from the general fund of the Treasury; provides that general fund amounts from collections offset the appropriation so that the resulting appropriation is a specified amount; directs a rule-making; requires fees collected to be deposited into the Manufactured Housing Fees Trust Fund; allows fees to be used for necessary expenses and limits their availability; and allows the Secretary to use approved service providers.

Language is included under the Department of Housing and Urban Development, 'Mutual Mortgage Insurance Program Account' which limits new commitments to issue guarantees, limits new obligations to make direct loans, specifies funds for administrative contract expenses, specifies that the Secretary may insure specific mortgages only under certain conditions, specifies the extent that the commitment levels allow for additional contract expenses, and limits the availability of funds.

Language is included under Department of Housing and Urban Development, 'General and Special Risk Program Account' which limits new commitments to issue guarantees, limits new obligations to make direct loans, and limits the availability of funds.

Language is included under Department of Housing and Urban Development, 'Government National Mortgage Association' which limits new commitments to issue guarantees, provides funds for salaries and expenses, allows specified receipts to be credited as offsetting collections, allows for additional contract expenses as guaranteed loan commitments exceed certain levels, and limits the availability of funds.

Language is included under Department of Housing and Urban Development, 'Policy Development and Research' which limits the availability of funds, specifies authorized uses, allows the Secretary to enter into cooperative agreements under specified circumstances; directs the submission of a spend plan; and prohibits funding for a specified use.

Language is included under Department of Housing and Urban Development, 'Fair Housing and Equal Opportunity' which provides funds for certain purposes, limits the availability of funds, requires the Secretary to make grants within a specified time frame, authorizes the Secretary to assess and collect fees, and provides funds for programs that support the assistance of persons with limited English proficiency.

Language is included under Department of Housing and Urban Development, 'Office of Lead Hazard Control and Healthy Homes' which changes the period of availability of funds, specifies the amount of funds for specific purposes, specifies the treatment of certain grants, specifies a matching requirement for grants, requires a certification of adequate capacity, and authorizes the transfer of funds for the purposes of conducting research and studies.

Language is included under Department of Housing and Urban Development, 'Cybersecurity and Information Technology Fund' which changes the period of availability and purpose of funds, including funds transferred, and requires a plan for expenditure.

Language is included under Department of Housing and Urban Development, 'Office of Inspector General' which specifies the use of funds and directs that the Inspector General shall have independent authority over all personnel issues within the office.

Section 201 splits overpayments evenly between Treasury and State HFAs.

Section 202 prohibits funds from being used to investigate or prosecute lawful activities under the Fair Housing Act.

Section 203 requires any grant or cooperative agreement to be made on a competitive basis, unless otherwise provided, in accordance with Section 102 of the Department of Housing and Urban Development Reform Act of 1989.

Section 204 relates to the availability of funds for services and facilities for GSEs and others subject to the Government Corporation Control Act and the Housing Act of 1950.

Section 205 prohibits the use of funds in excess of the budget estimates, unless provided otherwise.

Section 206 relates to the expenditure of funds for corporations and agencies subject to the Government Corporation Control Act.

Section 207 requires the Secretary to provide quarterly reports on uncommitted, unobligated, recaptured, and excess funds in each departmental program and activity.

Section 208 exempts GNMA from certain requirements of the Federal Credit Reform Act of 1990.

Section 209 authorizes HUD to transfer debt and use agreements from an obsolete project to a viable project, provided that no additional costs are incurred and other conditions are met.

Section 210 sets forth requirements for Section 8 voucher assistance eligibility, and includes consideration for persons with disabilities.

Section 211 distributes Native American Housing Block Grants to the same Native Alaskan recipients as in fiscal year 2005.

Section 212 instructs HUD on managing and disposing of any multifamily property that is owned or held by HUD.

Section 213 allows PHAs that own and operate 400 or fewer units of public housing to be exempt from asset management requirements.

Section 214 restricts the Secretary from imposing any requirements or guidelines relating to asset management that restrict or limit the use of capital funds for central office costs, up to the limits established in law.

Section 215 requires that no employee of the Department shall be designated as an allotment holder unless the CFO determines that such employee has received certain training.

Section 216 requires the Secretary to publish all notices of funding availability that are competitively awarded on the internet for fiscal year 2021.

Section 217 requires attorney fees for programmatic litigation to be paid from the individual program office and Office of General Counsel salaries and expenses appropriations.

Section 218 allows the Secretary to transfer up to 10 percent of funds or \$5,000,000, whichever is less, appropriated under the headings "Administrative Support Offices" or "Program Offices" to any other offices funded under such headings with certain exceptions.

Section 219 requires HUD to take certain actions against owners receiving rental subsidies that do not maintain safe properties.

Section 220 places a salary and bonus limit on public housing agency officials and employees.

Section 221 requires the Secretary to notify the House and Senate Committees on Appropriations at least 3 full business days before grant awards are announced.

Section 222 prohibits funds to be used to require or enforce the Physical Needs Assessment (PNA).

Section 223 prohibits funds for HUD financing of mortgages for properties that have been subject to eminent domain.

Section 224 prohibits the use of funds to terminate the status of a unit of general local government as a metropolitan city with respect to grants under section 106 of the Housing and Community Development Act of 1974.

Section 225 allows funding for research, evaluation, and statistical purposes that is unexpended at the time of completion of the contract, grant, or cooperative agreement to be reobligated for additional research.

Section 226 authorizes the Secretary on a limited basis to use funds available under the “Homeless Assistance Grants” heading to participate in the multiagency performance partnership pilots program for fiscal year 2021.

Section 227 allows program income as an eligible match for continuum of care funds.

Section 228 permits HUD to provide one year transition grants under the continuum of care program.

Section 229 prohibits the use of funds 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” or the notice entitled, “Affirmatively Further Fair Housing Assessment Tool”.

Section 230 maintains current promise zone designations and agreements.

Section 231 prohibits funds from being used to establish review criteria, including rating factors or preference points, for competitive grants programs for envision center participation or coordination.

Section 232 prohibits funds from being used to make changes to the Annual Contributions Contract that was in effect on December 31, 2017.

Section 233 addresses the establishment of reserves for public housing agencies designated as Moving to Work agencies.

Section 234 prohibits funds from being used to make certain eligibility limitations as part of a notice of funding availability for competitive grant awards under the Public Housing Capital Fund.

Section 235 prohibits funds in this or any other Act from being used to repeal or revise the “Equal Access in Accordance With an Individual’s Gender Identity in Community Planning and Development Programs” rule.

Section 236 codifies the sub-regulatory guidance issued by the Department of Housing and Urban Development on February 20, 2015, entitled “Appropriate Placement for Transgender Persons in Single-Sex Emergency Shelters and Other Facilities”.



Section 237 prohibits funds from being 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 on May 10, 2019 (Docket No. FR-6124-P-01), or any final rule based substantively on such proposed rule.

Section 238 rescinds all remaining balances from the Rental Housing Assistance account.

Section 239 changes the availability of certain funding in the Disaster Relief Appropriations Act, 2013 (Public Law 113-2, division A; 127 Stat. 36).

### TITLE III—RELATED AGENCIES

Language is included for the Access Board, ‘Salaries and Expenses’ that limits funds for necessary expenses and allows for the credit to the appropriation of funds received for publications and training expenses.

Language is included for the Federal Maritime Commission, ‘Salaries and Expenses’ which provides funds for services authorized by 5 U.S.C. 3109, the hire of passenger motor vehicles, uniforms and allowances; and limits funds for official reception and representation expenses.

Language is included for the National Railroad Passenger Corporation, Office of Inspector General, ‘Salaries and Expenses’ which provides funds for an independent, objective unit responsible for detecting and preventing fraud, waste, abuse, and violations of law. Language allows the Inspector General (IG) to enter into contracts; allows the IG to select, appoint, or employ officers and employees to carry out its functions; and requires the IG to submit its budget request concurrently with the President’s budget and in a similar format.

Language is included under National Transportation Safety Board, ‘Salaries and Expenses’ that provides funds for hire of passenger motor vehicles and aircraft, services authorized by 5 U.S.C. 3109, uniforms or allowances therefore, limits funds for official reception and representation expenses, and allows funds to be used to pay for costs associated with a capital lease.

Language is included in the Neighborhood Reinvestment Corporation (NRC), ‘Payment to the Neighborhood Reinvestment Corporation’ that specifies the allocation of funds, including for competitive grants to carry out neighborhood revitalization support activities in eligible localities under certain conditions.

