

JULY 20, 2020

RULES COMMITTEE PRINT 116-60

TEXT OF H.R. 7617, DEFENSE, COMMERCE, JUSTICE, SCIENCE, ENERGY AND WATER DEVELOPMENT, FINANCIAL SERVICES AND GENERAL GOVERNMENT, HOMELAND SECURITY, LABOR, HEALTH AND HUMAN SERVICES, EDUCATION, TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS ACT, 2021

[Showing the text of H.R. 7617, H.R. 7667, H.R. 7613, H.R. 7668, H.R. 7669, H.R. 7614, and H.R. 7616, as reported by the Committee on Appropriations, with modifications.]

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Defense, Commerce,
3 Justice, Science, Energy and Water Development, Finan-
4 cial Services and General Government, Homeland Secu-
5 rity, Labor, Health and Human Services, Education,
6 Transportation, Housing, and Urban Development Appro-
7 priations Act, 2021”.

8 **SEC. 2. REFERENCES TO ACT.**

9 Except as expressly provided otherwise, any reference
10 to “this Act” contained in any division of this Act shall
11 be treated as referring only to the provisions of that divi-
12 sion.

1 **SEC. 3. REFERENCES TO REPORT.**

2 (a) Any reference to a “report accompanying this
3 Act” contained in division A of this Act shall be treated
4 as a reference to House Report 116–453. The effect of
5 such Report shall be limited to division A and shall apply
6 for purposes of determining the allocation of funds pro-
7 vided by, and the implementation of, division A.

8 (b) Any reference to a “report accompanying this
9 Act” contained in division B of this Act shall be treated
10 as a reference to House Report 116–455. The effect of
11 such Report shall be limited to division B and shall apply
12 for purposes of determining the allocation of funds pro-
13 vided by, and the implementation of, division B.

14 (c) Any reference to a “report accompanying this
15 Act” contained in division C of this Act shall be treated
16 as a reference to House Report 116–449. The effect of
17 such Report shall be limited to division C and shall apply
18 for purposes of determining the allocation of funds pro-
19 vided by, and the implementation of, division C.

20 (d) Any reference to a “report accompanying this
21 Act” contained in division D of this Act shall be treated
22 as a reference to House Report 116–456. The effect of
23 such Report shall be limited to division D and shall apply
24 for purposes of determining the allocation of funds pro-
25 vided by, and the implementation of, division D.

1 (e) Any reference to a “report accompanying this
2 Act” contained in division E of this Act shall be treated
3 as a reference to House Report 116–458. The effect of
4 such Report shall be limited to division E and shall apply
5 for purposes of determining the allocation of funds pro-
6 vided by, and the implementation of, division E.

7 (f) Any reference to a “report accompanying this
8 Act” contained in division F of this Act shall be treated
9 as a reference to House Report 116–450. The effect of
10 such Report shall be limited to division F and shall apply
11 for purposes of determining the allocation of funds pro-
12 vided by, and the implementation of, division F.

13 (g) Any reference to a “report accompanying this
14 Act” contained in division G of this Act shall be treated
15 as a reference to House Report 116–452. The effect of
16 such Report shall be limited to division G and shall apply
17 for purposes of determining the allocation of funds pro-
18 vided by, and the implementation of, division G.

19 **SEC. 4. AVAILABILITY OF FUNDS.**

20 (a) Each amount designated in this Act by the Con-
21 gress as an emergency requirement pursuant to section
22 251(b)(2)(A)(i) of the Balanced Budget and Emergency
23 Deficit Control Act of 1985 shall be available (or re-
24 scinded, if applicable) only if the President subsequently

1 so designates all such amounts and transmits such des-
2 ignations to the Congress.

3 (b) Each amount designated in this Act by the Con-
4 gress for Overseas Contingency Operations/Global War on
5 Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
6 anced Budget and Emergency Deficit Control Act of 1985
7 shall be available (or rescinded, if applicable) only if the
8 President subsequently so designates all such amounts
9 and transmits such designations to the Congress.

1 **DIVISION A—DEPARTMENT OF DEFENSE**
2 **APPROPRIATIONS ACT, 2021**

3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 fiscal year ending September 30, 2021, for military func-
6 tions administered by the Department of Defense and for
7 other purposes, namely:

8 **TITLE I**

9 **MILITARY PERSONNEL**

10 **MILITARY PERSONNEL, ARMY**

11 For pay, allowances, individual clothing, subsistence,
12 interest on deposits, gratuities, permanent change of sta-
13 tion travel (including all expenses thereof for organiza-
14 tional movements), and expenses of temporary duty travel
15 between permanent duty stations, for members of the
16 Army on active duty (except members of reserve compo-
17 nents provided for elsewhere), cadets, and aviation cadets;
18 for members of the Reserve Officers' Training Corps; and
19 for payments pursuant to section 156 of Public Law 97–
20 377, as amended (42 U.S.C. 402 note), and to the Depart-
21 ment of Defense Military Retirement Fund,
22 \$44,936,603,000.

23 **MILITARY PERSONNEL, NAVY**

24 For pay, allowances, individual clothing, subsistence,
25 interest on deposits, gratuities, permanent change of sta-

1 tion travel (including all expenses thereof for organiza-
2 tional movements), and expenses of temporary duty travel
3 between permanent duty stations, for members of the
4 Navy on active duty (except members of the Reserve pro-
5 vided for elsewhere), midshipmen, and aviation cadets; for
6 members of the Reserve Officers' Training Corps; and for
7 payments pursuant to section 156 of Public Law 97-377,
8 as amended (42 U.S.C. 402 note), and to the Department
9 of Defense Military Retirement Fund, \$33,757,999,000.

10 MILITARY PERSONNEL, MARINE CORPS

11 For pay, allowances, individual clothing, subsistence,
12 interest on deposits, gratuities, permanent change of sta-
13 tion travel (including all expenses thereof for organiza-
14 tional movements), and expenses of temporary duty travel
15 between permanent duty stations, for members of the Ma-
16 rine Corps on active duty (except members of the Reserve
17 provided for elsewhere); and for payments pursuant to sec-
18 tion 156 of Public Law 97-377, as amended (42 U.S.C.
19 402 note), and to the Department of Defense Military Re-
20 tirement Fund, \$14,534,551,000.

21 MILITARY PERSONNEL, AIR FORCE

22 For pay, allowances, individual clothing, subsistence,
23 interest on deposits, gratuities, permanent change of sta-
24 tion travel (including all expenses thereof for organiza-
25 tional movements), and expenses of temporary duty travel

1 between permanent duty stations, for members of the Air
2 Force on active duty (except members of reserve compo-
3 nents provided for elsewhere), cadets, and aviation cadets;
4 for members of the Reserve Officers' Training Corps; and
5 for payments pursuant to section 156 of Public Law 97-
6 377, as amended (42 U.S.C. 402 note), and to the Depart-
7 ment of Defense Military Retirement Fund,
8 \$32,675,965,000.

9 RESERVE PERSONNEL, ARMY

10 For pay, allowances, clothing, subsistence, gratuities,
11 travel, and related expenses for personnel of the Army Re-
12 serve on active duty under sections 10211, 10302, and
13 7038 of title 10, United States Code, or while serving on
14 active duty under section 12301(d) of title 10, United
15 States Code, in connection with performing duty specified
16 in section 12310(a) of title 10, United States Code, or
17 while undergoing reserve training, or while performing
18 drills or equivalent duty or other duty, and expenses au-
19 thorized by section 16131 of title 10, United States Code;
20 and for payments to the Department of Defense Military
21 Retirement Fund, \$5,025,216,000.

22 RESERVE PERSONNEL, NAVY

23 For pay, allowances, clothing, subsistence, gratuities,
24 travel, and related expenses for personnel of the Navy Re-
25 serve on active duty under section 10211 of title 10,

1 United States Code, or while serving on active duty under
2 section 12301(d) of title 10, United States Code, in con-
3 nection with performing duty specified in section 12310(a)
4 of title 10, United States Code, or while undergoing re-
5 serve training, or while performing drills or equivalent
6 duty, and expenses authorized by section 16131 of title
7 10, United States Code; and for payments to the Depart-
8 ment of Defense Military Retirement Fund,
9 \$2,223,690,000.

10 RESERVE PERSONNEL, MARINE CORPS

11 For pay, allowances, clothing, subsistence, gratuities,
12 travel, and related expenses for personnel of the Marine
13 Corps Reserve on active duty under section 10211 of title
14 10, United States Code, or while serving on active duty
15 under section 12301(d) of title 10, United States Code,
16 in connection with performing duty specified in section
17 12310(a) of title 10, United States Code, or while under-
18 going reserve training, or while performing drills or equiv-
19 alent duty, and for members of the Marine Corps platoon
20 leaders class, and expenses authorized by section 16131
21 of title 10, United States Code; and for payments to the
22 Department of Defense Military Retirement Fund,
23 \$857,394,000.

1 RESERVE PERSONNEL, AIR FORCE

2 For pay, allowances, clothing, subsistence, gratuities,
3 travel, and related expenses for personnel of the Air Force
4 Reserve on active duty under sections 10211, 10305, and
5 8038 of title 10, United States Code, or while serving on
6 active duty under section 12301(d) of title 10, United
7 States Code, in connection with performing duty specified
8 in section 12310(a) of title 10, United States Code, or
9 while undergoing reserve training, or while performing
10 drills or equivalent duty or other duty, and expenses au-
11 thorized by section 16131 of title 10, United States Code;
12 and for payments to the Department of Defense Military
13 Retirement Fund, \$2,179,763,000.

14 NATIONAL GUARD PERSONNEL, ARMY

15 For pay, allowances, clothing, subsistence, gratuities,
16 travel, and related expenses for personnel of the Army Na-
17 tional Guard while on duty under sections 10211, 10302,
18 or 12402 of title 10 or section 708 of title 32, United
19 States Code, or while serving on duty under section
20 12301(d) of title 10 or section 502(f) of title 32, United
21 States Code, in connection with performing duty specified
22 in section 12310(a) of title 10, United States Code, or
23 while undergoing training, or while performing drills or
24 equivalent duty or other duty, and expenses authorized by
25 section 16131 of title 10, United States Code; and for pay-

1 ments to the Department of Defense Military Retirement
2 Fund, \$8,639,005,000.

3 NATIONAL GUARD PERSONNEL, AIR FORCE

4 For pay, allowances, clothing, subsistence, gratuities,
5 travel, and related expenses for personnel of the Air Na-
6 tional Guard on duty under sections 10211, 10305, or
7 12402 of title 10 or section 708 of title 32, United States
8 Code, or while serving on duty under section 12301(d) of
9 title 10 or section 502(f) of title 32, United States Code,
10 in connection with performing duty specified in section
11 12310(a) of title 10, United States Code, or while under-
12 going training, or while performing drills or equivalent
13 duty or other duty, and expenses authorized by section
14 16131 of title 10, United States Code; and for payments
15 to the Department of Defense Military Retirement Fund,
16 \$4,525,466,000.

17 TITLE II

18 OPERATION AND MAINTENANCE

19 OPERATION AND MAINTENANCE, ARMY

20 For expenses, not otherwise provided for, necessary
21 for the operation and maintenance of the Army, as author-
22 ized by law, \$40,424,428,000: *Provided*, That not to ex-
23 ceed \$12,478,000 can be used for emergencies and ex-
24 traordinary expenses, to be expended on the approval or
25 authority of the Secretary of the Army, and payments may

1 be made on his certificate of necessity for confidential mili-
2 tary purposes.

3 OPERATION AND MAINTENANCE, NAVY

4 For expenses, not otherwise provided for, necessary
5 for the operation and maintenance of the Navy and the
6 Marine Corps, as authorized by law, \$49,248,117,000:
7 *Provided*, That not to exceed \$15,055,000 can be used for
8 emergencies and extraordinary expenses, to be expended
9 on the approval or authority of the Secretary of the Navy,
10 and payments may be made on his certificate of necessity
11 for confidential military purposes.

12 OPERATION AND MAINTENANCE, MARINE CORPS

13 For expenses, not otherwise provided for, necessary
14 for the operation and maintenance of the Marine Corps,
15 as authorized by law, \$7,512,336,000.

16 OPERATION AND MAINTENANCE, AIR FORCE

17 For expenses, not otherwise provided for, necessary
18 for the operation and maintenance of the Air Force, as
19 authorized by law, \$33,595,328,000: *Provided*, That not
20 to exceed \$7,699,000 can be used for emergencies and ex-
21 traordinary expenses, to be expended on the approval or
22 authority of the Secretary of the Air Force, and payments
23 may be made on his certificate of necessity for confidential
24 military purposes.

1 OPERATION AND MAINTENANCE, SPACE FORCE

2 For expenses, not otherwise provided for, necessary
3 for the operation and maintenance of the Space Force, as
4 authorized by law, \$2,498,544,000.

5 OPERATION AND MAINTENANCE, DEFENSE-WIDE

6 (INCLUDING TRANSFER OF FUNDS)

7 For expenses, not otherwise provided for, necessary
8 for the operation and maintenance of activities and agen-
9 cies of the Department of Defense (other than the military
10 departments), as authorized by law, \$38,967,817,000:
11 *Provided*, That not more than \$6,859,000 may be used
12 for the Combatant Commander Initiative Fund authorized
13 under section 166a of title 10, United States Code: *Pro-*
14 *vided further*, That not to exceed \$36,000,000 can be used
15 for emergencies and extraordinary expenses, to be ex-
16 pended on the approval or authority of the Secretary of
17 Defense, and payments may be made on his certificate of
18 necessity for confidential military purposes: *Provided fur-*
19 *ther*, That of the funds provided under this heading, not
20 less than \$48,000,000 shall be made available for the Pro-
21 curement Technical Assistance Cooperative Agreement
22 Program, of which not less than \$4,500,000 shall be avail-
23 able for centers defined in 10 U.S.C. 2411(1)(D): *Pro-*
24 *vided further*, That none of the funds appropriated or oth-
25 erwise made available by this Act may be used to plan

1 or implement the consolidation of a budget or appropria-
2 tions liaison office of the Office of the Secretary of De-
3 fense, the office of the Secretary of a military department,
4 or the service headquarters of one of the Armed Forces
5 into a legislative affairs or legislative liaison office: *Pro-*
6 *vided further*, That \$17,732,000, to remain available until
7 expended, is available only for expenses relating to certain
8 classified activities, and may be transferred as necessary
9 by the Secretary of Defense to operation and maintenance
10 appropriations or research, development, test and evalua-
11 tion appropriations, to be merged with and to be available
12 for the same time period as the appropriations to which
13 transferred: *Provided further*, That any ceiling on the in-
14 vestment item unit cost of items that may be purchased
15 with operation and maintenance funds shall not apply to
16 the funds described in the preceding proviso: *Provided fur-*
17 *ther*, That of the funds provided under this heading,
18 \$659,225,000, of which \$164,806,000 to remain available
19 until September 30, 2022, shall be available to provide
20 support and assistance to foreign security forces or other
21 groups or individuals to conduct, support or facilitate
22 counterterrorism, crisis response, or other Department of
23 Defense security cooperation programs; of which not less
24 than \$30,000,000 shall be available for International Se-
25 curity Cooperation Programs with countries in the United

1 States Africa Command area of responsibility; of which
2 not less than \$130,000,000 shall be available for Inter-
3 national Security Cooperation Programs with countries in
4 the United States Southern Command area of responsi-
5 bility; and not to exceed \$21,814,000 shall be for Defense
6 Security Cooperation Agency headquarters expenses: *Pro-*
7 *vided further*, That the Secretary of Defense shall notify
8 the congressional defense committees in writing and not
9 fewer than 15 days prior to obligating funds for Inter-
10 national Security Cooperation Programs: *Provided further*,
11 That the Secretary of Defense shall provide quarterly re-
12 ports to the Committees on Appropriations of the House
13 of Representatives and the Senate on the use and status
14 of funds provided under this heading: *Provided further*,
15 That the transfer authority provided under this heading
16 is in addition to any other transfer authority provided else-
17 where in this Act.

18 OPERATION AND MAINTENANCE, ARMY RESERVE

19 For expenses, not otherwise provided for, necessary
20 for the operation and maintenance, including training, or-
21 ganization, and administration, of the Army Reserve; re-
22 pair of facilities and equipment; hire of passenger motor
23 vehicles; travel and transportation; care of the dead; re-
24 cruiting; procurement of services, supplies, and equip-
25 ment; and communications, \$3,004,717,000.

1 OPERATION AND MAINTENANCE, NAVY RESERVE

2 For expenses, not otherwise provided for, necessary
3 for the operation and maintenance, including training, or-
4 ganization, and administration, of the Navy Reserve; re-
5 pair of facilities and equipment; hire of passenger motor
6 vehicles; travel and transportation; care of the dead; re-
7 cruiting; procurement of services, supplies, and equip-
8 ment; and communications, \$1,155,746,000.

9 OPERATION AND MAINTENANCE, MARINE CORPS

10 RESERVE

11 For expenses, not otherwise provided for, necessary
12 for the operation and maintenance, including training, or-
13 ganization, and administration, of the Marine Corps Re-
14 serve; repair of facilities and equipment; hire of passenger
15 motor vehicles; travel and transportation; care of the dead;
16 recruiting; procurement of services, supplies, and equip-
17 ment; and communications, \$322,706,000.

18 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

19 For expenses, not otherwise provided for, necessary
20 for the operation and maintenance, including training, or-
21 ganization, and administration, of the Air Force Reserve;
22 repair of facilities and equipment; hire of passenger motor
23 vehicles; travel and transportation; care of the dead; re-
24 cruiting; procurement of services, supplies, and equip-
25 ment; and communications, \$3,300,284,000.

1 OPERATION AND MAINTENANCE, ARMY NATIONAL

2 GUARD

3 For expenses of training, organizing, and admin-
4 istering the Army National Guard, including medical and
5 hospital treatment and related expenses in non-Federal
6 hospitals; maintenance, operation, and repairs to struc-
7 tures and facilities; hire of passenger motor vehicles; per-
8 sonnel services in the National Guard Bureau; travel ex-
9 penses (other than mileage), as authorized by law for
10 Army personnel on active duty, for Army National Guard
11 division, regimental, and battalion commanders while in-
12 specting units in compliance with National Guard Bureau
13 regulations when specifically authorized by the Chief, Na-
14 tional Guard Bureau; supplying and equipping the Army
15 National Guard as authorized by law; and expenses of re-
16 pair, modification, maintenance, and issue of supplies and
17 equipment (including aircraft), \$7,611,147,000.

18 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

19 For expenses of training, organizing, and admin-
20 istering the Air National Guard, including medical and
21 hospital treatment and related expenses in non-Federal
22 hospitals; maintenance, operation, and repairs to struc-
23 tures and facilities; transportation of things, hire of pas-
24 senger motor vehicles; supplying and equipping the Air
25 National Guard, as authorized by law; expenses for repair,

1 modification, maintenance, and issue of supplies and
2 equipment, including those furnished from stocks under
3 the control of agencies of the Department of Defense;
4 travel expenses (other than mileage) on the same basis as
5 authorized by law for Air National Guard personnel on
6 active Federal duty, for Air National Guard commanders
7 while inspecting units in compliance with National Guard
8 Bureau regulations when specifically authorized by the
9 Chief, National Guard Bureau, \$6,853,942,000.

10 UNITED STATES COURT OF APPEALS FOR THE ARMED
11 FORCES

12 For salaries and expenses necessary for the United
13 States Court of Appeals for the Armed Forces,
14 \$15,211,000, of which not to exceed \$5,000 may be used
15 for official representation purposes.

16 ENVIRONMENTAL RESTORATION, ARMY
17 (INCLUDING TRANSFER OF FUNDS)

18 For the Department of the Army, \$264,285,000, to
19 remain available until transferred: *Provided*, That the Sec-
20 retary of the Army shall, upon determining that such
21 funds are required for environmental restoration, reduc-
22 tion and recycling of hazardous waste, removal of unsafe
23 buildings and debris of the Department of the Army, or
24 for similar purposes, transfer the funds made available by
25 this appropriation to other appropriations made available

1 to the Department of the Army, to be merged with and
2 to be available for the same purposes and for the same
3 time period as the appropriations to which transferred:
4 *Provided further*, That upon a determination that all or
5 part of the funds transferred from this appropriation are
6 not necessary for the purposes provided herein, such
7 amounts may be transferred back to this appropriation:
8 *Provided further*, That the transfer authority provided
9 under this heading is in addition to any other transfer au-
10 thority provided elsewhere in this Act.

11 ENVIRONMENTAL RESTORATION, NAVY

12 (INCLUDING TRANSFER OF FUNDS)

13 For the Department of the Navy, \$404,250,000, to
14 remain available until transferred: *Provided*, That the Sec-
15 retary of the Navy shall, upon determining that such
16 funds are required for environmental restoration, reduc-
17 tion and recycling of hazardous waste, removal of unsafe
18 buildings and debris of the Department of the Navy, or
19 for similar purposes, transfer the funds made available by
20 this appropriation to other appropriations made available
21 to the Department of the Navy, to be merged with and
22 to be available for the same purposes and for the same
23 time period as the appropriations to which transferred:
24 *Provided further*, That upon a determination that all or
25 part of the funds transferred from this appropriation are

1 not necessary for the purposes provided herein, such
2 amounts may be transferred back to this appropriation:
3 *Provided further*, That the transfer authority provided
4 under this heading is in addition to any other transfer au-
5 thority provided elsewhere in this Act.

6 ENVIRONMENTAL RESTORATION, AIR FORCE

7 (INCLUDING TRANSFER OF FUNDS)

8 For the Department of the Air Force, \$509,250,000,
9 to remain available until transferred: *Provided*, That the
10 Secretary of the Air Force shall, upon determining that
11 such funds are required for environmental restoration, re-
12 duction and recycling of hazardous waste, removal of un-
13 safe buildings and debris of the Department of the Air
14 Force, or for similar purposes, transfer the funds made
15 available by this appropriation to other appropriations
16 made available to the Department of the Air Force, to be
17 merged with and to be available for the same purposes
18 and for the same time period as the appropriations to
19 which transferred: *Provided further*, That upon a deter-
20 mination that all or part of the funds transferred from
21 this appropriation are not necessary for the purposes pro-
22 vided herein, such amounts may be transferred back to
23 this appropriation: *Provided further*, That the transfer au-
24 thority provided under this heading is in addition to any
25 other transfer authority provided elsewhere in this Act.

1 ENVIRONMENTAL RESTORATION, DEFENSE-WIDE
2 (INCLUDING TRANSFER OF FUNDS)

3 For the Department of Defense, \$19,952,000, to re-
4 main available until transferred: *Provided*, That the Sec-
5 retary of Defense shall, upon determining that such funds
6 are required for environmental restoration, reduction and
7 recycling of hazardous waste, removal of unsafe buildings
8 and debris of the Department of Defense, or for similar
9 purposes, transfer the funds made available by this appro-
10 priation to other appropriations made available to the De-
11 partment of Defense, to be merged with and to be avail-
12 able for the same purposes and for the same time period
13 as the appropriations to which transferred: *Provided fur-*
14 *ther*, That upon a determination that all or part of the
15 funds transferred from this appropriation are not nec-
16 essary for the purposes provided herein, such amounts
17 may be transferred back to this appropriation: *Provided*
18 *further*, That the transfer authority provided under this
19 heading is in addition to any other transfer authority pro-
20 vided elsewhere in this Act.

21 ENVIRONMENTAL RESTORATION, FORMERLY USED
22 DEFENSE SITES
23 (INCLUDING TRANSFER OF FUNDS)

24 For the Department of the Army, \$288,750,000, to
25 remain available until transferred: *Provided*, That the Sec-

1 retary of the Army shall, upon determining that such
2 funds are required for environmental restoration, reduc-
3 tion and recycling of hazardous waste, removal of unsafe
4 buildings and debris at sites formerly used by the Depart-
5 ment of Defense, transfer the funds made available by this
6 appropriation to other appropriations made available to
7 the Department of the Army, to be merged with and to
8 be available for the same purposes and for the same time
9 period as the appropriations to which transferred: *Pro-*
10 *vided further*, That upon a determination that all or part
11 of the funds transferred from this appropriation are not
12 necessary for the purposes provided herein, such amounts
13 may be transferred back to this appropriation: *Provided*
14 *further*, That the transfer authority provided under this
15 heading is in addition to any other transfer authority pro-
16 vided elsewhere in this Act.

17 OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

18 For expenses relating to the Overseas Humanitarian,
19 Disaster, and Civic Aid programs of the Department of
20 Defense (consisting of the programs provided under sec-
21 tions 401, 402, 404, 407, 2557, and 2561 of title 10,
22 United States Code), \$147,500,000, to remain available
23 until September 30, 2022: *Provided*, That such amounts
24 shall not be subject to the limitation in section 407(c)(3)
25 of title 10, United States Code.

1 COOPERATIVE THREAT REDUCTION ACCOUNT

2 For assistance, including assistance provided by con-
3 tract or by grants, under programs and activities of the
4 Department of Defense Cooperative Threat Reduction
5 Program authorized under the Department of Defense Co-
6 operative Threat Reduction Act, \$360,190,000, to remain
7 available until September 30, 2023.

8 DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE

9 DEVELOPMENT ACCOUNT

10 For the Department of Defense Acquisition Work-
11 force Development Account, \$198,501,000, to remain
12 available for obligation until September 30, 2021: *Pro-*
13 *vided*, That no other amounts may be otherwise credited
14 or transferred to the Account, or deposited into the Ac-
15 count, in fiscal year 2021 pursuant to section 1705(d) of
16 title 10, United States Code.

17 TITLE III

18 PROCUREMENT

19 AIRCRAFT PROCUREMENT, ARMY

20 For construction, procurement, production, modifica-
21 tion, and modernization of aircraft, equipment, including
22 ordnance, ground handling equipment, spare parts, and
23 accessories therefor; specialized equipment and training
24 devices; expansion of public and private plants, including
25 the land necessary therefor, for the foregoing purposes,

1 and such lands and interests therein, may be acquired,
2 and construction prosecuted thereon prior to approval of
3 title; and procurement and installation of equipment, ap-
4 pliances, and machine tools in public and private plants;
5 reserve plant and Government and contractor-owned
6 equipment layaway; and other expenses necessary for the
7 foregoing purposes, \$3,503,013,000, to remain available
8 for obligation until September 30, 2023.

9 MISSILE PROCUREMENT, ARMY

10 For construction, procurement, production, modifica-
11 tion, and modernization of missiles, equipment, including
12 ordnance, ground handling equipment, spare parts, and
13 accessories therefor; specialized equipment and training
14 devices; expansion of public and private plants, including
15 the land necessary therefor, for the foregoing purposes,
16 and such lands and interests therein, may be acquired,
17 and construction prosecuted thereon prior to approval of
18 title; and procurement and installation of equipment, ap-
19 pliances, and machine tools in public and private plants;
20 reserve plant and Government and contractor-owned
21 equipment layaway; and other expenses necessary for the
22 foregoing purposes, \$3,419,333,000, to remain available
23 for obligation until September 30, 2023.

1 PROCUREMENT OF WEAPONS AND TRACKED COMBAT
2 VEHICLES, ARMY

3 For construction, procurement, production, and
4 modification of weapons and tracked combat vehicles,
5 equipment, including ordnance, spare parts, and acces-
6 sories therefor; specialized equipment and training devices;
7 expansion of public and private plants, including the land
8 necessary therefor, for the foregoing purposes, and such
9 lands and interests therein, may be acquired, and con-
10 struction prosecuted thereon prior to approval of title; and
11 procurement and installation of equipment, appliances,
12 and machine tools in public and private plants; reserve
13 plant and Government and contractor-owned equipment
14 layaway; and other expenses necessary for the foregoing
15 purposes, \$3,696,263,000, to remain available for obliga-
16 tion until September 30, 2023.

17 PROCUREMENT OF AMMUNITION, ARMY

18 For construction, procurement, production, and
19 modification of ammunition, and accessories therefor; spe-
20 cialized equipment and training devices; expansion of pub-
21 lic and private plants, including ammunition facilities, au-
22 thorized by section 2854 of title 10, United States Code,
23 and the land necessary therefor, for the foregoing pur-
24 poses, and such lands and interests therein, may be ac-
25 quired, and construction prosecuted thereon prior to ap-

1 proval of title; and procurement and installation of equip-
2 ment, appliances, and machine tools in public and private
3 plants; reserve plant and Government and contractor-
4 owned equipment layaway; and other expenses necessary
5 for the foregoing purposes, \$2,789,898,000, to remain
6 available for obligation until September 30, 2023.

7 OTHER PROCUREMENT, ARMY

8 For construction, procurement, production, and
9 modification of vehicles, including tactical, support, and
10 non-tracked combat vehicles; the purchase of passenger
11 motor vehicles for replacement only; communications and
12 electronic equipment; other support equipment; spare
13 parts, ordnance, and accessories therefor; specialized
14 equipment and training devices; expansion of public and
15 private plants, including the land necessary therefor, for
16 the foregoing purposes, and such lands and interests
17 therein, may be acquired, and construction prosecuted
18 thereon prior to approval of title; and procurement and
19 installation of equipment, appliances, and machine tools
20 in public and private plants; reserve plant and Govern-
21 ment and contractor-owned equipment layaway; and other
22 expenses necessary for the foregoing purposes,
23 \$8,453,422,000, to remain available for obligation until
24 September 30, 2023.

1 AIRCRAFT PROCUREMENT, NAVY

2 For construction, procurement, production, modifica-
3 tion, and modernization of aircraft, equipment, including
4 ordnance, spare parts, and accessories therefor; specialized
5 equipment; expansion of public and private plants, includ-
6 ing the land necessary therefor, and such lands and inter-
7 ests therein, may be acquired, and construction prosecuted
8 thereon prior to approval of title; and procurement and
9 installation of equipment, appliances, and machine tools
10 in public and private plants; reserve plant and Govern-
11 ment and contractor-owned equipment layaway,
12 \$17,710,109,000, to remain available for obligation until
13 September 30, 2023.

14 WEAPONS PROCUREMENT, NAVY

15 For construction, procurement, production, modifica-
16 tion, and modernization of missiles, torpedoes, other weap-
17 ons, and related support equipment including spare parts,
18 and accessories therefor; expansion of public and private
19 plants, including the land necessary therefor, and such
20 lands and interests therein, may be acquired, and con-
21 struction prosecuted thereon prior to approval of title; and
22 procurement and installation of equipment, appliances,
23 and machine tools in public and private plants; reserve
24 plant and Government and contractor-owned equipment

1 layaway, \$4,378,594,000, to remain available for obliga-
2 tion until September 30, 2023.

3 PROCUREMENT OF AMMUNITION, NAVY AND MARINE
4 CORPS

5 For construction, procurement, production, and
6 modification of ammunition, and accessories therefor; spe-
7 cialized equipment and training devices; expansion of pub-
8 lic and private plants, including ammunition facilities, au-
9 thorized by section 2854 of title 10, United States Code,
10 and the land necessary therefor, for the foregoing pur-
11 poses, and such lands and interests therein, may be ac-
12 quired, and construction prosecuted thereon prior to ap-
13 proval of title; and procurement and installation of equip-
14 ment, appliances, and machine tools in public and private
15 plants; reserve plant and Government and contractor-
16 owned equipment layaway; and other expenses necessary
17 for the foregoing purposes, \$795,134,000, to remain avail-
18 able for obligation until September 30, 2023.

19 SHIPBUILDING AND CONVERSION, NAVY

20 For expenses necessary for the construction, acquisi-
21 tion, or conversion of vessels as authorized by law, includ-
22 ing armor and armament thereof, plant equipment, appli-
23 ances, and machine tools and installation thereof in public
24 and private plants; reserve plant and Government and con-
25 tractor-owned equipment layaway; procurement of critical,

1 long lead time components and designs for vessels to be
2 constructed or converted in the future; and expansion of
3 public and private plants, including land necessary there-
4 for, and such lands and interests therein, may be acquired,
5 and construction prosecuted thereon prior to approval of
6 title, as follows:

- 7 Columbia Class Submarine, \$2,862,179,000;
- 8 Columbia Class Submarine (AP), \$1,123,175,000;
- 9 Carrier Replacement Program (CVN-80),
10 \$904,800,000;
- 11 Carrier Replacement Program (CVN-81),
12 \$1,606,432,000;
- 13 Virginia Class Submarine, \$4,603,213,000;
- 14 Virginia Class Submarine (AP), \$2,173,187,000;
- 15 CVN Refueling Overhauls, \$1,878,453,000;
- 16 CVN Refueling Overhauls (AP), \$17,384,000;
- 17 DDG-1000 Program, \$78,205,000;
- 18 DDG-51 Destroyer, \$2,931,245,000;
- 19 DDG-51 Destroyer (AP), \$29,297,000;
- 20 FFG-Frigate, \$1,053,123,000;
- 21 LPD Flight II, \$1,155,801,000;
- 22 TAO Fleet Oiler, \$20,000,000;
- 23 Towing, Salvage, and Rescue Ship, \$157,790,000;
- 24 LCU 1700, \$87,395,000;
- 25 Service Craft, \$244,147,000;

1 LCAC SLEP, \$56,461,000;

2 For COVID–19 recovery for second, third, and fourth
3 tier suppliers, \$100,000,000;

4 For outfitting, post delivery, conversions, and first
5 destination transportation, \$806,539,000; and

6 Completion of Prior Year Shipbuilding Programs,
7 \$369,112,000.

8 In all: \$22,257,938,000, to remain available for obli-
9 gation until September 30, 2025: *Provided*, That addi-
10 tional obligations may be incurred after September 30,
11 2025, for engineering services, tests, evaluations, and
12 other such budgeted work that must be performed in the
13 final stage of ship construction: *Provided further*, That
14 none of the funds provided under this heading for the con-
15 struction or conversion of any naval vessel to be con-
16 structed in shipyards in the United States shall be ex-
17 pended in foreign facilities for the construction of major
18 components of such vessel: *Provided further*, That none
19 of the funds provided under this heading shall be used
20 for the construction of any naval vessel in foreign ship-
21 yards: *Provided further*, That funds appropriated or other-
22 wise made available by this Act for Columbia Class Sub-
23 marine (AP) may be available for the purposes authorized
24 by subsections (f), (g), (h) or (i) of section 2218a of title

1 10, United States Code, only in accordance with the provi-
2 sions of the applicable subsection.

3 OTHER PROCUREMENT, NAVY

4 For procurement, production, and modernization of
5 support equipment and materials not otherwise provided
6 for, Navy ordnance (except ordnance for new aircraft, new
7 ships, and ships authorized for conversion); the purchase
8 of passenger motor vehicles for replacement only; expan-
9 sion of public and private plants, including the land nec-
10 essary therefor, and such lands and interests therein, may
11 be acquired, and construction prosecuted thereon prior to
12 approval of title; and procurement and installation of
13 equipment, appliances, and machine tools in public and
14 private plants; reserve plant and Government and con-
15 tractor-owned equipment layaway, \$9,986,796,000, to re-
16 main available for obligation until September 30, 2023:
17 *Provided*, That such funds are also available for the main-
18 tenance, repair, and modernization of Pacific Fleet ships
19 under a pilot program established for such purposes.

20 PROCUREMENT, MARINE CORPS

21 For expenses necessary for the procurement, manu-
22 facture, and modification of missiles, armament, military
23 equipment, spare parts, and accessories therefor; plant
24 equipment, appliances, and machine tools, and installation
25 thereof in public and private plants; reserve plant and

1 Government and contractor-owned equipment layaway; ve-
2 hicles for the Marine Corps, including the purchase of pas-
3 senger motor vehicles for replacement only; and expansion
4 of public and private plants, including land necessary
5 therefor, and such lands and interests therein, may be ac-
6 quired, and construction prosecuted thereon prior to ap-
7 proval of title, \$2,693,354,000, to remain available for ob-
8 ligation until September 30, 2023.

9 AIRCRAFT PROCUREMENT, AIR FORCE

10 For construction, procurement, and modification of
11 aircraft and equipment, including armor and armament,
12 specialized ground handling equipment, and training de-
13 vices, spare parts, and accessories therefor; specialized
14 equipment; expansion of public and private plants, Gov-
15 ernment-owned equipment and installation thereof in such
16 plants, erection of structures, and acquisition of land, for
17 the foregoing purposes, and such lands and interests
18 therein, may be acquired, and construction prosecuted
19 thereon prior to approval of title; reserve plant and Gov-
20 ernment and contractor-owned equipment layaway; and
21 other expenses necessary for the foregoing purposes in-
22 cluding rents and transportation of things,
23 \$19,587,853,000, to remain available for obligation until
24 September 30, 2023.

1 MISSILE PROCUREMENT, AIR FORCE

2 For construction, procurement, and modification of
3 missiles, rockets, and related equipment, including spare
4 parts and accessories therefor; ground handling equip-
5 ment, and training devices; expansion of public and pri-
6 vate plants, Government-owned equipment and installa-
7 tion thereof in such plants, erection of structures, and ac-
8 quisition of land, for the foregoing purposes, and such
9 lands and interests therein, may be acquired, and con-
10 struction prosecuted thereon prior to approval of title; re-
11 serve plant and Government and contractor-owned equip-
12 ment layaway; and other expenses necessary for the fore-
13 going purposes including rents and transportation of
14 things, \$2,249,157,000, to remain available for obligation
15 until September 30, 2023.

16 PROCUREMENT OF AMMUNITION, AIR FORCE

17 For construction, procurement, production, and
18 modification of ammunition, and accessories therefor; spe-
19 cialized equipment and training devices; expansion of pub-
20 lic and private plants, including ammunition facilities, au-
21 thorized by section 2854 of title 10, United States Code,
22 and the land necessary therefor, for the foregoing pur-
23 poses, and such lands and interests therein, may be ac-
24 quired, and construction prosecuted thereon prior to ap-
25 proval of title; and procurement and installation of equip-

1 ment, appliances, and machine tools in public and private
2 plants; reserve plant and Government and contractor-
3 owned equipment layaway; and other expenses necessary
4 for the foregoing purposes, \$609,338,000, to remain avail-
5 able for obligation until September 30, 2023.

6 OTHER PROCUREMENT, AIR FORCE

7 For procurement and modification of equipment (in-
8 cluding ground guidance and electronic control equipment,
9 and ground electronic and communication equipment),
10 and supplies, materials, and spare parts therefor, not oth-
11 erwise provided for; the purchase of passenger motor vehi-
12 cles for replacement only; lease of passenger motor vehi-
13 cles; and expansion of public and private plants, Govern-
14 ment-owned equipment and installation thereof in such
15 plants, erection of structures, and acquisition of land, for
16 the foregoing purposes, and such lands and interests
17 therein, may be acquired, and construction prosecuted
18 thereon, prior to approval of title; reserve plant and Gov-
19 ernment and contractor-owned equipment layaway,
20 \$23,603,470,000, to remain available for obligation until
21 September 30, 2023.

22 PROCUREMENT, SPACE FORCE

23 For construction, procurement, and modification of
24 spacecraft, rockets, and related equipment, including
25 spare parts and accessories therefor; ground handling

1 equipment, and training devices; expansion of public and
2 private plants, Government-owned equipment and installa-
3 tion thereof in such plants, erection of structures, and ac-
4 quisition of land, for the foregoing purposes, and such
5 lands and interests therein, may be acquired, and con-
6 struction prosecuted thereon prior to approval of title; re-
7 serve plant and Government and contractor-owned equip-
8 ment layaway; and other expenses necessary for the fore-
9 going purposes including rents and transportation of
10 things, \$2,289,934,000, to remain available for obligation
11 until September 30, 2023.

12 PROCUREMENT, DEFENSE-WIDE

13 For expenses of activities and agencies of the Depart-
14 ment of Defense (other than the military departments)
15 necessary for procurement, production, and modification
16 of equipment, supplies, materials, and spare parts there-
17 for, not otherwise provided for; the purchase of passenger
18 motor vehicles for replacement only; expansion of public
19 and private plants, equipment, and installation thereof in
20 such plants, erection of structures, and acquisition of land
21 for the foregoing purposes, and such lands and interests
22 therein, may be acquired, and construction prosecuted
23 thereon prior to approval of title; reserve plant and Gov-
24 ernment and contractor-owned equipment layaway,

1 \$5,418,220,000, to remain available for obligation until
2 September 30, 2023.

3 DEFENSE PRODUCTION ACT PURCHASES

4 For activities by the Department of Defense pursuant
5 to sections 108, 301, 302, and 303 of the Defense Produc-
6 tion Act of 1950 (50 U.S.C. 4518, 4531, 4532, and 4533),
7 \$191,931,000, to remain available until expended.

8 TITLE IV

9 RESEARCH, DEVELOPMENT, TEST AND
10 EVALUATION

11 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

12 ARMY

13 For expenses necessary for basic and applied sci-
14 entific research, development, test and evaluation, includ-
15 ing maintenance, rehabilitation, lease, and operation of fa-
16 cilities and equipment, \$13,126,499,000, to remain avail-
17 able for obligation until September 30, 2022.

18 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

19 NAVY

20 For expenses necessary for basic and applied sci-
21 entific research, development, test and evaluation, includ-
22 ing maintenance, rehabilitation, lease, and operation of fa-
23 cilities and equipment, \$20,165,874,000, to remain avail-
24 able for obligation until September 30, 2022: *Provided,*

25 That funds appropriated in this paragraph which are

1 available for the V-22 may be used to meet unique oper-
2 ational requirements of the Special Operations Forces.

3 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
4 AIR FORCE

5 For expenses necessary for basic and applied sci-
6 entific research, development, test and evaluation, includ-
7 ing maintenance, rehabilitation, lease, and operation of fa-
8 cilities and equipment, \$36,040,609,000, to remain avail-
9 able for obligation until September 30, 2022.

10 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
11 SPACE FORCE

12 For expenses necessary for basic and applied sci-
13 entific research, development, test and evaluation, includ-
14 ing maintenance, rehabilitation, lease, and operation of fa-
15 cilities and equipment, \$10,187,840,000, to remain avail-
16 able until September 30, 2022.

17 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
18 DEFENSE-WIDE

19 For expenses of activities and agencies of the Depart-
20 ment of Defense (other than the military departments),
21 necessary for basic and applied scientific research, devel-
22 opment, test and evaluation; advanced research projects
23 as may be designated and determined by the Secretary
24 of Defense, pursuant to law; maintenance, rehabilitation,
25 lease, and operation of facilities and equipment,

1 \$24,617,177,000, to remain available for obligation until
2 September 30, 2022.

3 OPERATIONAL TEST AND EVALUATION, DEFENSE

4 For expenses, not otherwise provided for, necessary
5 for the independent activities of the Director, Operational
6 Test and Evaluation, in the direction and supervision of
7 operational test and evaluation, including initial oper-
8 ational test and evaluation which is conducted prior to,
9 and in support of, production decisions; joint operational
10 testing and evaluation; and administrative expenses in
11 connection therewith, \$210,090,000, to remain available
12 for obligation until September 30, 2022.

13 TITLE V

14 REVOLVING AND MANAGEMENT FUNDS

15 DEFENSE WORKING CAPITAL FUNDS

16 For the Defense Working Capital Funds,
17 \$1,348,910,000.

18 TITLE VI

19 OTHER DEPARTMENT OF DEFENSE PROGRAMS

20 DEFENSE HEALTH PROGRAM

21 For expenses, not otherwise provided for, for medical
22 and health care programs of the Department of Defense
23 as authorized by law, \$33,297,902,000; of which
24 \$31,097,781,000, shall be for operation and maintenance,
25 of which not to exceed one percent shall remain available

1 for obligation until September 30, 2022, and of which up
2 to \$16,024,715,000 may be available for contracts entered
3 into under the TRICARE program; of which
4 \$557,896,000, to remain available for obligation until Sep-
5 tember 30, 2023, shall be for procurement; and of which
6 \$1,642,225,000, to remain available for obligation until
7 September 30, 2022, shall be for research, development,
8 test and evaluation: *Provided*, That, notwithstanding any
9 other provision of law, of the amount made available under
10 this heading for research, development, test and evalua-
11 tion, not less than \$8,000,000 shall be available for HIV
12 prevention educational activities undertaken in connection
13 with United States military training, exercises, and hu-
14 manitarian assistance activities conducted primarily in Af-
15 rican nations: *Provided further*, That of the funds provided
16 under this heading for research, development, test and
17 evaluation, not less than \$1,020,500,000 shall be made
18 available to the United States Army Medical Research and
19 Development Command to carry out the congressionally
20 directed medical research programs: *Provided further*,
21 That the Secretary of Defense shall submit to the Con-
22 gressional defense committees quarterly reports on the
23 current status of the deployment of the electronic health
24 record: *Provided further*, That the Secretary of Defense
25 shall provide notice to the Congressional defense commit-

1 tees not later than ten business days after delaying the
2 proposed timeline of such deployment if such delay is
3 longer than one week: *Provided further*, That the Comp-
4 troller General of the United States shall perform quar-
5 terly performance reviews of such deployment.

6 CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,

7 DEFENSE

8 For expenses, not otherwise provided for, necessary
9 for the destruction of the United States stockpile of lethal
10 chemical agents and munitions in accordance with the pro-
11 visions of section 1412 of the Department of Defense Au-
12 thorization Act, 1986 (50 U.S.C. 1521), and for the de-
13 struction of other chemical warfare materials that are not
14 in the chemical weapon stockpile, \$889,500,000, of which
15 \$106,691,000 shall be for operation and maintenance, of
16 which no less than \$51,009,000 shall be for the Chemical
17 Stockpile Emergency Preparedness Program, consisting of
18 \$22,235,000 for activities on military installations and
19 \$28,774,000, to remain available until September 30,
20 2022, to assist State and local governments; \$616,000
21 shall be for procurement, to remain available until Sep-
22 tember 30, 2023, of which not less than \$616,000 shall
23 be for the Chemical Stockpile Emergency Preparedness
24 Program to assist State and local governments; and
25 \$782,193,000, to remain available until September 30,

1 2022, shall be for research, development, test and evalua-
2 tion, of which \$775,699,000 shall only be for the Assem-
3 bled Chemical Weapons Alternatives program.

4 DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,
5 DEFENSE
6 (INCLUDING TRANSFER OF FUNDS)

7 For drug interdiction and counter-drug activities of
8 the Department of Defense, for transfer to appropriations
9 available to the Department of Defense for military per-
10 sonnel of the reserve components serving under the provi-
11 sions of title 10 and title 32, United States Code; for oper-
12 ation and maintenance; for procurement; and for research,
13 development, test and evaluation, \$746,223,000, of which
14 \$421,029,000 shall be for counter-narcotics support;
15 \$123,704,000 shall be for the drug demand reduction pro-
16 gram; \$195,979,000 shall be for the National Guard
17 counter-drug program; and \$5,511,000 shall be for the
18 National Guard counter-drug schools program: *Provided*,
19 That the funds appropriated under this heading shall be
20 available for obligation for the same time period and for
21 the same purpose as the appropriation to which trans-
22 ferred: *Provided further*, That upon a determination that
23 all or part of the funds transferred from this appropriation
24 are not necessary for the purposes provided herein, such
25 amounts may be transferred back to this appropriation:

1 *Provided further*, That the transfer authority provided
2 under this heading is in addition to any other transfer au-
3 thority contained elsewhere in this Act: *Provided further*,
4 That funds appropriated under this heading for counter-
5 narcotics support may only be transferred 15 days fol-
6 lowing written notification to the congressional defense
7 committees.

8 OFFICE OF THE INSPECTOR GENERAL

9 For expenses and activities of the Office of the In-
10 spector General in carrying out the provisions of the In-
11 spector General Act of 1978, as amended, \$387,696,000,
12 of which \$385,740,000 shall be for operation and mainte-
13 nance, of which not to exceed \$700,000 is available for
14 emergencies and extraordinary expenses to be expended on
15 the approval or authority of the Inspector General, and
16 payments may be made on the Inspector General's certifi-
17 cate of necessity for confidential military purposes; of
18 which \$858,000, to remain available for obligation until
19 September 30, 2023, shall be for procurement; and of
20 which \$1,098,000, to remain available until September 30,
21 2022, shall be for research, development, test and evalua-
22 tion.

1 TITLE VII
2 RELATED AGENCIES
3 CENTRAL INTELLIGENCE AGENCY RETIREMENT AND
4 DISABILITY SYSTEM FUND

5 For payment to the Central Intelligence Agency Re-
6 tirement and Disability System Fund, to maintain the
7 proper funding level for continuing the operation of the
8 Central Intelligence Agency Retirement and Disability
9 System, \$514,000,000.

10 INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

11 For necessary expenses of the Intelligence Commu-
12 nity Management Account, \$619,728,000.

13 TITLE VIII
14 GENERAL PROVISIONS

15 SEC. 8001. No part of any appropriation contained
16 in this Act shall be used for publicity or propaganda pur-
17 poses not authorized by the Congress.

18 SEC. 8002. During the current fiscal year, provisions
19 of law prohibiting the payment of compensation to, or em-
20 ployment of, any person not a citizen of the United States
21 shall not apply to personnel of the Department of Defense:
22 *Provided*, That salary increases granted to direct and indi-
23 rect hire foreign national employees of the Department of
24 Defense funded by this Act shall not be at a rate in excess
25 of the percentage increase authorized by law for civilian

1 employees of the Department of Defense whose pay is
2 computed under the provisions of section 5332 of title 5,
3 United States Code, or at a rate in excess of the percent-
4 age increase provided by the appropriate host nation to
5 its own employees, whichever is higher: *Provided further*,
6 That this section shall not apply to Department of De-
7 fense foreign service national employees serving at United
8 States diplomatic missions whose pay is set by the Depart-
9 ment of State under the Foreign Service Act of 1980: *Pro-*
10 *vided further*, That the limitations of this provision shall
11 not apply to foreign national employees of the Department
12 of Defense in the Republic of Turkey.

13 SEC. 8003. No part of any appropriation contained
14 in this Act shall remain available for obligation beyond
15 the current fiscal year, unless expressly so provided herein.

16 SEC. 8004. No more than 20 percent of the appro-
17 priations in this Act which are limited for obligation dur-
18 ing the current fiscal year shall be obligated during the
19 last 2 months of the fiscal year: *Provided*, That this sec-
20 tion shall not apply to obligations for support of active
21 duty training of reserve components or summer camp
22 training of the Reserve Officers' Training Corps.

23 (TRANSFER OF FUNDS)

24 SEC. 8005. Upon determination by the Secretary of
25 Defense that such action is necessary in the national inter-

1 est, the Secretary may, with the approval of the Office
2 of Management and Budget, transfer not to exceed
3 \$1,000,000,000 of working capital funds of the Depart-
4 ment of Defense or funds made available in this Act to
5 the Department of Defense for military functions (except
6 military construction) between such appropriations or
7 funds or any subdivision thereof, to be merged with and
8 to be available for the same purposes, and for the same
9 time period, as the appropriation or fund to which trans-
10 ferred: *Provided*, That such authority to transfer may not
11 be used unless for higher priority items, based on unfore-
12 seen military requirements, than those for which originally
13 appropriated and in no case where the item for which
14 funds are requested has been denied by the Congress: *Pro-*
15 *vided further*, That the Secretary of Defense shall notify
16 the Congress promptly of all transfers made pursuant to
17 this authority or any other authority in this Act: *Provided*
18 *further*, That no part of the funds in this Act shall be
19 available to prepare or present a request to the Commit-
20 tees on Appropriations of the House of Representatives
21 and the Senate for reprogramming of funds, unless for
22 higher priority items, based on unforeseen military re-
23 quirements, than those for which originally appropriated
24 and in no case where the item for which reprogramming
25 is requested has been denied by the Congress: *Provided*

1 *further*, That a request for multiple reprogrammings of
2 funds using authority provided in this section shall be
3 made prior to June 30, 2021: *Provided further*, That
4 transfers among military personnel appropriations shall
5 not be taken into account for purposes of the limitation
6 on the amount of funds that may be transferred under
7 this section.

8 SEC. 8006. (a) With regard to the list of specific pro-
9 grams, projects, and activities (and the dollar amounts
10 and adjustments to budget activities corresponding to
11 such programs, projects, and activities) contained in the
12 tables titled Explanation of Project Level Adjustments in
13 the explanatory statement regarding this Act, the obliga-
14 tion and expenditure of amounts appropriated or other-
15 wise made available in this Act for those programs,
16 projects, and activities for which the amounts appro-
17 priated exceed the amounts requested are hereby required
18 by law to be carried out in the manner provided by such
19 tables to the same extent as if the tables were included
20 in the text of this Act.

21 (b) Amounts specified in the referenced tables de-
22 scribed in subsection (a) shall not be treated as subdivi-
23 sions of appropriations for purposes of section 8005 of this
24 Act: *Provided*, That section 8005 shall apply when trans-

1 fers of the amounts described in subsection (a) occur be-
2 tween appropriation accounts.

3 SEC. 8007. (a) Not later than 60 days after enact-
4 ment of this Act, the Department of Defense shall submit
5 a report to the congressional defense committees to estab-
6 lish the baseline for application of reprogramming and
7 transfer authorities for fiscal year 2021: *Provided*, That
8 the report shall include—

9 (1) a table for each appropriation with a sepa-
10 rate column to display the President’s budget re-
11 quest, adjustments made by Congress, adjustments
12 due to enacted rescissions, if appropriate, and the
13 fiscal year enacted level;

14 (2) a delineation in the table for each appro-
15 priation both by budget activity and program,
16 project, and activity as detailed in the Budget Ap-
17 pendix; and

18 (3) an identification of items of special congres-
19 sional interest.

20 (b) Notwithstanding section 8005 of this Act, none
21 of the funds provided in this Act shall be available for
22 reprogramming or transfer until the report identified in
23 subsection (a) is submitted to the congressional defense
24 committees, unless the Secretary of Defense certifies in
25 writing to the congressional defense committees that such

1 reprogramming or transfer is necessary as an emergency
2 requirement: *Provided*, That this subsection shall not
3 apply to transfers from the following appropriations ac-
4 counts:

5 “Environmental Restoration, Army”;

6 “Environmental Restoration, Navy”;

7 “Environmental Restoration, Air Force”;

8 “Environmental Restoration, Defense-Wide”; and

9 “Environmental Restoration, Formerly Used Defense
10 Sites”.

11 (TRANSFER OF FUNDS)

12 SEC. 8008. During the current fiscal year, cash bal-
13 ances in working capital funds of the Department of De-
14 fense established pursuant to section 2208 of title 10,
15 United States Code, may be maintained in only such
16 amounts as are necessary at any time for cash disburse-
17 ments to be made from such funds: *Provided*, That trans-
18 fers may be made between such funds: *Provided further*,
19 That transfers may be made between working capital
20 funds and the “Foreign Currency Fluctuations, Defense”
21 appropriation and the “Operation and Maintenance” ap-
22 propriation accounts in such amounts as may be deter-
23 mined by the Secretary of Defense, with the approval of
24 the Office of Management and Budget, except that such
25 transfers may not be made unless the Secretary of Defense

1 has notified the Congress of the proposed transfer: *Pro-*
2 *vided further*, That except in amounts equal to the
3 amounts appropriated to working capital funds in this Act,
4 no obligations may be made against a working capital fund
5 to procure or increase the value of war reserve material
6 inventory, unless the Secretary of Defense has notified the
7 Congress prior to any such obligation.

8 SEC. 8009. Funds appropriated by this Act may not
9 be used to initiate a special access program without prior
10 notification 30 calendar days in advance to the congres-
11 sional defense committees.

12 SEC. 8010. None of the funds provided in this Act
13 shall be available to initiate: (1) a multiyear contract that
14 employs economic order quantity procurement in excess of
15 \$20,000,000 in any one year of the contract or that in-
16 cludes an unfunded contingent liability in excess of
17 \$20,000,000; or (2) a contract for advance procurement
18 leading to a multiyear contract that employs economic
19 order quantity procurement in excess of \$20,000,000 in
20 any one year, unless the congressional defense committees
21 have been notified at least 30 days in advance of the pro-
22 posed contract award: *Provided*, That no part of any ap-
23 propriation contained in this Act shall be available to ini-
24 tiate a multiyear contract for which the economic order
25 quantity advance procurement is not funded at least to

1 the limits of the Government's liability: *Provided further*,
2 That no part of any appropriation contained in this Act
3 shall be available to initiate multiyear procurement con-
4 tracts for any systems or component thereof if the value
5 of the multiyear contract would exceed \$500,000,000 un-
6 less specifically provided in this Act: *Provided further*,
7 That no multiyear procurement contract can be termi-
8 nated without 30-day prior notification to the congres-
9 sional defense committees: *Provided further*, That the exe-
10 cution of multiyear authority shall require the use of a
11 present value analysis to determine lowest cost compared
12 to an annual procurement: *Provided further*, That none of
13 the funds provided in this Act may be used for a multiyear
14 contract executed after the date of the enactment of this
15 Act unless in the case of any such contract—

16 (1) the Secretary of Defense has submitted to
17 Congress a budget request for full funding of units
18 to be procured through the contract and, in the case
19 of a contract for procurement of aircraft, that in-
20 cludes, for any aircraft unit to be procured through
21 the contract for which procurement funds are re-
22 quested in that budget request for production be-
23 yond advance procurement activities in the fiscal
24 year covered by the budget, full funding of procure-
25 ment of such unit in that fiscal year;

1 (2) cancellation provisions in the contract do
2 not include consideration of recurring manufacturing
3 costs of the contractor associated with the produc-
4 tion of unfunded units to be delivered under the con-
5 tract;

6 (3) the contract provides that payments to the
7 contractor under the contract shall not be made in
8 advance of incurred costs on funded units; and

9 (4) the contract does not provide for a price ad-
10 justment based on a failure to award a follow-on
11 contract.

12 SEC. 8011. Within the funds appropriated for the op-
13 eration and maintenance of the Armed Forces, funds are
14 hereby appropriated pursuant to section 401 of title 10,
15 United States Code, for humanitarian and civic assistance
16 costs under chapter 20 of title 10, United States Code.
17 Such funds may also be obligated for humanitarian and
18 civic assistance costs incidental to authorized operations
19 and pursuant to authority granted in section 401 of title
20 10, United States Code, and these obligations shall be re-
21 ported as required by section 401(d) of title 10, United
22 States Code: *Provided*, That funds available for operation
23 and maintenance shall be available for providing humani-
24 tarian and similar assistance by using Civic Action Teams
25 in the Trust Territories of the Pacific Islands and freely

1 associated states of Micronesia, pursuant to the Compact
2 of Free Association as authorized by Public Law 99–239:
3 *Provided further*, That upon a determination by the Sec-
4 retary of the Army that such action is beneficial for grad-
5 uate medical education programs conducted at Army med-
6 ical facilities located in Hawaii, the Secretary of the Army
7 may authorize the provision of medical services at such
8 facilities and transportation to such facilities, on a nonre-
9 imburseable basis, for civilian patients from American
10 Samoa, the Commonwealth of the Northern Mariana Is-
11 lands, the Marshall Islands, the Federated States of Mi-
12 cronesia, Palau, and Guam.

13 SEC. 8012. (a) During the current fiscal year, the
14 civilian personnel of the Department of Defense may not
15 be managed on the basis of any constraint or limitation
16 in terms of man years, end strength, full-time equivalent
17 positions, or maximum number of employees, but are to
18 be managed primarily on the basis of, and in a manner
19 consistent with—

20 (1) the total force management policies and
21 procedures established under section 129a of title
22 10, United States Code;

23 (2) the workload required to carry out the func-
24 tions and activities of the Department; and

1 (3) the funds made available to the Department
2 for such fiscal year.

3 (b) None of the funds appropriated by this Act may
4 be used to reduce the civilian workforce programmed full
5 time equivalent levels absent the appropriate analysis of
6 the impacts of these reductions on workload, military force
7 structure, lethality, readiness, operational effectiveness,
8 stress on the military force, and fully burdened costs.

9 (c) None of the funds appropriated by this Act may
10 be used for term or temporary hiring authorities for en-
11 during functions.

12 (d) A projection of the number of full-time equivalent
13 positions shall not be considered a constraint or limitation
14 for purposes of subsection (a) and reducing funding for
15 under-execution of such a projection shall not be consid-
16 ered managing based on a constraint or limitation for pur-
17 poses of such subsection.

18 (e) The fiscal year 2022 budget request for the De-
19 partment of Defense, and any justification material and
20 other documentation supporting such request, shall be
21 prepared and submitted to Congress as if subsections (a)
22 and (b) were effective with respect to such fiscal year.

23 (f) Nothing in this section shall be construed to apply
24 to military (civilian) technicians.

1 SEC. 8013. None of the funds made available by this
2 Act shall be used in any way, directly or indirectly, to in-
3 fluence congressional action on any legislation or appro-
4 priation matters pending before the Congress.

5 SEC. 8014. None of the funds appropriated by this
6 Act shall be available for the basic pay and allowances of
7 any member of the Army participating as a full-time stu-
8 dent and receiving benefits paid by the Secretary of Vet-
9 erans Affairs from the Department of Defense Education
10 Benefits Fund when time spent as a full-time student is
11 credited toward completion of a service commitment: *Pro-*
12 *vided*, That this section shall not apply to those members
13 who have reenlisted with this option prior to October 1,
14 1987: *Provided further*, That this section applies only to
15 active components of the Army.

16 (TRANSFER OF FUNDS)

17 SEC. 8015. Funds appropriated in title III of this Act
18 for the Department of Defense Pilot Mentor-Protégé Pro-
19 gram may be transferred to any other appropriation con-
20 tained in this Act solely for the purpose of implementing
21 a Mentor-Protégé Program developmental assistance
22 agreement pursuant to section 831 of the National De-
23 fense Authorization Act for Fiscal Year 1991 (Public Law
24 101–510; 10 U.S.C. 2302 note), as amended, under the

1 authority of this provision or any other transfer authority
2 contained in this Act.

3 SEC. 8016. None of the funds in this Act may be
4 available for the purchase by the Department of Defense
5 (and its departments and agencies) of welded shipboard
6 anchor and mooring chain 4 inches in diameter and under
7 unless the anchor and mooring chain are manufactured
8 in the United States from components which are substan-
9 tially manufactured in the United States: *Provided*, That
10 for the purpose of this section, the term “manufactured”
11 shall include cutting, heat treating, quality control, testing
12 of chain and welding (including the forging and shot blast-
13 ing process): *Provided further*, That for the purpose of this
14 section substantially all of the components of anchor and
15 mooring chain shall be considered to be produced or manu-
16 factured in the United States if the aggregate cost of the
17 components produced or manufactured in the United
18 States exceeds the aggregate cost of the components pro-
19 duced or manufactured outside the United States: *Pro-*
20 *vided further*, That when adequate domestic supplies are
21 not available to meet Department of Defense requirements
22 on a timely basis, the Secretary of the Service responsible
23 for the procurement may waive this restriction on a case-
24 by-case basis by certifying in writing to the Committees
25 on Appropriations of the House of Representatives and the

1 Senate that such an acquisition must be made in order
2 to acquire capability for national security purposes.

3 SEC. 8017. None of the funds appropriated by this
4 Act shall be used for the support of any nonappropriated
5 funds activity of the Department of Defense that procures
6 malt beverages and wine with nonappropriated funds for
7 resale (including such alcoholic beverages sold by the
8 drink) on a military installation located in the United
9 States unless such malt beverages and wine are procured
10 within that State, or in the case of the District of Colum-
11 bia, within the District of Columbia, in which the military
12 installation is located: *Provided*, That, in a case in which
13 the military installation is located in more than one State,
14 purchases may be made in any State in which the installa-
15 tion is located: *Provided further*, That such local procure-
16 ment requirements for malt beverages and wine shall
17 apply to all alcoholic beverages only for military installa-
18 tions in States which are not contiguous with another
19 State: *Provided further*, That alcoholic beverages other
20 than wine and malt beverages, in contiguous States and
21 the District of Columbia shall be procured from the most
22 competitive source, price and other factors considered.

23 SEC. 8018. None of the funds available to the De-
24 partment of Defense may be used to demilitarize or dis-
25 pose of M-1 Carbines, M-1 Garand rifles, M-14 rifles,

1 .22 caliber rifles, .30 caliber rifles, or M-1911 pistols, or
2 to demilitarize or destroy small arms ammunition or am-
3 munition components that are not otherwise prohibited
4 from commercial sale under Federal law, unless the small
5 arms ammunition or ammunition components are certified
6 by the Secretary of the Army or designee as unserviceable
7 or unsafe for further use.

8 SEC. 8019. No more than \$500,000 of the funds ap-
9 propriated or made available in this Act shall be used dur-
10 ing a single fiscal year for any single relocation of an orga-
11 nization, unit, activity or function of the Department of
12 Defense into or within the National Capital Region: *Pro-*
13 *vided*, That the Secretary of Defense may waive this re-
14 striction on a case-by-case basis by certifying in writing
15 to the congressional defense committees that such a relo-
16 cation is required in the best interest of the Government.

17 SEC. 8020. In addition to the funds provided else-
18 where in this Act, \$25,000,000 is appropriated only for
19 incentive payments authorized by section 504 of the In-
20 dian Financing Act of 1974 (25 U.S.C. 1544): *Provided*,
21 That a prime contractor or a subcontractor at any tier
22 that makes a subcontract award to any subcontractor or
23 supplier as defined in section 1544 of title 25, United
24 States Code, or a small business owned and controlled by
25 an individual or individuals defined under section 4221(9)

1 of title 25, United States Code, shall be considered a con-
2 tractor for the purposes of being allowed additional com-
3 pensation under section 504 of the Indian Financing Act
4 of 1974 (25 U.S.C. 1544) whenever the prime contract
5 or subcontract amount is over \$500,000 and involves the
6 expenditure of funds appropriated by an Act making ap-
7 propriations for the Department of Defense with respect
8 to any fiscal year: *Provided further*, That notwithstanding
9 section 1906 of title 41, United States Code, this section
10 shall be applicable to any Department of Defense acquisi-
11 tion of supplies or services, including any contract and any
12 subcontract at any tier for acquisition of commercial items
13 produced or manufactured, in whole or in part, by any
14 subcontractor or supplier defined in section 1544 of title
15 25, United States Code, or a small business owned and
16 controlled by an individual or individuals defined under
17 section 4221(9) of title 25, United States Code.

18 SEC. 8021. Funds appropriated by this Act for the
19 Defense Media Activity shall not be used for any national
20 or international political or psychological activities.

21 SEC. 8022. During the current fiscal year, the De-
22 partment of Defense is authorized to incur obligations of
23 not to exceed \$350,000,000 for purposes specified in sec-
24 tion 2350j(c) of title 10, United States Code, in anticipa-
25 tion of receipt of contributions, only from the Government

1 of Kuwait, under that section: *Provided*, That, upon re-
2 ceipt, such contributions from the Government of Kuwait
3 shall be credited to the appropriations or fund which in-
4 curred such obligations.

5 SEC. 8023. (a) The Secretary of Defense shall notify
6 the congressional defense committees in writing not more
7 than 15 days after the receipt of any contribution of funds
8 received from the government of a foreign country for any
9 purpose relating to the stationing or operations of the
10 United States Armed Forces.

11 (b) Any notification submitted under subsection (a)
12 shall include the amount of the contribution; the purpose
13 for which such contribution was made; and the authority
14 under which such contribution was accepted by the Sec-
15 retary of Defense.

16 (c) The Secretary of Defense shall, not fewer than
17 15 days prior to obligating funds received pursuant to sub-
18 section (a), submit to the congressional defense commit-
19 tees in writing a notification of the details of any such
20 obligation, including—

21 (1) the total amount of such contributions and
22 the date received;

23 (2) the account or accounts to which such con-
24 tributions were deposited and may be subsequently
25 transferred;

1 (3) a description of the purpose for which such
2 contributions were made; any contributions expected
3 in future years from the foreign country; any agree-
4 ment or memorandum of understanding between the
5 United States and such country relating to such con-
6 tributions; and any associated in-kind contributions;

7 (4) the planned use of such contributions, in-
8 cluding whether such contributions would support
9 existing or new stationing or operations of the
10 United States Armed Forces; and

11 (5) a list of any additional congressional action
12 or notification (other than the notification required
13 by this section) needed prior to the obligation or ex-
14 penditure of such contributions.

15 (d) Nothing in this section may be construed to au-
16 thorize the Secretary to accept contributions from a for-
17 eign country.

18 SEC. 8024. (a) Of the funds made available in this
19 Act, not less than \$56,205,000 shall be available for the
20 Civil Air Patrol Corporation, of which—

21 (1) \$43,205,000 shall be available from “Oper-
22 ation and Maintenance, Air Force” to support Civil
23 Air Patrol Corporation operation and maintenance,
24 readiness, counter-drug activities, and drug demand
25 reduction activities involving youth programs;

1 (2) \$11,200,000 shall be available from “Air-
2 craft Procurement, Air Force”; and

3 (3) \$1,800,000 shall be available from “Other
4 Procurement, Air Force” for vehicle procurement.

5 (b) The Secretary of the Air Force should waive reim-
6 bursement for any funds used by the Civil Air Patrol for
7 counter-drug activities in support of Federal, State, and
8 local government agencies.

9 SEC. 8025. (a) None of the funds appropriated in this
10 Act are available to establish a new Department of De-
11 fense (department) federally funded research and develop-
12 ment center (FFRDC), either as a new entity, or as a
13 separate entity administrated by an organization man-
14 aging another FFRDC, or as a nonprofit membership cor-
15 poration consisting of a consortium of other FFRDCs and
16 other nonprofit entities.

17 (b) No member of a Board of Directors, Trustees,
18 Overseers, Advisory Group, Special Issues Panel, Visiting
19 Committee, or any similar entity of a defense FFRDC,
20 and no paid consultant to any defense FFRDC, except
21 when acting in a technical advisory capacity, may be com-
22 pensated for his or her services as a member of such enti-
23 ty, or as a paid consultant by more than one FFRDC in
24 a fiscal year: *Provided*, That a member of any such entity
25 referred to previously in this subsection shall be allowed

1 travel expenses and per diem as authorized under the Fed-
2 eral Joint Travel Regulations, when engaged in the per-
3 formance of membership duties.

4 (c) Notwithstanding any other provision of law, none
5 of the funds available to the department from any source
6 during the current fiscal year may be used by a defense
7 FFRDC, through a fee or other payment mechanism, for
8 construction of new buildings not located on a military in-
9 stallation, for payment of cost sharing for projects funded
10 by Government grants, for absorption of contract over-
11 runs, or for certain charitable contributions, not to include
12 employee participation in community service and/or devel-
13 opment.

14 (d) Notwithstanding any other provision of law, of
15 the funds available to the department during fiscal year
16 2021, not more than 6,110 staff years of technical effort
17 (staff years) may be funded for defense FFRDCs: *Pro-*
18 *vided*, That, of the specific amount referred to previously
19 in this subsection, not more than 1,148 staff years may
20 be funded for the defense studies and analysis FFRDCs:
21 *Provided further*, That this subsection shall not apply to
22 staff years funded in the National Intelligence Program
23 and the Military Intelligence Program.

24 (e) The Secretary of Defense shall, with the submis-
25 sion of the department's fiscal year 2022 budget request,

1 submit a report presenting the specific amounts of staff
2 years of technical effort to be allocated for each defense
3 FFRDC during that fiscal year and the associated budget
4 estimates.

5 (f) Notwithstanding any other provision of this Act,
6 the total amount appropriated in this Act for FFRDCs
7 is hereby increased by \$21,834,000: *Provided*, That this
8 subsection shall not apply to appropriations for the Na-
9 tional Intelligence Program (NIP) and the Military Intel-
10 ligence Program (MIP).

11 SEC. 8026. None of the funds appropriated or made
12 available in this Act shall be used to procure carbon, alloy,
13 or armor steel plate for use in any Government-owned fa-
14 cility or property under the control of the Department of
15 Defense which were not melted and rolled in the United
16 States or Canada: *Provided*, That these procurement re-
17 strictions shall apply to any and all Federal Supply Class
18 9515, American Society of Testing and Materials (ASTM)
19 or American Iron and Steel Institute (AISI) specifications
20 of carbon, alloy or armor steel plate: *Provided further*,
21 That the Secretary of the military department responsible
22 for the procurement may waive this restriction on a case-
23 by-case basis by certifying in writing to the Committees
24 on Appropriations of the House of Representatives and the
25 Senate that adequate domestic supplies are not available

1 to meet Department of Defense requirements on a timely
2 basis and that such an acquisition must be made in order
3 to acquire capability for national security purposes: *Pro-*
4 *vided further*, That these restrictions shall not apply to
5 contracts which are in being as of the date of the enact-
6 ment of this Act.

7 SEC. 8027. For the purposes of this Act, the term
8 “congressional defense committees” means the Armed
9 Services Committee of the House of Representatives, the
10 Armed Services Committee of the Senate, the Sub-
11 committee on Defense of the Committee on Appropriations
12 of the Senate, and the Subcommittee on Defense of the
13 Committee on Appropriations of the House of Representa-
14 tives.

15 SEC. 8028. During the current fiscal year, the De-
16 partment of Defense may acquire the modification, depot
17 maintenance and repair of aircraft, vehicles and vessels
18 as well as the production of components and other De-
19 fense-related articles, through competition between De-
20 partment of Defense depot maintenance activities and pri-
21 vate firms: *Provided*, That the Senior Acquisition Execu-
22 tive of the military department or Defense Agency con-
23 cerned, with power of delegation, shall certify that success-
24 ful bids include comparable estimates of all direct and in-
25 direct costs for both public and private bids: *Provided fur-*

1 *ther*, That Office of Management and Budget Circular A–
2 76 shall not apply to competitions conducted under this
3 section.

4 SEC. 8029. (a)(1) If the Secretary of Defense, after
5 consultation with the United States Trade Representative,
6 determines that a foreign country which is party to an
7 agreement described in paragraph (2) has violated the
8 terms of the agreement by discriminating against certain
9 types of products produced in the United States that are
10 covered by the agreement, the Secretary of Defense shall
11 rescind the Secretary’s blanket waiver of the Buy Amer-
12 ican Act with respect to such types of products produced
13 in that foreign country.

14 (2) An agreement referred to in paragraph (1) is any
15 reciprocal defense procurement memorandum of under-
16 standing, between the United States and a foreign country
17 pursuant to which the Secretary of Defense has prospec-
18 tively waived the Buy American Act for certain products
19 in that country.

20 (b) The Secretary of Defense shall submit to the Con-
21 gress a report on the amount of Department of Defense
22 purchases from foreign entities in fiscal year 2021. Such
23 report shall separately indicate the dollar value of items
24 for which the Buy American Act was waived pursuant to
25 any agreement described in subsection (a)(2), the Trade

1 Agreements Act of 1979 (19 U.S.C. 2501 et seq.), or any
2 international agreement to which the United States is a
3 party.

4 (c) For purposes of this section, the term “Buy
5 American Act” means chapter 83 of title 41, United
6 States Code.

7 SEC. 8030. During the current fiscal year, amounts
8 contained in the Department of Defense Overseas Military
9 Facility Investment Recovery Account established by sec-
10 tion 2921(c)(1) of the National Defense Authorization Act
11 of 1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall
12 be available until expended for the payments specified by
13 section 2921(c)(2) of that Act.

14 SEC. 8031. (a) Notwithstanding any other provision
15 of law, the Secretary of the Air Force may convey at no
16 cost to the Air Force, without consideration, to Indian
17 tribes located in the States of Nevada, Idaho, North Da-
18 kota, South Dakota, Montana, Oregon, Minnesota, and
19 Washington relocatable military housing units located at
20 Grand Forks Air Force Base, Malmstrom Air Force Base,
21 Mountain Home Air Force Base, Ellsworth Air Force
22 Base, and Minot Air Force Base that are excess to the
23 needs of the Air Force.

24 (b) The Secretary of the Air Force shall convey, at
25 no cost to the Air Force, military housing units under sub-

1 section (a) in accordance with the request for such units
2 that are submitted to the Secretary by the Operation
3 Walking Shield Program on behalf of Indian tribes located
4 in the States of Nevada, Idaho, North Dakota, South Da-
5 kota, Montana, Oregon, Minnesota, and Washington. Any
6 such conveyance shall be subject to the condition that the
7 housing units shall be removed within a reasonable period
8 of time, as determined by the Secretary.

9 (c) The Operation Walking Shield Program shall re-
10 solve any conflicts among requests of Indian tribes for
11 housing units under subsection (a) before submitting re-
12 quests to the Secretary of the Air Force under subsection
13 (b).

14 (d) In this section, the term “Indian tribe” means
15 any recognized Indian tribe included on the current list
16 published by the Secretary of the Interior under section
17 104 of the Federally Recognized Indian Tribe Act of 1994
18 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 5131).

19 SEC. 8032. During the current fiscal year, appropria-
20 tions which are available to the Department of Defense
21 for operation and maintenance may be used to purchase
22 items having an investment item unit cost of not more
23 than \$250,000.

24 SEC. 8033. Up to \$14,000,000 of the funds appro-
25 priated under the heading “Operation and Maintenance,

1 Navy” may be made available for the Asia Pacific Re-
2 gional Initiative Program for the purpose of enabling the
3 United States Indo-Pacific Command to execute Theater
4 Security Cooperation activities such as humanitarian as-
5 sistance, and payment of incremental and personnel costs
6 of training and exercising with foreign security forces:
7 *Provided*, That funds made available for this purpose may
8 be used, notwithstanding any other funding authorities for
9 humanitarian assistance, security assistance or combined
10 exercise expenses: *Provided further*, That funds may not
11 be obligated to provide assistance to any foreign country
12 that is otherwise prohibited from receiving such type of
13 assistance under any other provision of law.

14 SEC. 8034. The Secretary of Defense shall issue reg-
15 ulations to prohibit the sale of any tobacco or tobacco-
16 related products in military resale outlets in the United
17 States, its territories and possessions at a price below the
18 most competitive price in the local community: *Provided*,
19 That such regulations shall direct that the prices of to-
20 bacco or tobacco-related products in overseas military re-
21 tail outlets shall be within the range of prices established
22 for military retail system stores located in the United
23 States.

24 SEC. 8035. (a) During the current fiscal year, none
25 of the appropriations or funds available to the Department

1 of Defense Working Capital Funds shall be used for the
2 purchase of an investment item for the purpose of acquir-
3 ing a new inventory item for sale or anticipated sale dur-
4 ing the current fiscal year or a subsequent fiscal year to
5 customers of the Department of Defense Working Capital
6 Funds if such an item would not have been chargeable
7 to the Department of Defense Business Operations Fund
8 during fiscal year 1994 and if the purchase of such an
9 investment item would be chargeable during the current
10 fiscal year to appropriations made to the Department of
11 Defense for procurement.

12 (b) The fiscal year 2022 budget request for the De-
13 partment of Defense as well as all justification material
14 and other documentation supporting the fiscal year 2022
15 Department of Defense budget shall be prepared and sub-
16 mitted to the Congress on the basis that any equipment
17 which was classified as an end item and funded in a pro-
18 curement appropriation contained in this Act shall be
19 budgeted for in a proposed fiscal year 2022 procurement
20 appropriation and not in the supply management business
21 area or any other area or category of the Department of
22 Defense Working Capital Funds.

23 SEC. 8036. None of the funds appropriated by this
24 Act for programs of the Central Intelligence Agency shall
25 remain available for obligation beyond the current fiscal

1 year, except for funds appropriated for the Reserve for
2 Contingencies, which shall remain available until Sep-
3 tember 30, 2022: *Provided*, That funds appropriated,
4 transferred, or otherwise credited to the Central Intel-
5 ligence Agency Central Services Working Capital Fund
6 during this or any prior or subsequent fiscal year shall
7 remain available until expended: *Provided further*, That
8 any funds appropriated or transferred to the Central Intel-
9 ligence Agency for advanced research and development ac-
10 quisition, for agent operations, and for covert action pro-
11 grams authorized by the President under section 503 of
12 the National Security Act of 1947 (50 U.S.C. 3093) shall
13 remain available until September 30, 2022: *Provided fur-*
14 *ther*, That any funds appropriated or transferred to the
15 Central Intelligence Agency for the construction, improve-
16 ment, or alteration of facilities, including leased facilities,
17 to be used primarily by personnel of the intelligence com-
18 munity shall remain available until September 30, 2023.

19 SEC. 8037. Of the funds appropriated to the Depart-
20 ment of Defense under the heading “Operation and Main-
21 tenance, Defense-Wide”, not less than \$12,000,000 shall
22 be made available only for the mitigation of environmental
23 impacts, including training and technical assistance to
24 tribes, related administrative support, the gathering of in-
25 formation, documenting of environmental damage, and de-

1 veloping a system for prioritization of mitigation and cost
2 to complete estimates for mitigation, on Indian lands re-
3 sulting from Department of Defense activities.

4 SEC. 8038. (a) None of the funds appropriated in this
5 Act may be expended by an entity of the Department of
6 Defense unless the entity, in expending the funds, com-
7 plies with the Buy American Act. For purposes of this
8 subsection, the term “Buy American Act” means chapter
9 83 of title 41, United States Code.

10 (b) If the Secretary of Defense determines that a per-
11 son has been convicted of intentionally affixing a label
12 bearing a “Made in America” inscription to any product
13 sold in or shipped to the United States that is not made
14 in America, the Secretary shall determine, in accordance
15 with section 2410f of title 10, United States Code, wheth-
16 er the person should be debarred from contracting with
17 the Department of Defense.

18 (c) In the case of any equipment or products pur-
19 chased with appropriations provided under this Act, it is
20 the sense of the Congress that any entity of the Depart-
21 ment of Defense, in expending the appropriation, purchase
22 only American-made equipment and products, provided
23 that American-made equipment and products are cost-
24 competitive, quality competitive, and available in a timely
25 fashion.

1 SEC. 8039. (a) Except as provided in subsections (b)
2 and (c), none of the funds made available by this Act may
3 be used—

4 (1) to establish a field operating agency; or

5 (2) to pay the basic pay of a member of the
6 Armed Forces or civilian employee of the depart-
7 ment who is transferred or reassigned from a head-
8 quarters activity if the member or employee's place
9 of duty remains at the location of that headquarters.

10 (b) The Secretary of Defense or Secretary of a mili-
11 tary department may waive the limitations in subsection
12 (a), on a case-by-case basis, if the Secretary determines,
13 and certifies to the Committees on Appropriations of the
14 House of Representatives and the Senate that the grant-
15 ing of the waiver will reduce the personnel requirements
16 or the financial requirements of the department.

17 (c) This section does not apply to—

18 (1) field operating agencies funded within the
19 National Intelligence Program;

20 (2) an Army field operating agency established
21 to eliminate, mitigate, or counter the effects of im-
22 proved explosive devices, and, as determined by the
23 Secretary of the Army, other similar threats;

24 (3) an Army field operating agency established
25 to improve the effectiveness and efficiencies of bio-

1 metric activities and to integrate common biometric
2 technologies throughout the Department of Defense;
3 or

4 (4) an Air Force field operating agency estab-
5 lished to administer the Air Force Mortuary Affairs
6 Program and Mortuary Operations for the Depart-
7 ment of Defense and authorized Federal entities.

8 SEC. 8040. (a) None of the funds appropriated by
9 this Act shall be available to convert to contractor per-
10 formance an activity or function of the Department of De-
11 fense that, on or after the date of the enactment of this
12 Act, is performed by Department of Defense civilian em-
13 ployees unless—

14 (1) the conversion is based on the result of a
15 public-private competition that includes a most effi-
16 cient and cost effective organization plan developed
17 by such activity or function;

18 (2) the Competitive Sourcing Official deter-
19 mines that, over all performance periods stated in
20 the solicitation of offers for performance of the ac-
21 tivity or function, the cost of performance of the ac-
22 tivity or function by a contractor would be less costly
23 to the Department of Defense by an amount that
24 equals or exceeds the lesser of—

1 (A) 10 percent of the most efficient organi-
2 zation's personnel-related costs for performance
3 of that activity or function by Federal employ-
4 ees; or

5 (B) \$10,000,000; and

6 (3) the contractor does not receive an advan-
7 tage for a proposal that would reduce costs for the
8 Department of Defense by—

9 (A) not making an employer-sponsored
10 health insurance plan available to the workers
11 who are to be employed in the performance of
12 that activity or function under the contract; or

13 (B) offering to such workers an employer-
14 sponsored health benefits plan that requires the
15 employer to contribute less towards the pre-
16 mium or subscription share than the amount
17 that is paid by the Department of Defense for
18 health benefits for civilian employees under
19 chapter 89 of title 5, United States Code.

20 (b)(1) The Department of Defense, without regard
21 to subsection (a) of this section or subsection (a), (b), or
22 (c) of section 2461 of title 10, United States Code, and
23 notwithstanding any administrative regulation, require-
24 ment, or policy to the contrary shall have full authority
25 to enter into a contract for the performance of any com-

1 mercial or industrial type function of the Department of
2 Defense that—

3 (A) is included on the procurement list estab-
4 lished pursuant to section 2 of the Javits-Wagner-
5 O'Day Act (section 8503 of title 41, United States
6 Code);

7 (B) is planned to be converted to performance
8 by a qualified nonprofit agency for the blind or by
9 a qualified nonprofit agency for other severely handi-
10 capped individuals in accordance with that Act; or

11 (C) is planned to be converted to performance
12 by a qualified firm under at least 51 percent owner-
13 ship by an Indian tribe, as defined in section 4(e)
14 of the Indian Self-Determination and Education As-
15 sistance Act (25 U.S.C. 450b(e)), or a Native Ha-
16 waiian Organization, as defined in section 8(a)(15)
17 of the Small Business Act (15 U.S.C. 637(a)(15)).

18 (2) This section shall not apply to depot contracts
19 or contracts for depot maintenance as provided in sections
20 2469 and 2474 of title 10, United States Code.

21 (c) The conversion of any activity or function of the
22 Department of Defense under the authority provided by
23 this section shall be credited toward any competitive or
24 outsourcing goal, target, or measurement that may be es-
25 tablished by statute, regulation, or policy and is deemed

1 to be awarded under the authority of, and in compliance
2 with, subsection (h) of section 2304 of title 10, United
3 States Code, for the competition or outsourcing of com-
4 mercial activities.

5 (RESCISSIONS)

6 SEC. 8041. Of the funds appropriated in Department
7 of Defense Appropriations Acts, the following funds are
8 hereby rescinded from the following accounts and pro-
9 grams in the specified amounts: *Provided*, That no
10 amounts may be rescinded from amounts that were des-
11 ignated by the Congress for Overseas Contingency Oper-
12 ations/Global War on Terrorism or as an emergency re-
13 quirement pursuant to a concurrent resolution on the
14 budget or the Balanced Budget and Emergency Deficit
15 Control Act of 1985, as amended:

16 “Weapons and Tracked Combat Vehicles, Army”,
17 2019/2021, \$14,250,000;

18 “Other Procurement, Army”, 2019/2021,
19 \$12,953,000;

20 “Aircraft Procurement, Navy”, 2019/2021,
21 \$7,983,000;

22 “Other Procurement, Navy”, 2019/2021,
23 \$2,226,000;

24 “Aircraft Procurement, Air Force”, 2019/2021,
25 \$236,624,000;

1 “Other Procurement, Air Force”, 2019/2021,
2 \$12,400,000;
3 “Operation and Maintenance, Defense-Wide: Defense
4 Security Cooperation Agency”, 2020/2021, \$20,000,000;
5 “Weapons and Tracked Combat Vehicles, Army”,
6 2020/2022, \$93,840,000;
7 “Other Procurement, Army”, 2020/2022,
8 \$10,878,000;
9 “Aircraft Procurement, Navy”, 2020/2022,
10 \$351,009,000;
11 “Shipbuilding and Conversation, Navy: CVN Refuel-
12 ing Overhauls”, 2020/2024, \$13,100,000;
13 “Shipbuilding and Conversion, Navy: TAO Fleet
14 Oiler (AP)”, 2020/2024, \$73,000,000;
15 “Other Procurement, Navy”, 2020/2022,
16 \$60,920,000;
17 “Procurement, Marine Corps”, 2020/2022,
18 \$33,539,000;
19 “Aircraft Procurement, Air Force”, 2020/2022,
20 \$439,458,000;
21 “Missile Procurement, Air Force”, 2020/2022,
22 \$24,500,000;
23 “Other Procurement, Air Force”, 2020/2022,
24 \$11,226,000;

1 “Research, Development, Test and Evaluation,
2 Army”, 2020/2021, \$310,622,000;

3 “Research, Development, Test and Evaluation,
4 Navy”, 2020/2021, \$70,000,000;

5 “Research, Development, Test and Evaluation, Air
6 Force”, 2020/2021, \$219,341,000;

7 “Research, Development, Test and Evaluation, De-
8 fense-Wide”, 2020/2021, \$323,231,000; and

9 “Defense Counterintelligence and Security Agency
10 Working Capital Fund”, 2020/20XX, \$150,000,000.

11 SEC. 8042. None of the funds available in this Act
12 may be used to reduce the authorized positions for mili-
13 tary technicians (dual status) of the Army National
14 Guard, Air National Guard, Army Reserve and Air Force
15 Reserve for the purpose of applying any administratively
16 imposed civilian personnel ceiling, freeze, or reduction on
17 military technicians (dual status), unless such reductions
18 are a direct result of a reduction in military force struc-
19 ture.

20 SEC. 8043. None of the funds appropriated or other-
21 wise made available in this Act may be obligated or ex-
22 pended for assistance to the Democratic People’s Republic
23 of Korea unless specifically appropriated for that purpose.

24 SEC. 8044. Funds appropriated in this Act for oper-
25 ation and maintenance of the Military Departments, Com-

1 batant Commands and Defense Agencies shall be available
2 for reimbursement of pay, allowances and other expenses
3 which would otherwise be incurred against appropriations
4 for the National Guard and Reserve when members of the
5 National Guard and Reserve provide intelligence or coun-
6 terintelligence support to Combatant Commands, Defense
7 Agencies and Joint Intelligence Activities, including the
8 activities and programs included within the National Intel-
9 ligence Program and the Military Intelligence Program:
10 *Provided*, That nothing in this section authorizes deviation
11 from established Reserve and National Guard personnel
12 and training procedures.

13 SEC. 8045. (a) None of the funds available to the
14 Department of Defense for any fiscal year for drug inter-
15 diction or counter-drug activities may be transferred to
16 any other department or agency of the United States ex-
17 cept as specifically provided in an appropriations law.

18 (b) None of the funds available to the Central Intel-
19 ligence Agency for any fiscal year for drug interdiction or
20 counter-drug activities may be transferred to any other de-
21 partment or agency of the United States except as specifi-
22 cally provided in an appropriations law.

23 SEC. 8046. None of the funds appropriated by this
24 Act may be used for the procurement of ball and roller
25 bearings other than those produced by a domestic source

1 and of domestic origin: *Provided*, That the Secretary of
2 the military department responsible for such procurement
3 may waive this restriction on a case-by-case basis by certi-
4 fying in writing to the Committees on Appropriations of
5 the House of Representatives and the Senate, that ade-
6 quate domestic supplies are not available to meet Depart-
7 ment of Defense requirements on a timely basis and that
8 such an acquisition must be made in order to acquire ca-
9 pability for national security purposes: *Provided further*,
10 That this restriction shall not apply to the purchase of
11 “commercial items”, as defined by section 103 of title 41,
12 United States Code, except that the restriction shall apply
13 to ball or roller bearings purchased as end items.

14 SEC. 8047. In addition to the amounts appropriated
15 or otherwise made available elsewhere in this Act,
16 \$47,500,000 is hereby appropriated to the Department of
17 Defense: *Provided*, That upon the determination of the
18 Secretary of Defense that it shall serve the national inter-
19 est, the Secretary shall make grants in the amounts speci-
20 fied as follows: \$22,500,000 to the United Service Organi-
21 zations and \$25,000,000 to the Red Cross.

22 SEC. 8048. None of the funds in this Act may be
23 used to purchase any supercomputer which is not manu-
24 factured in the United States, unless the Secretary of De-
25 fense certifies to the congressional defense committees

1 that such an acquisition must be made in order to acquire
2 capability for national security purposes that is not avail-
3 able from United States manufacturers.

4 SEC. 8049. Notwithstanding any other provision in
5 this Act, the Small Business Innovation Research program
6 and the Small Business Technology Transfer program set-
7 asides shall be taken proportionally from all programs,
8 projects, or activities to the extent they contribute to the
9 extramural budget.

10 SEC. 8050. None of the funds available to the De-
11 partment of Defense under this Act shall be obligated or
12 expended to pay a contractor under a contract with the
13 Department of Defense for costs of any amount paid by
14 the contractor to an employee when—

15 (1) such costs are for a bonus or otherwise in
16 excess of the normal salary paid by the contractor
17 to the employee; and

18 (2) such bonus is part of restructuring costs as-
19 sociated with a business combination.

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 8051. During the current fiscal year, no more
22 than \$30,000,000 of appropriations made in this Act
23 under the heading “Operation and Maintenance, Defense-
24 Wide” may be transferred to appropriations available for
25 the pay of military personnel, to be merged with, and to

1 be available for the same time period as the appropriations
2 to which transferred, to be used in support of such per-
3 sonnel in connection with support and services for eligible
4 organizations and activities outside the Department of De-
5 fense pursuant to section 2012 of title 10, United States
6 Code.

7 SEC. 8052. During the current fiscal year, in the case
8 of an appropriation account of the Department of Defense
9 for which the period of availability for obligation has ex-
10 pired or which has closed under the provisions of section
11 1552 of title 31, United States Code, and which has a
12 negative unliquidated or unexpended balance, an obliga-
13 tion or an adjustment of an obligation may be charged
14 to any current appropriation account for the same purpose
15 as the expired or closed account if—

16 (1) the obligation would have been properly
17 chargeable (except as to amount) to the expired or
18 closed account before the end of the period of avail-
19 ability or closing of that account;

20 (2) the obligation is not otherwise properly
21 chargeable to any current appropriation account of
22 the Department of Defense; and

23 (3) in the case of an expired account, the obli-
24 gation is not chargeable to a current appropriation
25 of the Department of Defense under the provisions

1 of section 1405(b)(8) of the National Defense Au-
2 thORIZATION Act for Fiscal Year 1991, Public Law
3 101-510, as amended (31 U.S.C. 1551 note): *Pro-*
4 *vided*, That in the case of an expired account, if sub-
5 sequent review or investigation discloses that there
6 was not in fact a negative unliquidated or unex-
7 pended balance in the account, any charge to a cur-
8 rent account under the authority of this section shall
9 be reversed and recorded against the expired ac-
10 count: *Provided further*, That the total amount
11 charged to a current appropriation under this sec-
12 tion may not exceed an amount equal to 1 percent
13 of the total appropriation for that account:

14 *Provided*, That the Under Secretary of Defense (Comp-
15 troller) shall include with the budget of the President for
16 fiscal year 2022 (as submitted to Congress pursuant to
17 section 1105 of title 31, United States Code) a statement
18 describing each instance if any, during each of the fiscal
19 years 2016 through 2021 in which the authority in this
20 section was exercised.

21 SEC. 8053. (a) Notwithstanding any other provision
22 of law, the Chief of the National Guard Bureau may per-
23 mit the use of equipment of the National Guard Distance
24 Learning Project by any person or entity on a space-avail-
25 able, reimbursable basis. The Chief of the National Guard

1 Bureau shall establish the amount of reimbursement for
2 such use on a case-by-case basis.

3 (b) Amounts collected under subsection (a) shall be
4 credited to funds available for the National Guard Dis-
5 tance Learning Project and be available to defray the costs
6 associated with the use of equipment of the project under
7 that subsection. Such funds shall be available for such
8 purposes without fiscal year limitation.

9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 8054. Of the funds appropriated in this Act
11 under the heading “Operation and Maintenance, Defense-
12 Wide”, \$40,000,000 shall be for continued implementation
13 and expansion of the Sexual Assault Special Victims’
14 Counsel Program: *Provided*, That the funds are made
15 available for transfer to the Department of the Army, the
16 Department of the Navy, and the Department of the Air
17 Force: *Provided further*, That funds transferred shall be
18 merged with and available for the same purposes and for
19 the same time period as the appropriations to which the
20 funds are transferred: *Provided further*, That this transfer
21 authority is in addition to any other transfer authority
22 provided in this Act.

23 SEC. 8055. None of the funds appropriated in title
24 IV of this Act may be used to procure end-items for deliv-
25 ery to military forces for operational training, operational

1 use or inventory requirements: *Provided*, That this restric-
2 tion does not apply to end-items used in development,
3 prototyping, and test activities preceding and leading to
4 acceptance for operational use: *Provided further*, That the
5 Secretary of Defense shall, at the time of the submittal
6 to Congress of the budget of the President for fiscal year
7 2022 pursuant to section 1105 of title 31, United States
8 Code, submit to the congressional defense committees a
9 report detailing the use of funds requested in research,
10 development, test and evaluation accounts for end-items
11 used in development, prototyping and test activities pre-
12 ceding and leading to acceptance for operational use: *Pro-*
13 *vided further*, That the report shall set forth, for each end-
14 item covered by the preceding proviso, a detailed list of
15 the statutory authorities under which amounts in the ac-
16 counts described in that proviso were used for such item:
17 *Provided further*, That this restriction does not apply to
18 programs funded within the National Intelligence Pro-
19 gram: *Provided further*, That the Secretary of Defense
20 may waive this restriction on a case-by-case basis by certi-
21 fying in writing to the Committees on Appropriations of
22 the House of Representatives and the Senate that it is
23 in the national security interest to do so.

24 SEC. 8056. (a) The Secretary of Defense may, on a
25 case-by-case basis, waive with respect to a foreign country

1 each limitation on the procurement of defense items from
2 foreign sources provided in law if the Secretary determines
3 that the application of the limitation with respect to that
4 country would invalidate cooperative programs entered
5 into between the Department of Defense and the foreign
6 country, or would invalidate reciprocal trade agreements
7 for the procurement of defense items entered into under
8 section 2531 of title 10, United States Code, and the
9 country does not discriminate against the same or similar
10 defense items produced in the United States for that coun-
11 try.

12 (b) Subsection (a) applies with respect to—

13 (1) contracts and subcontracts entered into on
14 or after the date of the enactment of this Act; and

15 (2) options for the procurement of items that
16 are exercised after such date under contracts that
17 are entered into before such date if the option prices
18 are adjusted for any reason other than the applica-
19 tion of a waiver granted under subsection (a).

20 (c) Subsection (a) does not apply to a limitation re-
21 garding construction of public vessels, ball and roller bear-
22 ings, food, and clothing or textile materials as defined by
23 section XI (chapters 50–65) of the Harmonized Tariff
24 Schedule of the United States and products classified
25 under headings 4010, 4202, 4203, 6401 through 6406,

1 6505, 7019, 7218 through 7229, 7304.41 through
2 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109,
3 8211, 8215, and 9404.

4 SEC. 8057. None of the funds appropriated or other-
5 wise made available by this or other Department of De-
6 fense Appropriations Acts may be obligated or expended
7 for the purpose of performing repairs or maintenance to
8 military family housing units of the Department of De-
9 fense, including areas in such military family housing
10 units that may be used for the purpose of conducting offi-
11 cial Department of Defense business.

12 SEC. 8058. Notwithstanding any other provision of
13 law, funds appropriated in this Act under the heading
14 “Research, Development, Test and Evaluation, Defense-
15 Wide” for any new start advanced concept technology
16 demonstration project or joint capability demonstration
17 project may only be obligated 45 days after a report, in-
18 cluding a description of the project, the planned acquisi-
19 tion and transition strategy and its estimated annual and
20 total cost, has been provided in writing to the congres-
21 sional defense committees.

22 SEC. 8059. The Secretary of Defense shall continue
23 to provide a classified quarterly report to the Committees
24 on Appropriations of the House of Representatives and the

1 Senate, Subcommittees on Defense on certain matters as
2 directed in the classified annex accompanying this Act.

3 SEC. 8060. Notwithstanding section 12310(b) of title
4 10, United States Code, a Reserve who is a member of
5 the National Guard serving on full-time National Guard
6 duty under section 502(f) of title 32, United States Code,
7 may perform duties in support of the ground-based ele-
8 ments of the National Ballistic Missile Defense System.

9 SEC. 8061. None of the funds provided in this Act
10 may be used to transfer to any nongovernmental entity
11 ammunition held by the Department of Defense that has
12 a center-fire cartridge and a United States military no-
13 menclature designation of “armor penetrator”, “armor
14 piercing (AP)”, “armor piercing incendiary (API)”, or
15 “armor-piercing incendiary tracer (API-T)”, except to an
16 entity performing demilitarization services for the Depart-
17 ment of Defense under a contract that requires the entity
18 to demonstrate to the satisfaction of the Department of
19 Defense that armor piercing projectiles are either: (1) ren-
20 dered incapable of reuse by the demilitarization process;
21 or (2) used to manufacture ammunition pursuant to a con-
22 tract with the Department of Defense or the manufacture
23 of ammunition for export pursuant to a License for Per-
24 manent Export of Unclassified Military Articles issued by
25 the Department of State.

1 SEC. 8062. Notwithstanding any other provision of
2 law, the Chief of the National Guard Bureau, or his des-
3 ignee, may waive payment of all or part of the consider-
4 ation that otherwise would be required under section 2667
5 of title 10, United States Code, in the case of a lease of
6 personal property for a period not in excess of 1 year to
7 any organization specified in section 508(d) of title 32,
8 United States Code, or any other youth, social, or fra-
9 ternal nonprofit organization as may be approved by the
10 Chief of the National Guard Bureau, or his designee, on
11 a case-by-case basis.

12 (INCLUDING TRANSFER OF FUNDS)

13 SEC. 8063. Of the amounts appropriated in this Act
14 under the heading “Operation and Maintenance, Army”,
15 \$137,724,000 shall remain available until expended: *Pro-*
16 *vided*, That, notwithstanding any other provision of law,
17 the Secretary of Defense is authorized to transfer such
18 funds to other activities of the Federal Government: *Pro-*
19 *vided further*, That the Secretary of Defense is authorized
20 to enter into and carry out contracts for the acquisition
21 of real property, construction, personal services, and oper-
22 ations related to projects carrying out the purposes of this
23 section: *Provided further*, That contracts entered into
24 under the authority of this section may provide for such
25 indemnification as the Secretary determines to be nec-

1 essary: *Provided further*, That projects authorized by this
2 section shall comply with applicable Federal, State, and
3 local law to the maximum extent consistent with the na-
4 tional security, as determined by the Secretary of Defense.

5 SEC. 8064. (a) None of the funds appropriated in this
6 or any other Act may be used to take any action to mod-
7 ify—

8 (1) the appropriations account structure for the Na-
9 tional Intelligence Program budget, including through the
10 creation of a new appropriation or new appropriation ac-
11 count;

12 (2) how the National Intelligence Program budget re-
13 quest is presented in the unclassified P-1, R-1, and O-
14 1 documents supporting the Department of Defense budg-
15 et request;

16 (3) the process by which the National Intelligence
17 Program appropriations are apportioned to the executing
18 agencies; or

19 (4) the process by which the National Intelligence
20 Program appropriations are allotted, obligated, and dis-
21 bursed.

22 (b) Nothing in subsection (a) shall be construed to
23 prohibit the merger of programs or changes to the Na-
24 tional Intelligence Program budget at or below the Ex-

1 penditure Center level, provided such change is otherwise
2 in accordance with paragraphs (a)(1)-(3).

3 SEC. 8065. In addition to amounts provided else-
4 where in this Act, \$5,000,000 is hereby appropriated to
5 the Department of Defense, to remain available for obliga-
6 tion until expended: *Provided*, That notwithstanding any
7 other provision of law, that upon the determination of the
8 Secretary of Defense that it shall serve the national inter-
9 est, these funds shall be available only for a grant to the
10 Fisher House Foundation, Inc., only for the construction
11 and furnishing of additional Fisher Houses to meet the
12 needs of military family members when confronted with
13 the illness or hospitalization of an eligible military bene-
14 ficiary.

15 (INCLUDING TRANSFER OF FUNDS)

16 SEC. 8066. Of the amounts appropriated for “Oper-
17 ation and Maintenance, Navy”, up to \$1,000,000 shall be
18 available for transfer to the John C. Stennis Center for
19 Public Service Development Trust Fund established under
20 section 116 of the John C. Stennis Center for Public Serv-
21 ice Training and Development Act (2 U.S.C. 1105).

22 SEC. 8067. None of the funds available to the De-
23 partment of Defense may be obligated to modify command
24 and control relationships to give Fleet Forces Command
25 operational and administrative control of United States

1 Navy forces assigned to the Pacific fleet: *Provided*, That
2 the command and control relationships which existed on
3 October 1, 2004, shall remain in force until a written
4 modification has been proposed to the Committees on Ap-
5 propriations of the House of Representatives and the Sen-
6 ate: *Provided further*, That the proposed modification may
7 be implemented 30 days after the notification unless an
8 objection is received from either the House or Senate Ap-
9 propriations Committees: *Provided further*, That any pro-
10 posed modification shall not preclude the ability of the
11 commander of United States Indo-Pacific Command to
12 meet operational requirements.

13 SEC. 8068. Any notice that is required to be sub-
14 mitted to the Committees on Appropriations of the House
15 of Representatives and the Senate under section 806(c)(4)
16 of the Bob Stump National Defense Authorization Act for
17 Fiscal Year 2003 (10 U.S.C. 2302 note) after the date
18 of the enactment of this Act shall be submitted pursuant
19 to that requirement concurrently to the Subcommittees on
20 Defense of the Committees on Appropriations of the
21 House of Representatives and the Senate.

22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 8069. Of the amounts appropriated in this Act
24 under the headings “Procurement, Defense-Wide” and
25 “Research, Development, Test and Evaluation, Defense-

1 Wide”, \$500,000,000 shall be for the Israeli Cooperative
2 Programs: *Provided*, That of this amount, \$73,000,000
3 shall be for the Secretary of Defense to provide to the Gov-
4 ernment of Israel for the procurement of the Iron Dome
5 defense system to counter short-range rocket threats, sub-
6 ject to the U.S.-Israel Iron Dome Procurement Agree-
7 ment, as amended; \$177,000,000 shall be for the Short
8 Range Ballistic Missile Defense (SRBMD) program, in-
9 cluding cruise missile defense research and development
10 under the SRBMD program, of which \$50,000,000 shall
11 be for co-production activities of SRBMD systems in the
12 United States and in Israel to meet Israel’s defense re-
13 quirements consistent with each nation’s laws, regulations,
14 and procedures, subject to the U.S.-Israeli co-production
15 agreement for SRBMD, as amended; \$77,000,000 shall
16 be for an upper-tier component to the Israeli Missile De-
17 fense Architecture, of which \$77,000,000 shall be for co-
18 production activities of Arrow 3 Upper Tier systems in
19 the United States and in Israel to meet Israel’s defense
20 requirements consistent with each nation’s laws, regula-
21 tions, and procedures, subject to the U.S.-Israeli co-pro-
22 duction agreement for Arrow 3 Upper Tier, as amended;
23 and \$173,000,000 shall be for the Arrow System Improve-
24 ment Program including development of a long range,
25 ground and airborne, detection suite: *Provided further*,

1 That the transfer authority provided under this provision
2 is in addition to any other transfer authority contained
3 in this Act.

4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 8070. Of the amounts appropriated in this Act
6 under the heading “Shipbuilding and Conversion, Navy”,
7 \$369,112,000 shall be available until September 30, 2021,
8 to fund prior year shipbuilding cost increases: *Provided*,
9 That upon enactment of this Act, the Secretary of the
10 Navy shall transfer funds to the following appropriations
11 in the amounts specified: *Provided further*, That the
12 amounts transferred shall be merged with and be available
13 for the same purposes as the appropriations to which
14 transferred to:

15 (1) Under the heading “Shipbuilding and Con-
16 version, Navy”, 2008/2021: Carrier Replacement
17 Program \$71,000,000;

18 (2) Under the heading “Shipbuilding and Con-
19 version, Navy”, 2015/2021: DDG-51 Destroyer
20 \$9,634,000;

21 (3) Under the heading “Shipbuilding and Con-
22 version, Navy”, 2016/2021: CVN Refueling Over-
23 hauls \$198,000,000;

24 (4) Under the heading “Shipbuilding and Con-
25 version, Navy”, 2016/2021: LPD-17 \$30,578,000;

1 (5) Under the heading “Shipbuilding and Con-
2 version, Navy”, 2016/2021: TAO Fleet Oiler
3 \$42,500,000; and

4 (6) Under the heading “Shipbuilding and Con-
5 version, Navy”, 2018/2021: TAO Fleet Oiler
6 \$17,400,000.

7 SEC. 8071. Funds appropriated by this Act, or made
8 available by the transfer of funds in this Act, for intel-
9 ligence activities are deemed to be specifically authorized
10 by the Congress for purposes of section 504 of the Na-
11 tional Security Act of 1947 (50 U.S.C. 3094) during fiscal
12 year 2021 until the enactment of the Intelligence Author-
13 ization Act for Fiscal Year 2021.

14 SEC. 8072. None of the funds provided in this Act
15 shall be available for obligation or expenditure through a
16 reprogramming of funds that creates or initiates a new
17 program, project, or activity, unless the Secretary of De-
18 fense notifies the congressional defense committees not
19 less than 30 days in advance (or in an emergency, as far
20 in advance as practicable) that such program, project, or
21 activity must be undertaken immediately in the interest
22 of national security and only after written prior notifica-
23 tion to the congressional defense committees.

24 SEC. 8073. The budget of the President for fiscal
25 year 2022 submitted to the Congress pursuant to section

1 1105 of title 31, United States Code, shall include sepa-
2 rate budget justification documents for costs of United
3 States Armed Forces' participation in contingency oper-
4 ations for the Military Personnel accounts, the Operation
5 and Maintenance accounts, the Procurement accounts,
6 and the Research, Development, Test and Evaluation ac-
7 counts: *Provided*, That these documents shall include a de-
8 scription of the funding requested for each contingency op-
9 eration, for each military service, including all Active and
10 Reserve components, and for each appropriations account:
11 *Provided further*, That these documents shall include esti-
12 mated costs for each element of expense or object class,
13 a reconciliation of increases and decreases for each contin-
14 gency operation, and programmatic data including, but
15 not limited to, troop strength for each Active and Reserve
16 component, and estimates of the major weapons systems
17 deployed in support of each contingency: *Provided further*,
18 That these documents shall include budget exhibits OP-
19 5 and OP-32 (as defined in the Department of Defense
20 Financial Management Regulation) for all contingency op-
21 erations for the budget year and the two preceding fiscal
22 years.

23 SEC. 8074. None of the funds in this Act may be
24 used for research, development, test, evaluation, procure-

1 ment or deployment of nuclear armed interceptors of a
2 missile defense system.

3 SEC. 8075. The Secretary of Defense may use up to
4 \$500,000,000 of the amounts appropriated or otherwise
5 made available in this Act to the Department of Defense
6 for the rapid acquisition and deployment of supplies and
7 associated support services pursuant to section 806 of the
8 Bob Stump National Defense Authorization Act for Fiscal
9 Year 2003 (Public Law 107–314; 10 U.S.C. 2302 note):
10 *Provided*, That the Secretary of Defense shall notify the
11 congressional defense committees promptly of all uses of
12 such authority.

13 SEC. 8076. None of the funds appropriated or made
14 available in this Act shall be used to reduce or disestablish
15 the operation of the 53rd Weather Reconnaissance Squad-
16 ron of the Air Force Reserve, if such action would reduce
17 the WC–130 Weather Reconnaissance mission below the
18 levels funded in this Act: *Provided*, That the Air Force
19 shall allow the 53rd Weather Reconnaissance Squadron to
20 perform other missions in support of national defense re-
21 quirements during the non-hurricane season.

22 SEC. 8077. None of the funds provided in this Act
23 shall be available for integration of foreign intelligence in-
24 formation unless the information has been lawfully col-
25 lected and processed during the conduct of authorized for-

1 eign intelligence activities: *Provided*, That information
2 pertaining to United States persons shall only be handled
3 in accordance with protections provided in the Fourth
4 Amendment of the United States Constitution as imple-
5 mented through Executive Order No. 12333.

6 SEC. 8078. (a) None of the funds appropriated by
7 this Act may be used to transfer research and develop-
8 ment, acquisition, or other program authority relating to
9 current tactical unmanned aerial vehicles (TUAVs) from
10 the Army.

11 (b) The Army shall retain responsibility for and oper-
12 ational control of the MQ-1C Gray Eagle Unmanned Aer-
13 ial Vehicle (UAV) in order to support the Secretary of De-
14 fense in matters relating to the employment of unmanned
15 aerial vehicles.

16 SEC. 8079. None of the funds appropriated by this
17 Act for programs of the Office of the Director of National
18 Intelligence shall remain available for obligation beyond
19 the current fiscal year, except for funds appropriated for
20 research and technology, which shall remain available until
21 September 30, 2022.

22 SEC. 8080. For purposes of section 1553(b) of title
23 31, United States Code, any subdivision of appropriations
24 made in this Act under the heading “Shipbuilding and
25 Conversion, Navy” shall be considered to be for the same

1 purpose as any subdivision under the heading “Ship-
2 building and Conversion, Navy” appropriations in any
3 prior fiscal year, and the 1 percent limitation shall apply
4 to the total amount of the appropriation.

5 SEC. 8081. (a) Not later than 60 days after the date
6 of enactment of this Act, the Director of National Intel-
7 ligence shall submit a report to the congressional intel-
8 ligence committees to establish the baseline for application
9 of reprogramming and transfer authorities for fiscal year
10 2021: *Provided*, That the report shall include—

11 (1) a table for each appropriation with a sepa-
12 rate column to display the President’s budget re-
13 quest, adjustments made by Congress, adjustments
14 due to enacted rescissions, if appropriate, and the
15 fiscal year enacted level;

16 (2) a delineation in the table for each appro-
17 priation by Expenditure Center and project; and

18 (3) an identification of items of special congres-
19 sional interest.

20 (b) None of the funds provided for the National Intel-
21 ligence Program in this Act shall be available for re-
22 programming or transfer until the report identified in sub-
23 section (a) is submitted to the congressional intelligence
24 committees, unless the Director of National Intelligence
25 certifies in writing to the congressional intelligence com-

1 mittees that such reprogramming or transfer is necessary
2 as an emergency requirement.

3 SEC. 8082. Notwithstanding any other provision of
4 law, any transfer of funds, appropriated or otherwise made
5 available by this Act, for support to friendly foreign coun-
6 tries in connection with the conduct of operations in which
7 the United States is not participating, pursuant to section
8 331(d) of title 10, United States Code, shall be made in
9 accordance with section 8005 or 9002 of this Act, as appli-
10 cable.

11 SEC. 8083. Any transfer of amounts appropriated to,
12 credited to, or deposited in the Department of Defense Ac-
13 quisition Workforce Development Account in or for fiscal
14 year 2021 to a military department or Defense Agency
15 pursuant to section 1705(e)(1) of title 10, United States
16 Code, shall be covered by and subject to section 8005 or
17 9002 of this Act, as applicable.

18 SEC. 8084. None of the funds made available by this
19 Act for excess defense articles, assistance under section
20 333 of title 10, United States Code, or peacekeeping oper-
21 ations for the countries designated annually to be in viola-
22 tion of the standards of the Child Soldiers Prevention Act
23 of 2008 (Public Law 110–457; 22 U.S.C. 2370c–1) may
24 be used to support any military training or operation that
25 includes child soldiers, as defined by the Child Soldiers

1 Prevention Act of 2008, unless such assistance is other-
2 wise permitted under section 404 of the Child Soldiers
3 Prevention Act of 2008.

4 SEC. 8085. (a) None of the funds provided for the
5 National Intelligence Program in this or any prior appro-
6 priations Act shall be available for obligation or expendi-
7 ture through a reprogramming or transfer of funds in ac-
8 cordance with section 102A(d) of the National Security
9 Act of 1947 (50 U.S.C. 3024(d)) that—

10 (1) creates a new start effort;

11 (2) terminates a program with appropriated
12 funding of \$10,000,000 or more;

13 (3) transfers funding into or out of the Na-
14 tional Intelligence Program; or

15 (4) transfers funding between appropriations,
16 unless the congressional intelligence committees are
17 notified 30 days in advance of such reprogramming
18 of funds; this notification period may be reduced for
19 urgent national security requirements.

20 (b) None of the funds provided for the National Intel-
21 ligence Program in this or any prior appropriations Act
22 shall be available for obligation or expenditure through a
23 reprogramming or transfer of funds in accordance with
24 section 102A(d) of the National Security Act of 1947 (50
25 U.S.C. 3024(d)) that results in a cumulative increase or

1 decrease of the levels specified in the classified annex ac-
2 companying the Act unless the congressional intelligence
3 committees are notified 30 days in advance of such re-
4 programming of funds; this notification period may be re-
5 duced for urgent national security requirements.

6 SEC. 8086. For the purposes of this Act, the term
7 “congressional intelligence committees” means the Perma-
8 nent Select Committee on Intelligence of the House of
9 Representatives, the Select Committee on Intelligence of
10 the Senate, the Subcommittee on Defense of the Com-
11 mittee on Appropriations of the House of Representatives,
12 and the Subcommittee on Defense of the Committee on
13 Appropriations of the Senate.

14 (INCLUDING TRANSFER OF FUNDS)

15 SEC. 8087. During the current fiscal year, not to ex-
16 ceed \$11,000,000 from each of the appropriations made
17 in title II of this Act for “Operation and Maintenance,
18 Army”, “Operation and Maintenance, Navy”, and “Oper-
19 ation and Maintenance, Air Force” may be transferred by
20 the military department concerned to its central fund es-
21 tablished for Fisher Houses and Suites pursuant to sec-
22 tion 2493(d) of title 10, United States Code.

23 SEC. 8088. None of the funds appropriated by this
24 Act may be available for the purpose of making remit-
25 tances to the Department of Defense Acquisition Work-

1 force Development Account in accordance with section
2 1705 of title 10, United States Code.

3 SEC. 8089. (a) Any agency receiving funds made
4 available in this Act, shall, subject to subsections (b) and
5 (c), post on the public Web site of that agency any report
6 required to be submitted by the Congress in this or any
7 other Act, upon the determination by the head of the agen-
8 cy that it shall serve the national interest.

9 (b) Subsection (a) shall not apply to a report if—

10 (1) the public posting of the report com-
11 promises national security; or

12 (2) the report contains proprietary information.

13 (c) The head of the agency posting such report shall
14 do so only after such report has been made available to
15 the requesting Committee or Committees of Congress for
16 no less than 45 days.

17 SEC. 8090. (a) None of the funds appropriated or
18 otherwise made available by this Act may be expended for
19 any Federal contract for an amount in excess of
20 \$1,000,000, unless the contractor agrees not to—

21 (1) enter into any agreement with any of its
22 employees or independent contractors that requires,
23 as a condition of employment, that the employee or
24 independent contractor agree to resolve through ar-
25 bitration any claim under title VII of the Civil

1 Rights Act of 1964 or any tort related to or arising
2 out of sexual assault or harassment, including as-
3 sault and battery, intentional infliction of emotional
4 distress, false imprisonment, or negligent hiring, su-
5 pervision, or retention; or

6 (2) take any action to enforce any provision of
7 an existing agreement with an employee or inde-
8 pendent contractor that mandates that the employee
9 or independent contractor resolve through arbitra-
10 tion any claim under title VII of the Civil Rights Act
11 of 1964 or any tort related to or arising out of sex-
12 ual assault or harassment, including assault and
13 battery, intentional infliction of emotional distress,
14 false imprisonment, or negligent hiring, supervision,
15 or retention.

16 (b) None of the funds appropriated or otherwise
17 made available by this Act may be expended for any Fed-
18 eral contract unless the contractor certifies that it requires
19 each covered subcontractor to agree not to enter into, and
20 not to take any action to enforce any provision of, any
21 agreement as described in paragraphs (1) and (2) of sub-
22 section (a), with respect to any employee or independent
23 contractor performing work related to such subcontract.
24 For purposes of this subsection, a “covered subcon-

1 tractor” is an entity that has a subcontract in excess of
2 \$1,000,000 on a contract subject to subsection (a).

3 (c) The prohibitions in this section do not apply with
4 respect to a contractor’s or subcontractor’s agreements
5 with employees or independent contractors that may not
6 be enforced in a court of the United States.

7 (d) The Secretary of Defense may waive the applica-
8 tion of subsection (a) or (b) to a particular contractor or
9 subcontractor for the purposes of a particular contract or
10 subcontract if the Secretary or the Deputy Secretary per-
11 sonally determines that the waiver is necessary to avoid
12 harm to national security interests of the United States,
13 and that the term of the contract or subcontract is not
14 longer than necessary to avoid such harm. The determina-
15 tion shall set forth with specificity the grounds for the
16 waiver and for the contract or subcontract term selected,
17 and shall state any alternatives considered in lieu of a
18 waiver and the reasons each such alternative would not
19 avoid harm to national security interests of the United
20 States. The Secretary of Defense shall transmit to Con-
21 gress, and simultaneously make public, any determination
22 under this subsection not less than 15 business days be-
23 fore the contract or subcontract addressed in the deter-
24 mination may be awarded.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 8091. From within the funds appropriated for
3 operation and maintenance for the Defense Health Pro-
4 gram in this Act, up to \$137,000,000, shall be available
5 for transfer to the Joint Department of Defense-Depart-
6 ment of Veterans Affairs Medical Facility Demonstration
7 Fund in accordance with the provisions of section 1704
8 of the National Defense Authorization Act for Fiscal Year
9 2010, Public Law 111–84: *Provided*, That for purposes
10 of section 1704(b), the facility operations funded are oper-
11 ations of the integrated Captain James A. Lovell Federal
12 Health Care Center, consisting of the North Chicago Vet-
13 erans Affairs Medical Center, the Navy Ambulatory Care
14 Center, and supporting facilities designated as a combined
15 Federal medical facility as described by section 706 of
16 Public Law 110–417: *Provided further*, That additional
17 funds may be transferred from funds appropriated for op-
18 eration and maintenance for the Defense Health Program
19 to the Joint Department of Defense-Department of Vet-
20 erans Affairs Medical Facility Demonstration Fund upon
21 written notification by the Secretary of Defense to the
22 Committees on Appropriations of the House of Represent-
23 atives and the Senate.

24 SEC. 8092. None of the funds appropriated or other-
25 wise made available by this Act may be used by the De-

1 partment of Defense or a component thereof in contraven-
2 tion of the provisions of section 130h of title 10, United
3 States Code.

4 SEC. 8093. Appropriations available to the Depart-
5 ment of Defense may be used for the purchase of heavy
6 and light armored vehicles for the physical security of per-
7 sonnel or for force protection purposes up to a limit of
8 \$450,000 per vehicle, notwithstanding price or other limi-
9 tations applicable to the purchase of passenger carrying
10 vehicles.

11 (INCLUDING TRANSFER OF FUNDS)

12 SEC. 8094. Upon a determination by the Director of
13 National Intelligence that such action is necessary and in
14 the national interest, the Director may, with the approval
15 of the Office of Management and Budget, transfer not to
16 exceed \$1,000,000,000 of the funds made available in this
17 Act for the National Intelligence Program: *Provided*, That
18 such authority to transfer may not be used unless for
19 higher priority items, based on unforeseen intelligence re-
20 quirements, than those for which originally appropriated
21 and in no case where the item for which funds are re-
22 quested has been denied by the Congress: *Provided further*,
23 That a request for multiple reprogrammings of funds
24 using authority provided in this section shall be made
25 prior to June 30, 2021.

1 SEC. 8095. None of the funds made available by this
2 Act may be used in contravention of the War Powers Res-
3 olution (50 U.S.C. 1541 et seq.).

4 SEC. 8096. (a) None of the funds appropriated or
5 otherwise made available by this or any other Act may
6 be used by the Secretary of Defense, or any other official
7 or officer of the Department of Defense, to enter into a
8 contract, memorandum of understanding, or cooperative
9 agreement with, or make a grant to, or provide a loan
10 or loan guarantee to Rosoboronexport or any subsidiary
11 of Rosoboronexport.

12 (b) The Secretary of Defense may waive the limita-
13 tion in subsection (a) if the Secretary, in consultation with
14 the Secretary of State and the Director of National Intel-
15 ligence, determines that it is in the vital national security
16 interest of the United States to do so, and certifies in writ-
17 ing to the congressional defense committees that—

18 (1) Rosoboronexport has ceased the transfer of
19 lethal military equipment to, and the maintenance of
20 existing lethal military equipment for, the Govern-
21 ment of the Syrian Arab Republic;

22 (2) the armed forces of the Russian Federation
23 have withdrawn from Crimea, other than armed
24 forces present on military bases subject to agree-
25 ments in force between the Government of the Rus-

1 sian Federation and the Government of Ukraine;
2 and

3 (3) agents of the Russian Federation have
4 ceased taking active measures to destabilize the con-
5 trol of the Government of Ukraine over eastern
6 Ukraine.

7 (c) The Inspector General of the Department of De-
8 fense shall conduct a review of any action involving
9 Rosoboronexport with respect to a waiver issued by the
10 Secretary of Defense pursuant to subsection (b), and not
11 later than 90 days after the date on which such a waiver
12 is issued by the Secretary of Defense, the Inspector Gen-
13 eral shall submit to the congressional defense committees
14 a report containing the results of the review conducted
15 with respect to such waiver.

16 SEC. 8097. None of the funds made available in this
17 Act may be used for the purchase or manufacture of a
18 flag of the United States unless such flags are treated as
19 covered items under section 2533a(b) of title 10, United
20 States Code.

21 SEC. 8098. The Secretary of Defense shall post grant
22 awards on a public website in a searchable format.

23 SEC. 8099. The Secretary of each military depart-
24 ment, in reducing each research, development, test and
25 evaluation and procurement account of the military de-

1 partment as required under paragraph (1) of section
2 828(d) of the National Defense Authorization Act for Fis-
3 cal Year 2016 (Public Law 114–92; 10 U.S.C. 2430 note),
4 as amended by section 825(a)(3) of the National Defense
5 Authorization Act for Fiscal Year 2018, shall allocate the
6 percentage reduction determined under paragraph (2) of
7 such section 828(d) proportionally from all programs,
8 projects, or activities under such account: *Provided*, That
9 the authority under section 804(d)(2) of the National De-
10 fense Authorization Act for Fiscal Year 2016 (Public Law
11 114–92; 10 U.S.C. 2302 note) to transfer amounts avail-
12 able in the Rapid Prototyping Fund shall be subject to
13 section 8005 or 9002 of this Act, as applicable.

14 SEC. 8100. None of the funds made available by this
15 Act may be used by the National Security Agency to—

16 (1) conduct an acquisition pursuant to section
17 702 of the Foreign Intelligence Surveillance Act of
18 1978 for the purpose of targeting a United States
19 person; or

20 (2) acquire, monitor, or store the contents (as
21 such term is defined in section 2510(8) of title 18,
22 United States Code) of any electronic communica-
23 tion of a United States person from a provider of
24 electronic communication services to the public pur-

1 suant to section 501 of the Foreign Intelligence Sur-
2 veillance Act of 1978.

3 SEC. 8101. None of the funds made available in this
4 or any other Act may be used to pay the salary of any
5 officer or employee of any agency funded by this Act who
6 approves or implements the transfer of administrative re-
7 sponsibilities or budgetary resources of any program,
8 project, or activity financed by this Act to the jurisdiction
9 of another Federal agency not financed by this Act with-
10 out the express authorization of Congress: *Provided*, That
11 this limitation shall not apply to transfers of funds ex-
12 pressly provided for in Defense Appropriations Acts, or
13 provisions of Acts providing supplemental appropriations
14 for the Department of Defense.

15 SEC. 8102. Of the amounts appropriated in this Act
16 for “Operation and Maintenance, Navy”, \$436,029,000,
17 to remain available until expended, may be used for any
18 purposes related to the National Defense Reserve Fleet
19 established under section 11 of the Merchant Ship Sales
20 Act of 1946 (46 U.S.C. 57100): *Provided*, That such
21 amounts are available for reimbursements to the Ready
22 Reserve Force, Maritime Administration account of the
23 United States Department of Transportation for pro-
24 grams, projects, activities, and expenses related to the Na-
25 tional Defense Reserve Fleet.

1 SEC. 8103. None of the funds made available in this
2 Act may be obligated for activities authorized under sec-
3 tion 1208 of the Ronald W. Reagan National Defense Au-
4 thorization Act for Fiscal Year 2005 (Public Law 112–
5 81; 125 Stat. 1621) to initiate support for, or expand sup-
6 port to, foreign forces, irregular forces, groups, or individ-
7 uals unless the congressional defense committees are noti-
8 fied in accordance with the direction contained in the clas-
9 sified annex accompanying this Act, not less than 15 days
10 before initiating such support: *Provided*, That none of the
11 funds made available in this Act may be used under sec-
12 tion 1208 for any activity that is not in support of an
13 ongoing military operation being conducted by United
14 States Special Operations Forces to combat terrorism:
15 *Provided further*, That the Secretary of Defense may waive
16 the prohibitions in this section if the Secretary determines
17 that such waiver is required by extraordinary cir-
18 cumstances and, by not later than 72 hours after making
19 such waiver, notifies the congressional defense committees
20 of such waiver.

21 SEC. 8104. (a) None of the funds provided in this
22 Act for the TAO Fleet Oiler program shall be used to
23 award a new contract that provides for the acquisition of
24 the following components unless those components are
25 manufactured in the United States: Auxiliary equipment

1 (including pumps) for shipboard services; propulsion
2 equipment (including engines, reduction gears, and propel-
3 lers); shipboard cranes; and spreaders for shipboard
4 cranes.

5 (b) None of the funds provided in this Act for the
6 FFG(X) Frigate program shall be used to award a new
7 contract that provides for the acquisition of the following
8 components unless those components are manufactured in
9 the United States: Air circuit breakers; gyrocompasses;
10 electronic navigation chart systems; steering controls;
11 pumps; propulsion and machinery control systems; totally
12 enclosed lifeboats; auxiliary equipment pumps; shipboard
13 cranes; auxiliary chill water systems; and propulsion pro-
14 pellers: *Provided*, That the Secretary of the Navy shall in-
15 corporate United States manufactured propulsion engines
16 and propulsion reduction gears into the FFG(X) Frigate
17 program beginning not later than with the eleventh ship
18 of the program.

19 SEC. 8105. No amounts credited or otherwise made
20 available in this or any other Act to the Department of
21 Defense Acquisition Workforce Development Account may
22 be transferred to:

23 (1) the Rapid Prototyping Fund established
24 under section 804(d) of the National Defense Au-

1 authorization Act for Fiscal Year 2016 (10 U.S.C.
2 2302 note); or

3 (2) credited to a military-department specific
4 fund established under section 804(d)(2) of the Na-
5 tional Defense Authorization Act for Fiscal Year
6 2016 (as amended by section 897 of the National
7 Defense Authorization Act for Fiscal Year 2017).

8 SEC. 8106. None of the funds made available by this
9 Act may be used for Government Travel Charge Card ex-
10 penses by military or civilian personnel of the Department
11 of Defense for gaming, or for entertainment that includes
12 topless or nude entertainers or participants, as prohibited
13 by Department of Defense FMR, Volume 9, Chapter 3
14 and Department of Defense Instruction 1015.10 (enclo-
15 sure 3, 14a and 14b).

16 SEC. 8107. (a) None of the funds made available in
17 this Act may be used to maintain or establish a computer
18 network unless such network is designed to block access
19 to pornography websites.

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

1 SEC. 8108. None of the funds appropriated by this
2 Act may be made available to deliver F-35 air vehicles
3 or any other F-35 weapon system equipment to the Re-
4 public of Turkey, except in accordance with section 1245
5 of the National Defense Authorization Act for Fiscal Year
6 2020 (Public Law 116-92).

7 SEC. 8109. Notwithstanding any other provision of
8 law, any transfer of funds appropriated or otherwise made
9 available by this Act to the Global Engagement Center es-
10 tablished by section 1287 of the National Defense Author-
11 ization Act for Fiscal Year 2017 (Public Law 114-328;
12 22 U.S.C. 2656 note) shall be made in accordance with
13 section 8005 or 9002 of this Act, as applicable.

14 SEC. 8110. In addition to amounts provided else-
15 where in this Act, there is appropriated \$270,000,000, for
16 an additional amount for “Operation and Maintenance,
17 Defense-Wide”, to remain available until expended: *Pro-*
18 *vided*, That such funds shall only be available to the Sec-
19 retary of Defense, acting through the Office of Economic
20 Adjustment of the Department of Defense, or for transfer
21 to the Secretary of Education, notwithstanding any other
22 provision of law, to make grants, conclude cooperative
23 agreements, or supplement other Federal funds to con-
24 struct, renovate, repair, or expand elementary and sec-
25 ondary public schools on military installations in order to

1 address capacity or facility condition deficiencies at such
2 schools: *Provided further*, That in making such funds
3 available, the Office of Economic Adjustment or the Sec-
4 retary of Education shall give priority consideration to
5 those military installations with schools having the most
6 serious capacity or facility condition deficiencies as deter-
7 mined by the Secretary of Defense: *Provided further*, That
8 as a condition of receiving funds under this section a local
9 educational agency or State shall provide a matching share
10 as described in the notice titled “Department of Defense
11 Program for Construction, Renovation, Repair or Expan-
12 sion of Public Schools Located on Military Installations”
13 published by the Department of Defense in the Federal
14 Register on September 9, 2011 (76 Fed. Reg. 55883 et
15 seq.): *Provided further*, That these provisions apply to
16 funds provided under this section, and to funds previously
17 provided by Congress to construct, renovate, repair, or ex-
18 pand elementary and secondary public schools on military
19 installations in order to address capacity or facility condi-
20 tion deficiencies at such schools to the extent such funds
21 remain unobligated on the date of enactment of this sec-
22 tion.

23 SEC. 8111. In carrying out the program described in
24 the memorandum on the subject of “Policy for Assisted
25 Reproductive Services for the Benefit of Seriously or Se-

1 verely Ill/Injured (Category II or III) Active Duty Service
2 Members” issued by the Assistant Secretary of Defense
3 for Health Affairs on April 3, 2012, and the guidance
4 issued to implement such memorandum, the Secretary of
5 Defense shall apply such policy and guidance, except
6 that—

7 (1) the limitation on periods regarding embryo
8 cryopreservation and storage set forth in part III(G)
9 and in part IV(H) of such memorandum shall not
10 apply; and

11 (2) the term “assisted reproductive technology”
12 shall include embryo cryopreservation and storage
13 without limitation on the duration of such
14 cryopreservation and storage.

15 SEC. 8112. None of the funds provided for, or other-
16 wise made available, in this or any prior Act making ap-
17 propriations to the Department of Defense, may be obli-
18 gated or expended by the Secretary of Defense to provide
19 motorized vehicles, aviation platforms, munitions other
20 than small arms and munitions appropriate for customary
21 ceremonial honors, operational military units, or oper-
22 ational military platforms if the Secretary determines that
23 providing such units, platforms, or equipment would un-
24 dermine the readiness of such units, platforms, or equip-
25 ment.

1 SEC. 8113. The Secretary of Defense may obligate
2 and expend funds made available under this Act for pro-
3 curement or for research, development, test and evaluation
4 for the F-35 Joint Strike Fighter to modify up to six F-
5 35 aircraft, including up to two F-35 aircraft of each vari-
6 ant, to a test configuration: *Provided*, That the Secretary
7 of Defense shall, with the concurrence of the Secretary
8 of the Air Force and the Secretary of the Navy, notify
9 the congressional defense committees not fewer than 30
10 days prior to obligating and expending funds under this
11 section: *Provided further*, That any transfer of funds pur-
12 suant to the authority provided in this section shall be
13 made in accordance with section 8005 or 9002 of this Act,
14 as appropriate, if applicable: *Provided further*, That air-
15 craft referred to previously in this section are not addi-
16 tional to aircraft referred to in section 8135 of the Depart-
17 ment of Defense Appropriations Act, 2019 and section
18 8126 of the Department of Defense Appropriations Act,
19 2020.

20 SEC. 8114. Amounts appropriated for “Defense
21 Health Program” in this Act and hereafter may be obli-
22 gated to make death gratuity payments, as authorized in
23 subchapter II of chapter 75 of title 10, United States
24 Code, if no appropriation for “Military Personnel” is avail-
25 able for obligation for such payments: *Provided*, That such

1 obligations may subsequently be recorded against appro-
2 priations available for “Military Personnel”.

3 SEC. 8115. (a) None of the funds made available by
4 this or any other Act may be used to enter into a contract,
5 memorandum of understanding, or cooperative agreement
6 with, make a grant to, or provide a loan or loan guarantee
7 to any corporation that has any unpaid Federal tax liabil-
8 ity that has been assessed, for which all judicial and ad-
9 ministrative remedies have been exhausted or have lapsed,
10 and that is not being paid in a timely manner pursuant
11 to an agreement with the authority responsible for col-
12 lecting such tax liability, provided that the applicable Fed-
13 eral agency is aware of the unpaid Federal tax liability.

14 (b) Subsection (a) shall not apply if the applicable
15 Federal agency has considered suspension or debarment
16 of the corporation described in such subsection and has
17 made a determination that such suspension or debarment
18 is not necessary to protect the interests of the Federal
19 Government.

20 SEC. 8116. During fiscal year 2021, any advance bill-
21 ing for background investigation services and related serv-
22 ices purchased from activities financed using Defense
23 Working Capital Funds shall be excluded from the calcula-
24 tion of cumulative advance billings under section
25 2208(l)(3) of title 10, United States Code.

1 SEC. 8117. None of the funds appropriated or other-
2 wise made available by this Act may be used to transfer
3 the National Reconnaissance Office to the United States
4 Space Force.

5 SEC. 8118. None of the funds appropriated or other-
6 wise made available by this Act may be used to transfer
7 any element of the Department of the Army, the Depart-
8 ment of the Navy, or a Defense Agency to the United
9 States Space Force unless, not less than 60 days prior
10 to initiating such transfer, the Secretary of Defense cer-
11 tifies in writing to the Committees on Appropriations of
12 the House of Representatives and the Senate that such
13 transfer is in the national security interest of the United
14 States and will not have an adverse impact on the Depart-
15 ment or agency from which such element is being trans-
16 ferred: *Provided*, That such certification shall include a
17 detailed description of the element and timeline for such
18 transfer.

19 SEC. 8119. Funds appropriated in titles I and IX of
20 this Act under the heading “Military Personnel” may be
21 used for expenses described therein for members of the
22 United States Space Force on active duty: *Provided*, that
23 amounts appropriated under such headings may be used
24 for payments pursuant to section 156 of Public Law 97–

1 377, as amended (42 U.S.C. 402 note), and to the Depart-
2 ment of Defense Military Retirement Fund.

3 SEC. 8120. Prior to the initial obligation of funds
4 made available in titles II and IX of this Act for the De-
5 fense Security Cooperation Agency (DSCA), the Director
6 of DSCA shall submit a spend plan by budget activity and
7 sub-activity to the Committees on Appropriations of the
8 House of Representatives and the Senate: *Provided*, That
9 for funds planned for International Security Cooperation
10 Programs, the Director shall, in coordination with the
11 commanders of each geographic combatant command, in-
12 clude amounts planned for each combatant command and
13 country, and a comparison to such amounts provided in
14 the previous three fiscal years: *Provided further*, That
15 amounts in such plan shall only reflect those amounts des-
16 igned in the fiscal year 2021 budget justification mate-
17 rials and modified by the fiscal year 2021 appropriations
18 adjustments in this Act and in the table in the report ac-
19 companying this Act: *Provided further*, That the Secretary
20 of Defense shall notify such Committees in writing and
21 not fewer than 15 days prior to obligating such funds for
22 any proposed new projects or activities, or transfer of
23 funds between budget sub-activity groups: *Provided fur-*
24 *ther*, That such plan shall be updated and submitted to
25 such Committees upon notification of such funds to in-

1 clude a justification for any changes: *Provided further,*
2 That a similar plan shall be provided to such Committees
3 outlining funds requested for fiscal year 2022 with the
4 submission of the fiscal year 2022 budget request.

5 SEC. 8121. Notwithstanding any other provision of
6 this Act, to reflect savings due to favorable foreign ex-
7 change rates, the total amount appropriated in this Act
8 is hereby reduced by \$436,000,000.

9 SEC. 8122. Notwithstanding any other provision of
10 this Act, to reflect savings due to lower than anticipated
11 fuel costs, the total amount appropriated in this Act is
12 hereby reduced by \$1,000,000,000.

13 SEC. 8123. None of the funds appropriated by this
14 Act may be used to exclude, or implement the exclusion
15 of, the Department of Defense, or any agency, activity,
16 or subdivision thereof, from coverage under section
17 7103(b)(1) or (2) of title 5, United States Code (com-
18 monly referred to as the “Federal Service Labor-Manage-
19 ment Relations Statute”).

20 SEC. 8124. Not later than 60 days after the date of
21 enactment of this Act, the Secretary of Defense, in coordi-
22 nation with the Secretary of State, shall provide all rel-
23 evant information and documents to the appropriate judi-
24 cial authorities in El Salvador investigating the December
25 1981 massacre in El Mozote: *Provided, That* not later

1 than 30 days following such action, the Secretary of De-
2 fense shall submit a report to the Committees on Appro-
3 priations of the House of Representatives and the Senate
4 describing the information and documents provided and
5 the authorities that received them.

6 SEC. 8125. (a) Funds appropriated under title IV of
7 this Act may be used for expenses for agile development,
8 test and evaluation, procurement, production and modi-
9 fication, and the operation and maintenance for the fol-
10 lowing software pilot programs—

11 (1) Space Command and Control
12 (PE1203614SF);

13 (2) Algorithmic Warfare Cross Functional
14 Team (PE0308588D8Z);

15 (3) Risk Management Information
16 (PE0608013N);

17 (4) Maritime Tactical Command Control
18 (PE0608231N);

19 (5) National Background Investigation
20 Services (PE0608197V);

21 (6) Global Command and Control System
22 – Joint (PE0308150K);

23 (7) Defensive Cyber Operations Army
24 (PE0608041A); and

1 (8) Acquisition Visibility
2 (PE0608648D8Z).

3 (b) Not later than 30 days after the date of the enact-
4 ment of this Act, the Secretary of Defense shall submit
5 to the Committees on Appropriations of the House of Rep-
6 resentatives and the Senate a plan for carrying out each
7 pilot program specified in subsection (a), including goals
8 and metrics for each program.

9 (c) Following the submission of the plan under sub-
10 section (b), the Secretary of Defense shall provide to the
11 Committees on Appropriations of the House of Represent-
12 atives and the Senate a quarterly report on the status of
13 each pilot program specified in subsection (a).

14 SEC. 8126. (a) Not later than 30 days after the date
15 of the enactment of this Act, and quarterly thereafter, the
16 Secretary of Defense shall submit to the congressional de-
17 fense committees a report that includes—

18 (1) the number of members of the Armed
19 Forces deployed by each geographic combatant
20 command (other than United States Northern
21 Command), set forth separately by each of the
22 Armed Forces and whether regular, National
23 Guard, or Reserve;

24 (2) the number of Department of Defense
25 civilian employees deployed by each geographic

1 combatant command (other than United States
2 Northern Command);

3 (3) the number of Department of Defense
4 contractor employees deployed by each geo-
5 graphic combatant command (other than
6 United States Northern Command); and

7 (4) for each category of personnel de-
8 scribed in paragraphs (1) through (3), the
9 country and named operation to which such
10 personnel are assigned, if applicable; a descrip-
11 tion of the functions performed by such per-
12 sonnel; and a comparison of the number of per-
13 sonnel to the number of such personnel in re-
14 ports previously submitted under this section.

15 (b) Each report under subsection (a) shall be sub-
16 mitted in unclassified form, but may include a classified
17 annex.

18 SEC. 8127. Not more than 15 days before deploying
19 a security force assistance brigade of the United States
20 Army to a friendly foreign country to conduct a program
21 to provide training or equipment to the security forces of
22 such country to build the capacity of such forces, the Sec-
23 retary of Defense shall submit to the congressional defense
24 committees a notification that includes—

1 (1) an identification of the United States Army
2 brigade, including the number of individuals to be
3 deployed;

4 (2) a description of any education and training
5 provided to such brigade before deployment in order
6 to conduct the program, including on the language,
7 cultural, and the social dynamics of the friendly for-
8 eign country where the program would be conducted;

9 (3) a description of the amount, type, and pur-
10 pose of the training or equipment to be provided
11 under the program;

12 (4) the authority under which the program is
13 authorized, whether congressional notification (other
14 than the notification required by this section) is re-
15 quired to conduct the program under such authority,
16 and whether such notification has been made;

17 (5) an identification of the foreign country in
18 which the program would be conducted, the specific
19 security forces whose capacity would be built under
20 the program, and an evaluation of the ability of such
21 forces to absorb the training and equipment to be
22 provided under the program;

23 (6) the cost, implementation timeline, and deliv-
24 ery schedule for the training and equipment to be

1 provided under the program, and the source of
2 funds;

3 (7) a description of any arrangements made for
4 sustainment of the program;

5 (8) information, including the amount, type,
6 and purpose, of any prior assistance provided to the
7 foreign country by any security force assistance bri-
8 gade of the United States Army;

9 (9) information, including the amount, type,
10 and purpose, on the security assistance provided to
11 the foreign country during the current and prior fis-
12 cal year under other train and equip programs, and
13 a description of how the training and equipment to
14 be provided under the program fits into the overall
15 objective of such programs; and

16 (10) a description of whether training and
17 equipment to be provided under the program could
18 be provided pursuant to other train and equip au-
19 thorities.

20 SEC. 8128. Of funds made available by section 8102
21 of the Department of Defense Appropriations Act, 2014
22 (division C of Public Law 113–76) that remain unobli-
23 gated as of the date of the enactment of this Act, up to
24 \$13,000,000 shall be available for grants, cooperative
25 agreements, and to supplement other Federal funds for

1 the following authorized purposes: public healthcare pro-
2 fessionals and public health laboratory staff; laboratory
3 and medical equipment; and medical supplies: *Provided*,
4 That the Secretary of Defense shall, not less than 15 days
5 prior to obligating funds made available for such purposes,
6 notify the congressional defense committees in writing of
7 the details of any such obligation.

8 SEC. 8129. None of the funds provided in this Act
9 for requirements development, performance specification
10 development, concept design and development, ship con-
11 figuration development, systems engineering, naval archi-
12 tecture, marine engineering, operations research analysis,
13 industry studies, preliminary design, development of the
14 Detailed Design and Construction Request for Proposals
15 solicitation package, or related activities for the AS(X)
16 Submarine Tender, T-ARC(X) Cable Laying and Repair
17 Ship, T-AGOS(X) Oceanographic Surveillance Ship, Light
18 Amphibious Warship, Next Generation Medium Amphib-
19 ious Ship, or Next Generation Medium Logistics Ship may
20 be used to award a new contract for such activities unless
21 these contracts include specifications that all hull, me-
22 chanical, and electrical components are manufactured in
23 the United States.

1 SEC. 8130. None of the funds made available by this
2 Act may be obligated or expended for the purpose of de-
3 commissioning any Navy Littoral Combat Ships.

4 SEC. 8131. (a) Not later than three days after a sig-
5 nificant deployment or redeployment of members of the
6 Armed Forces to a location outside the United States, the
7 Secretary of Defense shall submit to the congressional de-
8 fense committees a notification that includes—

9 (1) the number of members of the Armed
10 Forces deployed or redeployed;

11 (2) the name of each unit deployed or re-
12 deployed;

13 (3) the duration of the orders for the de-
14 ployment or redeployment;

15 (4) the location of the deployment or rede-
16 ployment;

17 (5) the purpose for the deployment or re-
18 deployment;

19 (6) the estimated cost of the deployment or
20 redeployment over such timeline; and

21 (7) an explanation of how the Secretary in-
22 tends to pay the costs of such deployment or re-
23 deployment, including identification of the spe-
24 cific accounts that will be used to pay such
25 costs for each fiscal year.

1 (b) Each notification under subsection (a) shall be
2 submitted in unclassified form, but may include a classi-
3 fied annex.

4 (c) Nothing in this section shall be construed to au-
5 thorize a deployment or redeployment.

6 SEC. 8132. None of the funds made available by this
7 Act may be obligated or expended in a manner that does
8 not comply with the requirements of section 365 of H.R.
9 7120, One Hundred Sixteenth Congress, as passed by the
10 House of Representatives on June 25, 2020.

11 SEC. 8133. None of the funds made available by this
12 Act or any prior Department of Defense Appropriations
13 Acts may be used to conduct, or make specific prepara-
14 tions for, any explosive nuclear weapons test that produces
15 any yield.

16 SEC. 8134. None of the funds appropriated or other-
17 wise made available by this Act or any prior Department
18 of Defense Appropriations Acts may be used to construct
19 a wall, fence, border barriers, or border security infra-
20 structure along the southern land border of the United
21 States: *Provided*, That none of the funds appropriated or
22 otherwise made available under the heading “Drug Inter-
23 diction and Counter-drug Activities, Defense” in title VI
24 of this Act may be used for the construction of fences pur-

1 suant to subsection (b)(7) of section 284 of title 10,
2 United States Code.

3 SEC. 8135. Notwithstanding any other provision of
4 law, funds made available to the Department of Defense
5 for fiscal year 2020 that were transferred by such Depart-
6 ment on February 13, 2020, and remain unobligated as
7 of the date of the enactment of this Act shall be returned
8 to the original account or accounts and may not be used
9 for any purpose other than the original purposes for which
10 they were appropriated by the Department of Defense Ap-
11 propriations Act, 2020 (division A of Public Law 116–93),
12 notwithstanding the transfer authority provided by section
13 8005 of such Act.

14 SEC. 8136. None of the funds made available by this
15 Act may be used for members of the Armed Forces serving
16 on active duty in support of security or immigration en-
17 forcement operations at the southern border unless the
18 agency requesting such support enters into an agreement
19 with the Secretary of Defense to reimburse the Depart-
20 ment of Defense for all costs incurred by the Department
21 to provide such services.

22 SEC. 8137. Of the amounts appropriated in this Act
23 under the heading “Operation and Maintenance, Defense-
24 Wide”, \$50,000,000, to remain available until September
25 30, 2022: *Provided*, That such funds shall only be avail-

1 able to the Secretary of Defense, acting through the Office
2 of Economic Adjustment of the Department of Defense,
3 to make grants to communities impacted by military avia-
4 tion noise for the purpose of installing noise mitigating
5 insulation at covered facilities: *Provided further*, That, to
6 be eligible to receive a grant under the program, a commu-
7 nity must enter into an agreement with the Secretary
8 under which the community prioritizes the use of funds
9 for the installation of noise mitigation at covered facilities
10 in the community: *Provided further*, That, in carrying out
11 the program, the Secretary of Defense shall coordinate
12 and minimize duplication of efforts with the noise mitiga-
13 tion program established under part 150 of title 14, Code
14 of Federal Regulations: *Provided further*, That, in this sec-
15 tion, the term “covered facilities” means hospitals,
16 daycare facilities, schools, facilities serving senior citizens,
17 and private residences that are located within one mile of
18 a military installation or another location at which mili-
19 tary aircraft are stationed or are located in an area im-
20 pacted by excessive military aviation noise, as determined
21 by the Department of Defense’s noise monitoring pro-
22 grams.

23 SEC. 8138. None of the funds appropriated or other-
24 wise made available by this Act or any prior Department
25 of Defense Appropriations Acts may be used to provide

1 guidance on, review, prepare, approve, or recommend
2 budget request funding levels or initiatives for the Depart-
3 ment of Energy.

4 SEC. 8139. Of the funds appropriated in this Act
5 under the heading “Operation and Maintenance, Army”,
6 \$1,000,000 shall be made available for expenses for the
7 renaming of Army installations, facilities, roads, and
8 streets named after confederate leaders and officers.

9 TITLE IX

10 OVERSEAS CONTINGENCY OPERATIONS

11 MILITARY PERSONNEL

12 MILITARY PERSONNEL, ARMY

13 For an additional amount for “Military Personnel,
14 Army”, \$2,748,033,000: *Provided*, That such amount is
15 designated by the Congress for Overseas Contingency Op-
16 erations/Global War on Terrorism pursuant to section
17 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
18 Deficit Control Act of 1985.

19 MILITARY PERSONNEL, NAVY

20 For an additional amount for “Military Personnel,
21 Navy”, \$382,286,000: *Provided*, That such amount is des-
22 ignated by the Congress for Overseas Contingency Oper-
23 ations/Global War on Terrorism pursuant to section
24 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
25 Deficit Control Act of 1985.

1 MILITARY PERSONNEL, MARINE CORPS

2 For an additional amount for “Military Personnel,
3 Marine Corps”, \$129,943,000: *Provided*, That such
4 amount is designated by the Congress for Overseas Con-
5 tingency Operations/Global War on Terrorism pursuant to
6 section 251(b)(2)(A)(ii) of the Balanced Budget and
7 Emergency Deficit Control Act of 1985.

8 MILITARY PERSONNEL, AIR FORCE

9 For an additional amount for “Military Personnel,
10 Air Force”, \$1,077,168,000: *Provided*, That such amount
11 is designated by the Congress for Overseas Contingency
12 Operations/Global War on Terrorism pursuant to section
13 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
14 Deficit Control Act of 1985.

15 RESERVE PERSONNEL, ARMY

16 For an additional amount for “Reserve Personnel,
17 Army”, \$33,414,000: *Provided*, That such amount is des-
18 ignated by the Congress for Overseas Contingency Oper-
19 ations/Global War on Terrorism pursuant to section
20 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
21 Deficit Control Act of 1985.

22 RESERVE PERSONNEL, NAVY

23 For an additional amount for “Reserve Personnel,
24 Navy”, \$11,771,000: *Provided*, That such amount is des-
25 ignated by the Congress for Overseas Contingency Oper-

1 ations/Global War on Terrorism pursuant to section
2 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
3 Deficit Control Act of 1985.

4 RESERVE PERSONNEL, MARINE CORPS

5 For an additional amount for “Reserve Personnel,
6 Marine Corps”, \$2,048,000: *Provided*, That such amount
7 is designated by the Congress for Overseas Contingency
8 Operations/Global War on Terrorism pursuant to section
9 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 RESERVE PERSONNEL, AIR FORCE

12 For an additional amount for “Reserve Personnel,
13 Air Force”, \$16,816,000: *Provided*, That such amount is
14 designated by the Congress for Overseas Contingency Op-
15 erations/Global War on Terrorism pursuant to section
16 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
17 Deficit Control Act of 1985.

18 NATIONAL GUARD PERSONNEL, ARMY

19 For an additional amount for “National Guard Per-
20 sonnel, Army”, \$195,314,000: *Provided*, That such
21 amount is designated by the Congress for Overseas Con-
22 tingency Operations/Global War on Terrorism pursuant to
23 section 251(b)(2)(A)(ii) of the Balanced Budget and
24 Emergency Deficit Control Act of 1985.

1 NATIONAL GUARD PERSONNEL, AIR FORCE

2 For an additional amount for “National Guard Per-
3 sonnel, Air Force”, \$5,800,000: *Provided*, That such
4 amount is designated by the Congress for Overseas Con-
5 tingency Operations/Global War on Terrorism pursuant to
6 section 251(b)(2)(A)(ii) of the Balanced Budget and
7 Emergency Deficit Control Act of 1985.

8 OPERATION AND MAINTENANCE

9 OPERATION AND MAINTENANCE, ARMY

10 For an additional amount for “Operation and Main-
11 tenance, Army”, \$16,530,754,000: *Provided*, That such
12 amount is designated by the Congress for Overseas Con-
13 tingency Operations/Global War on Terrorism pursuant to
14 section 251(b)(2)(A)(ii) of the Balanced Budget and
15 Emergency Deficit Control Act of 1985.

16 OPERATION AND MAINTENANCE, NAVY

17 For an additional amount for “Operation and Main-
18 tenance, Navy”, \$10,942,741,000: *Provided*, That such
19 amount is designated by the Congress for Overseas Con-
20 tingency Operations/Global War on Terrorism pursuant to
21 section 251(b)(2)(A)(ii) of the Balanced Budget and
22 Emergency Deficit Control Act of 1985.

23 OPERATION AND MAINTENANCE, MARINE CORPS

24 For an additional amount for “Operation and Main-
25 tenance, Marine Corps”, \$1,145,600,000: *Provided*, That

1 such amount is designated by the Congress for Overseas
2 Contingency Operations/Global War on Terrorism pursu-
3 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
4 and Emergency Deficit Control Act of 1985.

5 OPERATION AND MAINTENANCE, AIR FORCE

6 For an additional amount for “Operation and Main-
7 tenance, Air Force”, \$18,861,862,000: *Provided*, That
8 such amount is designated by the Congress for Overseas
9 Contingency Operations/Global War on Terrorism pursu-
10 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
11 and Emergency Deficit Control Act of 1985.

12 OPERATION AND MAINTENANCE, SPACE FORCE

13 For an additional amount for “Operation and Main-
14 tenance, Space Force”, \$77,115,000: *Provided*, That such
15 amount is designated by the Congress for Overseas Con-
16 tingency Operations/Global War on Terrorism pursuant to
17 section 251(b)(2)(A)(ii) of the Balanced Budget and
18 Emergency Deficit Control Act of 1985.

19 OPERATION AND MAINTENANCE, DEFENSE-WIDE

20 For an additional amount for “Operation and Main-
21 tenance, Defense-Wide”, \$6,169,693,000: *Provided*, That
22 of the funds provided under this heading, not to exceed
23 \$180,000,000, to remain available until September 30,
24 2022, shall be for payments to reimburse key cooperating
25 nations for logistical, military, and other support, includ-

1 ing access, provided to United States military and stability
2 operations in Afghanistan and to counter the Islamic
3 State of Iraq and Syria: *Provided further*, That such reim-
4 bursement payments may be made in such amounts as the
5 Secretary of Defense, with the concurrence of the Sec-
6 retary of State, and in consultation with the Director of
7 the Office of Management and Budget, may determine,
8 based on documentation determined by the Secretary of
9 Defense to adequately account for the support provided,
10 and such determination is final and conclusive upon the
11 accounting officers of the United States, and 15 days fol-
12 lowing written notification to the appropriate congres-
13 sional committees: *Provided further*, That these funds may
14 be used for the purpose of providing specialized training
15 and procuring supplies and specialized equipment and pro-
16 viding such supplies and loaning such equipment on a non-
17 reimbursable basis to coalition forces supporting United
18 States military and stability operations in Afghanistan
19 and to counter the Islamic State of Iraq and Syria, and
20 15 days following written notification to the appropriate
21 congressional committees: *Provided further*, That these
22 funds may be used to support the Government of Jordan
23 in such amounts as the Secretary of Defense may deter-
24 mine, to enhance the ability of the armed forces of Jordan
25 to increase or sustain security along its borders, upon 15

1 days prior written notification to the congressional defense
2 committees outlining the amounts intended to be provided
3 and the nature of the expenses incurred: *Provided further,*
4 That of the funds provided under this heading, not to ex-
5 ceed \$1,206,296,000, to remain available until September
6 30, 2022, shall be available to provide support and assist-
7 ance to foreign security forces or other groups or individ-
8 uals to conduct, support or facilitate counterterrorism, cri-
9 sis response, or other Department of Defense security co-
10 operation programs, of which not less than \$130,000,000
11 shall be available for International Security Cooperation
12 Programs with countries in the United States Africa Com-
13 mand area of responsibility: *Provided further,* That the
14 Secretary of Defense shall notify the congressional defense
15 committees in writing and not fewer than 15 days prior
16 to obligating funds for International Security Cooperation
17 Programs: *Provided further,* That these funds may be used
18 in such amounts as the Secretary of Defense may deter-
19 mine to enhance the border security of nations adjacent
20 to conflict areas including Jordan, Lebanon, Egypt, and
21 Tunisia resulting from actions of the Islamic State of Iraq
22 and Syria: *Provided further,* That the Secretary of Defense
23 shall provide quarterly reports to the Committees on Ap-
24 propriations of the House of Representatives and the Sen-
25 ate on the use and status of funds provided under this

1 heading: *Provided further*, That such amount is designated
2 by the Congress for Overseas Contingency Operations/
3 Global War on Terrorism pursuant to section
4 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
5 Deficit Control Act of 1985.

6 OPERATION AND MAINTENANCE, ARMY RESERVE

7 For an additional amount for “Operation and Main-
8 tenance, Army Reserve”, \$33,399,000: *Provided*, That
9 such amount is designated by the Congress for Overseas
10 Contingency Operations/Global War on Terrorism pursu-
11 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
12 and Emergency Deficit Control Act of 1985.

13 OPERATION AND MAINTENANCE, NAVY RESERVE

14 For an additional amount for “Operation and Main-
15 tenance, Navy Reserve”, \$21,492,000: *Provided*, That
16 such amount is designated by the Congress for Overseas
17 Contingency Operations/Global War on Terrorism pursu-
18 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
19 and Emergency Deficit Control Act of 1985.

20 OPERATION AND MAINTENANCE, MARINE CORPS

21 RESERVE

22 For an additional amount for “Operation and Main-
23 tenance, Marine Corps Reserve”, \$8,707,000: *Provided*,
24 That such amount is designated by the Congress for Over-
25 seas Contingency Operations/Global War on Terrorism

1 pursuant to section 251(b)(2)(A)(ii) of the Balanced
2 Budget and Emergency Deficit Control Act of 1985.

3 OPERATION AND MAINTENANCE, AIR FORCE RESERVE

4 For an additional amount for “Operation and Main-
5 tenance, Air Force Reserve”, \$30,090,000: *Provided*, That
6 such amount is designated by the Congress for Overseas
7 Contingency Operations/Global War on Terrorism pursu-
8 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
9 and Emergency Deficit Control Act of 1985.

10 OPERATION AND MAINTENANCE, ARMY NATIONAL

11 GUARD

12 For an additional amount for “Operation and Main-
13 tenance, Army National Guard”, \$79,792,000: *Provided*,
14 That such amount is designated by the Congress for Over-
15 seas Contingency Operations/Global War on Terrorism
16 pursuant to section 251(b)(2)(A)(ii) of the Balanced
17 Budget and Emergency Deficit Control Act of 1985.

18 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

19 For an additional amount for “Operation and Main-
20 tenance, Air National Guard”, \$175,642,000: *Provided*,
21 That such amount is designated by the Congress for Over-
22 seas Contingency Operations/Global War on Terrorism
23 pursuant to section 251(b)(2)(A)(ii) of the Balanced
24 Budget and Emergency Deficit Control Act of 1985.

