

DECEMBER 21, 2020

**RULES COMMITTEE PRINT 116–68**  
**TEXT OF THE HOUSE AMENDMENT TO THE**  
**SENATE AMENDMENT TO H.R. 133**

**[Showing the text of the Consolidated Appropriations Act,  
2021]**

In lieu of the matter proposed to be inserted by the  
Senate, insert the following:

**1 SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Consolidated Appro-  
3 priations Act, 2021”.

**4 SEC. 2. TABLE OF CONTENTS.**

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. References.
- Sec. 4. Explanatory statement.
- Sec. 5. Statement of appropriations.
- Sec. 6. Availability of funds.
- Sec. 7. Adjustments to compensation.
- Sec. 8. Definition.
- Sec. 9. Office of Management and Budget Reporting Requirement.

DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND  
DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIA-  
TIONS ACT, 2021

- Title I—Agricultural Programs
- Title II—Farm Production and Conservation Programs
- Title III—Rural Development Programs
- Title IV—Domestic Food Programs
- Title V—Foreign Assistance and Related Programs
- Title VI—Related Agency and Food and Drug Administration
- Title VII—General Provisions

DIVISION B—COMMERCE, JUSTICE, SCIENCE, AND RELATED  
AGENCIES APPROPRIATIONS ACT, 2021

1889

## 1           GENERAL PROVISION—THIS TITLE

2           SEC. 321. Not later than 30 days after the date of  
3 enactment of this Act, the Secretaries of Health and  
4 Human Services and Education shall provide a detailed  
5 spend plan of anticipated uses of funds made available in  
6 this title, including estimated personnel and administra-  
7 tive costs, to the Committees on Appropriations of the  
8 House of Representatives and the Senate: *Provided*, That  
9 such plans shall be updated and submitted to such Com-  
10 mittees every 60 days until September 30, 2024: *Provided*  
11 *further*, That the spend plans shall be accompanied by a  
12 listing of each contract obligation incurred that exceeds  
13 \$5,000,000 which has not previously been reported, in-  
14 cluding the amount of each such obligation.

## 15                                   TITLE IV

## 16           DEPARTMENT OF TRANSPORTATION

## 17                           FEDERAL AVIATION ADMINISTRATION

## 18                                   GRANTS-IN-AID FOR AIRPORTS

## 19   (INCLUDING TRANSFER OF FUNDS)

20           For an additional amount for “Grants-in-Aid for Air-  
21 ports” \$2,000,000,000, to prevent, prepare for, and re-  
22 spond to coronavirus: *Provided*, That amounts made avail-  
23 able under this heading in this Act shall be derived from  
24 the general fund of the Treasury: *Provided further*, That  
25 funds provided under this heading in this Act shall only

1890

1 be available to airports in categories defined in section  
2 47102 of title 49, United States Code: *Provided further*,  
3 That funds provided under this heading in this Act shall  
4 not otherwise be subject to the requirements of chapter  
5 471 of such title: *Provided further*, That notwithstanding  
6 the preceding proviso, except for project eligibility, the re-  
7 quirements of chapter 471 of such title shall apply to  
8 funds provided for any contract awarded (after the date  
9 of enactment of this Act) for airport development and  
10 funded under this heading: *Provided further*, That funds  
11 provided under this heading in this Act may not be used  
12 for any purpose not directly related to the airport: *Pro-*  
13 *vided further*, That no additional funding shall be provided  
14 from funds made available under this heading to any air-  
15 port that was allocated in excess of four years of operating  
16 funds under Public Law 116–136: *Provided further*, That  
17 the Federal share payable of the costs for which a grant  
18 is made under this heading in this Act shall be 100 per-  
19 cent: *Provided further*, That, notwithstanding any other  
20 provision of law, any funds appropriated under the head-  
21 ing “Grants-In-Aid for Airports” in Public Law 116-136  
22 that are unallocated as of the date of enactment of this  
23 Act shall be added to and allocated under paragraph (1)  
24 of this heading in this Act: *Provided further*, That any  
25 funds obligated under Public Law 116–136 that are recov-

