

[FULL COMMITTEE PRINT]

Union Calendar No. _____

117TH CONGRESS
2^D SESSION

H. R. _____

[Report No. __ - __]

Making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2023, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

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

A BILL

Making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2023, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the

1 Departments of Transportation, and Housing and Urban
2 Development, and related agencies for the fiscal year end-
3 ing September 30, 2023, and for other purposes, namely:

4 TITLE I

5 DEPARTMENT OF TRANSPORTATION

6 OFFICE OF THE SECRETARY

7 SALARIES AND EXPENSES

8 For necessary expenses of the Office of the Secretary,
9 \$176,000,000: *Provided*, That of the sums appropriated
10 under this heading—

11 (1) \$3,569,000 shall be available for the imme-
12 diate Office of the Secretary;

13 (2) \$1,277,000 shall be available for the imme-
14 diate Office of the Deputy Secretary;

15 (3) \$27,089,000 shall be available for the Office
16 of the General Counsel;

17 (4) \$17,400,000 shall be available for the Office
18 of the Under Secretary of Transportation for Policy;

19 (5) \$21,026,000 shall be available for the Office
20 of the Assistant Secretary for Budget and Pro-
21 grams;

22 (6) \$3,968,000 shall be available for the Office
23 of the Assistant Secretary for Governmental Affairs;

24 (7) \$42,402,000 shall be available for the Office
25 of the Assistant Secretary for Administration;

1 (8) \$5,727,000 shall be available for the Office
2 of Public Affairs and Public Engagement;

3 (9) \$2,312,000 shall be available for the Office
4 of the Executive Secretariat;

5 (10) \$18,533,000 shall be available for the Of-
6 fice of Intelligence, Security, and Emergency Re-
7 sponse;

8 (11) \$29,195,000 shall be available for the Of-
9 fice of the Chief Information Officer; and

10 (12) \$1,500,000 shall be available for the Office
11 of Tribal Government Affairs; and

12 (13) \$2,000,000 shall be available for the Office
13 of Multimodal Freight Infrastructure and Policy:

14 *Provided further*, That the Secretary of Transportation
15 (referred to in this title as the “Secretary”) is authorized
16 to transfer funds appropriated for any office of the Office
17 of the Secretary to any other office of the Office of the
18 Secretary: *Provided further*, That no appropriation for any
19 office shall be increased or decreased by more than 7 per-
20 cent by all such transfers: *Provided further*, That any
21 change in funding greater than 7 percent shall be subject
22 to the requirements of section 405 of this Act: *Provided*
23 *further*, That not to exceed \$70,000 shall be for allocation
24 within the Department for official reception and represen-
25 tation expenses as the Secretary may determine: *Provided*

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

4 RESEARCH AND TECHNOLOGY

5 For necessary expenses related to the Office of the
6 Assistant Secretary for Research and Technology,
7 \$56,963,000, of which \$42,780,000 shall remain available
8 until expended: *Provided*, That there may be credited to
9 this appropriation, to be available until expended, funds
10 received from States, counties, municipalities, other public
11 authorities, and private sources for expenses incurred for
12 training: *Provided further*, That any reference in law, reg-
13 ulation, judicial proceedings, or elsewhere to the Research
14 and Innovative Technology Administration shall continue
15 to be deemed to be a reference to the Office of the Assist-
16 ant Secretary for Research and Technology of the Depart-
17 ment of Transportation.

18 NATIONAL INFRASTRUCTURE INVESTMENTS

19 (INCLUDING TRANSFER OF FUNDS)

20 For necessary expenses to carry out section 6702 of
21 title 49, United States Code, \$775,000,000, to remain
22 available until expended: *Provided*, That section
23 6702(f)(2) of title 49, United States Code, shall not apply
24 to amounts made available under this heading in this Act:
25 *Provided further*, That of amounts made available under

1 this heading in this Act, not less than \$30,000,000 shall
2 be awarded to projects in historically disadvantaged com-
3 munities or areas of persistent poverty as such term is
4 defined under section 6702(a)(1) of title 49, United States
5 Code: *Provided further*, That section 6702(g) of title 49,
6 United States Code, shall not apply to amounts made
7 available under this heading in this Act: *Provided further*,
8 That of the amounts made available under this heading
9 in this Act not less than 5 percent shall be made available
10 for the planning, preparation, or design of eligible projects
11 and shall prioritize transit, transit oriented development,
12 multimodal, intercity passenger rail, and pedestrian
13 projects: *Provided further*, That grants awarded under this
14 heading in this Act for eligible projects for planning, prep-
15 aration, or design shall not be subject to a minimum grant
16 size: *Provided further*, That in distributing amounts made
17 available under this heading in this Act, the Secretary
18 shall take such measures so as to ensure an equitable geo-
19 graphic distribution of funds, an appropriate balance in
20 addressing the needs of urban and rural areas, including
21 Tribal areas, and the investment in a variety of transpor-
22 tation modes: *Provided further*, That section
23 6702(c)(2)(C) of title 49, United States Code, shall not
24 apply to amounts made available under this heading in
25 this Act: *Provided further*, That a grant award under this

1 heading in this Act shall be not greater than \$50,000,000:
2 *Provided further*, That section 6702(c)(3) of title 49,
3 United States Code, shall not apply to amounts made
4 available under this heading in this Act: *Provided further*,
5 That not more than 15 percent of the amounts made avail-
6 able under this heading in this Act may be awarded to
7 projects in a single state: *Provided further*, That for
8 amounts made available under this heading in this Act,
9 the Secretary shall give priority to projects that require
10 a contribution of Federal funds in order to complete an
11 overall financing package: *Provided further*, That section
12 6702(f)(1) of title 49, United States Code, shall not apply
13 to amounts made available under this heading in this Act:
14 *Provided further*, That of the amounts awarded under this
15 heading in this Act, not more than 50 percent shall be
16 allocated for eligible projects located in rural areas and
17 not more than 50 percent shall be allocated for eligible
18 projects located in urbanized areas: *Provided further*, That
19 for the purpose of determining if an award for planning,
20 preparation, or design under this heading in this Act is
21 an urban award, the project location is the location of the
22 project being planned, prepared, or designed: *Provided fur-*
23 *ther*, That the Secretary shall apply to projects under this
24 heading the Federal requirements that the Secretary de-
25 termines are appropriate based on the purpose of the Na-

1 tional Infrastructure Investments program, the require-
2 ments expressly stated under this heading, the require-
3 ments expressly stated in chapter 67 of title 49, United
4 States Code, and the Federal requirements applicable to
5 comparable projects supported by other Department of
6 Transportation financial assistance programs, including
7 domestic preference requirements, contracting opportuni-
8 ties for small and disadvantaged businesses, and labor
9 practices: *Provided further*, That the Secretary may retain
10 up to 2 percent of the amounts made available under this
11 heading in this Act, and may transfer portions of such
12 amounts to the Administrators of the Federal Aviation
13 Administration, the Federal Highway Administration, the
14 Federal Transit Administration, the Federal Railroad Ad-
15 ministration and the Maritime Administration to fund the
16 award and oversight of grants and credit assistance made
17 under the program authorized under section 6702 of title
18 49, United States Code: *Provided further*, That for
19 amounts made available under this heading in this Act,
20 the Secretary shall consider and award projects based sole-
21 ly on the selection criteria as identified under paragraphs
22 (3) and (4) of section 6702(d) of title 49, United States
23 Code.

1 THRIVING COMMUNITIES INITIATIVE
2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses for a thriving communities
4 program, \$100,000,000, to remain available until Sep-
5 tember 30, 2025: *Provided*, That the Secretary of Trans-
6 portation shall make such amounts available for technical
7 assistance and cooperative agreements to develop and im-
8 plement technical assistance, planning, and capacity build-
9 ing to improve and foster thriving communities through
10 transportation improvements: *Provided further*, That the
11 Secretary may enter into cooperative agreements with
12 philanthropic entities, non-profit organizations, other Fed-
13 eral agencies, state or local governments and their agen-
14 cies, Indian Tribes, or other technical assistance providers,
15 to provide such technical assistance, planning, and capac-
16 ity building to state, local, or Tribal governments, United
17 States territories, metropolitan planning organizations,
18 transit agencies, or other political subdivisions of state or
19 local governments: *Provided further*, That to be eligible for
20 a cooperative agreement under this heading, a recipient
21 shall provide assistance to entities described in the pre-
22 ceding proviso on engaging in public planning processes
23 with residents, local businesses, non-profit organizations,
24 and to the extent practicable, philanthropic organizations,
25 educational institutions, or other community stakeholders:

1 *Provided further*, That such cooperative agreements shall
2 facilitate the planning and development of transportation
3 and community revitalization activities supported by the
4 Department of Transportation under titles 23, 46, and 49,
5 United States Code, that increase mobility, reduce pollu-
6 tion from transportation sources, expand affordable trans-
7 portation options, facilitate efficient land use, preserve or
8 expand jobs, improve housing conditions, enhance connec-
9 tions to health care, education, and food security, or im-
10 prove health outcomes: *Provided further*, That the Sec-
11 retary may prioritize assistance provided with amounts
12 made available under this heading to communities that
13 have disproportionate rates of pollution and poor air qual-
14 ity, communities experiencing disproportionate effects (as
15 defined by Executive Order No. 12898), areas of per-
16 sistent poverty as defined in section 6702(a)(1) of title
17 49, United States Code, or historically disadvantaged com-
18 munities: *Provided further*, That the preceding proviso
19 shall not prevent the Secretary from providing assistance
20 with amounts made available under this heading to enti-
21 ties described in the second proviso under this heading
22 that request assistance through the thriving communities
23 program: *Provided further*, That planning and technical
24 assistance made available under this heading may include
25 pre-application assistance for capital projects eligible

1 under titles 23, 46, and 49, United States Code: *Provided*
2 *further*, That the Secretary may retain amounts made
3 available under this heading for the necessary administra-
4 tive expenses of (1) developing and disseminating best
5 practices, modeling, and cost-benefit analysis methodolo-
6 gies to assist entities described in the second proviso under
7 this heading with applications for financial assistance pro-
8 grams under titles 23, 46, and 49, United States Code,
9 and (2) award, administration, and oversight of coopera-
10 tive agreements to carry out the provisions under this
11 heading: *Provided further*, That such amounts and pay-
12 ments as may be necessary to carry out the thriving com-
13 munities program may be transferred to appropriate ac-
14 counts of other operating administrations within the De-
15 partment of Transportation: *Provided further*, That the
16 Secretary shall notify the House and Senate Committees
17 on Appropriations not later than 3 business days prior to
18 a transfer carried out under the preceding proviso.

19 NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE
20 FINANCE BUREAU

21 For necessary expenses of the National Surface
22 Transportation and Innovative Finance Bureau as author-
23 ized by 49 U.S.C. 116, \$3,800,000, to remain available
24 until expended: *Provided*, That the Secretary may collect
25 and spend fees, as authorized by title 23, United States

1 Code, to cover the costs of services of expert firms, includ-
2 ing counsel, in the field of municipal and project finance
3 to assist in the underwriting and servicing of Federal cred-
4 it instruments and all or a portion of the costs to the Fed-
5 eral Government of servicing such credit instruments: *Pro-*
6 *vided further*, That such fees are available until expended
7 to pay for such costs: *Provided further*, That such amounts
8 are in addition to other amounts made available for such
9 purposes and are not subject to any obligation limitation
10 or the limitation on administrative expenses under section
11 608 of title 23, United States Code.

12 RAILROAD REHABILITATION AND IMPROVEMENT

13 FINANCING PROGRAM

14 The Secretary is authorized to issue direct loans and
15 loan guarantees pursuant to chapter 224 of title 49,
16 United States Code, and such authority shall exist so long
17 as any such direct loan or loan guarantee is outstanding.

18 FINANCIAL MANAGEMENT CAPITAL

19 For necessary expenses for upgrading and enhancing
20 the Department of Transportation's financial systems and
21 re-engineering business processes, \$5,000,000, to remain
22 available through September 30, 2024.

23 CYBER SECURITY INITIATIVES

24 For necessary expenses for cyber security initiatives,
25 including necessary upgrades to network and information

1 technology infrastructure, improvement of identity man-
2 agement and authentication capabilities, securing and pro-
3 tecting data, implementation of Federal cyber security ini-
4 tiatives, and implementation of enhanced security controls
5 on agency computers and mobile devices, \$48,100,000, to
6 remain available until September 30, 2024.

7 OFFICE OF CIVIL RIGHTS

8 For necessary expenses of the Office of Civil Rights,
9 \$15,000,000.

10 TRANSPORTATION PLANNING, RESEARCH, AND

11 DEVELOPMENT

12 (INCLUDING TRANSFER OF FUNDS)

13 For necessary expenses for conducting transportation
14 planning, research, systems development, development ac-
15 tivities, and making grants, \$19,648,000, to remain avail-
16 able until expended: *Provided*, That of such amount,
17 \$7,136,000 shall be for necessary expenses of the Inter-
18 agency Infrastructure Permitting Improvement Center
19 (IIPIC): *Provided further*, That there may be transferred
20 to this appropriation, to remain available until expended,
21 amounts transferred from other Federal agencies for ex-
22 penses incurred under this heading for IIPIC activities not
23 related to transportation infrastructure: *Provided further*,
24 That the tools and analysis developed by the IIPIC shall
25 be available to other Federal agencies for the permitting

1 and review of major infrastructure projects not related to
2 transportation only to the extent that other Federal agen-
3 cies provide funding to the Department in accordance with
4 the preceding proviso.

5 WORKING CAPITAL FUND
6 (INCLUDING TRANSFER OF FUNDS)

7 For necessary expenses for operating costs and cap-
8 ital outlays of the Working Capital Fund, not to exceed
9 \$505,285,000, shall be paid from appropriations made
10 available to the Department of Transportation: *Provided*,
11 That such services shall be provided on a competitive basis
12 to entities within the Department of Transportation: *Pro-*
13 *vided further*, That the limitation in the preceding proviso
14 on operating expenses shall not apply to entities external
15 to the Department of Transportation or for funds pro-
16 vided in Public Law 117–58: *Provided further*, That no
17 funds made available by this Act to an agency of the De-
18 partment shall be transferred to the Working Capital
19 Fund without majority approval of the Working Capital
20 Fund Steering Committee and approval of the Secretary:
21 *Provided further*, That no assessments may be levied
22 against any program, budget activity, subactivity, or
23 project funded by this Act unless notice of such assess-
24 ments and the basis therefor are presented to the House

1 and Senate Committees on Appropriations and are ap-
2 proved by such Committees.

3 SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND
4 OUTREACH

5 For necessary expenses for small and disadvantaged
6 business utilization and outreach activities, \$7,094,000, to
7 remain available until September 30, 2024: *Provided*,
8 That notwithstanding section 332 of title 49, United
9 States Code, such amounts may be used for business op-
10 portunities related to any mode of transportation: *Pro-*
11 *vided further*, That appropriations made available under
12 this heading shall be available for any purpose consistent
13 with prior year appropriations that were made available
14 under the heading “Office of the Secretary—Minority
15 Business Resource Center Program”.

16 PAYMENTS TO AIR CARRIERS
17 (AIRPORT AND AIRWAY TRUST FUND)

18 In addition to funds made available from any other
19 source to carry out the essential air service program under
20 sections 41731 through 41742 of title 49, United States
21 Code, \$368,727,000, to be derived from the Airport and
22 Airway Trust Fund, to remain available until expended:
23 *Provided*, That in determining between or among carriers
24 competing to provide service to a community, the Sec-
25 retary may consider the relative subsidy requirements of

1 the carriers: *Provided further*, That basic essential air
2 service minimum requirements shall not include the 15-
3 passenger capacity requirement under section 41732(b)(3)
4 of title 49, United States Code: *Provided further*, That
5 amounts authorized to be distributed for the essential air
6 service program under section 41742(b) of title 49, United
7 States Code, shall be made available immediately from
8 amounts otherwise provided to the Administrator of the
9 Federal Aviation Administration: *Provided further*, That
10 the Administrator may reimburse such amounts from fees
11 credited to the account established under section 45303
12 of title 49, United States Code.

13 ELECTRIC VEHICLE FLEET

14 (INCLUDING TRANSFER OF FUNDS)

15 For necessary expenses for the Department's transi-
16 tion to the General Services Administration's leased vehi-
17 cle fleet, and for the purchase of zero emission passenger
18 motor vehicles and supporting charging or fueling infra-
19 structure, \$11,000,000, to remain available until Sep-
20 tember 30, 2025: *Provided*, That such amounts are in ad-
21 dition to amounts otherwise available for such purposes:
22 *Provided further*, That amounts made available under this
23 heading may be transferred to other accounts of the De-
24 partment of Transportation for the purposes specified
25 under this heading: *Provided further*, That the Secretary

1 shall notify the House and Senate Committees on Appro-
2 priations not later than 3 business days prior to a transfer
3 carried out under the preceding proviso.

4 ADMINISTRATIVE PROVISIONS—OFFICE OF THE
5 SECRETARY OF TRANSPORTATION

6 SEC. 101. None of the funds made available by this
7 Act to the Department of Transportation may be obligated
8 for the Office of the Secretary of Transportation to ap-
9 prove assessments or reimbursable agreements pertaining
10 to funds appropriated to the operating administrations in
11 this Act, except for activities underway on the date of en-
12 actment of this Act, unless such assessments or agree-
13 ments have completed the normal reprogramming process
14 for congressional notification.

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

21 SEC. 103. In addition to authority provided by section
22 327 of title 49, United States Code, the Department's
23 Working Capital Fund is authorized to provide partial or
24 full payments in advance and accept subsequent reim-
25 bursements from all Federal agencies from available funds

1 for transit benefit distribution services that are necessary
2 to carry out the Federal transit pass transportation fringe
3 benefit program under Executive Order No. 13150 and
4 section 3049 of SAFETEA-LU (5 U.S.C. 7905 note):
5 *Provided*, That the Department shall maintain a reason-
6 able operating reserve in the Working Capital Fund, to
7 be expended in advance to provide uninterrupted transit
8 benefits to Government employees: *Provided further*, That
9 such reserve shall not exceed 1 month of benefits payable
10 and may be used only for the purpose of providing for
11 the continuation of transit benefits: *Provided further*, That
12 the Working Capital Fund shall be fully reimbursed by
13 each customer agency from available funds for the actual
14 cost of the transit benefit.

15 SEC. 104. Receipts collected in the Department's
16 Working Capital Fund, as authorized by section 327 of
17 title 49, United States Code, for unused transit and van
18 pool benefits, in an amount not to exceed 10 percent of
19 fiscal year 2023 collections, shall be available until ex-
20 pended in the Department's Working Capital Fund to pro-
21 vide contractual services in support of section 189 of this
22 Act: *Provided*, That obligations in fiscal year 2023 of such
23 collections shall not exceed \$1,000,000.

24 SEC. 105. None of the funds in this title may be obli-
25 gated or expended for retention or senior executive bo-

1 nuses for an employee of the Department of Transpor-
2 tation without the prior written approval of the Assistant
3 Secretary for Administration.

4 SEC. 106. In addition to authority provided by section
5 327 of title 49, United States Code, the Department's Ad-
6 ministrative Working Capital Fund is hereby authorized
7 to transfer information technology equipment, software,
8 and systems from Departmental sources or other entities
9 and collect and maintain a reserve at rates which will re-
10 turn full cost of transferred assets.

11 SEC. 107. None of the funds provided in this Act to
12 the Department of Transportation may be used to provide
13 credit assistance unless not less than 3 days before any
14 application approval to provide credit assistance under
15 sections 603 and 604 of title 23, United States Code, the
16 Secretary provides notification in writing to the following
17 committees: the House and Senate Committees on Appro-
18 priations; the Committee on Environment and Public
19 Works and the Committee on Banking, Housing and
20 Urban Affairs of the Senate; and the Committee on Trans-
21 portation and Infrastructure of the House of Representa-
22 tives: *Provided*, That such notification shall include, but
23 not be limited to, the name of the project sponsor; a de-
24 scription of the project; whether credit assistance will be

1 provided as a direct loan, loan guarantee, or line of credit;
2 and the amount of credit assistance.

3 FEDERAL AVIATION ADMINISTRATION
4 OPERATIONS
5 (AIRPORT AND AIRWAY TRUST FUND)

6 For necessary expenses of the Federal Aviation Ad-
7 ministration, not otherwise provided for, including oper-
8 ations and research activities related to commercial space
9 transportation, administrative expenses for research and
10 development, establishment of air navigation facilities, the
11 operation (including leasing) and maintenance of aircraft,
12 subsidizing the cost of aeronautical charts and maps sold
13 to the public, the lease or purchase of passenger motor
14 vehicles for replacement only, \$11,870,000,000, to remain
15 available until September 30, 2024, of which
16 \$9,993,821,000 to be derived from the Airport and Airway
17 Trust Fund: *Provided*, That of the amounts made avail-
18 able under this heading—

19 (1) not less than \$1,645,018,000 shall be avail-
20 able for aviation safety activities;

21 (2) \$8,760,044,000 shall be available for air
22 traffic organization activities;

23 (3) \$33,675,000 shall be available for commer-
24 cial space transportation activities;

1 (4) \$915,049,000 shall be available for finance
2 and management activities;

3 (5) \$65,581,000 shall be available for NextGen
4 and operations planning activities;

5 (6) \$153,447,000 shall be available for security
6 and hazardous materials safety; and

7 (7) \$297,186,000 shall be available for staff of-
8 fices:

9 *Provided further*, That not to exceed 5 percent of any
10 budget activity, except for aviation safety budget activity,
11 may be transferred to any budget activity under this head-
12 ing: *Provided further*, That no transfer may increase or
13 decrease any appropriation under this heading by more
14 than 5 percent: *Provided further*, That any transfer in ex-
15 cess of 5 percent shall be treated as a reprogramming of
16 funds under section 405 of this Act and shall not be avail-
17 able for obligation or expenditure except in compliance
18 with the procedures set forth in that section: *Provided fur-*
19 *ther*, That not later than 60 days after the submission of
20 the budget request, the Administrator of the Federal Avia-
21 tion Administration shall transmit to Congress an annual
22 update to the report submitted to Congress in December
23 2004 pursuant to section 221 of the Vision 100-Century
24 of Aviation Reauthorization Act (49 U.S.C. 40101 note):
25 *Provided further*, That the amounts made available under

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

1 the enactment of this Act: *Provided further*, That there
2 may be credited to this appropriation, as offsetting collec-
3 tions, funds received from States, counties, municipalities,
4 foreign authorities, other public authorities, and private
5 sources for expenses incurred in the provision of agency
6 services, including receipts for the maintenance and oper-
7 ation of air navigation facilities, and for issuance, renewal
8 or modification of certificates, including airman, aircraft,
9 and repair station certificates, or for tests related thereto,
10 or for processing major repair or alteration forms: *Pro-*
11 *vided further*, That of the amounts made available under
12 this heading, not less than \$187,800,000 shall be used to
13 fund direct operations of the current air traffic control
14 towers in the contract tower program, including the con-
15 tract tower cost share program, and any airport that is
16 currently qualified or that will qualify for the program
17 during the fiscal year: *Provided further*, That none of the
18 funds made available by this Act for aeronautical charting
19 and cartography are available for activities conducted by,
20 or coordinated through, the Working Capital Fund: *Pro-*
21 *vided further*, That none of the funds appropriated or oth-
22 erwise made available by this Act or any other Act may
23 be used to eliminate the Contract Weather Observers pro-
24 gram at any airport.

1 FACILITIES AND EQUIPMENT

2 (AIRPORT AND AIRWAY TRUST FUND)

3 For necessary expenses, not otherwise provided for,
4 for acquisition, establishment, technical support services,
5 improvement by contract or purchase, and hire of national
6 airspace systems and experimental facilities and equip-
7 ment, as authorized under part A of subtitle VII of title
8 49, United States Code, including initial acquisition of
9 necessary sites by lease or grant; engineering and service
10 testing, including construction of test facilities and acqui-
11 sition of necessary sites by lease or grant; construction
12 and furnishing of quarters and related accommodations
13 for officers and employees of the Federal Aviation Admin-
14 istration stationed at remote localities where such accom-
15 modations are not available; and the purchase, lease, or
16 transfer of aircraft from funds made available under this
17 heading, including aircraft for aviation regulation and cer-
18 tification; to be derived from the Airport and Airway Trust
19 Fund, \$2,900,000,000, of which \$570,000,000 is for per-
20 sonnel and related expenses and shall remain available
21 until September 30, 2024, \$1,803,600,000 is for equip-
22 ment and shall remain available until September 30, 2025,
23 and \$526,400,000 is for facilities and shall remain avail-
24 able until September 30, 2027: *Provided*, That there may
25 be credited to this appropriation funds received from

1 States, counties, municipalities, other public authorities,
2 and private sources, for expenses incurred in the establish-
3 ment, improvement, and modernization of national air-
4 space systems: *Provided further*, That not later than 60
5 days after submission of the budget request, the Secretary
6 of Transportation shall transmit to the Congress an in-
7 vestment plan for the Federal Aviation Administration
8 which includes funding for each budget line item for fiscal
9 years 2024 through 2028, with total funding for each year
10 of the plan constrained to the funding targets for those
11 years as estimated and approved by the Office of Manage-
12 ment and Budget: *Provided further*, That section 405 of
13 this Act shall apply to amounts made available under this
14 heading in title VIII of the Infrastructure Investments and
15 Jobs Appropriations Act (division J of Public Law 117–
16 58): *Provided further*, That the amounts specified for each
17 Budget Line Item in the table included in the “Facilities
18 and Equipment Spend Plan for Fiscal Year 2023 Infra-
19 structure Investment and Jobs Act Funding” section of
20 the Federal Aviation Administration FY 2023 President’s
21 Budget, as submitted to the House and Senate Commit-
22 tees on Appropriations, shall be the baseline for applica-
23 tion of reprogramming and transfer authorities for the
24 current fiscal year pursuant to paragraph (7) of such sec-
25 tion 405 for amounts referred to in the preceding proviso:

1 *Provided further*, That, notwithstanding paragraphs (5)
2 and (6) of such section 405, unless prior approval is re-
3 ceived from the House and Senate Committees on Appro-
4 priations, not to exceed 10 percent of any funding level
5 specified for projects and activities in the table referred
6 to in the preceding proviso may be transferred to any
7 other funding level specified for projects and activities in
8 such table and no transfer of such funding levels may in-
9 crease or decrease any funding level in such table by more
10 than 10 percent.

11 RESEARCH, ENGINEERING, AND DEVELOPMENT

12 (AIRPORT AND AIRWAY TRUST FUND)

13 For necessary expenses, not otherwise provided for,
14 for research, engineering, and development, as authorized
15 under part A of subtitle VII of title 49, United States
16 Code, including construction of experimental facilities and
17 acquisition of necessary sites by lease or grant,
18 \$260,500,000, to be derived from the Airport and Airway
19 Trust Fund and to remain available until September 30,
20 2025: *Provided*, That there may be credited to this appro-
21 priation as offsetting collections, funds received from
22 States, counties, municipalities, other public authorities,
23 and private sources, which shall be available for expenses
24 incurred for research, engineering, and development: *Pro-*
25 *vided further*, That amounts made available under this

1 heading shall be used in accordance with the report accom-
2 panying this Act: *Provided further*, That not to exceed 10
3 percent of any funding level specified under this heading
4 in the report accompanying this Act may be transferred
5 to any other funding level specified under this heading in
6 the report accompanying this Act: *Provided further*, That
7 no transfer may increase or decrease any funding level by
8 more than 10 percent: *Provided further*, That any transfer
9 in excess of 10 percent shall be treated as a reprogram-
10 ming of funds under section 405 of this Act and shall not
11 be available for obligation or expenditure except in compli-
12 ance with the procedures set forth in that section.

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

18 For liquidation of obligations incurred for grants-in-
19 aid for airport planning and development, and noise com-
20 patibility planning and programs as authorized under sub-
21 chapter I of chapter 471 and subchapter I of chapter 475
22 of title 49, United States Code, and under other law au-
23 thorizing such obligations; for procurement, installation,
24 and commissioning of runway incursion prevention devices
25 and systems at airports of such title; for grants authorized

1 under section 41743 of title 49, United States Code; and
2 for inspection activities and administration of airport safe-
3 ty programs, including those related to airport operating
4 certificates under section 44706 of title 49, United States
5 Code, \$3,350,000,000, to be derived from the Airport and
6 Airway Trust Fund and to remain available until ex-
7 pended: *Provided*, That none of the amounts made avail-
8 able under this heading shall be available for the planning
9 or execution of programs the obligations for which are in
10 excess of \$3,350,000,000, in fiscal year 2023, notwith-
11 standing section 47117(g) of title 49, United States Code:
12 *Provided further*, That none of the amounts made available
13 under this heading shall be available for the replacement
14 of baggage conveyor systems, reconfiguration of terminal
15 baggage areas, or other airport improvements that are
16 necessary to install bulk explosive detection systems: *Pro-*
17 *vided further*, That notwithstanding section 47109(a) of
18 title 49, United States Code, the Government's share of
19 allowable project costs under paragraph (2) of such sec-
20 tion for subgrants or paragraph (3) of such section shall
21 be 95 percent for a project at other than a large or me-
22 dium hub airport that is a successive phase of a multi-
23 phased construction project for which the project sponsor
24 received a grant in fiscal year 2011 for the construction
25 project: *Provided further*, That notwithstanding any other

1 provision of law, of amounts limited under this heading,
2 not less than \$137,372,000 shall be available for adminis-
3 tration, \$15,000,000 shall be available for the Airport Co-
4 operative Research Program, \$40,828,000 shall be avail-
5 able for Airport Technology Research, and \$10,000,000,
6 to remain available until expended, shall be available and
7 transferred to “Office of the Secretary, Salaries and Ex-
8 penses” to carry out the Small Community Air Service De-
9 velopment Program: *Provided further*, That in addition to
10 airports eligible under section 41743 of title 49, United
11 States Code, such program may include the participation
12 of an airport that serves a community or consortium that
13 is not larger than a small hub airport, according to FAA
14 hub classifications effective at the time the Office of the
15 Secretary issues a request for proposals.

16 GRANTS-IN-AID FOR AIRPORTS

17 For an additional amount for “Grants-In-Aid for Air-
18 ports”, to enable the Secretary of Transportation to make
19 grants for projects as authorized by subchapter 1 of chap-
20 ter 471 and subchapter 1 of chapter 475 of title 49,
21 United States Code, \$272,604,000, to remain available
22 through September 30, 2025: *Provided*, That amounts
23 made available under this heading shall be derived from
24 the general fund, and such funds shall not be subject to
25 apportionment formulas, special apportionment categories,

1 or minimum percentages under chapter 471 of title 49,
2 United States Code: *Provided further*, That of the amounts
3 made available under this heading, \$172,604,000 is for
4 Community Project Funding for the purposes, and in the
5 amounts, specified for this account in the table titled
6 “Transportation, Housing and Urban Development Incor-
7 poration of Community Project Funding Items” included
8 in the report accompanying this Act: *Provided further*,
9 That any funds made available under this heading in this
10 Act that remain available after the distribution of funds
11 under the preceding proviso shall be available to the Sec-
12 retary to distribute as discretionary grants to airports:
13 *Provided further*, That the amounts made available under
14 this heading shall not be subject to any limitation on obli-
15 gations for the Grants-in-Aid for Airports program set
16 forth in any Act: *Provided further*, That the Administrator
17 of the Federal Aviation Administration may retain up to
18 0.5 percent of the amounts made available under this
19 heading to fund the award and oversight by the Adminis-
20 trator of grants made under this heading.