1 AFGHANISTAN SECURITY FORCES FUND

2 For the “Afghanistan Security Forces Fund”,
3 \$3,047,612,000, to remain available until September 30,
4 2022: *Provided*, That such funds shall be available to the
5 Secretary of Defense for the purpose of allowing the Com-
6 mander, Combined Security Transition Command—Af-
7 ghanistan, or the Secretary’s designee, to provide assist-
8 ance, with the concurrence of the Secretary of State, to
9 the security forces of Afghanistan, including the provision
10 of equipment, supplies, services, training, facility and in-
11 frastructure repair, renovation, construction, and funding:
12 *Provided further*, That the Secretary of Defense may obli-
13 gate and expend funds made available to the Department
14 of Defense in this title for additional costs associated with
15 existing projects previously funded with amounts provided
16 under the heading “Afghanistan Infrastructure Fund” in
17 prior Acts: *Provided further*, That such costs shall be lim-
18 ited to contract changes resulting from inflation, market
19 fluctuation, rate adjustments, and other necessary con-
20 tract actions to complete existing projects, and associated
21 supervision and administration costs and costs for design
22 during construction: *Provided further*, That the Secretary
23 may not use more than \$50,000,000 under the authority
24 provided in this section: *Provided further*, That the Sec-
25 retary shall notify in advance such contract changes and

1 adjustments in annual reports to the congressional defense
2 committees: *Provided further*, That the authority to pro-
3 vide assistance under this heading is in addition to any
4 other authority to provide assistance to foreign nations:
5 *Provided further*, That contributions of funds for the pur-
6 poses provided herein from any person, foreign govern-
7 ment, or international organization may be credited to this
8 Fund, to remain available until expended, and used for
9 such purposes: *Provided further*, That the Secretary of De-
10 fense shall notify the congressional defense committees in
11 writing upon the receipt and upon the obligation of any
12 contribution, delineating the sources and amounts of the
13 funds received and the specific use of such contributions:
14 *Provided further*, That the Secretary of Defense shall, not
15 fewer than 15 days prior to obligating from this appro-
16 priation account, notify the congressional defense commit-
17 tees in writing of the details of any such obligation: *Pro-*
18 *vided further*, That the Secretary of Defense shall notify
19 the congressional defense committees in writing and not
20 fewer than 15 days prior to obligating funds for any pro-
21 posed new projects or activities, or transfer of funds be-
22 tween budget sub-activity groups in excess of
23 \$10,000,000: *Provided further*, That the United States
24 may accept equipment procured using funds provided
25 under this heading in this or prior Acts that was trans-

1 ferred to the security forces of Afghanistan and returned
2 by such forces to the United States: *Provided further*, That
3 equipment procured using funds provided under this head-
4 ing in this or prior Acts, and not yet transferred to the
5 security forces of Afghanistan or transferred to the secu-
6 rity forces of Afghanistan and returned by such forces to
7 the United States, may be treated as stocks of the Depart-
8 ment of Defense upon written notification to the congress-
9 sional defense committees: *Provided further*, That of the
10 funds provided under this heading, not less than
11 \$20,000,000 shall be for recruitment and retention of
12 women in the Afghanistan National Security Forces, and
13 the recruitment and training of female security personnel:
14 *Provided further*, That funds appropriated under this
15 heading and made available for the salaries and benefits
16 of personnel of the Afghanistan Security Forces may only
17 be used for personnel who are enrolled in the Afghanistan
18 Personnel and Pay System: *Provided further*, That funds
19 appropriated under this heading for the Afghanistan Secu-
20 rity Forces may only be obligated if the Secretary of De-
21 fense, in consultation with the Secretary of State, certifies
22 in writing to the congressional defense committees that
23 such forces are controlled by a civilian, representative gov-
24 ernment that is protecting human rights and women's
25 rights and preventing terrorists and terrorist groups from

1 using the territory of Afghanistan to threaten the security
2 of the United States and United States allies: *Provided*
3 *further*, That such amount is designated by the Congress
4 for Overseas Contingency Operations/Global War on Ter-
5 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
6 anced Budget and Emergency Deficit Control Act of 1985.

7 COUNTER-ISIS TRAIN AND EQUIP FUND

8 For the “Counter-Islamic State of Iraq and Syria
9 Train and Equip Fund”, \$700,000,000, to remain avail-
10 able until September 30, 2022: *Provided*, That such funds
11 shall be available to the Secretary of Defense in coordina-
12 tion with the Secretary of State, to provide assistance, in-
13 cluding training; equipment; logistics support, supplies,
14 and services; stipends; infrastructure repair and renova-
15 tion; construction for facility fortification and humane
16 treatment; and sustainment, to foreign security forces, ir-
17 regular forces, groups, or individuals participating, or pre-
18 paring to participate in activities to counter the Islamic
19 State of Iraq and Syria, and their affiliated or associated
20 groups: *Provided further*, That amounts made available
21 under this heading shall be available to provide assistance
22 only for activities in a country designated by the Secretary
23 of Defense, in coordination with the Secretary of State,
24 as having a security mission to counter the Islamic State
25 of Iraq and Syria, and following written notification to the

1 congressional defense committees of such designation:
2 *Provided further*, That the Secretary of Defense shall en-
3 sure that prior to providing assistance to elements of any
4 forces or individuals, such elements or individuals are ap-
5 propriately vetted, including at a minimum, assessing such
6 elements for associations with terrorist groups or groups
7 associated with the Government of Iran; and receiving
8 commitments from such elements to promote respect for
9 human rights and the rule of law: *Provided further*, That
10 the Secretary of Defense shall, not fewer than 15 days
11 prior to obligating from this appropriation account, notify
12 the congressional defense committees in writing of the de-
13 tails of any such obligation: *Provided further*, That the
14 Secretary of Defense may accept and retain contributions,
15 including assistance in-kind, from foreign governments,
16 including the Government of Iraq and other entities, to
17 carry out assistance authorized under this heading: *Pro-*
18 *vided further*, That contributions of funds for the purposes
19 provided herein from any foreign government or other en-
20 tity may be credited to this Fund, to remain available until
21 expended, and used for such purposes: *Provided further*,
22 That the Secretary of Defense shall prioritize such con-
23 tributions when providing any assistance for construction
24 for facility fortification: *Provided further*, That the Sec-
25 retary of Defense may waive a provision of law relating

1 to the acquisition of items and support services or sections
2 40 and 40A of the Arms Export Control Act (22 U.S.C.
3 2780 and 2785) if the Secretary determines that such pro-
4 vision of law would prohibit, restrict, delay or otherwise
5 limit the provision of such assistance and a notice of and
6 justification for such waiver is submitted to the congres-
7 sional defense committees, the Committees on Appropria-
8 tions and Foreign Relations of the Senate and the Com-
9 mittees on Appropriations and Foreign Affairs of the
10 House of Representatives: *Provided further*, That the
11 United States may accept equipment procured using funds
12 provided under this heading, or under the heading, “Iraq
13 Train and Equip Fund” in prior Acts, that was trans-
14 ferred to security forces, irregular forces, or groups par-
15 ticipating, or preparing to participate in activities to
16 counter the Islamic State of Iraq and Syria and returned
17 by such forces or groups to the United States, and such
18 equipment may be treated as stocks of the Department
19 of Defense upon written notification to the congressional
20 defense committees: *Provided further*, That equipment
21 procured using funds provided under this heading, or
22 under the heading, “Iraq Train and Equip Fund” in prior
23 Acts, and not yet transferred to security forces, irregular
24 forces, or groups participating, or preparing to participate
25 in activities to counter the Islamic State of Iraq and Syria

1 may be treated as stocks of the Department of Defense
2 when determined by the Secretary to no longer be required
3 for transfer to such forces or groups and upon written
4 notification to the congressional defense committees: *Pro-*
5 *vided further*, That the Secretary of Defense shall provide
6 quarterly reports to the congressional defense committees
7 on the use of funds provided under this heading, including,
8 but not limited to, the number of individuals trained, the
9 nature and scope of support and sustainment provided to
10 each group or individual, the area of operations for each
11 group, and the contributions of other countries, groups,
12 or individuals: *Provided further*, That such amount is des-
13 ignated by the Congress for Overseas Contingency Oper-
14 ations/Global War on Terrorism pursuant to section
15 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
16 Deficit Control Act of 1985.

17

PROCUREMENT

18

AIRCRAFT PROCUREMENT, ARMY

19 For an additional amount for “Aircraft Procurement,
20 Army”, \$595,112,000, to remain available until Sep-
21 tember 30, 2023: *Provided*, That such amount is des-
22 ignated by the Congress for Overseas Contingency Oper-
23 ations/Global War on Terrorism pursuant to section
24 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
25 Deficit Control Act of 1985.

1 MISSILE PROCUREMENT, ARMY

2 For an additional amount for “Missile Procurement,
3 Army”, \$865,992,000, to remain available until Sep-
4 tember 30, 2023: *Provided*, That such amount is des-
5 ignated by the Congress for Overseas Contingency Oper-
6 ations/Global War on Terrorism pursuant to section
7 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
8 Deficit Control Act of 1985.

9 PROCUREMENT OF WEAPONS AND TRACKED COMBAT
10 VEHICLES, ARMY

11 For an additional amount for “Procurement of Weap-
12 ons and Tracked Combat Vehicles, Army”, \$15,225,000,
13 to remain available until September 30, 2023: *Provided*,
14 That such amount is designated by the Congress for Over-
15 seas Contingency Operations/Global War on Terrorism
16 pursuant to section 251(b)(2)(A)(ii) of the Balanced
17 Budget and Emergency Deficit Control Act of 1985.

18 PROCUREMENT OF AMMUNITION, ARMY

19 For an additional amount for “Procurement of Am-
20 muniton, Army”, \$110,668,000, to remain available until
21 September 30, 2023: *Provided*, That such amount is des-
22 ignated by the Congress for Overseas Contingency Oper-
23 ations/Global War on Terrorism pursuant to section
24 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
25 Deficit Control Act of 1985.

1 OTHER PROCUREMENT, ARMY

2 For an additional amount for “Other Procurement,
3 Army”, \$875,666,000, to remain available until Sep-
4 tember 30, 2023: *Provided*, That such amount is des-
5 ignated by the Congress for Overseas Contingency Oper-
6 ations/Global War on Terrorism pursuant to section
7 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
8 Deficit Control Act of 1985.

9 AIRCRAFT PROCUREMENT, NAVY

10 For an additional amount for “Aircraft Procurement,
11 Navy”, \$33,241,000, to remain available until September
12 30, 2023: *Provided*, That such amount is designated by
13 the Congress for Overseas Contingency Operations/Global
14 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
15 the Balanced Budget and Emergency Deficit Control Act
16 of 1985.

17 WEAPONS PROCUREMENT, NAVY

18 For an additional amount for “Weapons Procure-
19 ment, Navy”, \$5,572,000, to remain available until Sep-
20 tember 30, 2023: *Provided*, That such amount is des-
21 ignated by the Congress for Overseas Contingency Oper-
22 ations/Global War on Terrorism pursuant to section
23 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
24 Deficit Control Act of 1985.

1 AIRCRAFT PROCUREMENT, AIR FORCE

2 For an additional amount for “Aircraft Procurement,
3 Air Force”, \$787,665,000, to remain available until Sep-
4 tember 30, 2023: *Provided*, That such amount is des-
5 ignated by the Congress for Overseas Contingency Oper-
6 ations/Global War on Terrorism pursuant to section
7 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
8 Deficit Control Act of 1985.

9 MISSILE PROCUREMENT, AIR FORCE

10 For an additional amount for “Missile Procurement,
11 Air Force”, \$223,772,000, to remain available until Sep-
12 tember 30, 2023: *Provided*, That such amount is des-
13 ignated by the Congress for Overseas Contingency Oper-
14 ations/Global War on Terrorism pursuant to section
15 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
16 Deficit Control Act of 1985.

17 PROCUREMENT OF AMMUNITION, AIR FORCE

18 For an additional amount for “Procurement of Am-
19 muniton, Air Force”, \$802,455,000, to remain available
20 until September 30, 2023: *Provided*, That such amount
21 is designated by the Congress for Overseas Contingency
22 Operations/Global War on Terrorism pursuant to section
23 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
24 Deficit Control Act of 1985.

1 OTHER PROCUREMENT, AIR FORCE

2 For an additional amount for “Other Procurement,
3 Air Force”, \$355,339,000, to remain available until Sep-
4 tember 30, 2023: *Provided*, That such amount is des-
5 ignated by the Congress for Overseas Contingency Oper-
6 ations/Global War on Terrorism pursuant to section
7 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
8 Deficit Control Act of 1985.

9 PROCUREMENT, DEFENSE-WIDE

10 For an additional amount for “Procurement, De-
11 fense-Wide”, \$335,837,000, to remain available until Sep-
12 tember 30, 2023: *Provided*, That such amount is des-
13 ignated by the Congress for Overseas Contingency Oper-
14 ations/Global War on Terrorism pursuant to section
15 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
16 Deficit Control Act of 1985.

17 NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT

18 For procurement of rotary-wing aircraft; combat, tac-
19 tical and support vehicles; other weapons; and other pro-
20 curement items for the reserve components of the Armed
21 Forces, \$1,000,000,000, to remain available for obligation
22 until September 30, 2023: *Provided*, That the Chiefs of
23 National Guard and Reserve components shall, not later
24 than 30 days after enactment of this Act, individually sub-
25 mit to the congressional defense committees the mod-

1 ernization priority assessment for their respective Na-
2 tional Guard or Reserve component: *Provided further*,
3 That none of the funds made available by this paragraph
4 may be used to procure manned fixed wing aircraft, or
5 procure or modify missiles, munitions, or ammunition:
6 *Provided further*, That such amount is designated by the
7 Congress for Overseas Contingency Operations/Global
8 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
9 the Balanced Budget and Emergency Deficit Control Act
10 of 1985.

11 RESEARCH, DEVELOPMENT, TEST AND
12 EVALUATION

13 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
14 ARMY

15 For an additional amount for “Research, Develop-
16 ment, Test and Evaluation, Army”, \$175,824,000, to re-
17 main available until September 30, 2022: *Provided*, That
18 such amount is designated by the Congress for Overseas
19 Contingency Operations/Global War on Terrorism pursu-
20 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
21 and Emergency Deficit Control Act of 1985.

22 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,
23 NAVY

24 For an additional amount for “Research, Develop-
25 ment, Test and Evaluation, Navy”, \$59,562,000, to re-

1 main available until September 30, 2022: *Provided*, That
2 such amount is designated by the Congress for Overseas
3 Contingency Operations/Global War on Terrorism pursu-
4 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
5 and Emergency Deficit Control Act of 1985.

6 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

7 AIR FORCE

8 For an additional amount for “Research, Develop-
9 ment, Test and Evaluation, Air Force”, \$5,304,000, to re-
10 main available until September 30, 2022: *Provided*, That
11 such amount is designated by the Congress for Overseas
12 Contingency Operations/Global War on Terrorism pursu-
13 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
14 and Emergency Deficit Control Act of 1985.

15 RESEARCH, DEVELOPMENT, TEST AND EVALUATION,

16 DEFENSE-WIDE

17 For an additional amount for “Research, Develop-
18 ment, Test and Evaluation, Defense-Wide”, \$80,818,000,
19 to remain available until September 30, 2022: *Provided*,
20 That such amount is designated by the Congress for Over-
21 seas Contingency Operations/Global War on Terrorism
22 pursuant to section 251(b)(2)(A)(ii) of the Balanced
23 Budget and Emergency Deficit Control Act of 1985.

1 REVOLVING AND MANAGEMENT FUNDS

2 DEFENSE WORKING CAPITAL FUNDS

3 For an additional amount for “Defense Working
4 Capital Funds”, \$20,090,000: *Provided*, That such
5 amount is designated by the Congress for Overseas Con-
6 tingency Operations/Global War on Terrorism pursuant to
7 section 251(b)(2)(A)(ii) of the Balanced Budget and
8 Emergency Deficit Control Act of 1985.

9 OTHER DEPARTMENT OF DEFENSE PROGRAMS

10 DEFENSE HEALTH PROGRAM

11 For an additional amount for “Defense Health Pro-
12 gram”, \$365,098,000, which shall be for operation and
13 maintenance: *Provided*, That such amount is designated
14 by the Congress for Overseas Contingency Operations/
15 Global War on Terrorism pursuant to section
16 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
17 Deficit Control Act of 1985.

18 OFFICE OF THE INSPECTOR GENERAL

19 For an additional amount for the “Office of the In-
20 spector General”, \$24,069,000: *Provided*, That such
21 amount is designated by the Congress for Overseas Con-
22 tingency Operations/Global War on Terrorism pursuant to
23 section 251(b)(2)(A)(ii) of the Balanced Budget and
24 Emergency Deficit Control Act of 1985.

1 GENERAL PROVISIONS—THIS TITLE

2 SEC. 9001. Notwithstanding any other provision of
3 law, funds made available in this title are in addition to
4 amounts appropriated or otherwise made available for the
5 Department of Defense for fiscal year 2021.

6 (INCLUDING TRANSFER OF FUNDS)

7 SEC. 9002. Upon the determination of the Secretary
8 of Defense that such action is necessary in the national
9 interest, the Secretary may, with the approval of the Of-
10 fice of Management and Budget, transfer up to
11 \$900,000,000 between the appropriations or funds made
12 available to the Department of Defense in this title: *Pro-*
13 *vided*, That the Secretary shall notify the Congress
14 promptly of each transfer made pursuant to the authority
15 in this section: *Provided further*, That the authority pro-
16 vided in this section is in addition to any other transfer
17 authority available to the Department of Defense and is
18 subject to the same terms and conditions as the authority
19 provided in section 8005 of this Act.

20 SEC. 9003. Supervision and administration costs and
21 costs for design during construction associated with a con-
22 struction project funded with appropriations available for
23 operation and maintenance or the “Afghanistan Security
24 Forces Fund” provided in this Act and executed in direct
25 support of overseas contingency operations in Afghani-

1 stan, may be obligated at the time a construction contract
2 is awarded: *Provided*, That, for the purpose of this section,
3 supervision and administration costs and costs for design
4 during construction include all in-house Government costs.

5 SEC. 9004. From funds made available in this title,
6 the Secretary of Defense may purchase for use by military
7 and civilian employees of the Department of Defense in
8 the United States Central Command area of responsi-
9 bility: (1) passenger motor vehicles up to a limit of
10 \$75,000 per vehicle; and (2) heavy and light armored vehi-
11 cles for the physical security of personnel or for force pro-
12 tection purposes up to a limit of \$450,000 per vehicle, not-
13 withstanding price or other limitations applicable to the
14 purchase of passenger carrying vehicles.

15 SEC. 9005. Not to exceed \$2,000,000 of the amounts
16 appropriated by this title under the heading “Operation
17 and Maintenance, Army” may be used, notwithstanding
18 any other provision of law, to fund the Commanders’
19 Emergency Response Program (CERP), for the purpose
20 of enabling military commanders in Afghanistan to re-
21 spond to urgent, small-scale, humanitarian relief and re-
22 construction requirements within their areas of responsi-
23 bility: *Provided*, That each project (including any ancillary
24 or related elements in connection with such project) exe-
25 cuted under this authority shall not exceed \$1,000,000:

1 *Provided further*, That not later than 45 days after the
2 end of each 6 months of the fiscal year, the Secretary of
3 Defense shall submit to the congressional defense commit-
4 tees a report regarding the source of funds and the alloca-
5 tion and use of funds during that 6-month period that
6 were made available pursuant to the authority provided
7 in this section or under any other provision of law for the
8 purposes described herein: *Provided further*, That, not
9 later than 30 days after the end of each fiscal year quar-
10 ter, the Army shall submit to the congressional defense
11 committees quarterly commitment, obligation, and expend-
12 iture data for the CERP in Afghanistan: *Provided further*,
13 That, not less than 15 days before making funds available
14 pursuant to the authority provided in this section or under
15 any other provision of law for the purposes described here-
16 in for a project with a total anticipated cost for completion
17 of \$500,000 or more, the Secretary shall submit to the
18 congressional defense committees a written notice con-
19 taining each of the following:

20 (1) The location, nature and purpose of the
21 proposed project, including how the project is in-
22 tended to advance the military campaign plan for
23 the country in which it is to be carried out.

24 (2) The budget, implementation timeline with
25 milestones, and completion date for the proposed

1 project, including any other CERP funding that has
2 been or is anticipated to be contributed to the com-
3 pletion of the project.

4 (3) A plan for the sustainment of the proposed
5 project, including the agreement with either the host
6 nation, a non-Department of Defense agency of the
7 United States Government or a third-party contrib-
8 utor to finance the sustainment of the activities and
9 maintenance of any equipment or facilities to be pro-
10 vided through the proposed project.

11 SEC. 9006. Funds available to the Department of De-
12 fense for operation and maintenance may be used, not-
13 withstanding any other provision of law, to provide sup-
14 plies, services, transportation, including airlift and sealift,
15 and other logistical support to allied forces participating
16 in a combined operation with the armed forces of the
17 United States and coalition forces supporting military and
18 stability operations in Afghanistan and to counter the Is-
19 lamic State of Iraq and Syria: *Provided*, That the Sec-
20 retary of Defense shall provide quarterly reports to the
21 congressional defense committees regarding support pro-
22 vided under this section.

23 SEC. 9007. None of the funds appropriated or other-
24 wise made available by this or any other Act shall be obli-

1 gated or expended by the United States Government for
2 a purpose as follows:

3 (1) To establish any military installation or
4 base for the purpose of providing for the permanent
5 stationing of United States Armed Forces in Iraq.

6 (2) To exercise United States control over any
7 oil resource of Iraq or Syria.

8 (3) To establish any military installation or
9 base for the purpose of providing for the permanent
10 stationing of United States Armed Forces in Af-
11 ghanistan.

12 SEC. 9008. None of the funds made available in this
13 Act may be used in contravention of the following laws
14 enacted or regulations promulgated to implement the
15 United Nations Convention Against Torture and Other
16 Cruel, Inhuman or Degrading Treatment or Punishment
17 (done at New York on December 10, 1984):

18 (1) Section 2340A of title 18, United States
19 Code.

20 (2) Section 2242 of the Foreign Affairs Reform
21 and Restructuring Act of 1998 (division G of Public
22 Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231
23 note) and regulations prescribed thereto, including
24 regulations under part 208 of title 8, Code of Fed-

1 eral Regulations, and part 95 of title 22, Code of
2 Federal Regulations.

3 (3) Sections 1002 and 1003 of the Department
4 of Defense, Emergency Supplemental Appropriations
5 to Address Hurricanes in the Gulf of Mexico, and
6 Pandemic Influenza Act, 2006 (Public Law 109–
7 148).

8 SEC. 9009. None of the funds provided for the “Af-
9 ghanistan Security Forces Fund” (ASFF) may be obli-
10 gated prior to the approval of a financial and activity plan
11 by the Afghanistan Resources Oversight Council (AROC)
12 of the Department of Defense: *Provided*, That the AROC
13 must approve the requirement and acquisition plan for any
14 service requirements in excess of \$50,000,000 annually
15 and any non-standard equipment requirements in excess
16 of \$100,000,000 using ASFF: *Provided further*, That the
17 Department of Defense must certify to the congressional
18 defense committees that the AROC has convened and ap-
19 proved a process for ensuring compliance with the require-
20 ments in the preceding proviso and accompanying report
21 language for the ASFF.

22 SEC. 9010. Funds made available in this title to the
23 Department of Defense for operation and maintenance
24 may be used to purchase items having an investment unit
25 cost of not more than \$250,000: *Provided*, That, upon de-

1 termination by the Secretary of Defense that such action
2 is necessary to meet the operational requirements of a
3 Commander of a Combatant Command engaged in contin-
4 gency operations overseas, such funds may be used to pur-
5 chase items having an investment item unit cost of not
6 more than \$500,000.

7 SEC. 9011. Up to \$500,000,000 of funds appro-
8 priated by this Act for the Defense Security Cooperation
9 Agency in “Operation and Maintenance, Defense-Wide”
10 may be used to provide assistance to the Government of
11 Jordan to support the armed forces of Jordan and to en-
12 hance security along its borders.

13 SEC. 9012. None of the funds made available by this
14 Act under the headings “Afghanistan Security Forces
15 Fund” and “Counter-ISIS Train and Equip Fund”, and
16 under the heading “Operation and Maintenance, Defense-
17 Wide” for Department of Defense security cooperation
18 grant programs, may be used to procure or transfer man-
19 portable air defense systems.

20 SEC. 9013. Of the amounts appropriated in this title
21 under the heading “Operation and Maintenance, Defense-
22 Wide”, for the Defense Security Cooperation Agency,
23 \$275,000,000, of which \$137,500,000 to remain available
24 until September 30, 2021, shall be for the Ukraine Secu-
25 rity Assistance Initiative: *Provided*, That such funds shall

1 be available to the Secretary of Defense, in coordination
2 with the Secretary of State, to provide assistance, includ-
3 ing training; equipment; lethal assistance; logistics sup-
4 port, supplies and services; sustainment; and intelligence
5 support to the military and national security forces of
6 Ukraine, and for replacement of any weapons or articles
7 provided to the Government of Ukraine from the inventory
8 of the United States: *Provided further*, That of the
9 amounts made available in this section, \$50,000,000 shall
10 be available only for lethal assistance described in para-
11 graphs (2) and (3) of section 1250(b) of the National De-
12 fense Authorization Act for Fiscal Year 2016 (Public Law
13 114–92): *Provided further*, That the Secretary of Defense
14 shall, not less than 15 days prior to obligating funds made
15 available in this section, notify the congressional defense
16 committees in writing of the details of any such obligation:
17 *Provided further*, That the Secretary of Defense shall, not
18 more than 60 days after such notification is made, inform
19 such committees if such funds have not been obligated and
20 the reasons therefor: *Provided further*, That the United
21 States may accept equipment procured using funds made
22 available in this section in this or prior Acts that was
23 transferred to the security forces of Ukraine and returned
24 by such forces to the United States: *Provided further*, That
25 equipment procured using funds made available in this

1 section in this or prior Acts, and not yet transferred to
2 the military or National Security Forces of Ukraine or re-
3 turned by such forces to the United States, may be treated
4 as stocks of the Department of Defense upon written noti-
5 fication to the congressional defense committees: *Provided*
6 *further*, That, notwithstanding any other provision of law,
7 amounts made available in this section shall be exempt
8 from apportionment under chapter 15 of title 31, United
9 States Code.

10 SEC. 9014. Funds appropriated in this title shall be
11 available for replacement of funds for items provided to
12 the Government of Ukraine from the inventory of the
13 United States to the extent specifically provided for in sec-
14 tion 9013 of this Act.

15 SEC. 9015. None of the funds made available by this
16 Act may be used to provide arms, training, or other assist-
17 ance to the Azov Battalion.

18 SEC. 9016. Equipment procured using funds provided
19 in prior Acts under the heading “Counterterrorism Part-
20 nerships Fund” for the program authorized by section
21 1209 of the Carl Levin and Howard P. “Buck” McKeon
22 National Defense Authorization Act for Fiscal Year 2015
23 (Public Law 113–291), or under the heading “Iraq Train
24 and Equip Fund” for the program authorized by section
25 1236 of such Act, and not yet transferred to authorized

1 recipients may be transferred to foreign security forces,
2 irregular forces, groups, or individuals, authorized to re-
3 ceive assistance using amounts provided under the heading
4 “Counter-ISIS Train and Equip Fund” in this Act: *Pro-*
5 *vided*, That such equipment may be transferred 15 days
6 following written notification to the congressional defense
7 committees.

8 SEC. 9017. (a) None of the funds appropriated or
9 otherwise made available by this Act under the headings
10 “Operation and Maintenance, Defense-Wide” and
11 “Counter-ISIS Train and Equip Fund” for reimburse-
12 ment made to the Government of Pakistan under section
13 1226 of the National Defense Authorization Act for Fiscal
14 Year 2016 (22 U.S.C. 2151 note) may be made available
15 unless the Secretary of Defense, in coordination with the
16 Secretary of State, certifies to the congressional defense
17 committees that the Government of Pakistan is—

18 (1) cooperating with the United States in
19 counterterrorism efforts against the Haqqani Net-
20 work, the Quetta Shura Taliban, Lashkar e-Tayyiba,
21 Jaish-e-Mohammed, Al Qaeda, and other domestic
22 and foreign terrorist organizations, including taking
23 steps to end support for such groups and prevent
24 them from basing and operating in Pakistan and

1 carrying out cross border attacks into neighboring
2 countries;

3 (2) not supporting terrorist activities against
4 United States or coalition forces in Afghanistan, and
5 Pakistan's military and intelligence agencies are not
6 intervening extra-judicially into political and judicial
7 processes in Pakistan;

8 (3) dismantling improvised explosive device
9 (IED) networks and interdicting precursor chemicals
10 used in the manufacture of IEDs;

11 (4) preventing the proliferation of nuclear-re-
12 lated material and expertise;

13 (5) implementing policies to protect judicial
14 independence and due process of law;

15 (6) issuing visas in a timely manner for United
16 States visitors engaged in counterterrorism efforts
17 and assistance programs in Pakistan; and

18 (7) providing humanitarian organizations access
19 to detainees, internally displaced persons, and other
20 Pakistani civilians affected by the conflict.

21 (b) The Secretary of Defense, in coordination with
22 the Secretary of State, may waive the restriction in sub-
23 section (a) on a case-by-case basis by certifying in writing
24 to the congressional defense committees that it is in the
25 national security interest to do so: *Provided*, That if the

1 Secretary of Defense, in coordination with the Secretary
2 of State, exercises such waiver authority, the Secretaries
3 shall report to the congressional defense committees on
4 both the justification for the waiver and on the require-
5 ments of this section that the Government of Pakistan was
6 not able to meet: *Provided further*, That such report may
7 be submitted in classified form if necessary.

8 SEC. 9018. None of the funds made available by this
9 Act may be used with respect to Iraq in contravention of
10 the War Powers Resolution (50 U.S.C. 1541 et seq.), in-
11 cluding for the introduction of United States armed forces
12 into hostilities in Iraq, into situations in Iraq where immi-
13 nent involvement in hostilities is clearly indicated by the
14 circumstances, or into Iraqi territory, airspace, or waters
15 while equipped for combat, in contravention of the con-
16 gressional consultation and reporting requirements of sec-
17 tions 3 and 4 of such Resolution (50 U.S.C. 1542 and
18 1543).

19 SEC. 9019. None of the funds made available by this
20 Act may be used with respect to Syria in contravention
21 of the War Powers Resolution (50 U.S.C. 1541 et seq.),
22 including for the introduction of United States armed or
23 military forces into hostilities in Syria, into situations in
24 Syria where imminent involvement in hostilities is clearly
25 indicated by the circumstances, or into Syrian territory,

1 airspace, or waters while equipped for combat, in con-
2 travention of the congressional consultation and reporting
3 requirements of sections 3 and 4 of that law (50 U.S.C.
4 1542 and 1543).

5 SEC. 9020. None of the funds in this Act may be
6 made available for the transfer of additional C-130 cargo
7 aircraft to the Afghanistan National Security Forces or
8 the Afghanistan Air Force.

9 SEC. 9021. Funds made available by this Act under
10 the heading “Afghanistan Security Forces Fund” may be
11 used to provide limited training, equipment, and other as-
12 sistance that would otherwise be prohibited by 10 U.S.C.
13 362 to a unit of the security forces of Afghanistan only
14 if the Secretary of Defense certifies to the congressional
15 defense committees, within 30 days of a decision to pro-
16 vide such assistance, that (1) a denial of such assistance
17 would present significant risk to United States or coalition
18 forces or significantly undermine United States national
19 security objectives in Afghanistan; and (2) the Secretary
20 has sought a commitment by the Government of Afghani-
21 stan to take all necessary corrective steps: *Provided*, That
22 such certification shall be accompanied by a report de-
23 scribing: (1) the information relating to the gross violation
24 of human rights; (2) the circumstances that necessitated
25 the provision of such assistance; (3) the Afghan security

1 force unit involved; (4) the assistance provided and the
2 assistance withheld; and (5) the corrective steps to be
3 taken by the Government of Afghanistan: *Provided fur-*
4 *ther*, That every 120 days after the initial report an addi-
5 tional report shall be submitted detailing the status of any
6 corrective steps taken by the Government of Afghanistan:
7 *Provided further*, That if the Government of Afghanistan
8 has not initiated necessary corrective steps within one year
9 of the certification, the authority under this section to pro-
10 vide assistance to such unit shall no longer apply: *Provided*
11 *further*, That the Secretary shall submit a report to such
12 committees detailing the final disposition of the case by
13 the Government of Afghanistan.

14 SEC. 9022. None of the funds made available by this
15 Act may be made available for any member of the Taliban
16 except to support a reconciliation activity that includes the
17 participation of members of the Government of Afghani-
18 stan, does not restrict the participation of women, and is
19 authorized by section 1218 of the National Defense Au-
20 thorization Act for Fiscal Year 2020 (Public Law 116–
21 92).

22 SEC. 9023. Nothing in this Act may be construed as
23 authorizing the use of force against Iran.

24 SEC. 9024. Not later than 15 days after the date on
25 which any foreign base that involves the stationing or op-

1 erations of the United States Armed Forces, including a
2 temporary base, permanent base, or base owned and oper-
3 ated by a foreign country, is opened or closed, the Sec-
4 retary of Defense shall notify the congressional defense
5 committees in writing of the opening or closing of such
6 base: *Provided*, that such notification shall also include in-
7 formation on any personnel changes, costs, and savings
8 associated with the opening or closing of such base.

9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 9025. In addition to amounts otherwise made
11 available in this Act, \$250,000,000 is hereby appropriated
12 to the Department of Defense and made available for
13 transfer only to the operation and maintenance, military
14 personnel, and procurement accounts, to improve near-
15 term intelligence, surveillance, and reconnaissance capa-
16 bilities and related processing, exploitation, and dissemi-
17 nation functions of the Department of Defense: *Provided*,
18 That the transfer authority provided in this section is in
19 addition to any other transfer authority provided else-
20 where in this Act: *Provided further*, That not later than
21 30 days prior to exercising the transfer authority provided
22 in this section, the Secretary of Defense shall submit a
23 report to the congressional defense committees on the pro-
24 posed uses of these funds: *Provided further*, That the
25 funds provided in this section may not be transferred to

1 any program, project, or activity specifically limited or de-
2 nied by this Act: *Provided further*, That such funds may
3 not be obligated for new start efforts: *Provided further*,
4 That amounts made available by this section are des-
5 ignated by the Congress for Overseas Contingency Oper-
6 ations/Global War on Terrorism pursuant to section
7 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
8 Deficit Control Act of 1985: *Provided further*, That the
9 authority to provide funding under this section shall termi-
10 nate on September 30, 2021.

11 (RESCISSIONS)

12 SEC. 9026. Of the funds appropriated in Department
13 of Defense Appropriations Acts, the following funds are
14 hereby rescinded from the following accounts and pro-
15 grams in the specified amounts: *Provided*, That such
16 amounts are designated by the Congress for Overseas
17 Contingency Operations/Global War on Terrorism pursu-
18 ant to section 251(b)(2)(A)(ii) of the Balanced Budget
19 and Emergency Deficit Control Act of 1985:

20 “Aircraft Procurement, Air Force”, 2019/2021,
21 \$16,400,000;

22 “Operation and Maintenance, Defense-Wide: Defense
23 Security Cooperation Agency”, 2020/2021, \$80,000,000;

24 “Afghanistan Security Forces Fund”, 2020/2021,
25 \$1,100,000,000; and

1 “Counter-ISIS Train and Equip Fund”, 2020/2021,
2 \$250,000,000.

3 SEC. 9027. Effective 240 days after the date of the
4 enactment of this Act, the Authorization for Use of Military
5 Force (Public Law 107–40; 50 U.S.C. 1541 note)
6 is hereby repealed.

7 SEC. 9028. The Authorization for Use of Military
8 Force Against Iraq Resolution of 2002 (Public Law 107–
9 243; 50 U.S.C. 1541 note) is hereby repealed.

10 SEC. 9029. (a)(1) Except as provided in paragraph
11 (2), none of the funds appropriated or otherwise made
12 available by this Act may be obligated or expended for any
13 use of military force in or against Iran unless Congress
14 has—

15 (A) declared war; or

16 (B) enacted specific statutory authorization for such
17 use of military force after the date of the enactment of
18 this Act that meets the requirements of the War Powers
19 Resolution (50 U.S.C. 1541 et seq.).

20 (2) The prohibition under paragraph (1) shall not
21 apply to a use of military force that is consistent with section
22 (2)(c) of the War Powers Resolution.

23 (b) Nothing in this section may be construed—

24 (1) to prevent the President from using necessary
25 and appropriate force to defend United States

1 allies and partners if Congress enacts specific statu-
2 tory authorization for such use of force consistent
3 with the requirements of the War Powers Resolution
4 (50 U.S.C. 1541 et seq.);

5 (2) to relieve the executive branch of restric-
6 tions on the use of force, reporting, or consultation
7 requirements set forth in the War Powers Resolution
8 (50 U.S.C. 1541 et seq.); or

9 (3) to authorize the use of military force.

10 This Act may be cited as the “Department of Defense
11 Appropriations Act, 2021”.

1 **DIVISION B—COMMERCE, JUSTICE,**
2 **SCIENCE, AND RELATED AGENCIES**
3 **APPROPRIATIONS ACT, 2021**

4 That the following sums are appropriated, out of any
5 money in the Treasury not otherwise appropriated, for the
6 fiscal year ending September 30, 2021, and for other pur-
7 poses, namely:

8 **TITLE I**

9 **DEPARTMENT OF COMMERCE**

10 **INTERNATIONAL TRADE ADMINISTRATION**

11 **OPERATIONS AND ADMINISTRATION**

12 For necessary expenses for international trade activi-
13 ties of the Department of Commerce provided for by law,
14 to carry out activities associated with facilitating, attract-
15 ing, and retaining business investment in the United
16 States, and for engaging in trade promotional activities
17 abroad, including expenses of grants and cooperative
18 agreements for the purpose of promoting exports of
19 United States firms, without regard to sections 3702 and
20 3703 of title 44, United States Code; full medical coverage
21 for dependent members of immediate families of employees
22 stationed overseas and employees temporarily posted over-
23 seas; travel and transportation of employees of the Inter-
24 national Trade Administration between two points abroad,
25 without regard to section 40118 of title 49, United States

1 Code; employment of citizens of the United States and
2 aliens by contract for services; rental of space abroad for
3 periods not exceeding 10 years, and expenses of alteration,
4 repair, or improvement; purchase or construction of tem-
5 porary demountable exhibition structures for use abroad;
6 payment of tort claims, in the manner authorized in the
7 first paragraph of section 2672 of title 28, United States
8 Code, when such claims arise in foreign countries; not to
9 exceed \$294,300 for official representation expenses
10 abroad; purchase of passenger motor vehicles for official
11 use abroad, not to exceed \$45,000 per vehicle; obtaining
12 insurance on official motor vehicles; and rental of tie lines,
13 \$542,428,000, of which \$75,000,000 shall remain avail-
14 able until September 30, 2022: *Provided*, That
15 \$11,000,000 is to be derived from fees to be retained and
16 used by the International Trade Administration, notwith-
17 standing section 3302 of title 31, United States Code: *Pro-*
18 *vided further*, That, of amounts provided under this head-
19 ing, not less than \$16,400,000 shall be for China anti-
20 dumping and countervailing duty enforcement and compli-
21 ance activities: *Provided further*, That the provisions of the
22 first sentence of section 105(f) and all of section 108(c)
23 of the Mutual Educational and Cultural Exchange Act of
24 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in car-
25 rying out these activities; and that for the purpose of this

1 Act, contributions under the provisions of the Mutual
2 Educational and Cultural Exchange Act of 1961 shall in-
3 clude payment for assessments for services provided as
4 part of these activities.

5 BUREAU OF INDUSTRY AND SECURITY
6 OPERATIONS AND ADMINISTRATION

7 For necessary expenses for export administration and
8 national security activities of the Department of Com-
9 merce, including costs associated with the performance of
10 export administration field activities both domestically and
11 abroad; full medical coverage for dependent members of
12 immediate families of employees stationed overseas; em-
13 ployment of citizens of the United States and aliens by
14 contract for services abroad; payment of tort claims, in
15 the manner authorized in the first paragraph of section
16 2672 of title 28, United States Code, when such claims
17 arise in foreign countries; not to exceed \$13,500 for offi-
18 cial representation expenses abroad; awards of compensa-
19 tion to informers under the Export Control Reform Act
20 of 2018 (subtitle B of title XVII of the John S. McCain
21 National Defense Authorization Act for Fiscal Year 2019;
22 Public Law 115–232; 132 Stat. 2208; 50 U.S.C. 4801 et
23 seq.), and as authorized by section 1(b) of the Act of June
24 15, 1917 (40 Stat. 223; 22 U.S.C. 401(b)); and purchase
25 of passenger motor vehicles for official use and motor vehi-

1 cles for law enforcement use with special requirement vehi-
2 cles eligible for purchase without regard to any price limi-
3 tation otherwise established by law, \$137,664,000, to re-
4 main available until expended: *Provided*, That the provi-
5 sions of the first sentence of section 105(f) and all of sec-
6 tion 108(c) of the Mutual Educational and Cultural Ex-
7 change Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall
8 apply in carrying out these activities: *Provided further*,
9 That payments and contributions collected and accepted
10 for materials or services provided as part of such activities
11 may be retained for use in covering the cost of such activi-
12 ties, and for providing information to the public with re-
13 spect to the export administration and national security
14 activities of the Department of Commerce and other ex-
15 port control programs of the United States and other gov-
16 ernments.

17 ECONOMIC DEVELOPMENT ADMINISTRATION

18 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

19 For grants for economic development assistance as
20 provided by the Public Works and Economic Development
21 Act of 1965, for trade adjustment assistance, and for
22 grants authorized by sections 27 and 28 of the Stevenson-
23 Wydler Technology Innovation Act of 1980 (15 U.S.C.
24 3722 and 3723), \$314,000,000, to remain available until
25 expended, of which \$35,000,000 shall be for grants under

1 such section 27 and \$4,500,000 shall be for grants under
2 such section 28.

3 SALARIES AND EXPENSES

4 For necessary expenses of administering the eco-
5 nomic development assistance programs as provided for by
6 law, \$42,000,000: *Provided*, That funds provided under
7 this heading may be used to monitor projects approved
8 pursuant to title I of the Public Works Employment Act
9 of 1976, title II of the Trade Act of 1974, sections 27
10 and 28 of the Stevenson-Wydler Technology Innovation
11 Act of 1980 (15 U.S.C. 3722 and 3723), and the Commu-
12 nity Emergency Drought Relief Act of 1977.

13 MINORITY BUSINESS DEVELOPMENT AGENCY

14 MINORITY BUSINESS DEVELOPMENT

15 For necessary expenses of the Department of Com-
16 merce in fostering, promoting, and developing minority
17 business enterprises, including expenses of grants, con-
18 tracts, and other agreements with public or private organi-
19 zations, \$52,000,000, of which not more than
20 \$16,000,000 shall be available for overhead expenses, in-
21 cluding salaries and expenses, rent, utilities, and informa-
22 tion technology services.

1 ECONOMIC AND STATISTICAL ANALYSIS

2 SALARIES AND EXPENSES

3 For necessary expenses, as authorized by law, of eco-
4 nomic and statistical analysis programs of the Department
5 of Commerce, \$111,855,000, to remain available until
6 September 30, 2022.

7 BUREAU OF THE CENSUS

8 CURRENT SURVEYS AND PROGRAMS

9 For necessary expenses for collecting, compiling, ana-
10 lyzing, preparing, and publishing statistics, provided for
11 by law, \$288,403,000: *Provided*, That, from amounts pro-
12 vided herein, funds may be used for promotion, outreach,
13 and marketing activities.

14 PERIODIC CENSUSES AND PROGRAMS

15 (INCLUDING TRANSFER OF FUNDS)

16 For necessary expenses for collecting, compiling, ana-
17 lyzing, preparing, and publishing statistics for periodic
18 censuses and programs provided for by law,
19 \$1,392,709,000, to remain available until September 30,
20 2023: *Provided*, That, from amounts provided herein,
21 funds may be used for promotion, outreach, and mar-
22 keting activities: *Provided further*, That within the
23 amounts appropriated, \$3,556,000 shall be transferred to
24 the “Office of Inspector General” account for activities as-

1 sociated with carrying out investigations and audits re-
2 lated to the Bureau of the Census.

3 NATIONAL TELECOMMUNICATIONS AND INFORMATION

4 ADMINISTRATION

5 SALARIES AND EXPENSES

6 For necessary expenses, as provided for by law, of
7 the National Telecommunications and Information Ad-
8 ministration (NTIA), \$45,500,000, to remain available
9 until September 30, 2022: *Provided*, That, notwith-
10 standing 31 U.S.C. 1535(d), the Secretary of Commerce
11 shall charge Federal agencies for costs incurred in spec-
12 trum management, analysis, operations, and related serv-
13 ices, and such fees shall be retained and used as offsetting
14 collections for costs of such spectrum services, to remain
15 available until expended: *Provided further*, That the Sec-
16 retary of Commerce is authorized to retain and use as off-
17 setting collections all funds transferred, or previously
18 transferred, from other Government agencies for all costs
19 incurred in telecommunications research, engineering, and
20 related activities by the Institute for Telecommunication
21 Sciences of NTIA, in furtherance of its assigned functions
22 under this paragraph, and such funds received from other
23 Government agencies shall remain available until ex-
24 pended.

1 PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING
2 AND CONSTRUCTION

3 For the administration of prior-year grants, recov-
4 eries and unobligated balances of funds previously appro-
5 priated are available for the administration of all open
6 grants until their expiration.

7 UNITED STATES PATENT AND TRADEMARK OFFICE
8 SALARIES AND EXPENSES
9 (INCLUDING TRANSFERS OF FUNDS)

10 For necessary expenses of the United States Patent
11 and Trademark Office (USPTO) provided for by law, in-
12 cluding defense of suits instituted against the Under Sec-
13 retary of Commerce for Intellectual Property and Director
14 of the USPTO, \$3,695,295,000, to remain available until
15 expended: *Provided*, That the sum herein appropriated
16 from the general fund shall be reduced as offsetting collec-
17 tions of fees and surcharges assessed and collected by the
18 USPTO under any law are received during fiscal year
19 2021, so as to result in a fiscal year 2021 appropriation
20 from the general fund estimated at \$0: *Provided further*,
21 That during fiscal year 2021, should the total amount of
22 such offsetting collections be less than \$3,695,295,000,
23 this amount shall be reduced accordingly: *Provided fur-*
24 *ther*, That any amount received in excess of
25 \$3,695,295,000 in fiscal year 2021 and deposited in the

1 Patent and Trademark Fee Reserve Fund shall remain
2 available until expended: *Provided further*, That the Direc-
3 tor of USPTO shall submit a spending plan to the Com-
4 mittees on Appropriations of the House of Representatives
5 and the Senate for any amounts made available by the
6 preceding proviso and such spending plan shall be treated
7 as a reprogramming under section 505 of this Act and
8 shall not be available for obligation or expenditure except
9 in compliance with the procedures set forth in that section:
10 *Provided further*, That any amounts reprogrammed in ac-
11 cordance with the preceding proviso shall be transferred
12 to the United States Patent and Trademark Office “Sala-
13 ries and Expenses” account: *Provided further*, That from
14 amounts provided herein, not to exceed \$900 shall be
15 made available in fiscal year 2021 for official reception
16 and representation expenses: *Provided further*, That in fis-
17 cal year 2021 from the amounts made available for “Sala-
18 ries and Expenses” for the USPTO, the amounts nec-
19 essary to pay (1) the difference between the percentage
20 of basic pay contributed by the USPTO and employees
21 under section 8334(a) of title 5, United States Code, and
22 the normal cost percentage (as defined by section
23 8331(17) of that title) as provided by the Office of Per-
24 sonnel Management (OPM) for USPTO’s specific use, of
25 basic pay, of employees subject to subchapter III of chap-

1 ter 83 of that title, and (2) the present value of the other-
2 wise unfunded accruing costs, as determined by OPM for
3 USPTO's specific use of post-retirement life insurance
4 and post-retirement health benefits coverage for all
5 USPTO employees who are enrolled in Federal Employees
6 Health Benefits (FEHB) and Federal Employees Group
7 Life Insurance (FEGLI), shall be transferred to the Civil
8 Service Retirement and Disability Fund, the FEGLI
9 Fund, and the Employees FEHB Fund, as appropriate,
10 and shall be available for the authorized purposes of those
11 accounts: *Provided further*, That any differences between
12 the present value factors published in OPM's yearly 300
13 series benefit letters and the factors that OPM provides
14 for USPTO's specific use shall be recognized as an im-
15 puted cost on USPTO's financial statements, where appli-
16 cable: *Provided further*, That, notwithstanding any other
17 provision of law, all fees and surcharges assessed and col-
18 lected by USPTO are available for USPTO only pursuant
19 to section 42(c) of title 35, United States Code, as amend-
20 ed by section 22 of the Leahy-Smith America Invents Act
21 (Public Law 112-29): *Provided further*, That within the
22 amounts appropriated, \$2,000,000 shall be transferred to
23 the "Office of Inspector General" account for activities as-
24 sociated with carrying out investigations and audits re-
25 lated to the USPTO.

1 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY
2 SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES
3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses of the National Institute of
5 Standards and Technology (NIST), \$789,000,000, to re-
6 main available until expended, of which not to exceed
7 \$9,000,000 may be transferred to the “Working Capital
8 Fund”: *Provided*, That not to exceed \$5,000 shall be for
9 official reception and representation expenses: *Provided*
10 *further*, That NIST may provide local transportation for
11 summer undergraduate research fellowship program par-
12 ticipants.

13 INDUSTRIAL TECHNOLOGY SERVICES

14 For necessary expenses for industrial technology
15 services, \$170,000,000, to remain available until ex-
16 pended, of which \$153,000,000 shall be for the Hollings
17 Manufacturing Extension Partnership, and of which
18 \$17,000,000 shall be for the National Network for Manu-
19 facturing Innovation (also known as “Manufacturing
20 USA”).

21 CONSTRUCTION OF RESEARCH FACILITIES

22 For construction of new research facilities, including
23 architectural and engineering design, and for renovation
24 and maintenance of existing facilities, not otherwise pro-
25 vided for the National Institute of Standards and Tech-

1 nology, as authorized by sections 13 through 15 of the
2 National Institute of Standards and Technology Act (15
3 U.S.C. 278c–278e), \$85,000,000, to remain available until
4 expended: *Provided*, That the Secretary of Commerce shall
5 include in the budget justification materials that the Sec-
6 retary submits to Congress in support of the Department
7 of Commerce budget (as submitted with the budget of the
8 President under section 1105(a) of title 31, United States
9 Code) an estimate for each National Institute of Stand-
10 ards and Technology construction project having a total
11 multi-year program cost of more than \$5,000,000, and si-
12 multaneously the budget justification materials shall in-
13 clude an estimate of the budgetary requirements for each
14 such project for each of the 5 subsequent fiscal years.

15 NATIONAL OCEANIC AND ATMOSPHERIC

16 ADMINISTRATION

17 OPERATIONS, RESEARCH, AND FACILITIES

18 (INCLUDING TRANSFER OF FUNDS)

19 For necessary expenses of activities authorized by law
20 for the National Oceanic and Atmospheric Administration,
21 including maintenance, operation, and hire of aircraft and
22 vessels; pilot programs for state-led fisheries management,
23 notwithstanding any other provision of law; grants, con-
24 tracts, or other payments to nonprofit organizations for
25 the purposes of conducting activities pursuant to coopera-

1 tive agreements; and relocation of facilities,
2 \$3,871,659,000, to remain available until September 30,
3 2022: *Provided*, That fees and donations received by the
4 National Ocean Service for the management of national
5 marine sanctuaries may be retained and used for the sala-
6 ries and expenses associated with those activities, notwith-
7 standing section 3302 of title 31, United States Code: *Pro-*
8 *vided further*, That in addition, \$253,171,000 shall be de-
9 rived by transfer from the fund entitled “Promote and De-
10 velop Fishery Products and Research Pertaining to Amer-
11 ican Fisheries”, which shall only be used for the Fishery
12 Science and Management program activities: *Provided fur-*
13 *ther*, That not to exceed \$66,389,000 shall be for payment
14 to the Department of Commerce Working Capital Fund:
15 *Provided further*, That of the \$4,142,330,000 provided for
16 in direct obligations under this heading, \$3,871,659,000
17 is appropriated from the general fund, \$253,171,000 is
18 provided by transfer, and \$17,500,000 is derived from re-
19 coveries of prior year obligations: *Provided further*, That
20 any deviation from the amounts designated for specific ac-
21 tivities in the report accompanying this Act or any use
22 of deobligated balances of funds provided under this head-
23 ing in previous years, shall be subject to the procedures
24 set forth in section 505 of this Act: *Provided further*, That,
25 in addition, for necessary retired pay expenses under the

1 Retired Serviceman's Family Protection and Survivor
2 Benefits Plan, and for payments for the medical care of
3 retired personnel and their dependents under the Depend-
4 ents' Medical Care Act (10 U.S.C. ch. 55), such sums as
5 may be necessary.

6 PROCUREMENT, ACQUISITION AND CONSTRUCTION

7 (INCLUDING TRANSFER OF FUNDS)

8 For procurement, acquisition and construction of
9 capital assets, including alteration and modification costs,
10 of the National Oceanic and Atmospheric Administration,
11 \$1,524,360,000, to remain available until September 30,
12 2023, except that funds provided for acquisition and con-
13 struction of vessels and construction of facilities shall re-
14 main available until expended: *Provided*, That of the
15 \$1,537,360,000 provided for in direct obligations under
16 this heading, \$1,524,360,000 is appropriated from the
17 general fund and \$13,000,000 is provided from recoveries
18 of prior year obligations: *Provided further*, That any devi-
19 ation from the amounts designated for specific activities
20 in the report accompanying this Act or any use of
21 deobligated balances of funds provided under this heading
22 in previous years, shall be subject to the procedures set
23 forth in section 505 of this Act: *Provided further*, That
24 the Secretary of Commerce shall include in budget jus-
25 tification materials that the Secretary submits to Congress

1 in support of the Department of Commerce budget (as
2 submitted with the budget of the President under section
3 1105(a) of title 31, United States Code) an estimate for
4 each National Oceanic and Atmospheric Administration
5 procurement, acquisition or construction project having a
6 total of more than \$5,000,000 and simultaneously the
7 budget justification shall include an estimate of the budg-
8 etary requirements for each such project for each of the
9 5 subsequent fiscal years: *Provided further*, That, within
10 the amounts appropriated, \$1,302,000 shall be transferred
11 to the “Office of Inspector General” account for activities
12 associated with carrying out investigations and audits re-
13 lated to satellite procurement, acquisition and construc-
14 tion.

15 PACIFIC COASTAL SALMON RECOVERY

16 For necessary expenses associated with the restora-
17 tion of Pacific salmon populations, \$65,000,000, to re-
18 main available until September 30, 2022: *Provided*, That,
19 of the funds provided herein, the Secretary of Commerce
20 may issue grants to the States of Washington, Oregon,
21 Idaho, Nevada, California, and Alaska, and to the Feder-
22 ally recognized tribes of the Columbia River and Pacific
23 Coast (including Alaska), for projects necessary for con-
24 servation of salmon and steelhead populations that are
25 listed as threatened or endangered, or that are identified

1 by a State as at-risk to be so listed, for maintaining popu-
2 lations necessary for exercise of tribal treaty fishing rights
3 or native subsistence fishing, or for conservation of Pacific
4 coastal salmon and steelhead habitat, based on guidelines
5 to be developed by the Secretary of Commerce: *Provided*
6 *further*, That all funds shall be allocated based on sci-
7 entific and other merit principles and shall not be available
8 for marketing activities: *Provided further*, That funds dis-
9 bursed to States shall be subject to a matching require-
10 ment of funds or documented in-kind contributions of at
11 least 33 percent of the Federal funds.

12 FISHERMEN'S CONTINGENCY FUND

13 For carrying out the provisions of title IV of Public
14 Law 95-372, not to exceed \$349,000, to be derived from
15 receipts collected pursuant to that Act, to remain available
16 until expended.

17 FISHERY DISASTER ASSISTANCE

18 For salaries and expenses associated with the admin-
19 istration of fishery disaster assistance, \$300,000, to re-
20 main available until September 30, 2022: *Provided*, That
21 funds shall be used for administering the fishery disaster
22 programs authorized by the Magnuson-Stevens Fishery
23 Conservation and Management Act and the Interjurisdic-
24 tional Fisheries Act of 1986.

1 FISHERIES FINANCE PROGRAM ACCOUNT

2 Subject to section 502 of the Congressional Budget
3 Act of 1974, during fiscal year 2021, obligations of direct
4 loans may not exceed \$24,000,000 for Individual Fishing
5 Quota loans and not to exceed \$100,000,000 for tradi-
6 tional direct loans as authorized by the Merchant Marine
7 Act of 1936.

8 DEPARTMENTAL MANAGEMENT

9 SALARIES AND EXPENSES

10 For necessary expenses for the management of the
11 Department of Commerce provided for by law, including
12 not to exceed \$4,500 for official reception and representa-
13 tion, \$73,080,000: *Provided*, That no employee of the De-
14 partment of Commerce may be detailed or assigned from
15 a bureau or office funded by this Act or any other Act
16 to offices within the Office of the Secretary of the Depart-
17 ment of Commerce for more than 30 days in a fiscal year
18 unless the individual's employing bureau or office is fully
19 reimbursed for the salary and expenses of the employee
20 for the entire period of assignment using funds provided
21 under this heading.

22 RENOVATION AND MODERNIZATION

23 For necessary expenses for the renovation and mod-
24 ernization of the Herbert C. Hoover Building, \$1,123,000.

1 NONRECURRING EXPENSES FUND

2 For necessary expenses for a business application
3 system modernization, \$20,000,000, to remain available
4 until September 30, 2023.

5 OFFICE OF INSPECTOR GENERAL

6 For necessary expenses of the Office of Inspector
7 General in carrying out the provisions of the Inspector
8 General Act of 1978 (5 U.S.C. App.), \$35,520,000: *Pro-*
9 *vided*, That notwithstanding section 6413 of the Middle
10 Class Tax Relief and Job Creation Act of 2012 (Public
11 Law 112–96), an additional \$2,000,000, to remain avail-
12 able until expended, shall be derived from the Public Safe-
13 ty Trust Fund for activities associated with carrying out
14 investigations and audits related to the First Responder
15 Network Authority (FirstNet).

16 GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 101. During the current fiscal year, applicable
19 appropriations and funds made available to the Depart-
20 ment of Commerce by this Act shall be available for the
21 activities specified in the Act of October 26, 1949 (15
22 U.S.C. 1514), to the extent and in the manner prescribed
23 by the Act, and, notwithstanding 31 U.S.C. 3324, may
24 be used for advanced payments not otherwise authorized
25 only upon the certification of officials designated by the

1 Secretary of Commerce that such payments are in the
2 public interest.

3 SEC. 102. During the current fiscal year, appropria-
4 tions made available to the Department of Commerce by
5 this Act for salaries and expenses shall be available for
6 hire of passenger motor vehicles as authorized by 31
7 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C.
8 3109; and uniforms or allowances therefor, as authorized
9 by law (5 U.S.C. 5901–5902).

10 SEC. 103. Not to exceed 5 percent of any appropria-
11 tion made available for the current fiscal year for the De-
12 partment of Commerce in this Act may be transferred be-
13 tween such appropriations, but no such appropriation shall
14 be increased by more than 10 percent by any such trans-
15 fers: *Provided*, That any transfer pursuant to this section
16 shall be treated as a reprogramming of funds under sec-
17 tion 505 of this Act and shall not be available for obliga-
18 tion or expenditure except in compliance with the proce-
19 dures set forth in that section: *Provided further*, That the
20 Secretary of Commerce shall notify the Committees on Ap-
21 propriations at least 15 days in advance of the acquisition
22 or disposal of any capital asset (including land, structures,
23 and equipment) not specifically provided for in this Act
24 or any other law appropriating funds for the Department
25 of Commerce.

1 SEC. 104. The requirements set forth by section 105
2 of the Commerce, Justice, Science, and Related Agencies
3 Appropriations Act, 2012 (Public Law 112–55), as
4 amended by section 105 of title I of division B of Public
5 Law 113–6, are hereby adopted by reference and made
6 applicable with respect to fiscal year 2021: *Provided*, That
7 the life cycle cost for the Joint Polar Satellite System is
8 \$11,322,125,000 and the life cycle cost for the Geo-
9 stationary Operational Environmental Satellite R-Series
10 Program is \$10,828,059,000.

11 SEC. 105. Notwithstanding any other provision of
12 law, the Secretary may furnish services (including but not
13 limited to utilities, telecommunications, and security serv-
14 ices) necessary to support the operation, maintenance, and
15 improvement of space that persons, firms, or organizations
16 are authorized, pursuant to the Public Buildings Coopera-
17 tive Use Act of 1976 or other authority, to use or occupy
18 in the Herbert C. Hoover Building, Washington, DC, or
19 other buildings, the maintenance, operation, and protec-
20 tion of which has been delegated to the Secretary from
21 the Administrator of General Services pursuant to the
22 Federal Property and Administrative Services Act of 1949
23 on a reimbursable or non-reimbursable basis. Amounts re-
24 ceived as reimbursement for services provided under this
25 section or the authority under which the use or occupancy

1 of the space is authorized, up to \$200,000, shall be cred-
2 ited to the appropriation or fund which initially bears the
3 costs of such services.

4 SEC. 106. Nothing in this title shall be construed to
5 prevent a grant recipient from deterring child pornog-
6 raphy, copyright infringement, or any other unlawful ac-
7 tivity over its networks.

8 SEC. 107. The Administrator of the National Oceanic
9 and Atmospheric Administration is authorized to use, with
10 their consent, with reimbursement and subject to the lim-
11 its of available appropriations, the land, services, equip-
12 ment, personnel, and facilities of any department, agency,
13 or instrumentality of the United States, or of any State,
14 local government, Indian tribal government, Territory, or
15 possession, or of any political subdivision thereof, or of
16 any foreign government or international organization, for
17 purposes related to carrying out the responsibilities of any
18 statute administered by the National Oceanic and Atmos-
19 pheric Administration.

20 SEC. 108. The National Technical Information Serv-
21 ice shall not charge any customer for a copy of any report
22 or document generated by the Legislative Branch unless
23 the Service has provided information to the customer on
24 how an electronic copy of such report or document may
25 be accessed and downloaded for free online. Should a cus-

1 tomer still require the Service to provide a printed or dig-
2 ital copy of the report or document, the charge shall be
3 limited to recovering the Service’s cost of processing, re-
4 producing, and delivering such report or document.

5 SEC. 109. To carry out the responsibilities of the Na-
6 tional Oceanic and Atmospheric Administration (NOAA),
7 the Administrator of NOAA is authorized to: (1) enter
8 into grants and cooperative agreements with; (2) use on
9 a non-reimbursable basis land, services, equipment, per-
10 sonnel, and facilities provided by; and (3) receive and ex-
11 pend funds made available on a consensual basis from: a
12 Federal agency, State or subdivision thereof, local govern-
13 ment, tribal government, territory, or possession or any
14 subdivisions thereof: *Provided*, That funds received for
15 permitting and related regulatory activities pursuant to
16 this section shall be deposited under the heading “Na-
17 tional Oceanic and Atmospheric Administration—Oper-
18 ations, Research, and Facilities” and shall remain avail-
19 able until September 30, 2023, for such purposes: *Pro-*
20 *vided further*, That all funds within this section and their
21 corresponding uses are subject to section 505 of this Act.

22 SEC. 110. Amounts provided by this Act or by any
23 prior appropriations Act that remain available for obliga-
24 tion, for necessary expenses of the programs of the Eco-
25 nomics and Statistics Administration of the Department

1 of Commerce, including amounts provided for programs
2 of the Bureau of Economic Analysis and the Bureau of
3 the Census, shall be available for expenses of cooperative
4 agreements with appropriate entities, including any Fed-
5 eral, State, or local governmental unit, or institution of
6 higher education, to aid and promote statistical, research,
7 and methodology activities which further the purposes for
8 which such amounts have been made available.

9 This title may be cited as the “Department of Com-
10 merce Appropriations Act, 2021”.

11

TITLE II

12

DEPARTMENT OF JUSTICE

13

GENERAL ADMINISTRATION

14

SALARIES AND EXPENSES

15 For expenses necessary for the administration of the
16 Department of Justice, \$120,041,000, of which not to ex-
17 ceed \$4,000,000 for security and construction of Depart-
18 ment of Justice facilities shall remain available until ex-
19 pended, and of which \$5,000,000 is available only for the
20 purposes of carrying out provisions related to a Task
21 Force on Law Enforcement Oversight established pursu-
22 ant to section 220 of this Act.

1 JUSTICE INFORMATION SHARING TECHNOLOGY
2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses for information sharing tech-
4 nology, including planning, development, deployment and
5 departmental direction, \$33,875,000, to remain available
6 until expended: *Provided*, That the Attorney General may
7 transfer up to \$40,000,000 to this account, from funds
8 available to the Department of Justice for information
9 technology, to remain available until expended, for enter-
10 prise-wide information technology initiatives: *Provided fur-*
11 *ther*, That the transfer authority in the preceding proviso
12 is in addition to any other transfer authority contained
13 in this Act: *Provided further*, That any transfer pursuant
14 to the first proviso shall be treated as a reprogramming
15 under section 505 of this Act and shall not be available
16 for obligation or expenditure except in compliance with the
17 procedures set forth in that section.

18 EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
19 (INCLUDING TRANSFER OF FUNDS)

20 For expenses necessary for the administration of im-
21 migration related activities of the Executive Office for Im-
22 migration Review, \$734,000,000, of which \$4,000,000
23 shall be derived by transfer from the Executive Office for
24 Immigration Review fees deposited in the “Immigration
25 Examinations Fee” account, and of which not less than

1 \$25,000,000 shall be available for services and activities
2 provided by the Legal Orientation Program: Provided,
3 That not to exceed \$35,000,000 of the total amount made
4 available under this heading shall remain available until
5 September 30, 2022.

6 OFFICE OF INSPECTOR GENERAL

7 For necessary expenses of the Office of Inspector
8 General, \$113,985,000, including not to exceed \$10,000
9 to meet unforeseen emergencies of a confidential char-
10 acter: Provided, That not to exceed \$2,000,000 shall re-
11 main available until September 30, 2022.

12 UNITED STATES PAROLE COMMISSION

13 SALARIES AND EXPENSES

14 For necessary expenses of the United States Parole
15 Commission as authorized, \$13,539,000: *Provided*, That,
16 notwithstanding any other provision of law, upon the expi-
17 ration of a term of office of a Commissioner, the Commis-
18 sioner may continue to act until a successor has been ap-
19 pointed.

20 LEGAL ACTIVITIES

21 SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

22 (INCLUDING TRANSFER OF FUNDS)

23 For expenses necessary for the legal activities of the
24 Department of Justice, not otherwise provided for, includ-
25 ing not to exceed \$20,000 for expenses of collecting evi-

1 dence, to be expended under the direction of, and to be
2 accounted for solely under the certificate of, the Attorney
3 General; the administration of pardon and clemency peti-
4 tions; and rent of private or Government-owned space in
5 the District of Columbia, \$969,211,000, of which not to
6 exceed \$20,000,000 for litigation support contracts shall
7 remain available until expended: *Provided*, That of the
8 amount provided for INTERPOL Washington dues pay-
9 ments, not to exceed \$685,000 shall remain available until
10 expended: *Provided further*, That of the total amount ap-
11 propriated, not to exceed \$9,000 shall be available to
12 INTERPOL Washington for official reception and rep-
13 resentation expenses: *Provided further*, That of the total
14 amount appropriated, not to exceed \$9,000 shall be avail-
15 able to the Criminal Division for official reception and rep-
16 resentation expenses: *Provided further*, That \$10,000,000
17 shall be for the Civil Rights Division for additional ex-
18 penses relating to the enforcement of section 210401 of
19 the Violent Crime Control and Law Enforcement Act of
20 1994 (34 U.S.C. 12601), criminal enforcement under sec-
21 tions 241 and 242 of title 18, United States Code, and
22 administrative enforcement by the Department of Justice,
23 including compliance with consent decrees or judgments
24 entered into under such section 210401: *Provided further*,
25 That upon a determination by the Attorney General that

1 emergent circumstances require additional funding for liti-
2 gation activities of the Civil Division, the Attorney General
3 may transfer such amounts to “Salaries and Expenses,
4 General Legal Activities” from available appropriations
5 for the current fiscal year for the Department of Justice,
6 as may be necessary to respond to such circumstances:
7 *Provided further*, That any transfer pursuant to the pre-
8 ceding proviso shall be treated as a reprogramming under
9 section 505 of this Act and shall not be available for obli-
10 gation or expenditure except in compliance with the proce-
11 dures set forth in that section: *Provided further*, That of
12 the amount appropriated, such sums as may be necessary
13 shall be available to the Civil Rights Division for salaries
14 and expenses associated with the election monitoring pro-
15 gram under section 8 of the Voting Rights Act of 1965
16 (52 U.S.C. 10305) and to reimburse the Office of Per-
17 sonnel Management for such salaries and expenses: *Pro-*
18 *vided further*, That of the amounts provided under this
19 heading for the election monitoring program, \$3,390,000
20 shall remain available until expended: *Provided further*,
21 That of the amount appropriated, not less than
22 \$198,744,000 shall be available for the Criminal Division,
23 including related expenses for the Mutual Legal Assist-
24 ance Treaty Program.

1 In addition, for reimbursement of expenses of the De-
2 partment of Justice associated with processing cases
3 under the National Childhood Vaccine Injury Act of 1986,
4 not to exceed \$19,000,000, to be appropriated from the
5 Vaccine Injury Compensation Trust Fund and to remain
6 available until expended.

7 SALARIES AND EXPENSES, ANTITRUST DIVISION

8 For expenses necessary for the enforcement of anti-
9 trust and kindred laws, \$180,274,000, to remain available
10 until expended, of which not to exceed \$2,000 shall be
11 made available for official reception and representation ex-
12 penses: *Provided*, That notwithstanding any other provi-
13 sion of law, fees collected for premerger notification filings
14 under the Hart-Scott-Rodino Antitrust Improvements Act
15 of 1976 (15 U.S.C. 18a), regardless of the year of collec-
16 tion (and estimated to be \$150,000,000 in fiscal year
17 2021), shall be retained and used for necessary expenses
18 in this appropriation, and shall remain available until ex-
19 pended: *Provided further*, That the sum herein appro-
20 priated from the general fund shall be reduced as such
21 offsetting collections are received during fiscal year 2021,
22 so as to result in a final fiscal year 2021 appropriation
23 from the general fund estimated at \$30,274,000.

1 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

2 For necessary expenses of the Offices of the United
3 States Attorneys, including inter-governmental and coop-
4 erative agreements, \$2,347,177,000: *Provided*, That of the
5 total amount appropriated, not to exceed \$7,200 shall be
6 available for official reception and representation ex-
7 penses: *Provided further*, That \$10,000,000 shall be for
8 additional expenses relating to the enforcement of section
9 210401 of the Violent Crime Control and Law Enforce-
10 ment Act of 1994 (34 U.S.C. 12601), criminal enforce-
11 ment under sections 241 and 242 of title 18, United
12 States Code, and administrative enforcement by the De-
13 partment of Justice, including compliance with consent de-
14 crees or judgments entered into under such section
15 210401: *Provided further*, That not to exceed \$25,000,000
16 shall remain available until expended: *Provided further*,
17 That each United States Attorney shall establish or par-
18 ticipate in a task force on human trafficking.

19 UNITED STATES TRUSTEE SYSTEM FUND

20 For necessary expenses of the United States Trustee
21 Program, as authorized, \$232,361,000, to remain avail-
22 able until expended: *Provided*, That, notwithstanding any
23 other provision of law, deposits to the United States
24 Trustee System Fund and amounts herein appropriated
25 shall be available in such amounts as may be necessary

1 to pay refunds due depositors: *Provided further*, That, not-
2 withstanding any other provision of law, fees deposited
3 into the Fund pursuant to section 589a(b) of title 28,
4 United States Code (as limited by section 1004(b) of the
5 Bankruptcy Judgeship Act of 2017 (division B of Public
6 Law 115–72)), shall be retained and used for necessary
7 expenses in this appropriation and shall remain available
8 until expended: *Provided further*, That to the extent that
9 fees deposited into the Fund in fiscal year 2021, net of
10 amounts necessary to pay refunds due depositors, exceed
11 \$232,361,000, those excess amounts shall be available in
12 future fiscal years only to the extent provided in advance
13 in appropriations Acts: *Provided further*, That the sum
14 herein appropriated from the general fund shall be re-
15 duced (1) as such fees are received during fiscal year
16 2021, net of amounts necessary to pay refunds due deposi-
17 tors, (estimated at \$318,000,000) and (2) to the extent
18 that any remaining general fund appropriations can be de-
19 rived from amounts deposited in the Fund in previous fis-
20 cal years that are not otherwise appropriated, so as to re-
21 sult in a final fiscal year 2021 appropriation from the gen-
22 eral fund estimated at \$0.

1 SALARIES AND EXPENSES, FOREIGN CLAIMS

2 SETTLEMENT COMMISSION

3 For expenses necessary to carry out the activities of
4 the Foreign Claims Settlement Commission, including
5 services as authorized by section 3109 of title 5, United
6 States Code, \$2,366,000.

7 FEES AND EXPENSES OF WITNESSES

8 For fees and expenses of witnesses, for expenses of
9 contracts for the procurement and supervision of expert
10 witnesses, for private counsel expenses, including ad-
11 vances, and for expenses of foreign counsel, \$270,000,000,
12 to remain available until expended, of which not to exceed
13 \$16,000,000 is for construction of buildings for protected
14 witness safesites; not to exceed \$3,000,000 is for the pur-
15 chase and maintenance of armored and other vehicles for
16 witness security caravans; and not to exceed \$25,000,000
17 is for the purchase, installation, maintenance, and up-
18 grade of secure telecommunications equipment and a se-
19 cure automated information network to store and retrieve
20 the identities and locations of protected witnesses.

21 SALARIES AND EXPENSES, COMMUNITY RELATIONS

22 SERVICE

23 (INCLUDING TRANSFER OF FUNDS)

24 For necessary expenses of the Community Relations
25 Service, \$20,300,000: *Provided*, That upon a determina-

1 tion by the Attorney General that emergent circumstances
2 require additional funding for conflict resolution and vio-
3 lence prevention activities of the Community Relations
4 Service, the Attorney General may transfer such amounts
5 to the Community Relations Service, from available appro-
6 priations for the current fiscal year for the Department
7 of Justice, as may be necessary to respond to such cir-
8 cumstances: *Provided further*, That any transfer pursuant
9 to the preceding proviso shall be treated as a reprogram-
10 ming under section 505 of this Act and shall not be avail-
11 able for obligation or expenditure except in compliance
12 with the procedures set forth in that section.

13 ASSETS FORFEITURE FUND

14 For expenses authorized by subparagraphs (B), (F),
15 and (G) of section 524(c)(1) of title 28, United States
16 Code, \$20,514,000, to be derived from the Department
17 of Justice Assets Forfeiture Fund.

18 UNITED STATES MARSHALS SERVICE

19 SALARIES AND EXPENSES

20 For necessary expenses of the United States Mar-
21 shals Service, \$1,484,184,000, of which not to exceed
22 \$6,000 shall be available for official reception and rep-
23 resentation expenses, and not to exceed \$25,000,000 shall
24 remain available until expended.

1 CONSTRUCTION

2 For construction in space controlled, occupied or uti-
3 lized by the United States Marshals Service for prisoner
4 holding and related support, \$15,000,000, to remain avail-
5 able until expended.

6 FEDERAL PRISONER DETENTION

7 For necessary expenses related to United States pris-
8 oners in the custody of the United States Marshals Service
9 as authorized by section 4013 of title 18, United States
10 Code, \$1,867,461,000, to remain available until expended:
11 *Provided*, That not to exceed \$20,000,000 shall be consid-
12 ered “funds appropriated for State and local law enforce-
13 ment assistance” pursuant to section 4013(b) of title 18,
14 United States Code: *Provided further*, That the United
15 States Marshals Service shall be responsible for managing
16 the Justice Prisoner and Alien Transportation System.

17 NATIONAL SECURITY DIVISION

18 SALARIES AND EXPENSES

19 (INCLUDING TRANSFER OF FUNDS)

20 For expenses necessary to carry out the activities of
21 the National Security Division, \$114,837,000, of which
22 not to exceed \$5,000,000 for information technology sys-
23 tems shall remain available until expended: *Provided*, That
24 upon a determination by the Attorney General that emer-
25 gent circumstances require additional funding for the ac-

1 tivities of the National Security Division, the Attorney
2 General may transfer such amounts to this heading from
3 available appropriations for the current fiscal year for the
4 Department of Justice, as may be necessary to respond
5 to such circumstances: *Provided further*, That any transfer
6 pursuant to the preceding proviso shall be treated as a
7 reprogramming under section 505 of this Act and shall
8 not be available for obligation or expenditure except in
9 compliance with the procedures set forth in that section.

10 INTERAGENCY LAW ENFORCEMENT

11 INTERAGENCY CRIME AND DRUG ENFORCEMENT

12 For necessary expenses for the identification, inves-
13 tigation, and prosecution of individuals associated with the
14 most significant drug trafficking organizations,
15 transnational organized crime, and money laundering or-
16 ganizations not otherwise provided for, to include inter-
17 governmental agreements with State and local law en-
18 forcement agencies engaged in the investigation and pros-
19 ecution of individuals involved in transnational organized
20 crime and drug trafficking, \$565,000,000, of which
21 \$50,000,000 shall remain available until expended: *Pro-*
22 *vided*, That any amounts obligated from appropriations
23 under this heading may be used under authorities avail-
24 able to the organizations reimbursed from this appropria-
25 tion.

1 FEDERAL BUREAU OF INVESTIGATION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Federal Bureau of In-
4 vestigation for detection, investigation, and prosecution of
5 crimes against the United States, \$9,703,348,000, of
6 which not to exceed \$216,900,000 shall remain available
7 until expended: *Provided*, That \$5,000,000 shall be for the
8 Corruption/Civil Rights Section for additional expenses re-
9 lating to the enforcement of section 210401 of the Violent
10 Crime Control and Law Enforcement Act of 1994 (34
11 U.S.C. 12601), criminal enforcement under sections 241
12 and 242 of title 18, United States Code, and administra-
13 tive enforcement by the Department of Justice, including
14 compliance with consent decrees or judgments entered into
15 under such section 210401: *Provided further*, That not to
16 exceed \$284,000 shall be available for official reception
17 and representation expenses.

18 CONSTRUCTION

19 For necessary expenses, to include the cost of equip-
20 ment, furniture, and information technology requirements,
21 related to construction or acquisition of buildings, facili-
22 ties, and sites by purchase, or as otherwise authorized by
23 law; conversion, modification, and extension of federally
24 owned buildings; preliminary planning and design of
25 projects; and operation and maintenance of secure work

1 environment facilities and secure networking capabilities;
2 \$51,895,000, to remain available until expended.

3 DRUG ENFORCEMENT ADMINISTRATION

4 SALARIES AND EXPENSES

5 For necessary expenses of the Drug Enforcement Ad-
6 ministration, including not to exceed \$70,000 to meet un-
7 foreseen emergencies of a confidential character pursuant
8 to section 530C of title 28, United States Code; and ex-
9 penses for conducting drug education and training pro-
10 grams, including travel and related expenses for partici-
11 pants in such programs and the distribution of items of
12 token value that promote the goals of such programs,
13 \$2,331,370,000, of which not to exceed \$75,000,000 shall
14 remain available until expended and not to exceed \$90,000
15 shall be available for official reception and representation
16 expenses: *Provided*, That, notwithstanding section 3672 of
17 Public Law 106–310, up to \$10,000,000 may be used to
18 reimburse States, units of local government, Indian tribal
19 governments, other public entities, and multijurisdictional
20 or regional consortia thereof for expenses incurred to clean
21 up and safely dispose of substances associated with clan-
22 destine methamphetamine laboratories, conversion and ex-
23 traction operations, tableting operations, or laboratories
24 and processing operations for fentanyl and fentanyl-re-

1 lated substances which may present a danger to public
2 health or the environment.

3 BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND
4 EXPLOSIVES

5 SALARIES AND EXPENSES

6 For necessary expenses of the Bureau of Alcohol, To-
7 bacco, Firearms and Explosives, for training of State and
8 local law enforcement agencies with or without reimburse-
9 ment, including training in connection with the training
10 and acquisition of canines for explosives and fire
11 accelerants detection; and for provision of laboratory as-
12 sistance to State and local law enforcement agencies, with
13 or without reimbursement, \$1,550,000,000, of which not
14 to exceed \$36,000 shall be for official reception and rep-
15 resentation expenses, not to exceed \$1,000,000 shall be
16 available for the payment of attorneys' fees as provided
17 by section 924(d)(2) of title 18, United States Code, and
18 not to exceed \$25,000,000 shall remain available until ex-
19 pended: *Provided*, That none of the funds appropriated
20 herein shall be available to investigate or act upon applica-
21 tions for relief from Federal firearms disabilities under
22 section 925(c) of title 18, United States Code: *Provided*
23 *further*, That such funds shall be available to investigate
24 and act upon applications filed by corporations for relief
25 from Federal firearms disabilities under section 925(c) of

1 title 18, United States Code: *Provided further*, That no
2 funds made available by this or any other Act may be used
3 to transfer the functions, missions, or activities of the Bu-
4 reau of Alcohol, Tobacco, Firearms and Explosives to
5 other agencies or Departments.

6 CONSTRUCTION

7 For necessary expenses related to construction of lab-
8 oratory facilities, to include the cost of equipment, fur-
9 niture, and information technology requirements; con-
10 struction or acquisition of buildings, facilities, and sites
11 by purchase, or as otherwise authorized by law; conver-
12 sion, modification and extension of Federally-owned build-
13 ings; and preliminary planning and design of projects;
14 \$5,000,000, to remain available until September 30, 2025.

15 FEDERAL PRISON SYSTEM

16 SALARIES AND EXPENSES

17 (INCLUDING TRANSFER OF FUNDS)

18 For necessary expenses of the Federal Prison System
19 for the administration, operation, and maintenance of
20 Federal penal and correctional institutions, and for the
21 provision of technical assistance and advice on corrections
22 related issues to foreign governments, \$7,770,000,000 of
23 which not less than \$165,000,000 shall be for the pro-
24 grams and activities authorized by the First Step Act of
25 2018 (Public Law 115–391): *Provided*, That the Attorney

1 General may transfer to the Department of Health and
2 Human Services such amounts as may be necessary for
3 direct expenditures by that Department for medical relief
4 for inmates of Federal penal and correctional institutions:
5 *Provided further*, That the Director of the Federal Prison
6 System, where necessary, may enter into contracts with
7 a fiscal agent or fiscal intermediary claims processor to
8 determine the amounts payable to persons who, on behalf
9 of the Federal Prison System, furnish health services to
10 individuals committed to the custody of the Federal Prison
11 System: *Provided further*, That not to exceed \$5,400 shall
12 be available for official reception and representation ex-
13 penses: *Provided further*, That not to exceed \$50,000,000
14 shall remain available until expended for necessary oper-
15 ations: *Provided further*, That, of the amounts provided
16 for contract confinement, not to exceed \$20,000,000 shall
17 remain available until expended to make payments in ad-
18 vance for grants, contracts and reimbursable agreements,
19 and other expenses: *Provided further*, That the Director
20 of the Federal Prison System may accept donated prop-
21 erty and services relating to the operation of the prison
22 card program from a not-for-profit entity which has oper-
23 ated such program in the past, notwithstanding the fact
24 that such not-for-profit entity furnishes services under
25 contracts to the Federal Prison System relating to the op-

1 eration of pre-release services, halfway houses, or other
2 custodial facilities.

3 BUILDINGS AND FACILITIES

4 For planning, acquisition of sites, and construction
5 of new facilities; purchase and acquisition of facilities and
6 remodeling, and equipping of such facilities for penal and
7 correctional use, including all necessary expenses incident
8 thereto, by contract or force account; and constructing,
9 remodeling, and equipping necessary buildings and facili-
10 ties at existing penal and correctional institutions, includ-
11 ing all necessary expenses incident thereto, by contract or
12 force account, \$110,000,000, to remain available until ex-
13 pended: *Provided*, That labor of United States prisoners
14 may be used for work performed under this appropriation.

15 FEDERAL PRISON INDUSTRIES, INCORPORATED

16 The Federal Prison Industries, Incorporated, is here-
17 by authorized to make such expenditures within the limits
18 of funds and borrowing authority available, and in accord
19 with the law, and to make such contracts and commit-
20 ments without regard to fiscal year limitations as provided
21 by section 9104 of title 31, United States Code, as may
22 be necessary in carrying out the program set forth in the
23 budget for the current fiscal year for such corporation.

1 LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL
2 PRISON INDUSTRIES, INCORPORATED

3 Not to exceed \$2,700,000 of the funds of the Federal
4 Prison Industries, Incorporated, shall be available for its
5 administrative expenses, and for services as authorized by
6 section 3109 of title 5, United States Code, to be com-
7 puted on an accrual basis to be determined in accordance
8 with the corporation's current prescribed accounting sys-
9 tem, and such amounts shall be exclusive of depreciation,
10 payment of claims, and expenditures which such account-
11 ing system requires to be capitalized or charged to cost
12 of commodities acquired or produced, including selling and
13 shipping expenses, and expenses in connection with acqui-
14 sition, construction, operation, maintenance, improvement,
15 protection, or disposition of facilities and other property
16 belonging to the corporation or in which it has an interest.

17 STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

18 OFFICE ON VIOLENCE AGAINST WOMEN

19 VIOLENCE AGAINST WOMEN PREVENTION AND

20 PROSECUTION PROGRAMS

21 (INCLUDING TRANSFER OF FUNDS)

22 For grants, contracts, cooperative agreements, and
23 other assistance for the prevention and prosecution of vio-
24 lence against women, as authorized by the Omnibus Crime
25 Control and Safe Streets Act of 1968 (34 U.S.C. 10101

1 et seq.) (“the 1968 Act”); the Violent Crime Control and
2 Law Enforcement Act of 1994 (Public Law 103–322)
3 (“the 1994 Act”); the Victims of Child Abuse Act of 1990
4 (Public Law 101–647) (“the 1990 Act”); the Prosecu-
5 torial Remedies and Other Tools to end the Exploitation
6 of Children Today Act of 2003 (Public Law 108–21); the
7 Juvenile Justice and Delinquency Prevention Act of 1974
8 (34 U.S.C. 11101 et seq.) (“the 1974 Act”); the Victims
9 of Trafficking and Violence Protection Act of 2000 (Public
10 Law 106–386) (“the 2000 Act”); the Violence Against
11 Women and Department of Justice Reauthorization Act
12 of 2005 (Public Law 109–162) (“the 2005 Act”); the Vio-
13 lence Against Women Reauthorization Act of 2013 (Public
14 Law 113–4) (“the 2013 Act”); the Rape Survivor Child
15 Custody Act of 2015 (Public Law 114–22) (“the 2015
16 Act”); and the Abolish Human Trafficking Act (Public
17 Law 115–392); and for related victims services,
18 \$525,000,000, to remain available until expended, of
19 which \$435,000,000 shall be derived by transfer from
20 amounts available for obligation in this Act from the Fund
21 established by section 1402 of chapter XIV of title II of
22 Public Law 98–473 (34 U.S.C. 20101), notwithstanding
23 section 1402(d) of such Act of 1984, and merged with the
24 amounts otherwise made available under this heading:
25 *Provided*, That except as otherwise provided by law, not

1 to exceed 5 percent of funds made available under this
2 heading may be used for expenses related to evaluation,
3 training, and technical assistance: *Provided further*, That
4 of the amount provided—

5 (1) \$223,000,000 is for grants to combat vio-
6 lence against women, as authorized by part T of the
7 1968 Act;

8 (2) \$39,000,000 is for transitional housing as-
9 sistance grants for victims of domestic violence, dat-
10 ing violence, stalking, or sexual assault as authorized
11 by section 40299 of the 1994 Act;

12 (3) \$3,500,000 is for the National Institute of
13 Justice and the Bureau of Justice Statistics for re-
14 search, evaluation, and statistics of violence against
15 women and related issues addressed by grant pro-
16 grams of the Office on Violence Against Women,
17 which shall be transferred to “Research, Evaluation
18 and Statistics” for administration by the Office of
19 Justice Programs;

20 (4) \$12,000,000 is for a grant program to pro-
21 vide services to advocate for and respond to youth
22 victims of domestic violence, dating violence, sexual
23 assault, and stalking; assistance to children and
24 youth exposed to such violence; programs to engage
25 men and youth in preventing such violence; and as-

1 sistance to middle and high school students through
2 education and other services related to such violence:
3 *Provided*, That unobligated balances available for
4 the programs authorized by sections 41201, 41204,
5 41303, and 41305 of the 1994 Act, prior to its
6 amendment by the 2013 Act, shall be available for
7 this program: *Provided further*, That 10 percent of
8 the total amount available for this grant program
9 shall be available for grants under the program au-
10 thorized by section 2015 of the 1968 Act: *Provided*
11 *further*, That the definitions and grant conditions in
12 section 40002 of the 1994 Act shall apply to this
13 program;

14 (5) \$53,000,000 is for grants to encourage ar-
15 rest policies as authorized by part U of the 1968
16 Act, of which \$4,000,000 is for a homicide reduction
17 initiative;

18 (6) \$42,500,000 is for sexual assault victims
19 assistance, as authorized by section 41601 of the
20 1994 Act;

21 (7) \$45,000,000 is for rural domestic violence
22 and child abuse enforcement assistance grants, as
23 authorized by section 40295 of the 1994 Act;

1 (8) \$21,000,000 is for grants to reduce violent
2 crimes against women on campus, as authorized by
3 section 304 of the 2005 Act;

4 (9) \$47,500,000 is for legal assistance for vic-
5 tims, as authorized by section 1201 of the 2000 Act;

6 (10) \$6,000,000 is for enhanced training and
7 services to end violence against and abuse of women
8 in later life, as authorized by section 40801 of the
9 1994 Act;

10 (11) \$17,500,000 is for grants to support fami-
11 lies in the justice system, as authorized by section
12 1301 of the 2000 Act: *Provided*, That unobligated
13 balances available for the programs authorized by
14 section 1301 of the 2000 Act and section 41002 of
15 the 1994 Act, prior to their amendment by the 2013
16 Act, shall be available for this program;

17 (12) \$6,000,000 is for education and training
18 to end violence against and abuse of women with
19 disabilities, as authorized by section 1402 of the
20 2000 Act;

21 (13) \$1,000,000 is for the National Resource
22 Center on Workplace Responses to assist victims of
23 domestic violence, as authorized by section 41501 of
24 the 1994 Act;

1 (14) \$1,000,000 is for analysis and research on
2 violence against Indian women, including as author-
3 ized by section 904 of the 2005 Act: *Provided*, That
4 such funds may be transferred to “Research, Eval-
5 uation and Statistics” for administration by the Of-
6 fice of Justice Programs;

7 (15) \$500,000 is for a national clearinghouse
8 that provides training and technical assistance on
9 issues relating to sexual assault of American Indian
10 and Alaska Native women;

11 (16) \$4,300,000 is for grants to assist tribal
12 governments in exercising special domestic violence
13 criminal jurisdiction, as authorized by section 904 of
14 the 2013 Act: *Provided*, That the grant conditions in
15 section 40002(b) of the 1994 Act shall apply to this
16 program; and

17 (17) \$2,200,000 is for the purposes authorized
18 under the 2015 Act.

19 OFFICE OF JUSTICE PROGRAMS

20 RESEARCH, EVALUATION AND STATISTICS

21 For grants, contracts, cooperative agreements, and
22 other assistance authorized by title I of the Omnibus
23 Crime Control and Safe Streets Act of 1968 (Public Law
24 90–351) (“the 1968 Act”); the Violent Crime Control and
25 Law Enforcement Act of 1994 (Public Law 103–322)

1 (“the 1994 Act”); the Juvenile Justice and Delinquency
2 Prevention Act of 1974 (Public Law 93–415) (“the 1974
3 Act”); the Prosecutorial Remedies and Other Tools to end
4 the Exploitation of Children Today Act of 2003 (Public
5 Law 108–21) (“the PROTECT Act”); the Justice for All
6 Act of 2004 (Public Law 108–405); the Violence Against
7 Women and Department of Justice Reauthorization Act
8 of 2005 (Public Law 109–162) (“the 2005 Act”); the Vic-
9 tims of Child Abuse Act of 1990 (Public Law 101–647);
10 the Second Chance Act of 2007 (Public Law 110–199);
11 the Victims of Crime Act of 1984 (Public Law 98–473);
12 the Adam Walsh Child Protection and Safety Act of 2006
13 (Public Law 109–248) (“the Adam Walsh Act”); the
14 PROTECT Our Children Act of 2008 (Public Law 110–
15 401); subtitle C of title II of the Homeland Security Act
16 of 2002 (Public Law 107–296) (“the 2002 Act”); the
17 Prison Rape Elimination Act of 2003 (Public Law 108–
18 79); the NICS Improvement Amendments Act of 2007
19 (Public Law 110–180); the Violence Against Women Re-
20 authorization Act of 2013 (Public Law 113–4) (“the 2013
21 Act”); the Comprehensive Addiction and Recovery Act of
22 2016 (Public Law 114–198); the First Step Act of 2018
23 (Public Law 115–391); and other programs, \$88,500,000,
24 to remain available until expended, of which—

1 (1) \$45,000,000 is for criminal justice statistics
2 programs, and other activities, as authorized by part
3 C of title I of the 1968 Act; and

4 (2) \$43,500,000 is for research, development,
5 and evaluation programs, and other activities as au-
6 thorized by part B of title I of the 1968 Act and
7 subtitle C of title II of the 2002 Act, and for activi-
8 ties authorized by or consistent with the First Step
9 Act of 2018, of which \$6,000,000 is for research
10 targeted toward developing a better understanding
11 of the domestic radicalization phenomenon, and ad-
12 vancing evidence-based strategies for effective inter-
13 vention and prevention; \$1,500,000 is for research
14 to study the root causes of school violence to include
15 the impact and effectiveness of grants made under
16 the STOP School Violence Act; \$1,500,000 is for a
17 national study to understand the responses of law
18 enforcement to sex trafficking of minors; and
19 \$3,000,000 is for a national center on forensics.

20 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

21 (INCLUDING TRANSFER OF FUNDS)

22 For grants, contracts, cooperative agreements, and
23 other assistance authorized by the Violent Crime Control
24 and Law Enforcement Act of 1994 (Public Law 103–322)
25 (“the 1994 Act”); the Omnibus Crime Control and Safe

1 Streets Act of 1968 (Public Law 90–351) (“the 1968
2 Act”); the Justice for All Act of 2004 (Public Law 108–
3 405); the Victims of Child Abuse Act of 1990 (Public Law
4 101–647) (“the 1990 Act”); the Trafficking Victims Pro-
5 tection Reauthorization Act of 2005 (Public Law 109–
6 164); the Violence Against Women and Department of
7 Justice Reauthorization Act of 2005 (Public Law 109–
8 162) (“the 2005 Act”); the Adam Walsh Child Protection
9 and Safety Act of 2006 (Public Law 109–248) (“the
10 Adam Walsh Act”); the Victims of Trafficking and Vio-
11 lence Protection Act of 2000 (Public Law 106–386); the
12 NICS Improvement Amendments Act of 2007 (Public
13 Law 110–180); subtitle C of title II of the Homeland Se-
14 curity Act of 2002 (Public Law 107–296) (“the 2002
15 Act”); the Prison Rape Elimination Act of 2003 (Public
16 Law 108–79); the Second Chance Act of 2007 (Public
17 Law 110–199); the Prioritizing Resources and Organiza-
18 tion for Intellectual Property Act of 2008 (Public Law
19 110–403); the Victims of Crime Act of 1984 (Public Law
20 98–473); the Mentally Ill Offender Treatment and Crime
21 Reduction Reauthorization and Improvement Act of 2008
22 (Public Law 110–416); the Violence Against Women Re-
23 authorization Act of 2013 (Public Law 113–4) (“the 2013
24 Act”); the Comprehensive Addiction and Recovery Act of
25 2016 (Public Law 114–198) (“CARA”); the Justice for

1 All Reauthorization Act of 2016 (Public Law 114–324);
2 Kevin and Avonte’s Law (division Q of Public Law 115–
3 141) (“Kevin and Avonte’s Law”); the Keep Young Ath-
4 letes Safe Act of 2018 (title III of division S of Public
5 Law 115–141) (“the Keep Young Athletes Safe Act”); the
6 STOP School Violence Act of 2018 (title V of division S
7 of Public Law 115–141) (“the STOP School Violence
8 Act”); the Fix NICS Act of 2018 (title VI of division S
9 of Public Law 115–141); the Project Safe Neighborhoods
10 Grant Program Authorization Act of 2018 (Public Law
11 115–185); the SUPPORT for Patients and Communities
12 Act (Public Law 115–271); the Second Chance Reauthor-
13 ization Act of 2018 (Public Law 115–391); and the Mat-
14 thew Shepard and James Byrd, Jr. Hate Crimes Preven-
15 tion Act (Public Law 111–84); and other programs,
16 \$2,402,000,000, to remain available until expended as fol-
17 lows—

18 (1) \$525,000,000 for the Edward Byrne Memo-
19 rial Justice Assistance Grant program as authorized
20 by subpart 1 of part E of title I of the 1968 Act
21 (except that section 1001(c), and the special rules
22 for Puerto Rico under section 505(g) of title I of the
23 1968 Act shall not apply for purposes of this Act),
24 of which, notwithstanding such subpart 1;
25 \$12,500,000 is for an Officer Robert Wilson III me-

1 memorial initiative on Preventing Violence Against Law
2 Enforcement and Ensuring Officer Resilience and
3 Survivability (VALOR); \$7,500,000 is for an initia-
4 tive to support evidence-based policing; \$8,500,000
5 is for an initiative to enhance prosecutorial decision-
6 making; \$2,400,000 is for the operationalization,
7 maintenance and expansion of the National Missing
8 and Unidentified Persons System; \$3,000,000 is for
9 an academic based training initiative to improve po-
10 lice-based responses to people with mental illness or
11 developmental disabilities; \$3,000,000 is for a stu-
12 dent loan repayment assistance program pursuant to
13 section 952 of Public Law 110–315; \$15,500,000 is
14 for prison rape prevention and prosecution grants to
15 States and units of local government, and other pro-
16 grams, as authorized by the Prison Rape Elimini-
17 nation Act of 2003 (Public Law 108–79);
18 \$3,000,000 is for a grant program authorized by
19 Kevin and Avonte’s Law; \$3,000,000 is for a re-
20 gional law enforcement technology initiative;
21 \$20,000,000 is for grants authorized under the
22 Project Safe Neighborhoods Grant Authorization Act
23 of 2018 (Public Law 115–185); \$2,000,000 is for a
24 grant to provide a drug field testing and training
25 initiative; \$6,500,000 is for the Capital Litigation

1 Improvement Grant Program, as authorized by sec-
2 tion 426 of Public Law 108–405, and for grants for
3 wrongful conviction review; \$3,000,000 is for grants
4 to States and units of local government to deploy
5 managed access systems to combat contraband cell
6 phone use in prison; \$1,500,000 is for a collabo-
7 rative mental health and anti-recidivism initiative;
8 \$3,000,000 is for a program to improve juvenile in-
9 digent defense; \$9,000,000 is for community-based
10 violence prevention initiatives; \$3,500,000 is for a
11 national center for restorative justice; \$2,000,000 is
12 for grants for construction, renovation, or upgrades
13 of child-friendly family visitation spaces in correc-
14 tional facilities; \$5,000,000 is for the development of
15 best practices for and the creation of local task
16 forces on public safety innovation consistent with the
17 requirements as described in section 366 of H.R.
18 7120 as passed by the House of Representatives on
19 June 25, 2020; \$15,000,000 is for technical assist-
20 ance grants to law enforcement agencies, consistent
21 with requirements as described in section 224 of
22 H.R. 7120 as passed by the House of Representa-
23 tives on June 25, 2020, regarding reporting data on
24 the use of force by law enforcement officers;
25 \$5,000,000 is for competitive grants or contracts to

1 law enforcement agencies, for the purpose of devel-
2 oping and implementing data collection programs on
3 hit rates for stops and searches by law enforcement
4 agencies, consistent with requirements as described
5 in subsections (a) and (b) of section 333 of H.R.
6 7120 as passed by the House of Representatives on
7 June 25, 2020; \$7,200,000 is for grants to support
8 State and local law enforcement agencies in com-
9 plying with law enforcement reform efforts as a re-
10 sult of litigation, including consent decrees, out-of-
11 court settlements, memoranda of understanding,
12 findings, technical assistance, and recommendation
13 letters provided by reform authorities; and
14 \$50,000,000 is for training programs for State and
15 local law enforcement officers on racial profiling, im-
16 plicit bias, de-escalation, use of force and a duty to
17 intervene, and procedural justice: *Provided*, That of
18 the grant awards funded from amounts provided
19 herein and not otherwise specified under this para-
20 graph, each applicant shall provide assurance that,
21 for each fiscal year covered by an application, the
22 applicant will use not less than 10 percent of the
23 total amount of the grant award for the fiscal year
24 to develop and implement best practice devices and
25 systems to eliminate racial profiling, including train-

1 ing to prevent racial profiling and to encourage more
2 respectful interaction with the public, the acquisition
3 and use of technology to facilitate the accurate col-
4 lection and analysis of data, the development and ac-
5 quisition of feedback systems and technologies that
6 identify law enforcement agents or units of agents
7 engaged in, or at risk of engaging in, racial profiling
8 or other misconduct, and the establishment and
9 maintenance of an administrative complaint proce-
10 dure or independent auditor program: *Provided fur-*
11 *ther*, That of the grant awards funded from amounts
12 provided herein and not otherwise specified under
13 this paragraph, each applicant shall provide assur-
14 ance that, for each fiscal year covered by an applica-
15 tion, the applicant will use not less than 5 percent
16 of the total amount of the grant award for the fiscal
17 year to assist law enforcement agencies of the appli-
18 cant, including campus public safety departments, to
19 gain or maintain accreditation from certified law en-
20 forcement accreditation organizations, consistent
21 with the requirements as described in section 113 of
22 H.R. 7120 as passed by the House of Representa-
23 tives on June 25, 2020: *Provided further*, That of
24 the grant awards funded from amounts provided
25 herein and not otherwise specified under this para-

1 graph, each applicant shall provide assurance that
2 the applicant will use not less than 5 percent of the
3 total amount of the grant award for the fiscal year
4 to study and implement effective management, train-
5 ing, recruiting, hiring, and oversight standards and
6 programs to promote effective community and prob-
7 lem solving strategies for law enforcement agencies,
8 consistent with the requirements as described in sec-
9 tion 114 of H.R. 7120 as passed by the House of
10 Representatives on June 25, 2020: *Provided further,*
11 That of the grant awards funded from amounts pro-
12 vided herein and not otherwise specified under this
13 paragraph, each applicant shall provide assurance
14 that, for each fiscal year covered by an application,
15 the applicant will use not less than 5 percent of the
16 total amount of the grant award for the fiscal year
17 to develop policies and procedures in compliance
18 with section 382 of H.R. 7120 as passed by the
19 House of Representatives on June 25, 2020: *Pro-*
20 *vided further,* That for purposes of this paragraph,
21 the term “applicant” means a recipient and a sub-
22 recipient of funds under a program described in this
23 paragraph: *Provided further,* That awards here-
24 under, shall not be subject to restrictions or special
25 conditions that are the same as (or substantially

1 similar to) those, imposed on awards under such
2 subpart in fiscal year 2018, that forbid interference
3 with Federal law enforcement;

4 (2) \$251,500,000 for the State Criminal Alien
5 Assistance Program, as authorized by section
6 241(i)(5) of the Immigration and Nationality Act (8
7 U.S.C. 1231(i)(5)): *Provided*, That no jurisdiction
8 shall request compensation for any cost greater than
9 the actual cost for Federal immigration and other
10 detainees housed in State and local detention facili-
11 ties;

12 (3) \$95,000,000 for victim services programs
13 for victims of trafficking, as authorized by section
14 107(b)(2) of Public Law 106–386, for programs au-
15 thORIZED under Public Law 109–164, or programs
16 authorized under Public Law 113–4;

17 (4) \$14,500,000 for economic, high technology,
18 white collar, and Internet crime prevention grants,
19 including as authorized by section 401 of Public
20 Law 110–403, of which \$2,500,000 is for competi-
21 tive grants that help State and local law enforce-
22 ment tackle intellectual property thefts, and
23 \$2,000,000 for a competitive grant program for
24 training students in computer forensics and digital
25 investigation;

1 (5) \$20,500,000 for sex offender management
2 assistance, as authorized by the Adam Walsh Act,
3 and related activities;

4 (6) \$29,000,000 for the Patrick Leahy Bullet-
5 proof Vest Partnership Grant Program, as author-
6 ized by section 2501 of title I of the 1968 Act: *Pro-*
7 *vided*, That \$1,500,000 is transferred directly to the
8 National Institute of Standards and Technology's
9 Office of Law Enforcement Standards for research,
10 testing and evaluation programs;

11 (7) \$1,000,000 for the National Sex Offender
12 Public Website;

13 (8) \$88,000,000 for grants to States to up-
14 grade criminal and mental health records for the
15 National Instant Criminal Background Check Sys-
16 tem, of which no less than \$25,000,000 shall be for
17 grants made under the authorities of the NICS Im-
18 provement Amendments Act of 2007 (Public Law
19 110–180) and Fix NICS Act of 2018;

20 (9) \$30,500,000 for Paul Coverdell Forensic
21 Sciences Improvement Grants under part BB of title
22 I of the 1968 Act;

23 (10) \$142,000,000 for DNA-related and foren-
24 sic programs and activities, of which—

1 (A) \$108,000,000 is for the purposes au-
2 thorized under section 2 of the DNA Analysis
3 Backlog Elimination Act of 2000 (Public Law
4 106–546) (the Debbie Smith DNA Backlog
5 Grant Program): *Provided*, That up to 4 per-
6 cent of funds made available under this para-
7 graph may be used for the purposes described
8 in the DNA Training and Education for Law
9 Enforcement, Correctional Personnel, and
10 Court Officers program (Public Law 108–405,
11 section 303);

12 (B) \$19,000,000 is for other local, State,
13 and Federal forensic activities;

14 (C) \$9,000,000 is for the purposes de-
15 scribed in the Kirk Bloodsworth Post-Convic-
16 tion DNA Testing Grant Program (Public Law
17 108–405, section 412); and

18 (D) \$6,000,000 is for Sexual Assault Fo-
19 rensic Exam Program grants, including as au-
20 thorized by section 304 of Public Law 108–405;

21 (11) \$49,000,000 for a grant program for com-
22 munity-based sexual assault response reform;

23 (12) \$12,500,000 for the court-appointed spe-
24 cial advocate program, as authorized by section 217
25 of the 1990 Act;

1 (13) \$39,500,000 for assistance to Indian
2 tribes;

3 (14) \$100,000,000 for offender reentry pro-
4 grams and research, as authorized by the Second
5 Chance Act of 2007 (Public Law 110–199) and by
6 the Second Chance Reauthorization Act of 2018
7 (Public Law 115–391), without regard to the time
8 limitations specified at section 6(1) of such Act, of
9 which not to exceed \$6,000,000 is for a program to
10 improve State, local, and tribal probation or parole
11 supervision efforts and strategies, \$5,000,000 is for
12 Children of Incarcerated Parents Demonstrations to
13 enhance and maintain parental and family relation-
14 ships for incarcerated parents as a reentry or recidi-
15 vism reduction strategy, and \$4,500,000 is for addi-
16 tional replication sites employing the Project HOPE
17 Opportunity Probation with Enforcement model im-
18 plementing swift and certain sanctions in probation,
19 and for a research project on the effectiveness of the
20 model: *Provided*, That up to \$7,500,000 of funds
21 made available in this paragraph may be used for
22 performance-based awards for Pay for Success
23 projects, of which up to \$5,000,000 shall be for Pay
24 for Success programs implementing the Permanent
25 Supportive Housing Model;

1 (15) \$77,500,000 for initiatives to improve po-
2 lice-community relations, of which \$27,500,000 is
3 for a competitive matching grant program for pur-
4 chases of body-worn cameras for State, local and
5 Tribal law enforcement, \$30,000,000 is for a justice
6 reinvestment initiative, for activities related to crimi-
7 nal justice reform and recidivism reduction, and
8 \$20,000,000 is for an Edward Byrne Memorial
9 criminal justice innovation program;

10 (16) \$412,000,000 for comprehensive opioid
11 abuse reduction activities, including as authorized by
12 CARA, and for the following programs, which shall
13 address opioid, stimulant, and substance abuse re-
14 duction consistent with underlying program authori-
15 ties—

16 (A) \$85,000,000 for Drug Courts, as au-
17 thorized by section 1001(a)(25)(A) of title I of
18 the 1968 Act;

19 (B) \$43,000,000 for mental health courts
20 and adult and juvenile collaboration program
21 grants, as authorized by parts V and HH of
22 title I of the 1968 Act, and the Mentally Ill Of-
23 fender Treatment and Crime Reduction Reau-
24 thorization and Improvement Act of 2008 (Pub-
25 lic Law 110–416);

1 (C) \$35,000,000 for grants for Residential
2 Substance Abuse Treatment for State Pris-
3 oners, as authorized by part S of title I of the
4 1968 Act;

5 (D) \$30,000,000 for a veterans treatment
6 courts program;

7 (E) \$31,000,000 for a program to monitor
8 prescription drugs and scheduled listed chemical
9 products; and

10 (F) \$188,000,000 for a comprehensive
11 opioid, stimulant, and substance abuse pro-
12 gram;

13 (17) \$2,500,000 for a competitive grant pro-
14 gram authorized by the Keep Young Athletes Safe
15 Act;

16 (18) \$87,000,000 for grants to be administered
17 by the Bureau of Justice Assistance for purposes au-
18 thorized under the STOP School Violence Act;

19 (19) \$2,000,000 for grants to state and local
20 law enforcement agencies for the expenses associated
21 with the investigation and prosecution of criminal of-
22 fenses, involving civil rights, authorized by the Em-
23 mett Till Unsolved Civil Rights Crimes Reauthoriza-
24 tion Act of 2016 (Public Law 114–325);

1 (20) \$8,000,000 for grants to State, local, and
2 tribal law enforcement agencies to conduct edu-
3 cational outreach and training on hate crimes and to
4 investigate and prosecute hate crimes, as authorized
5 by section 4704 of the Matthew Shepard and James
6 Byrd, Jr. Hate Crimes Prevention Act (Public Law
7 111–84);

8 (21) \$15,000,000 for a competitive grant pilot
9 program for qualified nonprofit organizations to pro-
10 vide legal representation to immigrants arriving at
11 the southwest border seeking asylum and other
12 forms of legal protection in the United States; and

13 (22) \$400,000,000 for Law Enforcement Ac-
14 countability Grants, of which—

15 (A) \$350,000,000 is for grants to hold law
16 enforcement accountable in the courts: *Pro-*
17 *vided*, That of the amounts provided under this
18 paragraph, \$100,000,000 shall be for grants to
19 assist States in conducting pattern and practice
20 investigations at the State level, consistent with
21 the requirements as described in section 103(b)
22 of H.R. 7120 as passed by the House of Rep-
23 resentatives on June 25, 2020: *Provided fur-*
24 *ther*, That of the amounts provided,
25 \$250,000,000 shall be for grants to States and

1 Tribal Governments to assist in implementing
2 statutes providing for independent investigation
3 of law enforcement officers, consistent with the
4 requirements as described in section 104 of
5 H.R. 7120 as passed by the House of Rep-
6 resentatives on June 25, 2020; and

7 (B) \$50,000,000 is for Law Enforcement
8 Trust and Integrity Grant Programs: *Provided*,
9 That of the amounts provided under this sub-
10 paragraph—

11 (i) \$25,000,000 shall be for grants to
12 allow community-based organizations to
13 study management and operations stand-
14 ards for law enforcement agencies, con-
15 sistent with the requirements as described
16 in subsections (b) and (c) of section 114 of
17 H.R. 7120 as passed by the House of Rep-
18 resentatives on June 25, 2020; and

19 (ii) \$25,000,000 shall be for grants to
20 develop pilot programs and implement ef-
21 fective standards and programs, consistent
22 with the requirements as described in sub-
23 sections (c) and (d) of section 114 of H.R.
24 7120 as passed by the House of Represent-
25 atives on June 25, 2020.

1 JUVENILE JUSTICE PROGRAMS

2 For grants, contracts, cooperative agreements, and
3 other assistance authorized by the Juvenile Justice and
4 Delinquency Prevention Act of 1974 (“the 1974 Act”); the
5 Omnibus Crime Control and Safe Streets Act of 1968
6 (“the 1968 Act”); the Violence Against Women and De-
7 partment of Justice Reauthorization Act of 2005 (Public
8 Law 109–162) (“the 2005 Act”); the Missing Children’s
9 Assistance Act (34 U.S.C. 11291 et seq.); the Prosecu-
10 torial Remedies and Other Tools to end the Exploitation
11 of Children Today Act of 2003 (Public Law 108–21); the
12 Victims of Child Abuse Act of 1990 (Public Law 101–
13 647) (“the 1990 Act”); the Adam Walsh Child Protection
14 and Safety Act of 2006 (Public Law 109–248) (“the
15 Adam Walsh Act”); the PROTECT Our Children Act of
16 2008 (Public Law 110–401); the Violence Against Women
17 Reauthorization Act of 2013 (Public Law 113–4) (“the
18 2013 Act”); the Justice for All Reauthorization Act of
19 2016 (Public Law 114–324); the Juvenile Justice Reform
20 Act of 2018 (Public Law 115–385); and other juvenile jus-
21 tice programs, \$337,000,000, to remain available until ex-
22 pended as follows—

23 (1) \$65,000,000 for programs authorized by
24 section 221 of the 1974 Act, and for training and
25 technical assistance to assist small, nonprofit organi-

1 zations with the Federal grants process: *Provided*,
2 That of the amounts provided under this paragraph,
3 \$500,000 shall be for a competitive demonstration
4 grant program to support emergency planning
5 among State, local and tribal juvenile justice resi-
6 dential facilities;

7 (2) \$100,000,000 for youth mentoring grants;

8 (3) \$44,000,000 for delinquency prevention, of
9 which, pursuant to sections 261 and 262 of the
10 1974 Act—

11 (A) \$3,000,000 shall be for grants to pre-
12 vent trafficking of girls;

13 (B) \$5,000,000 shall be for the Tribal
14 Youth Program;

15 (C) \$500,000 shall be for an Internet site
16 providing information and resources on children
17 of incarcerated parents;

18 (D) \$2,000,000 shall be for competitive
19 grants focusing on girls in the juvenile justice
20 system;

21 (E) \$10,000,000 shall be for an opioid-af-
22 fected youth initiative; and

23 (F) \$8,000,000 shall be for an initiative
24 relating to children exposed to violence;

1 (4) \$28,500,000 for programs authorized by
2 the Victims of Child Abuse Act of 1990;

3 (5) \$94,500,000 for missing and exploited chil-
4 dren programs, including as authorized by sections
5 404(b) and 405(a) of the 1974 Act (except that sec-
6 tion 102(b)(4)(B) of the PROTECT Our Children
7 Act of 2008 (Public Law 110–401) shall not apply
8 for purposes of this Act); and

9 (6) \$5,000,000 for child abuse training pro-
10 grams for judicial personnel and practitioners, as
11 authorized by section 222 of the 1990 Act:

12 *Provided*, That not more than 10 percent of each amount
13 may be used for research, evaluation, and statistics activi-
14 ties designed to benefit the programs or activities author-
15 ized: *Provided further*, That not more than 2 percent of
16 the amounts designated under paragraphs (1) through (3)
17 and (6) may be used for training and technical assistance:
18 *Provided further*, That the two preceding provisos shall not
19 apply to grants and projects administered pursuant to sec-
20 tions 261 and 262 of the 1974 Act and to missing and
21 exploited children programs.

22 PUBLIC SAFETY OFFICER BENEFITS
23 (INCLUDING TRANSFER OF FUNDS)

24 For payments and expenses authorized under section
25 1001(a)(4) of title I of the Omnibus Crime Control and

1 Safe Streets Act of 1968, such sums as are necessary (in-
2 cluding amounts for administrative costs), to remain avail-
3 able until expended; and \$24,800,000 for payments au-
4 thorized by section 1201(b) of such Act and for edu-
5 cational assistance authorized by section 1218 of such Act,
6 to remain available until expended: *Provided*, That upon
7 a determination by the Attorney General that emergent
8 circumstances require additional funding for such dis-
9 ability and education payments, the Attorney General may
10 transfer such amounts to “Public Safety Officer Benefits”
11 from available appropriations for the Department of Jus-
12 tice as may be necessary to respond to such circumstances:
13 *Provided further*, That any transfer pursuant to the pre-
14 ceding proviso shall be treated as a reprogramming under
15 section 505 of this Act and shall not be available for obli-
16 gation or expenditure except in compliance with the proce-
17 dures set forth in that section.

18 COMMUNITY ORIENTED POLICING SERVICES

19 COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

20 (INCLUDING TRANSFER OF FUNDS)

21 For activities authorized by the Violent Crime Con-
22 trol and Law Enforcement Act of 1994 (Public Law 103–
23 322); the Omnibus Crime Control and Safe Streets Act
24 of 1968 (“the 1968 Act”); the Violence Against Women
25 and Department of Justice Reauthorization Act of 2005

1 (Public Law 109–162) (“the 2005 Act”); the American
2 Law Enforcement Heroes Act of 2017 (Public Law 115–
3 37); and the SUPPORT for Patients and Communities
4 Act (Public Law 115–271), \$343,000,000, to remain
5 available until expended: *Provided*, That any balances
6 made available through prior year deobligations shall only
7 be available in accordance with section 505 of this Act:
8 *Provided further*, That of the amount provided under this
9 heading—

10 (1) \$231,000,000 is for grants under section
11 1701 of title I of the 1968 Act (34 U.S.C. 10381)
12 for the hiring and rehiring of additional career law
13 enforcement officers under part Q of such title not-
14 withstanding subsection (i) of such section: *Pro-*
15 *vided*, That, notwithstanding section 1704(c) of such
16 title (34 U.S.C. 10384(c)), funding for hiring or re-
17 hiring a career law enforcement officer may not ex-
18 ceed \$125,000 unless the Director of the Office of
19 Community Oriented Policing Services grants a
20 waiver from this limitation: *Provided further*, That
21 within the amounts appropriated under this para-
22 graph, \$27,000,000 is for improving tribal law en-
23 forcement, including hiring, equipment, training,
24 anti-methamphetamine activities, and anti-opioid ac-
25 tivities: *Provided further*, That of the amounts ap-

1 appropriated under this paragraph, \$6,500,000 is for
2 community policing development activities in fur-
3 therance of the purposes in section 1701: *Provided*
4 *further*, That of the amounts appropriated under
5 this paragraph \$40,000,000 is for regional informa-
6 tion sharing activities, as authorized by part M of
7 title I of the 1968 Act, which shall be transferred
8 to and merged with “Research, Evaluation, and Sta-
9 tistics” for administration by the Office of Justice
10 Programs: *Provided further*, That within the
11 amounts appropriated under this paragraph, no less
12 than \$3,000,000 is to support the Tribal Access
13 Program: *Provided further*, That within the amounts
14 appropriated under this paragraph, \$5,000,000 is
15 for training, peer mentoring, and mental health pro-
16 gram activities as authorized under the Law En-
17 forcement Mental Health and Wellness Act (Public
18 Law 115–113): *Provided further*, That within the
19 amount appropriated under this paragraph, no less
20 than \$4,000,000 is for grant programs to develop
21 best practices for, and to create, civilian review
22 boards, consistent with the requirements as de-
23 scribed in section 104(b) of H.R. 7120 as passed by
24 in the House of Representatives on June 25, 2020.

1 (2) \$11,000,000 is for activities authorized by
2 the POLICE Act of 2016 (Public Law 114–199);

3 (3) \$13,000,000 is for competitive grants to
4 State law enforcement agencies in States with high
5 seizures of precursor chemicals, finished meth-
6 amphetamine, laboratories, and laboratory dump sei-
7 zures: *Provided*, That funds appropriated under this
8 paragraph shall be utilized for investigative purposes
9 to locate or investigate illicit activities, including
10 precursor diversion, laboratories, or methamphet-
11 amine traffickers;

12 (4) \$35,000,000 is for competitive grants to
13 statewide law enforcement agencies in States with
14 high rates of primary treatment admissions for her-
15 oin and other opioids: *Provided*, That these funds
16 shall be utilized for investigative purposes to locate
17 or investigate illicit activities, including activities re-
18 lated to the distribution of heroin or unlawful dis-
19 tribution of prescription opioids, or unlawful heroin
20 and prescription opioid traffickers through statewide
21 collaboration; and

22 (5) \$53,000,000 is for competitive grants to be
23 administered by the Community Oriented Policing
24 Services Office for purposes authorized under the

1 STOP School Violence Act (title V of division S of
2 Public Law 115–141).

3 GENERAL PROVISIONS—DEPARTMENT OF JUSTICE
4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 201. None of the funds appropriated by this
6 title shall be available to pay for an abortion, except where
7 the life of the mother would be endangered if the fetus
8 were carried to term, or in the case of rape or incest: *Pro-*
9 *vided*, That should this prohibition be declared unconstitu-
10 tional by a court of competent jurisdiction, this section
11 shall be null and void.

12 SEC. 202. None of the funds appropriated under this
13 title shall be used to require any person to perform, or
14 facilitate in any way the performance of, any abortion.

15 SEC. 203. Nothing in the preceding section shall re-
16 move the obligation of the Director of the Bureau of Pris-
17 ons to provide escort services necessary for a female in-
18 mate to receive such service outside the Federal facility:
19 *Provided*, That nothing in this section in any way dimin-
20 ishes the effect of section 202 intended to address the phil-
21 osophical beliefs of individual employees of the Bureau of
22 Prisons.

23 SEC. 204. None of the funds made available under
24 this title may be used by the Federal Bureau of Prisons
25 or the United States Marshals Service for the purpose of

1 transporting an individual who is a prisoner pursuant to
2 conviction for crime under State or Federal law and is
3 classified as a maximum or high security prisoner, other
4 than to a prison or other facility certified by the Federal
5 Bureau of Prisons as appropriately secure for housing
6 such a prisoner.

7 SEC. 205. (a) None of the funds appropriated by this
8 Act may be used by Federal prisons to purchase cable tele-
9 vision services, or to rent or purchase audiovisual or elec-
10 tronic media or equipment used primarily for recreational
11 purposes.

12 (b) Subsection (a) does not preclude the rental, main-
13 tenance, or purchase of audiovisual or electronic media or
14 equipment for inmate training, religious, or educational
15 programs.

16 SEC. 206. None of the funds made available under
17 this title shall be obligated or expended for any new or
18 enhanced information technology program having total es-
19 timated development costs in excess of \$100,000,000, un-
20 less the Deputy Attorney General and the investment re-
21 view board certify to the Committees on Appropriations
22 of the House of Representatives and the Senate that the
23 information technology program has appropriate program
24 management controls and contractor oversight mecha-

1 nisms in place, and that the program is compatible with
2 the enterprise architecture of the Department of Justice.

3 SEC. 207. The notification thresholds and procedures
4 set forth in section 505 of this Act shall apply to devi-
5 ations from the amounts designated for specific activities
6 in this Act and in the report accompanying this Act, and
7 to any use of deobligated balances of funds provided under
8 this title in previous years.

9 SEC. 208. None of the funds appropriated by this Act
10 may be used to plan for, begin, continue, finish, process,
11 or approve a public-private competition under the Office
12 of Management and Budget Circular A-76 or any suc-
13 cessor administrative regulation, directive, or policy for
14 work performed by employees of the Bureau of Prisons
15 or of Federal Prison Industries, Incorporated.

16 SEC. 209. Notwithstanding any other provision of
17 law, no funds shall be available for the salary, benefits,
18 or expenses of any United States Attorney assigned dual
19 or additional responsibilities by the Attorney General or
20 his designee that exempt that United States Attorney
21 from the residency requirements of section 545 of title 28,
22 United States Code.

23 SEC. 210. At the discretion of the Attorney General,
24 and in addition to any amounts that otherwise may be
25 available (or authorized to be made available) by law, with

1 respect to funds appropriated by this title under the head-
2 ings “Research, Evaluation and Statistics”, “State and
3 Local Law Enforcement Assistance”, and “Juvenile Jus-
4 tice Programs”—

5 (1) up to 2 percent of funds made available to
6 the Office of Justice Programs for grant or reim-
7 bursement programs may be used by such Office to
8 provide training and technical assistance; and

9 (2) up to 2 percent of funds made available for
10 grant or reimbursement programs under such head-
11 ings, except for amounts appropriated specifically for
12 research, evaluation, or statistical programs adminis-
13 tered by the National Institute of Justice and the
14 Bureau of Justice Statistics, shall be transferred to
15 and merged with funds provided to the National In-
16 stitute of Justice and the Bureau of Justice Statis-
17 tics, to be used by them for research, evaluation, or
18 statistical purposes, without regard to the authoriza-
19 tions for such grant or reimbursement programs.

20 SEC. 211. Upon request by a grantee for whom the
21 Attorney General has determined there is a fiscal hard-
22 ship, the Attorney General may, with respect to funds ap-
23 propriated in this or any other Act making appropriations
24 for fiscal years 2018 through 2021 for the following pro-
25 grams, waive the following requirements:

1 (1) For the adult and juvenile offender State
2 and local reentry demonstration projects under part
3 FF of title I of the Omnibus Crime Control and
4 Safe Streets Act of 1968 (34 U.S.C. 10631 et seq.),
5 the requirements under section 2976(g)(1) of such
6 part (34 U.S.C. 10631(g)(1)).

7 (2) For grants to protect inmates and safe-
8 guard communities as authorized by section 6 of the
9 Prison Rape Elimination Act of 2003 (34 U.S.C.
10 30305(c)(3)), the requirements of section 6(c)(3) of
11 such Act.

12 SEC. 212. Notwithstanding any other provision of
13 law, section 20109(a) of subtitle A of title II of the Violent
14 Crime Control and Law Enforcement Act of 1994 (34
15 U.S.C. 12109(a)) shall not apply to amounts made avail-
16 able by this or any other Act.

17 SEC. 213. None of the funds made available under
18 this Act, other than for the national instant criminal back-
19 ground check system established under section 103 of the
20 Brady Handgun Violence Prevention Act (34 U.S.C.
21 40901), may be used by a Federal law enforcement officer
22 to facilitate the transfer of an operable firearm to an indi-
23 vidual if the Federal law enforcement officer knows or sus-
24 pects that the individual is an agent of a drug cartel, un-

1 less law enforcement personnel of the United States con-
2 tinuously monitor or control the firearm at all times.

3 SEC. 214. (a) None of the income retained in the De-
4 partment of Justice Working Capital Fund pursuant to
5 title I of Public Law 102–140 (105 Stat. 784; 28 U.S.C.
6 527 note) shall be available for obligation during fiscal
7 year 2021, except up to \$12,000,000 may be obligated for
8 implementation of a unified Department of Justice finan-
9 cial management system.

10 (b) Not to exceed \$30,000,000 of the unobligated bal-
11 ances transferred to the capital account of the Department
12 of Justice Working Capital Fund pursuant to title I of
13 Public Law 102–140 (105 Stat. 784; 28 U.S.C. 527 note)
14 shall be available for obligation in fiscal year 2021, and
15 any use, obligation, transfer or allocation of such funds
16 shall be treated as a reprogramming of funds under sec-
17 tion 505 of this Act.

18 (c) Not to exceed \$10,000,000 of the excess unobli-
19 gated balances available under section 524(c)(8)(E) of
20 title 28, United States Code, shall be available for obliga-
21 tion during fiscal year 2021, and any use, obligation,
22 transfer or allocation of such funds shall be treated as a
23 reprogramming of funds under section 505 of this Act.

24 SEC. 215. Discretionary funds that are made avail-
25 able in this Act for the Office of Justice Programs may

1 be used to participate in Performance Partnership Pilots
2 authorized under such authorities as have been enacted
3 for Performance Partnership Pilots in appropriations acts
4 in prior fiscal years and the current fiscal year.

5 SEC. 216. Notwithstanding section 219 of division B
6 of Public Law 116—93, section 1930(a)(6)(B) of title 28,
7 United States Code, shall be applied for fiscal years 2021
8 and 2022 by substituting “\$300,000,000” for
9 “\$200,000,000”.

10 SEC. 217. None of the funds made available by this
11 Act may be used by the Executive Office for Immigration
12 Review to implement case performance numeric metrics
13 that are linked to performance evaluations for individual
14 immigration judges.

15 SEC. 218. Section 151 of the Foreign Relations Au-
16 thorization Act, Fiscal Years 1990 and 1991 (Public Law
17 101–246; 5 U.S.C. 5928 note), is amended—

18 (a) by striking “or” after “Drug Enforcement Ad-
19 ministration” and inserting “, the”, and

20 (b) by inserting “, or the United States Marshals
21 Service” after “Federal Bureau of Investigation”.

22 SEC. 219. None of the funds made available under
23 this Act for the Edward Byrne Memorial Justice Assist-
24 ance Grant program or Community Oriented Policing
25 Services program may be awarded to a State or unit of

1 local government unless the United States Attorney Gen-
2 eral certifies that the State or unit of local government—

3 (1) maintains adequate policies and procedures
4 designed to eliminate racial profiling in law enforce-
5 ment, and has eliminated any existing practices that
6 permit or encourage racial profiling in law enforce-
7 ment;

8 (2) requires each law enforcement officer in the
9 State or unit of local government to complete train-
10 ing programs on racial profiling, implicit bias, de-es-
11 calation, use of force and a duty to intervene in
12 cases where another law enforcement officer is using
13 excessive force against a civilian, and procedural jus-
14 tice;

15 (3) has in effect a law that prohibits law en-
16 forcement officers in the State or other jurisdiction
17 from using a chokehold or carotid hold, consistent
18 with the requirements as described in section 363 of
19 H.R. 7120 as passed by the House of Representa-
20 tives on June 25, 2020;

21 (4) has in effect a law that prohibits law en-
22 forcement officers in the State or other jurisdiction
23 from using less lethal force, consistent with the re-
24 quirements as described in section 364 of H.R. 7120

1 as passed by the House of Representatives on June
2 25, 2020;

3 (5) has in effect a law that prohibits law en-
4 forcement officers in the State or other jurisdiction
5 from using deadly force, consistent with the require-
6 ments as described in section 364 of H.R. 7120 as
7 passed by the House of Representatives on June 25,
8 2020;

9 (6) has in effect a law that prohibits the
10 issuance of a “no-knock warrant” in a drug case,
11 consistent with the requirements as described in sec-
12 tion 362 of H.R. 7120 as passed by the House of
13 Representatives on June 25, 2020;

14 (7) has provided the United States Attorney
15 General a law enforcement practice report that in-
16 cludes information on the race, ethnicity, age, and
17 gender of the officers and employees of the law en-
18 forcement agency and of members of the public in-
19 volved in—

20 (A) traffic violation stops;

21 (B) pedestrian stops;

22 (C) frisk and body searches;

23 (D) instances where officers or employees
24 of the law enforcement agency used deadly
25 force including—

1 (i) a description of when and where
2 deadly force was used, and whether it re-
3 sulted in death;

4 (ii) a description of deadly force di-
5 rected against an officer or employee and
6 whether it resulted in injury or death; and

7 (iii) the law enforcement agency's jus-
8 tification for use of deadly force, if the
9 agency determines it was justified; and

10 (8) will not make such funds available to a law
11 enforcement agency that has entered into or renewed
12 any contractual arrangement, including a collective
13 bargaining agreement with a labor organization,
14 that—

15 (A) would prevent the Attorney General
16 from seeking or enforcing equitable or declara-
17 tory relief against a law enforcement agency en-
18 gaging in a pattern or practice of unconstitu-
19 tional misconduct; or

20 (B) conflicts with any terms or conditions
21 contained in a consent decree.

22 **SEC. 220. NATIONAL TASK FORCE ON LAW**
23 **ENFORCEMENT OVERSIGHT.**

24 (a) **ESTABLISHMENT.**—There is established with-
25 in the Department of Justice a task force to be known

1 as the Task Force on Law Enforcement Oversight (herein-
2 after in this section referred to as the “Task Force”).

3 (b) COMPOSITION.—The Task Force shall be com-
4 posed of individuals appointed by the Attorney General,
5 who shall appoint not less than one individual from each
6 of the following:

7 (1) The Special Litigation Section of the Civil
8 Rights Division;

9 (2) The Criminal Section of the Civil Rights Di-
10 vision;

11 (3) The Federal Coordination and Compliance
12 Section of the Civil Rights Division;

13 (4) The Employment Litigation Section of the
14 Civil Rights Division;

15 (5) The Disability Rights Section of the Civil
16 Rights Division;

17 (6) The Office of Justice Programs;

18 (7) The Office of Community Oriented Policing
19 Services (COPS);

20 (8) The Corruption/Civil Rights Section of the
21 Federal Bureau of Investigation;

22 (9) The Community Relations Service;

23 (10) The Office of Tribal Justice; and

24 (11) The unit within the Department of Justice
25 assigned as a liaison for civilian review boards.

1 (c) POWERS AND DUTIES.—The Task Force
2 shall consult with professional law enforcement associa-
3 tions, labor organizations, and community-based organiza-
4 tions to coordinate the process of the detection and refer-
5 ral of complaints regarding incidents of alleged law en-
6 forcement misconduct.

7 SEC. 221. None of the funds appropriated by this
8 title shall be made available for any law enforcement agen-
9 cy of any State, unit of local government, or Federally
10 recognized Tribal government unless the Attorney General
11 of the United States has certified that such agency has
12 begun or completed the process of obtaining accreditation
13 from a law enforcement accreditation organization (as de-
14 fined in section 112(2) of H.R. 7120 as passed by the
15 House of Representatives on June 25, 2020) approved by
16 the Attorney General.

17 SEC. 222. None of the funds made available under
18 this Act for the Edward Byrne Memorial Justice Assist-
19 ance Grant program or Community Oriented Policing
20 Services program may be awarded to a State or unit of
21 local government unless the United States Attorney Gen-
22 eral certifies that the State or unit of local government
23 has in effect a law that—

24 (1) makes it a criminal offense for any person
25 acting under color of law of the State or unit of local

1 government to engage in a sexual act with an indi-
2 vidual, including an individual who is under arrest,
3 in detention, or otherwise in the actual custody of
4 any law enforcement officer; and

5 (2) prohibits a person charged with an offense
6 described herein from asserting the consent of the
7 other individual as a defense.

8 In the case of a multi-jurisdictional or regional consortium
9 that would be eligible to receive funds under the Commu-
10 nity Oriented Policing Services grant program, if any
11 member of that consortium is a State or unit of local gov-
12 ernment that does not have in effect a law described in
13 paragraphs (1) and (2), that consortium shall not be eligi-
14 ble to receive such funds.

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

17 TITLE III

18 SCIENCE

19 OFFICE OF SCIENCE AND TECHNOLOGY POLICY

20 For necessary expenses of the Office of Science and
21 Technology Policy, in carrying out the purposes of the Na-
22 tional Science and Technology Policy, Organization, and
23 Priorities Act of 1976 (42 U.S.C. 6601 et seq.), hire of
24 passenger motor vehicles, and services as authorized by
25 section 3109 of title 5, United States Code, not to exceed

1 \$2,250 for official reception and representation expenses,
2 and rental of conference rooms in the District of Colum-
3 bia, \$5,544,000.

4 NATIONAL SPACE COUNCIL

5 For necessary expenses of the National Space Coun-
6 cil, in carrying out the purposes of Title V of Public Law
7 100-685 and Executive Order 13803, hire of passenger
8 motor vehicles, and services as authorized by section 3109
9 of title 5, United States Code, not to exceed \$2,250 for
10 official reception and representation expenses,
11 \$1,965,000: *Provided*, That notwithstanding any other
12 provision of law, the National Space Council may accept
13 personnel support from Federal agencies, departments,
14 and offices, and such Federal agencies, departments, and
15 offices may detail staff without reimbursement to the Na-
16 tional Space Council for purposes provided herein.

17 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
18 SCIENCE

19 For necessary expenses, not otherwise provided for,
20 in the conduct and support of science research and devel-
21 opment activities, including research, development, oper-
22 ations, support, and services; maintenance and repair, fa-
23 cility planning and design; space flight, spacecraft control,
24 and communications activities; program management; per-
25 sonnel and related costs, including uniforms or allowances

1 therefor, as authorized by sections 5901 and 5902 of title
2 5, United States Code; travel expenses; purchase and hire
3 of passenger motor vehicles; and purchase, lease, charter,
4 maintenance, and operation of mission and administrative
5 aircraft, \$7,097,500,000, to remain available until Sep-
6 tember 30, 2022: *Provided*, That, \$2,021,800,000 shall be
7 for Earth Science; \$2,713,400,000 shall be for Planetary
8 Science; \$1,306,200,000 shall be for Astrophysics;
9 \$423,000,000 shall be for the James Webb Space Tele-
10 scope; and \$633,100,000 shall be for Heliophysics: *Pro-*
11 *vided further*, That of the amounts provided,
12 \$403,500,000 is for an orbiter to meet the science goals
13 for the Jupiter Europa mission as recommended in pre-
14 vious Planetary Science Decadal surveys: *Provided further*,
15 That the National Aeronautics and Space Administration
16 shall use the Space Launch System, if available, as the
17 launch vehicles for the Jupiter Europa missions, plan for
18 an orbiter launch no later than 2025 and a lander launch
19 no later than 2027, and include in the fiscal year 2022
20 budget the 5-year funding profile necessary to achieve
21 these goals.

22 AERONAUTICS

23 For necessary expenses, not otherwise provided for,
24 in the conduct and support of aeronautics research and
25 development activities, including research, development,

1 operations, support, and services; maintenance and repair,
2 facility planning and design; space flight, spacecraft con-
3 trol, and communications activities; program manage-
4 ment; personnel and related costs, including uniforms or
5 allowances therefor, as authorized by sections 5901 and
6 5902 of title 5, United States Code; travel expenses; pur-
7 chase and hire of passenger motor vehicles; and purchase,
8 lease, charter, maintenance, and operation of mission and
9 administrative aircraft, \$819,000,000, to remain available
10 until September 30, 2022.

11 SPACE TECHNOLOGY

12 For necessary expenses, not otherwise provided for,
13 in the conduct and support of space technology research
14 and development activities, including research, develop-
15 ment, operations, support, and services; maintenance and
16 repair, facility planning and design; space flight, space-
17 craft control, and communications activities; program
18 management; personnel and related costs, including uni-
19 forms or allowances therefor, as authorized by sections
20 5901 and 5902 of title 5, United States Code; travel ex-
21 penses; purchase and hire of passenger motor vehicles; and
22 purchase, lease, charter, maintenance, and operation of
23 mission and administrative aircraft, \$1,100,000,000, to
24 remain available until September 30, 2022: *Provided,*
25 That \$227,000,000 shall be for RESTORE-L/SPace In-

1 frastructure DExterous Robot: *Provided further*, That
2 \$110,000,000 shall be for the development, production
3 and demonstration of a nuclear thermal propulsion sys-
4 tem, of which \$80,000,000 shall be for the design of a
5 flight demonstration system: *Provided further*, That, not
6 later than 180 days after the enactment of this Act, the
7 National Aeronautics and Space Administration shall pro-
8 vide a plan for the design of a flight demonstration.

9 EXPLORATION

10 For necessary expenses, not otherwise provided for,
11 in the conduct and support of exploration research and
12 development activities, including research, development,
13 operations, support, and services; maintenance and repair,
14 facility planning and design; space flight, spacecraft con-
15 trol, and communications activities; program manage-
16 ment; personnel and related costs, including uniforms or
17 allowances therefor, as authorized by sections 5901 and
18 5902 of title 5, United States Code; travel expenses; pur-
19 chase and hire of passenger motor vehicles; and purchase,
20 lease, charter, maintenance, and operation of mission and
21 administrative aircraft, \$6,017,600,000, to remain avail-
22 able until September 30, 2022: *Provided*, That not less
23 than \$1,400,500,000 shall be for the Orion Multi-Purpose
24 Crew Vehicle: *Provided further*, That not less than
25 \$2,600,000,000 shall be for the Space Launch System

1 (SLS) launch vehicle, which shall have a lift capability not
2 less than 130 metric tons and which shall have core ele-
3 ments and an Exploration Upper Stage developed simulta-
4 neously to be used to the maximum extent practicable, in-
5 cluding for Earth to Moon missions and Moon landings:
6 *Provided further*, That of the amounts provided for SLS,
7 not less than \$400,000,000 shall be for SLS Block 1B
8 development including the Exploration Upper Stage and
9 associated systems including related facilitization: *Pro-*
10 *vided further*, That \$459,700,000 shall be for Exploration
11 Ground Systems including infrastructure in support of
12 SLS Block 1B missions: *Provided further*, That the Na-
13 tional Aeronautics and Space Administration shall provide
14 to the Committees on Appropriations of the House of Rep-
15 resentatives and the Senate, concurrent with the annual
16 budget submission, a 5-year budget profile for an inte-
17 grated system that includes the SLS, the Orion Multi-Pur-
18 pose Crew Vehicle, and associated ground systems that
19 will ensure a crewed launch as early as possible, as well
20 as a system-based funding profile for a sustained launch
21 cadence that contemplates the use of an SLS Block 1B
22 cargo variant and associated ground systems: *Provided*
23 *further*, That \$1,557,400,000 shall be for exploration re-
24 search and development.

1 SPACE OPERATIONS

2 For necessary expenses, not otherwise provided for,
3 in the conduct and support of space operations research
4 and development activities, including research, develop-
5 ment, operations, support and services; space flight, space-
6 craft control and communications activities, including op-
7 erations, production, and services; maintenance and re-
8 pair, facility planning and design; program management;
9 personnel and related costs, including uniforms or allow-
10 ances therefor, as authorized by sections 5901 and 5902
11 of title 5, United States Code; travel expenses; purchase
12 and hire of passenger motor vehicles; and purchase, lease,
13 charter, maintenance and operation of mission and admin-
14 istrative aircraft, \$4,052,200,000, to remain available
15 until September 30, 2022.

16 SCIENCE, TECHNOLOGY, ENGINEERING, AND

17 MATHEMATICS ENGAGEMENT

18 For necessary expenses, not otherwise provided for,
19 in the conduct and support of aerospace and aeronautical
20 education research and development activities, including
21 research, development, operations, support, and services;
22 program management; personnel and related costs, includ-
23 ing uniforms or allowances therefor, as authorized by sec-
24 tions 5901 and 5902 of title 5, United States Code; travel
25 expenses; purchase and hire of passenger motor vehicles;

1 and purchase, lease, charter, maintenance, and operation
2 of mission and administrative aircraft, \$126,000,000, to
3 remain available until September 30, 2022, of which
4 \$26,000,000 shall be for the Established Program to
5 Stimulate Competitive Research and \$50,000,000 shall be
6 for the National Space Grant College and Fellowship Pro-
7 gram.

8 SAFETY, SECURITY AND MISSION SERVICES

9 For necessary expenses, not otherwise provided for,
10 in the conduct and support of science, aeronautics, space
11 technology, exploration, space operations and education
12 research and development activities, including research,
13 development, operations, support, and services; mainte-
14 nance and repair, facility planning and design; space
15 flight, spacecraft control, and communications activities;
16 program management; personnel and related costs, includ-
17 ing uniforms or allowances therefor, as authorized by sec-
18 tions 5901 and 5902 of title 5, United States Code; travel
19 expenses; purchase and hire of passenger motor vehicles;
20 not to exceed \$63,000 for official reception and represen-
21 tation expenses; and purchase, lease, charter, mainte-
22 nance, and operation of mission and administrative air-
23 craft, \$2,953,400,000, to remain available until Sep-
24 tember 30, 2022: *Provided*, That if available balances in
25 the “Science, Space, and Technology Education Trust

1 Fund” are not sufficient to provide for the grant disburse-
2 ments required under the third and fourth provisos under
3 such heading in the Department of Housing and Urban
4 Development-Independent Agencies Appropriations Act,
5 1989, (Public Law 100–404), as amended by the Depart-
6 ments of Veterans Affairs and Housing and Urban Devel-
7 opment, and Independent Agencies Appropriations Act,
8 1995, (Public Law 103–327), up to \$1,000,000 shall be
9 available from amounts made available under this heading
10 to make such grant disbursements.

11 CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND
12 RESTORATION

13 For necessary expenses for construction of facilities
14 including repair, rehabilitation, revitalization, and modi-
15 fication of facilities, construction of new facilities and ad-
16 ditions to existing facilities, facility planning and design,
17 and restoration, and acquisition or condemnation of real
18 property, as authorized by law, and environmental compli-
19 ance and restoration, \$419,100,000, to remain available
20 until September 30, 2026: *Provided*, That proceeds from
21 leases deposited into this account shall be available for a
22 period of 5 years to the extent and in amounts as provided
23 in annual appropriations Acts: *Provided further*, That such
24 proceeds referred to in the preceding proviso shall be avail-
25 able for obligation for fiscal year 2021 in an amount not

1 to exceed \$18,700,000: *Provided further*, That each an-
2 nual budget request shall include an annual estimate of
3 gross receipts and collections and proposed use of all funds
4 collected pursuant to section 20145 of title 51, United
5 States Code.

6 OFFICE OF INSPECTOR GENERAL

7 For necessary expenses of the Office of Inspector
8 General in carrying out the Inspector General Act of 1978,
9 \$44,200,000, of which \$500,000 shall remain available
10 until September 30, 2022.

11 ADMINISTRATIVE PROVISIONS

12 (INCLUDING TRANSFERS OF FUNDS)

13 Funds for any announced prize otherwise authorized
14 shall remain available, without fiscal year limitation, until
15 a prize is claimed or the offer is withdrawn.

16 Not to exceed 5 percent of any appropriation made
17 available for the current fiscal year for the National Aero-
18 nautics and Space Administration in this Act may be
19 transferred between such appropriations, but no such ap-
20 propriation, except as otherwise specifically provided, shall
21 be increased by more than 10 percent by any such trans-
22 fers. Any funds transferred to “Construction and Environ-
23 mental Compliance and Restoration” for construction ac-
24 tivities shall not increase that account by more than 20
25 percent. Balances so transferred shall be merged with and

1 available for the same purposes and the same time period
2 as the appropriations to which transferred. Any transfer
3 pursuant to this provision shall be treated as a reprogram-
4 ming of funds under section 505 of this Act and shall not
5 be available for obligation except in compliance with the
6 procedures set forth in that section.

7 Not to exceed 5 percent of any appropriation pro-
8 vided for the National Aeronautics and Space Administra-
9 tion under previous appropriations Acts that remains
10 available for obligation or expenditure in fiscal year 2021
11 may be transferred between such appropriations, but no
12 such appropriation, except as otherwise specifically pro-
13 vided, shall be increased by more than 10 percent by any
14 such transfers. Any transfer pursuant to this provision
15 shall retain its original availability and shall be treated
16 as a reprogramming of funds under section 505 of this
17 Act and shall not be available for obligation except in com-
18 pliance with the procedures set forth in that section.

19 The spending plan required by this Act shall be pro-
20 vided by NASA at the theme, program, project and activ-
21 ity level. The spending plan, as well as any subsequent
22 change of an amount established in that spending plan
23 that meets the notification requirements of section 505 of
24 this Act, shall be treated as a reprogramming under sec-
25 tion 505 of this Act and shall not be available for obliga-

1 tion or expenditure except in compliance with the proce-
2 dures set forth in that section.

3 Not more than 40 percent of the amounts made avail-
4 able in this Act for the Gateway; Advanced Cislunar and
5 Surface Capabilities; Commercial LEO Development;
6 Human Landing System; and Lunar Discovery and Explo-
7 ration, excluding the Lunar Reconnaissance Orbiter, may
8 be obligated until the Administrator submits a multi-year
9 plan to the Committees on Appropriations of the House
10 of Representatives and the Senate that identifies esti-
11 mated dates, by fiscal year, for Space Launch System
12 flights to build the Gateway; the commencement of part-
13 nerships with commercial entities for additional LEO mis-
14 sions to land humans and rovers on the Moon; and con-
15 ducting additional scientific activities on the Moon. The
16 multi-year plan shall include key milestones to be met by
17 fiscal year to achieve goals for each of the lunar programs
18 described in the previous sentence and funding required
19 by fiscal year to achieve such milestones.

20 NATIONAL SCIENCE FOUNDATION

21 RESEARCH AND RELATED ACTIVITIES

22 For necessary expenses in carrying out the National
23 Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.),
24 and Public Law 86–209 (42 U.S.C. 1880 et seq.); services
25 as authorized by section 3109 of title 5, United States

1 Code; maintenance and operation of aircraft and purchase
2 of flight services for research support; acquisition of air-
3 craft; and authorized travel; \$6,967,123,000, to remain
4 available until September 30, 2022, of which not to exceed
5 \$544,000,000 shall remain available until expended for
6 polar research and operations support, and for reimburse-
7 ment to other Federal agencies for operational and science
8 support and logistical and other related activities for the
9 United States Antarctic program: *Provided*, That receipts
10 for scientific support services and materials furnished by
11 the National Research Centers and other National Science
12 Foundation supported research facilities may be credited
13 to this appropriation.

14 MAJOR RESEARCH EQUIPMENT AND FACILITIES

15 CONSTRUCTION

16 For necessary expenses for the acquisition, construc-
17 tion, commissioning, and upgrading of major research
18 equipment, facilities, and other such capital assets pursu-
19 ant to the National Science Foundation Act of 1950 (42
20 U.S.C. 1861 et seq.), including authorized travel,
21 \$243,230,000, to remain available until expended.

22 EDUCATION AND HUMAN RESOURCES

23 For necessary expenses in carrying out science, math-
24 ematics and engineering education and human resources
25 programs and activities pursuant to the National Science

1 Foundation Act of 1950 (42 U.S.C. 1861 et seq.), includ-
2 ing services as authorized by section 3109 of title 5,
3 United States Code, authorized travel, and rental of con-
4 ference rooms in the District of Columbia, \$970,000,000,
5 to remain available until September 30, 2022.

6 AGENCY OPERATIONS AND AWARD MANAGEMENT

7 For agency operations and award management nec-
8 essary in carrying out the National Science Foundation
9 Act of 1950 (42 U.S.C. 1861 et seq.); services authorized
10 by section 3109 of title 5, United States Code; hire of pas-
11 senger motor vehicles; uniforms or allowances therefor, as
12 authorized by sections 5901 and 5902 of title 5, United
13 States Code; rental of conference rooms in the District of
14 Columbia; and reimbursement of the Department of
15 Homeland Security for security guard services;
16 \$345,640,000: *Provided*, That not to exceed \$8,280 is for
17 official reception and representation expenses: *Provided*
18 *further*, That contracts may be entered into under this
19 heading in fiscal year 2021 for maintenance and operation
20 of facilities and for other services to be provided during
21 the next fiscal year.

22 OFFICE OF THE NATIONAL SCIENCE BOARD

23 For necessary expenses (including payment of sala-
24 ries, authorized travel, hire of passenger motor vehicles,
25 the rental of conference rooms in the District of Columbia,

1 and the employment of experts and consultants under sec-
2 tion 3109 of title 5, United States Code) involved in car-
3 rying out section 4 of the National Science Foundation
4 Act of 1950 (42 U.S.C. 1863) and Public Law 86–209
5 (42 U.S.C. 1880 et seq.), \$4,500,000: *Provided*, That not
6 to exceed \$2,500 shall be available for official reception
7 and representation expenses.

8 OFFICE OF INSPECTOR GENERAL

9 For necessary expenses of the Office of Inspector
10 General as authorized by the Inspector General Act of
11 1978, \$17,850,000, of which \$400,000 shall remain avail-
12 able until September 30, 2022.

13 ADMINISTRATIVE PROVISIONS

14 (INCLUDING TRANSFER OF FUNDS)

15 Not to exceed 5 percent of any appropriation made
16 available for the current fiscal year for the National
17 Science Foundation in this Act may be transferred be-
18 tween such appropriations, but no such appropriation shall
19 be increased by more than 10 percent by any such trans-
20 fers. Any transfer pursuant to this paragraph shall be
21 treated as a reprogramming of funds under section 505
22 of this Act and shall not be available for obligation except
23 in compliance with the procedures set forth in that section.

24 The Director of the National Science Foundation
25 (NSF) shall notify the Committees on Appropriations of

1 the House of Representatives and the Senate at least 30
2 days in advance of any planned divestment through trans-
3 fer, decommissioning, termination, or deconstruction of
4 any NSF-owned facilities or any NSF capital assets (in-
5 cluding land, structures, and equipment) valued greater
6 than \$2,500,000.

7 This title may be cited as the “Science Appropria-
8 tions Act, 2021”.

9 TITLE IV

10 RELATED AGENCIES

11 COMMISSION ON CIVIL RIGHTS

12 SALARIES AND EXPENSES

13 For necessary expenses of the Commission on Civil
14 Rights, including hire of passenger motor vehicles,
15 \$12,000,000: *Provided*, That none of the funds appro-
16 priated in this paragraph may be used to employ any indi-
17 viduals under Schedule C of subpart C of part 213 of title
18 5 of the Code of Federal Regulations exclusive of one spe-
19 cial assistant for each Commissioner: *Provided further*,
20 That none of the funds appropriated in this paragraph
21 shall be used to reimburse Commissioners for more than
22 75 billable days, with the exception of the chairperson,
23 who is permitted 125 billable days: *Provided further*, That
24 the Chair may accept and use any gift or donation to carry
25 out the work of the Commission: *Provided further*, That

1 none of the funds appropriated in this paragraph shall be
2 used for any activity or expense that is not explicitly au-
3 thorized by section 3 of the Civil Rights Commission Act
4 of 1983 (42 U.S.C. 1975a).

5 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
6 SALARIES AND EXPENSES

7 For necessary expenses of the Equal Employment
8 Opportunity Commission as authorized by title VII of the
9 Civil Rights Act of 1964, the Age Discrimination in Em-
10 ployment Act of 1967, the Equal Pay Act of 1963, the
11 Americans with Disabilities Act of 1990, section 501 of
12 the Rehabilitation Act of 1973, the Civil Rights Act of
13 1991, the Genetic Information Nondiscrimination Act
14 (GINA) of 2008 (Public Law 110–233), the ADA Amend-
15 ments Act of 2008 (Public Law 110–325), and the Lilly
16 Ledbetter Fair Pay Act of 2009 (Public Law 111–2), in-
17 cluding services as authorized by section 3109 of title 5,
18 United States Code; hire of passenger motor vehicles as
19 authorized by section 1343(b) of title 31, United States
20 Code; nonmonetary awards to private citizens; and up to
21 \$32,600,000 for payments to State and local enforcement
22 agencies for authorized services to the Commission,
23 \$408,700,000: *Provided*, That the Commission is author-
24 ized to make available for official reception and represen-
25 tation expenses not to exceed \$2,250 from available funds:

1 *Provided further*, That the Commission may take no action
2 to implement any workforce repositioning, restructuring,
3 or reorganization until such time as the Committees on
4 Appropriations of the House of Representatives and the
5 Senate have been notified of such proposals, in accordance
6 with the reprogramming requirements of section 505 of
7 this Act: *Provided further*, That the Chair may accept and
8 use any gift or donation to carry out the work of the Com-
9 mission.

10 INTERNATIONAL TRADE COMMISSION

11 SALARIES AND EXPENSES

12 For necessary expenses of the International Trade
13 Commission, including hire of passenger motor vehicles
14 and services as authorized by section 3109 of title 5,
15 United States Code, and not to exceed \$2,250 for official
16 reception and representation expenses, \$105,000,000, to
17 remain available until expended.

18 LEGAL SERVICES CORPORATION

19 PAYMENT TO THE LEGAL SERVICES CORPORATION

20 For payment to the Legal Services Corporation to
21 carry out the purposes of the Legal Services Corporation
22 Act of 1974, \$465,000,000, of which \$423,400,000 is for
23 basic field programs and required independent audits;
24 \$5,600,000 is for the Office of Inspector General, of which
25 such amounts as may be necessary may be used to conduct

1 additional audits of recipients; \$24,000,000 is for manage-
2 ment and grants oversight; \$5,000,000 is for client self-
3 help and information technology; \$5,000,000 is for a Pro
4 Bono Innovation Fund; and \$2,000,000 is for loan repay-
5 ment assistance: *Provided*, That the Legal Services Cor-
6 poration may continue to provide locality pay to officers
7 and employees at a rate no greater than that provided by
8 the Federal Government to Washington, DC-based em-
9 ployees as authorized by section 5304 of title 5, United
10 States Code, notwithstanding section 1005(d) of the Legal
11 Services Corporation Act (42 U.S.C. 2996d(d)): *Provided*
12 *further*, That not to exceed 5 percent of any appropriation
13 made available for the current fiscal year for the Legal
14 Services Corporation in this Act may be transferred be-
15 tween such appropriations, but no such appropriation shall
16 be increased by more than 10 percent by any such trans-
17 fers: *Provided further*, That any transfer pursuant to the
18 preceding proviso shall be treated as a reprogramming of
19 funds under section 505 of this Act and shall not be avail-
20 able for obligation or expenditure except in compliance
21 with the procedures set forth in that section: *Provided fur-*
22 *ther*, That, for the purposes of section 505 of this Act,
23 the Legal Services Corporation shall be considered an
24 agency of the United States Government.

1 ADMINISTRATIVE PROVISION—LEGAL SERVICES

2 CORPORATION

3 None of the funds appropriated in this Act to the
4 Legal Services Corporation shall be expended for any pur-
5 pose prohibited or limited by, or contrary to any of the
6 provisions of, sections 501, 502, 503, 504, 505, and 506
7 of Public Law 105–119, and all funds appropriated in this
8 Act to the Legal Services Corporation shall be subject to
9 the same terms and conditions set forth in such sections,
10 except that all references in sections 502 and 503 to 1997
11 and 1998 shall be deemed to refer instead to 2020 and
12 2021, respectively.

13 MARINE MAMMAL COMMISSION

14 SALARIES AND EXPENSES

15 For necessary expenses of the Marine Mammal Com-
16 mission as authorized by title II of the Marine Mammal
17 Protection Act of 1972 (16 U.S.C. 1361 et seq.),
18 \$3,769,000.

19 OFFICE OF THE UNITED STATES TRADE

20 REPRESENTATIVE

21 SALARIES AND EXPENSES

22 For necessary expenses of the Office of the United
23 States Trade Representative, including the hire of pas-
24 senger motor vehicles and the employment of experts and
25 consultants as authorized by section 3109 of title 5,

1 United States Code, \$55,000,000, of which \$1,000,000
2 shall remain available until expended: *Provided*, That of
3 the total amount made available under this heading, not
4 to exceed \$124,000 shall be available for official reception
5 and representation expenses.

6 TRADE ENFORCEMENT TRUST FUND

7 (INCLUDING TRANSFER OF FUNDS)

8 For activities of the United States Trade Representa-
9 tive authorized by section 611 of the Trade Facilitation
10 and Trade Enforcement Act of 2015 (19 U.S.C. 4405),
11 including transfers, \$15,000,000, to be derived from the
12 Trade Enforcement Trust Fund: *Provided*, That any
13 transfer pursuant to subsection (d)(1) of such section shall
14 be treated as a reprogramming under section 505 of this
15 Act.

16 STATE JUSTICE INSTITUTE

17 SALARIES AND EXPENSES

18 For necessary expenses of the State Justice Institute,
19 as authorized by the State Justice Institute Act of 1984
20 (42 U.S.C. 10701 et seq.) \$7,700,000, of which \$500,000
21 shall remain available until September 30, 2022: *Provided*,
22 That not to exceed \$2,250 shall be available for official
23 reception and representation expenses: *Provided further*,
24 That, for the purposes of section 505 of this Act, the State

1 Justice Institute shall be considered an agency of the
2 United States Government.

3 TITLE V
4 GENERAL PROVISIONS
5 (INCLUDING RESCISSIONS)
6 (INCLUDING TRANSFER OF FUNDS)

7 SEC. 501. No part of any appropriation contained in
8 this Act shall be used for publicity or propaganda purposes
9 not authorized by the Congress.

10 SEC. 502. No part of any appropriation contained in
11 this Act shall remain available for obligation beyond the
12 current fiscal year unless expressly so provided herein.

13 SEC. 503. The expenditure of any appropriation
14 under this Act for any consulting service through procure-
15 ment contract, pursuant to section 3109 of title 5, United
16 States Code, shall be limited to those contracts where such
17 expenditures are a matter of public record and available
18 for public inspection, except where otherwise provided
19 under existing law, or under existing Executive order
20 issued pursuant to existing law.

21 SEC. 504. If any provision of this Act or the applica-
22 tion of such provision to any person or circumstances shall
23 be held invalid, the remainder of the Act and the applica-
24 tion of each provision to persons or circumstances other

1 than those as to which it is held invalid shall not be af-
2 fected thereby.

3 SEC. 505. None of the funds provided under this Act,
4 or provided under previous appropriations Acts to the
5 agencies funded by this Act that remain available for obli-
6 gation or expenditure in fiscal year 2021, or provided from
7 any accounts in the Treasury of the United States derived
8 by the collection of fees available to the agencies funded
9 by this Act, shall be available for obligation or expenditure
10 through a reprogramming of funds that: (1) creates or ini-
11 tiates a new program, project, or activity; (2) eliminates
12 a program, project, or activity; (3) increases funds or per-
13 sonnel by any means for any project or activity for which
14 funds have been denied or restricted; (4) relocates an of-
15 fice or employees; (5) reorganizes or renames offices, pro-
16 grams, or activities; (6) contracts out or privatizes any
17 functions or activities presently performed by Federal em-
18 ployees; (7) augments existing programs, projects, or ac-
19 tivities in excess of \$500,000 or 10 percent, whichever is
20 less, or reduces by 10 percent funding for any program,
21 project, or activity, or numbers of personnel by 10 percent;
22 or (8) results from any general savings, including savings
23 from a reduction in personnel, which would result in a
24 change in existing programs, projects, or activities as ap-
25 proved by Congress; unless the House and Senate Com-

1 mittees on Appropriations are notified 15 days in advance
2 of such reprogramming of funds.

3 SEC. 506. (a) If it has been finally determined by
4 a court or Federal agency that any person intentionally
5 affixed a label bearing a “Made in America” inscription,
6 or any inscription with the same meaning, to any product
7 sold in or shipped to the United States that is not made
8 in the United States, the person shall be ineligible to re-
9 ceive any contract or subcontract made with funds made
10 available in this Act, pursuant to the debarment, suspen-
11 sion, and ineligibility procedures described in sections
12 9.400 through 9.409 of title 48, Code of Federal Regula-
13 tions.

14 (b)(1) To the extent practicable, with respect to au-
15 thorized purchases of promotional items, funds made
16 available by this Act shall be used to purchase items that
17 are manufactured, produced, or assembled in the United
18 States, its territories or possessions.

19 (2) The term “promotional items” has the meaning
20 given the term in OMB Circular A–87, Attachment B,
21 Item (1)(f)(3).

22 SEC. 507. (a) The Departments of Commerce and
23 Justice, the National Science Foundation, and the Na-
24 tional Aeronautics and Space Administration shall provide
25 to the Committees on Appropriations of the House of Rep-

1 representatives and the Senate a quarterly report on the sta-
2 tus of balances of appropriations at the account level. For
3 unobligated, uncommitted balances and unobligated, com-
4 mitted balances the quarterly reports shall separately
5 identify the amounts attributable to each source year of
6 appropriation from which the balances were derived. For
7 balances that are obligated, but unexpended, the quarterly
8 reports shall separately identify amounts by the year of
9 obligation.

10 (b) The report described in subsection (a) shall be
11 submitted within 30 days of the end of each quarter.

12 (c) If a department or agency is unable to fulfill any
13 aspect of a reporting requirement described in subsection
14 (a) due to a limitation of a current accounting system,
15 the department or agency shall fulfill such aspect to the
16 maximum extent practicable under such accounting sys-
17 tem and shall identify and describe in each quarterly re-
18 port the extent to which such aspect is not fulfilled.

19 SEC. 508. Any costs incurred by a department or
20 agency funded under this Act resulting from, or to pre-
21 vent, personnel actions taken in response to funding re-
22 ductions included in this Act shall be absorbed within the
23 total budgetary resources available to such department or
24 agency: *Provided*, That the authority to transfer funds be-
25 tween appropriations accounts as may be necessary to

1 carry out this section is provided in addition to authorities
2 included elsewhere in this Act: *Provided further*, That use
3 of funds to carry out this section shall be treated as a
4 reprogramming of funds under section 505 of this Act and
5 shall not be available for obligation or expenditure except
6 in compliance with the procedures set forth in that section:
7 *Provided further*, That for the Department of Commerce,
8 this section shall also apply to actions taken for the care
9 and protection of loan collateral or grant property.

10 SEC. 509. None of the funds provided by this Act
11 shall be available to promote the sale or export of tobacco
12 or tobacco products, or to seek the reduction or removal
13 by any foreign country of restrictions on the marketing
14 of tobacco or tobacco products, except for restrictions
15 which are not applied equally to all tobacco or tobacco
16 products of the same type.

