

116TH CONGRESS
2D SESSION

H. R. 8319

Making continuing appropriations for fiscal year 2021, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 21, 2020

Mrs. LOWEY introduced the following bill; which was referred to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

Making continuing appropriations for fiscal year 2021, 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 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Continuing Appropria-
5 tions Act, 2021 and Other Extensions Act”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. References.

DIVISION B—SURFACE TRANSPORTATION PROGRAM EXTENSION

Title I—Surface Transportation Programs

Title II—Trust Funds

DIVISION C—HEALTH EXTENDERS

Title I—Public Health Extenders

Title II—Medicare Extenders

Title III—Medicaid Extenders

Title IV—Medicare Part B Premium Adjustment

Title V—Accelerated and Advance Payment Programs

Title VI—Offsets

DIVISION D—OTHER MATTERS

Title I—Emergency Stopgap USCIS Stabilization Act

Title II—United States Parole Commission Extension

Title III—Antitrust Criminal Penalty Enhancement and Reform Permanent Extension Act

Title IV—Community Services and Supports

Title V—Budgetary Effects

DIVISION E—DEPARTMENT OF VETERANS AFFAIRS EXTENSIONS

Title I—Extensions of Authorities Relating to Health Care

Title II—Extensions of Authorities Relating to Benefits

Title III—Extensions of Authorities Relating to Homeless Veterans

Title IV—Extensions of Other Authorities and Other Matters

1 **SEC. 3. REFERENCES.**

2 Except as expressly provided otherwise, any reference
 3 to “this Act” contained in any division of this Act shall
 4 be treated as referring only to the provisions of that divi-
 5 sion.

**DIVISION A—CONTINUING
APPROPRIATIONS ACT, 2021**

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2021, and for other purposes, namely:

SEC. 101. Such amounts as may be necessary, at a rate for operations as provided in the applicable appropriations Acts for fiscal year 2020 and under the authority and conditions provided in such Acts, for continuing projects or activities (including the costs of direct loans and loan guarantees) that are not otherwise specifically provided for in this Act, that were conducted in fiscal year 2020, and for which appropriations, funds, or other authority were made available in the following appropriations Acts:

(1) The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2020 (division B of Public Law 116–94), except sections 791 and 792.

(2) The Commerce, Justice, Science, and Related Agencies Appropriations Act, 2020 (division B of Public Law 116–93), except the last proviso

1 under the heading “Department of Commerce—Bu-
2 reau of the Census—Periodic Censuses and Pro-
3 grams”.

4 (3) The Department of Defense Appropriations
5 Act, 2020 (division A of Public Law 116–93), except
6 title X.

7 (4) The Energy and Water Development and
8 Related Agencies Appropriations Act, 2020 (division
9 C of Public Law 116–94).

10 (5) The Financial Services and General Govern-
11 ment Appropriations Act, 2020 (division C of Public
12 Law 116–93).

13 (6) The Department of Homeland Security Ap-
14 propriations Act, 2020 (division D of Public Law
15 116–93) (except for amounts in title II of division
16 D of Public Law 116–93 that were designated by
17 the Congress as being for an emergency requirement
18 pursuant to section 251(b)(2)(A)(i) of the Balanced
19 Budget and Emergency Deficit Control Act of
20 1985), and title I of division I of Public Law 116–
21 94.

22 (7) The Department of the Interior, Environ-
23 ment, and Related Agencies Appropriations Act,
24 2020 (division D of Public Law 116–94).

1 (8) The Departments of Labor, Health and
2 Human Services, and Education, and Related Agen-
3 cies Appropriations Act, 2020 (division A of Public
4 Law 116–94).

5 (9) The Legislative Branch Appropriations Act,
6 2020 (division E of Public Law 116–94), and sec-
7 tion 7 of Public Law 116–94.

8 (10) The Military Construction, Veterans Af-
9 fairs, and Related Agencies Appropriations Act,
10 2020 (division F of Public Law 116–94), except title
11 V.

12 (11) The Department of State, Foreign Oper-
13 ations, and Related Programs Appropriations Act,
14 2020 (division G of Public Law 116–94).

15 (12) The Transportation, Housing and Urban
16 Development, and Related Agencies Appropriations
17 Act, 2020 (division H of Public Law 116–94).

18 SEC. 102. (a) No appropriation or funds made avail-
19 able or authority granted pursuant to section 101 for the
20 Department of Defense shall be used for—

21 (1) the new production of items not funded for
22 production in fiscal year 2020 or prior years;

23 (2) the increase in production rates above those
24 sustained with fiscal year 2020 funds; or

1 (3) the initiation, resumption, or continuation
2 of any project, activity, operation, or organization
3 (defined as any project, subproject, activity, budget
4 activity, program element, and subprogram within a
5 program element, and for any investment items de-
6 fined as a P-1 line item in a budget activity within
7 an appropriation account and an R-1 line item that
8 includes a program element and subprogram element
9 within an appropriation account) for which appro-
10 priations, funds, or other authority were not avail-
11 able during fiscal year 2020.

12 (b) No appropriation or funds made available or au-
13 thority granted pursuant to section 101 for the Depart-
14 ment of Defense shall be used to initiate multi-year pro-
15 curements utilizing advance procurement funding for eco-
16 nomic order quantity procurement unless specifically ap-
17 propriated later.

18 SEC. 103. Appropriations made by section 101 shall
19 be available to the extent and in the manner that would
20 be provided by the pertinent appropriations Act.

21 SEC. 104. Except as otherwise provided in section
22 102, no appropriation or funds made available or author-
23 ity granted pursuant to section 101 shall be used to ini-
24 tiate or resume any project or activity for which appro-

1 priations, funds, or other authority were not available dur-
2 ing fiscal year 2020.

3 SEC. 105. Appropriations made and authority grant-
4 ed pursuant to this Act shall cover all obligations or ex-
5 penditures incurred for any project or activity during the
6 period for which funds or authority for such project or
7 activity are available under this Act.

8 SEC. 106. Unless otherwise provided for in this Act
9 or in the applicable appropriations Act for fiscal year
10 2021, appropriations and funds made available and au-
11 thority granted pursuant to this Act shall be available
12 until whichever of the following first occurs:

13 (1) The enactment into law of an appropriation
14 for any project or activity provided for in this Act.

15 (2) The enactment into law of the applicable
16 appropriations Act for fiscal year 2021 without any
17 provision for such project or activity.

18 (3) December 11, 2020.

19 SEC. 107. Expenditures made pursuant to this Act
20 shall be charged to the applicable appropriation, fund, or
21 authorization whenever a bill in which such applicable ap-
22 propriation, fund, or authorization is contained is enacted
23 into law.

24 SEC. 108. Appropriations made and funds made
25 available by or authority granted pursuant to this Act may

1 be used without regard to the time limitations for submis-
2 sion and approval of apportionments set forth in section
3 1513 of title 31, United States Code, but nothing in this
4 Act may be construed to waive any other provision of law
5 governing the apportionment of funds.

6 SEC. 109. Notwithstanding any other provision of
7 this Act, except section 106, for those programs that
8 would otherwise have high initial rates of operation or
9 complete distribution of appropriations at the beginning
10 of fiscal year 2021 because of distributions of funding to
11 States, foreign countries, grantees, or others, such high
12 initial rates of operation or complete distribution shall not
13 be made, and no grants shall be awarded for such pro-
14 grams funded by this Act that would impinge on final
15 funding prerogatives.

16 SEC. 110. This Act shall be implemented so that only
17 the most limited funding action of that permitted in the
18 Act shall be taken in order to provide for continuation of
19 projects and activities.

20 SEC. 111. (a) For entitlements and other mandatory
21 payments whose budget authority was provided in appro-
22 priations Acts for fiscal year 2020, and for activities under
23 the Food and Nutrition Act of 2008, activities shall be
24 continued at the rate to maintain program levels under
25 current law, under the authority and conditions provided

1 in the applicable appropriations Act for fiscal year 2020,
2 to be continued through the date specified in section
3 106(3).

4 (b) Notwithstanding section 106, obligations for man-
5 datory payments due on or about the first day of any
6 month that begins after October 2020 but not later than
7 30 days after the date specified in section 106(3) may con-
8 tinue to be made, and funds shall be available for such
9 payments.

10 SEC. 112. Amounts made available under section 101
11 for civilian personnel compensation and benefits in each
12 department and agency may be apportioned up to the rate
13 for operations necessary to avoid furloughs within such de-
14 partment or agency, consistent with the applicable appro-
15 priations Act for fiscal year 2020, except that such author-
16 ity provided under this section shall not be used until after
17 the department or agency has taken all necessary actions
18 to reduce or defer non-personnel-related administrative ex-
19 penses.

20 SEC. 113. Funds appropriated by this Act may be
21 obligated and expended notwithstanding section 10 of
22 Public Law 91–672 (22 U.S.C. 2412), section 15 of the
23 State Department Basic Authorities Act of 1956 (22
24 U.S.C. 2680), section 313 of the Foreign Relations Au-
25 thorization Act, Fiscal Years 1994 and 1995 (22 U.S.C.

1 6212), and section 504(a)(1) of the National Security Act
2 of 1947 (50 U.S.C. 3094(a)(1)).

3 SEC. 114. (a) Each amount incorporated by reference
4 in this Act that was previously designated by the Congress
5 for Overseas Contingency Operations/Global War on Ter-
6 rorism or as an emergency requirement pursuant to sec-
7 tion 251(b)(2)(A) of the Balanced Budget and Emergency
8 Deficit Control Act of 1985 or as being for disaster relief
9 pursuant to section 251(b)(2)(D) of such Act is des-
10 ignated by the Congress for Overseas Contingency Oper-
11 ations/Global War on Terrorism or as an emergency re-
12 quirement pursuant to section 251(b)(2)(A) of such Act
13 or as being for disaster relief pursuant to section
14 251(b)(2)(D) of such Act, respectively.

15 (b) Section 6 of Public Law 116–94 shall apply to
16 amounts designated in subsection (a) and sections 126
17 and 163 of this Act for Overseas Contingency Operations/
18 Global War on Terrorism or as an emergency requirement.

19 (c) This section shall become effective immediately
20 upon enactment of this Act, and shall remain in effect
21 through the date in section 106(3).

22 SEC. 115. (a) Rescissions or cancellations of discre-
23 tionary budget authority that continue pursuant to section
24 101 in Treasury Appropriations Fund Symbols (TAFS)—

1 (1) to which other appropriations are not pro-
2 vided by this Act, but for which there is a current
3 applicable TAFS that does receive an appropriation
4 in this Act; or

5 (2) which are no-year TAFS and receive other
6 appropriations in this Act,

7 may be continued instead by reducing the rate for oper-
8 ations otherwise provided by section 101 for such current
9 applicable TAFS, as long as doing so does not impinge
10 on the final funding prerogatives of the Congress.

11 (b) Rescissions or cancellations described in sub-
12 section (a) shall continue in an amount equal to the lesser
13 of—

14 (1) the amount specified for rescission or can-
15 cellation in the applicable appropriations Act ref-
16 erenced in section 101 of this Act; or

17 (2) the amount of balances available, as of Oc-
18 tober 1, 2020, from the funds specified for rescission
19 or cancellation in the applicable appropriations Act
20 referenced in section 101 of this Act.

21 (c) No later than November 20, 2020, the Director
22 of the Office of Management and Budget shall provide to
23 the Committees on Appropriations of the House of Rep-
24 resentatives and the Senate a comprehensive list of the
25 rescissions or cancellations that will continue pursuant to

1 section 101: *Provided*, That the information in such com-
2 prehensive list shall be periodically updated to reflect any
3 subsequent changes in the amount of balances available,
4 as of October 1, 2020, from the funds specified for rescis-
5 sion or cancellation in the applicable appropriations Act
6 referenced in section 101, and such updates shall be trans-
7 mitted to the Committees on Appropriations of the House
8 of Representatives and the Senate upon request.

9 SEC. 116. Notwithstanding section 101, amounts are
10 available in the “Rural Utilities Service—Rural Water and
11 Waste Disposal Program Account” of the Department of
12 Agriculture for gross obligations for the principal amount
13 of direct and guaranteed loans as authorized by section
14 306 and described in section 381E(d)(2) of the Consoli-
15 dated Farm and Rural Development Act, as follows:
16 \$1,400,000,000 for direct loans; and \$50,000,000 for
17 guaranteed loans.

18 SEC. 117. Amounts made available by section 101 for
19 “Department of Agriculture—Food and Nutrition Serv-
20 ice—Child Nutrition Programs” to carry out section
21 749(g) of the Agriculture, Rural Development, Food and
22 Drug Administration, and Related Agencies Appropria-
23 tions Act, 2010 (Public Law 111–80) may be apportioned
24 up to the rate for operations necessary to ensure that the
25 program can be fully operational by May 2021.

1 SEC. 118. Amounts made available by section 101 for
2 “Department of Agriculture—Domestic Food Programs—
3 Food and Nutrition Service—Commodity Assistance Pro-
4 gram” may be apportioned up to the rate for operations
5 necessary to maintain current program caseload in the
6 Commodity Supplemental Food Program.

7 SEC. 119. Amounts made available by section 101 for
8 “Farm Service Agency—Agricultural Credit Insurance
9 Fund Program Account” may be apportioned up to the
10 rate for operations necessary to accommodate approved
11 applications for direct and guaranteed farm ownership
12 loans, as authorized by 7 U.S.C. 1922 et seq.

13 SEC. 120. Section 260 of the Agricultural Marketing
14 Act of 1946 (7 U.S.C. 1636i) and section 942 of the Live-
15 stock Mandatory Reporting Act of 1999 (7 U.S.C. 1635
16 note; Public Law 106–78) shall be applied by substituting
17 the date specified in section 106(3) of this Act for “Sep-
18 tember 30, 2020”.

19 SEC. 121. (a) Sections 7(j)(5), 7A(l)(4), and 21(e)
20 of the United States Grain Standards Act (7 U.S.C.
21 79(j)(5), 79a(l)(4), 87j(e)) shall be applied by substituting
22 the date specified in section 106(3) of this Act for “Sep-
23 tember 30, 2020” each place it appears.

1 (b) Sections 7D and 19 of the United States Grain
2 Standards Act (7 U.S.C. 79d, 87h) shall be applied by
3 substituting “2021” for “2020”.

4 SEC. 122. Section 7605(b) of the Agriculture Im-
5 provement Act of 2018 (7 U.S.C. 5940 note; Public Law
6 115–334) is amended by striking “the date that is 1 year
7 after the date on which the Secretary establishes a plan
8 under section 297C of the Agricultural Marketing Act of
9 1946” and inserting “September 30, 2021”.

10 SEC. 123. Notwithstanding section 101, the second
11 paragraph under the heading “Department of Health and
12 Human Services—Food and Drug Administration—Sala-
13 ries and Expenses” in title VI of division B of Public Law
14 116–94 shall be applied by striking “, contingent upon the
15 enactment of the Over-the-Counter Monograph User Fee
16 Act of 2019,”.

17 SEC. 124. Notwithstanding section 101, amounts are
18 provided for “Department of Commerce—Bureau of the
19 Census—Periodic Censuses and Programs” at a rate for
20 operations of \$1,514,709,000: *Provided*, That amounts
21 made available under such heading by this Act may be
22 apportioned up to the rate for operations necessary to con-
23 duct the 2020 Decennial Census Program.