Language is included under Surface Transportation Board, ‘Salaries and Expenses’ which provides funds, allows the collection of a specified level of fees established by the Surface Transportation Board, and provides that the sum appropriated from the general fund of the Treasury shall be reduced on a dollar-for-dollar basis as such fees are received.

Language is included under the United States Interagency Council on Homelessness, ‘Operating Expenses’ that provides funds to carry out functions pursuant to title II of the McKinney-Vento Homeless Assistance Act, and places limitations on the use of funds.

## TITLE IV—GENERAL PROVISIONS, THIS ACT

Section 401 prohibits the use of funds 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.

Section 402 prohibits the obligation of funds beyond the current fiscal year and the transfer of funds to other appropriations, unless expressly provided.

Section 403 limits consulting service expenditures through procurement contracts to those contracts contained in the public record, except where otherwise provided under existing law.

Section 404 prohibits funds from being used for certain types of employee training.

Section 405 specifies requirements for the reprogramming of funds and requires agencies to submit a report in order to establish the baseline for the application of reprogramming and transfer authorities.

Section 406 provides that not to exceed fifty percent of unobligated balances for salaries and expenses may remain available until September 30, 2022, for each account for the purposes authorized, subject to the approval of the House and Senate Committees on Appropriations.

Section 407 prohibits the use of funds for any project that seeks to use the power of eminent domain, unless eminent domain is employed only for a public use.

Section 408 prohibits funds from being transferred to any department, agency, or instrumentality of the U.S. Government, except where transfer authority is provided in this or any other appropriations Act.

Section 409 prohibits funds from being used to permanently replace an employee intent on returning to his or her past occupation following completion of military service.

Section 410 prohibits funds from being used by an entity unless the expenditure is in compliance with the Buy American Act.

Section 411 prohibits funds from being made available to any person or entity that has been convicted of violating the Buy American Act.

Section 412 prohibits funds from being used for first-class airline accommodations in contravention of sections 301–10.122 and 301–10.123 of title 41 CFR.

Section 413 prohibits funds from being used for the approval of a new foreign air carrier permit or exemption application if that approval would contravene United States law or Article 17 bis of the U.S.-E.U.-Iceland-Norway Air Transport Agreement.

Section 414 restricts the number of employees that agencies may send to international conferences unless such attendance is important to the national interest.

Section 415 caps the amount of fees the Surface Transportation Board can charge or collect for rate or practice complaints filed at the amount authorized for district court civil suit filing fees.

Section 416 prohibits the use of funds to purchase or lease new light-duty vehicles for any executive fleet or fleet inventory, except in accordance with Presidential Memorandum-Federal Fleet Performance, dated May 24, 2011.

Section 417 prohibits funds from being used to maintain or establish computer networks unless such networks block the viewing, downloading, or exchange of pornography.

Section 418 prohibits funds from being used to deny an Inspector General timely access to any records, documents, or other materials available to the department or agency over which that Inspector General has responsibilities, or to prevent or impede that Inspector General's access to such records, documents, or other materials.

Section 419 prohibits funds to be used to pay award or incentive fees for contractors whose performance is below satisfactory, behind schedule, over budget, or failed to meet requirements of the contract, with exceptions.

Section 420 prohibits funds from being used in contravention of section 2635.702 of title 5 CFR.

#### TITLE V—ADDITIONAL INFRASTRUCTURE INVESTMENTS

Language is included under Office of the Secretary, 'National Infrastructure Investments' which authorizes and appropriates grant funding for surface transportation infrastructure to be competitively awarded and subject to the provisions in title I of this Act; limits the availability of funds; authorizes a portion of funds for planning, preparation, and design of projects; authorizes a portion of funds for eligible projects located in or directly benefiting areas of persistent poverty; specifies minimum and maximum grants sizes; limits awards per State; establishes minimum funding amounts for rural and urban projects; authorizes the Secretary to use funds for departmental administrative costs; and establishes deadlines for when and how the Secretary solicits applications for grants and makes awards.

Language is included under Office of the Secretary, 'Cyber Security Initiatives' which provides funds and funding availability.

Language is included under Federal Aviation Administration, 'Facilities and Equipment' which funds certain activities from the general fund and limits the availability of funds.

Language is included under Federal Aviation Administration, 'Grants-in-aid for Airports' which provides funds from the general fund; specifies the availability and priorities of funds; specifies the use of certain funds; and allows funds to be used for administrative expenses.

Language is included under Federal Railroad Administration, 'Consolidated Rail Infrastructure and Safety Improvements' which provides funds and funding availability, specifies that the funds are subject to the provisions in title I of this Act, sets aside amounts for specified purposes, and establishes deadlines for when and how the Secretary solicits applications for grants and makes awards.

Language is included under Federal Railroad Administration, 'Magnetic Levitation Technology Deployment Program' which provides funds, limits the availability of funds, and allows the Secretary to withhold funding for a specified purpose.

Language is included under Federal Railroad Administration, 'Northeast Corridor Grants to the National Railroad Passenger Corporation' which provides funds and funding availability, specifies that the funds are subject to the provisions in title I of this Act, establishes deadlines for when the Secretary makes awards,

allows the use of funds for specific purposes, and sets aside amounts for specified activities.

Language is included under Federal Railroad Administration, 'National Network Grants to the National Railroad Passenger Corporation' which provides funding and funding availability, specifies that the funds are subject to the provisions in title I of this Act, established deadlines for when the Secretary makes awards, allows the use of funds for specific purposes, and sets aside amounts for specified activities.

Language is included under Federal Transit Administration, 'Capital Investment Grants' which specifies amounts for specific purposes under 49 U.S.C. 5309 and specifies the period of availability and the priority of such funds.

Language is included under Maritime Administration, 'Operations and Training' which provides funds for specific purposes, limits funding availability, and establishes deadlines for when the Secretary makes grants.

Language is included under Maritime Administration, 'State Maritime Academy Operations' which provides funds for specific purposes and limits funding availability.

Language is included under Maritime Administration, 'Assistance to Small Shipyards' which provides funds and funding availability, establishes deadlines for when the Secretary makes grants and obligates funding, and allows the Secretary to withhold funding for a specified purpose.

Language is included under Maritime Administration, 'Port Infrastructure Development Program', which provides funds and funding availability, specifies that the funds are subject to the provisions in title I of this Act, sets aside amounts for specified purposes, establishes deadlines for when and how the Secretary solicits applications for grants and makes awards, and allows the withholding of funds for a specified purpose.

Language is included under Department of Housing and Urban Development, 'Public Housing Capital Fund' which specifies the total amount available for certain activities subject to the provisions in title II of this Act; limits the availability of funds; limits the delegation of certain waiver authorities; specifies the funds available by competition for certain activities, including those that improve water and energy efficiency, reduce the risk of harm due to natural hazards, mitigate threats to health and safety of residents, reduce lead-based paint hazards and other housing related hazards including carbon monoxide, mold, or radon; allows the Secretary to waive or specify requirements except those related to fair housing, nondiscrimination, labor standards, and the environment; and allows a transfer for program administration.

Language is included under Department of Housing and Urban Development, 'Choice Neighborhoods Initiative' which allows the Secretary to make competitive grants for neighborhood rehabilitation subject to the provisions in title II of this Act; limits the availability of funds; provides for an amount to be used for activities that improve water and energy efficiency or reduce the risk of harm due to natural hazards; provides that all construction, rehabilitation, and related activities funded under this heading shall comply with the latest published editions of relevant national con-

sensus-based codes (and defines the term) or a higher standard; and allows a transfer for program administration.

Language is included under Department of Housing and Urban Development, 'Native American Programs' which provides funding and funding availability. Language specifies amounts and conditions for the Native American Housing Block Grants formula program and the Indian Community Development Block Grant program. Language authorizes and appropriates funding for competitive grants through the Native American Housing Block Grant program to be awarded at the discretion of the Secretary, specifies considerations for the Secretary in making funding awards, and establishes minimum and maximum grant award sizes. Language establishes deadlines for when and how the Secretary solicits applications for grants and makes awards; allows the Secretary to waive or specify requirements except those related to fair housing, non-discrimination, labor standards, and the environment; sets aside amounts for specified activities; and authorizes transfers of funds for administrative expenses.

Language is included under Department of Housing and Urban Development, 'Native Hawaiian Housing Block Grant' which provides funding and funding availability. Language specifies that the funds are subject to the provisions in title II of this Act, sets aside amounts for specified activities, and authorizes transfers of funds for administrative expenses.