21 ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION

22 ADMINISTRATION

23 SEC. 110. None of the funds made available by this
24 Act may be used to compensate in excess of 600 technical
25 staff-years under the federally funded research and devel-

1 opment center contract between the Federal Aviation Ad-
2 ministration and the Center for Advanced Aviation Sys-
3 tems Development during fiscal year 2023.

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

18 SEC. 112. The Administrator of the Federal Aviation
19 Administration may reimburse amounts made available to
20 satisfy section 41742(a)(1) of title 49, United States
21 Code, from fees credited under section 45303 of title 49,
22 United States Code, and any amount remaining in such
23 account at the close of any fiscal year may be made avail-
24 able to satisfy section 41742(a)(1) of title 49, United
25 States Code, for the subsequent fiscal year.

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

6 SEC. 114. None of the funds made available by this
7 Act shall be available for paying premium pay under sec-
8 tion 5546(a) of title 5, United States Code, to any Federal
9 Aviation Administration employee unless such employee
10 actually performed work during the time corresponding to
11 such premium pay.

12 SEC. 115. None of the funds made available by this
13 Act may be obligated or expended for an employee of the
14 Federal Aviation Administration to purchase a store gift
15 card or gift certificate through use of a Government-issued
16 credit card.

17 SEC. 116. Notwithstanding any other provision of
18 law, none of the funds made available under this Act or
19 any prior Act may be used to implement or to continue
20 to implement any limitation on the ability of any owner
21 or operator of a private aircraft to obtain, upon a request
22 to the Administrator of the Federal Aviation Administra-
23 tion, a blocking of that owner's or operator's aircraft reg-
24 istration number, Mode S transponder code, flight identi-
25 fication, call sign, or similar identifying information from

1 any ground based display to the public that would allow
2 the real-time or near real-time flight tracking of that air-
3 craft's movements, except data made available to a Gov-
4 ernment agency, for the noncommercial flights of that
5 owner or operator.

6 SEC. 117. None of the funds made available by this
7 Act shall be available for salaries and expenses of more
8 than nine political and Presidential appointees in the Fed-
9 eral Aviation Administration.

10 SEC. 118. None of the funds made available by this
11 Act may be used to increase fees pursuant to section
12 44721 of title 49, United States Code, until the Federal
13 Aviation Administration provides to the House and Senate
14 Committees on Appropriations a report that justifies all
15 fees related to aeronautical navigation products and ex-
16 plains how such fees are consistent with Executive Order
17 No. 13642.

18 SEC. 119. None of the funds made available by this
19 Act may be used to close a regional operations center of
20 the Federal Aviation Administration or reduce its services
21 unless the Administrator notifies the House and Senate
22 Committees on Appropriations not less than 90 full busi-
23 ness days in advance.

24 SEC. 119A. None of the funds made available by or
25 limited by this Act may be used to change weight restric-

1 tions or prior permission rules at Teterboro airport in
2 Teterboro, New Jersey.

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

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

19 SEC. 119D. The Federal Aviation Administration Ad-
20 ministrative Services Franchise Fund may be reimbursed
21 after performance or paid in advance from funds available
22 to the Federal Aviation Administration and other Federal
23 agencies for which the Fund performs services.

24 SEC. 119E. None of the funds appropriated or other-
25 wise made available to the FAA may be used to carry out

1 the FAA's obligations under section 44502(e) of title 49,
2 United States Code, unless the eligible air traffic system
3 or equipment to be transferred to the FAA under section
4 44502(e) of title 49, United States Code, was purchased
5 by the transferor airport—

6 (1) during the period of time beginning on Oc-
7 tober 5, 2018 and ending on December 31, 2021; or

8 (2) on or after January 1, 2022 for transferor
9 airports located in a non-contiguous states.

10 FEDERAL HIGHWAY ADMINISTRATION

11 LIMITATION ON ADMINISTRATIVE EXPENSES

12 (HIGHWAY TRUST FUND)

13 (INCLUDING TRANSFER OF FUNDS)

14 Not to exceed \$476,783,991 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 or transferred to the Appalachian Regional
19 Commission for administrative activities associated with
20 the Appalachian Development Highway System.

21 FEDERAL-AID HIGHWAYS

22 (LIMITATION ON OBLIGATIONS)

23 (HIGHWAY TRUST FUND)

24 Funds available for the implementation or execution
25 of authorized Federal-aid highway and highway safety

1 construction programs shall not exceed total obligations
2 of \$58,764,510,674 for fiscal year 2023: *Provided*, That
3 the limitation on obligations under this heading shall only
4 apply to contract authority authorized from the Highway
5 Trust Fund (other than the Mass Transit Account), un-
6 less otherwise specified in law.

7 (LIQUIDATION OF CONTRACT AUTHORIZATION)

8 (HIGHWAY TRUST FUND)

9 For the payment of obligations incurred in carrying
10 out authorized Federal-aid highway and highway safety
11 construction programs, \$59,503,510,674 derived from the
12 Highway Trust Fund (other than the Mass Transit Ac-
13 count), to remain available until expended.

14 HIGHWAY INFRASTRUCTURE PROGRAMS

15 (INCLUDING TRANSFER OF FUNDS)

16 There is hereby appropriated to the Secretary
17 \$1,755,060,641: *Provided*, That the funds made available
18 under this heading shall be derived from the general fund,
19 shall be in addition to any funds provided for fiscal year
20 2023 in this or any other Act for: (1) “Federal-aid High-
21 ways” under chapter 1 of title 23, United States Code;
22 or (2) the Appalachian Development Highway System as
23 authorized under section 1069(y) of Public Law 102–240,
24 and shall not affect the distribution or amount of funds
25 provided in any other Act: *Provided further*, That section

1 11101(e) of Public Law 117-58 shall apply to amounts
2 made available under this heading: *Provided further*, That
3 unless otherwise specified, amounts made available under
4 this heading shall be available until September 30, 2026,
5 and shall not be subject to any limitation on obligations
6 for Federal-aid highways or highway safety construction
7 programs set forth in any Act making annual appropria-
8 tions: *Provided further*, That of the funds made available
9 under this heading, the Federal Highway Administration
10 may retain an amount of \$3,000,000, to remain available
11 until expended, to fund the oversight of projects carried
12 with funds made available under such paragraph: *Provided*
13 *further*, That of the funds made available under this head-
14 ing—

15 (1) \$1,275,060,641 shall be made available for
16 Community Project Funding for the purposes, and
17 in the amounts, specified for this account in the
18 table titled “Transportation, Housing and Urban
19 Development Incorporation of Community Project
20 Funding Items” included in the report accom-
21 panying this Act: *Provided*, That, except as other-
22 wise provided under this heading, the funds made
23 available under this paragraph shall be administered
24 as if apportioned under chapter 1 of title 23, United
25 States Code: *Provided further*, That funds made

1 available under this paragraph that are used for
2 Tribal projects shall be administered as if allocated
3 under chapter 2 of title 23, United States Code, ex-
4 cept that the set-asides described in subparagraph
5 (C) of section 202(b)(3) of title 23, United States
6 Code, and subsections (a)(6), (c), and (e) of section
7 202 of such title, and section 1123(h)(1) of MAP-
8 21 (as amended by Public Law 117-58), shall now
9 apply to such funds;

10 (2) \$100,000,000 shall be for necessary ex-
11 penses for construction of the Appalachian Develop-
12 ment Highway System as authorized under section
13 1069(y) of Public Law 102-240: *Provided*, That for
14 the purposes of funds made available under this
15 paragraph, the term “Appalachian State” means a
16 State that contains 1 or more counties (including
17 any political subdivision located within the area) in
18 the Appalachian region as defined in section
19 14102(a) of title 40, United States Code: *Provided*
20 *further*, That funds made available under this head-
21 ing for construction of the Appalachian Development
22 Highway System shall remain available until ex-
23 pended: *Provided further*, That, except as provided
24 in the following proviso, funds made available under
25 this heading for construction of the Appalachian De-

1 velopment Highway System shall be administered as
2 if apportioned under chapter 1 of title 23, United
3 States Code: *Provided further*, That a project carried
4 out with funds made available under this heading for
5 construction of the Appalachian Development High-
6 way System shall be carried out in the same manner
7 as a project under section 14501 of title 40, United
8 States Code: *Provided further*, That subject to the
9 following proviso, funds made available under this
10 heading for construction of the Appalachian Devel-
11 opment Highway System shall be apportioned to the
12 Appalachian States according to the percentages de-
13 rived from the 2021 Appalachian Development
14 Highway System Cost-to-Complete Estimate, adopt-
15 ed in Appalachian Regional Commission Resolution
16 Number 788, and confirmed as each Appalachian
17 State's relative share of the estimated remaining
18 need to complete the Appalachian Development
19 Highway System, adjusted to exclude those corridors
20 that such States have no current plans to complete,
21 as reported in the 2013 Appalachian Development
22 Highway System Completion Report, unless those
23 States have modified and assigned a higher priority
24 for completion of an Appalachian Development
25 Highway System corridor, as reported in the 2021

1 Appalachian Development Highway System Future
2 Outlook: *Provided further*, That the Secretary shall
3 adjust apportionments made under the preceding
4 proviso so that no Appalachian State shall be appor-
5 tioned an amount in excess of 30 percent of the
6 amount made available for construction of the Appa-
7 lachian Development Highway System under this
8 heading: *Provided further*, That the Secretary shall
9 consult with the Appalachian Regional Commission
10 in making adjustments under the preceding two pro-
11 visos: *Provided further*, That the Federal share of
12 the costs for which an expenditure is made for con-
13 struction of the Appalachian Development Highway
14 System under this heading shall be up to 100 per-
15 cent;

16 (3) \$75,000,000 shall be for the nationally sig-
17 nificant Federal lands and Tribal projects program
18 under section 1123 of the FAST Act (23 U.S.C. 201
19 note), of which not less than \$37,500,000 shall be
20 for competitive grants to tribal governments;

21 (4) \$12,000,000 shall be for the regional infra-
22 structure accelerator demonstration program author-
23 ized under section 1441 of the FAST Act (23
24 U.S.C. 601 note): *Provided*, That for funds made
25 available under this paragraph, the Federal share of

1 the costs shall be, at the option of the recipient, up
2 to 100 percent;

3 (5) \$30,000,000 shall be for the national scenic
4 byways program under section 162 of title 23,
5 United States Code: *Provided*, That, except as other-
6 wise provided under this heading, the funds made
7 available under this paragraph shall be administered
8 as if apportioned under chapter 1 of title 23, United
9 States Code;

10 (6) \$100,000,000 shall be for the safe streets
11 and roads for all grant program under section
12 24112 of the Infrastructure Investment and Jobs
13 Act (23 U.S.C. 402 note), to remain available until
14 expended: *Provided*, That notwithstanding section
15 24112(c)(2)(B) of Pub. L. 117-58, of the total
16 amount made available under this paragraph in this
17 Act, the Secretary may award less than 40 percent
18 to eligible projects described in 24112(a)(3)(A) of
19 Pub. L. 117-58, but shall award not less than 20
20 percent to such projects: *Provided further*, That
21 amounts made available under this paragraph in this
22 Act may be transferred to and merged with the ap-
23 propriations for “Office of the Secretary”;

24 (7) \$100,000,000 shall be for the active trans-
25 portation infrastructure investment program under

1 section 11529 of the Infrastructure Investment and
2 Jobs Act (23 U.S.C. 217 note), to remain available
3 until expended: *Provided*, That, except as otherwise
4 provided under such section or this heading, the
5 funds made available under this paragraph shall be
6 administered as if apportioned under chapter 1 of
7 title 23, United States Code;

8 (8) \$55,000,000 shall be for the healthy streets
9 program under section 11406 of the Infrastructure
10 Investment and Jobs Act (23 U.S.C. 149 note): *Pro-*
11 *vided*, That, except as otherwise provided under such
12 section or this heading, the funds made available
13 under this paragraph shall be administered as if ap-
14 portioned under chapter 1 of title 23, United States
15 Code; and

16 (9) \$5,000,000 shall be for a cooperative series
17 of agreements to examine the impacts of culverts,
18 roads, and bridges on threatened or endangered
19 salmon populations.

20 ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY

21 ADMINISTRATION

22 SEC. 120. (a) For fiscal year 2023, the Secretary of
23 Transportation shall—

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

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

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

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

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

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

19 (3) determine the proportion that—

20 (A) the obligation limitation for Federal-
21 aid highways, less the aggregate of amounts not
22 distributed under paragraphs (1) and (2) of
23 this subsection; bears to

24 (B) the total of the sums authorized to be
25 appropriated for the Federal-aid highway and

1 highway safety construction programs (other
2 than sums authorized to be appropriated for
3 provisions of law described in paragraphs (1)
4 through (11) of subsection (b) and sums au-
5 thorized to be appropriated for section 119 of
6 title 23, United States Code, equal to the
7 amount referred to in subsection (b)(12) for
8 such fiscal year), less the aggregate of the
9 amounts not distributed under paragraphs (1)
10 and (2) of this subsection;

11 (4) distribute the obligation limitation for Fed-
12 eral-aid highways, less the aggregate amounts not
13 distributed under paragraphs (1) and (2), for each
14 of the programs (other than programs to which
15 paragraph (1) applies) that are allocated by the Sec-
16 retary under authorized Federal-aid highway and
17 highway safety construction programs, or appor-
18 tioned by the Secretary under sections 202 or 204
19 of title 23, United States Code, by multiplying—

20 (A) the proportion determined under para-
21 graph (3); by

22 (B) the amounts authorized to be appro-
23 priated for each such program for such fiscal
24 year; and

1 (5) distribute the obligation limitation for Fed-
2 eral-aid highways, less the aggregate amounts not
3 distributed under paragraphs (1) and (2) and the
4 amounts distributed under paragraph (4), for Fed-
5 eral-aid highway and highway safety construction
6 programs that are apportioned by the Secretary
7 under title 23, United States Code (other than the
8 amounts apportioned for the National Highway Per-
9 formance Program in section 119 of title 23, United
10 States Code, that are exempt from the limitation
11 under subsection (b)(12) and the amounts appor-
12 tioned under sections 202 and 204 of that title) in
13 the proportion that—

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

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

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

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

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

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

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

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

12 (6) sections 1103 through 1108 of the Inter-
13 modal Surface Transportation Efficiency Act of
14 1991 (105 Stat. 2027);

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

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

21 (9) Federal-aid highway programs for which ob-
22 ligation authority was made available under the
23 Transportation Equity Act for the 21st Century
24 (112 Stat. 107) or subsequent Acts for multiple
25 years or to remain available until expended, but only

1 to the extent that the obligation authority has not
2 lapsed or been used;

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

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

13 (12) section 119 of title 23, United States Code
14 (but, for each of fiscal years 2013 through 2023,
15 only in an amount equal to \$639,000,000).

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

19 (1) revise a distribution of the obligation limita-
20 tion made available under subsection (a) if an
21 amount distributed cannot be obligated during that
22 fiscal year; and

23 (2) redistribute sufficient amounts to those
24 States able to obligate amounts in addition to those
25 previously distributed during that fiscal year, giving

1 priority to those States having large unobligated bal-
2 ances of funds apportioned under sections 144 (as in
3 effect on the day before the date of enactment of
4 Public Law 112–141) and 104 of title 23, United
5 States Code.

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

8 (1) IN GENERAL.—Except as provided in para-
9 graph (2), the obligation limitation for Federal-aid
10 highways shall apply to contract authority for trans-
11 portation research programs carried out under—

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

14 (B) title VI of the Fixing America’s Sur-
15 face Transportation Act; and

16 (C) title III of division A of the Infrastruc-
17 ture Investment and Jobs Act (Public Law
18 117–58).

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

21 (A) remain available for a period of 4 fis-
22 cal years; and

23 (B) be in addition to the amount of any
24 limitation imposed on obligations for Federal-

1 aid highway and highway safety construction
2 programs for future fiscal years.

3 (e) REDISTRIBUTION OF CERTAIN AUTHORIZED
4 FUNDS.—

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

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

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

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

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

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

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

23 SEC. 123. None of the funds made available in this
24 Act may be used to make a grant for a project under sec-
25 tion 117 of title 23, United States Code, unless the Sec-

1 retary, at least 60 days before making a grant under that
2 section, provides written notification to the House and
3 Senate Committees on Appropriations of the proposed
4 grant, including an evaluation and justification for the
5 project and the amount of the proposed grant award: *Pro-*
6 *vided*, That the written notification required in the pre-
7 ceding proviso shall be made not later than 180 days after
8 the date of enactment of this Act.

9 SEC. 124. (a) A State or territory, as defined in sec-
10 tion 165 of title 23, United States Code, may use for any
11 project eligible under section 133(b) of title 23 or section
12 165 of title 23 and located within the boundary of the
13 State or territory any earmarked amount, and any associ-
14 ated obligation limitation: *Provided*, That the Department
15 of Transportation for the State or territory for which the
16 earmarked amount was originally designated or directed
17 notifies the Secretary of its intent to use its authority
18 under this section and submits an annual report to the
19 Secretary identifying the projects to which the funding
20 would be applied. Notwithstanding the original period of
21 availability of funds to be obligated under this section,
22 such funds and associated obligation limitation shall re-
23 main available for obligation for a period of 3 fiscal years
24 after the fiscal year in which the Secretary is notified. The
25 Federal share of the cost of a project carried out with

1 funds made available under this section shall be the same
2 as associated with the earmark.

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

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

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

19 (c) The authority under subsection (a) may be exer-
20 cised only for those projects or activities that have obli-
21 gated less than 10 percent of the amount made available
22 for obligation as of October 1 of the current fiscal year,
23 and shall be applied to projects within the same general
24 geographic area within 25 miles for which the funding was
25 designated, except that a State or territory may apply

1 such authority to unexpended balances of funds from
2 projects or activities the State or territory certifies have
3 been closed and for which payments have been made under
4 a final voucher.

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

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

13 FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

14 MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

15 (LIQUIDATION OF CONTRACT AUTHORIZATION)

16 (LIMITATION ON OBLIGATIONS)

17 (HIGHWAY TRUST FUND)

18 For payment of obligations incurred in the implemen-
19 tation, execution, and administration of motor carrier
20 safety operations and programs pursuant to section 31110
21 of title 49, United States Code, \$367,500,000, to be de-
22 rived from the Highway Trust Fund (other than the Mass
23 Transit Account), together with advances and reimburse-
24 ments received by the Federal Motor Carrier Safety Ad-
25 ministration, the sum of which shall remain available until

1 expended: *Provided*, That funds available for implementa-
2 tion, execution, or administration of motor carrier safety
3 operations and programs authorized under title 49, United
4 States Code, shall not exceed total obligations of
5 \$367,500,000, for “Motor Carrier Safety Operations and
6 Programs” for fiscal year 2023, of which \$14,073,000, to
7 remain available for obligation until September 30, 2025,
8 is for the research and technology program, and of which
9 not less than \$63,098,000, to remain available for obliga-
10 tion until September 30, 2025, is for development, mod-
11 ernization, enhancement, and continued operation and
12 maintenance of information technology and information
13 management.

14 MOTOR CARRIER SAFETY GRANTS

15 (LIQUIDATION OF CONTRACT AUTHORIZATION)

16 (LIMITATION ON OBLIGATIONS)

17 (HIGHWAY TRUST FUND)

18 For payment of obligations incurred in carrying out
19 sections 31102, 31103, 31104, and 31313 of title 49,
20 United States Code, \$506,150,000, to be derived from the
21 Highway Trust Fund (other than the Mass Transit Ac-
22 count) and to remain available until expended: *Provided*,
23 That funds available for the implementation or execution
24 of motor carrier safety programs shall not exceed total ob-
25 ligations of \$506,150,000 in fiscal year 2023 for “Motor

1 Carrier Safety Grants”: *Provided further*, That of the
2 amounts made available under this heading—

3 (1) \$398,500,000, to remain available for obli-
4 gation until September 30, 2024, shall be for the
5 motor carrier safety assistance program;

6 (2) \$42,650,000, to remain available for obliga-
7 tion until September 30, 2024, shall be for the com-
8 mercial driver’s license program implementation pro-
9 gram;

10 (3) \$58,800,000, to remain available for obliga-
11 tion until September 30, 2024, shall be for the high
12 priority program;

13 (4) \$1,200,000, to remain available for obliga-
14 tion until September 30, 2024, shall be for the com-
15 mercial motor vehicle operators grant program; and

16 (5) \$5,000,000, to remain available for obliga-
17 tion until September 30, 2024, shall be for the com-
18 mercial motor vehicle enforcement training and sup-
19 port grant program.

20 ADMINISTRATIVE PROVISION—FEDERAL MOTOR CARRIER
21 SAFETY ADMINISTRATION

22 SEC. 130. The Federal Motor Carrier Safety Admin-
23 istration shall update annual inspection regulations under
24 Appendix G to subchapter B of chapter III of title 49,

1 Code of Federal Regulations, as recommended by GAO–
2 19–264.

3 NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
4 OPERATIONS AND RESEARCH

5 For expenses necessary to discharge the functions of
6 the Secretary, with respect to traffic and highway safety
7 authorized under chapter 301 and part C of subtitle VI
8 of title 49, United States Code, \$230,000,000, to remain
9 available through September 30, 2024.

10 OPERATIONS AND RESEARCH

11 (LIQUIDATION OF CONTRACT AUTHORIZATION)

12 (LIMITATION ON OBLIGATIONS)

13 (HIGHWAY TRUST FUND)

14 For payment of obligations incurred in carrying out
15 the provisions of section 403 of title 23, United States
16 Code, including behavioral research on Automated Driving
17 Systems and Advanced Driver Assistance Systems and im-
18 proving consumer responses to safety recalls, section
19 25024 of the Infrastructure Investment and Jobs Act
20 (Public Law 117–58), and chapter 303 of title 49, United
21 States Code, \$197,000,000, to be derived from the High-
22 way Trust Fund (other than the Mass Transit Account)
23 and to remain available until expended: *Provided*, That
24 none of the funds in this Act shall be available for the
25 planning or execution of programs the total obligations for

1 which, in fiscal year 2023, are in excess of \$197,000,000:
2 *Provided further*, That of the sums appropriated under
3 this heading—

4 (1) \$190,000,000 shall be for programs author-
5 ized under section 403 of title 23, United States
6 Code, including behavioral research on Automated
7 Driving Systems and Advanced Driver Assistance
8 Systems and improving consumer responses to safety
9 recalls, and section 25024 of the Infrastructure In-
10 vestment and Jobs Act (Public Law 117–58); and

11 (2) \$7,000,000 shall be for the National Driver
12 Register authorized under chapter 303 of title 49,
13 United States Code:

14 *Provided further*, That within the \$197,000,000 obligation
15 limitation for operations and research, \$57,500,000 shall
16 remain available until September 30, 2024: *Provided fur-*
17 *ther*, That amounts for behavioral research on Automated
18 Driving Systems and Advanced Driver Assistance Systems
19 and improving consumer responses to safety recalls are in
20 addition to any other funds provided for those purposes
21 for fiscal year 2023 in this Act.

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

5 For payment of obligations incurred in carrying out
6 provisions of sections 402, 404, and 405 of title 23,
7 United States Code, and grant administration expenses
8 under chapter 4 of title 23, United States Code, to remain
9 available until expended, \$795,220,000, to be derived from
10 the Highway Trust Fund (other than the Mass Transit
11 Account): *Provided*, That none of the funds in this Act
12 shall be available for the planning or execution of pro-
13 grams for which the total obligations in fiscal year 2023
14 are in excess of \$795,220,000 for programs authorized
15 under sections 402, 404, and 405 of title 23, United
16 States Code, and grant administration expenses under
17 chapter 4 of title 23, United States Code: *Provided further*,
18 That of the sums appropriated under this heading—

19 (1) \$370,900,000 shall be for “Highway Safety
20 Programs” under section 402 of title 23, United
21 States Code;

22 (2) \$346,500,000 shall be for “National Pri-
23 ority Safety Programs” under section 405 of title
24 23, United States Code;

1 (3) \$38,300,000 shall be for the “High Visi-
2 bility Enforcement Program” under section 404 of
3 title 23, United States Code; and

4 (4) \$39,520,000 shall be for grant administra-
5 tive expenses under chapter 4 of title 23, United
6 States Code:

7 *Provided further*, That none of these funds shall be used
8 for construction, rehabilitation, or remodeling costs, or for
9 office furnishings and fixtures for State, local or private
10 buildings or structures: *Provided further*, That not to ex-
11 ceed \$500,000 of the funds made available for “National
12 Priority Safety Programs” under section 405 of title 23,
13 United States Code, for “Impaired Driving Counter-
14 measures” (as described in subsection (d) of that section)
15 shall be available for technical assistance to the States:
16 *Provided further*, That with respect to the “Transfers”
17 provision under section 405(a)(8) of title 23, United
18 States Code, any amounts transferred to increase the
19 amounts made available under section 402 shall include
20 the obligation authority for such amounts: *Provided fur-*
21 *ther*, That the Administrator shall notify the House and
22 Senate Committees on Appropriations of any exercise of
23 the authority granted under the preceding proviso or
24 under section 405(a)(8) of title 23, United States Code,
25 within 5 days.

1 ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY

2 TRAFFIC SAFETY ADMINISTRATION

3 SEC. 140. An additional \$130,000 shall be made
4 available to the National Highway Traffic Safety Adminis-
5 tration, out of the amount limited for section 402 of title
6 23, United States Code, to pay for travel and related ex-
7 penses for State management reviews and to pay for core
8 competency development training and related expenses for
9 highway safety staff.

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

16 SEC. 142. None of the funds in this Act or any other
17 Act shall be used to enforce the requirements of section
18 405(a)(9) of title 23, United States Code.

19 FEDERAL RAILROAD ADMINISTRATION

20 SAFETY AND OPERATIONS

21 For necessary expenses of the Federal Railroad Ad-
22 ministration, not otherwise provided for, \$250,449,000, of
23 which \$25,000,000 shall remain available until expended.

1 RAILROAD RESEARCH AND DEVELOPMENT

2 For necessary expenses for railroad research and de-
3 velopment, \$47,000,000, to remain available until ex-
4 pended: *Provided*, That of the amounts made available
5 under this heading, up to \$3,000,000 shall be available
6 pursuant to section 20108(d) of title 49, United States
7 Code, for the construction, alteration, and repair of build-
8 ings and improvements at the Transportation Technology
9 Center.

10 FEDERAL-STATE PARTNERSHIP FOR INTERCITY

11 PASSENGER RAIL

12 For necessary expenses related to Federal-State
13 Partnership for Intercity Passenger Rail grants as author-
14 ized by section 24911 of title 49, United States Code,
15 \$555,000,000, to remain available until expended: *Pro-*
16 *vided*, That amounts made available under the heading
17 “Northeast Corridor Grants to the National Railroad Pas-
18 senger Corporation” in this Act may be used as non-Fed-
19 eral share for projects located on the Northeast Corridor
20 selected for award under section 24911 of title 49, United
21 States Code, notwithstanding subsection (f) of such sec-
22 tion: *Provided further*, That amounts made available under
23 the heading “National Network Grants to the National
24 Railroad Passenger Corporation” in this Act may be used
25 as non-Federal share for projects not located on the

1 Northeast Corridor selected for award under section
2 24911 of title 49, United States Code, notwithstanding
3 subsection (f) of such section: *Provided further*, That the
4 Secretary may withhold up to 2 percent of the amounts
5 made available under this heading in this Act for the costs
6 of award and project management oversight of grants car-
7 ried out under title 49, United States Code.

8 CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY
9 IMPROVEMENTS

10 For necessary expenses related to Consolidated Rail
11 Infrastructure and Safety Improvements grants, as au-
12 thorized by section 22907 of title 49, United States Code,
13 \$630,000,000, to remain available until expended: *Pro-*
14 *vided*, That of the amounts made available under this
15 heading in this Act—

16 (1) not less than \$150,000,000 shall be for
17 projects eligible under section 22907(c)(2) of title
18 49, United States Code, that support the develop-
19 ment of new intercity passenger rail service routes
20 including alignments for existing routes;

21 (2) not less than \$25,000,000 shall be for
22 projects eligible under section 22907(c)(11) of title
23 49, United States Code: *Provided*, That for amounts
24 made available in this paragraph, the Secretary shall
25 give preference to projects that are located in coun-

1 ties with the most pedestrian trespasser casualties;
2 and

3 (3) not more than \$5,000,000 shall be for
4 preconstruction planning activities and capital costs
5 related to the deployment of magnetic levitation
6 transportation projects:

7 *Provided further*, That for amounts made available under
8 this heading, eligible projects under section 22907(e)(8)
9 of title 49, United States Code, shall also include railroad
10 systems planning (including the preparation of regional
11 intercity passenger rail plans and State Rail Plans) and
12 railroad project development activities (including railroad
13 project planning, preliminary engineering, design, environ-
14 mental analysis, feasibility studies, and the development
15 and analysis of project alternatives): *Provided further*,
16 That section 22907(e)(1)(A) of title 49, United States
17 Code, shall not apply to amounts made available under
18 this heading: *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 in
21 previous fiscal years if such funds are announced in a no-
22 tice of funding opportunity that includes funds made avail-
23 able under this heading: *Provided further*, That unobli-
24 gated balances remaining after 6 years after the date of
25 enactment of this Act may be used for any eligible project

1 under section 22907(c) of title 49, United States Code:
2 *Provided further*, That the Secretary may withhold up to
3 2 percent of the amounts made available under this head-
4 ing in this Act for the costs of award and project manage-
5 ment oversight of grants carried out under title 49, United
6 States Code.

7 NORTHEAST CORRIDOR GRANTS TO THE NATIONAL
8 RAILROAD PASSENGER CORPORATION

9 To enable the Secretary of Transportation to make
10 grants to the National Railroad Passenger Corporation for
11 activities associated with the Northeast Corridor as au-
12 thorized by section 22101(a) of the Infrastructure Invest-
13 ment and Jobs Act (Public Law 117–58), \$882,000,000,
14 to remain available until expended: *Provided*, That the
15 Secretary may retain up to one-half of 1 percent of the
16 amounts made available under both this heading in this
17 Act and the “National Network Grants to the National
18 Railroad Passenger Corporation” heading in this Act to
19 fund the costs of project management and oversight of ac-
20 tivities authorized by section 22101(c) of the Infrastruc-
21 ture Investment and Jobs Act (Public Law 117–58): *Pro-*
22 *vided further*, That in addition to the project management
23 oversight funds authorized under section 22101(c) of the
24 Infrastructure Investment and Jobs Act (Public Law 117–
25 58), the Secretary may retain up to an additional

1 \$1,000,000 of the amounts made available under this
2 heading in this Act to fund expenses associated with the
3 Northeast Corridor Commission established under section
4 24905 of title 49, United States Code: *Provided further*,
5 That notwithstanding section 24911(f) of title 49, United
6 States Code, amounts made available under this heading
7 in this Act may be used as non-Federal share for projects
8 located on the Northeast Corridor selected for award
9 under section 24911 of title 49, United States Code.