24 SEC. 125. (a)(1) Notwithstanding any other provision
25 of this Act, the Secretary of the Navy may enter into a

1 contract, beginning with fiscal year 2021, for the procure-
2 ment of up to two Columbia class submarines.

3 (2) With respect to a contract entered into
4 under subsection (a), the Secretary of the Navy may
5 use incremental funding to make payments under
6 the contract.

7 (3) Any contract entered into under subsection
8 (a) shall provide that—

9 (A) any obligation of the United States to
10 make a payment under the contract is subject
11 to the availability of appropriations for that
12 purpose; and

13 (B) total liability of the Federal Govern-
14 ment for termination of any contract entered
15 into shall be limited to the total amount of
16 funding obligated to the contract at time of ter-
17 mination.

18 (b) Notwithstanding sections 102 and 104, amounts
19 made available by section 101 to the Department of De-
20 fense for “Shipbuilding and Conversion, Navy” may be ap-
21 portioned up to the rate for operations necessary for
22 “Ohio Replacement Submarine (Full Funding)” in an
23 amount not to exceed \$1,620,270,000.

24 SEC. 126. (a) The remaining unobligated balances of
25 funds as of September 30, 2020, from amounts made

1 available to “Department of Defense—Other Department
2 of Defense Programs—Office of the Inspector General”
3 in title III of division B of the CARES Act (Public Law
4 116–136), are hereby rescinded, and, in addition to
5 amounts otherwise provided by section 101, an amount of
6 additional new budget authority equivalent to the amount
7 rescinded pursuant to this subsection is hereby appro-
8 priated on September 30, 2020, for an additional amount
9 for fiscal year 2020, to remain available until September
10 30, 2021, and shall be available for the same purposes,
11 in addition to other funds as may be available for such
12 purposes, and under the same authorities for which the
13 funds were originally provided in Public Law 116–136:
14 *Provided*, That the amounts rescinded pursuant to this
15 subsection that were previously designated by the Con-
16 gress as an emergency requirement pursuant to section
17 251(b)(2)(A)(i) of the Balanced Budget and Emergency
18 Deficit Control Act of 1985 are designated by the Con-
19 gress as an emergency requirement pursuant to section
20 251(b)(2)(A)(i) of that Act: *Provided further*, That such
21 amount is designated by the Congress as being for an
22 emergency requirement pursuant to section
23 251(b)(2)(A)(i) of the Balanced Budget and Emergency
24 Deficit Control Act of 1985.

1 (b)(1) This section shall become effective immediately
2 upon enactment of this Act.

3 (2) If this Act is enacted after September 30,
4 2020, or if the designation in section 114(b) occurs
5 after September 30, 2020, this section shall be ap-
6 plied as if it were in effect on September 30, 2020.

7 SEC. 127. (a) No funds shall be transferred directly
8 from “Department of Energy—Power Marketing Admin-
9 istration—Colorado River Basins Power Marketing Fund,
10 Western Area Power Administration” to the general fund
11 of the Treasury in fiscal year 2020.

12 (b)(1) This section shall become effective immediately
13 upon enactment of this Act.

14 (2) If this Act is enacted after September 30,
15 2020, this section shall be applied as if it were in
16 effect on September 30, 2020.

17 SEC. 128. (a) Section 104(c) of the Reclamation
18 States Emergency Drought Relief Act of 1991 (43 U.S.C.
19 2214(c)) shall be applied by substituting the date specified
20 in section 106(3) of this Act for “September 30, 2020”.

21 (b) Section 301 of the Reclamation States Emergency
22 Drought Relief Act of 1991 (43 U.S.C. 2241) shall be ap-
23 plied by substituting “2006 through 2021” for “2006
24 through 2020”.

1 SEC. 129. Section 3007(a)(5)(A)(i)(II)(bb) of the
2 Scholarships for Opportunity and Results Act (sec. 38–
3 1853.07(a)(5)(A)(i)(II)(bb), D.C. Official Code) is amend-
4 ed by striking “5 years” and inserting “6 years”.

5 SEC. 130. Notwithstanding any other provision of
6 this Act, except section 106, the District of Columbia may
7 expend local funds made available under the heading “Dis-
8 trict of Columbia—District of Columbia Funds” for such
9 programs and activities under the District of Columbia
10 Appropriations Act, 2020 (title IV of division C of Public
11 Law 116–93) at the rate set forth in the Fiscal Year 2021
12 Local Budget Act of 2020 (D.C. Act 23–408), as modified
13 as of the date of enactment of this Act.

14 SEC. 131. In addition to the amounts otherwise pro-
15 vided by section 101, for “District of Columbia—Federal
16 Payment for Emergency Planning and Security Costs in
17 the District of Columbia”, there is appropriated
18 \$13,000,000, for an additional amount for fiscal year
19 2021, to remain available until expended, for costs associ-
20 ated with the Presidential Inauguration held in January
21 2021.

22 SEC. 132. Notwithstanding section 101, the matter
23 preceding the first proviso under the heading “Small Busi-
24 ness Administration—Business Loans Program Account”
25 in title V of division C of Public Law 116–93 shall be

1 applied by substituting “\$15,000,000” for “\$99,000,000”
2 and the third proviso shall be applied as if the language
3 read as follows: “*Provided further*, That commitments for
4 general business loans authorized under paragraphs (1)
5 through (35) of section 7(a) of the Small Business Act
6 shall not exceed \$30,000,000,000 for a combination of
7 amortizing term loans and the aggregated maximum line
8 of credit provided by revolving loans:” *Provided*, That
9 amounts made available under such heading by this Act
10 may be apportioned up to the rate for operations necessary
11 to accommodate increased demand for commitments for
12 general business loans authorized under paragraphs (1)
13 through (35) of section 7(a) of the Small Business Act
14 (15 U.S.C. 636(a)) and for commitments to guarantee
15 loans for debentures under section 303(b) of the Small
16 Business Investment Act of 1958 (15 U.S.C 683(b)).

17 SEC. 133. Amounts made available by section 101 for
18 “Small Business Administration—Disaster Loans Pro-
19 gram Account” may be apportioned up to the rate for op-
20 erations necessary to accommodate increased demand for
21 commitments for disaster administrative expenses.

22 SEC. 134. (a) Notwithstanding section 101, amounts
23 are provided for “General Services Administration—Ex-
24 penses, Presidential Transition” for necessary expenses to
25 carry out the Presidential Transition Act of 1963 (3

1 U.S.C. 102 note), at a rate for operations of \$9,900,000,
2 of which not to exceed \$1,000,000 is for activities author-
3 ized by sections 3(a)(8) and 3(a)(9) of such Act: *Provided*,
4 That such amounts may be transferred and credited to
5 the “Acquisition Services Fund” or “Federal Buildings
6 Fund” to reimburse obligations incurred prior to enact-
7 ment of this Act for the purposes provided herein related
8 to the Presidential election in 2020: *Provided further*, That
9 amounts available under this section shall be in addition
10 to any other amounts available for such purposes.

11 (b) Notwithstanding section 101, no funds are pro-
12 vided by this Act for “General Services Administration—
13 Pre-Election Presidential Transition”.

14 SEC. 135. Amounts made available by section 101 for
15 “General Services Administration—Real Property Activi-
16 ties—Federal Buildings Fund—Limitations on Avail-
17 ability of Revenue” may be apportioned up to the rate for
18 operations necessary for monthly rental of space oper-
19 ations.

20 SEC. 136. Notwithstanding section 101, for expenses
21 of the Office of Administration to carry out the Presi-
22 dential Transition Act of 1963, as amended, and similar
23 expenses, in addition to amounts otherwise appropriated
24 by law, amounts are provided to “Presidential Transition
25 Administrative Support” at a rate for operations of

1 \$8,000,000: *Provided*, That such funds may be trans-
2 ferred to other accounts that provide funding for offices
3 within the Executive Office of the President and the Office
4 of the Vice President in this Act or any other Act, to carry
5 out such purposes: *Provided further*, That such amounts
6 may be apportioned up to the rate for operations necessary
7 to carry out such responsibilities.

8 SEC. 137. In addition to amounts provided in section
9 101, an additional amount is provided for “National Ar-
10 chives and Records Administration—Operating Expenses”
11 to carry out transition responsibilities of the Archivist of
12 the United States under sections 2201 through 2207 of
13 title 44, United States Code (commonly known as the
14 “Presidential Records Act of 1978”) in the event of a
15 Presidential Transition at a rate for operations of
16 \$18,000,000: *Provided*, That such amounts may be appor-
17 tioned up to the rate for operations necessary to carry out
18 such responsibilities.

19 SEC. 138. Amounts made available by section 101 for
20 “Office of Personnel Management—Salaries and Ex-
21 penses”, including amounts to be transferred from the ap-
22 propriate trust funds of the Office of Personnel Manage-
23 ment without regard to other statutes, may be apportioned
24 up to the rate for operations necessary to cover any ex-
25 pected shortfall in administrative expenses resulting from

1 the transfer of the National Background Investigations
2 Bureau function to the Department of Defense.

3 SEC. 139. Section 2(b)(2)(C)(i) of the Temporary
4 Bankruptcy Judgeships Extension Act of 2012 (28 U.S.C.
5 152 note; Public Law 112–121) is amended (with regard
6 to the 1st vacancy in the eastern district of Tennessee)
7 by striking “5 years” and inserting “9 years”.

8 SEC. 140. Section 3610 of division A of the CARES
9 Act (Public Law 116–136) shall be applied by substituting
10 the date in section 106(3) of this Act for “September 30,
11 2020”.

12 SEC. 141. Amounts made available by section 101 to
13 the Department of Homeland Security for “Office of the
14 Secretary and Executive Management—Operations and
15 Support”, “Management Directorate—Operations and
16 Support”, and “Intelligence, Analysis, and Operations Co-
17 ordination—Operations and Support” may be apportioned
18 up to the rate for operations necessary to carry out activi-
19 ties previously funded by the Working Capital Fund of
20 the Department of Homeland Security, consistent with the
21 fiscal year 2021 President’s Budget proposal, submitted
22 pursuant to section 1105(a) of title 31, United States
23 Code, and accompanying justification materials.

24 SEC. 142. Amounts made available by section 101 to
25 the Department of Homeland Security under the heading

1 “Coast Guard—Operations and Support” may be avail-
2 able for the pay and benefits of Coast Guard Yard and
3 Vessel Documentation personnel, Non-Appropriated
4 Funds personnel, and for Morale, Welfare and Recreation
5 Programs.

6 SEC. 143. Section 9307(f)(1) of title 46, United
7 States Code shall be applied by substituting the date speci-
8 fied in section 106(3) of this Act for “September 30,
9 2020”.

10 SEC. 144. Amounts made available by section 101 to
11 the Department of Homeland Security under the heading
12 “Cybersecurity and Infrastructure Security Agency” may
13 be obligated in the account and budget structure set forth
14 in H.R. 7669 and the accompanying House Report 116–
15 458, as reported by the House Committee on Appropria-
16 tions on July 15, 2020.

17 SEC. 145. Amounts made available by section 101 to
18 the Department of Homeland Security under the heading
19 “Federal Emergency Management Agency—Disaster Re-
20 lief Fund” may be apportioned up to the rate for oper-
21 ations necessary to carry out response and recovery activi-
22 ties under the Robert T. Stafford Disaster Relief and
23 Emergency Assistance Act (42 U.S.C. 5121 et seq.).

24 SEC. 146. (a) Section 1309(a) of the National Flood
25 Insurance Act of 1968 (42 U.S.C. 4016(a)) is amended

1 by striking “September 30, 2019” and inserting “Sep-
2 tember 30, 2021”.

3 (b) Section 1319 of the National Flood Insurance Act
4 of 1968 (42 U.S.C. 4026) is amended by striking “Sep-
5 tember 30, 2019” and inserting “September 30, 2021”.

6 (c)(1) This section shall become effective immediately
7 upon enactment of this Act.

8 (2) If this Act is enacted after September 30,
9 2020, this section shall be applied as if it were in
10 effect on September 30, 2020.

11 SEC. 147. (a) Notwithstanding section 101, the fol-
12 lowing shall be applied by substituting “\$0” for—

13 (1) “\$32,300,000” in the first paragraph under
14 the heading “Bureau of Land Management—Land
15 Acquisition”;

16 (2) “\$10,000,000”, and “\$320,000” in the first
17 paragraph under the heading “United States Fish
18 and Wildlife Service—Land Acquisition”;

19 (3) “\$3,628,000” in the second paragraph
20 under the heading “United States Fish and Wildlife
21 Service—Land Acquisition”;

22 (4) “\$30,800,000” and “\$23,702,000” for
23 “\$54,502,000” in the first paragraph under the
24 heading “United States Fish and Wildlife Service—

1 Cooperative Endangered Species Conservation
2 Fund”;

3 (5) “\$208,400,000”, “\$140,000,000”, and
4 “\$13,000,000” in the first paragraph under the
5 heading “National Park Service—Land Acquisition
6 and State Assistance”;

7 (6) “\$63,990,000” and “\$283,000,000” for
8 “\$346,990,000” under the heading “Forest Serv-
9 ice—State and Private Forestry”; and

10 (7) “\$78,898,000” in the first paragraph under
11 the heading “Forest Service—Land Acquisition”.

12 (b) Notwithstanding section 101, the first paragraph
13 under the heading “United States Fish and Wildlife Serv-
14 ice—Land Acquisition” shall be applied by substituting
15 “\$7,550,000” for “\$70,715,000”.

16 (c) Amounts made available by section 101 to the De-
17 partment of the Interior for “Departmental Offices—Of-
18 fice of the Secretary—Departmental Operations” may be
19 apportioned up to the rate for operations necessary to
20 fund the Appraisal and Valuation Services Office and such
21 amounts shall be derived from the Land and Water Con-
22 servation Fund.

23 SEC. 148. Amounts made available by section 101 to
24 the Forest Service may be obligated in the account and
25 budget structure set forth in the table provided by the Sec-

1 retary of Agriculture to the Committees on Appropriations
2 of the Senate and the House of Representatives prior to
3 the end of fiscal year 2020 pursuant to section 435(d)
4 of the Department of the Interior, Environment, and Re-
5 lated Agencies Appropriations Act, 2020 (division D of
6 Public Law 116–94): *Provided*, That amounts made avail-
7 able by section 101 under the heading “Forest Service—
8 National Forest System” shall be available for the base
9 salary and expenses of employees that carry out the func-
10 tions funded by the “Capital Improvement and Mainte-
11 nance” account, the “Range Betterment Fund” account,
12 and the “Management of National Forests for Subsistence
13 Uses” account and may be apportioned up to the rate for
14 operations necessary to fund such base salary and ex-
15 penses of such employees.

16 SEC. 149. Activities authorized by part A of title IV
17 and section 1108(b) of the Social Security Act shall con-
18 tinue through the date specified in section 106(3) of this
19 Act, in the manner authorized for fiscal year 2020, and
20 out of any money in the Treasury of the United States
21 not otherwise appropriated, there are hereby appropriated
22 such sums as may be necessary for such purpose: *Pro-*
23 *vided*, That grants under section 418 of the Social Secu-
24 rity Act shall be issued on the same basis as grants under
25 section 403(a)(1) of such Act.