17 SEC. 510. Notwithstanding any other provision of
18 law, amounts deposited or available in the Fund estab-
19 lished by section 1402 of chapter XIV of title II of Public
20 Law 98–473 (34 U.S.C. 20101) in any fiscal year in ex-
21 cess of \$2,650,000,000 shall not be available for obligation
22 until the following fiscal year: *Provided*, That notwith-
23 standing section 1402(d) of such Act, of the amounts
24 available from the Fund for obligation: (1) \$10,000,000
25 shall be transferred to the Department of Justice Office

1 of Inspector General and remain available until expended
2 for crime victim-related oversight and auditing purposes;
3 and (2) 5 percent shall be available to the Office for Vic-
4 tims of Crime for grants, consistent with the requirements
5 of the Victims of Crime Act, to Indian tribes to improve
6 services for victims of crime.

7 SEC. 511. None of the funds made available to the
8 Department of Justice in this Act may be used to discrimi-
9 nate against or denigrate the religious or moral beliefs of
10 students who participate in programs for which financial
11 assistance is provided from those funds, or of the parents
12 or legal guardians of such students.

13 SEC. 512. None of the funds made available in this
14 Act may be transferred to any department, agency, or in-
15 strumentality of the United States Government, except
16 pursuant to a transfer made by, or transfer authority pro-
17 vided in, this Act or any other appropriations Act.

18 SEC. 513. (a) The Inspectors General of the Depart-
19 ment of Commerce, the Department of Justice, the Na-
20 tional Aeronautics and Space Administration, the Na-
21 tional Science Foundation, and the Legal Services Cor-
22 poration shall conduct audits, pursuant to the Inspector
23 General Act (5 U.S.C. App.), of grants or contracts for
24 which funds are appropriated by this Act, and shall submit
25 reports to Congress on the progress of such audits, which

1 may include preliminary findings and a description of
2 areas of particular interest, within 180 days after initi-
3 ating such an audit and every 180 days thereafter until
4 any such audit is completed.

5 (b) Within 60 days after the date on which an audit
6 described in subsection (a) by an Inspector General is
7 completed, the Secretary, Attorney General, Adminis-
8 trator, Director, or President, as appropriate, shall make
9 the results of the audit available to the public on the Inter-
10 net website maintained by the Department, Administra-
11 tion, Foundation, or Corporation, respectively. The results
12 shall be made available in redacted form to exclude—

13 (1) any matter described in section 552(b) of
14 title 5, United States Code; and

15 (2) sensitive personal information for any indi-
16 vidual, the public access to which could be used to
17 commit identity theft or for other inappropriate or
18 unlawful purposes.

19 (c) Any person awarded a grant or contract funded
20 by amounts appropriated by this Act shall submit a state-
21 ment to the Secretary of Commerce, the Attorney General,
22 the Administrator, Director, or President, as appropriate,
23 certifying that no funds derived from the grant or contract
24 will be made available through a subcontract or in any

1 other manner to another person who has a financial inter-
2 est in the person awarded the grant or contract.

3 (d) The provisions of the preceding subsections of
4 this section shall take effect 30 days after the date on
5 which the Director of the Office of Management and
6 Budget, in consultation with the Director of the Office of
7 Government Ethics, determines that a uniform set of rules
8 and requirements, substantially similar to the require-
9 ments in such subsections, consistently apply under the
10 executive branch ethics program to all Federal depart-
11 ments, agencies, and entities.

12 SEC. 514. (a) None of the funds appropriated or oth-
13 erwise made available under this Act may be used by the
14 Departments of Commerce and Justice, the National Aer-
15 onautics and Space Administration, or the National
16 Science Foundation to acquire a high-impact or moderate-
17 impact information system, as defined for security cat-
18 egorization in the National Institute of Standards and
19 Technology's (NIST) Federal Information Processing
20 Standard Publication 199, "Standards for Security Cat-
21 egorization of Federal Information and Information Sys-
22 tems" unless the agency has—

23 (1) reviewed the supply chain risk for the infor-
24 mation systems against criteria developed by NIST
25 and the Federal Bureau of Investigation (FBI) to

1 inform acquisition decisions for high-impact and
2 moderate-impact information systems within the
3 Federal Government;

4 (2) reviewed the supply chain risk from the pre-
5 sumptive awardee against available and relevant
6 threat information provided by the FBI and other
7 appropriate agencies; and

8 (3) in consultation with the FBI or other ap-
9 propriate Federal entity, conducted an assessment of
10 any risk of cyber-espionage or sabotage associated
11 with the acquisition of such system, including any
12 risk associated with such system being produced,
13 manufactured, or assembled by one or more entities
14 identified by the United States Government as pos-
15 ing a cyber threat, including but not limited to,
16 those that may be owned, directed, or subsidized by
17 the People's Republic of China, the Islamic Republic
18 of Iran, the Democratic People's Republic of Korea,
19 or the Russian Federation.

20 (b) None of the funds appropriated or otherwise
21 made available under this Act may be used to acquire a
22 high-impact or moderate-impact information system re-
23 viewed and assessed under subsection (a) unless the head
24 of the assessing entity described in subsection (a) has—

1 (1) developed, in consultation with NIST, the
2 FBI, and supply chain risk management experts, a
3 mitigation strategy for any identified risks;

4 (2) determined, in consultation with NIST and
5 the FBI, that the acquisition of such system is in
6 the national interest of the United States; and

7 (3) reported that determination to the Commit-
8 tees on Appropriations of the House of Representa-
9 tives and the Senate and the agency Inspector Gen-
10 eral.

11 SEC. 515. None of the funds made available in this
12 Act shall be used in any way whatsoever to support or
13 justify the use of torture by any official or contract em-
14 ployee of the United States Government.

15 SEC. 516. None of the funds made available in this
16 Act may be used to include in any new bilateral or multi-
17 lateral trade agreement the text of—

18 (1) paragraph 2 of article 16.7 of the United
19 States–Singapore Free Trade Agreement;

20 (2) paragraph 4 of article 17.9 of the United
21 States–Australia Free Trade Agreement; or

22 (3) paragraph 4 of article 15.9 of the United
23 States–Morocco Free Trade Agreement.

24 SEC. 517. None of the funds made available in this
25 Act may be used to authorize or issue a national security

1 letter in contravention of any of the following laws author-
2 izing the Federal Bureau of Investigation to issue national
3 security letters: The Right to Financial Privacy Act of
4 1978; The Electronic Communications Privacy Act of
5 1986; The Fair Credit Reporting Act; The National Secu-
6 rity Act of 1947; USA PATRIOT Act; USA FREEDOM
7 Act of 2015; and the laws amended by these Acts.

8 SEC. 518. If at any time during any quarter, the pro-
9 gram manager of a project within the jurisdiction of the
10 Departments of Commerce or Justice, the National Aero-
11 nautics and Space Administration, or the National Science
12 Foundation totaling more than \$75,000,000 has reason-
13 able cause to believe that the total program cost has in-
14 creased by 10 percent or more, the program manager shall
15 immediately inform the respective Secretary, Adminis-
16 trator, or Director. The Secretary, Administrator, or Di-
17 rector shall notify the House and Senate Committees on
18 Appropriations within 30 days in writing of such increase,
19 and shall include in such notice: the date on which such
20 determination was made; a statement of the reasons for
21 such increases; the action taken and proposed to be taken
22 to control future cost growth of the project; changes made
23 in the performance or schedule milestones and the degree
24 to which such changes have contributed to the increase
25 in total program costs or procurement costs; new esti-

1 mates of the total project or procurement costs; and a
2 statement validating that the project's management struc-
3 ture is adequate to control total project or procurement
4 costs.

5 SEC. 519. Funds appropriated by this Act, or made
6 available by the transfer of funds in this Act, for intel-
7 ligence or intelligence related activities are deemed to be
8 specifically authorized by the Congress for purposes of sec-
9 tion 504 of the National Security Act of 1947 (50 U.S.C.
10 3094) during fiscal year 2021 until the enactment of the
11 Intelligence Authorization Act for fiscal year 2021.

12 SEC. 520. None of the funds appropriated or other-
13 wise made available by this Act may be used to enter into
14 a contract in an amount greater than \$5,000,000 or to
15 award a grant in excess of such amount unless the pro-
16 spective contractor or grantee certifies in writing to the
17 agency awarding the contract or grant that, to the best
18 of its knowledge and belief, the contractor or grantee has
19 filed all Federal tax returns required during the three
20 years preceding the certification, has not been convicted
21 of a criminal offense under the Internal Revenue Code of
22 1986, and has not, more than 90 days prior to certifi-
23 cation, been notified of any unpaid Federal tax assessment
24 for which the liability remains unsatisfied, unless the as-
25 sessment is the subject of an installment agreement or

1 offer in compromise that has been approved by the Inter-
2 nal Revenue Service and is not in default, or the assess-
3 ment is the subject of a non-frivolous administrative or
4 judicial proceeding.

5 (RESCISSIONS)

6 SEC. 521. (a) Of the unobligated balances available
7 under the heading “National Oceanic and Atmospheric
8 Administration, Fisheries Enforcement Asset Forfeiture
9 Fund”, \$10,000,000 is hereby permanently rescinded, not
10 later than September 30, 2021.

11 (b) Of the unobligated balances available to the De-
12 partment of Justice, the following funds are hereby per-
13 manently rescinded, not later than September 30, 2021,
14 from the following accounts in the specified amounts—

15 (1) “Working Capital Fund”, \$75,000,000;

16 (2) “State and Local Law Enforcement Activi-
17 ties, Office of Justice Programs”, \$70,000,000; and

18 (3) “State and Local Law Enforcement Activi-
19 ties, Community Oriented Policing Services”,
20 \$15,000,000.

21 (c) The Departments of Commerce and Justice shall
22 submit to the Committees on Appropriations of the House
23 of Representatives and the Senate a report no later than
24 September 1, 2021, specifying the amount of each rescis-
25 sion made pursuant to subsections (a) and (b).

1 (d) The amounts rescinded in subsections (a) and (b)
2 shall not be from amounts that were designated by the
3 Congress as an emergency or disaster relief requirement
4 pursuant to the concurrent resolution on the budget or
5 the Balanced Budget and Emergency Deficit Control Act
6 of 1985.

7 SEC. 522. None of the funds made available in this
8 Act may be used to purchase first class or premium airline
9 travel in contravention of sections 301–10.122 through
10 301–10.124 of title 41 of the Code of Federal Regulations.

11 SEC. 523. None of the funds made available in this
12 Act may be used to send or otherwise pay for the attend-
13 ance of more than 50 employees from a Federal depart-
14 ment or agency, who are stationed in the United States,
15 at any single conference occurring outside the United
16 States unless—

17 (1) such conference is a law enforcement train-
18 ing or operational conference for law enforcement
19 personnel and the majority of Federal employees in
20 attendance are law enforcement personnel stationed
21 outside the United States; or

22 (2) such conference is a scientific conference
23 and the department or agency head determines that
24 such attendance is in the national interest and noti-
25 fies the Committees on Appropriations of the House

1 of Representatives and the Senate within at least 15
2 days of that determination and the basis for that de-
3 termination.

4 SEC. 524. The Director of the Office of Management
5 and Budget shall instruct any department, agency, or in-
6 strumentality of the United States receiving funds appro-
7 priated under this Act to track undisbursed balances in
8 expired grant accounts and include in its annual perform-
9 ance plan and performance and accountability reports the
10 following:

11 (1) Details on future action the department,
12 agency, or instrumentality will take to resolve
13 undisbursed balances in expired grant accounts.

14 (2) The method that the department, agency, or
15 instrumentality uses to track undisbursed balances
16 in expired grant accounts.

17 (3) Identification of undisbursed balances in ex-
18 pired grant accounts that may be returned to the
19 Treasury of the United States.

20 (4) In the preceding 3 fiscal years, details on
21 the total number of expired grant accounts with
22 undisbursed balances (on the first day of each fiscal
23 year) for the department, agency, or instrumentality
24 and the total finances that have not been obligated
25 to a specific project remaining in the accounts.

1 SEC. 525. To the extent practicable, funds made
2 available in this Act should be used to purchase light bulbs
3 that are “Energy Star” qualified or have the “Federal En-
4 ergy Management Program” designation.

5 SEC. 526. (a) None of the funds made available by
6 this Act may be used for the National Aeronautics and
7 Space Administration (NASA), the Office of Science and
8 Technology Policy (OSTP), or the National Space Council
9 (NSC) to develop, design, plan, promulgate, implement,
10 or execute a bilateral policy, program, order, or contract
11 of any kind to participate, collaborate, or coordinate bilat-
12 erally in any way with China or any Chinese-owned com-
13 pany unless such activities are specifically authorized by
14 a law enacted after the date of enactment of this Act.

15 (b) None of the funds made available by this Act may
16 be used to effectuate the hosting of official Chinese visitors
17 at facilities belonging to or utilized by NASA.

18 (c) The limitations described in subsections (a) and
19 (b) shall not apply to activities which NASA, OSTP, or
20 NSC, after consultation with the Federal Bureau of Inves-
21 tigation, have certified—

22 (1) pose no risk of resulting in the transfer of
23 technology, data, or other information with national
24 security or economic security implications to China
25 or a Chinese-owned company; and

1 (2) will not involve knowing interactions with
2 officials who have been determined by the United
3 States to have direct involvement with violations of
4 human rights.

5 (d) Any certification made under subsection (c) shall
6 be submitted to the Committees on Appropriations of the
7 House of Representatives and the Senate, and the Federal
8 Bureau of Investigation, no later than 30 days prior to
9 the activity in question and shall include a description of
10 the purpose of the activity, its agenda, its major partici-
11 pants, and its location and timing.

12 SEC. 527. (a) None of the funds made available in
13 this Act may be used to maintain or establish a computer
14 network unless such network blocks the viewing,
15 downloading, and exchanging of pornography.

16 (b) Nothing in subsection (a) shall limit the use of
17 funds necessary for any Federal, State, tribal, or local law
18 enforcement agency or any other entity carrying out crimi-
19 nal investigations, prosecution, adjudication, or other law
20 enforcement- or victim assistance-related activity.

21 SEC. 528. The Departments of Commerce and Jus-
22 tice, the National Aeronautics and Space Administration,
23 the National Science Foundation, the Commission on Civil
24 Rights, the Equal Employment Opportunity Commission,
25 the International Trade Commission, the Legal Services

1 Corporation, the Marine Mammal Commission, the Offices
2 of Science and Technology Policy and the United States
3 Trade Representative, the National Space Council, and
4 the State Justice Institute shall submit spending plans,
5 signed by the respective department or agency head, to
6 the Committees on Appropriations of the House of Rep-
7 resentatives and the Senate not later than 45 days after
8 the date of enactment of this Act.

9 SEC. 529. Notwithstanding any other provision of
10 this Act, none of the funds appropriated or otherwise
11 made available by this Act may be used to pay award or
12 incentive fees for contractor performance that has been
13 judged to be below satisfactory performance or for per-
14 formance that does not meet the basic requirements of a
15 contract.

16 SEC. 530. None of the funds made available by this
17 Act may be used in contravention of section 7606 (“Legit-
18 imacy of Industrial Hemp Research”) of the Agricultural
19 Act of 2014 (Public Law 113–79) by the Department of
20 Justice or the Drug Enforcement Administration.

21 SEC. 531. None of the funds made available under
22 this Act to the Department of Justice may be used, with
23 respect to any of the States of Alabama, Alaska, Arizona,
24 Arkansas, California, Colorado, Connecticut, Delaware,
25 Florida, Georgia, Hawaii, Illinois, Indiana, Iowa, Ken-

1 tucky, Louisiana, Maine, Maryland, Massachusetts, Michi-
2 gan, Minnesota, Mississippi, Missouri, Montana, Nevada,
3 New Hampshire, New Jersey, New Mexico, New York,
4 North Carolina, North Dakota, Ohio, Oklahoma, Oregon,
5 Pennsylvania, Rhode Island, South Carolina, Tennessee,
6 Texas, Utah, Vermont, Virginia, Washington, West Vir-
7 ginia, Wisconsin, and Wyoming, or with respect to the
8 District of Columbia, the Commonwealth of the Northern
9 Mariana Islands, the United States Virgin Islands, Guam,
10 or Puerto Rico, to prevent any of them from implementing
11 their own laws that authorize the use, distribution, posses-
12 sion, or cultivation of medical marijuana.

13 SEC. 532. The Department of Commerce, the Na-
14 tional Aeronautics and Space Administration, and the Na-
15 tional Science Foundation shall provide a quarterly report
16 to the Committees on Appropriations of the House of Rep-
17 resentatives and the Senate on any official travel to China
18 by any employee of such Department or agency, including
19 the purpose of such travel.

20 SEC. 533. Of the amounts made available by this Act,
21 not less than 10 percent of each total amount provided,
22 respectively, for Public Works grants authorized by the
23 Public Works and Economic Development Act of 1965 and
24 grants authorized by section 27 of the Stevenson-Wydler
25 Technology Innovation Act of 1980 (15 U.S.C. 3722) shall

1 be allocated for assistance in persistent poverty counties:
2 *Provided*, That for purposes of this section, the term “per-
3 sistent poverty counties” means any county that has had
4 20 percent or more of its population living in poverty over
5 the past 30 years, as measured by the 1990 and 2000
6 decennial censuses and the most recent Small Area In-
7 come and Poverty Estimates, or any territory or posses-
8 sion of the United States.

9 SEC. 534. In determining the formulation and devel-
10 opment costs of the James Webb Space Telescope for pur-
11 poses of section 536 of the Commerce, Justice, Science,
12 and Related Agencies Appropriations Act, 2020 (division
13 B of Public Law 116–93), such costs shall not be consid-
14 ered to include any costs directly related to preventing,
15 preparing for, and responding to the impacts of a global
16 pandemic health crisis.

17 SEC. 535. None of the funds made available by this
18 Act may be used by the Bureau of the Census to use infor-
19 mation or records received through data sharing agree-
20 ments in contravention of existing law, including sections
21 9 and 214 of title 13, United States Code.

22 SEC. 536. None of the funds made available by this
23 Act may be used to relocate the Bureau of Alcohol, To-
24 bacco, Firearms and Explosives (ATF) Canine Training
25 Center or the ATF National Canine Division.

1 SEC. 537. (a) None of the funds made available to
2 the Bureau of the Census in this Act or any other Act
3 may be used to compile or produce any data product or
4 tabulation as part of, in combination with, or in connec-
5 tion with, the 2020 decennial census of population or any
6 such census data produced pursuant to section 141(c) of
7 title 13, United States Code, that is based in whole or
8 in part on data that is not collected in such census.

9 (b) The limitation in subsection (a) shall not apply
10 to any data product or tabulation that is required by sec-
11 tions 141(b) or (c) of such title, that uses the same or
12 substantially similar methodology and data sources as a
13 decennial census data product produced by the Bureau of
14 the Census before January 1, 2019, or that uses a meth-
15 odology and data sources that the Bureau of the Census
16 finalized and made public prior to January 1, 2018.

17 SEC. 538. None of the funds made available in this
18 Act may be used to implement the Attorney General
19 Memorandum dated November 7, 2018, entitled “Prin-
20 ciples and Procedures for Civil Consent Decrees and Set-
21 tlement Agreements with State and Local Governmental
22 Entities”.

23 SEC. 539. None of the funds made available in this
24 Act may be used to carry out or support any law enforce-
25 ment action taken to support or control a crowd or public

1 demonstration, by any individual employed by a Federal,
2 State, or local law enforcement agency unless such indi-
3 vidual wears a clearly visible identification of the law en-
4 forcement agency that vests such individual with authority
5 to carry out or support such action.

6 SEC. 540. None of the funds made available in this
7 or any other Act (including prior Acts and Acts other than
8 appropriations Acts) may be used for the salaries or ex-
9 penses of more than five political and presidential ap-
10 pointees in the Bureau of the Census.

11 SEC. 541. None of the funds made available in this
12 Act may be used to pay any cost to enable the Attorney
13 General of the United States to travel more than 50 miles
14 from the Robert F. Kennedy Department of Justice Build-
15 ing in the District of Columbia.

16 SEC. 542. Section 510 of division B of Public Law
17 116–93 is amended—

18 (a) by inserting “crime victim-related” after “ex-
19 pended for”; and

20 (b) by striking “associated with this section”.

21 This Act may be cited as the “Commerce, Justice,
22 Science, and Related Agencies Appropriations Act, 2021”.

1 **DIVISION C—ENERGY AND WATER DEVEL-**
2 **OPMENT AND RELATED AGENCIES AP-**
3 **PROPRIATIONS ACT, 2021**

4 That the following sums are appropriated, out of any
5 money in the Treasury not otherwise appropriated, for the
6 fiscal year ending September 30, 2021, and for other pur-
7 poses, namely:

8 **TITLE I**

9 **CORPS OF ENGINEERS—CIVIL**

10 **DEPARTMENT OF THE ARMY**

11 **CORPS OF ENGINEERS—CIVIL**

12 The following appropriations shall be expended under
13 the direction of the Secretary of the Army and the super-
14 vision of the Chief of Engineers for authorized civil func-
15 tions of the Department of the Army pertaining to river
16 and harbor, flood and storm damage reduction, shore pro-
17 tection, aquatic ecosystem restoration, and related efforts.

18 **INVESTIGATIONS**

19 For expenses necessary where authorized by law for
20 the collection and study of basic information pertaining
21 to river and harbor, flood and storm damage reduction,
22 shore protection, aquatic ecosystem restoration, and re-
23 lated needs; for surveys and detailed studies, and plans
24 and specifications of proposed river and harbor, flood and
25 storm damage reduction, shore protection, and aquatic

1 ecosystem restoration projects, and related efforts prior to
2 construction; for restudy of authorized projects; and for
3 miscellaneous investigations, and, when authorized by law,
4 surveys and detailed studies, and plans and specifications
5 of projects prior to construction, \$151,000,000, to remain
6 available until expended: *Provided*, That the Secretary
7 shall initiate seven new study starts during fiscal year
8 2021: *Provided further*, That the Secretary shall not devi-
9 ate from the new starts proposed in the work plan, once
10 the plan has been submitted to the Committees on Appro-
11 priations of both Houses of Congress.

12 CONSTRUCTION

13 For expenses necessary for the construction of river
14 and harbor, flood and storm damage reduction, shore pro-
15 tection, aquatic ecosystem restoration, and related
16 projects authorized by law; for conducting detailed studies,
17 and plans and specifications, of such projects (including
18 those involving participation by States, local governments,
19 or private groups) authorized or made eligible for selection
20 by law (but such detailed studies, and plans and specifica-
21 tions, shall not constitute a commitment of the Govern-
22 ment to construction); \$2,619,855,000, to remain avail-
23 able until expended; of which such sums as are necessary
24 to cover the Federal share of construction costs for facili-
25 ties under the Dredged Material Disposal Facilities pro-

1 gram shall be derived from the Harbor Maintenance Trust
2 Fund as authorized by Public Law 104–303; and of which
3 such sums as are necessary to cover one-half of the costs
4 of construction, replacement, rehabilitation, and expansion
5 of inland waterways projects shall be derived from the In-
6 land Waterways Trust Fund, except as otherwise specifi-
7 cally provided for in law.

8 MISSISSIPPI RIVER AND TRIBUTARIES

9 For expenses necessary for flood damage reduction
10 projects and related efforts in the Mississippi River allu-
11 vial valley below Cape Girardeau, Missouri, as authorized
12 by law, \$365,000,000, to remain available until expended,
13 of which such sums as are necessary to cover the Federal
14 share of eligible operation and maintenance costs for in-
15 land harbors shall be derived from the Harbor Mainte-
16 nance Trust Fund.

17 OPERATION AND MAINTENANCE

18 For expenses necessary for the operation, mainte-
19 nance, and care of existing river and harbor, flood and
20 storm damage reduction, aquatic ecosystem restoration,
21 and related projects authorized by law; providing security
22 for infrastructure owned or operated by the Corps, includ-
23 ing administrative buildings and laboratories; maintaining
24 harbor channels provided by a State, municipality, or
25 other public agency that serve essential navigation needs

1 of general commerce, where authorized by law; surveying
2 and charting northern and northwestern lakes and con-
3 necting waters; clearing and straightening channels; and
4 removing obstructions to navigation, \$3,838,000,000, to
5 remain available until expended, of which such sums as
6 are necessary to cover the Federal share of eligible oper-
7 ation and maintenance costs for coastal harbors and chan-
8 nels, and for inland harbors shall be derived from the Har-
9 bor Maintenance Trust Fund; of which such sums as be-
10 come available from the special account for the Corps of
11 Engineers established by the Land and Water Conserva-
12 tion Fund Act of 1965 shall be derived from that account
13 for resource protection, research, interpretation, and
14 maintenance activities related to resource protection in the
15 areas at which outdoor recreation is available; and of
16 which such sums as become available from fees collected
17 under section 217 of Public Law 104–303 shall be used
18 to cover the cost of operation and maintenance of the
19 dredged material disposal facilities for which such fees
20 have been collected: *Provided*, That 1 percent of the total
21 amount of funds provided for each of the programs,
22 projects, or activities funded under this heading shall not
23 be allocated to a field operating activity prior to the begin-
24 ning of the fourth quarter of the fiscal year and shall be
25 available for use by the Chief of Engineers to fund such

1 emergency activities as the Chief of Engineers determines
2 to be necessary and appropriate, and that the Chief of En-
3 gineers shall allocate during the fourth quarter any re-
4 maining funds which have not been used for emergency
5 activities proportionally in accordance with the amounts
6 provided for the programs, projects, or activities.

7
8 REGULATORY PROGRAM

8 For expenses necessary for administration of laws
9 pertaining to regulation of navigable waters and wetlands,
10 \$205,000,000, to remain available until September 30,
11 2022.

12 FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

13 For expenses necessary to clean up contamination
14 from sites in the United States resulting from work per-
15 formed as part of the Nation's early atomic energy pro-
16 gram, \$210,000,000, to remain available until expended.

17 FLOOD CONTROL AND COASTAL EMERGENCIES

18 For expenses necessary to prepare for flood, hurri-
19 cane, and other natural disasters and support emergency
20 operations, repairs, and other activities in response to
21 such disasters as authorized by law, \$35,000,000, to re-
22 main available until expended.

23 EXPENSES

24 For expenses necessary for the supervision and gen-
25 eral administration of the civil works program in the head-

1 quarters of the Corps of Engineers and the offices of the
2 Division Engineers; and for costs of management and op-
3 eration of the Humphreys Engineer Center Support Activ-
4 ity, the Institute for Water Resources, the United States
5 Army Engineer Research and Development Center, and
6 the United States Army Corps of Engineers Finance Cen-
7 ter allocable to the civil works program, \$200,000,000, to
8 remain available until September 30, 2022, of which not
9 to exceed \$5,000 may be used for official reception and
10 representation purposes and only during the current fiscal
11 year: *Provided*, That no part of any other appropriation
12 provided in this title shall be available to fund the civil
13 works activities of the Office of the Chief of Engineers
14 or the civil works executive direction and management ac-
15 tivities of the division offices: *Provided further*, That any
16 Flood Control and Coastal Emergencies appropriation
17 may be used to fund the supervision and general adminis-
18 tration of emergency operations, repairs, and other activi-
19 ties in response to any flood, hurricane, or other natural
20 disaster.

21 OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY

22 FOR CIVIL WORKS

23 For the Office of the Assistant Secretary of the Army
24 for Civil Works as authorized by 10 U.S.C. 3016(b)(3),
25 \$5,000,000, to remain available until September 30, 2022:

1 *Provided*, That not more than 25 percent of such amount
2 may be obligated or expended until the Assistant Sec-
3 retary submits to the Committees on Appropriations of
4 both Houses of Congress a work plan that allocates at
5 least 95 percent of the additional funding provided under
6 each heading in this title, as designated under such head-
7 ing in the report of the Committee on Appropriations ac-
8 companying this Act, to specific programs, projects, or ac-
9 tivities.

10 GENERAL PROVISIONS—CORPS OF
11 ENGINEERS—CIVIL

12 (INCLUDING TRANSFER OF FUNDS)

13 SEC. 101. (a) None of the funds provided in this title
14 shall be available for obligation or expenditure through a
15 reprogramming of funds that—

16 (1) creates or initiates a new program, project,
17 or activity;

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

19 (3) increases funds or personnel for any pro-
20 gram, project, or activity for which funds have been
21 denied or restricted by this Act;

22 (4) reduces funds that are directed to be used
23 for a specific program, project, or activity by this
24 Act;

1 (5) increases funds for any program, project, or
2 activity by more than \$2,000,000 or 10 percent,
3 whichever is less; or

4 (6) reduces funds for any program, project, or
5 activity by more than \$2,000,000 or 10 percent,
6 whichever is less.

7 (b) Subsection (a)(1) shall not apply to any project
8 or activity authorized under section 205 of the Flood Con-
9 trol Act of 1948, section 14 of the Flood Control Act of
10 1946, section 208 of the Flood Control Act of 1954, sec-
11 tion 107 of the River and Harbor Act of 1960, section
12 103 of the River and Harbor Act of 1962, section 111
13 of the River and Harbor Act of 1968, section 1135 of the
14 Water Resources Development Act of 1986, section 206
15 of the Water Resources Development Act of 1996, or sec-
16 tion 204 of the Water Resources Development Act of
17 1992.

18 (c) The Corps of Engineers shall submit reports on
19 a quarterly basis directly to the Committees on Appropria-
20 tions of both Houses of Congress detailing all the funds
21 reprogrammed between programs, projects, activities, or
22 categories of funding. The first quarterly report shall be
23 submitted not later than 60 days after the date of enact-
24 ment of this Act.

1 SEC. 102. None of the funds made available in this
2 title may be used to award or modify any contract that
3 commits funds beyond the amounts appropriated for that
4 program, project, or activity that remain unobligated, ex-
5 cept that such amounts may include any funds that have
6 been made available through reprogramming pursuant to
7 section 101.

8 SEC. 103. The Secretary of the Army may transfer
9 to the Fish and Wildlife Service, and the Fish and Wildlife
10 Service may accept and expend, up to \$5,400,000 of funds
11 provided in this title under the heading “Operation and
12 Maintenance” to mitigate for fisheries lost due to Corps
13 of Engineers projects.

14 SEC. 104. None of the funds in this Act shall be used
15 for an open lake placement alternative for dredged mate-
16 rial, after evaluating the least costly, environmentally ac-
17 ceptable manner for the disposal or management of
18 dredged material originating from Lake Erie or tributaries
19 thereto, unless it is approved under a State water quality
20 certification pursuant to section 401 of the Federal Water
21 Pollution Control Act (33 U.S.C. 1341): *Provided*, That
22 until an open lake placement alternative for dredged mate-
23 rial is approved under a State water quality certification,
24 the Corps of Engineers shall continue upland placement
25 of such dredged material consistent with the requirements

1 of section 101 of the Water Resources Development Act
2 of 1986 (33 U.S.C. 2211).

3 SEC. 105. None of the funds made available by this
4 Act may be used to carry out any water supply reallocation
5 study under the Wolf Creek Dam, Lake Cumberland, Ken-
6 tucky, project authorized under the Act of July 24, 1946
7 (60 Stat. 636, ch. 595).

8 SEC. 106. None of the funds made available by this
9 Act or any other Act may be used to reorganize or to
10 transfer the Civil Works functions or authority of the
11 Corps of Engineers or the Secretary of the Army to an-
12 other department or agency.

13 SEC. 107. Additional funding provided in this Act
14 shall be allocated only to projects determined to be eligible
15 by the Chief of Engineers.

16 SEC. 108. Notwithstanding any other provision of
17 law, none of the funds appropriated or otherwise made
18 available by this Act or any prior appropriations Acts for
19 the Civil Works Program of the United States Army Corps
20 of Engineers may be committed, obligated, expended, or
21 otherwise used to design or construct a wall, fence, border
22 barriers, or border security infrastructure along the south-
23 ern border of the United States.

24 SEC. 109. None of the funds made available by this
25 Act may be used to issue a permit under section 404 of

1 the Federal Water Pollution Control Act to a private enti-
2 ty or individual for the discharge of dredged or fill mate-
3 rial from a project located within Water Conservation
4 Areas 1, 2A, 2B, 3A, or 3B in the State of Florida, unless
5 discharge is from a project that is generally available for
6 the general public's or Tribe's use and benefit and serve
7 a public purpose, which may include Tribal communities.

8 SEC. 110. (a) When allocating the additional funding
9 provided in this title under the headings "Construction"
10 and "Mississippi River and Tributaries", the Secretary
11 shall initiate a total of seven new construction starts dur-
12 ing fiscal year 2021.

13 (b) For new construction projects, project cost shar-
14 ing agreements shall be executed as soon as practicable
15 but no later than September 30, 2021.

16 (c) No allocation for a new start shall be considered
17 final and no work allowance shall be made until the Sec-
18 retary provides to the Committees on Appropriations of
19 both Houses of Congress an out-year funding scenario
20 demonstrating the affordability of the selected new starts
21 and the impacts on other projects.

22 (d) The Secretary shall not deviate from the new
23 starts proposed in the work plan, once the plan has been
24 submitted to the Committees on Appropriations of both
25 Houses of Congress.

1 TITLE II
2 DEPARTMENT OF THE INTERIOR
3 CENTRAL UTAH PROJECT

4 CENTRAL UTAH PROJECT COMPLETION ACCOUNT

5 For carrying out activities authorized by the Central
6 Utah Project Completion Act, \$20,000,000, to remain
7 available until expended, of which \$1,800,000 shall be de-
8 posited into the Utah Reclamation Mitigation and Con-
9 servation Account for use by the Utah Reclamation Miti-
10 gation and Conservation Commission: *Provided*, That of
11 the amount provided under this heading, \$1,500,000 shall
12 be available until September 30, 2022, for expenses nec-
13 essary in carrying out related responsibilities of the Sec-
14 retary of the Interior: *Provided further*, That for fiscal
15 year 2021, of the amount made available to the Commis-
16 sion under this Act or any other Act, the Commission may
17 use an amount not to exceed \$1,500,000 for administra-
18 tive expenses.

19 BUREAU OF RECLAMATION

20 The following appropriations shall be expended to
21 execute authorized functions of the Bureau of Reclama-
22 tion:

1 WATER AND RELATED RESOURCES
2 (INCLUDING TRANSFERS OF FUNDS)

3 For management, development, and restoration of
4 water and related natural resources and for related activi-
5 ties, including the operation, maintenance, and rehabilita-
6 tion of reclamation and other facilities, participation in
7 fulfilling related Federal responsibilities to Native Ameri-
8 cans, and related grants to, and cooperative and other
9 agreements with, State and local governments, federally
10 recognized Indian tribes, and others, \$1,487,000,000, to
11 remain available until expended, of which \$58,476,000
12 shall be available for transfer to the Upper Colorado River
13 Basin Fund and \$5,584,000 shall be available for transfer
14 to the Lower Colorado River Basin Development Fund;
15 of which such amounts as may be necessary may be ad-
16 vanced to the Colorado River Dam Fund: *Provided*, That
17 \$25,882,000 shall be available for transfer into the Black-
18 feet Water Settlement Implementation Fund established
19 by section 3717 of Public Law 114–322: *Provided further*,
20 That such transfers may be increased or decreased within
21 the overall appropriation under this heading: *Provided fur-*
22 *ther*, That of the total appropriated, the amount for pro-
23 gram activities that can be financed by the Reclamation
24 Fund or the Bureau of Reclamation special fee account
25 established by 16 U.S.C. 6806 shall be derived from that

1 Fund or account: *Provided further*, That funds contributed
2 under 43 U.S.C. 395 are available until expended for the
3 purposes for which the funds were contributed: *Provided*
4 *further*, That funds advanced under 43 U.S.C. 397a shall
5 be credited to this account and are available until ex-
6 pended for the same purposes as the sums appropriated
7 under this heading: *Provided further*, That of the amounts
8 provided herein, funds may be used for high-priority
9 projects which shall be carried out by the Youth Conserva-
10 tion Corps, as authorized by 16 U.S.C. 1706. *Provided*
11 *further*, That in accordance with section 4007 of Public
12 Law 114–322, and as recommended by the Secretary of
13 the Interior in a letter dated June 22, 2020, funding pro-
14 vided for such purposes in fiscal years 2017, 2018, and
15 2019 may be made available to the Friant-Kern Canal Ca-
16 pacity Correction Resulting from Subsidence, the Los
17 Vaqueros Reservoir Phase 2 Expansion Project, the Delta
18 Mendota Canal Subsidence Correction, the North-of-the-
19 Delta Off stream Storage (Sites Reservoir Project), the
20 Del Puerto Water District, the San Luis Low point Im-
21 provement Project, the Sacramento Regional Water Bank,
22 the Boise River Feasibility Study, and the Cle Elum Pool
23 Raise: *Provided further*, That no funds may be obligated
24 or expended for the projects specified in the preceding pro-
25 viso until the Secretary of the Interior transmits rec-

1 ommendations to Congress for projects authorized under
2 sections 4009(a) and 4009(c) of the Water Infrastructure
3 Improvements for the Nation Act (Public Law 114–322)
4 and the Congress enacts a subsequent appropriations act
5 making appropriations for energy and water development.

6 CENTRAL VALLEY PROJECT RESTORATION FUND

7 For carrying out the programs, projects, plans, habi-
8 tat restoration, improvement, and acquisition provisions of
9 the Central Valley Project Improvement Act, \$55,875,000,
10 to be derived from such sums as may be collected in the
11 Central Valley Project Restoration Fund pursuant to sec-
12 tions 3407(d), 3404(c)(3), and 3405(f) of Public Law
13 102–575, to remain available until expended: *Provided*,
14 That the Bureau of Reclamation is directed to assess and
15 collect the full amount of the additional mitigation and
16 restoration payments authorized by section 3407(d) of
17 Public Law 102–575: *Provided further*, That none of the
18 funds made available under this heading may be used for
19 the acquisition or leasing of water for in-stream purposes
20 if the water is already committed to in-stream purposes
21 by a court adopted decree or order.

22 CALIFORNIA BAY-DELTA RESTORATION

23 (INCLUDING TRANSFERS OF FUNDS)

24 For carrying out activities authorized by the Water
25 Supply, Reliability, and Environmental Improvement Act,

1 consistent with plans to be approved by the Secretary of
2 the Interior, \$33,000,000, to remain available until ex-
3 pended, of which such amounts as may be necessary to
4 carry out such activities may be transferred to appropriate
5 accounts of other participating Federal agencies to carry
6 out authorized purposes: *Provided*, That funds appro-
7 priated herein may be used for the Federal share of the
8 costs of CALFED Program management: *Provided fur-*
9 *ther*, That CALFED implementation shall be carried out
10 in a balanced manner with clear performance measures
11 demonstrating concurrent progress in achieving the goals
12 and objectives of the Program.

13 POLICY AND ADMINISTRATION

14 For expenses necessary for policy, administration,
15 and related functions in the Office of the Commissioner,
16 the Denver office, and offices in the six regions of the Bu-
17 reau of Reclamation, to remain available until September
18 30, 2022, \$60,000,000, to be derived from the Reclama-
19 tion Fund and be nonreimbursable as provided in 43
20 U.S.C. 377: *Provided*, That no part of any other appro-
21 priation in this Act shall be available for activities or func-
22 tions budgeted as policy and administration expenses.

1 ADMINISTRATIVE PROVISION

2 Appropriations for the Bureau of Reclamation shall
3 be available for purchase of not to exceed five passenger
4 motor vehicles, which are for replacement only.

5 GENERAL PROVISIONS—DEPARTMENT OF THE
6 INTERIOR

7 SEC. 201. (a) None of the funds provided in this title
8 shall be available for obligation or expenditure through a
9 reprogramming of funds that—

10 (1) creates or initiates a new program, project,
11 or activity;

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

13 (3) increases funds for any program, project, or
14 activity for which funds have been denied or re-
15 stricted by this Act;

16 (4) restarts or resumes any program, project,
17 or activity for which funds are not provided in this
18 Act, unless prior approval is received from the Com-
19 mittees on Appropriations of both Houses of Con-
20 gress;

21 (5) transfers funds in excess of the following
22 limits—

23 (A) 15 percent for any program, project,
24 or activity for which \$2,000,000 or more is
25 available at the beginning of the fiscal year; or

1 (B) \$400,000 for any program, project, or
2 activity for which less than \$2,000,000 is avail-
3 able at the beginning of the fiscal year;

4 (6) transfers more than \$500,000 from either
5 the Facilities Operation, Maintenance, and Rehabili-
6 tation category or the Resources Management and
7 Development category to any program, project, or
8 activity in the other category; or

9 (7) transfers, where necessary to discharge legal
10 obligations of the Bureau of Reclamation, more than
11 \$5,000,000 to provide adequate funds for settled
12 contractor claims, increased contractor earnings due
13 to accelerated rates of operations, and real estate de-
14 ficiency judgments.

15 (b) Subsection (a)(5) shall not apply to any transfer
16 of funds within the Facilities Operation, Maintenance, and
17 Rehabilitation category.

18 (c) For purposes of this section, the term “transfer”
19 means any movement of funds into or out of a program,
20 project, or activity.

21 (d) The Bureau of Reclamation shall submit reports
22 on a quarterly basis directly to the Committees on Appro-
23 priations of both Houses of Congress detailing all the
24 funds reprogrammed between programs, projects, activi-
25 ties, or categories of funding. The first quarterly report

1 shall be submitted not later than 60 days after the date
2 of enactment of this Act.

3 SEC. 202. (a) None of the funds appropriated or oth-
4 erwise made available by this Act may be used to deter-
5 mine the final point of discharge for the interceptor drain
6 for the San Luis Unit until development by the Secretary
7 of the Interior and the State of California of a plan, which
8 shall conform to the water quality standards of the State
9 of California as approved by the Administrator of the En-
10 vironmental Protection Agency, to minimize any detri-
11 mental effect of the San Luis drainage waters.

12 (b) The costs of the Kesterson Reservoir Cleanup
13 Program and the costs of the San Joaquin Valley Drain-
14 age Program shall be classified by the Secretary of the
15 Interior as reimbursable or nonreimbursable and collected
16 until fully repaid pursuant to the “Cleanup Program—
17 Alternative Repayment Plan” and the “SJVDP—Alter-
18 native Repayment Plan” described in the report entitled
19 “Repayment Report, Kesterson Reservoir Cleanup Pro-
20 gram and San Joaquin Valley Drainage Program, Feb-
21 ruary 1995”, prepared by the Department of the Interior,
22 Bureau of Reclamation. Any future obligations of funds
23 by the United States relating to, or providing for, drainage
24 service or drainage studies for the San Luis Unit shall
25 be fully reimbursable by San Luis Unit beneficiaries of

1 such service or studies pursuant to Federal reclamation
2 law.

3 SEC. 203. Section 9504(e) of the Omnibus Public
4 Land Management Act of 2009 (Public Law 111–11; 42
5 U.S.C. 10364(e)) is amended by striking “\$530,000,000”
6 and inserting “\$600,000,000”.

7 SEC. 204. Title I of the CALFED Bay-Delta Author-
8 ization Act (Public Law 108–361; 118 Stat. 1681), as
9 amended by section 4007(k) of Public Law 114–322, is
10 amended by striking “2020” each place it appears and
11 inserting “2021”.

12 SEC. 205. Section 9106(g)(2) of the Omnibus Public
13 Land Management Act of 2009 (Public Law 111–11; 123
14 Stat. 1309) is amended by striking “2020” and inserting
15 “2021”.

16 SEC. 206. Section 6002(g)(4) of the Omnibus Public
17 Land Management Act of 2009 (Public Law 111–11; 16
18 U.S.C. 1015(a)) is amended by striking “2020” and in-
19 serting “2021”.

20 SEC. 207. (a) Section 104(c) of the Reclamation
21 States Emergency Drought Relief Act of 1991 (Public
22 Law 102–250; 43 U.S.C. 2214(c)) is amended by striking
23 “2020” and inserting “2021”.

24 (b) Section 301 of the Reclamation States Emergency
25 Drought Relief Act of 1991 (Public Law 102–250; 43

1 U.S.C. 2241) is amended by striking “2020” and insert-
2 ing “2021”.

3 SEC. 208. Title VI of the Claims Resolution Act
4 (Public Law 111–291; 42 U.S.C. 1305 note) is amend-
5 ed—

6 (1) in section 602 by adding at the end— “The
7 term ‘611(g) Agreement’ means the agreement
8 dated September 17, 2019, executed by the United
9 States, the State, the Pueblos, the County, and the
10 City pursuant to section 611(g).”.

11 “(24) 611(G) AGREEMENT.—The term
12 ‘611(g) Agreement’ means the agreement dated Sep-
13 tember 17, 2019, executed by the United States, the
14 State, the Pueblos, the County, and the City pursu-
15 ant to section 611(g).”.

16 (2) in section 611(f)—

17 (A) in subparagraph (1)(A) by striking
18 “\$106,400,000” and inserting “\$243,400,000”;

19 (B) by amending subparagraph (B) of
20 paragraph (1) to read as follows:

21 “(B) EXCEPTION.—Of the amount de-
22 scribed in subparagraph (A)— (i) the initial
23 \$106,400,000 shall be increased or decreased,
24 as appropriate, based on ordinary fluctuations
25 in construction costs since October 1, 2006, as

1 determined using applicable engineering cost in-
2 dices; and (ii) any amounts made available in
3 excess of the amount described in clause (i)
4 shall be increased or decreased, as appropriate,
5 based on ordinary fluctuations in construction
6 costs since October 1, 2018, as determined
7 using applicable engineering cost indices.”; and

8 (C) in paragraph (3), by inserting “and
9 the 611(g) Agreement” after “the Cost-Sharing
10 and System Integration Agreement”;

11 (3) in section 617(a)(1)(B)—

12 (A) by striking “\$50,000,000” and insert-
13 ing “\$187,000,000”; and

14 (B) by striking “2024” and inserting
15 “2028”;

16 (4) in section 617(a)(4) by striking “since Oc-
17 tober 1, 2006, as determined using applicable engi-
18 neering cost indices” and inserting “pursuant to sec-
19 tion 611(f)(1)(B)”;

20 (5) in section 621 by striking subsection (a)
21 and inserting the following:

22 “(a) APPROVAL.—To the extent the Settle-
23 ment Agreement, the Cost-Sharing and System Inte-
24 gration Agreement, and the 611(g) Agreement do
25 not conflict with this title, the Settlement Agree-

1 ment, the Cost-Sharing and System Integration
2 Agreement, and the 611(g) Agreement (including
3 any amendments to the Settlement Agreement, the
4 Cost Sharing and System Integration Agreement,
5 and the 611(g) Agreement that are executed to
6 make the Settlement Agreement, the Cost-Sharing
7 and System Integration Agreement, or the 611(g)
8 Agreement consistent with this title) are authorized,
9 ratified, and confirmed.”; and

10 (6) in section 623(e)—

11 (A) in paragraph (2)—

12 (i) by striking “2021” and inserting
13 “2025”;

14 (ii) by striking “2024” and inserting
15 “2028”;

16 (B) in paragraph (3), in the matter pre-
17 ceding subparagraph (A), by striking “2021”
18 and inserting “2025”;

19 (C) in paragraph (4)(B)(ii)(II), by striking
20 “2023” and inserting “2027”;

21 (D) in paragraph (5)(A), by striking
22 “2024” and inserting “2028”.

23 SEC. 209. None of the funds provided in this Act may
24 be used for the Shasta Dam and Reservoir Enlargement
25 Project.

1 SEC. 210. Section 10501 of the Omnibus Public Land
2 Management Act of 2009 (Public Law 111–11; 43 U.S.C.
3 407) is amended—

4 (1) in subsection (b)(1), by striking “For each
5 of fiscal years 2020 through 2029” and inserting
6 “For fiscal year 2020 and each fiscal year there-
7 after”;

8 (2) in subsection (c)—

9 (A) in paragraph (1)(A), by striking “for
10 each of fiscal years 2020 through 2034” and
11 inserting “for fiscal year 2020 and each fiscal
12 year thereafter”; and

13 (B) in paragraph (3)(C), by striking “for
14 any authorized use” and all that follows
15 through the period at the end and inserting
16 “for any use authorized under paragraph (2).”;
17 and

18 (3) by striking subsection (f).

19 TITLE III

20 DEPARTMENT OF ENERGY

21 ENERGY PROGRAMS

22 ENERGY EFFICIENCY AND RENEWABLE ENERGY

23 (INCLUDING RESCISSIONS OF FUNDS)

24 For Department of Energy expenses including the
25 purchase, construction, and acquisition of plant and cap-

1 ital equipment, and other expenses necessary for energy
2 efficiency and renewable energy activities in carrying out
3 the purposes of the Department of Energy Organization
4 Act (42 U.S.C. 7101 et seq.), including the acquisition or
5 condemnation of any real property or any facility or for
6 plant or facility acquisition, construction, or expansion,
7 \$2,850,240,000, to remain available until expended: *Pro-*
8 *vided*, That of such amount, \$165,000,000 shall be avail-
9 able until September 30, 2022, for program direction: *Pro-*
10 *vided further*, That \$806,831 from Public Law 111–8 and
11 \$1,433,462 from Public Law 111–85 provided under this
12 heading are hereby rescinded: *Provided further*, That no
13 amounts may be rescinded from amounts that were des-
14 ignated by the Congress as an emergency requirement
15 pursuant to a Concurrent Resolution on the Budget or the
16 Balanced Budget and Emergency Deficit Control Act of
17 1985.

18 CYBERSECURITY, ENERGY SECURITY, AND EMERGENCY
19 RESPONSE

20 For Department of Energy expenses including the
21 purchase, construction, and acquisition of plant and cap-
22 ital equipment, and other expenses necessary for energy
23 sector cybersecurity, energy security, and emergency re-
24 sponse activities in carrying out the purposes of the De-
25 partment of Energy Organization Act (42 U.S.C. 7101 et

1 seq.), including the acquisition or condemnation of any
2 real property or any facility or for plant or facility acquisi-
3 tion, construction, or expansion, \$160,000,000, to remain
4 available until expended: *Provided*, That of such amount,
5 \$13,000,000 shall be available until September 30, 2022,
6 for program direction.

7 ELECTRICITY

8 For Department of Energy expenses including the
9 purchase, construction, and acquisition of plant and cap-
10 ital equipment, and other expenses necessary for elec-
11 tricity delivery activities in carrying out the purposes of
12 the Department of Energy Organization Act (42 U.S.C.
13 7101 et seq.), including the acquisition or condemnation
14 of any real property or any facility or for plant or facility
15 acquisition, construction, or expansion, \$195,000,000, to
16 remain available until expended: *Provided*, That of such
17 amount, \$18,850,000 shall be available until September
18 30, 2022, for program direction.

19 NUCLEAR ENERGY

20 For Department of Energy expenses including the
21 purchase, construction, and acquisition of plant and cap-
22 ital equipment, and other expenses necessary for nuclear
23 energy activities in carrying out the purposes of the De-
24 partment of Energy Organization Act (42 U.S.C. 7101 et
25 seq.), including the acquisition or condemnation of any

1 real property or any facility or for plant or facility acquisi-
2 tion, construction, or expansion, \$1,435,800,000, to re-
3 main available until expended: *Provided*, That of such
4 amount, \$79,000,000 shall be available until September
5 30, 2022, for program direction.

6 FOSSIL ENERGY RESEARCH AND DEVELOPMENT

7 For Department of Energy expenses necessary in car-
8 rying out fossil energy research and development activi-
9 ties, under the authority of the Department of Energy Or-
10 ganization Act (42 U.S.C. 7101 et seq.), including the ac-
11 quisition of interest, including defeasible and equitable in-
12 terests in any real property or any facility or for plant
13 or facility acquisition or expansion, and for conducting in-
14 quiries, technological investigations and research con-
15 cerning the extraction, processing, use, and disposal of
16 mineral substances without objectionable social and envi-
17 ronmental costs (30 U.S.C. 3, 1602, and 1603),
18 \$727,500,000, to remain available until expended: *Pro-*
19 *vided*, That of such amount \$62,115,000 shall be available
20 until September 30, 2022, for program direction.

21 NAVAL PETROLEUM AND OIL SHALE RESERVES

22 For Department of Energy expenses necessary to
23 carry out naval petroleum and oil shale reserve activities,
24 \$13,006,000, to remain available until expended: *Pro-*
25 *vided*, That notwithstanding any other provision of law,

1 unobligated funds remaining from prior years shall be
2 available for all naval petroleum and oil shale reserve ac-
3 tivities.

4 STRATEGIC PETROLEUM RESERVE

5 For Department of Energy expenses necessary for
6 Strategic Petroleum Reserve facility development and op-
7 erations and program management activities pursuant to
8 the Energy Policy and Conservation Act (42 U.S.C. 6201
9 et seq.), \$195,000,000, to remain available until expended.

10 SPR PETROLEUM ACCOUNT

11 For the acquisition, transportation, and injection of
12 petroleum products, and for other necessary expenses pur-
13 suant to the Energy Policy and Conservation Act of 1975,
14 as amended (42 U.S.C. 6201 et seq.), sections 403 and
15 404 of the Bipartisan Budget Act of 2015 (42 U.S.C.
16 6241, 6239 note), and section 5010 of the 21st Century
17 Cures Act (Public Law 114–255), \$7,500,000, to remain
18 available until expended.

19 NORTHEAST HOME HEATING OIL RESERVE

20 For Department of Energy expenses necessary for
21 Northeast Home Heating Oil Reserve storage, operation,
22 and management activities pursuant to the Energy Policy
23 and Conservation Act (42 U.S.C. 6201 et seq.),
24 \$10,000,000, to remain available until expended.

1 ENERGY INFORMATION ADMINISTRATION

2 For Department of Energy expenses necessary in car-
3 rying out the activities of the Energy Information Admin-
4 istration, \$126,800,000, to remain available until ex-
5 pended.

6 NON-DEFENSE ENVIRONMENTAL CLEANUP

7 For Department of Energy expenses, including the
8 purchase, construction, and acquisition of plant and cap-
9 ital equipment and other expenses necessary for non-de-
10 fense environmental cleanup activities in carrying out the
11 purposes of the Department of Energy Organization Act
12 (42 U.S.C. 7101 et seq.), including the acquisition or con-
13 demnation of any real property or any facility or for plant
14 or facility acquisition, construction, or expansion,
15 \$315,000,000, to remain available until expended: *Pro-*
16 *vided*, That in addition, fees collected pursuant to sub-
17 section (b)(1) of section 6939f of title 42, United States
18 Code, and deposited under this heading in fiscal year 2021
19 pursuant to section 309 of title III of division C of the
20 Further Consolidated Appropriations Act, 2020 (Public
21 Law 116–94) are appropriated, to remain available until
22 expended, for mercury storage costs.

1 URANIUM ENRICHMENT DECONTAMINATION AND
2 DECOMMISSIONING FUND

3 For Department of Energy expenses necessary in car-
4 rying out uranium enrichment facility decontamination
5 and decommissioning, remedial actions, and other activi-
6 ties of title II of the Atomic Energy Act of 1954, and
7 title X, subtitle A, of the Energy Policy Act of 1992,
8 \$821,583,000, to be derived from the Uranium Enrich-
9 ment Decontamination and Decommissioning Fund, to re-
10 main available until expended, of which \$21,284,000 shall
11 be available in accordance with title X, subtitle A, of the
12 Energy Policy Act of 1992.

13 SCIENCE

14 For Department of Energy expenses including the
15 purchase, construction, and acquisition of plant and cap-
16 ital equipment, and other expenses necessary for science
17 activities in carrying out the purposes of the Department
18 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-
19 cluding the acquisition or condemnation of any real prop-
20 erty or any facility or for plant or facility acquisition, con-
21 struction, or expansion, and purchase of not more than
22 35 passenger motor vehicles for replacement only,
23 \$7,050,000,000, to remain available until expended: *Pro-*
24 *vided*, That of such amount, \$188,000,000 shall be avail-
25 able until September 30, 2022, for program direction.

1 NUCLEAR WASTE DISPOSAL

2 For Department of Energy expenses necessary for
3 nuclear waste disposal activities to carry out the purposes
4 of the Nuclear Waste Policy Act of 1982, Public Law 97–
5 425, as amended, including interim storage activities,
6 \$27,500,000, to remain available until expended, of which
7 \$7,500,000 shall be derived from the Nuclear Waste
8 Fund.

9 ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

10 For Department of Energy expenses necessary in car-
11 rying out the activities authorized by section 5012 of the
12 America COMPETES Act (Public Law 110–69),
13 \$435,000,000, to remain available until expended: *Pro-*
14 *vided*, That of such amount, \$37,000,000 shall be avail-
15 able until September 30, 2022, for program direction.

16 TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE
17 PROGRAM

18 Such sums as are derived from amounts received
19 from borrowers pursuant to section 1702(b) of the Energy
20 Policy Act of 2005 under this heading in prior Acts, shall
21 be collected in accordance with section 502(7) of the Con-
22 gressional Budget Act of 1974: *Provided*, That for nec-
23 essary administrative expenses of the Title 17 Innovative
24 Technology Loan Guarantee Program, as authorized,
25 \$32,000,000 is appropriated, to remain available until

1 September 30, 2022: *Provided further*, That up to
2 \$32,000,000 of fees collected in fiscal year 2021 pursuant
3 to section 1702(h) of the Energy Policy Act of 2005 shall
4 be credited as offsetting collections under this heading and
5 used for necessary administrative expenses in this appro-
6 priation and shall remain available until September 30,
7 2022: *Provided further*, That to the extent that fees col-
8 lected in fiscal year 2021 exceed \$32,000,000, those ex-
9 cess amounts shall be credited as offsetting collections
10 under this heading and available in future fiscal years only
11 to the extent provided in advance in appropriations Acts:
12 *Provided further*, That the sum herein appropriated from
13 the general fund shall be reduced (1) as such fees are re-
14 ceived during fiscal year 2021 (estimated at \$3,000,000)
15 and (2) to the extent that any remaining general fund ap-
16 propriations can be derived from fees collected in previous
17 fiscal years that are not otherwise appropriated, so as to
18 result in a final fiscal year 2021 appropriation from the
19 general fund estimated at \$0: *Provided further*, That the
20 Department of Energy shall not subordinate any loan obli-
21 gation to other financing in violation of section 1702 of
22 the Energy Policy Act of 2005 or subordinate any Guarant-
23 eed Obligation to any loan or other debt obligations in
24 violation of section 609.10 of title 10, Code of Federal
25 Regulations.

1 ADVANCED TECHNOLOGY VEHICLES MANUFACTURING
 2 LOAN PROGRAM

3 For Department of Energy administrative expenses
 4 necessary in carrying out the Advanced Technology Vehi-
 5 cles Manufacturing Loan Program, \$5,000,000, to remain
 6 available until September 30, 2022.

7 TRIBAL ENERGY LOAN GUARANTEE PROGRAM

8 For Department of Energy administrative expenses
 9 necessary in carrying out the Tribal Energy Loan Guar-
 10 antee Program, \$2,000,000, to remain available until Sep-
 11 tember 30, 2022.

12 OFFICE OF INDIAN ENERGY POLICY AND PROGRAMS

13 For necessary expenses for Indian Energy activities
 14 in carrying out the purposes of the Department of Energy
 15 Organization Act (42 U.S.C. 7101 et seq.), \$22,250,000,
 16 to remain available until expended: *Provided*, That, of the
 17 amount appropriated under this heading, \$5,000,000 shall
 18 be available until September 30, 2022, for program direc-
 19 tion.

20 DEPARTMENTAL ADMINISTRATION

21 For salaries and expenses of the Department of En-
 22 ergy necessary for departmental administration in car-
 23 rying out the purposes of the Department of Energy Orga-
 24 nization Act (42 U.S.C. 7101 et seq.), \$252,378,000, to
 25 remain available until September 30, 2022, including the

1 hire of passenger motor vehicles and official reception and
2 representation expenses not to exceed \$30,000, plus such
3 additional amounts as necessary to cover increases in the
4 estimated amount of cost of work for others notwith-
5 standing the provisions of the Anti-Deficiency Act (31
6 U.S.C. 1511 et seq.): *Provided*, That such increases in
7 cost of work are offset by revenue increases of the same
8 or greater amount: *Provided further*, That moneys received
9 by the Department for miscellaneous revenues estimated
10 to total \$93,378,000 in fiscal year 2021 may be retained
11 and used for operating expenses within this account, as
12 authorized by section 201 of Public Law 95–238, notwith-
13 standing the provisions of 31 U.S.C. 3302: *Provided fur-*
14 *ther*, That the sum herein appropriated shall be reduced
15 as collections are received during the fiscal year so as to
16 result in a final fiscal year 2021 appropriation from the
17 general fund estimated at not more than \$159,000,000.

18 OFFICE OF THE INSPECTOR GENERAL

19 For expenses necessary for the Office of the Inspector
20 General in carrying out the provisions of the Inspector
21 General Act of 1978, \$57,739,000, to remain available
22 until September 30, 2022.

1 ATOMIC ENERGY DEFENSE ACTIVITIES

2 NATIONAL NUCLEAR SECURITY

3 ADMINISTRATION

4 WEAPONS ACTIVITIES

5 For Department of Energy expenses, including the
6 purchase, construction, and acquisition of plant and cap-
7 ital equipment and other incidental expenses necessary for
8 atomic energy defense weapons activities in carrying out
9 the purposes of the Department of Energy Organization
10 Act (42 U.S.C. 7101 et seq.), including the acquisition or
11 condemnation of any real property or any facility or for
12 plant or facility acquisition, construction, or expansion,
13 and the purchase of not to exceed one aircraft, one ambu-
14 lance, and two passenger buses for replacement only,
15 \$13,659,617,000, to remain available until expended: *Pro-*
16 *vided*, That of such amount, \$123,684,000 shall be avail-
17 able until September 30, 2022, for program direction.

18 DEFENSE NUCLEAR NONPROLIFERATION

19 For Department of Energy expenses, including the
20 purchase, construction, and acquisition of plant and cap-
21 ital equipment and other incidental expenses necessary for
22 defense nuclear nonproliferation activities, in carrying out
23 the purposes of the Department of Energy Organization
24 Act (42 U.S.C. 7101 et seq.), including the acquisition or
25 condemnation of any real property or any facility or for

1 plant or facility acquisition, construction, or expansion,
2 \$2,240,000,000, to remain available until expended.

3 NAVAL REACTORS

4 (INCLUDING TRANSFER OF FUNDS)

5 For Department of Energy expenses necessary for
6 naval reactors activities to carry out the Department of
7 Energy Organization Act (42 U.S.C. 7101 et seq.), includ-
8 ing the acquisition (by purchase, condemnation, construc-
9 tion, or otherwise) of real property, plant, and capital
10 equipment, facilities, and facility expansion,
11 \$1,684,000,000, to remain available until expended, of
12 which, \$91,000,000 shall be transferred to “Department
13 of Energy—Energy Programs—Nuclear Energy”, for the
14 Advanced Test Reactor: *Provided*, That of such amount,
15 \$53,700,000 shall be available until September 30, 2022,
16 for program direction.

17 FEDERAL SALARIES AND EXPENSES

18 For expenses necessary for Federal Salaries and Ex-
19 penses in the National Nuclear Security Administration,
20 \$454,000,000, to remain available until September 30,
21 2022, including official reception and representation ex-
22 penses not to exceed \$17,000.

1 ENVIRONMENTAL AND OTHER DEFENSE
2 ACTIVITIES

3 DEFENSE ENVIRONMENTAL CLEANUP

4 For Department of Energy expenses, including the
5 purchase, construction, and acquisition of plant and cap-
6 ital equipment and other expenses necessary for atomic
7 energy defense environmental cleanup activities in car-
8 rying out the purposes of the Department of Energy Orga-
9 nization Act (42 U.S.C. 7101 et seq.), including the acqui-
10 sition or condemnation of any real property or any facility
11 or for plant or facility acquisition, construction, or expan-
12 sion, and the purchase of not to exceed one passenger
13 minivan for replacement only, \$6,321,000,000, to remain
14 available until expended: *Provided*, That of such amount,
15 \$282,093,000 shall be available until September 30, 2022,
16 for program direction.

17 DEFENSE URANIUM ENRICHMENT DECONTAMINATION
18 AND DECOMMISSIONING

19 (INCLUDING TRANSFER OF FUNDS)

20 For an additional amount for atomic energy defense
21 environmental cleanup activities for Department of En-
22 ergy contributions for uranium enrichment decontamina-
23 tion and decommissioning activities, \$821,583,000, to be
24 deposited into the Defense Environmental Cleanup ac-

1 count which shall be transferred to the “Uranium Enrich-
2 ment Decontamination and Decommissioning Fund”.

3 OTHER DEFENSE ACTIVITIES

4 For Department of Energy expenses, including the
5 purchase, construction, and acquisition of plant and cap-
6 ital equipment and other expenses, necessary for atomic
7 energy defense, other defense activities, and classified ac-
8 tivities, in carrying out the purposes of the Department
9 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-
10 cluding the acquisition or condemnation of any real prop-
11 erty or any facility or for plant or facility acquisition, con-
12 struction, or expansion, \$942,300,000, to remain available
13 until expended: *Provided*, That of such amount,
14 \$346,833,000 shall be available until September 30, 2022,
15 for program direction.

16 POWER MARKETING ADMINISTRATIONS

17 BONNEVILLE POWER ADMINISTRATION FUND

18 Expenditures from the Bonneville Power Administra-
19 tion Fund, established pursuant to Public Law 93-454,
20 are approved for official reception and representation ex-
21 penses in an amount not to exceed \$5,000: *Provided*, That
22 during fiscal year 2021, no new direct loan obligations
23 may be made.

1 OPERATION AND MAINTENANCE, SOUTHEASTERN POWER
2 ADMINISTRATION

3 For expenses necessary for operation and mainte-
4 nance of power transmission facilities and for marketing
5 electric power and energy, including transmission wheeling
6 and ancillary services, pursuant to section 5 of the Flood
7 Control Act of 1944 (16 U.S.C. 825s), as applied to the
8 southeastern power area, \$7,246,000, including official re-
9 ception and representation expenses in an amount not to
10 exceed \$1,500, to remain available until expended: *Pro-*
11 *vided*, That notwithstanding 31 U.S.C. 3302 and section
12 5 of the Flood Control Act of 1944, up to \$7,246,000 col-
13 lected by the Southeastern Power Administration from the
14 sale of power and related services shall be credited to this
15 account as discretionary offsetting collections, to remain
16 available until expended for the sole purpose of funding
17 the annual expenses of the Southeastern Power Adminis-
18 tration: *Provided further*, That the sum herein appro-
19 priated for annual expenses shall be reduced as collections
20 are received during the fiscal year so as to result in a final
21 fiscal year 2021 appropriation estimated at not more than
22 \$0: *Provided further*, That notwithstanding 31 U.S.C.
23 3302, up to \$52,000,000 collected by the Southeastern
24 Power Administration pursuant to the Flood Control Act
25 of 1944 to recover purchase power and wheeling expenses

1 shall be credited to this account as offsetting collections,
2 to remain available until expended for the sole purpose
3 of making purchase power and wheeling expenditures:
4 *Provided further*, That for purposes of this appropriation,
5 annual expenses means expenditures that are generally re-
6 covered in the same year that they are incurred (excluding
7 purchase power and wheeling expenses).

8 OPERATION AND MAINTENANCE, SOUTHWESTERN
9 POWER ADMINISTRATION

10 For expenses necessary for operation and mainte-
11 nance of power transmission facilities and for marketing
12 electric power and energy, for construction and acquisition
13 of transmission lines, substations and appurtenant facili-
14 ties, and for administrative expenses, including official re-
15 ception and representation expenses in an amount not to
16 exceed \$1,500 in carrying out section 5 of the Flood Con-
17 trol Act of 1944 (16 U.S.C. 825s), as applied to the
18 Southwestern Power Administration, \$47,540,000, to re-
19 main available until expended: *Provided*, That notwith-
20 standing 31 U.S.C. 3302 and section 5 of the Flood Con-
21 trol Act of 1944 (16 U.S.C. 825s), up to \$37,140,000 col-
22 lected by the Southwestern Power Administration from
23 the sale of power and related services shall be credited to
24 this account as discretionary offsetting collections, to re-
25 main available until expended, for the sole purpose of

1 funding the annual expenses of the Southwestern Power
2 Administration: *Provided further*, That the sum herein ap-
3 propriated for annual expenses shall be reduced as collec-
4 tions are received during the fiscal year so as to result
5 in a final fiscal year 2021 appropriation estimated at not
6 more than \$10,400,000: *Provided further*, That notwith-
7 standing 31 U.S.C. 3302, up to \$15,000,000 collected by
8 the Southwestern Power Administration pursuant to the
9 Flood Control Act of 1944 to recover purchase power and
10 wheeling expenses shall be credited to this account as off-
11 setting collections, to remain available until expended for
12 the sole purpose of making purchase power and wheeling
13 expenditures: *Provided further*, That for purposes of this
14 appropriation, annual expenses means expenditures that
15 are generally recovered in the same year that they are in-
16 curred (excluding purchase power and wheeling expenses).

17 CONSTRUCTION, REHABILITATION, OPERATION AND
18 MAINTENANCE, WESTERN AREA POWER ADMINIS-
19 TRATION

20 For carrying out the functions authorized by title III,
21 section 302(a)(1)(E) of the Act of August 4, 1977 (42
22 U.S.C. 7152), and other related activities including con-
23 servation and renewable resources programs as author-
24 ized, \$259,126,000, including official reception and rep-
25 resentation expenses in an amount not to exceed \$1,500,

1 to remain available until expended, of which \$259,126,000
2 shall be derived from the Department of the Interior Rec-
3 lamation Fund: *Provided*, That notwithstanding 31 U.S.C.
4 3302, section 5 of the Flood Control Act of 1944 (16
5 U.S.C. 825s), and section 1 of the Interior Department
6 Appropriation Act, 1939 (43 U.S.C. 392a), up to
7 \$169,754,000 collected by the Western Area Power Ad-
8 ministration from the sale of power and related services
9 shall be credited to this account as discretionary offsetting
10 collections, to remain available until expended, for the sole
11 purpose of funding the annual expenses of the Western
12 Area Power Administration: *Provided further*, That the
13 sum herein appropriated for annual expenses shall be re-
14 duced as collections are received during the fiscal year so
15 as to result in a final fiscal year 2021 appropriation esti-
16 mated at not more than \$89,372,000, of which
17 \$89,372,000 is derived from the Reclamation Fund: *Pro-*
18 *vided further*, That notwithstanding 31 U.S.C. 3302, up
19 to \$172,000,000 collected by the Western Area Power Ad-
20 ministration pursuant to the Flood Control Act of 1944
21 and the Reclamation Project Act of 1939 to recover pur-
22 chase power and wheeling expenses shall be credited to
23 this account as offsetting collections, to remain available
24 until expended for the sole purpose of making purchase
25 power and wheeling expenditures: *Provided further*, That

1 for purposes of this appropriation, annual expenses means
2 expenditures that are generally recovered in the same year
3 that they are incurred (excluding purchase power and
4 wheeling expenses).

5 FALCON AND AMISTAD OPERATING AND MAINTENANCE
6 FUND

7 For operation, maintenance, and emergency costs for
8 the hydroelectric facilities at the Falcon and Amistad
9 Dams, \$5,776,000, to remain available until expended,
10 and to be derived from the Falcon and Amistad Operating
11 and Maintenance Fund of the Western Area Power Ad-
12 ministration, as provided in section 2 of the Act of June
13 18, 1954 (68 Stat. 255): *Provided*, That notwithstanding
14 the provisions of that Act and of 31 U.S.C. 3302, up to
15 \$5,548,000 collected by the Western Area Power Adminis-
16 tration from the sale of power and related services from
17 the Falcon and Amistad Dams shall be credited to this
18 account as discretionary offsetting collections, to remain
19 available until expended for the sole purpose of funding
20 the annual expenses of the hydroelectric facilities of these
21 Dams and associated Western Area Power Administration
22 activities: *Provided further*, That the sum herein appro-
23 priated for annual expenses shall be reduced as collections
24 are received during the fiscal year so as to result in a final
25 fiscal year 2021 appropriation estimated at not more than

1 \$228,000: *Provided further*, That for purposes of this ap-
2 propriation, annual expenses means expenditures that are
3 generally recovered in the same year that they are in-
4 curred: *Provided further*, That for fiscal year 2021, the
5 Administrator of the Western Area Power Administration
6 may accept up to \$1,526,000 in funds contributed by
7 United States power customers of the Falcon and Amistad
8 Dams for deposit into the Falcon and Amistad Operating
9 and Maintenance Fund, and such funds shall be available
10 for the purpose for which contributed in like manner as
11 if said sums had been specifically appropriated for such
12 purpose: *Provided further*, That any such funds shall be
13 available without further appropriation and without fiscal
14 year limitation for use by the Commissioner of the United
15 States Section of the International Boundary and Water
16 Commission for the sole purpose of operating, maintain-
17 ing, repairing, rehabilitating, replacing, or upgrading the
18 hydroelectric facilities at these Dams in accordance with
19 agreements reached between the Administrator, Commis-
20 sioner, and the power customers.

21 FEDERAL ENERGY REGULATORY COMMISSION

22 SALARIES AND EXPENSES

23 For expenses necessary for the Federal Energy Regu-
24 latory Commission to carry out the provisions of the De-
25 partment of Energy Organization Act (42 U.S.C. 7101 et

1 tivity if the program, project, or activity has not been
2 funded by Congress.

3 (b)(1) Unless the Secretary of Energy notifies the
4 Committees on Appropriations of both Houses of Congress
5 at least 3 full business days in advance, none of the funds
6 made available in this title may be used to—

7 (A) make a grant allocation or discretionary
8 grant award totaling \$1,000,000 or more;

9 (B) make a discretionary contract award or
10 Other Transaction Agreement totaling \$1,000,000
11 or more, including a contract covered by the Federal
12 Acquisition Regulation;

13 (C) issue a letter of intent to make an alloca-
14 tion, award, or Agreement in excess of the limits in
15 subparagraph (A) or (B); or

16 (D) announce publicly the intention to make an
17 allocation, award, or Agreement in excess of the lim-
18 its in subparagraph (A) or (B).

19 (2) The Secretary of Energy shall submit directly to
20 the Committees on Appropriations of both Houses of Con-
21 gress within 15 days of the conclusion of each quarter a
22 report detailing each grant allocation or discretionary
23 grant award totaling less than \$1,000,000 provided during
24 the previous quarter.

1 (3) The notification required by paragraph (1) and
2 the report required by paragraph (2) shall include the re-
3 cipient of the award, the amount of the award, the fiscal
4 year for which the funds for the award were appropriated,
5 the account and program, project, or activity from which
6 the funds are being drawn, the title of the award, and
7 a brief description of the activity for which the award is
8 made.

9 (c) The Department of Energy may not, with respect
10 to any program, project, or activity that uses budget au-
11 thority made available in this title under the heading “De-
12 partment of Energy—Energy Programs”, enter into a
13 multiyear contract, award a multiyear grant, or enter into
14 a multiyear cooperative agreement unless—

15 (1) the contract, grant, or cooperative agree-
16 ment is funded for the full period of performance as
17 anticipated at the time of award; or

18 (2) the contract, grant, or cooperative agree-
19 ment includes a clause conditioning the Federal Gov-
20 ernment’s obligation on the availability of future
21 year budget authority and the Secretary notifies the
22 Committees on Appropriations of both Houses of
23 Congress at least 3 days in advance.

24 (d) Except as provided in subsections (e), (f), and (g),
25 the amounts made available by this title shall be expended

1 as authorized by law for the programs, projects, and ac-
2 tivities specified in the “Bill” column in the “Department
3 of Energy” table included under the heading “Title III—
4 Department of Energy” in the report of the Committee
5 on Appropriations accompanying this Act.

6 (e) The amounts made available by this title may be
7 reprogrammed for any program, project, or activity, and
8 the Department shall notify the Committees on Appropria-
9 tions of both Houses of Congress at least 30 days prior
10 to the use of any proposed reprogramming that would
11 cause any program, project, or activity funding level to
12 increase or decrease by more than \$5,000,000 or 10 per-
13 cent, whichever is less, during the time period covered by
14 this Act.

15 (f) None of the funds provided in this title shall be
16 available for obligation or expenditure through a re-
17 programming of funds that—

18 (1) creates, initiates, or eliminates a program,
19 project, or activity;

20 (2) increases funds or personnel for any pro-
21 gram, project, or activity for which funds are denied
22 or restricted by this Act; or

23 (3) reduces funds that are directed to be used
24 for a specific program, project, or activity by this
25 Act.

1 (g)(1) The Secretary of Energy may waive any re-
2 quirement or restriction in this section that applies to the
3 use of funds made available for the Department of Energy
4 if compliance with such requirement or restriction would
5 pose a substantial risk to human health, the environment,
6 welfare, or national security.

7 (2) The Secretary of Energy shall notify the Commit-
8 tees on Appropriations of both Houses of Congress of any
9 waiver under paragraph (1) as soon as practicable, but
10 not later than 3 days after the date of the activity to which
11 a requirement or restriction would otherwise have applied.
12 Such notice shall include an explanation of the substantial
13 risk under paragraph (1) that permitted such waiver.

14 (h) The unexpended balances of prior appropriations
15 provided for activities in this Act may be available to the
16 same appropriation accounts for such activities established
17 pursuant to this title. Available balances may be merged
18 with funds in the applicable established accounts and
19 thereafter may be accounted for as one fund for the same
20 time period as originally enacted.

21 SEC. 302. Funds appropriated by this or any other
22 Act, or made available by the transfer of funds in this
23 Act, for intelligence activities are deemed to be specifically
24 authorized by the Congress for purposes of section 504
25 of the National Security Act of 1947 (50 U.S.C. 3094)

1 during fiscal year 2021 until the enactment of the Intel-
2 ligence Authorization Act for fiscal year 2021.

3 SEC. 303. None of the funds made available in this
4 title shall be used for the construction of facilities classi-
5 fied as high-hazard nuclear facilities under 10 CFR Part
6 830 unless independent oversight is conducted by the Of-
7 fice of Enterprise Assessments to ensure the project is in
8 compliance with nuclear safety requirements.

9 SEC. 304. None of the funds made available in this
10 title may be used to approve critical decision-2 or critical
11 decision-3 under Department of Energy Order 413.3B, or
12 any successive departmental guidance, for construction
13 projects where the total project cost exceeds
14 \$100,000,000, until a separate independent cost estimate
15 has been developed for the project for that critical deci-
16 sion.

17 SEC. 305. Notwithstanding section 161 of the Energy
18 Policy and Conservation Act (42 U.S.C. 6241), upon a
19 determination by the President in this fiscal year that a
20 regional supply shortage of refined petroleum product of
21 significant scope and duration exists, that a severe in-
22 crease in the price of refined petroleum product will likely
23 result from such shortage, and that a draw down and sale
24 of refined petroleum product would assist directly and sig-
25 nificantly in reducing the adverse impact of such shortage,

1 the Secretary of Energy may draw down and sell refined
2 petroleum product from the Strategic Petroleum Reserve.
3 Proceeds from a sale under this section shall be deposited
4 into the SPR Petroleum Account established in section
5 167 of the Energy Policy and Conservation Act (42 U.S.C.
6 6247), and such amounts shall be available for obligation,
7 without fiscal year limitation, consistent with that section.

8 SEC. 306. (a) Of the offsetting collections, including
9 unobligated balances of such collections, in the “Depart-
10 ment of Energy—Power Marketing Administration—Col-
11 orado River Basins Power Marketing Fund, Western Area
12 Power Administration”, \$21,400,000 shall be transferred
13 to the “Department of the Interior—Bureau of Reclama-
14 tion—Upper Colorado River Basin Fund” for the Bureau
15 of Reclamation to carry out environmental stewardship
16 and endangered species recovery efforts.

17 (b) No funds shall be transferred directly from “De-
18 partment of Energy—Power Marketing Administration—
19 Colorado River Basins Power Marketing Fund, Western
20 Area Power Administration” to the general fund of the
21 Treasury in the current fiscal year.

22 SEC. 307. (a) None of the funds made available in
23 this Act or any other Act for any fiscal year may be used
24 to take an action described in subsection (b) unless—

1 (1) the Secretary of Energy submits a written
2 notification to the Committees on Appropriations of
3 both Houses of Congress regarding such action, in-
4 cluding—

5 (A) a detailed justification and information
6 about the assumptions underlying such action;
7 and

8 (B) with respect to an action described in
9 paragraph (1) or (3) of such subsection—

10 (i) a preliminary cost range for the
11 nuclear weapon program affected by such
12 action;

13 (ii) the estimated costs for such pro-
14 gram during the five-year period following
15 the notification; and

16 (iii) the source and amount of funds
17 for such action by program, project, or ac-
18 tivity level.

19 (2) a period of 15 business days elapses fol-
20 lowing the date of such notification.

21 (b) An action described in this subsection is any of
22 the following:

23 (1) Approving the development of a new nuclear
24 weapon or the modification of a nuclear weapon, in-

1 including as described in section 179(d)(8) of title 10,
2 United States Code.

3 (2) Studying whether to develop a new or modi-
4 fied nuclear weapon.

5 (3) Changing the scope of a nuclear weapon
6 program if such change modifies the cost of such
7 program by \$300,000,000 or more.

8 SEC. 308. None of the funds made available by this
9 Act or any other Act making appropriations for energy
10 and water development and related agencies for any fiscal
11 year may be used to conduct, or make specific prepara-
12 tions for, any explosive nuclear weapons test that produces
13 any yield.

14 SEC. 309. None of the funds made available by this
15 Act or any other Act making appropriations for energy
16 and water development and related agencies may be used
17 in furtherance of working through the Nuclear Weapons
18 Council to guide, advise, assist, develop, or execute a budg-
19 et for the National Nuclear Security Administration.

20 TITLE IV

21 INDEPENDENT AGENCIES

22 APPALACHIAN REGIONAL COMMISSION

23 For expenses necessary to carry out the programs au-
24 thorized by the Appalachian Regional Development Act of
25 1965, as amended, notwithstanding 40 U.S.C. 14704, and

1 for expenses necessary for the Federal Co-Chairman and
2 the Alternate on the Appalachian Regional Commission,
3 for payment of the Federal share of the administrative ex-
4 penses of the Commission, including services as authorized
5 by section 3109 of title 5, United States Code, and hire
6 of passenger motor vehicles, \$175,000,000, to remain
7 available until expended.

8 DEFENSE NUCLEAR FACILITIES SAFETY BOARD

9 SALARIES AND EXPENSES

10 For expenses necessary for the Defense Nuclear Fa-
11 cilities Safety Board in carrying out activities authorized
12 by the Atomic Energy Act of 1954, as amended by Public
13 Law 100–456, section 1441, \$31,000,000, to remain
14 available until September 30, 2022.

15 DELTA REGIONAL AUTHORITY

16 SALARIES AND EXPENSES

17 For expenses necessary for the Delta Regional Au-
18 thority and to carry out its activities, as authorized by
19 the Delta Regional Authority Act of 2000, notwith-
20 standing sections 382F(d), 382M, and 382N of said Act,
21 \$15,000,000, to remain available until expended.

22 DENALI COMMISSION

23 For expenses necessary for the Denali Commission
24 including the purchase, construction, and acquisition of
25 plant and capital equipment as necessary and other ex-

1 penses, \$15,000,000, to remain available until expended,
2 notwithstanding the limitations contained in section
3 306(g) of the Denali Commission Act of 1998: *Provided*,
4 That funds shall be available for construction projects in
5 an amount not to exceed 80 percent of total project cost
6 for distressed communities, as defined by section 307 of
7 the Denali Commission Act of 1998 (division C, title III,
8 Public Law 105–277), as amended by section 701 of ap-
9 pendix D, title VII, Public Law 106–113 (113 Stat.
10 1501A–280), and an amount not to exceed 50 percent for
11 non-distressed communities: *Provided further*, That not-
12 withstanding any other provision of law regarding pay-
13 ment of a non-Federal share in connection with a grant-
14 in-aid program, amounts under this heading shall be avail-
15 able for the payment of such a non-Federal share for pro-
16 grams undertaken to carry out the purposes of the Com-
17 mission.

18 NORTHERN BORDER REGIONAL COMMISSION

19 For expenses necessary for the Northern Border Re-
20 gional Commission in carrying out activities authorized by
21 subtitle V of title 40, United States Code, \$25,000,000,
22 to remain available until expended: *Provided*, That such
23 amounts shall be available for administrative expenses,
24 notwithstanding section 15751(b) of title 40, United
25 States Code.

1 SOUTHEAST CRESCENT REGIONAL COMMISSION

2 For expenses necessary for the Southeast Crescent
3 Regional Commission in carrying out activities authorized
4 by subtitle V of title 40, United States Code, \$1,000,000,
5 to remain available until expended.

6 SOUTHWEST BORDER REGIONAL COMMISSION

7 For expenses necessary for the Southwest Border Re-
8 gional Commission in carrying out activities authorized by
9 subtitle V of title 40, United States Code, \$250,000, to
10 remain available until expended.

11 NUCLEAR REGULATORY COMMISSION

12 SALARIES AND EXPENSES

13 For expenses necessary for the Commission in car-
14 rying out the purposes of the Energy Reorganization Act
15 of 1974 and the Atomic Energy Act of 1954,
16 \$849,900,000, including official representation expenses
17 not to exceed \$25,000, to remain available until expended:
18 *Provided*, That of the amount appropriated herein, not
19 more than \$9,500,000 may be made available for salaries,
20 travel, and other support costs for the Office of the Com-
21 mission, to remain available until September 30, 2022, of
22 which, notwithstanding section 201(a)(2)(c) of the Energy
23 Reorganization Act of 1974 (42 U.S.C. 5841(a)(2)(c)),
24 the use and expenditure shall only be approved by a major-
25 ity vote of the Commission: *Provided further*, That reve-

1 nues from licensing fees, inspection services, and other
2 services and collections estimated at \$729,293,000 in fis-
3 cal year 2021 shall be retained and used for necessary
4 salaries and expenses in this account, notwithstanding 31
5 U.S.C. 3302, and shall remain available until expended:
6 *Provided further*, That of the amounts appropriated under
7 this heading, \$10,500,000 shall be for university research
8 and development in areas relevant to the Commission's
9 mission, and \$5,500,000 shall be for a Nuclear Science
10 and Engineering Grant Program that will support multi-
11 year projects that do not align with programmatic mis-
12 sions but are critical to maintaining the discipline of nu-
13 clear science and engineering: *Provided further*, That of
14 the amounts appropriated under this heading,
15 \$17,709,000 shall be for activities related to the develop-
16 ment of regulatory infrastructure for advanced nuclear
17 technologies, and \$13,349,000 shall be for international
18 activities, except that the amounts provided under this
19 proviso shall not be derived from fee revenues: *Provided*
20 *further*, That the sum herein appropriated shall be reduced
21 by the amount of revenues received during fiscal year
22 2021 so as to result in a final fiscal year 2021 appropria-
23 tion estimated at not more than \$120,607,000.

1 OFFICE OF INSPECTOR GENERAL

2 For expenses necessary for the Office of Inspector
3 General in carrying out the provisions of the Inspector
4 General Act of 1978, \$13,499,000, to remain available
5 until September 30, 2022: *Provided*, That revenues from
6 licensing fees, inspection services, and other services and
7 collections estimated at \$11,106,000 in fiscal year 2021
8 shall be retained and be available until September 30,
9 2022, for necessary salaries and expenses in this account,
10 notwithstanding section 3302 of title 31, United States
11 Code: *Provided further*, That the sum herein appropriated
12 shall be reduced by the amount of revenues received dur-
13 ing fiscal year 2021 so as to result in a final fiscal year
14 2021 appropriation estimated at not more than
15 \$2,393,000: *Provided further*, That of the amounts appro-
16 priated under this heading, \$1,206,000 shall be for In-
17 spector General services for the Defense Nuclear Facilities
18 Safety Board.

19 NUCLEAR WASTE TECHNICAL REVIEW BOARD

20 SALARIES AND EXPENSES

21 For expenses necessary for the Nuclear Waste Tech-
22 nical Review Board, as authorized by Public Law 100-
23 203, section 5051, \$3,600,000, to be derived from the Nu-
24 clear Waste Fund, to remain available until September 30,
25 2022.

1 activity to which a requirement or restriction would other-
2 wise have applied. Such notice shall include an explanation
3 of the substantial risk under paragraph (1) that permitted
4 such waiver and shall provide a detailed report to the
5 Committees of such waiver and changes to funding levels
6 to programs, projects, or activities.

7 (c) Except as provided in subsections (a), (b), and
8 (d), the amounts made available by this title for “Nuclear
9 Regulatory Commission—Salaries and Expenses” shall be
10 expended as directed in the report of the Committee on
11 Appropriations accompanying this Act.

12 (d) None of the funds provided for the Nuclear Regu-
13 latory Commission shall be available for obligation or ex-
14 penditure through a reprogramming of funds that in-
15 creases funds or personnel for any program, project, or
16 activity for which funds are denied or restricted by this
17 Act.

18 (e) The Commission shall provide a monthly report
19 to the Committees on Appropriations of both Houses of
20 Congress, which includes the following for each program,
21 project, or activity, including any prior year appropria-
22 tions—

- 23 (1) total budget authority;
- 24 (2) total unobligated balances; and
- 25 (3) total unliquidated obligations.

1

TITLE V

2

GENERAL PROVISIONS

3

(INCLUDING TRANSFER OF FUNDS)

4

SEC. 501. None of the funds appropriated by this Act

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may be used in any way, directly or indirectly, to influence

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congressional action on any legislation or appropriation

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matters pending before Congress, other than to commu-

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nicate to Members of Congress as described in 18 U.S.C.

9

1913.

10

SEC. 502. (a) None of the funds made available in

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title III of this Act may be transferred to any department,

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agency, or instrumentality of the United States Govern-

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ment, except pursuant to a transfer made by or transfer

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authority provided in this Act or any other appropriations

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Act for any fiscal year, transfer authority referenced in

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the report of the Committee on Appropriations accom-

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panying this Act, or any authority whereby a department,

18

agency, or instrumentality of the United States Govern-

19

ment may provide goods or services to another depart-

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ment, agency, or instrumentality.

21

(b) None of the funds made available for any depart-

22

ment, agency, or instrumentality of the United States

23

Government may be transferred to accounts funded in title

24

III of this Act, except pursuant to a transfer made by or

25

transfer authority provided in this Act or any other appro-

1 priations Act for any fiscal year, transfer authority ref-
2 erenced in the report of the Committee on Appropriations
3 accompanying this Act, or any authority whereby a de-
4 partment, agency, or instrumentality of the United States
5 Government may provide goods or services to another de-
6 partment, agency, or instrumentality.

7 (c) The head of any relevant department or agency
8 funded in this Act utilizing any transfer authority shall
9 submit to the Committees on Appropriations of both
10 Houses of Congress a semiannual report detailing the
11 transfer authorities, except for any authority whereby a
12 department, agency, or instrumentality of the United
13 States Government may provide goods or services to an-
14 other department, agency, or instrumentality, used in the
15 previous 6 months and in the year-to-date. This report
16 shall include the amounts transferred and the purposes
17 for which they were transferred, and shall not replace or
18 modify existing notification requirements for each author-
19 ity.

20 SEC. 503. None of the funds made available by this
21 Act may be used in contravention of Executive Order No.
22 12898 of February 11, 1994 (Federal Actions to Address
23 Environmental Justice in Minority Populations and Low-
24 Income Populations).

1 CONSTRUCTION

2 For an additional amount for “Construction”,
3 \$10,000,000,000, to remain available until expended, of
4 which not less than \$500,000,000 shall be for water-re-
5 lated environmental infrastructure assistance and
6 \$3,000,000,000 shall be for inland waterways projects:
7 *Provided*, That section 102 of Public Law 109–103 (33
8 U.S.C. 2221) shall not apply to funds provided in this
9 paragraph: *Provided further*, That notwithstanding any
10 other provision of law, section 102 of the Water Resources
11 Development Act of 1986 (Public Law 99–662; 33 U.S.C.
12 2212) shall not apply to funds provided in this paragraph:
13 *Provided further*, That the Secretary may initiate addi-
14 tional new construction starts with funds provided in this
15 paragraph without regard to section 110 of this Act: *Pro-*
16 *vided further*, That the limitation concerning total project
17 costs in section 902 of the Water Resources Development
18 Act of 1986 (Public Law 99–662; 33 U.S.C. 2280), as
19 amended, shall not apply to any project receiving funds
20 provided in this paragraph: *Provided further*, That funds
21 appropriated in this paragraph may be used by the Sec-
22 retary of the Army, acting through the Chief of Engineers,
23 to undertake work authorized to be carried out in accord-
24 ance with section 14 of the Flood Control Act of 1946
25 (33 U.S.C. 701r), section 205 of the Flood Control Act

1 of 1948 (33 U.S.C. 701s), section 206 of the Water Re-
2 sources Development Act of 1996 (Public Law 104–303;
3 33 U.S.C. 2330), or section 1135 of the Water Resources
4 Development Act of 1986 (Public Law 99–662; 33 U.S.C.
5 2309a), notwithstanding the program cost limitations set
6 forth in those sections: *Provided further*, That such
7 amount is designated by the Congress as being for an
8 emergency requirement pursuant to section
9 251(b)(2)(A)(i) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 MISSISSIPPI RIVER AND TRIBUTARIES

12 For an additional amount for “Mississippi River and
13 Tributaries”, \$875,000,000, to remain available until ex-
14 pended, of which \$150,000,000 shall be used for necessary
15 expenses to address emergency situations at Corps of En-
16 gineers Federal projects caused by natural disasters: *Pro-*
17 *vided*, That the Secretary may initiate additional new
18 study starts and additional new construction starts with
19 funds provided under this paragraph without regard to
20 other limitations in this Act: *Provided further*, That the
21 limitation concerning total project costs in section 902 of
22 the Water Resources Development Act of 1986 (Public
23 Law 99–662; 33 U.S.C. 2280), as amended, shall not
24 apply to any project receiving funds provided in this para-
25 graph: *Provided further*, That funds provided in this para-

1 graph may not be used to update the final determination
2 73 Fed. Reg. 54398 (September 19, 2008) or to construct
3 or provide for the construction of “Alternative 5” as de-
4 scribed in the Reformulation Main Report and Final Sup-
5 plemental Environmental Impact Statement released by
6 the Corps of Engineers in November 2007: *Provided fur-*
7 *ther*, That such amount is designated by the Congress as
8 being for an emergency requirement pursuant to section
9 251(b)(2)(A)(i) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 OPERATION AND MAINTENANCE

12 For an additional amount for “Operation and Main-
13 tenance”, \$5,000,000,000, to remain available until ex-
14 pended, of which \$655,000,000 shall be used for necessary
15 expenses to dredge Federal navigation projects in response
16 to, and repair damages to Corps of Engineers Federal
17 projects caused by, natural disasters: *Provided*, That sec-
18 tion 9006 of the Water Resources Development Act of
19 2007 (Public Law 110–114; 33. U.S.C. 3305) shall not
20 apply to funds provided in this paragraph: *Provided fur-*
21 *ther*, That such amount is designated by the Congress as
22 being for an emergency requirement pursuant to section
23 251(b)(2)(A)(i) of the Balanced Budget and Emergency
24 Deficit Control Act of 1985.

1 REGULATORY PROGRAM

2 For an additional amount for “Regulatory Program”,
3 \$50,000,000, to remain available until expended, for ex-
4 penses necessary to carry out the administration of laws
5 pertaining to regulation of navigable waters and wetlands:
6 *Provided*, That such amount is designated by the Congress
7 as being for an emergency requirement pursuant to sec-
8 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
9 gency Deficit Control Act of 1985.

10 FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

11 For an additional amount for “Formerly Utilized
12 Sites Remedial Action Program”, \$500,000,000, to re-
13 main available until expended: *Provided*, That such
14 amount is designated by the Congress as being for an
15 emergency requirement pursuant to section
16 251(b)(2)(A)(i) of the Balanced Budget and Emergency
17 Deficit Control Act of 1985.

18 FLOOD CONTROL AND COASTAL EMERGENCIES

19 For an additional amount for “Flood Control and
20 Coastal Emergencies”, \$415,000,000, to remain available
21 until expended, for necessary expenses to prepare for
22 flood, hurricane, and other natural disasters and support
23 emergency operations, repairs, and other activities in re-
24 sponse to such disasters as authorized by law: *Provided*,
25 That funding utilized for authorized shore protection

1 projects shall restore such projects to the full project pro-
2 file at full Federal expense: *Provided further*, That such
3 amount is designated by the Congress as being for an
4 emergency requirement pursuant to section
5 251(b)(2)(A)(i) of the Balanced Budget and Emergency
6 Deficit Control Act of 1985.

7
8 EXPENSES

8 For an additional amount for “Expenses”,
9 \$50,000,000, to remain available until expended, for nec-
10 essary expenses to administer and oversee the obligation
11 and expenditure of amounts provided in this title for the
12 Corps of Engineers: *Provided*, That such amount is des-
13 ignated by the Congress as being for an emergency re-
14 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
15 anced Budget and Emergency Deficit Control Act of 1985.

16 DEPARTMENT OF THE INTERIOR

17 BUREAU OF RECLAMATION

18 WATER AND RELATED RESOURCES

19 (INCLUDING TRANSFERS OF FUNDS)

20 For an additional amount for “Water and Related
21 Resources”, \$3,000,000,000, to remain available until ex-
22 pended, of which—

23 (1) \$50,000,000 shall be for water reclamation
24 and reuse projects authorized under title XVI of the

1 Reclamation Projects Authorization and Adjustment
2 Act of 1992 (Public Law 102–575);

3 (2) not less than \$300,000,000 shall be for
4 WaterSMART grants;

5 (3) not less than \$200,000,000 shall be for con-
6 struction activities, for which the Federal share of
7 the cost shall not be more than 50 percent and for
8 which the non-Federal share of not less than 50 per-
9 cent may be provided in cash or in-kind, related to
10 projects found to be feasible by the Secretary of the
11 Interior and which are ready to initiate for the re-
12 pair of critical Reclamation canals where operational
13 conveyance capacity has been seriously impaired by
14 factors such as age or land subsidence, focusing on
15 those that would imminently jeopardize Reclama-
16 tion’s ability to meet water delivery obligations;

17 (4) not less than \$605,000,000 shall be used
18 for titles III, IV, V, and VI of the Claims Resolution
19 Act of 2010 (Public Law 111–291), as amended,
20 title III, subtitle G of the Water Infrastructure Im-
21 provements for the Nation Act (Public Law 114–
22 322), title X, subtitle B, part III of the Omnibus
23 Public Land Management Act of 2009 (Public Law
24 111–11), and the Arizona Water Settlements Act
25 (Public Law 108–451), as amended;

1 (5) not less than \$100,000,000 shall be used
2 for rural water projects and shall include water in-
3 take and treatment facilities of such projects;

4 (6) \$100,000,000 shall be for Environmental
5 Restoration and Compliance;

6 (7) \$8,500,000 shall be for activity associated
7 with emergency remediation or repair of any Rec-
8 lamation facility which has had a failure or there is
9 imminent threat of failure in 2020, in order to re-
10 store and maintain water deliveries for irrigation;

11 (8) \$100,000,000 shall be transferred to the
12 Department of the Interior for programs, projects,
13 and activities authorized by the Central Utah
14 Project Completion Act (titles II–V of Public Law
15 102–575), of which \$1,300,000 shall be transferred
16 to the “Central Utah Project Completion Account”
17 for use by the Utah Reclamation and Mitigation and
18 Conservation Commission for emergency assistance;

19 (9) \$250,000,000 shall be for programs,
20 projects, and activities authorized by the Central
21 Valley Project Improvement Act (Public Law 102–
22 575);

23 (10) \$250,000,000 shall be for programs,
24 projects, and activities authorized by Title I of the

1 California Bay-Delta Restoration Act (Public Law
2 108–361), as amended; and

3 (11) \$200,000,000 shall be for Section 10004
4 of the Omnibus Public Land Management Act of
5 2009 (Public Law 111–11):

6 *Provided*, That funds provided under this heading in this
7 title may not be used for the Shasta Dam and Reservoir
8 Enlargement Project: *Provided further*, That such amount
9 is designated by the Congress as being for an emergency
10 requirement pursuant to section 251(b)(2)(A)(i) of the
11 Balanced Budget and Emergency Deficit Control Act of
12 1985.

13 DEPARTMENT OF ENERGY

14 ENERGY EFFICIENCY AND RENEWABLE ENERGY

15 For an additional amount for “Energy Efficiency and
16 Renewable Energy”, \$7,780,000,000, to remain available
17 until expended, of which—

18 (1) \$3,000,000,000 shall be for the Weatheriza-
19 tion Assistance Program under part A of title IV of
20 the Energy Conservation and Production Act (Public
21 Law 94–385; 42 U.S.C. 6861 et seq.), of which
22 \$300,000,000 shall be for enhancements and innova-
23 tion as described in section 603 of this Act, and
24 \$2,000,000 shall be for training and technical assist-

1 ance to strengthen and increase weatherization ap-
2 prenticeship pathways;

3 (2) \$730,000,000 shall be for the State Energy
4 Program authorized under part D of title III of the
5 Energy Policy and Conservation Act (Public Law
6 94–163; 42 U.S.C. 6321 et seq);

7 (3) \$2,000,000,000 shall be for Energy Effi-
8 ciency and Conservation Block Grants for implemen-
9 tation of programs authorized under subtitle E of
10 title V of the Energy Independence and Security Act
11 of 2007 (Public Law 110–140; 42 U.S.C. 17151 et
12 seq.), of which \$1,500,000,000 is available through
13 the formula in subtitle E;

14 (4) \$1,000,000,000 shall be for the Vehicles
15 Technologies Office to develop electric and alter-
16 native vehicle infrastructure;

17 (5) \$500,000,000 shall be for the Advanced
18 Manufacturing Office, of which—

19 (A) \$250,000,000 shall be for battery sup-
20 ply chain support;

21 (B) \$125,000,000 shall be for a grant pro-
22 gram to improve energy efficiency at water and
23 wastewater plants; and

24 (C) \$125,000,000 shall be for a domestic
25 manufacturing conversion grant program au-

1 thorized under section 132 of subtitle B in title
2 I of the Energy Independence and Security Act
3 of 2007 (Public Law 110–140; 42 U.S.C.
4 17011 et seq);

5 (6) \$200,000,000 shall be for grants to deploy
6 solar and distributed energy systems in low-income
7 and underserved communities, for which no cost
8 share is required;

9 (7) \$100,000,000 shall be for the Hydrogen
10 and Fuel Cell Technologies Office for H2@Scale
11 demonstration and deployment activities related to
12 hydrogen production, storage, transport, and infra-
13 structure;

14 (8) \$230,000,000 shall be for facilities and in-
15 frastructure; and

16 (9) \$20,000,000 shall be for program direction:
17 *Provided*, That funds provided under this heading in this
18 title may not be used for any activities related to the En-
19 ergy Materials and Processing at Scale Research Facility:
20 *Provided further*, That notwithstanding section 3304 of
21 title 5, United States Code, and without regard to the pro-
22 visions of sections 3309 through 3318 of such title 5, the
23 Secretary of Energy, upon a determination that there is
24 a severe shortage of candidates or a critical hiring need
25 for particular positions to carry out the activities funded

1 under this heading in this title, may from within the funds
2 provided under this heading in this title, recruit and di-
3 rectly appoint highly qualified individuals into the com-
4 petitive service: *Provided further*, That such authority
5 shall not apply to positions in the Excepted Service or the
6 Senior Executive Service: *Provided further*, That any ac-
7 tion authorized herein shall be consistent with the merit
8 principles of section 2301 of such title 5, and the Depart-
9 ment shall comply with the public notice requirements of
10 section 3327 of such title 5: *Provided further*, That such
11 amount is designated by the Congress as being for an
12 emergency requirement pursuant to section
13 251(b)(2)(A)(i) of the Balanced Budget and Emergency
14 Deficit Control Act of 1985.

15 ELECTRICITY

16 For an additional amount for “Electricity”,
17 \$3,350,000,000, to remain available until expended, for
18 necessary expenses related to grid modernization pro-
19 grams, of which—

20 (1) \$2,000,000,000 shall be for grants and
21 demonstrations to enhance the resilience, reliability,
22 and energy security of electric infrastructure, to im-
23 prove preparedness and restoration time to mitigate
24 power disturbances, to continue delivery of power to
25 critical facilities and electricity-dependent essential

1 services, to enhance regional grid resilience, and to
2 facilitate greater incorporation of renewable energy
3 generation;

4 (2) \$56,500,000 shall be for construction of the
5 Grid Storage Launchpad;

6 (3) \$500,000,000 shall be for energy storage
7 demonstration projects across a portfolio of tech-
8 nologies and approaches; and

9 (4) not less than \$770,500,000 shall be for
10 grants to manufacturers in the United States for the
11 manufacturing of advanced batteries and compo-
12 nents:

13 *Provided*, That the Secretary shall ensure regional diver-
14 sity among eligible entities that receive the funds for
15 grants, technical assistance, and demonstrations provided
16 under this heading in this title: *Provided further*, That
17 funds provided for these activities shall not be subject to
18 cost share requirements for state, local, and other govern-
19 ment recipients: *Provided further*, That notwithstanding
20 section 3304 of title 5, United States Code, and without
21 regard to the provisions of sections 3309 through 3318
22 of such title 5, the Secretary of Energy, upon a determina-
23 tion that there is a severe shortage of candidates or a crit-
24 ical hiring need for particular positions to carry out the
25 activities funded under this heading in this title, may from

1 within the funds provided under this heading in this title,
2 recruit and directly appoint highly qualified individuals
3 into the competitive service: *Provided further*, That such
4 authority shall not apply to positions in the Excepted
5 Service or the Senior Executive Service: *Provided further*,
6 That any action authorized herein shall be consistent with
7 the merit principles of section 2301 of such title 5, and
8 the Department shall comply with the public notice re-
9 quirements of section 3327 of such title 5: *Provided fur-*
10 *ther*, That such amount is designated by the Congress as
11 being for an emergency requirement pursuant to section
12 251(b)(2)(A)(i) of the Balanced Budget and Emergency
13 Deficit Control Act of 1985.

14 NUCLEAR ENERGY

15 For an additional amount for “Nuclear Energy”,
16 \$1,250,000,000, to remain available until expended, of
17 which—

18 (1) \$700,000,000 shall be for the Advanced Re-
19 actor Demonstration Program;

20 (2) not less than \$192,300,000 shall be for the
21 Advanced Small Modular Reactor program: *Pro-*
22 *vided*, That the cost share for any demonstration
23 project shall be up to 50 percent from the Depart-
24 ment and not less than 50 percent from non-federal

1 sources: *Provided further*, That any demonstration
2 project must meet the following criteria:

3 (A) technical feasibility that the dem-
4 onstration can be operational in five to seven
5 years;

6 (B) likelihood that the design can be li-
7 censed for safe operations by the Nuclear Regu-
8 latory Commission;

9 (C) use of certified fuel design or dem-
10 onstration of a clear path to certification within
11 five to seven years;

12 (D) affordability of the design for full-scale
13 construction and cost of electricity generation;

14 (E) ability of the team to provide its por-
15 tion of the cost share; and

16 (F) technical abilities and qualifications of
17 teams desiring to demonstrate a proposed ad-
18 vanced nuclear reactor technology;

19 (3) \$100,000,000 shall be for integrated hydro-
20 gen-nuclear demonstration projects;

21 (4) \$66,000,000 shall be for construction of the
22 Sample Preparation Laboratory;

23 (5) \$61,700,000 shall be for Materials and
24 Fuels Complex Plant Health Investments; and

1 (6) \$125,000,000 shall be for Advanced Test
2 Reactor Recapitalization:
3 *Provided*, That such amount is designated by the Congress
4 as being for an emergency requirement pursuant to sec-
5 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
6 gency Deficit Control Act of 1985.

7 FOSSIL ENERGY RESEARCH AND DEVELOPMENT

8 For an additional amount for “Fossil Energy Re-
9 search and Development”, \$1,250,000,000, to remain
10 available until expended, of which—

11 (1) \$750,000,000 shall be for a carbon capture
12 and utilization technology commercialization pro-
13 gram to improve the efficiency, effectiveness, cost,
14 and environmental performance of fossil fuel-fired
15 facilities, including the industrial sector, through
16 front end engineering design, commercial demonstra-
17 tion of advanced carbon capture technology projects,
18 commercial demonstration of direct air capture tech-
19 nology projects, and commercialization projects of
20 large-scale carbon dioxide storage sites in saline geo-
21 logical formations, including activities exploring, cat-
22 egorizing, and developing storage sites and necessary
23 pipeline infrastructure;

24 (2) not less than \$239,500,000 shall be for
25 demonstrations of negative emissions technologies;

1 (3) \$23,000,000 shall be for Joule 2 and Joule
2 3;

3 (4) \$25,000,000 shall be for the Computational
4 Science and Engineering Center;

5 (5) \$25,000,000 shall be for the Extreme Con-
6 dition Reactive Fluids Lab;

7 (6) \$25,000,000 shall be for the Materials and
8 Minerals Characterization Center;

9 (7) \$25,000,000 shall be for the Combustion
10 Development Facility;

11 (8) \$25,000,000 shall be for the Direct Air
12 Capture Center;

13 (9) \$20,000,000 shall be for the Center for
14 Data Analytics and Machine Learning;

15 (10) \$15,000,000 shall be for the Advanced
16 Alloy Development Facility;

17 (11) \$15,000,000 shall be for the Carbon Utili-
18 zation Center;

19 (12) \$15,000,000 shall be for the Scale-up Phe-
20 nomena Laboratory;

21 (13) \$10,000,000 shall be for Materials Engi-
22 neering Manufacturing laboratory upgrades;

23 (14) \$9,500,000 shall be for NETL campus in-
24 frastructure utilities;

1 (15) \$8,000,000 shall be for the Geological En-
2 vironmental Science Center;

3 (16) \$6,000,000 shall be for Cross Cutting Re-
4 search and Innovation Center laboratory renova-
5 tions; and

6 (17) \$4,000,000 shall be for demolition of ex-
7 cess and aging infrastructure:

8 *Provided*, That such amount is designated by the Congress
9 as being for an emergency requirement pursuant to sec-
10 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
11 gency Deficit Control Act of 1985.

12 NON-DEFENSE ENVIRONMENTAL CLEANUP

13 For an additional amount for “Non-Defense Environ-
14 mental Cleanup”, \$200,000,000, to remain available until
15 expended, of which—

16 (1) \$50,500,000 shall be for the Moab Uranium
17 Mill Tailings Remedial Action Project;

18 (2) \$48,000,000 shall be for the Energy Tech-
19 nology Engineering Center;

20 (3) \$45,500,000 shall be for Lawrence Berkeley
21 National Laboratory; and

22 (4) \$56,000,000 shall be for the West Valley
23 Demonstration Project:

24 *Provided*, That such amount is designated by the Congress
25 as being for an emergency requirement pursuant to sec-

1 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
2 gency Deficit Control Act of 1985.

3 URANIUM ENRICHMENT DECONTAMINATION AND
4 DECOMMISSIONING FUND

5 For an additional amount for “Uranium Enrichment
6 Decontamination and Decommissioning Fund”,
7 \$240,000,000, to remain available until expended, for nec-
8 essary expenses related to cleanup of uranium gaseous dif-
9 fusion plants, of which \$120,000,000 shall be for the
10 Portsmouth Gaseous Diffusion Plant Site and
11 \$120,000,000 shall be for the Paducah Gaseous Diffusion
12 Site: *Provided*, That such amount is designated by the
13 Congress as being for an emergency requirement pursuant
14 to section 251(b)(2)(A)(i) of the Balanced Budget and
15 Emergency Deficit Control Act of 1985.

16 SCIENCE

17 For an additional amount for “Science”,
18 \$6,250,000,000, to remain available until expended, for
19 necessary expenses related to scientific infrastructure, of
20 which—

21 (1) \$340,000,000 shall be for procurement of
22 the exascale systems at the Argonne Leadership
23 Computing Facility;

1 (2) \$332,000,000 shall be for procurement of
2 the exascale systems at the Oak Ridge Leadership
3 Computing Facility;

4 (3) \$75,000,000 shall be for equipment and in-
5 frastructure for the Quantum Information Science
6 Research Centers;

7 (4) \$100,000,000 shall be for existing advanced
8 computing systems at the Leadership Computing
9 Facilities;

10 (5) \$20,000,000 shall be for power upgrades at
11 the National Energy Research Scientific Computing
12 Center;

13 (6) \$4,530,000 shall be for the Exascale Com-
14 puting Project;

15 (7) \$2,250,000 shall be for ESnet;

16 (8) \$1,500,000 shall be for National Energy
17 Research Scientific Computing Center 9 infrastruc-
18 ture;

19 (9) \$1,300,000 shall be for the Argonne Lead-
20 ership Computing Facility;

21 (10) \$700,000 shall be for the Oak Ridge Lead-
22 ership Computing Facility;

23 (11) \$50,000,000 shall be for Environmental
24 Molecular Sciences Laboratory equipment upgrades;

1 (12) \$50,000,000 shall be for Joint Genome In-
2 stitute equipment upgrades;

3 (13) \$50,000,000 shall be for Atmospheric Ra-
4 diation Measurement User Facility fixed and mobile
5 sites equipment upgrades;

6 (14) \$214,000,000 shall be for the Linac Co-
7 herent Light Source-II-High Energy;

8 (15) \$207,300,000 shall be for the Spallation
9 Neutron Source Second Target Station;

10 (16) \$200,000,000 shall be for Ames main
11 building modernization;

12 (17) \$170,000,000 shall be for the Advanced
13 Light Source Upgrade;

14 (18) \$151,000,000 shall be for the Advanced
15 Photon Source Upgrade;

16 (19) \$91,200,000 shall be for the Spallation
17 Neutron Source Proton Power Upgrade;

18 (20) \$75,000,000 shall be for the Linac Coher-
19 ent Light Source-II;

20 (21) \$73,000,000 shall be for the Cryomodule
21 Repair & Maintenance Facility;

22 (22) \$60,000,000 shall be for Nanoscale
23 Science Research Centers Recapitalization;

24 (23) \$59,500,000 shall be for NSLS-II Experi-
25 mental Tools-II;

- 1 (24) \$65,000,000 shall be for ITER;
- 2 (25) \$110,000,000 shall be for the Matter in
- 3 Extreme Conditions Upgrade;
- 4 (26) \$134,254,000 shall be for Materials Plas-
- 5 ma Exposure experiment equipment;
- 6 (27) \$641,000,000 shall be for Long Baseline
- 7 Neutrino Facility;
- 8 (28) \$284,380,000 shall be for the Proton Im-
- 9 provement Plan II;
- 10 (29) \$200,300,000 shall be for Large Hadron
- 11 Collider computing and equipment;
- 12 (30) \$100,000,000 shall be for Wilson Hall ren-
- 13 ovations;
- 14 (31) \$62,000,000 shall be for Cosmic Micro-
- 15 wave Background - Stage 4;
- 16 (32) \$9,000,000 shall be for Muon to Electron
- 17 Conversion Experiment equipment;
- 18 (33) \$6,000,000 shall be for Super Cryogenic
- 19 Dark Matter Search equipment;
- 20 (34) \$2,100,000 shall be for the Large Synoptic
- 21 Survey Telescope project;
- 22 (35) \$448,200,000 shall be for the Electron Ion
- 23 Collider;
- 24 (36) \$202,900,000 shall be for the U.S. Stable
- 25 Isotope Production and Research Center;

1 (37) \$145,500,000 shall be for Ton Scale
2 Neutrinoless Double Beta Decay equipment;

3 (38) \$87,000,000 shall be for the High Rigidity
4 Spectrometer;

5 (39) \$45,000,000 shall be for isotope capabilities
6 at the Facility for Rare Isotope Beams;

7 (40) \$43,100,000 shall be for Measurement of
8 a Lepton-Lepton Electroweak Reaction equipment;

9 (41) \$39,100,000 shall be for the Gamma-Ray
10 Energy Tracking Array;

11 (42) \$2,400,000 shall be for Super Pioneering
12 High Energy Nuclear Interaction Experiment equipment;
13

14 (43) \$1,000,000 shall be for Facility for Rare
15 Isotope Beams construction;

16 (44) \$77,000,000 shall be for the Utilities Infrastructure
17 Project;

18 (45) \$65,000,000 shall be for the ORNL Infrastructure
19 Improvements project;

20 (46) \$63,000,000 shall be for the Linear Assets
21 Modernization Project;

22 (47) \$211,036,000 shall be for General Plant
23 Projects;

24 (48) \$73,000,000 shall be for the Argonne Utilities
25 Upgrade project;

1 (49) \$107,000,000 shall be for the Critical Util-
2 ities Infrastructure Revitalization project;

3 (50) \$52,000,000 shall be for the Critical Utili-
4 ties Rehabilitation Project;

5 (51) \$83,750,000 shall be for the BioEPIC
6 Building;

7 (52) \$59,000,000 shall be for the Princeton
8 Plasma Innovation Center;

9 (53) \$70,000,000 shall be for CEBAF Renova-
10 tion and Expansion;

11 (54) \$59,500,000 shall be for the Critical Infra-
12 structure Recovery and Renewal project;

13 (55) \$75,400,000 shall be for the Seismic and
14 Safety Modernization project;

15 (56) \$50,000,000 shall be for the Craft Re-
16 source Facility;

17 (57) \$45,000,000 shall be for the Large Scale
18 Collaboration Center;

19 (58) \$43,000,000 shall be for the Science User
20 Support Center;

21 (59) \$39,750,000 shall be for the Translational
22 Research Capacity construction project;

23 (60) \$28,000,000 shall be for the Ames Infra-
24 structure Modernization project;

1 (61) \$5,750,000 shall be for the Energy
2 Sciences Capability project;

3 (62) \$5,500,000 shall be for the Integrated En-
4 gineering Research Center;

5 (63) \$1,400,000 shall be for Tritium System
6 Demolition and Disposal;

7 (64) \$1,300,000 shall be for the Core Facility
8 Revitalization construction project;

9 (65) \$1,000,000 shall be for the Electrical Ca-
10 pacity and Distribution Capability project;

11 (66) \$65,000,000 shall be for the TJNAF In-
12 frastructure Improvement project; and

13 (67) \$12,100,000 shall be for addressing Office
14 of Science cybersecurity infrastructure deficiencies:

15 *Provided*, That such amount is designated by the Congress
16 as being for an emergency requirement pursuant to sec-
17 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
18 gency Deficit Control Act of 1985.

19 ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

20 For an additional amount for “Advanced Research
21 Projects Agency—Energy”, \$250,000,000, to remain
22 available until expended, for necessary expenses for dem-
23 onstrations projects: *Provided*, That such amount is des-
24 ignated by the Congress as being for an emergency re-

1 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
2 anced Budget and Emergency Deficit Control Act of 1985.

3 OFFICE OF INDIAN ENERGY POLICY AND PROGRAMS

4 For an additional amount for “Office of Indian En-
5 ergy Policy and Programs”, \$150,000,000, to remain
6 available until expended, for necessary expenses for the
7 development and deployment of energy infrastructure on
8 Indian lands that results in the reduction of energy costs,
9 assistance in economic development, and electrification in
10 tribal communities: *Provided*, That such funds shall not
11 be subject to cost share requirements: *Provided further*,
12 That such amount is designated by the Congress as being
13 for an emergency requirement pursuant to section
14 251(b)(2)(A)(i) of the Balanced Budget and Emergency
15 Deficit Control Act of 1985.

16 OFFICE OF THE INSPECTOR GENERAL

17 For an additional amount for “Office of the Inspector
18 General”, \$20,000,000, to remain available until ex-
19 pended, for necessary expenses of the Office of the Inspec-
20 tor General in carrying out the provisions of the Inspector
21 General Act of 1978 (Public Law 95–452), as amended,
22 and for providing oversight of the funds provided for the
23 Department of Energy in this title: *Provided*, That such
24 amount is designated by the Congress as being for an
25 emergency requirement pursuant to section

1 251(b)(2)(A)(i) of the Balanced Budget and Emergency
2 Deficit Control Act of 1985.

3 DEFENSE ENVIRONMENTAL CLEANUP

4 For an additional amount for “Defense Environ-
5 mental Cleanup”, \$2,685,000,000, to remain available
6 until expended, of which—

7 (1) \$941,000,000 shall be for the Hanford Site,
8 of which—

9 (A) \$350,000,000 shall be for site infra-
10 structure upgrades;

11 (B) \$230,000,000 shall be for tank farm
12 infrastructure;

13 (C) \$175,000,000 shall be for Area 105 K
14 West Basin disposition;

15 (D) \$71,000,000 shall be for Area 300/296
16 Waste Site remediation;

17 (E) \$50,000,000 shall be for River Cor-
18 ridor decontamination and decommissioning;

19 (F) \$35,000,000 shall be for tank farm
20 evaporator upgrades; and

21 (G) \$30,000,000 shall be for A/AX farms
22 single shell tank retrievals;

23 (2) \$711,000,000 shall be for the Savannah
24 River Site, of which—

1 (A) \$200,000,000 shall be for H Canyon
2 Basin Dewatering Project;

3 (B) \$140,000,000 shall be for building
4 235-F decontamination and decommissioning;

5 (C) \$82,000,000 shall be for utilities sys-
6 tem upgrades;

7 (D) \$75,000,000 shall be for roads and re-
8 lated infrastructure;

9 (E) \$75,000,000 shall be for critical spares
10 and infrastructure at the Defense Waste Proc-
11 essing Facility;

12 (F) \$60,000,000 shall be for Separations
13 Engineering Development decontamination and
14 decommissioning;

15 (G) \$32,000,000 shall be for Salt Disposal
16 Units 8-12;

17 (H) \$25,000,000 shall be for the Nuclear
18 Materials Storage Vault; and

19 (I) \$22,000,000 shall be for Defense
20 Waste Processing Facility laboratory instru-
21 ments and computers;

22 (3) \$375,000,000 shall be for the Waste Isola-
23 tion Pilot Plant, of which—

24 (A) \$200,000,000 shall be for the Hoist
25 Capability Project;

1 (B) \$90,000,000 shall be for the Safety
2 Significant Ventilation Confinement System;

3 (C) \$55,000,000 shall be for shipping sys-
4 tem upgrades and shielded containers; and

5 (D) \$30,000,000 shall be for underground
6 combustion fume reduction activities;

7 (4) \$240,000,000 shall be for the Idaho Site, of
8 which—

9 (A) \$124,000,000 shall be for accelerated
10 cleanup, decontamination and decommissioning,
11 and groundwater;

12 (B) \$72,000,000 shall be for infrastructure
13 improvements,

14 (C) \$24,000,000 shall be for shielded con-
15 tainers and assay equipment; and

16 (D) \$20,000,000 shall be for Idaho Nu-
17 clear Technology and Engineering Center infra-
18 structure;

19 (5) \$140,000,000 shall be for the Oak Ridge
20 Site, of which—

21 (A) \$90,000,000 shall be for Y-12 Na-
22 tional Security Complex and Oak Ridge Na-
23 tional Laboratory excess facilities decontamina-
24 tion and decommissioning;

1 (B) \$30,000,000 shall be for liquid gas-
2 eous waste operating facilities decontamination
3 and decommissioning; and

4 (C) \$20,000,000 shall be for Transuranic
5 Waste Processing Center infrastructure;

6 (6) \$170,000,000 shall be for Lawrence Liver-
7 more National Laboratory excess facilities decon-
8 tamination and decommissioning;

9 (7) \$58,000,000 shall be for Los Alamos excess
10 facilities decontamination and decommissioning; and

11 (8) \$50,000,000 shall be for Los Alamos middle
12 DP road site investigation and remediation:

13 *Provided*, That such amount is designated by the Congress
14 as being for an emergency requirement pursuant to sec-
15 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
16 gency Deficit Control Act of 1985.

17 OTHER DEFENSE ACTIVITIES

18 For an additional amount for “Other Defense Activi-
19 ties”, \$50,000,000, to remain available until expended, for
20 necessary expenses related to secure compartmented intel-
21 ligence facility infrastructure and IT modernization: *Pro-*
22 *vided*, That funds made available under this paragraph for
23 intelligence activities are deemed to be specifically author-
24 ized by Congress for purposes of section 504 of the Na-
25 tional Security Act of 1947 (50 U.S.C. 3094): *Provided*

1 *further*, That such amount is designated by the Congress
2 as being for an emergency requirement pursuant to sec-
3 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
4 gency Deficit Control Act of 1985.

5 GENERAL PROVISIONS—ADDITIONAL
6 INFRASTRUCTURE INVESTMENTS

7 SEC. 601. The heads of agencies funded under this
8 title shall submit a monthly report to the Committees on
9 Appropriations of the House of Representatives and the
10 Senate detailing the allocation, obligation, and expendi-
11 tures of these funds, including new projects selected to be
12 initiated with funds provided in this title, beginning not
13 later than 45 days after the date of enactment of this Act.

14 SEC. 602. The Secretary of Energy shall, in consulta-
15 tion with the Secretaries of Health and Human Services,
16 Housing and Urban Development, and Veterans Affairs,
17 develop an inter-agency collaboration effort to increase
18 cross-participation in the Department of Energy’s Weath-
19 erization Assistance Program, the Department of Health
20 and Human Services Low Income Home Energy Assist-
21 ance Program, the HUD Lead Hazard Control and
22 Healthy Homes Program, and the Department of Vet-
23 erans Affairs.

24 SEC. 603. The Secretary of Energy shall, within
25 funds made available in this title, distribute funds to WAP

1 grantees via the formula in part A of title IV of the En-
2 ergy Conservation and Production Act (Public Law 94–
3 385; 42 U.S.C. 6861 et seq.), for the purpose of innovative
4 activities that will increase the number of dwelling units
5 that become weatherization-ready through critical repairs,
6 promote the deployment of renewable energy systems and
7 emerging technologies, include community-based weather-
8 ization concepts, and improve indoor environments
9 through healthy homes measures. Grantees may also use
10 such funds for innovative outreach and education, quality
11 control of work performed, data collection, measurement,
12 verification, program monitoring, oversight, evaluation, re-
13 porting, training, and planning related to such work. Such
14 funding is not subject to the savings-to-investment ratio
15 requirements in 10 CFR § 440.21.

16 SEC. 604. (a) Section 415(c)(1) of the Energy Con-
17 servation and Production Act (Public Law 94–385; 42
18 U.S.C. 6865(c)(1)) is amended by striking “\$6,500” and
19 inserting “\$10,000”.

20 (b) Section 415(a)(1) of the Energy Conservation and
21 Production Act (Public Law 94–385; 42 U.S.C.
22 6865(a)(1)) is amended by striking “10 percent” and in-
23 serting “12.5 percent”.

24 (c) Paragraph (2) of section 415(c) of the Energy
25 Conservation and Production Act (Public Law 94–385; 42

1 U.S.C. 6865(c)(2)) is amended to read as follows: “(2)
2 Dwelling units weatherized (including dwelling units par-
3 tially weatherized) under this part, or under other Federal
4 programs (in this paragraph referred to as ‘previous
5 weatherization’), may not receive further financial assist-
6 ance for weatherization under this part until the date that
7 is 15 years after the date such previous weatherization
8 was completed. This paragraph does not preclude dwelling
9 units that have received previous weatherization from re-
10 ceiving assistance and services (including the provision of
11 information and education to assist with energy manage-
12 ment and evaluation of the effectiveness of installed
13 weatherization materials) other than weatherization under
14 this part or under other Federal programs, or from receiv-
15 ing non-Federal assistance for weatherization.”.

16 SEC. 605. (a) No later than 6 months after the date
17 of enactment of this Act, the Secretary of Energy, in co-
18 ordination with the Secretary of Commerce, shall—

19 (1) determine any geographic area within the
20 contiguous United States that lacks a Federal power
21 marketing agency;

22 (2) develop a plan or criteria for the geographic
23 areas identified in paragraph (1) regarding invest-
24 ment in renewable energy and associated infrastruc-
25 ture within an area identified in paragraph (1); and

1 (3) identify any Federal agency within an area
2 in paragraph (1) that has, or could develop, the abil-
3 ity to facilitate the investment in paragraph (2).

4 (b) The Secretary of Energy, in coordination with the
5 Secretary of Commerce, shall provide the determinations
6 made under subsection (a) to the Committee on Appro-
7 priations and the Committee on Energy and Commerce
8 of the House of Representatives.

9 (c) Based upon the determinations made pursuant to
10 subsection (a), the Secretary of Energy, in coordination
11 with the Secretary of Commerce, shall recommend to the
12 Committee on Energy and Commerce of the House of
13 Representatives the establishment of any new Federal
14 lending authority, including authorization of additional
15 lending authority for existing Federal agencies, not to ex-
16 ceed \$3,500,000,000 per geographic area identified in
17 subsection (a)(1).

18 (d) There is hereby appropriated \$25,000,000 to
19 carry out this section.

20 (e) The amounts provided by this section are des-
21 ignated by the Congress as being for an emergency re-
22 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
23 anced Budget and Emergency Deficit Control Act of 1985.

24 SEC. 606. (a) Requirements relating to non-Federal
25 cost-share grants and cooperative agreements for the

1 Delta Regional Authority under section 382D of the Agri-
2 cultural Act of 1961 and Consolidated Farm and Rural
3 Development Act (7 U.S.C. 2009aa—3) are waived for
4 grants awarded in fiscal year 2020 and in subsequent
5 years in response to economic distress directly related to
6 the impacts of the Coronavirus Disease (COVID-19).

7 (b) Requirements relating to non-Federal cost-share
8 grants and cooperative agreements for the Northern Bor-
9 der Regional Commission under section 15501(d) of title
10 40, United States Code, are waived for grants awarded
11 in fiscal year 2020 and in subsequent years in response
12 to economic distress directly related to the impacts of the
13 Coronavirus Disease (COVID-19).

14 (c) Requirements relating to non-Federal cost-share
15 grants and cooperative agreements for the Denali Com-
16 mission are waived for grants awarded in fiscal year 2020
17 and in subsequent years in response to economic distress
18 directly related to the impacts of the Coronavirus Disease
19 (COVID-19).

20 This Act may be cited as the “Energy and Water De-
21 velopment and Related Agencies Appropriations Act,
22 2021”.

1 **DIVISION D—FINANCIAL SERVICES AND**
2 **GENERAL GOVERNMENT APPROPRIA-**
3 **TIONS ACT, 2021**

4 That the following sums are appropriated, out of any
5 money in the Treasury not otherwise appropriated, for the
6 fiscal year ending September 30, 2021, and for other pur-
7 poses, namely:

8 **TITLE I**

9 **DEPARTMENT OF THE TREASURY**

10 **DEPARTMENTAL OFFICES**

11 **SALARIES AND EXPENSES**

12 For necessary expenses of the Departmental Offices
13 including operation and maintenance of the Treasury
14 Building and Freedman's Bank Building; hire of pas-
15 senger motor vehicles; maintenance, repairs, and improve-
16 ments of, and purchase of commercial insurance policies
17 for, real properties leased or owned overseas, when nec-
18 essary for the performance of official business; executive
19 direction program activities; international affairs and eco-
20 nomic policy activities; domestic finance and tax policy ac-
21 tivities, including technical assistance to State, local, and
22 territorial entities; and Treasury-wide management poli-
23 cies and programs activities, \$231,861,000: *Provided,*
24 That of the amount appropriated under this heading—

1 (1) not to exceed \$350,000 is for official recep-
2 tion and representation expenses;

3 (2) not to exceed \$258,000 is for unforeseen
4 emergencies of a confidential nature to be allocated
5 and expended under the direction of the Secretary of
6 the Treasury and to be accounted for solely on the
7 Secretary's certificate; and

8 (3) not to exceed \$24,000,000 shall remain
9 available until September 30, 2022, for—

10 (A) the Treasury-wide Financial Statement
11 Audit and Internal Control Program;

12 (B) information technology modernization
13 requirements;

14 (C) the audit, oversight, and administra-
15 tion of the Gulf Coast Restoration Trust Fund;

16 (D) the development and implementation
17 of programs within the Office of Cybersecurity
18 and Critical Infrastructure Protection, including
19 entering into cooperative agreements;

20 (E) operations and maintenance of facili-
21 ties; and

22 (F) international operations.

1 COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED
2 STATES FUND
3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses of the Committee on Foreign
5 Investment in the United States, \$20,000,000, to remain
6 available until expended: *Provided*, That the chairperson
7 of the Committee may transfer such amounts to any de-
8 partment or agency represented on the Committee (includ-
9 ing the Department of the Treasury) subject to advance
10 notification to the Committees on Appropriations of the
11 House of Representatives and the Senate: *Provided fur-*
12 *ther*, That amounts so transferred shall remain available
13 until expended for expenses of implementing section 721
14 of the Defense Production Act of 1950, as amended (50
15 U.S.C. 4565), and shall be available in addition to any
16 other funds available to any department or agency: *Pro-*
17 *vided further*, That fees authorized by section 721(p) of
18 such Act shall be credited to this appropriation as offset-
19 ting collections: *Provided further*, That the total amount
20 appropriated under this heading from the general fund
21 shall be reduced as such offsetting collections are received
22 during fiscal year 2021, so as to result in a total appro-
23 priation from the general fund estimated at not more than
24 \$0.

1 OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE
2 SALARIES AND EXPENSES

3 For the necessary expenses of the Office of Terrorism
4 and Financial Intelligence to safeguard the financial sys-
5 tem against illicit use and to combat rogue nations, ter-
6 rorist facilitators, weapons of mass destruction
7 proliferators, human rights abusers, money launderers,
8 drug kingpins, and other national security threats,
9 \$172,751,000, of which not less than \$3,000,000 shall be
10 available for addressing human rights violations and cor-
11 ruption, including activities authorized by the Global
12 Magnitsky Human Rights Accountability Act (22 U.S.C.
13 2656 note): *Provided*, That of the amounts appropriated
14 under this heading, up to \$10,000,000 shall remain avail-
15 able until September 30, 2022.

16 CYBERSECURITY ENHANCEMENT ACCOUNT

17 For salaries and expenses for enhanced cybersecurity
18 for systems operated by the Department of the Treasury,
19 \$18,000,000, to remain available until September 30,
20 2023: *Provided*, That such funds shall supplement and not
21 supplant any other amounts made available to the Treas-
22 ury offices and bureaus for cybersecurity: *Provided fur-*
23 *ther*, That of the total amount made available under this
24 heading \$1,000,000 shall be available for administrative
25 expenses for the Treasury Chief Information Officer to

1 provide oversight of the investments made under this
2 heading: *Provided further*, That such funds shall supple-
3 ment and not supplant any other amounts made available
4 to the Treasury Chief Information Officer.

5 DEPARTMENT-WIDE SYSTEMS AND CAPITAL
6 INVESTMENTS PROGRAMS
7 (INCLUDING TRANSFER OF FUNDS)

8 For development and acquisition of automatic data
9 processing equipment, software, and services and for re-
10 pairs and renovations to buildings owned by the Depart-
11 ment of the Treasury, \$6,000,000, to remain available
12 until September 30, 2023: *Provided*, That these funds
13 shall be transferred to accounts and in amounts as nec-
14 essary to satisfy the requirements of the Department's of-
15 fices, bureaus, and other organizations: *Provided further*,
16 That this transfer authority shall be in addition to any
17 other transfer authority provided in this Act: *Provided fur-*
18 *ther*, That none of the funds appropriated under this head-
19 ing shall be used to support or supplement "Internal Rev-
20 enue Service, Operations Support" or "Internal Revenue
21 Service, Business Systems Modernization".

22 OFFICE OF INSPECTOR GENERAL
23 SALARIES AND EXPENSES

24 For necessary expenses of the Office of Inspector
25 General in carrying out the provisions of the Inspector

1 General Act of 1978, \$41,044,000, including hire of pas-
2 senger motor vehicles; of which not to exceed \$100,000
3 shall be available for unforeseen emergencies of a con-
4 fidential nature, to be allocated and expended under the
5 direction of the Inspector General of the Treasury; of
6 which up to \$2,800,000 to remain available until Sep-
7 tember 30, 2022, shall be for audits and investigations
8 conducted pursuant to section 1608 of the Resources and
9 Ecosystems Sustainability, Tourist Opportunities, and Re-
10 vived Economies of the Gulf Coast States Act of 2012 (33
11 U.S.C. 1321 note); and of which not to exceed \$1,000
12 shall be available for official reception and representation
13 expenses.

14 TREASURY INSPECTOR GENERAL FOR TAX

15 ADMINISTRATION

16 SALARIES AND EXPENSES

17 For necessary expenses of the Treasury Inspector
18 General for Tax Administration in carrying out the In-
19 spector General Act of 1978, as amended, including pur-
20 chase and hire of passenger motor vehicles (31 U.S.C.
21 1343(b)); and services authorized by 5 U.S.C. 3109, at
22 such rates as may be determined by the Inspector General
23 for Tax Administration; \$171,350,000, of which
24 \$5,000,000 shall remain available until September 30,
25 2022; of which not to exceed \$6,000,000 shall be available

1 for official travel expenses; of which not to exceed
2 \$500,000 shall be available for unforeseen emergencies of
3 a confidential nature, to be allocated and expended under
4 the direction of the Inspector General for Tax Administra-
5 tion; and of which not to exceed \$1,500 shall be available
6 for official reception and representation expenses.

7 SPECIAL INSPECTOR GENERAL FOR THE TROUBLED
8 ASSET RELIEF PROGRAM
9 SALARIES AND EXPENSES

10 For necessary expenses of the Office of the Special
11 Inspector General in carrying out the provisions of the
12 Emergency Economic Stabilization Act of 2008 (Public
13 Law 110–343), \$19,000,000.

14 FINANCIAL CRIMES ENFORCEMENT NETWORK
15 SALARIES AND EXPENSES

16 For necessary expenses of the Financial Crimes En-
17 forcement Network, including hire of passenger motor ve-
18 hicles; travel and training expenses of non-Federal and
19 foreign government personnel to attend meetings and
20 training concerned with domestic and foreign financial in-
21 telligence activities, law enforcement, and financial regula-
22 tion; services authorized by 5 U.S.C. 3109; not to exceed
23 \$12,000 for official reception and representation expenses;
24 and for assistance to Federal law enforcement agencies,
25 with or without reimbursement, \$126,963,000, of which

1 not to exceed \$34,335,000 shall remain available until
2 September 30, 2023.

3 BUREAU OF THE FISCAL SERVICE

4 SALARIES AND EXPENSES

5 For necessary expenses of operations of the Bureau
6 of the Fiscal Service, \$341,069,000; of which not to ex-
7 ceed \$7,733,000, to remain available until September 30,
8 2023, is for information systems modernization initiatives;
9 and of which \$5,000 shall be available for official reception
10 and representation expenses.

11 In addition, \$165,000, to be derived from the Oil
12 Spill Liability Trust Fund to reimburse administrative
13 and personnel expenses for financial management of the
14 Fund, as authorized by section 1012 of Public Law 101-
15 380.

16 ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

17 SALARIES AND EXPENSES

18 For necessary expenses of carrying out section 1111
19 of the Homeland Security Act of 2002, including hire of
20 passenger motor vehicles, \$121,804,000; of which not to
21 exceed \$6,000 shall be available for official reception and
22 representation expenses; and of which not to exceed
23 \$50,000 shall be available for cooperative research and de-
24 velopment programs for laboratory services; and provision
25 of laboratory assistance to State and local agencies with

1 or without reimbursement: *Provided*, That of the amount
2 appropriated under this heading, \$5,000,000 shall be for
3 the costs of accelerating the processing of formula and
4 label applications: *Provided further*, That of the amount
5 appropriated under this heading, \$5,000,000, to remain
6 available until September 30, 2022, shall be for the costs
7 associated with enforcement of and education regarding
8 the trade practice provisions of the Federal Alcohol Ad-
9 ministration Act (27 U.S.C. 201 et seq.).

10 UNITED STATES MINT

11 UNITED STATES MINT PUBLIC ENTERPRISE FUND

12 Pursuant to section 5136 of title 31, United States
13 Code, the United States Mint is provided funding through
14 the United States Mint Public Enterprise Fund for costs
15 associated with the production of circulating coins, numis-
16 matic coins, and protective services, including both oper-
17 ating expenses and capital investments: *Provided*, That
18 the aggregate amount of new liabilities and obligations in-
19 curred during fiscal year 2021 under such section 5136
20 for circulating coinage and protective service capital in-
21 vestments of the United States Mint shall not exceed
22 \$50,000,000.

1 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS
2 FUND PROGRAM ACCOUNT

3 To carry out the Riegle Community Development and
4 Regulatory Improvement Act of 1994 (subtitle A of title
5 I of Public Law 103–325), including services authorized
6 by section 3109 of title 5, United States Code, but at rates
7 for individuals not to exceed the per diem rate equivalent
8 to the rate for EX–III, \$273,500,000. Of the amount ap-
9 propriated under this heading—

10 (1) not less than \$171,000,000, notwith-
11 standing section 108(e) of Public Law 103–325 (12
12 U.S.C. 4707(e)) with regard to Small and/or Emerg-
13 ing Community Development Financial Institutions
14 Assistance awards, is available until September 30,
15 2022, for financial assistance and technical assist-
16 ance under subparagraphs (A) and (B) of section
17 108(a)(1), respectively, of Public Law 103–325 (12
18 U.S.C. 4707(a)(1)(A) and (B)), of which up to
19 \$1,600,000 may be available for training and out-
20 reach under section 109 of Public Law 103–325 (12
21 U.S.C. 4708), of which up to \$2,375,000 may be
22 used for the cost of direct loans, and of which up
23 to \$6,000,000, notwithstanding subsection (d) of
24 section 108 of Public Law 103–325 (12 U.S.C. 4707
25 (d)), may be available to provide financial assistance,

1 technical assistance, training, and outreach to com-
2 munity development financial institutions to expand
3 investments that benefit individuals with disabilities:
4 *Provided*, That the cost of direct and guaranteed
5 loans, including the cost of modifying such loans,
6 shall be as defined in section 502 of the Congres-
7 sional Budget Act of 1974: *Provided further*, That
8 these funds are available to subsidize gross obliga-
9 tions for the principal amount of direct loans not to
10 exceed \$25,000,000: *Provided further*, That of the
11 funds provided under this paragraph, excluding
12 those made to community development financial in-
13 stitutions to expand investments that benefit individ-
14 uals with disabilities and those made to community
15 development financial institutions that serve popu-
16 lations living in persistent poverty counties, the
17 CDFI Fund shall prioritize Financial Assistance
18 awards to organizations that invest and lend in high-
19 poverty areas: *Provided further*, That for purposes of
20 this section, the term “high-poverty area” means
21 any census tract with a poverty rate of at least 20
22 percent as measured by the 2011–2015 5-year data
23 series available from the American Community Sur-
24 vey of the Bureau of the Census for all States and
25 Puerto Rico or with a poverty rate of at least 20

1 percent as measured by the 2010 Island areas De-
2 cennial Census data for any territory or possession
3 of the United States;

4 (2) Not less than \$16,000,000, notwithstanding
5 section 108(e) of Public Law 103–325 (12 U.S.C.
6 4707(e)), is available until September 30, 2022, for
7 financial assistance, technical assistance, training,
8 and outreach programs designed to benefit Native
9 American, Native Hawaiian, and Alaska Native com-
10 munities and provided primarily through qualified
11 community development lender organizations with
12 experience and expertise in community development
13 banking and lending in Indian country, Native
14 American organizations, tribes and tribal organiza-
15 tions, and other suitable providers;

16 (3) not less than \$25,000,000 is available until
17 September 30, 2022, for the Bank Enterprise Award
18 program;

19 (4) not less than \$22,000,000, notwithstanding
20 subsections (d) and (e) of section 108 of Public Law
21 103–325 (12 U.S.C. 4707(d) and (e)), is available
22 until September 30, 2022, for a Healthy Food Fi-
23 nancing Initiative to provide financial assistance,
24 technical assistance, training, and outreach to com-
25 munity development financial institutions for the

1 purpose of offering affordable financing and tech-
2 nical assistance to expand the availability of healthy
3 food options in distressed communities;

4 (5) not less than \$10,000,000 is available until
5 September 30, 2022, to provide grants for loan loss
6 reserve funds and to provide technical assistance for
7 small dollar loan programs under section 122 of
8 Public Law 103–325 (12 U.S.C. 4719): *Provided*,
9 That sections 108(d) and 122(b)(2) of such Public
10 Law shall not apply to the provision of such grants
11 and technical assistance;

12 (6) up to \$29,500,000 is available until Sep-
13 tember 30, 2021, for administrative expenses, in-
14 cluding administration of CDFI Fund programs and
15 the New Markets Tax Credit Program, of which not
16 less than \$1,000,000 is for development of tools to
17 better assess and inform CDFI investment perform-
18 ance, and up to \$300,000 is for administrative ex-
19 penses to carry out the direct loan program; and

20 (7) during fiscal year 2021, none of the funds
21 available under this heading are available for the
22 cost, as defined in section 502 of the Congressional
23 Budget Act of 1974, of commitments to guarantee
24 bonds and notes under section 114A of the Riegle
25 Community Development and Regulatory Improve-

1 ment Act of 1994 (12 U.S.C. 4713a): *Provided*,
2 That commitments to guarantee bonds and notes
3 under such section 114A shall not exceed
4 \$500,000,000: *Provided further*, That such section
5 114A shall remain in effect until December 31,
6 2021: *Provided further*, That of the funds awarded
7 under this heading, not less than 10 percent shall be
8 used for awards that support investments that serve
9 populations living in persistent poverty counties:
10 *Provided further*, That for the purposes of this para-
11 graph and paragraph (1), the term “persistent pov-
12 erty counties” means any county, including county
13 equivalent areas in Puerto Rico, that has had 20
14 percent or more of its population living in poverty
15 over the past 30 years, as measured by the 1990
16 and 2000 decennial censuses and the 2011–2015 5-
17 year data series available from the American Com-
18 munity Survey of the Bureau of the Census or any
19 other territory or possession of the United States
20 that has had 20 percent or more of its population
21 living in poverty over the past 30 years, as measured
22 by the 1990, 2000, and 2010 Island Areas Decen-
23 nial Censuses, or equivalent data, of the Bureau of
24 the Census.

1 INTERNAL REVENUE SERVICE

2 TAXPAYER SERVICES

3 For necessary expenses of the Internal Revenue Serv-
4 ice to provide taxpayer services, including pre-filing assist-
5 ance and education, filing and account services, taxpayer
6 advocacy services, and other services as authorized by 5
7 U.S.C. 3109, at such rates as may be determined by the
8 Commissioner, \$2,602,554,000, of which not less than
9 \$11,000,000 shall be for the Tax Counseling for the El-
10 derly Program, of which not less than \$13,000,000 shall
11 be available for low-income taxpayer clinic grants, of which
12 not less than \$28,000,000, to remain available until Sep-
13 tember 30, 2022, shall be available for the Community
14 Volunteer Income Tax Assistance Matching Grants Pro-
15 gram for tax return preparation assistance, and of which
16 not less than \$211,000,000 shall be available for operating
17 expenses of the Taxpayer Advocate Service: *Provided,*
18 That of the amounts made available for the Taxpayer Ad-
19 vocate Service, not less than \$5,500,000 shall be for iden-
20 tity theft and refund fraud casework.

21 ENFORCEMENT

22 For necessary expenses for tax enforcement activities
23 of the Internal Revenue Service to determine and collect
24 owed taxes, to provide legal and litigation support, to con-
25 duct criminal investigations, to enforce criminal statutes

1 related to violations of internal revenue laws and other fi-
2 nancial crimes, to purchase and hire passenger motor vehi-
3 cles (31 U.S.C. 1343(b)), and to provide other services
4 as authorized by 5 U.S.C. 3109, at such rates as may be
5 determined by the Commissioner, \$5,206,246,000, of
6 which not to exceed \$250,000,000 shall remain available
7 until September 30, 2022, and of which not less than
8 \$60,257,000 shall be for the Interagency Crime and Drug
9 Enforcement program.

10 OPERATIONS SUPPORT

11 For necessary expenses of the Internal Revenue Serv-
12 ice to support taxpayer services and enforcement pro-
13 grams, including rent payments; facilities services; print-
14 ing; postage; physical security; headquarters and other
15 IRS-wide administration activities; research and statistics
16 of income; telecommunications; information technology de-
17 velopment, enhancement, operations, maintenance, and se-
18 curity; the hire of passenger motor vehicles (31 U.S.C.
19 1343(b)); the operations of the Internal Revenue Service
20 Oversight Board; and other services as authorized by 5
21 U.S.C. 3109, at such rates as may be determined by the
22 Commissioner; \$4,057,691,000, of which not to exceed
23 \$250,000,000 shall remain available until September 30,
24 2022; of which not to exceed \$10,000,000 shall remain
25 available until expended for acquisition of equipment and

1 construction, repair and renovation of facilities; of which
2 not to exceed \$1,000,000 shall remain available until Sep-
3 tember 30, 2023, for research; of which not to exceed
4 \$20,000 shall be for official reception and representation
5 expenses: *Provided*, That not later than 30 days after the
6 end of each quarter, the Internal Revenue Service shall
7 submit a report to the Committees on Appropriations of
8 the House of Representatives and the Senate and the
9 Comptroller General detailing the cost and schedule per-
10 formance for its major information technology invest-
11 ments, including the purpose and life-cycle stages of the
12 investments; the reasons for any cost and schedule
13 variances; the risks of such investments and strategies the
14 Internal Revenue Service is using to mitigate such risks;
15 and the expected developmental milestones to be achieved
16 and costs to be incurred in the next quarter: *Provided fur-*
17 *ther*, That the Internal Revenue Service shall include, in
18 its budget justification for fiscal year 2022, a summary
19 of cost and schedule performance information for its major
20 information technology systems.

21 BUSINESS SYSTEMS MODERNIZATION

22 For necessary expenses of the Internal Revenue Serv-
23 ice's business systems modernization program,
24 \$250,000,000, to remain available until September 30,
25 2023, for the capital asset acquisition of information tech-

1 nology systems, including management and related con-
2 tractual costs of said acquisitions, including related Inter-
3 nal Revenue Service labor costs, and contractual costs as-
4 sociated with operations authorized by 5 U.S.C. 3109:
5 *Provided*, That not later than 30 days after the end of
6 each quarter, the Internal Revenue Service shall submit
7 a report to the Committees on Appropriations of the
8 House of Representatives and the Senate and the Comp-
9 troller General detailing the cost and schedule perform-
10 ance for major information technology investments, in-
11 cluding the purposes and life-cycle stages of the invest-
12 ments; the reason for any cost and schedule variances; the
13 risks of such investments and the strategies the Internal
14 Revenue Service is using to mitigate such risks; and the
15 expected developmental milestones to be achieved and
16 costs to be incurred in the next quarter.

17 ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE

18 SERVICE

19 (INCLUDING TRANSFERS OF FUNDS)

20 SEC. 101. Not to exceed 4 percent of the appropria-
21 tion made available in this Act to the Internal Revenue
22 Service under the “Enforcement” heading, and not to ex-
23 ceed 5 percent of any other appropriation made available
24 in this Act to the Internal Revenue Service, may be trans-
25 ferred to any other Internal Revenue Service appropria-

1 tion upon the advance approval of the Committees on Ap-
2 propriations of the House of Representatives and the Sen-
3 ate.

4 SEC. 102. The Internal Revenue Service shall main-
5 tain an employee training program, which shall include the
6 following topics: taxpayers' rights, dealing courteously
7 with taxpayers, cross-cultural relations, ethics, and the im-
8 partial application of tax law.

9 SEC. 103. The Internal Revenue Service shall insti-
10 tute and enforce policies and procedures that will safe-
11 guard the confidentiality of taxpayer information and pro-
12 tect taxpayers against identity theft.

13 SEC. 104. Funds made available by this or any other
14 Act to the Internal Revenue Service shall be available for
15 improved facilities and increased staffing to provide suffi-
16 cient and effective 1-800 help line service for taxpayers.
17 The Commissioner shall continue to make improvements
18 to the Internal Revenue Service 1-800 help line service
19 a priority and allocate resources necessary to enhance the
20 response time to taxpayer communications, particularly
21 with regard to victims of tax-related crimes.

22 SEC. 105. The Internal Revenue Service shall issue
23 a notice of confirmation of any address change relating
24 to an employer making employment tax payments, and
25 such notice shall be sent to both the employer's former

1 and new address and an officer or employee of the Internal
2 Revenue Service shall give special consideration to an
3 offer-in-compromise from a taxpayer who has been the vic-
4 tim of fraud by a third party payroll tax preparer.

5 SEC. 106. None of the funds made available under
6 this Act may be used by the Internal Revenue Service to
7 target citizens of the United States for exercising any
8 right guaranteed under the First Amendment to the Con-
9 stitution of the United States.

10 SEC. 107. None of the funds made available in this
11 Act may be used by the Internal Revenue Service to target
12 groups for regulatory scrutiny based on their ideological
13 beliefs.

14 SEC. 108. None of funds made available by this Act
15 to the Internal Revenue Service shall be obligated or ex-
16 pended on conferences that do not adhere to the proce-
17 dures, verification processes, documentation requirements,
18 and policies issued by the Chief Financial Officer, Human
19 Capital Office, and Agency-Wide Shared Services as a re-
20 sult of the recommendations in the report published on
21 May 31, 2013, by the Treasury Inspector General for Tax
22 Administration entitled “Review of the August 2010 Small
23 Business/Self-Employed Division’s Conference in Ana-
24 heim, California” (Reference Number 2013–10–037).

1 SEC. 109. None of the funds made available in this
2 Act to the Internal Revenue Service may be obligated or
3 expended—

4 (1) to make a payment to any employee under
5 a bonus, award, or recognition program; or

6 (2) under any hiring or personnel selection
7 process with respect to re-hiring a former employee;
8 unless such program or process takes into account the
9 conduct and Federal tax compliance of such employee or
10 former employee.

11 SEC. 110. None of the funds made available by this
12 Act may be used in contravention of section 6103 of the
13 Internal Revenue Code of 1986 (relating to confidentiality
14 and disclosure of returns and return information).

15 SEC. 111. There is hereby established in the Treasury
16 of the United States a fund to be known as the “Internal
17 Revenue Service Nonrecurring Expenses Fund”: *Provided*,
18 That unobligated balances of expired discretionary funds
19 appropriated in this or any succeeding fiscal year from the
20 General Fund of the Treasury to the Internal Revenue
21 Service by this or any other Act may be transferred (not
22 later than the end of the fifth fiscal year after the last
23 fiscal year for which such funds are available for the pur-
24 poses for which appropriated) into the Internal Revenue
25 Service Nonrecurring Expenses Fund: *Provided further*,

1 That amounts deposited in the Fund pursuant to this sec-
2 tion shall remain available for obligation for three fiscal
3 years after the fiscal year of such transfer, and in addition
4 to such other funds as may be available for such purposes,
5 for facilities and information technology expenses: *Pro-*
6 *vided further*, That transfer authority under this section
7 shall be in addition to any other transfer authority pro-
8 vided in this Act: *Provided further*, That amounts in the
9 Fund may be obligated only after the Committees on Ap-
10 propriations of the House of Representatives and the Sen-
11 ate are notified at least 15 days in advance of the planned
12 use of funds: *Provided further*, That the Internal Revenue
13 Service shall include in the annual operating plan required
14 under section 608 of this Act a report on the unobligated
15 balances of the Internal Revenue Service Nonrecurring
16 Expenses Fund and a plan for the use of such funds.

17 ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE
18 TREASURY

19 (INCLUDING TRANSFERS OF FUNDS)

20 SEC. 112. Appropriations to the Department of the
21 Treasury in this Act shall be available for uniforms or al-
22 lowances therefor, as authorized by law (5 U.S.C. 5901),
23 including maintenance, repairs, and cleaning; purchase of
24 insurance for official motor vehicles operated in foreign
25 countries; purchase of motor vehicles without regard to the

1 general purchase price limitations for vehicles purchased
2 and used overseas for the current fiscal year; entering into
3 contracts with the Department of State for the furnishing
4 of health and medical services to employees and their de-
5 pendants serving in foreign countries; and services author-
6 ized by 5 U.S.C. 3109.

7 SEC. 113. Not to exceed 2 percent of any appropria-
8 tions in this title made available under the headings “De-
9 partmental Offices—Salaries and Expenses”, “Office of
10 Terrorism and Financial Intelligence” , “Financial Crimes
11 Enforcement Network”, “Bureau of the Fiscal Service”,
12 and “Alcohol and Tobacco Tax and Trade Bureau” may
13 be transferred between such appropriations upon the ad-
14 vance approval of the Committees on Appropriations of
15 the House of Representatives and the Senate: *Provided*,
16 That no transfer under this section may increase or de-
17 crease any such appropriation by more than 2 percent.

18 SEC. 114. Not to exceed 2 percent of any appropria-
19 tion made available in this Act to the Internal Revenue
20 Service may be transferred to the Treasury Inspector Gen-
21 eral for Tax Administration’s appropriation upon the ad-
22 vance approval of the Committees on Appropriations of
23 the House of Representatives and the Senate: *Provided*,
24 That no transfer may increase or decrease any such appro-
25 priation by more than 2 percent.

1 SEC. 115. None of the funds appropriated in this Act
2 or otherwise available to the Department of the Treasury
3 or the Bureau of Engraving and Printing may be used
4 to redesign the \$1 Federal Reserve note.

5 SEC. 116. The Secretary of the Treasury may trans-
6 fer funds from the “Bureau of the Fiscal Service—Sala-
7 ries and Expenses” to the Debt Collection Fund as nec-
8 essary to cover the costs of debt collection: *Provided*, That
9 such amounts shall be reimbursed to such salaries and ex-
10 penses account from debt collections received in the Debt
11 Collection Fund.

12 SEC. 117. None of the funds appropriated or other-
13 wise made available by this or any other Act may be used
14 by the United States Mint to construct or operate any mu-
15 seum without the explicit approval of the Committees on
16 Appropriations of the House of Representatives and the
17 Senate, the House Committee on Financial Services, and
18 the Senate Committee on Banking, Housing, and Urban
19 Affairs.

20 SEC. 118. None of the funds appropriated or other-
21 wise made available by this or any other Act or source
22 to the Department of the Treasury, the Bureau of Engrav-
23 ing and Printing, and the United States Mint, individually
24 or collectively, may be used to consolidate any or all func-
25 tions of the Bureau of Engraving and Printing and the

1 United States Mint without the explicit approval of the
2 House Committee on Financial Services; the Senate Com-
3 mittee on Banking, Housing, and Urban Affairs; and the
4 Committees on Appropriations of the House of Represent-
5 atives and the Senate.

6 SEC. 119. Funds appropriated by this Act, or made
7 available by the transfer of funds in this Act, for the De-
8 partment of the Treasury's intelligence or intelligence re-
9 lated activities are deemed to be specifically authorized by
10 the Congress for purposes of section 504 of the National
11 Security Act of 1947 (50 U.S.C. 414) during fiscal year
12 2021 until the enactment of the Intelligence Authorization
13 Act for Fiscal Year 2021.

14 SEC. 120. Not to exceed \$5,000 shall be made avail-
15 able from the Bureau of Engraving and Printing's Indus-
16 trial Revolving Fund for necessary official reception and
17 representation expenses.

18 SEC. 121. The Secretary of the Treasury shall submit
19 a Capital Investment Plan to the Committees on Appro-
20 priations of the House of Representatives and the Senate
21 not later than 30 days following the submission of the an-
22 nual budget submitted by the President: *Provided*, That
23 such Capital Investment Plan shall include capital invest-
24 ment spending from all accounts within the Department
25 of the Treasury, including but not limited to the Depart-

1 ment-wide Systems and Capital Investment Programs ac-
2 count, Treasury Franchise Fund account, and the Treas-
3 ury Forfeiture Fund account: *Provided further*, That such
4 Capital Investment Plan shall include expenditures occur-
5 ring in previous fiscal years for each capital investment
6 project that has not been fully completed.

7 SEC. 122. Within 45 days after the date of enactment
8 of this Act, the Secretary of the Treasury shall submit
9 an itemized report to the Committees on Appropriations
10 of the House of Representatives and the Senate on the
11 amount of total funds charged to each office by the Fran-
12 chise Fund including the amount charged for each service
13 provided by the Franchise Fund to each office, a detailed
14 description of the services, a detailed explanation of how
15 each charge for each service is calculated, and a descrip-
16 tion of the role customers have in governing in the Fran-
17 chise Fund.

18 SEC. 123. (a) Not later than 60 days after the end
19 of each quarter, the Office of Financial Stability and the
20 Office of Financial Research shall submit reports on their
21 activities to the Committees on Appropriations of the
22 House of Representatives and the Senate, the Committee
23 on Financial Services of the House of Representatives,
24 and the Senate Committee on Banking, Housing, and
25 Urban Affairs.

1 (b) The reports required under subsection (a) shall
2 include—

3 (1) the obligations made during the previous
4 quarter by object class, office, and activity;

5 (2) the estimated obligations for the remainder
6 of the fiscal year by object class, office, and activity;

7 (3) the number of full-time equivalents within
8 each office during the previous quarter;

9 (4) the estimated number of full-time equiva-
10 lents within each office for the remainder of the fis-
11 cal year; and

12 (5) actions taken to achieve the goals, objec-
13 tives, and performance measures of each office.

14 (c) At the request of any such Committees specified
15 in subsection (a), the Office of Financial Stability and the
16 Office of Financial Research shall make officials available
17 to testify on the contents of the reports required under
18 subsection (a).

19 SEC. 124. Notwithstanding any other provision of
20 law, none of the funds available in the Department of the
21 Treasury Forfeiture Fund established by section 9705 of
22 title 31, United States Code, may be obligated, expended,
23 or used to plan, design, construct, or carry out a project
24 to construct a wall, barrier, fence, or road along the south-
25 ern border of the United States, or a road to provide ac-

1 cess to a wall, barrier, or fence constructed along the
2 southern border of the United States.

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

5 TITLE II
6 EXECUTIVE OFFICE OF THE PRESIDENT AND
7 FUNDS APPROPRIATED TO THE PRESIDENT
8 THE WHITE HOUSE
9 SALARIES AND EXPENSES

10 For necessary expenses for the White House as au-
11 thorized by law, including not to exceed \$3,850,000 for
12 services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105;
13 subsistence expenses as authorized by 3 U.S.C. 105, which
14 shall be expended and accounted for as provided in that
15 section; hire of passenger motor vehicles, and travel (not
16 to exceed \$100,000 to be expended and accounted for as
17 provided by 3 U.S.C. 103); and not to exceed \$19,000 for
18 official reception and representation expenses, to be avail-
19 able for allocation within the Executive Office of the Presi-
20 dent; and for necessary expenses of the Office of Policy
21 Development, including services as authorized by 5 U.S.C.
22 3109 and 3 U.S.C. 107, \$55,000,000.

1 EXECUTIVE RESIDENCE AT THE WHITE HOUSE

2 OPERATING EXPENSES

3 For necessary expenses of the Executive Residence
4 at the White House, \$13,641,000, to be expended and ac-
5 counted for as provided by 3 U.S.C. 105, 109, 110, and
6 112–114.