Language is included under Department of Housing and Urban Development, 'Community Development Fund' which limits the use and availability of certain funds; specifies the allocation of certain funds subject to the provisions in title II of this Act; specifies the time in which allocations shall be made; provides for an amount to be used for activities that improve water and energy efficiency or reduce the risk of harm due to natural hazards; and allows a transfer for program administration.

Language is included under Department of Housing and Urban Development, 'HOME Investment Partnerships Program' which limits the availability of funds; specifies the allocation of certain funds for certain purposes subject to the provisions in title II of this Act; specifies an amount available to areas of persistent poverty, defines the term, and indicates that expenditure of these funds shall not be subject to a minimum grant size; provides for an amount to be used for activities that improve water and energy efficiency or reduce the risk of harm due to natural hazards; and allows a transfer for program administration.

Language is included under Department of Housing and Urban Development, 'Self-help and Assisted Homeownership Opportunity Program' which specifies funding amounts for certain programs, limits the period of availability, and specifies certain amounts for rural activities and organizations.

Language is included under Department of Housing and Urban Development, 'Assisted Housing Investments' which specifies the allocation of certain funds for certain purposes, limits the period of availability of funds, and authorizes the transfer of funds for program administration.

Language is included under Department of Housing and Urban Development, 'Housing for the Elderly' which specifies the allocation of certain funds for certain purposes, limits the period of avail-

ability of funds, and authorizes the transfer of funds for program administration.

Language is included under Department of Housing and Urban Development, ‘Housing for Persons with Disabilities’ which specifies the allocation of certain funds for certain purposes, limits the period of availability of funds, and authorizes the transfer of funds for program administration.

Language is included under Department of Housing and Urban Development, ‘Office of Lead Hazard Control and Healthy Homes’ which limits the period of availability of funds and specifies funding amounts for certain purposes.

Language is included under Department of Housing and Urban Development, ‘Cybersecurity and Information Technology Fund’ which limits the availability and purpose of the funds.

Language is included in the Neighborhood Reinvestment Corporation (NRC), ‘Payment to the Neighborhood Reinvestment Corporation’ that specifies the allocation of funds subject to the provisions in title III of this Act, including for competitive grants for certain neighborhood reinvestment activities and associated administrative expenses; and provides for an amount to be used for activities that improve water and energy efficiency or reduce the risk of harm due to natural hazards.

Section 501 applies subchapter IV of chapter 31 of title 40, United States Code, to activities funded in this title, with exceptions.

Section 502 specifies conditions for the use of funding made available in this title under the headings “Northeast Corridor Grants to the National Railroad Passenger Corporation” and “National Network Grants to the National Railroad Passenger Corporation”.

#### APPROPRIATIONS NOT AUTHORIZED BY LAW

Pursuant to clause 3(f)(1)(B) of rule XIII of the Rules of the House of Representatives, the following table lists the appropriations in the accompanying bill which are not authorized by law for the period concerned:

Appropriations Not Authorized by Law and Expiring Authorizations  
[Dollars in Thousands]

Program	Last year of authorization	Authorization level	Appropriations in last year of authorization	Appropriations in this bill
<b>Title I—Department of Transportation <sup>1</sup></b>				
Office of the Secretary:				
National Infrastructure Investments .....	N/A	not applicable	not applicable	\$1,000,000
Federal Highway Administration:				
Limitation on Administrative Expenses <sup>1</sup> ....	2020	\$456,797	\$456,799	478,897
Federal-Aid Highways <sup>1</sup> .....	2020	47,104,092	47,104,092	61,869,000
Highway Infrastructure Programs .....	N/A	not applicable	not applicable	1,000,000
Federal Motor Carrier Safety Administration:				
Motor Carrier Safety Operations and Programs <sup>1</sup> .....	2020	288,000	288,000	379,500
Motor Carrier Safety Grants <sup>1</sup> .....	2020	387,800	391,136	501,200
National Highway Traffic Safety Administration:				
Operations and Research: General Fund ....	2020	214,073	194,000	214,073
Operations and Research: Highway Trust Fund <sup>1</sup> .....	2020	155,300	155,300	170,612

## Appropriations Not Authorized by Law and Expiring Authorizations—Continued

[Dollars in Thousands]

Program	Last year of authorization	Authorization level	Appropriations in last year of authorization	Appropriations in this bill
Highway Traffic Safety Grants <sup>1</sup> .....	2020	623,017	623,017	855,488
Federal Railroad Administration:				
Safety and Operations .....	2013	293,000	169,254	236,134
Railroad Research and Development .....	N/A	not applicable	not applicable	41,000
Federal-State Partnership for State of Good Repair .....	2020	300,000	200,000	200,000
Consolidated Rail Infrastructure and Safety Improvements .....	2020	330,000	325,000	500,000
Magnetic Levitation Technology Deployment Program .....	2009	45,000	not applicable	5,000
Northeast Corridor Grants to the National Railroad Passenger Corporation .....	2020	600,000	700,000	750,000
National Network Grants to the National Railroad Passenger Corporation .....	2020	1,200,000	1,300,000	1,300,000
Federal Transit Administration:				
Administrative Expenses .....	2020	115,017	117,000	121,052
Transit Formula Grants <sup>1</sup> .....	2020	10,150,348	10,150,348	15,945,200
Transit Infrastructure Grants .....	N/A	not applicable	not applicable	510,000
Technical Assistance and Training .....	2020	5,000	5,000	7,000
Capital Investment Grants .....	2020	2,301,786	1,978,000	2,175,000
Grants to the Washington Metropolitan Area Transit Authority .....	2020	150,000	150,000	150,000
Maritime Administration:				
Operations and Training .....	2020	156,386	152,589	161,417
State Maritime Academy Operations .....	2020	650,280	342,280	431,700
Assistance to Small Shipyards .....	2020	40,000	20,000	20,000
Ship Disposal .....	2020	5,000	5,000	5,000
Maritime Guaranteed Loan (Title XI) Program Account .....	2020	33,000	3,000	3,000
Port Infrastructure Development Program ..	2020	500,000	225,000	300,000
Pipeline and Hazardous Materials Safety Administration:				
Operational Expenses .....	2019	23,000	23,710	25,715
Hazardous Materials Safety .....	2020	60,000	61,000	62,000
Pipeline Safety:				
Oil Spill Liability Trust Fund .....	2019	23,000	23,000	23,000
Pipeline Safety Fund .....	2019	134,000	134,000	140,000
Underground Natural Gas Storage Facility Safety Account .....	2019	8,000	8,000	10,000
Emergency Preparedness Grants .....	2020	27,763	28,318	28,318
<b>Title II—Department of Housing and Urban Development</b>				
Management and Administration .....	1994	\$1,029,496	\$916,963	\$1,524,595
Rental Assistance:				
Section 8 Voucher Renewals and Administrative Expenses .....	1994	8,446,173	5,458,106	25,006,812
Public Housing Capital Fund .....	2003	3,000,000	2,712,555	3,180,000
Public Housing Operating Fund .....	2003	2,900,000	3,576,600	4,649,000
Native American Housing Block Grants <sup>2</sup> .....	2013	Such sums as necessary	616,001	765,000
Indian Housing Loan Guarantee Fund Program Account .....	2014	50,000	1,000	1,600
Native Hawaiian Housing Block Grant .....	2004	Such sums as necessary	not applicable	4,000
Housing Opportunities for Persons with AIDS .....	1994	156,300	156,000	430,000
Community Development Fund <sup>3</sup> .....	1994	4,168,000	4,877,389	3,595,000
Community Development Loan Guarantee Limitation .....	1994	not applicable	not applicable	not applicable
Home Investment Partnerships Program .....	1994	2,173,612	1,275,000	1,700,000
Choice Neighborhoods Initiatives .....	N/A	not applicable	not applicable	250,000
Self-Help Homeownership Opportunity Program ..	2001	Such sums as necessary	48,000	60,000

## Appropriations Not Authorized by Law and Expiring Authorizations—Continued

[Dollars in Thousands]