1 SEC. 150. (a) The remaining unobligated balances of
2 funds as of September 30, 2020, from amounts credited
3 and merged pursuant to the second proviso under the
4 heading “Department of Health and Human Services—
5 Centers for Disease Control and Prevention—Buildings
6 and Facilities” in title II of the Departments of Labor,
7 Health and Human Services, Education, and Related
8 Agencies Appropriations Act, 2016 (division H of Public
9 Law 114–113) are hereby rescinded, and, in addition to
10 amounts otherwise provided by section 101, an amount of
11 additional new budget authority equivalent to the amount
12 rescinded pursuant to this subsection is hereby appro-
13 priated on September 30, 2020, for an additional amount
14 for fiscal year 2020, to remain available until September
15 30, 2025, and shall be available for the same purposes,
16 in addition to other funds as may be available for such
17 purposes, and under the same authorities for which the
18 funds were originally transferred and merged pursuant to
19 Public Law 114–113.

20 (b)(1) This section shall become effective immediately
21 upon enactment of this Act.

22 (2) If this Act is enacted after September 30,
23 2020, this section shall be applied as if it were in
24 effect on September 30, 2020.

1 SEC. 151. (a) Notwithstanding section 101, section
2 529 of division A of Public Law 116–94 shall be applied
3 by substituting “\$1,150,000,000” for “\$3,169,819,000”
4 and by substituting “section 2104(a)(24)” for “section
5 2104(a)(23)”.

6 (b) Notwithstanding section 101, section 530 of divi-
7 sion A of Public Law 116–94 shall be applied by sub-
8 stituting “\$11,005,661,000” for “\$6,093,181,000”.

9 SEC. 152. (a) Funds made available in Public Law
10 113–235 to the accounts of the National Institutes of
11 Health that were available for obligation through fiscal
12 year 2015 and were obligated for multi-year research
13 grants shall be available through fiscal year 2021 for the
14 liquidation of valid obligations incurred in fiscal year 2015
15 if the Director of the National Institutes of Health deter-
16 mines the project suffered an interruption of activities at-
17 tributable to SARS–CoV–2.

18 (b)(1) This section shall become effective immediately
19 upon enactment of this Act.

20 (2) If this Act is enacted after September 30,
21 2020, this section shall be applied as if it were in
22 effect on September 30, 2020.

23 SEC. 153. (a) Funds made available in Public Law
24 113–76 under the heading “Rehabilitation Services and
25 Disability Research” that were available for obligation

1 through fiscal year 2015 for the Automated Personaliza-
2 tion Computing Project pursuant to the first four provisos
3 under that heading in that Act are to remain available
4 through fiscal year 2021 for the liquidation of valid obliga-
5 tions incurred in fiscal years 2014 or 2015.

6 (b)(1) This section shall become effective immediately
7 upon enactment of this Act.

8 (2) If this Act is enacted after September 30,
9 2020, this section shall be applied as if it were in
10 effect on September 30, 2020.

11 SEC. 154. Section 114(f) of the Higher Education
12 Act of 1965 (20 U.S.C. 1011c(f)) shall be applied by sub-
13 stituting the date specified in section 106(3) of this Act
14 for “September 30, 2020”.

15 SEC. 155. Section 458(a)(4) of the Higher Education
16 Act of 1965 (20 U.S.C. 1087h(a)(4)) shall be applied
17 through the date specified in section 106(3) of this Act
18 by substituting “2021” for “2020”.

19 SEC. 156. (a) The remaining unobligated balances of
20 funds as of September 30, 2020, from amounts made
21 available to “Corporation for National and Community
22 Service—Salaries and Expenses” in title IV of division A
23 of the Further Consolidated Appropriations Act, 2020
24 (Public Law 116–94), are hereby rescinded, and in addi-
25 tion to amounts otherwise provided by section 101, an

1 amount of additional new budget authority equivalent to
2 the amount rescinded pursuant to this subsection is here-
3 by appropriated on September 30, 2020, for an additional
4 amount for fiscal year 2020, to remain available until Sep-
5 tember 30, 2021, and shall be available for the same pur-
6 poses, in addition to other funds as may be available for
7 such purposes, and under the same authorities for which
8 the funds were originally provided in Public Law 116–94.

9 (b) The remaining unobligated balances of funds as
10 of September 30, 2020, from amounts made available to
11 “Corporation for National and Community Service—Op-
12 erating Expenses” in title IV of division A of the Further
13 Consolidated Appropriations Act, 2020 (Public Law 116–
14 94), are hereby rescinded, and in addition to amounts oth-
15 erwise provided by section 101, an amount of additional
16 new budget authority equivalent to the amount rescinded
17 pursuant to this subsection is hereby appropriated on Sep-
18 tember 30, 2020, for an additional amount for fiscal year
19 2020, to remain available until September 30, 2021, and
20 shall be available for the same purposes, in addition to
21 other funds as may be available for such purposes, and
22 under the same authorities for which the funds were origi-
23 nally provided in Public Law 116–94: *Provided*, That any
24 amounts appropriated by the preceding proviso shall not
25 be subject to the allotment requirements otherwise appli-

1 cable under sections 129(a), (b), (d), and (e) of the Na-
2 tional and Community Service Act of 1993.

3 (c) The remaining unobligated balances of funds as
4 of September 30, 2020, from amounts made available to
5 “Corporation for National and Community Service—Of-
6 fice of Inspector General” in title IV of division A of the
7 Further Consolidated Appropriations Act, 2020 (Public
8 Law 116–94), are hereby rescinded, and in addition to
9 amounts otherwise provided by section 101, an amount of
10 additional new budget authority equivalent to the amount
11 rescinded pursuant to this subsection is hereby appro-
12 priated on September 30, 2020, for an additional amount
13 for fiscal year 2020, to remain available until September
14 30, 2021, and shall be available for the same purposes,
15 in addition to other funds as may be available for such
16 purposes, and under the same authorities for which the
17 funds were originally provided in Public Law 116–94.

18 (d)(1) Section 3514(b) of title III of division A of
19 Public Law 116–136 is hereby repealed, and such section
20 shall be applied hereafter as if such subsection had never
21 been enacted.

22 (2)(A) IN GENERAL.—The amounts provided
23 under this subsection are designated as an emer-
24 gency requirement pursuant to section 4(g) of the

1 Statutory Pay-As-You-Go Act of 2010 (2 U.S.C.
2 933(g)).

3 (B) DESIGNATION IN THE SENATE.—In
4 the Senate, this subsection is designated as an
5 emergency requirement pursuant to section
6 4112(a) of H. Con. Res. 71 (115th Congress),
7 the concurrent resolution on the budget for fis-
8 cal year 2018.

9 (C) CLASSIFICATION OF BUDGETARY EF-
10 FECTS.—Notwithstanding Rule 3 of the Budget
11 Scorekeeping Guidelines set forth in the joint
12 explanatory statement of the committee of con-
13 ference accompanying Conference Report 105–
14 217 and section 250(c)(7) and (c)(8) of the
15 Balanced Budget and Emergency Deficit Con-
16 trol Act of 1985, the budgetary effects of this
17 subsection—

18 (i) shall not be estimated for purposes
19 of section 251 of such Act;

20 (ii) shall not be estimated for pur-
21 poses of paragraph (4)(C) of section 3 of
22 the Statutory Pay As-You-Go Act of 2010
23 as being included in an appropriation Act;
24 and

1 (iii) shall be treated as if they were
2 contained in a PAYGO Act, as defined by
3 section 3(7) of the Statutory Pay-As-You-
4 Go Act of 2010 (2 U.S.C. 932(7)).

5 (e)(1) This section shall become effective immediately
6 upon enactment of this Act.

7 (2) If this Act is enacted after September 30,
8 2020, this section shall be applied as if it were in
9 effect on September 30, 2020.

10 SEC. 157. Notwithstanding any other provision of
11 this Act, there is hereby appropriated for fiscal year 2021
12 for payment to the John R. Lewis Revocable Trust, bene-
13 ficiary of John R. Lewis, late a Representative from the
14 State of Georgia, \$174,000.

15 SEC. 158. Notwithstanding section 101, amounts are
16 provided for “House of Representatives—Salaries and Ex-
17 penses” at a rate for operations of \$1,383,725,000.

18 SEC. 159. Notwithstanding any other provision of
19 this Act—

20 (1) the authority of the Library of Congress to
21 reimburse the Little Scholars Child Development
22 Center at the Library of Congress under section
23 19004 of the CARES Act (2 U.S.C. 162b note; 134
24 Stat. 578) shall remain in effect with respect to sal-
25 aries incurred until the termination of the public

1 health emergency declared pursuant to section 319
2 of the Public Health Service Act (42 U.S.C. 247d)
3 resulting from the COVID–19 pandemic; and

4 (2) the authority of the Government Account-
5 ability Office to reimburse the Tiny Findings Child
6 Development Center under section 19009 of the
7 CARES Act (134 Stat. 579) shall remain in effect
8 with respect to salaries incurred until the termi-
9 nation of the public health emergency declared pur-
10 suant to section 319 of the Public Health Service
11 Act (42 U.S.C. 247d) resulting from the COVID–19
12 pandemic.

13 (3) Section 19005(a) of the CARES Act (2
14 U.S.C. 1816b note; 134 Stat. 578) shall be amended
15 by striking “for not more than 16 weeks” and in-
16 serting in its place “until the termination of the
17 public health emergency declared pursuant to section
18 319 of the Public Health Service Act (42 U.S.C.
19 247d) resulting from the COVID–19 pandemic”.

20 SEC. 160. (a) EXTENSION.—Notwithstanding sec-
21 tions 3902(a) and 3904(b) of title 41, United States Code,
22 if the performance or delivery of services procured under
23 a severable service contract of the Library of Congress is
24 delayed or otherwise affected by the COVID–19 Pan-
25 demic, the period for the performance or delivery of serv-

1 ices under the contract may be extended for a period
2 equivalent to the delay or suspension of services, but not
3 exceeding an additional 12 months.

4 (b) CONTRACTS COVERED.—This section applies with
5 respect to contracts for severable services procured for a
6 period beginning in fiscal year 2019 or fiscal year 2020.

7 SEC. 161. Effective upon enactment of this Act, the
8 matter preceding the first proviso under the heading “De-
9 partment of Veterans Affairs—Veterans Benefits Admin-
10 istration—Compensation and Pensions” in division F of
11 Public Law 116–94 is amended by replacing “shall become
12 available on October 1, 2020:” with “, to remain available
13 until expended and to become available on October 1,
14 2020:”.

15 SEC. 162. Amounts made available by section 101 for
16 “Department of Veterans Affairs—Departmental Admin-
17 istration—Veterans Electronic Health Record” may be
18 apportioned up to the rate for operations necessary to
19 maintain support activities related to implementation and
20 maintenance of a Veterans Electronic Health Record sys-
21 tem, including contractual costs associated with operations
22 authorized by section 3109 of title 5, United States Code,
23 and salaries and expenses of employees hired under titles
24 5 and 38, United States Code.

1 SEC. 163. Notwithstanding section 106 of this Act,
2 at any time during fiscal year 2021, the Secretary of Vet-
3 erans Affairs may transfer up to \$140,000,000 of the un-
4 obligated balances available under the heading “Depart-
5 ment of Veterans Affairs—Veterans Health Administra-
6 tion—Medical Services” in title X of division B of the
7 Coronavirus Aid, Relief, and Economic Security Act (Pub-
8 lic Law 116–136) to the “Canteen Service Revolving
9 Fund” of the Department to prevent, prepare for, and re-
10 spond to coronavirus, domestically or internationally: *Pro-*
11 *vided*, That amounts so transferred shall be for offsetting
12 the losses resulting from the coronavirus pandemic of Vet-
13 erans Canteen Service collections pursuant to chapter 78
14 of title 38, United States Code: *Provided further*, That the
15 transferred amounts shall be in addition to any other
16 funds made available for this purpose: *Provided further*,
17 That amounts transferred under this section that were
18 previously designated by the Congress as an emergency
19 requirement pursuant to the Balanced Budget and Emer-
20 gency Deficit Control Act of 1985 are designated by the
21 Congress as an emergency requirement pursuant to sec-
22 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
23 gency Deficit Control Act of 1985.

24 SEC. 164. Amounts made available by section 101 to
25 the Department of State for “Administration of Foreign

1 Affairs—Repatriation Loans Program Account” may be
2 apportioned up to the rate for operations necessary to ac-
3 commodate increased demand for commitments for repa-
4 triation loans authorized by section 4(b)(2)(B) of the
5 State Department Basic Authorities Act of 1956 (22
6 U.S.C. 2671(b)(2)(B)).

7 SEC. 165. Section 21009 of the Coronavirus Aid, Re-
8 lief, and Economic Security Act (Public Law 116–136)
9 shall continue in effect through the date specified in sec-
10 tion 106 of this Act.

11 SEC. 166. (a) During the period covered by this Act,
12 section 1(b)(1) of the Passport Act of June 4, 1920 (22
13 U.S.C. 214(b)(1)) shall be applied by substituting “the
14 costs of providing consular services” for “such costs”.

15 (b) During the period covered by this Act, discre-
16 tionary amounts made available by section 101 to the De-
17 partment of State in title I under the heading “Adminis-
18 tration of Foreign Affairs” and discretionary unobligated
19 balances under such heading from prior Acts making ap-
20 propriations for the Department of State, foreign oper-
21 ations, and related programs, may be transferred to the
22 Consular and Border Security Programs account if the
23 Secretary of State determines and reports to the Commit-
24 tees on Appropriations that to do so is necessary to sus-
25 tain consular operations, following consultation with such

1 Committees: *Provided*, That such transfer authority is in
2 addition to any transfer authority otherwise available in
3 this Act and under any other provision of law: *Provided*
4 *further*, That no amounts may be transferred from
5 amounts designated for Overseas Contingency Operations/
6 Global War on Terrorism or as emergency requirements
7 pursuant to a concurrent resolution on the budget or sec-
8 tion 251(b)(2)(A) of the Balanced Budget and Emergency
9 Deficit Control Act of 1985.

10 (c) Amounts made available by section 101 to the De-
11 partment of State for “Diplomatic Programs” may be ap-
12 portioned up to the rate for operations necessary to sus-
13 tain consular operations, and the obligation of such appor-
14 tioned funds shall be subject to the regular notification
15 procedures of the Committees on Appropriations.

16 SEC. 167. Notwithstanding any other provision of
17 this Act, and subject to the regular notification procedures
18 of the Committees on Appropriations, the limitations in
19 section 7044(e)(2) of division G of Public Law 116–94
20 shall not apply to funds made available in this Act or in
21 the Department of State, Foreign Operations, and Related
22 Programs Appropriations Act, 2020, for disaster relief; to
23 protect human rights, locate and identify missing persons,
24 and assist victims of torture; to promote justice, account-
25 ability, and reconciliation; to enhance maritime security

1 and domain awareness; and for International Military
2 Education and Training.

3 SEC. 168. Section 1334 of the Foreign Affairs Re-
4 form and Restructuring Act of 1998 (22 U.S.C. 6553) is
5 amended by striking “October 1, 2020” and inserting
6 “October 1, 2021”.