10 NATIONAL NETWORK GRANTS TO THE NATIONAL
11 RAILROAD PASSENGER CORPORATION

12 To enable the Secretary of Transportation to make
13 grants to the National Railroad Passenger Corporation for
14 activities associated with the National Network as author-
15 ized by section 22101(b) of the Infrastructure Investment
16 and Jobs Act (Public Law 117–58), \$1,463,000,000, to
17 remain available until expended: *Provided*, That the Na-
18 tional Railroad Passenger Corporation may use up to 10
19 percent of the amounts made available under this heading
20 in this Act to support planning and capital costs, and op-
21 erating assistance consistent with the Federal funding lim-
22 itations under section 22908 of title 49, United States
23 Code, of corridors selected under section 25101 of title
24 49, United States Code, that are operated by the National
25 Railroad Passenger Corporation: *Provided further*, That

1 notwithstanding section 24911(f) of title 49, United
2 States Code, amounts made available under this heading
3 in this Act may be used as non-Federal share for projects
4 not located on the Northeast Corridor selected for award
5 under section 24911 of title 49, United States Code: *Pro-*
6 *vided further*, That none of the funds made available under
7 this heading in this Act shall be used by Amtrak to give
8 notice under subsection (a) or (e) of section 24706 of title
9 49, United States Code, with respect to long-distance
10 routes (as defined in section 24102 of title 49, United
11 States Code) on which Amtrak is the sole operator on a
12 host railroad's line and a positive train control system is
13 not required by law or regulation, or, except in an emer-
14 gency or during maintenance or construction outages im-
15 pacting such routes, to otherwise discontinue, reduce the
16 frequency of, suspend, or substantially alter the route of
17 rail service on any portion of such route operated in fiscal
18 year 2018, including implementation of service permitted
19 by section 24305(a)(3)(A) of title 49, United States Code,
20 in lieu of rail service.

1 ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD

2 ADMINISTRATION

3 (INCLUDING RESCISSION)

4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 150. None of the funds made available by this
6 Act may be used by the National Railroad Passenger Cor-
7 poration in contravention of the Worker Adjustment and
8 Retraining Notification Act (29 U.S.C. 2101 et seq.).

9 SEC. 151. Amounts made available in this and prior
10 Acts to the Secretary or to the Federal Railroad Adminis-
11 tration for the costs of award, administration, and project
12 management oversight of financial assistance which are
13 administered by the Federal Railroad Administration may
14 be transferred to the Federal Railroad Administration’s
15 “Financial Assistance Oversight and Technical Assist-
16 ance” account for necessary expenses to support the
17 award, administration, project management oversight, and
18 technical assistance of financial assistance administered
19 by the Federal Railroad Administration, in the same man-
20 ner as appropriated in this and prior Acts: *Provided*, That
21 this section shall not apply to amounts that were pre-
22 viously designated by the Congress as an emergency re-
23 quirement pursuant to a concurrent resolution on the
24 budget or the Balanced Budget and Emergency Deficit
25 Control Act of 1985.

1 SEC. 152. Amounts made available under the heading
2 “Department of Transportation—Federal Railroad Ad-
3 ministration—Restoration and Enhancement” in any
4 prior fiscal years are subject to the requirements of section
5 22908 of title 49, United States Code, as in effect on the
6 effective date of the Infrastructure Investment and Jobs
7 Act (Public Law 117–58): *Provided*, That the limitation
8 in subsection (e)(2) of section 22908 of title 49, United
9 States Code, shall not apply to amounts made available
10 for grants under such section in any prior Act.

11 SEC. 153. Amounts transferred to a “Financial As-
12 sistance Oversight and Technical Assistance” account pur-
13 suant to section 802 of title VIII of the Infrastructure
14 Investment and Jobs Appropriations Act (division J of
15 Public Law 117-58), as amended by section 156 of this
16 title, from amounts appropriated for fiscal year 2023 may
17 also be used by the Federal Railroad Administration for
18 the Northeast Corridor Commission established under sec-
19 tion 24905 of title 49, United States Code, and for the
20 State-Supported Route Committee established under sec-
21 tion 24712(a) of title 49, United States Code, including
22 to assist the Federal Railroad Administration with the de-
23 livery of projects carried out with amounts made available
24 under the headings “Department of Transportation—Fed-
25 eral Railroad Administration—Northeast Corridor Grants

1 to the National Railroad Passenger Corporation”, “De-
2 partment of Transportation—Federal Railroad Adminis-
3 tration—National Network Grants to the National Rail-
4 road Passenger Corporation”, and “Department of Trans-
5 portation—Federal Railroad Administration—Federal-
6 State Partnership for Intercity Passenger Rail Grants” in
7 such title: *Provided*, That the Federal Railroad Adminis-
8 tration shall notify the House and Senate Committees on
9 Appropriations not less than 15 days prior to making any
10 amounts available to the Northeast Corridor Commission
11 or State-Supported Route Committee pursuant to this sec-
12 tion: *Provided further*, That amounts repurposed by this
13 section that were previously designated by the Congress
14 as an emergency requirement pursuant to the Balanced
15 Budget and Emergency Deficit Control Act of 1985 or a
16 concurrent resolution on the budget are designated as an
17 emergency requirement pursuant to section 4001(a)(1) of
18 S. Con. Res. 14 (117th Congress), the concurrent resolu-
19 tion on the budget for fiscal year 2022, and section 1(e)
20 of H. Res. 1151 (117th Congress) as engrossed in the
21 House of Representatives on June 8, 2022.

22 SEC. 154. The matter under the heading “Depart-
23 ment of Transportation—Federal Railroad Administra-
24 tion—Northeast Corridor Grants to the National Railroad

1 Passenger Corporation” in title VIII of division J of Pub-
2 lic Law 117-58 is amended—

3 (1) in the fourth proviso, by striking “Secretary
4 of Transportation shall submit” and inserting “Sec-
5 retary of Transportation, in consultation with Am-
6 trak, shall submit”;

7 (2) in the fifth proviso, by striking “Secretary
8 of Transportation shall submit” and inserting “Sec-
9 retary of Transportation, in consultation with Am-
10 trak, shall prepare and submit”; and

11 (3) in the tenth proviso, by striking “, to facili-
12 tate a coordinated and efficient delivery of projects
13 carried out under this heading in this Act”:

14 *Provided*, That amounts repurposed by the amendments
15 made by this section that were previously designated by
16 the Congress as an emergency requirement pursuant to
17 the Balanced Budget and Emergency Deficit Control Act
18 of 1985 or a concurrent resolution on the budget are des-
19 ignated as an emergency requirement pursuant to section
20 4001(a)(1) of S. Con. Res. 14 (117th Congress), the con-
21 current resolution on the budget for fiscal year 2022, and
22 section 1(e) of H. Res. 1151 (117th Congress) as en-
23 grossed in the House of Representatives on June 8, 2022.

24 SEC. 155. The matter under the heading “Depart-
25 ment of Transportation—Federal Railroad Administra-

1 tion—National Network Grants to the National Railroad
2 Passenger Corporation” in title VIII of division J of Pub-
3 lic Law 117-58 is amended—

4 (1) in the third proviso, by striking “Secretary
5 of Transportation shall submit” and inserting “Sec-
6 retary of Transportation, in consultation with Am-
7 trak, shall submit”; and

8 (2) in the fourth proviso, by striking “Secretary
9 of Transportation shall submit” and inserting “Sec-
10 retary of Transportation, in consultation with Am-
11 trak, shall prepare and submit”:

12 *Provided*, That amounts repurposed by the amendments
13 made by this section that were previously designated by
14 the Congress as an emergency requirement pursuant to
15 the Balanced Budget and Emergency Deficit Control Act
16 of 1985 or a concurrent resolution on the budget are des-
17 ignated as an emergency requirement pursuant to section
18 4001(a)(1) of S. Con. Res. 14 (117th Congress), the con-
19 current resolution on the budget for fiscal year 2022, and
20 section 1(e) of H. Res. 1151 (117th Congress) as en-
21 grossed in the House of Representatives on June 8, 2022.

22 SEC. 156. Section 802 of title VIII of division J of
23 Public Law 117-58 is amended—

24 (1) in the first proviso, by inserting “that could
25 be” after “amounts”; and

1 (2) in the second proviso, by inserting “that
2 could be” after “amounts”:

3 *Provided*, That amounts repurposed by the amendments
4 made by this section that were previously designated by
5 the Congress as an emergency requirement pursuant to
6 the Balanced Budget and Emergency Deficit Control Act
7 of 1985 or a concurrent resolution on the budget are des-
8 ignated as an emergency requirement pursuant to section
9 4001(a)(1) of S. Con. Res. 14 (117th Congress), the con-
10 current resolution on the budget for fiscal year 2022, and
11 section 1(e) of H. Res. 1151 (117th Congress) as en-
12 grossed in the House of Representatives on June 8, 2022.

13 SEC. 157. Of the unobligated balances of funds re-
14 maining from the “Rail Line Relocation and Improvement
15 Program” account totaling \$1,811,124.16 appropriated by
16 Public Law 112-10 is hereby permanently rescinded.

17 FEDERAL TRANSIT ADMINISTRATION

18 TRANSIT FORMULA GRANTS

19 (LIQUIDATION OF CONTRACT AUTHORIZATION)

20 (LIMITATION ON OBLIGATIONS)

21 (HIGHWAY TRUST FUND)

22 For payment of obligations incurred in the Federal
23 Public Transportation Assistance Program in this ac-
24 count, and for payment of obligations incurred in carrying
25 out the provisions of sections 5305, 5307, 5310, 5311,

1 5312, 5314, 5318, 5329(e)(6), 5334, 5335, 5337, 5339,
2 and 5340 of title 49, United States Code, section
3 20005(b) of MAP-21 (Public Law 112–141), and section
4 3006(b) of the Fixing America’s Surface Transportation
5 Act (Public Law 114-94), \$13,634,000,000, to be derived
6 from the Mass Transit Account of the Highway Trust
7 Fund and to remain available until expended: *Provided*,
8 That funds available for the implementation or execution
9 of programs authorized under sections 5305, 5307, 5310,
10 5311, 5312, 5314, 5318, 5329(e)(6), 5334, 5335, 5337,
11 5339, and 5340 of title 49, United States Code, section
12 20005(b) of MAP-21 (Public Law 112–141), and section
13 3006(b) of the Fixing America’s Surface Transportation
14 Act (Public Law 114-94), shall not exceed total obligations
15 of \$13,634,000,000 in fiscal year 2023.

16 TRANSIT INFRASTRUCTURE GRANTS

17 For an additional amount for buses and bus facilities
18 competitive grants under section 5339(b) of title 49,
19 United States Code, low or no emission grants under sec-
20 tion 5339(c) of such title, passenger ferry grants under
21 section 5307(h) of such title, bus testing facilities under
22 section 5318 of such title, Community Project Funding
23 for projects and activities eligible under chapter 53 of such
24 title, administrative expenses and ongoing program man-
25 agement oversight as authorized under sections 5334 and

1 5338(c)(2) of such title, ferry service for rural commu-
2 nities under section 71103 of the Infrastructure Invest-
3 ment and Jobs Act (Public Law 117–58), and competitive
4 integrated smart mobility grants, \$646,428,324, to re-
5 main available until expended: *Provided*, That of the
6 amounts made available under this heading in this Act—

7 (1) \$200,000,000 shall be for buses and bus fa-
8 cilities competitive grants as authorized under sec-
9 tion 5339(b) of such title;

10 (2) \$75,000,000 shall be for low or no emission
11 grants as authorized under section 5339(c) of such
12 title: *Provided*, That for amounts made available in
13 this paragraph, the minimum grant award shall be
14 not less than \$750,000;

15 (3) \$20,000,000 shall be for passenger ferry
16 grants as authorized under section 5307(h) of such
17 title;

18 (4) \$2,000,000 shall be for the operation and
19 maintenance of the bus testing facilities selected
20 under section 5318 of such title: *Provided*, That for
21 amounts made available in this paragraph, the Fed-
22 eral cost share shall be 100 percent;

23 (5) \$267,428,324 shall be for Community
24 Project Funding for the purposes, and in the
25 amounts, specified for this account in the table titled

1 “Transportation, Housing and Urban Development
2 Incorporation of Community Project Funding
3 Items” included in the report accompanying this
4 Act: *Provided*, That unless otherwise specified, appli-
5 cable requirements under chapter 53 of title 49,
6 United States Code, shall apply to amounts made
7 available in this paragraph, except that the Federal
8 share of the costs for a project in this paragraph
9 shall be in an amount equal to 80 percent of the net
10 costs of the project, unless the Secretary approves a
11 higher maximum Federal share of the net costs of
12 the project consistent with administration of similar
13 projects funded under chapter 53 of title 49, United
14 States Code;

15 (6) \$2,000,000 shall be for administrative ex-
16 penses and ongoing program management oversight
17 as authorized under sections 5334 and 5338(c)(2) of
18 title 49, United States Code, including for admin-
19 istering amounts made available for Community
20 Project Funding in paragraph (5) under this head-
21 ing in this Act, and shall be in addition to any other
22 appropriations available for such purpose;

23 (7) \$30,000,000 shall be for ferry service for
24 rural communities under section 71103 of the Infra-
25 structure Investment and Jobs Act (Public Law

1 117–58): *Provided*, That for amounts made available
2 in this paragraph, notwithstanding section
3 71103(a)(2)(B), eligible service shall include pas-
4 senger ferry service that serves at least two rural
5 areas with a single segment over 20 miles between
6 the two rural areas and is not otherwise eligible
7 under section 5307(h) of title 49, United States
8 Code: *Provided further*, That entities that provide el-
9 igible service pursuant to the preceding proviso may
10 use amounts made available in this paragraph for
11 public transportation capital projects to support any
12 ferry service between two rural areas: *Provided fur-*
13 *ther*, That entities eligible for amounts made avail-
14 able in this paragraph shall only provide ferry serv-
15 ice to rural areas; and

16 (8) \$50,000,000 shall be for integrated smart
17 mobility grants to recipients eligible under sections
18 5307 and 5311 of title 49, United States Code, for
19 planning and capital projects eligible under chapter
20 53 of such title that support the adoption of innova-
21 tive approaches to mobility that will improve safety,
22 accessibility, air-quality, and equity in access to com-
23 munity services and economic opportunities: *Pro-*
24 *vided*, That such innovative approaches may include
25 changes to service frequencies, patterns, areas of

1 coverage, and first and last mile options such as op-
2 timizing transit route planning and using integrated
3 travel planning and payment systems; fare improve-
4 ment projects; deployment of transit ambassadors;
5 data and systems integration; and other activities
6 designed to improve public transportation services:
7 *Provided further*, That the Secretary shall give pref-
8 erence to projects that will improve access to jobs
9 and affordable housing; enhance connections to
10 health care, education, and food security; improve
11 health outcomes; address how individuals without ac-
12 cess to advanced technology will benefit from such
13 innovative solutions; or include job retention and re-
14 training for current employees: *Provided further*,
15 That the Secretary shall award not less than 5 but
16 not more than 10 integrated smart mobility grants
17 with amounts made available in this paragraph: *Pro-*
18 *vided further*, That the Secretary shall award, to not
19 less than 3 distinct recipients, not less than 1 such
20 grant to a recipient eligible under section 5307 of
21 title 49, United States Code, not less than 1 such
22 grant to a recipient eligible under section 5311 of
23 title 49, United States Code, and not less than 1
24 such grant to a recipient eligible under sections
25 5307 or 5311 of title 49, United States Code, that

1 provides commuter rail passenger transportation:
2 *Provided further*, That capital and operating ex-
3 penses shall be eligible for amounts made available
4 in this paragraph: *Provided further*, That an eligible
5 subrecipient under section 5307 or 5311 of title 49,
6 United States Code, shall be eligible to be a direct
7 recipient: *Provided further*, That the Federal share
8 for planning and capital projects funded with
9 amounts made available in this paragraph shall not
10 exceed 80 percent of the net project cost: *Provided*
11 *further*, That the Federal share for operating ex-
12 penses funded with amounts made available in this
13 paragraph shall not exceed 50 percent of the net
14 project cost: *Provided further*, That the Secretary
15 shall not waive requirements in section 5333 of title
16 49, United States Code, for projects funded with
17 amounts made available in this paragraph: *Provided*
18 *further*, That unless otherwise specified, applicable
19 requirements under chapter 53 of title 49, United
20 States Code, shall apply to amounts made available
21 in this paragraph:
22 *Provided further*, That amounts made available under this
23 heading in this Act shall be derived from the general fund:
24 *Provided further*, That amounts made available under this
25 heading in this Act shall not be subject to any limitation

1 on obligations for transit programs set forth in this or any
2 other Act.

3 TECHNICAL ASSISTANCE AND TRAINING

4 For necessary expenses to carry out section 5314 of
5 title 49, United States Code, \$8,000,000, to remain avail-
6 able until September 30, 2024: *Provided*, That the assist-
7 ance provided under this heading does not duplicate the
8 activities of section 5311(b) or section 5312 of title 49,
9 United States Code: *Provided further*, That amounts made
10 available under this heading are in addition to any other
11 amounts made available for such purposes: *Provided fur-*
12 *ther*, That amounts made available under this heading
13 shall not be subject to any limitation on obligations set
14 forth in this or any other Act.

15 CAPITAL INVESTMENT GRANTS

16 For necessary expenses to carry out fixed guideway
17 capital investment grants under section 5309 of title 49,
18 United States Code, and section 3005(b) of the Fixing
19 America's Surface Transportation Act (Public Law 114-
20 94), \$3,012,000,000, to remain available until expended:
21 *Provided*, That of the amounts made available under this
22 heading in this Act, \$1,897,166,000 shall be available for
23 projects authorized under section 5309(d) of title 49,
24 United States Code, \$40,714,000 shall be available for
25 projects authorized under section 5309(e) of title 49,

1 United States Code, \$94,000,000 shall be available for
2 projects authorized under section 5309(h) of title 49,
3 United States Code, and \$350,000,000 shall be available
4 for projects authorized under section 3005(b) of the Fix-
5 ing America's Surface Transportation Act (Public Law
6 114-94): *Provided further*, That the Secretary shall con-
7 tinue to administer the capital investment grants program
8 in accordance with the procedural and substantive require-
9 ments of section 5309 of title 49, United States Code, and
10 of section 3005(b) of the Fixing America's Surface Trans-
11 portation Act (Public Law 114-94): *Provided further*, That
12 projects that receive a grant agreement under the Expe-
13 dited Project Delivery for Capital Investment Grants Pilot
14 Program under section 3005(b) of the Fixing America's
15 Surface Transportation Act (Public Law 114-94) shall be
16 deemed eligible for funding provided for projects under
17 section 5309 of title 49, United States Code, without fur-
18 ther evaluation or rating under such section: *Provided fur-*
19 *ther*, That such funding shall not exceed the Federal share
20 under section 3005(b) of the Fixing America's Surface
21 Transportation Act (Public Law 114-94): *Provided fur-*
22 *ther*, That upon submission to the Congress of the fiscal
23 year 2024 President's budget, the Secretary of Transpor-
24 tation shall transmit to Congress the annual report on

1 capital investment grants, including proposed allocations
2 for fiscal year 2024.

3 GRANTS TO THE WASHINGTON METROPOLITAN AREA

4 TRANSIT AUTHORITY

5 For grants to the Washington Metropolitan Area
6 Transit Authority as authorized under section 601 of divi-
7 sion B of the Passenger Rail Investment and Improvement
8 Act of 2008 (Public Law 110–432), \$150,000,000, to re-
9 main available until expended: *Provided*, That the Sec-
10 retary of Transportation shall approve grants for capital
11 and preventive maintenance expenditures for the Wash-
12 ington Metropolitan Area Transit Authority only after re-
13 ceiving and reviewing a request for each specific project:
14 *Provided further*, That the Secretary shall determine that
15 the Washington Metropolitan Area Transit Authority has
16 placed the highest priority on those investments that will
17 improve the safety of the system before approving such
18 grants.

19 ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT

20 ADMINISTRATION

21 SEC. 160. The limitations on obligations for the pro-
22 grams of the Federal Transit Administration shall not
23 apply to any authority under section 5338 of title 49,
24 United States Code, previously made available for obliga-

1 tion, or to any other authority previously made available
2 for obligation.

3 SEC. 161. Notwithstanding any other provision of
4 law, funds appropriated or limited by this Act under the
5 heading “Capital Investment Grants” of the Federal
6 Transit Administration for projects specified in this Act
7 or identified in the report accompanying this Act not obli-
8 gated by September 30, 2026, and other recoveries, shall
9 be directed to projects eligible to use the funds for the
10 purposes for which they were originally provided.

11 SEC. 162. Notwithstanding any other provision of
12 law, any funds appropriated before October 1, 2022, under
13 any section of chapter 53 of title 49, United States Code,
14 that remain available for expenditure, may be transferred
15 to and administered under the most recent appropriation
16 heading for any such section.

17 SEC. 163. None of the funds made available by this
18 Act or any other Act shall be used to adjust appor-
19 tionments or withhold funds from apportionments pursuant
20 to section 9503(e)(4) of the Internal Revenue Code of
21 1986 (26 U.S.C. 9503(e)(4)).

22 SEC. 164. None of the funds made available by this
23 Act or any other Act shall be used to impede or hinder
24 project advancement or approval for any project seeking
25 a Federal contribution from the capital investment grants

1 program of greater than 40 percent of project costs as
2 authorized under section 5309 of title 49, United States
3 Code.

4 SEC. 165. Of the amounts made available under the
5 heading “Department of Transportation—Federal Transit
6 Administration—Capital Investment Grants” in this Act,
7 \$600,000,000 shall be made available for allocation to re-
8 cipients with existing full funding grant agreements under
9 sections 5309(d) and 5309(e) of title 49, United States
10 Code, that received allocations for fiscal year 2022 and
11 have either (1) a capital investment grant share of 40 per-
12 cent or less; or (2) signed a full funding grant agreement
13 between January 20, 2017 and January 20, 2021: *Pro-*
14 *vided*, That recipients with projects open for revenue serv-
15 ice shall not be eligible to receive an allocation of funding
16 under this section: *Provided further*, That amounts shall
17 be provided to recipients proportionally based on the non-
18 capital investment grant share of the project: *Provided*
19 *further*, That no project may receive an allocation of more
20 than 40 percent of the total amount in this section: *Pro-*
21 *vided further*, That the Secretary shall proportionally dis-
22 tribute funds in excess of such 40 percent to recipients
23 for which the percent of funds does not exceed 40 percent:
24 *Provided further*, That a recipient may not receive an allo-
25 cation of funding under this section if the recipient has

1 (1) expended less than 75 percent of the allocations re-
2 ceived under paragraph (4) of section 3401(b) of the
3 American Rescue Plan Act of 2021 (Public Law 117-2);
4 and (2) expended less than 50 percent of the federal oper-
5 ating assistance allocations received under section 5307
6 of title 49, United States Code, in the Coronavirus Aid,
7 Relief, and Economic Security Act (Public Law 116-136),
8 the Coronavirus Response and Relief Supplemental Appro-
9 priations Act, 2021 (Public Law 116-260), or the Amer-
10 ican Rescue Plan Act of 2021 (Public Law 117-2): *Pro-*
11 *vided further*, That amounts allocated pursuant to this sec-
12 tion shall be provided to eligible recipients notwithstanding
13 the limitation of any calculation of the maximum amount
14 of Federal financial assistance for the project under sec-
15 tion 5309(k)(2)(C)(ii) of title 49, United States Code:
16 *Provided further*, That the Federal Transit Administration
17 shall allocate amounts under this section no later than 30
18 days after the date of enactment of this Act.

19 SEC. 166. The remaining unobligated balances, as of
20 September 30, 2023, from amounts made available to the
21 Department of Transportation under the heading “Fed-
22 eral Transit Administration—Capital Investment Grants”
23 in division H of the Further Consolidated Appropriations
24 Act, 2020 (Public Law 116–94) are hereby rescinded, and
25 an amount of additional new budget authority equivalent

1 to the amount rescinded is hereby appropriated on Sep-
 2 tember 30, 2023, for an additional amount for fiscal year
 3 2023, to remain available until September 30, 2024, and
 4 shall be available for the same purposes and under the
 5 same authorities for which such amounts were originally
 6 provided in Public Law 116–94.

7 SEC. 167. Notwithstanding section 5302(4)(L) of
 8 title 49, United States Code, fuel for vehicle operations,
 9 including the cost of utilities used for the propulsion of
 10 electrically driven vehicles, may be treated, at the option
 11 of the recipient, as an associated capital maintenance item
 12 for purposes of grants made under sections 5307 and
 13 5311 of such title in fiscal year 2023: *Provided*, That an
 14 amount equal to not more than 5 percent of the total fund-
 15 ing allocated under sections 5307 or 5311 of such title
 16 to an urbanized area, state, or territory in fiscal year 2023
 17 may be obligated for such purpose from available amounts
 18 allocated in fiscal year 2023 or prior years.

19 GREAT LAKES ST. LAWRENCE SEAWAY DEVELOPMENT
 20 CORPORATION

21 The Great Lakes St. Lawrence Seaway Development
 22 Corporation is hereby authorized to make such expendi-
 23 tures, within the limits of funds and borrowing authority
 24 available to the Corporation, and in accord with law, and
 25 to make such contracts and commitments without regard

1 to fiscal year limitations, as provided by section 9104 of
2 title 31, United States Code, as may be necessary in car-
3 rying out the programs set forth in the Corporation's
4 budget for the current fiscal year.

5 OPERATIONS AND MAINTENANCE
6 (HARBOR MAINTENANCE TRUST FUND)

7 For necessary expenses to conduct the operations,
8 maintenance, and capital infrastructure activities on por-
9 tions of the St. Lawrence Seaway owned, operated, and
10 maintained by the Great Lakes St. Lawrence Seaway De-
11 velopment Corporation, \$41,500,000, to be derived from
12 the Harbor Maintenance Trust Fund, pursuant to section
13 210 of the Water Resources Development Act of 1986 (33
14 U.S.C. 2238): *Provided*, That of the amounts made avail-
15 able under this heading, not less than \$14,800,000 shall
16 be for the seaway infrastructure program: *Provided fur-*
17 *ther*, That not more than \$1,000,000 of the unobligated
18 balances from the amounts made available for capital
19 asset renewal activities under this heading or under the
20 heading "Saint Lawrence Seaway Development Corpora-
21 tion—Operations and Maintenance" in any prior Act shall
22 be for activities pursuant to section 984(a)(12) of title 33,
23 United States Code.

1 MARITIME ADMINISTRATION

2 MARITIME SECURITY PROGRAM

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

8 CABLE SECURITY FLEET

9 For the cable security fleet program, as authorized
10 under chapter 532 of title 46, United States Code,
11 \$10,000,000, to remain available until expended.

12 TANKER SECURITY PROGRAM

13 For the tanker security fleet program, as authorized
14 under chapter 534 of title 46, United States Code,
15 \$60,000,000, to remain available until expended.

16 OPERATIONS AND TRAINING

17 For necessary expenses of operations and training ac-
18 tivities authorized by law, \$192,000,000: *Provided*, That
19 of the amounts made available under this heading—

20 (1) \$87,848,000, to remain available until Sep-
21 tember 30, 2024, shall be for the operations of the
22 United States Merchant Marine Academy;

23 (2) \$11,900,000, to remain available until ex-
24 pended, shall be for facilities maintenance and re-

1 pair, and equipment, at the United States Merchant
2 Marine Academy;

3 (3) \$6,000,000, to remain available until Sep-
4 tember 30, 2024 shall be for the Maritime Environ-
5 mental and Technical Assistance program authorized
6 under section 50307 of title 46, United States Code;
7 and

8 (4) \$14,819,000, to remain available until ex-
9 pended, shall be for the America's Marine Highway
10 Program to make grants for the purposes authorized
11 under paragraphs (1) and (3) of section 55601(b) of
12 title 46, United States Code:

13 *Provided further*, That the Administrator of the Maritime
14 Administration shall transmit to the House and Senate
15 Committees on Appropriations the annual report on sexual
16 assault and sexual harassment at the United States Mer-
17 chant Marine Academy as required pursuant to section
18 3510 of the National Defense Authorization Act for fiscal
19 year 2017 (46 U.S.C. 51318): *Provided further*, That
20 available balances under this heading for the Short Sea
21 Transportation Program (now known as the America's
22 Marine Highway Program) from prior year recoveries
23 shall be available to carry out activities authorized under
24 paragraphs (1) and (3) of section 55601(b) of title 46,
25 United States Code.

1 STATE MARITIME ACADEMY OPERATIONS

2 For necessary expenses of operations, support, and
3 training activities for State Maritime Academies,
4 \$77,700,000: *Provided*, That of the amounts made avail-
5 able under this heading—

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

22 (2) \$35,000,000, to remain available until ex-
23 pended, shall be for the National Security Multi-Mis-
24 sion Vessel Program, including funds for construc-
25 tion, planning, administration, design of school

1 ships, and necessary expenses to construct infra-
2 structure to berth such ships;

3 (3) \$2,400,000, to remain available until Sep-
4 tember 30, 2027, shall be for the Student Incentive
5 Program;

6 (4) \$3,800,000, to remain available until ex-
7 pended, shall be for training ship fuel assistance;
8 and

9 (5) \$6,000,000, to remain available until Sep-
10 tember 30, 2024, shall be for direct payments for
11 State Maritime Academies.

12 ASSISTANCE TO SMALL SHIPYARDS

13 To make grants to qualified shipyards as authorized
14 under section 54101 of title 46, United States Code,
15 \$20,000,000, to remain available until expended.

16 SHIP DISPOSAL

17 For necessary expenses related to the disposal of ob-
18 solete vessels in the National Defense Reserve Fleet of the
19 Maritime Administration, \$6,000,000, to remain available
20 until expended.

21 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

22 ACCOUNT

23 (INCLUDING TRANSFER OF FUNDS)

24 For administrative expenses to carry out the guaran-
25 teed loan program, \$3,000,000, which shall be transferred

1 to and merged with the appropriations for “Maritime Ad-
2 ministration—Operations and Training”.