Program	Last year of authorization	Authorization level	Appropriations in last year of authorization	Appropriations in this bill
Homeless Assistance .....	2011	Such sums as necessary	1,901,190	3,415,000
Housing for the Elderly .....	2003	Such sums as necessary	783,286	893,000
Housing for Persons with Disabilities .....	2015	300,000	135,000	227,000
FHA General and Special Risk Program Account:				
Limitations on Guaranteed Loans .....	1995	Such sums as necessary	[20,885,072]	[30,000,000]
Limitation on Direct Loans .....	1995	Such sums as necessary	[220,000]	[1,000]
GNMA Mortgage Backed Securities Loan Guarantee Program Account:				
Limitations on Guaranteed Loans .....	1996	[110,000,000]	[110,000,000]	[1,500,000,000,000]
Administrative Expenses .....	1996	Such sums as necessary	9,101	55,500
Policy Development and Research .....	1994	36,470	35,000	118,000
Fair Housing Activities, Fair Housing Program ....	1994	26,000	20,481	80,300
Lead Hazard Reduction Program .....	1994	250,000	150,000	340,000
Cybersecurity and Information Technology Fund ..	N/A	not applicable	not applicable	293,000
<b>Title III—Related Agencies</b>				
Federal Maritime Commission .....	2019	28,545	27,490	29,800
National Railroad Passenger Corporation Office of Inspector General .....	2020	22,000	24,274	26,248
Neighborhood Reinvestment Corporation .....	1994	30,714	31,715	208,500
Surface Transportation Board .....	2020	36,000	37,100	37,500
United States Interagency Council on Homelessness .....	2011	Such sums as necessary	2,680	3,800
<b>Title V—Additional Infrastructure Investments</b>				
Department of Transportation				
Office of the Secretary				
National Infrastructure Investments .....	N/A	not applicable	not applicable	\$3,000,000
Federal Railroad Administration				
Consolidated Rail Infrastructure and Safety Improvements .....	2020	\$330,000	\$325,000	5,000,000
Magnetic Levitation Technology Deployment Program .....	2009	45,000	not applicable	100,000
Northeast Corridor Grants to the National Railroad Passenger Corporation .....	2020	600,000	700,000	5,000,000
National Network Grants to the National Railroad Passenger Corporation .....	2020	1,200,000	1,300,000	3,000,000
Federal Transit Administration				
Capital Investment Grants .....	2020	2,301,786	1,978,000	5,000,000
Maritime Administration				
Operations and Training .....	2020	156,386	152,589	125,000
State Maritime Academy Operations .....	2020	650,280	342,280	345,500
Assistance to Small Shipyards .....	2020	40,000	20,000	100,000
Port Infrastructure Development Program .....	2020	500,000	225,000	1,000,000
Department of Housing and Urban Development				
Rental Assistance:				
Public Housing Capital Fund .....	2003	3,000,000	2,712,555	24,250,000
Choice Neighborhoods Initiatives .....	N/A	not applicable	not applicable	300,000
Native American Housing Block Grants <sup>2</sup> .....	2013	Such sums as necessary	616,001	750,000
Native Hawaiian Housing Block Grant .....	2004	Such sums as necessary	not applicable	20,000
Community Development Fund <sup>3</sup> .....	1994	4,168,000	4,877,389	4,250,000
Home Investment Partnerships Program .....	1994	2,173,612	1,275,000	17,500,000
Self-Help Homeownership Opportunity Program ..	2001	Such sums as necessary	48,000	55,000
Assisted Housing Investments .....	N/A	not applicable	not applicable	750,000



## Appropriations Not Authorized by Law and Expiring Authorizations—Continued

(Dollars in Thousands)

Program	Last year of authorization	Authorization level	Appropriations in last year of authorization	Appropriations in this bill
Housing for the Elderly .....	2003	Such sums as necessary	783,286	750,000
Housing for Persons with Disabilities .....	2015	300,000	135,000	179,000
Lead Hazard Reduction Program .....	1994	250,000	150,000	100,000
Cybersecurity and Information Technology Fund ..	N/A	not applicable	not applicable	100,000
Related Agency				
Neighborhood Reinvestment Corporation .....	1994	30,714	31,715	300,000

<sup>1</sup> For programs funded by the Highway Trust Fund, the table reflects the authorized and appropriated obligation limitations. Those programs receive contract authority, a mandatory form of budget authority, from the authorizing statute.

<sup>2</sup> Reflects amounts associated with Native American Housing Block Grants appropriated within the Native American Programs account.

<sup>3</sup> Reflects amounts associated with Indian Community Development Block Grants appropriated within the Native American Programs account.

## PROGRAM DUPLICATION

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, no provision of this bill establishes or reauthorizes a program of the Federal Government known to be duplicative of another Federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

## COMPARISON WITH THE BUDGET RESOLUTION

Pursuant to clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and Section 308(a)(1)(A) of the Congressional Budget Act of 1974, the following table compares the levels of new budget authority provided in the bill with the appropriate allocations under section 302(b) of the Budget Act:

**[TO BE PROVIDED]**

## FIVE-YEAR OUTLAY PROJECTIONS

Pursuant to section 308(a)(1)(B) of the Congressional Budget Act of 1974, the following table contains five-year projections prepared by the Congressional Budget Office of outlays associated with the budget authority provided in the accompanying bill:

**[TO BE PROVIDED]**

## ASSISTANCE TO STATE AND LOCAL GOVERNMENTS

Pursuant to section 308(a)(1)(C) of the Congressional Budget Act of 1974, the amounts of financial assistance to State and local governments is as follows:

**[TO BE PROVIDED]**

## COMMITTEE HEARINGS

In compliance with Sec. 103(i) of H. Res. 6 (116th Congress) the following hearings were used to develop the fiscal year 2021 Trans-

portation, Housing and Urban Development, and Related Agencies  
Appropriations Bill:

Date	Title of Hearing	Witnesses
Feb. 27, 2020 .....	Department of Transportation Budget Request for Fiscal Year 2021.	The Honorable Elaine L. Chao, Secretary, Department of Transportation
March 4, 2020 .....	Department of Housing and Urban Development Budget Request for Fiscal Year 2021.	The Honorable Benjamin S. Carson, Secretary, Department of Housing and Urban Development
March 11, 2020 .....	Federal Aviation Administration Budget Request for Fiscal Year 2021.	The Honorable Steve Dickson, Administrator, Federal Aviation Administration