7 SEC. 169. (a) The remaining unobligated balances of
8 funds, as of September 30, 2020, from amounts made
9 available to “Department of Transportation—Office of the
10 Secretary—National Infrastructure Investments” in title
11 I of division K of the Consolidated Appropriations Act,
12 2017 (Public Law 115–31), other than such funds admin-
13 istratively allocated to carry out the administration and
14 oversight of awards under the national infrastructure in-
15 vestments program, are hereby rescinded, and in addition
16 to amounts otherwise provided by section 101, an amount
17 of additional new budget authority equivalent to the
18 amount rescinded pursuant to this subsection is hereby
19 appropriated on September 30, 2020, for an additional
20 amount for fiscal year 2020, to remain available until Sep-
21 tember 30, 2021, in addition to other funds as may be
22 available for such purposes, and shall be available, without
23 additional competition, for completing the funding of
24 awards made pursuant to the fiscal year 2017 National
25 Infrastructure Investments grants (also known as the Bet-

1 ter Utilizing Investments to Leverage Development, or
2 BUILD grants).

3 (b) The remaining unobligated balances of funds, as
4 of September 30, 2020, from amounts made available to
5 “Department of Transportation—Office of the Sec-
6 retary—National Infrastructure Investments” in title I of
7 division L of the Consolidated Appropriations Act, 2018
8 (Public Law 115–141), other than such funds administra-
9 tively allocated to carry out the administration and over-
10 sight of awards under the national infrastructure invest-
11 ments program, are hereby rescinded, and in addition to
12 amounts otherwise provided by section 101, an amount of
13 additional new budget authority equivalent to the amount
14 rescinded pursuant to this subsection is hereby appro-
15 priated on September 30, 2020, for an additional amount
16 for fiscal year 2020, to remain available until September
17 30, 2021, in addition to other funds as may be available
18 for such purposes, and shall be available, without addi-
19 tional competition, for completing the funding of awards
20 made pursuant to the fiscal year 2018 National Infra-
21 structure Investments grants (also known as the Better
22 Utilizing Investments to Leverage Development, or
23 BUILD grants).

24 (c)(1) This section shall become effective immediately
25 upon enactment of this Act.

1 (2) If this Act is enacted after September 30,
2 2020, this section shall be applied as if it were in
3 effect on September 30, 2020.

4 SEC. 170. Notwithstanding section 101, the matter
5 preceding the first proviso under the heading “Govern-
6 ment National Mortgage Association—Guarantees of
7 Mortgage-Backed Securities Loan Guarantee Program
8 Account” in the Further Consolidated Appropriations Act,
9 2020 (Public Law 116–94) shall be applied by sub-
10 stituting “\$1,278,000,000,000” for “\$550,000,000,000”:
11 *Provided*, That amounts made available under such head-
12 ing by this Act may be apportioned up to the rate for oper-
13 ations necessary to accommodate increased demand for
14 new commitments to issue guarantees to carry out the
15 purposes of section 306 of the National Housing Act as
16 amended (12 U.S.C. 1721(g)).

17 SEC. 171. (a) Funds previously made available in the
18 Consolidated and Further Continuing Appropriations Act,
19 2013 (Public Law 113–6) for the “Choice Neighborhoods
20 Initiative” that were available for obligation through fiscal
21 year 2015 are to remain available through fiscal year 2021
22 for the liquidation of valid obligations incurred in fiscal
23 years 2013 through 2015.

24 (b)(1) This section shall become effective immediately
25 upon enactment of this Act.

1 (2) If this Act is enacted after September 30,
2 2020, this section shall be applied as if it were in
3 effect on September 30, 2020.

4 SEC. 172. Amounts made available by section 101 to
5 the Department of Housing and Urban Development for
6 “Housing Programs—Housing for the Elderly” may be
7 apportioned up to the rate for operations necessary to—
8 (1) maintain project rental assistance for the elderly
9 under section 202(c)(2) of the Housing Act of 1959 (12
10 U.S.C. 1701q(2)), including making amendments to con-
11 tracts for such assistance and renewing expiring contracts
12 for such assistance for up to a 1-year term; and

13 (2) be available to make awards to existing
14 grantees to continue, without competition, dem-
15 onstration programs to test housing with services
16 models for the elderly that demonstrate the potential
17 to delay or avoid the need for nursing home care.

18 This Act may be cited as the “Continuing Appropria-
19 tions Act, 2021”.

1 **DIVISION B—SURFACE TRANS-**
2 **PORTATION PROGRAM EX-**
3 **TENSION**

4 **TITLE I—SURFACE**
5 **TRANSPORTATION PROGRAMS**

6 **SEC. 1101. EXTENSION OF FEDERAL SURFACE TRANSPOR-**
7 **TATION PROGRAMS.**

8 (a) IN GENERAL.—Except as otherwise provided in
9 this division, the requirements, authorities, conditions, eli-
10 gibilities, limitations, and other provisions authorized
11 under the covered laws, which would otherwise expire on
12 or cease to apply after September 30, 2020, are incor-
13 porated by reference and shall continue in effect through
14 September 30, 2021.

15 (b) AUTHORIZATION OF APPROPRIATIONS.—

16 (1) HIGHWAY TRUST FUND.—

17 (A) HIGHWAY ACCOUNT.—There is author-
18 ized to be appropriated from the Highway Ac-
19 count for fiscal year 2021, for each program
20 with respect to which amounts are authorized
21 to be appropriated from such account for fiscal
22 year 2020, an amount equal to the amount au-
23 thorized for appropriation with respect to the
24 program from such account under the covered
25 laws for fiscal year 2020.

1 (B) MASS TRANSIT ACCOUNT.—There is
2 authorized to be appropriated from the Mass
3 Transit Account for fiscal year 2021, for each
4 program with respect to which amounts are au-
5 thorized to be appropriated from such account
6 for fiscal year 2020, an amount equal to the
7 amount authorized for appropriation with re-
8 spect to the program from such account under
9 the covered laws for fiscal year 2020.

10 (2) GENERAL FUND.—There is authorized to be
11 appropriated for fiscal year 2021, for each program
12 under the covered laws with respect to which
13 amounts are authorized to be appropriated for fiscal
14 year 2020 from an account other than the Highway
15 Account or the Mass Transit Account, an amount
16 that is not less than the amount authorized for ap-
17 propriation with respect to the program under the
18 covered laws for fiscal year 2020.

19 (c) USE OF FUNDS.—Amounts authorized to be ap-
20 propriated for fiscal year 2021 with respect to a program
21 under subsection (b) shall be distributed, administered,
22 limited, and made available for obligation in the same
23 manner as amounts authorized to be appropriated with re-
24 spect to the program for fiscal year 2020 under the cov-
25 ered laws.

1 (d) OBLIGATION LIMITATION.—A program for which
2 amounts are authorized to be appropriated under sub-
3 section (b)(1) shall be subject to a limitation on obliga-
4 tions for fiscal year 2021 in the same amount and in the
5 same manner as the limitation applicable with respect to
6 the program for fiscal year 2020.

7 (e) DEFINITIONS.—In this section:

8 (1) COVERED LAWS.—The term “covered laws”
9 means the following:

10 (A) Titles I, II, III, IV, V, VI, VII, VIII,
11 XI, and XXIV of the FAST Act (Public Law
12 114–94).

13 (B) Division A, division B, subtitle A of
14 title I and title II of division C, and division E
15 of MAP–21 (Public Law 112–141).

16 (C) Titles I, II, and III of the SAFETEA–
17 LU Technical Corrections Act of 2008 (Public
18 Law 110–244).

19 (D) Titles I, II, III, IV, V, and VI of
20 SAFETEA–LU (Public Law 109–59).

21 (E) Titles I, II, III, IV, and V of the
22 Transportation Equity Act for the 21st Century
23 (Public Law 105–178).

1 (F) Titles II, III, and IV of the National
 2 Highway System Designation Act of 1995
 3 (Public Law 104–59).

4 (G) Titles I, II, III, IV, V, and VI of the
 5 Intermodal Surface Transportation Efficiency
 6 Act of 1991 (Public Law 102–240).

7 (H) Title 23, United States Code.

8 (I) Sections 116, 117, 330, 5128, 5505,
 9 and 24905 and chapters 53, 139, 303, 311,
 10 313, 701, and 702 of title 49, United States
 11 Code.

12 (2) HIGHWAY ACCOUNT.—The term “Highway
 13 Account” means the portion of the Highway Trust
 14 Fund that is not the Mass Transit Account.

15 (3) MASS TRANSIT ACCOUNT.—The term “Mass
 16 Transit Account” means the portion of the Highway
 17 Trust Fund established under section 9503(e)(1) of
 18 the Internal Revenue Code of 1986.

19 **SEC. 1102. NATIONALLY SIGNIFICANT FREIGHT AND HIGH-**
 20 **WAY PROJECTS.**

21 Section 117(d)(2)(A) of title 23, United States Code,
 22 is amended in the matter preceding clause (i)—

23 (1) by striking “\$500,000,000” and inserting
 24 “\$600,000,000”; and

25 (2) by striking “2020” and inserting “2021”.

1 **SEC. 1103. HIGHWAY SAFETY RESEARCH AND DEVELOP-**
2 **MENT.**

3 Section 403(h)(2) of title 23, United States Code, is
4 amended—

5 (1) by striking “2020” and inserting “2021”;
6 and

7 (2) by striking “\$21,248,000” and inserting
8 “\$26,560,000”.

9 **SEC. 1104. RAIL-RELATED PROVISIONS.**

10 (a) **FEDERAL FUNDING FOR OPERATING LOSSES.**—
11 Section 24321 of title 49, United States Code, is amend-
12 ed—

13 (1) by striking subsection (d); and

14 (2) by redesignating subsection (e) as sub-
15 section (d).

16 (b) **DIRECT LOANS AND LOAN GUARANTEES.**—Sec-
17 tion 502(b)(3) of the Railroad Revitalization and Regu-
18 latory Reform Act of 1976 (45 U.S.C. 822(b)(3)) is
19 amended by striking “September 30, 2020” and inserting
20 “September 30, 2021”.

21 **SEC. 1105. SUSPENSION FOR EXTENSION PERIOD OF AD-**
22 **JUSTMENTS FOR ADDITIONAL DEPOSITS**
23 **INTO HIGHWAY TRUST FUND.**

24 Section 105 of title 23, United States Code, shall not
25 apply to monies deposited into the Highway Trust Fund
26 by this division.

1 **SEC. 1106. PROHIBITION ON USE OF FUNDS.**

2 None of the funds authorized in this division or any
 3 other Act may be used to adjust apportionments for the
 4 Mass Transit Account of the Highway Trust Fund or
 5 withhold funds from apportionments for the Mass Transit
 6 Account of the Highway Trust Fund pursuant to section
 7 9503(e)(4) of the Internal Revenue Code of 1986 in fiscal
 8 year 2021.

9 **SEC. 1107. APPALACHIAN REGIONAL COMMISSION.**

10 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
 11 14703 of title 40, United States Code, is amended—

12 (1) in subsection (a)(5) by striking “2020” and
 13 inserting “2021”; and

14 (2) in subsection (c) by striking “2020” and in-
 15 serting “2021”.

16 (b) TERMINATION.—Section 14704 of title 40,
 17 United States Code, is amended by striking “2020” and
 18 inserting “2021”.

19 **TITLE II—TRUST FUNDS**

20 **SEC. 1201. EXTENSION OF HIGHWAY TRUST FUND EXPENDI-**
 21 **TURE AUTHORITY.**

22 Section 9503 of the Internal Revenue Code of 1986
 23 is amended—

24 (1) by striking “October 1, 2020” in sub-
 25 sections (b)(6)(B), (c)(1), and (e)(3) and inserting
 26 “October 1, 2021”; and

1 (2) by striking “FAST Act” in subsections
2 (c)(1) and (e)(3) and inserting “Continuing Appro-
3 priations Act, 2021 and Other Extensions Act”.

4 **SEC. 1202. SPORT FISH RESTORATION AND BOATING TRUST**
5 **FUND.**

6 Section 9504 of the Internal Revenue Code of 1986
7 is amended—

8 (1) by striking “FAST Act” each place it ap-
9 pears in subsection (b)(2) and inserting “Continuing
10 Appropriations Act, 2021 and Other Extensions
11 Act”; and

12 (2) by striking “October 1, 2020” in subsection
13 (d)(2) and inserting “October 1, 2021”.

14 **SEC. 1203. LEAKING UNDERGROUND STORAGE TANK TRUST**
15 **FUND.**

16 Section 9508(e)(2) of the Internal Revenue Code of
17 1986 is amended by striking “October 1, 2020” and in-
18 serting “October 1, 2021”.

19 **SEC. 1204. FURTHER ADDITIONAL TRANSFERS TO HIGHWAY**
20 **TRUST FUND.**

21 Subsection (f) of section 9503 of the Internal Rev-
22 enue Code of 1986 is amended by redesignating paragraph
23 (10) as paragraph (11) and by inserting after paragraph
24 (9) the following new paragraph:

1 “(10) FURTHER TRANSFERS TO TRUST
2 FUND.—Out of money in the Treasury not otherwise
3 appropriated, there is hereby appropriated—

4 “(A) \$10,400,000,000 to the Highway Ac-
5 count (as defined in subsection (e)(5)(B)) in
6 the Highway Trust Fund; and

7 “(B) \$3,200,000,000 to the Mass Transit
8 Account in the Highway Trust Fund.”.

9 **SEC. 1205. ADDITIONAL TRANSFER TO TRUST FUND.**

10 Section 9502 of the Internal Revenue Code of 1986
11 is amended by adding at the end the following:

12 “(f) ADDITIONAL TRANSFER TO TRUST FUND.—Out
13 of money in the Treasury not otherwise appropriated,
14 there is hereby appropriated \$14,000,000,000 to the Air-
15 port and Airway Trust Fund.”.

1 **DIVISION C—HEALTH**
2 **EXTENDERS**
3 **TITLE I—PUBLIC HEALTH**
4 **EXTENDERS**

5 **SEC. 2101. COMMUNITY HEALTH CENTERS, NATIONAL**
6 **HEALTH SERVICE CORPS, AND TEACHING**
7 **HEALTH CENTERS THAT OPERATE GRAD-**
8 **UATE MEDICAL EDUCATION PROGRAMS.**

9 (a) COMMUNITY HEALTH CENTERS.—Section
10 10503(b)(1)(F) of the Patient Protection and Affordable
11 Care Act (42 U.S.C. 254b–2(b)(1)(F)) is amended—

12 (1) by striking “\$668,493,151” and inserting
13 “\$789,041,096”; and

14 (2) by striking “November 30, 2020” and in-
15 serting “December 11, 2020”.

16 (b) NATIONAL HEALTH SERVICE CORPS.—Section
17 10503(b)(2)(H) of the Patient Protection and Affordable
18 Care Act (42 U.S.C. 254b–2(b)(2)(H)) is amended—

19 (1) by striking “\$51,808,219” and inserting
20 “\$61,150,685”; and

21 (2) by striking “November 30, 2020” and in-
22 serting “December 11, 2020”.

23 (c) TEACHING HEALTH CENTERS THAT OPERATE
24 GRADUATE MEDICAL EDUCATION PROGRAMS.—Section

1 340H(g)(1) of the Public Health Service Act (42 U.S.C.
2 256h(g)(1)) is amended—

3 (1) by striking “\$21,141,096” and inserting
4 “\$24,953,425”; and

5 (2) by striking “November 30, 2020” and in-
6 serting “December 11, 2020”.

7 (d) APPLICATION OF PROVISIONS.—Amounts appro-
8 priated pursuant to the amendments made by this section
9 for the period beginning on October 1, 2020, through De-
10 cember 11, 2020, shall be subject to the requirements con-
11 tained in Public Law 116–94 for funds for programs au-
12 thorized under sections 330 through 340 of the Public
13 Health Service Act (42 U.S.C. 254 through 256).