3 PORT INFRASTRUCTURE DEVELOPMENT PROGRAM

4 To make grants to improve port facilities as author-
5 ized under section 54301 of title 46, United States Code,
6 \$300,000,000, to remain available until expended: *Pro-*
7 *vided*, That projects eligible for amounts made available
8 under this heading in this Act shall be projects for coastal
9 seaports, inland river ports, or Great Lakes ports: *Pro-*
10 *vided further*, That of the amounts made available under
11 this heading in this Act, not less than \$275,000,000 shall
12 be for coastal seaports or Great Lakes ports: *Provided fur-*
13 *ther*, That amounts made available under this heading in
14 this Act may not be used for the purchase or installation
15 of fully automated cargo handling equipment or terminal
16 infrastructure that is designed for fully automated cargo
17 handling equipment: *Provided further*, That for the pur-
18 poses of the preceding proviso, “fully automated cargo
19 handling equipment” means cargo handling equipment
20 that is remotely operated or remotely monitored and does
21 not require the exercise of human intervention or control:
22 *Provided further*, That for grants awarded under this
23 heading in this Act, the minimum grant size shall be
24 \$1,000,000: *Provided further*, That the proceeds of Fed-
25 eral credit assistance under chapter 6 of title 23, United

1 States Code, or chapter 224 of title 49, United States
2 Code, shall be considered to be part of the non-Federal
3 share of project costs if the loan is repayable from non-
4 Federal funds, unless otherwise requested.

5 ADMINISTRATIVE PROVISION—MARITIME

6 ADMINISTRATION

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

20 PIPELINE AND HAZARDOUS MATERIALS SAFETY

21 ADMINISTRATION

22 OPERATIONAL EXPENSES

23 For necessary operational expenses of the Pipeline
24 and Hazardous Materials Safety Administration,

1 \$30,150,000, of which \$4,500,000 shall remain available
2 until September 30, 2025.

3 HAZARDOUS MATERIALS SAFETY

4 For expenses necessary to discharge the hazardous
5 materials safety functions of the Pipeline and Hazardous
6 Materials Safety Administration, \$70,710,500, to remain
7 available until September 30, 2025, of which \$1,000,000
8 shall be made available for carrying out section 5107(i)
9 of title 49, United States Code: *Provided*, That up to
10 \$800,000 in fees collected under section 5108(g) of title
11 49, United States Code, shall be deposited in the general
12 fund of the Treasury as offsetting receipts: *Provided fur-*
13 *ther*, That there may be credited to this appropriation, to
14 be available until expended, funds received from States,
15 counties, municipalities, other public authorities, and pri-
16 vate sources for expenses incurred for training, for reports
17 publication and dissemination, and for travel expenses in-
18 curred in performance of hazardous materials exemptions
19 and approvals functions.

20 PIPELINE SAFETY

21 (PIPELINE SAFETY FUND)

22 (OIL SPILL LIABILITY TRUST FUND)

23 For expenses necessary to carry out a pipeline safety
24 program, as authorized by section 60107 of title 49,
25 United States Code, and to discharge the pipeline program

1 responsibilities of the Oil Pollution Act of 1990 (Public
2 Law 101–380), \$187,800,000, to remain available until
3 September 30, 2025, of which \$29,000,000 shall be de-
4 rived from the Oil Spill Liability Trust Fund; of which
5 \$151,400,000 shall be derived from the Pipeline Safety
6 Fund; of which \$400,000 shall be derived from the fees
7 collected under section 60303 of title 49, United States
8 Code, and deposited in the Liquefied Natural Gas Siting
9 Account for compliance reviews of liquefied natural gas
10 facilities; and of which \$7,000,000 shall be derived from
11 fees collected under section 60302 of title 49, United
12 States Code, and deposited in the Underground Natural
13 Gas Storage Facility Safety Account for the purpose of
14 carrying out section 60141 of title 49, United States Code:
15 *Provided*, That not less than \$1,058,000 of the amounts
16 made available under this heading shall be for the One-
17 Call State grant program: *Provided further*, That any
18 amounts made available under this heading in this Act or
19 in prior Acts for research contracts, grants, cooperative
20 agreements or research other transactions agreements
21 (“OTAs”) shall require written notification to the House
22 and Senate Committees on Appropriations not less than
23 3 full business days before such research contracts, grants,
24 cooperative agreements, or research OTAs are announced
25 by the Department of Transportation: *Provided further*,

1 That the Secretary shall transmit to the House and Sen-
2 ate Committees on Appropriations the report on pipeline
3 safety testing enhancement as required pursuant to sec-
4 tion 105 of the Protecting our Infrastructure of Pipelines
5 and Enhancing Safety Act of 2020 (division R of Public
6 Law 116–260): *Provided further*, That the Secretary may
7 obligate amounts made available under this heading to en-
8 gineer, erect, alter, and repair buildings or make any other
9 public improvements for research facilities at the Trans-
10 portation Technology Center after the Secretary submits
11 an updated research plan and the report in the preceding
12 proviso to the House and Senate Committees on Appro-
13 priations and after such plan and report in the preceding
14 proviso are approved by the House and Senate Commit-
15 tees on Appropriations.

16 EMERGENCY PREPAREDNESS GRANTS

17 (LIMITATION ON OBLIGATIONS)

18 (EMERGENCY PREPAREDNESS FUND)

19 For expenses necessary to carry out the Emergency
20 Preparedness Grants program, not more than
21 \$28,318,000 shall remain available until September 30,
22 2025, from amounts made available by section 5116(h)
23 and subsections (b) and (c) of section 5128 of title 49,
24 United States Code: *Provided*, That notwithstanding sec-
25 tion 5116(h)(4) of title 49, United States Code, not more

1 than 4 percent of the amounts made available from this
2 account shall be available to pay the administrative costs
3 of carrying out sections 5116, 5107(e), and 5108(g)(2)
4 of title 49, United States Code: *Provided further*, That
5 notwithstanding subsections (b) and (c) of section 5128
6 of title 49, United States Code, and the limitation on obli-
7 gations provided under this heading, prior year recoveries
8 recognized in the current year shall be available to develop
9 and deliver hazardous materials emergency response train-
10 ing for emergency responders, including response activities
11 for the transportation of crude oil, ethanol, flammable liq-
12 uids, and other hazardous commodities by rail, consistent
13 with National Fire Protection Association standards, and
14 to make such training available through an electronic for-
15 mat: *Provided further*, That the prior year recoveries made
16 available under this heading shall also be available to carry
17 out sections 5116(a)(1)(C), 5116(h), 5116(i), 5116(j),
18 and 5107(e) of title 49, United States Code.

19 OFFICE OF INSPECTOR GENERAL

20 SALARIES AND EXPENSES

21 For necessary expenses of the Office of Inspector
22 General to carry out the provisions of the Inspector Gen-
23 eral Act of 1978, as amended, \$108,073,000: *Provided*,
24 That the Inspector General shall have all necessary au-
25 thority, in carrying out the duties specified in the Inspec-

1 tor General Act, as amended (5 U.S.C. App.), to inves-
2 tigate allegations of fraud, including false statements to
3 the government (18 U.S.C. 1001), by any person or entity
4 that is subject to regulation by the Department of Trans-
5 portation.

6 GENERAL PROVISIONS—DEPARTMENT OF
7 TRANSPORTATION

8 SEC. 180. (a) During the current fiscal year, applica-
9 ble appropriations to the Department of Transportation
10 shall be available for maintenance and operation of air-
11 craft; hire of passenger motor vehicles and aircraft; pur-
12 chase of liability insurance for motor vehicles operating
13 in foreign countries on official department business; and
14 uniforms or allowances therefor, as authorized by sections
15 5901 and 5902 of title 5, United States Code.

16 (b) During the current fiscal year, applicable appro-
17 priations to the Department and its operating administra-
18 tions shall be available for the purchase, maintenance, op-
19 eration, and deployment of unmanned aircraft systems
20 that advance the missions of the Department of Transpor-
21 tation or an operating administration of the Department
22 of Transportation.

23 (c) Any unmanned aircraft system purchased, pro-
24 cured, or contracted for by the Department prior to the
25 date of enactment of this Act shall be deemed authorized

1 by Congress as if this provision was in effect when the
2 system was purchased, procured, or contracted for.

3 SEC. 181. Appropriations contained in this Act for
4 the Department of Transportation shall be available for
5 services as authorized by section 3109 of title 5, United
6 States Code, but at rates for individuals not to exceed the
7 per diem rate equivalent to the rate for an Executive Level
8 IV.

9 SEC. 182. (a) No recipient of amounts made available
10 by this Act shall disseminate personal information (as de-
11 fined in section 2725(3) of title 18, United States Code)
12 obtained by a State department of motor vehicles in con-
13 nection with a motor vehicle record as defined in section
14 2725(1) of title 18, United States Code, except as pro-
15 vided in section 2721 of title 18, United States Code, for
16 a use permitted under section 2721 of title 18, United
17 States Code.

18 (b) Notwithstanding subsection (a), the Secretary
19 shall not withhold amounts made available by this Act for
20 any grantee if a State is in noncompliance with this provi-
21 sion.

22 SEC. 183. None of the funds made available by this
23 Act shall be available for salaries and expenses of more
24 than 125 political and Presidential appointees in the De-
25 partment of Transportation: *Provided*, That none of the

1 personnel covered by this provision may be assigned on
2 temporary detail outside the Department of Transpor-
3 tation.

4 SEC. 184. Funds received by the Federal Highway
5 Administration and Federal Railroad Administration from
6 States, counties, municipalities, other public authorities,
7 and private sources for expenses incurred for training may
8 be credited respectively to the Federal Highway Adminis-
9 tration's "Federal-Aid Highways" account and to the Fed-
10 eral Railroad Administration's "Safety and Operations"
11 account, except for State rail safety inspectors partici-
12 pating in training pursuant to section 20105 of title 49,
13 United States Code.

14 SEC. 185. None of the funds made available by this
15 Act or in title VIII of division J of the Infrastructure In-
16 vestment and Jobs Act (Public Law 117-58) to the De-
17 partment of Transportation may be used to make a loan,
18 loan guarantee, line of credit, letter of intent, federally
19 funded cooperative agreement, full funding grant agree-
20 ment, or discretionary grant unless the Secretary of
21 Transportation notifies the House and Senate Committees
22 on Appropriations not less than 3 full business days before
23 any project competitively selected to receive any discre-
24 tionary grant award, letter of intent, loan commitment,
25 loan guarantee commitment, line of credit commitment,

1 federally funded cooperative agreement, or full funding
2 grant agreement is announced by the Department or its
3 operating administrations: *Provided*, That the Secretary
4 of Transportation shall provide the House and Senate
5 Committees on Appropriations with a comprehensive list
6 of all such loans, loan guarantees, lines of credit, letters
7 of intent, federally funded cooperative agreements, full
8 funding grant agreements, and discretionary grants prior
9 to the notification required under the preceding proviso:
10 *Provided further*, 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 SEC. 186. Rebates, refunds, incentive payments,
17 minor fees, and other funds received by the Department
18 of Transportation from travel management centers,
19 charge card programs, the subleasing of building space,
20 and miscellaneous sources are to be credited to appropria-
21 tions of the Department of Transportation and allocated
22 to organizational units of the Department of Transpor-
23 tation using fair and equitable criteria and such funds
24 shall be available until expended.

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

16 SEC. 188. Funds appropriated by this Act to the op-
17 erating administrations may be obligated for the Office of
18 the Secretary for the costs related to assessments or reim-
19 bursable agreements only when such amounts are for the
20 costs of goods and services that are purchased to provide
21 a direct benefit to the applicable operating administration
22 or administrations.

23 SEC. 189. The Secretary of Transportation is author-
24 ized to carry out a program that establishes uniform
25 standards for developing and supporting agency transit

1 pass and transit benefits authorized under section 7905
2 of title 5, United States Code, including distribution of
3 transit benefits by various paper and electronic media.

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

15 (1) that except with respect to apprentices or
16 trainees, a pool of readily available but unemployed
17 individuals possessing the knowledge, skill, and abil-
18 ity to perform the work that the contract requires
19 resides in the jurisdiction;

20 (2) that the grant recipient will include appro-
21 priate provisions in its bid document ensuring that
22 the contractor does not displace any of its existing
23 employees in order to satisfy such hiring preference;
24 and

1 (3) that any increase in the cost of labor, train-
2 ing, or delays resulting from the use of such hiring
3 preference does not delay or displace any transpor-
4 tation project in the applicable Statewide Transpor-
5 tation Improvement Program or Transportation Im-
6 provement Program.

7 SEC. 191. The Secretary of Transportation shall co-
8 ordinate with the Secretary of Homeland Security to en-
9 sure that best practices for Industrial Control Systems
10 Procurement are up-to-date and shall ensure that systems
11 procured with funds provided under this title were pro-
12 cured using such practices.

13 This title may be cited as the “Department of Trans-
14 portation Appropriations Act, 2023”.

15 TITLE II

16 DEPARTMENT OF HOUSING AND URBAN

17 DEVELOPMENT

18 MANAGEMENT AND ADMINISTRATION

19 EXECUTIVE OFFICES

20 For necessary salaries and expenses for Executive Of-
21 fices, which shall be comprised of the offices of the Sec-
22 retary, Deputy Secretary, Adjudicatory Services, Congres-
23 sional and Intergovernmental Relations, Public Affairs,
24 Small and Disadvantaged Business Utilization, and the
25 Center for Faith-Based and Neighborhood Partnerships,

1 \$18,000,000, to remain available until September 30,
2 2024: *Provided*, That not to exceed \$25,000 of the amount
3 made available under this heading shall be available to the
4 Secretary of Housing and Urban Development (referred
5 to in this title as “the Secretary”) for official reception
6 and representation expenses as the Secretary may deter-
7 mine.

8 ADMINISTRATIVE SUPPORT OFFICES

9 For necessary salaries and expenses for Administra-
10 tive Support Offices, \$690,900,000, to remain available
11 until September 30, 2024: *Provided*, That of the sums ap-
12 propriated under this heading—

13 (1) \$97,000,000 shall be available for the Office
14 of the Chief Financial Officer;

15 (2) \$126,100,000 shall be available for the Of-
16 fice of the General Counsel, of which not less than
17 \$18,500,000 shall be for the Departmental Enforce-
18 ment Center;

19 (3) \$239,566,000 shall be available for the Of-
20 fice of Administration, of which not more than
21 \$3,500,000 may be for modernization and deferred
22 maintenance of the Weaver Building;

23 (4) \$54,776,000 shall be available for the Office
24 of the Chief Human Capital Officer;

1 (5) \$32,058,000 shall be available for the Office
2 of the Chief Procurement Officer;

3 (6) \$66,200,000 shall be available for the Office
4 of Field Policy and Management;

5 (7) \$5,000,000 shall be available for the Office
6 of Departmental Equal Employment Opportunity;
7 and

8 (8) \$70,200,000 shall be available for the Office
9 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-*

1 *ther*, That the Secretary shall provide in electronic form
2 all signed reports required by Congress.

3 PROGRAM OFFICES

4 For necessary salaries and expenses for Program Of-
5 fices, \$1,091,200,000, to remain available until September
6 30, 2024: *Provided*, That of the sums appropriated under
7 this heading—

8 (1) \$285,900,000 shall be available for the Of-
9 fice of Public and Indian Housing;

10 (2) \$158,100,000 shall be available for the Of-
11 fice of Community Planning and Development;

12 (3) \$488,500,000 shall be available for the Of-
13 fice of Housing, of which not less than \$13,000,000
14 shall be for the Office of Recapitalization;

15 (4) \$41,600,000 shall be available for the Office
16 of Policy Development and Research;

17 (5) \$105,800,000 shall be available for the Of-
18 fice of Fair Housing and Equal Opportunity; and

19 (6) \$11,300,000 shall be available for the Office
20 of Lead Hazard Control and Healthy Homes.

21 WORKING CAPITAL FUND

22 (INCLUDING TRANSFER OF FUNDS)

23 For the working capital fund for the Department of
24 Housing and Urban Development (referred to in this para-
25 graph as the “Fund”), pursuant, in part, to section 7(f)

1 of the Department of Housing and Urban Development
2 Act (42 U.S.C. 3535(f)), amounts transferred, including
3 reimbursements pursuant to section 7(f), to the Fund
4 under this heading shall be available only for Federal
5 shared services used by offices and agencies of the Depart-
6 ment, and for any such portion of any office or agency's
7 printing, records management, space renovation, fur-
8 niture, or supply services the Secretary has determined
9 shall be provided through the Fund, and the operational
10 expenses of the Fund: *Provided*, That amounts within the
11 Fund shall not be available to provide services not specifi-
12 cally authorized under this heading: *Provided further*,
13 That upon a determination by the Secretary that any
14 other service (or portion thereof) authorized under this
15 heading shall be provided through the Fund, amounts
16 made available in this title for salaries and expenses under
17 the headings "Executive Offices", "Administrative Sup-
18 port Offices", "Program Offices", and "Government Na-
19 tional Mortgage Association", for such services shall be
20 transferred to the Fund, to remain available until ex-
21 pended: *Provided further*, That the Secretary shall notify
22 the House and Senate Committees on Appropriations of
23 its plans for executing such transfers at least 15 days in
24 advance of such transfers.

1 PUBLIC AND INDIAN HOUSING

2 TENANT-BASED RENTAL ASSISTANCE

3 For activities and assistance for the provision of ten-
4 ant-based rental assistance authorized under the United
5 States Housing Act of 1937, as amended (42 U.S.C. 1437
6 et seq.) (in this title “the Act”), not otherwise provided
7 for, \$27,042,932,000, to remain available until expended,
8 which shall be available on October 1, 2022 (in addition
9 to the \$4,000,000,000 previously appropriated under this
10 heading that shall be available on October 1, 2022), and
11 \$4,000,000,000, to remain available until expended, which
12 shall be available on October 1, 2023: *Provided*, That the
13 amounts made available under this heading are provided
14 as follows:

15 (1) \$26,184,000,000 shall be available for re-
16 newals of expiring section 8 tenant-based annual
17 contributions contracts (including renewals of en-
18 hanced vouchers under any provision of law author-
19 izing such assistance under section 8(t) of the Act)
20 and including renewal of other special purpose incre-
21 mental vouchers: *Provided*, That notwithstanding
22 any other provision of law, from amounts provided
23 under this paragraph and any carryover, the Sec-
24 retary for the calendar year 2023 funding cycle shall
25 provide renewal funding for each public housing

1 agency based on validated voucher management sys-
2 tem (VMS) leasing and cost data for the prior cal-
3 endar year and by applying an inflation factor as es-
4 tablished by the Secretary, by notice published in
5 the Federal Register, and by making any necessary
6 adjustments for the costs associated with the first-
7 time renewal of vouchers under this paragraph in-
8 cluding tenant protection and Choice Neighborhoods
9 vouchers: *Provided further*, That funds provided
10 under this paragraph and prior Acts may be used to
11 fund a total number of unit months under lease
12 which exceeds a public housing agency's authorized
13 level of units under contract, except for public hous-
14 ing agencies participating in the Moving to Work
15 (MTW) demonstration, which are instead governed
16 in accordance with the requirements of the MTW
17 demonstration program or their MTW agreements,
18 if any: *Provided further*, That amounts repurposed
19 pursuant to the preceding proviso that were pre-
20 viously designated by the Congress as an emergency
21 requirement pursuant to the Balanced Budget and
22 Emergency Deficit Control Act of 1985 or a concur-
23 rent resolution on the budget are designated as an
24 emergency requirement pursuant to section
25 4001(a)(1) of S. Con. Res. 14 (117th Congress), the

1 concurrent resolution on the budget for fiscal year
2 2022, and section 1(e) of H. Res. 1151 (117th Con-
3 gress) as engrossed in the House of Representatives
4 on June 8, 2022: *Provided further*, That costs asso-
5 ciated with any forgone increases in tenant rent pay-
6 ments due to the implementation of rent incentives
7 as authorized pursuant to waivers or alternative re-
8 quirements of the Jobs-Plus initiative as described
9 under the heading “Self-Sufficiency Programs” shall
10 be renewed: *Provided further*, That costs associated
11 with any forgone increases in tenant rent payments
12 due to the implementation of rent incentives as au-
13 thorized pursuant to waivers or alternative require-
14 ments of the Jobs-Plus initiative as described under
15 the heading “Self-Sufficiency Programs” shall be re-
16 newed: *Provided further*, That the Secretary shall, to
17 the extent necessary to stay within the amount spec-
18 ified under this paragraph (except as otherwise
19 modified under this paragraph), prorate each public
20 housing agency’s allocation otherwise established
21 pursuant to this paragraph: *Provided further*, That
22 except as provided in the following provisos, the en-
23 tire amount specified under this paragraph (except
24 as otherwise modified under this paragraph) shall be
25 obligated to the public housing agencies based on the

1 allocation and pro rata method described above, and
2 the Secretary shall notify public housing agencies of
3 their annual budget by the latter of 60 days after
4 the date of enactment of this Act or March 1, 2023:
5 *Provided further*, That the Secretary may extend the
6 notification period with the prior written approval of
7 the House and Senate Committees on Appropria-
8 tions: *Provided further*, That public housing agencies
9 participating in the MTW demonstration shall be
10 funded in accordance with the requirements of the
11 MTW demonstration program or their MTW agree-
12 ments, if any, and shall be subject to the same pro
13 rata adjustments under the preceding provisos: *Pro-*
14 *vided further*, That the Secretary may offset public
15 housing agencies' calendar year 2023 allocations
16 based on the excess amounts of public housing agen-
17 cies' net restricted assets accounts, including HUD-
18 held programmatic reserves (in accordance with
19 VMS data in calendar year 2022 that is verifiable
20 and complete), as determined by the Secretary: *Pro-*
21 *vided further*, That public housing agencies partici-
22 pating in the MTW demonstration shall also be sub-
23 ject to the offset, as determined by the Secretary,
24 excluding amounts subject to the single fund budget
25 authority provisions of their MTW agreements, from

1 the agencies' calendar year 2023 MTW funding allo-
2 cation: *Provided further*, That the Secretary shall
3 use any offset referred to in the preceding two pro-
4 visos throughout the calendar year to prevent the
5 termination of rental assistance for families as the
6 result of insufficient funding, as determined by the
7 Secretary, and to avoid or reduce the proration of
8 renewal funding allocations: *Provided further*, That
9 up to \$100,000,000 shall be available only: (1) for
10 adjustments in the allocations for public housing
11 agencies, after application for an adjustment by a
12 public housing agency that experienced a significant
13 increase, as determined by the Secretary, in renewal
14 costs of vouchers resulting from unforeseen cir-
15 cumstances or from portability under section 8(r) of
16 the Act; (2) for vouchers that were not in use during
17 the previous 12-month period in order to be avail-
18 able to meet a commitment pursuant to section
19 8(o)(13) of the Act, or an adjustment for a funding
20 obligation not yet expended in the previous calendar
21 year for a MTW-eligible activity to develop afford-
22 able housing for an agency added to the MTW dem-
23 onstration under the expansion authority provided in
24 section 239 of the Transportation, Housing and
25 Urban Development, and Related Agencies Appro-

1 priations Act, 2016 (division L of Public Law 114–
2 113); (3) for adjustments for costs associated with
3 HUD–Veterans Affairs Supportive Housing (HUD–
4 VASH) vouchers; (4) for public housing agencies
5 that despite taking reasonable cost savings meas-
6 ures, as determined by the Secretary, would other-
7 wise be required to terminate rental assistance as a
8 result of insufficient funding; (5) for adjustments in
9 the allocations for public housing agencies that (i)
10 are leasing a lower-than-average percentage of their
11 authorized vouchers, (ii) have low amounts of budget
12 authority in their net restricted assets accounts and
13 HUD-held programmatic reserves, relative to other
14 agencies, and (iii) are not participating in the Mov-
15 ing to Work demonstration, to enable such agencies
16 to lease more vouchers; (6) for withheld payments in
17 accordance with section 8(o)(8)(A)(ii) of the Act for
18 months in the previous calendar year that were sub-
19 sequently paid by the public housing agency after
20 the agency’s actual costs were validated; and (7) for
21 public housing agencies that have experienced in-
22 creased costs or loss of units in an area for which
23 the President declared a disaster under title IV of
24 the Robert T. Stafford Disaster Relief and Emer-
25 gency Assistance Act (42 U.S.C. 5170 et seq.);

1 (2) \$230,000,000 shall be for section 8 rental
2 assistance for relocation and replacement of housing
3 units that are demolished or disposed of pursuant to
4 section 18 of the Act, conversion of section 23
5 projects to assistance under section 8, the family
6 unification program under section 8(x) of the Act,
7 relocation of witnesses (including victims of violent
8 crimes) in connection with efforts to combat crime
9 in public and assisted housing pursuant to a request
10 from a law enforcement or prosecution agency, en-
11 hanced vouchers under any provision of law author-
12 izing such assistance under section 8(t) of the Act,
13 Choice Neighborhood vouchers, mandatory and vol-
14 untary conversions, and tenant protection assistance
15 including replacement and relocation assistance or
16 for project-based assistance to prevent the displace-
17 ment of unassisted elderly tenants currently residing
18 in section 202 properties financed between 1959 and
19 1974 that are refinanced pursuant to Public Law
20 106–569, as amended, or under the authority as
21 provided under this Act: *Provided*, That of the
22 amounts made available under this paragraph, up to
23 \$10,000,000 shall be available to provide public
24 housing agencies with enhanced vouchers for fami-
25 lies residing in State-assisted projects financed be-

1 tween 1970 and 1979 that were subject to a use
2 agreement under the Low-Income Housing Preserva-
3 tion and Resident Homeownership Act of 1990 (title
4 VI of Public Law 101-625; LIHPRHA) or the
5 Emergency Low Income Housing Preservation Act
6 of 1987 (title II of Public Law 100-242; ELIHPA)
7 on the date the affordability protections at such
8 projects expire or terminate during calendar years
9 2022 and 2023: *Provided further*, That that the
10 State housing finance agency shall submit the re-
11 quest to the Secretary for enhanced vouchers for
12 families residing in such eligible State-assisted
13 projects no later than the latter of 120 days prior
14 to the expiration or termination of affordability pro-
15 tections at such projects or 120 days after enact-
16 ment of this Act: *Provided further*, That such en-
17 hanced vouchers shall not be considered replacement
18 vouchers: *Provided further*, That when a public hous-
19 ing development is submitted for demolition or dis-
20 position under section 18 of the Act, the Secretary
21 may provide section 8 rental assistance when the
22 units pose an imminent health and safety risk to
23 residents: *Provided further*, That the Secretary may
24 provide section 8 rental assistance from amounts
25 made available under this paragraph for units as-

1 sisted under a project-based subsidy contract funded
2 under the “Project-Based Rental Assistance” head-
3 ing under this title where the owner has received a
4 Notice of Default and the units pose an imminent
5 health and safety risk to residents: *Provided further,*
6 That to the extent that the Secretary determines
7 that such units are not feasible for continued rental
8 assistance payments or transfer of the subsidy con-
9 tract associated with such units to another project
10 or projects and owner or owners, any remaining
11 amounts associated with such units under such con-
12 tract shall be recaptured and such recaptured
13 amounts, in an amount equal to the cost of rental
14 assistance provided pursuant to the previous proviso,
15 up to the total amounts recaptured, shall be trans-
16 ferred to and merged with amounts under this para-
17 graph: *Provided further,* That of the amounts made
18 available under this paragraph, no less than
19 \$5,000,000 may be available to provide tenant pro-
20 tection assistance, not otherwise provided under this
21 paragraph, to residents residing in low vacancy
22 areas and who may have to pay rents greater than
23 30 percent of household income, as the result of: (A)
24 the maturity of a HUD-insured, HUD-held or sec-
25 tion 202 loan that requires the permission of the

1 Secretary prior to loan prepayment; (B) the expira-
2 tion of a rental assistance contract for which the
3 tenants are not eligible for enhanced voucher or ten-
4 ant protection assistance under existing law; or (C)
5 the expiration of affordability restrictions accom-
6 panying a mortgage or preservation program admin-
7 istered by the Secretary: *Provided further*, That such
8 tenant protection assistance made available under
9 the preceding proviso may be provided under the au-
10 thority of section 8(t) or section 8(o)(13) of the
11 United States Housing Act of 1937 (42 U.S.C.
12 1437f(t)): *Provided further*, That the Secretary shall
13 issue guidance to implement the previous two pro-
14 visos, including, but not limited to, requirements for
15 defining eligible at-risk households not later than 60
16 days after the date of enactment of this Act: *Pro-*
17 *vided further*, That any tenant protection voucher
18 made available from amounts under this paragraph
19 shall not be reissued by any public housing agency,
20 except the replacement vouchers as defined by the
21 Secretary by notice, when the initial family that re-
22 ceived any such voucher no longer receives such
23 voucher, and the authority for any public housing
24 agency to issue any such voucher shall cease to exist:
25 *Provided further*, That the Secretary may only pro-

1 vide replacement vouchers for units that were occu-
2 pied within the previous 24 months that cease to be
3 available as assisted housing, subject only to the
4 availability of funds;

5 (3) \$2,756,932,000 shall be for administrative
6 and other expenses of public housing agencies in ad-
7 ministering the section 8 tenant-based rental assist-
8 ance program, of which up to \$10,000,000 shall be
9 available to the Secretary to allocate to public hous-
10 ing agencies that need additional funds to admin-
11 ister their section 8 programs, including fees associ-
12 ated with section 8 tenant protection rental assist-
13 ance, the administration of disaster related vouchers,
14 HUD-VASH vouchers, and other special purpose in-
15 cremental vouchers: *Provided*, That no less than
16 \$2,765,000,000 of the amount provided in this para-
17 graph shall be allocated to public housing agencies
18 for the calendar year 2023 funding cycle based on
19 section 8(q) of the Act (and related Appropriation
20 Act provisions) as in effect immediately before the
21 enactment of the Quality Housing and Work Re-
22 sponsibility Act of 1998 (Public Law 105-276): *Pro-*
23 *vided further*, That if the amounts made available
24 under this paragraph are insufficient to pay the
25 amounts determined under the preceding proviso,

1 the Secretary may decrease the amounts allocated to
2 agencies by a uniform percentage applicable to all
3 agencies receiving funding under this paragraph or
4 may, to the extent necessary to provide full payment
5 of amounts determined under the preceding proviso,
6 utilize unobligated balances, including recaptures
7 and carryover, remaining from funds appropriated to
8 the Department of Housing and Urban Development
9 under this heading from prior fiscal years, excluding
10 special purpose vouchers, notwithstanding the pur-
11 poses for which such amounts were appropriated:
12 *Provided further*, That all public housing agencies
13 participating in the MTW demonstration shall be
14 funded in accordance with the requirements of the
15 MTW demonstration program or their MTW agree-
16 ments, if any, and shall be subject to the same uni-
17 form percentage decrease as under the preceding
18 proviso: *Provided further*, That amounts provided
19 under this paragraph shall be only for activities re-
20 lated to the provision of tenant-based rental assist-
21 ance authorized under section 8, including related
22 development activities;

23 (4) \$667,000,000 for the renewal of tenant-
24 based assistance contracts under section 811 of the
25 Cranston-Gonzalez National Affordable Housing Act