7 REIMBURSABLE EXPENSES

8 For the reimbursable expenses of the Executive Resi-
9 dence at the White House, such sums as may be nec-
10 essary: *Provided*, That all reimbursable operating expenses
11 of the Executive Residence shall be made in accordance
12 with the provisions of this paragraph: *Provided further*,
13 That, notwithstanding any other provision of law, such
14 amount for reimbursable operating expenses shall be the
15 exclusive authority of the Executive Residence to incur ob-
16 ligations and to receive offsetting collections, for such ex-
17 penses: *Provided further*, That the Executive Residence
18 shall require each person sponsoring a reimbursable polit-
19 ical event to pay in advance an amount equal to the esti-
20 mated cost of the event, and all such advance payments
21 shall be credited to this account and remain available until
22 expended: *Provided further*, That the Executive Residence
23 shall require the national committee of the political party
24 of the President to maintain on deposit \$25,000, to be
25 separately accounted for and available for expenses relat-

1 ing to reimbursable political events sponsored by such
2 committee during such fiscal year: *Provided further*, That
3 the Executive Residence shall ensure that a written notice
4 of any amount owed for a reimbursable operating expense
5 under this paragraph is submitted to the person owing
6 such amount within 60 days after such expense is in-
7 curred, and that such amount is collected within 30 days
8 after the submission of such notice: *Provided further*, That
9 the Executive Residence shall charge interest and assess
10 penalties and other charges on any such amount that is
11 not reimbursed within such 30 days, in accordance with
12 the interest and penalty provisions applicable to an out-
13 standing debt on a United States Government claim under
14 31 U.S.C. 3717: *Provided further*, That each such amount
15 that is reimbursed, and any accompanying interest and
16 charges, shall be deposited in the Treasury as miscella-
17 neous receipts: *Provided further*, That the Executive Resi-
18 dence shall prepare and submit to the Committees on Ap-
19 propriations, not later than 90 days after the end of the
20 fiscal year covered by this Act, a report setting forth the
21 reimbursable operating expenses of the Executive Resi-
22 dence during the preceding fiscal year, including the total
23 amount of such expenses, the amount of such total that
24 consists of reimbursable official and ceremonial events, the
25 amount of such total that consists of reimbursable political

1 events, and the portion of each such amount that has been
2 reimbursed as of the date of the report: *Provided further*,
3 That the Executive Residence shall maintain a system for
4 the tracking of expenses related to reimbursable events
5 within the Executive Residence that includes a standard
6 for the classification of any such expense as political or
7 nonpolitical: *Provided further*, That no provision of this
8 paragraph may be construed to exempt the Executive Res-
9 idence from any other applicable requirement of sub-
10 chapter I or II of chapter 37 of title 31, United States
11 Code.

12 WHITE HOUSE REPAIR AND RESTORATION

13 For the repair, alteration, and improvement of the
14 Executive Residence at the White House pursuant to 3
15 U.S.C. 105(d), \$1,625,000, to remain available until ex-
16 pended, for required maintenance, resolution of safety and
17 health issues, and continued preventative maintenance.

18 COUNCIL OF ECONOMIC ADVISERS

19 SALARIES AND EXPENSES

20 For necessary expenses of the Council of Economic
21 Advisers in carrying out its functions under the Employ-
22 ment Act of 1946 (15 U.S.C. 1021 et seq.), \$4,000,000.

1 NATIONAL SECURITY COUNCIL AND HOMELAND

2 SECURITY COUNCIL

3 SALARIES AND EXPENSES

4 For necessary expenses of the National Security
5 Council and the Homeland Security Council, including
6 services as authorized by 5 U.S.C. 3109, \$12,500,000, of
7 which not to exceed \$5,000 shall be available for official
8 reception and representation expenses.

9 OFFICE OF ADMINISTRATION

10 SALARIES AND EXPENSES

11 For necessary expenses of the Office of Administra-
12 tion, including services as authorized by 5 U.S.C. 3109
13 and 3 U.S.C. 107, and hire of passenger motor vehicles,
14 \$96,000,000, of which not to exceed \$12,800,000 shall re-
15 main available until expended for continued modernization
16 of information resources within the Executive Office of the
17 President.

18 OFFICE OF MANAGEMENT AND BUDGET

19 SALARIES AND EXPENSES

20 For necessary expenses of the Office of Management
21 and Budget, including hire of passenger motor vehicles
22 and services as authorized by 5 U.S.C. 3109, to carry out
23 the provisions of chapter 35 of title 44, United States
24 Code, and to prepare and submit the budget of the United
25 States Government, in accordance with section 1105(a) of

1 title 31, United States Code, \$107,245,000, of which not
2 to exceed \$3,000 shall be available for official representa-
3 tion expenses: *Provided*, That none of the funds appro-
4 priated in this Act for the Office of Management and
5 Budget may be used for the purpose of reviewing any agri-
6 cultural marketing orders or any activities or regulations
7 under the provisions of the Agricultural Marketing Agree-
8 ment Act of 1937 (7 U.S.C. 601 et seq.): *Provided further*,
9 That none of the funds made available for the Office of
10 Management and Budget by this Act may be expended for
11 the altering of the transcript of actual testimony of wit-
12 nesses, except for testimony of officials of the Office of
13 Management and Budget, before the Committees on Ap-
14 propriations or their subcommittees: *Provided further*,
15 That none of the funds made available for the Office of
16 Management and Budget by this Act may be expended for
17 the altering of the annual work plan developed by the
18 Corps of Engineers for submission to the Committees on
19 Appropriations: *Provided further*, That none of the funds
20 provided in this or prior Acts shall be used, directly or
21 indirectly, by the Office of Management and Budget, for
22 evaluating or determining if water resource project or
23 study reports submitted by the Chief of Engineers acting
24 through the Secretary of the Army are in compliance with
25 all applicable laws, regulations, and requirements relevant

1 to the Civil Works water resource planning process: *Pro-*
2 *vided further*, That the Office of Management and Budget
3 shall have not more than 60 days in which to perform
4 budgetary policy reviews of water resource matters on
5 which the Chief of Engineers has reported: *Provided fur-*
6 *ther*, That the Director of the Office of Management and
7 Budget shall notify the appropriate authorizing and ap-
8 propriating committees when the 60-day review is initi-
9 ated: *Provided further*, That if water resource reports have
10 not been transmitted to the appropriate authorizing and
11 appropriating committees within 15 days after the end of
12 the Office of Management and Budget review period based
13 on the notification from the Director, Congress shall as-
14 sume Office of Management and Budget concurrence with
15 the report and act accordingly.

16 INTELLECTUAL PROPERTY ENFORCEMENT

17 COORDINATOR

18 For necessary expenses of the Office of the Intellec-
19 tual Property Enforcement Coordinator, as authorized by
20 title III of the Prioritizing Resources and Organization for
21 Intellectual Property Act of 2008 (Public Law 110–403),
22 including services authorized by 5 U.S.C. 3109,
23 \$1,300,000.

1 OFFICE OF NATIONAL DRUG CONTROL POLICY

2 SALARIES AND EXPENSES

3 For necessary expenses of the Office of National
4 Drug Control Policy; for research activities pursuant to
5 the Office of National Drug Control Policy Reauthoriza-
6 tion Act of 1998; not to exceed \$10,000 for official recep-
7 tion and representation expenses; and for participation in
8 joint projects or in the provision of services on matters
9 of mutual interest with nonprofit, research, or public orga-
10 nizations or agencies, with or without reimbursement,
11 \$18,400,000: *Provided*, That the Office is authorized to
12 accept, hold, administer, and utilize gifts, both real and
13 personal, public and private, without fiscal year limitation,
14 for the purpose of aiding or facilitating the work of the
15 Office.

16 FEDERAL DRUG CONTROL PROGRAMS

17 HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

18 (INCLUDING TRANSFERS OF FUNDS)

19 For necessary expenses of the Office of National
20 Drug Control Policy's High Intensity Drug Trafficking
21 Areas Program, \$290,000,000, to remain available until
22 September 30, 2022, for drug control activities consistent
23 with the approved strategy for each of the designated
24 High Intensity Drug Trafficking Areas ("HIDTAs"), of
25 which not less than 51 percent shall be transferred to

1 State and local entities for drug control activities and shall
2 be obligated not later than 120 days after enactment of
3 this Act: *Provided*, That up to 49 percent may be trans-
4 ferred to Federal agencies and departments in amounts
5 determined by the Director of the Office of National Drug
6 Control Policy, of which up to \$2,700,000 may be used
7 for auditing services and associated activities: *Provided*
8 *further*, That any unexpended funds obligated prior to fis-
9 cal year 2019 may be used for any other approved activi-
10 ties of that HIDTA, subject to reprogramming require-
11 ments: *Provided further*, That each HIDTA designated as
12 of September 30, 2020, shall be funded at not less than
13 the fiscal year 2020 base level, unless the Director submits
14 to the Committees on Appropriations of the House of Rep-
15 resentatives and the Senate justification for changes to
16 those levels based on clearly articulated priorities and pub-
17 lished Office of National Drug Control Policy performance
18 measures of effectiveness: *Provided further*, That the Di-
19 rector shall notify the Committees on Appropriations of
20 the initial allocation of fiscal year 2021 funding among
21 HDTAs not later than 45 days after enactment of this
22 Act, and shall notify the Committees of planned uses of
23 discretionary HIDTA funding, as determined in consulta-
24 tion with the HIDTA Directors, not later than 90 days
25 after enactment of this Act: *Provided further*, That upon

1 a determination that all or part of the funds so transferred
2 from this appropriation are not necessary for the purposes
3 provided herein and upon notification to the Committees
4 on Appropriations of the House of Representatives and the
5 Senate, such amounts may be transferred back to this ap-
6 propriation.

7 OTHER FEDERAL DRUG CONTROL PROGRAMS

8 (INCLUDING TRANSFERS OF FUNDS)

9 For other drug control activities authorized by the
10 Anti-Drug Abuse Act of 1988 and the Office of National
11 Drug Control Policy Reauthorization Act of 1998,
12 \$123,965,000, to remain available until expended, which
13 shall be available as follows: \$102,000,000 for the Drug-
14 Free Communities Program, of which \$2,500,000 shall be
15 made available as directed by section 4 of Public Law
16 107–82, as amended by section 8204 of Public Law 115–
17 271; \$3,000,000 for drug court training and technical as-
18 sistance; \$10,000,000 for anti-doping activities; up to
19 \$2,715,000 for the United States membership dues to the
20 World Anti-Doping Agency; \$1,250,000 for the Model
21 Acts Program; and \$5,000,000 for activities authorized by
22 section 103 of Public Law 114–198: *Provided*, That
23 amounts made available under this heading may be trans-
24 ferred to other Federal departments and agencies to carry
25 out such activities.

1 UNANTICIPATED NEEDS

2 For expenses necessary to enable the President to
3 meet unanticipated needs, in furtherance of the national
4 interest, security, or defense which may arise at home or
5 abroad during the current fiscal year, as authorized by
6 3 U.S.C. 108, \$1,000,000, to remain available until Sep-
7 tember 30, 2022.

8 INFORMATION TECHNOLOGY OVERSIGHT AND REFORM
9 (INCLUDING TRANSFER OF FUNDS)

10 For necessary expenses for the furtherance of inte-
11 grated, efficient, secure, and effective uses of information
12 technology in the Federal Government, \$11,491,000, to
13 remain available until expended: *Provided*, That the Direc-
14 tor of the Office of Management and Budget may transfer
15 these funds to one or more other agencies to carry out
16 projects to meet these purposes.

17 SPECIAL ASSISTANCE TO THE PRESIDENT

18 SALARIES AND EXPENSES

19 For necessary expenses to enable the Vice President
20 to provide assistance to the President in connection with
21 specially assigned functions; services as authorized by 5
22 U.S.C. 3109 and 3 U.S.C. 106, including subsistence ex-
23 penses as authorized by 3 U.S.C. 106, which shall be ex-
24 pended and accounted for as provided in that section; and
25 hire of passenger motor vehicles, \$4,698,000.

1 OFFICIAL RESIDENCE OF THE VICE PRESIDENT

2 OPERATING EXPENSES

3 (INCLUDING TRANSFER OF FUNDS)

4 For the care, operation, refurnishing, improvement,
5 and to the extent not otherwise provided for, heating and
6 lighting, including electric power and fixtures, of the offi-
7 cial residence of the Vice President; the hire of passenger
8 motor vehicles; and not to exceed \$90,000 pursuant to 3
9 U.S.C. 106(b)(2), \$302,000: *Provided*, That advances, re-
10 payments, or transfers from this appropriation may be
11 made to any department or agency for expenses of car-
12 rying out such activities.

13 ADMINISTRATIVE PROVISIONS—EXECUTIVE OFFICE OF
14 THE PRESIDENT AND FUNDS APPROPRIATED TO
15 THE PRESIDENT

16 (INCLUDING TRANSFER OF FUNDS)

17 SEC. 201. From funds made available in this Act
18 under the headings “The White House”, “Executive Resi-
19 dence at the White House”, “White House Repair and
20 Restoration”, “Council of Economic Advisers”, “National
21 Security Council and Homeland Security Council”, “Of-
22 fice of Administration”, “Special Assistance to the Presi-
23 dent”, and “Official Residence of the Vice President”, the
24 Director of the Office of Management and Budget (or
25 such other officer as the President may designate in writ-

1 ing), may, with advance approval of the Committees on
2 Appropriations of the House of Representatives and the
3 Senate, transfer not to exceed 10 percent of any such ap-
4 propriation to any other such appropriation, to be merged
5 with and available for the same time and for the same
6 purposes as the appropriation to which transferred: *Pro-*
7 *vided*, That the amount of an appropriation shall not be
8 increased by more than 50 percent by such transfers: *Pro-*
9 *vided further*, That no amount shall be transferred from
10 “Special Assistance to the President” or “Official Resi-
11 dence of the Vice President” without the approval of the
12 Vice President.

13 SEC. 202. (a) During fiscal year 2021, any Executive
14 order or Presidential memorandum issued or revoked by
15 the President shall be accompanied by a written statement
16 from the Director of the Office of Management and Budg-
17 et on the budgetary impact, including costs, benefits, and
18 revenues, of such order or memorandum.

19 (b) Any such statement shall include—

20 (1) a narrative summary of the budgetary im-
21 pact of such order or memorandum on the Federal
22 Government;

23 (2) the impact on mandatory and discretionary
24 obligations and outlays as the result of such order
25 or memorandum, listed by Federal agency, for each

1 year in the 5-fiscal-year period beginning in fiscal
2 year 2021; and

3 (3) the impact on revenues of the Federal Gov-
4 ernment as the result of such order or memorandum
5 over the 5-fiscal-year period beginning in fiscal year
6 2021.

7 (c) If an Executive order or Presidential memo-
8 randum is issued during fiscal year 2021 due to a national
9 emergency, the Director of the Office of Management and
10 Budget may issue the statement required by subsection
11 (a) not later than 15 days after the date that such order
12 or memorandum is issued.

13 (d) The requirement for cost estimates for Presi-
14 dential memoranda shall only apply for Presidential
15 memoranda estimated to have a regulatory cost in excess
16 of \$100,000,000.

17 SEC. 203. Not later than 10 days after the date of
18 enactment of this Act, the Director of the Office of Man-
19 agement and Budget shall issue a memorandum to all
20 Federal departments, agencies, and corporations directing
21 compliance with the provisions in title VII of this Act.

22 SEC. 204. (a) Beginning not later than 10 days after
23 the date of enactment of this Act and until the require-
24 ments of subsection (b) are completed, the Office of Man-
25 agement and Budget shall provide to the Committees on

1 Appropriations and the Budget of the House of Represent-
2 atives and the Senate each document apportioning an ap-
3 propriation, pursuant to section 1513(b) of title 31,
4 United States Code, approved by the Office of Manage-
5 ment and Budget, including any associated footnotes, not
6 later than 2 business days after the date of approval of
7 such apportionment by the Office of Management and
8 Budget.

9 (b) Not later than 90 days after the date of enact-
10 ment of this Act, the Office of Management and Budget
11 shall complete implementation of an automated system to
12 post each document apportioning an appropriation, pursu-
13 ant to section 1513(b) of title 31, United States Code,
14 including any associated footnotes, in a format that quali-
15 fies each such document as an Open Government Data
16 Asset (as defined in section 3502 of title 44, United States
17 Code), not later than 2 business days after the date of
18 approval of such apportionment, and shall place on such
19 website each document apportioning an appropriation,
20 pursuant to such section 1513(b), including any associated
21 footnotes, already approved the current fiscal year, and
22 shall report the date of completion of such requirements
23 to the Committees on Appropriations and the Budget of
24 the House of Representatives and Senate.

1 (c) Each document apportioning an appropriation
2 pursuant to section 1513(b) of title 31, United States
3 Code, that is posted on a publicly accessible website pursu-
4 ant to such section shall also include a written explanation
5 by the official approving each such apportionment stating
6 the rationale for the apportionment schedule and for any
7 footnotes: *Provided*, That the Office of Management and
8 Budget or the applicable department or agency shall make
9 available classified documentation relating to any appor-
10 tionment to the appropriate congressional committees on
11 a schedule to be determined by each such committee.

12 (d)(1) Not later than 15 days after the date of enact-
13 ment of this Act, any delegation of apportionment author-
14 ity pursuant to section 1513(b) of title 31, United States
15 Code, that is in effect as of such date shall be submitted
16 for publication in the Federal Register: *Provided*, That
17 any delegation of such apportionment authority after the
18 date of enactment of this section shall, on the date of such
19 delegation, be submitted for publication in the Federal
20 Register: *Provided further*, That the Office of Management
21 and Budget shall publish such delegations in a format that
22 qualifies such publications as an Open Government Data
23 Asset (as defined in section 3502 of title 44, United States
24 Code) on a public Internet website, which shall be continu-
25 ously updated with the position of each Federal officer or

1 employee to whom apportionment authority has been dele-
2 gated.

3 (2) Not later than 5 days after any change in
4 the position of the approving official with respect to
5 such delegated apportionment authority for any ac-
6 count is made, the Office shall submit a report to
7 the Congress explaining why such change was made.

8 This title may be cited as the “Executive Office of
9 the President Appropriations Act, 2021”.

10

TITLE III

11

THE JUDICIARY

12

SUPREME COURT OF THE UNITED STATES

13

SALARIES AND EXPENSES

14 For expenses necessary for the operation of the Su-
15 preme Court, as required by law, excluding care of the
16 building and grounds, including hire of passenger motor
17 vehicles as authorized by 31 U.S.C. 1343 and 1344; not
18 to exceed \$10,000 for official reception and representation
19 expenses; and for miscellaneous expenses, to be expended
20 as the Chief Justice may approve, \$95,025,000, of which
21 \$1,500,000 shall remain available until expended.

22 In addition, there are appropriated such sums as may
23 be necessary under current law for the salaries of the chief
24 justice and associate justices of the court.

1 CARE OF THE BUILDING AND GROUNDS

2 For such expenditures as may be necessary to enable
3 the Architect of the Capitol to carry out the duties im-
4 posed upon the Architect by 40 U.S.C. 6111 and 6112,
5 \$10,618,000, to remain available until expended.

6 UNITED STATES COURT OF APPEALS FOR THE FEDERAL
7 CIRCUIT

8 SALARIES AND EXPENSES

9 For salaries of officers and employees, and for nec-
10 essary expenses of the court, as authorized by law,
11 \$33,802,000.

12 In addition, there are appropriated such sums as may
13 be necessary under current law for the salaries of the chief
14 judge and judges of the court.

15 UNITED STATES COURT OF INTERNATIONAL TRADE

16 SALARIES AND EXPENSES

17 For salaries of officers and employees of the court,
18 services, and necessary expenses of the court, as author-
19 ized by law, \$20,027,000.

20 In addition, there are appropriated such sums as may
21 be necessary under current law for the salaries of the chief
22 judge and judges of the court.

1 COURTS OF APPEALS, DISTRICT COURTS, AND OTHER
2 JUDICIAL SERVICES
3 SALARIES AND EXPENSES

4 For the salaries of judges of the United States Court
5 of Federal Claims, magistrate judges, and all other offi-
6 cers and employees of the Federal Judiciary not otherwise
7 specifically provided for, necessary expenses of the courts,
8 and the purchase, rental, repair, and cleaning of uniforms
9 for Probation and Pretrial Services Office staff, as author-
10 ized by law, \$5,412,919,000 (including the purchase of
11 firearms and ammunition); of which not to exceed
12 \$27,817,000 shall remain available until expended for
13 space alteration projects and for furniture and furnishings
14 related to new space alteration and construction projects.

15 In addition, there are appropriated such sums as may
16 be necessary under current law for the salaries of circuit
17 and district judges (including judges of the territorial
18 courts of the United States), bankruptcy judges, and jus-
19 tices and judges retired from office or from regular active
20 service.

21 In addition, for expenses of the United States Court
22 of Federal Claims associated with processing cases under
23 the National Childhood Vaccine Injury Act of 1986 (Pub-
24 lic Law 99-660), not to exceed \$9,700,000, to be appro-

1 priated from the Vaccine Injury Compensation Trust
2 Fund.

3 DEFENDER SERVICES

4 For the operation of Federal Defender organizations;
5 the compensation and reimbursement of expenses of attor-
6 neys appointed to represent persons under 18 U.S.C.
7 3006A and 3599, and for the compensation and reim-
8 bursement of expenses of persons furnishing investigative,
9 expert, and other services for such representations as au-
10 thorized by law; the compensation (in accordance with the
11 maximums under 18 U.S.C. 3006A) and reimbursement
12 of expenses of attorneys appointed to assist the court in
13 criminal cases where the defendant has waived representa-
14 tion by counsel; the compensation and reimbursement of
15 expenses of attorneys appointed to represent jurors in civil
16 actions for the protection of their employment, as author-
17 ized by 28 U.S.C. 1875(d)(1); the compensation and reim-
18 bursement of expenses of attorneys appointed under 18
19 U.S.C. 983(b)(1) in connection with certain judicial civil
20 forfeiture proceedings; the compensation and reimburse-
21 ment of travel expenses of guardians ad litem appointed
22 under 18 U.S.C. 4100(b); and for necessary training and
23 general administrative expenses, \$1,322,543,000 to re-
24 main available until expended.

1 FEES OF JURORS AND COMMISSIONERS

2 For fees and expenses of jurors as authorized by 28
3 U.S.C. 1871 and 1876; compensation of jury commis-
4 sioners as authorized by 28 U.S.C. 1863; and compensa-
5 tion of commissioners appointed in condemnation cases
6 pursuant to rule 71.1(h) of the Federal Rules of Civil Pro-
7 cedure (28 U.S.C. Appendix Rule 71.1(h)), \$55,478,000,
8 to remain available until expended: *Provided*, That the
9 compensation of land commissioners shall not exceed the
10 daily equivalent of the highest rate payable under 5 U.S.C.
11 5332.

12 COURT SECURITY

13 (INCLUDING TRANSFER OF FUNDS)

14 For necessary expenses, not otherwise provided for,
15 incident to the provision of protective guard services for
16 United States courthouses and other facilities housing
17 Federal court operations, and the procurement, installa-
18 tion, and maintenance of security systems and equipment
19 for United States courthouses and other facilities housing
20 Federal court operations, including building ingress-egress
21 control, inspection of mail and packages, directed security
22 patrols, perimeter security, basic security services provided
23 by the Federal Protective Service, and other similar activi-
24 ties as authorized by section 1010 of the Judicial Improve-
25 ment and Access to Justice Act (Public Law 100–702),

1 \$664,011,000, of which not to exceed \$20,000,000 shall
2 remain available until expended, to be expended directly
3 or transferred to the United States Marshals Service,
4 which shall be responsible for administering the Judicial
5 Facility Security Program consistent with standards or
6 guidelines agreed to by the Director of the Administrative
7 Office of the United States Courts and the Attorney Gen-
8 eral.

9 ADMINISTRATIVE OFFICE OF THE UNITED STATES
10 COURTS

11 SALARIES AND EXPENSES

12 For necessary expenses of the Administrative Office
13 of the United States Courts as authorized by law, includ-
14 ing travel as authorized by 31 U.S.C. 1345, hire of a pas-
15 senger motor vehicle as authorized by 31 U.S.C. 1343(b),
16 advertising and rent in the District of Columbia and else-
17 where, \$97,970,000, of which not to exceed \$8,500 is au-
18 thorized for official reception and representation expenses.

19 FEDERAL JUDICIAL CENTER

20 SALARIES AND EXPENSES

21 For necessary expenses of the Federal Judicial Cen-
22 ter, as authorized by Public Law 90-219, \$31,115,000;
23 of which \$1,800,000 shall remain available through Sep-
24 tember 30, 2022, to provide education and training to
25 Federal court personnel; and of which not to exceed

1 \$1,500 is authorized for official reception and representa-
2 tion expenses.

3 UNITED STATES SENTENCING COMMISSION

4 SALARIES AND EXPENSES

5 For the salaries and expenses necessary to carry out
6 the provisions of chapter 58 of title 28, United States
7 Code, \$20,133,000, of which not to exceed \$1,000 is au-
8 thorized for official reception and representation expenses.

9 ADMINISTRATIVE PROVISIONS—THE JUDICIARY

10 (INCLUDING TRANSFER OF FUNDS)

11 SEC. 301. Appropriations and authorizations made in
12 this title which are available for salaries and expenses shall
13 be available for services as authorized by 5 U.S.C. 3109.

14 SEC. 302. Not to exceed 5 percent of any appropria-
15 tion made available for the current fiscal year for the Judi-
16 ciary in this Act may be transferred between such approp-
17 riations, but no such appropriation, except “Courts of
18 Appeals, District Courts, and Other Judicial Services, De-
19 fender Services” and “Courts of Appeals, District Courts,
20 and Other Judicial Services, Fees of Jurors and Commis-
21 sioners”, shall be increased by more than 10 percent by
22 any such transfers: *Provided*, That any transfer pursuant
23 to this section shall be treated as a reprogramming of
24 funds under sections 604 and 608 of this Act and shall

1 not be available for obligation or expenditure except in
2 compliance with the procedures set forth in section 608.

3 SEC. 303. Notwithstanding any other provision of
4 law, the salaries and expenses appropriation for “Courts
5 of Appeals, District Courts, and Other Judicial Services”
6 shall be available for official reception and representation
7 expenses of the Judicial Conference of the United States:
8 *Provided*, That such available funds shall not exceed
9 \$11,000 and shall be administered by the Director of the
10 Administrative Office of the United States Courts in the
11 capacity as Secretary of the Judicial Conference.

12 SEC. 304. Section 3315(a) of title 40, United States
13 Code, shall be applied by substituting “Federal” for “exec-
14 utive” each place it appears.

15 SEC. 305. In accordance with 28 U.S.C. 561–569,
16 and notwithstanding any other provision of law, the
17 United States Marshals Service shall provide, for such
18 courthouses as its Director may designate in consultation
19 with the Director of the Administrative Office of the
20 United States Courts, for purposes of a pilot program, the
21 security services that 40 U.S.C. 1315 authorizes the De-
22 partment of Homeland Security to provide, except for the
23 services specified in 40 U.S.C. 1315(b)(2)(E). For build-
24 ing-specific security services at these courthouses, the Di-
25 rector of the Administrative Office of the United States

1 Courts shall reimburse the United States Marshals Service
2 rather than the Department of Homeland Security.

3 SEC. 306. (a) Section 203(c) of the Judicial Improve-
4 ments Act of 1990 (Public Law 101–650; 28 U.S.C. 133
5 note), is amended in the matter following paragraph 12—

6 (1) in the second sentence (relating to the Dis-
7 trict of Kansas), by striking “29 years and 6
8 months” and inserting “30 years and 6 months”;
9 and

10 (2) in the sixth sentence (relating to the Dis-
11 trict of Hawaii), by striking “26 years and 6
12 months” and inserting “27 years and 6 months”.

13 (b) Section 406 of the Transportation, Treasury,
14 Housing and Urban Development, the Judiciary, the Dis-
15 trict of Columbia, and Independent Agencies Appropria-
16 tions Act, 2006 (Public Law 109–115; 119 Stat. 2470;
17 28 U.S.C. 133 note) is amended in the second sentence
18 (relating to the eastern District of Missouri) by striking
19 “27 years and 6 months” and inserting “28 years and
20 6 months”.

21 (c) Section 312(c)(2) of the 21st Century Depart-
22 ment of Justice Appropriations Authorization Act (Public
23 Law 107–273; 28 U.S.C. 133 note), is amended—

1 (1) in the first sentence by inserting after “ex-
2 cept in the case of” the following: “the northern dis-
3 trict of Alabama,”;

4 (2) in the first sentence by inserting after “the
5 central district of California” the following: “,”;

6 (3) in the first sentence by striking “18 years”
7 and inserting “19 years”;

8 (4) by adding at the end of the first sentence
9 the following: “The first vacancy in the office of dis-
10 trict judge in the northern district of Alabama oc-
11 curring 18 years or more after the confirmation date
12 of the judge named to fill the temporary district
13 judgeship created in that district by this subsection,
14 shall not be filled.”;

15 (5) in the third sentence (relating to the central
16 District of California), by striking “17 years and 6
17 months” and inserting “18 years and 6 months”;
18 and

19 (6) in the fourth sentence (relating to the west-
20 ern district of North Carolina), by striking “16
21 years” and inserting “17 years”.

22 This title may be cited as the “Judiciary Appropria-
23 tions Act, 2021”.

1 TITLE IV
2 DISTRICT OF COLUMBIA
3 FEDERAL FUNDS
4 FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT
5 For a Federal payment to the District of Columbia,
6 to be deposited into a dedicated account, for a nationwide
7 program to be administered by the Mayor, for District of
8 Columbia resident tuition support, \$40,000,000, to remain
9 available until expended: *Provided*, That such funds, in-
10 cluding any interest accrued thereon, may be used on be-
11 half of eligible District of Columbia residents to pay an
12 amount based upon the difference between in-State and
13 out-of-State tuition at public institutions of higher edu-
14 cation, or to pay up to \$2,500 each year at eligible private
15 institutions of higher education: *Provided further*, That the
16 awarding of such funds may be prioritized on the basis
17 of a resident's academic merit, the income and need of
18 eligible students and such other factors as may be author-
19 ized: *Provided further*, That the District of Columbia gov-
20 ernment shall maintain a dedicated account for the Resi-
21 dent Tuition Support Program that shall consist of the
22 Federal funds appropriated to the Program in this Act
23 and any subsequent appropriations, any unobligated bal-
24 ances from prior fiscal years, and any interest earned in
25 this or any fiscal year: *Provided further*, That the account

1 shall be under the control of the District of Columbia
2 Chief Financial Officer, who shall use those funds solely
3 for the purposes of carrying out the Resident Tuition Sup-
4 port Program: *Provided further*, That the Office of the
5 Chief Financial Officer shall provide a quarterly financial
6 report to the Committees on Appropriations of the House
7 of Representatives and the Senate for these funds show-
8 ing, by object class, the expenditures made and the pur-
9 pose therefor.

10 FEDERAL PAYMENT FOR EMERGENCY PLANNING AND
11 SECURITY COSTS IN THE DISTRICT OF COLUMBIA

12 For a Federal payment of necessary expenses, as de-
13 termined by the Mayor of the District of Columbia in writ-
14 ten consultation with the elected county or city officials
15 of surrounding jurisdictions, \$52,900,000, to remain
16 available until expended, for the costs of providing public
17 safety at events related to the presence of the National
18 Capital in the District of Columbia, including support re-
19 quested by the Director of the United States Secret Serv-
20 ice in carrying out protective duties under the direction
21 of the Secretary of Homeland Security, and for the costs
22 of providing support to respond to immediate and specific
23 terrorist threats or attacks in the District of Columbia or
24 surrounding jurisdictions: *Provided*, That funds appro-
25 priated under this heading may be used to reimburse pres-

1 identical inauguration expenditures incurred in fiscal year
2 2020.

3 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

4 COURTS

5 For salaries and expenses for the District of Colum-
6 bia Courts, \$265,618,000 to be allocated as follows: for
7 the District of Columbia Court of Appeals, \$14,977,000,
8 of which not to exceed \$2,500 is for official reception and
9 representation expenses; for the Superior Court of the
10 District of Columbia, \$127,514,000, of which not to ex-
11 ceed \$2,500 is for official reception and representation ex-
12 penses; for the District of Columbia Court System,
13 \$80,974,000, of which not to exceed \$2,500 is for official
14 reception and representation expenses; and \$42,153,000,
15 to remain available until September 30, 2022, for capital
16 improvements for District of Columbia courthouse facili-
17 ties: *Provided*, That funds made available for capital im-
18 provements shall be expended consistent with the District
19 of Columbia Courts master plan study and facilities condi-
20 tion assessment: *Provided further*, That, in addition to the
21 amounts appropriated herein, fees received by the District
22 of Columbia Courts for administering bar examinations
23 and processing District of Columbia bar admissions may
24 be retained and credited to this appropriation, to remain
25 available until expended, for salaries and expenses associ-

1 ated with such activities, notwithstanding section 450 of
2 the District of Columbia Home Rule Act (D.C. Official
3 Code, sec. 1–204.50): *Provided further*, That notwith-
4 standing any other provision of law, all amounts under
5 this heading shall be apportioned quarterly by the Office
6 of Management and Budget and obligated and expended
7 in the same manner as funds appropriated for salaries and
8 expenses of other Federal agencies: *Provided further*, That
9 30 days after providing written notice to the Committees
10 on Appropriations of the House of Representatives and the
11 Senate, the District of Columbia Courts may reallocate
12 not more than \$9,000,000 of the funds provided under
13 this heading among the items and entities funded under
14 this heading: *Provided further*, That the Joint Committee
15 on Judicial Administration in the District of Columbia
16 may, by regulation, establish a program substantially simi-
17 lar to the program set forth in subchapter II of chapter
18 35 of title 5, United States Code, for employees of the
19 District of Columbia Courts.

20 FEDERAL PAYMENT FOR DEFENDER SERVICES IN
21 DISTRICT OF COLUMBIA COURTS

22 For payments authorized under section 11–2604 and
23 section 11–2605, D.C. Official Code (relating to represen-
24 tation provided under the District of Columbia Criminal
25 Justice Act), payments for counsel appointed in pro-

1 ceedings in the Family Court of the Superior Court of the
2 District of Columbia under chapter 23 of title 16, D.C.
3 Official Code, or pursuant to contractual agreements to
4 provide guardian ad litem representation, training, tech-
5 nical assistance, and such other services as are necessary
6 to improve the quality of guardian ad litem representation,
7 payments for counsel appointed in adoption proceedings
8 under chapter 3 of title 16, D.C. Official Code, and pay-
9 ments authorized under section 21–2060, D.C. Official
10 Code (relating to services provided under the District of
11 Columbia Guardianship, Protective Proceedings, and Du-
12 rable Power of Attorney Act of 1986), \$46,005,000, to
13 remain available until expended: *Provided*, That funds
14 provided under this heading shall be administered by the
15 Joint Committee on Judicial Administration in the Dis-
16 trict of Columbia: *Provided further*, That, notwithstanding
17 any other provision of law, this appropriation shall be ap-
18 portioned quarterly by the Office of Management and
19 Budget and obligated and expended in the same manner
20 as funds appropriated for expenses of other Federal agen-
21 cies.

1 FEDERAL PAYMENT TO THE COURT SERVICES AND OF-
2 FENDER SUPERVISION AGENCY FOR THE DISTRICT
3 OF COLUMBIA

4 For salaries and expenses, including the transfer and
5 hire of motor vehicles, of the Court Services and Offender
6 Supervision Agency for the District of Columbia, as au-
7 thorized by the National Capital Revitalization and Self-
8 Government Improvement Act of 1997, \$245,923,000, of
9 which not to exceed \$2,000 is for official reception and
10 representation expenses related to Community Supervision
11 and Pretrial Services Agency programs, and of which not
12 to exceed \$25,000 is for dues and assessments relating
13 to the implementation of the Court Services and Offender
14 Supervision Agency Interstate Supervision Act of 2002:
15 *Provided*, That, of the funds appropriated under this head-
16 ing, \$179,180,000 shall be for necessary expenses of Com-
17 munity Supervision and Sex Offender Registration, to in-
18 clude expenses relating to the supervision of adults subject
19 to protection orders or the provision of services for or re-
20 lated to such persons: *Provided further*, That, of the funds
21 appropriated under this heading, \$66,743,000 shall be
22 available to the Pretrial Services Agency, of which
23 \$459,000 shall remain available until September 30, 2023,
24 for costs associated with relocation under a replacement
25 lease for headquarters offices, field offices, and related fa-

1 cilities: *Provided further*, That notwithstanding any other
2 provision of law, all amounts under this heading shall be
3 apportioned quarterly by the Office of Management and
4 Budget and obligated and expended in the same manner
5 as funds appropriated for salaries and expenses of other
6 Federal agencies: *Provided further*, That amounts under
7 this heading may be used for programmatic incentives for
8 defendants to successfully complete their terms of super-
9 vision.

10 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

11 PUBLIC DEFENDER SERVICE

12 For salaries and expenses, including the transfer and
13 hire of motor vehicles, of the District of Columbia Public
14 Defender Service, as authorized by the National Capital
15 Revitalization and Self-Government Improvement Act of
16 1997, \$44,011,000: *Provided*, That notwithstanding any
17 other provision of law, all amounts under this heading
18 shall be apportioned quarterly by the Office of Manage-
19 ment and Budget and obligated and expended in the same
20 manner as funds appropriated for salaries and expenses
21 of Federal agencies: *Provided further*, That the District
22 of Columbia Public Defender Service may establish for
23 employees of the District of Columbia Public Defender
24 Service a program substantially similar to the program set
25 forth in subchapter II of chapter 35 of title 5, United

1 States Code, except that the maximum amount of the pay-
2 ment made under the program to any individual may not
3 exceed the amount referred to in section 3523(b)(3)(B)
4 of title 5, United States Code: *Provided further*, That the
5 District of Columbia Public Defender Service may be
6 deemed an “agency” for purposes of engaging with and
7 receiving services from Federal Franchise Fund Programs
8 established in accordance with section 403 of the Govern-
9 ment Management Reform Act of 1994 (Public Law 103–
10 356), as amended.

11 FEDERAL PAYMENT TO THE CRIMINAL JUSTICE

12 COORDINATING COUNCIL

13 For a Federal payment to the Criminal Justice Co-
14 ordinating Council, \$2,150,000, to remain available until
15 expended, to support initiatives related to the coordination
16 of Federal and local criminal justice resources in the Dis-
17 trict of Columbia.

18 FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS

19 For a Federal payment, to remain available until
20 September 30, 2022, to the Commission on Judicial Dis-
21 abilities and Tenure, \$325,000, and for the Judicial Nomi-
22 nation Commission, \$275,000.

23 FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

24 For a Federal payment for a school improvement pro-
25 gram in the District of Columbia, \$52,500,000, to remain

1 available until expended, for payments authorized under
2 the Scholarships for Opportunity and Results Act (division
3 C of Public Law 112–10): *Provided*, That, to the extent
4 that funds are available for opportunity scholarships and
5 following the priorities included in section 3006 of such
6 Act, the Secretary of Education shall make scholarships
7 available to students eligible under section 3013(3) of such
8 Act (Public Law 112–10; 125 Stat. 211) including stu-
9 dents who were not offered a scholarship during any pre-
10 vious school year: *Provided further*, That within funds pro-
11 vided for opportunity scholarships up to \$1,200,000 shall
12 be for the activities specified in sections 3007(b) through
13 3007(d) of the Act and up to \$500,000 shall be for the
14 activities specified in section 3009 of the Act: *Provided*
15 *further*, That none of the funds made available under this
16 heading may be used for an opportunity scholarship for
17 a student to attend a school which does not certify to the
18 Secretary of Education that the student will be provided
19 with the same protections under the Federal laws which
20 are enforced by the Office for Civil Rights of the Depart-
21 ment of Education which are provided to a student of a
22 public elementary or secondary school in the District of
23 Columbia and which does not certify to the Secretary of
24 Education that the student and the student’s parents will
25 be provided with the same services, rights, and protections

1 under the Individuals With Disabilities Education Act (20
2 U.S.C. 1400 et seq.) which are provided to a student and
3 a student's parents of a public elementary or secondary
4 school in the District of Columbia, as enumerated in Table
5 2 of Government Accountability Office Report 18-94 (en-
6 titled "Federal Actions Needed to Ensure Parents Are
7 Notified About Changes in Rights for Students with Dis-
8 abilities"), issued November 2017.

9 FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA

10 NATIONAL GUARD

11 For a Federal payment to the District of Columbia
12 National Guard, \$413,000, to remain available until ex-
13 pended for the Major General David F. Wherley, Jr. Dis-
14 trict of Columbia National Guard Retention and College
15 Access Program.

16 FEDERAL PAYMENT FOR TESTING AND TREATMENT OF

17 HIV/AIDS

18 For a Federal payment to the District of Columbia
19 for the testing of individuals for, and the treatment of in-
20 dividuals with, human immunodeficiency virus and ac-
21 quired immunodeficiency syndrome in the District of Co-
22 lumbia, \$4,000,000.

1 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

2 WATER AND SEWER AUTHORITY

3 For a Federal payment to the District of Columbia
4 Water and Sewer Authority, \$8,000,000, to remain avail-
5 able until expended, to continue implementation of the
6 Combined Sewer Overflow Long-Term Plan: *Provided*,
7 That the District of Columbia Water and Sewer Authority
8 provides a 100 percent match for this payment.

9 This title may be cited as the “District of Columbia
10 Appropriations Act, 2021”.

11 TITLE V

12 INDEPENDENT AGENCIES

13 ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

14 SALARIES AND EXPENSES

15 For necessary expenses of the Administrative Con-
16 ference of the United States, authorized by 5 U.S.C. 591
17 et seq., \$3,500,000, to remain available until September
18 30, 2022, of which not to exceed \$1,000 is for official re-
19 ception and representation expenses.

20 CONSUMER PRODUCT SAFETY COMMISSION

21 SALARIES AND EXPENSES

22 For necessary expenses of the Consumer Product
23 Safety Commission, including hire of passenger motor ve-
24 hicles, services as authorized by 5 U.S.C. 3109, but at
25 rates for individuals not to exceed the per diem rate equiv-

1 alent to the maximum rate payable under 5 U.S.C. 5376,
2 purchase of nominal awards to recognize non-Federal offi-
3 cials' contributions to Commission activities, and not to
4 exceed \$4,000 for official reception and representation ex-
5 penses, \$137,000,000, of which \$1,300,000 shall remain
6 available until expended to carry out the program, includ-
7 ing administrative costs, required by section 1405 of the
8 Virginia Graeme Baker Pool and Spa Safety Act (Public
9 Law 110–140; 15 U.S.C. 8004).

10 ADMINISTRATIVE PROVISION—CONSUMER PRODUCT

11 SAFETY COMMISSION

12 SEC. 501. During fiscal year 2021, none of the
13 amounts made available by this Act may be used to final-
14 ize or implement the Safety Standard for Recreational
15 Off-Highway Vehicles published by the Consumer Product
16 Safety Commission in the Federal Register on November
17 19, 2014 (79 Fed. Reg. 68964) until after—

18 (1) the National Academy of Sciences, in con-
19 sultation with the National Highway Traffic Safety
20 Administration and the Department of Defense,
21 completes a study to determine—

22 (A) the technical validity of the lateral sta-
23 bility and vehicle handling requirements pro-
24 posed by such standard for purposes of reduc-
25 ing the risk of Recreational Off-Highway Vehi-

1 cle (referred to in this section as “ROV”) roll-
2 overs in the off-road environment, including the
3 repeatability and reproducibility of testing for
4 compliance with such requirements;

5 (B) the number of ROV rollovers that
6 would be prevented if the proposed require-
7 ments were adopted;

8 (C) whether there is a technical basis for
9 the proposal to provide information on a point-
10 of-sale hangtag about a ROV’s rollover resist-
11 ance on a progressive scale; and

12 (D) the effect on the utility of ROVs used
13 by the United States military if the proposed
14 requirements were adopted; and

15 (2) a report containing the results of the study
16 completed under paragraph (1) is delivered to—

17 (A) the Committee on Commerce, Science,
18 and Transportation of the Senate;

19 (B) the Committee on Energy and Com-
20 merce of the House of Representatives;

21 (C) the Committee on Appropriations of
22 the Senate; and

23 (D) the Committee on Appropriations of
24 the House of Representatives.

1 ELECTION ASSISTANCE COMMISSION
2 SALARIES AND EXPENSES
3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses to carry out the Help Amer-
5 ica Vote Act of 2002 (Public Law 107–252), \$19,063,000,
6 of which \$1,500,000 shall be transferred to the National
7 Institute of Standards and Technology for election reform
8 activities authorized under the Help America Vote Act of
9 2002.

10 ELECTION SECURITY GRANTS

11 Notwithstanding section 104(c)(2)(B) of the Help
12 America Vote Act of 2002 (52 U.S.C. 20904(c)(2)(B)),
13 \$500,000,000 is provided to the Election Assistance Com-
14 mission for necessary expenses to make payments to
15 States for activities to improve the administration of elec-
16 tions for Federal office, including to enhance election tech-
17 nology and make election security improvements, as au-
18 thorized by sections 101, 103, and 104 of such Act: *Pro-*
19 *vided*, That for purposes of applying such sections, the
20 Commonwealth of the Northern Mariana Islands shall be
21 deemed to be a State and, for purposes of sections
22 101(d)(2) and 103(a), shall be treated in the same manner
23 as the Commonwealth of Puerto Rico, Guam, American
24 Samoa, and the United States Virgin Islands: *Provided*
25 *further*, That each reference to the “Administrator of Gen-

1 eral Services” or the “Administrator” in sections 101 and
2 103 shall be deemed to refer to the “Election Assistance
3 Commission”: *Provided further*, That each reference to
4 “\$5,000,000” in section 103 shall be deemed to refer to
5 “\$3,000,000” and each reference to “\$1,000,000” in sec-
6 tion 103 shall be deemed to refer to “\$600,000”: *Provided*
7 *further*, That not later than 45 days after the date of en-
8 actment of this Act, the Election Assistance Commission
9 shall make the payments to States under this heading:
10 *Provided further*, That a State shall use such payment to
11 replace voting systems which use direct-recording elec-
12 tronic voting machines with a voting system which uses
13 an individual, durable, voter-verified paper ballot which is
14 marked by the voter by hand or through the use of a non-
15 tabulating ballot-marking device or system, so long as the
16 voter shall have the option to mark his or her ballot by
17 hand, and provides the voter with an opportunity to in-
18 spect and confirm the marked ballot before casting (in this
19 heading referred to as a “qualified voting system”): *Pro-*
20 *vided further*, That for purposes of determining whether
21 a voting system is a qualified voting system, a voter-
22 verified paper audit trail receipt generated by a direct-re-
23 cording electronic voting machine is not a paper ballot:
24 *Provided further*, That none of the funds made available
25 under this heading may be used to purchase or obtain any

1 voting system which is not a qualified voting system: *Pro-*
2 *vided further*, That a State may use such payment to carry
3 out other authorized activities to improve the administra-
4 tion of elections for Federal office only if the State cer-
5 tifies to the Election Assistance Commission that the
6 State has replaced all voting systems which use direct-re-
7 cording electronic voting machines with qualified voting
8 systems: *Provided further*, That not less than 50 percent
9 of the amount of the payment made to a State under this
10 heading shall be allocated in cash or in kind to the units
11 of local government which are responsible for the adminis-
12 tration of elections for Federal office in the State: *Pro-*
13 *vided further*, That not later than two years after receiving
14 a payment under this heading, a State shall make avail-
15 able funds for such activities in an amount equal to 5 per-
16 cent of the total amount of the payment made to the State
17 under this heading.

18 FEDERAL COMMUNICATIONS COMMISSION

19 SALARIES AND EXPENSES

20 For necessary expenses of the Federal Communica-
21 tions Commission, as authorized by law, including uni-
22 forms and allowances therefor, as authorized by 5 U.S.C.
23 5901–5902; not to exceed \$4,000 for official reception and
24 representation expenses; purchase and hire of motor vehi-
25 cles; special counsel fees; and services as authorized by

1 5 U.S.C. 3109, \$376,070,000, to remain available until
2 expended, of which not less than \$33,000,000 shall be for
3 implementing title VIII of the Communications Act of
4 1934 (47 U.S.C. 641 et seq.), as added by the Broadband
5 DATA Act (Public Law 116–130): *Provided*, That
6 \$376,070,000 of offsetting collections shall be assessed
7 and collected pursuant to section 9 of title I of the Com-
8 munications Act of 1934, shall be retained and used for
9 necessary expenses, and shall remain available until ex-
10 pended: *Provided further*, That the sum herein appro-
11 priated shall be reduced as such offsetting collections are
12 received during fiscal year 2021 so as to result in a final
13 fiscal year 2021 appropriation estimated at \$0: *Provided*
14 *further*, That, notwithstanding 47 U.S.C. 309(j)(8)(B),
15 proceeds from the use of a competitive bidding system that
16 may be retained and made available for obligation shall
17 not exceed \$134,495,000 for fiscal year 2021: *Provided*
18 *further*, That, of the amount appropriated under this
19 heading, not less than \$11,105,700 shall be for the sala-
20 ries and expenses of the Office of Inspector General.

21 ADMINISTRATIVE PROVISIONS—FEDERAL

22 COMMUNICATIONS COMMISSION

23 SEC. 510. Section 302 of the Universal Service
24 Antideficiency Temporary Suspension Act is amended by

1 striking “December 31, 2020” each place it appears and
2 inserting “December 31, 2021”.

3 SEC. 511. None of the funds appropriated by this Act
4 may be used by the Federal Communications Commission
5 to modify, amend, or change its rules or regulations for
6 universal service support payments to implement the Feb-
7 ruary 27, 2004, recommendations of the Federal-State
8 Joint Board on Universal Service regarding single connec-
9 tion or primary line restrictions on universal service sup-
10 port payments.

11 SEC. 512. None of the funds made available by this
12 Act may be used to finalize, implement, administer, or en-
13 force the proposed rule entitled “Universal Service Con-
14 tribution Methodology” published by the Federal Commu-
15 nications Commission in the Federal Register on June 13,
16 2019 (84 Fed. Reg. 27570).

17 SEC. 513. None of the funds made available by this
18 Act may be used by the Federal Communications Commis-
19 sion to establish or implement a 5G Fund for Rural Amer-
20 ica, or any similar Federal universal service support mech-
21 anism, as proposed in the Notice of Proposed Rulemaking
22 in the matter of Establishing a 5G Fund for Rural Amer-
23 ica that was adopted by the Commission on April 23, 2020
24 (FCC 20–52), until the Commission completes the cre-
25 ation of the map that depicts the availability of mobile

1 broadband internet access service required by section
2 802(e)(1)(C) of the Communications Act of 1934 (47
3 U.S.C. 642(e)(1)(C)).

4 FEDERAL DEPOSIT INSURANCE CORPORATION

5 OFFICE OF THE INSPECTOR GENERAL

6 For necessary expenses of the Office of Inspector
7 General in carrying out the provisions of the Inspector
8 General Act of 1978, \$42,982,000, to be derived from the
9 Deposit Insurance Fund or, only when appropriate, the
10 FSLIC Resolution Fund.

11 FEDERAL ELECTION COMMISSION

12 SALARIES AND EXPENSES

13 For necessary expenses to carry out the provisions
14 of the Federal Election Campaign Act of 1971,
15 \$73,329,000, of which not to exceed \$5,000 shall be avail-
16 able for reception and representation expenses.

17 FEDERAL LABOR RELATIONS AUTHORITY

18 SALARIES AND EXPENSES

19 For necessary expenses to carry out functions of the
20 Federal Labor Relations Authority, pursuant to Reorga-
21 nization Plan Numbered 2 of 1978, and the Civil Service
22 Reform Act of 1978, including services authorized by 5
23 U.S.C. 3109, and including hire of experts and consult-
24 ants, hire of passenger motor vehicles, and including offi-
25 cial reception and representation expenses (not to exceed

1 \$1,500) and rental of conference rooms in the District of
2 Columbia and elsewhere, \$26,100,000: *Provided*, That
3 public members of the Federal Service Impasses Panel
4 may be paid travel expenses and per diem in lieu of sub-
5 sistence as authorized by law (5 U.S.C. 5703) for persons
6 employed intermittently in the Government service, and
7 compensation as authorized by 5 U.S.C. 3109: *Provided*
8 *further*, That, notwithstanding 31 U.S.C. 3302, funds re-
9 ceived from fees charged to non-Federal participants at
10 labor-management relations conferences shall be credited
11 to and merged with this account, to be available without
12 further appropriation for the costs of carrying out these
13 conferences.

14 FEDERAL PERMITTING IMPROVEMENT STEERING

15 COUNCIL

16 ENVIRONMENTAL REVIEW IMPROVEMENT FUND

17 (INCLUDING TRANSFER OF FUNDS)

18 For necessary expenses of the Environmental Review
19 Improvement Fund established pursuant to 42 U.S.C.
20 4370m-8(d), \$6,000,000, to remain available until ex-
21 pended: *Provided*, That funds appropriated in prior appro-
22 priations Acts under the heading “General Services Ad-
23 ministration—General Activities—Environmental Review
24 Improvement Fund” shall be transferred to and merged
25 with this account.

1 FEDERAL TRADE COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Federal Trade Com-
4 mission, including uniforms or allowances therefor, as au-
5 thorized by 5 U.S.C. 5901–5902; services as authorized
6 by 5 U.S.C. 3109; hire of passenger motor vehicles; and
7 not to exceed \$2,000 for official reception and representa-
8 tion expenses, \$341,000,000, to remain available until ex-
9 pended: *Provided*, That not to exceed \$300,000 shall be
10 available for use to contract with a person or persons for
11 collection services in accordance with the terms of 31
12 U.S.C. 3718: *Provided further*, That, notwithstanding any
13 other provision of law, not to exceed \$150,000,000 of off-
14 setting collections derived from fees collected for
15 premerger notification filings under the Hart-Scott-Ro-
16 dino Antitrust Improvements Act of 1976 (15 U.S.C.
17 18a), regardless of the year of collection, shall be retained
18 and used for necessary expenses in this appropriation:
19 *Provided further*, That, notwithstanding any other provi-
20 sion of law, not to exceed \$19,000,000 in offsetting collec-
21 tions derived from fees sufficient to implement and enforce
22 the Telemarketing Sales Rule, promulgated under the
23 Telemarketing and Consumer Fraud and Abuse Preven-
24 tion Act (15 U.S.C. 6101 et seq.), shall be credited to this
25 account, and be retained and used for necessary expenses

1 in this appropriation: *Provided further*, That the sum here-
2 in appropriated from the general fund shall be reduced
3 as such offsetting collections are received during fiscal
4 year 2021, so as to result in a final fiscal year 2021 appro-
5 priation from the general fund estimated at not more than
6 \$172,000,000: *Provided further*, That none of the funds
7 made available to the Federal Trade Commission may be
8 used to implement subsection (e)(2)(B) of section 43 of
9 the Federal Deposit Insurance Act (12 U.S.C. 1831t).

10 GENERAL SERVICES ADMINISTRATION

11 REAL PROPERTY ACTIVITIES

12 FEDERAL BUILDINGS FUND

13 LIMITATIONS ON AVAILABILITY OF REVENUE

14 (INCLUDING TRANSFERS OF FUNDS)

15 Amounts in the Fund, including revenues and collec-
16 tions deposited into the Fund, shall be available for nec-
17 essary expenses of real property management and related
18 activities not otherwise provided for, including operation,
19 maintenance, and protection of Federally owned and
20 leased buildings; rental of buildings in the District of Co-
21 lumbia; restoration of leased premises; moving govern-
22 mental agencies (including space adjustments and tele-
23 communications relocation expenses) in connection with
24 the assignment, allocation, and transfer of space; contrac-
25 tual services incident to cleaning or servicing buildings,

1 and moving; repair and alteration of Federally owned
2 buildings, including grounds, approaches, and appur-
3 tenances; care and safeguarding of sites; maintenance,
4 preservation, demolition, and equipment; acquisition of
5 buildings and sites by purchase, condemnation, or as oth-
6 erwise authorized by law; acquisition of options to pur-
7 chase buildings and sites; conversion and extension of
8 Federally owned buildings; preliminary planning and de-
9 sign of projects by contract or otherwise; construction of
10 new buildings (including equipment for such buildings);
11 and payment of principal, interest, and any other obliga-
12 tions for public buildings acquired by installment purchase
13 and purchase contract; in the aggregate amount of
14 \$9,052,711,000, of which—

15 (1) \$209,700,000 shall remain available until
16 expended for construction and acquisition (including
17 funds for sites and expenses, and associated design
18 and construction services) as follows:

19 (A) \$200,700,000 shall be for the Depart-
20 ment of Homeland Security Consolidation at St.
21 Elizabeths, Washington, DC; and

22 (B) \$9,000,000 shall be for the Southeast
23 Federal Center Remediation, Washington, DC:
24 *Provided*, That each of the foregoing limits of costs
25 on new construction and acquisition projects may be

1 exceeded to the extent that savings are effected in
2 other such projects, but not to exceed 10 percent of
3 the amounts included in a transmitted prospectus, if
4 required, unless advance approval is obtained from
5 the Committees on Appropriations of a greater
6 amount;

7 (2) \$585,965,000 shall remain available until
8 expended for repairs and alterations, including asso-
9 ciated design and construction services, of which—

10 (A) \$203,908,000 is for Major Repairs and
11 Alterations; and

12 (B) \$382,057,000 is for Basic Repairs and
13 Alterations;

14 *Provided*, That funds made available in this or any
15 previous Act in the Federal Buildings Fund for Re-
16 pairs and Alterations shall, for prospectus projects,
17 be limited to the amount identified for each project,
18 except each project in this or any previous Act may
19 be increased by an amount not to exceed 10 percent
20 unless advance approval is obtained from the Com-
21 mittees on Appropriations of a greater amount: *Pro-*
22 *vided further*, That additional projects for which
23 prospectuses have been fully approved may be fund-
24 ed under this category only if advance approval is
25 obtained from the Committees on Appropriations:

1 *Provided further*, That the amounts provided in this
2 or any prior Act for “Repairs and Alterations” may
3 be used to fund costs associated with implementing
4 security improvements to buildings necessary to
5 meet the minimum standards for security in accord-
6 ance with current law and in compliance with the re-
7 programming guidelines of the appropriate Commit-
8 tees of the House and Senate: *Provided further*,
9 That the difference between the funds appropriated
10 and expended on any projects in this or any prior
11 Act, under the heading “Repairs and Alterations”,
12 may be transferred to “Basic Repairs and Alter-
13 ations” or used to fund authorized increases in pro-
14 spectus projects: *Provided further*, That the amount
15 provided in this or any prior Act for “Basic Repairs
16 and Alterations” may be used to pay claims against
17 the Government arising from any projects under the
18 heading “Repairs and Alterations” or used to fund
19 authorized increases in prospectus projects;

20 (3) \$5,723,900,000 for rental of space to re-
21 main available until expended; and

22 (4) \$2,533,146,000 for building operations to
23 remain available until expended: *Provided*, That the
24 total amount of funds made available from this
25 Fund to the General Services Administration shall

1 not be available for expenses of any construction, re-
2 pair, alteration and acquisition project for which a
3 prospectus, if required by 40 U.S.C. 3307(a), has
4 not been approved, except that necessary funds may
5 be expended for each project for required expenses
6 for the development of a proposed prospectus: *Pro-*
7 *vided further*, That funds available in the Federal
8 Buildings Fund may be expended for emergency re-
9 pairs when advance approval is obtained from the
10 Committees on Appropriations: *Provided further*,
11 That amounts necessary to provide reimbursable
12 special services to other agencies under 40 U.S.C.
13 592(b)(2) and amounts to provide such reimbursable
14 fencing, lighting, guard booths, and other facilities
15 on private or other property not in Government own-
16 ership or control as may be appropriate to enable
17 the United States Secret Service to perform its pro-
18 tective functions pursuant to 18 U.S.C. 3056, shall
19 be available from such revenues and collections: *Pro-*
20 *vided further*, That revenues and collections and any
21 other sums accruing to this Fund during fiscal year
22 2021, excluding reimbursements under 40 U.S.C.
23 592(b)(2), in excess of the aggregate new
24 obligational authority authorized for Real Property
25 Activities of the Federal Buildings Fund in this Act

1 shall remain in the Fund and shall not be available
2 for expenditure except as authorized in appropria-
3 tions Acts.

4 GENERAL ACTIVITIES

5 GOVERNMENT-WIDE POLICY

6 For expenses authorized by law, not otherwise pro-
7 vided for, for Government-wide policy and evaluation ac-
8 tivities associated with the management of real and per-
9 sonal property assets and certain administrative services;
10 Government-wide policy support responsibilities relating to
11 acquisition, travel, motor vehicles, information technology
12 management, and related technology activities; and serv-
13 ices as authorized by 5 U.S.C. 3109; \$64,000,000.

14 OPERATING EXPENSES

15 For expenses authorized by law, not otherwise pro-
16 vided for, for Government-wide activities associated with
17 utilization and donation of surplus personal property; dis-
18 posal of real property; agency-wide policy direction, man-
19 agement, and communications; and services as authorized
20 by 5 U.S.C. 3109; \$49,440,000, of which not to exceed
21 \$7,500 is for official reception and representation ex-
22 penses.

23 CIVILIAN BOARD OF CONTRACT APPEALS

24 For expenses authorized by law, not otherwise pro-
25 vided for, for the activities associated with the Civilian

1 Board of Contract Appeals, \$9,625,000, of which
2 \$2,000,000 shall remain available until September 30,
3 2022.

4 OFFICE OF INSPECTOR GENERAL

5 For necessary expenses of the Office of Inspector
6 General and service authorized by 5 U.S.C. 3109,
7 \$67,000,000: *Provided*, That not to exceed \$50,000 shall
8 be available for payment for information and detection of
9 fraud against the Government, including payment for re-
10 covery of stolen Government property: *Provided further*,
11 That not to exceed \$2,500 shall be available for awards
12 to employees of other Federal agencies and private citizens
13 in recognition of efforts and initiatives resulting in en-
14 hanced Office of Inspector General effectiveness.

15 ALLOWANCES AND OFFICE STAFF FOR FORMER

16 PRESIDENTS

17 For carrying out the provisions of the Act of August
18 25, 1958 (3 U.S.C. 102 note), and Public Law 95-138,
19 \$3,915,000.

20 FEDERAL CITIZEN SERVICES FUND

21 (INCLUDING TRANSFER OF FUNDS)

22 For necessary expenses of the Office of Products and
23 Programs, including services authorized by 40 U.S.C. 323
24 and 44 U.S.C. 3604; and for necessary expenses in sup-
25 port of interagency projects that enable the Federal Gov-

1 ernment to enhance its ability to conduct activities elec-
2 tronically, through the development and implementation of
3 innovative uses of information technology; \$55,000,000, to
4 be deposited into the Federal Citizen Services Fund: *Pro-*
5 *vided*, That the previous amount may be transferred to
6 Federal agencies to carry out the purpose of the Federal
7 Citizen Services Fund: *Provided further*, That the appro-
8 priations, revenues, reimbursements, and collections de-
9 posited into the Fund shall be available until expended for
10 necessary expenses of Federal Citizen Services and other
11 activities that enable the Federal Government to enhance
12 its ability to conduct activities electronically in the aggre-
13 gate amount not to exceed \$100,000,000: *Provided fur-*
14 *ther*, That appropriations, revenues, reimbursements, and
15 collections accruing to this Fund during fiscal year 2021
16 in excess of such amount shall remain in the Fund and
17 shall not be available for expenditure except as authorized
18 in appropriations Acts: *Provided further*, That, of the total
19 amount appropriated, up to \$5,000,000 shall be available
20 for support functions and full-time hires to support activi-
21 ties related to the Administration's requirements under
22 title II of the Foundations for Evidence-Based Policy-
23 making Act (Public Law 115-435): *Provided further*, That
24 the transfer authorities provided herein shall be in addi-
25 tion to any other transfer authority provided in this Act.

1 PRESIDENTIAL TRANSITION
2 (INCLUDING TRANSFERS OF FUNDS)

3 For necessary expenses to carry out the Presidential
4 Transition Act of 1963, as amended, and 40 U.S.C.
5 581(e), \$9,900,000, of which not to exceed \$1,000,000 is
6 for activities authorized by sections 3(a)(8) and 3(a)(9)
7 of the Act: *Provided*, That such amounts may be trans-
8 ferred and credited to the “Acquisition Services Fund” or
9 “Federal Buildings Fund” to reimburse obligations in-
10 curred prior to enactment of this Act for the purposes pro-
11 vided herein related to the Presidential election in 2020:
12 *Provided further*, That amounts available under this head-
13 ing shall be in addition to any other amounts available
14 for such purposes: *Provided further*, That if the President-
15 elect is the incumbent President or the Vice-President-
16 elect is the incumbent Vice President, \$8,900,000 is here-
17 by transferred to the “Federal Buildings Fund” account
18 for Consolidation Activities under paragraph (2) of such
19 account.

20 TECHNOLOGY MODERNIZATION FUND

21 For the Technology Modernization Fund,
22 \$25,000,000, to remain available until expended, for tech-
23 nology-related modernization activities.

1 ASSET PROCEEDS AND SPACE MANAGEMENT FUND

2 For carrying out section 16(b)(2) of the Federal
3 Asset Sale and Transfer Act of 2016 (Public Law 114–
4 287), \$16,000,000, to remain available until expended.

5 ADMINISTRATIVE PROVISIONS—GENERAL SERVICES

6 ADMINISTRATION

7 (INCLUDING TRANSFER OF FUNDS)

8 SEC. 520. Funds available to the General Services
9 Administration shall be available for the hire of passenger
10 motor vehicles.

11 SEC. 521. Funds in the Federal Buildings Fund
12 made available for fiscal year 2021 for Federal Buildings
13 Fund activities may be transferred between such activities
14 only to the extent necessary to meet program require-
15 ments: *Provided*, That any proposed transfers shall be ap-
16 proved in advance by the Committees on Appropriations
17 of the House of Representatives and the Senate.

18 SEC. 522. Except as otherwise provided in this title,
19 funds made available by this Act shall be used to transmit
20 a fiscal year 2022 request for United States Courthouse
21 construction only if the request: (1) meets the design guide
22 standards for construction as established and approved by
23 the General Services Administration, the Judicial Con-
24 ference of the United States, and the Office of Manage-
25 ment and Budget; (2) reflects the priorities of the Judicial

1 Conference of the United States as set out in its approved
2 Courthouse Project Priorities plan; and (3) includes a
3 standardized courtroom utilization study of each facility
4 to be constructed, replaced, or expanded.

5 SEC. 523. None of the funds provided in this Act may
6 be used to increase the amount of occupiable square feet,
7 provide cleaning services, security enhancements, or any
8 other service usually provided through the Federal Build-
9 ings Fund, to any agency that does not pay the rate per
10 square foot assessment for space and services as deter-
11 mined by the General Services Administration in consider-
12 ation of the Public Buildings Amendments Act of 1972
13 (Public Law 92–313).

14 SEC. 524. From funds made available under the
15 heading “Federal Buildings Fund, Limitations on Avail-
16 ability of Revenue”, claims against the Government of less
17 than \$250,000 arising from direct construction projects
18 and acquisition of buildings may be liquidated from sav-
19 ings effected in other construction projects with prior noti-
20 fication to the Committees on Appropriations of the House
21 of Representatives and the Senate.

22 SEC. 525. In any case in which the Committee on
23 Transportation and Infrastructure of the House of Rep-
24 resentatives and the Committee on Environment and Pub-
25 lic Works of the Senate adopt a resolution granting lease

1 authority pursuant to a prospectus transmitted to Con-
2 gress by the Administrator of the General Services Admin-
3 istration under 40 U.S.C. 3307, the Administrator shall
4 ensure that the delineated area of procurement is identical
5 to the delineated area included in the prospectus for all
6 lease agreements, except that, if the Administrator deter-
7 mines that the delineated area of the procurement should
8 not be identical to the delineated area included in the pro-
9 spectus, the Administrator shall provide an explanatory
10 statement to each of such committees and the Committees
11 on Appropriations of the House of Representatives and the
12 Senate prior to exercising any lease authority provided in
13 the resolution.

14 SEC. 526. With respect to each project funded under
15 the heading “Major Repairs and Alterations”, and with
16 respect to E-Government projects funded under the head-
17 ing “Federal Citizen Services Fund”, the Administrator
18 of General Services shall submit a spending plan and ex-
19 planation for each project to be undertaken to the Com-
20 mittees on Appropriations of the House of Representatives
21 and the Senate not later than 60 days after the date of
22 enactment of this Act.

23 SEC. 527. Section 3173(d)(1) of title 40, United
24 States Code, is amended by inserting before the period the
25 following: “or for agency-wide acquisition of equipment or

1 systems or the acquisition of services in lieu thereof, as
2 necessary to implement the Act”.

3 SEC. 528. (a) Not later than 180 days after the date
4 of enactment of this Act, the Administrator of the General
5 Services Administration shall transmit to the Committees
6 on Appropriations of the House of Representatives and the
7 Senate, the Committee on Transportation and Infrastruc-
8 ture of the House of Representatives, and the Committee
9 on Environment and Public Works of the Senate, a report
10 on the construction of a new headquarters for the Federal
11 Bureau of Investigation in the National Capital Region.

12 (b) The report transmitted under subsection (a) shall
13 be consistent with the requirements of section 3307(b) of
14 title 40, United States Code and include a summary of
15 the material provisions of the construction and full con-
16 solidation of the Federal Bureau of Investigation in a new
17 headquarters facility, including all the costs associated
18 with site acquisition, design, management, and inspection,
19 and a description of all buildings and infrastructure need-
20 ed to complete the project.

21 SEC. 529. None of the funds made available in this
22 Act may be used by the General Services Administration
23 to award or facilitate the award of any contract for the
24 provision of architectural, engineering, and related serv-
25 ices in a manner inconsistent with the procedures in the

1 Brooks Act (40 U.S.C. 1101 et. seq.) and part 36.6 of
2 the Federal Acquisition Regulation.

3 SEC. 530. None of the funds made available in this
4 Act may be used to implement or otherwise carry out di-
5 rectives contained in any Executive order that would es-
6 tablish a preferred architectural style for Federal build-
7 ings and courthouses or that would otherwise conflict with
8 the Guiding Principles of Federal Architecture as estab-
9 lished by the Ad Hoc Committee on Federal Space on
10 June 1, 1962.

11 HARRY S TRUMAN SCHOLARSHIP FOUNDATION

12 SALARIES AND EXPENSES

13 For payment to the Harry S Truman Scholarship
14 Foundation Trust Fund, established by section 10 of Pub-
15 lic Law 93-642, \$1,670,000, to remain available until ex-
16 pended.

17 MERIT SYSTEMS PROTECTION BOARD

18 SALARIES AND EXPENSES

19 (INCLUDING TRANSFER OF FUNDS)

20 For necessary expenses to carry out functions of the
21 Merit Systems Protection Board pursuant to Reorganiza-
22 tion Plan Numbered 2 of 1978, the Civil Service Reform
23 Act of 1978, and the Whistleblower Protection Act of
24 1989 (5 U.S.C. 5509 note), including services as author-
25 ized by 5 U.S.C. 3109, rental of conference rooms in the

1 District of Columbia and elsewhere, hire of passenger
2 motor vehicles, direct procurement of survey printing, and
3 not to exceed \$2,000 for official reception and representa-
4 tion expenses, \$44,490,000, to remain available until Sep-
5 tember 30, 2022, and in addition not to exceed
6 \$2,345,000, to remain available until September 30, 2022,
7 for administrative expenses to adjudicate retirement ap-
8 peals to be transferred from the Civil Service Retirement
9 and Disability Fund in amounts determined by the Merit
10 Systems Protection Board.

11 MORRIS K. UDALL AND STEWART L. UDALL

12 FOUNDATION

13 MORRIS K. UDALL AND STEWART L. UDALL TRUST FUND

14 (INCLUDING TRANSFER OF FUNDS)

15 For payment to the Morris K. Udall and Stewart L.
16 Udall Trust Fund, pursuant to the Morris K. Udall and
17 Stewart L. Udall Foundation Act (20 U.S.C. 5601 et
18 seq.), \$1,800,000, to remain available until expended, of
19 which, notwithstanding sections 8 and 9 of such Act, up
20 to \$1,000,000 shall be available to carry out the activities
21 authorized by section 6(7) of Public Law 102-259 and
22 section 817(a) of Public Law 106-568 (20 U.S.C.
23 5604(7)): *Provided*, That all current and previous
24 amounts transferred to the Office of Inspector General of
25 the Department of the Interior will remain available until

1 expended for audits and investigations of the Morris K.
2 Udall and Stewart L. Udall Foundation, consistent with
3 the Inspector General Act of 1978 (5 U.S.C. App.), as
4 amended, and for annual independent financial audits of
5 the Morris K. Udall and Stewart L. Udall Foundation
6 pursuant to the Accountability of Tax Dollars Act of 2002
7 (Public Law 107–289): *Provided further*, That previous
8 amounts transferred to the Office of Inspector General of
9 the Department of the Interior may be transferred to the
10 Morris K. Udall and Stewart L. Udall Foundation for an-
11 nual independent financial audits pursuant to the Ac-
12 countability of Tax Dollars Act of 2002 (Public Law 107–
13 289).

14 ENVIRONMENTAL DISPUTE RESOLUTION FUND

15 For payment to the Environmental Dispute Resolu-
16 tion Fund to carry out activities under sections 10 and
17 11 of the Morris K. Udall and Stewart L. Udall Founda-
18 tion Act (Public Law 111–90), \$3,200,000, to remain
19 available until expended: *Provided*, That during fiscal year
20 2021 and each fiscal year thereafter, any amounts in such
21 Fund shall, pursuant to section 1557 of title 31, United
22 State Code, be exempt from the provisions of subchapter
23 IV of chapter 15 of such title.

1 NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

2 OPERATING EXPENSES

3 For necessary expenses in connection with the admin-
4 istration of the National Archives and Records Adminis-
5 tration and archived Federal records and related activities,
6 as provided by law, and for expenses necessary for the re-
7 view and declassification of documents, the activities of
8 the Public Interest Declassification Board, the operations
9 and maintenance of the electronic records archives, the
10 hire of passenger motor vehicles, and for uniforms or al-
11 lowances therefor, as authorized by law (5 U.S.C. 5901),
12 including maintenance, repairs, and cleaning,
13 \$361,449,000, of which up to \$2,000,000 shall remain
14 available until expended to implement the Civil Rights
15 Cold Case Records Collection Act of 2018 (Public Law
16 115–426).

17 OFFICE OF INSPECTOR GENERAL

18 For necessary expenses of the Office of Inspector
19 General in carrying out the provisions of the Inspector
20 General Reform Act of 2008, Public Law 110–409, 122
21 Stat. 4302–16 (2008), and the Inspector General Act of
22 1978 (5 U.S.C. App.), and for the hire of passenger motor
23 vehicles, \$5,195,000.

1 REPAIRS AND RESTORATION

2 For the repair, alteration, and improvement of ar-
3 chives facilities, and to provide adequate storage for hold-
4 ings, \$7,500,000, to remain available until expended.

5 NATIONAL HISTORICAL PUBLICATIONS AND RECORDS

6 COMMISSION

7 GRANTS PROGRAM

8 For necessary expenses for allocations and grants for
9 historical publications and records as authorized by 44
10 U.S.C. 2504, \$7,000,000, to remain available until ex-
11 pended.

12 NATIONAL CREDIT UNION ADMINISTRATION

13 COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

14 For the Community Development Revolving Loan
15 Fund program as authorized by 42 U.S.C. 9812, 9822
16 and 9910, \$2,000,000 shall be available until September
17 30, 2022, for technical assistance to low-income des-
18 igned credit unions.

19 OFFICE OF GOVERNMENT ETHICS

20 SALARIES AND EXPENSES

21 For necessary expenses to carry out functions of the
22 Office of Government Ethics pursuant to the Ethics in
23 Government Act of 1978, the Ethics Reform Act of 1989,
24 and the Stop Trading on Congressional Knowledge Act of
25 2012, including services as authorized by 5 U.S.C. 3109,

1 rental of conference rooms in the District of Columbia and
2 elsewhere, hire of passenger motor vehicles, and not to ex-
3 ceed \$1,500 for official reception and representation ex-
4 penses, \$18,600,000.

5 OFFICE OF PERSONNEL MANAGEMENT

6 SALARIES AND EXPENSES

7 (INCLUDING TRANSFER OF TRUST FUNDS)

8 For necessary expenses to carry out functions of the
9 Office of Personnel Management (OPM) pursuant to Re-
10 organization Plan Numbered 2 of 1978 and the Civil Serv-
11 ice Reform Act of 1978, including services as authorized
12 by 5 U.S.C. 3109; medical examinations performed for
13 veterans by private physicians on a fee basis; rental of con-
14 ference rooms in the District of Columbia and elsewhere;
15 hire of passenger motor vehicles; not to exceed \$2,500 for
16 official reception and representation expenses; advances
17 for reimbursements to applicable funds of OPM and the
18 Federal Bureau of Investigation for expenses incurred
19 under Executive Order No. 10422 of January 9, 1953,
20 as amended; and payment of per diem and/or subsistence
21 allowances to employees where Voting Rights Act activities
22 require an employee to remain overnight at his or her post
23 of duty, \$152,630,000: *Provided*, That of the total amount
24 made available under this heading, up to \$9,000,000 shall
25 remain available until expended, for information tech-

1 nology infrastructure modernization and Trust Fund Fed-
2 eral Financial System migration or modernization, and
3 shall be in addition to funds otherwise made available for
4 such purposes: *Provided further*, That of the total amount
5 made available under this heading, \$1,068,000 may be
6 made available for strengthening the capacity and capa-
7 bilities of the acquisition workforce (as defined by the Of-
8 fice of Federal Procurement Policy Act, as amended (41
9 U.S.C. 4001 et seq.)), including the recruitment, hiring,
10 training, and retention of such workforce and information
11 technology in support of acquisition workforce effective-
12 ness or for management solutions to improve acquisition
13 management; and in addition \$154,625,000 for adminis-
14 trative expenses, to be transferred from the appropriate
15 trust funds of OPM without regard to other statutes, in-
16 cluding direct procurement of printed materials, for the
17 retirement and insurance programs: *Provided further*,
18 That the provisions of this appropriation shall not affect
19 the authority to use applicable trust funds as provided by
20 sections 8348(a)(1)(B), 8958(f)(2)(A), 8988(f)(2)(A), and
21 9004(f)(2)(A) of title 5, United States Code: *Provided fur-*
22 *ther*, That no part of this appropriation shall be available
23 for salaries and expenses of the Legal Examining Unit of
24 OPM established pursuant to Executive Order No. 9358
25 of July 1, 1943, or any successor unit of like purpose:

1 *Provided further*, That the President's Commission on
2 White House Fellows, established by Executive Order No.
3 11183 of October 3, 1964, may, during fiscal year 2021,
4 accept donations of money, property, and personal serv-
5 ices: *Provided further*, That such donations, including
6 those from prior years, may be used for the development
7 of publicity materials to provide information about the
8 White House Fellows, except that no such donations shall
9 be accepted for travel or reimbursement of travel expenses,
10 or for the salaries of employees of such Commission.

11 OFFICE OF INSPECTOR GENERAL
12 SALARIES AND EXPENSES
13 (INCLUDING TRANSFER OF TRUST FUNDS)

14 For necessary expenses of the Office of Inspector
15 General in carrying out the provisions of the Inspector
16 General Act of 1978, including services as authorized by
17 5 U.S.C. 3109, hire of passenger motor vehicles,
18 \$5,000,000, and in addition, not to exceed \$26,265,000
19 for administrative expenses to audit, investigate, and pro-
20 vide other oversight of the Office of Personnel Manage-
21 ment's retirement and insurance programs, to be trans-
22 ferred from the appropriate trust funds of the Office of
23 Personnel Management, as determined by the Inspector
24 General: *Provided*, That the Inspector General is author-

1 ized to rent conference rooms in the District of Columbia
2 and elsewhere.

3 OFFICE OF SPECIAL COUNSEL

4 SALARIES AND EXPENSES

5 For necessary expenses to carry out functions of the
6 Office of Special Counsel, including services as authorized
7 by 5 U.S.C. 3109, payment of fees and expenses for wit-
8 nesses, rental of conference rooms in the District of Co-
9 lumbia and elsewhere, and hire of passenger motor vehi-
10 cles, \$28,900,000.

11 POSTAL REGULATORY COMMISSION

12 SALARIES AND EXPENSES

13 (INCLUDING TRANSFER OF FUNDS)

14 For necessary expenses of the Postal Regulatory
15 Commission in carrying out the provisions of the Postal
16 Accountability and Enhancement Act (Public Law 109–
17 435), \$18,614,000, to be derived by transfer from the
18 Postal Service Fund and expended as authorized by sec-
19 tion 603(a) of such Act.

20 PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

21 SALARIES AND EXPENSES

22 For necessary expenses of the Privacy and Civil Lib-
23 erties Oversight Board, as authorized by section 1061 of
24 the Intelligence Reform and Terrorism Prevention Act of

1 2004 (42 U.S.C. 2000ee), \$8,500,000, to remain available
2 until September 30, 2022.

3 PUBLIC BUILDINGS REFORM BOARD

4 For salaries and expenses of the Public Buildings Re-
5 form Board in carrying out the Federal Assets Sale and
6 Transfer Act of 2016 (Public Law 114–287), \$3,500,000,
7 to remain available until expended.

8 SECURITIES AND EXCHANGE COMMISSION

9 SALARIES AND EXPENSES

10 For necessary expenses for the Securities and Ex-
11 change Commission, including services as authorized by
12 5 U.S.C. 3109, the rental of space (to include multiple
13 year leases) in the District of Columbia and elsewhere, and
14 not to exceed \$3,500 for official reception and representa-
15 tion expenses, \$1,920,000,000, to remain available until
16 expended; of which not less than \$16,313,000 shall be for
17 the Office of Inspector General; of which not to exceed
18 \$75,000 shall be available for a permanent secretariat for
19 the International Organization of Securities Commissions;
20 and of which not to exceed \$100,000 shall be available
21 for expenses for consultations and meetings hosted by the
22 Commission with foreign governmental and other regu-
23 latory officials, members of their delegations and staffs to
24 exchange views concerning securities matters, such ex-
25 penses to include necessary logistic and administrative ex-

1 penses and the expenses of Commission staff and foreign
2 invitees in attendance including: (1) incidental expenses
3 such as meals; (2) travel and transportation; and (3) re-
4 lated lodging or subsistence.

5 In addition to the foregoing appropriation, for move,
6 replication, and related costs associated with a replace-
7 ment lease for the Commission's District of Columbia
8 headquarters, not to exceed \$18,650,000, to remain avail-
9 able until expended; and for move, replication, and related
10 costs associated with a replacement lease for the Commis-
11 sion's San Francisco Regional Office facilities, not to ex-
12 ceed \$12,677,000, to remain available until expended.

13 For purposes of calculating the fee rate under section
14 31(j) of the Securities Exchange Act of 1934 (15 U.S.C.
15 78ee(j)) for fiscal year 2021, all amounts appropriated
16 under this heading shall be deemed to be the regular ap-
17 propriation to the Commission for fiscal year 2021: *Pro-*
18 *vided*, That fees and charges authorized by section 31 of
19 the Securities Exchange Act of 1934 (15 U.S.C. 78ee)
20 shall be credited to this account as offsetting collections:
21 *Provided further*, That not to exceed \$1,920,000,000 of
22 such offsetting collections shall be available until expended
23 for necessary expenses of this account; not to exceed
24 \$18,650,000 of such offsetting collections shall be avail-
25 able until expended for move, replication, and related costs

1 under this heading associated with a replacement lease for
2 the Commission's District of Columbia headquarters facili-
3 ties; and not to exceed \$12,677,000 of such offsetting col-
4 lections shall be available until expended for move, replica-
5 tion, and related costs under this heading associated with
6 a replacement lease for the Commission's San Francisco
7 Regional Office facilities: *Provided further*, That the total
8 amount appropriated under this heading from the general
9 fund for fiscal year 2021 shall be reduced as such offset-
10 ting fees are received so as to result in a final total fiscal
11 year 2021 appropriation from the general fund estimated
12 at not more than \$0: *Provided further*, That if any amount
13 of the appropriation for move, replication, and related
14 costs associated with a replacement lease for the Commis-
15 sion's District of Columbia headquarters office facilities
16 or if any amount of the appropriation for costs associated
17 with a replacement lease for the Commission's San Fran-
18 cisco Regional Office is subsequently de-obligated by the
19 Commission, such amount that was derived from the gen-
20 eral fund shall be returned to the general fund, and such
21 amounts that were derived from fees or assessments col-
22 lected for such purpose shall be paid to each national secu-
23 rities exchange and national securities association, respec-
24 tively, in proportion to any fees or assessments paid by
25 such national securities exchange or national securities as-

1 socation under section 31 of the Securities Exchange Act
2 of 1934 (15 U.S.C. 78ee) in fiscal year 2021.

3 ADMINISTRATIVE PROVISIONS—SECURITIES AND
4 EXCHANGE COMMISSION

5 SEC. 540. None of the funds made available by this
6 Act may be used to finalize, issue, or implement any rule,
7 regulation, or order regarding the exempt offering frame-
8 work changes proposed at 85 Fed. Reg. 17956 without
9 previously finalizing, issuing, or implementing a final rule
10 strengthening the filing requirements around exempt of-
11 ferings in the same or stronger manner as proposed at
12 78 Fed. Reg. 44806 to enhance the Securities and Ex-
13 change Commission’s ability to evaluate the development
14 of market practices in Rule 506 offerings and to address
15 concerns that may arise in connection with permitting
16 issuers to engage in general solicitation.

17 SEC. 541. None of the funds made available by this
18 Act may be used to finalize, issue, or implement any rule,
19 regulation, or order changing the procedural requirements
20 or raising resubmission thresholds under Exchange Act
21 Rule 14a-8 (section 240.14a–8 of title 17, Code of Federal
22 Regulations) as proposed at 84 Fed. Reg. 66458.

1 SELECTIVE SERVICE SYSTEM

2 SALARIES AND EXPENSES

3 For necessary expenses of the Selective Service Sys-
4 tem, including expenses of attendance at meetings and of
5 training for uniformed personnel assigned to the Selective
6 Service System, as authorized by 5 U.S.C. 4101–4118 for
7 civilian employees; hire of passenger motor vehicles; serv-
8 ices as authorized by 5 U.S.C. 3109; and not to exceed
9 \$750 for official reception and representation expenses;
10 \$27,800,000: *Provided*, That during the current fiscal
11 year, the President may exempt this appropriation from
12 the provisions of 31 U.S.C. 1341, whenever the President
13 deems such action to be necessary in the interest of na-
14 tional defense: *Provided further*, That none of the funds
15 appropriated by this Act may be expended for or in con-
16 nection with the induction of any person into the Armed
17 Forces of the United States.

18 SMALL BUSINESS ADMINISTRATION

19 SALARIES AND EXPENSES

20 For necessary expenses, not otherwise provided for,
21 of the Small Business Administration, including hire of
22 passenger motor vehicles as authorized by sections 1343
23 and 1344 of title 31, United States Code, and not to ex-
24 ceed \$3,500 for official reception and representation ex-
25 penses, \$287,947,000, of which not less than \$12,000,000

1 shall be available for examinations, reviews, and other
2 lender oversight activities: *Provided*, That the Adminis-
3 trator is authorized to charge fees to cover the cost of pub-
4 lications developed by the Small Business Administration,
5 and certain loan program activities, including fees author-
6 ized by section 5(b) of the Small Business Act: *Provided*
7 *further*, That, notwithstanding 31 U.S.C. 3302, revenues
8 received from all such activities shall be credited to this
9 account, to remain available until expended, for carrying
10 out these purposes without further appropriations: *Pro-*
11 *vided further*, That the Small Business Administration
12 may accept gifts in an amount not to exceed \$4,000,000
13 and may co-sponsor activities, each in accordance with sec-
14 tion 132(a) of division K of Public Law 108–447, during
15 fiscal year 2021: *Provided further*, That \$6,100,000 shall
16 be available for the Loan Modernization and Accounting
17 System, to be available until September 30, 2022.

18 ENTREPRENEURIAL DEVELOPMENT PROGRAMS

19 For necessary expenses of programs supporting en-
20 trepreneurial and small business development,
21 \$277,000,000, to remain available until September 30,
22 2022: *Provided*, That \$140,000,000 shall be available to
23 fund grants for performance in fiscal year 2021 or fiscal
24 year 2022 as authorized by section 21 of the Small Busi-
25 ness Act: *Provided further*, That \$35,000,000 shall be for

1 marketing, management, and technical assistance under
2 section 7(m) of the Small Business Act (15 U.S.C.
3 636(m)(4)) by intermediaries that make microloans under
4 the microloan program: *Provided further*, That
5 \$20,500,000 shall be available for grants to States to
6 carry out export programs that assist small business con-
7 cerns authorized under section 22(l) of the Small Business
8 Act (15 U.S.C. 649(l)).

9 OFFICE OF INSPECTOR GENERAL

10 For necessary expenses of the Office of Inspector
11 General in carrying out the provisions of the Inspector
12 General Act of 1978, \$22,011,000.

13 OFFICE OF ADVOCACY

14 For necessary expenses of the Office of Advocacy in
15 carrying out the provisions of title II of Public Law 94-
16 305 (15 U.S.C. 634a et seq.) and the Regulatory Flexi-
17 bility Act of 1980 (5 U.S.C. 601 et seq.), \$9,190,000, to
18 remain available until expended.

19 BUSINESS LOANS PROGRAM ACCOUNT

20 (INCLUDING TRANSFER OF FUNDS)

21 For the cost of direct loans, \$5,000,000, to remain
22 available until expended, and for the cost of guaranteed
23 loans as authorized by section 7(a) of the Small Business
24 Act (Public Law 83-163), \$15,000,000, to remain avail-
25 able until expended: *Provided*, That such costs, including

1 the cost of modifying such loans, shall be as defined in
2 section 502 of the Congressional Budget Act of 1974: *Pro-*
3 *vided further*, That subject to section 502 of the Congres-
4 sional Budget Act of 1974, during fiscal year 2021 com-
5 mitments to guarantee loans under section 503 of the
6 Small Business Investment Act of 1958 shall not exceed
7 \$7,500,000,000: *Provided further*, That during fiscal year
8 2021 commitments for general business loans authorized
9 under section 7(a) of the Small Business Act shall not
10 exceed \$30,000,000,000 for a combination of amortizing
11 term loans and the aggregated maximum line of credit
12 provided by revolving loans: *Provided further*, That during
13 fiscal year 2021 commitments for loans authorized under
14 subparagraph (C) of section 502(7) of the Small Business
15 Investment Act of 1958 (15 U.S.C. 696(7)) shall not ex-
16 ceed \$7,500,000,000: *Provided further*, That during fiscal
17 year 2021 commitments to guarantee loans for debentures
18 under section 303(b) of the Small Business Investment
19 Act of 1958 shall not exceed \$4,000,000,000: *Provided*
20 *further*, That during fiscal year 2021, guarantees of trust
21 certificates authorized by section 5(g) of the Small Busi-
22 ness Act shall not exceed a principal amount of
23 \$12,000,000,000: *Provided further*, That the amounts ap-
24 propriated in the matter preceding the first proviso under
25 this heading for the cost of guaranteed loans as authorized

1 by section 7(a) of the Small Business Act, and the com-
2 mitments for general business loans authorized by the
3 third proviso under this heading for such loans, shall not
4 be available for loans authorized under paragraph (36) of
5 such section 7(a). In addition, for administrative expenses
6 to carry out the direct and guaranteed loan programs,
7 \$155,150,000, which may be transferred to and merged
8 with the appropriations for Salaries and Expenses.

9 DISASTER LOANS PROGRAM ACCOUNT
10 (INCLUDING TRANSFERS OF FUNDS)

11 For administrative expenses to carry out the direct
12 loan program authorized by section 7(b) of the Small
13 Business Act, \$168,075,000, to be available until ex-
14 pended, of which \$1,600,000 is for the Office of Inspector
15 General of the Small Business Administration for audits
16 and reviews of disaster loans and the disaster loan pro-
17 grams and shall be transferred to and merged with the
18 appropriations for the Office of Inspector General; of
19 which \$158,075,000 is for direct administrative expenses
20 of loan making and servicing to carry out the direct loan
21 program, which may be transferred to and merged with
22 the appropriations for Salaries and Expenses; and of
23 which \$8,400,000 is for indirect administrative expenses
24 for the direct loan program, which may be transferred to
25 and merged with the appropriations for Salaries and Ex-

1 penses: *Provided*, That, of the funds provided under this
2 heading, \$142,864,000 shall be for major disasters de-
3 clared pursuant to the Robert T. Stafford Disaster Relief
4 and Emergency Assistance Act (42 U.S.C. 5122(2)): *Pro-*
5 *vided further*, That the amount for major disasters under
6 this heading is designated by Congress as being for dis-
7 aster relief pursuant to section 251(b)(2)(D) of the Bal-
8 anced Budget and Emergency Deficit Control Act of 1985.

9 ADMINISTRATIVE PROVISIONS—SMALL BUSINESS

10 ADMINISTRATION

11 (INCLUDING TRANSFERS OF FUNDS)

12 SEC. 550. Not to exceed 5 percent of any appropria-
13 tion made available for the current fiscal year for the
14 Small Business Administration in this Act may be trans-
15 ferred between such appropriations, but no such appro-
16 priation shall be increased by more than 10 percent by
17 any such transfers: *Provided*, That any transfer pursuant
18 to this paragraph shall be treated as a reprogramming of
19 funds under section 608 of this Act and shall not be avail-
20 able for obligation or expenditure except in compliance
21 with the procedures set forth in that section.

22 SEC. 551. Not to exceed 3 percent of any appropria-
23 tion made available in this Act for the Small Business Ad-
24 ministration under the headings “Salaries and Expenses”
25 and “Business Loans Program Account” may be trans-

1 ferred to the Administration’s information technology sys-
2 tem modernization and working capital fund (IT WCF),
3 as authorized by section 1077(b)(1) of title X of division
4 A of the National Defense Authorization Act for Fiscal
5 Year 2018, for the purposes specified in section
6 1077(b)(3) of such Act, upon the advance approval of the
7 Committees on Appropriations of the House of Represent-
8 atives and the Senate: *Provided*, That amounts transferred
9 to the IT WCF under this section shall remain available
10 for obligation through September 30, 2024.

11 SEC. 552. Of the amounts appropriated in this Act
12 under the heading “Salaries and Expenses”, \$20,000,000
13 shall not be available for obligation until the date that the
14 Administrator certifies and reports to the Committees on
15 Appropriations of the House of Representatives and the
16 Senate that the Small Business Administration, in con-
17 sultation with the Comptroller General of the United
18 States, has established and issued agency-wide guidance
19 with respect to relations with the Government Account-
20 ability Office to specifically provide for: (1) expedited
21 timeframes for providing the Government Accountability
22 Office with access to records within 10 days after the date
23 of request; (2) expedited timeframes for interviews of pro-
24 gram officials by the Government Accountability Office;
25 and (3) a significant streamlining of the review process

1 for documents and interview requests by liaisons, counsel,
2 and program officials, consistent with the objective that
3 the Government Accountability Office be given timely and
4 complete access to documents and agency officials.

5 UNITED STATES POSTAL SERVICE

6 PAYMENT TO THE POSTAL SERVICE FUND

7 For payment to the Postal Service Fund for revenue
8 forgone on free and reduced rate mail, pursuant to sub-
9 sections (c) and (d) of section 2401 of title 39, United
10 States Code, \$55,333,000: *Provided*, That mail for over-
11 seas voting and mail for the blind shall continue to be free:
12 *Provided further*, That 6-day delivery and rural delivery
13 of mail shall continue at not less than the 1983 level: *Pro-*
14 *vided further*, That none of the funds made available to
15 the Postal Service by this Act shall be used to implement
16 any rule, regulation, or policy of charging any officer or
17 employee of any State or local child support enforcement
18 agency, or any individual participating in a State or local
19 program of child support enforcement, a fee for informa-
20 tion requested or provided concerning an address of a
21 postal customer: *Provided further*, That none of the funds
22 provided in this Act shall be used to consolidate or close
23 small rural and other small post offices: *Provided further*,
24 That the Postal Service may not destroy, and shall con-
25 tinue to offer for sale, any copies of the Multinational Spe-

1 cies Conservation Funds Semipostal Stamp, as authorized
2 under the Multinational Species Conservation Funds
3 Semipostal Stamp Act of 2010 (Public Law 111–241).

4 OFFICE OF INSPECTOR GENERAL
5 SALARIES AND EXPENSES
6 (INCLUDING TRANSFER OF FUNDS)

7 For necessary expenses of the Office of Inspector
8 General in carrying out the provisions of the Inspector
9 General Act of 1978, \$258,180,000, to be derived by
10 transfer from the Postal Service Fund and expended as
11 authorized by section 603(b)(3) of the Postal Account-
12 ability and Enhancement Act (Public Law 109–435).

13 UNITED STATES TAX COURT
14 SALARIES AND EXPENSES

15 For necessary expenses, including contract reporting
16 and other services as authorized by 5 U.S.C. 3109, and
17 not to exceed \$3,000 for official reception and representa-
18 tion expenses; \$57,026,000, of which \$1,000,000 shall re-
19 main available until expended: *Provided*, That travel ex-
20 penses of the judges shall be paid upon the written certifi-
21 cate of the judge.

1 TITLE VI
2 GENERAL PROVISIONS—THIS ACT
3 (INCLUDING RESCISSION OF FUNDS)

4 SEC. 601. None of the funds in this Act shall be used
5 for the planning or execution of any program to pay the
6 expenses of, or otherwise compensate, non-Federal parties
7 intervening in regulatory or adjudicatory proceedings
8 funded in this Act.

9 SEC. 602. None of the funds appropriated in this Act
10 shall remain available for obligation beyond the current
11 fiscal year, nor may any be transferred to other appropria-
12 tions, unless expressly so provided herein.

13 SEC. 603. The expenditure of any appropriation
14 under this Act for any consulting service through procure-
15 ment contract pursuant to 5 U.S.C. 3109, shall be limited
16 to those contracts where such expenditures are a matter
17 of public record and available for public inspection, except
18 where otherwise provided under existing law, or under ex-
19 isting Executive order issued pursuant to existing law.

20 SEC. 604. None of the funds made available in this
21 Act may be transferred to any department, agency, or in-
22 strumentality of the United States Government, except
23 pursuant to a transfer made by, or transfer authority pro-
24 vided in, this Act or any other appropriations Act.

1 SEC. 605. None of the funds made available by this
2 Act shall be available for any activity or for paying the
3 salary of any Government employee where funding an ac-
4 tivity or paying a salary to a Government employee would
5 result in a decision, determination, rule, regulation, or pol-
6 icy that would prohibit the enforcement of section 307 of
7 the Tariff Act of 1930 (19 U.S.C. 1307).

8 SEC. 606. No funds appropriated pursuant to this
9 Act may be expended by an entity unless the entity agrees
10 that in expending the assistance the entity will comply
11 with chapter 83 of title 41, United States Code.

12 SEC. 607. No funds appropriated or otherwise made
13 available under this Act shall be made available to any
14 person or entity that has been convicted of violating chap-
15 ter 83 of title 41, United States Code.

16 SEC. 608. Except as otherwise provided in this Act,
17 none of the funds provided in this Act, provided by pre-
18 vious appropriations Acts to the agencies or entities fund-
19 ed in this Act that remain available for obligation or ex-
20 penditure in fiscal year 2021, or provided from any ac-
21 counts in the Treasury derived by the collection of fees
22 and available to the agencies funded by this Act, shall be
23 available for obligation or expenditure through a re-
24 programming of funds that: (1) creates a new program;
25 (2) eliminates a program, project, or activity; (3) increases

1 funds or personnel for any program, project, or activity
2 for which funds have been denied or restricted by the Con-
3 gress; (4) proposes to use funds directed for a specific ac-
4 tivity by the Committee on Appropriations of either the
5 House of Representatives or the Senate for a different
6 purpose; (5) augments existing programs, projects, or ac-
7 tivities in excess of \$5,000,000 or 10 percent, whichever
8 is less; (6) reduces existing programs, projects, or activi-
9 ties by \$5,000,000 or 10 percent, whichever is less; or (7)
10 creates or reorganizes offices, programs, or activities un-
11 less prior approval is received from the Committees on Ap-
12 propriations of the House of Representatives and the Sen-
13 ate: *Provided*, That prior to any significant reorganization,
14 restructuring, relocation, or closing of offices, programs,
15 or activities, each agency or entity funded in this Act shall
16 consult with the Committees on Appropriations of the
17 House of Representatives and the Senate: *Provided fur-*
18 *ther*, That not later than 60 days after the date of enact-
19 ment of this Act, each agency funded by this Act shall
20 submit a report to the Committees on Appropriations of
21 the House of Representatives and the Senate to establish
22 the baseline for application of reprogramming and trans-
23 fer authorities for the current fiscal year: *Provided further*,
24 That at a minimum the report shall include: (1) a table
25 for each appropriation, detailing both full-time employee

1 equivalents and budget authority, with separate columns
2 to display the prior year enacted level, the President's
3 budget request, adjustments made by Congress, adjust-
4 ments due to enacted rescissions, if appropriate, and the
5 fiscal year enacted level; (2) a delineation in the table for
6 each appropriation and its respective prior year enacted
7 level by object class and program, project, and activity as
8 detailed in this Act, in the accompanying report, or in the
9 budget appendix for the respective appropriation, which-
10 ever is more detailed, and which shall apply to all items
11 for which a dollar amount is specified and to all programs
12 for which new budget authority is provided, as well as to
13 discretionary grants and discretionary grant allocations;
14 and (3) an identification of items of special congressional
15 interest: *Provided further*, That the amount appropriated
16 or limited for salaries and expenses for an agency shall
17 be reduced by \$100,000 per day for each day after the
18 required date that the report has not been submitted to
19 the Congress.

20 SEC. 609. Except as otherwise specifically provided
21 by law, not to exceed 50 percent of unobligated balances
22 remaining available at the end of fiscal year 2021 from
23 appropriations made available for salaries and expenses
24 for fiscal year 2021 in this Act, shall remain available
25 through September 30, 2022, for each such account for

1 the purposes authorized: *Provided*, That a request shall
2 be submitted to the Committees on Appropriations of the
3 House of Representatives and the Senate for approval
4 prior to the expenditure of such funds: *Provided further*,
5 That these requests shall be made in compliance with re-
6 programming guidelines.

7 SEC. 610. (a) None of the funds made available in
8 this Act may be used by the Executive Office of the Presi-
9 dent to request—

10 (1) any official background investigation report
11 on any individual from the Federal Bureau of Inves-
12 tigation; or

13 (2) a determination with respect to the treat-
14 ment of an organization as described in section
15 501(c) of the Internal Revenue Code of 1986 and
16 exempt from taxation under section 501(a) of such
17 Code from the Department of the Treasury or the
18 Internal Revenue Service.

19 (b) Subsection (a) shall not apply—

20 (1) in the case of an official background inves-
21 tigation report, if such individual has given express
22 written consent for such request not more than 6
23 months prior to the date of such request and during
24 the same presidential administration; or

1 (2) if such request is required due to extraor-
2 dinary circumstances involving national security.

3 SEC. 611. The cost accounting standards promul-
4 gated under chapter 15 of title 41, United States Code
5 shall not apply with respect to a contract under the Fed-
6 eral Employees Health Benefits Program established
7 under chapter 89 of title 5, United States Code.

8 SEC. 612. For the purpose of resolving litigation and
9 implementing any settlement agreements regarding the
10 nonforeign area cost-of-living allowance program, the Of-
11 fice of Personnel Management may accept and utilize
12 (without regard to any restriction on unanticipated travel
13 expenses imposed in an Appropriations Act) funds made
14 available to the Office of Personnel Management pursuant
15 to court approval.

16 SEC. 613. No funds appropriated by this Act shall
17 be available to pay for an abortion, or the administrative
18 expenses in connection with any health plan under the
19 Federal employees health benefits program which provides
20 any benefits or coverage for abortions.

21 SEC. 614. The provision of section 613 shall not
22 apply where the life of the mother would be endangered
23 if the fetus were carried to term, or the pregnancy is the
24 result of an act of rape or incest.

1 SEC. 615. In order to promote Government access to
2 commercial information technology, the restriction on pur-
3 chasing nondomestic articles, materials, and supplies set
4 forth in chapter 83 of title 41, United States Code (popu-
5 larly known as the Buy American Act), shall not apply
6 to the acquisition by the Federal Government of informa-
7 tion technology (as defined in section 11101 of title 40,
8 United States Code), that is a commercial item (as defined
9 in section 103 of title 41, United States Code).

10 SEC. 616. Notwithstanding section 1353 of title 31,
11 United States Code, no officer or employee of any regu-
12 latory agency or commission funded by this Act may ac-
13 cept on behalf of that agency, nor may such agency or
14 commission accept, payment or reimbursement from a
15 non-Federal entity for travel, subsistence, or related ex-
16 penses for the purpose of enabling an officer or employee
17 to attend and participate in any meeting or similar func-
18 tion relating to the official duties of the officer or em-
19 ployee when the entity offering payment or reimbursement
20 is a person or entity subject to regulation by such agency
21 or commission, or represents a person or entity subject
22 to regulation by such agency or commission, unless the
23 person or entity is an organization described in section
24 501(c)(3) of the Internal Revenue Code of 1986 and ex-
25 empt from tax under section 501(a) of such Code.

1 SEC. 617. Notwithstanding section 708 of this Act,
2 funds made available to the Commodity Futures Trading
3 Commission and the Securities and Exchange Commission
4 by this or any other Act may be used for the interagency
5 funding and sponsorship of a joint advisory committee to
6 advise on emerging regulatory issues.

7 SEC. 618. (a)(1) Notwithstanding any other provision
8 of law, an Executive agency covered by this Act otherwise
9 authorized to enter into contracts for either leases or the
10 construction or alteration of real property for office, meet-
11 ing, storage, or other space must consult with the General
12 Services Administration before issuing a solicitation for of-
13 fers of new leases or construction contracts, and in the
14 case of succeeding leases, before entering into negotiations
15 with the current lessor.

16 (2) Any such agency with authority to enter into an
17 emergency lease may do so during any period declared by
18 the President to require emergency leasing authority with
19 respect to such agency.

20 (b) For purposes of this section, the term “Executive
21 agency covered by this Act” means any Executive agency
22 provided funds by this Act, but does not include the Gen-
23 eral Services Administration or the United States Postal
24 Service.

1 SEC. 619. (a) There are appropriated for the fol-
2 lowing activities the amounts required under current law:

3 (1) Compensation of the President (3 U.S.C.
4 102).

5 (2) Payments to—

6 (A) the Judicial Officers' Retirement Fund
7 (28 U.S.C. 377(o));

8 (B) the Judicial Survivors' Annuities Fund
9 (28 U.S.C. 376(c)); and

10 (C) the United States Court of Federal
11 Claims Judges' Retirement Fund (28 U.S.C.
12 178(l)).

13 (3) Payment of Government contributions—

14 (A) with respect to the health benefits of
15 retired employees, as authorized by chapter 89
16 of title 5, United States Code, and the Retired
17 Federal Employees Health Benefits Act (74
18 Stat. 849); and

19 (B) with respect to the life insurance bene-
20 fits for employees retiring after December 31,
21 1989 (5 U.S.C. ch. 87).

22 (4) Payment to finance the unfunded liability of
23 new and increased annuity benefits under the Civil
24 Service Retirement and Disability Fund (5 U.S.C.
25 8348).

1 (5) Payment of annuities authorized to be paid
2 from the Civil Service Retirement and Disability
3 Fund by statutory provisions other than subchapter
4 III of chapter 83 or chapter 84 of title 5, United
5 States Code.

6 (b) Nothing in this section may be construed to ex-
7 empt any amount appropriated by this section from any
8 otherwise applicable limitation on the use of funds con-
9 tained in this Act.

10 SEC. 620. None of the funds made available in this
11 Act may be used by the Federal Trade Commission to
12 complete the draft report entitled “Interagency Working
13 Group on Food Marketed to Children: Preliminary Pro-
14 posed Nutrition Principles to Guide Industry Self-Regu-
15 latory Efforts” unless the Interagency Working Group on
16 Food Marketed to Children complies with Executive Order
17 No. 13563.

18 SEC. 621. (a) The head of each executive branch
19 agency funded by this Act shall ensure that the Chief In-
20 formation Officer of the agency has the authority to par-
21 ticipate in decisions regarding the budget planning process
22 related to information technology.

23 (b) Amounts appropriated for any executive branch
24 agency funded by this Act that are available for informa-
25 tion technology shall be allocated within the agency, con-

1 sistent with the provisions of appropriations Acts and
2 budget guidelines and recommendations from the Director
3 of the Office of Management and Budget, in such manner
4 as specified by, or approved by, the Chief Information Of-
5 ficer of the agency in consultation with the Chief Financial
6 Officer of the agency and budget officials.

7 SEC. 622. None of the funds made available in this
8 Act may be used in contravention of chapter 29, 31, or
9 33 of title 44, United States Code.

10 SEC. 623. None of the funds made available in this
11 Act may be used by a governmental entity to require the
12 disclosure by a provider of electronic communication serv-
13 ice to the public or remote computing service of the con-
14 tents of a wire or electronic communication that is in elec-
15 tronic storage with the provider (as such terms are defined
16 in sections 2510 and 2711 of title 18, United States Code)
17 in a manner that violates the Fourth Amendment to the
18 Constitution of the United States.

19 SEC. 624. None of the funds appropriated by this Act
20 may be used by the Federal Communications Commission
21 to modify, amend, or change the rules or regulations of
22 the Commission for universal service high-cost support for
23 competitive eligible telecommunications carriers in a way
24 that is inconsistent with paragraph (e)(5) or (e)(6) of sec-
25 tion 54.307 of title 47, Code of Federal Regulations, as

1 in effect on July 15, 2015: *Provided*, That this section
2 shall not prohibit the Commission from considering, devel-
3 oping, or adopting other support mechanisms as an alter-
4 native to Mobility Fund Phase II.

5 SEC. 625. No funds provided in this Act shall be used
6 to deny an Inspector General funded under this Act timely
7 access to any records, documents, or other materials avail-
8 able to the department or agency over which that Inspec-
9 tor General has responsibilities under the Inspector Gen-
10 eral Act of 1978, or to prevent or impede that Inspector
11 General's access to such records, documents, or other ma-
12 terials, under any provision of law, except a provision of
13 law that expressly refers to the Inspector General and ex-
14 pressly limits the Inspector General's right of access. A
15 department or agency covered by this section shall provide
16 its Inspector General with access to all such records, docu-
17 ments, and other materials in a timely manner. Each In-
18 spector General shall ensure compliance with statutory
19 limitations on disclosure relevant to the information pro-
20 vided by the establishment over which that Inspector Gen-
21 eral has responsibilities under the Inspector General Act
22 of 1978. Each Inspector General covered by this section
23 shall report to the Committees on Appropriations of the
24 House of Representatives and the Senate within 5 cal-
25 endar days any failures to comply with this requirement.

1 SEC. 626. (a) None of the funds made available in
2 this Act may be used to maintain or establish a computer
3 network unless such network blocks the viewing,
4 downloading, and exchanging of pornography.

5 (b) Nothing in subsection (a) shall limit the use of
6 funds necessary for any Federal, State, tribal, or local law
7 enforcement agency or any other entity carrying out crimi-
8 nal investigations, prosecution, adjudication activities, or
9 other law enforcement- or victim assistance-related activ-
10 ity.

11 SEC. 627. None of the funds appropriated or other-
12 wise made available by this Act may be used to pay award
13 or incentive fees for contractors whose performance has
14 been judged to be below satisfactory, behind schedule, over
15 budget, or has failed to meet the basic requirements of
16 a contract, unless the Agency determines that any such
17 deviations are due to unforeseeable events, government-
18 driven scope changes, or are not significant within the
19 overall scope of the project and/or program and unless
20 such awards or incentive fees are consistent with
21 16.401(e)(2) of the Federal Acquisition Regulation.

22 SEC. 628. (a) None of the funds made available under
23 this Act may be used to pay for travel and conference ac-
24 tivities that result in a total cost to an Executive branch
25 department, agency, board or commission funded by this

1 Act of more than \$500,000 at any single conference unless
2 the agency or entity determines that such attendance is
3 in the national interest and advance notice is transmitted
4 to the Committees on Appropriations of the House of Rep-
5 resentatives and the Senate that includes the basis of that
6 determination.

7 (b) None of the funds made available under this Act
8 may be used to pay for the travel to or attendance of more
9 than 50 employees, who are stationed in the United
10 States, at any single conference occurring outside the
11 United States unless the agency or entity determines that
12 such attendance is in the national interest and advance
13 notice is transmitted to the Committees on Appropriations
14 of the House of Representatives and the Senate that in-
15 cludes the basis of that determination.

16 SEC. 629. None of the funds made available by this
17 Act may be used for first-class or business-class travel by
18 the employees of executive branch agencies funded by this
19 Act in contravention of sections 301–10.122 through 301–
20 10.125 of title 41, Code of Federal Regulations.

21 SEC. 630. None of the funds made available by this
22 Act may be obligated on contracts in excess of \$5,000 for
23 public relations, as that term is defined in Office and Man-
24 agement and Budget Circular A–87 (revised May 10,
25 2004), unless advance notice of such an obligation is

1 transmitted to the Committees on Appropriations of the
2 House of Representatives and the Senate.

3 SEC. 631. None of the funds made available in this
4 Act may be used to penalize a financial institution solely
5 because the institution provides financial services to an en-
6 tity that is a manufacturer, a producer, or a person that
7 participates in any business or organized activity that in-
8 volves handling hemp, hemp-derived cannabidiol products,
9 other hemp-derived cannabinoid products, marijuana,
10 marijuana products, or marijuana proceeds, and engages
11 in such activity pursuant to a law established by a State,
12 political subdivision of a State, or Indian Tribe. In this
13 section, the term “State” means each of the several
14 States, the District of Columbia, and any territory or pos-
15 session of the United States.

16 SEC. 632. None of the funds made available in this
17 or any other Act may be used to propose, promulgate, or
18 implement any rule, principle, policy, standard, or guid-
19 ance, or take any other action with respect to, changing
20 the 2017 methodology prescribed by the Office of Manage-
21 ment and Budget for determining the Official Poverty
22 Measure.

23 SEC. 633. Of the unobligated balances available in
24 the Department of the Treasury, Treasury Forfeiture
25 Fund, established by section 9703 of title 31, United

1 States Code, \$250,000,000 shall be permanently rescinded
2 not later than September 30, 2021.

3 SEC. 634. (a) None of the funds appropriated or oth-
4 erwise made available by this Act may be used to enter
5 into any contract, grant, or cooperative agreement with
6 any entity in which a covered individual directly or indi-
7 rectly owns, controls, or holds not less than 20 percent,
8 by vote or value, of the outstanding amount of any class
9 of equity interest in an entity. For the purposes of deter-
10 mining whether the requirements of this subsection are
11 met, the securities owned, controlled, or held by 2 or more
12 individuals who are related as described in subsection (c)
13 shall be aggregated.

14 (b) In this section, the term “equity interest” has the
15 meaning given such term in section 4019 of the CARES
16 Act (Public Law 116–136).

17 (c) In this section, the term “covered individual”
18 means the President or Vice President or a family member
19 (as that term is defined in section 630.201(b) of title 5,
20 Code of Federal Regulations) of the President or Vice
21 President.

22 SEC. 635. None of the funds made available by this
23 or any other Act (including prior Acts and Acts other than
24 appropriations Acts) may be obligated or expended to re-
25 organize or transfer any function or authority of the Office

1 of Personnel Management to the General Services Admin-
2 istration or to the Office of Management and Budget.

3 SEC. 636. None of the funds made available in this
4 or any other Act may be used by the Office of Personnel
5 Management to enter into interagency or service- level
6 agreements with the General Services Administration or
7 the Office of Management and Budget exceeding
8 \$100,000 in total unless, not later than 15 days before
9 the date any such agreement that would breach the
10 \$100,000 limitation is proposed to be entered into, written
11 notice describing the agreement is provided to the Com-
12 mittees on Appropriations of the House of Representatives
13 and the Senate.

14 SEC. 637. None of the funds provided by this Act
15 may be used by the Federal Trade Commission or the
16 Federal Communications Commission to consider taking
17 action, or to take any action, consistent with Executive
18 Order 13925 of May 28, 2020 (85 Fed. Reg. 34079), or
19 to seek comment on or otherwise take action on any peti-
20 tion for rulemaking filed pursuant to such Executive
21 order, or to interpret section 230 of the Communications
22 Decency Act in the manner described in section 2 of such
23 Executive order.

1 TITLE VII
2 GENERAL PROVISIONS—GOVERNMENT-WIDE
3 DEPARTMENTS, AGENCIES, AND CORPORATIONS
4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 701. No department, agency, or instrumentality
6 of the United States receiving appropriated funds under
7 this or any other Act for fiscal year 2021 shall obligate
8 or expend any such funds, unless such department, agen-
9 cy, or instrumentality has in place, and will continue to
10 administer in good faith, a written policy designed to en-
11 sure that all of its workplaces are free from the illegal
12 use, possession, or distribution of controlled substances
13 (as defined in the Controlled Substances Act (21 U.S.C.
14 802)) by the officers and employees of such department,
15 agency, or instrumentality.

16 SEC. 702. Unless otherwise specifically provided, the
17 maximum amount allowable during the current fiscal year
18 in accordance with subsection 1343(c) of title 31, United
19 States Code, for the purchase of any passenger motor ve-
20 hicle (exclusive of buses, ambulances, law enforcement ve-
21 hicles, protective vehicles, and undercover surveillance ve-
22 hicles), is hereby fixed at \$19,947 except station wagons
23 for which the maximum shall be \$19,997: *Provided*, That
24 these limits may be exceeded by not to exceed \$7,250 for
25 police-type vehicles: *Provided further*, That the limits set

1 forth in this section may not be exceeded by more than
2 5 percent for electric or hybrid vehicles purchased for
3 demonstration under the provisions of the Electric and
4 Hybrid Vehicle Research, Development, and Demonstra-
5 tion Act of 1976: *Provided further*, That the limits set
6 forth in this section may be exceeded by the incremental
7 cost of clean alternative fuels vehicles acquired pursuant
8 to Public Law 101–549 over the cost of comparable con-
9 ventionally fueled vehicles: *Provided further*, That the lim-
10 its set forth in this section shall not apply to any vehicle
11 that is a commercial item and which operates on alter-
12 native fuel, including but not limited to electric, plug-in
13 hybrid electric, and hydrogen fuel cell vehicles.

14 SEC. 703. Appropriations of the executive depart-
15 ments and independent establishments for the current fis-
16 cal year available for expenses of travel, or for the ex-
17 penses of the activity concerned, are hereby made available
18 for quarters allowances and cost-of-living allowances, in
19 accordance with 5 U.S.C. 5922–5924.

20 SEC. 704. Unless otherwise specified in law during
21 the current fiscal year, no part of any appropriation con-
22 tained in this or any other Act shall be used to pay the
23 compensation of any officer or employee of the Govern-
24 ment of the United States (including any agency the ma-
25 jority of the stock of which is owned by the Government

1 of the United States) whose post of duty is in the conti-
2 nental United States unless such person: (1) is a citizen
3 of the United States; (2) is a person who is lawfully admit-
4 ted for permanent residence and is seeking citizenship as
5 outlined in 8 U.S.C. 1324b(a)(3)(B); (3) is a person who
6 is admitted as a refugee under 8 U.S.C. 1157 or is grant-
7 ed asylum under 8 U.S.C. 1158 and has filed a declaration
8 of intention to become a lawful permanent resident and
9 then a citizen when eligible; (4) is a person who owes alle-
10 giance to the United States; or (5) is a person who is au-
11 thorized to be employed in the United States pursuant to
12 the Deferred Action for Childhood Arrivals program estab-
13 lished under the memorandum of the Secretary of Home-
14 land Security dated June 15, 2012: *Provided*, That for
15 purposes of this section, affidavits signed by any such per-
16 son shall be considered prima facie evidence that the re-
17 quirements of this section with respect to his or her status
18 are being complied with: *Provided further*, That for pur-
19 poses of subsections (2) and (3) such affidavits shall be
20 submitted prior to employment and updated thereafter as
21 necessary: *Provided further*, That any person making a
22 false affidavit shall be guilty of a felony, and upon convic-
23 tion, shall be fined no more than \$4,000 or imprisoned
24 for not more than 1 year, or both: *Provided further*, That
25 the above penal clause shall be in addition to, and not in

1 substitution for, any other provisions of existing law: *Pro-*
2 *vided further*, That any payment made to any officer or
3 employee contrary to the provisions of this section shall
4 be recoverable in action by the Federal Government: *Pro-*
5 *vided further*, That this section shall not apply to any per-
6 son who is an officer or employee of the Government of
7 the United States on the date of enactment of this Act,
8 or to international broadcasters employed by the Broad-
9 casting Board of Governors, or to temporary employment
10 of translators, or to temporary employment in the field
11 service (not to exceed 60 days) as a result of emergencies:
12 *Provided further*, That this section does not apply to the
13 employment as Wildland firefighters for not more than
14 120 days of nonresident aliens employed by the Depart-
15 ment of the Interior or the USDA Forest Service pursuant
16 to an agreement with another country.

17 SEC. 705. Appropriations available to any depart-
18 ment or agency during the current fiscal year for nec-
19 essary expenses, including maintenance or operating ex-
20 penses, shall also be available for payment to the General
21 Services Administration for charges for space and services
22 and those expenses of renovation and alteration of build-
23 ings and facilities which constitute public improvements
24 performed in accordance with the Public Buildings Act of

1 1959 (73 Stat. 479), the Public Buildings Amendments
2 of 1972 (86 Stat. 216), or other applicable law.

3 SEC. 706. In addition to funds provided in this or
4 any other Act, all Federal agencies are authorized to re-
5 ceive and use funds resulting from the sale of materials,
6 including Federal records disposed of pursuant to a
7 records schedule recovered through recycling or waste pre-
8 vention programs. Such funds shall be available until ex-
9 pended for the following purposes:

10 (1) Acquisition, waste reduction and prevention,
11 and recycling programs as described in Executive
12 Order No. 13834 (May 17, 2018), including any
13 such programs adopted prior to the effective date of
14 the Executive order.

15 (2) Other Federal agency environmental man-
16 agement programs, including, but not limited to, the
17 development and implementation of hazardous waste
18 management and pollution prevention programs.

19 (3) Other employee programs as authorized by
20 law or as deemed appropriate by the head of the
21 Federal agency.

22 SEC. 707. Funds made available by this or any other
23 Act for administrative expenses in the current fiscal year
24 of the corporations and agencies subject to chapter 91 of
25 title 31, United States Code, shall be available, in addition

1 to objects for which such funds are otherwise available,
2 for rent in the District of Columbia; services in accordance
3 with 5 U.S.C. 3109; and the objects specified under this
4 head, all the provisions of which shall be applicable to the
5 expenditure of such funds unless otherwise specified in the
6 Act by which they are made available: *Provided*, That in
7 the event any functions budgeted as administrative ex-
8 penses are subsequently transferred to or paid from other
9 funds, the limitations on administrative expenses shall be
10 correspondingly reduced.

11 SEC. 708. No part of any appropriation contained in
12 this or any other Act shall be available for interagency
13 financing of boards (except Federal Executive Boards),
14 commissions, councils, committees, or similar groups
15 (whether or not they are interagency entities) which do
16 not have a prior and specific statutory approval to receive
17 financial support from more than one agency or instru-
18 mentality.

19 SEC. 709. None of the funds made available pursuant
20 to the provisions of this or any other Act shall be used
21 to implement, administer, or enforce any regulation which
22 has been disapproved pursuant to a joint resolution duly
23 adopted in accordance with the applicable law of the
24 United States.

1 SEC. 710. During the period in which the head of
2 any department or agency, or any other officer or civilian
3 employee of the Federal Government appointed by the
4 President, holds office, no funds may be obligated or ex-
5 pended in excess of \$5,000 to furnish or redecorate the
6 office of such department head, agency head, officer, or
7 employee, or to purchase furniture or make improvements
8 for any such office, unless advance notice of such fur-
9 nishing or redecoration is transmitted to the Committees
10 on Appropriations of the House of Representatives and the
11 Senate. For the purposes of this section, the term “office”
12 shall include the entire suite of offices assigned to the indi-
13 vidual, as well as any other space used primarily by the
14 individual or the use of which is directly controlled by the
15 individual.

16 SEC. 711. Notwithstanding 31 U.S.C. 1346, or sec-
17 tion 708 of this Act, funds made available for the current
18 fiscal year by this or any other Act shall be available for
19 the interagency funding of national security and emer-
20 gency preparedness telecommunications initiatives which
21 benefit multiple Federal departments, agencies, or enti-
22 ties, as provided by Executive Order No. 13618 (July 6,
23 2012).

24 SEC. 712. (a) None of the funds made available by
25 this or any other Act may be obligated or expended by

1 any department, agency, or other instrumentality of the
2 Federal Government to pay the salaries or expenses of any
3 individual appointed to a position of a confidential or pol-
4 icy-determining character that is excepted from the com-
5 petitive service under section 3302 of title 5, United
6 States Code, (pursuant to schedule C of subpart C of part
7 213 of title 5 of the Code of Federal Regulations) unless
8 the head of the applicable department, agency, or other
9 instrumentality employing such schedule C individual cer-
10 tifies to the Director of the Office of Personnel Manage-
11 ment that the schedule C position occupied by the indi-
12 vidual was not created solely or primarily in order to detail
13 the individual to the White House.

14 (b) The provisions of this section shall not apply to
15 Federal employees or members of the armed forces de-
16 tailed to or from an element of the intelligence community
17 (as that term is defined under section 3(4) of the National
18 Security Act of 1947 (50 U.S.C. 3003(4))).

19 SEC. 713. No part of any appropriation contained in
20 this or any other Act shall be available for the payment
21 of the salary of any officer or employee of the Federal
22 Government, who—

23 (1) prohibits or prevents, or attempts or threat-
24 ens to prohibit or prevent, any other officer or em-
25 ployee of the Federal Government from having any

1 direct oral or written communication or contact with
2 any Member, committee, or subcommittee of the
3 Congress in connection with any matter pertaining
4 to the employment of such other officer or employee
5 or pertaining to the department or agency of such
6 other officer or employee in any way, irrespective of
7 whether such communication or contact is at the ini-
8 tiative of such other officer or employee or in re-
9 sponse to the request or inquiry of such Member,
10 committee, or subcommittee; or

11 (2) removes, suspends from duty without pay,
12 demotes, reduces in rank, seniority, status, pay, or
13 performance or efficiency rating, denies promotion
14 to, relocates, reassigns, transfers, disciplines, or dis-
15 criminate in regard to any employment right, enti-
16 tlement, or benefit, or any term or condition of em-
17 ployment of, any other officer or employee of the
18 Federal Government, or attempts or threatens to
19 commit any of the foregoing actions with respect to
20 such other officer or employee, by reason of any
21 communication or contact of such other officer or
22 employee with any Member, committee, or sub-
23 committee of the Congress as described in paragraph
24 (1).

1 SEC. 714. (a) None of the funds made available in
2 this or any other Act may be obligated or expended for
3 any employee training that—

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

7 (2) contains elements likely to induce high lev-
8 els of emotional response or psychological stress in
9 some participants;

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

13 (4) contains any methods or content associated
14 with religious or quasi-religious belief systems or
15 “new age” belief systems as defined in Equal Em-
16 ployment Opportunity Commission Notice N-
17 915.022, dated September 2, 1988; or

18 (5) is offensive to, or designed to change, par-
19 ticipants’ personal values or lifestyle outside the
20 workplace.

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

24 SEC. 715. No part of any funds appropriated in this
25 or any other Act shall be used by an agency of the execu-

1 tive branch, other than for normal and recognized execu-
2 tive-legislative relationships, for publicity or propaganda
3 purposes, and for the preparation, distribution or use of
4 any kit, pamphlet, booklet, publication, radio, television,
5 or film presentation designed to support or defeat legisla-
6 tion pending before the Congress, except in presentation
7 to the Congress itself.

8 SEC. 716. None of the funds appropriated by this or
9 any other Act may be used by an agency to provide a Fed-
10 eral employee's home address to any labor organization
11 except when the employee has authorized such disclosure
12 or when such disclosure has been ordered by a court of
13 competent jurisdiction.

14 SEC. 717. None of the funds made available in this
15 or any other Act may be used to provide any non-public
16 information such as mailing, telephone, or electronic mail-
17 ing lists to any person or any organization outside of the
18 Federal Government without the approval of the Commit-
19 tees on Appropriations of the House of Representatives
20 and the Senate.

21 SEC. 718. No part of any appropriation contained in
22 this or any other Act shall be used directly or indirectly,
23 including by private contractor, for publicity or propa-
24 ganda purposes within the United States not heretofore
25 authorized by Congress.

1 SEC. 719. (a) In this section, the term “agency”—

2 (1) means an Executive agency, as defined
3 under 5 U.S.C. 105; and

4 (2) includes a military department, as defined
5 under section 102 of such title, the United States
6 Postal Service, and the Postal Regulatory Commis-
7 sion.

8 (b) Unless authorized in accordance with law or regu-
9 lations to use such time for other purposes, an employee
10 of an agency shall use official time in an honest effort
11 to perform official duties. An employee not under a leave
12 system, including a Presidential appointee exempted under
13 5 U.S.C. 6301(2), has an obligation to expend an honest
14 effort and a reasonable proportion of such employee’s time
15 in the performance of official duties.

16 SEC. 720. Notwithstanding 31 U.S.C. 1346 and sec-
17 tion 708 of this Act, funds made available for the current
18 fiscal year by this or any other Act to any department
19 or agency, which is a member of the Federal Accounting
20 Standards Advisory Board (FASAB), shall be available to
21 finance an appropriate share of FASAB administrative
22 costs.

23 SEC. 721. Notwithstanding 31 U.S.C. 1346 and sec-
24 tion 708 of this Act, the head of each Executive depart-
25 ment and agency is hereby authorized to transfer to or

1 reimburse “General Services Administration, Government-
2 wide Policy” with the approval of the Director of the Of-
3 fice of Management and Budget, funds made available for
4 the current fiscal year by this or any other Act, including
5 rebates from charge card and other contracts: *Provided*,
6 That these funds shall be administered by the Adminis-
7 trator of General Services to support Government-wide
8 and other multi-agency financial, information technology,
9 procurement, and other management innovations, initia-
10 tives, and activities, including improving coordination and
11 reducing duplication, as approved by the Director of the
12 Office of Management and Budget, in consultation with
13 the appropriate interagency and multi-agency groups des-
14 ignated by the Director (including the President’s Man-
15 agement Council for overall management improvement ini-
16 tiatives, the Chief Financial Officers Council for financial
17 management initiatives, the Chief Information Officers
18 Council for information technology initiatives, the Chief
19 Human Capital Officers Council for human capital initia-
20 tives, the Chief Acquisition Officers Council for procure-
21 ment initiatives, and the Performance Improvement Coun-
22 cil for performance improvement initiatives): *Provided fur-*
23 *ther*, That the total funds transferred or reimbursed shall
24 not exceed \$15,000,000 to improve coordination, reduce
25 duplication, and for other activities related to Federal

1 Government Priority Goals established by 31 U.S.C. 1120,
2 and not to exceed \$17,000,000 for Government-Wide inno-
3 vations, initiatives, and activities: *Provided further*, That
4 the funds transferred to or for reimbursement of “General
5 Services Administration, Government-wide Policy” during
6 fiscal year 2021 shall remain available for obligation
7 through September 30, 2022: *Provided further*, That such
8 transfers or reimbursements may only be made after 15
9 days following notification of the Committees on Appro-
10 priations of the House of Representatives and the Senate
11 by the Director of the Office of Management and Budget.

12 SEC. 722. Notwithstanding any other provision of
13 law, a woman may breastfeed her child at any location
14 in a Federal building or on Federal property, if the woman
15 and her child are otherwise authorized to be present at
16 the location.

17 SEC. 723. Notwithstanding 31 U.S.C. 1346, or sec-
18 tion 708 of this Act, funds made available for the current
19 fiscal year by this or any other Act shall be available for
20 the interagency funding of specific projects, workshops,
21 studies, and similar efforts to carry out the purposes of
22 the National Science and Technology Council (authorized
23 by Executive Order No. 12881), which benefit multiple
24 Federal departments, agencies, or entities: *Provided*, That
25 the Office of Management and Budget shall provide a re-

1 port describing the budget of and resources connected with
2 the National Science and Technology Council to the Com-
3 mittees on Appropriations, the House Committee on
4 Science, Space, and Technology, and the Senate Com-
5 mittee on Commerce, Science, and Transportation 90 days
6 after enactment of this Act.

7 SEC. 724. Any request for proposals, solicitation,
8 grant application, form, notification, press release, or
9 other publications involving the distribution of Federal
10 funds shall comply with any relevant requirements in part
11 200 of title 2, Code of Federal Regulations: *Provided*,
12 That this section shall apply to direct payments, formula
13 funds, and grants received by a State receiving Federal
14 funds.

15 SEC. 725. (a) PROHIBITION OF FEDERAL AGENCY
16 MONITORING OF INDIVIDUALS' INTERNET USE.—None of
17 the funds made available in this or any other Act may
18 be used by any Federal agency—

19 (1) to collect, review, or create any aggregation
20 of data, derived from any means, that includes any
21 personally identifiable information relating to an in-
22 dividual's access to or use of any Federal Govern-
23 ment Internet site of the agency; or

24 (2) to enter into any agreement with a third
25 party (including another government agency) to col-

1 lect, review, or obtain any aggregation of data, de-
2 rived from any means, that includes any personally
3 identifiable information relating to an individual's
4 access to or use of any nongovernmental Internet
5 site.

6 (b) EXCEPTIONS.—The limitations established in
7 subsection (a) shall not apply to—

8 (1) any record of aggregate data that does not
9 identify particular persons;

10 (2) any voluntary submission of personally iden-
11 tifiable information;

12 (3) any action taken for law enforcement, regu-
13 latory, or supervisory purposes, in accordance with
14 applicable law; or

15 (4) any action described in subsection (a)(1)
16 that is a system security action taken by the oper-
17 ator of an Internet site and is necessarily incident
18 to providing the Internet site services or to pro-
19 tecting the rights or property of the provider of the
20 Internet site.

21 (c) DEFINITIONS.—For the purposes of this section:

22 (1) The term “regulatory” means agency ac-
23 tions to implement, interpret or enforce authorities
24 provided in law.

1 (2) The term “supervisory” means examina-
2 tions of the agency’s supervised institutions, includ-
3 ing assessing safety and soundness, overall financial
4 condition, management practices and policies and
5 compliance with applicable standards as provided in
6 law.

7 SEC. 726. (a) None of the funds appropriated by this
8 Act may be used to enter into or renew a contract which
9 includes a provision providing prescription drug coverage,
10 except where the contract also includes a provision for con-
11 traceptive coverage.

12 (b) Nothing in this section shall apply to a contract
13 with—

14 (1) any of the following religious plans:

15 (A) Personal Care’s HMO; and

16 (B) OSF HealthPlans, Inc.; and

17 (2) any existing or future plan, if the carrier
18 for the plan objects to such coverage on the basis of
19 religious beliefs.

20 (c) In implementing this section, any plan that enters
21 into or renews a contract under this section may not sub-
22 ject any individual to discrimination on the basis that the
23 individual refuses to prescribe or otherwise provide for
24 contraceptives because such activities would be contrary
25 to the individual’s religious beliefs or moral convictions.

1 (d) Nothing in this section shall be construed to re-
2 quire coverage of abortion or abortion-related services.

3 SEC. 727. The United States is committed to ensur-
4 ing the health of its Olympic, Pan American, and
5 Paralympic athletes, and supports the strict adherence to
6 anti-doping in sport through testing, adjudication, edu-
7 cation, and research as performed by nationally recognized
8 oversight authorities.

9 SEC. 728. Notwithstanding any other provision of
10 law, funds appropriated for official travel to Federal de-
11 partments and agencies may be used by such departments
12 and agencies, if consistent with Office of Management and
13 Budget Circular A-126 regarding official travel for Gov-
14 ernment personnel, to participate in the fractional aircraft
15 ownership pilot program.

16 SEC. 729. Notwithstanding any other provision of
17 law, none of the funds appropriated or made available
18 under this or any other appropriations Act may be used
19 to implement or enforce restrictions or limitations on the
20 Coast Guard Congressional Fellowship Program, or to im-
21 plement the proposed regulations of the Office of Per-
22 sonnel Management to add sections 300.311 through
23 300.316 to part 300 of title 5 of the Code of Federal Reg-
24 ulations, published in the Federal Register, volume 68,

1 number 174, on September 9, 2003 (relating to the detail
2 of executive branch employees to the legislative branch).

3 SEC. 730. Notwithstanding any other provision of
4 law, no executive branch agency shall purchase, construct,
5 or lease any additional facilities, except within or contig-
6 uous to existing locations, to be used for the purpose of
7 conducting Federal law enforcement training without the
8 advance approval of the Committees on Appropriations of
9 the House of Representatives and the Senate, except that
10 the Federal Law Enforcement Training Centers is author-
11 ized to obtain the temporary use of additional facilities
12 by lease, contract, or other agreement for training which
13 cannot be accommodated in existing Centers facilities.

14 SEC. 731. Unless otherwise authorized by existing
15 law, none of the funds provided in this or any other Act
16 may be used by an executive branch agency to produce
17 any prepackaged news story intended for broadcast or dis-
18 tribution in the United States, unless the story includes
19 a clear notification within the text or audio of the pre-
20 packaged news story that the prepackaged news story was
21 prepared or funded by that executive branch agency.

22 SEC. 732. None of the funds made available in this
23 Act may be used in contravention of section 552a of title
24 5, United States Code (popularly known as the Privacy
25 Act), and regulations implementing that section.

1 SEC. 733. (a) IN GENERAL.—None of the funds ap-
2 propriated or otherwise made available by this or any
3 other Act may be used for any Federal Government con-
4 tract with any foreign incorporated entity which is treated
5 as an inverted domestic corporation under section 835(b)
6 of the Homeland Security Act of 2002 (6 U.S.C. 395(b))
7 or any subsidiary of such an entity.

8 (b) WAIVERS.—

9 (1) IN GENERAL.—Any Secretary shall waive
10 subsection (a) with respect to any Federal Govern-
11 ment contract under the authority of such Secretary
12 if the Secretary determines that the waiver is re-
13 quired in the interest of national security.

14 (2) REPORT TO CONGRESS.—Any Secretary
15 issuing a waiver under paragraph (1) shall report
16 such issuance to Congress.

17 (c) EXCEPTION.—This section shall not apply to any
18 Federal Government contract entered into before the date
19 of the enactment of this Act, or to any task order issued
20 pursuant to such contract.

21 SEC. 734. During fiscal year 2021, for each employee
22 who—

23 (1) retires under section 8336(d)(2) or
24 8414(b)(1)(B) of title 5, United States Code; or

1 (2) retires under any other provision of sub-
2 chapter III of chapter 83 or chapter 84 of such title
3 5 and receives a payment as an incentive to sepa-
4 rate, the separating agency shall remit to the Civil
5 Service Retirement and Disability Fund an amount
6 equal to the Office of Personnel Management's aver-
7 age unit cost of processing a retirement claim for
8 the preceding fiscal year. Such amounts shall be
9 available until expended to the Office of Personnel
10 Management and shall be deemed to be an adminis-
11 trative expense under section 8348(a)(1)(B) of title
12 5, United States Code.

13 SEC. 735. None of the funds made available in this
14 or any other Act may be used to pay for the painting of
15 a portrait of an officer or employee of the Federal govern-
16 ment, including the President, the Vice President, a mem-
17 ber of Congress (including a Delegate or a Resident Com-
18 missioner to Congress), the head of an executive branch
19 agency (as defined in section 133 of title 41, United States
20 Code), or the head of an office of the legislative branch.

21 SEC. 736. (a)(1) Notwithstanding any other provision
22 of law, and except as otherwise provided in this section,
23 no part of any of the funds appropriated for fiscal year
24 2021, by this or any other Act, may be used to pay any

1 prevailing rate employee described in section
2 5342(a)(2)(A) of title 5, United States Code—

3 (A) during the period from the date of expira-
4 tion of the limitation imposed by the comparable sec-
5 tion for the previous fiscal years until the normal ef-
6 fective date of the applicable wage survey adjust-
7 ment that is to take effect in fiscal year 2021, in an
8 amount that exceeds the rate payable for the appli-
9 cable grade and step of the applicable wage schedule
10 in accordance with such section; and

11 (B) during the period consisting of the remain-
12 der of fiscal year 2021, in an amount that exceeds,
13 as a result of a wage survey adjustment, the rate
14 payable under subparagraph (A) by more than the
15 sum of—

16 (i) the percentage adjustment taking effect
17 in fiscal year 2021 under section 5303 of title
18 5, United States Code, in the rates of pay
19 under the General Schedule; and

20 (ii) the difference between the overall aver-
21 age percentage of the locality-based com-
22 parability payments taking effect in fiscal year
23 2021 under section 5304 of such title (whether
24 by adjustment or otherwise), and the overall av-
25 erage percentage of such payments which was

1 effective in the previous fiscal year under such
2 section.

3 (2) Notwithstanding any other provision of law, no
4 prevailing rate employee described in subparagraph (B) or
5 (C) of section 5342(a)(2) of title 5, United States Code,
6 and no employee covered by section 5348 of such title,
7 may be paid during the periods for which paragraph (1)
8 is in effect at a rate that exceeds the rates that would
9 be payable under paragraph (1) were paragraph (1) appli-
10 cable to such employee.

11 (3) For the purposes of this subsection, the rates pay-
12 able to an employee who is covered by this subsection and
13 who is paid from a schedule not in existence on September
14 30, 2020, shall be determined under regulations pre-
15 scribed by the Office of Personnel Management.

16 (4) Notwithstanding any other provision of law, rates
17 of premium pay for employees subject to this subsection
18 may not be changed from the rates in effect on September
19 30, 2020, except to the extent determined by the Office
20 of Personnel Management to be consistent with the pur-
21 pose of this subsection.

22 (5) This subsection shall apply with respect to pay
23 for service performed after September 30, 2020.

24 (6) For the purpose of administering any provision
25 of law (including any rule or regulation that provides pre-

1 mium pay, retirement, life insurance, or any other em-
2 ployee benefit) that requires any deduction or contribu-
3 tion, or that imposes any requirement or limitation on the
4 basis of a rate of salary or basic pay, the rate of salary
5 or basic pay payable after the application of this sub-
6 section shall be treated as the rate of salary or basic pay.

7 (7) Nothing in this subsection shall be considered to
8 permit or require the payment to any employee covered
9 by this subsection at a rate in excess of the rate that would
10 be payable were this subsection not in effect.

11 (8) The Office of Personnel Management may provide
12 for exceptions to the limitations imposed by this sub-
13 section if the Office determines that such exceptions are
14 necessary to ensure the recruitment or retention of quali-
15 fied employees.

16 (b) Notwithstanding subsection (a), the adjustment
17 in rates of basic pay for the statutory pay systems that
18 take place in fiscal year 2021 under sections 5344 and
19 5348 of title 5, United States Code, shall be—

20 (1) not less than the percentage received by em-
21 ployees in the same location whose rates of basic pay
22 are adjusted pursuant to the statutory pay systems
23 under sections 5303 and 5304 of title 5, United
24 States Code: *Provided*, That prevailing rate employ-
25 ees at locations where there are no employees whose

1 pay is increased pursuant to sections 5303 and 5304
2 of title 5, United States Code, and prevailing rate
3 employees described in section 5343(a)(5) of title 5,
4 United States Code, shall be considered to be located
5 in the pay locality designated as “Rest of United
6 States” pursuant to section 5304 of title 5, United
7 States Code, for purposes of this subsection; and

8 (2) effective as of the first day of the first ap-
9 plicable pay period beginning after September 30,
10 2020.

11 SEC. 737. (a) The head of any Executive branch de-
12 partment, agency, board, commission, or office funded by
13 this or any other appropriations Act shall submit annual
14 reports to the Inspector General or senior ethics official
15 for any entity without an Inspector General, regarding the
16 costs and contracting procedures related to each con-
17 ference held by any such department, agency, board, com-
18 mission, or office during fiscal year 2021 for which the
19 cost to the United States Government was more than
20 \$100,000.

21 (b) Each report submitted shall include, for each con-
22 ference described in subsection (a) held during the applica-
23 ble period—

24 (1) a description of its purpose;

25 (2) the number of participants attending;

1 (3) a detailed statement of the costs to the
2 United States Government, including—

3 (A) the cost of any food or beverages;

4 (B) the cost of any audio-visual services;

5 (C) the cost of employee or contractor
6 travel to and from the conference; and

7 (D) a discussion of the methodology used
8 to determine which costs relate to the con-
9 ference; and

10 (4) a description of the contracting procedures
11 used including—

12 (A) whether contracts were awarded on a
13 competitive basis; and

14 (B) a discussion of any cost comparison
15 conducted by the departmental component or
16 office in evaluating potential contractors for the
17 conference.

18 (c) Within 15 days after the end of a quarter, the
19 head of any such department, agency, board, commission,
20 or office shall notify the Inspector General or senior ethics
21 official for any entity without an Inspector General, of the
22 date, location, and number of employees attending a con-
23 ference held by any Executive branch department, agency,
24 board, commission, or office funded by this or any other
25 appropriations Act during fiscal year 2021 for which the

1 cost to the United States Government was more than
2 \$20,000.

3 (d) A grant or contract funded by amounts appro-
4 priated by this or any other appropriations Act may not
5 be used for the purpose of defraying the costs of a con-
6 ference described in subsection (c) that is not directly and
7 programmatically related to the purpose for which the
8 grant or contract was awarded, such as a conference held
9 in connection with planning, training, assessment, review,
10 or other routine purposes related to a project funded by
11 the grant or contract.

12 (e) None of the funds made available in this or any
13 other appropriations Act may be used for travel and con-
14 ference activities that are not in compliance with Office
15 of Management and Budget Memorandum M-12-12
16 dated May 11, 2012 or any subsequent revisions to that
17 memorandum.

18 SEC. 738. None of the funds made available in this
19 or any other appropriations Act may be used to increase,
20 eliminate, or reduce funding for a program, project, or ac-
21 tivity as proposed in the President's budget request for
22 a fiscal year until such proposed change is subsequently
23 enacted in an appropriation Act, or unless such change
24 is made pursuant to the reprogramming or transfer provi-
25 sions of this or any other appropriations Act.

1 SEC. 739. None of the funds made available by this
2 or any other Act may be used to implement, administer,
3 enforce, or apply the rule entitled “Competitive Area”
4 published by the Office of Personnel Management in the
5 Federal Register on April 15, 2008 (73 Fed. Reg. 20180
6 et seq.).

7 SEC. 740. None of the funds appropriated or other-
8 wise made available by this or any other Act may be used
9 to begin or announce a study or public-private competition
10 regarding the conversion to contractor performance of any
11 function performed by Federal employees pursuant to Of-
12 fice of Management and Budget Circular A-76 or any
13 other administrative regulation, directive, or policy.

14 SEC. 741. (a) None of the funds appropriated or oth-
15 erwise made available by this or any other Act may be
16 available for a contract, grant, or cooperative agreement
17 with an entity that requires employees or contractors of
18 such entity seeking to report fraud, waste, or abuse to sign
19 internal confidentiality agreements or statements prohib-
20 iting or otherwise restricting such employees or contrac-
21 tors from lawfully reporting such waste, fraud, or abuse
22 to a designated investigative or law enforcement represent-
23 ative of a Federal department or agency authorized to re-
24 ceive such information.

1 (b) The limitation in subsection (a) shall not con-
2 travenne requirements applicable to Standard Form 312,
3 Form 4414, or any other form issued by a Federal depart-
4 ment or agency governing the nondisclosure of classified
5 information.

6 SEC. 742. (a) No funds appropriated in this or any
7 other Act may be used to implement or enforce the agree-
8 ments in Standard Forms 312 and 4414 of the Govern-
9 ment or any other nondisclosure policy, form, or agree-
10 ment if such policy, form, or agreement does not contain
11 the following provisions: “These provisions are consistent
12 with and do not supersede, conflict with, or otherwise alter
13 the employee obligations, rights, or liabilities created by
14 existing statute or Executive order relating to (1) classi-
15 fied information, (2) communications to Congress, (3) the
16 reporting to an Inspector General of a violation of any
17 law, rule, or regulation, or mismanagement, a gross waste
18 of funds, an abuse of authority, or a substantial and spe-
19 cific danger to public health or safety, or (4) any other
20 whistleblower protection. The definitions, requirements,
21 obligations, rights, sanctions, and liabilities created by
22 controlling Executive orders and statutory provisions are
23 incorporated into this agreement and are controlling.”:
24 *Provided*, That notwithstanding the preceding provision of
25 this section, a nondisclosure policy form or agreement that

1 is to be executed by a person connected with the conduct
2 of an intelligence or intelligence-related activity, other
3 than an employee or officer of the United States Govern-
4 ment, may contain provisions appropriate to the particular
5 activity for which such document is to be used. Such form
6 or agreement shall, at a minimum, require that the person
7 will not disclose any classified information received in the
8 course of such activity unless specifically authorized to do
9 so by the United States Government. Such nondisclosure
10 forms shall also make it clear that they do not bar disclo-
11 sures to Congress, or to an authorized official of an execu-
12 tive agency or the Department of Justice, that are essen-
13 tial to reporting a substantial violation of law.

14 (b) A nondisclosure agreement may continue to be
15 implemented and enforced notwithstanding subsection (a)
16 if it complies with the requirements for such agreement
17 that were in effect when the agreement was entered into.

18 (c) No funds appropriated in this or any other Act
19 may be used to implement or enforce any agreement en-
20 tered into during fiscal year 2014 which does not contain
21 substantially similar language to that required in sub-
22 section (a).

23 SEC. 743. None of the funds made available by this
24 or any other Act may be used to enter into a contract,
25 memorandum of understanding, or cooperative agreement

1 with, make a grant to, or provide a loan or loan guarantee
2 to, any corporation that has any unpaid Federal tax liabil-
3 ity that has been assessed, for which all judicial and ad-
4 ministrative remedies have been exhausted or have lapsed,
5 and that is not being paid in a timely manner pursuant
6 to an agreement with the authority responsible for col-
7 lecting the tax liability, where the awarding agency is
8 aware of the unpaid tax liability, unless a Federal agency
9 has considered suspension or debarment of the corporation
10 and has made a determination that this further action is
11 not necessary to protect the interests of the Government.

12 SEC. 744. None of the funds made available by this
13 or any other Act may be used to enter into a contract,
14 memorandum of understanding, or cooperative agreement
15 with, make a grant to, or provide a loan or loan guarantee
16 to, any corporation that was convicted of a felony criminal
17 violation under any Federal law within the preceding 24
18 months, where the awarding agency is aware of the convic-
19 tion, unless a Federal agency has considered suspension
20 or debarment of the corporation and has made a deter-
21 mination that this further action is not necessary to pro-
22 tect the interests of the Government.

23 SEC. 745. (a) During fiscal year 2021, on the date
24 on which a request is made for a transfer of funds in ac-
25 cordance with section 1017 of Public Law 111–203, the

1 Bureau of Consumer Financial Protection shall notify the
2 Committees on Appropriations of the House of Represent-
3 atives and the Senate, the Committee on Financial Serv-
4 ices of the House of Representatives, and the Committee
5 on Banking, Housing, and Urban Affairs of the Senate
6 of such request.

7 (b) Any notification required by this section shall be
8 made available on the Bureau's public Web site.

9 SEC. 746. If, for fiscal year 2021, new budget author-
10 ity provided in appropriations Acts exceeds the discre-
11 tionary spending limit for any category set forth in section
12 251(e) of the Balanced Budget and Emergency Deficit
13 Control Act of 1985 due to estimating differences with the
14 Congressional Budget Office, an adjustment to the discre-
15 tionary spending limit in such category for fiscal year
16 2021 shall be made by the Director of the Office of Man-
17 agement and Budget in the amount of the excess but the
18 total of all such adjustments shall not exceed 0.2 percent
19 of the sum of the adjusted discretionary spending limits
20 for all categories for that fiscal year.

21 SEC. 747. (a) Notwithstanding the official rate ad-
22 justed under section 104 of title 3, United States Code,
23 the rate payable to the Vice President during calendar
24 year 2021 shall be the rate payable to the Vice President

1 on December 31, 2019, by operation of section 749 of divi-
2 sion D of Public Law 116–6.

3 (b) Notwithstanding the official rate adjusted under
4 section 5318 of title 5, United States Code, or any other
5 provision of law, the payable rate during calendar year
6 2021 for an employee serving in an Executive Schedule
7 position, or in a position for which the rate of pay is fixed
8 by statute at an Executive Schedule rate, shall be the rate
9 payable for the applicable Executive Schedule level on De-
10 cember 31, 2019, by operation of section 749 of division
11 D of Public Law 116–6. Such an employee may not receive
12 a pay rate increase during calendar year 2021, except as
13 provided in subsection (i).

14 (c) Notwithstanding section 401 of the Foreign Serv-
15 ice Act of 1980 (Public Law 96–465) or any other provi-
16 sion of law, a chief of mission or ambassador at large is
17 subject to subsection (b) in the same manner as other em-
18 ployees who are paid at an Executive Schedule rate.

19 (d)(1) This subsection applies to—

20 (A) a noncareer appointee in the Senior
21 Executive Service paid a rate of basic pay at or
22 above the official rate for level IV of the Execu-
23 tive Schedule; or

24 (B) a limited term appointee or limited
25 emergency appointee in the Senior Executive

1 Service serving under a political appointment
2 and paid a rate of basic pay at or above the of-
3 ficial rate for level IV of the Executive Sched-
4 ule.

5 (2) Notwithstanding sections 5382 and 5383 of
6 title 5, United States Code, an employee described
7 in paragraph (1) may not receive a pay rate increase
8 during calendar year 2021, except as provided in
9 subsection (i).

10 (e) Notwithstanding any other provision of law, any
11 employee paid a rate of basic pay (including any locality-
12 based payments under section 5304 of title 5, United
13 States Code, or similar authority) at or above the official
14 rate for level IV of the Executive Schedule who serves
15 under a political appointment may not receive a pay rate
16 increase during calendar year 2021, except as provided in
17 subsection (i). This subsection does not apply to employees
18 in the General Schedule pay system or the Foreign Service
19 pay system, to employees appointed under section 3161
20 of title 5, United States Code, or to employees in another
21 pay system whose position would be classified at GS-15
22 or below if chapter 51 of title 5, United States Code, ap-
23 plied to them.

24 (f) Nothing in subsections (b) through (e) shall pre-
25 vent employees who do not serve under a political appoint-

1 ment from receiving pay increases as otherwise provided
2 under applicable law.

3 (g) This section does not apply to an individual who
4 makes an election to retain Senior Executive Service basic
5 pay under section 3392(c) of title 5, United States Code,
6 for such time as that election is in effect.

7 (h) This section does not apply to an individual who
8 makes an election to retain Senior Foreign Service pay
9 entitlements under section 302(b) of the Foreign Service
10 Act of 1980 (Public Law 96–465) for such time as that
11 election is in effect.

12 (i) Notwithstanding subsections (b) through (e), an
13 employee in a covered position may receive a pay rate in-
14 crease upon an authorized movement to a different cov-
15 ered position only if that new position has higher-level du-
16 ties and a pre-established level or range of pay higher than
17 the level or range for the position held immediately before
18 the movement. Any such increase must be based on the
19 rates of pay and applicable limitations on payable rates
20 of pay in effect on December 31, 2019, by operation of
21 section 749 of division D of Public Law 116–6.

22 (j) Notwithstanding any other provision of law, for
23 an individual who is newly appointed to a covered position
24 during the period of time subject to this section, the initial
25 pay rate shall be based on the rates of pay and applicable

1 limitations on payable rates of pay in effect on December
2 31, 2019, by operation of section 749 of division D of Pub-
3 lic Law 116–6.

4 (k) If an employee affected by this section is subject
5 to a biweekly pay period that begins in calendar year 2021
6 but ends in calendar year 2022, the bar on the employee’s
7 receipt of pay rate increases shall apply through the end
8 of that pay period.

9 (l) For the purpose of this section, the term “covered
10 position” means a position occupied by an employee whose
11 pay is restricted under this section.

12 (m) This section takes effect on the first day of the
13 first applicable pay period beginning on or after January
14 1, 2021.

15 SEC. 748. During the current fiscal year—

16 (a) With respect to budget authority proposed to be
17 rescinded or that is set to be reserved or proposed to be
18 deferred in a special message transmitted under section
19 1012 or 1013 of the Congressional Budget and Impound-
20 ment Control Act of 1974, such budget authority—

21 (1) shall be made available for obligation in suf-
22 ficient time to be prudently obligated as required
23 under section 1012(b) or 1013 of such Act; and

24 (2) may not be deferred or otherwise withheld
25 from obligation during the 90-day period before the

1 expiration of the period of availability of such budget
2 authority, including, if applicable, the 90-day period
3 before the expiration of an initial period of avail-
4 ability for which such budget authority was pro-
5 vided.

6 (b) With respect to an apportionment of an appro-
7 priation made pursuant to section 1513(b) of title 31,
8 United States Code, an appropriation (as that term is de-
9 fined in section 1511 of title 31, United States Code) shall
10 be apportioned—

11 (1) to make available all amounts for obligation
12 in sufficient time to be prudently obligated; and

13 (2) to make available all amounts for obligation,
14 without precondition or limitation (including foot-
15 notes) that shall be met prior to obligation, not later
16 than 90 days before the expiration of the period of
17 availability of such appropriation, including, if appli-
18 cable, 90 days before the expiration of an initial pe-
19 riod of availability for which such appropriation was
20 provided.

21 (c) As used in this section, the term “budget author-
22 ity” includes budget authority made available by this or
23 any other Act, by prior appropriations Acts, or by any law
24 other than an appropriations Act.

1 (d)(1) The Comptroller General shall review compli-
2 ance with this section and shall submit to the Committees
3 on Appropriations and the Budget, and any other appro-
4 priate congressional committees of the House of Rep-
5 resentatives and Senate a report, and any relevant infor-
6 mation related to the report, on any noncompliance with
7 this section or the Impoundment Control Act of 1974.

8 (2) The President or the head of the relevant
9 department or agency of the United States shall pro-
10 vide information, documentation, and views to the
11 Comptroller General, as is determined by the Comp-
12 troller General to be necessary to determine such
13 compliance, not later than 20 days after the date on
14 which the request from the Comptroller General is
15 received, or if the Comptroller General determines
16 that a shorter or longer period is appropriate based
17 on the specific circumstances, within such shorter or
18 longer period.

19 (3) To carry out the responsibilities of this sec-
20 tion and the Impoundment Control Act of 1974, the
21 Comptroller General shall also have access to inter-
22 view the officers, employees, contractors, and other
23 agents and representatives of a department, agency,
24 or office of the United States at any reasonable time
25 as the Comptroller General may request.

1 (e)(1) An officer or employee of the Executive Branch
2 of the United States Government violating this section
3 shall be subject to appropriate administrative discipline in-
4 cluding, when circumstances warrant, suspension from
5 duty without pay or removal from office.

6 (2) In the event of a violation of this section or
7 the Impoundment Control Act of 1974, or in the
8 case that the Government Accountability Office
9 issues a legal decision concluding that a department,
10 agency, or office of the United States violated this
11 section or the Impoundment Control Act of 1974,
12 the President or the head of the relevant department
13 or agency as the case may be, shall report imme-
14 diately to the Congress all relevant facts and a state-
15 ment of actions taken: *Provided*, That a copy of each
16 report shall also be transmitted to the Comptroller
17 General and the relevant inspector general on the
18 same date the report is transmitted to the Congress.

19 (3) Any such report shall include a summary of
20 the facts pertaining to the violation, the title and
21 Treasury Appropriation Fund Symbol of the appro-
22 priation or fund account, the amount involved for
23 each violation, the date on which the violation oc-
24 curred, the position of any individuals responsible
25 for the violation, a statement of the administrative

1 discipline imposed and any further action taken with
2 respect to any officer or employee involved in the
3 violation, and a statement of any additional action
4 taken to prevent recurrence of the same type of vio-
5 lation: *Provided*, That in the case that the Govern-
6 ment Accountability Office issues a legal decision
7 concluding that a department, agency, or office of
8 the United States violated this section and the rel-
9 evant department, agency, or office does not agree
10 that a violation has occurred, the report provided to
11 Congress, the Comptroller General, and relevant in-
12 spector general will explain such department, agen-
13 cy, or office's position.

14 (4) If the report identifies the position of any
15 officer or employee as involved in the violation, such
16 officer or employee shall be provided a reasonable
17 opportunity to respond in writing, and any such re-
18 sponse shall be appended to the report.

19 SEC. 749. (a) If an executive agency or the District
20 of Columbia government receives a written request for in-
21 formation, documentation, or views from the Government
22 Accountability Office relating to a decision or opinion on
23 budget or appropriations law, the executive agency or the
24 District of Columbia government shall provide the re-
25 quested information, documentation, or views not later

1 than 20 days after receiving the written request, unless
2 such written request specifically provides otherwise.

3 (b) If an executive agency or the District of Columbia
4 government fails to respond to the request for information,
5 documentation, or views within the time required by this
6 section—

7 (1) the Comptroller General shall notify, in
8 writing, the Committee on Oversight and Reform of
9 the House of Representatives, the Committee on
10 Homeland Security and Governmental Affairs of the
11 Senate, and any other appropriate congressional
12 committee of the House of Representatives and the
13 Senate of such failure; and

14 (2) the Comptroller General is hereby expressly
15 empowered, through attorneys of their own selection,
16 to bring a civil action in the United States District
17 Court for the District of Columbia to require such
18 information, documentation, or views to be pro-
19 duced, and such court is expressly empowered to
20 enter in such civil action, against any department,
21 agency, officer, or employee of the United States,
22 any decree, judgment, or order which may be nec-
23 essary or appropriate to require such production.

24 (c) If the Government Accountability Office deter-
25 mines that an officer or employee of an executive agency

1 or an officer or employee of the District of Columbia gov-
2 ernment has violated section 1341(a), 1342, or 1517(a)
3 of title 31, United States Code, the head of the agency
4 or the Mayor of the District of Columbia, as the case may
5 be, shall report immediately to the President and Congress
6 all relevant facts and a statement of actions taken: *Pro-*
7 *vided*, That a copy of each report shall also be transmitted
8 to the Comptroller General on the same date the report
9 is transmitted to the President and Congress: *Provided*
10 *further*, That any such report shall include a summary of
11 the facts pertaining to the violation, the title and Treasury
12 Appropriation Fund Symbol of the appropriation or fund
13 account, the amount involved for each violation, the date
14 on which the violation occurred, the position of any officer
15 or employee responsible for the violation, a statement of
16 the administrative discipline imposed and any further ac-
17 tion taken with respect to any officer or employee involved
18 in the violation, a statement of any additional action taken
19 to prevent recurrence of the same type of violation, a
20 statement of any determination that the violation was not
21 knowing and willful that has been made by the executive
22 agency or District of Columbia government, and any writ-
23 ten response by any officer or employee identified by posi-
24 tion as involved in the violation: *Provided further*, That
25 in the case that the Government Accountability Office

1 issues a legal decision concluding that section 1341(a),
2 1342, or 1517(a) of title 31, United States Code was vio-
3 lated, and the executive agency or District of Columbia
4 government, as applicable, does not agree that a violation
5 has occurred, the report provided to the President, the
6 Congress, and the Comptroller General will explain its po-
7 sition.

8 SEC. 750. (a) Each department or agency of the exec-
9 utive branch of the United States Government shall notify
10 the Committees on Appropriations and the Budget of the
11 House of Representatives and the Senate and any other
12 appropriate congressional committees if—

13 (1) an apportionment is not made in the re-
14 quired time period provided in section 1513(b) of
15 title 31, United States Code;

16 (2) an approved apportionment received by the
17 department or agency conditions the availability of
18 an appropriation on further action; or

19 (3) an approved apportionment received by the
20 department or agency may hinder the prudent obli-
21 gation of such appropriation or the execution of a
22 program, project, or activity by such department or
23 agency.

24 (b) Any notification submitted to a congressional
25 committee pursuant to this section shall contain informa-

1 tion identifying the bureau, account name, appropriation
2 name, and Treasury Appropriation Fund Symbol or fund
3 account.

4 SEC. 751. (a) None of the funds made available by
5 this or any other Act may be used to administer, imple-
6 ment, or enforce any collective bargaining agreement, or
7 any article or any term of any collective bargaining agree-
8 ment under chapter 71 of title 5, United States Code, with
9 an effective date after April 30, 2019, that—

10 (1) was not mutually and voluntarily agreed to
11 by all parties to the agreement; or

12 (2) was not ordered following the completion of
13 binding arbitration pursuant to section 7119(b)(2)
14 of title 5, United States Code.