14 (e) CONFORMING AMENDMENT.—Paragraph (4) of
15 section 3014(h) of title 18, United States Code, is amend-
16 ed—

17 (1) by striking “Social Services Act,,,” and in-
18 serting “Social Services Act,”; and

19 (2) by striking “and section 3831 of the
20 CARES Act” and inserting “, section 3831 of the
21 CARES Act, and section 2101 of the Continuing
22 Appropriations Act, 2021 and Other Extensions
23 Act”.

1 **SEC. 2102. DIABETES PROGRAMS.**

2 (a) SPECIAL DIABETES PROGRAMS FOR TYPE I DIA-
3 BETES.—Section 330B(b)(2)(D) of the Public Health
4 Service Act (42 U.S.C. 254c–2(b)(2)(D)) is amended—

5 (1) by striking “\$25,068,493” and inserting
6 “\$29,589,042”; and

7 (2) by striking “November 30, 2020” and in-
8 serting “December 11, 2020”.

9 (b) SPECIAL DIABETES PROGRAMS FOR INDIANS.—
10 Section 330C(c)(2)(D) of the Public Health Service Act
11 (42 U.S.C. 254c–3(c)(2)(D)) is amended—

12 (1) by striking “\$25,068,493” and inserting
13 “\$29,589,042”; and

14 (2) by striking “November 30, 2020” and in-
15 serting “December 11, 2020”.

16 **SEC. 2103. PERSONAL RESPONSIBILITY EDUCATION.**

17 Section 513 of the Social Security Act (42 U.S.C.
18 713) is amended by striking “November 30, 2020” each
19 place it appears and inserting “December 11, 2020”.

20 **SEC. 2104. SEXUAL RISK AVOIDANCE EDUCATION.**

21 Section 510 of the Social Security Act (42 U.S.C.
22 710) is amended—

23 (1) by striking “November 30, 2020” each
24 place it appears and inserting “December 11,
25 2020”;

1 (2) in subsection (a)(2)(B)(i), by striking “such
 2 period, for fiscal year 2020” and inserting “the pe-
 3 riod described in subparagraph (A), for fiscal year
 4 2021”; and

5 (3) in subsection (f)(2), by striking “and 2019”
 6 and inserting “through 2020,”.

7 **SEC. 2105. RARE PEDIATRIC DISEASE PRIORITY REVIEW**
 8 **VOUCHER EXTENSION.**

9 Section 529(b)(5) of the Federal Food, Drug, and
 10 Cosmetic Act (21 U.S.C. 360ff(b)(5)) is amended—

11 (1) by striking “September 30, 2020” each
 12 place it appears and inserting “December 11,
 13 2020”; and

14 (2) in subparagraph (B), by striking “Sep-
 15 tember 30, 2022” and inserting “December 11,
 16 2022”.

17 **SEC. 2106. AUTHORIZATION TO ACCUMULATE EXCESS AN-**
 18 **NUAL LEAVE.**

19 (a) IN GENERAL.—Notwithstanding section 219 of
 20 the Public Health Service Act (42 U.S.C. 210–1), a com-
 21 missioned officer of the Public Health Service who, except
 22 for this section, would lose at the end of the fiscal year
 23 2020 accumulated annual leave in excess of 60 days, may
 24 retain such amounts of accumulated annual leave in excess
 25 of 60 days.

1 (b) USE OF EXCESS LEAVE.—Annual leave retained
 2 pursuant to subsection (a) shall be lost unless it is used
 3 by the officer no later than September 30, 2023.

4 (c) APPLICABILITY.—This section shall not apply to
 5 an officer on terminal leave preceding separation, retire-
 6 ment, or release from active duty, as of the effective date
 7 specified in subsection (d).

8 (d) EFFECTIVE DATE.—This section shall become ef-
 9 fective on the earlier of—

10 (1) the date of the enactment of this Act; or

11 (2) September 30, 2020.

12 **SEC. 2107. HHS SERVICES AND SUPPLY FUND.**

13 Effective as if included in the enactment of the para-
 14 graph beginning with “Service and supply fund:” under
 15 the heading “Public Health Service” in the Federal Secu-
 16 rity Agency Appropriation Act, 1946 (42 U.S.C. 231),
 17 such paragraph shall be applied with respect to any fiscal
 18 year as though the phrase “central services” referred to
 19 central services for any Federal agency.

20 **TITLE II—MEDICARE**
 21 **EXTENDERS**

22 **SEC. 2201. EXTENSION OF THE WORK GEOGRAPHIC INDEX**
 23 **FLOOR UNDER THE MEDICARE PROGRAM.**

24 Section 1848(e)(1)(E) of the Social Security Act (42
 25 U.S.C. 1395w–4(e)(1)(E)), as amended by section 3801

1 of the CARES Act (Public Law 116–136), is amended by
 2 striking “December 1, 2020” and inserting “December
 3 12, 2020”.

4 **SEC. 2202. EXTENSION OF FUNDING FOR QUALITY MEAS-**
 5 **URE ENDORSEMENT, INPUT, AND SELECTION.**

6 Section 1890(d)(2) of the Social Security Act (42
 7 U.S.C. 1395aaa(d)(2)), as amended by section 3802 of the
 8 CARES Act (Public Law 116–136), is amended—

9 (1) in the first sentence, by striking “November
 10 30, 2020” and inserting “December 11, 2020”; and

11 (2) in the third sentence, by striking “Novem-
 12 ber 30, 2020” and inserting “December 11, 2020”.

13 **SEC. 2203. EXTENSION OF FUNDING OUTREACH AND AS-**
 14 **SISTANCE FOR LOW-INCOME PROGRAMS.**

15 (a) STATE HEALTH INSURANCE PROGRAMS.—Sub-
 16 section (a)(1)(B) of section 119 of the Medicare Improve-
 17 ments for Patients and Providers Act of 2008 (42 U.S.C.
 18 1395b–3 note), as amended by section 3306 of the Patient
 19 Protection and Affordable Care Act (Public Law 111–
 20 148), section 610 of the American Taxpayer Relief Act
 21 of 2012 (Public Law 112–240), section 1110 of the Path-
 22 way for SGR Reform Act of 2013 (Public Law 113–67),
 23 section 110 of the Protecting Access to Medicare Act of
 24 2014 (Public Law 113–93), section 208 of the Medicare
 25 Access and CHIP Reauthorization Act of 2015 (Public

1 Law 114–10), section 50207 of division E of the Bipar-
2 tisan Budget Act of 2018 (Public Law 115–123), section
3 1402 of division B of the Continuing Appropriations Act,
4 2020, and Health Extenders Act of 2019 (Public Law
5 116–59), section 1402 of division B of the Further Con-
6 tinuing Appropriations Act, 2020, and Further Health
7 Extenders Act of 2019 (Public Law 116–69), section 103
8 of division N of the Further Consolidated Appropriations
9 Act, 2020 (Public Law 116–94), and section 3803 of the
10 CARES Act (Public Law 116–136) is amended in clause
11 (xi) by striking “November 30, 2020” and inserting “De-
12 cember 11, 2020”.

13 (b) AREA AGENCIES ON AGING.—Subsection
14 (b)(1)(B) of such section 119, as so amended, is amended
15 in clause (xi) by striking “November 30, 2020” and insert-
16 ing “December 11, 2020”.

17 (c) AGING AND DISABILITY RESOURCE CENTERS.—
18 Subsection (c)(1)(B) of such section 119, as so amended,
19 is amended in clause (xi) by striking “November 30,
20 2020” and inserting “December 11, 2020”.

21 (d) CONTRACT WITH THE NATIONAL CENTER FOR
22 BENEFITS AND OUTREACH ENROLLMENT.—Subsection
23 (d)(2) of such section 119, as so amended, is amended
24 in clause (xi) by striking “November 30, 2020” and insert-
25 ing “December 11, 2020”.

TITLE III—MEDICAID EXTENDERS

SEC. 2301. EXTENSION OF MONEY FOLLOWS THE PERSON REBALANCING DEMONSTRATION.

Section 6071(h)(1)(H) of the Deficit Reduction Act of 2005 (42 U.S.C. 1396a note), as inserted by section 3811 of the CARES Act (Public Law 116–136), is amended by striking “November 30, 2020” and inserting “December 11, 2020”.

SEC. 2302. EXTENSION OF SPOUSAL IMPOVERISHMENT PROTECTIONS.

(a) IN GENERAL.—Section 2404 of the Patient Protection and Affordable Care Act (42 U.S.C. 1396r–5 note), as amended by section 3812 of the CARES Act (Public Law 116–136), is amended by striking “November 30, 2020” and inserting “December 11, 2020”.

(b) RULE OF CONSTRUCTION.—Nothing in section 2404 of Public Law 111–148 (42 U.S.C. 1396r–5 note) or section 1902(a)(17) or 1924 of the Social Security Act (42 U.S.C. 1396a(a)(17), 1396r–5) shall be construed as prohibiting a State from—

(1) applying an income or resource disregard under a methodology authorized under section 1902(r)(2) of such Act (42 U.S.C. 1396a(r)(2))—

1 (A) to the income or resources of an indi-
2 vidual described in section
3 1902(a)(10)(A)(ii)(VI) of such Act (42 U.S.C.
4 1396a(a)(10)(A)(ii)(VI)) (including a disregard
5 of the income or resources of such individual's
6 spouse); or

7 (B) on the basis of an individual's need for
8 home and community-based services authorized
9 under subsection (c), (d), (i), or (k) of section
10 1915 of such Act (42 U.S.C. 1396n) or under
11 section 1115 of such Act (42 U.S.C. 1315); or

12 (2) disregarding an individual's spousal income
13 and assets under a plan amendment to provide med-
14 ical assistance for home and community-based serv-
15 ices for individuals by reason of being determined el-
16 igible under section 1902(a)(10)(C) of such Act (42
17 U.S.C. 1396a(a)(10)(C)) or by reason of section
18 1902(f) of such Act (42 U.S.C. 1396a(f)) or other-
19 wise on the basis of a reduction of income based on
20 costs incurred for medical or other remedial care
21 under which the State disregarded the income and
22 assets of the individual's spouse in determining the
23 initial and ongoing financial eligibility of an indi-
24 vidual for such services in place of the spousal im-

1 poverishment provisions applied under section 1924
2 of such Act (42 U.S.C. 1396r–5).

3 **SEC. 2303. DELAY OF DSH REDUCTIONS.**

4 Section 1923(f)(7)(A) of the Social Security Act (42
5 U.S.C. 1396r–4(f)(7)(A)), as amended by section 3813 of
6 the CARES Act (Public Law 116–136), is amended—

7 (1) in clause (i), in the matter preceding sub-
8 clause (I), by striking “December 1, 2020” and in-
9 serting “December 12, 2020”; and

10 (2) in clause (ii)(I), by striking “December 1,
11 2020” and inserting “December 12, 2020”.

12 **SEC. 2304. EXTENSION OF COMMUNITY MENTAL HEALTH**
13 **SERVICES DEMONSTRATION PROGRAM.**

14 Section 223(d)(3) of the Protecting Access to Medi-
15 care Act of 2014 (42 U.S.C. 1396a note), as amended by
16 section 3814 of the CARES Act (Public Law 116–136),
17 is amended by striking “November 30, 2020” and insert-
18 ing “December 11, 2020”.

19 **TITLE IV—MEDICARE PART B**
20 **PREMIUM ADJUSTMENT**

21 **SEC. 2401. 2021 MEDICARE PART B PREMIUM AND DEDUCT-**
22 **IBLE.**

23 (a) 2021 PREMIUM AND DEDUCTIBLE AND REPAY-
24 MENT THROUGH FUTURE PREMIUMS.—Section 1839(a)

1 of the Social Security Act (42 U.S.C. 1395r(a)) is amend-
2 ed—

3 (1) in the second sentence of paragraph (1), by
4 striking “(5) and (6)” and inserting “(5), (6), and
5 (7)”;

6 (2) in paragraph (6)(C)—

7 (A) in clause (i), by striking “section
8 1844(d)(1)” and inserting “subsections (d)(1)
9 and (e)(1) of section 1844”; and

10 (B) in clause (ii), by striking “paragraph
11 (5)” and inserting “paragraphs (5) and (7)”;
12 and

13 (3) by adding at the end the following:

14 “(7)(A) In applying this part (including subsection
15 (i) and section 1833(b)), the monthly actuarial rate for
16 enrollees age 65 and over for 2021 shall be determined
17 to be equal to the sum of—

18 “(i) the monthly actuarial rate for enrollees age
19 65 and over for 2020; plus

20 “(ii) 25 percent of the difference between such
21 rate for 2020 and the preliminary monthly actuarial
22 rate for enrollees age 65 and over for 2021 (as esti-
23 mated under subparagraph (B)).

24 “(B) For purposes of subparagraph (A)(ii), the Sec-
25 retary shall estimate a preliminary monthly actuarial rate

1 for enrollees age 65 and over for 2021 using the method-
2 ology described in paragraph (1) and as if subparagraph
3 (A) of this paragraph did not apply. The Secretary shall
4 make the estimate under the previous sentence as if the
5 transfers described in section 1844(f)(1) have been
6 made.”.

7 (b) TRANSITIONAL GOVERNMENT CONTRIBUTION.—
8 Section 1844 of the Social Security Act (42 U.S.C.
9 1395w) is amended—

10 (1) in subsection (a), by adding at the end the
11 following new sentence: “In applying paragraph (1),
12 the amounts transferred under subsection (e)(1)
13 with respect to enrollees described in subparagraphs
14 (A) and (B) of such subsection shall be treated as
15 premiums payable and deposited in the Trust Fund
16 under subparagraphs (A) and (B), respectively, of
17 paragraph (1).”; and

18 (2) by adding at the end the following:

19 “(e)(1) For 2021, there shall be transferred from the
20 General Fund to the Trust Fund an amount, as estimated
21 by the Chief Actuary of the Centers for Medicare & Med-
22 icaid Services, equal to the reduction in aggregate pre-
23 miums payable under this part for a month in such year
24 (excluding any changes in amounts collected under section

1 1839(i)) that are attributable to the application of section
2 1839(a)(7) with respect to—

3 “(A) enrollees age 65 and over; and

4 “(B) enrollees under age 65.

5 Such amounts shall be transferred from time to time as
6 appropriate.

7 “(2) Premium increases affected under section
8 1839(a)(6) shall not be taken into account in applying
9 subsection (a).

10 “(3) There shall be transferred from the Trust Fund
11 to the General Fund of the Treasury amounts equivalent
12 to the additional premiums payable as a result of the ap-
13 plication of section 1839(a)(6), excluding the aggregate
14 payments attributable to the application of section
15 1839(i)(3)(A)(ii)(II).”.

16 (c) ADDITIONAL TRANSITIONAL GOVERNMENT CON-
17 TRIBUTION.—Section 1844 of the Social Security Act (42
18 U.S.C. 1395w), as amended by subsection (b)(2), is
19 amended by adding at the end the following:

20 “(f)(1) There shall be transferred from the General
21 Fund of the Treasury to the Trust Fund an amount, as
22 estimated by the Chief Actuary of the Centers for Medi-
23 care & Medicaid Services, equal to amounts paid in ad-
24 vance for items and services under this part during the
25 period beginning on the first day of the emergency period

1 described in section 1135(g)(1)(B) and ending on the date
 2 of the enactment of this paragraph.