1 ered by or returned to the FAA shall be allocated under  
2 paragraph (1) of this heading in this Act: *Provided further*,  
3 That of the amounts appropriated under this heading in  
4 this Act:

5 (1) Not less than \$1,750,000,000 shall be avail-  
6 able for primary airports as defined in section  
7 47102(16) of title 49, United States Code, and cer-  
8 tain cargo airports for costs related to operations,  
9 personnel, cleaning, sanitization, janitorial services,  
10 combating the spread of pathogens at the airport,  
11 and debt service payments: *Provided*, That such  
12 funds shall not be subject to the reduced appor-  
13 tionments of section 47114(f) of title 49, United States  
14 Code: *Provided further*, That such funds shall first  
15 be apportioned as set forth in sections  
16 47114(c)(1)(A), 47114(c)(1)(C)(i),  
17 47114(c)(1)(C)(ii), 47114(c)(2)(A), 47114(c)(2)(B),  
18 and 47114(c)(2)(E) of title 49, United States Code:  
19 *Provided further*, That there shall be no maximum  
20 apportionment limit: *Provided further*, That any re-  
21 maining funds after such apportionment shall be dis-  
22 tributed to all sponsors of primary airports (as de-  
23 fined in section 47102(16) of title 49, United States  
24 Code) based on each such airport's passenger  
25 enplanements compared to total passenger

1 enplanements of all airports defined in section  
2 47102(16) of title 49, United States Code, for the  
3 most recent calendar year enplanements upon which  
4 the Secretary has apportioned funds pursuant to  
5 section 47114(c) of title 49, United States Code;

6 (2) Not less than \$45,000,000 shall be for gen-  
7 eral aviation and commercial service airports that  
8 are not primary airports as defined in paragraphs  
9 (7), (8), and (16) of section 47102 of title 49,  
10 United States Code, for costs related to operations,  
11 personnel, cleaning, sanitization, janitorial services,  
12 combating the spread of pathogens at the airport,  
13 and debt service payments: *Provided*, That not less  
14 than \$5,000,000 of such funds shall be available to  
15 sponsors of non-primary airports, divided equally,  
16 that participate in the FAA Contract Tower Pro-  
17 gram defined in section 47124 of title 49, United  
18 States Code, to cover lawful expenses to support  
19 FAA contract tower operations: *Provided further*,  
20 That the Secretary shall apportion the remaining  
21 funds to each non-primary airport based on the cat-  
22 egories published in the most current National Plan  
23 of Integrated Airport Systems, reflecting the per-  
24 centage of the aggregate published eligible develop-  
25 ment costs for each such category, and then dividing

1 the allocated funds evenly among the eligible air-  
2 ports in each category, rounding up to the nearest  
3 thousand dollars: *Provided further*, That any remain-  
4 ing funds under this paragraph shall be distributed  
5 as described in paragraph (1) under this heading in  
6 this Act;

7 (3) Not less than \$200,000,000 shall be avail-  
8 able to sponsors of primary airports to provide relief  
9 from rent and minimum annual guarantees to on-  
10 airport car rental, on-airport parking, and in-ter-  
11 minal airport concessions (as defined in part 23 of  
12 title 49, Code of Federal Regulations) located at pri-  
13 mary airports: *Provided*, That such funds shall be  
14 distributed to all sponsors of primary airports (as  
15 defined in section 47102(16) of title 49, United  
16 States Code) based on each such airport's passenger  
17 enplanements compared to total passenger  
18 enplanements of all airports defined in section  
19 47102(16) of title 49, United States Code, for cal-  
20 endar year 2019: *Provided further*, That as a condi-  
21 tion of approving a grant under this paragraph, the  
22 Secretary shall require the sponsor to provide such  
23 relief from the date of enactment of this Act until  
24 the sponsor has provided relief equaling the total  
25 grant amount, to the extent practicable and to the