15 (b) Any collective bargaining agreement that was in
16 effect before April 30, 2019, or that expired before April
17 30, 2019, without a new agreement having been executed,
18 shall remain in full force and effect until a new collective
19 bargaining agreement reached through mutual and vol-
20 untary agreement, or ordered following the completion of
21 binding arbitration pursuant to such section 7119(b)(2),
22 becomes effective.

23 SEC. 752. No funds appropriated by this or any other
24 Act may be used to exclude, or to implement the exclusion
25 of, any department, agency, or activity or subdivision

1 thereof, from coverage under the Federal Service Labor-
2 Management Relations Statute pursuant to section
3 7103(b)(1) or section 7103(b)(2) of title 5, United States
4 Code.

5 SEC. 753. None of the funds made available by this
6 or any other Act may be used to prevent Federal workers
7 from—

8 (1) using official time for union activities;

9 (2) teleworking for telework deemed positions
10 or when the health or safety of an employee is in
11 question; or

12 (3) denying unions space in Federal buildings.

13 SEC. 754. (a) ESTABLISHMENT.—There is hereby es-
14 tablished the Commission on Federal Naming and Dis-
15 plays (hereafter referred to as the “Commission”).

16 (b) DUTIES.—

17 (1) DEVELOPMENT OF LIST.—Not later than
18 180 days after the day by which all of its members
19 have been appointed, the Commission, with input
20 from the general public, shall develop and publish a
21 list of property names, monuments, statues, public
22 artworks, historical markers, and other symbols
23 owned by the Federal government or located on
24 property owned by the Federal government (includ-
25 ing the legislative branch and the judicial branch)

1 which the Commission identifies as inconsistent with
2 the values of diversity, equity, and inclusion.

3 (2) RECOMMENDATIONS.—Not later than 180
4 days after publishing the list under paragraph (1),
5 and after holding not fewer than 2 public meetings,
6 the Commission shall submit to the President and
7 Congress a report containing the following informa-
8 tion:

9 (A) A recommendation regarding whether
10 each property name, monument, statue, public
11 artwork, historical marker, or other symbol on
12 the list developed under paragraph (1) should
13 remain unchanged or should be renamed or re-
14 moved.

15 (B) Supporting materials and context in-
16 formation for each recommendation under sub-
17 paragraph (A).

18 (C) Such other recommendations as the
19 Commission may consider appropriate, includ-
20 ing recommendations for educational programs,
21 supplemental historical markers, or other activi-
22 ties to promote diversity, equity, and inclusion
23 and to promote national reconciliation.

24 (3) SEPARATE VIEWS OF MEMBERS.—The Com-
25 mission may include in the report submitted under

1 paragraph (2) supplemental or dissenting rec-
2 ommendations from individual members of the Com-
3 mission.

4 (c) MEMBERSHIP.—

5 (1) APPOINTMENT.—The Commission shall con-
6 sist of the following:

7 (A) 2 members appointed by the President.

8 (B) 2 members appointed by the Speaker
9 of the House of Representatives.

10 (C) 2 members appointed by the Majority
11 Leader of the Senate.

12 (D) 1 member appointed by the Minority
13 Leader of the House of Representatives.

14 (E) 1 member appointed by the Minority
15 Leader of the Senate.

16 (F) Each of the following individuals:

17 (i) The Secretary of the Smithsonian
18 Institution.

19 (ii) The Historian of the House of
20 Representatives.

21 (iii) The Historian of the Senate.

22 (2) QUALIFICATIONS.—Each member of the
23 Commission appointed under subparagraphs (A)
24 through (E) of paragraph (1) shall have 10 or more

1 years of educational and professional experience in
2 one or more of the following disciplines:

- 3 (A) History.
- 4 (B) Art and antiquities.
- 5 (C) Historic preservation.
- 6 (D) Cultural heritage.
- 7 (E) Education.

8 (3) NO COMPENSATION FOR SERVICE; TRAVEL
9 EXPENSES.—Members of the Commission shall serve
10 without pay, but each member shall receive travel
11 expenses, including per diem in lieu of subsistence,
12 in accordance with applicable provisions under sub-
13 chapter I of chapter 57 of title 5, United States
14 Code.

15 (4) DEADLINE FOR APPOINTMENT.—The mem-
16 bers of the Commission shall be appointed not later
17 than 45 days after the date of the enactment of this
18 Act.

19 (5) CO-CHAIRS.—Not later than 10 days after
20 the first meeting of the Commission, the members of
21 the Commission shall select 2 co-chairs from among
22 the members.

23 (d) POWERS.—

24 (1) HEARINGS AND SESSIONS.—The Commis-
25 sion may, for the purpose of carrying out this Act,

1 hold hearings, sit and act at times and places, take
2 testimony, and receive evidence as the Commission
3 considers appropriate, except that the Commission
4 shall hold its initial meeting not later than 10 days
5 after the day by which all of its members have been
6 appointed.

7 (2) OBTAINING OFFICIAL DATA.—The Commis-
8 sion may secure directly from any department or
9 agency of the United States information necessary
10 to enable it to carry out its duties. Upon request of
11 the Commission, the head of that department or
12 agency shall furnish that information to the Com-
13 mission.

14 (3) MAILS.—The Commission may use the
15 United States mails in the same manner and under
16 the same conditions as other departments and agen-
17 cies of the United States.

18 (4) ADMINISTRATIVE SUPPORT SERVICES.—
19 Upon the request of the Commission, the Librarian
20 of Congress shall provide to the Commission, on a
21 reimbursable basis, the administrative support serv-
22 ices necessary for the Commission to carry out its
23 duties.

24 (5) STAFF OF FEDERAL AGENCIES.—Upon the
25 request of the Commission, the head of any Federal

1 department or agency may detail any of the per-
2 sonnel of that department or agency to the Commis-
3 sion to assist it in carrying out its duties. Any per-
4 sonnel detailed to the Commission under this para-
5 graph may receive travel expenses, including per
6 diem in lieu of subsistence, in accordance with appli-
7 cable provisions under subchapter I of chapter 57 of
8 title 5, United States Code.

9 (6) CONTRACT AUTHORITY.—The Commission
10 may contract with and compensate government and
11 private agencies or persons for goods and services,
12 without regard to section 6101 of title 41, United
13 States Code.

14 (e) FUNDING.—There is appropriated to carry out
15 this section \$1,500,000, to remain available until ex-
16 pended.

17 (f) TERMINATION.—The Commission shall terminate
18 60 days after submitting the report under subsection
19 (b)(2).

20 SEC. 755. Except as expressly provided otherwise,
21 any reference to “this Act” contained in any title other
22 than title IV or VIII shall not apply to such title IV or
23 VIII.

1 TITLE VIII
2 GENERAL PROVISIONS—DISTRICT OF
3 COLUMBIA
4

5 SEC. 801. None of the Federal funds provided under
6 this Act to the agencies funded by this Act, both Federal
7 and District government agencies, that remain available
8 for obligation or expenditure in fiscal year 2021, or pro-
9 vided from any accounts in the Treasury of the United
10 States derived by the collection of fees available to the
11 agencies funded by this Act, shall be available for obliga-
12 tion or expenditures for an agency through a reprogram-
13 ming of funds which—

14 (1) creates new programs;

15 (2) eliminates a program, project, or responsi-
16 bility center;

17 (3) establishes or changes allocations specifi-
18 cally denied, limited or increased under this Act;

19 (4) increases funds or personnel by any means
20 for any program, project, or responsibility center for
21 which funds have been denied or restricted;

22 (5) re-establishes any program or project pre-
23 viously deferred through reprogramming;

24 (6) augments any existing program, project, or
25 responsibility center through a reprogramming of

1 funds in excess of \$3,000,000 or 10 percent, which-
2 ever is less; or

3 (7) increases by 20 percent or more personnel
4 assigned to a specific program, project or responsi-
5 bility center,

6 unless prior approval is received from the Committees on
7 Appropriations of the House of Representatives and the
8 Senate.

9 SEC. 802. None of the Federal funds available for
10 obligation or expenditure by the District of Columbia gov-
11 ernment under any authority shall be expended for any
12 abortion except where the life of the mother would be en-
13 dangered if the fetus were carried to term or where the
14 pregnancy is the result of an act of rape or incest.

15 SEC. 803. None of the Federal funds appropriated
16 in this Act shall remain available for obligation beyond
17 the current fiscal year, nor may any be transferred to
18 other appropriations, unless expressly so provided herein.

19 SEC. 804. Except as otherwise specifically provided
20 by law or under this Act, not to exceed 50 percent of unob-
21 ligated balances remaining available at the end of fiscal
22 year 2021 from appropriations of Federal funds made
23 available for salaries and expenses for fiscal year 2021 in
24 this Act, shall remain available through September 30,
25 2022, for each such account for the purposes authorized:

1 *Provided*, That a request shall be submitted to the Com-
2 mittees on Appropriations of the House of Representatives
3 and the Senate for approval prior to the expenditure of
4 such funds: *Provided further*, That these requests shall be
5 made in compliance with reprogramming guidelines out-
6 lined in section 801 of this Act.

7 SEC. 805. (a)(1) During fiscal year 2022, during a
8 period in which neither a District of Columbia continuing
9 resolution or a regular District of Columbia appropriation
10 bill is in effect, local funds are appropriated in the amount
11 provided for any project or activity for which local funds
12 are provided in the Act referred to in paragraph (2) (sub-
13 ject to any modifications enacted by the District of Colum-
14 bia as of the beginning of the period during which this
15 subsection is in effect) at the rate set forth by such Act.

16 (2) The Act referred to in this paragraph is the Act
17 of the Council of the District of Columbia pursuant to
18 which a proposed budget is approved for fiscal year 2022
19 which (subject to the requirements of the District of Co-
20 lumbia Home Rule Act) will constitute the local portion
21 of the annual budget for the District of Columbia govern-
22 ment for fiscal year 2022 for purposes of section 446 of
23 the District of Columbia Home Rule Act (sec. 1-204.46,
24 D.C. Official Code).

1 (b) Appropriations made by subsection (a) shall cease
2 to be available—

3 (1) during any period in which a District of Co-
4 lumbia continuing resolution for fiscal year 2022 is
5 in effect; or

6 (2) upon the enactment into law of the regular
7 District of Columbia appropriation bill for fiscal year
8 2022.

9 (c) An appropriation made by subsection (a) is pro-
10 vided under the authority and conditions as provided
11 under this Act and shall be available to the extent and
12 in the manner that would be provided by this Act.

13 (d) An appropriation made by subsection (a) shall
14 cover all obligations or expenditures incurred for such
15 project or activity during the portion of fiscal year 2022
16 for which this section applies to such project or activity.

17 (e) This section shall not apply to a project or activity
18 during any period of fiscal year 2022 if any other provi-
19 sion of law (other than an authorization of appropria-
20 tions)—

21 (1) makes an appropriation, makes funds avail-
22 able, or grants authority for such project or activity
23 to continue for such period; or

24 (2) specifically provides that no appropriation
25 shall be made, no funds shall be made available, or

1 no authority shall be granted for such project or ac-
2 tivity to continue for such period.

3 (f) Nothing in this section shall be construed to affect
4 obligations of the government of the District of Columbia
5 mandated by other law.

6 SEC. 806. (a) Section 3(c)(2)(G) of the District of
7 Columbia College Access Act of 1999 (sec. 38-
8 2702(c)(2)(G), D.C. Official Code) is amended to read as
9 follows:

10 “(G) is from a family with a taxable an-
11 nual income of less than the applicable family
12 income limit, as defined in paragraph (7).”.

13 (b) Section 3(c) of such Act (sec. 38-2702(c), D.C.
14 Official Code) is amended by adding at the end the fol-
15 lowing new paragraph:

16 “(7) APPLICABLE FAMILY INCOME LIMIT.—The
17 term ‘applicable family income limit’ means, with re-
18 spect to an individual, the following:

19 “(A) In the case of an individual who
20 began an undergraduate course of study prior
21 to school year 2015-2016, \$1,000,000.

22 “(B) In the case of an individual who be-
23 gins an undergraduate course of study in school
24 year 2016-2017, \$750,000.

1 “(C) In the case of an individual who be-
2 gins an undergraduate course of study in school
3 year 2017-2018 or school year 2018-2019, the
4 applicable family income limit under this para-
5 graph for an individual who began an under-
6 graduate course of study in the previous school
7 year, adjusted by the Mayor for inflation, as
8 measured by the percentage increase, if any,
9 from the preceding fiscal year in the Consumer
10 Price Index for All Urban Consumers, pub-
11 lished by the Bureau of Labor Statistics of the
12 Department of Labor.

13 “(D) In the case of an individual who be-
14 gins an undergraduate course of study in school
15 year 2019-2020, \$500,000.

16 “(E) In the case of an individual who be-
17 gins an undergraduate course of study in school
18 year 2020-2021, the amount described in sub-
19 paragraph (D), adjusted by the Mayor for infla-
20 tion, as measured by the percentage increase, if
21 any, from the preceding fiscal year in the Con-
22 sumer Price Index for All Urban Consumers,
23 published by the Bureau of Labor Statistics of
24 the Department of Labor.

1 “(F) In the case of an individual who be-
2 gins an undergraduate course of study in school
3 year 2021-2022, \$750,000.

4 “(G) In the case of an individual who be-
5 gins an undergraduate course of study in school
6 year 2022-2023 or any succeeding school year,
7 the applicable family income limit under this
8 paragraph for an individual who began an un-
9 dergraduate course of study in the previous
10 school year, adjusted by the Mayor for inflation,
11 as measured by the percentage increase, if any,
12 from the preceding fiscal year in the Consumer
13 Price Index for All Urban Consumers, pub-
14 lished by the Bureau of Labor Statistics of the
15 Department of Labor.”.

16 (c) The amendments made by this section shall take
17 effect as if included in the enactment of the Financial
18 Services and General Government Appropriations Act,
19 2019 (division D of Public Law 116–6).

20 SEC. 807. Nothing in this Act may be construed to
21 prevent the Council or Mayor of the District of Columbia
22 from addressing the issue of the provision of contraceptive
23 coverage by health insurance plans, but it is the intent
24 of Congress that any legislation enacted on such issue

1 should include a “conscience clause” which provides excep-
2 tions for religious beliefs and moral convictions.

3 SEC. 808. (a) Section 244 of the Revised Statutes
4 of the United States relating to the District of Columbia
5 (sec. 9-1201.03, D.C. Official Code) does not apply with
6 respect to any railroads installed pursuant to the Long
7 Bridge Project.

8 (b) In this section, the term “Long Bridge Project”
9 means the project carried out by the District of Columbia
10 and the Commonwealth of Virginia to construct a new
11 Long Bridge adjacent to the existing Long Bridge over
12 the Potomac River, including related infrastructure and
13 other related projects, to expand commuter and regional
14 passenger rail service and to provide bike and pedestrian
15 access crossings over the Potomac River.

16 SEC. 809. No services may be made available in ac-
17 cordance with section 740(a) of the District of Columbia
18 Home Rule Act (sec. 1-207.40(a), D.C. Official Code) at
19 any time during fiscal year 2021.

20 SEC. 810. Except as expressly provided otherwise,
21 any reference to “this Act” contained in this title or in
22 title IV shall be treated as referring only to the provisions
23 of this title or of title IV.

1 TITLE IX
2 INFRASTRUCTURE
3 FEDERAL COMMUNICATIONS COMMISSION
4 SALARIES AND EXPENSES

5 For an additional amount for “Salaries and Ex-
6 penses”, \$40,000,000, to remain available until September
7 30, 2025, for implementing title VIII of the Communica-
8 tions Act of 1934 (47 U.S.C. 641 et seq.), as added by
9 the Broadband DATA Act (Public Law 116–130): *Pro-*
10 *vided*, That such amount is designated by the Congress
11 as being for an emergency requirement pursuant to sec-
12 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
13 gency Deficit Control Act of 1985.

14 SECURE AND TRUSTED COMMUNICATIONS NETWORKS
15 REIMBURSEMENT PROGRAM

16 For the “Secure and Trusted Communications Net-
17 works Reimbursement Program”, as authorized by section
18 4 of the Secure and Trusted Communications Networks
19 Act of 2019 (Public Law 116–124; 47 U.S.C. 1603),
20 \$1,000,000,000, to remain available until September 30,
21 2025: *Provided*, That such amount is designated by the
22 Congress as being for an emergency requirement pursuant
23 to section 251(b)(2)(A)(i) of the Balanced Budget and
24 Emergency Deficit Control Act of 1985.

1 BROADBAND INFRASTRUCTURE GRANTS

2 For payments by the Federal Communications Com-
3 mission to providers of broadband internet access service
4 to expand availability of such service to unserved areas,
5 underserved areas, and unserved anchor institutions,
6 \$60,000,000,000, to remain available until September 30,
7 2025: *Provided*, That such amount is designated by the
8 Congress as being for an emergency requirement pursuant
9 to section 251(b)(2)(A)(i) of the Balanced Budget and
10 Emergency Deficit Control Act of 1985.

11 GENERAL SERVICES ADMINISTRATION

12 REAL PROPERTY ACTIVITIES

13 FEDERAL BUILDINGS FUND

14 (INCLUDING TRANSFER OF FUNDS)

15 In addition to amounts that are otherwise available
16 for real property management and related activities, for
17 an additional amount to be deposited in the “Federal
18 Buildings Fund”, \$5,990,000,000, to carry out the pur-
19 poses of the Fund, of which—

20 (1) \$2,800,000,000 shall be available for border
21 stations and land ports of entry;

22 (2) \$1,000,000,000 shall be available for acqui-
23 sition and construction (including sites and ex-
24 penses, and associated design and construction serv-
25 ices) of Federal buildings and United States court-

1 houses, including annexes, expansions, or similar ad-
2 ditions;

3 (3) \$1,000,000,000 shall be for repairs and al-
4 terations to facilitate converting General Services
5 Administration facilities to “high-performance green
6 buildings”, as the term is defined in section 401 of
7 the Energy Independence and Security Act of 2007
8 (Public Law 110–140); and

9 (4) \$940,000,000 shall be available for repairs
10 and alterations:

11 *Provided*, That not to exceed \$110,000,000 of the
12 amounts provided under this heading shall be available
13 without regard to fiscal year limitations and may be ex-
14 pended for rental of space, related to leasing of temporary
15 space in connection with projects funded under this head-
16 ing: *Provided further*, That not to exceed \$130,000,000
17 of the amounts provided under this heading shall be avail-
18 able without regard to fiscal year limitations and may be
19 expended in the building operations account, for the costs
20 of completing and supporting the projects funded under
21 this heading: *Provided further*, That not less than
22 \$10,000,000 of the funds provided shall be for on-the-job
23 pre-apprenticeship and apprenticeship training programs
24 registered with the Department of Labor, for the construc-
25 tion, repair, and alteration of Federal buildings: *Provided*

1 *further*, That not less than \$3,000,000,000 of the funds
2 provided under this heading shall be obligated by Sep-
3 tember 30, 2022, and the remainder of the funds provided
4 under this heading shall be available until September 30,
5 2024: *Provided further*, That the Administrator of General
6 Services is authorized to initiate design, construction, re-
7 pair, alteration, and other projects through existing au-
8 thorities of the Administrator: *Provided further*, That none
9 of the funds in this paragraph may be used to initiate de-
10 sign, construction, repair, alteration, and other projects in
11 the National Capital Region: *Provided further*, That the
12 General Services Administration shall submit a detailed
13 plan, by project, regarding the use of funds made available
14 in this Act to the Committees on Appropriations of the
15 House of Representatives and the Senate within 45 days
16 of enactment of this Act, and update on a quarterly basis
17 thereafter if there any changes: *Provided further*, That,
18 hereafter, the Administrator shall report to the Commit-
19 tees on the obligation of these funds on a quarterly basis
20 beginning with the end of the first quarter after the initial
21 plan is submitted: *Provided further*, That amounts pro-
22 vided under this heading that are savings or cannot be
23 used for the activity for which originally obligated may be
24 de-obligated and, notwithstanding any other provision of
25 law, re-obligated for the purposes identified in the plan

1 required under this heading not less than 15 days after
2 notification has been provided to the Committees on Ap-
3 propriations of the House of Representatives and the Sen-
4 ate: *Provided further*, That funds in the Federal Buildings
5 Fund made available in this Act for Federal Buildings
6 Fund activities may be transferred between activities only
7 to the extent necessary to meet program requirements:
8 *Provided further*, That such amount is designated by the
9 Congress as being for an emergency requirement pursuant
10 to section 251(b)(2)(A)(i) of the Balanced Budget and
11 Emergency Deficit Control Act of 1985.

12 OFFICE OF INSPECTOR GENERAL

13 For an additional amount for the “Office of Inspector
14 General”, to remain available until September 30, 2026,
15 for oversight and audit of programs, grants, and projects
16 funded under this title, \$10,000,000: *Provided*, That such
17 amount is designated by the Congress as being for an
18 emergency requirement pursuant to section
19 251(b)(2)(A)(i) of the Balanced Budget and Emergency
20 Deficit Control Act of 1985.

21 This Act may be cited as the “Financial Services and
22 General Government Appropriations Act, 2021”.

1 **DIVISION E—DEPARTMENT OF HOME-**
2 **LAND SECURITY APPROPRIATIONS**
3 **ACT, 2021**

4 That the following sums are appropriated, out of any
5 money in the Treasury not otherwise appropriated, for the
6 Department of Homeland Security for the fiscal year end-
7 ing September 30, 2021, and for other purposes, namely:

8 **TITLE I**

9 **DEPARTMENTAL MANAGEMENT, OPERATIONS,**
10 **INTELLIGENCE, AND OVERSIGHT**

11 **OFFICE OF THE SECRETARY AND EXECUTIVE**

12 **MANAGEMENT**

13 **OPERATIONS AND SUPPORT**

14 For necessary expenses of the Office of the Secretary
15 and for executive management for operations and support,
16 \$151,868,000; of which \$20,000,000 shall be for the Of-
17 fice of the Ombudsman for Immigration Detention, of
18 which \$5,000,000 shall remain available until September
19 30, 2022; and of which \$10,000,000 shall be withheld
20 from obligation until the date on which the Secretary pub-
21 lishes the first semi-monthly data required in section
22 106(d) of this Act and submits the first annual report re-
23 quired in section 106(e) of division D of Public Law 116-
24 93: *Provided*, That not to exceed \$30,000 shall be for offi-
25 cial reception and representation expenses.

1 MANAGEMENT DIRECTORATE

2 OPERATIONS AND SUPPORT

3 For necessary expenses of the Management Direc-
4 torate for operations and support, \$1,401,757,000: *Pro-*
5 *vided*, That not to exceed \$2,000 shall be for official recep-
6 tion and representation expenses.

7 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

8 For necessary expenses of the Management Direc-
9 torate for procurement, construction, and improvements,
10 \$359,450,000, of which \$159,611,000 shall remain avail-
11 able until September 30, 2023; and of which
12 \$199,839,000 shall remain available until September 30,
13 2025.

14 FEDERAL PROTECTIVE SERVICE

15 The revenues and collections of security fees credited
16 to this account shall be available until expended for nec-
17 essary expenses related to the protection of federally
18 owned and leased buildings and for the operations of the
19 Federal Protective Service.

20 INTELLIGENCE, ANALYSIS, AND OPERATIONS

21 COORDINATION

22 OPERATIONS AND SUPPORT

23 For necessary expenses of the Office of Intelligence
24 and Analysis and the Office of Operations Coordination
25 for operations and support, \$311,263,000, of which

1 \$82,620,000 shall remain available until September 30,
2 2022: *Provided*, That not to exceed \$3,825 shall be for
3 official reception and representation expenses and not to
4 exceed \$2,000,000 is available for facility needs associated
5 with secure space at fusion centers, including improve-
6 ments to buildings.

7 OFFICE OF THE INSPECTOR GENERAL

8 OPERATIONS AND SUPPORT

9 For necessary expenses of the Office of Inspector
10 General for operations and support, \$190,186,000: *Pro-*
11 *vided*, That not to exceed \$300,000 may be used for cer-
12 tain confidential operational expenses, including the pay-
13 ment of informants, to be expended at the direction of the
14 Inspector General.

15 ADMINISTRATIVE PROVISIONS

16 SEC. 101. (a) The Secretary of Homeland Security
17 shall submit a report not later than October 15, 2021,
18 to the Inspector General of the Department of Homeland
19 Security listing all grants and contracts awarded by any
20 means other than full and open competition during fiscal
21 years 2020 or 2021.

22 (b) The Inspector General shall review the report re-
23 quired by subsection (a) to assess departmental compli-
24 ance with applicable laws and regulations and report the
25 results of that review to the Committees on Appropriations

1 of the Senate and the House of Representatives not later
2 than February 15, 2022.

3 SEC. 102. Not later than 30 days after the last day
4 of each month, the Chief Financial Officer of the Depart-
5 ment of Homeland Security shall submit to the Commit-
6 tees on Appropriations of the Senate and the House of
7 Representatives a monthly budget and staffing report that
8 includes total obligations of the Department for that
9 month and for the fiscal year at the appropriation and
10 program, project, and activity levels, by the source year
11 of the appropriation.

12 SEC. 103. The Secretary of Homeland Security shall
13 require that all contracts of the Department of Homeland
14 Security that provide award fees link such fees to success-
15 ful acquisition outcomes, which shall be specified in terms
16 of cost, schedule, and performance.

17 SEC. 104. (a) The Secretary of Homeland Security,
18 in consultation with the Secretary of the Treasury, shall
19 notify the Committees on Appropriations of the Senate
20 and the House of Representatives of any proposed trans-
21 fers of funds available under section 9705(g)(4)(B) of title
22 31, United States Code, from the Department of the
23 Treasury Forfeiture Fund to any agency within the De-
24 partment of Homeland Security.

1 (b) None of the funds identified for such a transfer
2 may be obligated until the Committees on Appropriations
3 of the Senate and the House of Representatives are noti-
4 fied of the proposed transfer.

5 (c) The funds available under such section may not
6 be obligated for the construction of border security infra-
7 structure.

8 SEC. 105. All official costs associated with the use
9 of Government aircraft by Department of Homeland Secu-
10 rity personnel to support official travel of the Secretary
11 and the Deputy Secretary shall be paid from amounts
12 made available for the Office of the Secretary.

13 SEC. 106. (a) The Secretary of Homeland Security
14 shall establish metrics and collect data for assessing each
15 modality through which aliens are removed, expelled, ex-
16 tradited, or otherwise involuntarily returned to Mexico or
17 to a third country with respect to making an asylum claim
18 for all such modalities that were implemented by the De-
19 partment of Homeland Security after January 1, 2019.
20 Such data shall include:

21 (1) For aliens removed, expelled, extradited, or
22 otherwise involuntarily returned—

23 (A) the country to which the alien is re-
24 moved, expelled, extradited or returned;

1 (B) whether the alien was a member of a
2 family unit;

3 (C) the nationality of the alien;

4 (D) the gender of the alien;

5 (E) the age of the alien;

6 (F) the port of entry, Border Patrol Sec-
7 tor, or city and State, as appropriate, in which
8 the alien was apprehended or processed;

9 (G) the departmental component and office
10 responsible for such apprehension or processing;

11 (H) whether the alien belongs to a vulner-
12 able group, as defined by the Secretary in col-
13 laboration with the Office of Civil Rights and
14 Civil Liberties, and the vulnerable group to the
15 which the alien belongs;

16 (I) whether the alien expresses fear,
17 disaggregated by the number who receive a
18 positive fear determination based on an inter-
19 view by an asylum officer;

20 (J) whether the alien is represented by
21 legal counsel;

22 (K) the location and facility type in which
23 the alien was detained; and

24 (2) For aliens returned to Mexico—

1 (A) the number who appear at a port of
2 entry to attend immigration adjudication pro-
3 ceedings;

4 (B) the number scheduled to appear at a
5 port of entry for such proceedings who do not
6 so appear;

7 (C) the outcomes of such proceedings, in-
8 cluding data on the number of removals ordered
9 in absentia;

10 (D) the number who remain overnight in
11 the United States following such proceedings;
12 and

13 (E) the number who subsequently reenter
14 without inspection, disaggregated by adults and
15 children who reenter unaccompanied.

16 (b) For the purposes of this section, the term “fear”
17 shall refer to credible or reasonable fear of:

18 (1) persecution, as defined in section
19 235(b)(1)(B)(v) of the Immigration and Nationality
20 Act; or

21 (2) torture, as defined in section 208.31 of title
22 8, Code of Federal Regulations (as in effect on Jan-
23 uary 1, 2020).

24 (c) No Federal funds may be obligated or expended
25 to implement a return modality for purposes of an alien

1 establishing an asylum claim in a third country until the
2 Secretary has certified to Congress that such third coun-
3 try has the capacity to assess asylum claims and safely
4 resettle such claimants.

5 (d) Beginning not later than 30 days after the date
6 of enactment of this Act, the Secretary shall publish on
7 a semi-monthly basis not less than the previous 12 months
8 of the data required to be collected by subsection (a) as
9 of the last date of each reporting period on a publicly
10 available website of the Department in a downloadable,
11 searchable, and sortable format.

12 SEC. 107. (a) The Secretary of Homeland Security
13 shall conduct a comprehensive study to determine the ex-
14 tent of human trafficking in the United States, consistent
15 with the conclusions of the consultation under subsection
16 (b).

17 (b) Prior to commencing the study, the Secretary
18 shall carry out the following activities in consultation with
19 such Federal departments and agencies and State and
20 local government entities as the Secretary determines ap-
21 propriate—

22 (1) determine the appropriate time period for
23 the study to consider;

24 (2) determine what information regarding the
25 incidence of human trafficking is currently reported

1 to any Federal department or agency, and the avail-
2 ability of such information;

3 (3) take appropriate actions to obtain such in-
4 formation, consistent with privacy protection laws
5 and considerations and, where such information can-
6 not be obtained, promptly report to Congress such
7 unavailability;

8 (4) determine what additional information from
9 State and local government entities is necessary to
10 complete the study; and

11 (5) enter into agreements with such States or
12 local governments providing for the reporting of
13 such information.

14 (c) The Secretary shall provide a report to Congress
15 on the results of the study required by subsection (a),
16 which shall also include:

17 (1) the estimated number of human trafficking
18 victims disaggregated by—

19 (A) whether the victim was trafficked with-
20 in a State; and

21 (B) whether the victim was trafficked in
22 interstate commerce; and

23 (2) a description of industries and geographical
24 regions in which the practice of human trafficking is
25 most prevalent.

1 SEC. 108. (a) The Secretary of Homeland Security
2 shall establish and implement pilot programs under which
3 Mexican nationals admitted as nonimmigrant visitors in
4 a State pursuant to the requirements described in sections
5 212.1(c)(1)(i) and 235.1(h)(v)(A) or (C) of title 8, Code
6 of Federal Regulations, shall, notwithstanding the geo-
7 graphic limitations described in such section
8 235.1(h)(v)(A) or (C), be permitted to travel within the
9 boundaries of such State for a period not to exceed 30
10 days, as applicable.

11 (b) The pilot programs described in subsection (a)
12 shall begin not later than 90 days after the date of enact-
13 ment of this Act and terminate five years thereafter.

14 SEC. 109. (a) The Secretary shall provide a quarterly
15 travel report to the Committees on Appropriations of the
16 Senate and the House of Representatives detailing all
17 costs for the prior quarter for travel by the Secretary and
18 Deputy Secretary, disaggregated by funding source, indi-
19 rect costs, direct costs, official travel, and nonofficial trav-
20 el.

21 (b) The first report required under subsection (a)
22 shall be provided not later than 30 days after the end of
23 each fiscal quarter, beginning with the end of the first
24 quarter beginning after the date of enactment of this Act.

1 SEC. 110. (a) No Federal funds may be obligated for
2 any pilot or demonstration program that uses more than
3 5 full time equivalents or costs in excess of \$1,000,000
4 until 30 days after the Secretary of Homeland Secretary
5 provides the following to the Committees on Appropria-
6 tions of the Senate and the House of Representatives for
7 such program:

8 (1) Objectives that are well-defined and meas-
9 urable;

10 (2) An assessment methodology that details—

11 (A) the type and source of assessment
12 data;

13 (B) the methods for and frequency of col-
14 lecting such data; and

15 (C) how such data will be analyzed;

16 (3) An implementation plan, including mile-
17 stones, a cost estimate, and schedule, including an
18 end date; and

19 (4) A signed interagency agreement or memo-
20 randum of agreement for any pilot or demonstration
21 program involving the participation of more than
22 one Department of Homeland Security component or
23 that of an entity not part of such Department.

24 (b) Not later than 30 days after the date of comple-
25 tion of a pilot or demonstration program, the Secretary

1 of Homeland Security shall provide a report to Commit-
2 tees on Appropriations of the Senate and the House of
3 Representatives detailing lessons learned, actual costs,
4 and any planned expansion or continuation of the pilot
5 or demonstration program.

6 (c) For the purposes of this section, a pilot or dem-
7 onstration program is a policy implementation, study,
8 demonstration, experimental program, or trial that is a
9 small-scale, short-term experiment conducted in order to
10 evaluate feasibility, duration, costs, or adverse events, and
11 improve upon the design of an effort prior to implementa-
12 tion of a larger scale effort.

13 TITLE II

14 SECURITY, ENFORCEMENT, AND

15 INVESTIGATIONS

16 U.S. CUSTOMS AND BORDER PROTECTION

17 OPERATIONS AND SUPPORT

18 (INCLUDING TRANSFERS OF FUNDS)

19 For necessary expenses of U.S. Customs and Border
20 Protection for operations and support, including the trans-
21 portation of unaccompanied minor aliens; the provision of
22 air and marine support to Federal, State, local, and inter-
23 national agencies in the enforcement or administration of
24 laws enforced by the Department of Homeland Security;
25 at the discretion of the Secretary of Homeland Security,

1 the provision of such support to Federal, State, and local
2 agencies in other law enforcement and emergency humani-
3 tarian efforts; the purchase and lease of up to 7,500
4 (6,500 for replacement only) police-type vehicles; the pur-
5 chase, maintenance, or operation of marine vessels, air-
6 craft, and unmanned aerial systems; and contracting with
7 individuals for personal services abroad; \$13,240,238,000;
8 of which \$3,274,000 shall be derived from the Harbor
9 Maintenance Trust Fund for administrative expenses re-
10 lated to the collection of the Harbor Maintenance Fee pur-
11 suant to section 9505(c)(3) of the Internal Revenue Code
12 of 1986 (26 U.S.C. 9505(c)(3)) and notwithstanding sec-
13 tion 1511(e)(1) of the Homeland Security Act of 2002 (6
14 U.S.C. 551(e)(1)); of which \$500,000,000 shall be avail-
15 able until September 30, 2022; and of which such sums
16 as become available in the Customs User Fee Account, ex-
17 cept sums subject to section 13031(f)(3) of the Consoli-
18 dated Omnibus Budget Reconciliation Act of 1985 (19
19 U.S.C. 58c(f)(3)), shall be derived from that account; and
20 of which \$172,000,000 is for additional Office of Field
21 Operations staffing: *Provided*, That not to exceed \$34,425
22 shall be for official reception and representation expenses:
23 *Provided further*, That not to exceed \$150,000 shall be
24 available for payment for rental space in connection with
25 preclearance operations: *Provided further*, That not to ex-

1 ceed \$2,000,000 shall be for awards of compensation to
2 informants, to be accounted for solely under the certificate
3 of the Secretary of Homeland Security: *Provided further*,
4 That not to exceed \$5,000,000 may be transferred to the
5 Bureau of Indian Affairs for the maintenance and repair
6 of roads on Native American reservations used by the U.S.
7 Border Patrol: *Provided further*, That, not to exceed
8 \$75,000,000 shall be transferred to the United States
9 Fish and Wildlife Service for mitigation activities, includ-
10 ing land acquisition, related to the construction of border
11 barriers on Federal lands: *Provided further*, That of the
12 funds made available under this heading for the Executive
13 Leadership and Oversight program, project, and activity,
14 \$5,000,000 shall be withheld from obligation until the
15 Commissioner of U.S. Customs and Border Protection
16 submits the report required by section 209(b).

17 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

18 For necessary expenses of U.S. Customs and Border
19 Protection for procurement, construction, and improve-
20 ments, including procurement of marine vessels, aircraft,
21 and unmanned aerial systems, \$877,547,000, of which
22 \$750,148,000 shall remain available until September 30,
23 2023, and of which \$127,399,000 shall remain available
24 until September 30, 2025.

1 U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT
2 OPERATIONS AND SUPPORT
3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses of U.S. Immigration and
5 Customs Enforcement for operations and support, includ-
6 ing the purchase and lease of up to 3,790 (2,350 for re-
7 placement only) police-type vehicles; overseas vetted units;
8 and maintenance, minor construction, and minor leasehold
9 improvements at owned and leased facilities;
10 \$7,308,449,000; of which not less than \$6,000,000 shall
11 remain available until expended for efforts to enforce laws
12 against forced child labor; of which not less than
13 \$1,500,000 is for paid apprenticeships for participants in
14 the Human Exploitation Rescue Operative Child-Rescue
15 Corps; of which not less than \$15,000,000 shall be avail-
16 able for investigation of intellectual property rights viola-
17 tions, including operation of the National Intellectual
18 Property Rights Coordination Center; of which
19 \$3,305,292,000 shall be for enforcement and removal op-
20 erations, including transportation of unaccompanied
21 minor aliens; and of which \$317,613,000 shall be for the
22 Office of the Principal Legal Advisor: *Provided*, That not
23 to exceed \$11,475 shall be for official reception and rep-
24 resentation expenses: *Provided further*, That not to exceed
25 \$10,000,000 shall be available until expended for con-

1 ducting special operations under section 3131 of the Cus-
2 toms Enforcement Act of 1986 (19 U.S.C. 2081): *Pro-*
3 *vided further*, That not to exceed \$2,000,000 shall be for
4 awards of compensation to informants, to be accounted
5 for solely under the certificate of the Secretary of Home-
6 land Security: *Provided further*, That not to exceed
7 \$11,216,000 shall be available to fund or reimburse other
8 Federal agencies for the costs associated with the care,
9 maintenance, and repatriation of smuggled aliens unlaw-
10 fully present in the United States: *Provided further*, That
11 of the funds made available under this heading,
12 \$10,000,000 shall be withheld from obligation until the
13 second obligation and expenditure plan directed by the
14 Committee report accompanying this Act has been sub-
15 mitted: *Provided further*, That of the funds made available
16 under this heading for the Office of the Principal Legal
17 Advisor, \$10,000,000 shall be withheld from obligation
18 until the Secretary submits the certifications described in
19 section 218(b): *Provided further*, That of the funds made
20 available under this heading for enforcement and removal
21 operations, \$615,898,000 shall be withheld from obliga-
22 tion while the “Order Under Sections 362 and 365 of the
23 Public Health Service Act (42 U.S.C. 265, 268); Order
24 Suspending Introduction of Certain Persons From Coun-
25 tries Where a Communicable Disease Exists” issued on

1 March 20, 2020, and published on March 26, 2020, in
2 the Federal Register, remains in effect, including any ex-
3 tensions of such order: *Provided further*, That the amount
4 in the previous proviso shall become available on a pro
5 rata basis corresponding to the number of days remaining
6 in the fiscal year at the time such order (or any extension
7 of such order) is no longer in effect: *Provided further*, That
8 any amount withheld from obligation as of September 20,
9 2021 resulting from the previous two provisos, shall be
10 transferred as an additional amount to “Coast Guard—
11 Procurement, Construction, and Improvements”, to be-
12 come available on September 20, 2021, and to remain
13 available until September 30, 2025, for shore facilities and
14 aids to navigation: *Provided further*, That the Com-
15 mandant of the Coast Guard shall provide a detailed plan
16 for the use of such funds not later than 30 days prior
17 to the obligation of such funds.

18 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

19 For necessary expenses of U.S. Immigration and
20 Customs Enforcement for procurement, construction, and
21 improvements, \$97,799,000, of which \$24,538,000 shall
22 remain available until September 30, 2023, and of which
23 \$73,261,000 shall remain available until September 30,
24 2025.

1 TRANSPORTATION SECURITY ADMINISTRATION

2 OPERATIONS AND SUPPORT

3 For necessary expenses of the Transportation Secu-
4 rity Administration for operations and support,
5 \$7,927,407,000, to remain available until September 30,
6 2022: *Provided*, That not to exceed \$7,650 shall be for
7 official reception and representation expenses: *Provided*
8 *further*, That security service fees authorized under section
9 44940 of title 49, United States Code, shall be credited
10 to this appropriation as offsetting collections and shall be
11 available only for aviation security: *Provided further*, That
12 the sum appropriated under this heading from the general
13 fund shall be reduced on a dollar-for-dollar basis as such
14 offsetting collections are received during fiscal year 2021
15 so as to result in a final fiscal year appropriation from
16 the general fund estimated at not more than
17 \$4,987,407,000.

18 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

19 For necessary expenses of the Transportation Secu-
20 rity Administration for procurement, construction, and
21 improvements, \$154,492,000, to remain available until
22 September 30, 2023.

23 RESEARCH AND DEVELOPMENT

24 For necessary expenses of the Transportation Secu-
25 rity Administration for research and development,

1 \$29,524,000, to remain available until September 30,
2 2022.

3 COAST GUARD

4 OPERATIONS AND SUPPORT

5 For necessary expenses of the Coast Guard for oper-
6 ations and support including the Coast Guard Reserve;
7 purchase or lease of not to exceed 25 passenger motor ve-
8 hicles, which shall be for replacement only; purchase or
9 lease of small boats for contingent and emergent require-
10 ments (at a unit cost of not more than \$700,000) and
11 repairs and service-life replacements, not to exceed a total
12 of \$31,000,000; purchase, lease, or improvements of boats
13 necessary for overseas deployments and activities; pay-
14 ments pursuant to section 156 of Public Law 97-377 (42
15 U.S.C. 402 note; 96 Stat. 1920); and recreation and wel-
16 fare; \$8,560,267,000, of which \$555,000,000 shall be for
17 defense-related activities, of which \$215,000,000 is des-
18 igned by the Congress for Overseas Contingency Oper-
19 ations/Global War on Terrorism pursuant to section
20 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
21 Deficit Control Act of 1985; of which \$24,500,000 shall
22 be derived from the Oil Spill Liability Trust Fund to carry
23 out the purposes of section 1012(a)(5) of the Oil Pollution
24 Act of 1990 (33 U.S.C. 2712(a)(5)); of which \$5,000,000
25 shall remain available until September 30, 2023; and of

1 which \$21,212,000 shall remain available until September
2 30, 2025, for environmental compliance and restoration;
3 and of which \$70,000,000 shall remain available until
4 September 30, 2022, for vessel depot level maintenance:
5 *Provided*, That not to exceed \$23,000 shall be for official
6 reception and representation expenses.

7 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

8 For necessary expenses of the Coast Guard for pro-
9 curement, construction, and improvements, including aids
10 to navigation, shore facilities (including facilities at De-
11 partment of Defense installations used by the Coast
12 Guard), and vessels and aircraft, including equipment re-
13 lated thereto, \$2,158,791,000, to remain available until
14 September 30, 2025; of which \$20,000,000 shall be de-
15 rived from the Oil Spill Liability Trust Fund to carry out
16 the purposes of section 1012(a)(5) of the Oil Pollution Act
17 of 1990 (33 U.S.C. 2712(a)(5)).

18 RESEARCH AND DEVELOPMENT

19 For necessary expenses of the Coast Guard for re-
20 search and development; and for maintenance, rehabilita-
21 tion, lease, and operation of facilities and equipment;
22 \$8,276,000, to remain available until September 30, 2023,
23 of which \$500,000 shall be derived from the Oil Spill Li-
24 ability Trust Fund to carry out the purposes of section
25 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C.

1 2712(a)(5): *Provided*, That there may be credited to and
2 used for the purposes of this appropriation funds received
3 from State and local governments, other public authori-
4 ties, private sources, and foreign countries for expenses
5 incurred for research, development, testing, and evalua-
6 tion.

7
8 RETIRED PAY

8 For retired pay, including the payment of obligations
9 otherwise chargeable to lapsed appropriations for this pur-
10 pose, payments under the Retired Serviceman's Family
11 Protection and Survivor Benefits Plans, payment for ca-
12 reer status bonuses, payment of continuation pay under
13 section 356 of title 37, United States Code, concurrent
14 receipts, combat-related special compensation, and pay-
15 ments for medical care of retired personnel and their de-
16 pendants under chapter 55 of title 10, United States Code,
17 \$1,869,704,000, to remain available until expended.

18 UNITED STATES SECRET SERVICE

19 OPERATIONS AND SUPPORT

20 For necessary expenses of the United States Secret
21 Service for operations and support, including purchase of
22 not to exceed 652 vehicles for police-type use for replace-
23 ment only; hire of passenger motor vehicles; purchase of
24 motoreycles made in the United States; hire of aircraft;
25 rental of buildings in the District of Columbia; fencing,

1 lighting, guard booths, and other facilities on private or
2 other property not in Government ownership or control,
3 as may be necessary to perform protective functions; con-
4 duct of and participation in firearms matches; presen-
5 tation of awards; conduct of behavioral research in sup-
6 port of protective intelligence and operations; payment in
7 advance for commercial accommodations as may be nec-
8 essary to perform protective functions; and payment, with-
9 out regard to section 5702 of title 5, United States Code,
10 of subsistence expenses of employees who are on protective
11 missions, whether at or away from their duty stations;
12 \$2,368,553,000; of which \$39,763,000 shall remain avail-
13 able until September 30, 2022, and of which \$6,000,000
14 shall be for a grant for activities related to investigations
15 of missing and exploited children: *Provided*, That not to
16 exceed \$19,125 shall be for official reception and represen-
17 tation expenses: *Provided further*, That not to exceed
18 \$100,000 shall be to provide technical assistance and
19 equipment to foreign law enforcement organizations in
20 criminal investigations within the jurisdiction of the
21 United States Secret Service.

22 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

23 For necessary expenses of the United States Secret
24 Service for procurement, construction, and improvements,

1 \$52,306,000, to remain available until September 30,
2 2023.

3 RESEARCH AND DEVELOPMENT

4 For necessary expenses of the United States Secret
5 Service for research and development, \$11,937,000, to re-
6 main available until September 30, 2022.

7 ADMINISTRATIVE PROVISIONS

8 SEC. 201. Section 201 of the Department of Home-
9 land Security Appropriations Act, 2018 (division F of
10 Public Law 115–141), related to overtime compensation
11 limitations, shall apply with respect to funds made avail-
12 able in this Act in the same manner as such section ap-
13 plied to funds made available in that Act, except that “fis-
14 cal year 2021” shall be substituted for “fiscal year 2018”.

15 SEC. 202. Funding made available under the head-
16 ings “U.S. Customs and Border Protection—Operations
17 and Support” and “U.S. Customs and Border Protec-
18 tion—Procurement, Construction, and Improvements”
19 shall be available for customs expenses when necessary to
20 maintain operations and prevent adverse personnel actions
21 in Puerto Rico and the U.S. Virgin Islands, in addition
22 to funding provided by section 740 and 1406i of title 48,
23 United States Code.

24 SEC. 203. As authorized by section 601(b) of the
25 United States-Colombia Trade Promotion Agreement Im-

1 plementation Act (Public Law 112–42), fees collected
2 from passengers arriving from Canada, Mexico, or an ad-
3 jacent island pursuant to section 13031(a)(5) of the Con-
4 solidated Omnibus Budget Reconciliation Act of 1985 (19
5 U.S.C. 58c(a)(5)) shall be available until expended.

6 SEC. 204. (a) For an additional amount for “U.S.
7 Customs and Border Protection—Operations and Sup-
8 port”, \$31,000,000, to remain available until expended,
9 to be reduced by amounts collected and credited to this
10 appropriation in fiscal year 2021 from amounts authorized
11 to be collected by section 286(i) of the Immigration and
12 Nationality Act (8 U.S.C. 1356(i)), section 10412 of the
13 Farm Security and Rural Investment Act of 2002 (7
14 U.S.C. 8311), and section 817 of the Trade Facilitation
15 and Trade Enforcement Act of 2015 (Public Law 114–
16 25), or other such authorizing language.

17 (b) To the extent that amounts realized from such
18 collections exceed \$31,000,000, those amounts in excess
19 of \$31,000,000 shall be credited to this appropriation, to
20 remain available until expended.

21 SEC. 205. None of the funds made available in this
22 Act for U.S. Customs and Border Protection may be used
23 to prevent an individual not in the business of importing
24 a prescription drug (within the meaning of section 801(g)
25 of the Federal Food, Drug, and Cosmetic Act) from im-

1 porting a prescription drug from Canada that complies
2 with the Federal Food, Drug, and Cosmetic Act: *Provided*,
3 That this section shall apply only to individuals trans-
4 porting on their person a personal-use quantity of the pre-
5 scription drug, not to exceed a 90-day supply: *Provided*
6 *further*, That the prescription drug may not be—

7 (1) a controlled substance, as defined in section
8 102 of the Controlled Substances Act (21 U.S.C.
9 802); or

10 (2) a biological product, as defined in section
11 351 of the Public Health Service Act (42 U.S.C.
12 262).

13 SEC. 206. Notwithstanding any other provision of
14 law, none of the funds provided in this or any other Act
15 shall be used to approve a waiver of the navigation and
16 vessel-inspection laws pursuant to section 501(b) of title
17 46, United States Code, for the transportation of crude
18 oil distributed from and to the Strategic Petroleum Re-
19 serve until the Secretary of Homeland Security, after con-
20 sultation with the Secretaries of the Departments of En-
21 ergy and Transportation and representatives from the
22 United States flag maritime industry, takes adequate
23 measures to ensure the use of United States flag vessels:
24 *Provided*, That the Secretary shall notify the Committees
25 on Appropriations of the Senate and the House of Rep-

1 representatives, the Committee on Commerce, Science, and
2 Transportation of the Senate, and the Committee on
3 Transportation and Infrastructure of the House of Rep-
4 resentatives within 2 business days of any request for
5 waivers of navigation and vessel-inspection laws pursuant
6 to section 501(b) of title 46, United States Code, with re-
7 spect to such transportation, and the disposition of such
8 requests.

9 SEC. 207. (a) Beginning on the date of enactment
10 of this Act, the Secretary of Homeland Security shall
11 not—

12 (1) establish, collect, or otherwise impose any
13 new border crossing fee on individuals crossing the
14 Southern border or the Northern border at a land
15 port of entry; or

16 (2) conduct any study relating to the imposition
17 of a border crossing fee.

18 (b) In this section, the term “border crossing fee”
19 means a fee that every pedestrian, cyclist, and driver and
20 passenger of a private motor vehicle is required to pay
21 for the privilege of crossing the Southern border or the
22 Northern border at a land port of entry.

23 SEC. 208. Not later than 90 days after the date of
24 enactment of this Act, the Secretary of Homeland Security
25 shall submit an expenditure plan for any amounts made

1 available for “U.S. Customs and Border Protection—Pro-
2 curement, Construction, and Improvements” in this Act
3 and prior Acts to the Committees on Appropriations of
4 the Senate and the House of Representatives: *Provided*,
5 That no such amounts may be obligated prior to the sub-
6 mission of such plan.

7 SEC. 209. (a) Of the total amount made available
8 under “U.S. Customs and Border Protection—Procure-
9 ment, Construction, and Improvements”, \$897,547,000
10 shall be available only as follows:

11 (1) \$593,110,000 for the acquisition and de-
12 ployment of border security technologies and trade
13 and travel assets and infrastructure;

14 (2) \$127,399,000 for facility construction and
15 improvements;

16 (3) \$124,409,000 for integrated operations as-
17 sets and infrastructure; and

18 (4) \$32,629,000 for mission support and infra-
19 structure.

20 (b) Not later than 180 days after the date of enact-
21 ment of this Act, the Secretary of Homeland Security shall
22 submit to the Committee on Appropriations of the Senate,
23 the Committee on Appropriations of the House of Rep-
24 resentatives, and the Comptroller General of the United
25 States an updated risk-based plan for improving security

1 along the borders of the United States that includes the
2 elements required under subsection (a) of section 231 of
3 division F of the Consolidated Appropriations Act, 2018
4 (Public Law 115–141), which shall be evaluated in accord-
5 ance with subsection (b) of such section.

6 SEC. 210. Federal funds may not be made available
7 for the construction of fencing—

8 (1) within the Santa Ana Wildlife Refuge;

9 (2) within the Bentsen-Rio Grande Valley State
10 Park;

11 (3) within La Lomita Historical park;

12 (4) within the National Butterfly Center;

13 (5) within or east of the Vista del Mar Ranch
14 tract of the Lower Rio Grande Valley National Wild-
15 life Refuge;

16 (6) within historic cemeteries;

17 (7) within any site on the National Register of
18 Historic Places;

19 (8) within any real property owned by the Sa-
20 cred Heart Children’s Home in Laredo, Texas;

21 (9) within the Lower Rio Grande Valley Na-
22 tional Wildlife Refuge; or

23 (10) within 1 mile of historic sites along the
24 Los Caminos del Rio Heritage Corridor.

1 SEC. 211. (a) Notwithstanding any other provision
2 of law, no Federal funds may be used for the construction
3 of physical barriers along the southern land border of the
4 United States during fiscal year 2021.

5 (b) Subsection (a) shall not apply to amounts made
6 available for such purpose by Public Law 116–6, Public
7 Law 115–141, Public Law 115–31, or Public Law 116-
8 93.

9 SEC. 212. (a) No Federal funds may be used for the
10 construction of physical barriers within the jurisdictional
11 limits of a city or the geographical limits or of a census
12 designated place described in subsection (d).

13 (b) Subsection (a) shall not apply if the Secretary of
14 Homeland Security has —

15 (1) issued a notice for public comment on the
16 proposed construction of barriers for a comment pe-
17 riod of not fewer than 60 days;

18 (2) published in the Federal Register its re-
19 sponses to the comments received along with its
20 plans for construction in the areas identified in the
21 notice to which it is responding not later than 90
22 days following the end of such comment period; and

23 (3) consulted with the local elected officials of
24 such city or place regarding the design and align-
25 ment of physical barriers within such city or place

1 (as the case may be), including barriers at or adja-
2 cent to ports of entry.

3 (c) The consultation required under subsection (b)(3)
4 shall continue until September 30, 2021, unless agreement
5 on design and alignment is reached earlier, but may be
6 extended beyond that date by agreement of the parties.

7 (d) The cities and census designated places described
8 in this subsection are as follows:

9 (1) The cities of:

- 10 (A) Laredo, Texas;
- 11 (B) Rio Bravo, Texas;
- 12 (C) El Cenizo, Texas;
- 13 (D) Zapata, Texas;
- 14 (E) Roma, Texas;
- 15 (F) Escobares, Texas;
- 16 (G) Rio Grand City, Texas;
- 17 (H) La Grulla, Texas; and

18 (2) The census designated places of:

- 19 (A) San Ygnacio, Texas;
- 20 (B) Ramireño, Texas;
- 21 (C) Chapeno, Texas;
- 22 (D) Salineño, Texas;
- 23 (E) Fronton, Texas; and
- 24 (F) Garceño, Texas.

1 SEC. 213. None of the funds provided under the
2 heading “U.S. Immigration and Customs Enforcement—
3 Operations and Support” may be used to continue a dele-
4 gation of law enforcement authority authorized under sec-
5 tion 287(g) of the Immigration and Nationality Act (8
6 U.S.C. 1357(g)) if the Department of Homeland Security
7 Inspector General or the U.S. Government Accountability
8 Office determines that the terms of the agreement gov-
9 erning the delegation of authority have been materially
10 violated.

11 SEC. 214. (a) None of the funds provided under the
12 heading “U.S. Immigration and Customs Enforcement—
13 Operations and Support” may be used to continue any
14 contract for the provision of detention services if the two
15 most recent overall performance evaluations received by
16 the contracted facility are less than “adequate” or the
17 equivalent median score in any subsequent performance
18 evaluation system.

19 (b) Beginning not later than January 1, 2021, the
20 performance evaluations referenced in subsection (a) shall
21 be conducted by the U.S. Immigration and Customs En-
22 forcement Office of Professional Responsibility.

23 SEC. 215. No Federal funds may be used to place
24 in detention, remove, refer for a decision whether to ini-

1 tiate removal proceedings, or initiate removal proceedings
2 against any individual—

3 (1) who provides or has provided information to
4 a federal employee or contractor related to facili-
5 tating the sponsorship of an unaccompanied alien
6 child (as defined in section 462(g) of the Homeland
7 Security Act of 2002 (6 U.S.C. 279(g))) or the re-
8 unification of such child with a family member; or
9 (2) based on information gathered in therapy
10 sessions conducted while in the custody of the Office
11 of Refugee Resettlement.

12 SEC. 216. Not later than 45 days after the date of
13 enactment of this Act, the Director of U.S. Immigration
14 and Customs Enforcement shall submit to the Committees
15 on Appropriations of the Senate and the House of Rep-
16 resentatives, and make available on a publicly accessible
17 website, a report describing agreements pursuant to sec-
18 tion 287(g) of the Immigration and Nationality Act (8
19 U.S.C. 1357(g)) which shall include—

20 (1) detailed information relating to the commu-
21 nity outreach activities of each participating jurisdic-
22 tion pursuant to such agreement, including the
23 membership and activities of any community-based
24 steering committee established by such jurisdiction;

1 (2) the number of individuals placed into re-
2 moval proceedings pursuant to each such agreement;

3 (3) data on the performance of the officers or
4 employees of a State or political subdivision thereof
5 under each such agreement, including the nationality
6 and level of criminality of the individuals described
7 in paragraph (2); and

8 (4) information relating to any future plans to
9 increase the number of such agreements or expand
10 the scope of such agreements through the introduc-
11 tion of new operations pursuant to such section.

12 SEC. 217. Not later than 7 days after the date of
13 enactment of this Act and updated semimonthly there-
14 after, the Director of U.S. Immigration and Customs En-
15 forcement shall make available a report, on a publicly ac-
16 cessible website in a downloadable, searchable, and sort-
17 able format, with not less than the previous twelve months
18 of semimonthly data as of the last date of each such re-
19 porting period; on—

20 (1) aliens detained by such agency, including
21 data disaggregated by single adults and members of
22 family units, as well as by whether the individual
23 self-identifies as transgender, on—

24 (A) the average fiscal year-to-date daily
25 populations of aliens detained;

1 (B) the daily count of aliens detained;

2 (C) the fiscal year-to-date total for book-
3 ins;

4 (D) the average lengths of stay, including
5 average post-determination length of stay in the
6 case of detainees described in subparagraph
7 (F);

8 (E) the number transferred to the custody
9 of U.S. Immigration and Customs Enforcement
10 by U.S. Customs and Border Protection after
11 being—

12 (i) deemed inadmissible at a port of
13 entry or after being apprehended within 14
14 days of entering the United States; or

15 (ii) arrested by U.S. Immigration and
16 Customs Enforcement;

17 (F) the number determined to have a cred-
18 ible or reasonable fear of—

19 (i) persecution, as defined in section
20 235(b)(1)(B)(v) of the Immigration and
21 Nationality Act; or

22 (ii) torture, as defined in section
23 208.30 of title 8, Code of Federal Regula-
24 tions (as in effect on January 1, 2018);

1 (G) the number who have been issued a
2 Notice to Appear pursuant to section 239 of the
3 Immigration and Nationality Act, disaggregated
4 by single adults and members of family units;

5 (H) the average lengths of stay, including
6 average post-determination length of stay in the
7 case of detainees described in subparagraph
8 (F), for individuals who remain in detention as
9 of the last date of each such reporting period;
10 and

11 (I) the number who have been in detention,
12 disaggregated by the number of detainees de-
13 scribed in subparagraph (F), for each of the
14 following—

- 15 (i) over two years;
16 (ii) from over one year to two years;
17 (iii) from over six months to one year;

18 and

- 19 (iv) for less than six months;

20 (2) the total number of enrollees in the Alter-
21 natives to Detention program and the average length
22 of participation, disaggregated by—

23 (A) single adults and family heads of
24 household;

1 (B) participants in the family case man-
2 agement program;

3 (C) level of supervision; and

4 (D) location of supervision, by field office;

5 (3) for each facility where aliens are detained
6 by U.S. Immigration and Customs Enforcement—

7 (A) the address;

8 (B) the field offices that assign detainees
9 to the facility;

10 (C) the detailed facility type, as defined in
11 the integrated decision support system;

12 (D) the gender of aliens detained;

13 (E) the average daily population of detain-
14 ees within each detainee classification level, as
15 defined in the integrated decision support sys-
16 tem;

17 (F) the average daily population of individ-
18 uals within each threat level, as defined in the
19 integrated decision support system;

20 (G) the average daily population within
21 each criminality category, as defined in the in-
22 tegrated decision support system, disaggregated
23 by gender;

24 (H) the average length of stay;

1 (I) the average daily population of individ-
2 uals whose detention is classified as mandatory;

3 (J) the performance standards to which
4 the facility is held;

5 (K) the date of the two most recent inspec-
6 tions, the entity that performed each inspection,
7 and a detailed summary of the results of such
8 inspections; and

9 (L) the guaranteed minimum detention ca-
10 pacity, if applicable; and

11 (4) the total number of releases from custody,
12 by condition of release, and total number of remov-
13 als, disaggregated by adult facilities and family fa-
14 cilities.

15 SEC. 218. (a) Not later than 30 days after the date
16 of enactment of this Act, the Secretary of Homeland Secu-
17 rity shall—

18 (1) ensure that individuals who are placed in
19 proceedings under section 240 of the Immigration
20 and Nationality Act (8 U.S.C. 1229a) have—

21 (A) unimpaired access to legal counsel, in-
22 cluding prospective legal counsel;

23 (B) opportunities for prospective pro-bono
24 legal counsel to be accessible to such individ-
25 uals; and

1 (C) meaningful opportunities to consult
2 with legal counsel prior to required appearances
3 for such proceedings; and

4 (2) implement a program to conduct a Know
5 Your Rights presentation for all individuals who
6 are—

7 (A) presenting for immigration hearings at
8 land ports of entry; and

9 (B) placed into expedited removal pro-
10 ceedings under section 235 of the Immigration
11 and Nationality Act (8 U.S.C. 1225(b)(1)) who
12 indicate an intention to apply for asylum or a
13 fear of persecution.

14 (b) Not later than 30 days after the date of enact-
15 ment of this Act, the Secretary and the Director of the
16 Office of Civil Rights and Civil Liberties shall each certify
17 to the Committees on Appropriations of the Senate and
18 the House of Representatives as to whether the require-
19 ments under subsection (a) have been satisfied.

20 SEC. 219. (a) Notwithstanding section 236(c) of the
21 Immigration and Nationality Act (8 U.S.C. 1226(c)), no
22 Federal funds may be used by the Department of Home-
23 land Security to detain an individual for more than 20
24 days unless such individual is determined by the Director
25 of U.S. Immigration and Customs Enforcement, following

1 an individualized assessment, to pose a threat to public
2 safety or to be a flight risk.

3 (b) In the case of an individual who self-identifies as
4 transgender—

5 (1) the assessment described in subsection (a)
6 shall require the concurrence of the Immigration De-
7 tention Ombudsman; and

8 (2) the maximum period of detention described
9 in subsection (a) may not exceed 5 days.

10 (c) Notwithstanding subsections (a) and (b), no Fed-
11 eral funds may be obligated to detain an individual who
12 self-identifies as transgender in any facility that is not
13 contractually obligated to meet, at a minimum, the re-
14 quirements described in Attachment 1 of the June 19,
15 2015, U.S. Immigration and Customs Enforcement
16 memorandum entitled, “Further Guidance Regarding the
17 Care of Transgender Individuals” unless such individual
18 declines placement in such a facility after being informed
19 of the opportunity to do so.

20 (d) Not later than 30 days after the date of enact-
21 ment of this Act, the Director shall provide the Commit-
22 tees on Appropriations of the Senate and the House of
23 Representatives the defined metrics used to make such as-
24 sessments.

1 SEC. 220. (a) None of the funds provided under the
2 heading “U.S. Immigration and Customs Enforcement—
3 Operations and Support” may be used to engage in civil
4 immigration enforcement activities, such as arrests, deten-
5 tions, removals, or the processing or issuance of charging
6 documents, using Homeland Security Investigations per-
7 sonnel or resources absent probable cause that the indi-
8 vidual facing such enforcement action has committed a
9 criminal offense not solely related to migration or immi-
10 gration status.

11 (b) For purposes of this section, criminal offenses
12 solely related to migration or immigration status include
13 any offense for which penalties may be imposed pursuant
14 to sections 243, 264, 266(a) or (b), 275, or 276 of the
15 Immigration and Nationality Act.

16 SEC. 221. No Federal funds may be used for the de-
17 tention or removal of any alien until there is a final denial
18 of the alien’s application for status after the exhaustion
19 of administrative and judicial review, if such individual—

20 (1) has a pending application under section
21 101(a)(15)(T), 101(a)(15)(U), 106, 240A(b)(2), or
22 244(a)(3) (as in effect on March 31, 1997) of the
23 Immigration and Nationality Act; or

24 (2) is a VAWA self-petitioner, as defined in sec-
25 tion 101(a)(51) of the Immigration and Nationality

1 Act, with a pending application for relief under a
2 provision referred to in one of subparagraphs (A)
3 through (G) of such section, or section
4 101(a)(27)(J) of such Act.

5 SEC. 222. Members of the United States House of
6 Representatives and the United States Senate, including
7 the leadership; the heads of Federal agencies and commis-
8 sions, including the Secretary, Deputy Secretary, Under
9 Secretaries, and Assistant Secretaries of the Department
10 of Homeland Security; the United States Attorney Gen-
11 eral, Deputy Attorney General, Assistant Attorneys Gen-
12 eral, and the United States Attorneys; and senior mem-
13 bers of the Executive Office of the President, including
14 the Director of the Office of Management and Budget,
15 shall not be exempt from Federal passenger and baggage
16 screening.

17 SEC. 223. Any award by the Transportation Security
18 Administration to deploy explosives detection systems
19 shall be based on risk, the airport's current reliance on
20 other screening solutions, lobby congestion resulting in in-
21 creased security concerns, high injury rates, airport readi-
22 ness, and increased cost effectiveness.

23 SEC. 224. Notwithstanding section 44923 of title 49,
24 United States Code, for fiscal year 2020, any funds in
25 the Aviation Security Capital Fund established by section

1 44923(h) of title 49, United States Code, may be used
2 for the procurement and installation of explosives detec-
3 tion systems or for the issuance of other transaction agree-
4 ments for the purpose of funding projects described in sec-
5 tion 44923(a) of such title.

6 SEC. 225. Not later than 30 days after the submis-
7 sion of the President's budget proposal, the Administrator
8 of the Transportation Security Administration shall sub-
9 mit to the Committees on Appropriations and Commerce,
10 Science, and Transportation of the Senate and the Com-
11 mittees on Appropriations and Homeland Security in the
12 House of Representatives a single report that fulfills the
13 following requirements:

14 (1) a Capital Investment Plan (CIP) that in-
15 cludes a plan for continuous and sustained capital
16 investment in new, and the replacement of aged,
17 transportation security equipment;

18 (2) the 5-year technology investment plan as re-
19 quired by section 1611 of title XVI of the Homeland
20 Security Act of 2002, as amended by section 3 of
21 the Transportation Security Acquisition Reform Act
22 (Public Law 113–245); and

23 (3) the Advanced Integrated Passenger Screen-
24 ing Technologies report as required by the Senate
25 Report accompanying the Department of Homeland

1 Security Appropriations Act, 2019 (Senate Report
2 115–283).

3 SEC. 226. Section 225 of division A of Public Law
4 116-6 (49 U.S.C. 44901 note; relating to a pilot program
5 for screening outside of an existing primary passenger ter-
6 minal screening area) is amended in subsection (e) by
7 striking “2021” and inserting “2023”.

8 SEC. 227. None of the funds made available by this
9 Act under the heading “Coast Guard—Operations and
10 Support” shall be for expenses incurred for recreational
11 vessels under section 12114 of title 46, United States
12 Code, except to the extent fees are collected from owners
13 of yachts and credited to the appropriation made available
14 by this Act under the heading “Coast Guard—Operations
15 and Support”: *Provided*, That to the extent such fees are
16 insufficient to pay expenses of recreational vessel docu-
17 mentation under such section 12114, and there is a back-
18 log of recreational vessel applications, personnel per-
19 forming non-recreational vessel documentation functions
20 under subchapter II of chapter 121 of title 46, United
21 States Code, may perform documentation under section
22 12114.

23 SEC. 228. Without regard to section 503 of this Act,
24 up to \$10,000,000 may be reprogrammed to or from the
25 Military Pay and Allowances funding category within

1 “Coast Guard—Operations and Support” if the Secretary
2 notifies the Committees on Appropriations of the Senate
3 and the House of Representatives not less than 15 days
4 in advance of such reprogramming.

5 SEC. 229. Notwithstanding any other provision of
6 law, the Commandant of the Coast Guard shall submit
7 to the Committees on Appropriations of the Senate and
8 the House of Representatives a future-years capital invest-
9 ment plan as described in the second proviso under the
10 heading “Coast Guard—Acquisition, Construction, and
11 Improvements” in the Department of Homeland Security
12 Appropriations Act, 2015 (Public Law 114–4), which shall
13 be subject to the requirements in the third and fourth pro-
14 visos under such heading.

15 SEC. 230. Funds made available for Overseas Contin-
16 gency Operations/Global War on Terrorism under the
17 heading “Coast Guard—Operations and Support” may be
18 allocated by program, project, and activity, notwith-
19 standing section 503 of this Act.

20 SEC. 231. Amounts deposited into the Coast Guard
21 Housing Fund in fiscal year 2021 shall be available until
22 expended to carry out the purposes of section 2946 of title
23 14, United States Code, and shall be in addition to funds
24 otherwise available for such purposes.

1 SEC. 232. The United States Secret Service is au-
2 thORIZED to obligate funds in anticipation of reimburse-
3 ments from executive agencies, as defined in section 105
4 of title 5, United States Code, for personnel receiving
5 training sponsored by the James J. Rowley Training Cen-
6 ter, except that total obligations at the end of the fiscal
7 year shall not exceed total budgetary resources available
8 under the heading “United States Secret Service—Oper-
9 ations and Support” at the end of the fiscal year.

10 SEC. 233. None of the funds made available to the
11 United States Secret Service by this Act or by previous
12 appropriations Acts may be made available for the protec-
13 tion of the head of a Federal agency other than the Sec-
14 retary of Homeland Security: *Provided*, That the Director
15 of the United States Secret Service may enter into agree-
16 ments to provide such protection on a fully reimbursable
17 basis.

18 SEC. 234. Notwithstanding section 503 of this Act,
19 up to \$15,000,000 may be reprogrammed within “United
20 States Secret Service—Operations and Support” if the
21 Secretary notifies the Committees on Appropriations of
22 the Senate and the House of Representatives not less than
23 15 days in advance of such reprogramming.

24 SEC. 235. Funding made available in this Act for
25 “United States Secret Service—Operations and Support”

1 is available for travel of United States Secret Service em-
2 ployees on protective missions without regard to the limi-
3 tations on such expenditures in this or any other Act if
4 the Director of the United States Secret Service or a des-
5 ignee notifies the Committees on Appropriations of the
6 Senate and the House of Representatives 10 or more days
7 in advance, or as early as practicable, prior to such ex-
8 penditures.

9 SEC. 236. (a) Not later than 30 days after the date
10 of enactment of this Act and updated semi-monthly there-
11 after, the Secretary shall make available a report on a
12 publicly accessible website in a downloadable, searchable,
13 and sortable format that includes not less than the pre-
14 vious 12 months of data, as of the last date of each such
15 reporting period, on all requests to any law enforcement
16 component of the Department of Homeland Security for
17 law enforcement support in the form of personnel, aircraft,
18 equipment, or any other assets, which shall include each
19 of the following for each requesting entity:

- 20 (1) The name of the entity;
- 21 (2) The purposes for which support is re-
22 quested;
- 23 (3) The numbers of personnel and the cat-
24 egories and numbers of assets requested;
- 25 (4) The duration of the requested support;

1 (5) Whether the requested support was pro-
2 vided;

3 (6) The departmental official who approved pro-
4 viding such support;

5 (7) The dates and descriptions of any support
6 provided;

7 (8) The cost of providing such support; and

8 (9) Whether the support is subject to reim-
9 bursement by the requesting entity.

10 (b) The reporting requirements in subsection (a) shall
11 apply to requests from—

12 (1) Non-Federal law enforcement components;
13 and

14 (2) Federal law enforcement entities, including
15 other such entities of the Department of Homeland
16 Security.

17 SEC. 237. No Federal funds may be made available
18 to modify or revoke the U.S. Immigration and Customs
19 Enforcement guidance entitled “COVID-19: Guidance for
20 SEVP Stakeholders”, issued March 13, 2020, with respect
21 to the maintenance of or eligibility for a nonimmigrant
22 status, including an application for nonimmigrant status
23 under subparagraph (F) or (M) of section 101(a)(15) of
24 the Immigration and Nationality Act (8 U.S.C.
25 1101(a)(15)).

1 SEC. 238. None of the amounts appropriated or oth-
2 erwise made available by this Act to U.S. Immigrations
3 and Customs Enforcement for enforcement and removal
4 operations may be made available to operate a citizen
5 academy program.

6 SEC. 239. (a) Upon receipt of a written request by
7 a relevant committee for an investigative report relating
8 to an alien beneficiary of a private bill that has been intro-
9 duced in the Senate or the House of Representatives, the
10 Secretary of Homeland Security shall immediately stay the
11 removal of such alien, and such stay of removal shall re-
12 main in effect until the earlier of—

13 (1) March 15 of the congressional term that
14 commences after the term in which the private bill
15 is introduced; or

16 (2) the date that the relevant committee noti-
17 fies the Secretary of Homeland Security that the bill
18 is no longer under consideration.

19 (b) For purposes of subsection (a), the term “relevant
20 committee” means—

21 (1) the Committee on the Judiciary of the
22 House of Representatives;

23 (2) the Committee on the Judiciary of the Sen-
24 ate; or

1 (3) a subcommittee of a committee identified in
2 paragraph (1) or (2) with jurisdiction over private
3 legislation.

4 (c) This section shall take effect on the date of the
5 enactment of this Act and shall apply to any alien bene-
6 ficiary of a private bill for whom an investigative report
7 was requested on or after January 3, 2019.

8 TITLE III

9 PROTECTION, PREPAREDNESS, RESPONSE, AND

10 RECOVERY

11 CYBERSECURITY AND INFRASTRUCTURE SECURITY

12 AGENCY

13 OPERATIONS AND SUPPORT

14 For necessary expenses of the Cybersecurity and In-
15 frastructure Security Agency for operations and support,
16 \$1,843,891,000, of which \$27,849,000 shall remain avail-
17 able until September 30, 2022: *Provided*, That not to ex-
18 ceed \$3,825 shall be for official reception and representa-
19 tion expenses.

20 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

21 For necessary expenses of the Cybersecurity and In-
22 frastructure Security Agency for procurement, construc-
23 tion, and improvements, \$396,425,000, to remain avail-
24 able until September 30, 2023.

1 RESEARCH AND DEVELOPMENT

2 For necessary expenses of the Cybersecurity and In-
3 frastructure Security Agency for research and develop-
4 ment, \$14,431,000, to remain available until September
5 30, 2022.

6 FEDERAL EMERGENCY MANAGEMENT AGENCY

7 OPERATIONS AND SUPPORT

8 For necessary expenses of the Federal Emergency
9 Management Agency for operations and support,
10 \$1,155,750,000: *Provided*, That not to exceed \$2,250
11 shall be for official reception and representation expenses.

12 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

13 For necessary expenses of the Federal Emergency
14 Management Agency for procurement, construction, and
15 improvements, \$122,353,000, of which \$61,237,000 shall
16 remain available until September 30, 2023, and of which
17 \$61,116,000 shall remain available until September 30,
18 2025.

19 FEDERAL ASSISTANCE

20 For activities of the Federal Emergency Management
21 Agency for Federal assistance through grants, contracts,
22 cooperative agreements, and other activities,
23 \$3,662,369,000, which shall be allocated as follows:

24 (1) \$700,000,000 for the State Homeland Secu-
25 rity Grant Program under section 2004 of the

1 Homeland Security Act of 2002 (6 U.S.C. 605), of
2 which \$90,000,000 shall be for Operation
3 Stonegarden, \$15,000,000 shall be for Tribal Home-
4 land Security Grants under section 2005 of the
5 Homeland Security Act of 2002 (6 U.S.C. 606), and
6 \$180,000,000 shall be for organizations (as de-
7 scribed under section 501(c)(3) of the Internal Rev-
8 enue Code of 1986 and exempt from tax under sec-
9 tion 501(a) of such code) determined by the Sec-
10 retary of Homeland Security to be at high risk of a
11 terrorist attack: *Provided*, That notwithstanding
12 subsection (c)(4) of such section 2004, for fiscal
13 year 2021, the Commonwealth of Puerto Rico shall
14 make available to local and tribal governments
15 amounts provided to the Commonwealth of Puerto
16 Rico under this paragraph in accordance with sub-
17 section (c)(1) of such section 2004.

18 (2) \$795,000,000 for the Urban Area Security
19 Initiative under section 2003 of the Homeland Secu-
20 rity Act of 2002 (6 U.S.C. 604), of which
21 \$180,000,000 shall be for organizations (as de-
22 scribed under section 501(c)(3) of the Internal Rev-
23 enue Code of 1986 and exempt from tax under sec-
24 tion 501(a) of such code) determined by the Sec-

1 retary of Homeland Security to be at high risk of a
2 terrorist attack.

3 (3) \$110,000,000 for Public Transportation Se-
4 curity Assistance, Railroad Security Assistance, and
5 Over-the-Road Bus Security Assistance under sec-
6 tions 1406, 1513, and 1532 of the Implementing
7 Recommendations of the 9/11 Commission Act of
8 2007 (6 U.S.C. 1135, 1163, and 1182), of which
9 \$10,000,000 shall be for Amtrak security and
10 \$3,000,000 shall be for Over-the-Road Bus Security:
11 *Provided*, That such public transportation security
12 assistance shall be provided directly to public trans-
13 portation agencies.

14 (4) \$110,000,000 for Port Security Grants in
15 accordance with section 70107 of title 46, United
16 States Code.

17 (5) \$770,000,000, to remain available until
18 September 30, 2022, of which \$385,000,000 shall be
19 for Assistance to Firefighter Grants and
20 \$385,000,000 shall be for Staffing for Adequate
21 Fire and Emergency Response Grants under sec-
22 tions 33 and 34 respectively of the Federal Fire Pre-
23 vention and Control Act of 1974 (15 U.S.C. 2229
24 and 2229a).

1 (6) \$385,000,000 for emergency management
2 performance grants under the National Flood Insur-
3 ance Act of 1968 (42 U.S.C. 4001 et seq.), the Rob-
4 ert T. Stafford Disaster Relief and Emergency As-
5 sistance Act (42 U.S.C. 5121), the Earthquake Haz-
6 ards Reduction Act of 1977 (42 U.S.C. 7701), sec-
7 tion 762 of title 6, United States Code, and Reorga-
8 nization Plan No. 3 of 1978 (5 U.S.C. App.).

9 (7) \$263,000,000 for necessary expenses for
10 Flood Hazard Mapping and Risk Analysis, in addi-
11 tion to and to supplement any other sums appro-
12 priated under the National Flood Insurance Fund,
13 and such additional sums as may be provided by
14 States or other political subdivisions for cost-shared
15 mapping activities under section 1360(f)(2) of the
16 National Flood Insurance Act of 1968 (42 U.S.C.
17 4101(f)(2)), to remain available until expended.

18 (8) \$150,000,000 for the emergency food and
19 shelter program under title III of the McKinney-
20 Vento Homeless Assistance Act (42 U.S.C. 11331),
21 to remain available until expended: *Provided*, That
22 not to exceed 3.5 percent shall be for total adminis-
23 trative costs.

24 (9) \$75,000,000 for Alternatives to Detention
25 Case Management, to remain available until ex-

1 pended: *Provided*, That such funding shall be award-
2 ed to nonprofit organizations and local governments
3 and administered by a National Board for the pur-
4 poses of providing case management services to any
5 consenting individual enrolled into the U.S. Immi-
6 gration and Customs Enforcement Alternatives to
7 Detention program, including but not limited to:
8 mental health services; human and sex trafficking
9 screening; legal orientation programs; cultural ori-
10 entation programs; connections to social services;
11 and for individuals who will be removed, reintegra-
12 tion services: *Provided further*, That not to exceed
13 3.5 percent shall be for total administrative costs.

14 (10) \$20,000,000 for Targeted Violence and
15 Terrorism Prevention grants.

16 (11) \$284,369,000 to sustain current oper-
17 ations for training, exercises, technical assistance,
18 and other programs.

19 DISASTER RELIEF FUND

20 (INCLUDING TRANSFER OF FUNDS)

21 For necessary expenses in carrying out the Robert
22 T. Stafford Disaster Relief and Emergency Assistance Act
23 (42 U.S.C. 5121 et seq.), \$5,653,366,000, to remain avail-
24 able until expended: *Provided*, That of the amount pro-
25 vided under this heading, \$5,059,949,000 shall be for

1 major disasters declared pursuant to the Robert T. Staf-
2 ford Disaster Relief and Emergency Assistance Act (42
3 U.S.C. 5121 et seq.) and is designated by the Congress
4 as being for disaster relief pursuant to section
5 251(b)(2)(D) of the Balanced Budget and Emergency
6 Deficit Control Act of 1985: *Provided further*, That of the
7 amount in the preceding proviso, \$200,000,000 may be
8 transferred to the Disaster Assistance Direct Loan Pro-
9 gram Account for the cost of direct loans as authorized
10 under section 417 of the Robert T. Stafford Disaster Re-
11 lief and Emergency Assistance Act (42 U.S.C. 5184), in-
12 cluding loans issued pursuant to section 312 of this Act
13 and loan cancellations provided for in this title, of which
14 \$3,000,000 is for administrative expenses.

15 NATIONAL FLOOD INSURANCE FUND

16 For activities under the National Flood Insurance
17 Act of 1968 (42 U.S.C. 4001 et seq.), the Flood Disaster
18 Protection Act of 1973 (42 U.S.C. 4001 et seq.), the
19 Biggert-Waters Flood Insurance Reform Act of 2012
20 (Public Law 112–141, 126 Stat. 916), and the Home-
21 owner Flood Insurance Affordability Act of 2014 (Public
22 Law 113–89; 128 Stat. 1020), \$204,412,000, to remain
23 available until September 30, 2022, which shall be derived
24 from offsetting amounts collected under section 1308(d)
25 of the National Flood Insurance Act of 1968 (42 U.S.C.

1 4015(d)); of which \$13,906,000 shall be available for mis-
2 sion support associated with flood management; and of
3 which \$190,506,000 shall be available for flood plain man-
4 agement and flood mapping: *Provided*, That any addi-
5 tional fees collected pursuant to section 1308(d) of the
6 National Flood Insurance Act of 1968 (42 U.S.C.
7 4015(d)) shall be credited as offsetting collections to this
8 account, to be available for flood plain management and
9 flood mapping: *Provided further*, That in fiscal year 2021,
10 no funds shall be available from the National Flood Insur-
11 ance Fund under section 1310 of the National Flood In-
12 surance Act of 1968 (42 U.S.C. 4017) in excess of—

13 (1) \$189,021,000 for operating expenses and
14 salaries and expenses associated with flood insurance
15 operations;

16 (2) \$1,156,000,000 for commissions and taxes
17 of agents;

18 (3) such sums as are necessary for interest on
19 Treasury borrowings; and

20 (4) \$175,000,000, which shall remain available
21 until expended, for flood mitigation actions and for
22 flood mitigation assistance under section 1366 of the
23 National Flood Insurance Act of 1968 (42 U.S.C.
24 4104c), notwithstanding sections 1366(e) and
25 1310(a)(7) of such Act (42 U.S.C. 4104c(e), 4017):

1 *Provided further*, That the amounts collected under section
2 102 of the Flood Disaster Protection Act of 1973 (42
3 U.S.C. 4012a) and section 1366(e) of the National Flood
4 Insurance Act of 1968 (42 U.S.C. 4104c(e)), shall be de-
5 posited in the National Flood Insurance Fund to supple-
6 ment other amounts specified as available for section 1366
7 of the National Flood Insurance Act of 1968, notwith-
8 standing section 102(f)(8), section 1366(e) of the National
9 Flood Insurance Act of 1968, and paragraphs (1) through
10 (3) of section 1367(b) of such Act (42 U.S.C. 4012a(f)(8),
11 4104c(e), 4104d(b)(1)–(3)): *Provided further*, That total
12 administrative costs shall not exceed 4 percent of the total
13 appropriation: *Provided further*, That up to \$5,000,000 is
14 available to carry out section 24 of the Homeowner Flood
15 Insurance Affordability Act of 2014 (42 U.S.C. 4033).

16 ADMINISTRATIVE PROVISIONS

17 SEC. 301. Notwithstanding section 2008(a)(12) of
18 the Homeland Security Act of 2002 (6 U.S.C. 609(a)(12))
19 or any other provision of law, not more than 5 percent
20 of the amount of a grant made available in paragraphs
21 (1) through (4) under “Federal Emergency Management
22 Agency—Federal Assistance”, may be used by the grantee
23 for expenses directly related to administration of the
24 grant.

1 SEC. 302. Applications for grants under the heading
2 “Federal Emergency Management Agency—Federal As-
3 sistance”, for paragraphs (1) through (4), shall be made
4 available to eligible applicants not later than 60 days after
5 the date of enactment of this Act, eligible applicants shall
6 submit applications not later than 80 days after the grant
7 announcement, and the Administrator of the Federal
8 Emergency Management Agency shall act within 65 days
9 after the receipt of an application.

10 SEC. 303. Under the heading “Federal Emergency
11 Management Agency—Federal Assistance”, for grants
12 under paragraphs (1) through (4), the Administrator of
13 the Federal Emergency Management Agency shall brief
14 the Committees on Appropriations of the Senate and the
15 House of Representatives 5 full business days in advance
16 of announcing publicly the intention of making an award.

17 SEC. 304. Under the heading “Federal Emergency
18 Management Agency—Federal Assistance”, for grants
19 under paragraphs (1) and (2), the installation of commu-
20 nications towers is not considered construction of a build-
21 ing or other physical facility.

22 SEC. 305. The reporting requirements in paragraphs
23 (1) and (2) under the heading “Federal Emergency Man-
24 agement Agency—Disaster Relief Fund” in the Depart-
25 ment of Homeland Security Appropriations Act, 2015

1 (Public Law 114–4) shall be applied in fiscal year 2021
2 with respect to budget year 2022 and current fiscal year
3 2021, respectively—

4 (1) in paragraph (1) by substituting “fiscal
5 year 2022” for “fiscal year 2016”; and

6 (2) in paragraph (2) by inserting “business”
7 after “fifth”.

8 SEC. 306. In making grants under the heading “Fed-
9 eral Emergency Management Agency—Federal Assist-
10 ance”, for Staffing for Adequate Fire and Emergency Re-
11 sponse grants, the Administrator of the Federal Emer-
12 gency Management Agency shall grant waivers from the
13 requirements in subsections (a)(1)(A), (a)(1)(B),
14 (a)(1)(E), (c)(1), (c)(2), and (c)(4) of section 34 of the
15 Federal Fire Prevention and Control Act of 1974 (15
16 U.S.C. 2229a).

17 SEC. 307. The aggregate charges assessed during fis-
18 cal year 2021, as authorized in title III of the Depart-
19 ments of Veterans Affairs and Housing and Urban Devel-
20 opment, and Independent Agencies Appropriations Act,
21 1999 (42 U.S.C. 5196e), shall not be less than 100 per-
22 cent of the amounts anticipated by the Department of
23 Homeland Security to be necessary for its Radiological
24 Emergency Preparedness Program for the next fiscal year:
25 *Provided*, That the methodology for assessment and collec-

1 tion of fees shall be fair and equitable and shall reflect
2 costs of providing such services, including administrative
3 costs of collecting such fees: *Provided further*, That such
4 fees shall be deposited in a Radiological Emergency Pre-
5 paredness Program account as offsetting collections and
6 will become available for authorized purposes on October
7 1, 2021, and remain available until expended.

8 SEC. 308. (a) Any balances of funds appropriated in
9 any prior Act for activities funded by National Pre-disaster
10 Mitigation Fund under section 203 of the Robert T Staf-
11 ford Disaster Relief and Emergency Assistance Act (42
12 USC 5133)(as in effect on the day before the date of en-
13 actment of section 1234 of division D of Public Law 115-
14 254) may be transferred to and merged for all purposes
15 with the funds set aside pursuant to subsection (i)(1) of
16 section 203 of the Robert T. Stafford Disaster Relief and
17 Emergency Assistance Act, (42 USC 5133) as in effect
18 on the date of the enactment of this section.

19 (b) The transfer authorized in subsection (a) may not
20 occur until the Administrator of the Federal Emergency
21 Management Agency submits to the Committees on Ap-
22 propriations of the Senate and the House of Representa-
23 tives a plan for the obligation of funds pursuant to such
24 subsection (i)(1), including the criteria to be used for

1 awarding grants and a process for tracking the obligation
2 of such transferred funds.

3 SEC. 309. In making grants under the heading “Fed-
4 eral Emergency Management Agency—Federal Assist-
5 ance”, for Assistance to Firefighter Grants, the Adminis-
6 trator of the Federal Emergency Management Agency
7 shall waive subsection (k) of section 33 of the Federal Fire
8 Prevention and Control Act of 1974 (15 USC 2229).

9 SEC. 310. Funds made available under the heading
10 “Cybersecurity and Infrastructure Security Agency—Op-
11 erations and Support” may be made available for the nec-
12 essary expenses of carrying out the competition specified
13 in section 2(e) of Executive Order No. 13870 (May 2,
14 2019), including the provision of monetary and non-mone-
15 tary awards for Federal civilian employees and members
16 of the uniformed services, the necessary expenses for the
17 honorary recognition of any award recipients, and activi-
18 ties to encourage participation in the competition, includ-
19 ing promotional items: *Provided*, That any awards made
20 pursuant to this section shall be of the same type and
21 amount as those authorized under sections 4501 through
22 4505 of title 5, United States Code.

23 SEC. 311. The Administrator of the Federal Emer-
24 gency Management Agency shall reconsider any re-sub-
25 mission of a request for assistance under section 408 of

1 the Robert T. Stafford Disaster Relief and Emergency As-
2 sistance Act (42 U.S.C. 5174) related to the removal of
3 debris from an owner-occupied private residence or prop-
4 erty for a major disaster declared by the President in ac-
5 cordance with such Act on or after May 1, 2018, and be-
6 fore September 30, 2020, as if such submission were made
7 within the time limit in section 206.40(d) of title 44, Code
8 of Federal Regulations.

9 SEC. 312. (a) For major disasters declared in 2018
10 pursuant to the Robert T. Stafford Disaster Relief and
11 Emergency Assistance Act (42 U.S.C. 5170), a territory
12 or possession of the United States shall be deemed to be
13 a local government for purposes of section 417 of such
14 Act (42 U.S.C. 5184) and section 206.361(a) of title 44,
15 Code of Federal Regulations.

16 (b) Notwithstanding section 206.361(a) of title 44,
17 Code of Federal Regulations, the President may provide
18 a loan until the last day of the fiscal year that is 3 fiscal
19 years after the fiscal year in which the natural disaster
20 described in such subsection occurs.

21 (c) Notwithstanding section 417(b) of such Act and
22 section 206.361(b) of title 44, Code of Federal Regula-
23 tions, the amount of any loan issued to a territory or pos-
24 session may—

25 (1) exceed \$5,000,000; and

1 (2) may be based on the projected loss of tax
2 and other revenues and on projected cash outlays
3 not previously budgeted for a period not to exceed
4 one year beginning on the date that the major dis-
5 aster occurred.

6 SEC. 313. Repayments of the remaining balances of
7 all loans, as of September 30, 2020, by the Federal Emer-
8 gency Management Agency under section 417 the Robert
9 T. Stafford Disaster Relief and Emergency Assistance Act
10 (42 U.S.C. 5184) are hereby canceled.

11 SEC. 314. (a) Subtitle A of title XXII of the Home-
12 land Security Act of 2002 (6 U.S.C. 651 et seq.) is amend-
13 ed by adding at the end the following new section:

14 **“SEC. 2215. CYBERSECURITY ADVISORY COMMITTEE.**

15 “(a) ESTABLISHMENT.—The Secretary shall estab-
16 lish within the Agency a Cybersecurity Advisory Com-
17 mittee (referred to in this section as the ‘Advisory Com-
18 mittee’).

19 “(b) DUTIES.—

20 “(1) IN GENERAL.—The Advisory Committee
21 may advise, consult with, report to, and make rec-
22 ommendations to the Director, as appropriate, on
23 the development, refinement, and implementation of
24 policies, programs, planning, and training pertaining
25 to the cybersecurity mission of the Agency.

1 “(2) RECOMMENDATIONS.—

2 “(A) IN GENERAL.—The Advisory Com-
3 mittee shall develop, at the request of the Di-
4 rector, recommendations for improvements to
5 advance the cybersecurity mission of the Agency
6 and strengthen the cybersecurity of the United
7 States.

8 “(B) RECOMMENDATIONS OF SUBCOMMIT-
9 TEES.—Recommendations agreed upon by sub-
10 committees established under subsection (d) for
11 any year shall be approved by the Advisory
12 Committee before the Advisory Committee sub-
13 mits to the Director the annual report under
14 paragraph (4) for that year.

15 “(3) PERIODIC REPORTS.—The Advisory Com-
16 mittee shall periodically submit to the Director—

17 “(A) reports on matters identified by the
18 Director; and

19 “(B) reports on other matters identified by
20 a majority of the members of the Advisory
21 Committee.

22 “(4) ANNUAL REPORT.—

23 “(A) IN GENERAL.—The Advisory Com-
24 mittee shall submit to the Director an annual
25 report providing information on the activities,

1 findings, and recommendations of the Advisory
2 Committee, including its subcommittees, for the
3 preceding year.

4 “(B) PUBLICATION.—Not later than 180
5 days after the date on which the Director re-
6 ceives an annual report for a year under sub-
7 paragraph (A), the Director shall publish a
8 public version of the report describing the ac-
9 tivities of the Advisory Committee and such re-
10 lated matters as would be informative to the
11 public during that year, consistent with section
12 552(b) of title 5, United States Code.

13 “(5) FEEDBACK.—Not later than 90 days after
14 receiving any recommendation submitted by the Ad-
15 visory Committee under paragraph (2), (3), or (4),
16 the Director shall respond in writing to the Advisory
17 Committee with feedback on the recommendation.
18 Such a response shall include—

19 “(A) with respect to any recommendation
20 with which the Director concurs, an action plan
21 to implement the recommendation; and

22 “(B) with respect to any recommendation
23 with which the Director does not concur, a jus-
24 tification for why the Director does not plan to
25 implement the recommendation.

1 “(6) CONGRESSIONAL NOTIFICATION.—Not
2 later than 45 days after the date of the President’s
3 budget submission to Congress, the Director shall
4 provide to the Committee on Homeland Security and
5 Governmental Affairs and the Committee on Appro-
6 priations of the Senate and the Committee on
7 Homeland Security and the Committee on Appro-
8 priations of the House of Representatives a briefing
9 on feedback from the Advisory Committee.

10 “(c) MEMBERSHIP.—

11 “(1) APPOINTMENT.—

12 “(A) IN GENERAL.—Not later than 180
13 days after the date of the enactment of this sec-
14 tion, the Director shall appoint the members of
15 the Advisory Committee.

16 “(B) COMPOSITION.—The membership of
17 the Advisory Committee shall consist of not
18 more than 35 individuals.

19 “(C) REPRESENTATION.—

20 “(i) IN GENERAL.—The membership
21 of the Advisory Committee shall be geo-
22 graphically balanced and shall include rep-
23 resentatives of State and local governments
24 and of a broad range of industries, which
25 may include the following:

- 1 “(I) Defense.
- 2 “(II) Education.
- 3 “(III) Financial services and in-
- 4 surance.
- 5 “(IV) Healthcare.
- 6 “(V) Manufacturing.
- 7 “(VI) Media and entertainment.
- 8 “(VII) Chemicals.
- 9 “(VIII) Retail.
- 10 “(IX) Transportation.
- 11 “(X) Energy.
- 12 “(XI) Information Technology.
- 13 “(XII) Communications.
- 14 “(XIII) Public works.
- 15 “(XIV) Cybersecurity research
- 16 community.
- 17 “(XV) Privacy policy organiza-
- 18 tions.
- 19 “(XVI) Other relevant field iden-
- 20 tified by the Director.
- 21 “(ii) PROHIBITION.—Not more than
- 22 three members may represent any one cat-
- 23 egory under clause (i).
- 24 “(2) TERM OF OFFICE.—

1 “(A) TERMS.—The term of each member
2 of the Advisory Committee shall be two years,
3 except that a member may continue to serve
4 until a successor is appointed.

5 “(B) REMOVAL.—The Director may review
6 the participation of a member of the Advisory
7 Committee and remove such member any time
8 at the discretion of the Director.

9 “(C) REAPPOINTMENT.—A member of the
10 Advisory Committee may be reappointed for an
11 unlimited number of terms.

12 “(3) PROHIBITION ON COMPENSATION.—The
13 members of the Advisory Committee may not receive
14 pay or benefits from the United States Government
15 by reason of their service on the Advisory Com-
16 mittee.

17 “(4) MEETINGS.—

18 “(A) IN GENERAL.—The Director shall re-
19 quire the Advisory Committee to meet not less
20 frequently than semiannually, and may convene
21 additional meetings as necessary.

22 “(B) PUBLIC MEETINGS.—At least one of
23 the meetings referred to in subparagraph (A)
24 shall be open to the public.

1 “(C) ATTENDANCE.—The Advisory Com-
2 mittee shall maintain a record of the persons
3 present at each meeting.

4 “(5) MEMBER ACCESS TO CLASSIFIED AND DE-
5 LIBERATIVE BUDGET INFORMATION.—

6 “(A) IN GENERAL.—Not later than 60
7 days after the date on which a member is first
8 appointed to the Advisory Committee and be-
9 fore the member is granted access to any classi-
10 fied and deliberative budget information, the
11 Director shall determine if the member should
12 be restricted from reviewing, discussing, or pos-
13 sessing such information.

14 “(B) ACCESS.—Access to classified mate-
15 rials shall be managed in accordance with Exec-
16 utive Order No. 13526 of December 29, 2009
17 (75 Fed. Reg 707), or any subsequent cor-
18 responding Executive Order.

19 “(C) PROTECTIONS.—A member of the
20 Advisory Committee shall protect all classified
21 information in accordance with the applicable
22 requirements for the particular level of classi-
23 fication of such information.

24 “(D) BUDGET INFORMATION.—A member
25 of the Advisory Committee shall be permitted

1 access, as appropriate, to five-year deliberative
2 budget data, analysis, and any other underlying
3 materials information that is considered during
4 the annual budget development process and
5 shall protect such information in the same man-
6 ner and with the same regard as agency per-
7 sonnel.

8 “(6) CHAIRPERSON.—The Advisory Committee
9 shall select, from among the members of the Advi-
10 sory Committee—

11 “(A) a member to serve as chairperson of
12 the Advisory Committee; and

13 “(B) a member to serve as chairperson of
14 each subcommittee of the Advisory Committee
15 established under subsection (d).

16 “(d) SUBCOMMITTEES.—

17 “(1) IN GENERAL.—The Director shall establish
18 subcommittees within the Advisory Committee to ad-
19 dress cybersecurity issues, which may include the
20 following:

21 “(A) Information exchange.

22 “(B) Critical infrastructure.

23 “(C) Risk management.

24 “(D) Public and private partnerships.

1 “(E) State, local, tribal, and territorial
2 governments.

3 “(F) Citizen engagement.

4 “(2) MEETINGS AND REPORTING.—Each sub-
5 committee shall meet not less frequently than semi-
6 annually, and submit to the Advisory Committee for
7 inclusion in the annual report required under sub-
8 section (b)(4) information, including activities, find-
9 ings, and recommendations, regarding subject mat-
10 ter considered by the subcommittee.

11 “(3) SUBJECT MATTER EXPERTS.—The chair of
12 the Advisory Committee shall appoint members to
13 subcommittees and shall ensure that each member
14 appointed to a subcommittee has subject matter ex-
15 pertise relevant to the subject matter of the sub-
16 committee.

17 “(e) NONAPPLICABILITY OF FACA.—The Federal
18 Advisory Committee Act (5 U.S.C. App.) shall not apply
19 to the Advisory Committee and its subcommittees”.

20 “(b) CLERICAL AMENDMENT.—The table of contents
21 in section 1(b) of the Homeland Security Act of 2002 is
22 amended by inserting after the item relating to section
23 2214 the following new item:

24 “2215. Cybersecurity Advisory Committee.”

1 TITLE IV
2 RESEARCH, DEVELOPMENT, TRAINING, AND
3 SERVICES

4 U.S. CITIZENSHIP AND IMMIGRATION SERVICES
5 OPERATIONS AND SUPPORT

6 For necessary expenses of U.S. Citizenship and Im-
7 migration Services for operations and support of the E-
8 Verify Program, \$163,949,000.

9 FEDERAL ASSISTANCE

10 For necessary expenses of U.S. Citizenship and Im-
11 migration Services for Federal assistance for the Citizen-
12 ship and Integration Grant Program, \$20,000,000.

13 FEDERAL LAW ENFORCEMENT TRAINING CENTERS
14 OPERATIONS AND SUPPORT

15 For necessary expenses of the Federal Law Enforce-
16 ment Training Centers for operations and support, includ-
17 ing the purchase of not to exceed 117 vehicles for police-
18 type use and hire of passenger motor vehicles, and services
19 as authorized by section 3109 of title 5, United States
20 Code, \$317,945,000, of which \$54,283,000 shall remain
21 available until September 30, 2022: *Provided*, That not
22 to exceed \$7,180 shall be for official reception and rep-
23 resentation expenses.

1 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

2 For necessary expenses of the Federal Law Enforce-
3 ment Training Centers for procurement, construction, and
4 improvements, \$26,000,000, to remain available until Sep-
5 tember 30, 2023, for acquisition of necessary additional
6 real property and facilities, construction and ongoing
7 maintenance, facility improvements and related expenses
8 of the Federal Law Enforcement Training Center.

9 SCIENCE AND TECHNOLOGY DIRECTORATE

10 OPERATIONS AND SUPPORT

11 For necessary expenses of the Science and Tech-
12 nology Directorate for operations and support, including
13 the purchase or lease of not to exceed 5 vehicles,
14 \$303,162,000, of which \$180,204,000 shall remain avail-
15 able until September 30, 2022: *Provided*, That not to ex-
16 ceed \$10,000 shall be for official reception and representa-
17 tion expenses.

18 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

19 For necessary expenses of the Science and Tech-
20 nology Directorate for procurement, construction, and im-
21 provements, \$18,927,000 to remain available until Sep-
22 tember 30, 2025.

23 RESEARCH AND DEVELOPMENT

24 For necessary expenses of the Science and Tech-
25 nology Directorate for research and development,

1 \$433,222,000, to remain available until September 30,
2 2023.

3 COUNTERING WEAPONS OF MASS DESTRUCTION OFFICE
4 OPERATIONS AND SUPPORT

5 For necessary expenses of the Countering Weapons
6 of Mass Destruction Office for operations and support,
7 \$179,977,000: *Provided*, That not to exceed \$2,250 shall
8 be for official reception and representation expenses.

9 PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

10 For necessary expenses of the Countering Weapons
11 of Mass Destruction Office for procurement, construction,
12 and improvements, \$87,413,000, to remain available until
13 September 30, 2023.

14 RESEARCH AND DEVELOPMENT

15 For necessary expenses of the Countering Weapons
16 of Mass Destruction Office for research and development,
17 \$58,209,000, to remain available until September 30,
18 2023.

19 FEDERAL ASSISTANCE

20 For necessary expenses of the Countering Weapons
21 of Mass Destruction Office for Federal assistance through
22 grants, contracts, cooperative agreements, and other ac-
23 tivities, \$69,663,000, to remain available until September
24 30, 2023.

1 ADMINISTRATIVE PROVISIONS

2 SEC. 401. Notwithstanding any other provision of
3 law, funds otherwise made available to U.S. Citizenship
4 and Immigration Services may be used to acquire, operate,
5 equip, and dispose of up to 5 vehicles, for replacement
6 only, for areas where the Administrator of General Serv-
7 ices does not provide vehicles for lease: *Provided*, That the
8 Director of U.S. Citizenship and Immigration Services
9 may authorize employees who are assigned to those areas
10 to use such vehicles to travel between the employees' resi-
11 dences and places of employment.

12 SEC. 402. None of the funds appropriated by this Act
13 may be used to process or approve a competition under
14 Office of Management and Budget Circular A-76 for serv-
15 ices provided by employees (including employees serving
16 on a temporary or term basis) of U.S. Citizenship and Im-
17 migration Services of the Department of Homeland Secu-
18 rity who are known as Immigration Information Officers,
19 Immigration Service Analysts, Contact Representatives,
20 Investigative Assistants, or Immigration Services Officers.

21 SEC. 403. (a) Notwithstanding section 286(n) of the
22 Immigration and Nationality Act (8 U.S.C. 1356(n)), not
23 more than \$1,855,000 shall be available for the Office of
24 the Director of U.S. Citizenship and Immigration Services
25 during fiscal year 2021.

1 (b) Of the amount made available under subsection
2 (a), \$50,000 shall be withheld from obligation and expend-
3 iture until each of the reports and briefings required under
4 the heading, “U.S. Citizenship and Immigration Services”
5 in the explanatory statement accompanying Public Law
6 116–93 and the report accompanying this Act have been
7 provided.

8 SEC. 404. Section 403 of the Department of Home-
9 land Security Appropriations Act, 2020 (division D of
10 Public Law 116–93) shall continue in effect during fiscal
11 year 2021, except that such section shall be applied by
12 substituting “15 days after the date of enactment of this
13 Act” for “30 days after the date of enactment of this
14 Act”.

15 SEC. 405. None of the funds deposited into the Immi-
16 gration Examinations Fee Account pursuant to section
17 286(m) of the Immigration and Nationality Act (8 U.S.C.
18 1356(m)) may be made available for activities for which
19 specific amounts are made available by this Act unless
20 such deposited funds were obligated for such activities in
21 fiscal year 2020.

22 SEC. 406. The Director of the Federal Law Enforce-
23 ment Training Centers is authorized to distribute funds
24 to Federal law enforcement agencies for expenses incurred
25 participating in training accreditation.

1 SEC. 407. The Federal Law Enforcement Training
2 Accreditation Board, including representatives from the
3 Federal law enforcement community and non-Federal ac-
4 creditation experts involved in law enforcement training,
5 shall lead the Federal law enforcement training accredita-
6 tion process to continue the implementation of measuring
7 and assessing the quality and effectiveness of Federal law
8 enforcement training programs, facilities, and instructors.

9 SEC. 408. The Director of the Federal Law Enforce-
10 ment Training Centers may accept transfers to the ac-
11 count established by section 407(a) of division F of the
12 Consolidated Appropriations Act, 2018 (Public Law 115–
13 141) from Government agencies requesting the construc-
14 tion of special use facilities, as authorized by the Economy
15 Act (31 U.S.C. 1535(b)): *Provided*, That the Federal Law
16 Enforcement Training Centers maintain administrative
17 control and ownership upon completion of such facilities.

18 SEC. 409. The functions of the Federal Law Enforce-
19 ment Training Centers instructor staff shall be classified
20 as inherently governmental for purposes of the Federal
21 Activities Inventory Reform Act of 1998 (31 U.S.C. 501
22 note).

23 SEC. 410. (a) Section 540 of title V of division D
24 of the Consolidated Security, Disaster Assistance, and

1 Continuing Appropriations Act, 2009 (Public Law 110–
2 329; 122 Stat. 3688) is repealed.

3 (b) Section 538 of title V of division D of the Consoli-
4 dated Appropriations Act, 2012 (Public Law 112–74; 125
5 Stat. 976) is repealed.

6 SEC. 411. None of the funds made available to the
7 Secretary of Homeland Security or to the head of any
8 other Federal department or agency may be used to place
9 in detention, remove, refer for removal, initiate removal
10 proceedings against, or deny work authorization to any in-
11 dividual who—

12 (1) meets the qualifying criteria to participate
13 in the Deferred Action for Childhood Arrivals initia-
14 tive, as delineated in the June 15, 2012, memo-
15 randum entitled “Exercising Prosecutorial Discre-
16 tion with respect to Individuals Who Came to the
17 United States as Children”, including the criteria
18 barring conviction for criminal offenses in such
19 memorandum; or

20 (2) is a national of a foreign state that was des-
21 ignated under section 244(b) of the Immigration and
22 Nationality Act on January 1, 2017 (or in the case
23 of an alien having no nationality, a person who last
24 habitually resided in such state) if such individual
25 has continuously resided in the United States since

1 the effective date of the most recent designation of
2 that state under section 244(b)(1) and otherwise
3 meets the requirements of section 244(c) other than
4 subparagraph (1)(A)(iv) and is not barred on crimi-
5 nal grounds under such section.

6 SEC. 412. In fiscal year 2021, nonimmigrants shall
7 be admitted to the United States under section
8 101(a)(15)(H)(ii)(a) of the Immigration and Nationality
9 Act (8 U.S.C. 1101(a)(15)(H)(ii)(a)) to perform agricul-
10 tural labor or services, without regard to whether such
11 labor is, or services are, of a temporary or seasonal nature.

12 SEC. 413. (a) For fiscal years 2021 and 2022, the
13 worldwide level of family-sponsored immigrants under sub-
14 section (c) of section 201 of the Immigration and Nation-
15 ality Act (8 U.S.C. 1151), the worldwide level of employ-
16 ment-based immigrants under subsection (d) of such sec-
17 tion, and the worldwide level of diversity immigrants under
18 subsection (e) of such section shall each be increased by
19 the number computed under subsection (b) of this section
20 with respect to each of such worldwide levels.

21 (b) For each of the worldwide levels described in sub-
22 section (a) of this section, the number computed under
23 this subsection is the difference (if any) between the
24 worldwide level established for the previous fiscal year
25 under the applicable subsection of section 201 of the Im-

1 migration and Nationality Act (8 U.S.C. 1151) and the
2 number of visas that were, during the previous fiscal year,
3 issued and used as the basis for an application for admis-
4 sion into the United States as an immigrant described in
5 the applicable subsection.

6 (c) The additional visas made available for fiscal
7 years 2021 and 2022 as a result of the computations made
8 under subsections (a) and (b) of this section shall be pro-
9 portionally allocated as set forth in subsections (a), (b),
10 and (c) of section 203 of the Immigration and Nationality
11 Act (8 U.S.C. 1153).

12 (d) For fiscal years 2021 and 2022, the number com-
13 puted under subsection (c)(3)(C) of section 201 of the Im-
14 migration and Nationality Act (8 U.S.C. 1151), and the
15 number computed under subsection (d)(2)(C) of such sec-
16 tion, are deemed to equal zero.

17 SEC. 414. Notwithstanding the numerical limitation
18 set forth in section 214(g)(1)(B) of the Immigration and
19 Nationality Act (8 U.S.C. 1184(g)(1)(B)), the Secretary
20 of Homeland Security, after consultation with the Sec-
21 retary of Labor, and upon the determination that the
22 needs of American businesses cannot be satisfied in fiscal
23 year 2021 with United States workers who are willing,
24 qualified, and able to perform temporary nonagricultural
25 labor, may increase the total number of aliens who may

1 receive a visa under section 101(a)(15)(H)(ii)(b) of such
2 Act (8 U.S.C. 1101(a)(15)(H)(ii)(b)) in such fiscal year
3 above such limitation by not more than the highest num-
4 ber of H-2B nonimmigrants who participated in the H-
5 2B returning worker program in any fiscal year in which
6 returning workers were exempt from such numerical limi-
7 tation.

8 TITLE V

9 GENERAL PROVISIONS

10 (INCLUDING RESCISSION OF FUNDS)

11 SEC. 501. No part of any appropriation contained in
12 this Act shall remain available for obligation beyond the
13 current fiscal year unless expressly so provided herein.

14 SEC. 502. The unexpended balances of prior appro-
15 priations provided for activities in this Act may be trans-
16 ferred to appropriation accounts for such activities estab-
17 lished pursuant to this Act, may be merged with funds
18 in the applicable established accounts, and thereafter may
19 be accounted for as one fund for the same time period
20 as originally enacted.

21 SEC. 503. (a) None of the funds provided by this Act,
22 provided by previous appropriations Acts to the compo-
23 nents in or transferred to the Department of Homeland
24 Security that remain available for obligation or expendi-
25 ture or provided from any accounts derived by the collec-

1 tion of fees available to the components of such Depart-
2 ment, shall be available for obligation or expenditure
3 through a reprogramming of appropriated funds or a
4 change in the planned obligation of funds derived from
5 such fees that—

6 (1) creates or eliminates a program, project, or
7 activity;

8 (2) contracts out any function presently per-
9 formed by Federal employees or any new function
10 proposed to be performed by Federal employees in
11 the President's budget proposal for the current fiscal
12 year for the Department of Homeland Security;

13 (3) augments funding for existing programs,
14 projects, or activities in excess of \$5,000,000 or 10
15 percent, whichever is less;

16 (4) reduces funding for any program, project,
17 or activity, or numbers of personnel, by 10 percent
18 or more; or

19 (5) results from any general savings from a re-
20 duction in personnel that would result in a change
21 in funding levels for programs, projects, or activities
22 as approved by the Congress.

23 (b) For purposes of this section, a “program, project,
24 or activity” is defined as—

1 (1) each item listed under each appropriation or
2 fee funded account identified in the detailed funding
3 table at the end of the explanatory statement accom-
4 panying this Act; and

5 (2) each item for which the explanatory state-
6 ment accompanying this Act specifies a funding
7 amount, except for amounts identified in a funding
8 table other than that described in subsection (1).

9 (c) For purposes of this section, “reprogramming of
10 funds” is defined as a reduction to or augmentation of
11 an amount associated with an item described in subsection
12 (b).

13 (d) For purposes of this section, a change in the
14 planned obligation of funding derived from fee collections
15 is defined as a reduction or augmentation of an amount
16 associated with an item described in subsection (b) under
17 each “Fee Funded Programs” subheading.

18 SEC. 504. Section 504 of the Department of Home-
19 land Security Appropriations Act, 2017 (division F of
20 Public Law 115–31), related to the operations of a work-
21 ing capital fund, shall apply with respect to funds made
22 available in this Act in the same manner as such section
23 applied to funds made available in that Act: *Provided*,
24 That funds from such working capital fund may be obli-
25 gated and expended in anticipation of reimbursements

1 from components of the Department of Homeland Secu-
2 rity.

3 SEC. 505. Funds made available by this Act for intel-
4 ligence activities are deemed to be specifically authorized
5 by the Congress for purposes of section 504 of the Na-
6 tional Security Act of 1947 (50 U.S.C. 414) during fiscal
7 year 2021 until the enactment of an Act authorizing intel-
8 ligence activities for fiscal year 2021.

9 SEC. 506. (a) The Secretary of Homeland Security,
10 or the designee of the Secretary, shall notify the Commit-
11 tees on Appropriations of the Senate and the House of
12 Representatives at least 3 full business days in advance
13 of—

14 (1) making or awarding a grant allocation,
15 grant, contract, other transaction agreement, or task
16 or delivery order on a Department of Homeland Se-
17 curity multiple award contract, or to issue a letter
18 of intent totaling in excess of \$1,000,000;

19 (2) awarding a task or delivery order requiring
20 an obligation of funds in an amount greater than
21 \$10,000,000 from multi-year Department of Home-
22 land Security funds;

23 (3) making a sole-source grant award; or

24 (4) announcing publicly the intention to make
25 or award items under paragraph (1), (2), or (3), in-

1 including a contract covered by the Federal Acquisi-
2 tion Regulation.

3 (b) If the Secretary of Homeland Security determines
4 that compliance with this section would pose a substantial
5 risk to human life, health, or safety, an award may be
6 made without notification, and the Secretary shall notify
7 the Committees on Appropriations of the Senate and the
8 House of Representatives not later than 5 full business
9 days after such an award is made or letter issued.

10 (c) A notification under this section—

11 (1) may not involve funds that are not available
12 for obligation; and

13 (2) shall include the amount of the award; the
14 fiscal year for which the funds for the award were
15 appropriated; the type of contract; and the account
16 from which the funds are being drawn.

17 SEC. 507. Notwithstanding any other provision of
18 law, no agency shall purchase, construct, or lease any ad-
19 ditional facilities, except within or contiguous to existing
20 locations, to be used for the purpose of conducting Federal
21 law enforcement training without advance notification to
22 the Committees on Appropriations of the Senate and the
23 House of Representatives, except that the Federal Law
24 Enforcement Training Centers is authorized to obtain the
25 temporary use of additional facilities by lease, contract,

1 or other agreement for training that cannot be accommo-
2 dated in existing Centers' facilities.

3 SEC. 508. None of the funds appropriated or other-
4 wise made available by this Act may be used for expenses
5 for any construction, repair, alteration, or acquisition
6 project for which a prospectus otherwise required under
7 chapter 33 of title 40, United States Code, has not been
8 approved, except that necessary funds may be expended
9 for each project for required expenses for the development
10 of a proposed prospectus.

11 SEC. 509. Sections 520, 522, and 530 of the Depart-
12 ment of Homeland Security Appropriations Act, 2008 (di-
13 vision E of Public Law 110–161; 121 Stat. 2073 and
14 2074) shall apply with respect to funds made available in
15 this Act in the same manner as such sections applied to
16 funds made available in that Act.

17 SEC. 510. None of the funds made available in this
18 Act may be used in contravention of the applicable provi-
19 sions of the Buy American Act: *Provided*, That for pur-
20 poses of the preceding sentence, the term “Buy American
21 Act” means chapter 83 of title 41, United States Code.

22 SEC. 511. None of the funds made available in this
23 Act may be used to amend the oath of allegiance required
24 by section 337 of the Immigration and Nationality Act
25 (8 U.S.C. 1448).

1 SEC. 512. None of the funds provided or otherwise
2 made available in this Act shall be available to carry out
3 section 872 of the Homeland Security Act of 2002 (6
4 U.S.C. 452) unless explicitly authorized by the Congress.

5 SEC. 513. None of the funds made available in this
6 Act may be used for planning, testing, piloting, or devel-
7 oping a national identification card.

8 SEC. 514. Any official that is required by this Act
9 to report or to certify to the Committees on Appropria-
10 tions of the Senate and the House of Representatives may
11 not delegate such authority to perform that act unless spe-
12 cifically authorized herein.

13 SEC. 515. None of the funds made available in this
14 Act may be used for first-class travel by the employees
15 of agencies funded by this Act in contravention of sections
16 301–10.122 through 301–10.124 of title 41, Code of Fed-
17 eral Regulations.

18 SEC. 516. Notwithstanding any other provision of
19 this Act, none of the funds appropriated or otherwise
20 made available by this Act may be used to pay award or
21 incentive fees for contractor performance that has been
22 judged to be below satisfactory performance or perform-
23 ance that does not meet the basic requirements of a con-
24 tract.

1 SEC. 517. None of the funds appropriated or other-
2 wise made available by this Act may be used by the De-
3 partment of Homeland Security to enter into any Federal
4 contract unless such contract is entered into in accordance
5 with the requirements of subtitle I of title 41, United
6 States Code, or chapter 137 of title 10, United States
7 Code, and the Federal Acquisition Regulation, unless such
8 contract is otherwise authorized by statute to be entered
9 into without regard to the above referenced statutes.

10 SEC. 518. (a) None of the funds made available in
11 this Act may be used to maintain or establish a computer
12 network unless such network blocks the viewing,
13 downloading, and exchanging of pornography.

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

18 SEC. 519. None of the funds made available in this
19 Act may be used by a Federal law enforcement officer to
20 facilitate the transfer of an operable firearm to an indi-
21 vidual if the Federal law enforcement officer knows or sus-
22 pects that the individual is an agent of a drug cartel unless
23 law enforcement personnel of the United States continu-
24 ously monitor or control the firearm at all times.

1 SEC. 520. None of the funds made available in this
2 Act may be used to pay for the travel to or attendance
3 of more than 50 employees of a single component of the
4 Department of Homeland Security, who are stationed in
5 the United States, at a single international conference un-
6 less the Secretary of Homeland Security, or a designee,
7 determines that such attendance is in the national interest
8 and notifies the Committees on Appropriations of the Sen-
9 ate and the House of Representatives within at least 10
10 days of that determination and the basis for that deter-
11 mination: *Provided*, That for purposes of this section the
12 term “international conference” shall mean a conference
13 occurring outside of the United States attended by rep-
14 resentatives of the United States Government and of for-
15 eign governments, international organizations, or non-
16 governmental organizations: *Provided further*, That the
17 total cost to the Department of Homeland Security of any
18 such conference shall not exceed \$500,000.

19 SEC. 521. None of the funds made available in this
20 Act may be used to reimburse any Federal department
21 or agency for its participation in a National Special Secu-
22 rity Event.

23 SEC. 522. None of the funds made available to the
24 Department of Homeland Security by this or any other
25 Act may be obligated for any structural pay reform that

1 affects more than 100 full-time positions or costs more
2 than \$5,000,000 in a single year before the end of the
3 30-day period beginning on the date on which the Sec-
4 retary of Homeland Security submits to Congress a notifi-
5 cation that includes—

6 (1) the number of full-time positions affected by
7 such change;

8 (2) funding required for such change for the
9 current year and through the Future Years Home-
10 land Security Program;

11 (3) justification for such change; and

12 (4) an analysis of compensation alternatives to
13 such change that were considered by the Depart-
14 ment.

15 SEC. 523. (a) Any agency receiving funds made avail-
16 able in this Act shall, subject to subsections (b) and (c),
17 post on the public website of that agency any report re-
18 quired to be submitted by the Committees on Appropria-
19 tions of the Senate and the House of Representatives in
20 this Act, upon the determination by the head of the agency
21 that it shall serve the national interest.

22 (b) Subsection (a) shall not apply to a report if—

23 (1) the public posting of the report com-
24 promises homeland or national security; or

25 (2) the report contains proprietary information.

1 (c) The head of the agency posting such report shall
2 do so only after such report has been made available to
3 the Committees on Appropriations of the Senate and the
4 House of Representatives for not less than 45 days except
5 as otherwise specified in law.

6 SEC. 524. (a) Funding provided in this Act for “Op-
7 erations and Support” may be used for minor procure-
8 ment, construction, and improvements.

9 (b) For purposes of subsection (a), “minor” refers
10 to end items with a unit cost of \$250,000 or less for per-
11 sonal property, and \$2,000,000 or less for real property.

12 SEC. 525. The authority provided by section 532 of
13 the Department of Homeland Security Appropriations
14 Act, 2018 (Public Law 115–141) regarding primary and
15 secondary schooling of dependents shall continue in effect
16 during fiscal year 2021.

17 SEC. 526. (a) For an additional amount for “Federal
18 Emergency Management Agency—Federal Assistance”,
19 \$41,000,000, to remain available until September 30,
20 2022, exclusively for providing reimbursement of extraor-
21 dinary law enforcement or other emergency personnel
22 costs for protection activities directly and demonstrably
23 associated with any residence of the President that is des-
24 ignated or identified to be secured by the United States
25 Secret Service.

1 (b) Subsections (b) through (f) of section 534 of the
2 Department of Homeland Security Appropriations Act,
3 2018 (Public Law 115–141), shall be applied with respect
4 to amounts made available by subsection (a) of this section
5 by substituting “October 1, 2021” for “October 1, 2018”
6 and “October 1, 2020” for “October 1, 2017”.

7 SEC. 527. (a) Section 831 of the Homeland Security
8 Act of 2002 (6 U.S.C. 391) shall be applied—

9 (1) In subsection (a), by substituting “Sep-
10 tember 30, 2021,” for “September 30, 2017,”; and

11 (2) In subsection (c)(1), by substituting “Sep-
12 tember 30, 2021,” for “September 30, 2017”.

13 (b) The Secretary of Homeland Security, under the
14 authority of section 831 of the Homeland Security Act of
15 2002 (6 U.S.C. 391(a)), may carry out prototype projects
16 under section 2371b of title 10, United States Code, and
17 the Secretary shall perform the functions of the Secretary
18 of Defense as prescribed.

19 (c) The Secretary of Homeland Security under sec-
20 tion 831 of the Homeland Security Act of 2002 (6 U.S.C.
21 391(d)) may use the definition of nontraditional govern-
22 ment contractor as defined in section 2371b(e) of title 10,
23 United States Code.

24 SEC. 528. (a) None of the funds appropriated or oth-
25 erwise made available to the Department of Homeland Se-

1 curity by this Act may be used to prevent any of the fol-
2 lowing persons from entering, for the purpose of con-
3 ducting oversight, any facility operated by or for the De-
4 partment of Homeland Security used to detain or other-
5 wise house aliens, or to make any temporary modification
6 at any such facility that in any way alters what is observed
7 by a visiting member of Congress or such designated em-
8 ployee, compared to what would be observed in the absence
9 of such modification:

10 (1) A Member of Congress.

11 (2) An employee of the United States House of Rep-
12 resentatives or the United States Senate designated by
13 such a Member for the purposes of this section.

14 (b) Nothing in this section may be construed to re-
15 quire a Member of Congress to provide prior notice of the
16 intent to enter a facility described in subsection (a) for
17 the purpose of conducting oversight.

18 (c) With respect to individuals described in subsection
19 (a)(2), the Department of Homeland Security may require
20 that a request be made at least 24 hours in advance of
21 an intent to enter a facility described in subsection (a).

22 SEC. 529. (a) Except as provided in subsection (b),
23 none of the funds made available in this Act may be used
24 to place restraints on a woman in the custody of the De-
25 partment of Homeland Security (including during trans-

1 port, in a detention facility, or at an outside medical facil-
2 ity) who is pregnant or in post-delivery recuperation.

3 (b) Subsection (a) shall not apply with respect to a
4 pregnant woman if—

5 (1) an appropriate official of the Department of
6 Homeland Security makes an individualized deter-
7 mination that the woman—

8 (A) is a serious flight risk, and such risk
9 cannot be prevented by other means; or

10 (B) poses an immediate and serious threat
11 to harm herself or others that cannot be pre-
12 vented by other means; or

13 (2) a medical professional responsible for the
14 care of the pregnant woman determines that the use
15 of therapeutic restraints is appropriate for the med-
16 ical safety of the woman.

17 (c) If a pregnant woman is restrained pursuant to
18 subsection (b), only the safest and least restrictive re-
19 straints, as determined by the appropriate medical profes-
20 sional treating the woman, may be used. In no case may
21 restraints be used on a woman who is in active labor or
22 delivery, and in no case may a pregnant woman be re-
23 strained in a face-down position with four-point restraints,
24 on her back, or in a restraint belt that constricts the area
25 of the pregnancy. A pregnant woman who is immobilized

1 by restraints shall be positioned, to the maximum extent
2 feasible, on her left side.

3 SEC. 530. (a) None of the funds made available by
4 this Act may be used to destroy, or to implement a policy
5 or practice that permits the destruction of, any document,
6 recording, or other record pertaining to any—

7 (1) death of,

8 (2) potential sexual assault or abuse per-
9 petrated against, or

10 (3) allegation of abuse, criminal activity, or dis-
11 ruption committed by,

12 an individual held in the custody of the Department of
13 Homeland Security.

14 (b) The records referred to in subsection (a) shall be
15 made available to an individual who has been charged with
16 a crime, been placed into segregation, or otherwise pun-
17 ished as a result of an allegation described in paragraph
18 (3), upon the request of such individual.

19 SEC. 531. Section 519 of division F of Public Law
20 114–113, regarding a prohibition on funding for any posi-
21 tion designated as a Principal Federal Official, shall apply
22 with respect to any Federal funds in the same manner
23 as such section applied to funds made available in that
24 Act.

1 SEC. 532. (a) Not later than 10 days after the date
2 on which the budget of the President for a fiscal year is
3 submitted to Congress pursuant to section 1105(a) of title
4 31, United States Code, the Secretary of Homeland Secu-
5 rity shall submit to the Committees on Appropriations of
6 the Senate and the House of Representatives a report on
7 the unfunded priorities, for the Department of Homeland
8 Security and separately for each departmental component,
9 for which discretionary funding would be classified as
10 budget function 050.

11 (b) Each report under this section shall specify, for
12 each such unfunded priority—

13 (1) a summary description, including the objec-
14 tives to be achieved if such priority is funded
15 (whether in whole or in part);

16 (2) the description, including the objectives to
17 be achieved if such priority is funded (whether in
18 whole or in part);

19 (3) account information, including the following
20 (as applicable):

21 (A) appropriation account; and

22 (B) program, project, or activity name;

23 and

24 (4) the additional number of full-time or part-
25 time positions to be funded as part of such priority.

1 (c) In this section, the term “unfunded priority”, in
2 the case of a fiscal year, means a requirement that—

3 (1) is not funded in the budget referred to in
4 subsection (a);

5 (2) is necessary to fulfill a requirement associ-
6 ated with an operational or contingency plan for the
7 Department; and

8 (3) would have been recommended for funding
9 through the budget referred to in subsection (a) if—

10 (A) additional resources had been available
11 for the budget to fund the requirement;

12 (B) the requirement has emerged since the
13 budget was formulated; or

14 (C) the requirement is necessary to sustain
15 prior-year investments.

16 SEC. 533. No Federal funds may be made available
17 to implement or carry out any of the following:

18 (1) The proposed rule entitled “Procedures for
19 Asylum and Withholding of Removal; Credible Fear
20 and Reasonable Fear Review”, dated June 15, 2020,
21 or any final version of such rule.

22 (2) The Migrant Protection Protocols an-
23 nounced by the Secretary of Homeland Security on
24 December 20, 2018, and any subsequent revisions to
25 those protocols.

1 (3) DHS Policy Memorandum 602-0169, dated
2 January 28, 2019, or any other agency policy memo-
3 randum implementing the protocols described in
4 such policy memorandum.

5 (4) Presidential Proclamation 9983, issued on
6 January 31, 2020 (85 Fed. Reg. 6699).

7 (5) The interim final rule entitled “Imple-
8 menting Bilateral and Multilateral Asylum Coopera-
9 tive Agreements Under the Immigration and Nation-
10 ality Act”, dated November 19, 2019, including—

11 (A) the agreement between the Govern-
12 ment of the United States and the Government
13 of the Republic of Guatemala on Cooperation
14 Regarding the Examination of Protection
15 Claims, dated November 20, 2019 (84 Fed.
16 Reg. 64095); and

17 (B) any other agreements establishing
18 “Asylum Cooperative Agreements”, new “safe
19 third country” designations, or otherwise relat-
20 ing to returning individuals to a third country
21 for purposes of establishing an asylum claim.

22 (6) Executive Order 13768, issued on January
23 25, 2017 (relating to enhancing public safety in the
24 interior of the United States; 82 Fed. Reg. 8799).

1 Improvements” by Public Law 116-93 is hereby rescinded:
2 *Provided*, That no amounts may be rescinded from
3 amounts that were designated by the Congress as an
4 emergency requirement pursuant to a concurrent resolu-
5 tion on the budget or the Balanced Budget and Emer-
6 gency Deficit Control Act of 1985 (Public Law 99–177).

7 SEC. 536. From the unobligated balances available
8 in the “U.S. Customs and Border Protection—Border Se-
9 curity, Fencing, Infrastructure, and Technology” account
10 (70 X 0533), \$5,000,000 is hereby rescinded: *Provided*,
11 That no amounts may be rescinded from amounts that
12 were designated by the Congress as an emergency require-
13 ment pursuant to a concurrent resolution on the budget
14 or the Balanced Budget and Emergency Deficit Control
15 Act of 1985.

16 SEC. 537. Of the unobligated balances available
17 under the heading “U.S. Customs and Border Protec-
18 tion—Procurement, Construction, and Improvements”,
19 \$2,000,000 is hereby rescinded: *Provided*, That no
20 amounts may be rescinded from amounts that were des-
21 ignated by the Congress as an emergency requirement
22 pursuant to a concurrent resolution on the budget or the
23 Balanced Budget and Emergency Deficit Control Act of
24 1985.

1 This Act may be cited as the “Department of Home-
2 land Security Appropriations Act, 2021”.

1 **DIVISION F—DEPARTMENTS OF LABOR,**
2 **HEALTH AND HUMAN SERVICES, EDU-**
3 **CATION, AND RELATED AGENCIES AP-**
4 **PROPRIATIONS ACT, 2021**

5 That the following sums are appropriated, out of any
6 money in the Treasury not otherwise appropriated, for the
7 Departments of Labor, Health and Human Services, and
8 Education, and related agencies for the fiscal year ending
9 September 30, 2021, and for other purposes, namely:

10 TITLE I

11 DEPARTMENT OF LABOR

12 EMPLOYMENT AND TRAINING ADMINISTRATION

13 TRAINING AND EMPLOYMENT SERVICES

14 For necessary expenses of the Workforce Innovation
15 and Opportunity Act (referred to in this Act as “WIOA”)
16 and the National Apprenticeship Act, \$3,696,700,000,
17 plus reimbursements, shall be available. Of the amounts
18 provided:

19 (1) for grants to States for adult employment
20 and training activities, youth activities, and dis-
21 located worker employment and training activities,
22 \$2,869,832,000 as follows:

23 (A) \$864,649,000 for adult employment
24 and training activities, of which \$152,649,000
25 shall be available for the period July 1, 2021

1 through June 30, 2022, and of which
2 \$712,000,000 shall be available for the period
3 October 1, 2021 through June 30, 2022;

4 (B) \$925,130,000 for youth activities,
5 which shall be available for the period April 1,
6 2021 through June 30, 2022; and

7 (C) \$1,080,053,000 for dislocated worker
8 employment and training activities, of which
9 \$220,053,000 shall be available for the period
10 July 1, 2021 through June 30, 2022, and of
11 which \$860,000,000 shall be available for the
12 period October 1, 2021 through June 30, 2022:

13 *Provided*, That the funds available for allotment to
14 outlying areas to carry out subtitle B of title I of the
15 WIOA shall not be subject to the requirements of
16 section 127(b)(1)(B)(ii) of such Act: *Provided fur-*
17 *ther*, That notwithstanding the requirements of the
18 WIOA, the Secretary may waive certain require-
19 ments to permit the outlying areas to submit a sin-
20 gle application for a consolidated grant that awards
21 funds that would otherwise be available to such
22 areas to carry out the activities described in subtitle
23 B of title I of the WIOA: *Provided further*, That
24 upon receipt of a waiver, an application shall be sub-
25 mitted to the Secretary at such time, in such man-

1 ner and containing respective spending plans with a
2 funding floor for each program and activity author-
3 ized under such subtitle B of title I of the WIOA as
4 the Secretary may require: *Provided further*, That
5 outlying areas awarded a consolidated grant de-
6 scribed in the preceding provisos may use identified
7 excess funding above the funding floor for each ac-
8 tivity for any of the other programs and activities
9 authorized under such subtitle B of title I of the
10 WIOA subject to such reporting requirements issued
11 by the Secretary; and

12 (2) for national programs, \$826,868,000 as fol-
13 lows:

14 (A) \$280,859,000 for the dislocated work-
15 ers assistance national reserve, of which
16 \$80,859,000 shall be available for the period
17 July 1, 2021 through September 30, 2022, and
18 of which \$200,000,000 shall be available for the
19 period October 1, 2021 through September 30,
20 2022: *Provided*, That funds provided to carry
21 out section 132(a)(2)(A) of the WIOA may be
22 used to provide assistance to a State for state-
23 wide or local use in order to address cases
24 where there have been worker dislocations
25 across multiple sectors or across multiple local

1 areas and such workers remain dislocated; co-
2 ordinate the State workforce development plan
3 with emerging economic development needs; and
4 train such eligible dislocated workers: *Provided*
5 *further*, That funds provided to carry out sec-
6 tions 168(b) and 169(c) of the WIOA may be
7 used for technical assistance and demonstration
8 projects, respectively, that provide assistance to
9 new entrants in the workforce and incumbent
10 workers: *Provided further*, That notwithstanding
11 section 168(b) of the WIOA, of the funds pro-
12 vided under this subparagraph, the Secretary of
13 Labor (referred to in this title as “Secretary”)
14 may reserve not more than 10 percent of such
15 funds to provide technical assistance and carry
16 out additional activities related to the transition
17 to the WIOA: *Provided further*, That of the
18 funds provided under this subparagraph,
19 \$50,000,000 shall be for training and employ-
20 ment assistance under sections 168(b), 169(c)
21 (notwithstanding the 10 percent limitation in
22 such section) and 170 of the WIOA for the pur-
23 pose of developing, offering, or improving edu-
24 cational or career training programs at commu-
25 nity colleges, defined as public institutions of

1 higher education, as described in section 101(a)
2 of the Higher Education Act of 1965 and at
3 which the associate's degree is primarily the
4 highest degree awarded, with other eligible in-
5 stitutions of higher education, as defined in sec-
6 tion 101(a) of the Higher Education Act of
7 1965, eligible to participate through consortia,
8 with community colleges as the lead grantee:
9 *Provided further*, That the Secretary shall fol-
10 low the requirements for the program in House
11 Report 116–62: *Provided further*, That any
12 grant funds used for apprenticeships shall be
13 used to support only apprenticeship programs
14 registered under the National Apprenticeship
15 Act and as referred to in section 3(7)(B) of the
16 WIOA: *Provided further*, That the Department
17 shall issue a Solicitation for Grant Applications
18 (SGA) within 120 days of enactment of this
19 Act: *Provided further*, That the funds made
20 available in this title under the heading “DE-
21 PARTMENTAL MANAGEMENT” for Execu-
22 tive Direction shall be reduced by \$100,000 for
23 each day the SGA is not issued beyond the 120
24 day requirement and such funds shall be re-
25 scinded in the amount for each such reduction:

1 *Provided further*, That the reduction required
2 by the preceding proviso shall be taken only
3 from the “Executive Direction” line in the table
4 at the end of the committee report accom-
5 panying this Act;

6 (B) \$55,500,000 for Native American pro-
7 grams under section 166 of the WIOA, which
8 shall be available for the period July 1, 2021
9 through June 30, 2022;

10 (C) \$95,896,000 for migrant and seasonal
11 farmworker programs under section 167 of the
12 WIOA, including \$88,938,000 for formula
13 grants (of which not less than 70 percent shall
14 be for employment and training services),
15 \$6,389,000 for migrant and seasonal housing
16 (of which not less than 70 percent shall be for
17 permanent housing), and \$569,000 for other
18 discretionary purposes, which shall be available
19 for the period April 1, 2021 through June 30,
20 2022: *Provided*, That notwithstanding any
21 other provision of law or related regulation, the
22 Department of Labor shall take no action lim-
23 iting the number or proportion of eligible par-
24 ticipants receiving related assistance services or
25 discouraging grantees from providing such serv-

1 ices: *Provided further*, That notwithstanding the
2 definition of “eligible seasonal farmworker” in
3 section 167(i)(3) of the WIOA, an individual is
4 eligible for migrant and seasonal farmworker
5 programs under section 167 of the WIOA if
6 such individual is a member of a family with a
7 total family income equal to or less than 150
8 percent of the poverty line;

9 (D) \$100,534,000 for YouthBuild activi-
10 ties as described in section 171 of the WIOA,
11 which shall be available for the period April 1,
12 2021 through June 30, 2022;

13 (E) \$103,079,000 for ex-offender activi-
14 ties, under the authority of section 169 of the
15 WIOA, which shall be available for the period
16 April 1, 2021 through June 30, 2022: *Provided*,
17 That of this amount, \$25,000,000 shall be for
18 competitive grants to national and regional
19 intermediaries for activities that prepare for
20 employment young adults with criminal records
21 or young adults who have been justice system-
22 involved or who have dropped out of school or
23 other educational programs, with a priority for
24 projects serving high-crime, high-poverty areas;

1 (F) \$6,000,000 for the Workforce Data
2 Quality Initiative, under the authority of section
3 169 of the WIOA, which shall be available for
4 the period July 1, 2021 through June 30,
5 2022; and

6 (G) \$185,000,000 to expand opportunities
7 through apprenticeships only registered under
8 the National Apprenticeship Act and as referred
9 to in section 3(7)(B) of the WIOA, to be avail-
10 able to the Secretary to carry out activities
11 through grants, cooperative agreements, con-
12 tracts and other arrangements, with States and
13 other appropriate entities, including equity
14 intermediaries and business and labor industry
15 partner intermediaries, which shall be available
16 for the period July 1, 2021 through June 30,
17 2022: *Provided*, That of the funds provided to
18 carry out this subparagraph, not less than 20
19 percent shall be for making competitive con-
20 tracts, grants, and cooperative agreements to
21 national apprenticeship intermediaries, not less
22 than 20 percent shall be for competitive con-
23 tracts, grants, and cooperative agreements to
24 local apprenticeship intermediaries, and not less
25 than 50 percent shall be used to fund grants to

1 States: *Provided further*, That the Secretary
2 shall require any information publicly disclosed
3 related to the credentials and competencies
4 earned through registered apprenticeships, in-
5 cluding through Apprenticeship.gov, its suc-
6 cessor website or any data or website published
7 by the Secretary for a similar function, to be
8 published using an open source description lan-
9 guage that is designed to allow for public
10 search and comparison of such data. Such in-
11 formation may be published through open data
12 formats such as the credential transparency de-
13 scription language specifications or a substan-
14 tially similar approach.

15 JOB CORPS

16 (INCLUDING TRANSFER OF FUNDS)

17 To carry out subtitle C of title I of the WIOA, includ-
18 ing Federal administrative expenses, the purchase and
19 hire of passenger motor vehicles, the construction, alter-
20 ation, and repairs of buildings and other facilities, and the
21 purchase of real property for training centers as author-
22 ized by the WIOA, \$1,755,655,000, plus reimbursements,
23 as follows:

1 (1) \$1,603,325,000 for Job Corps Operations,
2 which shall be available for the period July 1, 2021
3 through June 30, 2022;

4 (2) \$120,000,000 for construction, rehabilita-
5 tion and acquisition of Job Corps Centers, which
6 shall be available for the period July 1, 2021
7 through June 30, 2024, and which may include the
8 acquisition, maintenance, and repair of major items
9 of equipment: *Provided*, That the Secretary may
10 transfer up to 15 percent of such funds to meet the
11 operational needs of such centers or to achieve ad-
12 ministrative efficiencies: *Provided further*, That any
13 funds transferred pursuant to the preceding provi-
14 sion shall not be available for obligation after June
15 30, 2022: *Provided further*, That the Committees on
16 Appropriations of the House of Representatives and
17 the Senate are notified at least 15 days in advance
18 of any transfer; and

19 (3) \$32,330,000 for necessary expenses of Job
20 Corps, which shall be available for obligation for the
21 period October 1, 2020 through September 30,
22 2021:

23 *Provided*, That no funds from any other appropriation
24 shall be used to provide meal services at or for Job Corps
25 centers.

1 COMMUNITY SERVICE EMPLOYMENT FOR OLDER
2 AMERICANS

3 To carry out title V of the Older Americans Act of
4 1965 (referred to in this Act as “OAA”), \$410,000,000,
5 which shall be available for the period April 1, 2021
6 through June 30, 2022, and may be recaptured and reobli-
7 gated in accordance with section 517(c) of the OAA.

8 FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

9 For payments during fiscal year 2021 of trade ad-
10 justment benefit payments and allowances under part I
11 of subchapter B of chapter 2 of title II of the Trade Act
12 of 1974, and section 246 of that Act; and for training,
13 employment and case management services, allowances for
14 job search and relocation, and related State administrative
15 expenses under part II of subchapter B of chapter 2 of
16 title II of the Trade Act of 1974, and including benefit
17 payments, allowances, training, employment and case
18 management services, and related State administration
19 provided pursuant to section 231(a) of the Trade Adjust-
20 ment Assistance Extension Act of 2011 and section 405(a)
21 of the Trade Preferences Extension Act of 2015,
22 \$633,600,000 together with such amounts as may be nec-
23 essary to be charged to the subsequent appropriation for
24 payments for any period subsequent to September 15,
25 2021: *Provided*, That notwithstanding section 502 of this

1 Act, any part of the appropriation provided under this
2 heading may remain available for obligation beyond the
3 current fiscal year pursuant to the authorities of section
4 245(c) of the Trade Act of 1974 (19 U.S.C. 2317(c)).

5 STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT
6 SERVICE OPERATIONS

7 For authorized administrative expenses,
8 \$84,066,000, together with not to exceed \$3,421,953,000
9 which may be expended from the Employment Security
10 Administration Account in the Unemployment Trust Fund
11 (“the Trust Fund”), of which:

12 (1) \$2,649,686,000 from the Trust Fund is for
13 grants to States for the administration of State un-
14 employment insurance laws as authorized under title
15 III of the Social Security Act (including not less
16 than \$200,000,000 to carry out reemployment serv-
17 ices and eligibility assessments under section 306 of
18 such Act, any claimants of regular compensation, as
19 defined in such section, including those who are
20 profiled as most likely to exhaust their benefits, may
21 be eligible for such services and assessments: *Pro-*
22 *vided*, That of such amount, \$117,000,000 is speci-
23 fied for grants under section 306 of the Social Secu-
24 rity Act and is provided to meet the terms of section
25 251(b)(2)(E)(ii) of the Balanced Budget and Emer-

1 agency Deficit Control Act of 1985, as amended, and
2 \$83,000,000 is additional new budget authority
3 specified for purposes of section 251(b)(2)(E)(i)(II)
4 of such Act; and \$9,000,000 for continued support
5 of the Unemployment Insurance Integrity Center of
6 Excellence), the administration of unemployment in-
7 surance for Federal employees and for ex-service
8 members as authorized under 5 U.S.C. 8501–8523,
9 and the administration of trade readjustment allow-
10 ances, reemployment trade adjustment assistance,
11 and alternative trade adjustment assistance under
12 the Trade Act of 1974 and under section 231(a) of
13 the Trade Adjustment Assistance Extension Act of
14 2011 and section 405(a) of the Trade Preferences
15 Extension Act of 2015, and shall be available for ob-
16 ligation by the States through December 31, 2021,
17 except that funds used for automation shall be avail-
18 able for Federal obligation through December 31,
19 2021, and for State obligation through September
20 30, 2023, or, if the automation is being carried out
21 through consortia of States, for State obligation
22 through September 30, 2027, and for expenditure
23 through September 30, 2028, and funds for competi-
24 tive grants awarded to States for improved oper-
25 ations and to conduct in-person reemployment and

1 eligibility assessments and unemployment insurance
2 improper payment reviews and provide reemploy-
3 ment services and referrals to training, as appro-
4 priate, shall be available for Federal obligation
5 through December 31, 2021, and for obligation by
6 the States through September 30, 2023, and funds
7 for the Unemployment Insurance Integrity Center of
8 Excellence shall be available for obligation by the
9 State through September 30, 2022, and funds used
10 for unemployment insurance workloads experienced
11 through September 30, 2021 shall be available for
12 Federal obligation through December 31, 2021;

13 (2) \$18,000,000 from the Trust Fund is for na-
14 tional activities necessary to support the administra-
15 tion of the Federal-State unemployment insurance
16 system;

17 (3) \$651,639,000 from the Trust Fund, to-
18 gether with \$21,413,000 from the General Fund of
19 the Treasury, is for grants to States in accordance
20 with section 6 of the Wagner-Peyser Act, and shall
21 be available for Federal obligation for the period
22 July 1, 2021 through June 30, 2022;

23 (4) \$24,818,000 from the Trust Fund is for na-
24 tional activities of the Employment Service, includ-
25 ing administration of the work opportunity tax cred-

1 it under section 51 of the Internal Revenue Code of
2 1986 (including assisting States in adopting or mod-
3 ernizing information technology for use in the proc-
4 essing of certification requests), and the provision of
5 technical assistance and staff training under the
6 Wagner-Peyser Act;

7 (5) \$77,810,000 from the Trust Fund is for the
8 administration of foreign labor certifications and re-
9 lated activities under the Immigration and Nation-
10 ality Act and related laws, of which \$57,528,000
11 shall be available for the Federal administration of
12 such activities, and \$20,282,000 shall be available
13 for grants to States for the administration of such
14 activities; and

15 (6) \$62,653,000 from the General Fund is to
16 provide workforce information, national electronic
17 tools, and one-stop system building under the Wag-
18 ner-Peyser Act and shall be available for Federal ob-
19 ligation for the period July 1, 2021 through June
20 30, 2022: *Provided*, That the Secretary shall require
21 publicly disclosed information contained in ongoing,
22 nationwide datasets funded by the Department of
23 Labor relating to licenses and credentials to be pub-
24 lished using an open source description language
25 that is designed to allow for public search and com-

1 parison of such data, including any such data on
2 credentials and competencies. Such information may
3 be published through open data formats such as the
4 credential transparency description language speci-
5 fications or a substantially similar approach:

6 *Provided*, That to the extent that the Average Weekly In-
7 sured Unemployment (“AWIU”) for fiscal year 2021 is
8 projected by the Department of Labor to exceed
9 1,728,000, an additional \$28,600,000 from the Trust
10 Fund shall be available for obligation for every 100,000
11 increase in the AWIU level (including a pro rata amount
12 for any increment less than 100,000) to carry out title
13 III of the Social Security Act: *Provided further*, That
14 funds appropriated in this Act that are allotted to a State
15 to carry out activities under title III of the Social Security
16 Act may be used by such State to assist other States in
17 carrying out activities under such title III if the other
18 States include areas that have suffered a major disaster
19 declared by the President under the Robert T. Stafford
20 Disaster Relief and Emergency Assistance Act: *Provided*
21 *further*, That the Secretary may use funds appropriated
22 for grants to States under title III of the Social Security
23 Act to make payments on behalf of States for the use of
24 the National Directory of New Hires under section
25 453(j)(8) of such Act: *Provided further*, That the Sec-

1 retary may use funds appropriated for grants to States
2 under title III of the Social Security Act to make pay-
3 ments on behalf of States to the entity operating the State
4 Information Data Exchange System: *Provided further,*
5 That funds appropriated in this Act which are used to es-
6 tablish a national one-stop career center system, or which
7 are used to support the national activities of the Federal-
8 State unemployment insurance, employment service, or
9 immigration programs, may be obligated in contracts,
10 grants, or agreements with States and non-State entities:
11 *Provided further,* That States awarded competitive grants
12 for improved operations under title III of the Social Secu-
13 rity Act, or awarded grants to support the national activi-
14 ties of the Federal-State unemployment insurance system,
15 may award subgrants to other States and non-State enti-
16 ties under such grants, subject to the conditions applicable
17 to the grants: *Provided further,* That funds appropriated
18 under this Act for activities authorized under title III of
19 the Social Security Act and the Wagner-Peyser Act may
20 be used by States to fund integrated Unemployment In-
21 surance and Employment Service automation efforts, not-
22 withstanding cost allocation principles prescribed under
23 the final rule entitled “Uniform Administrative Require-
24 ments, Cost Principles, and Audit Requirements for Fed-
25 eral Awards” at part 200 of title 2, Code of Federal Regu-

1 lations: *Provided further*, That the Secretary, at the re-
2 quest of a State participating in a consortium with other
3 States, may reallocate funds allotted to such State under title
4 III of the Social Security Act to other States participating
5 in the consortium or to the entity operating the Unemploy-
6 ment Insurance Information Technology Support Center
7 in order to carry out activities that benefit the administra-
8 tion of the unemployment compensation law of the State
9 making the request: *Provided further*, That the Secretary
10 may collect fees for the costs associated with additional
11 data collection, analyses, and reporting services relating
12 to the National Agricultural Workers Survey requested by
13 State and local governments, public and private institu-
14 tions of higher education, and nonprofit organizations and
15 may utilize such sums, in accordance with the provisions
16 of 29 U.S.C. 9a, for the National Agricultural Workers
17 Survey infrastructure, methodology, and data to meet the
18 information collection and reporting needs of such entities,
19 which shall be credited to this appropriation and shall re-
20 main available until September 30, 2022, for such pur-
21 poses.

22 ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND
23 OTHER FUNDS

24 For repayable advances to the Unemployment Trust
25 Fund as authorized by sections 905(d) and 1203 of the

1 Social Security Act, and to the Black Lung Disability
2 Trust Fund as authorized by section 9501(e)(1) of the In-
3 ternal Revenue Code of 1986; and for nonrepayable ad-
4 vances to the revolving fund established by section 901(e)
5 of the Social Security Act, to the Unemployment Trust
6 Fund as authorized by 5 U.S.C. 8509, and to the “Federal
7 Unemployment Benefits and Allowances” account, such
8 sums as may be necessary, which shall be available for
9 obligation through September 30, 2022.

10 PROGRAM ADMINISTRATION

11 For expenses of administering employment and train-
12 ing programs, \$108,674,000, together with not to exceed
13 \$49,982,000 which may be expended from the Employ-
14 ment Security Administration Account in the Unemploy-
15 ment Trust Fund: *Provided*, That funds made available
16 for the Office of Apprenticeship shall only be used for the
17 administration of apprenticeship programs only registered
18 under the National Apprenticeship Act and as referred to
19 in section 3(7)(B) of the WIOA and to provide for the
20 full and adequate staffing of the Federal Office of Appren-
21 ticeship and each of the State Offices of Apprenticeship.

22 EMPLOYEE BENEFITS SECURITY ADMINISTRATION

23 SALARIES AND EXPENSES

24 For necessary expenses for the Employee Benefits
25 Security Administration, \$181,000,000, of which up to

1 \$3,000,000 shall be made available through September 30,
2 2022, for the procurement of expert witnesses for enforce-
3 ment litigation.

4 PENSION BENEFIT GUARANTY CORPORATION

5 PENSION BENEFIT GUARANTY CORPORATION FUND

6 The Pension Benefit Guaranty Corporation (“Cor-
7 poration”) is authorized to make such expenditures, in-
8 cluding financial assistance authorized by subtitle E of
9 title IV of the Employee Retirement Income Security Act
10 of 1974, within limits of funds and borrowing authority
11 available to the Corporation, and in accord with law, and
12 to make such contracts and commitments without regard
13 to fiscal year limitations, as provided by 31 U.S.C. 9104,
14 as may be necessary in carrying out the program, includ-
15 ing associated administrative expenses, through Sep-
16 tember 30, 2021, for the Corporation: *Provided*, That
17 none of the funds available to the Corporation for fiscal
18 year 2021 shall be available for obligations for administra-
19 tive expenses in excess of \$465,289,000: *Provided further*,
20 That to the extent that the number of new plan partici-
21 pants in plans terminated by the Corporation exceeds
22 100,000 in fiscal year 2021, an amount not to exceed an
23 additional \$9,200,000 shall be available through Sep-
24 tember 30, 2025, for obligations for administrative ex-
25 penses for every 20,000 additional terminated partici-

1 pants: *Provided further*, That obligations in excess of the
2 amounts provided for administrative expenses in this para-
3 graph may be incurred and shall be available through Sep-
4 tember 30, 2025 for obligation for unforeseen and extraor-
5 dinary pre-termination or termination expenses or extraor-
6 dinary multiemployer program related expenses after ap-
7 proval by the Office of Management and Budget and noti-
8 fication of the Committees on Appropriations of the House
9 of Representatives and the Senate: *Provided further*, That
10 an additional amount shall be available for obligation
11 through September 30, 2025 to the extent the Corpora-
12 tion's costs exceed \$250,000 for the provision of credit or
13 identity monitoring to affected individuals upon suffering
14 a security incident or privacy breach, not to exceed an ad-
15 ditional \$100 per affected individual.

16 WAGE AND HOUR DIVISION

17 SALARIES AND EXPENSES

18 For necessary expenses for the Wage and Hour Divi-
19 sion, including reimbursement to State, Federal, and local
20 agencies and their employees for inspection services ren-
21 dered, \$246,283,000.

22 OFFICE OF LABOR-MANAGEMENT STANDARDS

23 SALARIES AND EXPENSES

24 For necessary expenses for the Office of Labor-Man-
25 agement Standards, \$42,187,000.

1 OFFICE OF FEDERAL CONTRACT COMPLIANCE

2 PROGRAMS

3 SALARIES AND EXPENSES

4 For necessary expenses for the Office of Federal Con-
5 tract Compliance Programs, \$105,976,000.

6 OFFICE OF WORKERS' COMPENSATION PROGRAMS

7 SALARIES AND EXPENSES

8 For necessary expenses for the Office of Workers'
9 Compensation Programs, \$115,424,000, together with
10 \$2,177,000 which may be expended from the Special Fund
11 in accordance with sections 39(c), 44(d), and 44(j) of the
12 Longshore and Harbor Workers' Compensation Act.

13 SPECIAL BENEFITS

14 (INCLUDING TRANSFER OF FUNDS)

15 For the payment of compensation, benefits, and ex-
16 penses (except administrative expenses) accruing during
17 the current or any prior fiscal year authorized by 5 U.S.C.
18 81; continuation of benefits as provided for under the
19 heading "Civilian War Benefits" in the Federal Security
20 Agency Appropriation Act, 1947; the Employees' Com-
21 pensation Commission Appropriation Act, 1944; section
22 5(f) of the War Claims Act (50 U.S.C. App. 2012); obliga-
23 tions incurred under the War Hazards Compensation Act
24 (42 U.S.C. 1701 et seq.); and 50 percent of the additional
25 compensation and benefits required by section 10(h) of the

1 Longshore and Harbor Workers' Compensation Act,
2 \$239,000,000, together with such amounts as may be nec-
3 essary to be charged to the subsequent year appropriation
4 for the payment of compensation and other benefits for
5 any period subsequent to August 15 of the current year,
6 for deposit into and to assume the attributes of the Em-
7 ployees' Compensation Fund established under 5 U.S.C.
8 8147(a): *Provided*, That amounts appropriated may be
9 used under 5 U.S.C. 8104 by the Secretary to reimburse
10 an employer, who is not the employer at the time of injury,
11 for portions of the salary of a re-employed, disabled bene-
12 ficiary: *Provided further*, That balances of reimbursements
13 unobligated on September 30, 2020, shall remain available
14 until expended for the payment of compensation, benefits,
15 and expenses: *Provided further*, That in addition there
16 shall be transferred to this appropriation from the Postal
17 Service and from any other corporation or instrumentality
18 required under 5 U.S.C. 8147(c) to pay an amount for
19 its fair share of the cost of administration, such sums as
20 the Secretary determines to be the cost of administration
21 for employees of such fair share entities through Sep-
22 tember 30, 2021: *Provided further*, That of those funds
23 transferred to this account from the fair share entities to
24 pay the cost of administration of the Federal Employees'

1 Compensation Act, \$80,257,000 shall be made available
2 to the Secretary as follows:

3 (1) For enhancement and maintenance of auto-
4 mated data processing systems operations and tele-
5 communications systems, \$27,220,000;

6 (2) For automated workload processing oper-
7 ations, including document imaging, centralized mail
8 intake, and medical bill processing, \$25,647,000;

9 (3) For periodic roll disability management and
10 medical review, \$25,648,000;

11 (4) For program integrity, \$1,742,000; and

12 (5) The remaining funds shall be paid into the
13 Treasury as miscellaneous receipts:

14 *Provided further*, That the Secretary may require that any
15 person filing a notice of injury or a claim for benefits
16 under 5 U.S.C. 81, or the Longshore and Harbor Work-
17 ers' Compensation Act, provide as part of such notice and
18 claim, such identifying information (including Social Secu-
19 rity account number) as such regulations may prescribe.

20 SPECIAL BENEFITS FOR DISABLED COAL MINERS

21 For carrying out title IV of the Federal Mine Safety
22 and Health Act of 1977, as amended by Public Law 107-
23 275, \$40,970,000, to remain available until expended.

24 For making after July 31 of the current fiscal year,
25 benefit payments to individuals under title IV of such Act,

1 for costs incurred in the current fiscal year, such amounts
2 as may be necessary.

3 For making benefit payments under title IV for the
4 first quarter of fiscal year 2022, \$14,000,000, to remain
5 available until expended.

6 ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES

7 OCCUPATIONAL ILLNESS COMPENSATION FUND

8 For necessary expenses to administer the Energy
9 Employees Occupational Illness Compensation Program
10 Act, \$62,507,000, to remain available until expended: *Pro-*
11 *vided*, That the Secretary may require that any person fil-
12 ing a claim for benefits under the Act provide as part of
13 such claim such identifying information (including Social
14 Security account number) as may be prescribed.

15 BLACK LUNG DISABILITY TRUST FUND

16 (INCLUDING TRANSFER OF FUNDS)

17 Such sums as may be necessary from the Black Lung
18 Disability Trust Fund (the “Fund”), to remain available
19 until expended, for payment of all benefits authorized by
20 section 9501(d)(1), (2), (6), and (7) of the Internal Rev-
21 enue Code of 1986; and repayment of, and payment of
22 interest on advances, as authorized by section 9501(d)(4)
23 of that Act. In addition, the following amounts may be
24 expended from the Fund for fiscal year 2021 for expenses
25 of operation and administration of the Black Lung Bene-

1 fits program, as authorized by section 9501(d)(5): not to
2 exceed \$40,643,000 for transfer to the Office of Workers'
3 Compensation Programs, "Salaries and Expenses"; not to
4 exceed \$33,033,000 for transfer to Departmental Manage-
5 ment, "Salaries and Expenses"; not to exceed \$333,000
6 for transfer to Departmental Management, "Office of In-
7 spector General"; and not to exceed \$356,000 for pay-
8 ments into miscellaneous receipts for the expenses of the
9 Department of the Treasury.

10 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

11 SALARIES AND EXPENSES

12 For necessary expenses for the Occupational Safety
13 and Health Administration, \$593,787,000, including not
14 to exceed \$108,575,000 which shall be the maximum
15 amount available for grants to States under section 23(g)
16 of the Occupational Safety and Health Act (the "Act"),
17 which grants shall be no less than 50 percent of the costs
18 of State occupational safety and health programs required
19 to be incurred under plans approved by the Secretary
20 under section 18 of the Act; and, in addition, notwith-
21 standing 31 U.S.C. 3302, the Occupational Safety and
22 Health Administration may retain up to \$499,000 per fis-
23 cal year of training institute course tuition and fees, other-
24 wise authorized by law to be collected, and may utilize
25 such sums for occupational safety and health training and

1 education: *Provided*, That notwithstanding 31 U.S.C.
2 3302, the Secretary is authorized, during the fiscal year
3 ending September 30, 2021, to collect and retain fees for
4 services provided to Nationally Recognized Testing Lab-
5 oratories, and may utilize such sums, in accordance with
6 the provisions of 29 U.S.C. 9a, to administer national and
7 international laboratory recognition programs that ensure
8 the safety of equipment and products used by workers in
9 the workplace: *Provided further*, That \$13,537,000 shall
10 be available for Susan Harwood training grants, of which
11 not less than \$4,500,000 is for Susan Harwood Training
12 Capacity Building Developmental grants, as described in
13 Funding Opportunity Number SHTG–FY–16–02 (ref-
14 erenced in the notice of availability of funds published in
15 the Federal Register on May 3, 2016 (81 Fed. Reg.
16 30568)) for program activities starting not later than Sep-
17 tember 30, 2021 and lasting for a period of 12 months:
18 *Provided further*, That not more than \$3,500,000 shall be
19 for Voluntary Protection Programs.