3 “(2) There shall be transferred from the Trust Fund
 4 to the General Fund of the Treasury amounts equivalent
 5 to the sum of—

6 “(A) the amounts by which claims have offset
 7 (in whole or in part) the amount of such payments
 8 described in paragraph (1); and

9 “(B) the amount of such payments that have
 10 been repaid (in whole or in part).

11 “(3) Amounts described in paragraphs (1) and (2)
 12 shall be transferred from time to time as appropriate.”.

13 (d) INDENTATION CORRECTION.—Section
 14 1839(i)(3)(A)(ii) of the Social Security Act (42 U.S.C.
 15 1395r(i)(3)(A)(ii)) is amended by moving the indentation
 16 of subclause (I) two ems to the right.

17 **TITLE V—ACCELERATED AND** 18 **ADVANCE PAYMENT PROGRAMS**

19 **SEC. 2501. MODIFYING ACCELERATED AND ADVANCE PAY-** 20 **MENT PROGRAMS UNDER PARTS A AND B OF** 21 **THE MEDICARE PROGRAM DURING THE** 22 **COVID-19 EMERGENCY.**

23 (a) SPECIAL REPAYMENT RULES AND OTHER MODI-
 24 FICATIONS.—

25 (1) PART A.—

1 (A) IN GENERAL.—Section 1815(f)(2)(C)
2 of the Social Security Act (42 U.S.C.
3 1395g(f)(2)(C)) is amended to read as follows:

4 “(C) In the case of a payment made under the
5 terms of the program under subsection (e)(3), in-
6 cluding such program as expanded pursuant to this
7 subsection, on or after the date of the enactment of
8 the CARES Act and so made during the emergency
9 period described in section 1135(g)(1)(B), upon re-
10 quest of a hospital, the Secretary shall—

11 “(i) provide 1 year before payments for
12 items and services furnished by the hospital are
13 offset to recoup payments under such program;

14 “(ii) provide that any such offset be an
15 amount equal to—

16 “(I) during the first 11 months in
17 which any such offsets are made with re-
18 spect to payment for items and services
19 furnished by the hospital, 25 percent of the
20 amount of such payment for such items
21 and services; and

22 “(II) during the succeeding 6 months,
23 50 percent of the amount of such payment
24 for such items and services; and

1 “(iii) allow 29 months from the date of the
2 first payment under such program to such pro-
3 vider before requiring that the outstanding bal-
4 ance be paid in full.”.

5 (B) AUTHORITY FOR DISCRETION.—Sec-
6 tion 1815(f)(2)(A)(ii) of the Social Security Act
7 (42 U.S.C. 1395g(f)(2)(A)(ii)) is amended by
8 inserting “(or, with respect to requests sub-
9 mitted to the Secretary after April 26, 2020,
10 may)” after “shall.”.

11 (C) APPLICATION TO OTHER PART A PRO-
12 VIDERS.—

13 (i) IN GENERAL.—In the case of a
14 payment made under the terms of an ap-
15 plicable program (as defined in clause (ii)),
16 on or after the date of the enactment of
17 the CARES Act (Public Law 116–136)
18 and so made during the emergency period
19 described in section 1135(g)(1)(B) of the
20 Social Security Act (42 U.S.C. 1320b–
21 5(g)(1)(B)), upon request of an applicable
22 provider (as defined in clause (iii)), the
23 provisions of section 1815(f)(2)(C) of such
24 Act (42 U.S.C. 1395g(f)(2)(C)), as amend-
25 ed by subparagraph (A), shall apply with

1 respect to such payment in the same man-
2 ner as such provisions apply with respect
3 to a payment made under the terms of the
4 program under subsection (e)(3) of section
5 1815 of such Act (42 U.S.C. 1395g), in-
6 cluding such program as expanded pursu-
7 ant to subsection (f) of such section, on or
8 after the date of the enactment of the
9 CARES Act (Public Law 116–136) and so
10 made during such emergency period.

11 (ii) APPLICABLE PROGRAM DE-
12 FINED.—In this clause, the term “applica-
13 ble program” means—

14 (I) the programs under sections
15 413.64(g), 412.541(f), 412.632(e),
16 412.116(f), 413.350(d), or 418.307 of
17 title 42, Code of Federal Regulations
18 (or any successor regulations); and

19 (II) any other comparable pro-
20 gram under part A of title XVIII of
21 the Social Security Act, as determined
22 by the Secretary.

23 (iii) APPLICABLE PROVIDER.—In this
24 clause, the term “applicable provider”

1 means a provider of services that is eligible
2 for payment under an applicable program.

3 (2) PART B.—

4 (A) IN GENERAL.—In the case of a pay-
5 ment made under the terms of the program de-
6 scribed in section 421.214 of title 42, Code of
7 Federal Regulations (or any successor regula-
8 tion) on or after the date of the enactment of
9 the CARES Act (Public Law 116–136) and so
10 made during the emergency period described in
11 section 1135(g)(1)(B) of the Social Security
12 Act (42 U.S.C. 1320b–5(g)(1)(B)), the Sec-
13 retary of Health and Human Services shall,
14 upon request of the provider of services or sup-
15 plier receiving such payment—

16 (i) provide 1 year before payments for
17 items and services furnished by such pro-
18 vider or supplier are offset to recoup pay-
19 ments under such program;

20 (ii) provide that any such offset be an
21 amount equal to—

22 (I) during the first 11 months in
23 which any such offsets are made with
24 respect to payment for items and
25 services furnished by such provider or

1 supplier, 25 percent of the amount of
2 such payment for such items and
3 services; and

4 (II) during the succeeding 6
5 months, 50 percent of the amount of
6 such payment for such items and
7 services; and

8 (iii) allow 29 months from the date of
9 the first payment under such program to
10 such provider or supplier before requiring
11 that the outstanding balance be paid in
12 full.

13 (B) LIMITATION ON FURTHER PART B AD-
14 VANCE PAYMENTS.—With respect to the period
15 of the emergency period described in section
16 1135(g)(1)(B) of the Social Security Act (42
17 U.S.C. 1320b–5(g)(1)(B)) beginning on the
18 date of the enactment of this Act, the total
19 amount of payments made under the terms of
20 the program described in section 421.214 of
21 title 42, Code of Federal Regulations (or any
22 successor regulation)—

23 (i) for the portion of 2020 occurring
24 during such period of the emergency period

1 and for each year, shall not exceed
2 \$10,000,000;

3 (ii) for each year beginning and end-
4 ing during such period of the emergency
5 period, shall not exceed \$10,000,000; and

6 (iii) for the last year beginning during
7 such period of the emergency period, the
8 portion of such last year occurring during
9 such period of the emergency period, shall
10 not exceed \$10,000,000.

11 (b) INTEREST RATES.—

12 (1) PART A.—

13 (A) IN GENERAL.—Section 1815(d) of the
14 Social Security Act (42 U.S.C. 1395g(d)) is
15 amended by inserting before the period at the
16 end the following: “(or, in the case of such a
17 determination made with respect to a payment
18 made on or after the date of the enactment of
19 the CARES Act and during the emergency pe-
20 riod described in section 1135(g)(1)(B) under
21 the program under subsection (e)(3), including
22 such program as expanded pursuant to sub-
23 section (f), at a rate of 4 percent)”.

24 (B) APPLICATION TO OTHER PART A PRO-
25 VIDERS.—In the case of a determination under

1 section 1815(d) of the Social Security Act (42
2 U.S.C. 1395g(d)) with respect to a payment
3 made on or after the date of the enactment of
4 the CARES Act (Public Law 116–136) and
5 during the emergency period described in sec-
6 tion 1135(g)(1)(B) of the Social Security Act
7 (42 U.S.C. 1320b–5(g)(1)(B)) under an appli-
8 cable program (as defined in subsection
9 (a)(1)(C)(ii)), the amendment made by sub-
10 paragraph (A) shall apply with respect to such
11 determination in the same manner as such
12 amendment applies with respect to a payment
13 made on or after the date of the enactment of
14 the CARES Act (Public Law 116–136) and
15 during such emergency period under the pro-
16 gram under subsection (e)(3) of section 1815 of
17 such Act (42 U.S.C. 1395g), including such
18 program as expanded pursuant to subsection (f)
19 of such section.

20 (2) PART B.—Section 1833(j) of the Social Se-
21 curity Act (42 U.S.C. 1395l(j)) is amended by in-
22 serting before the period at the end the following:
23 “(or, in the case of such a determination made with
24 respect to a payment made on or after the date of
25 the enactment of the CARES Act and during the

1 emergency period described in section 1135(g)(1)(B)
2 under the program described in section 421.214 of
3 title 42, Code of Federal Regulations (or any suc-
4 cessor regulation), at a rate of 4 percent)''.

5 (c) PUBLICATION OF DATA.—

6 (1) DATA DURING COVID–19 EMERGENCY.—

7 (A) INITIAL PUBLICATION.—Not later than
8 2 weeks after the date of the enactment of this
9 section, the Secretary shall post on the public
10 website of the Centers for Medicare & Medicaid
11 Services data that includes the following infor-
12 mation with respect to specified payments (as
13 defined in paragraph (3)(E)) made as of such
14 date and for which data is available:

15 (i) The total amount of such pay-
16 ments made under each applicable pay-
17 ment program (as defined in paragraph
18 (3)(A)), including a specification of the
19 percentage of such payments so made from
20 the Federal Hospital Insurance Trust
21 Fund established under section 1817 of
22 the Social Security Act (42 U.S.C. 1395i)
23 and the percentage of such payments so
24 made from the Federal Supplementary In-
25 surance Trust Fund established under sec-

1 tion 1841 of such Act (42 U.S.C. 1395t)
2 under each such program.

3 (ii) The amount of specified payments
4 made under each such program by type of
5 provider of services or supplier receiving
6 such payments.

7 (iii) The Centers for Medicare & Med-
8 icaid Services certification number or other
9 appropriate number of, and the amount of
10 such payments received by, each provider
11 of services and supplier receiving such pay-
12 ments.

13 (B) INTERIM PUBLICATION.—Every 2
14 weeks thereafter during the emergency period,
15 if any specified payments are made that were
16 not included in a preceding publication of data
17 under this paragraph, the Secretary shall post
18 on the website described in subparagraph (A)
19 data containing the information described in
20 clauses (i), (ii), and (iii) of such subparagraph
21 with respect to such specified payments.

22 (2) ADDITIONAL PUBLICATIONS.—Not later
23 than 15 months after the date of the enactment of
24 the CARES Act (Public Law 116–136), and every 6
25 months thereafter until all specified payments have

1 been recouped or repaid, the Secretary shall post on
2 the website described in paragraph (1)(A) data that
3 includes the following:

4 (A) The total amount of all specified pay-
5 ments not recouped or repaid under each appli-
6 cable payment program.

7 (B) The amount of payments made under
8 each such program and not recouped or repaid
9 by type of provider of services or supplier.

10 (C) The total amount of specified pay-
11 ments that have been recouped or repaid under
12 each such program, including a specification of
13 the percentage of such payments so recouped or
14 repaid that have been deposited into the Fed-
15 eral Hospital Insurance Trust Fund and the
16 percentage of such payments so recouped or re-
17 paid that have been deposited into the Federal
18 Supplementary Insurance Trust Fund under
19 each such program.

20 (D) The dollar amount of interest that has
21 been collected with respect to all specified pay-
22 ments under each such program.

23 (3) DEFINITIONS.—In this subsection:

1 (A) APPLICABLE PAYMENT PROGRAM.—

2 The term “applicable payment program”
3 means—

4 (i) the program under subsection
5 (e)(3) of section 1815 of the Social Secu-
6 rity Act (42 U.S.C. 1395g), including such
7 program as expanded under subsection (f)
8 of such section;

9 (ii) an applicable program (as defined
10 in subsection (a)(1)(C)(ii) of this section);
11 and

12 (iii) the program described in section
13 421.214 of title 42, Code of Federal Regu-
14 lations (or any successor regulation).

15 (B) EMERGENCY PERIOD.—The term
16 “emergency period” means the emergency pe-
17 riod described in section 1135(g)(1)(B) of the
18 Social Security Act (42 U.S.C. 1320b–
19 5(g)(1)(B)).

20 (C) PROVIDER OF SERVICES AND SUP-
21 PLIER.—The terms “provider of services” and
22 “supplier” have the meaning given such terms
23 in subsections (u) and (d), respectively, of sec-
24 tion 1861 of such Act (42 U.S.C. 1395x).

1 (D) SECRETARY.—The term “Secretary”
 2 means the Secretary of Health and Human
 3 Services.

4 (E) SPECIFIED PAYMENTS.—The term
 5 “specified payments” means payments made
 6 under an applicable payment program on or
 7 after the date of the enactment of the CARES
 8 Act (Public Law 116–136) during the emer-
 9 gency period.

10 **TITLE VI—OFFSETS**

11 **SEC. 2601. INCLUSION IN THE MEDICAID DRUG REBATE** 12 **PROGRAM OF COVERED OUTPATIENT DRUGS** 13 **USED FOR MEDICATION-ASSISTED TREAT-** 14 **MENT.**

15 (a) IN GENERAL.—Section 1905 of the Social Secu-
 16 rity Act (42 U.S.C. 1396d) is amended—

17 (1) in paragraph (29) of subsection (a)—

18 (A) by moving the margin of such para-
 19 graph 2 ems to the right; and

20 (B) by striking “subject to paragraph (2)”
 21 and inserting “subject to paragraphs (2) and
 22 (3)”; and

23 (2) in subsection (ee), by adding at the end the
 24 following:

1 “(3) APPLICATION OF REBATE REQUIRE-
2 MENTS.—The requirements of section 1927 shall
3 apply to any drug or biological product described in
4 paragraph (1)(A) that is—

5 “(A) furnished as medical assistance in ac-
6 cordance with subsection (a)(29) and section
7 1902(a)(10)(A); and

8 “(B) a covered outpatient drug (as defined
9 in section 1927(k), except that, in applying
10 paragraph (2)(A) of such section to a drug de-
11 scribed in paragraph (1)(A), such drug shall be
12 deemed a prescribed drug for purposes of sub-
13 section (a)(12)).”.

14 (b) CONFORMING AMENDMENT.—Section 1927(d)(7)
15 of the Social Security Act (42 U.S.C. 1396r–8(d)(7)) is
16 amended by adding at the end the following new subpara-
17 graph:

18 “(D) Drugs and biological products de-
19 scribed in subsection (ee)(1)(A) of section 1905
20 that are furnished as medical assistance in ac-
21 cordance with subsection (a)(29) of such section
22 and section 1902(a)(10)(A).”.

23 (c) RETROACTIVE EFFECTIVE DATE.—The amend-
24 ments made by this section shall take effect as if included
25 in the enactment of section 1006(b) of the SUPPORT for

1 Patients and Communities Act (Public Law 115–271; 132
2 Stat. 3914).

3 **SEC. 2602. MEDICAID IMPROVEMENT FUND.**

4 Section 1941(b) of the Social Security Act (42 U.S.C.
5 1396w–1(b)) is amended—

6 (1) in paragraph (1), by striking “2021” and
7 inserting “2023”; and

8 (2) in paragraph (3)(A), by striking
9 “\$1,960,000,000” and inserting “\$3,446,000,000”.