1 extent permissible under state laws, local laws, and  
2 applicable trust indentures: *Provided further*, That  
3 the sponsor shall provide relief from rent and min-  
4 imum annual guarantee obligations to each eligible  
5 airport concession in an amount that reflects each  
6 eligible airport concession's proportional share of the  
7 total amount of the rent and minimum annual guar-  
8 antees of all the eligible airport concessions at such  
9 airport: *Provided further*, That, to the extent permis-  
10 sible under this paragraph, airport sponsors shall  
11 prioritize relief from rent and minimum annual  
12 guarantee to minority-owned businesses: *Provided*  
13 *further*, That only airport concessions that have cer-  
14 tified they have not received a second draw or assist-  
15 ance for a covered loan under section 7(a)(37) of the  
16 Small Business Act (15 U.S.C. 636(a)(37)) that has  
17 been applied toward rent or minimum annual guar-  
18 antee costs shall be eligible for relief under this  
19 paragraph and such concessions are hereby prohib-  
20 ited from applying for a covered loan under such  
21 section for rent or minimum annual guarantee costs:  
22 *Provided further*, That sponsors of primary airports  
23 may retain up to 2 percent of the funds provided  
24 under this paragraph to administer the relief re-  
25 quired under this paragraph; and

1895

1           (4) Up to \$5,000,000 shall be available and  
2 transferred to “Office of the Secretary, Salaries and  
3 Expenses” to carry out the Small Community Air  
4 Service Development Program: *Provided*, That in al-  
5 locating funding made available in this or any pre-  
6 vious Acts for such program for fiscal years 2019,  
7 2020, and 2021, the Secretary of Transportation  
8 shall give priority to communities or consortia of  
9 communities that have had air carrier service re-  
10 duced or suspended as a result of the coronavirus  
11 pandemic: *Provided further*, That the Secretary shall  
12 publish streamlined and expedited procedures for the  
13 solicitation of applications for assistance under this  
14 paragraph not later than 60 days after the date of  
15 enactment of this Act and shall make awards as  
16 soon as practicable:

17 *Provided further*, That the Administrator of the Federal  
18 Aviation Administration may retain up to 0.1 percent of  
19 the funds provided under this heading in this Act to fund  
20 the award and oversight by the Administrator of grants  
21 made under this heading in this Act: *Provided further*,  
22 That obligations of funds under this heading in this Act  
23 shall not be subject to any limitations on obligations pro-  
24 vided in any Act making annual appropriations: *Provided*  
25 *further*, That all airports receiving funds under this head-



1 ing in this Act shall continue to employ, through February  
2 15, 2021, at least 90 percent of the number of individuals  
3 employed (after making adjustments for retirements or  
4 voluntary employee separations) by the airport as of  
5 March 27, 2020: *Provided further*, That the Secretary may  
6 waive the workforce retention requirement in the pre-  
7 ceding proviso, if the Secretary determines the airport is  
8 experiencing economic hardship as a direct result of the  
9 requirement, or the requirement reduces aviation safety  
10 or security: *Provided further*, That the workforce retention  
11 requirement shall not apply to nonhub airports or nonpri-  
12 mary airports receiving funds under this heading in this  
13 Act: *Provided further*, That the amounts repurposed under  
14 this heading in this Act that were previously designated  
15 by the Congress as an emergency requirement pursuant  
16 to the Balanced Budget and Emergency Deficit Control  
17 Act of 1985 are designated by the Congress as an emer-  
18 gency requirement pursuant to section 251(b)(2)(A)(i) of  
19 the Balanced Budget and Emergency Deficit Control Act  
20 of 1985: *Provided further*, That such amount is designated  
21 by the Congress as being for an emergency requirement  
22 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-  
23 et and Emergency Deficit Control Act of 1985.