20 MINE SAFETY AND HEALTH ADMINISTRATION

21 SALARIES AND EXPENSES

22 For necessary expenses for the Mine Safety and
23 Health Administration, \$379,816,000, including purchase
24 and bestowal of certificates and trophies in connection
25 with mine rescue and first-aid work, and the hire of pas-

1 senger motor vehicles, including up to \$2,000,000 for
2 mine rescue and recovery activities and not less than
3 \$10,537,000 for State assistance grants: *Provided*, That
4 notwithstanding 31 U.S.C. 3302, not to exceed \$750,000
5 may be collected by the National Mine Health and Safety
6 Academy for room, board, tuition, and the sale of training
7 materials, otherwise authorized by law to be collected, to
8 be available for mine safety and health education and
9 training activities: *Provided further*, That notwithstanding
10 31 U.S.C. 3302, the Mine Safety and Health Administra-
11 tion is authorized to collect and retain up to \$2,499,000
12 from fees collected for the approval and certification of
13 equipment, materials, and explosives for use in mines, and
14 may utilize such sums for such activities: *Provided further*,
15 That the Secretary is authorized to accept lands, build-
16 ings, equipment, and other contributions from public and
17 private sources and to prosecute projects in cooperation
18 with other agencies, Federal, State, or private: *Provided*
19 *further*, That the Mine Safety and Health Administration
20 is authorized to promote health and safety education and
21 training in the mining community through cooperative
22 programs with States, industry, and safety associations:
23 *Provided further*, That the Secretary is authorized to rec-
24 ognize the Joseph A. Holmes Safety Association as a prin-
25 cipal safety association and, notwithstanding any other

1 provision of law, may provide funds and, with or without
2 reimbursement, personnel, including service of Mine Safe-
3 ty and Health Administration officials as officers in local
4 chapters or in the national organization: *Provided further,*
5 That any funds available to the Department of Labor may
6 be used, with the approval of the Secretary, to provide
7 for the costs of mine rescue and survival operations in the
8 event of a major disaster.

9 BUREAU OF LABOR STATISTICS

10 SALARIES AND EXPENSES

11 For necessary expenses for the Bureau of Labor Sta-
12 tistics, including advances or reimbursements to State,
13 Federal, and local agencies and their employees for serv-
14 ices rendered, \$587,000,000, together with not to exceed
15 \$68,000,000 which may be expended from the Employ-
16 ment Security Administration account in the Unemploy-
17 ment Trust Fund.

18 Within this amount, \$13,000,000 to remain available
19 until September 30, 2024, for costs associated with the
20 physical move of the Bureau of Labor Statistics' head-
21 quarters, including replication of space, furniture, fix-
22 tures, equipment, and related costs, as well as relocation
23 of the data center to a shared facility.

1 OFFICE OF DISABILITY EMPLOYMENT POLICY

2 SALARIES AND EXPENSES

3 For necessary expenses for the Office of Disability
4 Employment Policy to provide leadership, develop policy
5 and initiatives, and award grants furthering the objective
6 of eliminating barriers to the training and employment of
7 people with disabilities, \$38,500,000.

8 DEPARTMENTAL MANAGEMENT

9 SALARIES AND EXPENSES

10 (INCLUDING TRANSFER OF FUNDS)

11 For necessary expenses for Departmental Manage-
12 ment, including the hire of three passenger motor vehicles,
13 \$349,056,000, together with not to exceed \$308,000,
14 which may be expended from the Employment Security
15 Administration account in the Unemployment Trust
16 Fund: *Provided*, That \$67,325,000 for the Bureau of
17 International Labor Affairs shall be available for obliga-
18 tion through December 31, 2021: *Provided further*, That
19 funds available to the Bureau of International Labor Af-
20 fairs may be used to administer or operate international
21 labor activities, bilateral and multilateral technical assist-
22 ance, and microfinance programs, by or through contracts,
23 grants, subgrants and other arrangements: *Provided fur-*
24 *ther*, That not more than \$53,825,000 shall be for pro-
25 grams to combat exploitative child labor internationally

1 and not less than \$13,500,000 shall be used to implement
2 model programs that address worker rights issues through
3 technical assistance in countries with which the United
4 States has free trade agreements or trade preference pro-
5 grams: *Provided further*, That \$8,040,000 shall be used
6 for program evaluation and shall be available for obliga-
7 tion through September 30, 2022: *Provided further*, That
8 funds available for program evaluation may be used to ad-
9 minister grants for the purpose of evaluation: *Provided*
10 *further*, That grants made for the purpose of evaluation
11 shall be awarded through fair and open competition: *Pro-*
12 *vided further*, That funds available for program evaluation
13 may be transferred to any other appropriate account in
14 the Department for such purpose: *Provided further*, That
15 the Committees on Appropriations of the House of Rep-
16 resentatives and the Senate are notified at least 15 days
17 in advance of any transfer: *Provided further*, That the
18 funds available to the Women's Bureau may be used for
19 grants to serve and promote the interests of women in the
20 workforce: *Provided further*, That of the amounts made
21 available to the Women's Bureau, not less than
22 \$1,794,000 shall be used for grants authorized by the
23 Women in Apprenticeship and Nontraditional Occupations
24 Act.

1 VETERANS EMPLOYMENT AND TRAINING

2 Not to exceed \$256,341,000 may be derived from the
3 Employment Security Administration account in the Un-
4 employment Trust Fund to carry out the provisions of
5 chapters 41, 42, and 43 of title 38, United States Code,
6 of which:

7 (1) \$180,000,000 is for Jobs for Veterans State
8 grants under 38 U.S.C. 4102A(b)(5) to support dis-
9 abled veterans' outreach program specialists under
10 section 4103A of such title and local veterans' em-
11 ployment representatives under section 4104(b) of
12 such title, and for the expenses described in section
13 4102A(b)(5)(C), which shall be available for obliga-
14 tion by the States through December 31, 2021, and
15 not to exceed 3 percent for the necessary Federal ex-
16 penditures for data systems and contract support to
17 allow for the tracking of participant and perform-
18 ance information: *Provided*, That, in addition, such
19 funds may be used to support such specialists and
20 representatives in the provision of services to
21 transitioning members of the Armed Forces who
22 have participated in the Transition Assistance Pro-
23 gram and have been identified as in need of inten-
24 sive services, to members of the Armed Forces who
25 are wounded, ill, or injured and receiving treatment

1 in military treatment facilities or warrior transition
2 units, and to the spouses or other family caregivers
3 of such wounded, ill, or injured members;

4 (2) \$29,379,000 is for carrying out the Transi-
5 tion Assistance Program under 38 U.S.C. 4113 and
6 10 U.S.C. 1144;

7 (3) \$43,548,000 is for Federal administration
8 of chapters 41, 42, and 43 of title 38, and sections
9 2021, 2021A and 2023 of title 38, United States
10 Code: *Provided*, That, up to \$500,000 may be used
11 to carry out the Hire VETS Act (division O of Pub-
12 lic Law 115–31); and

13 (4) \$3,414,000 is for the National Veterans'
14 Employment and Training Services Institute under
15 38 U.S.C. 4109:

16 *Provided*, That the Secretary may reallocate among the
17 appropriations provided under paragraphs (1) through (4)
18 above an amount not to exceed 3 percent of the appropria-
19 tion from which such reallocation is made.

20 In addition, from the General Fund of the Treasury,
21 \$57,500,000 is for carrying out programs to assist home-
22 less veterans and veterans at risk of homelessness who are
23 transitioning from certain institutions under sections
24 2021, 2021A, and 2023 of title 38, United States Code:
25 *Provided*, That notwithstanding subsections (c)(3) and (d)

1 of section 2023, the Secretary may award grants through
2 September 30, 2021, to provide services under such sec-
3 tion: *Provided further*, That services provided under sec-
4 tions 2021 or under 2021A may include, in addition to
5 services to homeless veterans described in section
6 2002(a)(1), services to veterans who were homeless at
7 some point within the 60 days prior to program entry or
8 veterans who are at risk of homelessness within the next
9 60 days, and that services provided under section 2023
10 may include, in addition to services to the individuals de-
11 scribed in subsection (e) of such section, services to vet-
12 erans recently released from incarceration who are at risk
13 of homelessness: *Provided further*, That notwithstanding
14 paragraph (3) under this heading, funds appropriated in
15 this paragraph may be used for data systems and contract
16 support to allow for the tracking of participant and per-
17 formance information: *Provided further*, That notwith-
18 standing sections 2021(e)(2) and 2021A(f)(2) of title 38,
19 United States Code, such funds shall be available for ex-
20 penditure pursuant to 31 U.S.C. 1553.

21 In addition, fees may be assessed and deposited in
22 the HIRE Vets Medallion Award Fund pursuant to sec-
23 tion 5(b) of the HIRE Vets Act, and such amounts shall
24 be available to the Secretary to carry out the HIRE Vets
25 Medallion Award Program, as authorized by such Act, and

1 shall remain available until expended: *Provided*, That such
2 sums shall be in addition to any other funds available for
3 such purposes, including funds available under paragraph
4 (3) of this heading: *Provided further*, That section 2(d)
5 of division O of the Consolidated Appropriations Act, 2017
6 (Public Law 115–31; 38 U.S.C. 4100 note) shall not
7 apply.

8 IT MODERNIZATION

9 For necessary expenses for Department of Labor cen-
10 tralized infrastructure technology investment activities re-
11 lated to support systems and modernization, \$25,269,000,
12 which shall be available through September 30, 2022.

13 OFFICE OF INSPECTOR GENERAL

14 For salaries and expenses of the Office of Inspector
15 General in carrying out the provisions of the Inspector
16 General Act of 1978, \$86,187,000, together with not to
17 exceed \$5,660,000 which may be expended from the Em-
18 ployment Security Administration account in the Unem-
19 ployment Trust Fund.

20 GENERAL PROVISIONS

21 SEC. 101. None of the funds appropriated by this Act
22 for the Job Corps shall be used to pay the salary and bo-
23 nuses of an individual, either as direct costs or any prora-
24 tion as an indirect cost, at a rate in excess of Executive
25 Level II.

1 (TRANSFER OF FUNDS)

2 SEC. 102. Not to exceed 1 percent of any discre-
3 tionary funds (pursuant to the Balanced Budget and
4 Emergency Deficit Control Act of 1985) which are appro-
5 priated for the current fiscal year for the Department of
6 Labor in this Act may be transferred between a program,
7 project, or activity, but no such program, project, or activ-
8 ity shall be increased by more than 3 percent by any such
9 transfer: *Provided*, That the transfer authority granted by
10 this section shall be available only to meet emergency
11 needs and shall not be used to create any new program
12 or to fund any project or activity for which no funds are
13 provided in this Act: *Provided further*, That the Commit-
14 tees on Appropriations of the House of Representatives
15 and the Senate are notified at least 15 days in advance
16 of any transfer.

17 SEC. 103. In accordance with Executive Order
18 13126, none of the funds appropriated or otherwise made
19 available pursuant to this Act shall be obligated or ex-
20 pended for the procurement of goods mined, produced,
21 manufactured, or harvested or services rendered, in whole
22 or in part, by forced or indentured child labor in industries
23 and host countries already identified by the United States
24 Department of Labor prior to enactment of this Act.

1 SEC. 104. Except as otherwise provided in this sec-
2 tion, none of the funds made available to the Department
3 of Labor for grants under section 414(c) of the American
4 Competitiveness and Workforce Improvement Act of 1998
5 (29 U.S.C. 2916a) may be used for any purpose other
6 than competitive grants for training individuals who are
7 older than 16 years of age and are not currently enrolled
8 in school within a local educational agency in the occupa-
9 tions and industries for which employers are using H-1B
10 visas to hire foreign workers, and the related activities
11 necessary to support such training.

12 SEC. 105. None of the funds made available by this
13 Act under the heading “Employment and Training Ad-
14 ministration” shall be used by a recipient or subrecipient
15 of such funds to pay the salary and bonuses of an indi-
16 vidual, either as direct costs or indirect costs, at a rate
17 in excess of Executive Level II. This limitation shall not
18 apply to vendors providing goods and services as defined
19 in Office of Management and Budget Circular A-133.
20 Where States are recipients of such funds, States may es-
21 tablish a lower limit for salaries and bonuses of those re-
22 ceiving salaries and bonuses from subrecipients of such
23 funds, taking into account factors including the relative
24 cost-of-living in the State, the compensation levels for
25 comparable State or local government employees, and the

1 size of the organizations that administer Federal pro-
2 grams involved including Employment and Training Ad-
3 ministration programs.

4 (TRANSFER OF FUNDS)

5 SEC. 106. (a) Notwithstanding section 102, the Sec-
6 retary may transfer funds made available to the Employ-
7 ment and Training Administration by this Act, either di-
8 rectly or through a set-aside, for technical assistance serv-
9 ices to grantees to “Program Administration” when it is
10 determined that those services will be more efficiently per-
11 formed by Federal employees: *Provided*, That this section
12 shall not apply to section 171 of the WIOA.

13 (b) Notwithstanding section 102, the Secretary may
14 transfer not more than 0.5 percent of each discretionary
15 appropriation made available to the Employment and
16 Training Administration by this Act to “Program Admin-
17 istration” in order to carry out program integrity activities
18 relating to any of the programs or activities that are fund-
19 ed under any such discretionary appropriations: *Provided*,
20 That notwithstanding section 102 and the preceding pro-
21 viso, the Secretary may transfer not more than 0.5 percent
22 of funds made available in paragraphs (1) and (2) of the
23 “Office of Job Corps” account to paragraph (3) of such
24 account to carry out program integrity activities related
25 to the Job Corps program: *Provided further*, That funds

1 transferred under the authority provided by this sub-
2 section shall be available for obligation through September
3 30, 2022.

4 (TRANSFER OF FUNDS)

5 SEC. 107. (a) The Secretary may reserve not more
6 than 0.75 percent from each appropriation made available
7 in this Act identified in subsection (b) in order to carry
8 out evaluations of any of the programs or activities that
9 are funded under such accounts. Any funds reserved under
10 this section shall be transferred to “Departmental Man-
11 agement” for use by the Office of the Chief Evaluation
12 Officer within the Department of Labor, and shall be
13 available for obligation through September 30, 2022: *Pro-*
14 *vided*, That such funds shall only be available if the Chief
15 Evaluation Officer of the Department of Labor submits
16 a plan to the Committees on Appropriations of the House
17 of Representatives and the Senate describing the evalua-
18 tions to be carried out 15 days in advance of any transfer.

19 (b) The accounts referred to in subsection (a) are:
20 “Training and Employment Services”, “Job Corps”,
21 “Community Service Employment for Older Americans”,
22 “State Unemployment Insurance and Employment Service
23 Operations”, “Employee Benefits Security Administra-
24 tion”, “Office of Workers’ Compensation Programs”,
25 “Wage and Hour Division”, “Office of Federal Contract

1 Compliance Programs”, “Office of Labor Management
2 Standards”, “Occupational Safety and Health Adminis-
3 tration”, “Mine Safety and Health Administration”, “Of-
4 fice of Disability Employment Policy”, funding made
5 available to the “Bureau of International Labor Affairs”
6 and “Women’s Bureau” within the “Departmental Man-
7 agement, Salaries and Expenses” account, and “Veterans
8 Employment and Training”.

9 SEC. 108. Notwithstanding any other provision of
10 law, the Secretary may furnish through grants, coopera-
11 tive agreements, contracts, and other arrangements, up to
12 \$2,000,000 of excess personal property, at a value deter-
13 mined by the Secretary, to apprenticeship programs for
14 the purpose of training apprentices in those programs.

15 SEC. 109. (a) The Act entitled “An Act to create a
16 Department of Labor”, approved March 4, 1913 (37 Stat.
17 736, chapter 141) shall be applied as if the following text
18 is part of such Act:

19 **“SEC. 12. SECURITY DETAIL.**

20 “(a) IN GENERAL.—The Secretary of Labor is au-
21 thorized to employ law enforcement officers or special
22 agents to—

23 “(1) provide protection for the Secretary of
24 Labor during the workday of the Secretary and dur-
25 ing any activity that is preliminary or postliminary

1 to the performance of official duties by the Sec-
2 retary;

3 “(2) provide protection, incidental to the protec-
4 tion provided to the Secretary, to a member of the
5 immediate family of the Secretary who is partici-
6 pating in an activity or event relating to the official
7 duties of the Secretary;

8 “(3) provide continuous protection to the Sec-
9 retary (including during periods not described in
10 paragraph (1)) and to the members of the imme-
11 diate family of the Secretary if there is a significant
12 and articulable threat of physical harm, in accord-
13 ance with guidelines established by the Secretary;
14 and

15 “(4) provide protection to the Deputy Secretary
16 of Labor at the Secretary’s direction in the perform-
17 ance of his official duties at a public event outside
18 of the United States if there is a significant and
19 articulable threat of physical harm and protective
20 services are not provided as part of an official U.S.
21 visit.

22 “(b) AUTHORITIES.—The Secretary of Labor may
23 authorize a law enforcement officer or special agent em-
24 ployed under subsection (a), for the purpose of performing
25 the duties authorized under subsection (a), to—

1 “(1) carry firearms;

2 “(2) make arrests without a warrant for any of-
3 fense against the United States committed in the
4 presence of such officer or special agent;

5 “(3) perform protective intelligence work, in-
6 cluding identifying and mitigating potential threats
7 and conducting advance work to review security mat-
8 ters relating to sites and events;

9 “(4) coordinate with local law enforcement
10 agencies; and

11 “(5) initiate criminal and other investigations
12 into potential threats to the security of the Sec-
13 retary, in coordination with the Inspector General of
14 the Department of Labor.

15 “(c) COMPLIANCE WITH GUIDELINES.—A law en-
16 forcement officer or special agent employed under sub-
17 section (a) shall exercise any authority provided under this
18 section in accordance with any—

19 “(1) guidelines issued by the Attorney General;
20 and

21 “(2) guidelines prescribed by the Secretary of
22 Labor.”.

23 (b) This section shall be effective on the date of en-
24 actment of this Act.

1 (2) close any of the Civilian Conservation Cen-
2 ters, except if such closure is necessary to prevent
3 the endangerment of the health and safety of the
4 students, the capacity of the program is retained,
5 and the requirements of section 159(j) of the WIOA
6 are met.

7 SEC. 113. None of the funds made available by this
8 Act may be used to implement or enforce, or take any
9 actions in furtherance of, the final regulations on “Joint
10 Employer Status under the Fair Labor Standards Act”
11 published by the Department of Labor in the Federal Reg-
12 ister on January 16, 2020 (85 Fed. Reg. 2820 et seq.).

13 SEC. 114. None of the funds made available by this
14 Act may be used to develop, promulgate, issue, or imple-
15 ment a final rule, or take any actions in furtherance of
16 the proposed rule, on “Implementing Legal Requirements
17 Regarding the Equal Opportunity Clause’s Religious Ex-
18 emption” published by Department of Labor in the Fed-
19 eral Register on August 15, 2019 (84 Fed. Reg. 41677
20 et seq.).

21 SEC. 115. None of the funds made available by this
22 Act may be used to implement or enforce or take any ac-
23 tions in furtherance of, the final rule on “Wagner-Peyser
24 Act Staffing Flexibility” published by the Department of

1 Labor in the Federal Register on January 06, 2020 (85
2 Fed. Reg. 592 et seq.).

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

5 TITLE II
6 DEPARTMENT OF HEALTH AND HUMAN
7 SERVICES

8 HEALTH RESOURCES AND SERVICES ADMINISTRATION
9 PRIMARY HEALTH CARE

10 For carrying out titles II and III of the Public Health
11 Service Act (referred to in this Act as the “PHS Act”)
12 with respect to primary health care and the Native Hawai-
13 ian Health Care Act of 1988, \$1,651,522,000: *Provided*,
14 That no more than \$1,000,000 shall be available until ex-
15 pended for carrying out the provisions of section 224(o)
16 of the PHS Act: *Provided further*, That no more than
17 \$120,000,000 shall be available until expended for car-
18 rying out subsections (g) through (n) and (q) of section
19 224 of the PHS Act, and for expenses incurred by the
20 Department of Health and Human Services (referred to
21 in this Act as “HHS”) pertaining to administrative claims
22 made under such law.

23 HEALTH WORKFORCE

24 For carrying out titles III, VII, and VIII of the PHS
25 Act with respect to the health workforce, sections 1128E

1 and 1921 of the Social Security Act, and the Health Care
2 Quality Improvement Act of 1986, \$1,242,505,000: *Pro-*
3 *vided*, That sections 751(j)(2) and 762(k) of the PHS Act
4 and the proportional funding amounts in paragraphs (1)
5 through (4) of section 756(f) of the PHS Act shall not
6 apply to funds made available under this heading: *Pro-*
7 *vided further*, That for any program operating under sec-
8 tion 751 of the PHS Act on or before January 1, 2009,
9 the Secretary of Health and Human Services (referred to
10 in this title as the “Secretary”) may hereafter waive any
11 of the requirements contained in sections 751(d)(2)(A)
12 and 751(d)(2)(B) of such Act for the full project period
13 of a grant under such section: *Provided further*, That no
14 funds shall be available for section 340G–1 of the PHS
15 Act: *Provided further*, That fees collected for the disclosure
16 of information under section 427(b) of the Health Care
17 Quality Improvement Act of 1986 and sections
18 1128E(d)(2) and 1921 of the Social Security Act shall be
19 sufficient to recover the full costs of operating the pro-
20 grams authorized by such sections and shall remain avail-
21 able until expended for the National Practitioner Data
22 Bank: *Provided further*, That funds transferred to this ac-
23 count to carry out section 846 and subpart 3 of part D
24 of title III of the PHS Act may be used to make prior
25 year adjustments to awards made under such section and

1 subpart: *Provided further*, That \$120,000,000 shall re-
2 main available until expended for the purposes of pro-
3 viding primary health services, assigning National Health
4 Service Corps (“NHSC”) members to expand the delivery
5 of substance use disorder treatment services, notwith-
6 standing the assignment priorities and limitations under
7 sections 333(a)(1)(D), 333(b), and 333A(a)(1)(B)(ii) of
8 the PHS Act, and making payments under the NHSC
9 Loan Repayment Program under section 338B of such
10 Act: *Provided further*, That, within the amount made
11 available in the previous proviso, \$15,000,000 shall re-
12 main available until expended for the purposes of making
13 payments under the NHSC Loan Repayment Program
14 under section 338B of the PHS Act to individuals partici-
15 pating in such program who provide primary health serv-
16 ices in Indian Health Service facilities, Tribally-Operated
17 638 Health Programs, and Urban Indian Health Pro-
18 grams (as those terms are defined by the Secretary), not-
19 withstanding the assignment priorities and limitations
20 under section 333(b) of such Act: *Provided further*, That
21 for purposes of the previous two provisos, section
22 331(a)(3)(D) of the PHS Act shall be applied as if the
23 term “primary health services” includes clinical substance
24 use disorder treatment services, including those provided
25 by masters level, licensed substance use disorder treat-

1 ment counselors: *Provided further*, That of the funds made
2 available under this heading, \$5,000,000 shall be available
3 to make grants to establish or expand optional commu-
4 nity-based nurse practitioner fellowship programs that are
5 accredited or in the accreditation process, with a pref-
6 erence for those in Federally Qualified Health Centers, for
7 practicing postgraduate nurse practitioners in primary
8 care or behavioral health.

9 Of the funds made available under this heading,
10 \$55,000,000 shall remain available until expended for
11 grants to public institutions of higher education to expand
12 or support graduate education for physicians provided by
13 such institutions: *Provided*, That, in awarding such
14 grants, the Secretary shall give priority to public institu-
15 tions of higher education located in States with a projected
16 primary care provider shortage in 2025, as determined by
17 the Secretary: *Provided further*, That grants so awarded
18 are limited to such public institutions of higher education
19 in States in the top quintile of States with a projected
20 primary care provider shortage in 2025, as determined by
21 the Secretary: *Provided further*, That the minimum
22 amount of a grant so awarded to such an institution shall
23 be not less than \$1,000,000 per year: *Provided further*,
24 That such a grant may be awarded for a period not to
25 exceed 5 years: *Provided further*, That such a grant award-

1 ed with respect to a year to such an institution shall be
2 subject to a matching requirement of non-Federal funds
3 in an amount that is not less than 10 percent of the total
4 amount of Federal funds provided in the grant to such
5 institution with respect to such year.

6 MATERNAL AND CHILD HEALTH

7 For carrying out titles III, XI, XII, and XIX of the
8 PHS Act with respect to maternal and child health and
9 title V of the Social Security Act, \$980,784,000: *Provided*,
10 That notwithstanding sections 502(a)(1) and 502(b)(1) of
11 the Social Security Act, not more than \$127,116,000 shall
12 be available for carrying out special projects of regional
13 and national significance pursuant to section 501(a)(2) of
14 such Act and \$10,276,000 shall be available for projects
15 described in subparagraphs (A) through (F) of section
16 501(a)(3) of such Act.

17 RYAN WHITE HIV/AIDS PROGRAM

18 For carrying out title XXVI of the PHS Act with
19 respect to the Ryan White HIV/AIDS program,
20 \$2,413,781,000, of which \$1,970,881,000 shall remain
21 available to the Secretary through September 30, 2023,
22 for parts A and B of title XXVI of the PHS Act, and
23 of which not less than \$900,313,000 shall be for State
24 AIDS Drug Assistance Programs under the authority of
25 section 2616 or 311(c) of such Act; and of which

1 \$95,000,000, to remain available until expended, shall be
2 available to the Secretary for carrying out a program of
3 grants and contracts under title XXVI or section 311(c)
4 of such Act focused on ending the nationwide HIV/AIDS
5 epidemic, with any grants issued under such section
6 311(c) administered in conjunction with title XXVI of the
7 PHS Act, including the limitation on administrative ex-
8 penses.

9 HEALTH CARE SYSTEMS

10 For carrying out titles III and XII of the PHS Act
11 with respect to health care systems, and the Stem Cell
12 Therapeutic and Research Act of 2005, \$131,093,000, of
13 which \$122,000 shall be available until expended for facili-
14 ties renovations at the Gillis W. Long Hansen's Disease
15 Center.

16 RURAL HEALTH

17 For carrying out titles III and IV of the PHS Act
18 with respect to rural health, section 427(a) of the Federal
19 Coal Mine Health and Safety Act of 1969, and sections
20 711 and 1820 of the Social Security Act, \$334,294,000,
21 of which \$55,609,000 from general revenues, notwith-
22 standing section 1820(j) of the Social Security Act, shall
23 be available for carrying out the Medicare rural hospital
24 flexibility grants program: *Provided*, That of the funds
25 made available under this heading for Medicare rural hos-

1 pital flexibility grants, \$21,942,000 shall be available for
2 the Small Rural Hospital Improvement Grant Program
3 for quality improvement and adoption of health informa-
4 tion technology and up to \$1,000,000 shall be to carry
5 out section 1820(g)(6) of the Social Security Act, with
6 funds provided for grants under section 1820(g)(6) avail-
7 able for the purchase and implementation of telehealth
8 services, including pilots and demonstrations on the use
9 of electronic health records to coordinate rural veterans
10 care between rural providers and the Department of Vet-
11 erans Affairs electronic health record system: *Provided*
12 *further*, That notwithstanding section 338J(k) of the PHS
13 Act, \$12,500,000 shall be available for State Offices of
14 Rural Health: *Provided further*, That \$11,000,000 shall
15 remain available through September 30, 2023, to support
16 the Rural Residency Development Program: *Provided fur-*
17 *ther*, That \$110,000,000 shall be for the Rural Commu-
18 nities Opioids Response Program.

19 FAMILY PLANNING

20 For carrying out the program under title X of the
21 PHS Act to provide for voluntary family planning
22 projects, \$286,479,000: *Provided*, That the Secretary shall
23 carry out section 1001 of the PHS Act solely in accord-
24 ance with any regulations or other conditions or instruc-
25 tions established by the Secretary pursuant to the author-

1 ity under section 1006 of the PHS Act that applied as
2 of January 18, 2017, to grants and contracts awarded
3 under section 1001 of the PHS Act: *Provided further,*
4 That amounts provided to said projects under such title
5 shall not be expended for abortions, that all pregnancy
6 counseling shall be nondirective, and that such amounts
7 shall not be expended for any activity (including the publi-
8 cation or distribution of literature) that in any way tends
9 to promote public support or opposition to any legislative
10 proposal or candidate for public office: *Provided further,*
11 That for each entity that, in fiscal year 2019, received
12 an award under section 1001 of the PHS Act and whose
13 award was terminated or relinquished before the planned
14 end of the period of performance, the Secretary shall, not
15 later than 60 days after the date of enactment of this Act,
16 issue a new award to such entity using funds made avail-
17 able herein, equal to the amount of the award that was
18 terminated or relinquished and consistent with any terms
19 and conditions that applied at the time that the fiscal year
20 2019 award was made except as modified by this Act, but
21 only if—

22 (1) the Secretary has not, prior to the enact-
23 ment of this Act, awarded grants or contracts for
24 the performance of substantially similar activities in
25 the geographical areas that were served by the ter-

1 minated or relinquished award, but if such grants or
2 contracts awarded prior to the enactment of this Act
3 would only partially replace the activities or areas
4 covered by the terminated or relinquished award, the
5 Secretary shall seek to restore the terminated award
6 with respect to the remaining activities or areas;

7 (2) the Secretary has secured assurance from
8 the entity that its termination or relinquishment was
9 due to its inability or unwillingness to comply with
10 the provisions of the final rule titled “Compliance
11 with Statutory Program Integrity Requirements”,
12 published on March 4, 2019 (84 Fed. Reg. 7714 et
13 seq.); and

14 (3) the Secretary has secured assurance from
15 the entity that it is willing to resume project activi-
16 ties consistent with the terms and conditions that
17 applied at the time that the terminated or relin-
18 quished award was made except as modified by this
19 Act:

20 *Provided further*, That the provisos under this heading are
21 not intended to limit the equitable powers of the courts
22 to further protect historical providers previously awarded
23 grants or contracts in fiscal year 2019 or prior fiscal years
24 under Title X of the PHS: *Provided further*, That all pa-

1 tients under Title X of the PHS Act with a positive preg-
2 nancy test—

3 (A) are given the opportunity to be pro-
4 vided information and counseling regarding
5 each of the following options—

6 (i) prenatal care and delivery;

7 (ii) infant care, foster care, and adop-
8 tion; and

9 (iii) pregnancy termination;

10 (B) if a patient requests such information
11 and counseling, such patient shall be provided
12 with neutral, factual information and nondirec-
13 tive counseling on each such option, including
14 referral upon request, except with respect to
15 any option about which the patient indicates no
16 interest in receiving such information and coun-
17 seling.

18 PROGRAM MANAGEMENT

19 For program support in the Health Resources and
20 Services Administration, \$155,300,000: *Provided*, That
21 funds made available under this heading may be used to
22 supplement program support funding provided under the
23 headings “Primary Health Care”, “Health Workforce”,
24 “Maternal and Child Health”, “Ryan White HIV/AIDS
25 Program”, “Health Care Systems”, and “Rural Health”.

1 VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

2 For payments from the Vaccine Injury Compensation
3 Program Trust Fund (the “Trust Fund”), such sums as
4 may be necessary for claims associated with vaccine-re-
5 lated injury or death with respect to vaccines administered
6 after September 30, 1988, pursuant to subtitle 2 of title
7 XXI of the PHS Act, to remain available until expended:
8 *Provided*, That for necessary administrative expenses, not
9 to exceed \$10,200,000 shall be available from the Trust
10 Fund to the Secretary.

11 CENTERS FOR DISEASE CONTROL AND PREVENTION

12 IMMUNIZATION AND RESPIRATORY DISEASES

13 For carrying out titles II, III, XVII, and XXI, and
14 section 2821 of the PHS Act, titles II and IV of the Immi-
15 gration and Nationality Act, and section 501 of the Ref-
16 ugee Education Assistance Act, with respect to immuniza-
17 tion and respiratory diseases, \$469,705,000.

18 HIV/AIDS, VIRAL HEPATITIS, SEXUALLY TRANSMITTED

19 DISEASES, AND TUBERCULOSIS PREVENTION

20 For carrying out titles II, III, XVII, and XXIII of
21 the PHS Act with respect to HIV/AIDS, viral hepatitis,
22 sexually transmitted diseases, and tuberculosis prevention,
23 \$1,287,556,000.

1 EMERGING AND ZONOTIC INFECTIOUS DISEASES

2 For carrying out titles II, III, and XVII, and section
3 2821 of the PHS Act, titles II and IV of the Immigration
4 and Nationality Act, and section 501 of the Refugee Edu-
5 cation Assistance Act, with respect to emerging and
6 zoonotic infectious diseases, \$593,972,000: *Provided*, That
7 of the amounts made available under this heading, up to
8 \$1,000,000 shall remain available until expended to pay
9 for the transportation, medical care, treatment, and other
10 related costs of persons quarantined or isolated under
11 Federal or State quarantine law.

12 CHRONIC DISEASE PREVENTION AND HEALTH

13 PROMOTION

14 For carrying out titles II, III, XI, XV, XVII, and
15 XIX of the PHS Act with respect to chronic disease pre-
16 vention and health promotion, \$1,049,564,000: *Provided*,
17 That funds made available under this heading may be
18 available for making grants under section 1509 of the
19 PHS Act for not less than 21 States, tribes, or tribal orga-
20 nizations: *Provided further*, That of the funds made avail-
21 able under this heading, \$15,000,000 shall be available to
22 continue and expand community specific extension and
23 outreach programs to combat obesity in counties with the
24 highest levels of obesity: *Provided further*, That the pro-
25 portional funding requirements under section 1503(a) of

1 the PHS Act shall not apply to funds made available
2 under this heading.

3 BIRTH DEFECTS, DEVELOPMENTAL DISABILITIES,
4 DISABILITIES AND HEALTH

5 For carrying out titles II, III, XI, and XVII of the
6 PHS Act with respect to birth defects, developmental dis-
7 abilities, disabilities and health, \$162,810,000.

8 PUBLIC HEALTH SCIENTIFIC SERVICES

9 For carrying out titles II, III, and XVII of the PHS
10 Act with respect to health statistics, surveillance, health
11 informatics, and workforce development, \$593,497,000.

12 ENVIRONMENTAL HEALTH

13 For carrying out titles II, III, and XVII of the PHS
14 Act with respect to environmental health, \$219,850,000,
15 of which \$10,000,000 shall be available until September
16 30, 2023, for carrying out activities under section 2203(b)
17 of the Water Infrastructure Improvements for the Nation
18 Act (Public Law 114–322).

19 INJURY PREVENTION AND CONTROL

20 For carrying out titles II, III, and XVII of the PHS
21 Act with respect to injury prevention and control,
22 \$694,879,000, of which \$25,000,000 shall be for firearm
23 injury and mortality prevention research.

1 NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND
2 HEALTH

3 For carrying out titles II, III, and XVII of the PHS
4 Act, sections 101, 102, 103, 201, 202, 203, 301, and 501
5 of the Federal Mine Safety and Health Act, section 13
6 of the Mine Improvement and New Emergency Response
7 Act, and sections 20, 21, and 22 of the Occupational Safe-
8 ty and Health Act, with respect to occupational safety and
9 health, \$344,700,000.

10 ENERGY EMPLOYEES OCCUPATIONAL ILLNESS
11 COMPENSATION PROGRAM

12 For necessary expenses to administer the Energy
13 Employees Occupational Illness Compensation Program
14 Act, \$55,358,000, to remain available until expended: *Pro-*
15 *vided*, That this amount shall be available consistent with
16 the provision regarding administrative expenses in section
17 151(b) of division B, title I of Public Law 106–554.

18 GLOBAL HEALTH

19 For carrying out titles II, III, and XVII of the PHS
20 Act with respect to global health, \$572,843,000, of which:
21 (1) \$128,421,000 shall remain available through Sep-
22 tember 30, 2022 for international HIV/AIDS; and (2)
23 \$183,200,000 shall remain available through September
24 30, 2023 for global public health protection: *Provided*,

1 That funds may be used for purchase and insurance of
2 official motor vehicles in foreign countries.

3 PUBLIC HEALTH PREPAREDNESS AND RESPONSE

4 For carrying out titles II, III, and XVII of the PHS
5 Act with respect to public health preparedness and re-
6 sponse, and for expenses necessary to support activities
7 related to countering potential biological, nuclear, radio-
8 logical, and chemical threats to civilian populations,
9 \$852,200,000: *Provided*, That the Director of the Centers
10 for Disease Control and Prevention (referred to in this
11 title as “CDC”) or the Administrator of the Agency for
12 Toxic Substances and Disease Registry may detail staff
13 without reimbursement for up to 180 days to support an
14 activation of the CDC Emergency Operations Center, so
15 long as the Director or Administrator, as applicable, pro-
16 vides a notice to the Committees on Appropriations of the
17 House of Representatives and the Senate within 15 days
18 of the use of this authority and a full report within 30
19 days after use of this authority which includes the number
20 of staff and funding level broken down by the originating
21 center and number of days detailed: *Provided further*,
22 That funds appropriated under this heading may be used
23 to support a contract for the operation and maintenance
24 of an aircraft in direct support of activities throughout

1 CDC to ensure the agency is prepared to address public
2 health preparedness emergencies.

3 BUILDINGS AND FACILITIES
4 (INCLUDING TRANSFER OF FUNDS)

5 For acquisition of real property, equipment, construc-
6 tion, installation, demolition, and renovation of facilities,
7 \$30,000,000, which shall remain available until September
8 30, 2025: *Provided*, That funds made available to this ac-
9 count in this or any prior Act that are available for the
10 acquisition of real property or for construction or improve-
11 ment of facilities shall be available to make improvements
12 on non-federally owned property, provided that any im-
13 provements that are not adjacent to federally owned prop-
14 erty do not exceed \$2,500,000, and that the primary ben-
15 efit of such improvements accrues to CDC: *Provided fur-*
16 *ther*, That funds previously set-aside by CDC for repair
17 and upgrade of the Lake Lynn Experimental Mine and
18 Laboratory shall be used to acquire a replacement mine
19 safety research facility: *Provided further*, That in addition,
20 the prior year unobligated balance of any amounts as-
21 signed to former employees in accounts of CDC made
22 available for Individual Learning Accounts shall be cred-
23 ited to and merged with the amounts made available under
24 this heading to support the replacement of the mine safety
25 research facility.

1 CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

2 (INCLUDING TRANSFER OF FUNDS)

3 For carrying out titles II, III, XVII and XIX, and
4 section 2821 of the PHS Act and for cross-cutting activi-
5 ties and program support for activities funded in other
6 appropriations included in this Act for the Centers for
7 Disease Control and Prevention, \$198,570,000, of which
8 up to \$5,000,000 may be transferred to the reserve of the
9 Working Capital Fund authorized under this heading in
10 division F of Public Law 112-74: *Provided*, That para-
11 graphs (1) through (3) of subsection (b) of section 2821
12 of the PHS Act shall not apply to funds appropriated
13 under this heading and in all other accounts of the CDC:
14 *Provided further*, That of the amounts made available
15 under this heading, \$85,000,000, to remain available until
16 expended, shall be available to the Director of the CDC
17 for deposit in the Infectious Diseases Rapid Response Re-
18 serve Fund established by section 231 of division B of
19 Public Law 115-245: *Provided further*, That employees of
20 CDC or the Public Health Service, both civilian and com-
21 missioned officers, detailed to States, municipalities, or
22 other organizations under authority of section 214 of the
23 PHS Act, or in overseas assignments, shall be treated as
24 non-Federal employees for reporting purposes only and
25 shall not be included within any personnel ceiling applica-

1 ble to the Agency, Service, or HHS during the period of
2 detail or assignment: *Provided further*, That CDC may use
3 up to \$10,000 from amounts appropriated to CDC in this
4 Act for official reception and representation expenses
5 when specifically approved by the Director of CDC: *Pro-*
6 *vided further*, That in addition, such sums as may be de-
7 rived from authorized user fees, which shall be credited
8 to the appropriation charged with the cost thereof: *Pro-*
9 *vided further*, That with respect to the previous proviso,
10 authorized user fees from the Vessel Sanitation Program
11 and the Respirator Certification Program shall be avail-
12 able through September 30, 2022.

13 NATIONAL INSTITUTES OF HEALTH

14 NATIONAL CANCER INSTITUTE

15 For carrying out section 301 and title IV of the PHS
16 Act with respect to cancer, \$6,299,155,000, of which up
17 to \$30,000,000 may be used for facilities repairs and im-
18 provements at the National Cancer Institute—Frederick
19 Federally Funded Research and Development Center in
20 Frederick, Maryland.

21 NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

22 For carrying out section 301 and title IV of the PHS
23 Act with respect to cardiovascular, lung, and blood dis-
24 eases, and blood and blood products, \$3,655,428,000.

1 NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL
2 RESEARCH

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to dental and craniofacial diseases,
5 \$481,535,000.

6 NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND
7 KIDNEY DISEASES

8 For carrying out section 301 and title IV of the PHS
9 Act with respect to diabetes and digestive and kidney dis-
10 ease, \$2,132,498,000.

11 NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS
12 AND STROKE

13 For carrying out section 301 and title IV of the PHS
14 Act with respect to neurological disorders and stroke,
15 \$2,415,110,000.

16 NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS
17 DISEASES

18 For carrying out section 301 and title IV of the PHS
19 Act with respect to allergy and infectious diseases,
20 \$6,013,087,000.

21 NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

22 For carrying out section 301 and title IV of the PHS
23 Act with respect to general medical sciences,
24 \$2,972,479,000, of which \$1,341,313,000 shall be from
25 funds available under section 241 of the PHS Act: *Pro-*

1 *vided*, That not less than \$396,573,000 is provided for
2 the Institutional Development Awards program.

3 EUNICE KENNEDY SHRIVER NATIONAL INSTITUTE OF
4 CHILD HEALTH AND HUMAN DEVELOPMENT

5 For carrying out section 301 and title IV of the PHS
6 Act with respect to child health and human development,
7 \$1,570,269,000.

8 NATIONAL EYE INSTITUTE

9 For carrying out section 301 and title IV of the PHS
10 Act with respect to eye diseases and visual disorders,
11 \$831,177,000.

12 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH
13 SCIENCES

14 For carrying out section 301 and title IV of the PHS
15 Act with respect to environmental health sciences,
16 \$809,501,000.

17 NATIONAL INSTITUTE ON AGING

18 For carrying out section 301 and title IV of the PHS
19 Act with respect to aging, \$3,609,150,000.

20 NATIONAL INSTITUTE OF ARTHRITIS AND
21 MUSCULOSKELETAL AND SKIN DISEASES

22 For carrying out section 301 and title IV of the PHS
23 Act with respect to arthritis and musculoskeletal and skin
24 diseases, \$630,263,000.

1 NATIONAL INSTITUTE ON DEAFNESS AND OTHER
2 COMMUNICATION DISORDERS

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to deafness and other communication dis-
5 orders, \$494,912,000.

6 NATIONAL INSTITUTE OF NURSING RESEARCH

7 For carrying out section 301 and title IV of the PHS
8 Act with respect to nursing research, \$170,567,000.

9 NATIONAL INSTITUTE ON ALCOHOL ABUSE AND
10 ALCOHOLISM

11 For carrying out section 301 and title IV of the PHS
12 Act with respect to alcohol abuse and alcoholism,
13 \$550,063,000.

14 NATIONAL INSTITUTE ON DRUG ABUSE

15 For carrying out section 301 and title IV of the PHS
16 Act with respect to drug abuse, \$1,474,590,000.

17 NATIONAL INSTITUTE OF MENTAL HEALTH

18 For carrying out section 301 and title IV of the PHS
19 Act with respect to mental health, \$2,005,303,000.

20 NATIONAL HUMAN GENOME RESEARCH INSTITUTE

21 For carrying out section 301 and title IV of the PHS
22 Act with respect to human genome research,
23 \$611,564,000.

1 NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND
2 BIOENGINEERING

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to biomedical imaging and bioengineering
5 research, \$407,109,000.

6 NATIONAL CENTER FOR COMPLEMENTARY AND
7 INTEGRATIVE HEALTH

8 For carrying out section 301 and title IV of the PHS
9 Act with respect to complementary and integrative health,
10 \$153,045,000.

11 NATIONAL INSTITUTE ON MINORITY HEALTH AND
12 HEALTH DISPARITIES

13 For carrying out section 301 and title IV of the PHS
14 Act with respect to minority health and health disparities
15 research, \$343,700,000: *Provided*, That funds may be
16 used to implement a reorganization that is presented to
17 an advisory council in a public meeting and for which the
18 Committees on Appropriations of the House of Represent-
19 atives and the Senate have been notified 30 days in ad-
20 vance.

21 JOHN E. FOGARTY INTERNATIONAL CENTER

22 For carrying out the activities of the John E. Fogarty
23 International Center (described in subpart 2 of part E of
24 title IV of the PHS Act), \$86,455,000.

1 NATIONAL LIBRARY OF MEDICINE

2 For carrying out section 301 and title IV of the PHS
3 Act with respect to health information communications,
4 \$460,841,000: *Provided*, That of the amounts available for
5 improvement of information systems, \$4,000,000 shall be
6 available until September 30, 2022: *Provided further*, That
7 in fiscal year 2021, the National Library of Medicine may
8 enter into personal services contracts for the provision of
9 services in facilities owned, operated, or constructed under
10 the jurisdiction of the National Institutes of Health (re-
11 ferred to in this title as “NIH”).

12 NATIONAL CENTER FOR ADVANCING TRANSLATIONAL
13 SCIENCES

14 For carrying out section 301 and title IV of the PHS
15 Act with respect to translational sciences, \$840,051,000:
16 *Provided*, That up to \$60,000,000 shall be available to im-
17 plement section 480 of the PHS Act, relating to the Cures
18 Acceleration Network: *Provided further*, That at least
19 \$578,141,000 is provided to the Clinical and Translational
20 Sciences Awards program.

21 OFFICE OF THE DIRECTOR

22 (INCLUDING TRANSFER OF FUNDS)

23 For carrying out the responsibilities of the Office of
24 the Director, NIH, \$2,324,548,000: *Provided*, That fund-
25 ing shall be available for the purchase of not to exceed

1 29 passenger motor vehicles for replacement only: *Pro-*
2 *vided further*, That all funds credited to the NIH Manage-
3 ment Fund shall remain available for one fiscal year after
4 the fiscal year in which they are deposited: *Provided fur-*
5 *ther*, That \$180,000,000 shall be for the Environmental
6 Influences on Child Health Outcomes study: *Provided fur-*
7 *ther*, That \$631,899,000 shall be available for the Com-
8 mon Fund established under section 402A(c)(1) of the
9 PHS Act: *Provided further*, That of the funds provided,
10 \$10,000 shall be for official reception and representation
11 expenses when specifically approved by the Director of the
12 NIH: *Provided further*, That the Office of AIDS Research
13 within the Office of the Director of the NIH may spend
14 up to \$8,000,000 to make grants for construction or ren-
15 ovation of facilities as provided for in section
16 2354(a)(5)(B) of the PHS Act: *Provided further*, That
17 \$50,000,000 shall be used to carry out section 404I of
18 the PHS Act (42 U.S.C. 283K), relating to biomedical and
19 behavioral research facilities: *Provided further*, That
20 \$5,000,000 shall be transferred to and merged with the
21 appropriation for the “Office of Inspector General” for
22 oversight of grant programs and operations of the NIH,
23 including agency efforts to ensure the integrity of its grant
24 application evaluation and selection processes, and shall
25 be in addition to funds otherwise made available for over-

1 sight of the NIH: *Provided further*, That the funds pro-
2 vided in the previous proviso may be transferred from one
3 specified activity to another with 15 days prior approval
4 of the Committees on Appropriations of the House of Rep-
5 resentatives and the Senate: *Provided further*, That the In-
6 spector General shall consult with the Committees on Ap-
7 propriations of the House of Representatives and the Sen-
8 ate before submitting to the Committees an audit plan for
9 fiscal years 2021 and 2022 no later than 30 days after
10 the date of enactment of this Act: *Provided further*, That
11 amounts available under this heading are also available
12 to establish, operate, and support the Research Policy
13 Board authorized by section 2034(f) of the 21st Century
14 Cures Act.

15 In addition to other funds appropriated for the Com-
16 mon Fund established under section 402A(c) of the PHS
17 Act, \$12,600,000 is appropriated to the Common Fund
18 from the 10-year Pediatric Research Initiative Fund de-
19 scribed in section 9008 of title 26, United States Code,
20 for the purpose of carrying out section 402(b)(7)(B)(ii)
21 of the PHS Act (relating to pediatric research), as author-
22 ized in the Gabriella Miller Kids First Research Act.

23 BUILDINGS AND FACILITIES

24 For the study of, construction of, demolition of, ren-
25 ovation of, and acquisition of equipment for, facilities of

1 or used by NIH, including the acquisition of real property,
2 \$200,000,000, to remain available through September 30,
3 2025.

4 NIH INNOVATION ACCOUNT, CURES ACT
5 (INCLUDING TRANSFER OF FUNDS)

6 For necessary expenses to carry out the purposes de-
7 scribed in section 1001(b)(4) of the 21st Century Cures
8 Act, in addition to amounts available for such purposes
9 in the appropriations provided to the NIH in this Act,
10 \$404,000,000, to remain available until expended: *Pro-*
11 *vided*, That such amounts are appropriated pursuant to
12 section 1001(b)(3) of such Act, are to be derived from
13 amounts transferred under section 1001(b)(2)(A) of such
14 Act, and may be transferred by the Director of the Na-
15 tional Institutes of Health to other accounts of the Na-
16 tional Institutes of Health solely for the purposes provided
17 in such Act: *Provided further*, That upon a determination
18 by the Director that funds transferred pursuant to the
19 previous proviso are not necessary for the purposes pro-
20 vided, such amounts may be transferred back to the Ac-
21 count: *Provided further*, That the transfer authority pro-
22 vided under this heading is in addition to any other trans-
23 fer authority provided by law.

1 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

2 ADMINISTRATION

3 MENTAL HEALTH

4 For carrying out titles III, V, and XIX of the PHS
5 Act with respect to mental health, and the Protection and
6 Advocacy for Individuals with Mental Illness Act,
7 \$1,727,974,000: *Provided*, That of the funds made avail-
8 able under this heading, \$71,887,000 shall be for the Na-
9 tional Child Traumatic Stress Initiative: *Provided further*,
10 That notwithstanding section 520A(f)(2) of the PHS Act,
11 no funds appropriated for carrying out section 520A shall
12 be available for carrying out section 1971 of the PHS Act:
13 *Provided further*, That in addition to amounts provided
14 herein, \$21,039,000 shall be available under section 241
15 of the PHS Act to supplement funds otherwise available
16 for mental health activities and to carry out subpart I of
17 part B of title XIX of the PHS Act to fund section
18 1920(b) technical assistance, national data, data collection
19 and evaluation activities, and further that the total avail-
20 able under this Act for section 1920(b) activities shall not
21 exceed 5 percent of the amounts appropriated for subpart
22 I of part B of title XIX: *Provided further*, That of the
23 funds made available under this heading for subpart I of
24 part B of title XIX of the PHS Act, \$35,000,000 shall
25 be available to support evidence-based crisis systems: *Pro-*

1 *vided further*, That up to 10 percent of the amounts made
2 available to carry out the Children’s Mental Health Serv-
3 ices program may be used to carry out demonstration
4 grants or contracts for early interventions with persons
5 not more than 25 years of age at clinical high risk of de-
6 veloping a first episode of psychosis: *Provided further*,
7 That section 520E(b)(2) of the PHS Act shall not apply
8 to funds appropriated in this Act for fiscal year 2021: *Pro-*
9 *vided further*, That States shall expend at least 10 percent
10 of the amount each receives for carrying out section 1911
11 of the PHS Act to support evidence-based programs that
12 address the needs of individuals with early serious mental
13 illness, including psychotic disorders, regardless of the age
14 of the individual at onset: *Provided further*, That
15 \$225,000,000 shall be available until September 30, 2023
16 for grants to communities and community organizations
17 who meet criteria for Certified Community Behavioral
18 Health Clinics pursuant to section 223(a) of Public Law
19 113–93: *Provided further*, That none of the funds provided
20 for section 1911 of the PHS Act shall be subject to section
21 241 of such Act: *Provided further*, That of the funds made
22 available under this heading, \$19,000,000 shall be to
23 carry out section 224 of the Protecting Access to Medicare
24 Act of 2014 (Public Law 113–93; 42 U.S.C. 290aa 22
25 note).

1 SUBSTANCE ABUSE TREATMENT

2 For carrying out titles III and V of the PHS Act
3 with respect to substance abuse treatment and title XIX
4 of such Act with respect to substance abuse treatment and
5 prevention, and the SUPPORT for Patients and Commu-
6 nities Act, \$3,766,556,000: *Provided*, That
7 \$1,500,000,000 shall be for State Opioid Response Grants
8 for carrying out activities pertaining to opioids and stimu-
9 lants undertaken by the State agency responsible for ad-
10 ministering the substance abuse prevention and treatment
11 block grant under subpart II of part B of title XIX of
12 the PHS Act (42 U.S.C. 300x-21 et seq.): *Provided fur-*
13 *ther*, That of such amount \$50,000,000 shall be made
14 available to Indian Tribes or tribal organizations: *Provided*
15 *further*, That 15 percent of the remaining amount shall
16 be for the States with the highest mortality rate related
17 to opioid use disorders: *Provided further*, That of the
18 amounts provided for State Opioid Response Grants not
19 more than 2 percent shall be available for Federal admin-
20 istrative expenses, training, technical assistance, and eval-
21 uation: *Provided further*, That of the amount not reserved
22 by the previous three provisos, the Secretary shall make
23 allocations to States, territories, and the District of Co-
24 lumbia according to a formula using national survey re-
25 sults that the Secretary determines are the most objective

1 and reliable measure of drug use and drug-related deaths:
2 *Provided further*, That the Secretary shall submit the for-
3 mula methodology to the Committees on Appropriations
4 of the House of Representatives and the Senate not less
5 than 15 days prior to publishing a Funding Opportunity
6 Announcement: *Provided further*, That prevention and
7 treatment activities funded through such grants may in-
8 clude education, treatment (including the provision of
9 medication), behavioral health services for individuals in
10 treatment programs, referral to treatment services, recov-
11 ery support, and medical screening associated with such
12 treatment: *Provided further*, That each State, as well as
13 the District of Columbia, shall receive not less than
14 \$4,000,000: *Provided further*, That in addition to amounts
15 provided herein, the following amounts shall be available
16 under section 241 of the PHS Act: (1) \$79,200,000 to
17 carry out subpart II of part B of title XIX of the PHS
18 Act to fund section 1935(b) technical assistance, national
19 data, data collection and evaluation activities, and further
20 that the total available under this Act for section 1935(b)
21 activities shall not exceed 5 percent of the amounts appro-
22 priated for subpart II of part B of title XIX; and (2)
23 \$2,000,000 to evaluate substance abuse treatment pro-
24 grams: *Provided further*, That none of the funds provided

1 for section 1921 of the PHS Act or State Opioid Response
2 Grants shall be subject to section 241 of such Act.

3 SUBSTANCE ABUSE PREVENTION

4 For carrying out titles III and V of the PHS Act
5 with respect to substance abuse prevention, \$209,469,000.

6 HEALTH SURVEILLANCE AND PROGRAM SUPPORT

7 For program support and cross-cutting activities that
8 supplement activities funded under the headings “Mental
9 Health”, “Substance Abuse Treatment”, and “Substance
10 Abuse Prevention” in carrying out titles III, V, and XIX
11 of the PHS Act and the Protection and Advocacy for Indi-
12 viduals with Mental Illness Act in the Substance Abuse
13 and Mental Health Services Administration,
14 \$128,830,000: *Provided*, That in addition to amounts pro-
15 vided herein, \$31,428,000 shall be available under section
16 241 of the PHS Act to supplement funds available to
17 carry out national surveys on drug abuse and mental
18 health, to collect and analyze program data, and to con-
19 duct public awareness and technical assistance activities:
20 *Provided further*, That, in addition, fees may be collected
21 for the costs of publications, data, data tabulations, and
22 data analysis completed under title V of the PHS Act and
23 provided to a public or private entity upon request, which
24 shall be credited to this appropriation and shall remain
25 available until expended for such purposes: *Provided fur-*

1 *ther*, That amounts made available in this Act for carrying
2 out section 501(o) of the PHS Act shall remain available
3 through September 30, 2022: *Provided further*, That funds
4 made available under this heading may be used to supple-
5 ment program support funding provided under the head-
6 ings “Mental Health”, “Substance Abuse Treatment”,
7 and “Substance Abuse Prevention”.

8 AGENCY FOR HEALTHCARE RESEARCH AND QUALITY
9 HEALTHCARE RESEARCH AND QUALITY

10 For carrying out titles III and IX of the PHS Act,
11 part A of title XI of the Social Security Act, and section
12 1013 of the Medicare Prescription Drug, Improvement,
13 and Modernization Act of 2003, \$143,091,000: *Provided*,
14 That in addition to amounts provided herein,
15 \$199,909,000 shall be available from amounts available
16 under section 241 of the PHS Act: *Provided further*, That
17 section 947(c) of the PHS Act shall not apply in fiscal
18 year 2021: *Provided further*, That in addition, amounts
19 received from Freedom of Information Act fees, reimburs-
20 able and interagency agreements, and the sale of data
21 shall be credited to this appropriation and shall remain
22 available until September 30, 2022.

1 CENTERS FOR MEDICARE & MEDICAID SERVICES

2 GRANTS TO STATES FOR MEDICAID

3 For carrying out, except as otherwise provided, titles
4 XI and XIX of the Social Security Act, \$313,904,098,000,
5 to remain available until expended.

6 In addition, for carrying out such titles after May 31,
7 2021, for the last quarter of fiscal year 2021 for unantici-
8 pated costs incurred for the current fiscal year, such sums
9 as may be necessary, to remain available until expended.

10 In addition, for carrying out such titles for the first
11 quarter of fiscal year 2022, \$148,732,315,000, to remain
12 available until expended.

13 Payment under such title XIX may be made for any
14 quarter with respect to a State plan or plan amendment
15 in effect during such quarter, if submitted in or prior to
16 such quarter and approved in that or any subsequent
17 quarter.

18 PAYMENTS TO THE HEALTH CARE TRUST FUNDS

19 For payment to the Federal Hospital Insurance
20 Trust Fund and the Federal Supplementary Medical In-
21 surance Trust Fund, as provided under sections 217(g),
22 1844, and 1860D-16 of the Social Security Act, sections
23 103(e) and 111(d) of the Social Security Amendments of
24 1965, section 278(d)(3) of Public Law 97-248, and for

1 administrative expenses incurred pursuant to section
2 201(g) of the Social Security Act, \$439,514,000,000.

3 In addition, for making matching payments under
4 section 1844 and benefit payments under section 1860D–
5 16 of the Social Security Act that were not anticipated
6 in budget estimates, such sums as may be necessary.

7 PROGRAM MANAGEMENT

8 For carrying out, except as otherwise provided, titles
9 XI, XVIII, XIX, and XXI of the Social Security Act, titles
10 XIII and XXVII of the PHS Act, the Clinical Laboratory
11 Improvement Amendments of 1988, and other responsibil-
12 ities of the Centers for Medicare & Medicaid Services, not
13 to exceed \$3,984,744,000, to be transferred from the Fed-
14 eral Hospital Insurance Trust Fund and the Federal Sup-
15 plementary Medical Insurance Trust Fund, as authorized
16 by section 201(g) of the Social Security Act; together with
17 all funds collected in accordance with section 353 of the
18 PHS Act and section 1857(e)(2) of the Social Security
19 Act, funds retained by the Secretary pursuant to section
20 1893(h) of the Social Security Act, and such sums as may
21 be collected from authorized user fees and the sale of data,
22 which shall be credited to this account and remain avail-
23 able until expended: *Provided*, That all funds derived in
24 accordance with 31 U.S.C. 9701 from organizations estab-
25 lished under title XIII of the PHS Act shall be credited

1 to and available for carrying out the purposes of this ap-
2 propriation: *Provided further*, That the Secretary is di-
3 rected to collect fees in fiscal year 2021 from Medicare
4 Advantage organizations pursuant to section 1857(e)(2)
5 of the Social Security Act and from eligible organizations
6 with risk-sharing contracts under section 1876 of that Act
7 pursuant to section 1876(k)(4)(D) of that Act: *Provided*
8 *further*, That of the amount made available under this
9 heading, \$407,334,000 shall remain available until Sep-
10 tember 30, 2022, and shall be available for the Survey
11 and Certification Program: *Provided further*, That
12 amounts available under this heading to support quality
13 improvement organizations (as defined in section 1152 of
14 the Social Security Act) shall not exceed the amount spe-
15 cifically provided for such purpose under this heading in
16 division H of the Consolidated Appropriations Act, 2018
17 (Public Law 115–141).

18 In addition, the Secretary shall obligate not less than
19 \$100,000,000 in fiscal year 2021 out of amounts collected
20 through the user fees on participating health insurance
21 issuers pursuant to section 156.50 of title 45, Code of
22 Federal Regulations (or any successor regulations) to
23 carry out the navigator program (as described in section
24 1311(i) of the Patient Protection and Affordable Care Act
25 (42 U.S.C. 18031(i)), and to carry out outreach and edu-

1 cational activities, for purposes of informing potential en-
2 rollees in qualified health plans (as defined in section
3 1301(a) of such Act (42 U.S.C. 18021(a)) offered through
4 an Exchange established or operated by the Secretary
5 within a State, of the availability of coverage under such
6 plans and financial assistance for coverage under such
7 plans: *Provided*, That awards under such program shall
8 be based solely on an entity's demonstrated capacity to
9 carry out each of the duties specified in section 1311(i)(3)
10 of such Act: *Provided further*, That not less than
11 \$15,000,000 shall be obligated for national television and
12 not less than \$15,000,000 shall be obligated for internet
13 search advertising for purposes of carrying out such out-
14 reach and educational activities: *Provided further*, That
15 not less than \$30,000,000 of the funds made available in
16 this paragraph shall be obligated for advertising during
17 the final two weeks of the open enrollment period specified
18 by the Secretary pursuant to section 1311(c)(6)(B) of
19 such Act occurring during 2019: *Provided further*, That
20 no amounts collected through such user fees shall be avail-
21 able for expenditures for promoting health insurance cov-
22 erage or a group health plan (as such terms are defined
23 in section 2791 of the PHS Act (42 U.S.C. 300gg-91))
24 that is not a qualified health plan.

1 HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT

2 In addition to amounts otherwise available for pro-
3 gram integrity and program management, \$807,000,000,
4 to remain available through September 30, 2022, to be
5 transferred from the Federal Hospital Insurance Trust
6 Fund and the Federal Supplementary Medical Insurance
7 Trust Fund, as authorized by section 201(g) of the Social
8 Security Act, of which \$615,000,000 shall be for the Cen-
9 ters for Medicare & Medicaid Services program integrity
10 activities, of which \$98,000,000 shall be for the Depart-
11 ment of Health and Human Services Office of Inspector
12 General to carry out fraud and abuse activities authorized
13 by section 1817(k)(3) of such Act, and of which
14 \$94,000,000 shall be for the Department of Justice to
15 carry out fraud and abuse activities authorized by section
16 1817(k)(3) of such Act: *Provided*, That the report re-
17 quired by section 1817(k)(5) of the Social Security Act
18 for fiscal year 2021 shall include measures of the oper-
19 ational efficiency and impact on fraud, waste, and abuse
20 in the Medicare, Medicaid, and CHIP programs for the
21 funds provided by this appropriation: *Provided further*,
22 That of the amount provided under this heading,
23 \$311,000,000 is provided to meet the terms of section
24 251(b)(2)(C)(ii) of the Balanced Budget and Emergency
25 Deficit Control Act of 1985, as amended, and

1 \$496,000,000 is additional new budget authority specified
2 for purposes of section 251(b)(2)(C) of such Act: *Provided*
3 *further*, That the Secretary shall provide not less than
4 \$20,000,000 from amounts made available under this
5 heading and amounts made available for fiscal year 2021
6 under section 1817(k)(3)(A) of the Social Security Act for
7 the Senior Medicare Patrol program to combat health care
8 fraud and abuse.

9 ADMINISTRATION FOR CHILDREN AND FAMILIES

10 PAYMENTS TO STATES FOR CHILD SUPPORT

11 ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

12 For carrying out, except as otherwise provided, titles
13 I, IV–D, X, XI, XIV, and XVI of the Social Security Act
14 and the Act of July 5, 1960, \$3,039,000,000, to remain
15 available until expended; and for such purposes for the
16 first quarter of fiscal year 2022, \$1,400,000,000, to re-
17 main available until expended.

18 For carrying out, after May 31 of the current fiscal
19 year, except as otherwise provided, titles I, IV–D, X, XI,
20 XIV, and XVI of the Social Security Act and the Act of
21 July 5, 1960, for the last 3 months of the current fiscal
22 year for unanticipated costs, incurred for the current fiscal
23 year, such sums as may be necessary.

1 LOW INCOME HOME ENERGY ASSISTANCE

2 For making payments under subsections (b) and (d)
3 of section 2602 of the Low-Income Home Energy Assist-
4 ance Act of 1981 (42 U.S.C. 8621 et seq.),
5 \$3,765,304,000: *Provided*, That notwithstanding section
6 2609A(a) of such Act, not more than \$2,988,000 may be
7 reserved by the Secretary of Health and Human Services
8 for technical assistance, training, and monitoring of pro-
9 gram activities for compliance with internal controls, poli-
10 cies and procedures and the Secretary may, in addition
11 to the authorities provided in section 2609A(a)(1), use
12 such funds through contracts with private entities that do
13 not qualify as nonprofit organizations: *Provided further*,
14 That \$3,737,316,000 of the amount appropriated under
15 this heading shall be allocated to each State and territory
16 in amounts equal to the amount each State and territory
17 was allocated in fiscal year 2020 pursuant to allocations
18 made from amounts appropriated under this heading in
19 title II of division A of the Further Consolidated Appro-
20 priations Act, 2020 (Public Law 116–94): *Provided fur-*
21 *ther*, That of the remaining amount made available under
22 this heading that is not designated for allocation in the
23 preceding two provisos, \$12,500,000 shall be allocated as
24 though the total appropriation for such payments for fiscal
25 year 2021 was less than \$1,975,000,000.

1 REFUGEE AND ENTRANT ASSISTANCE

2 For necessary expenses for refugee and entrant as-
3 sistance activities authorized by section 414 of the Immi-
4 gration and Nationality Act and section 501 of the Ref-
5 ugee Education Assistance Act of 1980, and for carrying
6 out section 462 of the Homeland Security Act of 2002,
7 section 235 of the William Wilberforce Trafficking Victims
8 Protection Reauthorization Act of 2008, the Trafficking
9 Victims Protection Act of 2000 (“TVPA”), and the Tor-
10 ture Victims Relief Act of 1998, \$1,911,201,000, of which
11 \$1,864,446,000 shall remain available through September
12 30, 2023 for carrying out such sections 414, 501, 462,
13 and 235: *Provided*, That amounts available under this
14 heading to carry out the TVPA shall also be available for
15 research and evaluation with respect to activities under
16 such Act: *Provided further*, That not less than
17 \$190,000,000 shall be used for legal services, child advo-
18 cates, and post-release services: *Provided further*, That the
19 contribution of funds requirement under section
20 235(e)(6)(C)(iii) of the William Wilberforce Trafficking
21 Victims Protection Reauthorization Act of 2008 shall not
22 apply to funds made available under this heading.

1 PAYMENTS TO STATES FOR THE CHILD CARE AND
2 DEVELOPMENT BLOCK GRANT

3 For carrying out the Child Care and Development
4 Block Grant Act of 1990 (“CCDBG Act”),
5 \$5,926,000,000 shall be used to supplement, not supplant
6 State general revenue funds for child care assistance for
7 low-income families: *Provided*, That technical assistance
8 under section 658I(a)(3) of such Act may be provided di-
9 rectly, or through the use of contracts, grants, cooperative
10 agreements, or interagency agreements: *Provided further*,
11 That all funds made available to carry out section 418
12 of the Social Security Act (42 U.S.C. 618), including
13 funds appropriated for that purpose in such section 418
14 or any other provision of law, shall be subject to the res-
15 ervation of funds authority in paragraphs (4) and (5) of
16 section 658O(a) of the CCDBG Act: *Provided further*,
17 That in addition to the amounts required to be reserved
18 by the Secretary under section 658O(a)(2)(A) of such Act,
19 \$174,780,000 shall be for Indian tribes and tribal organi-
20 zations.

21 SOCIAL SERVICES BLOCK GRANT

22 For making grants to States pursuant to section
23 2002 of the Social Security Act, \$1,700,000,000: *Pro-*
24 *vided*, That notwithstanding subparagraph (B) of section
25 404(d)(2) of such Act, the applicable percent specified

1 under such subparagraph for a State to carry out State
2 programs pursuant to title XX–A of such Act shall be 10
3 percent.

4 CHILDREN AND FAMILIES SERVICES PROGRAMS

5 For carrying out, except as otherwise provided, the
6 Runaway and Homeless Youth Act, the Head Start Act,
7 the Every Student Succeeds Act, the Child Abuse Preven-
8 tion and Treatment Act, sections 303 and 313 of the
9 Family Violence Prevention and Services Act, the Native
10 American Programs Act of 1974, title II of the Child
11 Abuse Prevention and Treatment and Adoption Reform
12 Act of 1978 (adoption opportunities), part B–1 of title IV
13 and sections 429, 473A, 477(i), 1110, 1114A, and 1115
14 of the Social Security Act, and the Community Services
15 Block Grant Act (“CSBG Act”); and for necessary admin-
16 istrative expenses to carry out titles I, IV, V, X, XI, XIV,
17 XVI, and XX–A of the Social Security Act, the Act of
18 July 5, 1960, the Low-Income Home Energy Assistance
19 Act of 1981, the Child Care and Development Block Grant
20 Act of 1990, the Assets for Independence Act, title IV of
21 the Immigration and Nationality Act, and section 501 of
22 the Refugee Education Assistance Act of 1980,
23 \$13,098,181,000, of which \$75,000,000, to remain avail-
24 able through September 30, 2022, shall be for grants to
25 States for adoption and legal guardianship incentive pay-

1 ments, as defined by section 473A of the Social Security
2 Act and may be made for adoptions and legal
3 guardianships completed before September 30, 2021: *Pro-*
4 *vided*, That \$10,763,095,000 shall be for making pay-
5 ments under the Head Start Act, including for Early Head
6 Start-Child Care Partnerships, and, of which, notwith-
7 standing section 640 of such Act:

8 (1) \$135,000,000 shall be available for a cost
9 of living adjustment, and with respect to any con-
10 tinuing appropriations act, funding available for a
11 cost of living adjustment shall not be construed as
12 an authority or condition under this Act;

13 (2) \$25,000,000 shall be available for allocation
14 by the Secretary to supplement activities described
15 in paragraphs (7)(B) and (9) of section 641(c) of
16 the Head Start Act under the Designation Renewal
17 System, established under the authority of sections
18 641(c)(7), 645A(b)(12), and 645A(d) of such Act,
19 and such funds shall not be included in the calcula-
20 tion of “base grant” in subsequent fiscal years, as
21 such term is used in section 640(a)(7)(A) of such
22 Act;

23 (3) \$15,000,000 shall be available to migrant
24 and seasonal Head Start programs, in addition to
25 funds made available for migrant and seasonal Head

1 Start programs under section 640(a) of the Head
2 Start Act, for the purposes of quality improvement
3 consistent with section 640(a)(5) of such Act except
4 that any amount of the funds may be used on any
5 of the activities in such section (5): *Provided further*,
6 that funds derived from a migrant and seasonal
7 Head Start program held by the Secretary as a re-
8 sult of recapturing, withholding, or reducing a base
9 grant that were unable to be redistributed consistent
10 with Section 641A(h)(6)(A)(ii) of such Act shall be
11 added to the amount in the previous proviso;

12 (4) \$4,000,000 shall be available for the pur-
13 poses of the Tribal Colleges and Universities Head
14 Start Partnership Program consistent with section
15 648(g) of such Act; and

16 (5) \$19,000,000 shall be available to supple-
17 ment funding otherwise available for research, eval-
18 uation, and Federal administrative costs:

19 *Provided further*, That the Secretary may reduce the res-
20 ervation of funds under section 640(a)(2)(C) of such Act
21 in lieu of reducing the reservation of funds under sections
22 640(a)(2)(B), 640(a)(2)(D), and 640(a)(2)(E) of such
23 Act: *Provided further*, That \$300,000,000 shall be avail-
24 able until December 31, 2021 for carrying out sections
25 9212 and 9213 of the Every Student Succeeds Act: *Pro-*

1 *vided further*, That up to 3 percent of the funds in the
2 preceding proviso shall be available for technical assist-
3 ance and evaluation related to grants awarded under such
4 section 9212: *Provided further*, That \$780,383,000 shall
5 be for making payments under the CSBG Act: *Provided*
6 *further*, That for the purposes of carrying out the CSBG
7 Act, the term “poverty line” as defined in section 673(2)
8 of the CSBG Act means 200 percent of the poverty line
9 otherwise applicable under such section (excluding the last
10 sentence of such section) without regard to such section:
11 *Provided further*, That \$30,383,000 shall be for section
12 680 of the CSBG Act, of which not less than \$20,383,000
13 shall be for section 680(a)(2) and not less than
14 \$10,000,000 shall be for section 680(a)(3)(B) of such Act:
15 *Provided further*, That, notwithstanding section
16 675C(a)(3) of such Act, to the extent Community Services
17 Block Grant funds are distributed as grant funds by a
18 State to an eligible entity as provided under such Act, and
19 have not been expended by such entity, they shall remain
20 with such entity for carryover into the next fiscal year for
21 expenditure by such entity consistent with program pur-
22 poses: *Provided further*, That the Secretary shall establish
23 procedures regarding the disposition of intangible assets
24 and program income that permit such assets acquired
25 with, and program income derived from, grant funds au-

1 thORIZED under section 680 of the CSBG Act to become
2 the sole property of such grantees after a period of not
3 more than 12 years after the end of the grant period for
4 any activity consistent with section 680(a)(2)(A) of the
5 CSBG Act: *Provided further*, That intangible assets in the
6 form of loans, equity investments and other debt instru-
7 ments, and program income may be used by grantees for
8 any eligible purpose consistent with section 680(a)(2)(A)
9 of the CSBG Act: *Provided further*, That these procedures
10 shall apply to such grant funds made available after No-
11 vember 29, 1999: *Provided further*, That funds appro-
12 priated for section 680(a)(2) of the CSBG Act shall be
13 available for financing construction and rehabilitation and
14 loans or investments in private business enterprises owned
15 by community development corporations: *Provided further*,
16 That \$185,000,000 shall be for carrying out section
17 303(a) of the Family Violence Prevention and Services
18 Act, of which \$7,000,000 shall be allocated notwith-
19 standing section 303(a)(2) of such Act for carrying out
20 section 309 of such Act: *Provided further*, That the per-
21 centages specified in section 112(a)(2) of the Child Abuse
22 Prevention and Treatment Act shall not apply to funds
23 appropriated under this heading: *Provided further*, That
24 \$1,864,000 shall be for a human services case manage-
25 ment system for federally declared disasters, to include a

1 comprehensive national case management contract and
2 Federal costs of administering the system: *Provided fur-*
3 *ther*, That up to \$2,000,000 shall be for improving the
4 Public Assistance Reporting Information System, includ-
5 ing grants to States to support data collection for a study
6 of the system's effectiveness.

7 PROMOTING SAFE AND STABLE FAMILIES

8 For carrying out, except as otherwise provided, sec-
9 tion 436 of the Social Security Act, \$345,000,000 and,
10 for carrying out, except as otherwise provided, section 437
11 of such Act, \$59,765,000.

12 PAYMENTS FOR FOSTER CARE AND PERMANENCY

13 For carrying out, except as otherwise provided, title
14 IV–E of the Social Security Act, \$7,012,000,000.

15 For carrying out, except as otherwise provided, title
16 IV–E of the Social Security Act, for the first quarter of
17 fiscal year 2022, \$3,000,000,000.

18 For carrying out, after May 31 of the current fiscal
19 year, except as otherwise provided, section 474 of title IV–
20 E of the Social Security Act, for the last 3 months of the
21 current fiscal year for unanticipated costs, incurred for the
22 current fiscal year, such sums as may be necessary.

1 ADMINISTRATION FOR COMMUNITY LIVING
2 AGING AND DISABILITY SERVICES PROGRAMS
3 (INCLUDING TRANSFER OF FUNDS)

4 For carrying out, to the extent not otherwise pro-
5 vided, the Older Americans Act of 1965 (“OAA”), the
6 RAISE Family Caregivers Act, the Supporting Grand-
7 parents Raising Grandchildren Act, titles III and XXIX
8 of the PHS Act, sections 1252 and 1253 of the PHS Act,
9 section 119 of the Medicare Improvements for Patients
10 and Providers Act of 2008, title XX–B of the Social Secu-
11 rity Act, the Developmental Disabilities Assistance and
12 Bill of Rights Act, parts 2 and 5 of subtitle D of title
13 II of the Help America Vote Act of 2002, the Assistive
14 Technology Act of 1998, titles II and VII (and section
15 14 with respect to such titles) of the Rehabilitation Act
16 of 1973, and for Department-wide coordination of policy
17 and program activities that assist individuals with disabil-
18 ities, \$2,225,390,000, together with \$54,115,000 to be
19 transferred from the Federal Hospital Insurance Trust
20 Fund and the Federal Supplementary Medical Insurance
21 Trust Fund to carry out section 4360 of the Omnibus
22 Budget Reconciliation Act of 1990: *Provided*, That
23 amounts appropriated under this heading may be used for
24 grants to States under section 361 of the OAA only for
25 disease prevention and health promotion programs and ac-

1 tivities which have been demonstrated through rigorous
2 evaluation to be evidence-based and effective: *Provided*
3 *further*, That of amounts made available under this head-
4 ing to carry out sections 311, 331, and 336 of the OAA,
5 up to one percent of such amounts shall be available for
6 developing and implementing evidence-based practices for
7 enhancing senior nutrition, including medically-tailored
8 meals: *Provided further*, That notwithstanding any other
9 provision of this Act, funds made available under this
10 heading to carry out section 311 of the OAA may be trans-
11 ferred to the Secretary of Agriculture in accordance with
12 such section: *Provided further*, That \$2,000,000 shall be
13 for competitive grants to support alternative financing
14 programs that provide for the purchase of assistive tech-
15 nology devices, such as a low-interest loan fund; an inter-
16 est buy-down program; a revolving loan fund; a loan guar-
17 antee; or an insurance program: *Provided further*, That
18 applicants shall provide an assurance that, and informa-
19 tion describing the manner in which, the alternative fi-
20 nancing program will expand and emphasize consumer
21 choice and control: *Provided further*, That State agencies
22 and community-based disability organizations that are di-
23 rected by and operated for individuals with disabilities
24 shall be eligible to compete: *Provided further*, That none
25 of the funds made available under this heading may be

1 used by an eligible system (as defined in section 102 of
2 the Protection and Advocacy for Individuals with Mental
3 Illness Act (42 U.S.C. 10802)) to continue to pursue any
4 legal action in a Federal or State court on behalf of an
5 individual or group of individuals with a developmental
6 disability (as defined in section 102(8)(A) of the Develop-
7 mental Disabilities and Assistance and Bill of Rights Act
8 of 2000 (20 U.S.C. 15002(8)(A)) that is attributable to
9 a mental impairment (or a combination of mental and
10 physical impairments), that has as the requested remedy
11 the closure of State operated intermediate care facilities
12 for people with intellectual or developmental disabilities,
13 unless reasonable public notice of the action has been pro-
14 vided to such individuals (or, in the case of mental inca-
15 pacitation, the legal guardians who have been specifically
16 awarded authority by the courts to make healthcare and
17 residential decisions on behalf of such individuals) who are
18 affected by such action, within 90 days of instituting such
19 legal action, which informs such individuals (or such legal
20 guardians) of their legal rights and how to exercise such
21 rights consistent with current Federal Rules of Civil Pro-
22 cedure: *Provided further*, That the limitations in the imme-
23 diately preceding proviso shall not apply in the case of an
24 individual who is neither competent to consent nor has a
25 legal guardian, nor shall the proviso apply in the case of

1 individuals who are a ward of the State or subject to pub-
2 lic guardianship.

3 OFFICE OF THE SECRETARY

4 GENERAL DEPARTMENTAL MANAGEMENT

5 For necessary expenses, not otherwise provided, for
6 general departmental management, including hire of six
7 passenger motor vehicles, and for carrying out titles III,
8 XVII, XXI, and section 229 of the PHS Act, the United
9 States-Mexico Border Health Commission Act, and re-
10 search studies under section 1110 of the Social Security
11 Act, \$457,959,000, together with \$64,828,000 from the
12 amounts available under section 241 of the PHS Act to
13 carry out national health or human services research and
14 evaluation activities: *Provided*, That of the funds made
15 available under this heading, \$56,900,000 shall be for mi-
16 nority AIDS prevention and treatment activities: *Provided*
17 *further*, That of the funds made available under this head-
18 ing, \$101,000,000 shall be for making competitive grants
19 to public and private entities to fund medically accurate
20 and complete and age-appropriate (as those terms are de-
21 fined in section 513(e) of the Social Security Act (42
22 U.S.C. 713(e))) programs that reduce teen pregnancy and
23 that do not withhold information about the effectiveness
24 and benefits of correct and consistent use of condoms and
25 other contraceptives, and for the Federal costs associated

1 with administering and evaluating such grants, of which
2 not more than 10 percent of the available funds shall be
3 for training and technical assistance, outreach, and addi-
4 tional program support activities, and of the remaining
5 amount 75 percent shall be for replicating programs that
6 have been proven effective through rigorous evaluation to
7 reduce teenage pregnancy, behavioral risk factors under-
8 lying teenage pregnancy, or other associated risk factors,
9 and 25 percent shall be available for research and dem-
10 onstration grants to develop, replicate, refine, and rigor-
11 ously test (defined as randomized control trial, quasi-ex-
12 perimental design, or regression discontinuity design) ad-
13 ditional models and innovative strategies for preventing
14 teenage pregnancy: *Provided further*, That amounts made
15 available under this heading for programs to reduce teen
16 pregnancy shall meet the requirements listed in clauses
17 (ii) through (vi) of section 513(b)(2)(B) of the Social Se-
18 curity Act (42 U.S.C. 713(b)(2)(B)(ii)-(vi)) and shall not
19 be made available by interagency agreement or otherwise
20 to any agency within the Department of Health and
21 Human Services other than the Office of the Secretary
22 to carry out or support such programs: *Provided further*,
23 That of the amounts provided under this heading from
24 amounts available under section 241 of the PHS Act,
25 \$6,800,000 shall be available to carry out evaluations (in-

1 cluding longitudinal evaluations) of teenage pregnancy
2 prevention approaches: *Provided further*, That funds pro-
3 vided in this Act for embryo adoption activities may be
4 used to provide to individuals adopting embryos, through
5 grants and other mechanisms, medical and administrative
6 services deemed necessary for such adoptions: *Provided*
7 *further*, That such services shall be provided consistent
8 with 42 CFR 59.5(a)(4): *Provided further*, That of the
9 funds made available under this heading, \$5,000,000 shall
10 be for carrying out prize competitions sponsored by the
11 Office of the Secretary to accelerate innovation in the pre-
12 vention, diagnosis, and treatment of kidney diseases (as
13 authorized by section 24 of the Stevenson-Wydler Tech-
14 nology Innovation Act of 1980 (15 U.S.C. 3719)). *Pro-*
15 *vided further*, That of the funds made available under this
16 heading, \$3,000,000 shall be for establishing a National
17 Health Care Workforce Commission (as authorized by sec-
18 tion 5101 of Public Law 111–148).

19 MEDICARE HEARINGS AND APPEALS

20 For expenses necessary for Medicare hearings and
21 appeals in the Office of the Secretary, \$191,881,000 shall
22 remain available until September 30, 2022, to be trans-
23 ferred in appropriate part from the Federal Hospital In-
24 surance Trust Fund and the Federal Supplementary Med-
25 ical Insurance Trust Fund.

1 OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH
2 INFORMATION TECHNOLOGY

3 For expenses necessary for the Office of the National
4 Coordinator for Health Information Technology, including
5 grants, contracts, and cooperative agreements for the de-
6 velopment and advancement of interoperable health infor-
7 mation technology, \$60,367,000.

8 OFFICE OF INSPECTOR GENERAL

9 For expenses necessary for the Office of Inspector
10 General, including the hire of passenger motor vehicles for
11 investigations, in carrying out the provisions of the Inspec-
12 tor General Act of 1978, \$80,000,000: *Provided*, That of
13 such amount, necessary sums shall be available for pro-
14 viding protective services to the Secretary and inves-
15 tigating non-payment of child support cases for which non-
16 payment is a Federal offense under 18 U.S.C. 228: *Pro-*
17 *vided further*, That of the amount made available under
18 this heading, \$5,300,000 shall be available through Sep-
19 tember 30, 2022, for activities authorized under section
20 3022 of the PHS Act relating to information blocking.

21 OFFICE FOR CIVIL RIGHTS

22 For expenses necessary for the Office for Civil
23 Rights, \$38,798,000.

1 RETIREMENT PAY AND MEDICAL BENEFITS FOR
2 COMMISSIONED OFFICERS

3 For retirement pay and medical benefits of Public
4 Health Service Commissioned Officers as authorized by
5 law, for payments under the Retired Serviceman's Family
6 Protection Plan and Survivor Benefit Plan, and for med-
7 ical care of dependents and retired personnel under the
8 Dependents' Medical Care Act, such amounts as may be
9 required during the current fiscal year.

10 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY
11 FUND

12 For expenses necessary to support activities related
13 to countering potential biological, nuclear, radiological,
14 chemical, and cybersecurity threats to civilian populations,
15 and for other public health emergencies, \$1,077,458,000,
16 of which \$561,700,000 shall remain available through
17 September 30, 2022, for expenses necessary to support
18 advanced research and development pursuant to section
19 319L of the PHS Act and other administrative expenses
20 of the Biomedical Advanced Research and Development
21 Authority: *Provided*, That funds provided under this head-
22 ing for the purpose of acquisition of security counter-
23 measures shall be in addition to any other funds available
24 for such purpose: *Provided further*, That products pur-
25 chased with funds provided under this heading may, at

1 the discretion of the Secretary, be deposited in the Stra-
2 tegic National Stockpile pursuant to section 319F-2 of
3 the PHS Act: *Provided further*, That \$5,000,000 of the
4 amounts made available to support emergency operations
5 shall remain available through September 30, 2023: *Pro-*
6 *vided further*, That of the amount made available under
7 this heading for policy and planning, \$5,000,000 shall re-
8 main available until expended for implementation activi-
9 ties related to the National Biodefense Strategy.

10 For expenses necessary for procuring security coun-
11 termeasures (as defined in section 319F-2(c)(1)(B) of the
12 PHS Act), \$735,000,000, to remain available until ex-
13 pended.

14 For expenses necessary to carry out section 319F-
15 2(a) of the PHS Act, \$705,000,000, to remain available
16 until expended.

17 For an additional amount for expenses necessary to
18 prepare for or respond to an influenza pandemic,
19 \$310,000,000; of which \$275,000,000 shall be available
20 until expended, for activities including the development
21 and purchase of vaccine, antivirals, necessary medical sup-
22 plies, diagnostics, and other surveillance tools: *Provided*,
23 That notwithstanding section 496(b) of the PHS Act,
24 funds may be used for the construction or renovation of
25 privately owned facilities for the production of pandemic

1 influenza vaccines and other biologics, if the Secretary
2 finds such construction or renovation necessary to secure
3 sufficient supplies of such vaccines or biologics.

4 GENERAL PROVISIONS

5 SEC. 201. Funds appropriated in this title shall be
6 available for not to exceed \$50,000 for official reception
7 and representation expenses when specifically approved by
8 the Secretary.

9 SEC. 202. None of the funds appropriated in this title
10 shall be used to pay the salary of an individual, through
11 a grant or other extramural mechanism, at a rate in excess
12 of Executive Level II: *Provided*, That none of the funds
13 appropriated in this title shall be used to prevent the NIH
14 from paying up to 100 percent of the salary of an indi-
15 vidual at this rate.

16 SEC. 203. None of the funds appropriated in this Act
17 may be expended pursuant to section 241 of the PHS Act,
18 except for funds specifically provided for in this Act, or
19 for other taps and assessments made by any office located
20 in HHS, prior to the preparation and submission of a re-
21 port by the Secretary to the Committees on Appropria-
22 tions of the House of Representatives and the Senate de-
23 tailing the planned uses of such funds.

24 SEC. 204. Notwithstanding section 241(a) of the
25 PHS Act, such portion as the Secretary shall determine,

1 but not more than 3 percent, of any amounts appropriated
2 for programs authorized under such Act shall be made
3 available for the evaluation (directly, or by grants or con-
4 tracts) and the implementation and effectiveness of pro-
5 grams funded in this title.

6 (TRANSFER OF FUNDS)

7 SEC. 205. Not to exceed 1 percent of any discre-
8 tionary funds (pursuant to the Balanced Budget and
9 Emergency Deficit Control Act of 1985) which are appro-
10 priated for the current fiscal year for HHS in this Act
11 may be transferred between appropriations, but no such
12 appropriation shall be increased by more than 3 percent
13 by any such transfer: *Provided*, That the transfer author-
14 ity granted by this section shall be available only to meet
15 emergency needs and shall not be used to create any new
16 program or to fund any project or activity for which no
17 funds are provided in this Act: *Provided further*, That the
18 Committees on Appropriations of the House of Represent-
19 atives and the Senate are notified at least 15 days in ad-
20 vance of any transfer.

21 SEC. 206. In lieu of the timeframe specified in section
22 338E(c)(2) of the PHS Act, terminations described in
23 such section may occur up to 60 days after the effective
24 date of a contract awarded in fiscal year 2021 under sec-
25 tion 338B of such Act, or at any time if the individual

1 who has been awarded such contract has not received
2 funds due under the contract.

3 SEC. 207. None of the funds appropriated in this Act
4 may be made available to any entity under title X of the
5 PHS Act unless the applicant for the award certifies to
6 the Secretary that it encourages family participation in
7 the decision of minors to seek family planning services and
8 that it provides counseling to minors on how to resist at-
9 tempts to coerce minors into engaging in sexual activities.

10 SEC. 208. Notwithstanding any other provision of
11 law, no provider of services under title X of the PHS Act
12 shall be exempt from any State law requiring notification
13 or the reporting of child abuse, child molestation, sexual
14 abuse, rape, or incest.

15 SEC. 209. None of the funds appropriated by this Act
16 (including funds appropriated to any trust fund) may be
17 used to carry out the Medicare Advantage program if the
18 Secretary denies participation in such program to an oth-
19 erwise eligible entity (including a Provider Sponsored Or-
20 ganization) because the entity informs the Secretary that
21 it will not provide, pay for, provide coverage of, or provide
22 referrals for abortions: *Provided*, That the Secretary shall
23 make appropriate prospective adjustments to the capita-
24 tion payment to such an entity (based on an actuarially
25 sound estimate of the expected costs of providing the serv-

1 ice to such entity's enrollees): *Provided further*, That noth-
2 ing in this section shall be construed to change the Medi-
3 care program's coverage for such services and a Medicare
4 Advantage organization described in this section shall be
5 responsible for informing enrollees where to obtain infor-
6 mation about all Medicare covered services.

7 SEC. 210. None of the funds made available in this
8 title may be used, in whole or in part, to advocate or pro-
9 mote gun control.

10 SEC. 211. The Secretary shall make available through
11 assignment not more than 60 employees of the Public
12 Health Service to assist in child survival activities and to
13 work in AIDS programs through and with funds provided
14 by the Agency for International Development, the United
15 Nations International Children's Emergency Fund or the
16 World Health Organization.

17 SEC. 212. In order for HHS to carry out inter-
18 national health activities, including HIV/AIDS and other
19 infectious disease, chronic and environmental disease, and
20 other health activities abroad during fiscal year 2021:

21 (1) The Secretary may exercise authority equiv-
22 alent to that available to the Secretary of State in
23 section 2(c) of the State Department Basic Authori-
24 ties Act of 1956. The Secretary shall consult with
25 the Secretary of State and relevant Chief of Mission

1 to ensure that the authority provided in this section
2 is exercised in a manner consistent with section 207
3 of the Foreign Service Act of 1980 and other appli-
4 cable statutes administered by the Department of
5 State.

6 (2) The Secretary is authorized to provide such
7 funds by advance or reimbursement to the Secretary
8 of State as may be necessary to pay the costs of ac-
9 quisition, lease, alteration, renovation, and manage-
10 ment of facilities outside of the United States for
11 the use of HHS. The Department of State shall co-
12 operate fully with the Secretary to ensure that HHS
13 has secure, safe, functional facilities that comply
14 with applicable regulation governing location, set-
15 back, and other facilities requirements and serve the
16 purposes established by this Act. The Secretary is
17 authorized, in consultation with the Secretary of
18 State, through grant or cooperative agreement, to
19 make available to public or nonprofit private institu-
20 tions or agencies in participating foreign countries,
21 funds to acquire, lease, alter, or renovate facilities in
22 those countries as necessary to conduct programs of
23 assistance for international health activities, includ-
24 ing activities relating to HIV/AIDS and other infec-

1 tious diseases, chronic and environmental diseases,
2 and other health activities abroad.

3 (3) The Secretary is authorized to provide to
4 personnel appointed or assigned by the Secretary to
5 serve abroad, allowances and benefits similar to
6 those provided under chapter 9 of title I of the For-
7 eign Service Act of 1980, and 22 U.S.C. 4081
8 through 4086 and subject to such regulations pre-
9 scribed by the Secretary. The Secretary is further
10 authorized to provide locality-based comparability
11 payments (stated as a percentage) up to the amount
12 of the locality-based comparability payment (stated
13 as a percentage) that would be payable to such per-
14 sonnel under section 5304 of title 5, United States
15 Code if such personnel's official duty station were in
16 the District of Columbia. Leaves of absence for per-
17 sonnel under this subsection shall be on the same
18 basis as that provided under subchapter I of chapter
19 63 of title 5, United States Code, or section 903 of
20 the Foreign Service Act of 1980, to individuals serv-
21 ing in the Foreign Service.

22 (TRANSFER OF FUNDS)

23 SEC. 213. The Director of the NIH, jointly with the
24 Director of the Office of AIDS Research, may transfer up
25 to 3 percent among institutes and centers from the total

1 amounts identified by these two Directors as funding for
2 research pertaining to the human immunodeficiency virus:
3 *Provided*, That the Committees on Appropriations of the
4 House of Representatives and the Senate are notified at
5 least 15 days in advance of any transfer.

6 (TRANSFER OF FUNDS)

7 SEC. 214. Of the amounts made available in this Act
8 for NIH, the amount for research related to the human
9 immunodeficiency virus, as jointly determined by the Di-
10 rector of NIH and the Director of the Office of AIDS Re-
11 search, shall be made available to the “Office of AIDS
12 Research” account. The Director of the Office of AIDS
13 Research shall transfer from such account amounts nec-
14 essary to carry out section 2353(d)(3) of the PHS Act.

15 SEC. 215. (a) AUTHORITY.—Notwithstanding any
16 other provision of law, the Director of NIH (“Director”)
17 may use funds authorized under section 402(b)(12) of the
18 PHS Act to enter into transactions (other than contracts,
19 cooperative agreements, or grants) to carry out research
20 identified pursuant to or research and activities described
21 in such section 402(b)(12).

22 (b) PEER REVIEW.—In entering into transactions
23 under subsection (a), the Director may utilize such peer
24 review procedures (including consultation with appropriate
25 scientific experts) as the Director determines to be appro-

1 priate to obtain assessments of scientific and technical
2 merit. Such procedures shall apply to such transactions
3 in lieu of the peer review and advisory council review pro-
4 cedures that would otherwise be required under sections
5 301(a)(3), 405(b)(1)(B), 405(b)(2), 406(a)(3)(A), 492,
6 and 494 of the PHS Act.

7 SEC. 216. Not to exceed \$45,000,000 of funds appro-
8 priated by this Act to the institutes and centers of the
9 National Institutes of Health may be used for alteration,
10 repair, or improvement of facilities, as necessary for the
11 proper and efficient conduct of the activities authorized
12 herein, at not to exceed \$3,500,000 per project.

13 (TRANSFER OF FUNDS)

14 SEC. 217. Of the amounts made available for NIH,
15 1 percent of the amount made available for National Re-
16 search Service Awards (“NRSA”) shall be made available
17 to the Administrator of the Health Resources and Services
18 Administration to make NRSA awards for research in pri-
19 mary medical care to individuals affiliated with entities
20 who have received grants or contracts under sections 736,
21 739, or 747 of the PHS Act, and 1 percent of the amount
22 made available for NRSA shall be made available to the
23 Director of the Agency for Healthcare Research and Qual-
24 ity to make NRSA awards for health service research.

1 SEC. 218. (a) The Biomedical Advanced Research
2 and Development Authority (“BARDA”) may enter into
3 a contract, for more than one but no more than 10 pro-
4 gram years, for purchase of research services or of security
5 countermeasures, as that term is defined in section 319F-
6 2(c)(1)(B) of the PHS Act (42 U.S.C. 247d-6b(c)(1)(B)),
7 if—

8 (1) funds are available and obligated—

9 (A) for the full period of the contract or
10 for the first fiscal year in which the contract is
11 in effect; and

12 (B) for the estimated costs associated with
13 a necessary termination of the contract; and

14 (2) the Secretary determines that a multi-year
15 contract will serve the best interests of the Federal
16 Government by encouraging full and open competi-
17 tion or promoting economy in administration, per-
18 formance, and operation of BARDA’s programs.

19 (b) A contract entered into under this section—

20 (1) shall include a termination clause as de-
21 scribed by subsection (c) of section 3903 of title 41,
22 United States Code; and

23 (2) shall be subject to the congressional notice
24 requirement stated in subsection (d) of such section.

1 SEC. 219. (a) The Secretary shall publish in the fiscal
2 year 2021 budget justification and on Departmental Web
3 sites information concerning the employment of full-time
4 equivalent Federal employees or contractors for the pur-
5 poses of implementing, administering, enforcing, or other-
6 wise carrying out the provisions of the ACA, and the
7 amendments made by that Act, in the proposed fiscal year
8 and each fiscal year since the enactment of the ACA.

9 (b) With respect to employees or contractors sup-
10 ported by all funds appropriated for purposes of carrying
11 out the ACA (and the amendments made by that Act),
12 the Secretary shall include, at a minimum, the following
13 information:

14 (1) For each such fiscal year, the section of
15 such Act under which such funds were appropriated,
16 a statement indicating the program, project, or ac-
17 tivity receiving such funds, the Federal operating di-
18 vision or office that administers such program, and
19 the amount of funding received in discretionary or
20 mandatory appropriations.

21 (2) For each such fiscal year, the number of
22 full-time equivalent employees or contracted employ-
23 ees assigned to each authorized and funded provision
24 detailed in accordance with paragraph (1).

1 (c) In carrying out this section, the Secretary may
2 exclude from the report employees or contractors who—

3 (1) are supported through appropriations en-
4 acted in laws other than the ACA and work on pro-
5 grams that existed prior to the passage of the ACA;

6 (2) spend less than 50 percent of their time on
7 activities funded by or newly authorized in the ACA;
8 or

9 (3) work on contracts for which FTE reporting
10 is not a requirement of their contract, such as fixed-
11 price contracts.

12 SEC. 220. The Secretary shall publish, as part of the
13 fiscal year 2022 budget of the President submitted under
14 section 1105(a) of title 31, United States Code, informa-
15 tion that details the uses of all funds used by the Centers
16 for Medicare & Medicaid Services specifically for Health
17 Insurance Exchanges for each fiscal year since the enact-
18 ment of the ACA and the proposed uses for such funds
19 for fiscal year 2022. Such information shall include, for
20 each such fiscal year, the amount of funds used for each
21 activity specified under the heading “Health Insurance
22 Exchange Transparency” in the explanatory statement de-
23 scribed in section 4 (in the matter preceding division A
24 of this consolidated Act).

1 SEC. 221. None of the funds made available by this
2 Act from the Federal Hospital Insurance Trust Fund or
3 the Federal Supplemental Medical Insurance Trust Fund,
4 or transferred from other accounts funded by this Act to
5 the “Centers for Medicare & Medicaid Services—Program
6 Management” account, may be used for payments under
7 section 1342(b)(1) of Public Law 111–148 (relating to
8 risk corridors).

9 (TRANSFER OF FUNDS)

10 SEC. 222. (a) Within 45 days of enactment of this
11 Act, the Secretary shall transfer funds appropriated under
12 section 4002 of the ACA to the accounts specified, in the
13 amounts specified, and for the activities specified under
14 the heading “Prevention and Public Health Fund” in the
15 committee report accompanying this Act.

16 (b) Notwithstanding section 4002(c) of the ACA, the
17 Secretary may not further transfer these amounts.

18 (c) Funds transferred for activities authorized under
19 section 2821 of the PHS Act shall be made available with-
20 out reference to section 2821(b) of such Act.

21 SEC. 223. Effective during the period beginning on
22 November 1, 2015 and ending January 1, 2025, any pro-
23 vision of law that refers (including through cross-reference
24 to another provision of law) to the current recommenda-
25 tions of the United States Preventive Services Task Force

1 with respect to breast cancer screening, mammography,
2 and prevention shall be administered by the Secretary in-
3 volved as if—

4 (1) such reference to such current recommenda-
5 tions were a reference to the recommendations of
6 such Task Force with respect to breast cancer
7 screening, mammography, and prevention last issued
8 before 2009; and

9 (2) such recommendations last issued before
10 2009 applied to any screening mammography modal-
11 ity under section 1861(jj) of the Social Security Act
12 (42 U.S.C. 1395x(jj)).

13 SEC. 224. In making Federal financial assistance, the
14 provisions relating to indirect costs in part 75 of title 45,
15 Code of Federal Regulations, including with respect to the
16 approval of deviations from negotiated rates, shall con-
17 tinue to apply to the National Institutes of Health to the
18 same extent and in the same manner as such provisions
19 were applied in the third quarter of fiscal year 2017. None
20 of the funds appropriated in this or prior Acts or otherwise
21 made available to the Department of Health and Human
22 Services or to any department or agency may be used to
23 develop or implement a modified approach to such provi-
24 sions, or to intentionally or substantially expand the fiscal
25 effect of the approval of such deviations from negotiated

1 rates beyond the proportional effect of such approvals in
2 such quarter.

3 (TRANSFER OF FUNDS)

4 SEC. 225. The NIH Director may transfer discre-
5 tionary amounts identified by the Director as funding for
6 opioid addiction, opioid alternatives, pain management,
7 and addiction treatment among Institutes and Centers of
8 the NIH to be used for the same purpose 15 days after
9 notifying the Committees on Appropriations: *Provided*,
10 That the transfer authority provided in the previous pro-
11 viso is in addition to any other transfer authority provided
12 by law.

13 SEC. 226. (a) The Secretary shall provide to the
14 Committees on Appropriations of the House of Represent-
15 atives and the Senate:

16 (1) Detailed monthly enrollment figures from
17 the Exchanges established under the Patient Protec-
18 tion and Affordable Care Act of 2010 pertaining to
19 enrollments during the open enrollment period; and

20 (2) Notification of any new or competitive grant
21 awards, including supplements, authorized under
22 section 330 of the Public Health Service Act.

23 (b) The Committees on Appropriations of the House
24 and Senate must be notified at least 2 business days in

1 advance of any public release of enrollment information
2 or the award of such grants.

3 SEC. 227. The Department of Health and Human
4 Services shall provide the Committees on Appropriations
5 of the House of Representatives and Senate a biannual
6 report 30 days after enactment of this Act on staffing de-
7 scribed in the committee report accompanying this Act.

8 SEC. 228. Funds appropriated in this Act that are
9 available for salaries and expenses of employees of the De-
10 partment of Health and Human Services shall also be
11 available to pay travel and related expenses of such an
12 employee or of a member of his or her family, when such
13 employee is assigned to duty, in the United States or in
14 a U.S. territory, during a period and in a location that
15 are the subject of a determination of a public health emer-
16 gency under section 319 of the Public Health Service Act
17 and such travel is necessary to obtain medical care for
18 an illness, injury, or medical condition that cannot be ade-
19 quately addressed in that location at that time. For pur-
20 poses of this section, the term “U.S. territory” means
21 Guam, the Commonwealth of Puerto Rico, the Northern
22 Mariana Islands, the Virgin Islands, American Samoa, or
23 the Trust Territory of the Pacific Islands.

24 SEC. 229. The Department of Health and Human
25 Services may accept donations from the private sector,

1 nongovernmental organizations, and other groups inde-
2 pendent of the Federal Government for the care of unac-
3 companied alien children (as defined in section 462(g)(2)
4 of the Homeland Security Act of 2002 (6 U.S.C.
5 279(g)(2))) in the care of the Office of Refugee Resettle-
6 ment of the Administration for Children and Families, in-
7 cluding medical goods and services, which may include
8 early childhood developmental screenings, school supplies,
9 toys, clothing, and any other items intended to promote
10 the wellbeing of such children.

11 SEC. 230. None of the funds provided by this or any
12 prior appropriations Act may be used to reverse changes
13 in procedures made by operational directives issued to pro-
14 viders by the Office of Refugee Resettlement on December
15 18, 2018, March 23, 2019, and June 10, 2019 regarding
16 the Memorandum of Agreement on Information Sharing
17 executed April 13, 2018.

18 SEC. 231. None of the funds made available in this
19 Act under the heading “Department of Health and
20 Human Services—Administration for Children and Fami-
21 lies—Refugee and Entrant Assistance” may be obligated
22 to a grantee or contractor to house unaccompanied alien
23 children (as such term is defined in section 462(g)(2) of
24 the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2))

1 in any facility that is not State-licensed for the care of
2 unaccompanied alien children.

3 SEC. 232. None of the funds made available in this
4 Act may be used to prevent a United States Senator or
5 Member of the House of Representatives from entering,
6 for the purpose of conducting oversight, any facility in the
7 United States used for the purpose of maintaining custody
8 of, or otherwise housing, unaccompanied alien children (as
9 defined in section 462(g)(2) of the Homeland Security Act
10 of 2002 (6 U.S.C. 279(g)(2))). Nothing in this section
11 shall be construed to require such a Senator or Member
12 to provide prior notice of the intent to enter such a facility
13 for such purpose.

14 SEC. 233. Not later than 14 days after the date of
15 enactment of this Act, and monthly thereafter, the Sec-
16 retary shall submit to the Committees on Appropriations
17 of the House of Representatives and the Senate, and make
18 publicly available online, a report with respect to children
19 who were separated from their parents or legal guardians
20 by the Department of Homeland Security (DHS) (regard-
21 less of whether or not such separation was pursuant to
22 an option selected by the children, parents, or guardians),
23 subsequently classified as unaccompanied alien children,
24 and transferred to the care and custody of ORR during

1 the previous month. Each report shall contain the fol-
2 lowing information:

3 (1) the number and ages of children so sepa-
4 rated subsequent to apprehension at or between
5 ports of entry, to be reported by sector where sepa-
6 ration occurred;

7 (2) the documented cause of separation, as re-
8 ported by DHS when each child was referred;

9 (3) the length of any such separation;

10 (4) the status of any efforts undertaken by the
11 Secretary to reunify such children with a parent or
12 legal guardian; and

13 (5) the number of any such reunifications, and
14 whether the reunified families were placed in family
15 detention.

16 SEC. 234. None of the funds made available in this
17 or any prior appropriations Act may be used to implement
18 or enforce the Memorandum of Agreement Among the Of-
19 fice of Refugee Resettlement of the Department of Health
20 and Human Services and U.S. Immigration and Customs
21 Enforcement and U.S. Customs and Border Protection of
22 the Department of Homeland Security Regarding Con-
23 sultation and Information Sharing in Unaccompanied
24 Alien Children Matters, dated April 13, 2018. Nothing in
25 this section shall be construed to prohibit or restrict the

1 continued implementation of interagency agreements or
2 coordination of policy memoranda issued prior to April 13,
3 2018.

4 SEC. 235. None of the funds made available in this
5 Act or any other Act may be used by the Secretary of
6 Health and Human Services to share information provided
7 by unaccompanied alien children (as defined in section
8 462(g)(2) of the Homeland Security Act of 2002 (6
9 U.S.C. 279(g)(2))) during mental health or therapeutic
10 services with the Department of Homeland Security or the
11 Department of Justice for immigration enforcement.

12 SEC. 236. To the extent practicable, and so long as
13 it is appropriate and in the best interest of the child, in
14 cases where the Office of Refugee Resettlement of the De-
15 partment of Health and Human Services is responsible for
16 the care of siblings who are unaccompanied alien children
17 (as defined in section 462(g)(2) of the Homeland Security
18 Act of 2002 (6 U.S.C. 279(g)(2)), the Director of the Of-
19 fice shall place the siblings—

20 (1) in the same facility; or

21 (2) with the same sponsor.

22 SEC. 237. The Secretary of Health and Human Serv-
23 ices is directed to report the death of any unaccompanied
24 alien child in Office of Refugee Resettlement (ORR) cus-
25 tody or in the custody of any grantee on behalf of ORR

1 within 24 hours, including relevant details regarding the
2 circumstances of the fatality, to the Committees on Appro-
3 priations of the House of Representatives and the Senate.

4 SEC. 238. Not later than 30 days after the date of
5 enactment of this Act, the Secretary shall submit to the
6 Committees on Appropriations of the House of Represent-
7 atives and the Senate a detailed spend plan of anticipated
8 uses of all funds made available under the heading “De-
9 partment of Health and Human Services—Administration
10 for Children and Families—Refugee and Entrant Assist-
11 ance”, including the following: a list of existing grants and
12 contracts for both permanent and influx facilities, includ-
13 ing their costs, capacity, and timelines; costs for expand-
14 ing capacity through the use of community-based residen-
15 tial care placements (including long-term and transitional
16 foster care and small group homes) through new or modi-
17 fied grants and contracts; current and planned efforts to
18 expand small-scale shelters and available foster care place-
19 ments, including collaboration with State child welfare
20 providers; influx facilities being assessed for possible use;
21 costs and services to be provided for legal services, child
22 advocates, and post-release services; program administra-
23 tion; and the average number of weekly referrals and dis-
24 charge rate assumed in the spend plan: *Provided*, That
25 such plan shall be updated to reflect changes and expendi-

1 tures and submitted to the Committees on Appropriations
2 of the House of Representatives and the Senate every 60
3 days until all funds are expended or expired.

4 SEC. 239. Funds appropriated in this Act that are
5 available for salaries and expenses of employees of the
6 Centers for Disease Control and Prevention shall also be
7 available for the primary and secondary schooling of eligi-
8 ble dependents of personnel stationed in a U.S. territory
9 as defined in section 228 at costs not in excess of those
10 paid for or reimbursed by the Department of Defense.

11 SEC. 240. Amounts made available in section 238 of
12 division A of Public Law 116–94 shall remain available
13 until September 30, 2024, for installation expenses, in-
14 cluding moving expenses, relating to the Centers for Dis-
15 ease Control and Prevention’s Chamblee Campus.

16 (RESCISSION)

17 SEC. 241. Of the unobligated balances in the “Non-
18 recurring Expenses Fund” established in section 223 of
19 division G of Public Law 110–161, \$600,000,000 are
20 hereby rescinded not later than September 30, 2021.

21 SEC. 242. Funds made available in Public Law 113–
22 235 to the accounts of the National Institutes of Health
23 that were available for obligation through fiscal year 2015
24 and were obligated for multi-year research grants shall be
25 available through fiscal year 2021 for the liquidation of

1 valid obligations if the Director of the National Institutes
2 of Health determines the project suffered an interruption
3 of activities attributable to SARS-CoV-2.

4 SEC. 243. Not later than seven days after the date
5 of enactment of this Act, and weekly thereafter until the
6 public health emergency related to COVID-19 is no longer
7 in effect, the Secretary of Health and Human Services
8 shall report to the Committees on Appropriations of the
9 House of Representatives and the Senate on the current
10 inventory of ventilators and personal protective equipment
11 in the Strategic National Stockpile, including the numbers
12 of face shields, gloves, goggles and glasses, gowns, head
13 covers, masks, and respirators, as well as deployment of
14 ventilators and personal protective equipment during the
15 previous week, reported by State and other jurisdiction:
16 *Provided*, That after the date that a report is required
17 to be submitted by the preceding proviso, amounts made
18 available for “Department of Health and Human Serv-
19 ices—Office of the Secretary—General Departmental
20 Management” in Public Law 116–94 for salaries and ex-
21 penses of the immediate Office of the Secretary shall be
22 reduced by \$250,000 for each day that such report has
23 not been submitted: *Provided further*, That not later than
24 the first Monday in February of fiscal year 2021 and each
25 fiscal year thereafter, the Secretary shall include in the

1 annual budget submission for the Department of Health
2 and Human Services, and submit to the Congress, a pro-
3 fessional judgment budget with respect to expenditures
4 necessary to maintain the minimum level of relevant sup-
5 plies in the Strategic National Stockpile, including in case
6 of a significant pandemic, in consultation with the working
7 group under section 319F(a) of the Public Health Service
8 Act and the Public Health Emergency Medical Counter-
9 measures Enterprise established under section 2811–1 of
10 such Act.

11 SEC. 244. None of the funds made available by this
12 Act may be used to implement, enforce, or otherwise give
13 effect to the final rule entitled “Protecting Statutory Con-
14 science Rights in Health Care; Delegations of Authority”
15 (84 Fed. Reg. 23170-23272, May 21, 2019).

16 SEC. 245. None of the funds made available by this
17 Act may be used to implement, enforce, or otherwise give
18 effect to the rule entitled “Nondiscrimination in Health
19 and Health Education Programs or Activities” published
20 in the Federal Register on June 19, 2020 (85 Fed. Reg.
21 37160 et seq.).

22 SEC. 246. None of the funds appropriated in this Act
23 or otherwise made available to the Department of Health
24 and Human Services shall be used to publish the proposed
25 regulation in the Budget of the United States Govern-

1 ment, Fiscal Year 2021 relating to the Medicaid Non-
2 emergency Medical Transportation benefit for Medicaid
3 beneficiaries.

4 SEC. 247. None of the funds made available in this
5 Act may be used to Act may be used to implement, en-
6 force, or otherwise give effect to the revision to section
7 447.10 of title 42, Code of Federal Regulations, contained
8 in the final rule entitled “Medicaid Program; Reassign-
9 ment of Medicaid Provider Claims” (84 Fed. Reg. 19718
10 (May 6, 2019)).

11 SEC. 248. (a) None of the funds made available by
12 this Act may be awarded to any organization, including
13 under the Federal Foster Care program under part E of
14 title IV of the Social Security Act, that does not comply
15 with paragraphs (c) and (d) of section 75.300 of title 45,
16 Code of Federal Regulations (prohibiting discrimination
17 on the basis of age, disability, sex, race, color, national
18 origin, religion, gender identity, or sexual orientation), as
19 in effect on October 1, 2019.

20 (b) None of the funds made available by this Act may
21 be used by the Department of Health and Human Services
22 to grant an exception from either such paragraph for any
23 Federal grantee.

24 SEC. 249. None of the funds made available by this
25 Act or any other Act may be used to relocate any facility

1 providing call center operations for the Centers for Medi-
2 care & Medicaid Services unless the Comptroller General
3 has submitted to the Committees on Appropriations of the
4 House of Representatives and the Senate an evaluation
5 of relocation options, which shall include any impact on
6 wages and benefits for employees, contractors, or sub-
7 contractors in connection with call center operations.

8 This title may be cited as the “Department of Health
9 and Human Services Appropriations Act, 2021”.

10

TITLE III

11

DEPARTMENT OF EDUCATION

12

EDUCATION FOR THE DISADVANTAGED

13 For carrying out title I and subpart 2 of part B of
14 title II of the Elementary and Secondary Education Act
15 of 1965 (referred to in this Act as “ESEA”) and section
16 418A of the Higher Education Act of 1965 (referred to
17 in this Act as “HEA”), \$17,258,290,000, of which
18 \$6,336,990,000 shall become available on July 1, 2021,
19 and shall remain available through September 30, 2022,
20 and of which \$10,841,177,000 shall become available on
21 October 1, 2021, and shall remain available through Sep-
22 tember 30, 2022, for academic year 2021–2022: *Provided*,
23 That \$6,459,401,000 shall be for basic grants under sec-
24 tion 1124 of the ESEA: *Provided further*, That up to
25 \$5,000,000 of these funds shall be available to the Sec-

1 retary of Education (referred to in this title as “Sec-
2 retary”) on October 1, 2020, to obtain annually updated
3 local educational agency-level census poverty data from
4 the Bureau of the Census: *Provided further*, That
5 \$1,362,301,000 shall be for concentration grants under
6 section 1124A of the ESEA: *Provided further*, That
7 \$4,371,050,000 shall be for targeted grants under section
8 1125 of the ESEA: *Provided further*, That
9 \$4,371,050,000 shall be for education finance incentive
10 grants under section 1125A of the ESEA: *Provided fur-*
11 *ther*, That \$220,500,000 shall be for carrying out subpart
12 2 of part B of title II: *Provided further*, That \$46,623,000
13 shall be for carrying out section 418A of the HEA.

14 IMPACT AID

15 For carrying out programs of financial assistance to
16 federally affected schools authorized by title VII of the
17 ESEA, \$1,491,112,000, of which \$1,345,242,000 shall be
18 for basic support payments under section 7003(b),
19 \$48,316,000 shall be for payments for children with dis-
20 abilities under section 7003(d), \$17,406,000 shall be for
21 construction under section 7007(b), \$75,313,000 shall be
22 for Federal property payments under section 7002, and
23 \$4,835,000, to remain available until expended, shall be
24 for facilities maintenance under section 7008: *Provided*,
25 That for purposes of computing the amount of a payment

1 for an eligible local educational agency under section
2 7003(a) for school year 2020–2021, children enrolled in
3 a school of such agency that would otherwise be eligible
4 for payment under section 7003(a)(1)(B) of such Act, but
5 due to the deployment of both parents or legal guardians,
6 or a parent or legal guardian having sole custody of such
7 children, or due to the death of a military parent or legal
8 guardian while on active duty (so long as such children
9 reside on Federal property as described in section
10 7003(a)(1)(B)), are no longer eligible under such section,
11 shall be considered as eligible students under such section,
12 provided such students remain in average daily attendance
13 at a school in the same local educational agency they at-
14 tended prior to their change in eligibility status.

15 SCHOOL IMPROVEMENT PROGRAMS

16 For carrying out school improvement activities au-
17 thorized by part B of title I, part A of title II, subpart
18 1 of part A of title IV, part B of title IV, part B of title
19 V, and parts B and C of title VI of the ESEA; the McKin-
20 ney-Vento Homeless Assistance Act; section 203 of the
21 Educational Technical Assistance Act of 2002; the Com-
22 pact of Free Association Amendments Act of 2003; and
23 the Civil Rights Act of 1964, \$5,453,617,000, of which
24 \$3,623,052,000 shall become available on July 1, 2021,
25 and remain available through September 30, 2022, and

1 of which \$1,681,441,000 shall become available on Octo-
2 ber 1, 2021, and shall remain available through September
3 30, 2022, for academic year 2021–2022: *Provided*, That
4 \$378,000,000 shall be for part B of title I: *Provided fur-*
5 *ther*, That \$1,262,673,000 shall be for part B of title IV:
6 *Provided further*, That \$37,897,000 shall be for part B
7 of title VI, which may be used for construction, renova-
8 tion, and modernization of any public elementary school,
9 secondary school, or structure related to a public elemen-
10 tary school or secondary school that serves a predomi-
11 nantly Native Hawaiian student body, and that the 5 per-
12 cent limitation in section 6205(b) of the ESEA on the use
13 of funds for administrative purposes shall apply only to
14 direct administrative costs: *Provided further*, That
15 \$35,953,000 shall be for part C of title VI, which shall
16 be awarded on a competitive basis, and may be used for
17 construction, and that the 5 percent limitation in section
18 6305 of the ESEA on the use of funds for administrative
19 purposes shall apply only to direct administrative costs:
20 *Provided further*, That \$52,000,000 shall be available to
21 carry out section 203 of the Educational Technical Assist-
22 ance Act of 2002 and the Secretary shall make such ar-
23 rangements as determined to be necessary to ensure that
24 the Bureau of Indian Education has access to services pro-
25 vided under this section: *Provided further*, That

1 \$16,699,000 shall be available to carry out the Supple-
2 mental Education Grants program for the Federated
3 States of Micronesia and the Republic of the Marshall Is-
4 lands: *Provided further*, That the Secretary may reserve
5 up to 5 percent of the amount referred to in the previous
6 proviso to provide technical assistance in the implementa-
7 tion of these grants: *Provided further*, That \$186,840,000
8 shall be for part B of title V: *Provided further*, That
9 \$1,220,000,000 shall be available for grants under sub-
10 part 1 of part A of title IV.

11 INDIAN EDUCATION

12 For expenses necessary to carry out, to the extent
13 not otherwise provided, title VI, part A of the ESEA,
14 \$181,239,000, of which \$67,993,000 shall be for subpart
15 2 of part A of title VI and \$7,865,000 shall be for subpart
16 3 of part A of title VI: *Provided*, That the 5 percent limita-
17 tion in sections 6115(d), 6121(e), and 6133(g) of the
18 ESEA on the use of funds for administrative purposes
19 shall apply only to direct administrative costs.

20 INNOVATION AND IMPROVEMENT

21 For carrying out activities authorized by subparts 1,
22 3 and 4 of part B of title II, and parts C, D, and E and
23 subparts 1 and 4 of part F of title IV of the ESEA,
24 \$1,074,815,000: *Provided*, That \$285,815,000 shall be for
25 subparts 1, 3 and 4 of part B of title II and shall be made

1 available without regard to sections 2201, 2231(b) and
2 2241: *Provided further*, That \$594,000,000 shall be for
3 parts C, D, and E and subpart 4 of part F of title IV,
4 and shall be made available without regard to sections
5 4311, 4409(a), and 4601 of the ESEA: *Provided further*,
6 That notwithstanding section 4601(b), \$195,000,000 shall
7 be available through December 31, 2021 for subpart 1 of
8 part F of title IV, of which \$110,000,000 shall be for so-
9 cial and emotional learning grants, and \$85,000,000 shall
10 be used for science, technology, engineering, arts, and
11 mathematics, including computer science education
12 grants.

13 SAFE SCHOOLS AND CITIZENSHIP EDUCATION

14 For carrying out activities authorized by subparts 2
15 and 3 of part F of title IV of the ESEA, \$218,000,000:
16 *Provided*, That \$106,000,000 shall be available for section
17 4631, of which up to \$5,000,000, to remain available until
18 expended, shall be for the Project School Emergency Re-
19 sponse to Violence (Project SERV) program: *Provided fur-*
20 *ther*, That \$30,000,000 shall be available for section 4625:
21 *Provided further*, That \$82,000,000 shall be available
22 through December 31, 2021, for section 4624.

23 ENGLISH LANGUAGE ACQUISITION

24 For carrying out part A of title III of the ESEA,
25 \$797,400,000, which shall become available on July 1,

1 2021, and shall remain available through September 30,
2 2022, except that 6.5 percent of such amount shall be
3 available on October 1, 2020, and shall remain available
4 through September 30, 2022, to carry out activities under
5 section 3111(c)(1)(C).

6 SPECIAL EDUCATION

7 For carrying out the Individuals with Disabilities
8 Education Act (IDEA) and the Special Olympics Sport
9 and Empowerment Act of 2004, \$14,092,995,000, of
10 which \$4,553,979,000 shall become available on July 1,
11 2021, and shall remain available through September 30,
12 2022, and of which \$9,283,383,000 shall become available
13 on October 1, 2021, and shall remain available through
14 September 30, 2022, for academic year 2021–2022: *Pro-*
15 *vided*, That the amount for section 611(b)(2) of the IDEA
16 shall be equal to the lesser of the amount available for
17 that activity during fiscal year 2020, increased by the
18 amount of inflation as specified in section 619(d)(2)(B)
19 of the IDEA, or the percent change in the funds appro-
20 priated under section 611(i) of the IDEA, but not less
21 than the amount for that activity during fiscal year 2020:
22 *Provided further*, That the Secretary shall, without regard
23 to section 611(d) of the IDEA, distribute to all other
24 States (as that term is defined in section 611(g)(2)), sub-
25 ject to the third proviso, any amount by which a State's

1 allocation under section 611, from funds appropriated
2 under this heading, is reduced under section
3 612(a)(18)(B), according to the following: 85 percent on
4 the basis of the States' relative populations of children
5 aged 3 through 21 who are of the same age as children
6 with disabilities for whom the State ensures the avail-
7 ability of a free appropriate public education under this
8 part, and 15 percent to States on the basis of the States'
9 relative populations of those children who are living in pov-
10 erty: *Provided further*, That the Secretary may not dis-
11 tribute any funds under the previous proviso to any State
12 whose reduction in allocation from funds appropriated
13 under this heading made funds available for such a dis-
14 tribution: *Provided further*, That the States shall allocate
15 such funds distributed under the second proviso to local
16 educational agencies in accordance with section 611(f):
17 *Provided further*, That the amount by which a State's allo-
18 cation under section 611(d) of the IDEA is reduced under
19 section 612(a)(18)(B) and the amounts distributed to
20 States under the previous provisos in fiscal year 2012 or
21 any subsequent year shall not be considered in calculating
22 the awards under section 611(d) for fiscal year 2013 or
23 for any subsequent fiscal years: *Provided further*, That,
24 notwithstanding the provision in section 612(a)(18)(B) re-
25 garding the fiscal year in which a State's allocation under

1 section 611(d) is reduced for failure to comply with the
2 requirement of section 612(a)(18)(A), the Secretary may
3 apply the reduction specified in section 612(a)(18)(B) over
4 a period of consecutive fiscal years, not to exceed five,
5 until the entire reduction is applied: *Provided further,*
6 That the Secretary may, in any fiscal year in which a
7 State's allocation under section 611 is reduced in accord-
8 ance with section 612(a)(18)(B), reduce the amount a
9 State may reserve under section 611(e)(1) by an amount
10 that bears the same relation to the maximum amount de-
11 scribed in that paragraph as the reduction under section
12 612(a)(18)(B) bears to the total allocation the State
13 would have received in that fiscal year under section
14 611(d) in the absence of the reduction: *Provided further,*
15 That the Secretary shall either reduce the allocation of
16 funds under section 611 for any fiscal year following the
17 fiscal year for which the State fails to comply with the
18 requirement of section 612(a)(18)(A) as authorized by
19 section 612(a)(18)(B), or seek to recover funds under sec-
20 tion 452 of the General Education Provisions Act (20
21 U.S.C. 1234a): *Provided further,* That the funds reserved
22 under 611(c) of the IDEA may be used to provide tech-
23 nical assistance to States to improve the capacity of the
24 States to meet the data collection requirements of sections
25 616 and 618 and to administer and carry out other serv-

1 ices and activities to improve data collection, coordination,
2 quality, and use under parts B and C of the IDEA: *Pro-*
3 *vided further*, That the Secretary may use funds made
4 available for the State Personnel Development Grants pro-
5 gram under part D, subpart 1 of IDEA to evaluate pro-
6 gram performance under such subpart: *Provided further*,
7 That States may use funds reserved for other State-level
8 activities under sections 611(e)(2) and 619(f) of the IDEA
9 to make subgrants to local educational agencies, institu-
10 tions of higher education, other public agencies, and pri-
11 vate non-profit organizations to carry out activities au-
12 thorized by those sections: *Provided further*, That, not-
13 withstanding section 643(e)(2)(A) of the IDEA, if 5 or
14 fewer States apply for grants pursuant to section 643(e)
15 of such Act, the Secretary shall provide a grant to each
16 State in an amount equal to the maximum amount de-
17 scribed in section 643(e)(2)(B) of such Act: *Provided fur-*
18 *ther*, That if more than 5 States apply for grants pursuant
19 to section 643(e) of the IDEA, the Secretary shall award
20 funds to those States on the basis of the States' relative
21 populations of infants and toddlers except that no such
22 State shall receive a grant in excess of the amount de-
23 scribed in section 643(e)(2)(B) of such Act: *Provided fur-*
24 *ther*, That States may use funds received under part C
25 of the IDEA to make subgrants to local educational agen-

1 cies, institutions of higher education, other public agencies
2 and private nonprofit organizations to carry out activities
3 authorized by such part.

4 REHABILITATION SERVICES

5 For carrying out, to the extent not otherwise pro-
6 vided, the Rehabilitation Act of 1973, the Helen Keller
7 National Center Act, and the Randolph-Sheppard Act,
8 \$3,827,500,000, of which \$3,667,801,000 shall be for
9 grants for vocational rehabilitation services under title I
10 of the Rehabilitation Act: *Provided*, That the Secretary
11 may use amounts provided in this Act that remain avail-
12 able subsequent to the reallocation of funds to States pur-
13 suant to section 110(b) of the Rehabilitation Act for inno-
14 vative activities aimed at improving the outcomes of indi-
15 viduals with disabilities as defined in section 7(20)(B) of
16 the Rehabilitation Act, including activities aimed at im-
17 proving the education and post-school outcomes of chil-
18 dren receiving Supplemental Security Income (“SSI”) and
19 their families that may result in long-term improvement
20 in the SSI child recipient’s economic status and self-suffi-
21 ciency: *Provided further*, That States may award sub-
22 grants for a portion of the funds to other public and pri-
23 vate, nonprofit entities: *Provided further*, That any funds
24 made available subsequent to reallocation for innovative
25 activities aimed at improving the outcomes of individuals

1 with disabilities shall remain available until September 30,
2 2022: *Provided further*, That \$20,000,000 of these funds
3 shall be available to the Secretary for one-time emergency
4 relief and restoration grants consistent with the purposes
5 of the Randolph-Sheppard Act as authorized under 20
6 U.S.C. 107f: *Provided further*, That the Secretary shall
7 use such funds to make grants to each State licensing
8 agency in the same proportion as the number of blind ven-
9 dors operating a vending facility in such State as com-
10 pared to the number of blind vendors operating a vending
11 facility in all the States on September 30, 2019: *Provided*
12 *further*, That the State licensing agency shall use these
13 grants to make financial relief and restoration payments
14 to offset losses of blind vendors resulting from the
15 COVID-19 emergency, but only to the extent that such
16 losses are not otherwise compensated: *Provided further*,
17 That any funds in excess of the amount needed for relief
18 and restoration payments to blind vendors shall be used
19 by the State licensing agency for other purposes author-
20 ized by section 395.9 of title 34, Code of Federal Regula-
21 tions, as in effect on the date of enactment of this Act,
22 and determined through active participation with the
23 State committee of blind vendors as required.

1 \$1,985,686,000, of which \$1,194,686,000 shall become
2 available on July 1, 2021, and shall remain available
3 through September 30, 2022, and of which \$791,000,000
4 shall become available on October 1, 2021, and shall re-
5 main available through September 30, 2022: *Provided*,
6 That of the amounts made available for AEFILA,
7 \$13,712,000 shall be for national leadership activities
8 under section 242.

9 STUDENT FINANCIAL ASSISTANCE

10 For carrying out subparts 1, 3, and 10 of part A,
11 and part C of title IV of the HEA, \$24,565,352,000 which
12 shall remain available through September 30, 2022.

13 The maximum Pell Grant for which a student shall
14 be eligible during award year 2021–2022 shall be \$5,435.

15 STUDENT AID ADMINISTRATION

16 For Federal administrative expenses to carry out part
17 D of title I, and subparts 1, 3, 9, and 10 of part A, and
18 parts B, C, D, and E of title IV of the HEA, and subpart
19 1 of part A of title VII of the Public Health Service Act,
20 \$1,768,943,000, to remain available through September
21 30, 2022: *Provided*, That the Secretary shall allocate new
22 student loan borrower accounts to eligible student loan
23 servicers on the basis of their past performance compared
24 to all loan servicers utilizing established common metrics,
25 and on the basis of the capacity of each servicer to process

1 new and existing accounts and compliance with Federal
2 and State law: *Provided further*, That for student loan
3 contracts awarded prior to October 1, 2017, the Secretary
4 shall allow student loan borrowers who are consolidating
5 Federal student loans to select from any student loan
6 servicer to service their new consolidated student loan:
7 *Provided further*, That in order to promote accountability
8 and high-quality service to borrowers, the Secretary shall
9 not award funding for any contract solicitation for a new
10 Federal student loan servicing environment, including the
11 solicitation for the Federal Student Aid (FSA) Next Gen-
12 eration Processing and Servicing Environment, unless
13 such an environment provides for the participation of mul-
14 tiple student loan servicers that contract directly with the
15 Department of Education: *Provided further*, That the FSA
16 Next Generation Processing and Servicing Environment,
17 or any new Federal student loan servicing environment,
18 shall include accountability measures that account for the
19 performance of the portfolio and contractor compliance
20 with FSA guidelines: *Provided further*, That the Depart-
21 ment shall re-allocate accounts from servicers for recur-
22 ring non-compliance with FSA guidelines, contractual re-
23 quirements, and Federal and State law, including for fail-
24 ure to sufficiently inform borrowers of available repayment
25 options: *Provided further*, That such servicers shall be

1 evaluated based on their ability to meet contract require-
2 ments (including an understanding of Federal and State
3 law), future performance on the contracts, and history of
4 compliance with applicable consumer protections laws, in-
5 cluding Federal and State law: *Provided further*, That to
6 the extent FSA permits student loan servicing subcon-
7 tracting, FSA shall hold prime contractors accountable for
8 meeting the requirements of the contract, and the per-
9 formance and expectations of subcontractors shall be ac-
10 counted for in the prime contract and in the overall per-
11 formance of the prime contractor: *Provided further*, That
12 FSA shall ensure that the Next Generation Processing
13 and Servicing Environment, or any new Federal loan serv-
14 icing environment, incentivize more support to borrowers
15 at risk of delinquency or default: *Provided further*, That
16 FSA shall ensure that in such environment contractors
17 have the capacity to meet and are held accountable for
18 performance on service levels; are held accountable for and
19 have a history of compliance with applicable consumer pro-
20 tection laws, including Federal and State law; and have
21 relevant experience and demonstrated effectiveness: *Pro-*
22 *vided further*, That the Secretary shall not delay, prevent,
23 or otherwise obstruct, directly or indirectly, State over-
24 sight of the Department's contractors conducting business
25 in such State, including loan servicers: *Provided further*,

1 That the Secretary shall provide quarterly briefings to the
2 Committees on Appropriations and Education and Labor
3 of the House of Representatives and the Committees on
4 Appropriations and Health, Education, Labor, and Pen-
5 sions of the Senate on general progress related to solicita-
6 tions for Federal student loan servicing contracts: *Pro-*
7 *vided further*, That FSA shall strengthen transparency
8 through expanded publication of aggregate data on stu-
9 dent loan and servicer performance: *Provided further*,
10 That FSA shall provide a detailed strategic plan for Next
11 Gen to the Committees on Appropriations of the House
12 of Representatives and the Senate within 60 days of enact-
13 ment of this Act, accounting for the cost of all activities
14 associated with the full implementation of Next Gen, in-
15 cluding transition costs, the amount of funding that has
16 been used from Student Aid Administration in each of the
17 previous three fiscal years on Next Gen, including an ex-
18 planation of each cost and activity, details about contracts
19 awarded, including any change request issued prior to en-
20 actment: *Provided further*, That not later than 30 days
21 after enactment of this Act, FSA shall provide to the Com-
22 mittees on Appropriations of the House of Representatives
23 and the Senate a detailed spend plan of anticipated uses
24 made available in this account for fiscal year 2021, includ-
25 ing the following: contracts awarded, change requests, bo-

1 nuses paid to staff, reorganization costs, and any other
2 activity supported by this appropriation.

3 HIGHER EDUCATION

4 For carrying out, to the extent not otherwise pro-
5 vided, titles II, III, IV, V, VI, VII, and VIII of the HEA,
6 the Mutual Educational and Cultural Exchange Act of
7 1961, and section 117 of the Perkins Act,
8 \$2,556,815,000, of which \$31,000,000 shall remain avail-
9 able through December 31, 2021: *Provided*, That notwith-
10 standing any other provision of law, funds made available
11 in this Act to carry out title VI of the HEA and section
12 102(b)(6) of the Mutual Educational and Cultural Ex-
13 change Act of 1961 may be used to support visits and
14 study in foreign countries by individuals who are partici-
15 pating in advanced foreign language training and inter-
16 national studies in areas that are vital to United States
17 national security and who plan to apply their language
18 skills and knowledge of these countries in the fields of gov-
19 ernment, the professions, or international development:
20 *Provided further*, That of the funds referred to in the pre-
21 ceding proviso up to 1 percent may be used for program
22 evaluation, national outreach, and information dissemina-
23 tion activities: *Provided further*, That up to 1.5 percent
24 of the funds made available under chapter 2 of subpart
25 2 of part A of title IV of the HEA may be used for evalua-

1 \$278,266,000: *Provided further*, That these funds may be
2 used to support loans to public and private Historically
3 Black Colleges and Universities without regard to the limi-
4 tations within section 344(a) of the HEA.

5 In addition, \$16,000,000 shall be made available to
6 provide for the deferment of loans made under part D of
7 title III of the HEA to eligible institutions that are private
8 Historically Black Colleges and Universities, which apply
9 for the deferment of such a loan and demonstrate financial
10 need for such deferment by having a score of 2.6 or less
11 on the Department of Education's financial responsibility
12 test: *Provided*, That the loan has not been paid in full and
13 is not paid in full during the period of deferment: *Provided*
14 *further*, That during the period of deferment of such a
15 loan, interest on the loan will not accrue or be capitalized,
16 and the period of deferment shall be for at least a period
17 of 3-fiscal years and not more than 6-fiscal years: *Pro-*
18 *vided further*, That funds available under this paragraph
19 shall be used to fund eligible deferment requests submitted
20 for this purpose in fiscal year 2018: *Provided further*, That
21 the Secretary shall create and execute an outreach plan
22 to work with States and the Capital Financing Advisory
23 Board to improve outreach to States and help additional
24 public Historically Black Colleges and Universities partici-
25 pate in the program.

1 In addition, \$10,000,000 shall be made available to
2 provide for the deferment of loans made under part D of
3 title III of the HEA to eligible institutions that are public
4 Historically Black Colleges and Universities, which apply
5 for the deferment of such a loan and demonstrate financial
6 need for such deferment, which shall be determined by the
7 Secretary of Education based on factors including, but not
8 limited to, equal to or greater than 5 percent of the
9 school's operating revenue relative to its annual debt serv-
10 ice payment: *Provided*, That during the period of
11 deferment of such a loan, interest on the loan will not ac-
12 crue or be capitalized, and the period of deferment shall
13 be for at least a period of 3-fiscal years and not more
14 than 6-fiscal years.

15 In addition, for administrative expenses to carry out
16 the Historically Black College and University Capital Fi-
17 nancing Program entered into pursuant to part D of title
18 III of the HEA, \$334,000.

19 INSTITUTE OF EDUCATION SCIENCES

20 For carrying out activities authorized by the Edu-
21 cation Sciences Reform Act of 2002, the National Assess-
22 ment of Educational Progress Authorization Act, section
23 208 of the Educational Technical Assistance Act of 2002,
24 and section 664 of the Individuals with Disabilities Edu-
25 cation Act, \$630,462,000, which shall remain available

1 through September 30, 2022: *Provided*, That funds avail-
2 able to carry out section 208 of the Educational Technical
3 Assistance Act may be used to link Statewide elementary
4 and secondary data systems with early childhood, postsec-
5 ondary, and workforce data systems, or to further develop
6 such systems: *Provided further*, That up to \$6,000,000 of
7 the funds available to carry out section 208 of the Edu-
8 cational Technical Assistance Act may be used for awards
9 to public or private organizations or agencies to support
10 activities to improve data coordination, quality, and use
11 at the local, State, and national levels.

12 DEPARTMENTAL MANAGEMENT

13 PROGRAM ADMINISTRATION

14 For carrying out, to the extent not otherwise pro-
15 vided, the Department of Education Organization Act, in-
16 cluding rental of conference rooms in the District of Co-
17 lumbia and hire of three passenger motor vehicles,
18 \$430,000,000: *Provided*, That, notwithstanding any other
19 provision of law, none of the funds provided by this Act
20 or provided by previous Appropriations Acts to the De-
21 partment of Education available for obligation or expendi-
22 ture in the current fiscal year may be used for any activity
23 relating to implementing a reorganization that decentral-
24 izes, reduces the staffing level, or alters the responsibil-
25 ities, structure, authority, or functionality of the Budget

1 Service of the Department of Education, relative to the
2 organization and operation of the Budget Service as in
3 effect on January 1, 2018.

4 OFFICE FOR CIVIL RIGHTS

5 For expenses necessary for the Office for Civil
6 Rights, as authorized by section 203 of the Department
7 of Education Organization Act, \$132,000,000.

8 OFFICE OF INSPECTOR GENERAL

9 For expenses necessary for the Office of Inspector
10 General, as authorized by section 212 of the Department
11 of Education Organization Act, \$64,000,000, of which
12 \$2,000,000 shall remain available until expended.

13 GENERAL PROVISIONS

14 SEC. 301. No funds appropriated in this Act may be
15 used to prevent the implementation of programs of vol-
16 untary prayer and meditation in the public schools.

17 (TRANSFER OF FUNDS)

18 SEC. 302. Not to exceed 1 percent of any discre-
19 tionary funds (pursuant to the Balanced Budget and
20 Emergency Deficit Control Act of 1985) which are appro-
21 priated for the Department of Education in this Act may
22 be transferred between appropriations, but no such appro-
23 priation shall be increased by more than 3 percent by any
24 such transfer: *Provided*, That the transfer authority
25 granted by this section shall be available only to meet

1 emergency needs and shall not be used to create any new
2 program or to fund any project or activity for which no
3 funds are provided in this Act: *Provided further*, That the
4 Committees on Appropriations of the House of Represent-
5 atives and the Senate are notified at least 15 days in ad-
6 vance of any transfer.

7 SEC. 303. Funds appropriated in this Act and con-
8 solidated for evaluation purposes under section 8601(c) of
9 the ESEA shall be available from July 1, 2021, through
10 September 30, 2022.

11 SEC. 304. (a) An institution of higher education that
12 maintains an endowment fund supported with funds ap-
13 propriated for title III or V of the HEA for fiscal year
14 2021 may use the income from that fund to award schol-
15 arships to students, subject to the limitation in section
16 331(c)(3)(B)(i) of the HEA. The use of such income for
17 such purposes, prior to the enactment of this Act, shall
18 be considered to have been an allowable use of that in-
19 come, subject to that limitation.

20 (b) Subsection (a) shall be in effect until titles III
21 and V of the HEA are reauthorized.

22 SEC. 305. Section 114(f) of the HEA (20 U.S.C.
23 1011c(f)) is amended by striking “2020” and inserting
24 “2021”.

1 qualify for loan cancellation under section 455(m) of such
2 Act except that the borrower has made some, or all, of
3 the 120 required payments under a repayment plan that
4 is not described under section 455(m)(A) of such Act, to
5 encourage borrowers to enroll in a qualifying repayment
6 plan: *Provided further*, That the Secretary shall also com-
7 municate to all Direct Loan borrowers the full require-
8 ments of section 455(m) of such Act and improve the fil-
9 ing of employment certification by providing improved out-
10 reach and information such as outbound calls, electronic
11 communications, ensuring prominent access to program
12 requirements and benefits on each servicer’s website, and
13 creating an option for all borrowers to complete the entire
14 payment certification process electronically and on a cen-
15 tralized website.

16 SEC. 310. None of the funds made available by this
17 Act may be used in contravention of section 203 of the
18 Department of Education Organization Act (20 U.S.C.
19 3413).

20 SEC. 311. For an additional amount for “Department
21 of Education—Federal Direct Student Loan Program Ac-
22 count”, \$50,000,000, to remain available until expended,
23 shall be for the cost, as defined under section 502 of the
24 Congressional Budget Act of 1974, of the Secretary of
25 Education providing loan cancellation in the same manner

1 as under section 455(m) of the Higher Education Act of
2 1965 (20 U.S.C. 1087e(m)), for borrowers of loans made
3 under part D of title IV of such Act who would qualify
4 for loan cancellation under section 455(m) except some,
5 or all, of the 120 required payments under section
6 455(m)(1)(A) do not qualify for purposes of the program
7 because they were monthly payments made in accordance
8 with graduated or extended repayment plans as described
9 under subparagraph (B) or (C) of section 455(d)(1) or
10 the corresponding repayment plan for a consolidation loan
11 made under section 455(g), with exception for a borrower
12 who would have otherwise been eligible under this section
13 but demonstrates an unusual fluctuation of income over
14 the past 5 years: *Provided*, That the total loan volume,
15 including outstanding principal, fees, capitalized interest,
16 or accrued interest, at application that is eligible for such
17 loan cancellation by such borrowers shall not exceed
18 \$75,000,000: *Provided further*, That the Secretary shall
19 develop and make available a simple method for borrowers
20 to apply for loan cancellation under this section within 60
21 days of enactment of this Act: *Provided further*, That the
22 Secretary shall provide loan cancellation under this section
23 to eligible borrowers on a first-come, first-serve basis,
24 based on the date of application and subject to both the
25 limitation on total loan volume at application for such loan

1 cancellation specified in the first proviso and the avail-
2 ability of appropriations under this section: *Provided fur-*
3 *ther*, That no borrower may, for the same service, receive
4 a reduction of loan obligations under both this section and
5 section 428J, 428K, 428L, or 460 of such Act: *Provided*
6 *further*, That the Secretary shall inform all borrowers who
7 have submitted an Employment Certification Form and
8 are in the incorrect repayment program about the Tem-
9 porary Expanded Public Service Loan Forgiveness Pro-
10 gram and requirements for qualification under the pro-
11 gram.

12 SEC. 312. (a) The General Education Provisions Act
13 (20 U.S.C. 1221 et seq.) is amended by striking section
14 426.

15 (b) Paragraph (9) of section 4407(a) of the Elemen-
16 tary and Secondary Education Act of 1965 (20 U.S.C.
17 7231f(a)) is amended by striking “notwithstanding section
18 426 of the General Education Provisions Act (20 U.S.C.
19 1228),”.

20 SEC. 313. (a) Section 487(d) of the Higher Edu-
21 cation Act of 1965 (20 U.S.C. 1094(d)) is amended—

22 (1) in paragraph (1)(C), in the matter pre-
23 ceding clause (i), by striking “any funds for a pro-
24 gram under this title” and inserting “any Federal
25 education assistance funds”; and

1 (2) in paragraph (4)(A), by striking “sources
2 under this title” and inserting “Federal education
3 assistance funds”.

4 (b) Section 102(b) of the HEA is amended—

5 (1) in paragraph (1)—

6 (A) in subparagraph (D), by striking
7 “and” after the semicolon;

8 (B) in subparagraph (E), by striking the
9 period at the end and inserting “; and”; and

10 (C) by adding at the end the following:

11 “(F) meets the requirements of paragraph
12 (3),”; and

13 (2) by adding at the end the following:

14 “(3) REVENUE SOURCES.— In order to qualify
15 as a proprietary institution of higher education
16 under this subsection, an institution shall derive not
17 less than 15 percent of the institution’s revenues
18 from sources other than Federal education assist-
19 ance funds, as calculated in accordance with para-
20 graph (4).”.

21 (c) Paragraph (1) of section 487(d) of the HEA (as
22 amended by subsection (a)) is—

23 (1) transferred to section 102(b) of such Act;

24 (2) inserted so as to appear after paragraph (3)
25 of such section 102(b) (as added by subsection (b));

1 (3) redesignated as paragraph (4) of such sec-
2 tion 102(b); and

3 (4) further amended by striking “subsection
4 (a)(24)” and inserting “paragraph (3)”.

5 (d) Paragraph (3) of section 487(d) of the HEA is—

6 (1) transferred to section 102(b) of such Act;

7 (2) inserted so as to appear after paragraph (4)
8 of such section 102(b) (as added by subsection (c));

9 (3) redesignated as paragraph (5) of such sec-
10 tion 102(b); and

11 (4) further amended by striking “subsection
12 (a)(24)” and inserting “paragraph (3)”.

13 (e) Paragraph (4) of section 487(d) of the HEA (as
14 amended by subsection (a)) is—

15 (1) transferred to section 102(b) of such Act;

16 (2) inserted so as to appear after paragraph (5)
17 of such section 102(b) (as added by subsection (d));

18 (3) redesignated as paragraph (6) of such sec-
19 tion 102(b); and

20 (4) further amended by striking “subsection
21 (a)(24)” and inserting “paragraph (3)”.

22 (f) Section 103 of the HEA (20 U.S.C. 1003) is
23 amended by adding at the end the following:

1 “(25) FEDERAL EDUCATION ASSISTANCE
2 FUNDS.— The term ‘Federal education assistance
3 funds’—

4 “(A) except as provided in subparagraph
5 (B), means any Federal funds provided, under
6 this Act or any other Federal law, through a
7 grant, contract, subsidy, loan, or guarantee, or
8 through insurance or other means (including
9 Federal funds disbursed or delivered to an insti-
10 tution or on behalf of a student or to a student
11 to be used to attend the institution); and

12 “(B) does not include any monthly housing
13 stipend provided under the Post-9/11 Edu-
14 cational Assistance Program under chapter 33
15 of title 38, United States Code.”.

16 (g) Subsection (a)(24), the subsection designation
17 and heading of subsection (d), and subsection (d)(2) of
18 section 487 the Higher Education Act of 1965 (20 U.S.C.
19 1094) are repealed.

20 SEC. 314. (a) None of the funds appropriated by this
21 title may be used to—

22 (1) implement, enforce, or otherwise give effect
23 to the final rule entitled, “Nondiscrimination on the
24 Basis of Sex in Education Programs or Activities
25 Receiving Federal Financial Assistance” as pub-

1 lished in the Federal Register on May 19, 2020 (85
2 Fed. Reg. 30,026); or

3 (2) propose or issue any rule or guidance that
4 is in substantially the same form or substantially the
5 same as any of such proposed amendments.

6 (b) Nothing in this section shall prevent the Secretary
7 of Education or the Office for Civil Rights of the Depart-
8 ment of Education from enforcing the protection provided
9 by title IX of the Education Amendments of 1972 against
10 sexual harassment in accordance with the standards set
11 out in the guidance, entitled “Revised Sexual Harassment
12 Guidance: Harassment of Students by School Employees,
13 Other Students, or Third Parties” as published in the
14 Federal Register on January 19, 2001 (66 Fed. Reg.
15 5,512).

16 SEC. 315. (a) Notwithstanding section 401(b)(6) of
17 the HEA, a Federal Pell Grant under section 401 of the
18 HEA may be awarded to an incarcerated individual (or
19 on behalf of such individual) for each academic year dur-
20 ing which that individual is enrolled at an eligible institu-
21 tion that meets the criteria described in subsection (b).

22 (b) The criteria described in this subsection are as
23 follows:

24 (1) The eligible institution—

1 (A) is an institution of higher education (as de-
2 fined in section 101 of the HEA) or a postsecondary
3 vocational institution (as defined in section 102(c) of
4 the HEA); and

5 (B) during the preceding five years, has not
6 been subject to the denial, withdrawal, suspension,
7 or termination of accreditation.

8 (2) Such institution provides each incarcerated indi-
9 vidual, upon completion of a course offered by the institu-
10 tion, with academic credits that are the equivalent to cred-
11 its earned by non-incarcerated students for an equivalent
12 course of study.

13 (3) Such institution provides to the Secretary con-
14 firmation from each facility involved that the course of
15 study offered by the institution at such facility is acces-
16 sible to incarcerated individuals (including such individ-
17 uals who are individuals with disabilities).

18 (4) Such institution does not (directly or indirectly)
19 charge an incarcerated individual for an award year, an
20 amount that exceeds the total grant aid received by the
21 individual for such award year.

22 (5) Such institution makes available to incarcerated
23 individuals who are considering enrolling in a course of
24 study offered by the institution, in simple and understand-
25 able terms, the following:

1 (A) Information with respect to each course of
2 study at the institution for which such an individual
3 may receive a Federal Pell Grant, including—

4 (i) the cost of attendance (as defined in
5 section 472 of the HEA);

6 (ii) the mode of instruction (such as dis-
7 tance education, in-person instruction, or a
8 combination of such modes);

9 (iii) how enrollment in such course of
10 study will impact the period of eligibility for
11 Federal Pell Grants for such an individual, in-
12 cluding in a case in which the individual is
13 transferred to another facility or released before
14 the completion of such course;

15 (iv) the transferability of credits earned,
16 and the acceptability of such credits toward a
17 certificate or degree program offered by the in-
18 stitution;

19 (v) the process for continuing postsec-
20 ondary education—

21 (I) upon transfer to another facility;

22 or

23 (II) after the student's period of in-
24 carceration or confinement; and

1 (vi) the process for continuing enrollment
2 at the institution after the student's period of
3 incarceration or confinement, including any bar-
4 riers to admission (such as criminal history
5 questions on applications for admission to such
6 institution).

7 (B) In the case of an institution that offers a
8 program to prepare incarcerated individuals for
9 gainful employment in a recognized occupation (as
10 such term is used in sections 101(b)(1),
11 102(c)(1)(A), and 481(b)(1)(A)(i) of the HEA)—

12 (i) information on any applicable State li-
13 censure and certification requirements, includ-
14 ing the requirements of the State in which the
15 facility involved is located and each State in
16 which such individuals permanently reside; and

17 (ii) restrictions related to the employment
18 of formerly incarcerated individuals for each
19 recognized occupation for which the course of
20 study prepares students, including such restric-
21 tions—

22 (I) in Federal law; and

23 (II) in the laws of the State in which
24 the facility involved is located and each

1 State in which such individuals perma-
2 nently reside.

3 (c) In this section:

4 (1) The term “facility” means—

5 (A) a place used for the confinement of in-
6 dividuals convicted of a criminal offense that is
7 owned by, or under contract to, the Bureau of
8 Prisons, a State, or a unit of local government:
9 or

10 (B) a facility to which an individual sub-
11 ject to involuntary civil confinement is com-
12 mitted.

13 (2) The term “facility involved” means, when
14 used with respect to an institution of higher edu-
15 cation, a facility at which a course of study of the
16 institution is offered to incarcerated individuals.

17 (3) The term “incarcerated individual” means
18 an individual who is incarcerated in a facility or who
19 is subject to an involuntary civil commitment.

20 (4) The term “non-incarcerated student” means
21 a student at an institution of higher education who
22 is not an incarcerated individual.

23 (d) This section shall be in effect until titles I, II,
24 III, IV and V of the HEA are reauthorized.

1 SEC. 316. None of the funds appropriated by this
2 title for the Department of Education shall be withheld
3 from an institution of higher education solely because that
4 institution is conducting or preparing to conduct research
5 on marihuana as defined in 21 U.S.C. 802(16).

6 SEC. 317. The Secretary shall require any informa-
7 tion required to be publicly disclosed for the purpose of
8 comparing institutions of higher education, programs and
9 credentials (including their competencies), to be published
10 using an open source description schema that is designed
11 to allow for public search and comparison through linked
12 open data, such as the credential transparency description
13 language specifications or a substantially similar ap-
14 proach.

15 This title may be cited as the “Department of Edu-
16 cation Appropriations Act, 2021”.

17 TITLE IV

18 RELATED AGENCIES

19 COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE

20 BLIND OR SEVERELY DISABLED

21 SALARIES AND EXPENSES

22 For expenses necessary for the Committee for Pur-
23 chase From People Who Are Blind or Severely Disabled
24 (referred to in this title as “the Committee”) established
25 under section 8502 of title 41, United States Code,

1 \$10,000,000: *Provided*, That in order to authorize any
2 central nonprofit agency designated pursuant to section
3 8503(c) of title 41, United States Code, to perform re-
4 quirements of the Committee as prescribed under section
5 51–3.2 of title 41, Code of Federal Regulations, the Com-
6 mittee shall enter into a written agreement with any such
7 central nonprofit agency: *Provided further*, That such
8 agreement shall contain such auditing, oversight, and re-
9 porting provisions as necessary to implement chapter 85
10 of title 41, United States Code: *Provided further*, That
11 such agreement shall include the elements listed under the
12 heading “Committee For Purchase From People Who Are
13 Blind or Severely Disabled—Written Agreement Ele-
14 ments” in the explanatory statement described in section
15 4 of Public Law 114–113 (in the matter preceding division
16 A of that consolidated Act): *Provided further*, That any
17 such central nonprofit agency may not charge a fee under
18 section 51–3.5 of title 41, Code of Federal Regulations,
19 prior to executing a written agreement with the Com-
20 mittee: *Provided further*, That no less than \$1,650,000
21 shall be available for the Office of Inspector General.

22 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE
23 OPERATING EXPENSES

24 For necessary expenses for the Corporation for Na-
25 tional and Community Service (referred to in this title as

1 “CNCS”) to carry out the Domestic Volunteer Service Act
2 of 1973 (referred to in this title as “1973 Act”) and the
3 National and Community Service Act of 1990 (referred
4 to in this title as “1990 Act”), \$848,529,000, notwith-
5 standing sections 198B(b)(3), 198S(g), 501(a)(4)(C), and
6 501(a)(4)(F) of the 1990 Act: *Provided*, That of the
7 amounts provided under this heading: (1) up to 1 percent
8 of program grant funds may be used to defray the costs
9 of conducting grant application reviews, including the use
10 of outside peer reviewers and electronic management of
11 the grants cycle; (2) \$19,538,000 shall be available to pro-
12 vide assistance to State commissions on national and com-
13 munity service, under section 126(a) of the 1990 Act and
14 notwithstanding section 501(a)(5)(B) of the 1990 Act; (3)
15 \$34,500,000 shall be available to carry out subtitle E of
16 the 1990 Act; and (4) \$6,400,000 shall be available for
17 expenses authorized under section 501(a)(4)(F) of the
18 1990 Act, which, notwithstanding the provisions of section
19 198P shall be awarded by CNCS on a competitive basis:
20 *Provided further*, That for the purposes of carrying out
21 the 1990 Act, satisfying the requirements in section
22 122(c)(1)(D) may include a determination of need by the
23 local community.

1 PAYMENT TO THE NATIONAL SERVICE TRUST
2 (INCLUDING TRANSFER OF FUNDS)

3 For payment to the National Service Trust estab-
4 lished under subtitle D of title I of the 1990 Act,
5 \$212,342,000, to remain available until expended: *Pro-*
6 *vided*, That CNCS may transfer additional funds from the
7 amount provided within “Operating Expenses” allocated
8 to grants under subtitle C of title I of the 1990 Act to
9 the National Service Trust upon determination that such
10 transfer is necessary to support the activities of national
11 service participants and after notice is transmitted to the
12 Committees on Appropriations of the House of Represent-
13 atives and the Senate: *Provided further*, That amounts ap-
14 propriated for or transferred to the National Service Trust
15 may be invested under section 145(b) of the 1990 Act
16 without regard to the requirement to apportion funds
17 under 31 U.S.C. 1513(b).

18 SALARIES AND EXPENSES

19 For necessary expenses of administration as provided
20 under section 501(a)(5) of the 1990 Act and under section
21 504(a) of the 1973 Act, including payment of salaries, au-
22 thorized travel, hire of passenger motor vehicles, the rental
23 of conference rooms in the District of Columbia, the em-
24 ployment of experts and consultants authorized under 5

1 U.S.C. 3109, and not to exceed \$2,500 for official recep-
2 tion and representation expenses, \$86,737,000.

3 OFFICE OF INSPECTOR GENERAL

4 For necessary expenses of the Office of Inspector
5 General in carrying out the Inspector General Act of 1978,
6 \$6,750,000.

7 ADMINISTRATIVE PROVISIONS

8 SEC. 401. CNCS shall make any significant changes
9 to program requirements, service delivery or policy only
10 through public notice and comment rulemaking. For fiscal
11 year 2021, during any grant selection process, an officer
12 or employee of CNCS shall not knowingly disclose any cov-
13 ered grant selection information regarding such selection,
14 directly or indirectly, to any person other than an officer
15 or employee of CNCS that is authorized by CNCS to re-
16 ceive such information.

17 SEC. 402. AmeriCorps programs receiving grants
18 under the National Service Trust program shall meet an
19 overall minimum share requirement of 24 percent for the
20 first 3 years that they receive AmeriCorps funding, and
21 thereafter shall meet the overall minimum share require-
22 ment as provided in section 2521.60 of title 45, Code of
23 Federal Regulations, without regard to the operating costs
24 match requirement in section 121(e) or the member sup-
25 port Federal share limitations in section 140 of the 1990

1 Act, and subject to partial waiver consistent with section
2 2521.70 of title 45, Code of Federal Regulations.

3 SEC. 403. Donations made to CNCS under section
4 196 of the 1990 Act for the purposes of financing pro-
5 grams and operations under titles I and II of the 1973
6 Act or subtitle B, C, D, or E of title I of the 1990 Act
7 shall be used to supplement and not supplant current pro-
8 grams and operations.

9 SEC. 404. In addition to the requirements in section
10 146(a) of the 1990 Act, use of an educational award for
11 the purpose described in section 148(a)(4) shall be limited
12 to individuals who are veterans as defined under section
13 101 of the Act.

14 SEC. 405. For the purpose of carrying out section
15 189D of the 1990 Act—

16 (1) entities described in paragraph (a) of such
17 section shall be considered “qualified entities” under
18 section 3 of the National Child Protection Act of
19 1993 (“NCPA”);

20 (2) individuals described in such section shall
21 be considered “volunteers” under section 3 of
22 NCPA; and

23 (3) State Commissions on National and Com-
24 munity Service established pursuant to section 178
25 of the 1990 Act, are authorized to receive criminal

1 history record information, consistent with Public
2 Law 92–544.

3 SEC. 406. Notwithstanding sections 139(b), 146 and
4 147 of the 1990 Act, an individual who successfully com-
5 pletes a term of service of not less than 1,200 hours dur-
6 ing a period of not more than one year may receive a na-
7 tional service education award having a value of 70 per-
8 cent of the value of a national service education award
9 determined under section 147(a) of the Act.

10 CORPORATION FOR PUBLIC BROADCASTING

11 For payment to the Corporation for Public Broad-
12 casting (“CPB”), as authorized by the Communications
13 Act of 1934, an amount which shall be available within
14 limitations specified by that Act, for the fiscal year 2023,
15 \$515,000,000: *Provided*, That none of the funds made
16 available to CPB by this Act shall be used to pay for re-
17 ceptions, parties, or similar forms of entertainment for
18 Government officials or employees: *Provided further*, That
19 none of the funds made available to CPB by this Act shall
20 be available or used to aid or support any program or ac-
21 tivity from which any person is excluded, or is denied ben-
22 efits, or is discriminated against, on the basis of race,
23 color, national origin, religion, or sex: *Provided further*,
24 That none of the funds made available to CPB by this
25 Act shall be used to apply any political test or qualification

1 in selecting, appointing, promoting, or taking any other
2 personnel action with respect to officers, agents, and em-
3 ployees of CPB.

4 In addition, for the costs associated with replacing
5 and upgrading the public broadcasting interconnection
6 system and other technologies and services that create in-
7 frastructure and efficiencies within the public media sys-
8 tem, \$20,000,000.

9 FEDERAL MEDIATION AND CONCILIATION SERVICE

10 SALARIES AND EXPENSES

11 For expenses necessary for the Federal Mediation
12 and Conciliation Service (“Service”) to carry out the func-
13 tions vested in it by the Labor-Management Relations Act,
14 1947, including hire of passenger motor vehicles; for ex-
15 penses necessary for the Labor-Management Cooperation
16 Act of 1978; and for expenses necessary for the Service
17 to carry out the functions vested in it by the Civil Service
18 Reform Act, \$48,600,000, including up to \$900,000 to re-
19 main available through September 30, 2022, for activities
20 authorized by the Labor-Management Cooperation Act of
21 1978: *Provided*, That notwithstanding 31 U.S.C. 3302,
22 fees charged, up to full-cost recovery, for special training
23 activities and other conflict resolution services and tech-
24 nical assistance, including those provided to foreign gov-
25 ernments and international organizations, and for arbitra-

1 tion services shall be credited to and merged with this ac-
2 count, and shall remain available until expended: *Provided*
3 *further*, That fees for arbitration services shall be available
4 only for education, training, and professional development
5 of the agency workforce: *Provided further*, That the Direc-
6 tor of the Service is authorized to accept and use on behalf
7 of the United States gifts of services and real, personal,
8 or other property in the aid of any projects or functions
9 within the Director's jurisdiction.