1 **DIVISION D—OTHER MATTERS**
2 **TITLE I—EMERGENCY STOPGAP**
3 **USCIS STABILIZATION ACT**

4 **SEC. 4101. SHORT TITLE.**

5 This title may be cited as the “Emergency Stopgap
6 USCIS Stabilization Act”.

7 **SEC. 4102. EXPANSION OF PREMIUM PROCESSING.**

8 (a) IN GENERAL.—Section 286(u) of the Immigra-
9 tion and Nationality Act (8 U.S.C. 1356(u)) is amended
10 to read as follows:

11 “(u) PREMIUM FEE FOR CERTAIN IMMIGRATION
12 BENEFIT TYPES.—

13 “(1) IN GENERAL.—The Secretary of Homeland
14 Security is authorized to establish and collect a pre-
15 mium fee for the immigration benefit types described
16 in paragraph (2). Such fee shall be paid in addition
17 to any other fees authorized by law, deposited as off-
18 setting receipts in the Immigration Examinations
19 Fee Account established under subsection (m), and
20 used for the purposes described in paragraph (4).

21 “(2) IMMIGRATION BENEFIT TYPES.—Subject
22 to reasonable conditions or limitations, the Secretary
23 shall establish a premium fee under paragraph (1)
24 in connection with—

1 “(A) employment-based nonimmigrant pe-
2 titions and associated applications for depend-
3 ents of the beneficiaries of such petitions;

4 “(B) employment-based immigrant peti-
5 tions filed by or on behalf of aliens described in
6 paragraph (1), (2), or (3) of section 203(b);

7 “(C) applications to change or extend non-
8 immigrant status;

9 “(D) applications for employment author-
10 ization; and

11 “(E) any other immigration benefit type
12 that the Secretary deems appropriate for pre-
13 mium processing.

14 “(3) AMOUNT OF FEE.—

15 “(A) IN GENERAL.—Subject to subpara-
16 graph (C), with respect to an immigration ben-
17 efit type designated for premium processing by
18 the Secretary on or before August 1, 2020, the
19 premium fee shall be \$2,500, except that the
20 premium fee for a petition for classification of
21 a nonimmigrant described in subparagraph
22 (H)(ii)(b) or (R) of section 101(a)(15) shall be
23 \$1,500.

24 “(B) OTHER IMMIGRATION BENEFIT
25 TYPES.—With respect to an immigration benefit

1 type designated for premium processing but not
2 described in subparagraph (A), the initial pre-
3 mium fee shall be established by regulation,
4 which shall include a detailed methodology sup-
5 porting the proposed premium fee amount.

6 “(C) BIENNIAL ADJUSTMENT.—The Sec-
7 retary may adjust a premium fee under sub-
8 paragraph (A) or (B) on a biennial basis by the
9 percentage (if any) by which the Consumer
10 Price Index for All Urban Consumers for the
11 month of June preceding the date on which
12 such adjustment takes effect exceeds the Con-
13 sumer Price Index for All Urban Consumers for
14 the same month of the second preceding cal-
15 endar year. The provisions of section 553 of
16 title 5, United States Code, shall not apply to
17 an adjustment authorized under this subpara-
18 graph.

19 “(4) USE OF FEE.—Fees collected under this
20 subsection may only be used by U.S. Citizenship and
21 Immigration Services to—

22 “(A) provide the services described in
23 paragraph (5) to premium processing reques-
24 tors;

1 “(B) make infrastructure improvements in
2 adjudications processes and the provision of in-
3 formation and services to immigration and nat-
4 uralization benefit requestors;

5 “(C) respond to adjudication demands, in-
6 cluding by reducing the number of pending im-
7 migration and naturalization benefit requests;
8 and

9 “(D) otherwise offset the cost of providing
10 adjudication and naturalization services.

11 “(5) PREMIUM PROCESSING SERVICES.—The
12 Secretary—

13 “(A) may suspend the availability of pre-
14 mium processing for designated immigration
15 benefit requests only if circumstances prevent
16 the completion of processing of a significant
17 number of such requests within the required pe-
18 riod; and

19 “(B) shall ensure that premium processing
20 requestors have direct and reliable access to
21 current case status information as well as the
22 ability to communicate with the premium proc-
23 essing units at each service center or office that
24 provides premium processing services.”.

25 (b) EXPANSION TO NEW BENEFIT REQUESTS.—

1 (1) IN GENERAL.—Notwithstanding the re-
2 quirement to set a fee by regulation under section
3 286(u)(3)(B) of the Immigration and Nationality
4 Act (8 U.S.C. 1356(u)(3)(B)), as amended by sub-
5 section (a), the Secretary of Homeland Security may
6 set a fee under that section without regard to the
7 provisions of section 553 of title 5, United States
8 Code, if such fee is consistent with the following:

9 (A) For a petition for classification under
10 section 203(b)(1)(C) of the Immigration and
11 Nationality Act (8 U.S.C. 1153(b)(1)(C)), or a
12 petition for classification under section
13 203(b)(2) involving a waiver under section
14 203(b)(2)(B) of such Act, the fee is set at an
15 amount not greater than \$2,500 and the re-
16 quired processing timeframe is not greater than
17 45 days.

18 (B) For an application under section 248
19 of the Immigration and Nationality Act (8
20 U.S.C. 1258) to change status to a classifica-
21 tion described in subparagraph (F), (J), or (M)
22 of section 101(a)(15) of such Act (8 U.S.C.
23 1101(a)(15)), the fee is set at an amount not
24 greater than \$1,750 and the required proc-
25 essing timeframe is not greater than 30 days.

1 (C) For an application under section 248
2 of the Immigration and Nationality Act (8
3 U.S.C. 1258) to change status to be classified
4 as a dependent of a nonimmigrant described in
5 subparagraph (E), (H), (L), (O), (P), or (R) of
6 section 101(a)(15) of such Act (8 U.S.C.
7 1101(a)(15)), or to extend such classification,
8 the fee is set at an amount not greater than
9 \$1,750 and the required processing timeframe
10 is not greater than 30 days.

11 (D) For an application for employment au-
12 thorization, the fee is set at an amount not
13 greater than \$1,500 and the required proc-
14 essing timeframe is not greater than 30 days.

15 (2) CLARIFICATION.—The required processing
16 timeframe for each of the applications and petitions
17 described in paragraph (1) shall not commence until
18 the date that all prerequisites for adjudication are
19 received by the Secretary of Homeland Security.

20 (c) OTHER BENEFIT REQUESTS.—In implementing
21 the amendments made by subsection (a), the Secretary of
22 Homeland Security shall develop and implement processes
23 to ensure that the availability of premium processing, or
24 its expansion to additional immigration benefit requests,
25 does not result in an increase in processing times for im-

1 migration benefit requests not designated for premium
2 processing or an increase in regular processing of immi-
3 gration benefit requests so designated.

4 **SEC. 4103. REPORTING REQUIREMENTS.**

5 (a) IN GENERAL.—Not later than 180 days after the
6 date of the enactment of this Act, the Secretary of Home-
7 land Security shall provide to the appropriate Committees
8 a 5-year plan, including projected cost estimates, procure-
9 ment strategies, and a project schedule with milestones,
10 to accomplish each of the following:

11 (1) Establish electronic filing procedures for all
12 applications and petitions for immigration benefits.

13 (2) Accept electronic payment of fees at all fil-
14 ing locations.

15 (3) Issue correspondence, including decisions,
16 requests for evidence, and notices of intent to deny,
17 to immigration benefit requestors electronically.

18 (4) Improve processing times for all immigra-
19 tion and naturalization benefit requests.

20 (b) SEMI-ANNUAL BRIEFINGS.—Not later than 180
21 days after submission of the plan described in subsection
22 (a), and on a semi-annual basis thereafter, the Secretary
23 shall advise the appropriate Committees on the implemen-
24 tation status of such plan.

1 (c) APPROPRIATE COMMITTEES DEFINED.—In this
 2 section, the term “appropriate Committees” means—

3 (1) the Committee on Appropriations, the Com-
 4 mittee on the Judiciary, and the Committee on
 5 Homeland Security of the House of Representatives;
 6 and

7 (2) the Committee on Appropriations, the Com-
 8 mittee on the Judiciary, and the Committee on
 9 Homeland Security and Governmental Affairs of the
 10 Senate.

11 **TITLE II—UNITED STATES PA-** 12 **ROLE COMMISSION EXTEN-** 13 **SION**

14 **SEC. 4201. SHORT TITLE.**

15 This title may be cited as the “United States Parole
 16 Commission Extension Act of 2020”.

17 **SEC. 4202. AMENDMENT OF SENTENCING REFORM ACT OF** 18 **1984.**

19 For purposes of section 235(b) of the Sentencing Re-
 20 form Act of 1984 (18 U.S.C. 3551 note; Public Law 98–
 21 473; 98 Stat. 2032), as such section relates to chapter
 22 311 of title 18, United States Code, and the United States
 23 Parole Commission, each reference in such section to “33
 24 years” or “33-year period” shall be deemed a reference
 25 to “35 years” or “35-year period”, respectively.

1 **SEC. 4203. PAROLE COMMISSION REPORT.**

2 Section 3 of the United States Parole Commission
3 Extension Act of 2018 (Public Law 115–274) is amend-
4 ed—

5 (1) in subsection (b), by striking “2021” and
6 inserting “2022”; and

7 (2) by adding at the end the following:

8 “(d) DISTRICT OF COLUMBIA REPORT FOR SUC-
9 CEEDING FISCAL YEARS.—For each of fiscal years 2021
10 through 2022, not later than 90 days after the end of the
11 fiscal year, the United States Parole Commission shall re-
12 port to the Committees on the Judiciary of the Senate
13 and House of Representatives the items in paragraphs (1)
14 through (3) of subsection (c), for the fiscal year.”.

15 **TITLE III—ANTITRUST CRIMINAL**
16 **PENALTY ENHANCEMENT**
17 **AND REFORM PERMANENT**
18 **EXTENSION ACT**

19 **SEC. 4301. SHORT TITLE.**

20 This title may be cited as the “Antitrust Criminal
21 Penalty Enhancement and Reform Permanent Extension
22 Act”.

23 **SEC. 4302. FINDINGS; PURPOSE.**

24 (a) FINDINGS.—Congress finds the following:

25 (1) Conspiracies among competitors to fix
26 prices, rig bids, and allocate markets are categori-

1 cally and irredeemably anticompetitive and con-
 2 travene the competition policy of the United States.

3 (2) Cooperation incentives are important to the
 4 efforts of the Antitrust Division of the Department
 5 of Justice to prosecute and deter the offenses de-
 6 scribed in paragraph (1).

7 (b) PURPOSE.—The purpose of this Act, and the
 8 amendments made by this Act, is to strengthen public and
 9 private antitrust enforcement by providing incentives for
 10 antitrust violators to cooperate fully with government
 11 prosecutors and private litigants through the repeal of the
 12 sunset provision of the Antitrust Criminal Penalty En-
 13 hancement and Reform Act of 2004 (15 U.S.C. 1 note).

14 **SEC. 4303. REPEAL OF SUNSET PROVISION.**

15 (a) REPEAL.—Section 211 of the Antitrust Criminal
 16 Penalty Enhancement and Reform Act of 2004 (15 U.S.C.
 17 1 note) is repealed.

18 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

19 (1) REVIVAL AND RESTORATION.—

20 (A) IN GENERAL.—Sections 212, 213, and
 21 214 of the Antitrust Criminal Penalty Enhance-
 22 ment and Reform Act of 2004 (15 U.S.C. 1
 23 note) as in effect on June 21, 2020, and as
 24 amended by the laws described in subparagraph
 25 (B), are revived and restored.

1 (B) LAWS.—The laws described in this
2 subparagraph are:

3 (i) Antitrust Criminal Penalty En-
4 hancement and Reform Act of 2004 Exten-
5 sion Act (Public Law 111–30; 123 Stat.
6 1775).

7 (ii) The Act entitled “An Act to
8 amend the Antitrust Criminal Penalty En-
9 hancement and Reform Act of 2004 to ex-
10 tend the operation of such Act, and for
11 other purposes”, approved June 9, 2010
12 (Public Law 111–90; 124 Stat. 1275).

13 (2) DEFINITIONS.—Section 212 of the Anti-
14 trust Criminal Penalty Enhancement and Reform
15 Act of 2004 (15 U.S.C. 1 note) is amended—

16 (A) by striking paragraph (6); and

17 (B) by redesignating paragraph (7) as
18 paragraph (6).

19 (c) APPLICABILITY.—

20 (1) MARKERS AND AGREEMENTS BEFORE SUN-
21 SET.—Notwithstanding the repeal under subsection
22 (a), section 211(b) of the Antitrust Criminal Penalty
23 Enhancement and Reform Act of 2004 (15 U.S.C.
24 1 note), as in effect on the day before the date of
25 enactment of this Act, shall continue to apply to any

1 person who received a marker or entered into an
2 antitrust leniency agreement on or before June 22,
3 2020.

4 (2) MARKERS AND AGREEMENTS AFTER SUN-
5 SET.—The repeal under subsection (a) shall apply to
6 any person who received a marker or entered into an
7 antitrust leniency agreement on or after June 23,
8 2020.

9 **TITLE IV—COMMUNITY** 10 **SERVICES AND SUPPORTS**

11 **SEC. 4401. HEAD START DESIGNATION RENEWAL SYSTEM.**

12 Notwithstanding section 638 of the Head Start Act
13 (42 U.S.C. 9833), if the Secretary of Health and Human
14 Services—

15 (1) is required to make a determination under
16 paragraph (6) of section 641(c) of such Act (42
17 U.S.C. 9836a(c)) whether to renew the designation
18 of a Head Start agency for which such determina-
19 tion under the schedule developed pursuant to para-
20 graph (9)(C) of such section 641(c) is required to be
21 made before December 31, 2020; and

22 (2) cannot make such determination in accord-
23 ance with such schedule because the Secretary lacks
24 any information described in any of subparagraphs
25 (A) through (E) of section 641(c)(1) of such Act re-

1 quired for the purpose of making such determina-
2 tion,
3 then before December 31, 2020, the Secretary shall extend
4 for not more than 2 years the 5-year period otherwise ap-
5 plicable to the designation of such Head Start agency
6 under such Act.

7 **TITLE V—BUDGETARY EFFECTS**

8 **SEC. 4501. BUDGETARY EFFECTS.**

9 (a) STATUTORY PAYGO SCORECARDS.—The budg-
10 etary effects of division B and each succeeding division
11 shall not be entered on either PAYGO scorecard main-
12 tained pursuant to section 4(d) of the Statutory Pay-As-
13 You-Go Act of 2010.

14 (b) SENATE PAYGO SCORECARDS.—The budgetary
15 effects of division B and each succeeding division shall not
16 be entered on any PAYGO scorecard maintained for pur-
17 poses of section 4106 of H. Con. Res. 71 (115th Con-
18 gress).

19 (c) CLASSIFICATION OF BUDGETARY EFFECTS.—
20 Notwithstanding Rule 3 of the Budget Scorekeeping
21 Guidelines set forth in the joint explanatory statement of
22 the committee of conference accompanying Conference Re-
23 port 105–217 and section 250(c)(8) of the Balanced
24 Budget and Emergency Deficit Control Act of 1985, the

1 budgetary effects of division B and each succeeding divi-
2 sion shall not be estimated—

3 (1) for purposes of section 251 of such Act; and

4 (2) for purposes of paragraph (4)(C) of section

5 3 of the Statutory Pay-As-You-Go Act of 2010 as

6 being included in an appropriation Act.