CSBA

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
-----					
TITLE I - DEPARTMENT OF TRANSPORTATION					
Office of the Secretary					
Salaries and expenses.....	115,490	127,374	126,174	+10,684	-1,200
Immediate Office of the Secretary.....	(3,100)	---	(3,360)	(+260)	(+3,360)
Immediate Office of the Deputy Secretary.....	(1,000)	---	(1,200)	(+200)	(+1,200)
Office of the General Counsel.....	(21,000)	---	(22,210)	(+1,210)	(+22,210)
Office of the Under Secretary of Transportation for Policy.....	(10,500)	---	(11,797)	(+1,297)	(+11,797)
Office of the Assistant Secretary for Budget and Programs.....	(15,000)	---	(16,394)	(+1,394)	(+16,394)
Office of the Assistant Secretary for Governmental Affairs.....	(2,650)	---	(3,010)	(+360)	(+3,010)
Office of the Assistant Secretary for Administration.....	(29,244)	---	(32,239)	(+2,995)	(+32,239)
Office of Public Affairs.....	(2,142)	---	(2,610)	(+468)	(+2,610)
Office of the Executive Secretariat.....	(1,859)	---	(2,018)	(+159)	(+2,018)
Office of Intelligence, Security, and Emergency Response.....	(12,181)	---	(13,576)	(+1,395)	(+13,576)
Office of the Chief Information Officer.....	(16,814)	---	(17,760)	(+946)	(+17,760)
Research and Technology.....	21,000	11,033	19,800	-1,200	+8,767
National Infrastructure Investments.....	1,000,000	1,000,000	1,000,000	---	---
National Surface Transportation and Innovative Finance Bureau.....	5,000	4,250	15,500	+10,500	+11,250
Federal-Aid Highways:					
Reduction for TIFIA (Limitation on obligations).....	---	(311,000)	---	---	(-311,000)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
Railroad Rehabilitation and Improvement Financing Program.....	---	---	70,000	+70,000	+70,000
Nationally Significant Freight Projects.....	---	1,000,000	---	---	-1,000,000
Financial Management Capital.....	2,000	2,000	2,000	---	---
Cyber Security Initiatives.....	15,000	22,000	19,300	+4,300	-2,700
Office of Civil Rights.....	9,470	9,600	9,600	+130	---
Transportation Planning, Research, and Development.....	10,879	9,350	10,879	---	+1,529
Working Capital Fund.....	(319,793)	---	(372,016)	(+52,223)	(+372,016)
Small and Disadvantaged Business Utilization and Outreach.....	4,646	4,714	4,714	+68	---
Payments to Air Carriers (Airport & Airway Trust Fund)	162,000	141,724	162,000	---	+20,276
Total, Office of the Secretary.....	1,345,485	2,332,045	1,439,967	+94,482	-892,078
Federal Aviation Administration					
Operations.....	10,630,000	11,001,500	11,051,500	+421,500	+50,000
Aviation safety.....	(1,404,096)	(1,474,039)	(1,500,000)	(+95,904)	(+25,961)
Air traffic organization.....	(7,970,734)	(8,210,821)	(8,231,000)	(+260,266)	(+20,179)
Commercial space transportation.....	(26,040)	(27,555)	(27,555)	(+1,515)	---
Finance and management.....	(800,646)	(836,141)	(836,000)	(+35,354)	(-141)
NextGen.....	(61,538)	(62,862)	(62,862)	(+1,324)	---
Security and Hazardous Materials Safety.....	(118,642)	(124,928)	(129,000)	(+10,358)	(+4,072)
Staff offices.....	(248,304)	(265,154)	(265,083)	(+16,779)	(-71)
Facilities and Equipment (Airport & Airway Trust Fund)	3,045,000	3,000,000	---	-3,045,000	-3,000,000
Facilities and Equipment (General Fund).....	---	---	3,045,000	+3,045,000	+3,045,000
Research, Engineering and Development (Airport & Airway Trust Fund).....	192,665	170,000	---	-192,665	-170,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
Research, Engineering, and Development (General Fund).	---	---	192,665	+192,665	+192,665
Grants-in-Aid for Airports (Airport and Airway Trust Fund)(Liquidation of contract authorization).....	(3,000,000)	(3,350,000)	(3,350,000)	(+350,000)	---
(Limitation on obligations).....	(3,350,000)	(3,350,000)	(3,350,000)	---	---
Administration.....	(116,500)	(119,402)	(119,402)	(+2,902)	---
Airport cooperative research program.....	(15,000)	(15,000)	(15,000)	---	---
Airport technology research.....	(39,224)	(40,666)	(40,666)	(+1,442)	---
Small community air service development program.....	(10,000)	---	(10,000)	---	(+10,000)
Grants-in-Aid (General Fund).....	400,000	---	500,000	+100,000	+500,000
Total, Federal Aviation Administration.....	14,267,665	14,171,500	14,789,165	+521,500	+617,665
Limitations on obligations.....	(3,350,000)	(3,350,000)	(3,350,000)	---	---
Total budgetary resources.....	(17,617,665)	(17,521,500)	(18,139,165)	(+521,500)	(+617,665)
Federal Highway Administration					
Limitation on Administrative Expenses.....	(456,798)	(478,897)	(478,897)	(+22,099)	---
Federal-Aid Highways (Highway Trust Fund):					
(Limitation on obligations).....	(46,365,092)	(49,982,000)	(61,130,000)	(+14,764,908)	(+11,148,000)
(Liquidation of contract authorization).....	(47,104,092)	(50,721,000)	(61,869,000)	(+14,764,908)	(+11,148,000)
(Exempt contract authority).....	(739,000)	(739,000)	(739,000)	---	---
Appalachian development highway system (rescission)....	---	-12,000	---	---	+12,000
Highway Infrastructure Programs (General Fund).....	2,166,140	---	1,000,000	-1,166,140	+1,000,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
Miscellaneous highway trust funds (rescission).....	---	-126,000	---	---	+126,000
Total, Federal Highway Administration.....	2,166,140	-138,000	1,000,000	-1,166,140	+1,138,000
Limitations on obligations.....	(46,365,092)	(49,982,000)	(61,130,000)	(+14,764,908)	(+11,148,000)
Exempt contract authority.....	(739,000)	(739,000)	(739,000)	---	---
Total budgetary resources.....	(49,270,232)	(50,583,000)	(62,869,000)	(+13,598,768)	(+12,286,000)
Federal Motor Carrier Safety Administration					
Motor Carrier Safety Operations and Programs (Highway Trust Fund)(Liquidation of contract authorization)... (Limitation on obligations).....	(288,000) (288,000)	(299,000) (299,000)	(379,500) (379,500)	(+91,500) (+91,500)	(+80,500) (+80,500)
Motor Carrier Safety Grants (Highway Trust Fund) (Liquidation of contract authorization)..... (Limitation on obligations).....	(391,136) (391,136)	(403,000) (403,000)	(501,200) (501,200)	(+110,064) (+110,064)	(+98,200) (+98,200)
Total, Federal Motor Carrier Safety Administration.....	---	---	---	---	---
Limitations on obligations.....	(679,136)	(702,000)	(880,700)	(+201,564)	(+178,700)
Total budgetary resources.....	(679,136)	(702,000)	(880,700)	(+201,564)	(+178,700)
National Highway Traffic Safety Administration					
Operations and Research (general fund).....	194,000	156,100	214,073	+20,073	+57,973

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
Operations and Research (Highway Trust Fund)					
(Liquidation of contract authorization).....	(155,300)	(161,200)	(170,612)	(+15,312)	(+9,412)
(Limitation on obligations).....	(155,300)	(161,200)	(170,612)	(+15,312)	(+9,412)
Subtotal, Operations and Research.....	349,300	317,300	384,685	+35,385	+67,385
Highway Traffic Safety Grants (Highway Trust Fund)					
(Liquidation of contract authorization).....	(623,017)	(647,200)	(855,488)	(+232,471)	(+208,288)
(Limitation on obligations).....	(623,017)	(647,200)	(855,488)	(+232,471)	(+208,288)
Highway safety programs (23 USC 402).....	(279,800)	---	(384,800)	(+105,000)	(+384,800)
National priority safety programs (23 USC 405)...	(285,900)	---	(390,900)	(+105,000)	(+390,900)
High visibility enforcement.....	(30,500)	---	(49,702)	(+19,202)	(+49,702)
Administrative expenses.....	(26,817)	---	(30,086)	(+3,269)	(+30,086)
Administrative Provision					
Impaired Driving/Rail-Grade funding (Sec. 142)					
(General Fund).....	17,000	---	17,130	+130	+17,130
Total, National Highway Traffic Safety					
Administration.....	211,000	156,100	231,203	+20,203	+75,103
Limitations on obligations.....	(778,317)	(808,400)	(1,026,100)	(+247,783)	(+217,700)
Total budgetary resources.....	(989,317)	(964,500)	(1,257,303)	(+267,986)	(+292,803)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>Federal Railroad Administration</b>					
Safety and Operations.....	224,198	225,634	236,134	+11,936	+10,500
Railroad Research and Development.....	40,600	41,000	41,000	+400	---
Subtotal.....	264,798	266,634	277,134	+12,336	+10,500
<b>National Network Transformation Grants.....</b>					
Federal-State Partnership for State of Good Repair.....	200,000	---	200,000	---	-550,000
Consolidated Rail Infrastructure and Safety Improvements.....	325,000	330,000	500,000	+175,000	+170,000
Magnetic Levitation Technology Deployment Program.....	2,000	---	5,000	+3,000	+5,000
Restoration and Enhancement.....	2,000	---	---	-2,000	---
Subtotal.....	529,000	330,000	705,000	+176,000	+375,000
<b>National Railroad Passenger Corporation:</b>					
Northeast Corridor Grants.....	700,000	325,466	750,000	+50,000	+424,534
National Network Grants.....	1,300,000	611,000	1,300,000	---	+689,000
Subtotal.....	2,000,000	936,466	2,050,000	+50,000	+1,113,534



COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>Administrative Provisions</b>					
Capital and Debt Service Grants to the National Railroad Passenger Corporation (rescission) (Sec. 154).....	---	-10,414	-10,414	-10,414	---
Capital Assistance to States - Intercity Passenger Rail Service (rescission) (Sec. 154).....	---	-9,868	-9,868	-9,868	---
Railroad Safety Technology Program (rescission) (Sec. 154).....	---	-613	-613	-613	---
Rail Line Relocation and Improvement Program (rescission) (Sec. 154).....	---	-12,650	-12,650	-12,650	---
Capital Assistance for High Speed Rail Corridors and Intercity Passenger Rail Service (rescission) (Sec. 152).....	---	-55,364	---	---	+55,364
Next Generation High-Speed Rail (rescission) (Sec. 154).....	---	-3,019	-3,019	-3,019	---
<b>Total, Federal Railroad Administration.....</b>	<b>2,793,798</b>	<b>1,991,172</b>	<b>2,995,570</b>	<b>+201,772</b>	<b>+1,004,398</b>
<b>Federal Transit Administration</b>					
Administrative Expenses.....	117,000	121,052	121,052	+4,052	---
Transit Formula Grants (Hwy Trust Fund, Mass Transit Account (Liquidation of contract authorization)..... (Limitation on obligations).....	(10,800,000) (10,150,348)	(11,696,000) (11,046,000)	(16,595,000) (15,945,200)	(+5,795,000) (+5,794,852)	(+4,899,000) (+4,899,200)
Transit Infrastructure Grants.....	510,000	---	510,000	---	+510,000
Transit Research.....	---	8,000	---	---	-8,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
Technical Assistance and Training.....	5,000	---	7,000	+2,000	+7,000
Capital Investment Grants.....	1,978,000	1,888,690	2,175,000	+197,000	+286,310
Grants to the Washington Metropolitan Area Transit Authority.....	150,000	150,000	150,000	---	---
Administrative Provisions					
Formula Grants (rescission) (Sec. 168).....	---	-1,607	-1,607	-1,607	---
Job Access and Reverse Commute Program (rescission) (Sec. 169).....	---	-320	-320	-320	---
Research, Training, and Human Resources (rescission) (Sec. 169a).....	---	-31	-31	-31	---
Total, Federal Transit Administration.....	2,760,000	2,165,784	2,961,094	+201,094	+795,310
Limitations on obligations.....	(10,150,348)	(11,046,000)	(15,945,200)	(+5,794,852)	(+4,899,200)
Total budgetary resources.....	(12,910,348)	(13,211,784)	(18,906,294)	(+5,995,946)	(+5,694,510)
Saint Lawrence Seaway Development Corporation					
Operations and Maintenance (Harbor Maintenance Trust Fund).....	38,000	30,700	40,000	+2,000	+9,300
Maritime Administration					
Maritime Security Program.....	300,000	314,008	314,008	+14,008	---
Rescission (legislative proposal).....	---	-20,554	---	---	+20,554
Cable Security Fleet Program.....	---	---	10,000	+10,000	+10,000
Operations and Training.....	152,589	137,797	161,417	+8,828	+23,620

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
State Maritime Academy Operations.....	342,280	337,700	431,700	+89,420	+94,000
Assistance to Small Shipyards.....	20,000	---	20,000	---	+20,000
Ship Disposal.....	5,000	4,200	5,000	---	+800
Rescission (legislative proposal).....	---	-6,803	---	---	+6,803
Maritime Guaranteed Loan (Title XI) Program Account: Administrative expenses and guarantees.....	3,000	---	3,000	---	+3,000
Rescission (legislative proposal).....	---	-27,900	---	---	+27,900
Port Infrastructure Development Program.....	225,000	---	300,000	+75,000	+300,000
Total, Maritime Administration.....	1,047,869	738,448	1,245,125	+197,256	+506,677
Pipeline and Hazardous Materials Safety Administration					
Operational Expenses:					
General Fund.....	24,215	24,215	25,715	+1,500	+1,500
Hazardous Materials Safety:					
General Fund.....	61,000	60,700	62,000	+1,000	+1,300
Pipeline Safety:					
Oil Spill Liability Trust Fund.....	23,000	22,000	23,000	---	+1,000
Pipeline Safety Fund.....	137,000	131,000	140,000	+3,000	+9,000
Underground Natural Gas Storage Facility Safety Account.....	8,000	10,000	10,000	+2,000	---
Subtotal.....	168,000	163,000	173,000	+5,000	+10,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
Emergency Preparedness Grants:					
Limitation on emergency preparedness fund.....	(28,318)	(28,318)	(28,318)	---	---
Total, Pipeline and Hazardous Materials Safety					
Administration.....	253,215	247,915	260,715	+7,500	+12,800
Limitations on obligations.....	(28,318)	(28,318)	(28,318)	---	---
Total budgetary resources.....	(281,533)	(276,233)	(289,033)	(+7,500)	(+12,800)
Pipeline safety fund user fees.....	-137,000	-131,000	-140,000	-3,000	-9,000
Underground natural gas storage facility safety					
account user fees.....	-8,000	-10,000	-10,000	-2,000	---
Salaries and Expenses.....	94,600	98,150	98,150	+3,550	---
Office of Inspector General					
Total, title I, Department of Transportation...	24,832,772	21,652,814	24,910,989	+78,217	+3,258,175
Appropriations.....	(24,832,772)	(21,939,957)	(24,949,511)	(+116,739)	(+3,009,554)
Rescissions.....	---	(-287,143)	(-38,522)	(-38,522)	(+248,621)
Limitations on obligations.....	(61,322,893)	(66,199,400)	(82,332,000)	(+21,009,107)	(+16,132,600)
Total budgetary resources.....	(86,155,665)	(87,852,214)	(107,242,989)	(+21,087,324)	(+19,390,775)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE II - DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT					
Management and Administration					
Executive Offices.....	14,217	17,659	15,000	+783	-2,659
Administrative Support Offices.....	563,378	578,913	600,000	+36,622	+21,087
Program Offices:					
Public and Indian Housing.....	227,000	236,439	245,000	+18,000	+8,561
Community Planning and Development.....	124,000	129,503	138,290	+14,290	+8,787
Housing.....	384,000	411,878	400,000	+16,000	-11,878
Policy Development and Research.....	28,000	35,443	35,443	+7,443	---
Fair Housing and Equal Opportunity.....	75,000	77,024	81,000	+6,000	+3,976
Office of Lead Hazard Control and Healthy Homes.....	9,000	9,862	9,862	+862	---
Subtotal.....	847,000	900,149	909,595	+62,595	+9,446
Total, Management and Administration.....	1,424,595	1,496,721	1,524,595	+100,000	+27,874
Public and Indian Housing					
Tenant-based Rental Assistance:					
Renewals.....	21,502,000	16,958,000	22,852,000	+1,350,000	+5,894,000
Tenant protection vouchers.....	75,000	100,000	125,000	+50,000	+25,000
Administrative fees.....	1,977,000	1,465,000	2,154,812	+177,812	+689,812
Sec. 811 vouchers, incremental and renewals.....	229,050	310,000	310,000	+80,950	---
Incremental VASH vouchers.....	40,000	---	20,000	-20,000	+20,000
Tribal veterans affairs supportive housing renewals.....	1,000	---	2,500	+1,500	+2,500