10 FEDERAL MINE SAFETY AND HEALTH REVIEW

11 COMMISSION

12 SALARIES AND EXPENSES

13 For expenses necessary for the Federal Mine Safety
14 and Health Review Commission, \$17,184,000.

15 INSTITUTE OF MUSEUM AND LIBRARY SERVICES

16 OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS

17 AND ADMINISTRATION

18 For carrying out the Museum and Library Services
19 Act of 1996 and the National Museum of African Amer-
20 ican History and Culture Act, \$257,000,000.

21 MEDICAID AND CHIP PAYMENT AND ACCESS

22 COMMISSION

23 SALARIES AND EXPENSES

24 For expenses necessary to carry out section 1900 of
25 the Social Security Act, \$8,780,000.

1 MEDICARE PAYMENT ADVISORY COMMISSION

2 SALARIES AND EXPENSES

3 For expenses necessary to carry out section 1805 of
4 the Social Security Act, \$12,905,000, to be transferred to
5 this appropriation from the Federal Hospital Insurance
6 Trust Fund and the Federal Supplementary Medical In-
7 surance Trust Fund.

8 NATIONAL COUNCIL ON DISABILITY

9 SALARIES AND EXPENSES

10 For expenses necessary for the National Council on
11 Disability as authorized by title IV of the Rehabilitation
12 Act of 1973, \$3,350,000.

13 NATIONAL LABOR RELATIONS BOARD

14 SALARIES AND EXPENSES

15 For expenses necessary for the National Labor Rela-
16 tions Board to carry out the functions vested in it by the
17 Labor-Management Relations Act, 1947, and other laws,
18 \$277,824,000 of which \$1,000,000 shall be used to de-
19 velop a system and procedures to conduct union represen-
20 tation elections electronically: *Provided*, That the National
21 Labor Relations Board shall use funds provided under this
22 heading to expand the number of regional full-time equiva-
23 lent staff above the amount on-board at the end of the
24 fourth quarter of fiscal year 2019: *Provided further*, That
25 the system and procedures described in the previous pro-

1 viso shall be available to conduct union representation
2 elections electronically no later than 30 days after the date
3 of enactment of this Act.

4 ADMINISTRATIVE PROVISIONS

5 SEC. 407. None of the funds made available by this
6 Act may be used to implement , enforce, or take any action
7 in furtherance of the final rule on “The Standard for De-
8 termining Joint-Employer Status” published by the Na-
9 tional Labor Relations Board in the Federal Register on
10 February 26, 2020 (85 Fed. Reg. 11184 et seq.).

11 SEC. 408. None of the funds made available by this
12 Act may be used to implement, enforce, or take any ac-
13 tions in furtherance of, the final rule on “Representation-
14 Case Procedures” published by the National Labor Rela-
15 tions Board in the Federal Register on December 18,
16 2019 (84 Fed. Reg. 69524 et seq.).

17 SEC. 409. (a) None of the funds made available by
18 this Act may be used to restructure or realign the National
19 Labor Relations Board until 240 days after the National
20 Labor Relations Board submits to the Committees on Ap-
21 propriations of the House of Representatives and the Sen-
22 ate (in this section referred to as the “Committees on Ap-
23 propriations”) and to the Comptroller General of the
24 United States, the proposed restructuring or realignment
25 plan of the National Labor Relations Board.

1 (b) Not later than 180 days after the National Labor
2 Relations Board submits to the Committees on Appropria-
3 tions the plan described in subsection (a), the Comptroller
4 General shall submit to the Committees on Appropriations
5 a report assessing such plan.

6 NATIONAL MEDIATION BOARD

7 SALARIES AND EXPENSES

8 For expenses necessary to carry out the provisions
9 of the Railway Labor Act, including emergency boards ap-
10 pointed by the President, \$14,300,000.

11 OCCUPATIONAL SAFETY AND HEALTH REVIEW

12 COMMISSION

13 SALARIES AND EXPENSES

14 For expenses necessary for the Occupational Safety
15 and Health Review Commission, \$13,225,000.

16 RAILROAD RETIREMENT BOARD

17 DUAL BENEFITS PAYMENTS ACCOUNT

18 For payment to the Dual Benefits Payments Ac-
19 count, authorized under section 15(d) of the Railroad Re-
20 tirement Act of 1974, \$13,000,000, which shall include
21 amounts becoming available in fiscal year 2021 pursuant
22 to section 224(e)(1)(B) of Public Law 98-76; and in addi-
23 tion, an amount, not to exceed 2 percent of the amount
24 provided herein, shall be available proportional to the
25 amount by which the product of recipients and the average

1 benefit received exceeds the amount available for payment
2 of vested dual benefits: *Provided*, That the total amount
3 provided herein shall be credited in 12 approximately
4 equal amounts on the first day of each month in the fiscal
5 year.

6 FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT

7 ACCOUNTS

8 For payment to the accounts established in the
9 Treasury for the payment of benefits under the Railroad
10 Retirement Act for interest earned on unnegotiated
11 checks, \$150,000, to remain available through September
12 30, 2022, which shall be the maximum amount available
13 for payment pursuant to section 417 of Public Law 98–
14 76.

15 LIMITATION ON ADMINISTRATION

16 For necessary expenses for the Railroad Retirement
17 Board (“Board”) for administration of the Railroad Re-
18 tirement Act and the Railroad Unemployment Insurance
19 Act, \$126,500,000, to be derived in such amounts as de-
20 termined by the Board from the railroad retirement ac-
21 counts and from moneys credited to the railroad unem-
22 ployment insurance administration fund: *Provided*, That
23 notwithstanding section 7(b)(9) of the Railroad Retire-
24 ment Act this limitation may be used to hire attorneys
25 only through the excepted service: *Provided further*, That

1 the previous proviso shall not change the status under
2 Federal employment laws of any attorney hired by the
3 Railroad Retirement Board prior to January 1, 2013: *Pro-*
4 *vided further*, That notwithstanding section 7(b)(9) of the
5 Railroad Retirement Act, this limitation may be used to
6 hire students attending qualifying educational institutions
7 or individuals who have recently completed qualifying edu-
8 cational programs using current excepted hiring authori-
9 ties established by the Office of Personnel Management:
10 *Provided further*, That \$10,000,000, to remain available
11 until expended, shall be used to supplement, not supplant,
12 existing resources devoted to operations and improvements
13 for the Board's Information Technology Investment Initia-
14 tives.

15 LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

16 For expenses necessary for the Office of Inspector
17 General for audit, investigatory and review activities, as
18 authorized by the Inspector General Act of 1978, not more
19 than \$11,000,000, to be derived from the railroad retire-
20 ment accounts and railroad unemployment insurance ac-
21 count.

22 SOCIAL SECURITY ADMINISTRATION

23 PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

24 For payment to the Federal Old-Age and Survivors
25 Insurance Trust Fund and the Federal Disability Insur-

1 ance Trust Fund, as provided under sections 201(m) and
2 1131(b)(2) of the Social Security Act, \$11,000,000.

3 SUPPLEMENTAL SECURITY INCOME PROGRAM

4 For carrying out titles XI and XVI of the Social Se-
5 curity Act, section 401 of Public Law 92-603, section 212
6 of Public Law 93-66, as amended, and section 405 of
7 Public Law 95-216, including payment to the Social Secu-
8 rity trust funds for administrative expenses incurred pur-
9 suant to section 201(g)(1) of the Social Security Act,
10 \$40,172,492,000, to remain available until expended: *Pro-*
11 *vided*, That any portion of the funds provided to a State
12 in the current fiscal year and not obligated by the State
13 during that year shall be returned to the Treasury: *Pro-*
14 *vided further*, That not more than \$86,000,000 shall be
15 available for research and demonstrations under sections
16 1110, 1115, and 1144 of the Social Security Act, and re-
17 main available through September 30, 2023.

18 For making, after June 15 of the current fiscal year,
19 benefit payments to individuals under title XVI of the So-
20 cial Security Act, for unanticipated costs incurred for the
21 current fiscal year, such sums as may be necessary.

22 For making benefit payments under title XVI of the
23 Social Security Act for the first quarter of fiscal year
24 2022, \$19,600,000,000, to remain available until ex-
25 pended.

1 LIMITATION ON ADMINISTRATIVE EXPENSES

2 For necessary expenses, including the hire of two pas-
3 senger motor vehicles, and not to exceed \$20,000 for offi-
4 cial reception and representation expenses, not more than
5 \$12,834,945,000 may be expended, as authorized by sec-
6 tion 201(g)(1) of the Social Security Act, from any one
7 or all of the trust funds referred to in such section: *Pro-*
8 *vided*, That not less than \$2,500,000 shall be for the So-
9 cial Security Advisory Board: *Provided further*, That
10 \$45,000,000 shall remain available until expended for in-
11 formation technology modernization, including related
12 hardware and software infrastructure and equipment, and
13 for administrative expenses directly associated with infor-
14 mation technology modernization: *Provided further*, That
15 of the amount made available in the preceding proviso,
16 \$4,000,000 shall be transferred to the “Office of Inspector
17 General”, Social Security Administration, for information
18 technology modernization, including related hardware and
19 software infrastructure and equipment, and for adminis-
20 trative expenses directly associated with information tech-
21 nology modernization: *Provided further*, That such trans-
22 fer authority is in addition to any other transfer authority
23 provided by law: *Provided further*, That \$50,000,000 shall
24 remain available through September 30, 2022, for activi-
25 ties to address the disability hearings backlog within the

1 Office of Hearings Operations: *Provided further*, That un-
2 obligated balances of funds provided under this paragraph
3 at the end of fiscal year 2021 not needed for fiscal year
4 2021 shall remain available until expended to invest in the
5 Social Security Administration information technology
6 and telecommunications hardware and software infra-
7 structure, including related equipment and non-payroll ad-
8 ministrative expenses associated solely with this informa-
9 tion technology and telecommunications infrastructure:
10 *Provided further*, That the Commissioner of Social Secu-
11 rity shall notify the Committees on Appropriations of the
12 House of Representatives and the Senate prior to making
13 unobligated balances available under the authority in the
14 previous proviso: *Provided further*, That reimbursement to
15 the trust funds under this heading for expenditures for
16 official time for employees of the Social Security Adminis-
17 tration pursuant to 5 U.S.C. 7131, and for facilities or
18 support services for labor organizations pursuant to poli-
19 cies, regulations, or procedures referred to in section
20 7135(b) of such title shall be made by the Secretary of
21 the Treasury, with interest, from amounts in the general
22 fund not otherwise appropriated, as soon as possible after
23 such expenditures are made.

24 Of the total amount made available in the first para-
25 graph under this heading, not more than \$1,575,000,000,

1 to remain available through March 31, 2022, is for the
2 costs associated with continuing disability reviews under
3 titles II and XVI of the Social Security Act, including
4 work-related continuing disability reviews to determine
5 whether earnings derived from services demonstrate an in-
6 dividual's ability to engage in substantial gainful activity,
7 for the cost associated with conducting redeterminations
8 of eligibility under title XVI of the Social Security Act,
9 for the cost of co-operative disability investigation units,
10 and for the cost associated with the prosecution of fraud
11 in the programs and operations of the Social Security Ad-
12 ministration by Special Assistant United States Attorneys:
13 *Provided*, That, of such amount, \$273,000,000 is provided
14 to meet the terms of section 251(b)(2)(B)(ii)(III) of the
15 Balanced Budget and Emergency Deficit Control Act of
16 1985, as amended, and \$1,302,000,000 is additional new
17 budget authority specified for purposes of section
18 251(b)(2)(B) of such Act: *Provided further*, That, of the
19 additional new budget authority described in the preceding
20 proviso, up to \$11,200,000 may be transferred to the "Of-
21 fice of Inspector General", Social Security Administration,
22 for the cost of jointly operated co-operative disability in-
23 vestigation units: *Provided further*, That such transfer au-
24 thority is in addition to any other transfer authority pro-
25 vided by law: *Provided further*, That the Commissioner

1 shall provide to the Congress (at the conclusion of the fis-
2 cal year) a report on the obligation and expenditure of
3 these funds, similar to the reports that were required by
4 section 103(d)(2) of Public Law 104–121 for fiscal years
5 1996 through 2002.

6 In addition, \$135,000,000 to be derived from admin-
7 istration fees in excess of \$5.00 per supplementary pay-
8 ment collected pursuant to section 1616(d) of the Social
9 Security Act or section 212(b)(3) of Public Law 93–66,
10 which shall remain available until expended: *Provided,*
11 That to the extent that the amounts collected pursuant
12 to such sections in fiscal year 2021 exceed \$135,000,000,
13 the amounts shall be available in fiscal year 2022 only
14 to the extent provided in advance in appropriations Acts.

15 In addition, up to \$1,000,000 to be derived from fees
16 collected pursuant to section 303(c) of the Social Security
17 Protection Act, which shall remain available until ex-
18 pended.

19 OFFICE OF INSPECTOR GENERAL

20 (INCLUDING TRANSFER OF FUNDS)

21 For expenses necessary for the Office of Inspector
22 General in carrying out the provisions of the Inspector
23 General Act of 1978, \$30,000,000, together with not to
24 exceed \$75,500,000, to be transferred and expended as
25 authorized by section 201(g)(1) of the Social Security Act

1 from the Federal Old-Age and Survivors Insurance Trust
2 Fund and the Federal Disability Insurance Trust Fund.

3 In addition, an amount not to exceed 3 percent of
4 the total provided in this appropriation may be transferred
5 from the “Limitation on Administrative Expenses”, Social
6 Security Administration, to be merged with this account,
7 to be available for the time and purposes for which this
8 account is available: *Provided*, That notice of such trans-
9 fers shall be transmitted promptly to the Committees on
10 Appropriations of the House of Representatives and the
11 Senate at least 15 days in advance of any transfer.

12 TITLE V

13 GENERAL PROVISIONS

14 (TRANSFER OF FUNDS)

15 SEC. 501. The Secretaries of Labor, Health and
16 Human Services, and Education are authorized to transfer
17 unexpended balances of prior appropriations to accounts
18 corresponding to current appropriations provided in this
19 Act. Such transferred balances shall be used for the same
20 purpose, and for the same periods of time, for which they
21 were originally appropriated.

22 SEC. 502. No part of any appropriation contained in
23 this Act shall remain available for obligation beyond the
24 current fiscal year unless expressly so provided herein.

1 SEC. 503. (a) No part of any appropriation contained
2 in this Act or transferred pursuant to section 4002 of
3 Public Law 111–148 shall be used, other than for normal
4 and recognized executive-legislative relationships, for pub-
5 licity or propaganda purposes, for the preparation, dis-
6 tribution, or use of any kit, pamphlet, booklet, publication,
7 electronic communication, radio, television, or video pres-
8 entation designed to support or defeat the enactment of
9 legislation before the Congress or any State or local legis-
10 lature or legislative body, except in presentation to the
11 Congress or any State or local legislature itself, or de-
12 signed to support or defeat any proposed or pending regu-
13 lation, administrative action, or order issued by the execu-
14 tive branch of any State or local government, except in
15 presentation to the executive branch of any State or local
16 government itself.

17 (b) No part of any appropriation contained in this
18 Act or transferred pursuant to section 4002 of Public Law
19 111–148 shall be used to pay the salary or expenses of
20 any grant or contract recipient, or agent acting for such
21 recipient, related to any activity designed to influence the
22 enactment of legislation, appropriations, regulation, ad-
23 ministrative action, or Executive order proposed or pend-
24 ing before the Congress or any State government, State
25 legislature or local legislature or legislative body, other

1 than for normal and recognized executive-legislative rela-
2 tionships or participation by an agency or officer of a
3 State, local or tribal government in policymaking and ad-
4 ministrative processes within the executive branch of that
5 government.

6 (c) The prohibitions in subsections (a) and (b) shall
7 include any activity to advocate or promote any proposed,
8 pending or future Federal, State or local tax increase, or
9 any proposed, pending, or future requirement or restric-
10 tion on any legal consumer product, including its sale or
11 marketing, including but not limited to the advocacy or
12 promotion of gun control.

13 SEC. 504. The Secretaries of Labor and Education
14 are authorized to make available not to exceed \$28,000
15 and \$20,000, respectively, from funds available for sala-
16 ries and expenses under titles I and III, respectively, for
17 official reception and representation expenses; the Direc-
18 tor of the Federal Mediation and Conciliation Service is
19 authorized to make available for official reception and rep-
20 resentation expenses not to exceed \$5,000 from the funds
21 available for “Federal Mediation and Conciliation Service,
22 Salaries and Expenses”; and the Chairman of the Na-
23 tional Mediation Board is authorized to make available for
24 official reception and representation expenses not to ex-

1 exceed \$5,000 from funds available for “National Mediation
2 Board, Salaries and Expenses”.

3 SEC. 505. When issuing statements, press releases,
4 requests for proposals, bid solicitations and other docu-
5 ments describing projects or programs funded in whole or
6 in part with Federal money, all grantees receiving Federal
7 funds included in this Act, including but not limited to
8 State and local governments and recipients of Federal re-
9 search grants, shall clearly state—

10 (1) the percentage of the total costs of the pro-
11 gram or project which will be financed with Federal
12 money;

13 (2) the dollar amount of Federal funds for the
14 project or program; and

15 (3) percentage and dollar amount of the total
16 costs of the project or program that will be financed
17 by non-governmental sources.

18 SEC. 506. (a) None of the funds appropriated in this
19 Act, and none of the funds in any trust fund to which
20 funds are appropriated in this Act, shall be expended for
21 any abortion.

22 (b) None of the funds appropriated in this Act, and
23 none of the funds in any trust fund to which funds are
24 appropriated in this Act, shall be expended for health ben-
25 efits coverage that includes coverage of abortion.

1 (c) The term “health benefits coverage” means the
2 package of services covered by a managed care provider
3 or organization pursuant to a contract or other arrange-
4 ment.

5 SEC. 507. (a) The limitations established in the pre-
6 ceding section shall not apply to an abortion—

7 (1) if the pregnancy is the result of an act of
8 rape or incest; or

9 (2) in the case where a woman suffers from a
10 physical disorder, physical injury, or physical illness,
11 including a life-endangering physical condition
12 caused by or arising from the pregnancy itself, that
13 would, as certified by a physician, place the woman
14 in danger of death unless an abortion is performed.

15 (b) Nothing in the preceding section shall be con-
16 strued as prohibiting the expenditure by a State, locality,
17 entity, or private person of State, local, or private funds
18 (other than a State’s or locality’s contribution of Medicaid
19 matching funds).

20 (c) Nothing in the preceding section shall be con-
21 strued as restricting the ability of any managed care pro-
22 vider from offering abortion coverage or the ability of a
23 State or locality to contract separately with such a pro-
24 vider for such coverage with State funds (other than a

1 State's or locality's contribution of Medicaid matching
2 funds).

3 (d)(1) None of the funds made available in this Act
4 may be made available to a Federal agency or program,
5 or to a State or local government, if such agency, program,
6 or government subjects any institutional or individual
7 health care entity to discrimination on the basis that the
8 health care entity does not provide, pay for, provide cov-
9 erage of, or refer for abortions.

10 (2) In this subsection, the term "health care entity"
11 includes an individual physician or other health care pro-
12 fessional, a hospital, a provider-sponsored organization, a
13 health maintenance organization, a health insurance plan,
14 or any other kind of health care facility, organization, or
15 plan.

16 SEC. 508. (a) None of the funds made available in
17 this Act may be used for—

18 (1) the creation of a human embryo or embryos
19 for research purposes; or

20 (2) research in which a human embryo or em-
21 bryos are destroyed, discarded, or knowingly sub-
22 jected to risk of injury or death greater than that
23 allowed for research on fetuses in utero under 45
24 CFR 46.204(b) and section 498(b) of the Public
25 Health Service Act (42 U.S.C. 289g(b)).

1 (b) For purposes of this section, the term “human
2 embryo or embryos” includes any organism, not protected
3 as a human subject under 45 CFR 46 as of the date of
4 the enactment of this Act, that is derived by fertilization,
5 parthenogenesis, cloning, or any other means from one or
6 more human gametes or human diploid cells.

7 SEC. 509. (a) None of the funds made available in
8 this Act may be used for any activity that promotes the
9 legalization of any drug or other substance included in
10 schedule I of the schedules of controlled substances estab-
11 lished under section 202 of the Controlled Substances Act
12 except for normal and recognized executive-congressional
13 communications.

14 (b) The limitation in subsection (a) shall not apply
15 when there is significant medical evidence of a therapeutic
16 advantage to the use of such drug or other substance or
17 that federally sponsored clinical trials are being conducted
18 to determine therapeutic advantage.

19 SEC. 510. None of the funds made available in this
20 Act may be used to promulgate or adopt any final stand-
21 ard under section 1173(b) of the Social Security Act pro-
22 viding for, or providing for the assignment of, a unique
23 health identifier for an individual (except in an individ-
24 ual’s capacity as an employer or a health care provider),

1 until legislation is enacted specifically approving the
2 standard.

3 SEC. 511. None of the funds made available in this
4 Act may be obligated or expended to enter into or renew
5 a contract with an entity if—

6 (1) such entity is otherwise a contractor with
7 the United States and is subject to the requirement
8 in 38 U.S.C. 4212(d) regarding submission of an
9 annual report to the Secretary of Labor concerning
10 employment of certain veterans; and

11 (2) such entity has not submitted a report as
12 required by that section for the most recent year for
13 which such requirement was applicable to such enti-
14 ty.

15 SEC. 512. None of the funds made available in this
16 Act may be transferred to any department, agency, or in-
17 strumentality of the United States Government, except
18 pursuant to a transfer made by, or transfer authority pro-
19 vided in, this Act or any other appropriation Act.

20 SEC. 513. None of the funds made available by this
21 Act to carry out the Library Services and Technology Act
22 may be made available to any library covered by para-
23 graph (1) of section 224(f) of such Act, as amended by
24 the Children's Internet Protection Act, unless such library

1 has made the certifications required by paragraph (4) of
2 such section.

3 SEC. 514. (a) None of the funds provided under this
4 Act, or provided under previous appropriations Acts to the
5 agencies funded by this Act that remain available for obli-
6 gation or expenditure in fiscal year 2021, or provided from
7 any accounts in the Treasury of the United States derived
8 by the collection of fees available to the agencies funded
9 by this Act, shall be available for obligation or expenditure
10 through a reprogramming of funds that—

11 (1) creates new programs;

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

13 (3) increases funds or personnel by any means
14 for any project or activity for which funds have been
15 denied or restricted; or

16 (4) contracts out or privatizes any functions or
17 activities presently performed by Federal employees;

18 unless the Committees on Appropriations of the House of
19 Representatives and the Senate are consulted 15 days in
20 advance of such reprogramming or of an announcement
21 of intent relating to such reprogramming, whichever oc-
22 curs earlier, and are notified in writing 10 days in advance
23 of such reprogramming.

24 (b) None of the funds provided under this Act, or
25 provided under previous appropriations Acts to the agen-

1 cies funded by this Act that remain available for obligation
2 or expenditure in fiscal year 2021, or provided from any
3 accounts in the Treasury of the United States derived by
4 the collection of fees available to the agencies funded by
5 this Act, shall be available for obligation or expenditure
6 through a reprogramming of funds in excess of \$500,000
7 or 10 percent, whichever is less, that—

8 (1) augments existing programs, projects (in-
9 cluding construction projects), or activities;

10 (2) reduces by 10 percent funding for any exist-
11 ing program, project, or activity, or numbers of per-
12 sonnel by 10 percent as approved by Congress; or

13 (3) results from any general savings from a re-
14 duction in personnel which would result in a change
15 in existing programs, activities, or projects as ap-
16 proved by Congress;

17 unless the Committees on Appropriations of the House of
18 Representatives and the Senate are consulted 15 days in
19 advance of such reprogramming or of an announcement
20 of intent relating to such reprogramming, whichever oc-
21 curs earlier, and are notified in writing 10 days in advance
22 of such reprogramming.

23 (c) None of the funds provided under this Act, or pro-
24 vided under previous appropriations Acts to the agencies
25 funded by this Act that remain available for obligation or

1 expenditure in the current year fiscal year, or provided
2 from any accounts in the Treasury of the United States
3 derived by the collection of fees available to the agencies
4 funded by this Act, shall be available for obligation or ex-
5 penditure that—

6 (1) relocates an office or employees;

7 (2) reorganizes or renames offices; or

8 (3) reorganizes programs or activities;

9 unless the relocation, renaming, or reorganization was in-
10 cluded in the President's fiscal year 2021 budget proposal,
11 including the accompanying justification documents sub-
12 mitted to the Committees on Appropriations of the House
13 of Representatives and the Senate, and such committees
14 are consulted at least 15 days in advance of such reloca-
15 tion, renaming, or reorganization.

16 SEC. 515. (a) None of the funds made available in
17 this Act may be used to request that a candidate for ap-
18 pointment to a Federal scientific advisory committee dis-
19 close the political affiliation or voting history of the can-
20 didate or the position that the candidate holds with re-
21 spect to political issues not directly related to and nec-
22 essary for the work of the committee involved.

23 (b) None of the funds made available in this Act may
24 be used to disseminate information that is deliberately
25 false or misleading.

1 SEC. 516. Within 45 days of enactment of this Act,
2 each department and related agency funded through this
3 Act shall submit an operating plan that details at the pro-
4 gram, project, and activity level any funding allocations
5 for fiscal year 2021 that are different than those specified
6 in this Act, the detailed table in the committee report ac-
7 companying this Act, or the fiscal year 2021 budget re-
8 quest.

9 SEC. 517. The Secretaries of Labor, Health and
10 Human Services, and Education shall each prepare and
11 submit to the Committees on Appropriations of the House
12 of Representatives and the Senate a report on the number
13 and amount of contracts, grants, and cooperative agree-
14 ments exceeding \$500,000, individually or in total for a
15 particular project, activity, or programmatic initiative, in
16 value and awarded by the Department on a non-competi-
17 tive basis during each quarter of fiscal year 2021, but not
18 to include grants awarded on a formula basis or directed
19 by law. Such report shall include the name of the con-
20 tractor or grantee, the amount of funding, the govern-
21 mental purpose, including a justification for issuing the
22 award on a non-competitive basis. Such report shall be
23 transmitted to the Committees within 30 days after the
24 end of the quarter for which the report is submitted.

1 SEC. 518. None of the funds appropriated in this Act
2 shall be expended or obligated by the Commissioner of So-
3 cial Security, for purposes of administering Social Security
4 benefit payments under title II of the Social Security Act,
5 to process any claim for credit for a quarter of coverage
6 based on work performed under a social security account
7 number that is not the claimant's number and the per-
8 formance of such work under such number has formed the
9 basis for a conviction of the claimant of a violation of sec-
10 tion 208(a)(6) or (7) of the Social Security Act.

11 SEC. 519. None of the funds appropriated by this Act
12 may be used by the Commissioner of Social Security or
13 the Social Security Administration to pay the compensa-
14 tion of employees of the Social Security Administration
15 to administer Social Security benefit payments, under any
16 agreement between the United States and Mexico estab-
17 lishing totalization arrangements between the social secu-
18 rity system established by title II of the Social Security
19 Act and the social security system of Mexico, which would
20 not otherwise be payable but for such agreement.

21 SEC. 520. (a) None of the funds made available in
22 this Act may be used to maintain or establish a computer
23 network unless such network blocks the viewing,
24 downloading, and exchanging of pornography.

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

5 SEC. 521. For purposes of carrying out Executive
6 Order 13589, Office of Management and Budget Memo-
7 randum M-12-12 dated May 11, 2012, and requirements
8 contained in the annual appropriations bills relating to
9 conference attendance and expenditures:

10 (1) the operating divisions of HHS shall be con-
11 sidered independent agencies; and

12 (2) attendance at and support for scientific con-
13 ferences shall be tabulated separately from and not
14 included in agency totals.

15 SEC. 522. Federal agencies funded under this Act
16 shall clearly state within the text, audio, or video used for
17 advertising or educational purposes, including emails or
18 Internet postings, that the communication is printed, pub-
19 lished, or produced and disseminated at U.S. taxpayer ex-
20 pense. The funds used by a Federal agency to carry out
21 this requirement shall be derived from amounts made
22 available to the agency for advertising or other commu-
23 nications regarding the programs and activities of the
24 agency.

1 SEC. 523. (a) Federal agencies may use Federal dis-
2 cretionary funds that are made available in this Act to
3 carry out up to 10 Performance Partnership Pilots. Such
4 Pilots shall be governed by the provisions of section 526
5 of division H of Public Law 113–76, except that in car-
6 rying out such Pilots section 526 shall be applied by sub-
7 stituting “FISCAL YEAR 2021” for “FISCAL YEAR 2014”
8 in the title of subsection (b) and by substituting “Sep-
9 tember 30, 2025” for “September 30, 2018” each place
10 it appears: *Provided*, That such pilots shall include com-
11 munities that have experienced civil unrest.

12 (b) In addition, Federal agencies may use Federal
13 discretionary funds that are made available in this Act to
14 participate in Performance Partnership Pilots that are
15 being carried out pursuant to the authority provided by
16 section 526 of division H of Public Law 113–76, section
17 524 of division G of Public Law 113–235, section 525 of
18 division H of Public Law 114–113, section 525 of division
19 H of Public Law 115–31, section 525 of division H of
20 Public Law 115–141, and section 524 of division A of
21 Public Law 116–94.

22 (c) Pilot sites selected under authorities in this Act
23 and prior appropriations Acts may be granted by relevant
24 agencies up to an additional 5 years to operate under such
25 authorities.

1 SEC. 524. Not later than 30 days after the end of
2 each calendar quarter, beginning with the first month of
3 fiscal year 2021, the Departments of Labor, Health and
4 Human Services and Education and the Social Security
5 Administration shall provide the Committees on Appro-
6 priations of the House of Representatives and Senate a
7 report on the status of balances of appropriations: *Pro-*
8 *vided*, That for balances that are unobligated and uncom-
9 mitted, committed, and obligated but unexpended, the
10 monthly reports shall separately identify the amounts at-
11 tributable to each source year of appropriation (beginning
12 with fiscal year 2012, or, to the extent feasible, earlier
13 fiscal years) from which balances were derived.

14 SEC. 525. The Departments of Labor, Health and
15 Human Services, or Education shall provide to the Com-
16 mittees on Appropriations of the House of Representatives
17 and the Senate a comprehensive list of any new or com-
18 petitive grant award notifications, including supplements,
19 issued at the discretion of such Departments not less than
20 3 full business days before any entity selected to receive
21 a grant award is announced by the Department or its of-
22 fices (other than emergency response grants at any time
23 of the year or for grant awards made during the last 10
24 business days of the fiscal year, or if applicable, of the
25 program year).

1 SEC. 531. (a) Any funds made available by this Act
 2 that are used to fund an apprenticeship or apprenticeship
 3 program shall only be used for, or provided to, an appren-
 4 ticeship or apprenticeship program that meets the defini-
 5 tion in subsection (b), including any funds awarded for
 6 the purposes of grants, contracts, or cooperative agree-
 7 ments, or the development, implementation, or administra-
 8 tion, of an apprenticeship or an apprenticeship program.

9 (b) The term “apprenticeship” or “apprenticeship
 10 program” means an apprenticeship program registered
 11 under the Act of August 16, 1937 (commonly known as
 12 the “National Apprenticeship Act”; 50 Stat. 664, chapter
 13 663; 29 U.S.C. 50 et seq.), including any requirement,
 14 standard, or rule promulgated under such Act, as such
 15 requirement, standard, or rule was in effect on December
 16 30, 2019.

17 TITLE VI

18 DEPARTMENT OF HEALTH AND HUMAN

19 SERVICES

20 CENTERS FOR DISEASE CONTROL AND PREVENTION

21 CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

22 For an additional amount for “CDC-Wide Activities
 23 and Program Support”, \$9,000,000,000, to remain avail-
 24 able until September 30, 2025, for public health and emer-
 25 gency preparedness and response, domestically or inter-

1 nationally: *Provided*, That of the amount made available
2 under this heading, \$2,000,000,000 shall be for public
3 health emergency preparedness cooperative agreements
4 under section 319C–1 of the PHS Act: *Provided further*,
5 That of the amount made available under this heading,
6 \$1,000,000,000 shall be for epidemiology and laboratory
7 capacity cooperative agreements under section 2821 of the
8 PHS: *Provided further*, That funds made available in the
9 preceding proviso may be used for construction, alteration,
10 or renovation of non-federally owned facilities, or the pur-
11 chase of equipment: *Provided further*, That all construc-
12 tion, alteration, or renovation work, carried out in whole
13 or in part with funds appropriated under this heading in
14 this Act, shall be subject to the requirements of section
15 1621(b)(1)(I) of the PHS Act (42 U.S.C. 300s-
16 1(b)(1)(I)): *Provided further*, That of the amount made
17 available under this heading for specified programs, not
18 less than \$150,000,000 shall be allocated to Tribes, Tribal
19 organizations, urban Indian health organizations, or
20 health service providers to Tribes: *Provided further*, That
21 of the amount made available under this heading,
22 \$1,000,000,000 shall be for global disease detection and
23 emergency response: *Provided further*, That of the amount
24 made available under this heading, \$4,000,000,000 shall
25 be for a vaccination campaign, including preparedness, op-

1 erations, and distribution, and a comprehensive campaign
2 to achieve coverage goals, and for an enhanced influenza
3 vaccination campaign, including purchase of vaccine as
4 necessary to increase coverage: *Provided further*, That the
5 Director of the Centers for Disease Control and Preven-
6 tion shall provide a briefing to the Committees on Appro-
7 priations of the House of Representatives and the Senate
8 at least one week prior to obligating funds made available
9 in the preceding proviso on the CDC's plans for vaccina-
10 tion campaigns in fiscal year 2021: *Provided further*, That
11 of the amount made available under this heading,
12 \$400,000,000 shall be for public health data surveillance
13 and analytics infrastructure modernization: *Provided fur-*
14 *ther*, That of the amount made available under this head-
15 ing, \$200,000,000 shall be for activities to support public
16 health workforce development, including the Epidemic In-
17 telligence Service fellowship program: *Provided further*,
18 That of the amount made available under this heading,
19 \$400,000,000 shall be transferred to and merged with
20 amounts in the Infectious Diseases Rapid Response Re-
21 serve Fund, established by section 231 of Division B of
22 Public Law 115–245: *Provided further*, That such amount
23 is designated by the Congress as being for an emergency
24 requirement pursuant to section 251(b)(2)(A)(i) of the

1 Balanced Budget and Emergency Deficit Control Act of
2 1985.

3 NATIONAL INSTITUTES OF HEALTH
4 OFFICE OF THE DIRECTOR
5 (INCLUDING TRANSFER OF FUNDS)

6 For an additional amount for “Office of the Direc-
7 tor”, \$5,000,000,000, to remain available until September
8 30, 2025: *Provided*, That funds made available under this
9 heading may be used to offset the costs related to reduc-
10 tions in laboratory productivity resulting from interrup-
11 tions or shutdowns of research activity in fiscal year 2020:
12 *Provided further*, That funds made available under this
13 heading may be transferred to the accounts of the Insti-
14 tutes and Centers of the National Institutes of Health
15 (“NIH”): *Provided further*, That the transfer authority in
16 the preceding proviso is in addition to any other transfer
17 authority available to the NIH: *Provided further*, That of
18 the amount made available under this heading, the Direc-
19 tor of NIH shall transfer not less than \$2,500,000,000
20 to the accounts of the Institutes and Centers of the NIH
21 in proportion to the amounts otherwise made available to
22 such Institutes and Centers under the heading “National
23 Institutes of Health” in division A of the Further Consoli-
24 dated Appropriations Act, 2020 (Public Law 116–94):
25 *Provided further*, That of the amount made available

1 under this heading, the Director of NIH shall transfer to
2 “Buildings and Facilities” an amount equal to the amount
3 made available for buildings and facilities at the NIH in
4 section 237 of division A of such Act: *Provided further,*
5 That the Director of the NIH shall provide a briefing to
6 the Committees on Appropriations of the House of Rep-
7 resentatives and the Senate at least one week prior to obli-
8 gating funds made available under this heading on the
9 NIH’s plans for obligating emergency funds: *Provided fur-*
10 *ther,* That such amount is designated by the Congress as
11 being for an emergency requirement pursuant to section
12 251(b)(2)(A)(i) of the Balanced Budget and Emergency
13 Deficit Control Act of 1985.

14 OFFICE OF THE SECRETARY
15 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY
16 FUND

17 For an additional amount for “Public Health and So-
18 cial Services Emergency Fund”, \$4,500,000,000, to re-
19 main available until September 30, 2025, for the develop-
20 ment of necessary countermeasures and vaccines,
21 prioritizing platform-based technologies with U.S.-based
22 manufacturing capabilities, the purchase of vaccines,
23 therapeutics, diagnostics, and necessary medical supplies,
24 as well as initial advance manufacturing and novel dis-
25 pensing: *Provided,* That funds made available under this

1 heading may be used to develop and demonstrate innova-
2 tions and enhancements to manufacturing platforms to
3 support such capabilities: *Provided further*, That products
4 purchased with funds appropriated under this heading
5 may, at the discretion of the Secretary of Health and
6 Human Services, be deposited in the Strategic National
7 Stockpile under section 319F–2 of the PHS Act: *Provided*
8 *further*, That funds made available under this heading
9 may be transferred to, and merged with, the fund author-
10 ized by section 319F–4, the Covered Countermeasure
11 Process Fund, of the PHS Act: *Provided further*, That of
12 the amount made available under this heading,
13 \$3,500,000,000 shall be available to the Biomedical Ad-
14 vanced Research and Development Authority for necessary
15 expenses of advanced research, development, manufac-
16 turing, production, and purchase of vaccines and thera-
17 peutics: *Provided further*, That the Director of the Bio-
18 medical Advanced Research and Development Authority
19 shall provide a briefing to the Committees on Appropria-
20 tions of the House of Representatives and the Senate at
21 least one week prior to obligating funds made available
22 in the preceding proviso on the Department’s plans to
23 produce a sufficient supply of vaccine for the U.S. popu-
24 lation: *Provided further*, That of the amount made avail-
25 able under this heading, \$500,000,000 shall be available

1 to the Biomedical Advanced Research and Development
2 Authority for the construction, renovation, or equipping
3 of U.S.-based next generation manufacturing facilities,
4 other than facilities owned by the United States Govern-
5 ment: *Provided further*, That of the amount made available
6 under this heading, \$500,000,000 shall be available to the
7 Biomedical Advanced Research and Development Author-
8 ity to promote innovation in antibacterial research and de-
9 velopment: *Provided further*, That funds made available
10 under this heading may be used for grants for the rent,
11 lease, purchase, acquisition, construction, alteration, or
12 renovation of non-federally owned facilities to improve pre-
13 paredness and response capability at the State and local
14 levels: *Provided further*, That funds made available under
15 this heading may be used for the construction, alteration,
16 renovation or equipping of non-federally owned facilities
17 for the production of vaccines, therapeutics, diagnostics,
18 and medicines and other items purchased under section
19 319F–2(a) of the PHS Act where the Secretary deter-
20 mines that such use is necessary to assure sufficient do-
21 mestic production of such supplies: *Provided further*, That
22 all construction, alteration, or renovation work, carried out
23 in whole or in part with funds made available under this
24 heading, shall be subject to the requirements of section
25 1621(b)(1)(I) of the PHS Act (42 U.S.C. 300s-

1 1(b)(1)(I): *Provided further*, That such amount is des-
2 ignated by the Congress as being for an emergency re-
3 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
4 anced Budget and Emergency Deficit Control Act of 1985.

5 PUBLIC HEALTH EMERGENCY FUND

6 For an additional amount for “Public Health Emer-
7 gency Fund”, \$5,000,000,000, to remain available until
8 expended, to be deposited into the Public Health Emer-
9 gency Fund, as established under section 319(b) of the
10 Public Health Service Act: *Provided*, That products pur-
11 chased with funds appropriated under this heading may,
12 at the discretion of the Secretary of Health and Human
13 Services, be deposited in the Strategic National Stockpile
14 under section 319F-2 of the Public Health Service Act:
15 *Provided further*, That the Secretary of Health and
16 Human Services (or the Assistant Secretary for Prepared-
17 ness and Response on behalf of the Secretary) shall pro-
18 vide a briefing to the Committees on Appropriations of
19 the House of Representatives and the Senate at least one
20 week prior to obligating funds made available under this
21 heading on the Department’s plans for obligating emer-
22 gency funds: *Provided further*, That such amount is des-
23 ignated by the Congress as being for an emergency re-
24 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
25 anced Budget and Emergency Deficit Control Act of 1985.

1 GENERAL PROVISIONS

2 SEC. 601. The amounts provided by the first proviso
3 following paragraph (6) under the heading “Department
4 of Labor—Employment and Training Administration—
5 State Unemployment Insurance and Employment Service
6 Operations” in title I of this Act are designated by the
7 Congress as being for an emergency requirement pursuant
8 to section 251(b)(2)(A)(i) of the Balanced Budget and
9 Emergency Deficit Control Act of 1985.

10 SEC. 602. Not later than 30 days after the date of
11 enactment of this Act, the Secretary of Health and
12 Human Services shall provide a detailed spend plan of an-
13 ticipated uses of funds made available to the Department
14 of Health and Human Services in this title, including esti-
15 mated personnel and administrative costs, to the Commit-
16 tees on Appropriations of the House of Representatives
17 and the Senate: *Provided*, That such plans shall be up-
18 dated and submitted to such Committees every 60 days
19 until September 30, 2025: *Provided further*, That the
20 spend plans shall be accompanied by a listing of each con-
21 tract obligation incurred that exceeds \$5,000,000 which
22 has not previously been reported, including the amount of
23 each such obligation.

1 This Act may be cited as the “Departments of Labor,
2 Health and Human Services, and Education, and Related
3 Agencies Appropriations Act, 2021”.

1 **DIVISION G—TRANSPORTATION, HOUSING**
2 **AND URBAN DEVELOPMENT, AND RE-**
3 **LATED AGENCIES APPROPRIATIONS**
4 **ACT, 2021**

5 That the following sums are appropriated, out of any
6 money in the Treasury not otherwise appropriated, for the
7 Departments of Transportation, and Housing and Urban
8 Development, and related agencies for the fiscal year end-
9 ing September 30, 2021, and for other purposes, namely:

10

TITLE I

11

DEPARTMENT OF TRANSPORTATION

12

OFFICE OF THE SECRETARY

13

SALARIES AND EXPENSES

14

15 For necessary expenses of the Office of the Secretary,
16 \$126,174,000, of which not to exceed \$3,360,000 shall be
17 available for the immediate Office of the Secretary; not
18 to exceed \$1,200,000 shall be available for the immediate
19 Office of the Deputy Secretary; not to exceed \$22,210,000
20 shall be available for the Office of the General Counsel;
21 not to exceed \$11,797,000 shall be available for the Office
22 of the Under Secretary of Transportation for Policy; not
23 to exceed \$16,394,000 shall be available for the Office of
24 the Assistant Secretary for Budget and Programs; not to
25 exceed \$3,010,000 shall be available for the Office of the
Assistant Secretary for Governmental Affairs; not to ex-

1 ceed \$32,239,000 shall be available for the Office of the
2 Assistant Secretary for Administration; not to exceed
3 \$2,610,000 shall be available for the Office of Public Af-
4 fairs; not to exceed \$2,018,000 shall be available for the
5 Office of the Executive Secretariat; not to exceed
6 \$13,576,000 shall be available for the Office of Intel-
7 ligence, Security, and Emergency Response; and not to ex-
8 ceed \$17,760,000 shall be available for the Office of the
9 Chief Information Officer: *Provided*, That the Secretary
10 of Transportation is authorized to transfer funds appro-
11 priated for any office of the Office of the Secretary to any
12 other office of the Office of the Secretary: *Provided fur-*
13 *ther*, That no appropriation for any office shall be in-
14 creased or decreased by more than 7 percent by all such
15 transfers: *Provided further*, That notice of any change in
16 funding greater than 7 percent shall be submitted for ap-
17 proval to the House and Senate Committees on Appropria-
18 tions: *Provided further*, That not to exceed \$60,000 shall
19 be for allocation within the Department for official recep-
20 tion and representation expenses as the Secretary may de-
21 termine: *Provided further*, That notwithstanding any other
22 provision of law, there may be credited to this appropria-
23 tion up to \$2,500,000 in funds received in user fees: *Pro-*
24 *vided further*, That none of the funds made available by

1 this Act shall be available for the position of Assistant Sec-
2 retary for Public Affairs.

3 RESEARCH AND TECHNOLOGY

4 For necessary expenses related to the Office of the
5 Assistant Secretary for Research and Technology,
6 \$19,800,000, of which \$12,718,000 shall remain available
7 until expended: *Provided*, That of the amounts made avail-
8 able under this heading, \$3,000,000, to remain available
9 until expended, shall be for the Highly Automated Sys-
10 tems Safety Center of Excellence established by section
11 105 of title I of division H of the Further Consolidated
12 Appropriations Act, 2020 (Public Law 116–94): *Provided*
13 *further*, That there may be credited to this appropriation,
14 to be available until expended, funds received from States,
15 counties, municipalities, other public authorities, and pri-
16 vate sources for expenses incurred for training: *Provided*
17 *further*, That any reference in law, regulation, judicial pro-
18 ceedings, or elsewhere to the Research and Innovative
19 Technology Administration shall continue to be deemed to
20 be a reference to the Office of the Assistant Secretary for
21 Research and Technology of the Department of Transpor-
22 tation.

1 NATIONAL INFRASTRUCTURE INVESTMENTS
2 (INCLUDING TRANSFER OF FUNDS)

3 For capital investments in surface transportation in-
4 frastructure, \$1,000,000,000, to remain available until
5 September 30, 2026: *Provided*, That the Secretary of
6 Transportation shall distribute amounts made available
7 under this heading as discretionary grants to be awarded
8 to a State, local, or Tribal government, U.S. territory,
9 transit agency, port authority, metropolitan planning or-
10 ganization, political subdivision of a State or local govern-
11 ment, or a collaboration among such entities on a competi-
12 tive basis for projects that will have a significant local or
13 regional impact: *Provided further*, That projects eligible
14 for amounts made available under this heading shall in-
15 clude highway or bridge projects eligible under title 23,
16 United States Code; public transportation projects eligible
17 under chapter 53 of title 49, United States Code; pas-
18 senger and freight rail transportation projects; port infra-
19 structure investments (including inland port infrastruc-
20 ture and land ports of entry); and projects investing in
21 surface transportation facilities that are located on Tribal
22 land and for which title or maintenance responsibility is
23 vested in the Federal Government: *Provided further*, That
24 of the amounts made available under this heading, the
25 Secretary shall use an amount not less than \$20,000,000

1 for the planning, preparation, or design of projects eligible
2 for amounts made available under this heading, with an
3 emphasis on transit, transit oriented development, and
4 multimodal projects: *Provided further*, That of the
5 amounts made available under this heading, the Secretary
6 shall use an amount not less than \$20,000,000 for the
7 planning, preparation, or design of projects eligible for
8 amounts made available under this heading located in or
9 to directly benefit areas of persistent poverty: *Provided*
10 *further*, That the term “areas of persistent poverty”
11 means any county that has consistently had 20 percent
12 or more of the population living in poverty during the 30-
13 year period preceding the date of enactment of this Act,
14 as measured by the 1990 and 2000 decennial census and
15 the most recent annual Small Area Income and Poverty
16 Estimates as estimated by the Bureau of the Census; any
17 census tract with a poverty rate of at least 20 percent
18 as measured by the 2014-2018 5-year data series available
19 from the American Community Survey of the Bureau of
20 the Census; or any territory or possession of the United
21 States: *Provided further*, That grants awarded under the
22 preceding 3 provisos shall not be subject to a minimum
23 grant size: *Provided further*, That the Secretary may use
24 up to 20 percent of the amounts made available under this
25 heading for the purpose of paying the subsidy and admin-

1 istrative costs of projects eligible for Federal credit assist-
2 ance under chapter 6 of title 23, United States Code, or
3 sections 501 through 504 of the Railroad Revitalization
4 and Regulatory Reform Act of 1976 (Public Law 94–210),
5 if the Secretary finds that such use of funds would ad-
6 vance the purposes of this heading: *Provided further*, That
7 in distributing amounts made available under this head-
8 ing, the Secretary shall take such measures so as to ensure
9 an equitable geographic distribution of funds, an equitable
10 distribution of funds between urban and rural areas, and
11 the investment in a variety of transportation modes, in-
12 cluding public transit, passenger rail, and pedestrian im-
13 provements: *Provided further*, That a grant award under
14 this heading shall be not less than \$5,000,000 and not
15 greater than \$25,000,000: *Provided further*, That not
16 more than 10 percent of the amounts made available
17 under this heading may be awarded to projects in a single
18 State that are not port infrastructure investments (includ-
19 ing inland port infrastructure and land ports of entry):
20 *Provided further*, That the Federal share of the costs for
21 which an amount is provided under this heading shall be,
22 at the option of the recipient, up to 80 percent: *Provided*
23 *further*, That the Secretary shall give priority to projects
24 that require a contribution of Federal funds in order to
25 complete an overall financing package: *Provided further*,

1 That an award under this heading is an urban award if
2 it is to a project located within or on the boundary of an
3 urbanized area, as designated by the Bureau of the Cen-
4 sus, that had a population greater than 250,000 in the
5 2010 decennial census: *Provided further*, That for the pur-
6 pose of determining if an award for planning, preparation,
7 or design is an urban award, the project location is the
8 location of the project being planned, prepared, or de-
9 signed: *Provided further*, That each award under this
10 heading that is not an urban award is a rural award: *Pro-*
11 *vided further*, That of the amounts awarded under this
12 heading, 60 percent shall be awarded as urban awards and
13 40 percent shall be awarded as rural awards: *Provided fur-*
14 *ther*, That for rural awards, the minimum grant size shall
15 be \$1,000,000 and the Secretary may increase the Federal
16 share of costs above 80 percent: *Provided further*, That
17 projects conducted using amounts made available under
18 this heading shall comply with the requirements of sub-
19 chapter IV of chapter 31 of title 40, United States Code:
20 *Provided further*, That the Secretary shall conduct a new
21 competition to select the grants and credit assistance
22 awarded under this heading: *Provided further*, That the
23 Secretary may retain up to \$25,000,000 of the amounts
24 made available under this heading, and may transfer por-
25 tions of such amounts to the Administrators of the Fed-

1 eral Highway Administration, the Federal Transit Admin-
2 istration, the Federal Railroad Administration, and the
3 Maritime Administration to fund the award and oversight
4 of grants and credit assistance made under the national
5 infrastructure investments program: *Provided further*,
6 That the Secretary shall consider and award projects
7 based solely on the selection criteria from the fiscal year
8 2017 Notice of Funding Opportunity: *Provided further*,
9 That, notwithstanding the preceding proviso, the Sec-
10 retary shall not use the Federal share or an applicant's
11 ability to generate non-Federal revenue as a selection cri-
12 teria in awarding projects: *Provided further*, That the Sec-
13 retary shall issue the Notice of Funding Opportunity not
14 later than 60 days after the date of enactment of this Act:
15 *Provided further*, That such Notice of Funding Oppor-
16 tunity shall require application submissions 90 days after
17 the publishing of such Notice: *Provided further*, That of
18 the applications submitted under the preceding 2 provisos,
19 the Secretary shall make grants not later than 270 days
20 after the date of enactment of this Act in such amounts
21 that the Secretary determines.

22 NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE
23 FINANCE BUREAU

24 For necessary expenses of the National Surface
25 Transportation and Innovative Finance Bureau as author-

1 ized by section 116 of title 49, United States Code,
2 \$15,500,000, to remain available until expended: *Pro-*
3 *vided*, That of the amounts made available under this
4 heading, \$10,000,000 shall be for planning grants to as-
5 sist areas of persistent poverty: *Provided further*, That the
6 term “areas of persistent poverty” means any county that
7 has consistently had 20 percent or more of the population
8 living in poverty during the 30-year period preceding the
9 date of enactment of this Act, as measured by the 1990
10 and 2000 decennial census and the most recent annual
11 Small Area Income and Poverty Estimates as estimated
12 by the Bureau of the Census; any census tract with a pov-
13 erty rate of at least 20 percent as measured by the 2014–
14 2018 5-year data series available from the American Com-
15 munity Survey of the Bureau of the Census; or any terri-
16 tory or possession of the United States: *Provided further*,
17 That planning grants under this heading shall be in the
18 form of competitive grants to eligible entities to support
19 pre-construction activities including planning, engineering,
20 design, environmental analysis, feasibility studies, and fi-
21 nance plans for eligible projects: *Provided further*, That
22 eligible entities for planning grants under this heading
23 shall include a State, local, or Tribal government, a U.S.
24 territory, a transit agency, a port authority or commission,
25 a metropolitan planning organization, other political sub-

1 divisions of a State or a local government, or a collabora-
2 tion among such entities: *Provided further*, That eligible
3 projects for planning grants under this heading shall in-
4 clude highway, bridge, and bicycle and pedestrian projects
5 eligible under title 23, United States Code; public trans-
6 portation projects eligible under chapter 53 of title 49,
7 United States Code; passenger and freight rail transpor-
8 tation projects; port infrastructure improvement projects;
9 airport improvement projects; and intermodal projects
10 that are located in or to directly benefit areas of persistent
11 poverty: *Provided further*, That the Secretary of Transpor-
12 tation shall conduct outreach to eligible entities for plan-
13 ning grants under this heading through personal contact,
14 webinars, web materials, or other appropriate methods de-
15 termined by the Secretary, to ensure such eligible entities
16 are aware of the availability of planning grants under this
17 heading and are able to apply for such grants: *Provided*
18 *further*, That the Federal share of the costs for planning
19 grants under this heading shall be, at the option of the
20 eligible entity, not less than 90 percent of the net total
21 project cost: *Provided further*, That the Secretary shall not
22 use the requested amount of the Federal share or an eligi-
23 ble entities' ability to generate non-Federal revenue as a
24 selection criteria in awarding planning grants under this
25 heading: *Provided further*, That a planning grant funded

1 under this heading shall be not less than \$100,000 and
2 not greater than \$500,000: *Provided further*, That for
3 planning grants under this heading priority consideration
4 shall be, without regard to rural or urban areas of per-
5 sistent poverty, based on project justification and dem-
6 onstrated need: *Provided further*, That for planning grants
7 under this heading the Secretary shall consider factors
8 such as improving safety and state of good repair, reduc-
9 ing congestion and vehicle emissions, and increasing
10 connectivity and quality of life when considering dem-
11 onstrated need: *Provided further*, That the Secretary may
12 withhold up to 1 percent of the amounts made available
13 for planning grants under this heading for the costs of
14 award and grant administration.

15 RAILROAD REHABILITATION AND IMPROVEMENT

16 FINANCING PROGRAM

17 For the cost of modifications, as defined by section
18 502 of the Federal Credit Reform Act of 1990, of direct
19 loans issued pursuant to sections 501 through 504 of the
20 Railroad Revitalization and Regulatory Reform Act of
21 1976 (Public Law 94–210), and included in cohort 3, as
22 defined by the Department of Transportation’s memo-
23 randum to the Office of Management and Budget dated
24 November 5, 2018, \$70,000,000, to remain available until
25 expended: *Provided*, That, for a direct loan included in

1 such cohort 3 that has satisfied all obligations attached
2 to such loan, the Secretary shall repay the credit risk pre-
3 miums of such loan, with interest acerued thereon, not
4 later than 60 days after the enactment of this Act or, for
5 a direct loan included in such cohort 3 with obligations
6 that have not yet been satisfied, not later than 60 days
7 after the date on which all obligations attached to such
8 loan have been satisfied: *Provided further*, That the Sec-
9 retary of Transportation is authorized to issue direct loans
10 and loan guarantees pursuant to sections 501 through 504
11 of the Railroad Revitalization and Regulatory Reform Act
12 of 1976 (Public Law 94–210), and such authority shall
13 exist so long as any such direct loan or loan guarantee
14 is outstanding.

15 FINANCIAL MANAGEMENT CAPITAL

16 For necessary expenses for upgrading and enhancing
17 the Department of Transportation’s financial systems and
18 reengineering business processes, \$2,000,000, to remain
19 available until September 30, 2022.

20 CYBER SECURITY INITIATIVES

21 For necessary expenses for cyber security initiatives,
22 including necessary upgrades to network and information
23 technology infrastructure, improvement of identity man-
24 agement and authentication capabilities, securing and pro-
25 tecting data, implementation of Federal cyber security ini-

1 tiatives, and implementation of enhanced security controls
2 on agency computers and mobile devices, \$19,300,000, to
3 remain available until September 30, 2022.

4 OFFICE OF CIVIL RIGHTS

5 For necessary expenses of the Office of Civil Rights,
6 \$9,600,000.

7 TRANSPORTATION PLANNING, RESEARCH, AND

8 DEVELOPMENT

9 (INCLUDING TRANSFER OF FUNDS)

10 For necessary expenses for conducting transportation
11 planning, research, systems development, development ac-
12 tivities, and making grants, \$10,879,000, to remain avail-
13 able until expended: *Provided*, That of such amount,
14 \$1,000,000 shall be for necessary expenses of the Inter-
15 agency Infrastructure Permitting Improvement Center
16 (IIPIC): *Provided further*, That there may be transferred
17 to this appropriation, to remain available until expended,
18 amounts transferred from other Federal agencies for ex-
19 penses incurred under this heading for IIPIC activities not
20 related to transportation infrastructure: *Provided further*,
21 That the tools and analysis developed by the IIPIC shall
22 be available to other Federal agencies for the permitting
23 and review of major infrastructure projects not related to
24 transportation only to the extent that other Federal agen-

1 cies provide funding to the Department in accordance with
2 the preceding proviso.

3 WORKING CAPITAL FUND
4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses for operating costs and cap-
6 ital outlays of the Working Capital Fund, not to exceed
7 \$372,016,000, shall be paid from appropriations made
8 available to the Department of Transportation: *Provided*,
9 That such services shall be provided on a competitive basis
10 to entities within the Department of Transportation
11 (DOT): *Provided further*, That the limitation in the pre-
12 ceding proviso on operating expenses shall not apply to
13 non-DOT entities: *Provided further*, That no funds made
14 available by this Act to an agency of the Department shall
15 be transferred to the Working Capital Fund without ma-
16 jority approval of the Working Capital Fund Steering
17 Committee and approval of the Secretary: *Provided fur-*
18 *ther*, That no assessments may be levied against any pro-
19 gram, budget activity, subactivity, or project funded by
20 this Act unless notice of such assessments and the basis
21 therefor are presented to the House and Senate Commit-
22 tees on Appropriations and are approved by such Commit-
23 tees.

1 SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND
2 OUTREACH

3 For necessary expenses for small and disadvantaged
4 business utilization and outreach activities, \$4,714,000, to
5 remain available until September 30, 2022: *Provided*,
6 That notwithstanding section 332 of title 49, United
7 States Code, such amounts may be used for business op-
8 portunities related to any mode of transportation: *Pro-*
9 *vided further*, That appropriations made available under
10 this heading shall be available for any purpose consistent
11 with prior year appropriations that were made available
12 under the heading “Office of the Secretary—Minority
13 Business Resource Center Program”.

14 PAYMENTS TO AIR CARRIERS
15 (AIRPORT AND AIRWAY TRUST FUND)

16 In addition to funds made available from any other
17 source to carry out the essential air service program under
18 sections 41731 through 41742 of title 49, United States
19 Code, \$162,000,000, to be derived from the Airport and
20 Airway Trust Fund, to remain available until expended:
21 *Provided*, That in determining between or among carriers
22 competing to provide service to a community, the Sec-
23 retary may consider the relative subsidy requirements of
24 the carriers: *Provided further*, That basic essential air
25 service minimum requirements shall not include the 15-

1 passenger capacity requirement under section 41732(b)(3)
2 of title 49, United States Code: *Provided further*, That
3 none of the funds made available in this Act or any other
4 Act shall be used to enter into a new contract with a com-
5 munity located less than 40 miles from the nearest small
6 hub airport before the Secretary has negotiated with the
7 community over a local cost share: *Provided further*, That
8 amounts authorized to be distributed for the essential air
9 service program under section 41742(b) of title 49, United
10 States Code, shall be made available immediately from
11 amounts otherwise provided to the Administrator of the
12 Federal Aviation Administration: *Provided further*, That
13 the Administrator may reimburse such amounts from fees
14 credited to the account established under section 45303
15 of title 49, United States Code.

16 ADMINISTRATIVE PROVISIONS—OFFICE OF THE
17 SECRETARY OF TRANSPORTATION
18 (INCLUDING RESCISSIONS)

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

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

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

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

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

3 SEC. 104. Notwithstanding section 3324 of title 31,
4 United States Code, in addition to authority provided by
5 section 327 of title 49, United States Code, the Depart-
6 ment's Working Capital Fund is authorized to provide
7 payments in advance to vendors that are necessary to
8 carry out the Federal transit pass transportation fringe
9 benefit program under Executive Order 13150 and section
10 3049 of SAFETEA-LU (5 U.S.C. 7905 note): *Provided*,
11 That the Department shall include adequate safeguards
12 in the contract with the vendors to ensure timely and high-
13 quality performance under the contract.

14 SEC. 105. Receipts collected in the Department's
15 Working Capital Fund, as authorized by section 327 of
16 title 49, United States Code, for unused van pool benefits,
17 in an amount not to exceed 10 percent of fiscal year 2021
18 collections, shall be available until expended in the Depart-
19 ment's Working Capital Fund to provide contractual serv-
20 ices in support of section 190 of this Act: *Provided*, That
21 obligations in fiscal year 2021 of such collections shall not
22 exceed \$1,000,000.

23 SEC. 106. (a) The remaining unobligated balances,
24 as of September 30, 2020, from amounts made available
25 for the "Department of Transportation—Office of the

1 Secretary—National Infrastructure Investments” in divi-
2 sion K of the Consolidated Appropriations Act, 2017
3 (Public Law 115–31) are hereby permanently rescinded,
4 and an amount of additional new budget authority equiva-
5 lent to the amount rescinded is hereby appropriated on
6 September 30, 2020, to remain available until September
7 30, 2021, and shall be available, without additional com-
8 petition, for completing the funding of awards made pur-
9 suant to the fiscal year 2017 national infrastructure in-
10 vestments program.

11 (b) The remaining unobligated balances, as of Sep-
12 tember 30, 2020, from amounts made available for the
13 “Department of Transportation—Office of the Sec-
14 retary—National Infrastructure Investments” in division
15 L of the Consolidated Appropriations Act, 2018 (Public
16 Law 115–141) are hereby permanently rescinded, and an
17 amount of additional new budget authority equivalent to
18 the amount rescinded is hereby appropriated on Sep-
19 tember 30, 2020, to remain available until September 30,
20 2022, and shall be available, without additional competi-
21 tion, for completing the funding of awards made pursuant
22 to the fiscal year 2018 national infrastructure investments
23 program.

24 (c) The remaining unobligated balances, as of Sep-
25 tember 30, 2021, from amounts made available for the

1 “Department of Transportation—Office of the Sec-
2 retary—National Infrastructure Investments” in division
3 G of the Consolidated Appropriations Act, 2019 (Public
4 Law 116–6) are hereby permanently rescinded, and an
5 amount of additional new budget authority equivalent to
6 the amount rescinded is hereby appropriated on Sep-
7 tember 30, 2021, to remain available until September 30,
8 2023, and shall be available, without additional competi-
9 tion, for completing the funding of awards made pursuant
10 to the fiscal year 2019 national infrastructure investments
11 program.

12 (d) The remaining unobligated balances, as of Sep-
13 tember 30, 2022, from amounts made available for the
14 “Department of Transportation—Office of the Sec-
15 retary—National Infrastructure Investments” in division
16 H of the Further Consolidated Appropriations Act, 2020
17 (Public Law 116–94) are hereby permanently rescinded,
18 and an amount of additional new budget authority equiva-
19 lent to the amount rescinded is hereby appropriated on
20 September 30, 2022, to remain available until September
21 30, 2025, and shall be available, without additional com-
22 petition, for completing the funding of awards made pur-
23 suant to the fiscal year 2020 national infrastructure in-
24 vestments program.

1 FEDERAL AVIATION ADMINISTRATION
2 OPERATIONS

3 For necessary expenses of the Federal Aviation Ad-
4 ministration, not otherwise provided for, including oper-
5 ations and research activities related to commercial space
6 transportation, administrative expenses for research and
7 development, establishment of air navigation facilities, the
8 operation (including leasing) and maintenance of aircraft,
9 subsidizing the cost of aeronautical charts and maps sold
10 to the public, the lease or purchase of passenger motor
11 vehicles for replacement only, \$11,051,500,000, to remain
12 available until September 30, 2022, to be derived from the
13 general fund: *Provided*, That of the amounts made avail-
14 able under this heading—

15 (1) not less than \$1,500,000,000 shall be avail-
16 able for aviation safety activities;

17 (2) not to exceed \$8,231,000,000 shall be avail-
18 able for air traffic organization activities;

19 (3) not to exceed \$27,555,000 shall be available
20 for commercial space transportation activities;

21 (4) not to exceed \$836,000,000 shall be avail-
22 able for finance and management activities;

23 (5) not to exceed \$62,862,000 shall be available
24 for NextGen and operations planning activities;

1 (6) not to exceed \$129,000,000 shall be avail-
2 able for security and hazardous materials safety; and

3 (7) not to exceed \$265,083,000 shall be avail-
4 able for staff offices, of which \$7,500,000 is for the
5 Minority Serving Institutions internship program:

6 *Provided further*, That not to exceed 5 percent of any
7 budget activity, except for aviation safety budget activity,
8 may be transferred to any budget activity under this head-
9 ing: *Provided further*, That no transfer may increase or
10 decrease any appropriation under this heading by more
11 than 5 percent: *Provided further*, That any transfer in ex-
12 cess of 5 percent shall be treated as a reprogramming of
13 funds under section 405 of this Act and shall not be avail-
14 able for obligation or expenditure except in compliance
15 with the procedures set forth in that section: *Provided fur-*
16 *ther*, That not later than 60 days after the submission of
17 the budget request, the Administrator of the Federal Avia-
18 tion Administration shall transmit to Congress an annual
19 update to the report submitted to Congress in December
20 2004 pursuant to section 221 of the Vision 100-Century
21 of Aviation Reauthorization Act (49 U.S.C. 40101 note):
22 *Provided further*, That the amounts made available under
23 this heading shall be reduced by \$100,000 for each day
24 after 60 days after the submission of the budget request
25 that such report has not been transmitted to Congress:

1 *Provided further*, That not later than 60 days after the
2 submission of the budget request, the Administrator shall
3 transmit to Congress a companion report that describes
4 a comprehensive strategy for staffing, hiring, and training
5 flight standards and aircraft certification staff in a format
6 similar to the one utilized for the controller staffing plan,
7 including stated attrition estimates and numerical hiring
8 goals by fiscal year: *Provided further*, That the amounts
9 made available under this heading shall be reduced by
10 \$100,000 for each day after the date that is 60 days after
11 the submission of the budget request that such report has
12 not been submitted to Congress: *Provided further*, That
13 funds may be used to enter into a grant agreement with
14 a nonprofit standard-setting organization to assist in the
15 development of aviation safety standards: *Provided fur-*
16 *ther*, That none of the funds made available by this Act
17 shall be available for new applicants for the second career
18 training program: *Provided further*, That none of the
19 funds in this Act shall be available for the Federal Avia-
20 tion Administration to finalize or implement any regula-
21 tion that would promulgate new aviation user fees not spe-
22 cifically authorized by law after the date of the enactment
23 of this Act: *Provided further*, That there may be credited
24 to this appropriation, as offsetting collections, funds re-
25 ceived from States, counties, municipalities, foreign au-

1 thorities, other public authorities, and private sources for
2 expenses incurred in the provision of agency services, in-
3 cluding receipts for the maintenance and operation of air
4 navigation facilities, and for issuance, renewal or modifica-
5 tion of certificates, including airman, aircraft, and repair
6 station certificates, or for tests related thereto, or for proc-
7 essing major repair or alteration forms: *Provided further,*
8 That of the amounts made available under this heading,
9 not less than \$172,800,000 shall be used to fund direct
10 operations of the current air traffic control towers in the
11 contract tower program, including the contract tower cost
12 share program, and any airport that is currently qualified
13 or that will qualify for the program during the fiscal year:
14 *Provided further,* That none of the funds made available
15 by this Act for aeronautical charting and cartography are
16 available for activities conducted by, or coordinated
17 through, the Working Capital Fund: *Provided further,*
18 That none of the funds appropriated or otherwise made
19 available by this Act or any other Act may be used to
20 eliminate the Contract Weather Observers program at any
21 airport.

22 FACILITIES AND EQUIPMENT

23 For necessary expenses, not otherwise provided for,
24 for acquisition, establishment, technical support services,
25 improvement by contract or purchase, and hire of national

1 airspace systems and experimental facilities and equip-
2 ment, as authorized under part A of subtitle VII of title
3 49, United States Code, including initial acquisition of
4 necessary sites by lease or grant; engineering and service
5 testing, including construction of test facilities and acqui-
6 sition of necessary sites by lease or grant; construction
7 and furnishing of quarters and related accommodations
8 for officers and employees of the Federal Aviation Admin-
9 istration stationed at remote localities where such accom-
10 modations are not available; and the purchase, lease, or
11 transfer of aircraft from funds made available under this
12 heading, including aircraft for aviation regulation and cer-
13 tification; to be derived from the general fund,
14 \$3,045,000,000, of which \$550,000,000 shall remain
15 available until September 30, 2022, and \$2,495,000,000
16 shall remain available until September 30, 2023: *Provided*,
17 That there may be credited to this appropriation funds
18 received from States, counties, municipalities, other public
19 authorities, and private sources, for expenses incurred in
20 the establishment, improvement, and modernization of na-
21 tional airspace systems: *Provided further*, That not later
22 than 60 days after submission of the budget request, the
23 Secretary of Transportation shall transmit to Congress an
24 investment plan for the Federal Aviation Administration
25 which includes funding for each budget line item for fiscal

1 years 2022 through 2026, with total funding for each year
2 of the plan constrained to the funding targets for those
3 years as estimated and approved by the Office of Manage-
4 ment and Budget.

5 RESEARCH, ENGINEERING, AND DEVELOPMENT

6 For necessary expenses, not otherwise provided for,
7 for research, engineering, and development, as authorized
8 under part A of subtitle VII of title 49, United States
9 Code, including construction of experimental facilities and
10 acquisition of necessary sites by lease or grant,
11 \$192,665,000, to be derived from the general fund and
12 to remain available until September 30, 2023: *Provided*,
13 That there may be credited to this appropriation as offset-
14 ting collections, funds received from States, counties, mu-
15 nicipalities, other public authorities, and private sources,
16 which shall be available for expenses incurred for research,
17 engineering, and development: *Provided further*, That
18 amounts made available under this heading shall be used
19 in accordance with the report accompanying this Act: *Pro-*
20 *vided further*, That not to exceed 10 percent of any fund-
21 ing level specified under this heading in the report accom-
22 panying this Act may be transferred to any other funding
23 level specified under this heading in the report accom-
24 panying this Act: *Provided further*, That no transfer may
25 increase or decrease any funding level by more than 10

1 percent: *Provided further*, That any transfer in excess of
2 10 percent shall be treated as a reprogramming of funds
3 under section 405 of this Act and shall not be available
4 for obligation or expenditure except in compliance with the
5 procedures set forth in that section.

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

11 For liquidation of obligations incurred for grants-in-
12 aid for airport planning and development, and noise com-
13 patibility planning and programs as authorized under sub-
14 chapter I of chapter 471 and subchapter I of chapter 475
15 of title 49, United States Code, and under other law au-
16 thorizing such obligations; for procurement, installation,
17 and commissioning of runway incursion prevention devices
18 and systems at airports of such title; for grants authorized
19 under section 41743 of title 49, United States Code; and
20 for inspection activities and administration of airport safe-
21 ty programs, including those related to airport operating
22 certificates under section 44706 of title 49, United States
23 Code, \$3,350,000,000, to be derived from the Airport and
24 Airway Trust Fund and to remain available until ex-
25 pended: *Provided*, That none of the amounts made avail-

1 able under this heading shall be available for the planning
2 or execution of programs the obligations for which are in
3 excess of \$3,350,000,000, in fiscal year 2021, notwith-
4 standing section 47117(g) of title 49, United States Code:
5 *Provided further*, That none of the amounts made available
6 under this heading shall be available for the replacement
7 of baggage conveyor systems, reconfiguration of terminal
8 baggage areas, or other airport improvements that are
9 necessary to install bulk explosive detection systems: *Pro-*
10 *vided further*, That notwithstanding section 47109(a) of
11 title 49, United States Code, the Government's share of
12 allowable project costs under paragraph (2) of such sec-
13 tion for subgrants or paragraph (3) of such section shall
14 be 95 percent for a project at other than a large or me-
15 dium hub airport that is a successive phase of a multi-
16 phased construction project for which the project sponsor
17 received a grant in fiscal year 2011 for the construction
18 project: *Provided further*, That notwithstanding any other
19 provision of law, of amounts limited under this heading,
20 not more than \$119,402,000 shall be available for admin-
21 istration, not less than \$15,000,000 shall be available for
22 the Airport Cooperative Research Program, not less than
23 \$40,666,000 shall be available for Airport Technology Re-
24 search, and \$10,000,000, to remain available until ex-
25 pended, shall be available and transferred to "Office of

1 the Secretary, Salaries and Expenses” to carry out the
2 Small Community Air Service Development Program: *Pro-*
3 *vided further*, That in addition to airports eligible under
4 section 41743 of title 49, United States Code, such pro-
5 gram may include the participation of an airport that
6 serves a community or consortium that is not larger than
7 a small hub airport, according to FAA hub classifications
8 effective at the time the Office of the Secretary issues a
9 request for proposals.

10 GRANTS-IN-AID FOR AIRPORTS

11 For an additional amount for “Grants-In-Aid for Air-
12 ports”, to enable the Secretary of Transportation to make
13 grants for projects as authorized by subchapter 1 of chap-
14 ter 471 and subchapter 1 of chapter 475 of title 49,
15 United States Code, \$500,000,000, to remain available
16 through September 30, 2023: *Provided*, That amounts
17 made available under this heading shall be derived from
18 the general fund, and such amounts shall not be subject
19 to apportionment formulas, special apportionment cat-
20 egories, or minimum percentages under chapter 471 of
21 title 49, United States Code: *Provided further*, That the
22 Secretary shall distribute amounts made available under
23 this heading as discretionary grants to airports: *Provided*
24 *further*, That the amounts made available under this head-
25 ing shall not be subject to any limitation on obligations

1 for the Grants-in-Aid for Airports program set forth in
2 any Act: *Provided further*, That the Administrator of the
3 Federal Aviation Administration may retain up to 0.5 per-
4 cent of the amounts made available under this heading
5 to fund the award and oversight by the Administrator of
6 grants described under this heading.

7 ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION

8 ADMINISTRATION

9 SEC. 110. None of the funds made available by this
10 Act may be used to compensate in excess of 600 technical
11 staff-years under the federally funded research and devel-
12 opment center contract between the Federal Aviation Ad-
13 ministration and the Center for Advanced Aviation Sys-
14 tems Development during fiscal year 2021.

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

1 quire airport sponsors to provide land without cost to the
2 Federal Aviation Administration for air traffic control fa-
3 cilities.

4 SEC. 112. The Administrator of the Federal Aviation
5 Administration may reimburse amounts made available to
6 satisfy section 41742(a)(1) of title 49, United States
7 Code, from fees credited under section 45303 of title 49,
8 United States Code, and any amount remaining in such
9 account at the close of any fiscal year may be made avail-
10 able to satisfy section 41742(a)(1) of title 49, United
11 States Code, for the subsequent fiscal year.

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

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

23 SEC. 115. None of the funds made available by this
24 Act may be obligated or expended for an employee of the
25 Federal Aviation Administration to purchase a store gift

1 card or gift certificate through use of a Government-issued
2 credit card.

3 SEC. 116. None of the funds made available by this
4 Act may be obligated or expended for retention bonuses
5 for an employee of the Federal Aviation Administration
6 without the prior written approval of the Assistant Sec-
7 retary for Administration of the Department of Transpor-
8 tation.

9 SEC. 117. Notwithstanding any other provision of
10 law, none of the funds made available by this Act or any
11 prior Act may be used to implement or to continue to im-
12 plement any limitation on the ability of any owner or oper-
13 ator of a private aircraft to obtain, upon a request to the
14 Administrator of the Federal Aviation Administration, a
15 blocking of that owner's or operator's aircraft registration
16 number from any display of the Federal Aviation Adminis-
17 tration's Aircraft Situational Display to Industry data
18 that is made available to the public, except data made
19 available to a Government agency, for the noncommercial
20 flights of that owner or operator.

21 SEC. 118. None of the funds made available by this
22 Act shall be available for salaries and expenses of more
23 than 9 political and Presidential appointees in the Federal
24 Aviation Administration.

1 SEC. 119. None of the funds made available by this
2 Act may be used to increase fees pursuant to section
3 44721 of title 49, United States Code, until the Federal
4 Aviation Administration provides to the House and Senate
5 Committees on Appropriations a report that justifies all
6 fees related to aeronautical navigation products and ex-
7 plains how such fees are consistent with Executive Order
8 13642.

9 SEC. 119A. None of the funds made available by this
10 Act may be used to close a regional operations center of
11 the Federal Aviation Administration or reduce its services
12 unless the Administrator notifies the House and Senate
13 Committees on Appropriations not less than 90 full busi-
14 ness days in advance.

15 SEC. 119B. None of the funds made available by or
16 limited by this Act may be used to change weight restric-
17 tions or prior permission rules at Teterboro airport in
18 Teterboro, New Jersey.

19 SEC. 119C. None of the funds made available by this
20 Act may be used by the Administrator of the Federal Avia-
21 tion Administration to withhold from consideration and
22 approval any new application for participation in the Con-
23 tract Tower Program, or for reevaluation of Cost-share
24 Program participants so long as the Federal Aviation Ad-
25 ministration has received an application from the airport,

1 and so long as the Administrator determines such tower
2 is eligible using the factors set forth in Federal Aviation
3 Administration published establishment criteria.

4 SEC. 119D. None of the funds made available by this
5 Act may be used to open, close, redesignate as a lesser
6 office, or reorganize a regional office, the aeronautical cen-
7 ter, or the technical center unless the Administrator sub-
8 mits a request for the reprogramming of funds under sec-
9 tion 405 of this Act.

10 FEDERAL HIGHWAY ADMINISTRATION
11 LIMITATION ON ADMINISTRATIVE EXPENSES
12 (HIGHWAY TRUST FUND)
13 (INCLUDING TRANSFER OF FUNDS)

14 Not to exceed \$478,897,049, together with advances
15 and reimbursements received by the Federal Highway Ad-
16 ministration, shall be obligated for necessary expenses for
17 administration and operation of the Federal Highway Ad-
18 ministration: *Provided*, That up to \$3,248,000 shall be
19 transferred to the Appalachian Regional Commission in
20 accordance with section 104(a) of title 23, United States
21 Code.

1 FEDERAL-AID HIGHWAYS
2 (LIMITATION ON OBLIGATIONS)
3 (HIGHWAY TRUST FUND)

4 Funds available for the implementation or execution
5 of Federal-aid highway and highway safety construction
6 programs authorized under titles 23 and 49, United States
7 Code, and the provisions of the Fixing America's Surface
8 Transportation Act (Public Law 114-94), or any suc-
9 cessor surface transportation reauthorization Act author-
10 izing appropriations for fiscal year 2021, shall not exceed
11 total obligations of \$61,130,000,000 for fiscal year 2021:
12 *Provided*, That the Secretary may collect and spend fees,
13 as authorized by title 23, United States Code, to cover
14 the costs of services of expert firms, including counsel, in
15 the field of municipal and project finance to assist in the
16 underwriting and servicing of Federal credit instruments
17 and all or a portion of the costs to the Federal Govern-
18 ment of servicing such credit instruments: *Provided fur-*
19 *ther*, That such fees are available until expended to pay
20 for such costs: *Provided further*, That such fees are in ad-
21 dition to administrative expenses that are also available
22 for such purpose, and are not subject to any obligation
23 limitation or the limitation on administrative expenses
24 under section 608 of title 23, United States Code: *Pro-*
25 *vided further*, That for amounts subject to the obligation

1 limitation under this heading during fiscal year 2021, the
2 Federal share of activities undertaken pursuant to chap-
3 ters 1 or 2 of title 23, United States Code shall be, at
4 the option of the State, District of Columbia, territory,
5 Puerto Rico, or Indian Tribe, as applicable, up to 100 per-
6 cent: *Provided further*, That the preceding proviso does not
7 apply to programs authorized under sections 115 and 117
8 of title 23, United States Code.

9 (LIQUIDATION OF CONTRACT AUTHORIZATION)

10 (HIGHWAY TRUST FUND)

11 For the payment of obligations incurred in carrying
12 out Federal-aid highway and highway safety construction
13 programs authorized under title 23, United States Code,
14 \$61,869,000,000 derived from the Highway Trust Fund
15 (other than the Mass Transit Account), to remain avail-
16 able until expended.

17 HIGHWAY INFRASTRUCTURE PROGRAMS

18 There is hereby appropriated to the Secretary of
19 Transportation \$1,000,000,000: *Provided*, That the funds
20 made available under this heading shall be derived from
21 the general fund, shall be in addition to any funds pro-
22 vided for fiscal year 2021 in this Act or any other Act
23 for: (1) “Federal-aid Highways” under chapter 1 of title
24 23, United States Code; or (2) the Appalachian Develop-
25 ment Highway System as authorized under section

1 1069(y) of the Intermodal Surface Transportation Effi-
2 ciency Act (Public Law 102–240), and shall not affect the
3 distribution or amount of funds provided in any other Act:
4 *Provided further*, That section 1101(b) of the FAST Act
5 (Public Law 114–94) shall apply to funds made available
6 under this heading: *Provided further*, That unless other-
7 wise specified, amounts made available under this heading
8 shall be available until September 30, 2024: *Provided fur-*
9 *ther*, That of the funds made available under this head-
10 ing—

11 (1) \$632,220,000 shall be for activities under
12 section 133(b) of title 23, United States Code, and
13 to provide necessary charging infrastructure along
14 corridor-ready or corridor-pending alternative fuel
15 corridors designated pursuant to section 151 of title
16 23, United States Code;

17 (2) \$100,000,000 shall be for necessary ex-
18 penses for construction of the Appalachian Develop-
19 ment Highway System as authorized under section
20 1069(y) of the Intermodal Transportation Efficiency
21 Act of 1991 (Public Law 102–240);

22 (3) \$3,150,000 shall be for activities eligible
23 under the Puerto Rico Highway Program as de-
24 scribed in section 165(b)(2)(C) of title 23, United
25 States Code;

1 (4) \$630,000 shall be for activities eligible
2 under the Territorial Highway Program, as de-
3 scribed in section 165(c)(6) of title 23, United
4 States Code;

5 (5) \$150,000,000 shall be for the nationally
6 significant Federal lands and tribal projects program
7 under section 1123 of the FAST Act;

8 (6) \$50,000,000 shall be for competitive grants
9 for activities described in section 130(a) of title 23,
10 United States Code;

11 (7) \$30,000,000 shall be for the Tribal Trans-
12 portation program as authorized under section 202
13 of title 23, United States Code;

14 (8) \$15,000,000 shall be for grants for Ad-
15 vanced Digital Construction Management Systems;

16 (9) \$12,000,000 shall be for the Regional Infra-
17 structure Accelerator Demonstration Program au-
18 thorized under section 1441 of the FAST Act;

19 (10) \$5,000,000 shall be for a National Road
20 Network Pilot Program for the Federal Highway
21 Administration to create a national level, geo-spatial
22 dataset that uses data already collected under the
23 Highway Performance Monitoring System; and

1 (11) \$2,000,000 shall be for research that leads
2 to decreases in highway and pedestrian fatalities
3 among Tribal populations:

4 *Provided further*, That for the purposes of funds made
5 available under paragraph (1) of the fourth proviso, the
6 term “State” means any of the 50 States or the District
7 of Columbia: *Provided further*, That the funds made avail-
8 able under paragraph (1) shall be sub-allocated in the
9 manner described in section 133(d) of title 23, United
10 States Code, except that the set-aside described in section
11 133(h) of such title shall not apply to funds made avail-
12 able under this heading: *Provided further*, That the funds
13 made available under paragraph (1) shall be administered
14 as if apportioned under chapter 1 of such title and shall
15 be apportioned to the States in the same ratio as the obli-
16 gation limitation for fiscal year 2021 is distributed among
17 the States in section 120(a)(5) of this Act: *Provided fur-*
18 *ther*, That for amounts made available under paragraphs
19 (1), (2), (3), (4), (6), and (7), the Federal share of the
20 costs shall be, at the option of the recipient, up to 100
21 percent: *Provided further*, That except as provided in the
22 following proviso, the funds made available under this
23 heading for activities eligible under the Puerto Rico High-
24 way Program and activities eligible under the Territorial
25 Highway Program shall be administered as if allocated

1 under sections 165(b) and 165(c), respectively, of title 23,
2 United States Code: *Provided further*, That the funds
3 made available under this heading for activities eligible
4 under the Puerto Rico Highway Program shall not be sub-
5 ject to the requirements of sections 165(b)(2)(A) or
6 165(b)(2)(B) of such title: *Provided further*, That the
7 funds made available for the Tribal Transportation Pro-
8 gram shall be sub-allocated in the manner described in
9 section 202(b)(3)(A)(i)(IV) of such title, except that the
10 set-asides described in subparagraph (C) of section
11 202(b)(3) of such title and subsections (a)(6), (c), (d), and
12 (e) of section 202 of such title shall not apply to funds
13 made available under this heading: *Provided further*, That
14 the funds made available under this heading, in paragraph
15 (6) of the fourth proviso, shall be available for projects
16 eligible under section 130(a) of such title, for commuter
17 authorities, as defined in section 24102(2) of title 49,
18 United States Code, that experienced at least one accident
19 investigated by the National Transportation Safety Board
20 between January 1, 2008 and December 31, 2018 and for
21 which the National Transportation Safety Board issued
22 an accident report: *Provided further*, That for the purposes
23 of funds made available under this heading for construc-
24 tion of the Appalachian Development Highway System
25 (ADHS), the term “Appalachian State” means a State

1 that contains one or more counties (including any political
2 subdivision located within the area) in the Appalachian re-
3 gion as defined in section 14102(a) of title 40, United
4 States Code: *Provided further*, That funds made available
5 under this heading for construction of the ADHS shall re-
6 main available until expended: *Provided further*, That a
7 project carried out with funds made available under this
8 heading for construction of the ADHS shall be carried out
9 in the same manner as a project under section 14501 of
10 title 40, United States Code: *Provided further*, That sub-
11 ject to the following proviso, funds made available under
12 this heading for construction of the ADHS shall be appor-
13 tioned to Appalachian States according to the percentages
14 derived from the 2012 Appalachian Development Highway
15 System Cost to Complete Estimate adopted in Appa-
16 lachian Regional Commission Resolution Number 736,
17 and confirmed as each Appalachian State's relative share
18 of the estimated remaining need to complete the ADHS,
19 adjusted to exclude corridors that such States have no cur-
20 rent plans to complete, as reported in the 2013 Appa-
21 lachian Development Highway System Completion Report,
22 unless such States have modified and assigned a higher
23 priority for completion of an ADHS corridor, as reported
24 in the 2020 ADHS Future Outlook: *Provided further*,
25 That the Secretary shall adjust apportionments made

1 under the preceding proviso so that no Appalachian State
2 shall be apportioned an amount in excess of 25 percent
3 of the amount made available for construction of the Ap-
4 palachian Development Highway System under this head-
5 ing: *Provided further*, That the Secretary shall consult
6 with the Appalachian Regional Commission in making ad-
7 justments under the preceding two provisos.

8 ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY

9 ADMINISTRATION

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

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

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

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

19 (C) amounts authorized as special one-year
20 funding under any successor surface transpor-
21 tation reauthorization Act authorizing appro-
22 priations for fiscal year 2021;

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

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

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

11 (3) determine the proportion that—

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

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

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

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

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

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

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

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

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

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

13 (b) EXCEPTIONS FROM OBLIGATION LIMITATION.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 (1) IN GENERAL.—Except as provided in para-
2 graph (2), the obligation limitation for Federal-aid
3 highways shall apply to contract authority for trans-
4 portation research programs carried out under—

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

7 (B) title VI of the Fixing America’s Sur-
8 face Transportation Act.

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

11 (A) remain available for a period of 4 fis-
12 cal years; and

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

17 (e) REDISTRIBUTION OF CERTAIN AUTHORIZED
18 FUNDS.—

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

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

4 (B) the Secretary determines will not be
5 allocated to the States (or will not be appor-
6 tioned to the States under section 204 of title
7 23, United States Code), and will not be avail-
8 able for obligation, for such fiscal year because
9 of the imposition of any obligation limitation for
10 such fiscal year.

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

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

19 SEC. 121. Notwithstanding 31 U.S.C. 3302, funds re-
20 ceived by the Bureau of Transportation Statistics from the
21 sale of data products, for necessary expenses incurred pur-
22 suant to chapter 63 of title 49, United States Code, may
23 be credited to the Federal-aid highways account for the
24 purpose of reimbursing the Bureau for such expenses:
25 *Provided*, That such funds shall be subject to the obliga-

1 tion limitation for Federal-aid highway and highway safety
2 construction programs.

3 SEC. 122. Not less than 15 days prior to waiving,
4 under his or her statutory authority, any Buy America re-
5 quirement for Federal-aid highways projects, the Sec-
6 retary of Transportation shall make an informal public no-
7 tice and comment opportunity on the intent to issue such
8 waiver and the reasons therefor: *Provided*, That the Sec-
9 retary shall provide an annual report to the House and
10 Senate Committees on Appropriations on any waivers
11 granted under the Buy America requirements.

12 SEC. 123. None of the funds made available in this
13 Act to the Department of Transportation may be used to
14 provide credit assistance unless not less than 3 days before
15 any application approval to provide credit assistance under
16 sections 603 and 604 of title 23, United States Code, the
17 Secretary of Transportation provides notification in writ-
18 ing to the following committees: the House and Senate
19 Committees on Appropriations; the Committee on Envi-
20 ronment and Public Works and the Committee on Bank-
21 ing, Housing and Urban Affairs of the Senate; and the
22 Committee on Transportation and Infrastructure of the
23 House of Representatives: *Provided*, That such notifica-
24 tion shall include, but not be limited to, the name of the
25 project sponsor; a description of the project; whether cred-

1 it assistance will be provided as a direct loan, loan guar-
2 antee, or line of credit; and the amount of credit assist-
3 ance.

4 SEC. 124. None of the funds made available in this
5 Act may be used to make a grant for a project under sec-
6 tion 117 of title 23, United States Code, unless the Sec-
7 retary, at least 60 days before making a grant under that
8 section, provides written notification to the House and
9 Senate Committees on Appropriations of the proposed
10 grant, including an evaluation and justification for the
11 project and the amount of the proposed grant award: *Pro-*
12 *vided*, That the written notification required in the pre-
13 ceding proviso shall be made not later than 180 days after
14 the date of enactment of this Act.

15 SEC. 125. (a) A State or territory, as defined in sec-
16 tion 165 of title 23, United States Code, may use for any
17 project eligible under section 133(b) of title 23, United
18 States Code, or section 165 of title 23, United States
19 Code, and located within the boundary of the State or ter-
20 ritory any earmarked amount, and any associated obliga-
21 tion limitation: *Provided*, That the Department of Trans-
22 portation for the State or territory for which the ear-
23 marked amount was originally designated or directed noti-
24 fies the Secretary of Transportation of its intent to use
25 its authority under this section and submits a quarterly

1 report to the Secretary identifying the projects to which
2 the funding would be applied. Notwithstanding the origi-
3 nal period of availability of funds to be obligated under
4 this section, such funds and associated obligation limita-
5 tion shall remain available for obligation for a period of
6 3 fiscal years after the fiscal year in which the Secretary
7 of Transportation is notified. The Federal share of the
8 cost of a project carried out with funds made available
9 under this section shall be the same as associated with
10 the earmark.

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

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

20 (2) a congressional earmark, as defined in rule
21 XXI of the Rules of the House of Representatives,
22 identified in a prior law, report, or joint explanatory
23 statement, which was authorized to be appropriated
24 or appropriated more than 10 fiscal years prior to

1 the current fiscal year, and administered by the Fed-
2 eral Highway Administration.

3 (c) The authority under subsection (a) may be exer-
4 cised only for those projects or activities that have obli-
5 gated less than 10 percent of the amount made available
6 for obligation as of October 1 of the current fiscal year,
7 and shall be applied to projects within the same general
8 geographic area within 5 miles for which the funding was
9 designated, except that a State or territory may apply
10 such authority to unexpended balances of funds from
11 projects or activities the State or territory certifies have
12 been closed and for which payments have been made under
13 a final voucher.

14 (d) The Secretary shall submit consolidated reports
15 of the information provided by the States and territories
16 each quarter to the House and Senate Committees on Ap-
17 propriations.

18 SEC. 126. Until final guidance is published, the Ad-
19 ministrator of the Federal Highway Administration shall
20 adjudicate requests for Buy America waivers under the
21 rules and regulations that were in effect prior to April 17,
22 2017. The Administrator shall process such requests not
23 later than 90 days after receipt of the request or such
24 waivers will be granted automatically.

1 SEC. 127. Amounts for which a limitation on obliga-
2 tions that otherwise would have expired at the end of fiscal
3 year 2020 that has been extended through the end of fiscal
4 year 2021 shall not be subject to section 120(a)(2) of this
5 Act.

6 FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION
7 MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

8 (LIQUIDATION OF CONTRACT AUTHORIZATION)

9 (LIMITATION ON OBLIGATIONS)

10 (HIGHWAY TRUST FUND)

11 For payment of obligations incurred in the implemen-
12 tation, execution, and administration of motor carrier
13 safety operations and programs pursuant to section 31110
14 of title 49, United States Code, as amended by the Fixing
15 America's Surface Transportation Act or any successor
16 surface transportation reauthorization Act authorizing ap-
17 propriations for fiscal year 2021, \$379,500,000, to be de-
18 rived from the Highway Trust Fund (other than the Mass
19 Transit Account), together with advances and reimburse-
20 ments received by the Federal Motor Carrier Safety Ad-
21 ministration, the sum of which shall remain available until
22 expended: *Provided*, That funds available for implementa-
23 tion, execution, or administration of motor carrier safety
24 operations and programs authorized under title 49, United
25 States Code, shall not exceed total obligations of

1 \$379,500,000 for “Motor Carrier Safety Operations and
2 Programs” for fiscal year 2021, of which not less than
3 \$85,000,000, to remain available for obligation until Sep-
4 tember 30, 2023, is for the development, modernization,
5 and enhancement of information technology and informa-
6 tion management systems and for the continuing oper-
7 ation of and maintenance of such systems: *Provided fur-*
8 *ther*, That not less than \$13,073,000, to remain available
9 for obligation until September 30, 2023, is for the re-
10 search and technology program, of which not less than
11 \$3,300,000 shall be available to begin the Large Truck
12 Crash Causal Factors study: *Provided further*, That
13 \$20,000,000 for carrying out activities under this heading,
14 including the modernization and maintenance of border fa-
15 cilities, is to remain available for obligation until Sep-
16 tember 30, 2025.

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

21 For payment of obligations incurred in carrying out
22 sections 31102, 31103, 31104, and 31313 of title 49,
23 United States Code, as amended by the Fixing America’s
24 Surface Transportation Act or any successor surface
25 transportation reauthorization Act authorizing appropria-

1 tions for fiscal year 2021, \$506,200,000 to be derived
2 from the Highway Trust Fund (other than the Mass Tran-
3 sit Account) to remain available until expended: *Provided*,
4 That funds available for the implementation or execution
5 of motor carrier safety programs shall not exceed total ob-
6 ligations of \$506,200,000 in fiscal year 2021 for “Motor
7 Carrier Safety Grants”: *Provided further*, That of the
8 sums appropriated under this heading—

9 (1) \$389,212,000 shall be available for the
10 motor carrier safety assistance program;

11 (2) \$56,880,000 shall be available for the com-
12 mercial driver’s license program implementation pro-
13 gram;

14 (3) \$59,108,000 shall be available for the high
15 priority activities program; and

16 (4) \$1,000,000 shall be made available for com-
17 mercial motor vehicle operators grants.

18 ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR

19 CARRIER SAFETY ADMINISTRATION

20 SEC. 130. The Federal Motor Carrier Safety Admin-
21 istration shall send notice of section 385.308 of title 49,
22 Code of Federal Regulations, violations by certified mail,
23 registered mail, or another manner of delivery, which
24 records the receipt of the notice by the persons responsible
25 for the violations.

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

6 NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
7 OPERATIONS AND RESEARCH

8 For expenses necessary to discharge the functions of
9 the Secretary, with respect to traffic and highway safety
10 authorized under chapter 301 and part C of subtitle VI
11 of title 49, United States Code, \$214,073,440, of which
12 \$40,000,000 shall remain available through September
13 30, 2022.

14 OPERATIONS AND RESEARCH

15 (LIQUIDATION OF CONTRACT AUTHORIZATION)

16 (LIMITATION ON OBLIGATIONS)

17 (HIGHWAY TRUST FUND)

18 For payment of obligations incurred in carrying out
19 the provisions of section 403 of title 23, United States
20 Code, including behavioral research on Automated Driving
21 Systems and Advanced Driver Assistance Systems and im-
22 proving consumer responses to safety recalls, section 4011
23 of the Fixing America's Surface Transportation Act (Pub-
24 lic Law 114-94) or any successor surface transportation
25 reauthorization Act authorizing appropriations for fiscal

1 year 2021, and chapter 303 of title 49, United States
2 Code, \$170,612,000 to be derived from the Highway
3 Trust Fund (other than the Mass Transit Account) and
4 to remain available until expended: *Provided*, That none
5 of the funds made available by this Act shall be available
6 for the planning or execution of programs the total obliga-
7 tions for which, in fiscal year 2021, are in excess of
8 \$170,612,000: *Provided further*, That of the funds appro-
9 priated under this heading—

10 (1) \$165,112,000 shall be for programs author-
11 ized under section 403 of title 23, United States
12 Code, including behavioral research on Automated
13 Driving Systems and Advanced Driver Assistance
14 Systems and improving consumer responses to safety
15 recalls, and section 4011 of the Fixing America’s
16 Surface Transportation Act (Public Law 114–94);
17 and

18 (2) \$5,500,000 shall be for the National Driver
19 Register authorized under chapter 303 of title 49,
20 United States Code:

21 *Provided further*, That of the \$170,612,000 obligation lim-
22 itation for operations and research, \$20,000,000 shall re-
23 main available until September 30, 2022, and \$3,000,000,
24 for impaired driving detection, shall remain available until
25 expended, and shall be in addition to the amount of any

1 limitation imposed on obligations for future years: *Pro-*
2 *vided further*, That amounts for behavioral research on
3 Automated Driving Systems and Advanced Driver Assist-
4 ance Systems and improving consumer responses to safety
5 recalls are in addition to any other funds provided for
6 those purposes for fiscal year 2021 in this Act.

7 HIGHWAY TRAFFIC SAFETY GRANTS

8 (LIQUIDATION OF CONTRACT AUTHORIZATION)

9 (LIMITATION ON OBLIGATIONS)

10 (HIGHWAY TRUST FUND)

11 For payment of obligations incurred in carrying out
12 provisions of sections 402, 404, and 405 of title 23,
13 United States Code, and section 4001(a)(6) of the Fixing
14 America's Surface Transportation Act, to remain available
15 until expended, \$855,488,000, to be derived from the
16 Highway Trust Fund (other than the Mass Transit Ac-
17 count): *Provided*, That none of the funds made available
18 by this Act shall be available for the planning or execution
19 of programs for which the total obligations in fiscal year
20 2021 are in excess of \$855,488,000 for programs author-
21 ized under sections 402, 404, and 405 of title 23, United
22 States Code, and section 4001(a)(6) of the Fixing Amer-
23 ica's Surface Transportation Act: *Provided further*, That
24 of the sums appropriated under this heading—

1 (1) \$384,800,000 shall be for “Highway Safety
2 Programs” under section 402 of title 23, United
3 States Code;

4 (2) \$390,900,000 shall be for “National Pri-
5 ority Safety Programs” under section 405 of title
6 23, United States Code;

7 (3) \$49,702,000 shall be for the “High Visi-
8 bility Enforcement Program” under section 404 of
9 title 23, United States Code; and

10 (4) \$30,086,000 shall be for “Administrative
11 Expenses” under section 4001(a)(6) of the Fixing
12 America’s Surface Transportation Act:

13 *Provided further*, That for amounts subject to the obliga-
14 tion limitation under this heading during fiscal year 2021,
15 the Federal share of activities undertaken pursuant to
16 chapter 4 of title 23, United States Code, shall be, at the
17 option of the recipient, up to 100 percent: *Provided fur-*
18 *ther*, That none of the funds made available by this Act
19 shall be used for construction, rehabilitation, or remod-
20 eling costs, or for office furnishings and fixtures for State,
21 local, or private buildings or structures: *Provided further*,
22 That not to exceed \$500,000 of the funds made available
23 for ‘National Priority Safety Programs’ under section 405
24 of title 23, United States Code, for ‘Impaired Driving
25 Countermeasures’ (as described in subsection (d) of that

1 section) shall be available for technical assistance to the
2 States: *Provided further*, That with respect to the ‘Trans-
3 fers’ provision under section 405(a)(8) of title 23, United
4 States Code, any amounts transferred to increase the
5 amounts made available under section 402 shall include
6 the obligation authority for such amounts: *Provided fur-*
7 *ther*, That the Administrator shall notify the House and
8 Senate Committees on Appropriations of any exercise of
9 the authority granted under the preceding proviso or
10 under section 405(a)(8) of title 23, United States Code,
11 not later than 5 days after exercising such authority.

12 ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY

13 TRAFFIC SAFETY ADMINISTRATION

14 SEC. 140. An additional \$130,000 shall be made
15 available to the National Highway Traffic Safety Adminis-
16 tration, out of the amount limited for section 402 of title
17 23, United States Code, to pay for travel and related ex-
18 penses for State management reviews and to pay for core
19 competency development training and related expenses for
20 highway safety staff.

21 SEC. 141. The limitations on obligations for the pro-
22 grams of the National Highway Traffic Safety Adminis-
23 tration set in this Act shall not apply to obligations for
24 which obligation authority was made available in previous

1 public laws but only to the extent that the obligation au-
2 thority has not lapsed or been used.

3 SEC. 142. In addition to the amounts made available
4 under the heading, “Operations and Research (Liquidation of Contract Authorization) (Limitation on Obligations) (Highway Trust Fund)” for carrying out the provisions of section 403 of title 23, United States Code,
5
6
7
8 \$17,000,000, to remain available until September 30,
9 2022, shall be made available to the National Highway
10 Traffic Safety Administration from the general fund: *Provided*, That of the sums provided under this provision—

11
12 (1) not to exceed \$7,000,000 shall be available
13 to provide funding for grants, pilot program activities, and innovative solutions to reduce impaired-driving fatalities in collaboration with eligible entities under section 403 of title 23, United States
14
15
16
17 Code; and

18 (2) not to exceed \$10,000,000 shall be available
19 to continue a high visibility enforcement paid-media campaign regarding highway-rail grade crossing safety in collaboration with the Federal Railroad Administration.
20
21
22

23 SEC. 143. None of the funds in this Act or any other
24 Act shall be used to enforce the requirements of section
25 405(a)(9) of title 23, United States Code.

1 FEDERAL RAILROAD ADMINISTRATION

2 SAFETY AND OPERATIONS

3 For necessary expenses of the Federal Railroad Ad-
4 ministration, not otherwise provided for, \$236,134,000, of
5 which \$30,000,000 shall remain available until expended.

6 RAILROAD RESEARCH AND DEVELOPMENT

7 For necessary expenses for railroad research and de-
8 velopment, \$41,000,000, to remain available until ex-
9 pended.

10 FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD

11 REPAIR

12 For necessary expenses related to Federal-State part-
13 nership for state of good repair grants as authorized by
14 section 24911 of title 49, United States Code,
15 \$200,000,000, to remain available until expended: *Pro-*
16 *vided*, That the Secretary may withhold up to 2 percent
17 of the amounts made available under this heading for the
18 costs of award and project management oversight of
19 grants carried out under section 24911 of title 49, United
20 States Code: *Provided further*, That expenses incidental to
21 the acquisition or construction (including designing, engi-
22 neering, location surveying, mapping, environmental stud-
23 ies, and acquiring rights-of-way) of a capital project as
24 defined under section 24911(a)(2) of title 49, United
25 States Code, are eligible for funding independently or in

1 conjunction with proposed funding for construction: *Pro-*
2 *vided further*, That section 24911(d)(1)(C) of title 49,
3 United States Code, shall not apply to amounts made
4 available under this heading: *Provided further*, That sec-
5 tion 24911(d)(1)(C) of title 49, United States Code, shall
6 not apply to amounts made available under this heading
7 in previous fiscal years if such funds are announced in
8 a Notice of Funding Opportunity that includes funds
9 made available under this heading: *Provided further*, That
10 the Secretary shall issue the Notice of Funding Oppor-
11 tunity for amounts made available under this heading not
12 later than 60 days after the date of enactment of this Act:
13 *Provided further*, That the Secretary shall announce the
14 selection of projects to receive awards for amounts made
15 available under this heading not later than 240 days after
16 the date of enactment of this Act.

17 CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY

18 IMPROVEMENTS

19 (INCLUDING TRANSFER OF FUNDS)

20 For necessary expenses related to consolidated rail
21 infrastructure and safety improvements grants, as author-
22 ized by section 22907 of title 49, United States Code,
23 \$500,000,000, to remain available until expended: *Pro-*
24 *vided*, That of the amounts made available under this
25 heading—

1 (1) Not less than \$60,000,000 shall be for
2 projects eligible under section 22907(c)(5) of title
3 49, United States Code;

4 (2) Not less than \$90,000,000 shall be for
5 projects eligible under section 22907(c)(2) of title
6 49, United States Code, that support the develop-
7 ment of new intercity passenger rail service routes
8 including alignments for existing routes: *Provided*,
9 That the Secretary shall give preference for pre-con-
10 struction elements including preliminary engineering
11 and final design of such projects; and

12 (3) Not less than \$25,000,000 shall be for cap-
13 ital projects and engineering solutions targeting tres-
14 passing: *Provided*, That the Secretary shall give
15 preference for such projects that are located in coun-
16 ties with the most pedestrian trespasser casualties as
17 identified in the Federal Railroad Administration's
18 National Strategy to Prevent Trespassing on Rail-
19 road Property:

20 *Provided further*, That section 22905(f) of title 49, United
21 States Code, shall not apply to projects for the implemen-
22 tation of positive train control systems otherwise eligible
23 under section 22907(c)(1) of title 49, United States Code:
24 *Provided further*, That amounts made available under this
25 heading for projects selected for commuter rail passenger

1 transportation may be transferred by the Secretary, after
2 selection, to the appropriate agencies to be administered
3 in accordance with chapter 53 of title 49, United States
4 Code: *Provided further*, That the Secretary shall not limit
5 eligible projects from consideration for funding for plan-
6 ning, engineering, environmental, construction, and design
7 elements of the same project in the same application: *Pro-*
8 *vided further*, That for amounts made available under this
9 heading eligible recipients under section 22907(b) of title
10 49, United States Code, shall include any non-profit asso-
11 ciation representing Class II railroads or Class III rail-
12 roads (as such terms are defined in section 20102 of title
13 49, United States Code) or rail carriers that provide inter-
14 city rail passenger transportation (as defined in section
15 24102 of title 49, United States Code) and any holding
16 company of a Class II railroad or Class III railroad (as
17 such terms are defined in section 20102 of title 49, United
18 States Code): *Provided further*, That section
19 22907(e)(1)(A) of title 49, United States Code, shall not
20 apply to amounts made available under this heading: *Pro-*
21 *vided further*, That section 22907(e)(1)(A) of title 49,
22 United States Code, shall not apply to amounts made
23 available under this heading in previous fiscal years if such
24 funds are announced in a Notice of Funding Opportunity
25 that includes funds made available under this heading:

1 *Provided further*, That unobligated balances remaining
2 after 6 years from the date of enactment of this Act may
3 be used for any eligible project under section 22907(c) of
4 title 49, United States Code: *Provided further*, That the
5 Secretary may withhold up to 2 percent of the amounts
6 made available under this heading for the costs of award
7 and project management oversight of grants carried out
8 under section 22907 of title 49, United States Code: *Pro-*
9 *vided further*, That the Secretary shall issue the Notice
10 of Funding Opportunity for amounts made available under
11 this heading not later than 30 days after the date of enact-
12 ment of this Act: *Provided further*, That such Notice of
13 Funding Opportunity shall require application submis-
14 sions 90 days after the publishing of such Notice: *Provided*
15 *further*, That the Secretary shall announce the selection
16 of projects to receive awards for amounts made available
17 under this heading not later than 210 days after the date
18 of enactment of this Act.

19 MAGNETIC LEVITATION TECHNOLOGY DEPLOYMENT
20 PROGRAM

21 For necessary expenses related to the deployment of
22 magnetic levitation transportation projects, consistent
23 with language in subsections (a) through (c) of section
24 1307 of SAFETEA-LU (Public Law 109–59), as amend-
25 ed by section 102 of the SAFETEA-LU Technical Correc-

1 tions Act of 2008 (Public Law 110–244) (23 U.S.C. 322
2 note), \$5,000,000, to remain available until expended.

3 NORTHEAST CORRIDOR GRANTS TO THE NATIONAL
4 RAILROAD PASSENGER CORPORATION

5 To enable the Secretary of Transportation to make
6 grants to the National Railroad Passenger Corporation for
7 activities associated with the Northeast Corridor as au-
8 thorized by section 11101(a) of the Fixing America’s Sur-
9 face Transportation Act (division A of Public Law 114–
10 94), \$750,000,000, to remain available until expended:
11 *Provided*, That the Secretary may retain up to one half
12 of 1 percent of the amounts made available under both
13 this heading and the “National Network Grants to the Na-
14 tional Railroad Passenger Corporation” heading to fund
15 the costs of project management and oversight of activities
16 authorized by section 11101(c) of the Fixing America’s
17 Surface Transportation Act (division A of Public Law
18 114–94): *Provided further*, That in addition to the project
19 management oversight funds authorized under section
20 11101(c) of such Act, the Secretary may retain up to an
21 additional \$5,000,000 of the amounts made available
22 under this heading to fund expenses associated with the
23 Northeast Corridor Commission established under section
24 24905 of title 49, United States Code: *Provided further*,
25 That of the amounts made available under this heading,

1 not less than \$200,000,000 shall be made available to ad-
2 vance capital projects, including rehabilitation and up-
3 grade of railroad infrastructure, that increase reliability
4 or expand passenger rail capacity on the Amtrak-owned
5 portion of the Northeast Corridor (as defined in section
6 24102(8) of title 49, United States Code) on which more
7 than 380 trains traveled per day in fiscal year 2019: *Pro-*
8 *vided further*, That of the amounts made available under
9 this heading and the “National Network Grants to the Na-
10 tional Railroad Passenger Corporation” heading, not less
11 than \$75,000,000 shall be made available to bring Am-
12 trak-served facilities and stations into compliance with the
13 Americans with Disabilities Act of 1990 (42 U.S.C. 2101
14 et seq.).

15 NATIONAL NETWORK GRANTS TO THE NATIONAL
16 RAILROAD PASSENGER CORPORATION

17 To enable the Secretary of Transportation to make
18 grants to the National Railroad Passenger Corporation for
19 activities associated with the National Network as author-
20 ized by section 11101(b) of the Fixing America’s Surface
21 Transportation Act (division A of Public Law 114–94),
22 \$1,300,000,000, to remain available until expended: *Pro-*
23 *vided*, That the Secretary may retain up to an additional
24 \$2,000,000 of the amounts made available under this
25 heading to fund expenses associated with the State-Sup-

1 ported Route Committee established under section 24712
2 of title 49, United States Code: *Provided further*, That
3 none of the funds provided under this heading shall be
4 used by Amtrak to give notice under subsection (a) or (b)
5 of section 24706 of title 49, United States Code, with re-
6 spect to long-distance routes (as defined in section 24102
7 of title 49, United States Code) on which Amtrak is the
8 sole operator on a host railroad's line and a positive train
9 control system is not required by law or regulation, or,
10 except in an emergency or during maintenance or con-
11 struction outages impacting such routes, to otherwise dis-
12 continue, reduce the frequency of, suspend, or substan-
13 tially alter the route of rail service on any portion of such
14 route operated in fiscal year 2018, including implementa-
15 tion of service permitted by section 24305(a)(3)(A) of title
16 49, United States Code, in lieu of rail service.

17 ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD

18 ADMINISTRATION

19 (INCLUDING RESCISSIONS)

20 SEC. 150. None of the funds made available to the
21 National Railroad Passenger Corporation may be used to
22 fund any overtime costs in excess of \$35,000 for any indi-
23 vidual employee: *Provided*, That the President of Amtrak
24 may waive the cap set in the preceding proviso for specific
25 employees when the President of Amtrak determines such

1 a cap poses a risk to the safety and operational efficiency
2 of the system: *Provided further*, That the President of Am-
3 trak shall report to the House and Senate Committees on
4 Appropriations no later than 60 days after the date of en-
5 actment of this Act, a summary of all overtime payments
6 incurred by Amtrak for 2020 and the 3 prior calendar
7 years: *Provided further*, That such summary shall include
8 the total number of employees that received waivers and
9 the total overtime payments Amtrak paid to employees re-
10 ceiving waivers for each month for 2020 and for the 3
11 prior calendar years.

12 SEC. 151. None of the funds made available to the
13 National Railroad Passenger Corporation under the head-
14 ings “Northeast Corridor Grants to the National Railroad
15 Passenger Corporation” and “National Network Grants to
16 the National Railroad Passenger Corporation” may be
17 used to reduce the total number of Amtrak Police Depart-
18 ment uniformed officers patrolling on board passenger
19 trains or at stations, facilities or rights-of-way below the
20 staffing level on May 1, 2019.

21 SEC. 152. None of the funds made available by this
22 Act may be used by the National Railroad Passenger Cor-
23 poration in contravention of the Worker Adjustment and
24 Retraining Notification Act (29 U.S.C. 2101 et seq.).

1 SEC. 153. The matter under the heading “Depart-
2 ment of Transportation—Federal Railroad Administra-
3 tion—Consolidated Rail Infrastructure and Safety Im-
4 provements”—

5 (a) in division G of the Consolidated Appropriations
6 Act, 2019 (Public Law 116–6) is amended by striking “4
7 years” and inserting “6 years” in the fourth proviso; and

8 (b) in division H of the Further Consolidated Appro-
9 priations Act, 2020 (Public Law 116–94) is amended by
10 striking “4 years” and inserting “6 years” in the fourth
11 proviso.

12 SEC. 154. Of the unobligated balances of funds re-
13 maining from—

14 (a) “Capital and Debt Service Grants to the National
15 Railroad Passenger Corporation” accounts totaling
16 \$10,414,449.82 appropriated by the following public laws
17 are hereby permanently rescinded:

18 (1) Public Law 112-10 a total of \$289,234.48,

19 (2) Public Law 112-55 a total of
20 \$4,760,000.00,

21 (3) Public Law 113-76 a total of \$792,502.52,

22 (4) Public Law 113-235 a total of
23 \$1,698,806.61, and

24 (5) Public Law 114-113 a total of
25 \$2,873,906.21;

1 (b) “Railroad Safety Technology Program” account
2 totaling \$613,252.29 appropriated by Public Law 111–
3 117 is hereby permanently rescinded;

4 (c) “Capital Assistance to States - Intercity Pas-
5 senger Rail Service” account totaling \$9,867,630.69 ap-
6 propriated by Public Law 111–8 is hereby permanently
7 rescinded;

8 (d) “Rail Line Relocation and Improvement Pro-
9 gram” accounts totaling \$12,650,365.14 appropriated by
10 the following public laws are hereby permanently re-
11 scinded:

12 (1) Public Law 110-161 a total of \$923,214.63,

13 (2) Public Law 111-8 a total of \$5,558,233.95,

14 (3) Public Law 111-117 a total of
15 \$3,763,767.95, and

16 (4) Public Law 112-10 a total of
17 \$2,405,148.61; and;

18 (e) “Next Generation High-Speed Rail” accounts to-
19 taling \$3,019,483.21 appropriated by the following public
20 laws are hereby permanently rescinded:

21 (1) Public Law 104-50 a total of \$610,807.00,

22 (2) Public Law 104-205 a total of \$5,963.71,

23 (3) Public Law 105-66 a total of
24 \$1,218,742.47,

25 (4) Public Law 105-277 a total of \$17,097.00,

1 (5) Public Law 106-69 a total of
2 \$1,005,969.00,

3 (6) Public Law 108-7 a total of \$43,951.57,

4 (7) Public Law 108-199 a total of \$24,263.48,

5 and

6 (8) Public Law 108-447 a total of \$92,688.98.

7 FEDERAL TRANSIT ADMINISTRATION

8 ADMINISTRATIVE EXPENSES

9 For necessary administrative expenses of the Federal
10 Transit Administration's programs authorized by chapter
11 53 of title 49, United States Code, \$121,052,000, of which
12 \$15,000,000 shall remain available until September 30,
13 2022, and up to \$1,000,000 shall be available to carry
14 out the provisions of section 5326 of such title: *Provided*,
15 That upon submission to the Congress of the fiscal year
16 2022 President's budget, the Secretary of Transportation
17 shall transmit to Congress the annual report on Capital
18 Investment Grants, including proposed allocations for fis-
19 cal year 2022.

20 TRANSIT FORMULA GRANTS

21 (LIQUIDATION OF CONTRACT AUTHORIZATION)

22 (LIMITATION ON OBLIGATIONS)

23 (HIGHWAY TRUST FUND)

24 For payment of obligations incurred in the Federal
25 Public Transportation Assistance Program in this ac-

1 count, and for payment of obligations incurred in carrying
2 out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311,
3 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339, and
4 5340, as amended by the Fixing America's Surface Trans-
5 portation Act, section 20005(b) of Public Law 112-141,
6 and section 3006(b) of the Fixing America's Surface
7 Transportation Act, or any successor surface transpor-
8 tation reauthorization Act authorizing appropriations for
9 fiscal year 2021, \$16,595,000,000, to be derived from the
10 Mass Transit Account of the Highway Trust Fund and
11 to remain available until expended: *Provided*, That funds
12 available for the implementation or execution of programs
13 authorized under 49 U.S.C. 5305, 5307, 5310, 5311,
14 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339, and
15 5340, as amended by the Fixing America's Surface Trans-
16 portation Act, section 20005(b) of Public Law 112-141,
17 and section 3006(b) of the Fixing America's Surface
18 Transportation Act, or any successor surface transpor-
19 tation reauthorization Act authorizing appropriations for
20 fiscal year 2021, shall not exceed total obligations of
21 \$15,945,200,000 in fiscal year 2021: *Provided further*,
22 That the Federal share of the cost of activities carried
23 out under 49 U.S.C. section 5312 shall not exceed 80 per-
24 cent, except that if there is substantial public interest or
25 benefit, the Secretary may approve a greater Federal

1 share: *Provided further*, That until September 30, 2021,
2 for amounts subject to the obligation limitation under this
3 heading during fiscal year 2021, the Federal share of costs
4 for any grant made for activities undertaken pursuant to
5 chapter 53 of title 49, United States Code, shall be, at
6 the option of the recipient, up to 100 percent but solely
7 for funds that have not been obligated to a grant prior
8 to September 30, 2020: *Provided further*, That the pre-
9 ceding proviso shall not apply to grants made pursuant
10 to a competitive application process in fiscal year 2021
11 or any prior fiscal year: *Provided further*, That not includ-
12 ing any amounts provided under the heading “Transit In-
13 frastructure Grants” in title XII of division B of the
14 CARES Act (Public Law 116–136), an urbanized area or
15 State may obligate not more than 50 percent of its unobli-
16 gated balances authorized under sections 5305, 5307,
17 5310, 5311, 5329(e)(6), 5335, 5337, 5339, and 5340 of
18 title 49, United States Code, as of September 30, 2020,
19 under this proviso.

20 TRANSIT INFRASTRUCTURE GRANTS

21 For an additional amount for buses and bus facilities
22 grants under section 5339 of title 49, United States Code,
23 low or no emission grants under section 5339(c) of such
24 title, the passenger ferry grant program as authorized
25 under section 5307(h) of such title, and the demonstration

1 and deployment of innovative mobility solutions as author-
2 ized under section 5312 of such title, \$510,000,000, to
3 remain available until expended: *Provided*, That of the
4 amounts made available under this heading—

5 (1) \$374,000,000 shall be available for the
6 buses and bus facilities competitive grants as au-
7 thorized under section 5339(b) of title 49, United
8 States Code: *Provided*, That activities that increase
9 green space surrounding a bus transportation hub
10 structure are eligible for a grant under this para-
11 graph: *Provided further*, That the minimum grant
12 award shall be not less than \$1,000,000;

13 (2) \$125,000,000 shall be available for the low
14 or no emission grants as authorized under section
15 5339(c) of title 49, United States Code: *Provided*,
16 That the minimum grant award shall be not less
17 than \$1,250,000;

18 (3) \$10,000,000 shall be available for the pas-
19 senger ferry grant program as authorized under sec-
20 tion 5307(h) of title 49, United States Code: *Pro-*
21 *vided*, That the funds provided under this heading
22 shall only be available for low or zero-emission fer-
23 ries or ferries using electric battery or fuel cell com-
24 ponents and the infrastructure to support such fer-
25 ries; and

1 (4) \$1,000,000 shall be shall be available for
2 the demonstration and deployment of innovative mo-
3 bility solutions as authorized under section 5312 of
4 title 49, United States Code: *Provided*, that such
5 amounts shall be available for competitive grants or
6 cooperative agreements for the development of soft-
7 ware to facilitate the provision of demand-response
8 public transportation service that dispatches public
9 transportation fleet vehicles through riders mobile
10 devices or other advanced means: *Provided further*,
11 That the Secretary shall evaluate the potential for
12 software developed with grants or cooperative agree-
13 ments to be shared for use by public transportation
14 agencies:

15 *Provided further*, That the Federal share of the costs for
16 which any grant is made under this heading shall be, at
17 the option of the recipient, up to 100 percent: *Provided*
18 *further*, That amounts made available under this heading
19 shall be derived from the general fund and shall not be
20 subject to any limitation on obligation for transit pro-
21 grams set forth in any Act.

22 TECHNICAL ASSISTANCE AND TRAINING

23 For necessary expenses to carry out section 5314 of
24 title 49, United States Code, \$7,000,000, to remain avail-
25 able until September 30, 2022: *Provided*, That the assist-

1 ance provided under this heading does not duplicate the
2 activities of section 5311(b) or section 5312 of title 49,
3 United States Code.

4 CAPITAL INVESTMENT GRANTS

5 For necessary expenses to carry out fixed guideway
6 capital investment grants under section 5309 of title 49,
7 United States Code, and section 3005(b) of the Fixing
8 America's Surface Transportation Act (49 U.S.C. 5309
9 note), \$2,175,000,000, to remain available until Sep-
10 tember 30, 2024: *Provided*, That of the amounts made
11 available under this heading, \$1,848,000,000 shall be allo-
12 cated by December 31, 2022: *Provided further*, That of
13 the amounts made available under this heading,
14 \$1,250,000,000 shall be available for projects authorized
15 under section 5309(d) of title 49, United States Code,
16 \$525,000,000 shall be available for projects authorized
17 under section 5309(e) of title 49, United States Code,
18 \$300,000,000 shall be available for projects authorized
19 under section 5309(h) of title 49, United States Code, and
20 \$100,000,000 shall be available for projects authorized
21 under section 3005(b) of the Fixing America's Surface
22 Transportation Act (49 U.S.C. 5309 note): *Provided fur-*
23 *ther*, That funds made available under this heading in this
24 or any other Act may be available for amendments to cur-
25 rent full-funding grant agreements that require additional

1 Federal funding as a result of coronavirus: *Provided fur-*
2 *ther*, That the Secretary shall continue to administer the
3 capital investment grants program in accordance with the
4 procedural and substantive requirements of section 5309
5 of title 49, United States Code, of section 3005(b) of the
6 Fixing America's Surface Transportation Act (49 U.S.C.
7 5309 note), and of section 5309(i) of title 49, United
8 States Code: *Provided further*, That projects that receive
9 a grant agreement under the Expedited Project Delivery
10 for Capital Investment Grants Pilot Program under sec-
11 tion 3005(b) of the Fixing America's Surface Transpor-
12 tation Act (49 U.S.C. 5309 note) shall be deemed eligible
13 for funding provided for projects under section 5309 of
14 title 49, United States Code, without further evaluation
15 or rating under such section: *Provided further*, That such
16 funding shall not exceed the Federal share under section
17 3005(b).

18 GRANTS TO THE WASHINGTON METROPOLITAN AREA

19 TRANSIT AUTHORITY

20 For grants to the Washington Metropolitan Area
21 Transit Authority as authorized under section 601 of divi-
22 sion B of the Passenger Rail Investment and Improvement
23 Act of 2008 (Public Law 110-432), \$150,000,000, to re-
24 main available until expended: *Provided*, That the Sec-
25 retary of Transportation shall approve grants for capital

1 and preventive maintenance expenditures for the Wash-
2 ington Metropolitan Area Transit Authority only after re-
3 ceiving and reviewing a request for each specific project:
4 *Provided further*, That the Secretary shall determine that
5 the Washington Metropolitan Area Transit Authority has
6 placed the highest priority on those investments that will
7 improve the safety of the system before approving such
8 grants: *Provided further*, That the Secretary, in order to
9 ensure safety throughout the rail system, may waive the
10 requirements of section 601(e)(1) of division B of the Pas-
11 senger Rail Investment and Improvement Act of 2008
12 (Public Law 110–432).

13 ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT

14 ADMINISTRATION

15 (INCLUDING RESCISSIONS)

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

21 SEC. 161. Notwithstanding any other provision of
22 law, funds appropriated or limited by this Act under the
23 heading “Capital Investment Grants” of the Federal
24 Transit Administration for projects specified in this Act
25 or identified in reports accompanying this Act not obli-

1 gated by September 30, 2024, and other recoveries, shall
2 be directed to projects eligible to use the funds for the
3 purposes for which they were originally provided.

4 SEC. 162. Notwithstanding any other provision of
5 law, any funds appropriated before October 1, 2019, for
6 any section of chapter 53 of title 49, United States Code,
7 that remain available for expenditure, may be transferred
8 to and administered under the most recent appropriation
9 heading for any such section.

10 SEC. 163. None of the funds made available by this
11 Act or any other Act shall be used to adjust apporportion-
12 ments or withhold funds from apportionments pursuant
13 to section 9503(e)(4) of the Internal Revenue Code of
14 1986 (26 U.S.C. 9503(e)(4)).

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

24 SEC. 165. None of the funds made available by this
25 Act or any other Act shall be used to impede or hinder

1 project advancement or approval for any project seeking
2 a Federal contribution from the capital investment grant
3 program of greater than 40 percent of project costs as
4 authorized under section 5309 of title 49, United States
5 Code.

6 SEC. 166. None of the funds made available by this
7 Act may be used for the implementation or furtherance
8 of new policies detailed in the “Dear Colleague” letter dis-
9 tributed by the Federal Transit Administration to capital
10 investment grant program project sponsors on June 29,
11 2018.

12 SEC. 167. None of the funds made available in this
13 Act may be used by the Department of Transportation
14 to implement any policy that requires a capital investment
15 grant project to receive a medium or higher project rating
16 before taking actions to finalize an environmental impact
17 statement.

18 SEC. 168. Of the unobligated amounts made available
19 for prior fiscal years to Formula Grants in Treasury Ac-
20 count 69-X-1129, a total of \$1,606,849 are hereby perma-
21 nently rescinded: *Provided*, That no amounts may be re-
22 scinded from amounts that were designated by the Con-
23 gress as an emergency or disaster relief requirement pur-
24 suant to a concurrent resolution on the budget or the Bal-
25 anced Budget and Emergency Deficit Control Act of 1985.

1 SEC. 169. Of the unobligated amounts made available
2 for the Job Access and Reverse Commute program, as au-
3 thorized by Public Law 105–178, as amended, a total of
4 \$320,230 are hereby permanently rescinded.

5 SEC. 169A. Of the unobligated amounts made avail-
6 able for Research, Training, and Human Resources, as
7 authorized by Public Law 95–599, as amended, a total
8 of \$31,634 are hereby permanently rescinded.

9 SAINT LAWRENCE SEAWAY DEVELOPMENT
10 CORPORATION

11 The Saint Lawrence Seaway Development Corpora-
12 tion is hereby authorized to make such expenditures, with-
13 in the limits of funds and borrowing authority available
14 to the Corporation, and in accord with law, and to make
15 such contracts and commitments without regard to fiscal
16 year limitations, as provided by section 9104 of title 31,
17 United States Code, as may be necessary in carrying out
18 the programs set forth in the Corporation’s budget for the
19 current fiscal year.

20 OPERATIONS AND MAINTENANCE
21 (HARBOR MAINTENANCE TRUST FUND)

22 For necessary expenses to conduct the operations,
23 maintenance, and capital infrastructure activities on por-
24 tions of the Saint Lawrence Seaway owned, operated, and
25 maintained by the Saint Lawrence Seaway Development

1 Corporation, \$40,000,000, to be derived from the Harbor
2 Maintenance Trust Fund, pursuant to section 210 of the
3 Water Resources Development Act of 1986 (33 U.S.C.
4 2238): *Provided*, That of the amounts made available
5 under this heading, not less than \$15,800,000 shall be for
6 the seaway infrastructure program.

7 MARITIME ADMINISTRATION

8 MARITIME SECURITY PROGRAM

9 For necessary expenses to maintain and preserve a
10 U.S.-flag merchant fleet as authorized under chapter 531
11 of title 46, United States Code, to serve the national secu-
12 rity needs of the United States, \$314,007,780, to remain
13 available until expended.

14 CABLE SECURITY FLEET PROGRAM

15 For necessary expenses to establish and maintain a
16 fleet of United States-documented cable vessels as author-
17 ized under chapter 532 of title 46, United States Code,
18 to meet the national security requirements of the United
19 States, \$10,000,000, to remain available until expended.

20 OPERATIONS AND TRAINING

21 (INCLUDING TRANSFER OF FUNDS)

22 For necessary expenses of operations and training ac-
23 tivities authorized by law, \$161,417,000: *Provided*, That
24 of the amounts made available under this heading—

1 (1) \$82,289,000, to remain available until Sep-
2 tember 30, 2022, shall be for the operations of the
3 United States Merchant Marine Academy;

4 (2) \$5,500,000, to remain available until ex-
5 pended, shall be for facilities maintenance and re-
6 pair, and equipment, at the United States Merchant
7 Marine Academy;

8 (3) \$3,000,000, to remain available until Sep-
9 tember 30, 2022, shall be for the Maritime Environ-
10 mental and Technical Assistance program authorized
11 under section 50307 of title 46, United States Code;
12 and

13 (4) \$14,775,000, to remain available until ex-
14 pended, shall be for the Short Sea Transportation
15 Program (America's Marine Highways) to make
16 grants for the purposes authorized under paragraphs
17 (1) and (3) of section 55601(b) of title 46, United
18 States Code:

19 *Provided further*, That not later than 120 days after the
20 date of enactment of this Act, the Administrator of the
21 Maritime Administration shall transmit to the House and
22 Senate Committees on Appropriations the annual report
23 on sexual assault and sexual harassment at the United
24 States Merchant Marine Academy as required pursuant
25 to section 3507 of the Duncan Hunter National Defense

1 Authorization Act for Fiscal Year 2009 (46 U.S.C. 51301
2 note): *Provided further*, That available balances under this
3 heading for the Short Sea Transportation Program
4 (America’s Marine Highways) from prior year recoveries
5 shall be available to carry out activities authorized under
6 paragraphs (1) and (3) of section 55601(b) of title 46,
7 United States Code: *Provided further*, That for amounts
8 made available under paragraphs (3) and (4) of the first
9 proviso, the Secretary of Transportation shall make grants
10 not later than 180 days after the date of enactment of
11 this Act in such amounts as the Secretary determines:
12 *Provided further*, That any unobligated balances and obli-
13 gated balances not yet expended from previous appropria-
14 tions under this heading for programs and activities sup-
15 porting State Maritime Academies shall be transferred to
16 and merged with the appropriations for “Maritime Admin-
17 istration—State Maritime Academy Operations” and shall
18 be made available for the same purposes as the appropria-
19 tions for “Maritime Administration—State Maritime
20 Academy Operations”.

21 STATE MARITIME ACADEMY OPERATIONS

22 For necessary expenses of operations, support, and
23 training activities for State Maritime Academies,
24 \$431,700,000: *Provided*, That of the amounts made avail-
25 able under this heading—

1 (1) \$30,500,000, to remain available until ex-
2 pended, shall be for maintenance, repair, life exten-
3 sion, marine insurance, and capacity improvement of
4 National Defense Reserve Fleet training ships in
5 support of State Maritime Academies, of which
6 \$8,000,000, to remain available until expended, shall
7 be for expenses related to training mariners for costs
8 associated with training vessel sharing pursuant to
9 section 51504(g)(3) of title 46, United States Code,
10 for costs associated with mobilizing, operating, and
11 demobilizing the vessel, including travel costs for
12 students, faculty, and crew, the costs of the general
13 agent, crew costs, fuel, insurance, operational fees,
14 and vessel hire costs, as determined by the Sec-
15 retary;

16 (2) \$389,000,000, to remain available until ex-
17 pended, shall be for the National Security Multi-Mis-
18 sion Vessel Program, including funds for construc-
19 tion, planning, administration, and design of school
20 ships;

21 (3) \$2,400,000, to remain available until Sep-
22 tember 30, 2022, shall be for the Student Incentive
23 Program;

1 (4) \$3,800,000, to remain available until ex-
2 pended, shall be for training ship fuel assistance;
3 and

4 (5) \$6,000,000, to remain available until Sep-
5 tember 30, 2022, shall be for direct payments for
6 State Maritime Academies.

7 ASSISTANCE TO SMALL SHIPYARDS

8 To make grants to qualified shipyards as authorized
9 under section 54101 of title 46, United States Code,
10 \$20,000,000, to remain available until expended.

11 SHIP DISPOSAL

12 For necessary expenses related to the disposal of ob-
13 solete vessels in the National Defense Reserve Fleet of the
14 Maritime Administration, \$5,000,000, to remain available
15 until expended.

16 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

17 ACCOUNT

18 (INCLUDING TRANSFER OF FUNDS)

19 For administrative expenses to carry out the guaran-
20 teed loan program, \$3,000,000, which shall be transferred
21 to and merged with the appropriations for “Maritime Ad-
22 ministration—Operations and Training”.

23 PORT INFRASTRUCTURE DEVELOPMENT PROGRAM

24 To make grants to improve port facilities as author-
25 ized under section 50302(c) of title 46, United States

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

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

4 *Provided further*, That project awards eligible under this
5 heading shall be only for—

6 (1) port gate improvements;

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

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

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

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

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

25 (7) a combination of activities described above:

1 *Provided further*, That the Federal share of the costs for
2 which an amount is provided under this heading shall be
3 up to 80 percent: *Provided further*, That section
4 50302(c)(6)(B)(i) of title 46, United States Code, shall
5 not apply to amounts made available under this heading:
6 *Provided further*, That for grants awarded under this
7 heading, the minimum grant size shall be \$1,000,000:
8 *Provided further*, That for grant awards less than
9 \$10,000,000, the Secretary shall prioritize ports that han-
10 dled less than 10,000,000 short tons in 2017, as identified
11 by the Corps of Engineers: *Provided further*, That for
12 grant awards less than \$10,000,000, the Secretary may
13 increase the Federal share of costs above 80 percent: *Pro-*
14 *vided further*, That the proceeds of Federal credit assist-
15 ance under chapter 6 of title 23, United States Code, or
16 sections 501 through 504 of the Railroad and Revitaliza-
17 tion and Regulatory Reform Act of 1976 (Public Law 94-
18 210) shall be considered to be part of the non-Federal
19 share of project costs if the loan is repayable from non-
20 Federal funds, unless otherwise requested by the project
21 sponsor: *Provided further*, That not to exceed 2 percent
22 of the amounts made available under this heading shall
23 be available for necessary costs of grant administration.

1 ADMINISTRATIVE PROVISIONS—MARITIME

2 ADMINISTRATION

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

16 SEC. 171. For fiscal year 2021, in addition to pay-
17 ments made pursuant to 53106 of title 46, United States
18 Code, the Secretary shall pay to the contractor for an op-
19 erating agreement entered into pursuant to chapter 531
20 of title 46, United States Code, for each vessel that is cov-
21 ered by such operating agreement as of the date of enact-
22 ment of this Act, an amount equal to \$500,000: *Provided*,
23 That payments authorized by this section shall be paid
24 not later than 60 days after the date of enactment of this
25 Act: *Provided further*, That any unobligated balances re-

1 maining from the amounts made available for payments
2 under the heading “Maritime Administration—Maritime
3 Security Program” in any prior Act may be used for such
4 payments.

5 PIPELINE AND HAZARDOUS MATERIALS SAFETY

6 ADMINISTRATION

7 OPERATIONAL EXPENSES

8 For necessary operational expenses of the Pipeline
9 and Hazardous Materials Safety Administration,
10 \$25,715,000, of which \$1,500,000 shall remain available
11 until September 30, 2023.

12 HAZARDOUS MATERIALS SAFETY

13 For expenses necessary to discharge the hazardous
14 materials safety functions of the Pipeline and Hazardous
15 Materials Safety Administration, \$62,000,000, to remain
16 available until September 30, 2023: *Provided*, That up to
17 \$800,000 in fees collected under section 5108(g) of title
18 49, United States Code, shall be deposited in the general
19 fund of the Treasury as offsetting receipts: *Provided fur-*
20 *ther*, That there may be credited to this appropriation, to
21 be available until expended, funds received from States,
22 counties, municipalities, other public authorities, and pri-
23 vate sources for expenses incurred for training, for reports
24 publication and dissemination, and for travel expenses in-

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

3 PIPELINE SAFETY
4 (PIPELINE SAFETY FUND)
5 (OIL SPILL LIABILITY TRUST FUND)

6 For expenses necessary to carry out a pipeline safety
7 program, as authorized by section 60107 of title 49,
8 United States Code, and to discharge the pipeline program
9 responsibilities of the Oil Pollution Act of 1990 (Public
10 Law 101–380), \$173,000,000, to remain available until
11 September 30, 2023, of which \$23,000,000 shall be de-
12 rived from the Oil Spill Liability Trust Fund; of which
13 \$140,000,000 shall be derived from the Pipeline Safety
14 Fund; and of which \$10,000,000 shall be derived from
15 fees collected under section 60302 of title 49, United
16 States Code, and deposited in the Underground Natural
17 Gas Storage Facility Safety Account for the purpose of
18 carrying out section 60141 of title 49, United States Code:
19 *Provided*, That not less than \$1,058,000 of the amounts
20 made available under this heading shall be for the One-
21 Call State grant program.

1 EMERGENCY PREPAREDNESS GRANTS

2 (LIMITATION ON OBLIGATIONS)

3 (EMERGENCY PREPAREDNESS FUND)

4 For expenses necessary to carry out the Emergency
5 Preparedness Grants program, not more than
6 \$28,318,000 shall remain available until September 30,
7 2023, from amounts made available by section 5116(h)
8 and subsections (b) and (c) of section 5128 of title 49,
9 United States Code: *Provided*, That notwithstanding sec-
10 tion 5116(h)(4) of title 49, United States Code, not more
11 than 4 percent of the amounts made available from this
12 account shall be available to pay administrative costs: *Pro-*
13 *vided further*, That notwithstanding subsections (b) and
14 (c) of section 5128 of title 49, United States Code, and
15 the limitation on obligations provided under this heading,
16 prior year recoveries recognized in the current year shall
17 be available to develop and deliver hazardous materials
18 emergency response training for emergency responders, in-
19 cluding response activities for the transportation of crude
20 oil, ethanol, flammable liquids, and other hazardous com-
21 modities by rail, consistent with National Fire Protection
22 Association standards, and to make such training avail-
23 able through an electronic format: *Provided further*, That
24 the prior year recoveries made available under this head-
25 ing shall also be available to carry out sections

1 5116(a)(1)(C), 5116(h), 5116(i), and 5107(e) of title 49,
2 United States Code.

3 OFFICE OF INSPECTOR GENERAL

4 SALARIES AND EXPENSES

5 For necessary expenses of the Office of the Inspector
6 General to carry out the provisions of the Inspector Gen-
7 eral Act of 1978, as amended, \$98,150,000: *Provided*,
8 That the Inspector General shall have all necessary au-
9 thority, in carrying out the duties specified in the Inspec-
10 tor General Act, as amended (5 U.S.C. App. 3), to inves-
11 tigate allegations of fraud, including false statements to
12 the government (18 U.S.C. 1001), by any person or entity
13 that is subject to regulation by the Department of Trans-
14 portation.

15 GENERAL PROVISIONS—DEPARTMENT OF

16 TRANSPORTATION

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

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

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

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

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

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

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

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

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

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

1 to make a loan, loan guarantee, line of credit, cooperative
2 agreement, or discretionary grant unless the Secretary of
3 Transportation notifies the House and Senate Committees
4 on Appropriations not less than 3 full business days before
5 any project competitively selected to receive any discre-
6 tionary grant award, letter of intent, loan commitment,
7 loan guarantee commitment, line of credit commitment,
8 cooperative agreement, or full funding grant agreement is
9 announced by the Department or its operating administra-
10 tions: *Provided*, That the Secretary gives concurrent noti-
11 fication to the House and Senate Committees on Appro-
12 priations for any “quick release” of funds from the emer-
13 gency relief program: *Provided further*, That no notifica-
14 tion shall involve funds that are not available for obliga-
15 tion.

16 (b) In addition to the notification required in sub-
17 section (a), none of the funds made available by this Act
18 to the Department of Transportation may be used to make
19 a loan, loan guarantee, line of credit, cooperative agree-
20 ment, or discretionary grant unless the Secretary of
21 Transportation provides the House and Senate Commit-
22 tees on Appropriations a comprehensive list of all such
23 loans, loan guarantees, lines of credit, cooperative agree-
24 ments, or discretionary grants that will be announced not
25 less the 3 full business days before such announcement:

1 *Provided*, That the Department of Transportation shall
2 provide the list required in this subsection prior to the no-
3 tification required in subsection (a): *Provided further*,
4 That the requirement to provide a list in this subsection
5 does not apply to any “quick release” of funds from the
6 emergency relief program: *Provided further*, That no list
7 shall involve funds that are not available for obligation.

8 SEC. 186. Rebates, refunds, incentive payments,
9 minor fees, and other funds received by the Department
10 of Transportation from travel management centers,
11 charge card programs, the subleasing of building space,
12 and miscellaneous sources are to be credited to appropria-
13 tions of the Department of Transportation and allocated
14 to elements of the Department of Transportation using
15 fair and equitable criteria and such funds shall be avail-
16 able until expended.

17 SEC. 187. Amounts made available by this Act or any
18 prior Act that the Secretary determines represent im-
19 proper payments by the Department of Transportation to
20 a third-party contractor under a financial assistance
21 award, which are recovered pursuant to law, shall be avail-
22 able—

23 (1) to reimburse the actual expenses incurred
24 by the Department of Transportation in recovering
25 improper payments: *Provided*, That amounts made

1 available by this Act shall be available until ex-
2 pended; and

3 (2) to pay contractors for services provided in
4 recovering improper payments or contractor support
5 in the implementation of the Improper Payments In-
6 formation Act of 2002 (Public Law 107–300), as
7 amended by the Improper Payments Elimination
8 and Recovery Act of 2010 (Public Law 111–204)
9 and Improper Payments Elimination and Recovery
10 Improvement Act of 2012 (Public Law 112–248),
11 and Fraud Reduction and Data Analytics Act of
12 2015 (Public Law 114–186): *Provided*, That
13 amounts in excess of that required for paragraphs
14 (1) and (2)—

15 (A) shall be credited to and merged with
16 the appropriation from which the improper pay-
17 ments were made, and shall be available for the
18 purposes and period for which such appropria-
19 tions are available: *Provided further*, That
20 where specific project or accounting information
21 associated with the improper payment or pay-
22 ments is not readily available, the Secretary
23 may credit an appropriate account, which shall
24 be available for the purposes and period associ-
25 ated with the account so credited; or

1 (B) if no such appropriation remains avail-
2 able, shall be deposited in the Treasury as mis-
3 cellaneous receipts: *Provided further*, That prior
4 to depositing such recovery in the Treasury, the
5 Secretary shall notify the House and Senate
6 Committees on Appropriations of the amount
7 and reasons for such transfer: *Provided further*,
8 That for purposes of this section, the term “im-
9 proper payments” has the same meaning as
10 that provided in section 2(e)(2) of the Improper
11 Payments Elimination and Recovery Act of
12 2010 (Public Law 111–204).

13 SEC. 188. Notwithstanding any other provision of
14 law, if any funds provided by or limited by this Act are
15 subject to a reprogramming action that requires notice to
16 be provided to the House and Senate Committees on Ap-
17 propriations, transmission of such reprogramming notice
18 shall be provided solely to the House and Senate Commit-
19 tees on Appropriations, and such reprogramming action
20 shall be approved or denied solely by the House and Sen-
21 ate Committees on Appropriations: *Provided*, That the
22 Secretary of Transportation may provide notice to other
23 congressional committees of the action of the House and
24 Senate Committees on Appropriations on such reprogram-
25 ming but not sooner than 30 days after the date on which

1 the reprogramming action has been approved or denied by
2 the House and Senate Committees on Appropriations.

3 SEC. 189. Funds appropriated by this Act to the op-
4 erating administrations may be obligated for the Office of
5 the Secretary for the costs related to assessments or reim-
6 bursable agreements only when such amounts are for the
7 costs of goods and services that are purchased to provide
8 a direct benefit to the applicable operating administration
9 or administrations.

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

16 SEC. 191. The Department of Transportation may
17 use funds provided by this Act, or any other Act, to assist
18 a contract under title 49 or title 23 of the United States
19 Code utilizing geographic, economic, or any other hiring
20 preference not otherwise authorized by law, or to amend
21 a rule, regulation, policy or other measure that forbids a
22 recipient of a Federal Highway Administration or Federal
23 Transit Administration grant from imposing such hiring
24 preference on a contract or construction project with

1 which the Department of Transportation is assisting, only
2 if the grant recipient certifies the following:

3 (1) that except with respect to apprentices or
4 trainees, a pool of readily available but unemployed
5 individuals possessing the knowledge, skill, and abil-
6 ity to perform the work that the contract requires
7 resides in the jurisdiction;

8 (2) that the grant recipient will include appro-
9 priate provisions in its bid document ensuring that
10 the contractor does not displace any of its existing
11 employees in order to satisfy such hiring preference;
12 and

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

19 SEC. 192. The Secretary of Transportation shall co-
20 ordinate with the Secretary of Homeland Security to en-
21 sure that best practices for Industrial Control Systems
22 Procurement are up-to-date and shall ensure that systems
23 procured with funds provided under this title were pro-
24 cured using such practices.

1 SEC. 193. Notwithstanding the Department of Trans-
2 portation Appropriations Act, 2010 (Public Law 111-
3 117), de-obligated funds associated with Cooperative
4 Agreement No. FR-HSR-0118-12-01-01 may not be made
5 available for any purpose, including award, transfer, or ob-
6 ligation to any other program or recipient, until the final
7 determination of any litigation concerning such funds.

8 SEC. 194. None of the funds made available by this
9 Act shall be available to consolidate governmental affairs
10 activities across the Department of Transportation in the
11 Office of Governmental Affairs in the Office of the Sec-
12 retary or public affairs activities across the Department
13 of Transportation in the Office of Public Affairs in the
14 Office of the Secretary: *Provided*, That the operating ad-
15 ministrations of the Department of Transportation shall
16 not transfer personnel to the Office of Governmental Af-
17 fairs in the Office of the Secretary or the Office of Public
18 Affairs in the Office of the Secretary.

19 This title may be cited as the “Department of Trans-
20 portation Appropriations Act, 2021”.

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

6 For necessary salaries and expenses for Executive Of-
7 fices, which shall be comprised of the offices of the Sec-
8 retary, Deputy Secretary, Adjudicatory Services, Congres-
9 sional and Intergovernmental Relations, Public Affairs,
10 Small and Disadvantaged Business Utilization, and the
11 Center for Faith-Based and Neighborhood Partnerships,
12 \$15,000,000, to remain available until September 30,
13 2022: *Provided*, That not to exceed \$20,000 of the amount
14 made available under this heading shall be available to the
15 Secretary for official reception and representation ex-
16 penses as the Secretary of Housing and Urban Develop-
17 ment (in this title “the Secretary”) may determine: *Pro-*
18 *vided further*, That the Secretary shall issue the report re-
19 quired by House Report 114-129 not later than 30 days
20 after the date of enactment of this Act: *Provided further*,
21 that such report shall include (1) the Department’s strat-
22 egy for continuing to ensure that lesbian, gay, bisexual,
23 and transgender individuals have access to Department of
24 Housing and Urban Development (in this title the “De-
25 partment” or “HUD”) programs for which they are eligi-

1 ble, to be provided by the Office of Fair Housing and
2 Equal Opportunity; and (2) the plan for disseminating
3 this information to public housing agencies, to be provided
4 by the Office of Public and Indian Housing: *Provided fur-*
5 *ther*, That the amount made available under this heading
6 for the “Office of the Secretary” shall be reduced by
7 \$10,000 for each day after the date that is 30 days after
8 enactment of this Act that such report has not been sub-
9 mitted to the Congress.

10 ADMINISTRATIVE SUPPORT OFFICES

11 For necessary salaries and expenses for Administra-
12 tive Support Offices, \$600,000,000, to remain available
13 until September 30, 2022: *Provided*, That of the amounts
14 made available under this heading—

15 (1) not to exceed \$71,576,000 shall be available
16 for the Office of the Chief Financial Officer;

17 (2) not to exceed \$109,044,000 shall be avail-
18 able for the Office of the General Counsel, of which
19 not less than \$18,700,000 shall be for the Depart-
20 mental Enforcement Center;

21 (3) not to exceed \$286,258,000 shall be avail-
22 able for the Office of the Assistant Secretary for Ad-
23 ministration, of which not less than \$20,000,000
24 shall be for modernizing the Weaver Building and

1 space consolidation, to remain available until Sep-
2 tember 30, 2023;

3 (4) not to exceed \$65,200,000 shall be available
4 for the Office of Field Policy and Management;

5 (5) not to exceed \$4,535,000 shall be available
6 for the Office of Departmental Equal Employment
7 Opportunity; and

8 (6) not less than \$63,387,000 shall be available
9 for the Office of the Chief Information Officer:

10 *Provided further*, That funds made available under this
11 heading may be used for necessary administrative and
12 non-administrative expenses of the Department, not other-
13 wise provided for, including purchase of uniforms, or al-
14 lowances therefor, as authorized by sections 5901 and
15 5902 of title 5, United States Code; hire of passenger
16 motor vehicles; and services as authorized by section 3109
17 of title 5, United States Code: *Provided further*, That not-
18 withstanding any other provision of law, funds appro-
19 priated under this heading may be used for advertising
20 and promotional activities that directly support program
21 activities funded in this title: *Provided further*, That the
22 Secretary shall provide the House and Senate Committees
23 on Appropriations quarterly written notification regarding
24 the status of pending congressional reports: *Provided fur-*
25 *ther*, That the Secretary shall provide in electronic form

1 all signed reports required by Congress: *Provided further*,
2 That none of the funds made available under this heading
3 for the Office of the Chief Financial Officer for the finan-
4 cial transformation initiative shall be available for obliga-
5 tion until after the Secretary publishes the necessary ad-
6 ministrative requirements for amounts made available to
7 provide enhanced or improved electrical power systems
8 under the heading “Department of Housing and Urban
9 Development—Community Development Fund” in Public
10 Law 115–123: *Provided further*, That only after the terms
11 and conditions of the preceding proviso have been met,
12 not more than 10 percent of the funds made available
13 under this heading for the Office of the Chief Financial
14 Officer for the financial transformation initiative may be
15 obligated until the Secretary submits to the House and
16 Senate Committees on Appropriations, for approval, a
17 plan for expenditure that includes the financial and inter-
18 nal control capabilities to be delivered and the mission
19 benefits to be realized, key milestones to be met, and the
20 relationship between the proposed use of funds made avail-
21 able under this heading and the projected total cost and
22 scope of the initiative.

23

PROGRAM OFFICES

24

For necessary salaries and expenses for Program Of-
25 fices, \$909,595,000, to remain available until September

1 30, 2022: *Provided*, That of the amounts made available
2 under this heading—

3 (1) not to exceed \$245,000,000 shall be avail-
4 able for the Office of Public and Indian Housing;

5 (2) not to exceed \$138,290,000 shall be avail-
6 able for the Office of Community Planning and De-
7 velopment;

8 (3) not to exceed \$400,000,000 shall be avail-
9 able for the Office of Housing, of which not less
10 than \$12,300,000 shall be for the Office of Recapi-
11 talization;

12 (4) not to exceed \$35,443,000 shall be available
13 for the Office of Policy Development and Research;

14 (5) not less than \$81,000,000 shall be available
15 for the Office of Fair Housing and Equal Oppor-
16 tunity; and

17 (6) not less than \$9,862,000 shall be available
18 for the Office of Lead Hazard Control and Healthy
19 Homes.

20 WORKING CAPITAL FUND

21 (INCLUDING TRANSFER OF FUNDS)

22 For the working capital fund for the Department
23 (“the Fund”), pursuant, in part, to section 7(f) of the De-
24 partment of Housing and Urban Development Act (42
25 U.S.C. 3535(f)), amounts transferred to the Fund under

1 this heading, including reimbursements pursuant to sec-
2 tion 7(f), shall be available only for Federal shared serv-
3 ices used by offices and agencies of the Department, and
4 for any such portion of any office or agency's information
5 technology customer devices and support; talent manage-
6 ment; printing; records management; space renovation;
7 furniture; or supply services the Secretary has determined
8 shall be provided through the Fund, and for the oper-
9 ational expenses of the Fund: *Provided*, That amounts
10 from the Fund shall not be available to provide services
11 not specifically authorized under this heading: *Provided*
12 *further*, That upon a determination by the Secretary that
13 any other service (or portion thereof) authorized under
14 this heading shall be provided through the Fund, amounts
15 made available under this title for salaries and expenses
16 under the headings "Executive Offices", "Administrative
17 Support Offices", "Program Offices", and "Government
18 National Mortgage Association", for such services shall be
19 transferred to the Fund, to remain available until ex-
20 pended: *Provided further*, That the Secretary shall notify
21 the House and Senate Committees on Appropriations of
22 its plans for executing such transfers at least 15 days in
23 advance of such transfers: *Provided further*, That the Sec-
24 retary may transfer not to exceed an additional
25 \$10,000,000, in aggregate, from all such appropriations,

1 to be merged with the Fund and to remain available until
2 expended for any purpose under this heading.