1 (42 U.S.C. 8013), including necessary administra-
2 tive expenses: *Provided*, That administrative and
3 other expenses of public housing agencies in admin-
4 istering the special purpose vouchers in this para-
5 graph shall be funded under the same terms and be
6 subject to the same pro rata reduction as the per-
7 cent decrease for administrative and other expenses
8 to public housing agencies under paragraph (3) of
9 this heading: *Provided further*, That up to
10 \$10,000,000 shall be available only (1) for adjust-
11 ments in the allocation for public housing agencies,
12 after applications for an adjustment by a public
13 housing agency that experienced a significant in-
14 crease, as determined by the Secretary, in Main-
15 stream renewal costs resulting from unforeseen cir-
16 cumstances, and (2) for public housing agencies that
17 despite taking reasonable cost savings measures, as
18 determined by the Secretary, would otherwise be re-
19 quired to terminate the rental assistance for Main-
20 stream families as a result of insufficient funding:
21 *Provided further*, That the Secretary shall allocate
22 amounts under the preceding proviso based on need,
23 as determined by the Secretary: *Provided further*,
24 That of the amounts made available under this para-
25 graph, up to \$5,000,000 shall be available for a pilot

1 program for public housing agencies that partner
2 with administering entities under the Projects for
3 Assistance in Transition from Homelessness
4 (PATH) program as authorized by the Stewart B.
5 McKinney Homeless Assistance Amendments Act of
6 1990 or other eligible entities, as determined by the
7 Secretary, to assist persons with serious mental ill-
8 ness: *Provided further*, That the amounts made
9 available in the preceding proviso shall be for incre-
10 mental rental voucher assistance, including project-
11 based vouchers, under such section 811 for non-el-
12 derly persons with serious mental illness, and for ad-
13 ministrative and other expenses of public housing
14 agencies: *Provided further*, That in awarding assist-
15 ance under such pilot program the Secretary may
16 give bonus points to public housing agencies giving
17 preference to individuals referred from the Coordi-
18 nated Entry System (CES) or operating a Family
19 Self-Sufficiency program: *Provided further*, That in
20 administering such pilot program, the Secretary may
21 waive, or specify alternative requirements for, any
22 provision of any statute or regulation that the Sec-
23 retary administers in connection with the use of
24 funds made available under such pilot (except for re-
25 quirements related to fair housing, nondiscrimina-

1 tion, labor standards, and the environment), upon a
2 finding by the Secretary that any such waivers or al-
3 ternative requirements are necessary for the effective
4 delivery and administration of such voucher assist-
5 ance: *Provided further*, That upon turnover, section
6 811 special purpose vouchers funded under this
7 heading in this or prior Acts, or under any other
8 heading in prior Acts, shall be provided to non-elder-
9 ly persons with disabilities;

10 (5) Of the amounts provided under paragraph
11 (1) up to \$5,000,000 shall be for rental assistance
12 and associated administrative fees for Tribal HUD-
13 VASH to serve Native American veterans that are
14 homeless or at-risk of homelessness living on or near
15 a reservation or other Indian areas: *Provided*, That
16 such amount shall be made available for renewal
17 grants to recipients that received assistance under
18 prior Acts under the Tribal HUD-VASH program:
19 *Provided further*, That the Secretary shall be author-
20 ized to specify criteria for renewal grants, including
21 data on the utilization of assistance reported by
22 grant recipients: *Provided further*, That such assist-
23 ance shall be administered in accordance with pro-
24 gram requirements under the Native American
25 Housing Assistance and Self-Determination Act of

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

21 (6) \$50,000,000 for incremental rental voucher
22 assistance for use through a supported housing pro-
23 gram administered in conjunction with the Depart-
24 ment of Veterans Affairs as authorized under section
25 8(o)(19) of the United States Housing Act of 1937:

1 *Provided*, That the Secretary of Housing and Urban
2 Development shall make such funding available, not-
3 withstanding section 203 (competition provision) of
4 this title, to public housing agencies that partner
5 with eligible VA Medical Centers or other entities as
6 designated by the Secretary of the Department of
7 Veterans Affairs, based on geographical need for
8 such assistance as identified by the Secretary of the
9 Department of Veterans Affairs, public housing
10 agency administrative performance, and other fac-
11 tors as specified by the Secretary of Housing and
12 Urban Development in consultation with the Sec-
13 retary of the Department of Veterans Affairs: *Pro-*
14 *vided further*, That of the amounts made available
15 under this paragraph, up to \$5,000,000 may be allo-
16 cated to public housing agencies administering tem-
17 porary case management and supportive services to
18 HUD-VASH eligible veterans that have not yet re-
19 ceived a referral from the Department of Veterans
20 Affairs: *Provided further*, That the Secretary of
21 Housing and Urban Development may waive, or
22 specify alternative requirements for (in consultation
23 with the Secretary of the Department of Veterans
24 Affairs), any provision of any statute or regulation
25 that the Secretary of Housing and Urban Develop-

1 ment administers in connection with the use of
2 funds made available under this paragraph (except
3 for requirements related to fair housing, non-
4 discrimination, labor standards, and the environ-
5 ment), upon a finding by the Secretary that any
6 such waivers or alternative requirements are nec-
7 essary for the effective delivery and administration
8 of such voucher assistance: *Provided further*, That
9 assistance made available under this paragraph shall
10 continue to remain available for homeless veterans
11 upon turn-over;

12 (7) \$30,000,000 shall be made available for the
13 family unification program as authorized under sec-
14 tion 8(x) of the Act: *Provided*, That the amounts
15 made available under this paragraph are provided as
16 follows:

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

22 (B) \$25,000,000 shall be for new incre-
23 mental voucher assistance to assist eligible
24 youth as defined by such section 8(x)(2)(B):
25 *Provided*, That assistance made available under

1 this subparagraph shall continue to remain
2 available for such eligible youth upon turnover:
3 *Provided further,* That of the total amount
4 made available under this subparagraph, up to
5 \$15,000,000 shall be available on a noncompeti-
6 tive basis to public housing agencies that part-
7 ner with public child welfare agencies to iden-
8 tify such eligible youth, that request such as-
9 sistance to timely assist such eligible youth, and
10 that meet any other criteria as specified by the
11 Secretary: *Provided further,* That the Secretary
12 shall review utilization of the assistance made
13 available under the preceding proviso, at an in-
14 terval to be determined by the Secretary, and
15 unutilized voucher assistance that is no longer
16 needed shall be recaptured by the Secretary and
17 reallocated pursuant to the preceding proviso:
18 *Provided further,* That for any public housing agency
19 administering voucher assistance appropriated in a
20 prior Act under the family unification program, or
21 made available and competitively selected under this
22 paragraph, that determines that it no longer has an
23 identified need for such assistance upon turnover,
24 such agency shall notify the Secretary, and the Sec-
25 retary shall recapture such assistance from the agen-

1 cy and reallocate it to any other public housing
2 agency or agencies based on need for voucher assist-
3 ance in connection with such specified program or
4 eligible youth, as applicable;

5 (8) \$1,100,000,000 shall be made available for
6 new incremental voucher assistance under section
7 8(o) of the United States Housing Act of 1937 to
8 be allocated pursuant to a method, as determined by
9 the Secretary, which may include a formula that
10 may include such factors as severe cost burden, over-
11 crowding, substandard housing for very low-income
12 renters, homelessness, and administrative capacity,
13 where such allocation method shall include both
14 rural and urban areas: *Provided*, That the Secretary
15 may specify additional terms and conditions to en-
16 sure that public housing agencies provide vouchers
17 for use by survivors of domestic violence, or individ-
18 uals and families who are homeless, as defined in
19 section 103(a) of the McKinney-Vento Homeless As-
20 sistance Act (42 U.S.C. 11302(a)), or at risk of
21 homelessness, as defined in section 401(1) of such
22 Act (42 U.S.C. 11360(1));

23 (9) \$25,000,000 shall be for mobility-related
24 services, as defined by the Secretary, for voucher
25 families with children modeled after services pro-

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

16 (10) the Secretary shall separately track all
17 special purpose vouchers funded under this heading:
18 *Provided*, That the Secretary may waive, or specify
19 alternative requirements for, any provision of any
20 statute or regulation that the Secretary administers
21 in connection with the use of funds made available
22 for new incremental voucher assistance or renewals
23 for the Mainstream program, the HUD-VASH pro-
24 gram (in consultation with the Secretary of the De-
25 partment of Veterans Affairs), and the family unifi-

1 cation program (including the Foster Youth to Inde-
2 pendence program) in this and prior Acts (except for
3 requirements related to fair housing, nondiscrimina-
4 tion, labor standards, and the environment), upon a
5 finding by the Secretary that any such waivers or al-
6 ternative requirements are necessary for the effective
7 delivery and administration of voucher assistance in
8 such respective programs.

9 HOUSING CERTIFICATE FUND

10 (INCLUDING RESCISSIONS)

11 Unobligated balances, including recaptures and car-
12 ryover, remaining from funds appropriated to the Depart-
13 ment of Housing and Urban Development under this
14 heading, the heading “Annual Contributions for Assisted
15 Housing” and the heading “Project-Based Rental Assist-
16 ance”, for fiscal year 2023 and prior years may be used
17 for renewal of or amendments to section 8 project-based
18 contracts and for performance-based contract administra-
19 tors, notwithstanding the purposes for which such funds
20 were appropriated: *Provided*, That any obligated balances
21 of contract authority from fiscal year 1974 and prior fiscal
22 years that have been terminated shall be rescinded: *Pro-*
23 *vided further*, That amounts heretofore recaptured, or re-
24 captured during the current fiscal year, from section 8
25 project-based contracts from source years fiscal year 1975

1 through fiscal year 1987 are hereby rescinded, and an
2 amount of additional new budget authority, equivalent to
3 the amount rescinded is hereby appropriated, to remain
4 available until expended, for the purposes set forth under
5 this heading, in addition to amounts otherwise available.

6 PUBLIC HOUSING FUND

7 For 2023 payments to public housing agencies for the
8 operation and management of public housing, as author-
9 ized by section 9(e) of the United States Housing Act of
10 1937 (42 U.S.C. 1437g(e)) (the “Act”), and to carry out
11 capital and management activities for public housing
12 agencies, as authorized under section 9(d) of the Act (42
13 U.S.C. 1437g(d)), \$8,733,500,000, to remain available
14 until September 30, 2026: *Provided*, That the amounts
15 made available under this heading are provided as follows:

16 (1) \$5,038,500,000 shall be available to the
17 Secretary to allocate pursuant to the Operating
18 Fund formula at part 990 of title 24, Code of Fed-
19 eral Regulations, for 2023 payments: *Provided*, That
20 the amount of any forgone increases in tenant rent
21 payments due to the implementation of rent incen-
22 tives as authorized pursuant to waivers or alter-
23 native requirements of the Jobs-Plus initiative as de-
24 scribed under the heading “Self-Sufficiency Pro-

1 grams” shall be factored into the PHA’s general op-
2 erating fund eligibility pursuant to such formula;

3 (2) \$25,000,000 shall be available to the Sec-
4 retary to allocate pursuant to a need-based applica-
5 tion process notwithstanding section 203 of this title
6 and not subject to such Operating Fund formula to
7 public housing agencies that experience, or are at
8 risk of, financial shortfalls, as determined by the
9 Secretary: *Provided*, That after all such shortfall
10 needs are met, the Secretary may distribute any re-
11 maining funds to all public housing agencies on a
12 pro-rata basis pursuant to such Operating Fund for-
13 mula;

14 (3) \$3,400,000,000 shall be available to the
15 Secretary to allocate pursuant to the Capital Fund
16 formula at section 905.400 of title 24, Code of Fed-
17 eral Regulations: *Provided*, That for funds provided
18 under this paragraph, the limitation in section
19 9(g)(1) of the Act shall be 25 percent: *Provided fur-*
20 *ther*, That the Secretary may waive the limitation in
21 the preceding proviso to allow public housing agen-
22 cies to fund activities authorized under section
23 9(e)(1)(C) of the Act: *Provided further*, That the
24 Secretary shall notify public housing agencies re-
25 questing waivers under the preceding proviso if the

1 request is approved or denied within 14 days of sub-
2 mitting the request: *Provided further*, That from the
3 funds made available under this paragraph, the Sec-
4 retary shall provide bonus awards in fiscal year
5 2023 to public housing agencies that are designated
6 high performers: *Provided further*, That the Depart-
7 ment shall notify public housing agencies of their
8 formula allocation within 60 days of enactment of
9 this Act;

10 (4) \$65,000,000 shall be available for the Sec-
11 retary to make grants, notwithstanding section 203
12 of this title, to public housing agencies for emer-
13 gency capital needs, including safety and security
14 measures necessary to address crime and drug-re-
15 lated activity, as well as needs resulting from unfore-
16 seen or unpreventable emergencies and natural dis-
17 asters excluding Presidentially declared emergencies
18 and natural disasters under the Robert T. Stafford
19 Disaster Relief and Emergency Act (42 U.S.C. 5121
20 et seq.) occurring in fiscal year 2023, of which
21 \$45,000,000 shall be available for public housing
22 agencies under administrative and judicial receiver-
23 ships or under the control of a Federal monitor:
24 *Provided*, That of the amount made available under
25 this paragraph, not less than \$10,000,000 shall be

1 for safety and security measures: *Provided further*,
2 That in addition to the amount in the preceding pro-
3 viso for such safety and security measures, any
4 amounts that remain available, after all applications
5 received on or before September 30, 2024, for emer-
6 gency capital needs have been processed, shall be al-
7 located to public housing agencies for such safety
8 and security measures;

9 (5) \$65,000,000 shall be for competitive grants
10 to public housing agencies to evaluate and reduce
11 residential health hazards in public housing, includ-
12 ing lead-based paint (by carrying out the activities
13 of risk assessments, abatement, and interim con-
14 trols, as those terms are defined in section 1004 of
15 the Residential Lead-Based Paint Hazard Reduction
16 Act of 1992 (42 U.S.C. 4851b)), carbon monoxide,
17 mold, radon, and fire safety: *Provided*, That not less
18 than \$25,000,000 of the amounts provided under
19 this paragraph shall be awarded for evaluating and
20 reducing lead-based paint hazards: *Provided further*,
21 That for purposes of environmental review, a grant
22 under this paragraph shall be considered funds for
23 projects or activities under title I of the United
24 States Housing Act of 1937 (42 U.S.C. 1437 et
25 seq.) for purposes of section 26 of such Act (42

1 U.S.C. 1437x) and shall be subject to the regula-
2 tions implementing such section: *Provided further*,
3 That amounts made available under this paragraph
4 shall be combined with amounts made available
5 under the sixth paragraph under this heading in the
6 Consolidated Appropriations Act, 2021 (Public Law
7 116–260) and shall be used in accordance with the
8 purposes and requirements under this paragraph:
9 *Provided further*, That amounts made available
10 under this paragraph may be used for competitive
11 grants to public housing agencies that improve water
12 and energy efficiency, or reduce the risk of harm to
13 occupants or property from natural hazards;

14 (6) \$15,000,000 shall be to support the costs of
15 administrative and judicial receiverships and for
16 competitive grants to PHAs in receivership, des-
17 ignated troubled or substandard, or otherwise at
18 risk, as determined by the Secretary, for costs asso-
19 ciated with public housing asset improvement, in ad-
20 dition to other amounts for that purpose provided
21 under any heading under this title;

22 (7) \$50,000,000 shall be to support ongoing
23 public housing financial and physical assessment ac-
24 tivities;

1 (8) \$75,000,000 shall be available to improve
2 the energy or water efficiency or climate resilience of
3 public housing, including for competitive grants to
4 public housing agencies for capital improvements to
5 achieve such purposes: *Provided*, That of the
6 amounts made available under this paragraph, up to
7 \$20,000,000, shall be available for utility
8 benchmarking, including research and evaluations,
9 technical assistance, to develop systems and tools
10 necessary to collect and analyze PHA utility
11 benchmarking data, to remain available until Sep-
12 tember 30, 2026: *Provided further*, That for pur-
13 poses of environmental review, grants under this
14 paragraph shall be considered funds for projects or
15 activities under title I of the United States Housing
16 Act of 1937 (42 U.S.C. 1437 et seq.) for purposes
17 of section 26 of such Act (42 U.S.C. 1437x) and
18 shall be subject to the regulations implementing
19 such section:
20 *Provided further*, That notwithstanding any other provi-
21 sion of law or regulation, during fiscal year 2023, the Sec-
22 retary of Housing and Urban Development may not dele-
23 gate to any Department official other than the Deputy
24 Secretary and the Assistant Secretary for Public and In-
25 dian Housing any authority under paragraph (2) of sec-

1 tion 9(j) of the Act regarding the extension of the time
2 periods under such section: *Provided further*, That for pur-
3 poses of such section 9(j), the term “obligate” means, with
4 respect to amounts, that the amounts are subject to a
5 binding agreement that will result in outlays, immediately
6 or in the future.

7 CHOICE NEIGHBORHOODS INITIATIVE

8 For competitive grants under the Choice Neighbor-
9 hoods Initiative (subject to section 24 of the United States
10 Housing Act of 1937 (42 U.S.C. 1437v) unless otherwise
11 specified under this heading), for transformation, rehabili-
12 tation, and replacement housing needs of public and
13 HUD-assisted housing and to transform neighborhoods of
14 poverty into functioning, sustainable, mixed-income neigh-
15 borhoods with appropriate services, schools, public assets,
16 transportation, and access to jobs, \$450,000,000, to re-
17 main available until September 30, 2027: *Provided*, That
18 grant funds may be used for resident and community serv-
19 ices, community development, and affordable housing
20 needs in the community, and for conversion of vacant or
21 foreclosed properties to affordable housing: *Provided fur-*
22 *ther*, That not more than 20 percent of the amount of any
23 grant made with amounts made available under this head-
24 ing may be used for necessary supportive services notwith-
25 standing subsection (d)(1)(L) of such section 24: *Provided*

1 *further*, That the use of amounts made available under
2 this heading shall not be deemed to be for public housing,
3 notwithstanding section 3(b)(1) of such Act: *Provided fur-*
4 *ther*, That grantees shall commit to an additional period
5 of affordability determined by the Secretary of not fewer
6 than 20 years: *Provided further*, That the Secretary may
7 specify a period of affordability that is less than 20 years
8 with respect to owner-occupied homeownership units de-
9 veloped with grants from amounts made available under
10 this heading: *Provided further*, That grantees shall provide
11 a match in State, local, other Federal, or private funds:
12 *Provided further*, That grantees may include local govern-
13 ments, Tribal entities, public housing agencies, and non-
14 profit organizations: *Provided further*, That for-profit de-
15 velopers may apply jointly with a public entity: *Provided*
16 *further*, That for purposes of environmental review, a
17 grantee shall be treated as a public housing agency under
18 section 26 of the United States Housing Act of 1937 (42
19 U.S.C. 1437x), and grants made with amounts available
20 under this heading shall be subject to the regulations
21 issued by the Secretary to implement such section: *Pro-*
22 *vided further*, That of the amounts made available under
23 this heading, not less than \$225,000,000 shall be awarded
24 to public housing agencies: *Provided further*, That such
25 grantees shall create partnerships with other local organi-

1 zations, including assisted housing owners, service agen-
2 cies, and resident organizations: *Provided further*, That
3 the Secretary shall consult with the Secretaries of Edu-
4 cation, Labor, Transportation, Health and Human Serv-
5 ices, Agriculture, and Commerce, the Attorney General,
6 and the Administrator of the Environmental Protection
7 Agency to coordinate and leverage other appropriate Fed-
8 eral resources: *Provided further*, That not more than
9 \$10,000,000 of the amounts made available under this
10 heading may be provided as grants to undertake com-
11 prehensive local planning with input from residents and
12 the community: *Provided further*, That unobligated bal-
13 ances, including recaptures, remaining from amounts
14 made available under the heading “Revitalization of Se-
15 verely Distressed Public Housing (HOPE VI)” in fiscal
16 year 2011 and prior fiscal years may be used for purposes
17 under this heading, notwithstanding the purposes for
18 which such amounts were appropriated: *Provided further*,
19 That the Secretary shall make grant awards not later than
20 1 year after the date of enactment of this Act in such
21 amounts that the Secretary determines: *Provided further*,
22 That notwithstanding section 24(o) of the United States
23 Housing Act of 1937 (42 U.S.C. 1437v(o)), the Secretary
24 may, until September 30, 2023, obligate any available un-

1 obligated balances made available under this heading in
2 this or any prior Act.

3 SELF-SUFFICIENCY PROGRAMS

4 For activities and assistance related to Self-Suffi-
5 ciency Programs, to remain available until September 30,
6 2026, \$175,000,000: *Provided*, That the amounts made
7 available under this heading are provided as follows:

8 (1) \$125,000,000 shall be for the Family Self-
9 Sufficiency program to support family self-suffi-
10 ciency coordinators under section 23 of the United
11 States Housing Act of 1937 (42 U.S.C. 1437u), to
12 promote the development of local strategies to co-
13 ordinate the use of assistance under sections 8 and
14 9 of such Act with public and private resources, and
15 enable eligible families to achieve economic inde-
16 pendence and self-sufficiency: *Provided*, That the
17 Secretary may, by Federal Register notice, waive or
18 specify alternative requirements under subsections
19 (b)(3), (b)(4), (b)(5), or (c)(1) of section 23 of such
20 Act in order to facilitate the operation of a unified
21 self-sufficiency program for individuals receiving as-
22 sistance under different provisions of such Act, as
23 determined by the Secretary: *Provided further*, That
24 an owner or sponsor of a multifamily property re-
25 ceiving project-based rental assistance under section

1 8 of such Act shall be eligible to receive awards from
2 the Secretary under this paragraph in this and prior
3 Acts to support family self-sufficiency coordinators
4 as established in the final rule “Streamlining and
5 Implementation of Economic Growth, Regulatory
6 Relief, and Consumer Protection Act Changes to
7 Family Self-Sufficiency (FSS) Program” published
8 in the Federal Register on May 17, 2022 (87 Fed.
9 Reg. 30020): *Provided further*, That owners or spon-
10 sors of a multifamily property receiving project-
11 based rental assistance under section 8 of such Act
12 may voluntarily make a Family Self-Sufficiency pro-
13 gram available to the assisted tenants of such prop-
14 erty in accordance with procedures established by
15 the Secretary: *Provided further*, That such proce-
16 dures established pursuant to the preceding proviso
17 shall permit participating tenants to accrue escrow
18 funds in accordance with section 23(d)(2) of such
19 Act and shall allow owners to use funding from re-
20 sidual receipt accounts to hire coordinators for their
21 own Family Self-Sufficiency program;

22 (2) \$35,000,000 shall be for the Resident Op-
23 portunity and Self-Sufficiency program to provide
24 for supportive services, service coordinators, and
25 congregate services as authorized by section 34 of

1 the United States Housing Act of 1937 (42 U.S.C.
2 1437z-6) and the Native American Housing Assist-
3 ance and Self-Determination Act of 1996 (25 U.S.C.
4 4101 et seq.): *Provided*, That amounts made avail-
5 able under this paragraph may be made available for
6 grant renewal for the Resident Opportunity and
7 Self-Sufficiency program for any public housing
8 agency or owner of a multifamily property receiving
9 project-based rental assistance under section 8 of
10 the United States Housing Act of 1937 (42 U.S.C.
11 1437f) that lost any amount of funding for the Resi-
12 dent Opportunity and Self-Sufficiency program as a
13 result of participation in the program created under
14 the heading “Rental Assistance Demonstration” in
15 the Department of Housing and Urban Development
16 Appropriations Act, 2012 (Public Law 112-55), as
17 amended (42 U.S.C. 1437f note); and

18 (3) \$15,000,000 shall be for a Jobs-Plus initia-
19 tive, modeled after the Jobs-Plus demonstration:
20 *Provided*, That funding provided under this para-
21 graph shall be available for competitive grants to
22 partnerships between public housing authorities or
23 owners or sponsors of multifamily properties receiv-
24 ing project-based rental assistance under section 8,
25 that, in partnership with local workforce investment

1 boards established under section 107 of the Work-
2 force Innovation and Opportunity Act of 2014 (29
3 U.S.C. 3122), and other agencies and organizations
4 provide support to help public housing residents, or
5 tenants residing in units assisted under a project-
6 based section 8 contract (including section 8(o)(13)
7 of the United States Housing Act of 1937), obtain
8 employment or increase earnings, or both: *Provided*
9 *further*, That applicants must demonstrate the abil-
10 ity to provide services to residents, partner with
11 workforce investment boards, and leverage service
12 dollars: *Provided further*, That the Secretary may
13 allow public housing agencies to request exemptions
14 from rent and income limitation requirements under
15 sections 3 and 6 of the United States Housing Act
16 of 1937 (42 U.S.C. 1437a, 1437d), as necessary to
17 implement the Jobs-Plus program, on such terms
18 and conditions as the Secretary may approve upon
19 a finding by the Secretary that any such waivers or
20 alternative requirements are necessary for the effec-
21 tive implementation of the Jobs-Plus initiative as a
22 voluntary program for residents: *Provided further*,
23 That the Secretary shall publish by notice in the
24 Federal Register any waivers or alternative require-
25 ments pursuant to the preceding proviso no later

1 than 10 days before the effective date of such notice:
2 *Provided further*, That the costs of any rent incen-
3 tives as authorized pursuant to such waivers or al-
4 ternative requirements shall not be charged against
5 the competitive grant amounts made available under
6 this paragraph.

7 NATIVE AMERICAN PROGRAMS

8 For activities and assistance authorized under title
9 I of the Native American Housing Assistance and Self-
10 Determination Act of 1996 (in this heading
11 “NAHASDA”) (25 U.S.C. 4111 et seq.), title I of the
12 Housing and Community Development Act of 1974 (42
13 U.S.C. 5301 et seq.) with respect to Indian tribes, and
14 related training and technical assistance, \$1,000,000,000,
15 to remain available until September 30, 2027: *Provided*,
16 That the amounts made available under this heading are
17 provided as follows:

18 (1) \$772,000,000 shall be for the Native Amer-
19 ican Housing Block Grants program, as authorized
20 under title I of NAHASDA: *Provided*, That, not-
21 withstanding NAHASDA, to determine the amount
22 of the allocation under title I of such Act for each
23 Indian tribe, the Secretary shall apply the formula
24 under section 302 of such Act with the need compo-
25 nent based on single-race census data and with the

1 need component based on multi-race census data,
2 and the amount of the allocation for each Indian
3 tribe shall be the greater of the two resulting alloca-
4 tion amounts: *Provided further*, That the Secretary
5 shall notify grantees of their formula allocation not
6 later than 60 days after the date of enactment of
7 this Act;

8 (2) \$150,000,000 shall be for competitive
9 grants under the Native American Housing Block
10 Grants program, as authorized under title I of
11 NAHASDA: *Provided*, That the Secretary shall obli-
12 gate such amount for competitive grants to eligible
13 recipients authorized under NAHASDA that apply
14 for funds: *Provided further*, That in awarding
15 amounts made available in this paragraph, the Sec-
16 retary shall consider need and administrative capac-
17 ity, and shall give priority to projects that will spur
18 construction and rehabilitation of housing: *Provided*
19 *further*, That a grant funded pursuant to this para-
20 graph shall be in an amount not greater than
21 \$7,500,000: *Provided further*, That any amounts
22 transferred for the necessary costs of administering
23 and overseeing the obligation and expenditure of
24 such amounts in prior Acts may also be used for the

1 necessary costs of administering and overseeing such
2 amounts;

3 (3) \$1,000,000 shall be for the cost of guaran-
4 teed notes and other obligations, as authorized by
5 title VI of NAHASDA: *Provided*, That such costs,
6 including the cost of modifying such notes and other
7 obligations, shall be as defined in section 502 of the
8 Congressional Budget Act of 1974 (2 U.S.C. 661a):
9 *Provided further*, That amounts made available in
10 this and prior Acts for the cost of such guaranteed
11 notes and other obligations, that are unobligated, in-
12 cluding recaptures and carryover, shall be available
13 to subsidize the total principal amount of any notes
14 and other obligations, any part of which is to be
15 guaranteed, not to exceed \$50,000,000, to remain
16 available until September 30, 2024;

17 (4) \$70,000,000 shall be for grants to Indian
18 tribes for carrying out the Indian Community Devel-
19 opment Block Grant program under title I of the
20 Housing and Community Development Act of 1974,
21 notwithstanding section 106(a)(1) of such Act, of
22 which, notwithstanding any other provision of law
23 (including section 203 of this Act), not more than
24 \$5,000,000 may be used for emergencies that con-
25 stitute imminent threats to health and safety: *Pro-*

1 *vided*, That not to exceed 20 percent of any grant
2 made with amounts made available in this para-
3 graph shall be expended for planning and manage-
4 ment development and administration; and

5 (5) \$7,000,000, in addition to amounts other-
6 wise available for such purposes, shall be for pro-
7 viding training and technical assistance to Indian
8 tribes, Indian housing authorities, and tribally des-
9 ignated housing entities, to support the inspection of
10 Indian housing units, for contract expertise, and for
11 training and technical assistance related to amounts
12 made available under this heading and other head-
13 ings in this Act for the needs of Native American
14 families and Indian country: *Provided*, That of the
15 amounts made available in this paragraph, not less
16 than \$2,000,000 shall be for a national organization
17 as authorized under section 703 of NAHASDA (25
18 U.S.C. 4212): *Provided further*, That amounts made
19 available in this paragraph may be used, contracted,
20 or competed as determined by the Secretary: *Pro-*
21 *vided further*, That notwithstanding chapter 63 of
22 title 31, United States Code (commonly known as
23 the Federal Grant and Cooperative Agreements Act
24 of 1977), the amounts made available in this para-
25 graph may be used by the Secretary to enter into co-

1 exceed \$1,400,000,000, to remain available until Sep-
2 tember 30, 2024.

3 NATIVE HAWAIIAN HOUSING BLOCK GRANT

4 For the Native Hawaiian Housing Block Grant pro-
5 gram, as authorized under title VIII of the Native Amer-
6 ican Housing Assistance and Self-Determination Act of
7 1996 (25 U.S.C. 4221 et seq.), \$10,000,000, to remain
8 available until September 30, 2027: *Provided*, That not-
9 withstanding section 812(b) of such Act, the Department
10 of Hawaiian Home Lands may not invest grant amounts
11 made available under this heading in investment securities
12 and other obligations: *Provided further*, That amounts
13 made available under this heading in this and prior fiscal
14 years may be used to provide rental assistance to eligible
15 Native Hawaiian families both on and off the Hawaiian
16 Home Lands, notwithstanding any other provision of law.

17 NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND

18 PROGRAM ACCOUNT

19 New commitments to guarantee loans, as authorized
20 by section 184A of the Housing and Community Develop-
21 ment Act of 1992 (12 U.S.C. 1715z-13b), any part of
22 which is to be guaranteed, shall not exceed \$28,000,000,
23 to remain available until September 30, 2024, in total loan
24 principal: *Provided*, That the Secretary may enter into
25 commitments to guarantee loans used for refinancing.

1 COMMUNITY PLANNING AND DEVELOPMENT

2 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

3 For carrying out the Housing Opportunities for Per-
4 sons with AIDS program, as authorized by the AIDS
5 Housing Opportunity Act (42 U.S.C. 12901 et seq.),
6 \$600,000,000, to remain available until September 30,
7 2024, except that amounts allocated pursuant to section
8 854(c)(5) of such Act shall remain available until Sep-
9 tember 30, 2025: *Provided*, That the Department shall no-
10 tify grantees of their formula allocation within 60 days
11 of enactment of this Act.