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
Incremental family unification vouchers.....	25,000	---	25,000	---	+25,000
Incremental Vouchers for Homelessness.....	---	---	250,000	+250,000	+250,000
Mobility Demonstration.....	25,000	---	---	-25,000	---
Subtotal (available this fiscal year).....	23,874,050	18,833,000	25,739,312	+1,865,262	+6,906,312
Advance appropriations.....	4,000,000	4,000,000	4,000,000	---	---
Less appropriations from prior year advances.....	-4,000,000	-4,000,000	-4,000,000	---	---
Total, Tenant-based Rental Assistance appropriated in this bill.....	23,874,050	18,833,000	25,739,312	+1,865,262	+6,906,312
Rental Assistance Demonstration.....	---	100,000	---	---	-100,000
Public Housing Capital Fund.....	2,869,894	---	3,180,000	+310,106	+3,180,000
Public Housing Operating Fund.....	4,549,000	3,572,000	4,649,000	+100,000	+1,077,000
Moving To Work (legislative proposal):					
Renewals.....	---	4,172,900	---	---	-4,172,900
Administrative fees.....	---	340,400	---	---	-340,400
Payments to PHAs.....	---	672,000	---	---	-672,000
Total, Moving To Work Demonstration.....	---	5,185,300	---	---	-5,185,300
Choice Neighborhoods.....	175,000	---	250,000	+75,000	+250,000
Self-Sufficiency Programs.....	130,000	190,000	155,000	+25,000	-35,000
Family Self-Sufficiency.....	(80,000)	(90,000)	(105,000)	(+25,000)	(+15,000)
ROSS.....	(35,000)	---	(35,000)	---	(+35,000)
Jobs Plus.....	(15,000)	(100,000)	(15,000)	---	(-85,000)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
Native American Programs .....	825,000	600,000	835,000	+10,000	+235,000
Native American Housing Block Grants, Formula.....	(646,000)	---	(646,000)	---	(+646,000)
Title VI Loan Program.....	(2,000)	---	(2,000)	---	(+2,000)
(Limitation on guaranteed loans) .....	(32,000)	(30,000)	(61,299)	(+29,299)	(+31,299)
Native American Housing Block Grants, Competitive.	(100,000)	---	(110,000)	(+10,000)	(+110,000)
Indian CDBG.....	(70,000)	---	(70,000)	---	(+70,000)
Training and Technical Assistance.....	(7,000)	---	(7,000)	---	(+7,000)
Indian Housing Loan Guarantee Fund Program Account....	1,600	2,000	1,600	---	-400
(Limitation on guaranteed loans) .....	(1,000,000)	(1,000,000)	(1,000,000)	---	---
Native Hawaiian Housing Block Grant.....	2,000	---	4,000	+2,000	+4,000
Total, Public and Indian Housing.....	32,426,544	28,482,300	34,813,912	+2,387,368	+6,331,612
Community Planning and Development					
Housing Opportunities for Persons with AIDS.....	410,000	330,000	430,000	+20,000	+100,000
Community Development Fund:					
CDBG formula.....	3,400,000	---	3,500,000	+100,000	+3,500,000
Indian CDBG.....	---	---	---	---	---
SUPPORT for Patients and Communities.....	25,000	---	25,000	---	+25,000
Subtotal.....	3,425,000	---	3,525,000	+100,000	+3,525,000
Community Development Loan Guarantees (Section 108):					
(Limitation on guaranteed loans) .....	(300,000)	---	(300,000)	---	(+300,000)
HOME Investment Partnerships Program.....	1,350,000	---	1,700,000	+350,000	+1,700,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
Self-help and Assisted Homeownership Opportunity Program.....	55,000	---	60,000	+5,000	+60,000
Homeless Assistance Grants.....	2,777,000	2,773,000	3,415,000	+638,000	+642,000
Total, Community Planning and Development.....	8,017,000	3,103,000	9,130,000	+1,113,000	+6,027,000
Housing Programs					
Project-based Rental Assistance:					
Renewals.....	12,225,000	12,292,000	13,101,000	+876,000	+809,000
Contract administrators.....	345,000	350,000	350,000	+5,000	---
Subtotal (available this fiscal year).....	12,570,000	12,642,000	13,451,000	+881,000	+809,000
Advance appropriations.....	400,000	400,000	400,000	---	---
Less appropriations from prior year advances.....	-400,000	-400,000	-400,000	---	---
Total, Project-based Rental Assistance appropriated in this bill.....	12,570,000	12,642,000	13,451,000	+881,000	+809,000
Housing for the Elderly.....	793,000	853,000	893,000	+100,000	+40,000
Housing for Persons with Disabilities.....	202,000	252,000	227,000	+25,000	-25,000
Housing Counseling Assistance.....	53,000	45,000	75,000	+22,000	+30,000
Rental Housing Assistance.....	3,000	---	---	-3,000	---
Payment to Manufactured Housing Fees Trust Fund.....	13,000	14,000	13,000	---	-1,000
Offsetting collections.....	-13,000	-14,000	-13,000	---	+1,000
Total, Housing Programs.....	13,621,000	13,792,000	14,646,000	+1,025,000	+854,000



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AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>Federal Housing Administration</b>					
<b>Mutual Mortgage Insurance Program Account:</b>					
(Limitation on guaranteed loans).....	(400,000,000)	(400,000,000)	(400,000,000)	---	---
(Limitation on direct loans).....	(1,000)	(1,000)	(1,000)	---	---
Offsetting receipts.....	-5,649,000	-8,541,000	-8,541,000	-2,892,000	---
Proposed offsetting receipts (HECM).....	---	-223,000	-223,000	-223,000	---
Administrative contract expenses.....	130,000	130,000	130,000	---	---
<b>General and Special Risk Program Account:</b>					
(Limitation on guaranteed loans).....	(30,000,000)	(30,000,000)	(30,000,000)	---	---
(Limitation on direct loans).....	(1,000)	(1,000)	(1,000)	---	---
Offsetting receipts.....	-602,000	-480,000	-480,000	+122,000	---
<b>Total, Federal Housing Administration.....</b>	<b>-6,121,000</b>	<b>-9,114,000</b>	<b>-9,114,000</b>	<b>-2,993,000</b>	<b>---</b>
<b>Government National Mortgage Association</b>					
<b>Guarantees of Mortgage-backed Securities Loan</b>					
<b>Guarantee Program Account:</b>					
(Limitation on guaranteed loans).....	(550,000,000)	(550,000,000)	(1,500,000,000)	(+950,000,000)	(+950,000,000)
Administrative expenses.....	30,500	31,479	55,500	+25,000	+24,021
Offsetting receipts.....	-132,000	-129,000	-129,000	+3,000	---
Proposed offsetting receipts.....	-1,050,000	-1,288,000	-1,288,000	-238,000	---
Proposed offsetting receipts (HECM).....	---	-22,000	-22,000	-22,000	---
Additional contract expenses.....	1,000	---	1,000	---	+1,000
<b>Total, Gov't National Mortgage Association....</b>	<b>-1,150,500</b>	<b>-1,407,521</b>	<b>-1,382,500</b>	<b>-232,000</b>	<b>+25,021</b>

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
-----	-----	-----	-----	-----	-----
Policy Development and Research					
Research and Technology.....	98,000	94,650	118,000	+20,000	+23,350
Fair Housing and Equal Opportunity					
Fair Housing Activities.....	70,300	65,300	80,300	+10,000	+15,000
Office of Lead Hazard Control and Healthy Homes					
Lead Hazard Reduction.....	290,000	360,000	340,000	+50,000	-20,000
Cybersecurity and Information Technology Fund.....	280,000	257,600	293,000	+13,000	+35,400
Office of Inspector General.....	138,200	133,300	145,514	+7,314	+12,214
General Provisions--Department of Housing and Urban Development					
Sec. 237 unobligated balances (rescission of emergency funds).....	-7,000	---	---	+7,000	---
Sec. 238 (rescission).....	---	---	-14,000	-14,000	-14,000

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AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
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	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
Native Hawaiian Housing Loan Guarantee Fund Program Account (rescission) (Sec. 228).....	----	-2,000	----	----	+2,000
Total, title II, Department of Housing and Urban Development.....	49,087,139	37,281,350	50,580,821	+1,493,682	+13,319,471
Appropriations.....	(52,140,139)	(43,560,350)	(56,890,821)	(+4,750,682)	(+13,330,471)
Rescissions.....	----	(-2,000)	(-14,000)	(-14,000)	(-12,000)
Advance appropriations.....	(4,400,000)	(4,400,000)	(4,400,000)	----	----
Rescission of emergency appropriations.....	(-7,000)	----	----	(+7,000)	----
Offsetting receipts.....	(-7,433,000)	(-10,683,000)	(-10,683,000)	(-3,250,000)	----
Offsetting collections.....	(-13,000)	(-14,000)	(-13,000)	----	(+1,000)
(Limitation on direct loans).....	(2,000)	(2,000)	(2,000)	----	----
(Limitation on guaranteed loans).....	(981,332,000)	(981,030,000)	(1,931,361,299)	(+950,029,299)	(+950,331,299)
TITLE III - RELATED AGENCIES	=====	=====	=====	=====	=====
Access Board.....	9,200	9,200	9,200	----	----
Federal Maritime Commission.....	28,000	28,900	29,800	+1,800	+900
National Railroad Passenger Corporation Office of Inspector General.....	24,274	26,248	26,248	+1,974	----
National Transportation Safety Board.....	110,400	116,400	118,400	+8,000	+2,000
Neighborhood Reinvestment Corporation.....	158,500	27,400	208,500	+50,000	+181,100

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
Surface Transportation Board.....	37,100	37,500	37,500	+400	---
Offsetting collections.....	-1,250	-1,250	-1,250	---	---
Subtotal.....	35,850	36,250	36,250	+400	---
United States Interagency Council on Homelessness.....	3,800	3,800	3,800	---	---
Total, title III, Related Agencies.....	370,024	248,198	432,198	+62,174	+184,000

TITLE IV - GENERAL PROVISIONS - THIS ACT

Unobligated General Fund Highway Balances (Sec. 424) (rescission).....	-19,935	---	---	+19,935	---
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TITLE V - ADDITIONAL INFRASTRUCTURE INVESTMENTS

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

National Infrastructure Investments (emergency).....	---	---	3,000,000	+3,000,000	+3,000,000
Cyber Security Initiatives (emergency).....	---	---	10,500	+10,500	+10,500