3 PUBLIC AND INDIAN HOUSING

4 TENANT-BASED RENTAL ASSISTANCE

5 For activities and assistance for the provision of ten-
6 ant-based rental assistance authorized under the United
7 States Housing Act of 1937, as amended (42 U.S.C. 1437
8 et seq.) (in this title “the Act”), not otherwise provided
9 for, \$21,739,312,000, to remain available until expended,
10 which shall be available on October 1, 2020 (in addition
11 to the \$4,000,000,000 previously appropriated under this
12 heading that shall be available on October 1, 2020), and
13 \$4,000,000,000, to remain available until expended, which
14 shall be available on October 1, 2021: *Provided*, That the
15 amounts made available under this heading are provided
16 as follows:

17 (1) \$22,852,000,000 shall be for renewals of
18 expiring section 8 tenant-based annual contributions
19 contracts (including renewals of enhanced vouchers
20 under any provision of law authorizing such assist-
21 ance under section 8(t) of the Act and as authorized
22 under 613(b) of the Cranston-Gonzales National Af-
23 fordable Housing Act (12 U.S.C. 4125(b))) and in-
24 cluding renewal of other special purpose incremental
25 vouchers: *Provided*, That notwithstanding any other

1 provision of law, from amounts provided under this
2 paragraph and any carryover, the Secretary shall for
3 the calendar year 2021 funding cycle, provide re-
4 newal funding for each public housing agency based
5 on validated voucher management system (VMS)
6 leasing and cost data for the prior calendar year and
7 by applying an inflation factor as established by the
8 Secretary, by notice published in the Federal Reg-
9 ister, and by making any necessary adjustments for
10 the costs associated with the first-time renewal of
11 vouchers under this paragraph including tenant pro-
12 tection and Choice Neighborhoods vouchers: *Pro-*
13 *vided further*, That none of the funds provided under
14 this paragraph may be used to fund a total number
15 of unit months under lease that exceeds a public
16 housing agency's authorized level of units under con-
17 tract, except for public housing agencies partici-
18 pating in the Moving to Work (in this title "MTW")
19 demonstration, which shall instead be governed by
20 the terms and conditions of their MTW agreements:
21 *Provided further*, That the Secretary shall, to the ex-
22 tent necessary not to exceed the amount specified
23 under this paragraph (except as otherwise modified
24 under this paragraph), prorate each public housing
25 agency's allocation otherwise established pursuant to

1 this paragraph: *Provided further*, That except as
2 provided in the succeeding provisos, the entire
3 amount specified under this paragraph (except as
4 otherwise modified under this paragraph) shall be
5 obligated to the public housing agencies based on the
6 allocation and pro rata method described above, and
7 the Secretary shall notify public housing agencies of
8 their annual budgets by the latter of 60 days after
9 enactment of this Act or March 1, 2021: *Provided*
10 *further*, That the Secretary may extend the notifica-
11 tion period under the preceding proviso with the
12 prior written approval of the House and Senate
13 Committees on Appropriations: *Provided further*,
14 That public housing agencies participating in the
15 MTW demonstration shall be funded pursuant to
16 their MTW agreements and shall be subject to the
17 same pro rata adjustments under the preceding pro-
18 visos: *Provided further*, That the Secretary may off-
19 set public housing agencies' calendar year 2021 allo-
20 cations based on the excess amounts of public hous-
21 ing agencies' net restricted assets accounts, includ-
22 ing HUD-held programmatic reserves (in accordance
23 with VMS data in calendar year 2020 that is
24 verifiable and complete), as determined by the Sec-
25 retary: *Provided further*, That public housing agen-

1 cies participating in the MTW demonstration shall
2 also be subject to the offset, as determined by the
3 Secretary, excluding amounts subject to the single
4 fund budget authority provisions of their MTW
5 agreements, from the agencies' calendar year 2021
6 MTW funding allocation: *Provided further*, That the
7 Secretary shall use any offset referred to in the pre-
8 ceding two provisos throughout the calendar year to
9 prevent the termination of rental assistance for fam-
10 ilies as the result of insufficient funding, as deter-
11 mined by the Secretary, and to avoid or reduce the
12 proration of renewal funding allocations: *Provided*
13 *further*, That up to \$100,000,000 shall be available
14 only: (A) for adjustments in the allocations for pub-
15 lic housing agencies, after application for an adjust-
16 ment by a public housing agency that experienced a
17 significant increase, as determined by the Secretary,
18 in renewal costs of vouchers resulting from unfore-
19 seen circumstances or from portability under section
20 8(r) of the Act; (B) for vouchers that were not in
21 use during the previous 12-month period in order to
22 be available to meet a commitment pursuant to sec-
23 tion 8(o)(13) of the Act; (C) for adjustments for
24 costs associated with HUD-Veterans Affairs Sup-
25 portive Housing (HUD-VASH) vouchers under sec-

1 tion 8(o)(19) of the Act; (D) for public housing
2 agencies that despite taking reasonable cost savings
3 measures, as determined by the Secretary, would
4 otherwise be required to terminate rental assistance
5 for families as a result of insufficient funding; (E)
6 for adjustments in the allocations for public housing
7 agencies that (i) are leasing a lower-than-average
8 percentage of their authorized vouchers, (ii) have low
9 amounts of budget authority in their net restricted
10 assets accounts and HUD-held programmatic re-
11 serves, relative to other agencies, and (iii) are not
12 participating in the Moving to Work demonstration,
13 to enable such agencies to lease more vouchers; and
14 (F) for public housing agencies that have experi-
15 enced increased costs or loss of units in an area for
16 which the President declared a disaster under title
17 IV of the Robert T. Stafford Disaster Relief and
18 Emergency Assistance Act (42 U.S.C. 5170 et seq.):
19 *Provided further*, That the Secretary shall allocate
20 amounts under the preceding proviso based on need,
21 as determined by the Secretary;

22 (2) \$125,000,000 shall be for section 8 rental
23 assistance for relocation and replacement of housing
24 units that are demolished or disposed of pursuant to
25 section 18 of the Act, conversion of section 23

1 projects to assistance under section 8, the family
2 unification program under section 8(x) of the Act,
3 relocation of witnesses in connection with efforts to
4 combat crime in public and assisted housing pursu-
5 ant to a request from a law enforcement or prosecu-
6 tion agency, enhanced vouchers under any provision
7 of law authorizing such assistance under section 8(t)
8 of the Act, Choice Neighborhood vouchers, manda-
9 tory and voluntary conversions, and tenant protec-
10 tion assistance including replacement and relocation
11 assistance or for project-based assistance to prevent
12 the displacement of unassisted elderly tenants cur-
13 rently residing in properties financed under section
14 202 of the Housing Act of 1959 (12 U.S.C. 1701q)
15 between 1959 and 1974 that are refinanced pursu-
16 ant to Public Law 106–569 or under the authority
17 as provided under this Act: *Provided*, That when a
18 public housing development is submitted for demoli-
19 tion or disposition under section 18 of the Act, the
20 Secretary may provide section 8 rental assistance
21 when the units pose an imminent health and safety
22 risk to residents: *Provided further*, That the Sec-
23 retary may only provide replacement vouchers for
24 units that were occupied within the previous 24
25 months that cease to be available as assisted hous-

1 ing, subject only to the availability of funds: *Pro-*
2 *vided further*, That of the amounts provided in this
3 paragraph, at least \$5,000,000 may be available to
4 provide tenant protection assistance, not otherwise
5 provided under this paragraph, to residents residing
6 in low vacancy areas and who may have to pay rents
7 greater than 30 percent of household income, as the
8 result of: (A) the maturity of a HUD-insured, HUD-
9 held, or section 202 loan that requires the permis-
10 sion of the Secretary prior to loan prepayment; (B)
11 the expiration of a rental assistance contract for
12 which the tenants are not eligible for enhanced
13 voucher or tenant protection assistance under exist-
14 ing law; or (C) the expiration of affordability restric-
15 tions accompanying a mortgage or preservation pro-
16 gram administered by the Secretary: *Provided fur-*
17 *ther*, That such tenant protection assistance made
18 available under the preceding proviso may be pro-
19 vided under the authority of section 8(t) or section
20 8(o)(13) of the United States Housing Act of 1937
21 (42 U.S.C. 1437f(t), (o)(13)): *Provided further*, That
22 the Secretary shall issue guidance to implement the
23 preceding provisos, including requirements for defin-
24 ing eligible at-risk households within 60 days of the
25 enactment of this Act: *Provided further*, That any

1 tenant protection voucher made available from
2 amounts provided in this paragraph shall not be re-
3 issued by any public housing agency, except the re-
4 placement vouchers as defined by the Secretary by
5 notice, when the initial family that received any such
6 voucher no longer receives such voucher, and the au-
7 thority for any public housing agency to issue any
8 such voucher shall terminate: *Provided further*, That
9 the Secretary may provide section 8 rental assist-
10 ance from amounts provided in this paragraph for
11 units assisted under a project-based subsidy contract
12 funded under the “Project-Based Rental Assistance”
13 heading under this title if the owner has received a
14 Notice of Default and the units pose an imminent
15 health and safety risk to residents: *Provided further*,
16 That to the extent that the Secretary determines
17 that such units are not feasible for continued rental
18 assistance payments or transfer of the subsidy con-
19 tract associated with such units to another project
20 or projects and owner or owners, any remaining
21 amounts associated with such units under such con-
22 tract shall be recaptured and used to reimburse
23 amounts used under this paragraph for rental assist-
24 ance under the preceding proviso;

1 (3) \$2,154,812,000 shall be for administrative
2 and other expenses of public housing agencies in ad-
3 ministering the section 8 tenant-based rental assist-
4 ance program, of which up to \$30,000,000 shall be
5 available to the Secretary to allocate to public hous-
6 ing agencies that need additional funds to admin-
7 ister their section 8 programs, including fees associ-
8 ated with section 8 tenant protection rental assist-
9 ance, the administration of disaster related vouchers,
10 HUD-VASH vouchers, and other special purpose in-
11 cremental vouchers: *Provided*, That not less than
12 \$2,124,812,000 of the amount provided in this para-
13 graph shall be allocated to public housing agencies
14 for the calendar year 2021 funding cycle based on
15 section 8(q) of the Act (and related appropriation
16 Act provisions) as in effect immediately before the
17 enactment of the Quality Housing and Work Re-
18 sponsibility Act of 1998 (Public Law 105–276): *Pro-*
19 *vided further*, That if the amounts provided in this
20 paragraph are insufficient to pay the amounts deter-
21 mined under the preceding proviso, the Secretary
22 may decrease the amounts allocated to agencies by
23 a uniform percentage applicable to all agencies re-
24 ceiving funding under this paragraph or may, to the
25 extent necessary to provide full payment of amounts

1 determined under the preceding proviso, utilize un-
2 obligated balances, including recaptures and
3 carryovers, remaining from funds appropriated to
4 the Department of Housing and Urban Development
5 under this heading from prior fiscal years, excluding
6 special purpose vouchers, notwithstanding the pur-
7 poses for which such amounts were appropriated:
8 *Provided further*, That all public housing agencies
9 participating in the MTW demonstration shall be
10 funded pursuant to their MTW agreements, and
11 shall be subject to the same uniform percentage de-
12 crease as under the preceding proviso: *Provided fur-*
13 *ther*, That amounts provided in this paragraph shall
14 be only for activities related to the provision of ten-
15 ant-based rental assistance authorized under section
16 8, including related development activities;

17 (4) \$310,000,000 shall be for the renewal of
18 tenant-based assistance contracts under section 811
19 of the Cranston-Gonzalez National Affordable Hous-
20 ing Act (42 U.S.C. 8013), including necessary ad-
21 ministrative expenses: *Provided*, That administrative
22 and other expenses of public housing agencies in ad-
23 ministering the special purpose vouchers under this
24 paragraph shall be funded under the same terms
25 and be subject to the same pro rata reduction as the

1 percent decrease for administrative and other ex-
2 penses to public housing agencies under paragraph
3 (3) of this heading: *Provided further*, That up to
4 \$10,000,000 shall be available only (A) for adjust-
5 ments in the allocations for public housing agencies,
6 after applications for such an adjustment by a public
7 housing agency that experienced a significant in-
8 crease, as determined by the Secretary, in Main-
9 stream renewal costs resulting from unforeseen cir-
10 cumstances, and (B) for public housing agencies
11 that despite taking reasonable cost saving measures,
12 as determined by the Secretary, would otherwise be
13 required to terminate the rental assistance for Main-
14 stream families as a result of insufficient funding:
15 *Provided further*, That the Secretary shall allocate
16 amounts under the preceding proviso based on need,
17 as determined by the Secretary: *Provided further*,
18 That upon turnover, section 811 special purpose
19 vouchers funded under this heading in this or prior
20 Acts, or under any other heading in prior Acts, shall
21 be available for non-elderly persons with disabilities;
22 (5) \$2,500,000 shall be for rental assistance
23 and associated administrative fees for the Tribal
24 HUD-VASH program to serve Native American vet-
25 erans that are homeless or at-risk of homelessness

1 living on or near a reservation or other Indian areas:
2 *Provided*, That amounts provided in this paragraph
3 shall be made available for renewal grants to recipi-
4 ents that received assistance under prior Acts under
5 the Tribal HUD–VASH program: *Provided further*,
6 That the Secretary may specify criteria for renewal
7 grants, including data on the utilization of assist-
8 ance reported by grant recipients: *Provided further*,
9 That such assistance shall be administered in ac-
10 cordance with program requirements under the Na-
11 tive American Housing Assistance and Self-Deter-
12 mination Act of 1996 (25 U.S.C. 4101 et seq.) and
13 modeled after the HUD–VASH program: *Provided*
14 *further*, That the Secretary may waive, or specify al-
15 ternative requirements for, any provision of any stat-
16 ute or regulation that the Secretary administers in
17 connection with the use of amounts provided in this
18 paragraph (except for requirements related to fair
19 housing, nondiscrimination, labor standards, and the
20 environment), upon a finding by the Secretary that
21 any such waivers or alternative requirements are
22 necessary for the effective delivery and administra-
23 tion of such assistance: *Provided further*, That grant
24 recipients shall report to the Secretary on utilization
25 of such rental assistance and other program data, as

1 prescribed by the Secretary: *Provided further*, That
2 the Secretary may reallocate, as determined by the
3 Secretary, amounts returned or recaptured from
4 awards under the Tribal HUD-VASH program
5 under prior Acts to existing recipients under the
6 Tribal HUD-VASH program;

7 (6) \$20,000,000 shall be for incremental rental
8 voucher assistance for use through a supported
9 housing program administered in conjunction with
10 the Department of Veterans Affairs as authorized
11 under section 8(o)(19) of the United States Housing
12 Act of 1937: *Provided*, That the Secretary shall
13 make such funding available, notwithstanding sec-
14 tion 203 of this title (competition provision), to pub-
15 lic housing agencies that partner with eligible VA
16 Medical Centers or other entities as designated by
17 the Secretary of the Department of Veterans Affairs,
18 based on geographical need for such assistance as
19 identified by the Secretary of Veterans Affairs, pub-
20 lic housing agency administrative performance, and
21 other factors as specified by the Secretary of Hous-
22 ing and Urban Development in consultation with the
23 Secretary of Veterans Affairs: *Provided further*, That
24 the Secretary of Housing and Urban Development
25 may waive, or specify alternative requirements for

1 (in consultation with the Secretary of Veterans Af-
2 fairs), any provision of any statute or regulation
3 that the Secretary of Housing and Urban Develop-
4 ment administers in connection with the use of
5 funds provided in this paragraph (except for require-
6 ments related to fair housing, nondiscrimination,
7 labor standards, and the environment), upon a find-
8 ing by the Secretary that any such waivers or alter-
9 native requirements are necessary for the effective
10 delivery and administration of such voucher assist-
11 ance: *Provided further*, That assistance made avail-
12 able under this paragraph shall continue to remain
13 available for homeless veterans upon turnover;

14 (7) \$25,000,000 shall be for the family unifica-
15 tion program authorized under section 8(x) of the
16 Act: *Provided*, That the amounts provided in this
17 paragraph shall be provided as follows:

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

23 (B) \$20,000,000 shall be for new incre-
24 mental voucher assistance to assist eligible
25 youths as defined by such section 8(x)(2)(B):

1 *Provided*, That assistance made available under
2 this subparagraph shall continue to remain
3 available for such eligible youths upon turnover:
4 *Provided further*, That of the total amount
5 made available under this subparagraph, up to
6 \$10,000,000 shall be available on a noncompeti-
7 tive basis to public housing agencies that part-
8 ner with public child welfare agencies to iden-
9 tify such eligible youths, that request such as-
10 sistance to timely assist such eligible youths,
11 and that meet any other criteria as specified by
12 the Secretary: *Provided further*, That the Sec-
13 retary shall review utilization of the assistance
14 made available under the preceding proviso, at
15 an interval to be determined by the Secretary,
16 and unutilized voucher assistance that is no
17 longer needed shall be recaptured by the Sec-
18 retary and reallocated pursuant to the pre-
19 ceding proviso: *Provided further*, That for any
20 public housing agency administering voucher
21 assistance appropriated in a prior Act under the
22 family unification program, or made available
23 and competitively selected under this para-
24 graph, that determines that it no longer has an
25 identified need for such assistance upon turn-

1 over, such agency shall notify the Secretary,
2 and the Secretary shall recapture such assist-
3 ance from the agency and reallocate it to any
4 other public housing agency or agencies based
5 on need for voucher assistance in connection
6 with such specified program or eligible youths,
7 as applicable; and

8 (8) \$250,000,000 shall be for incremental rent-
9 al voucher assistance under section 8(o) of the
10 United States Housing Act of 1937 for use by indi-
11 viduals and families who are homeless, as defined in
12 section 103(a) of the McKinney-Vento Homeless As-
13 sistance Act (42 U.S.C. 11302(a)), at risk of home-
14 lessness, as defined in section 401(1) of the McKin-
15 ney-Vento Homeless Assistance Act (42 U.S.C.
16 11360(1)), or fleeing, or attempting to flee, domestic
17 violence, dating violence, sexual assault, or stalking
18 or for veterans and families that include a veteran
19 family member: *Provided*, That of such amount not
20 less than \$40,000,000 shall be available for individ-
21 uals and families who are fleeing, or attempting to
22 flee, domestic violence, dating violence, sexual as-
23 sault, or stalking, and not less than \$40,000,000
24 shall be available for veterans and families that in-
25 clude a veteran family member: *Provided further*,

1 That the Secretary shall make such funding avail-
2 able, notwithstanding section 203 of this title (com-
3 petition provision) to public housing agencies that
4 partner with eligible Continuums of Care or other
5 entities as designated by the Secretary, based on
6 geographical need of such assistance, public housing
7 agency administrative performance, and other fac-
8 tors as specified by the Secretary: *Provided further,*
9 That, the Secretary shall give preference to appli-
10 cants that demonstrate a strategy to coordinate as-
11 sistance with services available in the community:
12 *Provided further,* That the Secretary may waive, or
13 specify alternative requirements for, any provision or
14 statute or regulation that the Secretary administers
15 in connection with the use of funds made available
16 under this paragraph (except for requirements re-
17 lated to fair housing, nondiscrimination, labor stand-
18 ards, and the environment) upon a finding by the
19 Secretary that any such waivers or alternative re-
20 quirements are necessary for the effective delivery
21 and administration of such voucher assistance: *Pro-*
22 *vided further,* That none of the funds provided in
23 this paragraph may be used to require people experi-
24 encing homelessness to receive treatment or perform
25 any other prerequisite activities as a condition for

1 receiving shelter, housing or other services: *Provided*
2 *further*, That the Secretary shall issue guidance to
3 implement the preceding proviso.

4 The Secretary shall separately track all special purpose
5 vouchers funded under this heading.

6 HOUSING CERTIFICATE FUND

7 (INCLUDING RESCISSIONS)

8 Unobligated balances, including recaptures and car-
9 ryover, remaining from funds appropriated to the Depart-
10 ment of Housing and Urban Development under this
11 heading, the heading “Annual Contributions for Assisted
12 Housing” and the heading “Project-Based Rental Assist-
13 ance”, for fiscal year 2021 and prior years may be used
14 for renewal of or amendments to section 8 project-based
15 contracts and for performance-based contract administra-
16 tors, notwithstanding the purposes for which such funds
17 were appropriated: *Provided*, That any obligated balances
18 of contract authority from fiscal year 1974 and prior fiscal
19 years that have been terminated shall be rescinded: *Pro-*
20 *vided further*, That amounts heretofore recaptured, or re-
21 captured during the current fiscal year, from section 8
22 project-based contracts from source years fiscal year 1975
23 through fiscal year 1987 are hereby rescinded, and an
24 amount of additional new budget authority, equivalent to
25 the amount rescinded is hereby appropriated, to remain

1 available until expended, for the purposes set forth under
2 this heading, in addition to amounts otherwise available.

3 PUBLIC HOUSING CAPITAL FUND

4 For the Public Housing Capital Fund Program to
5 carry out capital and management activities for public
6 housing agencies, as authorized under section 9 of the Act
7 (42 U.S.C. 1437g) \$3,180,000,000, to remain available
8 until September 30, 2024: *Provided*, That notwithstanding
9 any other provision of law or regulation, during fiscal year
10 2021, the Secretary may not delegate to any Department
11 official other than the Deputy Secretary and the Assistant
12 Secretary for Public and Indian Housing any authority
13 under paragraph (2) of section 9(j) regarding the exten-
14 sion of the time periods under such section: *Provided fur-*
15 *ther*, That for purposes of such section 9(j), the term “ob-
16 ligate” means, with respect to amounts, that the amounts
17 are subject to a binding agreement that will result in out-
18 lays, immediately or in the future: *Provided further*, That
19 of the total amount made available under this heading,
20 up to \$23,000,000 shall be to support ongoing public
21 housing financial and physical assessment activities: *Pro-*
22 *vided further*, That of the total amount made available
23 under this heading, up to \$1,000,000 shall be to support
24 the costs of administrative and judicial receiverships: *Pro-*
25 *vided further*, That of the total amount provided under

1 this heading, not to exceed \$74,650,000 shall be available
2 for the Secretary to make grants, notwithstanding section
3 203 of this Act, to public housing agencies for emergency
4 capital needs including safety and security measures nec-
5 essary to address crime and drug-related activity and
6 needs resulting from unforeseen or unpreventable emer-
7 gencies and natural disasters excluding Presidentially de-
8 clared emergencies and natural disasters under the Robert
9 T. Stafford Disaster Relief and Emergency Act (42 U.S.C.
10 5121 et seq.) occurring in fiscal year 2021, of which
11 \$34,650,000 shall be available for public housing agencies
12 under administrative and judicial receiverships or under
13 the control of a Federal monitor: *Provided further*, That
14 of the amount made available under the preceding proviso,
15 not less than \$20,000,000 shall be for safety and security
16 measures: *Provided further*, That in addition to the
17 amount in the preceding proviso for such safety and secu-
18 rity measures, any amounts that remain available, after
19 all applications received on or before September 30, 2022,
20 for emergency capital needs have been processed, shall be
21 allocated to public housing agencies for such safety and
22 security measures: *Provided further*, That with respect to
23 amounts made available under this heading, the limitation
24 in section 9(g)(1) of the Act shall be applied by sub-
25 stituting 25 percent for the percentage specified in such

1 section: *Provided further*, That the Secretary may waive
2 the limitation in the preceding proviso to allow public
3 housing agencies to fund activities authorized under sec-
4 tion 9(e)(1)(C) of the Act: *Provided further*, That the Sec-
5 retary shall notify public housing agencies requesting
6 waivers under the preceding proviso if the request is ap-
7 proved or denied within 14 days of submitting the request:
8 *Provided further*, That from the funds made available
9 under this heading, the Secretary shall provide bonus
10 awards in fiscal year 2021 to public housing agencies that
11 are designated high performers: *Provided further*, That the
12 Department shall notify public housing agencies of their
13 formula allocation within 60 days of enactment of this Act:
14 *Provided further*, That of the total amount provided under
15 this heading, \$125,000,000 shall be for competitive grants
16 to public housing agencies to evaluate and reduce lead-
17 based paint hazards and other housing-related hazards in-
18 cluding carbon monoxide (including for activities sup-
19 porting the installation and replacement of carbon mon-
20 oxide alarms or of combination smoke detector-carbon
21 monoxide alarm devices) and mold in public housing: *Pro-
22 vided further*, That of the amounts available under the pre-
23 ceding proviso, not less than \$25,000,000 shall be for
24 competitive grants to public housing agencies to evaluate
25 and reduce lead-based paint hazards in public housing by

1 carrying out the activities of risk assessments, abatement,
2 and interim controls (as those terms are defined in section
3 1004 of the Residential Lead-Based Paint Hazard Reduc-
4 tion Act of 1992 (42 U.S.C. 4851b)): *Provided further,*
5 That of the total amount made available under this head-
6 ing, up to \$30,000,000 shall be available until September
7 30, 2023 for competitive grants to public housing agencies
8 (in this title “PHAs”), including agencies participating in
9 the MTW demonstration, for full lead service line replace-
10 ment, with eligibility limited to PHAs where the relevant
11 public water system will undergo or has recently under-
12 taken a comprehensive water main replacement program:
13 *Provided further,* That for purposes of environmental re-
14 view, a grant under the preceding three provisos shall be
15 considered funds for projects or activities under title I of
16 the United States Housing Act of 1937 (42 U.S.C. 1437
17 et seq.) for purposes of section 26 of such Act (42 U.S.C.
18 1437x) and shall be subject to the regulations imple-
19 menting such section: *Provided further,* That for funds
20 made available under the preceding four provisos, the Sec-
21 retary shall allow a PHA to apply for up to 20 percent
22 of the funds made available under the first two of such
23 provisos and prioritize need when awarding grants: *Pro-*
24 *vided further,* That \$5,000,000 of the amounts made avail-
25 able under this heading shall be for a radon testing and

1 mitigation resident safety demonstration program (the
2 radon demonstration) in public housing: *Provided further*,
3 That the testing method, mitigation method, or action
4 level used under the radon demonstration shall be as speci-
5 fied by applicable State or local law, if such law is more
6 protective of human health or the environment than the
7 method or level specified by the Secretary: *Provided fur-*
8 *ther*, That \$25,000,000 of the amounts made available
9 under this heading shall be for competitive grants to pub-
10 lic housing agencies for the installation of automatic sprin-
11 kler systems.

12 PUBLIC HOUSING OPERATING FUND

13 For 2021 payments to public housing agencies for the
14 operation and management of public housing, as author-
15 ized by section 9(e) of the United States Housing Act of
16 1937 (42 U.S.C. 1437g(e)), \$4,649,000,000, to remain
17 available until September 30, 2022: *Provided*, That of the
18 total amount made available under this heading,
19 \$25,000,000 shall be available to the Secretary to allocate
20 pursuant to a need-based application process notwith-
21 standing section 203 of this title and not subject to the
22 Operating Fund formula under part 990 of title 24, Code
23 of Federal Regulations to public housing agencies that ex-
24 perience financial insolvency, as determined by the Sec-
25 retary: *Provided further*, That after all such insolvency

1 needs are met, the Secretary may distribute any remaining
2 funds to all public housing agencies on a pro-rata basis
3 pursuant to the Operating Fund formula under part 990
4 of title 24, Code of Federal Regulations.

5 CHOICE NEIGHBORHOODS INITIATIVE

6 For competitive grants under the Choice Neighbor-
7 hoods Initiative (subject to section 24 of the United States
8 Housing Act of 1937 (42 U.S.C. 1437v) unless otherwise
9 specified under this heading), for transformation, rehabili-
10 tation, and replacement housing needs of both public and
11 HUD-assisted housing and to transform neighborhoods of
12 poverty into functioning, sustainable mixed income neigh-
13 borhoods with appropriate services, schools, public assets,
14 transportation and access to jobs, \$250,000,000, to re-
15 main available until September 30, 2023: *Provided*, That
16 grant funds may be used for resident and community serv-
17 ices, community development, and affordable housing
18 needs in the community, and for conversion of vacant or
19 foreclosed properties to affordable housing: *Provided fur-*
20 *ther*, That the use of funds made available under this
21 heading shall not be deemed to be for public housing not-
22 withstanding section 3(b)(1) of such Act: *Provided further*,
23 That grantees shall commit to an additional period of af-
24 fordability determined by the Secretary of not fewer than
25 20 years: *Provided further*, That grantees shall provide a

1 match in State, local, other Federal or private funds: *Pro-*
2 *vided further*, That grantees may include local govern-
3 ments, tribal entities, public housing agencies, and non-
4 profit organizations: *Provided further*, That for-profit de-
5 velopers may apply jointly with a public entity: *Provided*
6 *further*, That for purposes of environmental review, a
7 grantee shall be treated as a public housing agency under
8 section 26 of the United States Housing Act of 1937 (42
9 U.S.C. 1437x), and grants made with amounts available
10 under this heading shall be subject to the regulations
11 issued by the Secretary to implement such section: *Pro-*
12 *vided further*, That of the amount provided under this
13 heading, not less than \$125,000,000 shall be awarded to
14 public housing agencies: *Provided further*, That such
15 grantees shall create partnerships with other local organi-
16 zations, including assisted housing owners, service agen-
17 cies, and resident organizations: *Provided further*, That
18 the Secretary shall consult with the Secretaries of Edu-
19 cation, Labor, Transportation, Health and Human Serv-
20 ices, Agriculture, and Commerce, the Attorney General,
21 and the Administrator of the Environmental Protection
22 Agency to coordinate and leverage other appropriate Fed-
23 eral resources: *Provided further*, That not more than
24 \$5,000,000 of funds made available under this heading
25 may be provided as grants to undertake comprehensive

1 local planning with input from residents and the commu-
2 nity: *Provided further*, That unobligated balances, includ-
3 ing recaptures, remaining from funds appropriated under
4 the heading “Revitalization of Severely Distressed Public
5 Housing (HOPE VI)” in fiscal year 2011 and prior fiscal
6 years may be used for purposes under this heading, not-
7 withstanding the purposes for which such amounts were
8 appropriated: *Provided further*, That the Secretary shall
9 issue the Notice of Funding Availability for funds made
10 available under this heading not later than 90 days after
11 enactment of this Act: *Provided further*, That the Sec-
12 retary shall make grant awards not later than one year
13 after the date of enactment of this Act in such amounts
14 that the Secretary determines: *Provided further*, That not-
15 withstanding section 24(o) of the United States Housing
16 Act of 1937 (42 U.S.C. 1437v(o)), the Secretary may,
17 until September 30, 2024, obligate any available unobli-
18 gated balances made available under this heading in this
19 or any prior Act.

20 SELF-SUFFICIENCY PROGRAMS

21 For activities and assistance related to Self-Suffi-
22 ciency Programs, to remain available until September 30,
23 2024, \$155,000,000: *Provided*, That the amounts made
24 available under this heading are provided as follows:

1 (1) \$105,000,000 shall be for the Family Self-
2 Sufficiency program to support family self-suffi-
3 ciency coordinators under section 23 of the United
4 States Housing Act of 1937 (42 U.S.C. 1437u), to
5 promote the development of local strategies to co-
6 ordinate the use of assistance under sections 8 and
7 9 of such Act with public and private resources, and
8 to enable eligible families to achieve economic inde-
9 pendence and self-sufficiency: *Provided*, That the
10 Secretary may, by Federal Register notice, waive or
11 specify alternative requirements for, the require-
12 ments under subsections (b)(3), (b)(4), (b)(5), or
13 (c)(1) of section 23 of such Act in order to facilitate
14 the operation of a unified self-sufficiency program
15 for individuals receiving assistance under different
16 provisions of the Act, as determined by the Sec-
17 retary: *Provided further*, That an owner or sponsor
18 of a multifamily property receiving project-based
19 rental assistance under section 8 shall be eligible to
20 receive awards from the Secretary under this para-
21 graph to support family self-sufficiency coordinators:
22 *Provided further*, That owners or sponsors of a mul-
23 tifamily property receiving project-based rental as-
24 sistance under section 8 may voluntarily make a
25 Family Self-Sufficiency program available to the as-

1 sisted tenants of such property in accordance with
2 procedures established by the Secretary: *Provided*
3 *further*, That such procedures established pursuant
4 to the preceding proviso shall permit participating
5 tenants to accrue escrow funds in accordance with
6 section 23(d)(2) and shall allow owners to use fund-
7 ing from residual receipt accounts to hire coordina-
8 tors for their own Family Self-Sufficiency program;

9 (2) \$35,000,000 shall be for the Resident Op-
10 portunity and Self-Sufficiency program to provide
11 for supportive services, service coordinators, and
12 congregate services as authorized by section 34 of
13 the United States Housing Act of 1937 (42 U.S.C.
14 1437z-6) and the Native American Housing Assist-
15 ance and Self-Determination Act of 1996 (25 U.S.C.
16 4101 et seq.); and

17 (3) \$15,000,000 shall be for a Jobs-Plus initia-
18 tive, modeled after the Jobs-Plus demonstration:
19 *Provided*, That funding provided in this paragraph
20 shall be available for competitive grants to partner-
21 ships between public housing agencies, local work-
22 force investment boards established under section
23 107 of the Workforce Innovation and Opportunity
24 Act of 2014 (29 U.S.C. 3122), and other agencies
25 and organizations that provide support to help pub-

1 lic housing residents obtain employment and in-
2 crease earnings: *Provided further*, That applicants
3 shall demonstrate the ability to provide services to
4 residents, partner with workforce investment boards,
5 and leverage service dollars: *Provided further*, That
6 the Secretary may allow public housing agencies to
7 request exemptions from rent and income limitation
8 requirements under sections 3 and 6 of the United
9 States Housing Act of 1937 (42 U.S.C. 1437a,
10 1437d), as necessary to implement the Jobs-Plus
11 program, on such terms and conditions as the Sec-
12 retary may approve upon a finding by the Secretary
13 that any such waivers or alternative requirements
14 are necessary for the effective implementation of the
15 Jobs-Plus initiative as a voluntary program for resi-
16 dents: *Provided further*, That the Secretary shall
17 publish by notice in the Federal Register any waiv-
18 ers or alternative requirements pursuant to the pre-
19 ceding proviso not later than 10 days before the ef-
20 fective date of such notice: *Provided further*, That
21 amounts made available for the Jobs-Plus initiative
22 in prior acts under the heading “Public Housing
23 Capital Fund” that remain available or are subse-
24 quently recaptured shall be transferred to this ac-

1 count and shall be available for the purposes of this
2 paragraph.

3 NATIVE AMERICAN PROGRAMS
4 (INCLUDING TRANSFER OF FUNDS)

5 For activities and assistance authorized under title
6 I of the Native American Housing Assistance and Self-
7 Determination Act of 1996 (“NAHASDA”) (25 U.S.C.
8 4111 et seq.), title I of the Housing and Community De-
9 velopment Act of 1974 (42 U.S.C. 5301 et seq.) with re-
10 spect to Indian tribes, and related training and technical
11 assistance, \$835,000,000, to remain available until Sep-
12 tember 30, 2025, unless otherwise specified: *Provided*,
13 That the amounts made available under this heading are
14 provided as follows:

15 (1) \$646,000,000 shall be for the Native Amer-
16 ican Housing Block Grants program, as authorized
17 under title I of NAHASDA: *Provided*, That, not-
18 withstanding NAHASDA, to determine the amount
19 of the allocation under title I of such Act for each
20 Indian tribe, the Secretary shall apply the formula
21 under section 302 of such Act with the need compo-
22 nent based on single-race census data and with the
23 need component based on multi-race census data,
24 and the amount of the allocation for each Indian
25 tribe shall be the greater of the two resulting alloca-

1 tion amounts: *Provided further*, That the Secretary
2 shall notify grantees of their formula allocation not
3 later 60 days after the date of enactment of this
4 Act;

5 (2) \$2,000,000 shall be for the cost of guaran-
6 teed notes and other obligations, as authorized by
7 title VI of NAHASDA: *Provided*, That such costs,
8 including the costs of modifying such notes and
9 other obligations, shall be as defined in section 502
10 of the Congressional Budget Act of 1974 (2 U.S.C.
11 661a): *Provided further*, That for fiscal year 2021,
12 the Secretary may subsidize the total principal
13 amount of any notes and other obligations, any part
14 of which is to be guaranteed, not to exceed
15 \$61,298,904: *Provided further*, That any unobligated
16 balances, including recaptures and carryover, re-
17 maining from amounts appropriated for this purpose
18 under this heading or under the heading “Native
19 American Housing Block Grants” in prior Acts may
20 be used for costs of such guaranteed notes and other
21 obligations, subject to the limitation under the pre-
22 ceding proviso on the total principal amount of such
23 notes and obligations that may be guaranteed;

24 (3) \$110,000,000 shall be for competitive
25 grants under the Native American Housing Block

1 Grants program, as authorized under title I of
2 NAHASDA: *Provided*, That the Secretary shall obli-
3 gate this additional amount for competitive grants to
4 eligible recipients authorized under NAHASDA that
5 apply for funds: *Provided further*, That in awarding
6 this additional amount, the Secretary shall consider
7 need and administrative capacity and shall give pri-
8 ority to projects that will spur construction and re-
9 habilitation: *Provided further*, That a grant funded
10 pursuant to this paragraph shall be in an amount
11 not less than \$500,000 and not greater than
12 \$10,000,000: *Provided further*, That up to 1 percent
13 of the amounts made available in this paragraph
14 may be transferred, in aggregate, to “Program Of-
15 fices—Public and Indian Housing” for necessary
16 costs of administering and overseeing the obligation
17 and expenditure of this additional amount and of ad-
18 ditional amounts made available in prior fiscal years,
19 to remain available until September 30, 2026: *Pro-*
20 *vided further*, That any amounts transferred pursu-
21 ant to the preceding proviso in prior Acts may also
22 be used for the purposes described in the preceding
23 proviso;

24 (4) \$70,000,000 shall be for grants to Indian
25 tribes for carrying out the Indian Community Devel-

1 opment Block Grant program under title I of the
2 Housing and Community Development Act of 1974,
3 notwithstanding section 106(a)(1) of such Act, of
4 which, notwithstanding any other provision of law
5 (including section 203 of this Act), up to \$4,000,000
6 may be used for emergencies that constitute immi-
7 nent threats to health and safety: *Provided*, That
8 not to exceed 20 percent of any grant made with
9 amounts made available in this paragraph shall be
10 expended for planning and management development
11 and administration: *Provided further*, That amounts
12 made available in this paragraph shall remain avail-
13 able until September 30, 2023; and

14 (5) \$7,000,000 shall be for providing training
15 and technical assistance to Indian tribes, Indian
16 housing authorities, and tribally designated housing
17 entities to support the inspection of Indian housing
18 units, for contract expertise, and for training and
19 technical assistance related to amounts made avail-
20 able under this heading and other headings in this
21 Act for the needs of Native American families and
22 Indian country: *Provided*, That of the amounts made
23 available in this paragraph, not less than \$2,000,000
24 shall be for a national organization as authorized
25 under section 703 of NAHASDA (25 U.S.C. 4212):

1 *Provided further*, That amounts made available in
2 this paragraph may be used, contracted, or com-
3 peted as determined by the Secretary: *Provided fur-*
4 *ther*, That notwithstanding chapter 63 of title 31,
5 United States Code (commonly known as the Fed-
6 eral Grant and Cooperative Agreements Act of
7 1977), the amounts made available in this para-
8 graph may be used by the Secretary to enter into co-
9 operative agreements with public and private organi-
10 zations, agencies, institutions, and other technical
11 assistance providers to support the administration of
12 negotiated rulemaking under section 106 of
13 NAHASDA (25 U.S.C. 4116), the administration of
14 the allocation formula under section 302 of
15 NAHASDA (25 U.S.C. 4152), and the administra-
16 tion of performance tracking and reporting under
17 section 407 of NAHASDA (25 U.S.C. 4167).

18 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM

19 ACCOUNT

20 For the cost of guaranteed loans, as authorized by
21 section 184 of the Housing and Community Development
22 Act of 1992 (12 U.S.C. 1715z-13a), \$1,100,000, to re-
23 main available until expended: *Provided*, That such costs,
24 including the costs of modifying such loans, shall be as
25 defined in section 502 of the Congressional Budget Act

1 of 1974 (2 U.S.C. 661a): *Provided further*, That an addi-
2 tional \$500,000, to remain available until expended, shall
3 be for administrative contract expenses, including manage-
4 ment processes to carry out the loan guarantee program:
5 *Provided further*, That for fiscal year 2021, the Secretary
6 may subsidize total loan principal, any part of which is
7 to be guaranteed, up to \$1,000,000,000: *Provided further*,
8 That any unobligated balances, including recaptures and
9 carryover, remaining from amounts made available under
10 this heading in prior Acts may be used for costs of such
11 guaranteed loans, subject to the total loan principal guar-
12 antee limitation under the preceding proviso.

13 NATIVE HAWAIIAN HOUSING BLOCK GRANT

14 For the Native Hawaiian Housing Block Grant pro-
15 gram, as authorized under title VIII of the Native Amer-
16 ican Housing Assistance and Self-Determination Act of
17 1996 (25 U.S.C. 4221 et seq.), \$4,000,000, to remain
18 available until September 30, 2025: *Provided*, That not-
19 withstanding section 812(b) of such Act, the Department
20 of Hawaiian Home Lands may not invest grant amounts
21 made available under this heading in investment securities
22 and other obligations: *Provided further*, That amounts
23 made available under this heading in this and prior fiscal
24 years may be used to provide rental assistance to eligible

1 Native Hawaiian families both on and off the Hawaiian
2 Home Lands, notwithstanding any other provision of law.

3 COMMUNITY PLANNING AND DEVELOPMENT

4 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

5 For carrying out the Housing Opportunities for Per-
6 sons with AIDS program, as authorized by the AIDS
7 Housing Opportunity Act (42 U.S.C. 12901 et seq.),
8 \$430,000,000, to remain available until September 30,
9 2022, except that amounts allocated pursuant to section
10 854(c)(5) of such Act shall remain available until Sep-
11 tember 30, 2023: *Provided*, That the Secretary shall renew
12 all expiring contracts for permanent supportive housing
13 that initially were funded under section 854(c)(5) of such
14 Act from funds made available under this heading in fiscal
15 year 2010 and prior fiscal years that meet all program
16 requirements before awarding funds for new contracts
17 under such section: *Provided further*, That the Depart-
18 ment shall notify grantees of their formula allocation with-
19 in 60 days of enactment of this Act.

20 COMMUNITY DEVELOPMENT FUND

21 For carrying out the community development block
22 grant program under title I of the Housing and Commu-
23 nity Development Act of 1974, as amended (42 U.S.C.
24 5301 et seq.)(in this heading “the Act”), \$3,525,000,000,
25 to remain available until September 30, 2023, unless oth-

1 erwise specified: *Provided*, That unless explicitly provided
2 for under this heading, not to exceed 20 percent of any
3 grant made with funds made available under this heading
4 shall be expended for planning and management develop-
5 ment and administration: *Provided further*, That a metro-
6 politan city, urban county, unit of general local govern-
7 ment, or insular area that directly or indirectly receives
8 funds under this heading may not sell, trade, or otherwise
9 transfer all or any portion of such funds to another such
10 entity in exchange for any other funds, credits, or non-
11 Federal considerations, but shall use such funds for activi-
12 ties eligible under title I of the Act: *Provided further*, That
13 notwithstanding section 105(e)(1) of the Act, no funds
14 made available under this heading may be provided to a
15 for-profit entity for an economic development project
16 under section 105(a)(17) unless such project has been
17 evaluated and selected in accordance with guidelines re-
18 quired under subsection (e)(2) of section 105: *Provided*
19 *further*, That of the total amount provided under this
20 heading, \$25,000,000 shall be for activities authorized
21 under section 8071 of the SUPPORT for Patients and
22 Communities Act (Public Law 115–271): *Provided further*,
23 That the funds allocated pursuant to the preceding proviso
24 shall not adversely affect the amount of any formula as-
25 sistance received by a State under this heading: *Provided*

1 *further*, That the Secretary shall allocate the funds for
2 such activities based on the percentages shown in Table
3 1 of the Notice establishing the funding formula published
4 in Volume 84 of the Federal Register, on page 16027
5 (April 17, 2019): *Provided further*, That the Department
6 of Housing and Urban Development shall notify grantees
7 of their formula allocation within 60 days of enactment
8 of this Act: *Provided further*, That the Office of the Chief
9 Financial Officer of the Department of Housing and
10 Urban Development and the Office of Management and
11 Budget shall submit reports and accompanying briefings
12 no less frequently than monthly, on the status of funds
13 appropriated under this heading in Public Law 115–123,
14 to include the information specified in the report accom-
15 panying this Act: *Provided further*, That, notwithstanding
16 any other provision of law, amounts made available under
17 this heading in Public Law 115–123 shall hereafter be ex-
18 empt from apportionment under chapter 15 of title 31,
19 United States Code: *Provided further*, That amounts
20 repurposed pursuant to the preceding proviso that were
21 previously designated by the Congress as an emergency
22 requirement pursuant to the Balanced Budget and Emer-
23 gency Deficit Control Act of 1985 are designated by the
24 Congress as an emergency requirement pursuant to sec-

1 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
2 gency Deficit Control Act of 1985.

3 COMMUNITY DEVELOPMENT LOAN GUARANTEES

4 PROGRAM ACCOUNT

5 Subject to section 502 of the Congressional Budget
6 Act of 1974 (2 U.S.C. 661a), during fiscal year 2021,
7 commitments to guarantee loans under section 108 of the
8 Housing and Community Development Act of 1974 (42
9 U.S.C. 5308), any part of which is guaranteed, shall not
10 exceed a total principal amount of \$300,000,000, notwith-
11 standing any aggregate limitation on outstanding obliga-
12 tions guaranteed in subsection (k) of such section 108:
13 *Provided*, That the Secretary shall collect fees from bor-
14 rowers, notwithstanding subsection (m) of such section
15 108, to result in a credit subsidy cost of zero for guaran-
16 teeing such loans, and any such fees shall be collected in
17 accordance with section 502(7) of the Congressional
18 Budget Act of 1974: *Provided further*, That such commit-
19 ment authority funded by fees may be used to guarantee,
20 or make commitments to guarantee, notes or other obliga-
21 tions issued by any State on behalf of non-entitlement
22 communities in the State in accordance with the require-
23 ments of such section 108: *Provided further*, That any
24 State receiving such a guarantee or commitment under the
25 preceding proviso shall distribute all funds subject to such

1 guarantee to the units of general local government in non-
2 entitlement areas that received the commitment.

3 HOME INVESTMENT PARTNERSHIPS PROGRAM

4 For the HOME Investment Partnerships program, as
5 authorized under title II of the Cranston-Gonzalez Na-
6 tional Affordable Housing Act, as amended (42 U.S.C.
7 12721 et seq.), \$1,700,000,000, to remain available until
8 September 30, 2024: *Provided*, That notwithstanding the
9 amount made available under this heading, the threshold
10 reduction requirements in sections 216(10) and 217(b)(4)
11 of such Act shall not apply to allocations of such amount:
12 *Provided further*, That the Department shall notify grant-
13 ees of their formula allocations within 60 days after enact-
14 ment of this Act: *Provided further*, That section 218(g)
15 of such Act (42 U.S.C. 12748(g)) shall not apply with re-
16 spect to the right of a jurisdiction to draw funds from
17 its HOME Investment Trust Fund that otherwise expired
18 or would expire in 2016, 2017, 2018, 2019, 2020, 2021,
19 2022, or 2023 under that section: *Provided further*, That
20 section 231(b) of such Act (42 U.S.C. 12771(b)) shall not
21 apply to any uninvested funds that otherwise were de-
22 ducted or would be deducted from the line of credit in
23 the participating jurisdiction's HOME Investment Trust
24 Fund in 2018, 2019, 2020, 2021, 2022, or 2023 under
25 that section.

1 SELF-HELP AND ASSISTED HOMEOWNERSHIP
2 OPPORTUNITY PROGRAM

3 For the Self-Help and Assisted Homeownership Op-
4 portunity Program, as authorized under section 11 of the
5 Housing Opportunity Program Extension Act of 1996 (42
6 U.S.C. 12805 note), \$60,000,000, to remain available
7 until September 30, 2023: *Provided*, That of the total
8 amount made available under this heading, \$10,000,000
9 shall be for the Self-Help Homeownership Opportunity
10 Program as authorized under such section 11: *Provided*
11 *further*, That of the total amount made available under
12 this heading, \$45,000,000 shall be for the second, third,
13 and fourth capacity building entities specified in section
14 4(a) of the HUD Demonstration Act of 1993 (42 U.S.C.
15 9816 note), of which not less than \$5,000,000 shall be
16 for rural capacity building activities: *Provided further*,
17 That of the total amount made available under this head-
18 ing, \$5,000,000 shall be for capacity building by national
19 rural housing organizations having experience assessing
20 national rural conditions and providing financing, train-
21 ing, technical assistance, information, and research to
22 local nonprofit organizations, local governments, and In-
23 dian Tribes serving high need rural communities.

1 HOMELESS ASSISTANCE GRANTS

2 For assistance under title IV of the McKinney-Vento
3 Homeless Assistance Act (42 U.S.C. 11360 et seq.),
4 \$3,415,000,000, to remain available until September 30,
5 2023: *Provided*, That of the amounts made available
6 under this heading—

7 (1) not less than \$290,000,000 shall be for the
8 Emergency Solutions Grants program authorized
9 under subtitle B of such title IV (42 U.S.C. 11371
10 et seq.): *Provided further*, That the Department shall
11 notify grantees of their formula allocation from
12 amounts allocated (which may represent initial or
13 final amounts allocated) for the Emergency Solu-
14 tions Grant program not later than 60 days after
15 enactment of this Act;

16 (2) not less than \$2,586,000,000 shall be for
17 the Continuum of Care program authorized under
18 subtitle C of such title IV (42 U.S.C. 11381 et seq.)
19 and the Rural Housing Stability Assistance pro-
20 grams authorized under subtitle D of such title IV
21 (42 U.S.C. 11408): *Provided further*, That the Sec-
22 retary shall prioritize funding under the Continuum
23 of Care program to continuums of care that have
24 demonstrated a capacity to reallocate funding from
25 lower performing projects to higher performing

1 projects: *Provided further*, That the Secretary shall
2 provide incentives to create projects that coordinate
3 with housing providers and healthcare organizations
4 to provide permanent supportive housing and rapid
5 re-housing services: *Provided further*, That amounts
6 made available for the Continuum of Care program
7 under this heading in this and prior Acts may be
8 used to competitively or non-competitively renew or
9 replace grants for youth homeless demonstration
10 projects under the Continuum of Care program, not-
11 withstanding any conflict with the requirements of
12 the Continuum of Care program;

13 (3) up to \$75,000,000 shall be for grants for
14 rapid re-housing projects and supportive service
15 projects providing coordinated entry, and for eligible
16 activities the Secretary determines to be critical in
17 order to assist survivors of domestic violence, dating
18 violence, sexual assault, or stalking, except that the
19 Secretary may make additional grants for such
20 projects and purposes from amounts made available
21 for such Continuum of Care program: *Provided fur-*
22 *ther*, That such projects shall be eligible for renewal
23 under the Continuum of Care program subject to
24 the same terms and conditions as other renewal ap-
25 plicants;

1 (4) up to \$7,000,000 shall be for the national
2 homeless data analysis project;

3 (5) up to \$82,000,000 shall be for grants for
4 projects awarded to communities for the purpose of
5 providing housing and services to unaccompanied
6 youth who are homeless, as defined in section
7 103(a)(6) of the McKinney-Vento Homeless Assist-
8 ance Act (42 U.S.C. 11302(a)(6)) or any other Fed-
9 eral statute, except that the Secretary may make ad-
10 ditional grants for such projects and purposes from
11 amounts made available for such Continuum of Care
12 program;

13 (6) up to \$70,000,000 shall be for Youth
14 Homelessness Systems Planning Grants to support
15 Continuum of Care communities in modernizing
16 youth homelessness responses through systems
17 change and capacity building:

18 (7) up to \$10,000,000 shall be for providing
19 technical assistance on improving system responses
20 to youth homelessness and collection, analysis, use,
21 and reporting of data and performance measures
22 under the comprehensive approaches to serve home-
23 less youth, in addition to and in coordination with
24 other technical assistance funds provided under this
25 title;

1 (8) \$250,000,000 shall be for projects to reduce
2 unsheltered homelessness: *Provided further*, That in
3 making awards with the amounts provided in this
4 paragraph, the Secretary shall give priority to
5 projects located in areas with high numbers or rates
6 of unsheltered homeless or high rates of increase in
7 the number of unsheltered homeless: *Provided fur-*
8 *ther*, That the Secretary shall provide incentives to
9 establish projects that coordinate with housing pro-
10 viders, healthcare organizations and social service
11 providers to reduce unsheltered homelessness: *Pro-*
12 *vided further*, That none of the funds provided in
13 this paragraph may be used to require people experi-
14 encing homelessness to receive treatment or perform
15 any other prerequisite activities as a condition for
16 receiving shelter, housing or other services;

17 (9) \$25,000,000 shall be for competitive grants
18 to nonprofit or governmental entities to provide legal
19 assistance (including assistance related to pretrial
20 activities, trial activities, post-trial activities and al-
21 ternative dispute resolution) at no cost to eligible
22 low-income tenants at risk of or subject to eviction:
23 *Provided further*, That in awarding grants under the
24 preceding proviso, the Secretary shall give preference
25 to applicants that will use funds to provide services

1 for residents of census tracts with high rates of evic-
2 tion, have experience providing no-cost legal assist-
3 ance to low-income individuals, including those with
4 limited English proficiency or disabilities, and have
5 sufficient capacity to administer such assistance:
6 *Provided further*, That the Secretary shall ensure, to
7 the extent practicable, that the proportion of eligible
8 tenants living in rural areas who will receive legal
9 assistance with grants funds made available under
10 this section is not less than the overall proportion of
11 eligible tenants who live in rural areas; and

12 (10) \$20,000,000 shall be for providing tech-
13 nical assistance as authorized under section 405 of
14 the McKinney-Vento Homeless Assistance Act (42
15 U.S.C. 11361b):

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

1 ments applicable to funds made available under this head-
2 ing for this fiscal year and prior fiscal years, a grantee
3 may use (or could have used) as a source of match funds
4 other funds administered by the Secretary and other Fed-
5 eral agencies unless there is (or was) a specific statutory
6 prohibition on any such use of any such funds: *Provided*
7 *further*, That none of the funds made available under this
8 heading shall be available to provide funding for new
9 projects, except for projects created through reallocation,
10 unless the Secretary determines that the Continuum of
11 Care has demonstrated that projects are evaluated and
12 ranked based on the degree to which they improve the
13 Continuum of Care's system performance: *Provided fur-*
14 *ther*, That any unobligated amounts remaining from funds
15 made available under this heading in fiscal year 2012 and
16 prior years for project-based rental assistance for rehabili-
17 tation projects with 10-year grant terms may be used for
18 purposes under this heading, notwithstanding the pur-
19 poses for which such funds were appropriated: *Provided*
20 *further*, That all balances for Shelter Plus Care renewals
21 previously funded from the Shelter Plus Care Renewal ac-
22 count and transferred to this account shall be available,
23 if recaptured, for Continuum of Care renewals in fiscal
24 year 2021: *Provided further*, That when awarding funds
25 under the Continuum of Care program, the Secretary shall

1 not deviate from the Fiscal Year 2018 Notice of Funding
2 Availability with respect to the tier 2 funding process, the
3 Continuum of Care application scoring, and, for new
4 projects, the project quality threshold requirements, ex-
5 cept as otherwise provided under this Act or as necessary
6 to award all available funds or consider the most recent
7 data from each Continuum of Care: *Provided further*, That
8 unobligated balances, including recaptures and carryover,
9 remaining from funds transferred to or appropriated
10 under this heading shall be available for the current pur-
11 poses authorized under this heading in addition to the pur-
12 poses for which such funds originally were appropriated.

13 HOUSING PROGRAMS

14 PROJECT-BASED RENTAL ASSISTANCE

15 For activities and assistance for the provision of
16 project-based subsidy contracts under the United States
17 Housing Act of 1937 (42 U.S.C. 1437 et seq.) (in this
18 heading “the Act”), not otherwise provided for,
19 \$13,051,000,000, to remain available until expended,
20 which shall be available on October 1, 2020 (in addition
21 to the \$400,000,000 previously appropriated under this
22 heading that became available October 1, 2020), and
23 \$400,000,000, to remain available until expended, which
24 shall be available on October 1, 2021: *Provided*, That the
25 amounts made available under this heading shall be for

1 expiring or terminating section 8 project-based subsidy
2 contracts (including section 8 moderate rehabilitation con-
3 tracts), for amendments to section 8 project-based subsidy
4 contracts (including section 8 moderate rehabilitation con-
5 tracts), for contracts entered into pursuant to section 441
6 of the McKinney-Vento Homeless Assistance Act (42
7 U.S.C. 11401), for renewal of section 8 contracts for units
8 in projects that are subject to approved plans of action
9 under the Emergency Low Income Housing Preservation
10 Act of 1987 or the Low-Income Housing Preservation and
11 Resident Homeownership Act of 1990, and for administra-
12 tive and other expenses associated with project-based ac-
13 tivities and assistance funded under this heading: *Provided*
14 *further*, That of the total amounts made available under
15 this heading, not to exceed \$350,000,000 shall be for per-
16 formance-based contract administrators or contractors for
17 section 8 project-based assistance, as such term is defined
18 in subsection (f) of such section: *Provided further*, That
19 the Secretary may also use such amounts provided in the
20 preceding proviso for performance-based contract adminis-
21 trators or contractors for the administration of: (1) inter-
22 est reduction payments pursuant to section 236(a) of the
23 National Housing Act (12 U.S.C. 1715z-1(a)); (2) rent
24 supplement payments pursuant to section 101 of the
25 Housing and Urban Development Act of 1965 (12 U.S.C.

1 1701s); (3) rental assistance payments under section
2 236(f)(2) of the National Housing Act (12 U.S.C. 1715z–
3 1(f)(2)); (4) project rental assistance contracts for hous-
4 ing for the elderly under section 202(c)(2) of the Housing
5 Act of 1959 (12 U.S.C. 1701(c)(2)); (5) project rental as-
6 sistance contracts for supportive housing for persons with
7 disabilities under section 811(d)(2) of the Cranston-Gon-
8 zalez National Affordable Housing Act (42 U.S.C.
9 8013(d)(2)); (6) project assistance contracts pursuant to
10 section 202(h) of the Housing Act of 1959 (12 U.S.C.
11 1701q(h)); and (7) loans under section 202 of the Housing
12 Act of 1959 (12 U.S.C. 1701q): *Provided further*, That
13 amounts recaptured under this heading, the heading “An-
14 nual Contributions for Assisted Housing”, or the heading
15 “Housing Certificate Fund”, may be used for renewals of
16 or amendments to section 8 project-based assistance con-
17 tracts or for performance-based contract administrators or
18 contractors, notwithstanding the purposes for which such
19 amounts were appropriated: *Provided further*, That, not-
20 withstanding any other provision of law, upon the request
21 of the Secretary, project funds that are held in residual
22 receipts accounts for any project subject to a section 8
23 project-based Housing Assistance Payments contract that
24 authorizes the Department or a housing finance agency
25 to require that surplus project funds be deposited in an

1 interest-bearing residual receipts account and that are in
2 excess of an amount to be determined by the Secretary,
3 shall be recaptured for use under this heading and shall
4 be available until expended.

5 HOUSING FOR THE ELDERLY

6 For capital advances, including amendments to cap-
7 ital advance contracts, for housing for the elderly, as au-
8 thorized by section 202 of the Housing Act of 1959 (12
9 U.S.C. 1701q), for project rental assistance for the elderly
10 under section 202(c)(2) of such Act, including amend-
11 ments to contracts for such assistance and renewal of ex-
12 piring contracts for such assistance for up to a 1-year
13 term, for senior preservation rental assistance contracts,
14 including renewals, as authorized by section 811(e) of the
15 American Homeownership and Economic Opportunity Act
16 of 2000 (12 U.S.C. 1701q note), and for supportive serv-
17 ices associated with the housing, \$893,000,000 to remain
18 available until September 30, 2024: *Provided*, That of the
19 amount made available under this heading, up to
20 \$110,000,000 shall be for service coordinators and the
21 continuation of existing congregate service grants for resi-
22 dents of assisted housing projects: *Provided further*, That
23 amounts made available under this heading shall be avail-
24 able for Real Estate Assessment Center inspections and
25 inspection-related activities associated with section 202

1 projects: *Provided further*, That the Secretary may waive
2 the provisions of section 202 governing the terms and con-
3 ditions of project rental assistance, except that the initial
4 contract term for such assistance shall not exceed 5 years
5 in duration: *Provided further*, That upon request of the
6 Secretary, project funds that are held in residual receipts
7 accounts for any project subject to a section 202 project
8 rental assistance contract, and that upon termination of
9 such contract are in excess of an amount to be determined
10 by the Secretary, shall be recaptured for use for the pur-
11 poses authorized under this heading and shall remain
12 available until September 30, 2024: *Provided further*, That
13 unobligated balances, including recaptures and carryover,
14 remaining from funds transferred to or made available
15 under this heading shall be available for the purposes au-
16 thorized under this heading in addition to the purposes
17 for which such funds originally were appropriated: *Pro-*
18 *vided further*, That of the total amount made available
19 under this heading, up to \$14,000,000 shall be used by
20 the Secretary to continue demonstration programs to test
21 housing with services models for the elderly that dem-
22 onstrate the potential to delay or avoid the need for nurs-
23 ing home care: *Provided further*, That of the total amount
24 made available under this heading, up to \$10,000,000
25 shall be used to expand the supply of intergenerational

1 dwelling units (as such term is defined in section 202 of
2 the Legacy Act of 2003 (12 U.S.C. 1701q note)) for elder-
3 ly caregivers raising children.

4 HOUSING FOR PERSONS WITH DISABILITIES

5 For capital advances, including amendments to cap-
6 ital advance contracts, for supportive housing for persons
7 with disabilities, as authorized by section 811 of the Cran-
8 ston-Gonzalez National Affordable Housing Act (42
9 U.S.C. 8013), for project rental assistance for supportive
10 housing for persons with disabilities under section
11 811(d)(2) of such Act, for project assistance contracts
12 pursuant to subsection (h) of section 202 of the Housing
13 Act of 1959, as added by section 205(a) of the Housing
14 and Community Development Amendments of 1978 (Pub-
15 lic Law 95–557: 92 Stat. 2090), including amendments
16 to contracts for such assistance and renewal of expiring
17 contracts for such assistance for up to a 1-year term, for
18 project rental assistance to State housing finance agencies
19 and other appropriate entities as authorized under section
20 811(b)(3) of the Cranston-Gonzalez National Affordable
21 Housing Act, and for supportive services associated with
22 the housing for persons with disabilities as authorized by
23 section 811(b)(1) of such Act, \$227,000,000, to remain
24 available until September 30, 2024: *Provided, That*
25 amounts made available under this heading shall be avail-

1 able for Real Estate Assessment Center inspections and
2 inspection-related activities associated with section 811
3 projects: *Provided further*, That, upon the request of the
4 Secretary, project funds that are held in residual receipts
5 accounts for any project subject to a section 811 project
6 rental assistance contract, and that upon termination of
7 such contract are in excess of an amount to be determined
8 by the Secretary, shall be recaptured for use for the pur-
9 poses authorized under this heading and shall remain
10 available until September 30, 2024: *Provided further*, That
11 unobligated balances, including recaptures and carryover,
12 remaining from funds transferred to or appropriated
13 under this heading shall be used for the purposes author-
14 ized under this heading in addition to the purposes for
15 which such funds originally were appropriated.

16 HOUSING COUNSELING ASSISTANCE

17 For contracts, grants, and other assistance, excluding
18 loans, as authorized under section 106 of the Housing and
19 Urban Development Act of 1968 (12 U.S.C. 1701x),
20 \$75,000,000, to remain available until September 30,
21 2022, of which up to \$4,500,000 shall be for administra-
22 tive contract services: *Provided*, That grants using
23 amounts made available under this heading shall be
24 awarded within 180 days of enactment of this Act: *Pro-*
25 *vided further*, That funds shall be used for providing coun-

1 seling and advice to tenants and homeowners, current and
2 prospective, with respect to property maintenance, finan-
3 cial management and literacy, foreclosure and eviction
4 mitigation, and such other matters as may be appropriate
5 to assist them in improving their housing conditions, meet-
6 ing their financial needs, and fulfilling the responsibilities
7 of tenancy or homeownership; for program administration;
8 and for housing counselor training: *Provided further*, That
9 amounts made available under this heading may be used
10 to purchase equipment and technology to deliver services
11 through use of the Internet or other electronic or virtual
12 means in response to the public health emergency related
13 to the Coronavirus Disease 2019 (COVID-19) pandemic:
14 *Provided further*, That for purposes of providing such
15 grants from amounts made available under this heading,
16 the Secretary may enter into multiyear agreements, as ap-
17 propriate, subject to the availability of annual appropria-
18 tions.

19 PAYMENT TO MANUFACTURED HOUSING FEES TRUST
20 FUND

21 For necessary expenses as authorized by the National
22 Manufactured Housing Construction and Safety Stand-
23 ards Act of 1974 (42 U.S.C. 5401 et seq.), up to
24 \$13,000,000, to remain available until expended, of which
25 \$13,000,000 shall be derived from the Manufactured

1 Housing Fees Trust Fund (established under section
2 620(e) of such Act (42 U.S.C. 5419(e)): *Provided*, That
3 not to exceed the total amount appropriated under this
4 heading shall be available from the general fund of the
5 Treasury to the extent necessary to incur obligations and
6 make expenditures pending the receipt of collections to the
7 Fund pursuant to section 620 of such Act: *Provided fur-*
8 *ther*, That the amount made available under this heading
9 from the general fund shall be reduced as such collections
10 are received during fiscal year 2021 so as to result in a
11 final fiscal year 2021 appropriation from the general fund
12 estimated at zero, and fees pursuant to such section 620
13 shall be modified as necessary to ensure such a final fiscal
14 year 2021 appropriation: *Provided further*, That the Sec-
15 retary shall issue a final rule to complete rulemaking initi-
16 ated by the proposed rule entitled “Manufactured Housing
17 Program: Minimum Payments to the States” published in
18 the Federal Register on December 16, 2016 (81 Fed. Reg.
19 91083): *Provided further*, That for the dispute resolution
20 and installation programs, the Secretary may assess and
21 collect fees from any program participant: *Provided fur-*
22 *ther*, That such collections shall be deposited into the
23 Trust Fund, and the Secretary, as provided herein, may
24 use such collections, as well as fees collected under section
25 620 of such Act, for necessary expenses of such Act: *Pro-*

1 *vided further*, That, notwithstanding the requirements of
2 section 620 of such Act, the Secretary may carry out re-
3 sponsibilities of the Secretary under such Act through the
4 use of approved service providers that are paid directly
5 by the recipients of their services.

6 FEDERAL HOUSING ADMINISTRATION

7 MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

8 New commitments to guarantee single family loans
9 insured under the Mutual Mortgage Insurance Fund (es-
10 tablished under section 202(a) of the National Housing
11 Act (12 U.S.C. 1708(a)) shall not exceed
12 \$400,000,000,000 in aggregate loan principal, to remain
13 available until September 30, 2022: *Provided*, That during
14 fiscal year 2021, obligations to make direct loans to carry
15 out the purposes of section 204(g) of the National Hous-
16 ing Act (12 U.S.C. 1710(g)) shall not exceed \$1,000,000:
17 *Provided further*, That the amount in the preceding pro-
18 viso shall be for loans to nonprofit and governmental enti-
19 ties in connection with sales of single family real prop-
20 erties owned by the Secretary and formerly insured under
21 the Mutual Mortgage Insurance Fund: *Provided further*,
22 That for administrative contract expenses of the Federal
23 Housing Administration, \$130,000,000, to remain avail-
24 able until September 30, 2022: *Provided further*, That to
25 the extent guaranteed loan commitments exceed

1 \$200,000,000,000 on or before April 1, 2021, an addi-
2 tional \$1,400 for administrative contract expenses shall be
3 available for each \$1,000,000 in additional guaranteed
4 loan commitments (including a pro rata amount for any
5 amount below \$1,000,000), but in no case shall funds
6 made available by this proviso exceed \$30,000,000: *Pro-*
7 *vided further*, That notwithstanding the limitation in the
8 first sentence of section 255(g) of the National Housing
9 Act (12 U.S.C. 1715z-20(g)), during fiscal year 2021 the
10 Secretary may insure and enter into new commitments to
11 insure mortgages under section 255 of such Act only to
12 the extent that the net credit subsidy cost for such insur-
13 ance does not exceed zero: *Provided further*, That for fiscal
14 year 2021, the Secretary shall not take any action against
15 a lender solely on the basis of compare ratios that have
16 been adversely affected by defaults on mortgages secured
17 by properties in areas where a major disaster was declared
18 in 2017 or 2018 pursuant to the Robert T. Stafford Dis-
19 aster Relief and Emergency Assistance Act (42 U.S.C.
20 5121 et seq.).

21 GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

22 New commitments to guarantee loans insured under
23 the General and Special Risk Insurance Funds, as author-
24 ized by sections 238 and 519 of the National Housing Act
25 (12 U.S.C. 1715z-3 and 1735c), shall not exceed

1 \$30,000,000,000 in aggregate loan principal, any part of
2 which is to be guaranteed, to remain available until Sep-
3 tember 30, 2022: *Provided*, That during fiscal year 2021,
4 gross obligations for the principal amount of direct loans,
5 as authorized by sections 204(g), 207(l), 238, and 519(a)
6 of the National Housing Act, shall not exceed \$1,000,000,
7 which shall be for loans to nonprofit and governmental en-
8 tities in connection with the sale of single family real prop-
9 erties owned by the Secretary and formerly insured under
10 such Act.

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

14 New commitments to issue guarantees to carry out
15 the purposes of section 306(g) of the National Housing
16 Act, as amended (12 U.S.C. 1721(g)), shall not exceed
17 \$1,500,000,000,000 in aggregate principal, to remain
18 available until September 30, 2022: *Provided*, That
19 \$55,500,000, to remain available until September 30,
20 2022, shall be for necessary salaries and expenses of the
21 Office of Government National Mortgage Association: *Pro-*
22 *vided further*, That to the extent that guaranteed loan
23 commitments exceed \$155,000,000,000 on or before April
24 1, 2021, an additional \$100 for necessary salaries and ex-
25 penses shall be available until expended for each

1 \$1,000,000 in additional guaranteed loan commitments
2 (including a pro rata amount for any amount below
3 \$1,000,000), but in no case shall funds made available by
4 this proviso exceed \$3,000,000: *Provided further*, That re-
5 ceipts from Commitment and Multiclass fees collected pur-
6 suant to title III of the National Housing Act (12 U.S.C.
7 1716 et seq.) shall be credited as offsetting collections to
8 this account.

9 POLICY DEVELOPMENT AND RESEARCH

10 RESEARCH AND TECHNOLOGY

11 For contracts, grants, and necessary expenses of pro-
12 grams of research and studies relating to housing and
13 urban problems, not otherwise provided for, as authorized
14 by title V of the Housing and Urban Development Act
15 of 1970 (12 U.S.C. 1701z-1 et seq.), including carrying
16 out the functions of the Secretary of Housing and Urban
17 Development under section 1(a)(1)(i) of Reorganization
18 Plan No. 2 of 1968, and for technical assistance,
19 \$118,000,000, to remain available until September 30,
20 2022: *Provided*, That with respect to amounts made avail-
21 able under this heading, notwithstanding section 203 of
22 this title, the Secretary may enter into cooperative agree-
23 ments with philanthropic entities, other Federal agencies,
24 State or local governments and their agencies, Indian
25 tribes, tribally designated housing entities, or colleges or

1 universities for research projects: *Provided further*, That
2 with respect to the preceding proviso, such partners to the
3 cooperative agreements shall contribute at least a 50 per-
4 cent match toward the cost of the project: *Provided fur-*
5 *ther*, That for non-competitive agreements entered into in
6 accordance with the preceding two provisos, the Secretary
7 shall comply with section 2(b) of the Federal Funding Ac-
8 countability and Transparency Act of 2006 (Public Law
9 109–282, 31 U.S.C. note) in lieu of compliance with sec-
10 tion 102(a)(4)(C) of the Department of Housing and
11 Urban Development Reform Act of 1989 (42 U.S.C.
12 3545(a)(4)(C)) with respect to documentation of award
13 decisions: *Provided further*, That prior to obligation of
14 technical assistance funding, the Secretary shall submit a
15 plan to the House and Senate Committees on Appropria-
16 tions on how the Secretary will allocate funding for this
17 activity at least 30 days prior to obligation: *Provided fur-*
18 *ther*, That none of the funds provided under this heading
19 may be available for the doctoral dissertation research
20 grant program.

21 FAIR HOUSING AND EQUAL OPPORTUNITY

22 FAIR HOUSING ACTIVITIES

23 For contracts, grants, and other assistance, not oth-
24 erwise provided for, as authorized by title VIII of the Civil
25 Rights Act of 1968 (42 U.S.C. 3601 et seq.), and section

1 561 of the Housing and Community Development Act of
2 1987 (42 U.S.C. 3616a), \$80,300,000, to remain available
3 until September 30, 2022: *Provided*, That grants from
4 amounts made available under this heading shall be
5 awarded not later than 180 days after enactment of this
6 Act: *Provided further*, That notwithstanding section 3302
7 of title 31, United States Code, the Secretary may assess
8 and collect fees to cover the costs of the Fair Housing
9 Training Academy, and may use such funds to develop on-
10 line courses and provide such training: *Provided further*,
11 That none of the funds made available under this heading
12 may be used to lobby the executive or legislative branches
13 of the Federal Government in connection with a specific
14 contract, grant, or loan: *Provided further*, That of the
15 funds made available under this heading, \$350,000 shall
16 be available to the Secretary for the creation and pro-
17 motion of translated materials and other programs that
18 support the assistance of persons with limited English pro-
19 ficiency in utilizing the services provided by the Depart-
20 ment of Housing and Urban Development.

1066

1 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY

2 HOMES

3 LEAD HAZARD REDUCTION

4 (INCLUDING TRANSFER OF FUNDS)

5 For the Lead Hazard Reduction Program, as author-
6 ized by section 1011 of the Residential Lead-Based Paint
7 Hazard Reduction Act of 1992 (42 U.S.C. 4852),
8 \$340,000,000, to remain available until September 30,
9 2023, of which \$70,000,000 shall be for the Healthy
10 Homes Initiative, pursuant to sections 501 and 502 of the
11 Housing and Urban Development Act of 1970 (42 U.S.C.
12 1701z-1, 1701z-2), which shall include research, studies,
13 testing, and demonstration efforts, including education
14 and outreach concerning lead-based paint poisoning and
15 other housing related diseases and hazards: *Provided*,
16 That for purposes of environmental review, pursuant to
17 the National Environmental Policy Act of 1969 (42 U.S.C.
18 4321 et seq.) and other provisions of law that further the
19 purposes of such Act, a grant under the Healthy Homes
20 Initiative, or the Lead Technical Studies program under
21 this heading or under prior appropriations Acts for such
22 purposes under this heading, shall be considered to be
23 funds for a special project for purposes of section 305(c)
24 of the Multifamily Housing Property Disposition Reform
25 Act of 1994 (42 U.S.C. 3547(c)): *Provided further*, That

1 not less than \$95,000,000 of the amounts made available
2 under this heading for the award of grants pursuant to
3 section 1011 of the Residential Lead-Based Paint Hazard
4 Reduction Act of 1992 shall be provided to areas with the
5 highest lead-based paint abatement needs: *Provided fur-*
6 *ther*, That of the amounts made available for the Healthy
7 Homes Initiative, \$5,000,000 shall be for the implementa-
8 tion of projects in up to 5 communities that are served
9 by both the Healthy Homes Initiative and the Department
10 of Energy Weatherization Assistance Program to dem-
11 onstrate whether the coordination of Healthy Homes re-
12 mediation activities with weatherization activities achieves
13 cost savings and better outcomes in improving the safety
14 and quality of homes: *Provided further*, That \$30,000,000
15 of the amounts made available under this heading shall
16 be for a lead risk assessment demonstration for public
17 housing agencies to conduct lead hazard screenings or lead
18 risk assessments during housing quality standards inspec-
19 tions of units in which a family receiving assistance under
20 section 8(o) of the U.S. Housing Act of 1937 (42 U.S.C.
21 1437f(o)) resides or expects to reside, and has or expects
22 to have a child under age 6 residing in the unit, while
23 preserving rental housing availability and affordability:
24 *Provided further*, That each applicant shall certify ade-
25 quate capacity that is acceptable to the Secretary to carry

1 out the proposed use of funds pursuant to a notice of
2 funding availability: *Provided further*, That amounts made
3 available under this heading in this or prior appropriations
4 Acts, still remaining available, may be used for any pur-
5 pose under this heading notwithstanding the purpose for
6 which such amounts were appropriated if a program com-
7 petition is undersubscribed and there are other program
8 competitions under this heading that are oversubscribed:
9 *Provided further*, That up to \$2,000,000 of the amounts
10 made available under this heading may be transferred to
11 the heading “Policy Development and Research” for the
12 purposes of conducting research and studies and for use
13 in accordance with the provisos under that heading for
14 non-competitive agreements.

15 CYBERSECURITY AND INFORMATION TECHNOLOGY FUND

16 (INCLUDING TRANSFER OF FUNDS)

17 For the mitigation against the exploitation of infor-
18 mation technology systems and personal identifiable infor-
19 mation and for the development, modernization, and en-
20 hancement of, modifications to, and infrastructure for De-
21 partment-wide and program-specific information tech-
22 nology systems, for the continuing operation and mainte-
23 nance of both Department-wide and program-specific in-
24 formation systems, and for program-related maintenance
25 activities, \$293,000,000, of which \$269,800,000 shall re-

1 main available until September 30, 2022, \$20,000,000
2 shall remain available until September 30, 2023, and
3 \$3,200,000 shall remain available until September 30,
4 2024: *Provided*, That any amounts transferred to this
5 Fund under this Act shall remain available until expended:
6 *Provided further*, That any amounts transferred to this
7 Fund from amounts appropriated by previously enacted
8 appropriations Acts may be used for the purposes specified
9 under this Fund, in addition to any other information
10 technology purposes for which such amounts were appro-
11 priated: *Provided further*, That not more than 10 percent
12 of the funds made available under this heading for devel-
13 opment, modernization and enhancement may be obligated
14 until the Secretary submits a performance plan to the
15 House and Senate Committees on Appropriations for ap-
16 proval.

17 OFFICE OF INSPECTOR GENERAL

18 For necessary salaries and expenses of the Office of
19 Inspector General in carrying out the Inspector General
20 Act of 1978, as amended, \$145,514,000: *Provided*, That
21 the Inspector General shall have independent authority
22 over all personnel issues within this office.

1 GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND
2 URBAN DEVELOPMENT

3 (INCLUDING TRANSFER OF FUNDS)

4 (INCLUDING RESCISSIONS)

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

23 SEC. 202. None of the funds made available by this
24 Act may be used during fiscal year 2021 to investigate
25 or prosecute under the Fair Housing Act any otherwise

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

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

12 SEC. 204. Funds of the Department of Housing and
13 Urban Development subject to chapter 91 of title 31,
14 United States Code, commonly known as the Government
15 Corporation Control Act, shall be available, without regard
16 to the limitations on administrative expenses, for legal
17 services on a contract or fee basis, and for utilizing and
18 making payment for services and facilities of the Federal
19 National Mortgage Association, Government National
20 Mortgage Association, Federal Home Loan Mortgage Cor-
21 poration, Federal Financing Bank, Federal Reserve banks
22 or any member thereof, Federal Home Loan banks, and
23 any insured bank within the meaning of the Federal De-
24 posit Insurance Act (12 U.S.C. 1811 et seq.).

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

7 SEC. 206. Corporations and agencies of the Depart-
8 ment of Housing and Urban Development that are subject
9 to chapter 91 of title 31, United States Code, commonly
10 known as the Government Corporation Control Act, are
11 hereby authorized to make such expenditures, within the
12 limits of funds and borrowing authority available to each
13 such corporation or agency and in accordance with law,
14 and to make such contracts and commitments without re-
15 gard to fiscal year limitations as provided by section 9104
16 of title 31 as may be necessary in carrying out the pro-
17 grams set forth in the budget for 2021 for such corpora-
18 tion or agency except as hereinafter provided: *Provided,*
19 That collections of these corporations and agencies may
20 be used for new loan or mortgage purchase commitments
21 only to the extent expressly provided for in this Act (unless
22 such loans are in support of other forms of assistance pro-
23 vided for in this or prior appropriations Acts), except that
24 this proviso shall not apply to the mortgage insurance or
25 guaranty operations of such corporations, or to loans or

1 mortgage purchases that are necessary to protect the fi-
2 nancial interest of the United States Government.

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

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

15 SEC. 209. (a) Notwithstanding any other provision
16 of law, subject to the conditions under this section, for
17 fiscal years 2021 and 2022, the Secretary may authorize
18 the transfer of some or all project-based assistance, debt
19 held or insured by the Secretary and statutorily required
20 low-income and very low-income use restrictions if any, as-
21 sociated with one or more multifamily housing project or
22 projects to another multifamily housing project or
23 projects.

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

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

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

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

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

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

1 (2) The transferring project shall, as deter-
2 mined by the Secretary, be either physically obsolete
3 or economically nonviable.

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

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

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

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

20 (7) If either the transferring project or the re-
21 ceiving project or projects meets the condition speci-
22 fied in subsection (d)(2)(A), any lien on the receiv-
23 ing project resulting from additional financing ob-
24 tained by the owner shall be subordinate to any
25 FHA-insured mortgage lien transferred to, or placed

1 on, such project by the Secretary, except that the
2 Secretary may waive this requirement upon deter-
3 mination that such a waiver is necessary to facilitate
4 the financing of acquisition, construction, and/or re-
5 habilitation of the receiving project or projects.

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

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

20 (d) For purposes of this section—

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

1 (2) the term “multifamily housing project”
2 means—

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

5 (B) housing that has project-based assist-
6 ance attached to the structure including
7 projects undergoing mark to market debt re-
8 structuring under the Multifamily Assisted
9 Housing Reform and Affordability Housing Act;

10 (C) housing that is assisted under section
11 202 of the Housing Act of 1959 (12 U.S.C.
12 1701q);

13 (D) housing that is assisted under section
14 202 of the Housing Act of 1959 (12 U.S.C.
15 1701q), as such section existed before the en-
16 actment of the Cranston-Gonzales National Af-
17 fordable Housing Act;

18 (E) housing that is assisted under section
19 811 of the Cranston-Gonzales National Afford-
20 able Housing Act (42 U.S.C. 8013); or

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

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

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

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

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

12 (D) interest reduction payments under sec-
13 tion 236 and/or additional assistance payments
14 under section 236(f)(2) of the National Hous-
15 ing Act (12 U.S.C. 1715z–(f)(2));

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

19 (F) assistance payments made under sec-
20 tion 811(d)(2) of the Cranston-Gonzalez Na-
21 tional Affordable Housing Act (42 U.S.C.
22 8013(d)(2));

23 (4) the term “receiving project or projects”
24 means the multifamily housing project or projects to
25 which some or all of the project-based assistance,

1 debt, and statutorily required low-income and very
2 low-income use restrictions are to be transferred;

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

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

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

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

20 (1) is enrolled as a student at an institution of
21 higher education (as defined under section 102 of
22 the Higher Education Act of 1965 (20 U.S.C.
23 1002));

24 (2) is under 24 years of age;

25 (3) is not a veteran;

1 (4) is unmarried;

2 (5) does not have a dependent child;

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

8 (7) is not a youth who left foster care at age
9 14 or older and is at risk of becoming homeless; and

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

14 (b) For purposes of determining the eligibility of a
15 person to receive assistance under section 8 of the United
16 States Housing Act of 1937 (42 U.S.C. 1437f), any finan-
17 cial assistance (in excess of amounts received for tuition
18 and any other required fees and charges) that an indi-
19 vidual receives under the Higher Education Act of 1965
20 (20 U.S.C. 1001 et seq.), from private sources, or from
21 an institution of higher education (as defined under sec-
22 tion 102 of the Higher Education Act of 1965 (20 U.S.C.
23 1002)), shall be considered income to that individual, ex-
24 cept for a person over the age of 23 with dependent chil-
25 dren.

1 SEC. 211. The funds made available for Native Alas-
2 kans under paragraph (1) under the heading “Native
3 American Programs” in title II of this Act shall be allo-
4 cated to the same Native Alaskan housing block grant re-
5 cipients that received funds in fiscal year 2005, and only
6 such recipients shall be eligible to apply for funds made
7 available under paragraph (3) of such heading.

8 SEC. 212. Notwithstanding any other provision of
9 law, in fiscal year 2021, in managing and disposing of any
10 multifamily property that is owned or has a mortgage held
11 by the Secretary of Housing and Urban Development, and
12 during the process of foreclosure on any property with a
13 contract for rental assistance payments under section 8
14 of the United States Housing Act of 1937 (42 U.S.C.
15 1437f) or any other Federal programs, the Secretary shall
16 maintain any rental assistance payments under section 8
17 of the United States Housing Act of 1937 and other pro-
18 grams that are attached to any dwelling units in the prop-
19 erty. To the extent the Secretary determines, in consulta-
20 tion with the tenants and the local government that such
21 a multifamily property owned or having a mortgage held
22 by the Secretary is not feasible for continued rental assist-
23 ance payments under such section 8 or other programs,
24 based on consideration of (1) the costs of rehabilitating
25 and operating the property and all available Federal,

1 State, and local resources, including rent adjustments
2 under section 524 of the Multifamily Assisted Housing
3 Reform and Affordability Act of 1997 (“MAHRAA”) (42
4 U.S.C. 1437f note), and (2) environmental conditions that
5 cannot be remedied in a cost-effective fashion, the Sec-
6 retary may, in consultation with the tenants of that prop-
7 erty, contract for project-based rental assistance payments
8 with an owner or owners of other existing housing prop-
9 erties, or provide other rental assistance. The Secretary
10 shall also take appropriate steps to ensure that project-
11 based contracts remain in effect prior to foreclosure, sub-
12 ject to the exercise of contractual abatement remedies to
13 assist relocation of tenants for imminent major threats to
14 health and safety after written notice to and informed con-
15 sent of the affected tenants and use of other available rem-
16 edies, such as partial abatements or receivership. After
17 disposition of any multifamily property described in this
18 section, the contract and allowable rent levels on such
19 properties shall be subject to the requirements under sec-
20 tion 524 of MAHRAA.

21 SEC. 213. Public housing agencies that own and oper-
22 ate 400 or fewer public housing units may elect to be ex-
23 empt from any asset management requirement imposed by
24 the Secretary in connection with the operating fund rule:
25 *Provided*, That an agency seeking a discontinuance of a

1 reduction of subsidy under the operating fund formula
2 shall not be exempt from asset management requirements.

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

18 SEC. 215. No official or employee of the Department
19 of Housing and Urban Development shall be designated
20 as an allotment holder unless the Office of the Chief Fi-
21 nancial Officer has determined that such allotment holder
22 has implemented an adequate system of funds control and
23 has received training in funds control procedures and di-
24 rectives. The Chief Financial Officer shall ensure that
25 there is a trained allotment holder for each HUD appro-

1 priation under the accounts “Executive Offices”, “Admin-
2 istrative Support Offices”, “Program Offices”, “Govern-
3 ment National Mortgage Association—Guarantees of
4 Mortgage-Backed Securities Loan Guarantee Program
5 Account”, and “Office of Inspector General” within the
6 Department of Housing and Urban Development.

7 SEC. 216. The Secretary shall, for fiscal year 2021,
8 notify the public through the Federal Register and other
9 means, as determined appropriate, of the issuance of a no-
10 tice of the availability of assistance or notice of funding
11 availability (NOFA) for any program or discretionary
12 fund administered by the Secretary that is to be competi-
13 tively awarded. Notwithstanding any other provision of
14 law, for fiscal year 2021, the Secretary may make the
15 NOFA available only on the Internet at the appropriate
16 Government web site or through other electronic media,
17 as determined by the Secretary.

18 SEC. 217. Payment of attorney fees in program-re-
19 lated litigation shall be paid from the individual program
20 office and Office of General Counsel salaries and expenses
21 appropriations. The annual budget submission for the pro-
22 gram offices and the Office of General Counsel shall in-
23 clude any such projected litigation costs for attorney fees
24 as a separate line item request.

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

15 (2) The authority under paragraph (1) to transfer
16 funds shall not apply to the Office of Fair Housing and
17 Equal Opportunity, the Office of Lead Hazard Control
18 and Healthy Homes, or the Office of Departmental Equal
19 Employment Opportunity.

20 (b) The Secretary is authorized to transfer up to 10
21 percent of funds appropriated for any office under the
22 headings “Administrative Support Offices” or “Program
23 Offices” to the Office of Fair Housing and Equal Oppor-
24 tunity, the Office of Lead Hazard Control and Healthy
25 Homes, or the Office of Departmental Equal Employment

1 Opportunity: *Provided*, That no amounts may be trans-
2 ferred pursuant to this subparagraph unless the Secretary
3 shall provide notification to such Committees not less 3
4 business days in advance of any such transfers under this
5 subsection.

6 SEC. 219. (a) Any entity receiving housing assistance
7 payments shall maintain decent, safe, and sanitary condi-
8 tions, as determined by the Secretary, and comply with
9 any standards under applicable State or local laws, rules,
10 ordinances, or regulations relating to the physical condi-
11 tion of any property covered under a housing assistance
12 payment contract.

13 (b) The Secretary shall take action under subsection
14 (c) when a multifamily housing project with a contract
15 under section 8 of the United States Housing Act of 1937
16 (42 U.S.C. 1437f) or a contract for similar project-based
17 assistance—

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

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

24 Such requirements shall apply to insured and noninsured
25 projects with assistance attached to the units under sec-

1 tion 8 of the United States Housing Act of 1937 (42
2 U.S.C. 1437f), but shall not apply to such units assisted
3 under section 8(o)(13) of such Act (42 U.S.C.
4 1437f(o)(13)) or to public housing units assisted with cap-
5 ital or operating funds under section 9 of the United
6 States Housing Act of 1937 (42 U.S.C. 1437g).

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

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

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

23 (B) impose civil money penalties, which shall be
24 used solely for the purpose of supporting safe and
25 sanitary conditions at applicable properties, as des-

1 ignated by the Secretary, with priority given to the
2 tenants of the property affected by the penalty;

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

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

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

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

15 (G) seek judicial appointment of a receiver to
16 manage the property and cure all project deficiencies
17 or seek a judicial order of specific performance re-
18 quiring the owner to cure all project deficiencies;

19 (H) work with the owner, lender, or other re-
20 lated party to stabilize the property in an attempt
21 to preserve the property through compliance, trans-
22 fer of ownership, or an infusion of capital provided
23 by a third-party that requires time to effectuate; or

1 (I) take any other regulatory or contractual
2 remedies available as deemed necessary and appro-
3 priate by the Secretary.

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

13 (1) the costs of rehabilitating and operating the
14 property and all available Federal, State, and local
15 resources, including rent adjustments under section
16 524 of the Multifamily Assisted Housing Reform
17 and Affordability Act of 1997 (“MAHRAA”), and

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

24 (e) The Secretary shall report quarterly on all prop-
25 erties covered by this section that are assessed through

1 the Real Estate Assessment Center and have UPCS phys-
2 ical inspection scores of less than 60 or have received an
3 unsatisfactory management and occupancy review within
4 the past 36 months. The report shall include—

5 (1) identification of the enforcement actions
6 being taken to address such conditions, including
7 imposition of civil money penalties and termination
8 of subsidies, and identification of properties that
9 have such conditions multiple times;

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

13 (3) any administrative or legislative rec-
14 ommendations to further improve the living condi-
15 tions at properties covered under a housing assist-
16 ance payment contract.

17 This report shall be submitted to the Senate and House
18 Committees on Appropriations not later than 30 days
19 after the enactment of this Act, and on the first business
20 day of each Federal fiscal year quarter thereafter while
21 this section remains in effect.

22 SEC. 220. None of the funds made available by this
23 Act, or any other Act, for purposes authorized under sec-
24 tion 8 (only with respect to the tenant-based rental assist-
25 ance program) and section 9 of the United States Housing

1 Act of 1937 (42 U.S.C. 1437 et seq.), may be used by
2 any public housing agency for any amount of salary, in-
3 cluding bonuses, for the chief executive officer of which,
4 or any other official or employee of which, that exceeds
5 the annual rate of basic pay payable for a position at level
6 IV of the Executive Schedule at any time during any pub-
7 lic housing agency fiscal year 2021.

8 SEC. 221. None of the funds made available by this
9 Act and provided to the Department of Housing and
10 Urban Development may be used to make a grant award
11 unless the Secretary notifies the House and Senate Com-
12 mittees on Appropriations not less than 3 full business
13 days before any project, State, locality, housing authority,
14 tribe, nonprofit organization, or other entity selected to
15 receive a grant award is announced by the Department
16 or its offices.

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

20 SEC. 223. None of the funds made available by this
21 Act shall be used by the Federal Housing Administration,
22 the Government National Mortgage Administration, or the
23 Department of Housing and Urban Development to in-
24 sure, securitize, or establish a Federal guarantee of any
25 mortgage or mortgage backed security that refinances or

1 otherwise replaces a mortgage that has been subject to
2 eminent domain condemnation or seizure, by a State, mu-
3 nicipality, or any other political subdivision of a State.

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

10 SEC. 225. Amounts made available by this Act that
11 are appropriated, allocated, advanced on a reimbursable
12 basis, or transferred to the Office of Policy Development
13 and Research of the Department of Housing and Urban
14 Development and functions thereof, for research, evalua-
15 tion, or statistical purposes, and that are unexpended at
16 the time of completion of a contract, grant, or cooperative
17 agreement, may be deobligated and shall immediately be-
18 come available and may be reobligated in that fiscal year
19 or the subsequent fiscal year for the research, evaluation,
20 or statistical purposes for which the amounts are made
21 available to that Office subject to reprogramming require-
22 ments in section 405 of this Act.

23 SEC. 226. Funds made available by this title under
24 the heading “Homeless Assistance Grants” may be used
25 by the Secretary to participate in Performance Partner-

1 ship Pilots authorized under section 526 of division H of
2 Public Law 113–76 (42 U.S.C. 12301 note), section 524
3 of division G of Public Law 113–235, section 525 of divi-
4 sion H of Public Law 114–113, section 525 of division
5 H of Public Law 115–31, section 525 of division H of
6 Public Law 115–141, section 524 of division B of Public
7 Law 115–245, and such authorities as are enacted for
8 Performance Partnership Pilots in an appropriations Act
9 for fiscal year 2021: *Provided*, That such participation
10 shall be limited to not more than 10 continuums of care
11 and housing activities to improve outcomes for discon-
12 nected youth.

13 SEC. 227. In this fiscal year and in each fiscal year
14 thereafter, with respect to grant amounts awarded for the
15 Continuum of Care (CoC) program authorized under sub-
16 title C of title IV of the McKinney-Vento Homeless Assist-
17 ance Act (42 U.S.C. 11381 et seq.) with amounts made
18 available under the heading “Homeless Assistance
19 Grants”, costs paid by program income of grant recipients
20 may be counted toward meeting the recipient’s matching
21 requirements, provided the costs are eligible CoC costs
22 that supplement the recipient’s CoC program.

23 SEC. 228. (a) In this fiscal year and in each fiscal
24 year thereafter, from amounts made available by this title
25 under the heading “Homeless Assistance Grants”, the

1 Secretary may award 1-year transition grants to recipients
2 of funds for activities under subtitle C of the McKinney-
3 Vento Homeless Assistance Act (42 U.S.C. 11381 et seq.)
4 to transition from one Continuum of Care program compo-
5 nent to another.

6 (b) To be eligible to receive a transition grant under
7 subsection (a), the funding recipient shall have the consent
8 of the Continuum of Care and meet such standards as
9 the Secretary may establish.

10 SEC. 229. None of the funds made available by this
11 Act may be used by the Department of Housing and
12 Urban Development to direct a grantee to undertake spe-
13 cific changes to existing zoning laws as part of carrying
14 out the final rule entitled “Affirmatively Furthering Fair
15 Housing” (80 Fed. Reg. 42272 (July 16, 2015)) or the
16 notice entitled “Affirmatively Furthering Fair Housing
17 Assessment Tool” (79 Fed. Reg. 57949 (September 26,
18 2014)).

19 SEC. 230. The Promise Zone designations and Prom-
20 ise Zone Designation Agreements entered into pursuant
21 to such designations, made by the Secretary in prior fiscal
22 years, shall remain in effect in accordance with the terms
23 and conditions of such agreements.

24 SEC. 231. None of the funds made available by this
25 Act may be used to establish and apply review criteria,

1 including rating factors or preference points, for participa-
2 tion in or coordination with EnVision Centers, in the eval-
3 uation, selection, and award of any funds made available
4 and requiring competitive selection under this Act, except
5 with respect to any such funds otherwise authorized for
6 EnVision Center purposes under this Act.

7 SEC. 232. None of the funds made available by this
8 or any prior Act may be used to require or enforce any
9 changes to the terms and conditions of the public housing
10 annual contributions contract between the Secretary and
11 any public housing agency, as such contract was in effect
12 as of December 31, 2017, unless such changes are mutu-
13 ally agreed upon by the Secretary and such agency: *Pro-*
14 *vided*, That such agreement by an agency may be indi-
15 cated only by a written amendment to the terms and con-
16 ditions containing the duly authorized signature of its
17 chief executive: *Provided further*, That the Secretary may
18 not withhold funds to compel such agreement by an agen-
19 cy which certifies to its compliance with its contract.

20 SEC. 233. Any public housing agency designated as
21 a Moving to Work agency pursuant to section 239 of divi-
22 sion L of Public Law 114–113 (42 U.S.C. 1437f note;
23 129 Stat. 2897) may, upon such designation, use funds
24 (except for special purpose funding, including special pur-
25 pose vouchers) previously allocated to any such public

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

12 SEC. 234. None of the amounts made available by
13 this Act, by Public Law 116–94, or by Public Law 116–
14 6 may be used to prohibit any public housing agency under
15 receivership or the direction of a Federal monitor from
16 applying for, receiving, or using funds made available
17 under the heading “Public Housing Capital Fund” for
18 competitive grants to evaluate and reduce lead-based paint
19 hazards in this Act or that remain available and not
20 awarded from prior Acts, or be used to prohibit a public
21 housing agency from using such funds to carry out any
22 required work pursuant to a settlement agreement, con-
23 sent decree, voluntary agreement, or similar document for
24 a violation of the Lead Safe Housing or Lead Disclosure
25 Rules.

1 SEC. 235. None of the funds made available to the
2 Department of Housing and Urban Development by this
3 or any other Act may be used to implement, administer,
4 enforce, or in any way make effective the proposed rule
5 entitled “Making Admission or Placement Determinations
6 Based on Sex in Facilities Under Community Planning
7 and Development Housing Programs”, transmitted to
8 Congress for review by the Department of Housing and
9 Urban Development on June 12, 2020 (Docket No. FR-
10 6152-P-01), or any final rule based substantially on such
11 proposed rule.

12 SEC. 236. Notwithstanding any other provision of
13 law, the notice issued by the Department of Housing and
14 Urban Development on February 20, 2015, and entitled
15 “Appropriate Placement for Transgender Persons in Sin-
16 gle-Sex Emergency Shelters and Other Facilities” (Notice
17 CPD-15-02) shall have the force and effect of law.

18 SEC. 237. None of the funds made available to the
19 Department of Housing and Urban Development by this
20 or any other Act may be used to implement, administer,
21 enforce, or in any way make effective the proposed rule
22 entitled “Housing and Community Development Act of
23 1980: Verification of Eligible Status”, issued by the De-
24 partment of Housing and Urban Development on May 10,

1 2019 (Docket No. FR-6124-P-01), or any final rule based
2 substantially on such proposed rule.

3 SEC. 238. There are hereby rescinded, from funds ap-
4 propriated under the heading “Department of Housing
5 and Urban Development—Housing Programs—Rental
6 Housing Assistance”—

7 (a) all unobligated balances from recaptured amounts
8 appropriated prior to fiscal year 2006 from terminated
9 contracts under section 236(f)(2) of the National Housing
10 Act (12 U.S.C. 1715z-1(f)(2)), and any unobligated bal-
11 ances, including recaptures and carryover, remaining from
12 funds appropriated under such heading after fiscal year
13 2005; and

14 (b) any funds remaining from amounts appropriated
15 under such heading in the prior fiscal year.

16 SEC. 239. (a) Amounts made available under the
17 heading “Department of Housing and Urban Develop-
18 ment—Community Planning and Development—Commu-
19 nity Development Fund” in chapter 9 of title X of the
20 Disaster Relief Appropriations Act, 2013 (Public Law
21 113–2, division A; 127 Stat. 36) shall remain available
22 through September 30, 2025 for the liquidation of valid
23 obligations of such funding.

24 (b) Notwithstanding any other provision of law, in the
25 case of any grantee of funds referred to in subsection (a)

1 of this section that provides assistance that duplicates
2 benefits available to a person for the same purpose from
3 another source, the grantee itself shall—

4 (1) be subject to remedies for noncompliance; or

5 (2) bear responsibility for absorbing such cost
6 of duplicative benefits and returning an amount
7 equal to any duplicative benefits paid to the grant-
8 ee's funds available for use under such heading, un-
9 less the Secretary, upon the request of a grantee
10 issues a public determination by publication in the
11 Federal Register that it is not in the best interest
12 of the Federal Government to pursue such remedies.

13 (c) Notwithstanding any other provision of law, any
14 grantee of funds referred to in subsection (a) of this sec-
15 tion may request a waiver from the Secretary of Housing
16 and Urban Development of any recoupment by the Sec-
17 retary of such funds for amounts owed by persons who
18 have received such assistance from such funds and who
19 have been defrauded, or after receiving assistance, have
20 filed for bankruptcy, gone through a foreclosure procedure
21 on property that received such assistance, or are deceased.
22 If the grantee self-certifies to the Secretary in such re-
23 quest that it has verified that the individual conditions of
24 each person it is requesting a waiver for meets one of the
25 conditions specified in the preceding sentence, the Sec-

1 retary may grant such waivers on the basis of grantee self-
2 certification, issue a public determination by publication
3 in the Federal Register that it is not in the best interest
4 of the Federal Government to pursue such recoupment,
5 and may conduct oversight to verify grantee self-certifi-
6 cation and subject the grantee to remedies for noncompli-
7 ance for any amounts that have not met such require-
8 ments.

9 (d) Amounts repurposed pursuant to this section that
10 were previously designated by the Congress as an emer-
11 gency requirement pursuant to the Balanced Budget and
12 Emergency Deficit Control Act of 1985 are designated by
13 the Congress as an emergency requirement pursuant to
14 section 251(b)(2)(A)(i) of the Balanced Budget and
15 Emergency Deficit Control Act of 1985.

16 This title may be cited as the “Department of Hous-
17 ing and Urban Development Appropriations Act, 2021”.

18 TITLE III

19 RELATED AGENCIES

20 ACCESS BOARD

21 SALARIES AND EXPENSES

22 For expenses necessary for the Access Board, as au-
23 thorized by section 502 of the Rehabilitation Act of 1973
24 (29 U.S.C. 792), \$9,200,000: *Provided*, That, notwith-
25 standing any other provision of law, there may be credited

1 to this appropriation funds received for publications and
2 training expenses.

3 FEDERAL MARITIME COMMISSION

4 SALARIES AND EXPENSES

5 For necessary expenses of the Federal Maritime
6 Commission as authorized by section 201(d) of the Mer-
7 chant Marine Act, 1936 (46 U.S.C. 307), including serv-
8 ices as authorized by section 3109 of title 5, United States
9 Code; hire of passenger motor vehicles as authorized by
10 section 1343(b) of title 31, United States Code; and uni-
11 forms or allowances therefore, as authorized by sections
12 5901 and 5902 of title 5, United States Code,
13 \$29,800,000: *Provided*, That not to exceed \$5,000 shall
14 be for official reception and representation expenses.

15 NATIONAL RAILROAD PASSENGER CORPORATION

16 OFFICE OF INSPECTOR GENERAL

17 SALARIES AND EXPENSES

18 For necessary expenses of the Office of Inspector
19 General for the National Railroad Passenger Corporation
20 to carry out the provisions of the Inspector General Act
21 of 1978 (5 U.S.C. App. 3), \$26,248,000: *Provided*, That
22 the Inspector General shall have all necessary authority,
23 in carrying out the duties specified in such Act, to inves-
24 tigate allegations of fraud, including false statements to
25 the Government under section 1001 of title 18, United

1 States Code, by any person or entity that is subject to
2 regulation by the National Railroad Passenger Corpora-
3 tion: *Provided further*, That the Inspector General may
4 enter into contracts and other arrangements for audits,
5 studies, analyses, and other services with public agencies
6 and with private persons, subject to the applicable laws
7 and regulations that govern the obtaining of such services
8 within the National Railroad Passenger Corporation: *Pro-*
9 *vided further*, That the Inspector General may select, ap-
10 point, and employ such officers and employees as may be
11 necessary for carrying out the functions, powers, and du-
12 ties of the Office of Inspector General, subject to the appli-
13 cable laws and regulations that govern such selections, ap-
14 pointments, and employment within the National Railroad
15 Passenger Corporation: *Provided further*, That concurrent
16 with the President's budget request for fiscal year 2022,
17 the Inspector General shall submit to the House and Sen-
18 ate Committees on Appropriations a budget request for
19 fiscal year 2022 in similar format and substance to budget
20 requests submitted by executive agencies of the Federal
21 Government.

22 NATIONAL TRANSPORTATION SAFETY BOARD

23 SALARIES AND EXPENSES

24 For necessary expenses of the National Transpor-
25 tation Safety Board, including hire of passenger motor ve-

1 hicles and aircraft; services as authorized by 5 U.S.C.
2 3109, but at rates for individuals not to exceed the per
3 diem rate equivalent to the rate for a GS-15; uniforms,
4 or allowances therefor, as authorized by law (5 U.S.C.
5 5901-5902), \$118,400,000, of which not to exceed \$2,000
6 may be used for official reception and representation ex-
7 penses. The amounts made available to the National
8 Transportation Safety Board in this Act include amounts
9 necessary to make lease payments on an obligation in-
10 curred in fiscal year 2001 for a capital lease.

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

14 For payment to the Neighborhood Reinvestment Cor-
15 poration for use in neighborhood reinvestment activities,
16 as authorized by the Neighborhood Reinvestment Corpora-
17 tion Act (42 U.S.C. 8101-8107), \$208,500,000, of which
18 \$5,000,000 shall be for a multi-family rental housing pro-
19 gram: *Provided*, That of the total amount made available
20 under this heading, \$25,000,000 shall be for competitive
21 grants to: redevelop abandoned or distressed properties;
22 provide homeownership and financing assistance to house-
23 holds with income of not more than 120 percent of the
24 area median income; purchase properties that are aban-
25 doned or distressed to sell, rent, or redevelop; establish

1 or operate land banks to acquire, redevelop, or sell prop-
2 erties that are abandoned or distressed; demolish aban-
3 doned or distressed structures, as part of a redevelopment
4 effort to increase affordable rental and owner-occupied
5 housing; or engage in community development activities
6 in areas with high rates of abandoned or distressed prop-
7 erties.

8 SURFACE TRANSPORTATION BOARD

9 SALARIES AND EXPENSES

10 For necessary expenses of the Surface Transpor-
11 tation Board, including services authorized by section
12 3109 of title 5, United State Code, \$37,500,000: *Provided*,
13 That, notwithstanding any other provision of law, not to
14 exceed \$1,250,000 from fees established by the Surface
15 Transportation Board shall be credited to this appropria-
16 tion as offsetting collections and used for necessary and
17 authorized expenses under this heading: *Provided further*,
18 That the amounts made available under this heading from
19 the general fund shall be reduced on a dollar-for-dollar
20 basis as such offsetting collections are received during fis-
21 cal year 2021, to result in a final appropriation from the
22 general fund estimated at not more than \$36,250,000.

1 UNITED STATES INTERAGENCY COUNCIL ON
2 HOMELESSNESS
3 OPERATING EXPENSES

4 For necessary expenses (including payment of sala-
5 ries, authorized travel, hire of passenger motor vehicles,
6 and rental of conference rooms) of the United States
7 Interagency Council on Homelessness in carrying out the
8 functions pursuant to title II of the McKinney-Vento
9 Homeless Assistance Act (42 U.S.C. 11311 et. seq.), as
10 amended, \$3,800,000, to remain available until September
11 30, 2022: *Provided*, That not more than \$15,000 may be
12 used for travel expenses by the Executive Director: *Pro-*
13 *vided further*, That the Executive Director may not engage
14 in any official travel except for travel paid out of such
15 amounts: *Provided further*, That no funds may be used
16 to promote homelessness interventions unless those inter-
17 ventions include support for evidence-based interventions
18 including the Housing First model and Permanent Sup-
19 portive Housing.

20 TITLE IV
21 GENERAL PROVISIONS—THIS ACT

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

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

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

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

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

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

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

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

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

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

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

15 SEC. 405. Except as otherwise provided in this Act,
16 none of the funds provided in this Act, provided by pre-
17 vious appropriations Acts to the agencies or entities fund-
18 ed in this Act that remain available for obligation or ex-
19 penditure in fiscal year 2021, or provided from any ac-
20 counts in the Treasury derived by the collection of fees
21 and available to the agencies funded by this Act, shall be
22 available for obligation or expenditure through a re-
23 programming of funds that—

24 (1) creates a new program;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 SEC. 410. No funds appropriated pursuant to this
2 Act may be expended by an entity unless the entity agrees
3 that in expending the assistance the entity will comply
4 with sections 2 through 4 of the Act of March 3, 1933
5 (41 U.S.C. 8301–8305, popularly known as the “Buy
6 American Act”).

7 SEC. 411. No funds appropriated or otherwise made
8 available under this Act shall be made available to any
9 person or entity that has been convicted of violating the
10 Buy American Act (41 U.S.C. 8301–8305).

11 SEC. 412. None of the funds made available in this
12 Act may be used for first-class airline accommodations in
13 contravention of sections 301–10.122 and 301–10.123 of
14 title 41, Code of Federal Regulations.

15 SEC. 413. (a) None of the funds made available by
16 this Act may be used to approve a new foreign air carrier
17 permit under sections 41301 through 41305 of title 49,
18 United States Code, or exemption application under sec-
19 tion 40109 of that title of an air carrier already holding
20 an air operators certificate issued by a country that is
21 party to the U.S.-E.U.-Iceland-Norway Air Transport
22 Agreement where such approval would contravene United
23 States law or Article 17 bis of the U.S.-E.U.-Iceland-Nor-
24 way Air Transport Agreement.

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

7 SEC. 414. None of the funds made available in this
8 Act may be used to send or otherwise pay for the attend-
9 ance of more than 50 employees of a single agency or de-
10 partment of the United States Government, who are sta-
11 tioned in the United States, at any single international
12 conference unless the relevant Secretary reports to the
13 House and Senate Committees on Appropriations at least
14 5 days in advance that such attendance is important to
15 the national interest: *Provided*, That for purposes of this
16 section the term “international conference” shall mean a
17 conference occurring outside of the United States attended
18 by representatives of the United States Government and
19 of foreign governments, international organizations, or
20 nongovernmental organizations.

21 SEC. 415. None of the funds appropriated or other-
22 wise made available under this Act may be used by the
23 Surface Transportation Board to charge or collect any fil-
24 ing fee for rate or practice complaints filed with the Board
25 in an amount in excess of the amount authorized for dis-

1 triet court civil suit filing fees under section 1914 of title
2 28, United States Code.

3 SEC. 416. None of the funds made available by this
4 Act may be used by the Department of Transportation,
5 the Department of Housing and Urban Development, or
6 any other Federal agency to lease or purchase new light
7 duty vehicles for any executive fleet, or for an agency's
8 fleet inventory, except in accordance with Presidential
9 Memorandum—Federal Fleet Performance, dated May
10 24, 2011.

11 SEC. 417. (a) None of the funds made available in
12 this Act may be used to maintain or establish a computer
13 network unless such network blocks the viewing,
14 downloading, and exchanging of pornography.

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

19 SEC. 418. (a) None of the funds made available in
20 this Act may be used to deny an Inspector General funded
21 under this Act timely access to any records, documents,
22 or other materials available to the department or agency
23 over which that Inspector General has responsibilities
24 under the Inspector General Act of 1978 (5 U.S.C. App.),
25 or to prevent or impede that Inspector General's access

1 to such records, documents, or other materials, under any
2 provision of law, except a provision of law that expressly
3 refers to the Inspector General and expressly limits the
4 Inspector General's right of access.

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

9 (c) Each Inspector General shall ensure compliance
10 with statutory limitations on disclosure relevant to the in-
11 formation provided by the establishment over which that
12 Inspector General has responsibilities under the Inspector
13 General Act of 1978 (5 U.S.C. App.).

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

18 SEC. 419. None of the funds appropriated or other-
19 wise made available by this Act may be used to pay award
20 or incentive fees for contractors whose performance has
21 been judged to be below satisfactory, behind schedule, over
22 budget, or has failed to meet the basic requirements of
23 a contract, unless the Agency determines that any such
24 deviations are due to unforeseeable events, government-
25 driven scope changes, or are not significant within the

1 overall scope of the project and/or program unless such
2 awards or incentive fees are consistent with 16.401(e)(2)
3 of the Federal Acquisition Regulations.

4 SEC. 420. None of the funds made available by this
5 Act may be used in contravention of section 2635.702 of
6 title 5, Code of Federal Regulations.

7 SEC. 421. (a) For the duration of the national emer-
8 gency declared by the President under the National Emer-
9 gencies Act (50 U.S.C. 1601 et seq.) related to the pan-
10 demic of SARS-CoV-2 or coronavirus disease 2019
11 (COVID-19), an air carrier operating under part 121 of
12 title 14, Code of Federal Regulations, shall—

13 (1) require each passenger and cabin crew-
14 member to wear a mask or protective face covering
15 while on board an aircraft of the air carrier;

16 (2) require each flight crewmember to wear a
17 mask or protective face covering while on board an
18 aircraft but outside the flight deck;

19 (3) submit to the Administrator of the Federal
20 Aviation Administration a proposal to permit flight
21 crew members of the air carrier to wear a mask or
22 protective face covering while at their stations in the
23 flight deck, including a safety risk assessment with
24 respect to such proposal;

1 (4) provide flight and cabin crewmembers, air-
2 port customer service agents, and other employees
3 whose job responsibilities involve interaction with
4 passengers with masks or protective face coverings,
5 gloves, and hand sanitizer and wipes with sufficient
6 alcohol content;

7 (5) ensure aircraft, including the cockpit and
8 cabin, operated by such carrier are cleaned, dis-
9 infected, and sanitized after each use in accordance
10 with Centers for Disease Control and Prevention
11 guidance;

12 (6) ensure enclosed facilities owned, operated,
13 or used by such air carrier, including facilities used
14 for flight or cabin crewmember training or perform-
15 ance of indoor maintenance, repair, or overhaul
16 work, are cleaned, disinfected, and sanitized fre-
17 quently in accordance with Centers for Disease Con-
18 trol and Prevention guidance;

19 (7) provide air carrier employees whose job re-
20 sponsibilities involve cleaning, disinfecting, and sani-
21 tizing aircraft or enclosed facilities described in
22 paragraphs (5) and (6) with masks or protective
23 face coverings and gloves, and ensure that each con-
24 tractor of the air carrier provides employees of such
25 contractor with such materials; and

1 (8) establish guidelines, or adhere to applicable
2 guidelines, for notifying employees of a confirmed
3 COVID–19 diagnosis of an employee of such air car-
4 rier and for identifying other air carrier employees
5 whom such employee contacted in the 48-hour period
6 before the employee developed symptoms.

7 (b)(1) IN GENERAL.—For the duration of the na-
8 tional emergency declared by the President under the Na-
9 tional Emergencies Act (50 U.S.C. 1601 et seq.) related
10 to the pandemic of SARS–CoV–2 or coronavirus disease
11 (COVID–19), Amtrak shall—

12 (A) require each passenger and employee of
13 Amtrak, including engineers, conductors, and on-
14 board service workers, to wear a mask or other pro-
15 tective face covering while onboard an Amtrak train;

16 (B) take such actions as are reasonable to en-
17 sure passenger compliance with the requirement
18 under subparagraph (A);

19 (C) provide masks or protective face coverings,
20 gloves, and hand sanitizer and sanitizing wipes with
21 sufficient alcohol content to—

22 (i) conductors, engineers, and onboard
23 service workers;

24 (ii) ticket agents, station agents, and red
25 cap agents; and

1 (iii) any other employees whose job respon-
2 sibilities include interaction with passengers;

3 (D) ensure Amtrak trains, including the loco-
4 motive cab and passenger cars, are cleaned, dis-
5 infected, and sanitized frequently in accordance with
6 guidance issued by the Centers for Disease Control
7 and Prevention and ensure that employees whose job
8 responsibilities include such cleaning, disinfecting, or
9 sanitizing are provided masks or protective face cov-
10 erings and gloves;

11 (E) ensure stations and enclosed facilities that
12 Amtrak owns and operates including facilities used
13 for training or the performance of indoor mainte-
14 nance, repair, or overhaul work, are cleaned, dis-
15 infected, and sanitized frequently in accordance with
16 guidance issued by the Centers for Disease Control
17 and Prevention and ensure that employees whose job
18 responsibilities include such cleaning, disinfecting, or
19 sanitizing are provided masks or protective face cov-
20 erings and gloves;

21 (F) take such actions as are reasonable to en-
22 sure that stations or facilities served or used by Am-
23 trak that Amtrak does not own are cleaned, dis-
24 infected, and sanitized frequently in accordance with

1 Centers for Disease Control and Prevention guid-
2 ance;

3 (G) ensure that each contractor of Amtrak pro-
4 vides masks or protective face coverings and gloves
5 to employees of such contractor whose job respon-
6 sibilities include those described in subparagraphs
7 (D) and (E); and

8 (H) establish guidelines, or adhere to existing
9 applicable guidelines, for notifying employees of a
10 confirmed diagnosis of COVID-19 of an employee of
11 Amtrak.

12 (2) AVAILABILITY.—If Amtrak is unable to acquire
13 any of the items necessary to comply with subparagraphs
14 (C), (D), and (E) of paragraph (1) due to market unavail-
15 ability, Amtrak shall—

16 (A) prepare and make public documentation
17 demonstrating what actions have been taken to ac-
18 quire such items; and

19 (B) continue efforts to acquire such items until
20 such items become available.

21 (c)(1) IN GENERAL.—For the duration of the na-
22 tional emergency declared by the President under the Na-
23 tional Emergencies Act (50 U.S.C. 1601 et seq.) related
24 to the pandemic of SARS-CoV-2 or coronavirus disease
25 2019 (COVID-19), recipients of funds under section 5307

1 of title 49, United States Code, that serve an urbanized
2 area with a population of at least 500,000 individuals and
3 that provided a minimum of 20,000,000 unlinked pas-
4 senger trips in the most recent year for which data is
5 available shall—

6 (A) require each passenger to wear a mask or
7 protective face covering while on board a public
8 transportation vehicle;

9 (B) provide masks or protective face coverings,
10 gloves, and hand sanitizer and wipes with sufficient
11 alcohol content to operators, station managers, and
12 other employees or contractors whose job respon-
13 sibilities include interaction with passengers;

14 (C) ensure public transportation vehicles oper-
15 ated by such public transportation provider are
16 cleaned, disinfected, and sanitized frequently in ac-
17 cordance with Centers for Disease Control and Pre-
18 vention guidance and ensure that employees or con-
19 tractors whose job responsibilities involve such clean-
20 ing, disinfecting, or sanitizing are provided masks or
21 protective face coverings and gloves;

22 (D) ensure stations and enclosed facilities
23 owned, operated, or used by such public transpor-
24 tation provider, including facilities used for training
25 or performance of indoor maintenance, repair, or

1 overhaul work, are cleaned, disinfected, and sani-
2 tized frequently in accordance with Centers for Dis-
3 ease Control and Prevention guidance and ensure
4 that employees or contractors whose job responsibil-
5 ities include such cleaning, disinfecting, or sanitizing
6 are provided masks or other protective face cov-
7 erings and gloves; and

8 (E) establish guidelines, or adhere to applicable
9 guidelines, for notifying employees of a confirmed
10 COVID-19 diagnosis of an employee of such public
11 transportation provider.

12 (2) IMPLEMENTATION.—The implementation of the
13 requirement under paragraph (1)(A) shall be carried out
14 in a manner determined by the provider of public trans-
15 portation.

16 (3) AVAILABILITY.—If a provider of public transpor-
17 tation is unable to acquire a subparagraphs (B), (C), or
18 (D) of paragraph (1) due to market unavailability, such
19 provider shall—

20 (A) prepare and make public documentation
21 demonstrating what actions have been taken to ac-
22 quire such items; and

23 (B) continue efforts to acquire such items until
24 they become available.

1 TITLE V
2 ADDITIONAL INFRASTRUCTURE INVESTMENTS
3 DEPARTMENT OF TRANSPORTATION
4 OFFICE OF THE SECRETARY
5 NATIONAL INFRASTRUCTURE INVESTMENTS
6 (INCLUDING TRANSFER OF FUNDS)

7 For an additional amount for “National Infrastruc-
8 ture Investments”, \$3,000,000,000, to remain available
9 until September 30, 2022: *Provided*, That such additional
10 amount shall be subject to the provisions under this head-
11 ing in title I of this Act, except as modified by this heading
12 in this title: *Provided further*, That of the amounts made
13 available under this heading in this title, the Secretary
14 shall use an amount not less than \$60,000,000 for the
15 planning, preparation, or design of projects eligible for
16 amounts made available under this heading in this title,
17 with an emphasis on transit, transit oriented development,
18 and multimodal projects: *Provided further*, That grants
19 awarded under the preceding proviso shall not be subject
20 to a minimum grant size: *Provided further*, That of the
21 amounts made available under this heading in this title,
22 the Secretary shall use an amount not less than
23 \$300,000,000 for eligible projects located in or to directly
24 benefit areas of persistent poverty: *Provided further*, That
25 a grant award under this heading in this title shall be not

1 less than \$20,000,000 and not greater than
2 \$300,000,000: *Provided further*, That not more than 20
3 percent of the amounts made available under this heading
4 in this title may be awarded to projects in a single State
5 that are not port infrastructure investments (including in-
6 land port infrastructure and land ports of entry): *Provided*
7 *further*, That an award under this heading in this title is
8 an urban award if it is to a project located within or on
9 the boundary of an urbanized area, as designated by the
10 Bureau of the Census, that had a population greater than
11 250,000 in the 2010 decennial census: *Provided further*,
12 That for the purpose of determining if an award for plan-
13 ning, preparation, or design is an urban award, the project
14 location is the location of the project being planned, pre-
15 pared, or designed: *Provided further*, That for the purpose
16 of determining if an award for eligible projects located in
17 or to directly benefit areas of persistent poverty is an
18 urban award, the project location is the location of the
19 eligible project in or to directly benefit areas of persistent
20 poverty: *Provided further*, That each award under this
21 heading in this title that is not an urban award is a rural
22 award: *Provided further*, That of the amounts awarded
23 under this heading in this title, 60 percent shall be award-
24 ed as urban awards and 40 percent shall be awarded as
25 rural awards: *Provided further*, That for rural awards and

1 awards for eligible projects located in or to directly benefit
2 areas of persistent poverty, the minimum grant size shall
3 be \$5,000,000 and the Secretary may increase the Federal
4 share of costs above 80 percent: *Provided further*, That
5 the Secretary may retain up to \$30,000,000, to remain
6 available until September 30, 2023, of the amounts made
7 available under this heading in this title, and may transfer
8 portions of such amounts to the Administrators of the
9 Federal Highway Administration, the Federal Transit Ad-
10 ministration, the Federal Railroad Administration, and
11 the Maritime Administration to fund the award and over-
12 sight of grants and credit assistance made under the na-
13 tional infrastructure investments program: *Provided fur-*
14 *ther*, That the Secretary shall issue the Notice of Funding
15 Opportunity for amounts made available under this head-
16 ing in this title not later than 180 days after the date
17 of enactment of this Act: *Provided further*, That such No-
18 tice of Funding Opportunity shall require application sub-
19 missions 90 days after the publishing of such Notice: *Pro-*
20 *vided further*, That of the applications submitted under the
21 preceding 2 provisos, the Secretary shall make grants not
22 later than 390 days after the date of enactment of this
23 Act in such amounts that the Secretary determines: *Pro-*
24 *vided further*, That such amount is designated by the Con-
25 gress as being for an emergency requirement pursuant to

1 section 251(b)(2)(A)(i) of the Balanced Budget and
2 Emergency Deficit Control Act of 1985.

3 CYBER SECURITY INITIATIVES

4 For an additional amount for “Cyber Security Initia-
5 tives”, \$10,500,000, to remain available until September
6 30, 2022: *Provided*, That such amount is designated by
7 the Congress as being for an emergency requirement pur-
8 suant to section 251(b)(2)(A)(i) of the Balanced Budget
9 and Emergency Deficit Control Act of 1985.

10 FEDERAL AVIATION ADMINISTRATION

11 FACILITIES AND EQUIPMENT

12 For an additional amount for “Facilities and Equip-
13 ment”, \$500,000,000, to remain available until September
14 30, 2023: *Provided*, That amounts made available under
15 this heading in this title shall be derived from the general
16 fund: *Provided further*, That funding provided under this
17 heading shall be used to make improvements (including
18 activities that improve water and energy efficiency or re-
19 duce the risk of harm to occupants or property from nat-
20 ural hazards) or to replace air route traffic control centers,
21 air traffic control towers, terminal radar approach control
22 facilities, and navigation and landing equipment: *Provided*
23 *further*, That such amount is designated by the Congress
24 as being for an emergency requirement pursuant to sec-

1 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
2 gency Deficit Control Act of 1985.

3 GRANTS-IN-AID FOR AIRPORTS

4 For an additional amount for “Grants-In-Aid for Air-
5 ports”, to enable the Secretary of Transportation to make
6 grants for projects as authorized by subchapter 1 of chap-
7 ter 471 and subchapter 1 of chapter 475 of title 49,
8 United States Code, \$2,500,000,000, to remain available
9 until September 30, 2023: *Provided*, That amounts made
10 available under this heading in this title shall be derived
11 from the general fund, and such funds shall not be subject
12 to apportionment formulas, special apportionment cat-
13 egories, or minimum percentages under such chapter 471:
14 *Provided further*, That the Secretary shall distribute funds
15 provided under this heading as discretionary grants to air-
16 ports: *Provided further*, That the amount made available
17 under this heading in this title shall not be subject to any
18 limitation on obligations for the Grants-in-Aid for Airports
19 program set forth in any Act: *Provided further*, That not
20 less than \$250,000,000 of the grants awarded under this
21 heading in this title shall be for airport sustainability ac-
22 tivities focused on reducing energy consumption, noise im-
23 pacts, waste, and pollution or improving water quality,
24 community relations, and wildlife compatibility: *Provided*
25 *further*, That priority consideration shall be based on

1 project justification and completeness of pre-grant actions:
2 *Provided further*, That the Administrator of the Federal
3 Aviation Administration may retain up to 0.1 percent of
4 the funds provided under this heading in this title to fund
5 the award and oversight by the Administrator of grants
6 made under this heading: *Provided further*, That such
7 amount is designated by the Congress as being for an
8 emergency requirement pursuant to section
9 251(b)(2)(A)(i) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 FEDERAL RAILROAD ADMINISTRATION
12 CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY
13 IMPROVEMENTS
14 (INCLUDING TRANSFER OF FUNDS)

15 For an additional amount for “Consolidated Rail In-
16 frastructure and Safety Improvements”, \$5,000,000,000,
17 to remain available until September 30, 2022: *Provided*,
18 That such additional amount shall be subject to the provi-
19 sions under this heading in title I of this Act, except as
20 modified by this heading in this title: *Provided further*,
21 That of the amounts made available under this heading
22 in this title—

23 (1) Not less than \$1,500,000,000 shall be for
24 projects eligible under section 22907(c) of title 49,
25 United States Code; and

1 (2) Not less than \$3,500,000,000 shall be for
2 projects eligible under sections 22907(c)(2),
3 22907(c)(3), 22907(c)(4), and 22907(c)(9) of title
4 49, United States Code, that contribute to the devel-
5 opment, initiation, expansion, or restoration of inter-
6 city passenger rail service including alignments for
7 existing routes: *Provided*, That amounts made avail-
8 able in this paragraph shall be for such eligible
9 projects with a total project cost greater than
10 \$500,000,000: *Provided further*, That, notwith-
11 standing section 22907(g)(1) of title 49, United
12 States Code, not more than 25 percent of the
13 amounts made available in this paragraph shall be
14 for such eligible projects in rural areas:
15 *Provided further*, That the Secretary shall issue the Notice
16 of Funding Opportunity for amounts made available under
17 this heading in this title not later than 150 days after
18 the date of enactment of this Act: *Provided further*, That
19 such Notice of Funding Opportunity shall require applica-
20 tion submissions 90 days after the publishing of such No-
21 tice: *Provided further*, That the Secretary shall announce
22 the selection of projects to receive awards for amounts
23 made available under this heading in this title not later
24 than 1 year after the date of enactment of this Act: *Pro-*
25 *vided further*, That such amount is designated by the Con-

1 gress as being for an emergency requirement pursuant to
2 section 251(b)(2)(A)(i) of the Balanced Budget and
3 Emergency Deficit Control Act of 1985.

4 MAGNETIC LEVITATION TECHNOLOGY DEPLOYMENT
5 PROGRAM

6 For an additional amount for “Magnetic Levitation
7 Technology Deployment Program”, \$100,000,000, to re-
8 main available until September 30, 2022, consistent with
9 language in subsections (a) through (c) of section 1307
10 of SAFETEA-LU (Public Law 109–59), as amended by
11 section 102 of the SAFETEA-LU Technical Corrections
12 Act of 2008 (Public Law 110–244) (23 U.S.C. 322 note):
13 *Provided*, That the Secretary may withhold up to 2 per-
14 cent of the amounts made available under this heading
15 in this title for the costs of award and project management
16 and oversight, to remain available until September 30,
17 2023: *Provided further*, That such amount is designated
18 by the Congress as being for an emergency requirement
19 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
20 et and Emergency Deficit Control Act of 1985.

21 NORTHEAST CORRIDOR GRANTS TO THE NATIONAL
22 RAILROAD PASSENGER CORPORATION
23 (INCLUDING TRANSFER OF FUNDS)

24 For an additional amount for “Northeast Corridor
25 Grants to the National Railroad Passenger Corporation”,

1 \$5,000,000,000, to remain available until September 30,
2 2022, to enable the Secretary to make or amend existing
3 grants to the National Railroad Passenger Corporation for
4 activities associated with the Northeast Corridor as au-
5 thorized by section 11101(a) of the Fixing America's Sur-
6 face Transportation Act (division A of Public Law 114-
7 94): *Provided*, That such additional amount shall be sub-
8 ject to the provisions under this heading in title I of this
9 Act, except as modified by this heading in this title: *Pro-*
10 *vided further*, That the Secretary shall make or amend
11 such grants not later than 90 days after the date of enact-
12 ment of this Act: *Provided further*, That of the amounts
13 made available under this heading in this title, priority
14 shall be given to projects for the repair, rehabilitation, or
15 upgrade of railroad assets or infrastructure, for capital
16 projects that expand passenger rail capacity, and for the
17 rehabilitation or acquisition of rolling stock: *Provided fur-*
18 *ther*, That the amounts made available under this heading
19 in this title may be used to subsidize the operating losses
20 of the National Railroad Passenger Corporation: *Provided*
21 *further*, That of the amounts made available under this
22 heading in this title, not less than \$172,000,000 shall be
23 made available for use of the National Railroad Passenger
24 Corporation in lieu of fiscal year 2021 capital payments
25 from commuter rail passenger transportation providers

1 subject to the cost allocation policy developed pursuant to
2 section 24905(c) of title 49, United States Code: *Provided*
3 *further*, That, notwithstanding sections 24319(g) and
4 24905(c)(1)(A)(i) of title 49, United States Code, such
5 use of funds in fiscal year 2021 does not constitute cross-
6 subsidization of commuter rail passenger transportation:
7 *Provided further*, That of the amounts made available
8 under this heading in this title, not less than
9 \$1,000,000,000 shall be made available to advance capital
10 projects, including rehabilitation and upgrade of railroad
11 infrastructure, that increase reliability or expand pas-
12 senger rail capacity on the Amtrak-owned portion of the
13 Northeast Corridor (as defined in section 24102(8) of title
14 49, United States Code) on which more than 380 trains
15 traveled per day in fiscal year 2019: *Provided further*,
16 That of the amounts made available under this heading
17 in this title and the “National Network Grants to the Na-
18 tional Railroad Passenger Corporation” heading in this
19 title, not less than \$200,000,000 shall be made available
20 to bring Amtrak-served facilities and stations into compli-
21 ance with the Americans with Disabilities Act of 1990 (42
22 U.S.C. 2101 et seq.): *Provided further*, That of the
23 amounts made available under this heading in this title
24 and the “National Network Grants to the National Rail-
25 road Passenger Corporation” heading in this title,

1 \$5,000,000, to remain available until September 30, 2025,
2 shall be transferred to “National Railroad Passenger Cor-
3 poration—Office of Inspector General—Salaries and Ex-
4 penses” for conducting audits and investigations of
5 projects and activities carried out with amounts made
6 available in this title and in division B of the Coronavirus
7 Aid, Relief, and Economic Security Act (Public Law 116–
8 136) under the headings “Northeast Corridor Grants to
9 the National Railroad Passenger Corporation” and “Na-
10 tional Network Grants to the National Railroad Passenger
11 Corporation”: *Provided further*, That such amount is des-
12 ignated by the Congress as being for an emergency re-
13 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
14 anced Budget and Emergency Deficit Control Act of 1985.

15 NATIONAL NETWORK GRANTS TO THE NATIONAL
16 RAILROAD PASSENGER CORPORATION

17 For an additional amount for “National Network
18 Grants to the National Railroad Passenger Corporation”,
19 \$3,000,000,000, to remain available until September 30,
20 2022, to enable the Secretary to make or amend existing
21 grants to the National Railroad Passenger Corporation for
22 activities associated with the National Network as author-
23 ized by section 11101(b) of the Fixing America’s Surface
24 Transportation Act (division A of Public Law 114–94):
25 *Provided*, That such additional amount shall be subject to

1 the provisions under this heading in title I of this Act,
2 except as modified by this heading in this title: *Provided*
3 *further*, That the Secretary shall make or amend such
4 grants not later than 90 days after the date of enactment
5 of this Act: *Provided further*, That of the amounts made
6 available under this heading in this title, priority shall be
7 given to projects for the repair, rehabilitation, or upgrade
8 of railroad assets or infrastructure, for capital projects
9 that expand passenger rail capacity, and for the rehabilita-
10 tion or acquisition of rolling stock: *Provided further*, That
11 the amounts made available under this heading in this title
12 may be used to subsidize the operating losses of the Na-
13 tional Railroad Passenger Corporation: *Provided further*,
14 That a State shall not be required to pay the National
15 Railroad Passenger Corporation more than 80 percent of
16 the amount paid in fiscal year 2019 under section 209
17 of the Passenger Rail Investment and Improvement Act
18 of 2008 (Public Law 110–432) and that not less than
19 \$260,000,000 of the amounts made available under this
20 heading in this title shall be made available for use in lieu
21 of any increase in a State’s payment: *Provided further*,
22 That of the amounts made available under this heading
23 in this title, not less than \$57,000,000 shall be made avail-
24 able for use of the National Railroad Passenger Corpora-
25 tion in lieu of fiscal year 2021 capital payments from com-

1 muter rail passenger transportation providers subject to
2 the cost allocation policy developed pursuant to section
3 24905(c) of title 49, United States Code: *Provided further,*
4 That, notwithstanding sections 24319(g) and
5 24905(c)(1)(A)(i) of title 49, United States Code, such
6 use of funds in fiscal year 2021 does not constitute cross-
7 subsidization of commuter rail passenger transportation:
8 *Provided further,* That of the amounts made available
9 under this heading in this title, not less than
10 \$107,000,000 shall be for capital expenses related to safe-
11 ty improvements, maintenance, and the non-Federal
12 match for discretionary Federal grant programs to enable
13 continued passenger rail operations on long-distance
14 routes (as defined in section 24102 of title 49, United
15 States Code) on which the National Railroad Passenger
16 Corporation is the sole operator on a host railroad's line
17 and a positive train control system is not required by law
18 or regulation: *Provided further,* That such amount is des-
19 ignated by the Congress as being for an emergency re-
20 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
21 anced Budget and Emergency Deficit Control Act of 1985.

22 FEDERAL TRANSIT ADMINISTRATION

23 CAPITAL INVESTMENT GRANTS

24 For an additional amount for “Capital Investment
25 Grants”, as authorized under section 5309 of title 49,

1 United States Code, and section 3005(b) of the Fixing
2 America's Surface Transportation Act, \$5,000,000,000, to
3 remain available until expended: *Provided*, That of the
4 amounts made available under this heading in this title,
5 not less than \$3,000,000,000 shall be available for
6 projects authorized under section 5309(d) of title 49,
7 United States Code, not less than \$1,000,000,000 shall
8 be available for projects authorized under section 5309(e)
9 of such title, and not less than \$500,000,000 shall be
10 available for projects authorized under section 5309(h) of
11 such title: *Provided further*, That in selecting projects to
12 be funded with amounts made available under sections
13 5309(d) of title 49, United States Code, priority shall be
14 given to projects that are currently in construction or that
15 are able to obligate funds not later than 270 days after
16 the date of enactment of this Act: *Provided further*, That
17 funds made available under this heading in this or any
18 other Act may be available for amendments to current full-
19 funding grant agreements that require additional Federal
20 funding as a result of coronavirus: *Provided further*, That
21 the Secretary shall not waive the requirements of section
22 5333 of title 49, United States Code, for funds appro-
23 priated under this heading in this Act: *Provided further*,
24 That unless otherwise specified, applicable requirements
25 under chapter 53 of title 49, United States Code, shall

1 apply to funding made available under this heading in this
2 title: *Provided further*, That up to one-half of 1 percent
3 of the funds provided under this heading in this title shall
4 be available for administrative expenses and program
5 management oversight, and shall be in addition to any
6 other appropriations for such purposes: *Provided further*,
7 That none of the funds made available in this title may
8 be used to implement any policy that requires a Federal
9 Transit Administration project to receive a medium or
10 higher project rating before taking actions to finalize an
11 environmental impact statement: *Provided further*, That
12 such amount is designated by the Congress as being for
13 an emergency requirement pursuant to section
14 251(b)(2)(A)(i) of the Balanced Budget and Emergency
15 Deficit Control Act of 1985.

16 MARITIME ADMINISTRATION

17 OPERATIONS AND TRAINING

18 For an additional amount for “Operations and Train-
19 ing”, \$125,000,000, to remain available until September
20 30, 2022, of which—

21 (1) \$50,000,000 shall be for facilities mainte-
22 nance and repair, equipment, and capital improve-
23 ments at the United States Merchant Marine Acad-
24 emy; and

1 (2) \$75,000,000 shall be for the Short Sea
2 Transportation Program (America’s Marine High-
3 ways) to make grants for the purposes authorized
4 under paragraphs (1) and (3) of section 55601(b) of
5 title 46, United States Code: *Provided*, That for
6 amounts made available in this paragraph, the Sec-
7 retary shall make grants not later than 180 days
8 after the date of enactment of this Act in such
9 amounts as the Secretary determines:

10 *Provided*, That such amount is designated by the Congress
11 as being for an emergency requirement pursuant to sec-
12 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
13 gency Deficit Control Act of 1985.

14 STATE MARITIME ACADEMY OPERATIONS

15 For an additional amount for “State Maritime Acad-
16 emy Operations”, \$345,500,000, to remain available until
17 September 30, 2022, of which—

18 (1) \$315,500,000 shall be for the National Se-
19 curity Multi-Mission Vessel Program, including
20 funds for construction, planning, administration, and
21 design of school ships; and

22 (2) \$30,000,000 shall be for direct payments
23 for State Maritime Academies:

24 *Provided*, That such amount is designated by the Congress
25 as being for an emergency requirement pursuant to sec-

1 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
2 gency Deficit Control Act of 1985.

3 ASSISTANCE TO SMALL SHIPYARDS

4 For an additional amount for “Assistance to Small
5 Shipyards”, \$100,000,000, to remain available until Sep-
6 tember 30, 2022, to make grants to qualified shipyards
7 as authorized under section 54101 of title 46, United
8 States Code: *Provided*, That the Secretary shall announce
9 the selection of such grants not later than 210 days after
10 the date of enactment of this Act in such amounts as the
11 Secretary determines: *Provided further*, That the Sec-
12 retary shall institute measures to ensure amounts made
13 available under this heading in this title shall be obligated
14 not later than 180 days after the date on which the Sec-
15 retary announces the selection of such grants: *Provided*
16 *further*, That the Secretary may withhold up to 2 percent
17 of the amounts made available under this heading in this
18 title for the costs of award and project management and
19 oversight, to remain available until September 30, 2023:
20 *Provided further*, That such amount is designated by the
21 Congress as being for an emergency requirement pursuant
22 to section 251(b)(2)(A)(i) of the Balanced Budget and
23 Emergency Deficit Control Act of 1985.

1 PORT INFRASTRUCTURE DEVELOPMENT PROGRAM

2 For an additional amount for “Port Infrastructure
3 Development Program”, \$1,000,000,000, to remain avail-
4 able until September 30, 2022, to make grants to improve
5 port facilities as authorized under section 50302(c) of title
6 46, United States Code: *Provided*, That such additional
7 amount shall be subject to the provisions under this head-
8 ing in title I of this Act, except as modified by this heading
9 in this title: *Provided further*, That of the amounts made
10 available under this heading in this title, not less than
11 \$910,000,000 shall be for coastal seaports or Great Lakes
12 ports: *Provided further*, That the Secretary shall issue the
13 Notice of Funding Opportunity for amounts made avail-
14 able under this heading in this title not later than 60 days
15 after the date of enactment of this Act: *Provided further*,
16 That such Notice of Funding Opportunity shall require
17 application submissions 90 days after the publishing of
18 such Notice: *Provided further*, That the Secretary shall an-
19 nounce the selection of projects to receive awards for
20 amounts made available under this heading in this title
21 not later than 270 days after the date of enactment of
22 this Act: *Provided further*, That not to exceed 1 percent
23 of the amounts made available under this heading in this
24 title shall be available for necessary costs of grant admin-
25 istration, to remain available until September 30, 2023:

1 *Provided further*, That such amount is designated by the
2 Congress as being for an emergency requirement pursuant
3 to section 251(b)(2)(A)(i) of the Balanced Budget and
4 Emergency Deficit Control Act of 1985.

5 OFFICE OF INSPECTOR GENERAL
6 SALARIES AND EXPENSES

7 For an additional amount for necessary expenses of
8 the “Office of Inspector General” to carry out the provi-
9 sions of the Inspector General Act of 1978 (5 U.S.C. App.
10 3) \$7,500,000, to remain available until expended: *Pro-*
11 *vided*, That the funds made available under this heading
12 in this title shall be used to conduct audits and investiga-
13 tions of projects and activities carried out with funds made
14 available to the Department of Transportation: *Provided*
15 *further*, That the Inspector General shall have all nec-
16 essary authority, in carrying out the duties specified in
17 the Inspector General Act, to investigate allegations of
18 fraud, including false statements to the Government under
19 section 1001 of title 18, United States Code, by any per-
20 son or entity that is subject to regulation by the Depart-
21 ment: *Provided further*, That such amount is designated
22 by the Congress as being for an emergency requirement
23 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
24 et and Emergency Deficit Control Act of 1985.

1 DEPARTMENT OF HOUSING AND URBAN
2 DEVELOPMENT
3 PUBLIC AND INDIAN HOUSING
4 PUBLIC HOUSING CAPITAL FUND
5 (INCLUDING TRANSFER OF FUNDS)

6 For an additional amount for the “Public Housing
7 Capital Fund” to carry out capital and management ac-
8 tivities for public housing agencies, as authorized under
9 section 9 of the United States Housing Act of 1937 (42
10 U.S.C. 1437g), \$24,250,000,000, to remain available until
11 September 30, 2022: *Provided*, That such additional
12 amount shall be subject to the provisions under this head-
13 ing in title II of this Act, except as modified by this head-
14 ing in this title: *Provided further*, That \$19,000,000,000
15 of the funds provided under this heading in this title shall
16 be distributed under the same formula used for amounts
17 made available for the Capital Fund for fiscal year 2021:
18 *Provided further*, That \$2,500,000,000 of the funds pro-
19 vided under this heading in this title shall be awarded by
20 competition for activities that improve water and energy
21 efficiency, or reduce the risk of harm to occupants or prop-
22 erty from natural hazards: *Provided further*, That
23 \$2,750,000,000 of the funds provided under this heading
24 in this title shall be awarded by competition for activities
25 that mitigate threats to the health and safety of residents,

1 or reduce lead-based paint hazards and other housing re-
2 lated hazards, including carbon monoxide, radon, or mold:
3 *Provided further*, That in administering funds appro-
4 priated or otherwise made available under this heading in
5 this title, the Secretary may waive or specify alternative
6 requirements for any provision of any statute or regulation
7 in connection with the obligation by the Secretary or the
8 use of these funds (except for requirements related to fair
9 housing, nondiscrimination, labor standards, and the envi-
10 ronment), upon a finding that such a waiver is necessary
11 to expedite or facilitate the use of such funds: *Provided*
12 *further*, That up to 0.5 percent of the amounts made avail-
13 able under this heading in this title may be transferred,
14 in aggregate, to “Department of Housing and Urban De-
15 velopment, Program Offices—Public and Indian Housing”
16 to supplement existing resources for the necessary costs
17 of administering and overseeing the obligation and ex-
18 penditure of these amounts, to remain available until Sep-
19 tember 30, 2024: *Provided further*, That such amount is
20 designated by the Congress as being for an emergency re-
21 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
22 anced Budget and Emergency Deficit Control Act of 1985.

1 CHOICE NEIGHBORHOODS INITIATIVE
2 (INCLUDING TRANSFER OF FUNDS)

3 For an additional amount for the “Choice Neighbor-
4 hoods Initiative”, \$300,000,000, to remain available until
5 September 30, 2022: *Provided*, That such additional
6 amount shall be subject to the provisions under this head-
7 ing in title II of this Act, except as modified by this head-
8 ing in this title: *Provided further*, That not less than 10
9 percent of the amounts made available under this heading
10 in this title shall be used for activities that improve water
11 and energy efficiency, or reduce the risk of harm to occu-
12 pants or property from natural hazards: *Provided further*,
13 That all construction, rehabilitation, and related activities
14 funded under this heading in this title shall comply with
15 the latest published editions of relevant national con-
16 sensus-based codes and specifications and standards ref-
17 erenced therein, except that nothing in this section shall
18 be construed to prohibit a grantee from requiring higher
19 standards: *Provided further*, That the term “latest pub-
20 lished editions” means, with respect to relevant national
21 consensus-based codes, and specifications and standards
22 referenced therein, the two most recent published editions,
23 including, if any, amendments made by State, local, tribal,
24 or territorial governments during the adoption process,
25 that incorporate the latest natural hazard-resistant de-

1 signs and establish criteria for the design, construction,
2 and maintenance of structures and facilities that may be
3 eligible for assistance under this section for the purposes
4 of protecting the health, safety, and general welfare of a
5 buildings' users against disasters: *Provided further*, That
6 up to 0.5 percent of the amounts made available under
7 this heading in this title may be transferred, in aggregate,
8 to “Department of Housing and Urban Development, Pro-
9 gram Offices—Public and Indian Housing” to supplement
10 existing resources for the necessary costs of administering
11 and overseeing the obligation and expenditure of amounts
12 under this heading in this title, to remain available until
13 September 30, 2024: *Provided further*, That such amount
14 is designated by the Congress as being for an emergency
15 requirement pursuant to section 251(b)(2)(A)(i) of the
16 Balanced Budget and Emergency Deficit Control Act of
17 1985.

18 NATIVE AMERICAN PROGRAMS
19 (INCLUDING TRANSFER OF FUNDS)

20 For an additional amount for “Native American Pro-
21 grams”, \$1,000,000,000, to remain available until Sep-
22 tember 30, 2022, unless otherwise specified, for activities
23 and assistance authorized under title I of the Native
24 American Housing Assistance and Self-Determination Act
25 of 1996 (“NAHASDA”) (25 U.S.C. 4111 et seq.) and title

1 I of the Housing and Community Development Act of
2 1974 (42 U.S.C. 5301 et seq.) with respect to Indian
3 tribes: *Provided*, That the amounts made available under
4 this heading in this title are provided as follows:

5 (1) \$400,000,000 shall be for the Native Amer-
6 ican Housing Block Grants program, as authorized
7 under title I of NAHASDA: *Provided*, That amounts
8 made available in this paragraph shall be distributed
9 according to the same funding formula used in fiscal
10 year 2021: *Provided further*, That the amounts dis-
11 tributed through such formula shall be used for new
12 construction, acquisition, rehabilitation, and infra-
13 structure development: *Provided further*, That in se-
14 lecting projects to be funded, grantees shall give pri-
15 ority to projects for which contracts can be awarded
16 within 180 days from the date that amounts are
17 made available to the grantees: *Provided further*,
18 That the Secretary shall notify grantees of their for-
19 mula allocation not later than 60 days after the date
20 of enactment of this Act: *Provided further*, That the
21 Secretary shall obligate amounts allocated by for-
22 mula not later than 120 days after the date of en-
23 actment of this Act;

24 (2) \$350,000,000 shall be for competitive
25 grants under the Native American Housing Block

1 Grants program, as authorized under title I of
2 NAHASDA: *Provided*, That the Secretary shall obli-
3 gate this additional amount for competitive grants to
4 eligible recipients authorized under NAHASDA that
5 apply for funds: *Provided further*, That in awarding
6 this additional amount, the Secretary shall consider
7 need and administrative capacity and shall give pri-
8 ority to projects that will spur construction and re-
9 habilitation: *Provided further*, That a grant funded
10 pursuant to this paragraph shall be in an amount
11 not less than \$500,000 and not greater than
12 \$20,000,000: *Provided further*, That recipients of
13 amounts made available in this paragraph shall obli-
14 gate 100 percent of such amounts within 1 year of
15 the date amounts are made available to a recipient,
16 expend at least 50 percent of such amounts within
17 2 years of the date on which amounts become avail-
18 able to such recipients for obligation, and expend
19 100 percent of such amounts within 3 years of such
20 date: *Provided further*, That the Secretary shall issue
21 a Notice of Funding Availability for amounts made
22 available in this paragraph not later than 60 days
23 after the date of enactment of this Act: *Provided*
24 *further*, That such Notice of Funding Availability
25 shall require application submissions 90 days after

1 the publishing of such Notice: *Provided further*, That
2 of the applications submitted under the preceding 2
3 provisos, the Secretary shall make grants not later
4 than 270 days after the date of enactment of this
5 Act; and

6 (3) \$250,000,000 shall be for grants to Indian
7 tribes for carrying out the Indian Community Devel-
8 opment Block Grant program under title I of the
9 Housing and Community Development Act of 1974,
10 notwithstanding section 106(a)(1) of such Act: *Pro-*
11 *vided*, That not to exceed 20 percent of any grant
12 made with amounts made available in this para-
13 graph shall be expended for planning and manage-
14 ment development and administration: *Provided fur-*
15 *ther*, That the Secretary shall issue a Notice of
16 Funding Availability for amounts made available in
17 this paragraph not later than 180 days after the
18 date of enactment of this Act: *Provided further*, That
19 such Notice of Funding Availability shall require ap-
20 plication submissions 90 days after the publishing of
21 such Notice: *Provided further*, That of the applica-
22 tions submitted under the preceding 2 provisos, the
23 Secretary shall make grants not later than 390 days
24 after the date of enactment of this Act:

1 *Provided further*, That the Secretary may waive, or specify
2 alternative requirements for, any provision of any statute
3 or regulation that the Secretary administers in connection
4 with the use of amounts made available under this heading
5 in this title (except for requirements related to fair hous-
6 ing, nondiscrimination, labor standards, and the environ-
7 ment), upon a finding by the Secretary that any such
8 waivers or alternative requirements are necessary to expe-
9 dite or facilitate the use of such amounts: *Provided fur-*
10 *ther*, That not less than 10 percent of the amounts made
11 available under this heading in this title shall be used for
12 activities that improve water and energy efficiency, or re-
13 duce the risk of harm to occupants or property from nat-
14 ural hazards: *Provided further*, That up to 1 percent of
15 the amounts made available in paragraphs (2) and (3)
16 under this heading in this title may be transferred, in ag-
17 gregate, to “Department of Housing and Urban Develop-
18 ment, Program Offices—Public and Indian Housing” for
19 necessary costs of administering and overseeing the obliga-
20 tion and expenditure of such amounts, to remain available
21 until September 30, 2023: *Provided further*, That such
22 amount is designated by the Congress as being for an
23 emergency requirement pursuant to section
24 251(b)(2)(A)(i) of the Balanced Budget and Emergency
25 Deficit Control Act of 1985.

1 NATIVE HAWAIIAN HOUSING BLOCK GRANT
2 (INCLUDING TRANSFER OF FUNDS)

3 For an additional amount for the “Native Hawaiian
4 Housing Block Grant” program, \$20,000,000, to remain
5 available until September 30, 2022: *Provided*, That such
6 additional amount shall be subject to the provisions under
7 this heading in title II of this Act, except as modified by
8 this heading in this title: *Provided further*, That not less
9 than 10 percent of the amounts made available under this
10 heading in this title shall be used for activities that im-
11 prove water and energy efficiency, or reduce the risk of
12 harm to occupants or property from natural hazards: *Pro-*
13 *vided further*, That up to 1 percent of the amounts made
14 available under this heading in this title may be trans-
15 ferred, in aggregate, to “Department of Housing and
16 Urban Development, Program Offices—Public and Indian
17 Housing” for necessary costs of administering and over-
18 seeing the obligation and expenditure of amounts under
19 this heading in this title, to remain available until Sep-
20 tember 30, 2023: *Provided further*, That such amount is
21 designated by the Congress as being for an emergency re-
22 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
23 anced Budget and Emergency Deficit Control Act of 1985.

1 COMMUNITY PLANNING AND DEVELOPMENT

2 COMMUNITY DEVELOPMENT FUND

3 (INCLUDING TRANSFER OF FUNDS)

4 For an additional amount for “Community Develop-
5 ment Fund”, \$4,000,000,000, to remain available until
6 September 30, 2022: *Provided*, That such additional
7 amount shall be subject to the provisions under this head-
8 ing in title II of this Act, except as modified by this head-
9 ing in this title: *Provided further*, That such amount made
10 available under this heading in this title shall be distrib-
11 uted pursuant to section 106 of the Housing and Commu-
12 nity Development Act of 1974 (42 U.S.C. 5306) to grant-
13 ees that received allocations pursuant to that same for-
14 mula in fiscal year 2020, and that such allocations shall
15 be made within 30 days of enactment of this Act: *Provided*
16 *further*, That not less than 10 percent of the amounts
17 made available under this heading in this title shall be
18 used for activities that improve water and energy effi-
19 ciency, or reduce the risk of harm to occupants or property
20 from natural hazards (including activities that facilitate
21 the adoption of the most recent published editions of rel-
22 evant national consensus-based codes): *Provided further*,
23 That of the amounts made available under this heading
24 in this title, up to 0.5 percent may be transferred to “De-
25 partment of Housing and Urban Development, Program

1 Offices—Community Planning and Development” for nec-
2 essary costs of administering and overseeing the obligation
3 and expenditure of amounts under this heading in this
4 title, to remain available until September 30, 2028: *Pro-*
5 *vided further*, That such amount is designated by the Con-
6 gress as being for an emergency requirement pursuant to
7 section 251(b)(2)(A)(i) of the Balanced Budget and
8 Emergency Deficit Control Act of 1985.

9 HOME INVESTMENT PARTNERSHIPS PROGRAM
10 (INCLUDING TRANSFER OF FUNDS)

11 For an additional amount for the “HOME Invest-
12 ment Partnerships Program”, as authorized under title II
13 of the Cranston-Gonzalez National Affordable Housing
14 Act, as amended, \$17,500,000,000, to remain available
15 until September 30, 2024: *Provided*, That such additional
16 amount shall be subject to the provisions under this head-
17 ing in title II of this Act, except as modified by this head-
18 ing in this title: *Provided further*, That of the amounts
19 made available under this heading in this title, the Sec-
20 retary shall use not less than \$1,750,000,000 for projects
21 eligible for amounts made available under this heading in
22 this title located in or directly benefitting areas of per-
23 sistent poverty: *Provided further*, That for purposes of the
24 preceding proviso, the term “areas of persistent poverty”
25 means (1) any county that has consistently had 20 percent

1 or more of the population living in poverty during the 30-
2 year period preceding the date of enactment of this Act,
3 as measured by the 1990 and 2000 decennial census and
4 the most recent annual Small Area Income and Poverty
5 Estimates as estimated by the Bureau of the Census, (2)
6 any census tract with a poverty rate of at least 20 percent
7 as measured by the 2014-2018 5-year data series available
8 from the American Community Survey of the Census Bu-
9 reau, or (3) any territory or possession of the United
10 States: *Provided further*, That grants awarded under the
11 preceding 2 provisos shall not be subject to a minimum
12 grant size: *Provided further*, That not less than 10 percent
13 of the amounts made available under this heading in this
14 title shall be used for activities that improve water and
15 energy efficiency, or reduce the risk of harm to occupants
16 or property from natural hazards: *Provided further*, That
17 of the amounts made available under this heading in this
18 title, up to 0.5 percent may be transferred to “Department
19 of Housing and Urban Development, Program Offices—
20 Community Planning and Development” for necessary
21 costs of administering and overseeing the obligation and
22 expenditure of amounts under this heading in this title,
23 to remain available until September 30, 2028: *Provided*
24 *further*, That such amount is designated by the Congress
25 as being for an emergency requirement pursuant to sec-

1 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
2 gency Deficit Control Act of 1985.

3 SELF-HELP AND ASSISTED HOMEOWNERSHIP

4 OPPORTUNITY PROGRAM

5 For an additional amount for the “Self-Help and As-
6 sisted Homeownership Opportunity Program”, as author-
7 ized under section 11 of the Housing Opportunity Pro-
8 gram Extension Act of 1996, as amended, \$55,000,000,
9 to remain available until September 30, 2023: *Provided*,
10 That such additional amount shall be subject to the provi-
11 sions under this heading in title II of this Act, except as
12 modified by this heading in this title: *Provided further*,
13 That of the amount provided under this heading in this
14 title, \$10,000,000 shall be made available to the Self-Help
15 Homeownership Opportunity Program: *Provided further*,
16 That of the amount provided under this heading in this
17 title, \$40,000,000 shall be made available for the second,
18 third, and fourth capacity building activities authorized
19 under section 4(a) of the HUD Demonstration Act of
20 1993 (42 U.S.C. 9816 note), of which not less than
21 \$5,000,000 shall be made available for rural capacity
22 building activities: *Provided further*, That of the amount
23 provided under this heading in this title, \$5,000,000 shall
24 be made available for capacity building by national rural
25 housing organizations: *Provided further*, That such

1 amount is designated by the Congress as being for an
2 emergency requirement pursuant to section
3 251(b)(2)(A)(i) of the Balanced Budget and Emergency
4 Deficit Control Act of 1985.

5 HOUSING PROGRAMS
6 ASSISTED HOUSING INVESTMENTS
7 (INCLUDING TRANSFER OF FUNDS)

8 For assistance to owners of properties receiving
9 project-based subsidy contracts under the United States
10 Housing Act of 1937 (42 U.S.C. 1437 et seq.),
11 \$750,000,000, to remain available until September 30,
12 2024: *Provided*, That funds provided under this heading
13 in this title shall be for competitive grants for capital im-
14 provements to such properties: *Provided further*, That not
15 less than \$250,000,000 of the grants made available
16 under this heading in this title shall be for grants for ac-
17 tivities that mitigate threats to the health and safety of
18 residents; reduce lead-based paint hazards, and other
19 housing related hazards including carbon monoxide,
20 radon, or mold; improve water and energy efficiency; or
21 reduce the risk of harm to occupants or property from
22 natural hazards: *Provided further*, That projects funded
23 with grants provided under this heading in this title must
24 comply with the requirements of subchapter IV of chapter
25 31 of title 40, United States Code: *Provided further*, That

1 such grants shall be provided through the policies, proce-
2 dures, contracts, and transactional infrastructure of the
3 authorized programs administered by the Department of
4 Housing and Urban Development, on such terms and con-
5 ditions as the Secretary of Housing and Urban Develop-
6 ment deems appropriate to ensure the maintenance and
7 preservation of the property, the continued operation and
8 maintenance of energy efficiency technologies, and the
9 timely expenditure of funds: *Provided further*, That the
10 grants shall include a financial assessment and physical
11 inspection of such property: *Provided further*, That eligible
12 owners must have at least a satisfactory management re-
13 view rating, be in substantial compliance with applicable
14 performance standards and legal requirements, and com-
15 mit to an additional period of affordability determined by
16 the Secretary, but of not fewer than 15 years: *Provided*
17 *further*, That in administering funds appropriated or oth-
18 erwise made available under this heading in this title, the
19 Secretary may waive or specify alternative requirements
20 for any provision of any statute or regulation in connection
21 with the obligation by the Secretary or the use of these
22 funds (except for requirements related to fair housing,
23 nondiscrimination, labor standards, and the environment),
24 upon a finding that such a waiver is necessary to expedite
25 or facilitate the use of such funds: *Provided further*, That

1 of the amounts made available under this heading in this
2 title, up to 0.5 percent may be transferred to “Department
3 of Housing and Urban Development, Program Offices—
4 Office of Housing” for necessary costs of administering
5 and overseeing the obligation and expenditure of amounts
6 under this heading in this title, to remain available until
7 September 30, 2028: *Provided further*, That such amount
8 is designated by the Congress as being for an emergency
9 requirement pursuant to section 251(b)(2)(A)(i) of the
10 Balanced Budget and Emergency Deficit Control Act of
11 1985.

12 HOUSING FOR THE ELDERLY

13 (INCLUDING TRANSFER OF FUNDS)

14 For an additional amount for assistance for “Hous-
15 ing for the Elderly” as authorized by section 202 of the
16 Housing Act of 1959, as amended, \$750,000,000, to re-
17 main available until September 30, 2024, for use for cap-
18 ital advances under section 202(c)(1) of such Act and for
19 project rental assistance under section 202(c)(2) of such
20 Act in connection with such advances, including amend-
21 ments to contracts for such assistance, but not including
22 renewal of expiring contracts for such assistance: *Pro-*
23 *vided*, That such additional amount shall be subject to the
24 provisions under this heading in title II of this Act, except
25 as modified by this heading in this title: *Provided further*,

1 That not less than 10 percent of the amounts made avail-
2 able under this heading in this title shall be used for activi-
3 ties that improve water and energy efficiency, or reduce
4 the risk of harm to occupants or property from natural
5 hazards: *Provided further*, That of the amounts made
6 available under this heading in this title, up to 0.5 percent
7 may be transferred to “Department of Housing and
8 Urban Development, Program Offices—Office of Hous-
9 ing” for necessary costs of administering and overseeing
10 the obligation and expenditure of amounts under this
11 heading in this title, to remain available until September
12 30, 2028: *Provided further*, That such amount is des-
13 igned by the Congress as being for an emergency re-
14 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
15 anced Budget and Emergency Deficit Control Act of 1985.

16 HOUSING FOR PERSONS WITH DISABILITIES

17 (INCLUDING TRANSFER OF FUNDS)

18 For an additional amount for “Housing for Persons
19 with Disabilities”, for assistance for supportive housing
20 for persons with disabilities, as authorized by section 811
21 of the Cranston-Gonzalez National Affordable Housing
22 Act (42 U.S.C. 8013), \$179,000,000, to remain available
23 until September 30, 2024, to provide for additional capital
24 advances and project rental assistance for supportive
25 housing for persons with disabilities under section

1 811(b)(2) of such Act: *Provided*, That such additional
2 amount shall be subject to the provisions under this head-
3 ing in title II of this Act, except as modified by this head-
4 ing in this title: *Provided further*, That not less than 10
5 percent of the amounts made available under this heading
6 in this title shall be used for activities that improve water
7 and energy efficiency, or reduce the risk of harm to occu-
8 pants or property from natural hazards: *Provided further*,
9 That of the amounts made available under this heading
10 in this title, up to 0.5 percent may be transferred to “De-
11 partment of Housing and Urban Development, Program
12 Offices—Office of Housing” for necessary costs of admin-
13 istering and overseeing the obligation and expenditure of
14 amounts under this heading in this title, to remain avail-
15 able until September 30, 2028: *Provided further*, That
16 such amount is designated by the Congress as being for
17 an emergency requirement pursuant to section
18 251(b)(2)(A)(i) of the Balanced Budget and Emergency
19 Deficit Control Act of 1985.

20 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY

21 HOMES

22 LEAD HAZARD REDUCTION

23 For an additional amount for the “Lead Hazard Re-
24 duction Program”, as authorized by section 1011 of the
25 Residential Lead-Based Paint Hazard Reduction Act of

1 1992, \$100,000,000, to remain available until September
2 30, 2023, of which \$25,000,000 shall be for the Healthy
3 Homes Initiative, pursuant to sections 501 and 502 of the
4 Housing and Urban Development Act of 1970: *Provided*,
5 That such additional amount shall be subject to the provi-
6 sions under this heading in title II of this Act, except as
7 modified by this heading in this title: *Provided further*,
8 That not less than \$40,000,000 of the amounts made
9 available under this heading in this title for the award of
10 grants pursuant to section 1011 of the Residential Lead-
11 Based Paint Hazard Reduction Act of 1992 shall be pro-
12 vided to areas with the highest lead-based paint abatement
13 needs: *Provided further*, That not less than \$10,000,000
14 of the amounts made available under this heading in this
15 title for the Healthy Homes Initiative, the Secretary shall
16 give priority to applicants who have partnerships with
17 grantees of the Department of Energy’s Weatherization
18 Assistance Program: *Provided further*, That such amount
19 is designated by the Congress as being for an emergency
20 requirement pursuant to section 251(b)(2)(A)(i) of the
21 Balanced Budget and Emergency Deficit Control Act of
22 1985.

23 CYBERSECURITY AND INFORMATION TECHNOLOGY FUND

24 For an additional amount for “Cybersecurity and In-
25 formation Technology Fund”, \$100,000,000, to remain

1 available until September 30, 2023: *Provided*, That the
2 amount made available under this heading in this title
3 shall be for the development, modernization, and enhance-
4 ment of, modifications to, and infrastructure for cyberse-
5 curity support, operations, controls, and documentation;
6 multifamily housing IT modernization; and resolving open
7 Office of Inspector General and Government Account-
8 ability Office recommendations: *Provided further*, That
9 such amount is designated by the Congress as being for
10 an emergency requirement pursuant to section
11 251(b)(2)(A)(i) of the Balanced Budget and Emergency
12 Deficit Control Act of 1985.

13 OFFICE OF INSPECTOR GENERAL

14 For an additional amount for the necessary salaries
15 and expenses of the “Office of Inspector General” in car-
16 rying out the Inspector General Act of 1978, as amended,
17 \$7,500,000, to remain available until expended: *Provided*,
18 That the Inspector General shall have independent author-
19 ity over all personnel issues within this office: *Provided*
20 *further*, That such amount is designated by the Congress
21 as being for an emergency requirement pursuant to sec-
22 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
23 gency Deficit Control Act of 1985.

1 RELATED AGENCY
2 NEIGHBORHOOD REINVESTMENT CORPORATION
3 PAYMENT TO THE NEIGHBORHOOD REINVESTMENT
4 CORPORATION

5 For an additional payment to the “Neighborhood Re-
6 investment Corporation” for use in neighborhood reinvest-
7 ment activities, as authorized by the Neighborhood Rein-
8 vestment Corporation Act (42 U.S.C. 8101-8107),
9 \$300,000,000 to remain available until expended, for
10 grants to its charter member organization and affiliated
11 capital corporations for neighborhood reinvestment activi-
12 ties intended to spur economic stabilization and recovery,
13 including: construction of affordable single-family and
14 multifamily housing, rehabilitation of existing single-fam-
15 ily and multifamily housing, activities that improve water
16 and energy efficiency, or reduce the risk of harm to occu-
17 pants or property from natural hazards, rental assistance,
18 housing counseling, and support to ongoing economic de-
19 velopment efforts: *Provided*, That such additional amount
20 shall be subject to the provisions under this heading in
21 title III of this Act, except as modified by this heading
22 in this title: *Provided further*, That of the total amount
23 made available under this heading in this title, up to
24 \$1,500,000 may be used for associated administrative ex-
25 penses for the Neighborhood Reinvestment Corporation to

1 carry out activities provided under this heading in this
2 title: *Provided further*, That not less than 10 percent of
3 the amounts made available under this heading in this title
4 shall be used for activities that improve water and energy
5 efficiency, or reduce the risk of harm to occupants or prop-
6 erty from natural hazards: *Provided further*, That such
7 amount is designated by the Congress as being for an
8 emergency requirement pursuant to section
9 251(b)(2)(A)(i) of the Balanced Budget and Emergency
10 Deficit Control Act of 1985.

11 GENERAL PROVISIONS—ADDITIONAL INFRASTRUCTURE

12 INVESTMENTS

13 SEC. 501. (a) Notwithstanding any other provision
14 of law and in a manner consistent with other provisions
15 in this title, all laborers and mechanics employed by con-
16 tractors and subcontractors on projects funded directly by
17 or assisted in whole or in part by and through the Federal
18 Government pursuant to this title shall be paid wages at
19 rates not less than those prevailing on projects of a char-
20 acter similar in the locality as determined by the Secretary
21 of Labor in accordance with subchapter IV of chapter 31
22 of title 40, United States Code. With respect to the labor
23 standards specified in this section, the Secretary of Labor
24 shall have the authority and functions set forth in Reorga-
25 nization Plan Numbered 14 of 1950 (64 Stat. 1267; 5

1 U.S.C. App.) and section 63145 of title 40, United States
2 Code.

3 (b) Subsection (a) shall not apply to tribal contracts
4 entered into by the Department of Housing and Urban
5 Development with amounts made available under the
6 headings “Native American Programs” and “Native Ha-
7 waiian Housing Block Grant” in this title.

8 (c) The amounts provided by this section are des-
9 ignated by the Congress as being for an emergency re-
10 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
11 anced Budget and Emergency Deficit Control Act of 1985.

12 SEC. 502. For amounts made available in this title
13 under the headings “Northeast Corridor Grants to the Na-
14 tional Railroad Passenger Corporation” and “National
15 Network Grants to the National Railroad Passenger Cor-
16 poration”, the Secretary of Transportation may not waive
17 the requirements under section 24312 of title 49, United
18 States Code, and section 24305(f) of title 49, United
19 States Code: *Provided*, That for amounts made available
20 in this title under such headings the Secretary shall re-
21 quire the National Railroad Passenger Corporation to
22 comply with the Railroad Retirement Act of 1974 (45
23 U.S.C. 231 et seq.), the Railway Labor Act (45 U.S.C.
24 151 et seq.), and the Railroad Unemployment Insurance
25 Act (45 U.S.C. 351 et seq.): *Provided further*, That the

1 amounts made available in this title under such headings
2 shall be used by the National Railroad Passenger Corpora-
3 tion to prevent employee furloughs: *Provided further*, That
4 none of the funds made available in this title under such
5 headings may be used by the National Railroad Passenger
6 Corporation to reduce the frequency of rail service on any
7 long-distance route or State-supported route (as such
8 terms are defined in section 24102 of title 49, United
9 States Code) below frequencies for such routes in fiscal
10 year 2019, except in an emergency, during maintenance
11 or construction outages impacting such routes, or at the
12 request of the State or States supporting such State-sup-
13 ported routes.

14 This Act may be cited as the “Transportation, Hous-
15 ing and Urban Development, and Related Agencies Appro-
16 priations Act, 2021”.