12 COMMUNITY DEVELOPMENT FUND

13 For assistance to States and units of general local
14 government, and other entities, for economic and commu-
15 nity development activities, and other purposes,
16 \$5,299,157,664, to remain available until September 30,
17 2026, unless otherwise specified: *Provided*, That of the
18 total amount provided under this heading, \$3,300,000,000
19 is for carrying out the community development block grant
20 program under title I of the Housing and Community De-
21 velopment Act of 1974, as amended (42 U.S.C. 5301 et
22 seq.) (in this heading “the Act”): *Provided further*, That
23 unless explicitly provided for under this heading, not to
24 exceed 20 percent of any grant made with funds made
25 available under this heading shall be expended for plan-

1 ning and management development and administration:
2 *Provided further*, That a metropolitan city, urban county,
3 unit of general local government, or insular area that di-
4 rectly or indirectly receives funds under this heading may
5 not sell, trade, or otherwise transfer all or any portion of
6 such funds to another such entity in exchange for any
7 other funds, credits, or non-Federal considerations, but
8 shall use such funds for activities eligible under title I of
9 the Act: *Provided further*, That notwithstanding section
10 105(e)(1) of the Act, no funds made available under this
11 heading may be provided to a for-profit entity for an eco-
12 nomic development project under section 105(a)(17) un-
13 less such project has been evaluated and selected in ac-
14 cordance with guidelines required under subsection (e)(2)
15 of section 105: *Provided further*, That of the total amount
16 provided under this heading, \$25,000,000 shall be for ac-
17 tivities authorized under section 8071 of the SUPPORT
18 for Patients and Communities Act (Public Law 115–271):
19 *Provided further*, That the funds allocated pursuant to the
20 preceding proviso shall not adversely affect the amount of
21 any formula assistance received by a State under the first
22 proviso: *Provided further*, That the Secretary shall allocate
23 the funds for such activities based on the notice estab-
24 lishing the funding formula published in 84 FR 16027
25 (April 17, 2019) except that the formula shall use age-

1 adjusted rates of drug overdose deaths for 2019 based on
2 data from the Centers for Disease Control and Prevention:
3 *Provided further*, That of the total amount made available
4 under this heading, \$1,974,157,664 shall be available for
5 grants for the Economic Development Initiative (EDI) for
6 the purposes, and in amounts, specified for Community
7 Project Funding in the table titled “Transportation,
8 Housing and Urban Development Incorporation of Com-
9 munity Project Funding Items” included in the report ac-
10 companying this Act: *Provided further*, That none of the
11 amounts made available in the preceding proviso shall be
12 used for reimbursement of expenses incurred prior to the
13 obligation of funds: *Provided further*, That the Depart-
14 ment of Housing and Urban Development shall notify
15 grantees of their formula allocation within 60 days of en-
16 actment of this Act: *Provided further*, That for fiscal year
17 2023 section 105(a)(8) of the Act (42 U.S.C. 5305(a)(8))
18 and section 570.201(e) of title 24, Code of Federal Regu-
19 lations, shall not apply for public services activities to pre-
20 vent, prepare for, and respond to homelessness and emer-
21 gency rental assistance needs.

22 COMMUNITY DEVELOPMENT LOAN GUARANTEES

23 PROGRAM ACCOUNT

24 Subject to section 502 of the Congressional Budget
25 Act of 1974 (2 U.S.C. 661a), during fiscal year 2023,

1 commitments to guarantee loans under section 108 of the
2 Housing and Community Development Act of 1974 (42
3 U.S.C. 5308), any part of which is guaranteed, shall not
4 exceed a total principal amount of \$300,000,000, notwith-
5 standing any aggregate limitation on outstanding obliga-
6 tions guaranteed in subsection (k) of such section 108:
7 *Provided*, That the Secretary shall collect fees from bor-
8 rowers, notwithstanding subsection (m) of such section
9 108, to result in a credit subsidy cost of zero for guaran-
10 teeing such loans, and any such fees shall be collected in
11 accordance with section 502(7) of the Congressional
12 Budget Act of 1974: *Provided further*, That such commit-
13 ment authority funded by fees may be used to guarantee,
14 or make commitments to guarantee, notes or other obliga-
15 tions issued by any State on behalf of non-entitlement
16 communities in the State in accordance with the require-
17 ments of such section 108: *Provided further*, That any
18 State receiving such a guarantee or commitment under the
19 preceding proviso shall distribute all funds subject to such
20 guarantee to the units of general local government in non-
21 entitlement areas that received the commitment: *Provided*
22 *further*, That \$60,000,000, to remain available until Sep-
23 tember 30, 2025, shall be for competitive economic devel-
24 opment grants, as authorized by section 108(q) of the
25 Housing and Community Development Act of 1974, as

1 amended, for projects that improve community resilience
2 by supporting distributed clean energy plus storage, flood-
3 control infrastructure, or redevelopment of brownfields or
4 grayfields, such as foreclosed, vacant, contaminated, aban-
5 doned, or blighted properties, obsolete manufactured hous-
6 ing, vacant shopping malls, landfills, or otherwise under-
7 utilized commercial or industrial properties: *Provided fur-*
8 *ther*, That no funds made available under this heading
9 may be used to establish loan loss reserves for the section
10 108 Community Development Loan Guarantee program:
11 *Provided further*, That amounts made available under this
12 heading may be used for the payment of costs associated
13 with private sector financing of debt obligations and fees
14 collected in connection with the section 108 Community
15 Development Loan Guarantee program.

16 HOME INVESTMENT PARTNERSHIPS PROGRAM

17 For the HOME Investment Partnerships program, as
18 authorized under title II of the Cranston-Gonzalez Na-
19 tional Affordable Housing Act, as amended (42 U.S.C.
20 12721 et seq.), \$1,675,000,000, to remain available until
21 September 30, 2026: *Provided*, That of the amount made
22 available under this heading, up to \$50,000,000 shall be
23 for awards to States and insular areas for assistance to
24 homebuyers as authorized under section 212(a)(1) of such
25 Act (42 U.S.C. 12742(a)(1)), in addition to amounts made

1 otherwise available for such purpose: *Provided further,*
2 That amounts made available under the preceding proviso
3 shall be allocated in the same manner as other amounts
4 made available under this heading, except that amounts
5 that would have been reserved and allocated to units of
6 general local government within the State pursuant to sec-
7 tion 217 of such Act (42 U.S.C. 12747) shall be provided
8 to the State: *Provided further,* That the Secretary may
9 waive or specify alternative requirements for any provision
10 of such Act in connection with the use of amounts made
11 available under the preceding two provisos (except for re-
12 quirements related to fair housing, nondiscrimination,
13 labor standards, and the environment) upon a finding that
14 any such waivers or alternative requirements are nec-
15 essary to expedite or facilitate the use of amounts awarded
16 pursuant to the preceding provisos: *Provided further,* That
17 notwithstanding section 231(b) of such Act (24 U.S.C.
18 12771(b)), all unobligated balances remaining from
19 amounts recaptured pursuant to such section that remain
20 available until expended shall be combined with amounts
21 made available under this heading and allocated in accord-
22 ance with the formula under section 217(b)(1)(A) of such
23 Act (42 U.S.C. 12747(b)(1)(A)): *Provided further,* That
24 the Department shall notify grantees of their formula allo-
25 cations not later than 60 days after enactment of this Act:

1 *Provided further*, That section 218(g) of such Act (42
2 U.S.C. 12748(g)) shall not apply with respect to the right
3 of a jurisdiction to draw funds from its HOME Investment
4 Trust Fund that otherwise expired or would expire in any
5 calendar year from 2016 through 2025 under that section:
6 *Provided further*, That section 231(b) of such Act (42
7 U.S.C. 12771(b)) shall not apply to any uninvested funds
8 that otherwise were deducted or would be deducted from
9 the line of credit in the participating jurisdiction's HOME
10 Investment Trust Fund in any calendar year from 2018
11 through 2025 under that section.

12 MANUFACTURED HOUSING IMPROVEMENT AND
13 FINANCING PROGRAM

14 For competitive grants to preserve and revitalize
15 manufactured housing and eligible manufactured housing
16 communities (including pre-1976 mobile homes) under
17 title I of the Housing and Community Development Act
18 of 1974, as amended (42 U.S.C. 5301 et seq.),
19 \$500,000,000, to remain available until September 30,
20 2027: *Provided*, That recipients of grants provided with
21 amounts made available under this heading shall be
22 States, units of general local government, resident-owned
23 manufactured housing communities, cooperatives, non-
24 profit entities including consortia of nonprofit entities,
25 community development financial institutions, Indian

1 Tribes and Tribally designated housing entities, or other
2 entities approved by the Secretary: *Provided further*, That
3 the Secretary may approve entities for selection that part-
4 ner with one or several residents of such eligible commu-
5 nities or that propose to implement a grant program that
6 would assist residents of such eligible communities: *Pro-*
7 *vided further*, That eligible uses of such grants may in-
8 clude infrastructure, planning, resident and community
9 services (including relocation assistance and eviction pre-
10 vention), resiliency activities, and providing other assist-
11 ance to residents or owners of manufactured homes, which
12 may include providing assistance for manufactured hous-
13 ing land and site acquisition: *Provided further*, That, ex-
14 cept as determined by the Secretary, participation in this
15 program shall not encumber the future transfer of title
16 or use of property by the residents, owners, or commu-
17 nities: *Provided further*, That when selecting recipients,
18 the Secretary shall prioritize applications that primarily
19 benefit low- or moderately low-income residents and pre-
20 serve long-term housing affordability for residents of man-
21 ufactured housing or a manufactured housing community:
22 *Provided further*, That eligible manufactured housing com-
23 munities may include those that are—

1 (1) owned by the residents of the manufactured hous-
2 ing community through a resident-controlled entity, as de-
3 fined by the Secretary; or

4 (2) determined by the Secretary to be subject to bind-
5 ing agreements that will preserve the community and
6 maintain affordability on a long-term basis:

7 *Provided further*, That, of the amounts made available
8 under this heading, \$50,000,000 shall be for a pilot pro-
9 gram for the Secretary to provide grants to assist in the
10 redevelopment of manufactured housing communities (in-
11 cluding pre-1976 mobile homes) as replacement housing
12 that is affordable, as defined by the Secretary: *Provided*
13 *further*, That each such redevelopment project shall pro-
14 vide, for each unit of single-family manufactured housing
15 (including pre-1976 mobile homes) replaced under the
16 project, up to 4 dwelling units of such affordable housing:
17 *Provided further*, That the Secretary shall define eligible
18 activities for grant assistance under the pilot program,
19 which may include relocation assistance or buy-outs for
20 residents of a manufactured housing community or down-
21 payment assistance for such residents: *Provided further*,
22 That the Secretary shall require each grantee under the
23 pilot program to supplement the amount of the grant with
24 non-Federal amounts exceeding 50 percent of the grant:
25 *Provided further*, That resiliency activities means the re-

1 construction, repair, or replacement of manufactured
2 housing and manufactured housing communities to pro-
3 tect the health and safety of manufactured housing resi-
4 dents and to address weatherization and energy efficiency
5 needs, except that for pre-1976 mobile homes, funds made
6 available under this heading may be used only for replace-
7 ment: *Provided further*, That the Secretary may waive or
8 specify alternative requirements for any provision of any
9 statute or regulation that the Secretary administers in
10 connection with the use of amounts made available for
11 under this heading (except for requirements related to fair
12 housing, nondiscrimination, labor standards, and the envi-
13 ronment), upon a finding that such waiver or alternative
14 requirement is necessary to facilitate the use of such
15 amounts.

16 SELF-HELP AND ASSISTED HOMEOWNERSHIP

17 OPPORTUNITY PROGRAM

18 For the Self-Help and Assisted Homeownership Op-
19 portunity Program, as authorized under section 11 of the
20 Housing Opportunity Program Extension Act of 1996 (42
21 U.S.C. 12805 note), and for related activities and assist-
22 ance, \$62,500,000, to remain available until September
23 30, 2025: *Provided*, That the amounts made available
24 under this heading are provided as follows:

1 (1) \$12,500,000 shall be for the Self-Help
2 Homeownership Opportunity Program as authorized
3 under such section 11;

4 (2) \$45,000,000 shall be for the second, third,
5 and fourth capacity building entities specified in sec-
6 tion 4(a) of the HUD Demonstration Act of 1993
7 (42 U.S.C. 9816 note), of which not less than
8 \$5,000,000 shall be for rural capacity building ac-
9 tivities: *Provided*, That for purposes of awarding
10 grants from amounts made available in this para-
11 graph, the Secretary may enter into multiyear agree-
12 ments, as appropriate, subject to the availability of
13 annual appropriations; and

14 (3) \$5,000,000 shall be for capacity building by
15 national rural housing organizations having experi-
16 ence assessing national rural conditions and pro-
17 viding financing, training, technical assistance, infor-
18 mation, and research to local nonprofit organiza-
19 tions, local governments, and Indian Tribes serving
20 high need rural communities.

21 HOMELESS ASSISTANCE GRANTS

22 For assistance under title IV of the McKinney-Vento
23 Homeless Assistance Act (42 U.S.C. 11360 et seq.),
24 \$3,604,000,000, to remain available until September 30,

1 2025: *Provided*, That of the amounts made available
2 under this heading—

3 (1) \$290,000,000 shall be for the Emergency
4 Solutions Grants program authorized under subtitle
5 B of such title IV (42 U.S.C. 11371 et seq.): *Pro-*
6 *vided*, That the Department shall notify grantees of
7 their formula allocation from amounts allocated
8 (which may represent initial or final amounts allo-
9 cated) for the Emergency Solutions Grant program
10 not later than 60 days after enactment of this Act;

11 (2) \$3,200,000,000 shall be for the Continuum
12 of Care program authorized under subtitle C of such
13 title IV (42 U.S.C. 11381 et seq.) and the Rural
14 Housing Stability Assistance programs authorized
15 under subtitle D of such title IV (42 U.S.C. 11408):
16 *Provided*, That the Secretary shall prioritize funding
17 under the Continuum of Care program to contin-
18 uums of care that have demonstrated a capacity to
19 reallocate funding from lower performing projects to
20 higher performing projects: *Provided further*, That
21 the Secretary shall provide incentives to create
22 projects that coordinate with housing providers and
23 healthcare organizations to provide permanent sup-
24 portive housing and rapid re-housing services: *Pro-*
25 *vided further*, That for fiscal year 2023 the Sec-

1 retary may establish by notice an alternative max-
2 imum amount for administrative costs related to the
3 requirements described in paragraphs (1) and (2) of
4 section 402(f) of subtitle A of such title IV of no
5 more than 5 percent or \$50,000, whichever is great-
6 er, notwithstanding the 3 percent limitation in sec-
7 tion 423(a)(10) of such subtitle C: *Provided further*,
8 That of the amounts made available for the Con-
9 tinuum of Care program under this paragraph, not
10 less than \$75,000,000 shall be for grants for new
11 rapid re-housing projects and supportive service
12 projects providing coordinated entry, and for eligible
13 activities that the Secretary determines to be critical
14 in order to assist survivors of domestic violence, dat-
15 ing violence, sexual assault, or stalking: *Provided*
16 *further*, That amounts made available for the Con-
17 tinuum of Care program under this heading in this
18 Act and any remaining unobligated balances from
19 prior Acts may be used to competitively or non-com-
20 petitively renew or replace grants for youth homeless
21 demonstration projects under the Continuum of
22 Care program, notwithstanding any conflict with the
23 requirements of the Continuum of Care program;
24 (3) \$7,000,000 shall be for the national home-
25 less data analysis project: *Provided*, That notwith-

1 standing the provisions of the Federal Grant and
2 Cooperative Agreements Act of 1977 (31 U.S.C.
3 6301–6308), the amounts made available under this
4 paragraph and any remaining unobligated balances
5 under this heading for such purposes in prior Acts
6 may be used by the Secretary to enter into coopera-
7 tive agreements with such entities as may be deter-
8 mined by the Secretary, including public and private
9 organizations, agencies, and institutions; and

10 (4) \$107,000,000 shall be to implement
11 projects to demonstrate how a comprehensive ap-
12 proach to serving homeless youth, age 24 and under,
13 in up to 25 communities with a priority for commu-
14 nities with substantial rural populations in up to
15 eight locations, can dramatically reduce youth home-
16 lessness: *Provided*, That of the amount made avail-
17 able under this paragraph, not less than
18 \$25,000,000 shall be for youth homelessness system
19 improvement grants to support communities, includ-
20 ing but not limited to the communities assisted
21 under the matter preceding this proviso, in estab-
22 lishing and implementing a response system for
23 youth homelessness, or for improving their existing
24 system: *Provided further*, That of the amount made
25 available under this paragraph, up to \$10,000,000

1 shall be to provide technical assistance to commu-
2 nities, including but not limited to the communities
3 assisted in the preceding proviso and the matter pre-
4 ceding such proviso, on improving system responses
5 to youth homelessness, and collection, analysis, use,
6 and reporting of data and performance measures
7 under the comprehensive approaches to serve home-
8 less youth, in addition to and in coordination with
9 other technical assistance funds provided under this
10 title: *Provided further*, That the Secretary may use
11 up to 10 percent of the amount made available
12 under the preceding proviso to build the capacity of
13 current technical assistance providers or to train
14 new technical assistance providers with verifiable
15 prior experience with systems and programs for
16 youth experiencing homelessness:

17 *Provided further*, That youth aged 24 and under seeking
18 assistance under this heading shall not be required to pro-
19 vide third party documentation to establish their eligibility
20 under subsection (a) or (b) of section 103 of the McKin-
21 ney-Vento Homeless Assistance Act (42 U.S.C. 11302) to
22 receive services: *Provided further*, That unaccompanied
23 youth aged 24 and under or families headed by youth aged
24 24 and under who are living in unsafe situations may be
25 served by youth-serving providers funded under this head-

1 ing: *Provided further*, That persons eligible under section
2 103(a)(5) of the McKinney-Vento Homeless Assistance
3 Act may be served by any project funded under this head-
4 ing to provide both transitional housing and rapid re-hous-
5 ing: *Provided further*, That for all matching funds require-
6 ments applicable to funds made available under this head-
7 ing for this fiscal year and prior fiscal years, a grantee
8 may use (or could have used) as a source of match funds
9 other funds administered by the Secretary and other Fed-
10 eral agencies unless there is (or was) a specific statutory
11 prohibition on any such use of any such funds: *Provided*
12 *further*, That none of the funds made available under this
13 heading shall be available to provide funding for new
14 projects, except for projects created through reallocation,
15 unless the Secretary determines that the continuum of
16 care has demonstrated that projects are evaluated and
17 ranked based on the degree to which they improve the con-
18 tinuum of care's system performance: *Provided further*,
19 That any unobligated amounts remaining from funds
20 made available under this heading in fiscal year 2012 and
21 prior years for project-based rental assistance for rehabili-
22 tation projects with 10-year grant terms may be used for
23 purposes under this heading, notwithstanding the pur-
24 poses for which such funds were appropriated: *Provided*
25 *further*, That unobligated balances, including recaptures

1 and carryover, remaining from funds transferred to or ap-
2 propriated under this heading in fiscal year 2019 or prior
3 years, except for rental assistance amounts that were re-
4 captured and made available until expended, shall be avail-
5 able for the current purposes authorized under this head-
6 ing in addition to the purposes for which such funds origi-
7 nally were appropriated.

8 HOUSING PROGRAMS

9 PROJECT-BASED RENTAL ASSISTANCE

10 For activities and assistance for the provision of
11 project-based subsidy contracts under the United States
12 Housing Act of 1937 (42 U.S.C. 1437 et seq.) (in this
13 heading “the Act”), not otherwise provided for,
14 \$14,540,000,000, to remain available until expended, shall
15 be available on October 1, 2022 (in addition to the
16 \$400,000,000 previously appropriated under this heading
17 that became available October 1, 2022), and
18 \$400,000,000, to remain available until expended, shall be
19 available on October 1, 2023: *Provided*, That the amounts
20 made available under this heading shall be for expiring
21 or terminating section 8 project-based subsidy contracts
22 (including section 8 moderate rehabilitation contracts), for
23 amendments to section 8 project-based subsidy contracts
24 (including section 8 moderate rehabilitation contracts), for
25 contracts entered into pursuant to section 441 of the

1 McKinney-Vento Homeless Assistance Act (42 U.S.C.
2 11401), for renewal of section 8 contracts for units in
3 projects that are subject to approved plans of action under
4 the Emergency Low Income Housing Preservation Act of
5 1987 or the Low-Income Housing Preservation and Resi-
6 dent Homeownership Act of 1990, and for administrative
7 and other expenses associated with project-based activities
8 and assistance funded under this heading: *Provided fur-*
9 *ther*, That the amount of any forgone increases in tenant
10 rent payments due to the implementation of rent incen-
11 tives as authorized pursuant to waivers or alternative re-
12 quirements of the Jobs-Plus initiative as described under
13 the heading “Self-Sufficiency Programs” shall be factored
14 into housing assistance payments under project-based sub-
15 sidy contracts: *Provided further*, That of the total amounts
16 made available under this heading, not to exceed
17 \$375,000,000 shall be for performance-based contract ad-
18 ministrators or contractors for section 8 project-based as-
19 sistance, for carrying out 42 U.S.C. 1437(f): *Provided fur-*
20 *ther*, That the Secretary may also use such amounts in
21 the preceding proviso for performance-based contract ad-
22 ministrators or contractors for the administration of: in-
23 terest reduction payments pursuant to section 236(a) of
24 the National Housing Act (12 U.S.C. 1715z-1(a)); rent
25 supplement payments pursuant to section 101 of the

1 Housing and Urban Development Act of 1965 (12 U.S.C.
2 1701s); section 236(f)(2) rental assistance payments (12
3 U.S.C. 1715z–1(f)(2)); project rental assistance contracts
4 for the elderly under section 202(c)(2) of the Housing Act
5 of 1959 (12 U.S.C. 1701q); project rental assistance con-
6 tracts for supportive housing for persons with disabilities
7 under section 811(d)(2) of the Cranston-Gonzalez Na-
8 tional Affordable Housing Act (42 U.S.C. 8013(d)(2));
9 project assistance contracts pursuant to section 202(h) of
10 the Housing Act of 1959 (Public Law 86–372; 73 Stat.
11 667); and loans under section 202 of the Housing Act of
12 1959 (Public Law 86–372; 73 Stat. 667): *Provided fur-*
13 *ther*, That amounts recaptured under this heading, the
14 heading “Annual Contributions for Assisted Housing”, or
15 the heading “Housing Certificate Fund”, may be used for
16 renewals of or amendments to section 8 project-based 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 remitted to the Department and deposited in this
4 account, to be available until expended: *Provided further*,
5 That amounts deposited pursuant to the preceding proviso
6 shall be available in addition to the amount otherwise pro-
7 vided under this heading for uses authorized under this
8 heading: *Provided further*, That of the total amounts made
9 available under this heading, not to exceed \$250,000,000
10 shall be available for rent adjustments authorized under
11 section 515(d) of the Multifamily Assisted Housing Re-
12 form and Affordability Act of 1997 (as added by section
13 234(a) of this Act): *Provided further*, That of the total
14 amounts made available under this heading, not to exceed
15 \$25,000,000 shall be available for adjustments under sec-
16 tion 534(h) of the Multifamily Assisted Housing Reform
17 and Affordability Act of 1997 (as added by section 234(b)
18 of this Act) necessary to address health and safety defi-
19 ciencies: *Provided further*, That up to 2 percent of the
20 total amounts made available in the preceding two pro-
21 visos shall be for administrative contract costs, including
22 for carrying out due diligence and underwriting functions
23 for evaluating owners' requests and for technical assist-
24 ance activities: *Provided further*, That of the total amounts
25 made available under this heading, not to exceed

1 \$31,000,000 shall be available for budget based adjust-
2 ments for service coordinators for the elderly: *Provided*
3 *further*, That any additional amounts for rent adjustments
4 or supplemental contract funding authorized under the
5 preceding four provisos shall be combined with other
6 amounts obligated to such contracts and the combined
7 total amount shall be available for all purposes under such
8 contracts.

9 HOUSING FOR THE ELDERLY

10 For capital advances, including amendments to cap-
11 ital advance contracts, for housing for the elderly, as au-
12 thorized by section 202 of the Housing Act of 1959 (12
13 U.S.C. 1701q), for project rental assistance for the elderly
14 under section 202(c)(2) of such Act, including amend-
15 ments to contracts for such assistance and renewal of ex-
16 piring contracts for such assistance for up to a 5-year
17 term, for senior preservation rental assistance contracts,
18 including renewals, as authorized by section 811(e) of the
19 American Homeownership and Economic Opportunity Act
20 of 2000 (12 U.S.C. 1701q note), and for supportive serv-
21 ices associated with the housing, \$1,200,000,000 to re-
22 main available until September 30, 2026: *Provided*, That
23 of the amount made available under this heading, up to
24 \$125,000,000 shall be for service coordinators and the
25 continuation of existing congregate service grants for resi-

1 dents of assisted housing projects: *Provided further*, That
2 any funding for existing service coordinators under the
3 preceding proviso shall be provided within 120 days of en-
4 actment of this Act: *Provided further*, That amounts made
5 available under this heading shall be available for Real Es-
6 tate Assessment Center inspections and inspection-related
7 activities associated with section 202 projects: *Provided*
8 *further*, That the Secretary may waive the provisions of
9 section 202 governing the terms and conditions of project
10 rental assistance, except that the initial contract term for
11 such assistance shall not exceed 5 years in duration: *Pro-*
12 *vided further*, That upon request of the Secretary, project
13 funds that are held in residual receipts accounts for any
14 project subject to a section 202 project rental assistance
15 contract, and that upon termination of such contract are
16 in excess of an amount to be determined by the Secretary,
17 shall be remitted to the Department and deposited in this
18 account, to remain available until September 30, 2026:
19 *Provided further*, That amounts deposited in this account
20 pursuant to the preceding proviso shall be available, in ad-
21 dition to the amounts otherwise provided by this heading,
22 for the purposes authorized under this heading: *Provided*
23 *further*, That unobligated balances, including recaptures
24 and carryover, remaining from funds transferred to or ap-
25 propriated under this heading shall be available for the

1 current purposes authorized under this heading in addi-
2 tion to the purposes for which such funds originally were
3 appropriated: *Provided further*, That of the total amount
4 made available under this heading, up to \$25,000,000
5 shall be used to expand the supply of intergenerational
6 dwelling units (as such term is defined in section 202 of
7 the Legacy Act of 2003 (12 U.S.C. 1701q note)) for elder-
8 ly caregivers raising children: *Provided further*, That for
9 the purposes of the preceding proviso the Secretary may
10 waive, or specify alternative requirements for, any provi-
11 sion of section 202 of the Housing Act of 1959 (12 U.S.C.
12 1701q) in order to facilitate the development of such
13 units, except for requirements related to fair housing, non-
14 discrimination, labor standards, and the environment: *Pro-*
15 *vided further*, That of the total amount made available
16 under this heading, up to \$6,000,000 shall be used by the
17 Secretary to support preservation transactions of housing
18 for the elderly originally developed with a capital advance
19 and assisted by a project rental assistance contract under
20 the provisions of section 202(c) of the Housing Act of
21 1959.

22 HOUSING FOR PERSONS WITH DISABILITIES

23 For capital advances, including amendments to cap-
24 ital advance contracts, for supportive housing for persons
25 with disabilities, as authorized by section 811 of the Cran-

1 ston-Gonzalez National Affordable Housing Act (42
2 U.S.C. 8013), for project rental assistance for supportive
3 housing for persons with disabilities under section
4 811(d)(2) of such Act, for project assistance contracts
5 pursuant to subsection (h) of section 202 of the Housing
6 Act of 1959, as added by section 205(a) of the Housing
7 and Community Development Amendments of 1978 (Pub-
8 lic Law 95-557: 92 Stat. 2090), including amendments
9 to contracts for such assistance and renewal of expiring
10 contracts for such assistance for up to a 5-year term, for
11 project rental assistance to State housing finance agencies
12 and other appropriate entities as authorized under section
13 811(b)(3) of the Cranston-Gonzalez National Affordable
14 Housing Act, and for supportive services associated with
15 the housing for persons with disabilities as authorized by
16 section 811(b)(1) of such Act, \$400,000,000, to remain
17 available until September 20, 2026: *Provided*, That
18 amounts made available under this heading shall be avail-
19 able for Real Estate Assessment Center inspections and
20 inspection-related activities associated with section 811
21 projects: *Provided further*, That, upon the request of the
22 Secretary, project funds that are held in residual receipts
23 accounts for any project subject to a section 811 project
24 rental assistance contract, and that upon termination of
25 such contract are in excess of an amount to be determined

1 by the Secretary, shall be remitted to the Department and
2 deposited in this account, to remain available until Sep-
3 tember 30, 2026: *Provided further*, That amounts depos-
4 ited in this account pursuant to the preceding proviso shall
5 be available in addition to the amounts otherwise provided
6 by this heading for the purposes authorized under this
7 heading: *Provided further*, That unobligated balances, in-
8 cluding recaptures and carryover, remaining from funds
9 transferred to or appropriated under this heading shall be
10 used for the current purposes authorized under this head-
11 ing in addition to the purposes for which such funds origi-
12 nally were appropriated.

13 HOUSING COUNSELING ASSISTANCE

14 For contracts, grants, and other assistance excluding
15 loans, as authorized under section 106 of the Housing and
16 Urban Development Act of 1968, as amended,
17 \$70,000,000, to remain available until September 30,
18 2024, including up to \$4,500,000 for administrative con-
19 tract services: *Provided*, That funds shall be used for pro-
20 viding counseling and advice to tenants and homeowners,
21 both current and prospective, with respect to property
22 maintenance, financial management or literacy, and such
23 other matters as may be appropriate to assist them in im-
24 proving their housing conditions, meeting their financial
25 needs, and fulfilling the responsibilities of tenancy or

1 homeownership; for program administration; and for hous-
2 ing counselor training: *Provided further*, That for purposes
3 of awarding grants from amounts provided under this
4 heading, the Secretary may enter into multiyear agree-
5 ments, as appropriate, subject to the availability of annual
6 appropriations.

7 PAYMENT TO MANUFACTURED HOUSING FEES TRUST

8 FUND

9 For necessary expenses as authorized by the National
10 Manufactured Housing Construction and Safety Stand-
11 ards Act of 1974 (42 U.S.C. 5401 et seq.), up to
12 \$14,000,000, to remain available until expended, of which
13 \$14,000,000 shall be derived from the Manufactured
14 Housing Fees Trust Fund (established under section
15 620(e) of such Act (42 U.S.C. 5419(e)): *Provided*, That
16 not to exceed the total amount appropriated under this
17 heading shall be available from the general fund of the
18 Treasury to the extent necessary to incur obligations and
19 make expenditures pending the receipt of collections to the
20 Fund pursuant to section 620 of such Act: *Provided fur-*
21 *ther*, That the amount made available under this heading
22 from the general fund shall be reduced as such collections
23 are received during fiscal year 2023 so as to result in a
24 final fiscal year 2023 appropriation from the general fund
25 estimated at zero, and fees pursuant to such section 620

1 shall be modified as necessary to ensure such a final fiscal
2 year 2023 appropriation: *Provided further*, That for the
3 dispute resolution and installation programs, the Sec-
4 retary may assess and collect fees from any program par-
5 ticipant: *Provided further*, That such collections shall be
6 deposited into the Trust Fund, and the Secretary, as pro-
7 vided herein, may use such collections, as well as fees col-
8 lected under section 620 of such Act, for necessary ex-
9 penses of such Act: *Provided further*, That, notwith-
10 standing the requirements of section 620 of such Act, the
11 Secretary may carry out responsibilities of the Secretary
12 under such Act through the use of approved service pro-
13 viders that are paid directly by the recipients of their serv-
14 ices.