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
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(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>Federal Aviation Administration</b>					
Facilities and Equipment (emergency).....	---	---	500,000	+500,000	+500,000
Grants-in-Aid for Airports (emergency).....	---	---	2,500,000	+2,500,000	+2,500,000
<b>Total, Federal Aviation Administration.....</b>	<b>---</b>	<b>---</b>	<b>3,000,000</b>	<b>+3,000,000</b>	<b>+3,000,000</b>
<b>Federal Railroad Administration</b>					
Consolidated Rail Infrastructure and Safety Improvements (emergency).....	---	---	5,000,000	+5,000,000	+5,000,000
Magnetic Levitation Technology Deployment Program (emergency).....	---	---	100,000	+100,000	+100,000
Northeast Corridor Grants to the National Railroad Passenger Corporation (emergency).....	---	---	5,000,000	+5,000,000	+5,000,000
National Network Grants to the National Railroad Passenger Corporation (emergency).....	---	---	3,000,000	+3,000,000	+3,000,000
<b>Total, Federal Railroad Administration.....</b>	<b>---</b>	<b>---</b>	<b>13,100,000</b>	<b>+13,100,000</b>	<b>+13,100,000</b>
<b>Federal Transit Administration</b>					
Capital Investment Grants (emergency).....	---	---	5,000,000	+5,000,000	+5,000,000
<b>Maritime Administration</b>					
Operations and Training (emergency).....	---	---	125,000	+125,000	+125,000
State Maritime Academy Operations (emergency).....	---	---	345,500	+345,500	+345,500
Assistance to Small Shipyards (emergency).....	---	---	100,000	+100,000	+100,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
Port Infrastructure Development Program (emergency)....	---	---	1,000,000	+1,000,000	+1,000,000
Total, Maritime Administration.....	---	---	1,570,500	+1,570,500	+1,570,500
Office of Inspector General					
Salaries and Expenses (emergency).....	---	---	7,500	+7,500	+7,500
Total, Department of Transportation.....	---	---	25,688,500	+25,688,500	+25,688,500
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT					
Public and Indian Housing					
Public Housing Capital Fund (emergency).....	---	---	24,250,000	+24,250,000	+24,250,000
Choice Neighborhoods Initiatives (emergency).....	---	---	300,000	+300,000	+300,000
Native American Programs (emergency).....	---	---	1,000,000	+1,000,000	+1,000,000
Native Hawaiian Housing Block Grant (emergency).....	---	---	20,000	+20,000	+20,000
Total, Public and Indian Housing.....	---	---	25,570,000	+25,570,000	+25,570,000
Community Planning and Development					
Community Development Fund (emergency).....	---	---	4,000,000	+4,000,000	+4,000,000
HOME Investment Partnerships Program (emergency).....	---	---	17,500,000	+17,500,000	+17,500,000
Self-Help and Homeownership Opportunity Program (emergency).....	---	---	55,000	+55,000	+55,000
Total, Community Planning and Development.....	---	---	21,555,000	+21,555,000	+21,555,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>Housing Programs</b>					
Assisted Housing Investments (emergency).....	---	---	750,000	+750,000	+750,000
Housing for the Elderly (emergency).....	---	---	750,000	+750,000	+750,000
Housing for Persons with Disabilities (emergency).....	---	---	179,000	+179,000	+179,000
Total, Housing Programs.....	---	---	1,679,000	+1,679,000	+1,679,000
<b>Office of Lead Hazard Control and Healthy Homes</b>					
Lead Hazard Reduction (emergency).....	---	---	100,000	+100,000	+100,000
Cybersecurity and Information Technology Fund (emergency).....	---	---	100,000	+100,000	+100,000
Total, Office of Lead Hazard Control and Healthy Homes.....	---	---	200,000	+200,000	+200,000
<b>Office of Inspector General</b>					
Salaries and Expenses (emergency).....	---	---	7,500	+7,500	+7,500
Total, Department of Housing and Urban Development.....	---	---	49,011,500	+49,011,500	+49,011,500

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
RELATED AGENCY					
Payment to the Neighborhood Reinvestment Corporation (emergency).....	---	---	300,000	+300,000	+300,000
Total, title V, Additional Infrastructure Investments.....	---	---	75,000,000	+75,000,000	+75,000,000
OTHER APPROPRIATIONS					
EMERGENCY APPROPRIATIONS FOR CORONAVIRUS HEALTH RESPONSE AND AGENCY OPERATIONS (P.L. 116-136 DIV B)					
DEPARTMENT OF TRANSPORTATION					
Office of the Secretary					
Salaries and Expenses (emergency).....	1,753	---	---	-1,753	---
Payments to Air Carriers (emergency).....	56,000	---	---	-56,000	---
Federal Aviation Administration					
Grants-in-Aid for Airports (emergency).....	10,000,000	---	---	-10,000,000	---



COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
Federal Railroad Administration					
Safety and Operations (emergency).....	250	---	---	-250	---
Northeast Corridor Grants to the National Railroad Passenger Corporation (emergency).....	492,000	---	---	-492,000	---
National Network Grants to the National Railroad Passenger Corporation (emergency).....	526,000	---	---	-526,000	---
Total, Federal Railroad Administration.....	1,018,250	---	---	-1,018,250	---
Federal Transit Administration					
Transit Infrastructure Grants (emergency).....	25,000,000	---	---	-25,000,000	---
Maritime Administration					
Operations and Training (emergency).....	3,134	---	---	-3,134	---
State Maritime Academy Operations (emergency).....	1,000	---	---	-1,000	---
Office of Inspector General					
Salaries and Expenses (emergency).....	5,000	---	---	-5,000	---
Total, Department of Transportation.....	36,085,137	---	---	-36,085,137	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT					
Management and Administration					
Administrative Support Offices (emergency).....	35,000	---	---	-35,000	---
Program Offices (emergency).....	15,000	---	---	-15,000	---
Public and Indian Housing					
Tenant-based Rental Assistance.....	1,250,000	---	---	-1,250,000	---
Public Housing Operating Fund (emergency).....	685,000	---	---	-685,000	---
Native American Programs (emergency).....	300,000	---	---	-300,000	---
Total, Public and Indian Housing.....	2,235,000	---	---	-2,235,000	---
Community Planning and Development					
Housing Opportunities for Persons with AIDS (emergency).....	65,000	---	---	-65,000	---
Community Development Fund (emergency).....	5,000,000	---	---	-5,000,000	---
Homeless Assistance Grants (emergency).....	4,000,000	---	---	-4,000,000	---
Total, Community Planning and Development.....	9,065,000	---	---	-9,065,000	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>Housing Programs</b>					
Project-based Housing Assistance (emergency).....	1,000,000	---	---	-1,000,000	---
Housing for the Elderly (emergency).....	50,000	---	---	-50,000	---
Housing for the Disabled (emergency).....	15,000	---	---	-15,000	---
Total, Housing Programs.....	1,065,000	---	---	-1,065,000	---
<b>Fair Housing and Equal Opportunity</b>					
Fair Housing Activities (emergency).....	2,500	---	---	-2,500	---
<b>Office of Inspector General</b>					
Salaries and Expenses (emergency).....	5,000	---	---	-5,000	---
Total, Department of Housing and Urban Development.....	12,422,500	---	---	-12,422,500	---
Total, Other Appropriations.....	48,507,637	---	---	-48,507,637	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2020  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2021  
(Amounts in thousands)

	FY 2020 Enacted	FY 2021 Request	Bill	Bill vs. Enacted	Bill vs. Request
Grand total.....	122,777,637	59,162,362	150,924,008	+28,146,371	+91,761,646
Appropriations.....	(77,344,185)	(65,749,755)	(82,273,780)	(+4,929,595)	(+16,524,025)
Rescissions.....	(-19,935)	(-289,143)	(-52,522)	(-32,587)	(+236,621)
Rescissions of emergency funding.....	(-7,000)	---	---	(+7,000)	---
Emergency appropriations.....	(48,507,637)	---	(75,000,000)	(+26,492,363)	(+75,000,000)
Advance appropriations.....	(4,400,000)	(4,400,000)	(4,400,000)	---	---
Offsetting receipts.....	(-7,433,000)	(-10,683,000)	(-10,683,000)	(-3,250,000)	---
Offsetting collections.....	(-14,250)	(-15,250)	(-14,250)	---	(+1,000)
(Limitation on obligations).....	(61,322,893)	(66,199,400)	(82,332,000)	(+21,009,107)	(+16,132,600)
Total budgetary resources.....	(184,100,530)	(125,361,762)	(233,256,008)	(+49,155,478)	(+107,894,246)

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ROLL CALL VOTES

**[TO BE PROVIDED]**

VIEWS

**[TO BE PROVIDED]**