1 **DIVISION E—DEPARTMENT OF**
2 **VETERANS AFFAIRS EXTEN-**
3 **SIONS**

4 **SEC. 5001. SHORT TITLE.**

5 This division may be cited as the “Department of
6 Veterans Affairs Expiring Authorities Act of 2020”.

7 **TITLE I—EXTENSIONS OF AU-**
8 **THORITIES RELATING TO**
9 **HEALTH CARE**

10 **SEC. 5101. EXTENSION OF AUTHORITY FOR COLLECTION OF**
11 **COPAYMENTS FOR HOSPITAL CARE AND**
12 **NURSING HOME CARE.**

13 Section 1710(f)(2)(B) of title 38, United States
14 Code, is amended by striking “September 30, 2020” and
15 inserting “September 30, 2022”.

16 **SEC. 5102. EXTENSION OF REQUIREMENT TO PROVIDE**
17 **NURSING HOME CARE TO CERTAIN VET-**
18 **ERANS WITH SERVICE CONNECTED DISABIL-**
19 **ITIES.**

20 Section 1710A(d) of title 38, United States Code, is
21 amended by striking “September 30, 2020” and inserting
22 “September 30, 2022”.

1 **SEC. 5103. EXTENSION OF AUTHORITY FOR TRANSFER OF**
2 **REAL PROPERTY.**

3 Section 8118(a)(5) of title 38, United States Code,
4 is amended by striking “September 30, 2020” and insert-
5 ing “September 30, 2022”.

6 **SEC. 5104. EXTENSION OF AUTHORITY FOR PILOT PRO-**
7 **GRAM ON ASSISTANCE FOR CHILD CARE FOR**
8 **CERTAIN VETERANS RECEIVING HEALTH**
9 **CARE.**

10 (a) **EXTENSION OF AUTHORITY.**—Subsection (e) of
11 section 205 of the Caregivers and Veterans Omnibus
12 Health Services Act of 2010 (Public Law 111–163; 124
13 Stat. 1144; 38 U.S.C. 1710 note) is amended by striking
14 “September 30, 2020” and inserting “September 30,
15 2022”.

16 (b) **AUTHORIZATION OF APPROPRIATIONS.**—Sub-
17 section (h) of such section is amended by striking “and
18 2020” and inserting “2020, 2021, and 2022”.

19 **SEC. 5105. EXTENSION OF AUTHORIZATION OF APPROPRIA-**
20 **TIONS FOR GRANTS TO VETERANS SERVICE**
21 **ORGANIZATIONS FOR TRANSPORTATION OF**
22 **HIGHLY RURAL VETERANS.**

23 Section 307(d) of the Caregivers and Veterans Omni-
24 bus Health Services Act of 2010 (Public Law 111–163;
25 124 Stat. 1154; 38 U.S.C. 1710 note) is amended by
26 striking “2020” and inserting “2022”.

1 **SEC. 5106. EXTENSION OF AUTHORITY FOR PILOT PRO-**
2 **GRAM ON COUNSELING IN RETREAT SET-**
3 **TINGS FOR WOMEN VETERANS NEWLY SEPA-**
4 **RATED FROM SERVICE.**

5 (a) EXTENSION OF AUTHORITY.—Subsection (d) of
6 section 203 of the Caregivers and Veterans Omnibus
7 Health Services Act of 2010 (Public Law 111–163; 124
8 Stat. 1143; 38 U.S.C. 1712A note) is amended by striking
9 “September 30, 2020” and inserting “September 30,
10 2022”.

11 (b) AUTHORIZATION OF APPROPRIATIONS.—Sub-
12 section (f) of such section is amended by striking “and
13 2020” and inserting “2020, 2021, and 2022”.

14 **SEC. 5107. EXTENSION OF AUTHORITY FOR PILOT PRO-**
15 **GRAM ON GRADUATE MEDICAL EDUCATION**
16 **AND RESIDENCY.**

17 (a) IN GENERAL.—Subsection (d) of section 403 of
18 the VA MISSION Act of 2018 (Public Law 115–182; 132
19 Stat. 1474; 38 U.S.C. 7302 note) is amended by striking
20 “August 7, 2024” and inserting “August 7, 2031”.

21 (b) TECHNICAL CORRECTION.—Subsection (a)(1) of
22 such section is amended by striking “authorized under”
23 and all that follows through the period at the end and
24 inserting “authorized under section 7302 of title 38,
25 United States Code, at covered facilities.”.

1 **SEC. 5108. INSPECTOR GENERAL OF THE DEPARTMENT OF**
2 **VETERANS AFFAIRS REPORT ON ADMINIS-**
3 **TRATION OF INTERNET WEBSITE ON STAFF-**
4 **ING AND VACANCIES.**

5 Not later than October 31, 2022, and October 31,
6 2024, and as frequently thereafter as the Inspector Gen-
7 eral of the Department of Veterans Affairs considers ap-
8 propriate, the Inspector General shall—

9 (1) review the administration of the internet
10 website required by section 505(a)(1) of the VA
11 MISSION Act of 2018 (Public Law 115–182; 132
12 Stat. 1477; 38 U.S.C. 301 note);

13 (2) develop recommendations for such legisla-
14 tive or administrative action as the Inspector Gen-
15 eral considers appropriate for such administration;
16 and

17 (3) submit to the Committee on Veterans’ Af-
18 fairs of the Senate and the Committee on Veterans’
19 Affairs of the House of Representatives a report
20 on—

21 (A) the findings of the Inspector General
22 with respect to the most recent review con-
23 ducted under paragraph (1); and

24 (B) the recommendations most recently de-
25 veloped under paragraph (2).

1 **SEC. 5109. EXTENSION OF TEMPORARY EXPANSION OF PAY-**
 2 **MENTS AND ALLOWANCES FOR BENEFICIARY**
 3 **TRAVEL IN CONNECTION WITH VETERANS**
 4 **RECEIVING CARE FROM VET CENTERS.**

5 Section 104(a) of the Honoring America’s Veterans
 6 and Caring for Camp Lejeune Families Act of 2012 (Pub-
 7 lic Law 112–154; 126 Stat. 1169), as most recently
 8 amended by section 5 of the Department of Veterans Af-
 9 fairs Expiring Authorities Act of 2019 (Public Law 116–
 10 61; 133 Stat. 1116), is further amended by striking “Sep-
 11 tember 30, 2020” and inserting “September 30, 2021”.

12 **TITLE II—EXTENSIONS OF AU-**
 13 **THORITIES RELATING TO**
 14 **BENEFITS**

15 **SEC. 5201. EXTENSION OF SPECIALLY ADAPTED HOUSING**
 16 **ASSISTIVE TECHNOLOGY GRANT PROGRAM.**

17 Section 2108(g) of title 38, United States Code, is
 18 amended by striking “September 30, 2020” and inserting
 19 “September 30, 2022”.

20 **SEC. 5202. EXTENSIONS OF CERTAIN PROVISIONS OF LAW.**

21 (a) EXTENSION OF STUDENT VETERAN
 22 CORONAVIRUS RESPONSE ACT OF 2020.—Section 2 of the
 23 Student Veteran Coronavirus Response Act of 2020 (Pub-
 24 lic Law 116–140) is amended by striking “December 21,
 25 2020” and inserting “December 21, 2021”.

1 (b) EXTENSION OF PERIOD FOR CONTINUATION OF
2 DEPARTMENT OF VETERANS AFFAIRS EDUCATIONAL AS-
3 SISTANCE BENEFITS FOR CERTAIN PROGRAMS OF EDU-
4 CATION CONVERTED TO DISTANCE LEARNING BY REASON
5 OF EMERGENCIES AND HEALTH-RELATED SITUA-
6 TIONS.—Section 1(b) of Public Law 116–128 is amended
7 by striking “December 21, 2020” and inserting “Decem-
8 ber 21, 2021”.

9 **SEC. 5203. EXTENSION OF AUTHORITY TO MAINTAIN RE-**
10 **GIONAL OFFICE IN THE REPUBLIC OF THE**
11 **PHILIPPINES.**

12 Section 315(b) of title 38, United States Code, is
13 amended by striking “September 30, 2020” and inserting
14 “September 30, 2022”.

15 **SEC. 5204. EXTENSION OF AUTHORITY TO TRANSPORT INDI-**
16 **VIDUALS TO AND FROM DEPARTMENT OF**
17 **VETERANS AFFAIRS FACILITIES.**

18 Section 111A(a)(2) of title 38, United States Code,
19 is amended by striking “September 30, 2020” and insert-
20 ing “September 30, 2022”.

1 **SEC. 5205. EXTENSION OF TEMPORARY INCREASE IN NUM-**
2 **BER OF JUDGES ON UNITED STATES COURT**
3 **OF APPEALS FOR VETERANS CLAIMS.**

4 Section 7253(i)(2) of title 38, United States Code,
5 is amended by striking “January 1, 2021” and inserting
6 “January 1, 2026”.

7 **TITLE III—EXTENSIONS OF AU-**
8 **THORITIES RELATING TO**
9 **HOMELESS VETERANS**

10 **SEC. 5301. EXTENSION OF AUTHORIZATION OF APPROPRIA-**
11 **TIONS FOR HOMELESS VETERANS RE-**
12 **INTEGRATION PROGRAMS.**

13 Section 2021(e)(1)(F) of title 38, United States
14 Code, is amended by striking “2020” and inserting
15 “2022”.

16 **SEC. 5302. EXTENSION OF AUTHORIZATION OF APPROPRIA-**
17 **TIONS FOR HOMELESS WOMEN VETERANS**
18 **AND HOMELESS VETERANS WITH CHILDREN**
19 **REINTEGRATION GRANT PROGRAM.**

20 Section 2021A(f)(1) of title 38, United States Code,
21 is amended by striking “2020” and inserting “2022”.

1 **SEC. 5303. EXTENSION OF AUTHORITY FOR REFERRAL AND**
2 **COUNSELING SERVICES FOR VETERANS AT**
3 **RISK OF HOMELESSNESS TRANSITIONING**
4 **FROM CERTAIN INSTITUTIONS.**

5 Section 2023(d) of title 38, United States Code, is
6 amended by striking “September 30, 2020” and inserting
7 “September 30, 2022”.

8 **SEC. 5304. EXTENSION OF AUTHORITY FOR TREATMENT**
9 **AND REHABILITATION FOR SERIOUSLY MEN-**
10 **TALLY ILL AND HOMELESS VETERANS.**

11 (a) GENERAL TREATMENT.—Section 2031(b) of title
12 38, United States Code, is amended by striking “Sep-

13 tember 30, 2020” and inserting “September 30, 2022”.
14 (b) ADDITIONAL SERVICES AT CERTAIN LOCA-
15 TIONS.—Section 2033(d) of such title is amended by strik-
16 ing “September 30, 2020” and inserting “September 30,
17 2022”.

18 **SEC. 5305. EXTENSION OF FUNDING FOR FINANCIAL AS-**
19 **SISTANCE FOR SUPPORTIVE SERVICES FOR**
20 **VERY LOW-INCOME VETERAN FAMILIES IN**
21 **PERMANENT HOUSING.**

22 Section 2044(e)(1) of title 38, United States Code,
23 is amended—

24 (1) in subparagraph (G), by striking “through
25 2021” and inserting “and 2020”; and

1 (2) by adding at the end the following new sub-
2 paragraph:

3 “(H) \$420,000,000 for each of fiscal years
4 2021 and 2022.”.

5 **SEC. 5306. EXTENSION OF FUNDING FOR GRANT PROGRAM**
6 **FOR HOMELESS VETERANS WITH SPECIAL**
7 **NEEDS.**

8 Section 2061(d)(1) of title 38, United States Code,
9 is amended by striking “2020” and inserting “2022”.

10 **TITLE IV—EXTENSIONS OF**
11 **OTHER AUTHORITIES AND**
12 **OTHER MATTERS**

13 **SEC. 5401. EXTENSION OF AUTHORIZATION OF APPROPRIA-**
14 **TIONS FOR MONTHLY ASSISTANCE ALLOW-**
15 **ANCE UNDER THE OFFICE OF NATIONAL VET-**
16 **ERANS SPORTS PROGRAMS AND SPECIAL**
17 **EVENTS.**

18 Section 322(d)(4) of title 38, United States Code, is
19 amended by striking “2020” and inserting “2022”.

1 **SEC. 5402. EXTENSION OF REQUIREMENTS TO PROVIDE RE-**
2 **PORTS TO CONGRESS REGARDING EQUI-**
3 **TABLE RELIEF IN THE CASE OF ADMINISTRA-**
4 **TIVE ERROR.**

5 Section 503(c) of title 38, United States Code, is
6 amended by striking “December 31, 2020” and inserting
7 “December 31, 2022”.

8 **SEC. 5403. EXTENSION AND AUTHORIZATION OF APPRO-**
9 **PRIATIONS FOR ADAPTIVE SPORTS PRO-**
10 **GRAMS FOR DISABLED VETERANS AND MEM-**
11 **BERS OF THE ARMED FORCES.**

12 (a) AUTHORIZATION OF APPROPRIATIONS.—Sub-
13 section (g)(1) of section 521A of title 38, United States
14 Code, is amended—

15 (1) by striking “appropriated \$8,000,000” and
16 inserting the following: “appropriated amounts as
17 follows:

18 “(A) \$8,000,000 for each of fiscal years 2010
19 through 2020.”; and

20 (2) by adding at the end the following new sub-
21 paragraph:

22 “(B) \$16,000,000 for each of fiscal years 2021
23 and 2022.”.

24 (b) EXTENSION.—Subsection (l) of such section is
25 amended by striking “2020” and inserting “2022”.

1 **SEC. 5404. EXTENSION OF AUTHORITY TO ENTER INTO**
2 **AGREEMENT WITH THE NATIONAL ACADEMY**
3 **OF SCIENCES REGARDING ASSOCIATIONS BE-**
4 **TWEEN DISEASES AND EXPOSURE TO DIOXIN**
5 **AND OTHER CHEMICAL COMPOUNDS IN HER-**
6 **BICIDES.**

7 Section 3 of the Agent Orange Act of 1991 (Public
8 Law 102–4; 38 U.S.C. 1116 note) is amended by striking
9 “September 30, 2020” and inserting “September 30,
10 2022”.

11 **SEC. 5405. MODIFICATION AND EXTENSION OF AUTHORITY**
12 **RELATING TO VENDEE LOAN PROGRAM.**

13 Section 3733(a) of title 38, United States Code, is
14 amended by adding at the end the following new para-
15 graph:

16 “(8) During the period that begins on October 1,
17 2020, and ends on September 30, 2025, the Secretary
18 shall carry out the provisions of this subsection as if—

19 “(A) the references in the first sentence of
20 paragraph (1) to ‘65 percent’ and ‘may be financed
21 by a loan’ were references to ‘85 percent’ and ‘shall
22 be of property marketed with financing to be’, re-
23 spectively;

24 “(B) the second sentence of paragraph (1) were
25 repealed; and

1 “(C) the reference in paragraph (2) to ‘Sep-
2 tember 30, 1990,’ were a reference to ‘September
3 30, 2025,’.”.

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