15 FEDERAL HOUSING ADMINISTRATION

16 MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

17 New commitments to guarantee single family loans
18 insured under the Mutual Mortgage Insurance Fund shall
19 not exceed \$400,000,000,000, to remain available until
20 September 30, 2024: *Provided*, That during fiscal year
21 2023, obligations to make direct loans to carry out the
22 purposes of section 204(g) of the National Housing Act,
23 as amended, shall not exceed \$1,000,000: *Provided fur-*
24 *ther*, That the foregoing amount in the preceding proviso
25 shall be for loans to nonprofit and governmental entities

1 in connection with sales of single family real properties
2 owned by the Secretary and formerly insured under the
3 Mutual Mortgage Insurance Fund: *Provided further*, That
4 for administrative contract expenses of the Federal Hous-
5 ing Administration, \$150,000,000, to remain available
6 until September 30, 2024: *Provided further*, That notwith-
7 standing the limitation in the first sentence of section
8 255(g) of the National Housing Act (12 U.S.C. 1715z–
9 20(g)), during fiscal year 2023 the Secretary may insure
10 and enter into new commitments to insure mortgages
11 under section 255 of the National Housing Act only to
12 the extent that the net credit subsidy cost for such insur-
13 ance does not exceed zero.

14 GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

15 New commitments to guarantee loans insured under
16 the General and Special Risk Insurance Funds, as author-
17 ized by sections 238 and 519 of the National Housing Act
18 (12 U.S.C. 1715z–3 and 1735c), shall not exceed
19 \$35,000,000,000 in total loan principal, any part of which
20 is to be guaranteed, to remain available until September
21 30, 2024: *Provided*, That during fiscal year 2023, gross
22 obligations for the principal amount of direct loans, as au-
23 thorized by sections 204(g), 207(l), 238, and 519(a) of
24 the National Housing Act, shall not exceed \$1,000,000,
25 which shall be for loans to nonprofit and governmental en-

1 titles in connection with the sale of single family real prop-
2 erties owned by the Secretary and formerly insured under
3 such Act.

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

7 New commitments to issue guarantees to carry out
8 the purposes of section 306 of the National Housing Act,
9 as amended (12 U.S.C. 1721(g)), shall not exceed
10 \$900,000,000,000, to remain available until September
11 30, 2024: *Provided*, That \$33,500,000, to remain avail-
12 able until September 30, 2024, shall be for necessary sala-
13 ries and expenses of the Government National Mortgage
14 Association: *Provided further*, That to the extent that
15 guaranteed loan commitments exceed \$155,000,000,000
16 on or before April 1, 2023 an additional \$100 for nec-
17 essary salaries and expenses shall be available until ex-
18 pended for each \$1,000,000 in additional guaranteed loan
19 commitments (including a pro rata amount for any
20 amount below \$1,000,000), but in no case shall funds
21 made available by this proviso exceed \$3,000,000: *Pro-*
22 *vided further*, That receipts from Commitment and
23 Multiclass fees collected pursuant to title III of the Na-
24 tional Housing Act (12 U.S.C. 1716 et seq.) shall be cred-
25 ited as offsetting collections to this account.

1 POLICY DEVELOPMENT AND RESEARCH

2 RESEARCH AND TECHNOLOGY

3 For contracts, grants, and necessary expenses of pro-
4 grams of research and studies relating to housing and
5 urban problems, not otherwise provided for, as authorized
6 by title V of the Housing and Urban Development Act
7 of 1970 (12 U.S.C. 1701z-1 et seq.), including carrying
8 out the functions of the Secretary of Housing and Urban
9 Development under section 1(a)(1)(i) of Reorganization
10 Plan No. 2 of 1968, and for technical assistance,
11 \$160,000,000, to remain available until September 30,
12 2024: *Provided*, That with respect to amounts made avail-
13 able under this heading, notwithstanding section 203 of
14 this title, the Secretary may enter into cooperative agree-
15 ments with philanthropic entities, other Federal agencies,
16 State or local governments and their agencies, Indian
17 Tribes, tribally designated housing entities, or colleges or
18 universities for research projects: *Provided further*, That
19 with respect to the preceding proviso, such partners to the
20 cooperative agreements shall contribute at least a 50 per-
21 cent match toward the cost of the project: *Provided fur-*
22 *ther*, That for non-competitive agreements entered into in
23 accordance with the preceding two provisos, the Secretary
24 shall comply with section 2(b) of the Federal Funding Ac-
25 countability and Transparency Act of 2006 (Public Law

1 109–282, 31 U.S.C. note) in lieu of compliance with sec-
2 tion 102(a)(4)(C) of the Department of Housing and
3 Urban Development Reform Act of 1989 (42 U.S.C.
4 3545(a)(4)(C)) with respect to documentation of award
5 decisions: *Provided further*, That prior to obligation of
6 technical assistance funding, the Secretary shall submit a
7 plan to the House and Senate Committees on Appropria-
8 tions on how the Secretary will allocate funding for this
9 activity at least 30 days prior to obligation: *Provided fur-*
10 *ther*, That none of the funds provided under this heading
11 may be available for the doctoral dissertation research
12 grant program: *Provided further*, That an additional
13 \$20,000,000, to remain available until September 30,
14 2025, shall be for competitive grants to nonprofit or gov-
15 ernmental entities to provide legal assistance (including
16 assistance related to pretrial activities, trial activities,
17 post-trial activities and alternative dispute resolution) at
18 no cost to eligible low-income tenants at risk of or subject
19 to eviction: *Provided further*, That in awarding grants
20 under the preceding proviso, the Secretary shall give pref-
21 erence to applicants that include a marketing strategy for
22 residents of areas with high rates of eviction, have experi-
23 ence providing no-cost legal assistance to low-income indi-
24 viduals, including those with limited English proficiency
25 or disabilities, and have sufficient capacity to administer

1 such assistance, and may select unfunded or partially
2 funded eligible applicants identified in the previous com-
3 petition: *Provided further*, That the Secretary shall ensure,
4 to the extent practicable, that the proportion of eligible
5 tenants living in rural areas who will receive legal assist-
6 ance with grant funds made available under this heading
7 is not less than the overall proportion of eligible tenants
8 who live in rural areas.

9 FAIR HOUSING AND EQUAL OPPORTUNITY

10 FAIR HOUSING ACTIVITIES

11 For contracts, grants, and other assistance, not oth-
12 erwise provided for, as authorized by title VIII of the Civil
13 Rights Act of 1968 (42 U.S.C. 3601 et seq.), and section
14 561 of the Housing and Community Development Act of
15 1987 (42 U.S.C. 3616a), \$86,000,000, to remain available
16 until September 30, 2024: *Provided*, That notwithstanding
17 section 3302 of title 31, United States Code, the Secretary
18 may assess and collect fees to cover the costs of the Fair
19 Housing Training Academy, and may use such funds to
20 develop on-line courses and provide such training: *Pro-*
21 *vided further*, That none of the funds made available under
22 this heading may be used to lobby the executive or legisla-
23 tive branches of the Federal Government in connection
24 with a specific contract, grant, or loan: *Provided further*,
25 That of the funds made available under this heading,

1 \$1,000,000 shall be available to the Secretary for the cre-
2 ation and promotion of translated materials and other pro-
3 grams that support the assistance of persons with limited
4 English proficiency in utilizing the services provided by
5 the Department of Housing and Urban Development.

6 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY

7 HOMES

8 LEAD HAZARD REDUCTION

9 (INCLUDING TRANSFER OF FUNDS)

10 For the Lead Hazard Reduction Program, as author-
11 ized by section 1011 of the Residential Lead-Based Paint
12 Hazard Reduction Act of 1992 (42 U.S.C. 4852), the
13 Healthy Homes Initiative, pursuant to sections 501 and
14 502 of the Housing and Urban Development Act of 1970
15 (12 U.S.C. 1701z-1 and 1701z-2), and for related activi-
16 ties and assistance, \$415,000,000, to remain available
17 until September 30, 2025: *Provided*, That the amounts
18 made available under this heading are provided as follows:

19 (1) \$290,000,000 shall be for the award of
20 grants pursuant to such section 1011, of which not
21 less than \$95,000,000 shall be provided to areas
22 with the highest lead-based paint abatement needs;

23 (2) \$85,000,000 shall be for the Healthy
24 Homes Initiative, pursuant to sections 501 and 502
25 of the Housing and Urban Development Act of

1 1970, which shall include research, studies, testing,
2 and demonstration efforts, including education and
3 outreach concerning lead-based paint poisoning and
4 other housing-related diseases and hazards, and
5 mitigating housing-related health and safety hazards
6 in housing of low-income families, of which—

7 (A) \$5,000,000 shall be for the implemen-
8 tation of projects in up to five communities that
9 are served by both the Healthy Homes Initia-
10 tive and the Department of Energy weatheriza-
11 tion programs to demonstrate whether the co-
12 ordination of Healthy Homes remediation ac-
13 tivities with weatherization activities achieves
14 cost savings and better outcomes in improving
15 the safety and quality of homes; and

16 (B) \$10,000,000 shall be for grants to ex-
17 perience non-profit organizations, States, local
18 governments, or public housing agencies for
19 safety and functional home modification repairs
20 and renovations to meet the needs of low-in-
21 come elderly homeowners to enable them to re-
22 main in their primary residence: *Provided*, That
23 of the total amount made available under this
24 subparagraph no less than \$3,000,000 shall be

1 available to meet such needs in communities
2 with substantial rural populations;

3 (3) \$5,000,000 shall be for the award of grants
4 and contracts for research pursuant to sections 1051
5 and 1052 of the Residential Lead-Based Paint Haz-
6 ard Reduction Act of 1992 (42 U.S.C. 4854,
7 4854a);

8 (4) Up to \$2,000,000 in total of the amounts
9 made available under paragraphs (2) and (3) may be
10 transferred to the heading “Research and Tech-
11 nology” for the purposes of conducting research and
12 studies and for use in accordance with the provisos
13 under that heading for non-competitive agreements;

14 (5) \$30,000,000 shall be for a lead-risk assess-
15 ment demonstration for public housing agencies to
16 conduct lead hazard screenings or lead-risk assess-
17 ments during housing quality standards inspections
18 of units in which a family receiving assistance under
19 section 8(o) of the U.S. Housing Act of 1937 (42
20 U.S.C. 1437f(o)) resides or expects to reside, and
21 has or expects to have a child under age 6 residing
22 in the unit, while preserving rental housing avail-
23 ability and affordability; and

24 (6) \$5,000,000 shall be for grants for a radon
25 testing and mitigation safety demonstration program

1 (the radon demonstration) in public housing: *Pro-*
2 *vided*, That the testing method, mitigation method,
3 or action level used under the radon demonstration
4 shall be as specified by applicable state or local law,
5 if such law is more protective of human health or
6 the environment than the method or level specified
7 by the Secretary:

8 *Provided further*, That for purposes of environmental re-
9 view, pursuant to the National Environmental Policy Act
10 of 1969 (42 U.S.C. 4321 et seq.) and other provisions of
11 law that further the purposes of such Act, a grant under
12 the Healthy Homes Initiative, or the Lead Technical Stud-
13 ies program, or other demonstrations or programs under
14 this heading or under prior appropriations Acts for such
15 purposes under this heading, or under the heading “Hous-
16 ing for the Elderly” under prior Appropriations Acts, shall
17 be considered to be funds for a special project for purposes
18 of section 305(c) of the Multifamily Housing Property
19 Disposition Reform Act of 1994: *Provided further*, That
20 each applicant for a grant or cooperative agreement under
21 this heading shall certify adequate capacity that is accept-
22 able to the Secretary to carry out the proposed use of
23 funds pursuant to a notice of funding opportunity: *Pro-*
24 *vided further*, That amounts made available under this
25 heading, except for amounts in paragraphs (2)(B) for

1 home modification repairs and renovations, in this or prior
2 appropriations Acts, still remaining available, may be used
3 for any purpose under this heading notwithstanding the
4 purpose for which such amounts were appropriated if a
5 program competition is undersubscribed and there are
6 other program competitions under this heading that are
7 oversubscribed.

8 INFORMATION TECHNOLOGY FUND

9 For Department-wide and program-specific informa-
10 tion technology systems and infrastructure, \$382,000,000,
11 to remain available until September 30, 2025, of which
12 up to \$16,746,000 shall be for development, moderniza-
13 tion, and enhancement projects, including planning for
14 such projects: *Provided*, That not more than 10 percent
15 of the funds made available under this heading for devel-
16 opment, modernization, and enhancement may be obli-
17 gated until the Secretary submits and the House and Sen-
18 ate Committees on Appropriations approve a plan that—

19 (1) identifies for each development, moderniza-
20 tion, and enhancement project to be funded from
21 available balances, including carryover—

22 (A) plain language summaries of the
23 project scope;

24 (B) the estimated total project cost; and

25 (C) key milestones to be met; and

1 (2) identifies for each major modernization
2 project—

3 (A) the functional and performance capa-
4 bilities to be delivered and the mission benefits
5 to be realized;

6 (B) the estimated life-cycle cost;

7 (C) key milestones to be met through the
8 project end date, including any identified sys-
9 tem decommissioning;

10 (D) a description of the procurement strat-
11 egy and governance structure for the project
12 and the number of HUD staff and contractors
13 supporting the project; and

14 (E) certification from the Chief Informa-
15 tion Officer that each project is compliant with
16 the Department's enterprise architecture, life-
17 cycle management and capital planning and in-
18 vestment control requirements:

19 *Provided further,* That not later than 30 days after
20 the end of each quarter, the Secretary shall submit
21 an updated report to the Committees on Appropria-
22 tions of the House of Representatives and the Sen-
23 ate summarizing the status, cost and plan for all
24 modernization projects; and for each major mod-

1 ernization project with an approved project plan,
2 identifying—

3 (1) results and actual expenditures of the prior
4 quarter;

5 (2) any variances in cost, schedule (including
6 procurement), or functionality from the previously
7 approved project plan, reasons for such variances
8 and estimated impact on total life-cycle costs; and

9 (3) risks and mitigation strategies associated
10 with ongoing work.

11 OFFICE OF INSPECTOR GENERAL

12 For necessary salaries and expenses of the Office of
13 Inspector General in carrying out the Inspector General
14 Act of 1978, as amended, \$140,000,000: *Provided*, That
15 the Inspector General shall have independent authority
16 over all personnel and acquisition issues within this office.

17 GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND

18 URBAN DEVELOPMENT

19 (INCLUDING TRANSFER OF FUNDS)

20 (INCLUDING RESCISSION)

21 SEC. 201. Fifty percent of the amounts of budget au-
22 thority, or in lieu thereof 50 percent of the cash amounts
23 associated with such budget authority, that are recaptured
24 from projects described in section 1012(a) of the Stewart
25 B. McKinney Homeless Assistance Amendments Act of

1 1988 (42 U.S.C. 1437f note) shall be rescinded or in the
2 case of cash, shall be remitted to the Treasury, and such
3 amounts of budget authority or cash recaptured and not
4 rescinded or remitted to the Treasury shall be used by
5 State housing finance agencies or local governments or
6 local housing agencies with projects approved by the Sec-
7 retary of Housing and Urban Development for which set-
8 tlement occurred after January 1, 1992, in accordance
9 with such section. Notwithstanding the previous sentence,
10 the Secretary may award up to 15 percent of the budget
11 authority or cash recaptured and not rescinded or remitted
12 to the Treasury to provide project owners with incentives
13 to refinance their project at a lower interest rate.

14 SEC. 202. None of the funds made available by this
15 Act may be used to investigate or prosecute under the Fair
16 Housing Act any otherwise lawful activity engaged in by
17 one or more persons, including the filing or maintaining
18 of a nonfrivolous legal action, that is engaged in solely
19 for the purpose of achieving or preventing action by a Gov-
20 ernment official or entity, or a court of competent jurisdic-
21 tion.

22 SEC. 203. Except as explicitly provided in law, any
23 grant, cooperative agreement or other assistance made
24 pursuant to title II of this Act shall be made on a competi-
25 tive basis and in accordance with section 102 of the De-

1 partment of Housing and Urban Development Reform Act
2 of 1989 (42 U.S.C. 3545).

3 SEC. 204. Section 7 of the Department of Housing
4 and Urban Development Act (42 U.S.C. 3535) is amended
5 by adding at the end the following new subsection:

6 “(u)(1) Funds of the Department of Housing and
7 Urban Development subject to the Government Corpora-
8 tion Control Act shall be available, without regard to the
9 limitations on administrative expenses, for legal services
10 on a contract or fee basis, and for utilizing and making
11 payment for services and facilities of the Federal National
12 Mortgage Association, Government National Mortgage As-
13 sociation, Federal Home Loan Mortgage Corporation,
14 Federal Financing Bank, Federal Reserve banks or any
15 member thereof, Federal Home Loan banks, and any in-
16 sured bank within the meaning of the Federal Deposit In-
17 surance Corporation Act, as amended (12 U.S.C. 1811–
18 1).

19 “(2) Corporations and agencies of the De-
20 partment of Housing and Urban Development
21 which are subject to chapter 91 of title 31,
22 United States Code, are hereby authorized to
23 make such expenditures, within the limits of
24 funds and borrowing authority available to each
25 such corporation or agency and in accordance

1 with law, and to make such contracts and com-
2 mitments without regard to fiscal year limita-
3 tions as provided by section 9104 of such title
4 as may be necessary in carrying out the pro-
5 grams set forth in the budget for such corpora-
6 tion or agency except as hereinafter provided:
7 *Provided*, That collections of these corporations
8 and agencies may be used for new loan or mort-
9 gage purchase commitments only to the extent
10 expressly provided for in an appropriations Act
11 (unless such loans are in support of other forms
12 of assistance provided for in appropriations
13 Acts), except that this proviso shall not apply to
14 the mortgage insurance or guaranty operations
15 of these corporations, or where loans or mort-
16 gage purchases are necessary to protect the fi-
17 nancial interest of the United States Govern-
18 ment.”.

19 SEC. 205. Unless otherwise provided for in this Act
20 or through a reprogramming of funds, no part of any ap-
21 propriation for the Department of Housing and Urban
22 Development shall be available for any program, project
23 or activity in excess of amounts set forth in the budget
24 estimates submitted to Congress.

1 SEC. 206. The Secretary shall provide quarterly re-
2 ports to the House and Senate Committees on Appropria-
3 tions regarding all uncommitted, unobligated, recaptured,
4 and excess funds in each program and activity within the
5 jurisdiction of the Department and shall submit addi-
6 tional, updated budget information to these Committees
7 upon request.

8 SEC. 207. None of the funds made available by this
9 title may be used for an audit of the Government National
10 Mortgage Association that makes applicable requirements
11 under the Federal Credit Reform Act of 1990 (2 U.S.C.
12 661 et seq.).

13 SEC. 208. (a) Notwithstanding any other provision
14 of law, subject to the conditions listed under this section,
15 for fiscal years 2023 and 2024, the Secretary of Housing
16 and Urban Development may authorize the transfer of
17 some or all project-based assistance, debt held or insured
18 by the Secretary and statutorily required low-income and
19 very low-income use restrictions if any, associated with one
20 or more multifamily housing project or projects to another
21 multifamily housing project or projects.

22 (b) PHASED TRANSFERS.—Transfers of project-
23 based assistance under this section may be done in phases
24 to accommodate the financing and other requirements re-
25 lated to rehabilitating or constructing the project or

1 projects to which the assistance is transferred, to ensure
2 that such project or projects meet the standards under
3 subsection (c).

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

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

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

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

24 (2) The transferring project shall, as deter-
25 mined by the Secretary, be either physically obsolete

1 or economically nonviable, or be reasonably expected
2 to become economically nonviable when complying
3 with state or Federal requirements for community
4 integration and reduced concentration of individuals
5 with disabilities.

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

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

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

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

22 (7) If either the transferring project or the re-
23 ceiving project or projects meets the condition speci-
24 fied in subsection (d)(2)(A), any lien on the receiv-
25 ing project resulting from additional financing ob-

1 tained by the owner shall be subordinate to any
2 FHA-insured mortgage lien transferred to, or placed
3 on, such project by the Secretary, except that the
4 Secretary may waive this requirement upon deter-
5 mination that such a waiver is necessary to facilitate
6 the financing of acquisition, construction, and/or re-
7 habilitation of the receiving project or projects.

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

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

22 (d) For purposes of this section—

23 (1) the terms “low-income” and “very low-in-
24 come” shall have the meanings provided by the stat-

1 ute and/or regulations governing the program under
2 which the project is insured or assisted;

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

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

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

13 (C) housing that is assisted under section
14 202 of the Housing Act of 1959 (12 U.S.C.
15 1701q);

16 (D) housing that is assisted under section
17 202 of the Housing Act of 1959 (12 U.S.C.
18 1701q), as such section existed before the en-
19 actment of the Cranston-Gonzales National Af-
20 fordable Housing Act;

21 (E) housing that is assisted under section
22 811 of the Cranston-Gonzales National Afford-
23 able Housing Act (42 U.S.C. 8013); or

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

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

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

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

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

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

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

21 (F) assistance payments made under sec-
22 tion 811(d)(2) of the Cranston-Gonzalez Na-
23 tional Affordable Housing Act (42 U.S.C.
24 8013(d)(2));

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

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

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

14 (e) RESEARCH REPORT.—The Secretary shall con-
15 duct an evaluation of the transfer authority under this sec-
16 tion, including the effect of such transfers on the oper-
17 ational efficiency, contract rents, physical and financial
18 conditions, and long-term preservation of the affected
19 properties. The Secretary shall publish by notice in the
20 Federal Register the terms and conditions, including cri-
21 teria for approval by the Department of Housing and
22 Urban Development, of transfers pursuant to this section
23 no later than 30 days before the effective date of such
24 notice.

1 SEC. 209. (a) No assistance shall be provided under
2 section 8 of the United States Housing Act of 1937 (42
3 U.S.C. 1437f) to any individual who—

4 (1) is enrolled as a student at an institution of
5 higher education (as defined under section 102 of
6 the Higher Education Act of 1965 (20 U.S.C.
7 1002));

8 (2) is under 24 years of age;

9 (3) is not a veteran;

10 (4) is unmarried;

11 (5) does not have a dependent child;

12 (6) is not a person with disabilities, as such
13 term is defined in section 3(b)(3)(E) of the United
14 States Housing Act of 1937 (42 U.S.C.
15 1437a(b)(3)(E)) and was not receiving assistance
16 under such section 8 as of November 30, 2005;

17 (7) is not a youth who left foster care at age
18 14 or older and is at risk of becoming homeless; and

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

23 (b) For purposes of determining the eligibility of a
24 person to receive assistance under section 8 of the United
25 States Housing Act of 1937 (42 U.S.C. 1437f), any finan-

1 cial assistance (in excess of amounts received for tuition
2 and any other required fees and charges) that an indi-
3 vidual receives under the Higher Education Act of 1965
4 (20 U.S.C. 1001 et seq.), from private sources, or from
5 an institution of higher education (as defined under sec-
6 tion 102 of the Higher Education Act of 1965 (20 U.S.C.
7 1002)), shall be considered income to that individual, ex-
8 cept for a person over the age of 23 with dependent chil-
9 dren.

10 SEC. 210. The funds made available for Native Alas-
11 kans under paragraph (1) under the heading “Native
12 American Programs” in title II of this Act shall be allo-
13 cated to the same Native Alaskan housing block grant re-
14 cipients that received funds in fiscal year 2005, and only
15 such recipients shall be eligible to apply for funds made
16 available under paragraph (2) of such heading.

17 SEC. 211. Notwithstanding any other provision of
18 law, in fiscal year 2023, in managing and disposing of any
19 multifamily property that is owned or has a mortgage held
20 by the Secretary of Housing and Urban Development, and
21 during the process of foreclosure on any property with a
22 contract for rental assistance payments under section 8
23 of the United States Housing Act of 1937 (42 U.S.C.
24 1437f) or any other Federal programs, the Secretary shall
25 maintain any rental assistance payments under section 8

1 of the United States Housing Act of 1937 and other pro-
2 grams that are attached to any dwelling units in the prop-
3 erty. To the extent the Secretary determines, in consulta-
4 tion with the tenants and the local government that such
5 a multifamily property owned or having a mortgage held
6 by the Secretary is not feasible for continued rental assist-
7 ance payments under such section 8 or other programs,
8 based on consideration of (1) the costs of rehabilitating
9 and operating the property and all available Federal,
10 State, and local resources, including rent adjustments
11 under section 524 of the Multifamily Assisted Housing
12 Reform and Affordability Act of 1997 (in this section
13 “MAHRAA”) (42 U.S.C. 1437f note), and (2) environ-
14 mental conditions that cannot be remedied in a cost-effec-
15 tive fashion, the Secretary may, in consultation with the
16 tenants of that property, contract for project-based rental
17 assistance payments with an owner or owners of other ex-
18 isting housing properties, or provide other rental assist-
19 ance. The Secretary shall also take appropriate steps to
20 ensure that project-based contracts remain in effect prior
21 to foreclosure, subject to the exercise of contractual abate-
22 ment remedies to assist relocation of tenants for imminent
23 major threats to health and safety after written notice to
24 and informed consent of the affected tenants and use of
25 other available remedies, such as partial abatements or re-

1 ceivership. After disposition of any multifamily property
2 described in this section, the contract and allowable rent
3 levels on such properties shall be subject to the require-
4 ments under section 524 of MAHRAA.

5 SEC. 212. Public housing agencies that own and oper-
6 ate 400 or fewer public housing units may elect to be ex-
7 empt from any asset management requirement imposed by
8 the Secretary in connection with the operating fund rule:
9 *Provided*, That an agency seeking a discontinuance of a
10 reduction of subsidy under the operating fund formula
11 shall not be exempt from asset management requirements.

12 SEC. 213. With respect to the use of amounts pro-
13 vided in this Act and in future Acts for the operation, cap-
14 ital improvement, and management of public housing as
15 authorized by sections 9(d) and 9(e) of the United States
16 Housing Act of 1937 (42 U.S.C. 1437g(d),(e)), the Sec-
17 retary shall not impose any requirement or guideline relat-
18 ing to asset management that restricts or limits in any
19 way the use of capital funds for central office costs pursu-
20 ant to paragraph (1) or (2) of section 9(g) of the United
21 States Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)):
22 *Provided*, That a public housing agency may not use cap-
23 ital funds authorized under section 9(d) for activities that
24 are eligible under section 9(e) for assistance with amounts

1 from the operating fund in excess of the amounts per-
2 mitted under paragraph (1) or (2) of section 9(g).

3 SEC. 214. No official or employee of the Department
4 of Housing and Urban Development shall be designated
5 as an allotment holder unless the Office of the Chief Fi-
6 nancial Officer has determined that such allotment holder
7 has implemented an adequate system of funds control and
8 has received training in funds control procedures and di-
9 rectives. The Chief Financial Officer shall ensure that
10 there is a trained allotment holder for each HUD appro-
11 priation under the accounts “Executive Offices”, “Admin-
12 istrative Support Offices”, “Program Offices”, “Govern-
13 ment National Mortgage Association—Guarantees of
14 Mortgage-Backed Securities Loan Guarantee Program
15 Account”, and “Office of Inspector General” within the
16 Department of Housing and Urban Development.

17 SEC. 215. The Secretary shall, for fiscal year 2023,
18 notify the public through the Federal Register and other
19 means, as determined appropriate, of the issuance of a no-
20 tice of funding opportunity (NOFO) for any program or
21 discretionary fund administered by the Secretary that is
22 to be competitively awarded. Notwithstanding any other
23 provision of law, for fiscal year 2023, the Secretary may
24 make the NOFO available only on the Internet at the ap-

1 appropriate Government website or through other electronic
2 media, as determined by the Secretary.

3 SEC. 216. Payment of attorney fees in program-re-
4 lated litigation shall be paid from the individual program
5 office and Office of General Counsel salaries and expenses
6 appropriations.

7 SEC. 217. The Secretary is authorized to transfer up
8 to 10 percent or \$5,000,000, whichever is less, of funds
9 appropriated for any office under the headings “Adminis-
10 trative Support Offices” or “Program Offices” to any
11 other such office under such headings: *Provided*, That no
12 appropriation for any such office under such headings
13 shall be increased or decreased by more than 10 percent
14 or \$5,000,000, whichever is less, without prior written ap-
15 proval of the House and Senate Committees on Appropria-
16 tions: *Provided further*, That the Secretary shall provide
17 notification to such Committees 3 business days in ad-
18 vance of any such transfers under this section up to 10
19 percent or \$5,000,000, whichever is less.

20 SEC. 218. (a) Any entity receiving housing assistance
21 payments shall maintain decent, safe, and sanitary condi-
22 tions, as determined by the Secretary, and comply with
23 any standards under applicable State or local laws, rules,
24 ordinances, or regulations relating to the physical condi-

1 tion of any property covered under a housing assistance
2 payment contract.

3 (b) The Secretary shall take action under subsection
4 (c) when a multifamily housing project with a contract
5 under section 8 of the United States Housing Act of 1937
6 (42 U.S.C. 1437f) or a contract for similar project-based
7 assistance—

8 (1) receives a Uniform Physical Condition
9 Standards (UPCS) score of 59 or less; or

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

14 Such requirements shall apply to insured and non-
15 insured projects with assistance attached to the units
16 under section 8 of the United States Housing Act of 1937
17 (42 U.S.C. 1437f), but shall not apply to such units as-
18 sisted under section 8(o)(13) of such Act (42 U.S.C.
19 1437f(o)(13)) or to public housing units assisted with cap-
20 ital or operating funds under section 9 of the United
21 States Housing Act of 1937 (42 U.S.C. 1437g).

22 (c)(1) Within 15 days of the issuance of the Real Es-
23 tate Assessment Center (“REAC”) inspection, the Sec-
24 retary shall provide the owner with a Notice of Default
25 with a specified timetable, determined by the Secretary,

1 for correcting all deficiencies. The Secretary shall provide
2 a copy of the Notice of Default to the tenants, the local
3 government, any mortgagees, and any contract adminis-
4 trator. If the owner's appeal results in a UPCS score of
5 60 or above, the Secretary may withdraw the Notice of
6 Default.

7 (2) At the end of the time period for correcting all
8 deficiencies specified in the Notice of Default, if the owner
9 fails to fully correct such deficiencies, the Secretary shall
10 take one or more of the following actions, and provide ad-
11 ditional notice of those actions to the owner and the par-
12 ties specified above—

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

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

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

24 (D) pursue transfer of the project to an owner,
25 approved by the Secretary under established proce-

1 dures, who will be obligated to promptly make all re-
2 quired repairs and to accept renewal of the assist-
3 ance contract if such renewal is offered;

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

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

8 (G) seek judicial appointment of a receiver to
9 manage the property and cure all project deficiencies
10 or seek a judicial order of specific performance re-
11 quiring the owner to cure all project deficiencies;

12 (H) work with the owner, lender, or other re-
13 lated party to stabilize the property in an attempt
14 to preserve the property through compliance, trans-
15 fer of ownership, or an infusion of capital provided
16 by a third-party that requires time to effectuate; or

17 (I) take any other regulatory or contractual
18 remedies available as deemed necessary and appro-
19 priate by the Secretary.

20 (d) The Secretary shall take appropriate steps to en-
21 sure that project-based contracts remain in effect, subject
22 to the exercise of contractual abatement remedies to assist
23 relocation of tenants for major threats to health and safety
24 after written notice to and informed consent of the af-
25 fected tenants and use of other remedies set forth above.

1 To the extent the Secretary determines, in consultation
2 with the tenants and the local government, that the prop-
3 erty is not feasible for continued rental assistance pay-
4 ments under such section 8 or other programs, based on
5 consideration of—

6 (1) the costs of rehabilitating and operating the
7 property and all available Federal, State, and local
8 resources, including rent adjustments under section
9 524 of the Multifamily Assisted Housing Reform
10 and Affordability Act of 1997 (“MAHRAA”); and

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

17 (e) The Secretary shall report semi-annually on all
18 properties covered by this section that are assessed
19 through the Real Estate Assessment Center and have
20 UPCS physical inspection scores of less than 60 or have
21 received an unsatisfactory management and occupancy re-
22 view within the past 36 months. The report shall include—

23 (1) identification of the property level enforce-
24 ment actions being taken to address such conditions,
25 including imposition of civil money penalties and ter-

1 mination of subsidies, and identification of prop-
2 erties that have such conditions multiple times;

3 (2) identification of property level actions that
4 the Department of Housing and Urban Development
5 is taking to protect tenants of such identified prop-
6 erties; and

7 (3) any administrative or legislative rec-
8 ommendations to further improve the living condi-
9 tions at properties covered under a housing assist-
10 ance payment contract.

11 The first report shall be submitted to the Senate and
12 House Committees on Appropriations not later than 30
13 days after the enactment of this Act, and the second re-
14 port shall be submitted within 180 days of the transmittal
15 of the first report.

16 SEC. 219. None of the funds made available by this
17 Act, or any other Act, for purposes authorized under sec-
18 tion 8 (only with respect to the tenant-based rental assist-
19 ance program) and section 9 of the United States Housing
20 Act of 1937 (42 U.S.C. 1437 et seq.), may be used by
21 any public housing agency for any amount of salary, in-
22 cluding bonuses, for the chief executive officer of which,
23 or any other official or employee of which, that exceeds
24 the annual rate of basic pay payable for a position at level

1 IV of the Executive Schedule at any time during any pub-
2 lic housing agency fiscal year 2023.

3 SEC. 220. None of the funds made available by this
4 Act and provided to the Department of Housing and
5 Urban Development may be used to make a grant award
6 unless the Secretary notifies the House and Senate Com-
7 mittees on Appropriations not less than 3 full business
8 days before any project, State, locality, housing authority,
9 Tribe, nonprofit organization, or other entity selected to
10 receive a grant award is announced by the Department
11 or its offices: *Provided*, That such notification shall list
12 each grant award by State and congressional district.

13 SEC. 221. None of the funds made available in this
14 Act shall be used by the Federal Housing Administration,
15 the Government National Mortgage Association, or the
16 Department of Housing and Urban Development to in-
17 sure, securitize, or establish a Federal guarantee of any
18 mortgage or mortgage backed security that refinances or
19 otherwise replaces a mortgage that has been subject to
20 eminent domain condemnation or seizure, by a State, mu-
21 nicipality, or any other political subdivision of a State.

22 SEC. 222. None of the funds made available by this
23 Act may be used to terminate the status of a unit of gen-
24 eral local government as a metropolitan city (as defined
25 in section 102 of the Housing and Community Develop-

1 ment Act of 1974 (42 U.S.C. 5302)) with respect to
2 grants under section 106 of such Act (42 U.S.C. 5306).

3 SEC. 223. Amounts made available by this Act that
4 are appropriated, allocated, advanced on a reimbursable
5 basis, or transferred to the Office of Policy Development
6 and Research of the Department of Housing and Urban
7 Development and functions thereof, for research, evalua-
8 tion, or statistical purposes, and that are unexpended at
9 the time of completion of a contract, grant, or cooperative
10 agreement, may be deobligated and shall immediately be-
11 come available and may be reobligated in that fiscal year
12 or the subsequent fiscal year for the research, evaluation,
13 or statistical purposes for which the amounts are made
14 available to that Office subject to reprogramming require-
15 ments in section 405 of this Act.

16 SEC. 224. None of the funds provided in this Act or
17 any other Act may be used for awards, including perform-
18 ance, special act, or spot, for any employee of the Depart-
19 ment of Housing and Urban Development subject to ad-
20 ministrative discipline (including suspension from work),
21 in this fiscal year, but this prohibition shall not be effec-
22 tive prior to the effective date of any such administrative
23 discipline or after any final decision over-turning such dis-
24 cipline.

1 SEC. 225. With respect to grant amounts awarded
2 under the heading “Homeless Assistance Grants” for fis-
3 cal years 2015 through 2023 for the Continuum of Care
4 (CoC) program as authorized under subtitle C of title IV
5 of the McKinney-Vento Homeless Assistance Act, costs
6 paid by program income of grant recipients may count to-
7 ward meeting the recipient’s matching requirements, pro-
8 vided the costs are eligible CoC costs that supplement the
9 recipient’s CoC program.

10 SEC. 226. (a) From amounts made available under
11 this title under the heading “Homeless Assistance
12 Grants”, the Secretary may award 1-year transition
13 grants to recipients of funds for activities under subtitle
14 C of the McKinney-Vento Homeless Assistance Act (42
15 U.S.C. 11381 et seq.) to transition from one Continuum
16 of Care program component to another.

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

21 SEC. 227. The Promise Zone designations and Prom-
22 ise Zone Designation Agreements entered into pursuant
23 to such designations, made by the Secretary in prior fiscal
24 years, shall remain in effect in accordance with the terms
25 and conditions of such agreements.

1 SEC. 228. Any public housing agency designated as
2 a Moving to Work agency pursuant to section 239 of divi-
3 sion L of Public Law 114–113 (42 U.S.C. 1437f note;
4 129 Stat. 2897) may, upon such designation, use funds
5 (except for special purpose funding, including special pur-
6 pose vouchers) previously allocated to any such public
7 housing agency under section 8 or 9 of the United States
8 Housing Act of 1937, including any reserve funds held by
9 the public housing agency or funds held by the Depart-
10 ment of Housing and Urban Development, pursuant to the
11 authority for use of section 8 or 9 funding provided under
12 such section and section 204 of title II of the Departments
13 of Veterans Affairs and Housing and Urban Development
14 and Independent Agencies Appropriations Act, 1996
15 (Public Law 104–134; 110 Stat. 1321–28), notwith-
16 standing the purposes for which such funds were appro-
17 priated.

18 SEC. 229. None of the amounts made available by
19 this Act may be used to prohibit any public housing agen-
20 cy under receivership or the direction of a Federal monitor
21 from applying for, receiving, or using funds made available
22 under the heading “Public Housing Fund” for competitive
23 grants to evaluate and reduce lead-based paint hazards in
24 this Act or that remain available and not awarded from
25 prior Acts, or be used to prohibit a public housing agency

1 from using such funds to carry out any required work pur-
2 suant to a settlement agreement, consent decree, vol-
3 untary agreement, or similar document for a violation of
4 the Lead Safe Housing or Lead Disclosure Rules.

5 SEC. 230. None of the funds made available by this
6 title may be used to issue rules or guidance in contraven-
7 tion of section 1210 of Public Law 115–254 (132 Stat.
8 3442) or section 312 of the Robert T. Stafford Disaster
9 Relief and Emergency Assistance Act (42 U.S.C. 5155).

10 SEC. 231. (a) Funds previously made available in the
11 Consolidated Appropriations Act, 2016 (Public Law 114–
12 113) for the “Choice Neighborhoods Initiative” that were
13 available for obligation through fiscal year 2018 are to re-
14 main available through fiscal year 2024 for the liquidation
15 of valid obligations incurred in fiscal years 2016 through
16 2018.

17 (b) Funds previously made available in the Consoli-
18 dated Appropriations Act, 2017 (Public Law 115-31) for
19 the “Choice Neighborhoods Initiative” that were available
20 for obligation through fiscal year 2019 are to remain avail-
21 able through fiscal year 2025 for the liquidation of valid
22 obligations incurred in fiscal years 2017 through 2019.

23 (c) Funds previously made available in the Consoli-
24 dated Appropriations Act, 2018 (Public Law 115-141) for
25 the “Choice Neighborhoods Initiative” that were available

1 for obligation through fiscal year 2020 are to remain avail-
2 able through fiscal year 2026 for the liquidation of valid
3 obligations incurred in fiscal years 2018 through 2020.

4 (d) Funds previously made available in the Consoli-
5 dated Appropriations Act, 2019 (Public Law 116-6) for
6 the “Choice Neighborhoods Initiative” that were available
7 for obligation through fiscal year 2021 are to remain avail-
8 able through fiscal year 2027 for the liquidation of valid
9 obligations incurred in fiscal years 2019 through 2021.

10 (e) Funds previously made available in the Further
11 Consolidated Appropriations Act, 2020 (Public Law 116-
12 94) for the “Choice Neighborhoods Initiative” that were
13 available for obligation through fiscal year 2022 are to re-
14 main available through fiscal year 2028 for the liquidation
15 of valid obligations incurred in fiscal years 2020 through
16 2022.

17 (f) Funds previously made available in the Consoli-
18 dated Appropriations Act, 2021 (Public Law 116-260) for
19 the “Choice Neighborhoods Initiative” that were available
20 for obligation through fiscal year 2023 are to remain avail-
21 able through fiscal year 2029 for the liquidation of valid
22 obligations incurred in fiscal years 2021 through 2023.

23 SEC. 232. For fiscal year 2023, if the Secretary de-
24 termines or has determined, for any prior formula grant
25 allocation administered by the Secretary under a program

1 under the headings “Public and Indian Housing”, “Com-
2 munity Planning and Development”, or “Housing Pro-
3 grams” in this title, that a recipient received an allocation
4 greater than the amount such recipient should have re-
5 ceived for a formula allocation cycle pursuant to applicable
6 statutes and regulations, the Secretary may adjust for any
7 such funding error in the next applicable formula alloca-
8 tion cycle by (a) offsetting each such recipient’s formula
9 allocation (if eligible for a formula allocation in the next
10 applicable formula allocation cycle) by the amount of any
11 such funding error; and (b) reallocating any available bal-
12 ances that are attributable to the offset to the recipient
13 or recipients that would have been allocated additional
14 funds in the formula allocation cycle in which any such
15 error occurred (if such recipient or recipients are eligible
16 for a formula allocation in the next applicable formula al-
17 location cycle) in an amount proportionate to such recipi-
18 ent’s eligibility under the next applicable formula alloca-
19 tion cycle formula: *Provided*, That all offsets and realloca-
20 tions from such available balances shall be recorded
21 against funds available for the next applicable formula al-
22 location cycle: *Provided further*, That the term “next appli-
23 cable formula allocation cycle” means the first formula al-
24 location cycle for a program that is reasonably available
25 for correction following such a Secretarial determination:

1 *Provided further*, That if, upon request by a recipient and
2 giving consideration to all Federal resources available to
3 the recipient for the same grant purposes, the Secretary
4 determines that the offset in a next applicable formula al-
5 location cycle would critically impair the recipient's ability
6 to accomplish the purpose of the formula grant, the Sec-
7 retary may adjust for the funding error across two or more
8 formula allocation cycles.

9 SEC. 233. (a) Amounts made available in paragraphs
10 (1) and (2) under the heading "Native American Pro-
11 grams" in title XII of division B of the Coronavirus Aid,
12 Relief, and Economic Security Act (Public Law 116–136)
13 which were allocated or awarded to Indian tribes or trib-
14 ally designated housing entities, and which are not accept-
15 ed as of the date of enactment of this Act, are voluntarily
16 returned, or otherwise recaptured for any reason, may be
17 used by the Secretary to make additional grants for the
18 same purpose and under the same terms and conditions
19 as amounts appropriated by section 11003(a)(2) of the
20 American Rescue Plan Act of 2021 (Public Law 117–2).

21 (b) Amounts repurposed by this section that were
22 previously designated by the Congress as an emergency
23 requirement pursuant to the Balanced Budget and Emer-
24 gency Deficit Control Act of 1985 or a concurrent resolu-
25 tion on the budget are designated as an emergency re-

1 quirement pursuant to section 4001(a)(1) of S. Con. Res.
2 14 (117th Congress), the concurrent resolution on the
3 budget for fiscal year 2022, and section 1(e) of H. Res.
4 1151 (117th Congress) as engrossed in the House of Rep-
5 resentatives on June 8, 2022.

6 SEC. 234. The Multifamily Assisted Housing Reform
7 and Affordability Act of 1997 (42 U.S.C. 1437f note) is
8 amended—

9 (a) in section 515, by adding at the end the following
10 new subsection:

11 “(d) RENT ADJUSTMENTS AND SUBSE-
12 QUENT RENEWALS. After the initial renewal of a sec-
13 tion 8 contract pursuant to this section and notwith-
14 standing any other provision of law or contract regarding
15 the adjustment of rents or subsequent renewal of such
16 contract for a project, including such a provision in section
17 514 or this section, in the case of a project subject to any
18 restrictions imposed pursuant to sections 514 or this sec-
19 tion, the Secretary may, not more than once every 10
20 years, adjust such rents or renew such contracts at rent
21 levels that are equal to the lesser of budget-based rents
22 or comparable market rents for the market area upon the
23 request of an owner or purchaser who—

24 “(1) demonstrates that—

1 “(A) project income is insufficient to oper-
2 ate and maintain the project, and no rehabilita-
3 tion is currently needed, as determined by the
4 Secretary; or

5 “(B) the rent adjustment or renewal con-
6 tract is necessary to support commercially rea-
7 sonable financing (including any required debt
8 service coverage and replacement reserve) for
9 rehabilitation necessary to ensure the long-term
10 sustainability of the project, as determined by
11 the Secretary, and in the event the owner or
12 purchaser fails to implement the rehabilitation
13 as required by the Secretary, the Secretary may
14 take such action against the owner or purchaser
15 as allowed by law; and

16 “(2) agrees to—

17 “(A) extend the affordability and use re-
18 strictions required under 514(e)(6) for an addi-
19 tional twenty years; and

20 “(B) enter into a binding commitment to
21 continue to renew such contract for and during
22 such extended term, provided that after the af-
23 fordability and use restrictions required under
24 514(e)(6) have been maintained for a term of
25 30 years:

1 “(i) an owner with a contract for
2 which rent levels were set at the time of its
3 initial renewal under section 514(g)(2)
4 shall request that the Secretary renew such
5 contract under section 524 for and during
6 such extended term; and

7 “(ii) an owner with a contract for
8 which rent levels were set at the time of its
9 initial renewal under section 514(g)(1)
10 may request that the Secretary renew such
11 contract under section 524.”;

12 (b) in section 534, by adding at the end the following
13 new subsection:

14 “(h) RENT ADJUSTMENTS TO ADDRESS DIS-
15 TRESS. In the case of a section 8 contract that will be
16 eligible for renewal under this section when it expires or
17 terminates, notwithstanding any provision of contract or
18 law regarding the adjustment of rents, including such a
19 provision in this section, the Secretary may adjust such
20 rents, subject to the availability of funds for such rent ad-
21 justments, to rent levels that are equal to the lesser of
22 budget-based rents or comparable market rents for the
23 market area at the request of an owner or purchaser who
24 demonstrates that such rent adjustment is needed to ad-
25 dress project health and safety deficiencies and that—

1 “(1) project income is insufficient to operate
2 and maintain the project, and no rehabilitation is
3 currently needed, as determined by the Secretary; or

4 “(2) the rent adjustment is necessary to sup-
5 port commercially reasonable financing (including
6 any required debt service coverage and replacement
7 reserve) for rehabilitation necessary to ensure the
8 long-term sustainability of the project, as deter-
9 mined by the Secretary, and in the event the owner
10 or purchaser fails to implement the rehabilitation as
11 required by the Secretary, the Secretary may take
12 such action against the owner or purchaser as al-
13 lowed by law.”; and

14 (c) in section 579, by striking “October 1, 2022”
15 each place it appears and inserting in lieu thereof “Octo-
16 ber 1, 2027”.

17 SEC. 235. Of the amounts made available under the
18 heading “Project-Based Rental Assistance” in prior Acts,
19 up to \$1,300,000 may be transferred to Treasury Account
20 86-X-0148 for the liquidation of obligations incurred in
21 fiscal year 2018 in connection with the continued provision
22 of interest reduction payments authorized under section
23 236 of the National Housing Act (12 U.S.C. 1715z-1).

24 SEC. 236. (a) Funds previously made available in
25 chapter 9 of title X of the Disaster Relief Appropriations

1 Act, 2013 (Public Law 113-2, division A; 127 Stat. 36)
2 under the heading “Department of Housing and Urban
3 Development—Community Planning and Development—
4 Community Development Fund” that were available for
5 obligation through fiscal year 2017 are to remain available
6 until expended for the liquidation of valid obligations in-
7 curred in fiscal years 2013 through 2017.

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

13 (1) be subject to remedies for noncompliance; or

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

22 (c) Notwithstanding any other provision of law, any
23 grantee of funds referred to in subsection (a) of this sec-
24 tion may request a waiver from the Secretary of Housing
25 and Urban Development of any recoupment by the Sec-

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

18 (d) Amounts repurposed pursuant to this section that
19 were previously designated by the Congress as an emer-
20 gency requirement pursuant to the Balanced Budget and
21 Emergency Deficit Control Act of 1985 or a concurrent
22 resolution on the budget are designated as an emergency
23 requirement pursuant to section 4001(a)(1) of S. Con.
24 Res. 14 (117th Congress), the concurrent resolution on
25 the budget for fiscal year 2022, and section 1(e) of H.

1 Res. 1151 (117th Congress) as engrossed in the House
2 of Representatives on June 8, 2022.

3 SEC. 237. None of the funds made available to the
4 Department of Housing and Urban Development by this
5 or any other Act may be used to implement, administer,
6 enforce, or in any way make effective the proposed rule
7 entitled “Housing and Community Development Act of
8 1980: Verification of Eligible Status”, issued by the De-
9 partment of Housing and Urban Development on May 10,
10 2019 (Docket No. FR–6124–P–01), or any final rule
11 based substantially on such proposed rule.

12 This title may be cited as the “Department of Hous-
13 ing and Urban Development Appropriations Act, 2023”.

14 TITLE III

15 RELATED AGENCIES

16 ACCESS BOARD

17 SALARIES AND EXPENSES

18 For expenses necessary for the Access Board, as au-
19 thorized by section 502 of the Rehabilitation Act of 1973
20 (29 U.S.C. 792), \$9,850,000: *Provided*, That, notwith-
21 standing any other provision of law, there may be credited
22 to this appropriation funds received for publications and
23 training expenses.

1 FEDERAL MARITIME COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Federal Maritime
4 Commission as authorized by section 201(d) of the Mer-
5 chant Marine Act, 1936, as amended (46 U.S.C. 46107),
6 including services as authorized by section 3109 of title
7 5, United States Code; hire of passenger motor vehicles
8 as authorized by section 1343(b) of title 31, United States
9 Code; and uniforms or allowances therefore, as authorized
10 by sections 5901 and 5902 of title 5, United States Code,
11 \$38,260,000, of which \$2,000,000 shall remain available
12 until September 30, 2024: *Provided*, That not to exceed
13 \$3,500 shall be for official reception and representation
14 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), \$27,935,000: *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 2024,
17 the Inspector General shall submit to the House and Sen-
18 ate Committees on Appropriations a budget request for
19 fiscal year 2024 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 section 3109
2 of title 5, United States Code, but at rates for individuals
3 not to exceed the per diem rate equivalent to the rate for
4 a GS–15; uniforms, or allowances therefor, as authorized
5 by sections 5901 and 5902 of title 5, United States Code,
6 \$125,400,000, of which not to exceed \$2,000 may be used
7 for official reception and representation expenses: *Pro-*
8 *vided*, That the amounts made available to the National
9 Transportation Safety Board in this Act include amounts
10 necessary to make lease payments on an obligation in-
11 curred in fiscal year 2001 for a capital lease.

12 NEIGHBORHOOD REINVESTMENT CORPORATION
13 PAYMENT TO THE NEIGHBORHOOD REINVESTMENT
14 CORPORATION

15 For payment to the Neighborhood Reinvestment Cor-
16 poration for use in neighborhood reinvestment activities,
17 as authorized by the Neighborhood Reinvestment Corpora-
18 tion Act (42 U.S.C. 8101–8107), \$185,000,000.

19 SURFACE TRANSPORTATION BOARD
20 SALARIES AND EXPENSES

21 For necessary expenses of the Surface Transpor-
22 tation Board, including services authorized by section
23 3109 of title 5, United States Code, \$42,029,000: *Pro-*
24 *vided*, That of the amounts made available under this
25 heading, not less than \$1,000,000 shall be for the nec-

1 essary salaries and expenses to implement section 22309
2 of the Infrastructure Investment and Jobs Act (Public
3 Law 117-58), and for other activities as appropriate as
4 determined by the Surface Transportation Board: *Pro-*
5 *vided further*, That, notwithstanding any other provision
6 of law, not to exceed \$1,250,000 from fees established by
7 the Surface Transportation Board shall be credited to this
8 appropriation as offsetting collections and used for nec-
9 essary and authorized expenses under this heading: *Pro-*
10 *vided further*, That the amounts made available under this
11 heading from the general fund shall be reduced on a dol-
12 lar-for-dollar basis as such offsetting collections are re-
13 ceived during fiscal year 2023, to result in a final appro-
14 priation from the general fund estimated at not more than
15 \$40,779,000.

16 UNITED STATES INTERAGENCY COUNCIL ON
17 HOMELESSNESS
18 OPERATING EXPENSES

19 For necessary expenses, including payment of sala-
20 ries, authorized travel, hire of passenger motor vehicles,
21 the rental of conference rooms, and the employment of ex-
22 perts and consultants under section 3109 of title 5, United
23 States Code, of the United States Interagency Council on
24 Homelessness in carrying out the functions pursuant to

1 title II of the McKinney-Vento Homeless Assistance Act,
2 as amended, \$4,580,000.

3 TITLE IV

4 GENERAL PROVISIONS—THIS ACT

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

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

14 SEC. 403. The expenditure of any appropriation
15 under this Act for any consulting service through a pro-
16 curement contract pursuant to section 3109 of title 5,
17 United States Code, shall be limited to those contracts
18 where such expenditures are a matter of public record and
19 available for public inspection, except where otherwise pro-
20 vided under existing law, or under existing Executive order
21 issued pursuant to existing law.

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

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

4 (2) contains elements likely to induce high lev-
5 els of emotional response or psychological stress in
6 some participants;

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

10 (4) contains any methods or content associated
11 with religious or quasi-religious belief systems or
12 “new age” belief systems as defined in Equal Em-
13 ployment Opportunity Commission Notice N-
14 915.022, dated September 2, 1988; or

15 (5) is offensive to, or designed to change, par-
16 ticipants’ personal values or lifestyle outside the
17 workplace.

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

21 SEC. 405. Except as otherwise provided in this Act,
22 none of the funds provided in this Act, provided by pre-
23 vious appropriations Acts to the agencies or entities fund-
24 ed in this Act that remain available for obligation or ex-
25 penditure in fiscal year 2023, or provided from any ac-

1 counts in the Treasury derived by the collection of fees
2 and available to the agencies funded by this Act, shall be
3 available for obligation or expenditure through a re-
4 programming of funds that—

5 (1) creates a new program;

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

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

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

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

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

19 (7) creates, reorganizes, or restructures a
20 branch, division, office, bureau, board, commission,
21 agency, administration, or department different from
22 the budget justifications submitted to the Commit-
23 tees on Appropriations or the table accompanying
24 the report accompanying this Act, whichever is more

1 detailed, unless prior approval is received from the
2 House and Senate Committees on Appropriations:
3 *Provided*, That not later than 60 days after the date of
4 enactment of this Act, each agency funded by this Act
5 shall submit a report to the Committees on Appropriations
6 of the Senate and of the House of Representatives to es-
7 tablish the baseline for application of reprogramming and
8 transfer authorities for the current fiscal year: *Provided*
9 *further*, That the report shall include—

10 (A) a table for each appropriation with a
11 separate column to display the prior year en-
12 acted level, the President's budget request, ad-
13 justments made by Congress, adjustments due
14 to enacted rescissions, if appropriate, and the
15 fiscal year enacted level;

16 (B) a delineation in the table for each ap-
17 propriation and its respective prior year enacted
18 level by object class and program, project, and
19 activity as detailed in this Act, the table accom-
20 panying the report accompanying this Act, ac-
21 companying reports of the House and Senate
22 Committee on Appropriations, or in the budget
23 appendix for the respective appropriations,
24 whichever is more detailed, and shall apply to
25 all items for which a dollar amount is specified

1 and to all programs for which new budget
2 (obligational) authority is provided, as well as
3 to discretionary grants and discretionary grant
4 allocations; and

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

7 SEC. 406. Except as otherwise specifically provided
8 by law, not to exceed 50 percent of unobligated balances
9 remaining available at the end of fiscal year 2023 from
10 appropriations made available for salaries and expenses
11 for fiscal year 2023 in this Act, shall remain available
12 through September 30, 2024, for each such account for
13 the purposes authorized: *Provided*, That a request shall
14 be submitted to the House and Senate Committees on Ap-
15 propriations for approval prior to the expenditure of such
16 funds: *Provided further*, That these requests shall be made
17 in compliance with reprogramming guidelines under sec-
18 tion 405 of this Act.

19 SEC. 407. No funds in this Act may be used to sup-
20 port any Federal, State, or local projects that seek to use
21 the power of eminent domain, unless eminent domain is
22 employed only for a public use: *Provided*, That for pur-
23 poses of this section, public use shall not be construed to
24 include economic development that primarily benefits pri-
25 vate entities: *Provided further*, That any use of funds for

1 mass transit, railroad, airport, seaport or highway
2 projects, as well as utility projects which benefit or serve
3 the general public (including energy-related, communica-
4 tion-related, water-related and wastewater-related infra-
5 structure), other structures designated for use by the gen-
6 eral public or which have other common-carrier or public-
7 utility functions that serve the general public and are sub-
8 ject to regulation and oversight by the government, and
9 projects for the removal of an immediate threat to public
10 health and safety or brownfields as defined in the Small
11 Business Liability Relief and Brownfields Revitalization
12 Act (Public Law 107–118) shall be considered a public
13 use for purposes of eminent domain.

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

19 SEC. 409. No funds appropriated pursuant to this
20 Act may be expended by an entity unless the entity agrees
21 that in expending the assistance the entity will comply
22 with sections 2 through 4 of the Act of March 3, 1933
23 (41 U.S.C. 8301–8305, popularly known as the “Buy
24 American Act”).

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

5 SEC. 411. None of the funds made available in this
6 Act may be used for first-class airline accommodations in
7 contravention of sections 301–10.122 and 301–10.123 of
8 title 41, Code of Federal Regulations.

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

23 SEC. 413. None of the funds appropriated or other-
24 wise made available under this Act may be used by the
25 Surface Transportation Board to charge or collect any fil-

1 ing fee for rate or practice complaints filed with the Board
2 in an amount in excess of the amount authorized for dis-
3 trict court civil suit filing fees under section 1914 of title
4 28, United States Code.

5 SEC. 414. (a) None of the funds made available in
6 this Act may be used to maintain or establish a computer
7 network unless such network blocks the viewing,
8 downloading, and exchanging of pornography.

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

13 SEC. 415. (a) None of the funds made available in
14 this Act may be used to deny an Inspector General funded
15 under this Act timely access to any records, documents,
16 or other materials available to the department or agency
17 over which that Inspector General has responsibilities
18 under the Inspector General Act of 1978 (5 U.S.C. App.),
19 or to prevent or impede that Inspector General's access
20 to such records, documents, or other materials, under any
21 provision of law, except a provision of law that expressly
22 refers to the Inspector General and expressly limits the
23 Inspector General's right of access.

24 (b) A department or agency covered by this section
25 shall provide its Inspector General with access to all such

1 records, documents, and other materials in a timely man-
2 ner.

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

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

12 SEC. 416. None of the funds appropriated or other-
13 wise made available by this Act may be used to pay award
14 or incentive fees for contractors whose performance has
15 been judged to be below satisfactory, behind schedule, over
16 budget, or has failed to meet the basic requirements of
17 a contract, unless the Agency determines that any such
18 deviations are due to unforeseeable events, government-
19 driven scope changes, or are not significant within the
20 overall scope of the project and/or program unless such
21 awards or incentive fees are consistent with 16.401(e)(2)
22 of the Federal Acquisition Regulations.

23 SEC. 417. Within the amounts appropriated in this
24 Act, funding shall be allocated in the amounts specified
25 for those projects and purposes delineated in the table ti-

1 tled “Transportation, Housing and Urban Development
2 Incorporation of Community Project Funding Items” in-
3 cluded in the report accompanying this Act.

4 SEC. 418. No part of any appropriation contained in
5 this Act shall be available to pay the salary for any person
6 filling a position, other than a temporary position, for-
7 merly held by an employee who has left to enter the Armed
8 Forces of the United States and has satisfactorily com-
9 pleted his or her period of active military or naval service,
10 and has within 90 days after his or her release from such
11 service or from hospitalization continuing after discharge
12 for a period of not more than 1 year, made application
13 for restoration to his or her former position and has been
14 certified by the Office of Personnel Management as still
15 qualified to perform the duties of his or her former posi-
16 tion and has not been restored thereto.

17 SEC. 419. (a) None of the funds made available by
18 this Act may be used to approve a new foreign air carrier
19 permit under sections 41301 through 41305 of title 49,
20 United States Code, or exemption application under sec-
21 tion 40109 of that title of an air carrier already holding
22 an air operators certificate issued by a country that is
23 party to the U.S.-E.U.-Iceland-Norway Air Transport
24 Agreement where such approval would contravene United

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

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

9 This division may be cited as the “Transportation,
10 Housing and Urban Development, and Related Agencies
11 Appropriations Act, 2023”.

[FULL COMMITTEE PRINT]

Union Calendar No. _____

117TH CONGRESS
2^D SESSION

H. R. _____

[Report No. _- _]

A BILL

Making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2023, and for other purposes.

_____, 2022

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