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[Report No. 117-____]

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2022, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

____ --, 2021

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

A BILL

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2022, and for other purposes.

1 \$712,000,000 shall be available for the period
2 October 1, 2022 through June 30, 2023;

3 (B) \$988,604,000 for youth activities,
4 which shall be available for the period April 1,
5 2022 through June 30, 2023; and

6 (C) \$1,183,554,000 for dislocated worker
7 employment and training activities, of which
8 \$323,554,000 shall be available for the period
9 July 1, 2022 through June 30, 2023, and of
10 which \$860,000,000 shall be available for the
11 period October 1, 2022 through June 30, 2023:

12 *Provided*, That the funds available for allotment to
13 outlying areas to carry out subtitle B of title I of the
14 WIOA shall not be subject to the requirements of
15 section 127(b)(1)(B)(ii) of such Act; and

16 (2) for national programs, \$1,311,776,000 as
17 follows:

18 (A) \$435,859,000 for the dislocated work-
19 ers assistance national reserve, of which
20 \$235,859,000 shall be available for the period
21 July 1, 2022 through September 30, 2023, and
22 of which \$200,000,000 shall be available for the
23 period October 1, 2022 through September 30,
24 2023: *Provided*, That funds made available in
25 this subparagraph shall be available for the

1 pilot program authorized under section 8041 of
2 the SUPPORT for Patients and Communities
3 Act (Public Law 115-271): *Provided further,*
4 That funds provided to carry out section
5 132(a)(2)(A) of the WIOA may be used to pro-
6 vide assistance to a State for statewide or local
7 use in order to address cases where there have
8 been worker dislocations across multiple sectors
9 or across multiple local areas and such workers
10 remain dislocated; coordinate the State work-
11 force development plan with emerging economic
12 development needs; and train such eligible dis-
13 located workers: *Provided further,* That funds
14 provided to carry out sections 168(b) and
15 169(c) of the WIOA may be used for technical
16 assistance and demonstration projects, respec-
17 tively, that provide assistance to new entrants
18 in the workforce and incumbent workers: *Pro-*
19 *vided further,* That notwithstanding section
20 168(b) of the WIOA, of the funds provided
21 under this subparagraph, the Secretary of
22 Labor (referred to in this title as “Secretary”)
23 may reserve not more than 10 percent of such
24 funds to provide technical assistance and carry
25 out additional activities related to the transition

1 to the WIOA: *Provided further*, That of the
2 funds provided under this subparagraph,
3 \$200,000,000 shall be for training and employ-
4 ment assistance under sections 168(b), 169(c)
5 (notwithstanding the 10 percent limitation in
6 such section) and 170 of the WIOA as follows:

7 (i) \$100,000,000 shall be for the pur-
8 pose of developing, offering, or improving
9 educational or career training programs at
10 community colleges, defined as public insti-
11 tutions of higher education, as described in
12 section 101(a) of the Higher Education
13 Act of 1965 and at which the associate's
14 degree is primarily the highest degree
15 awarded, with other eligible institutions of
16 higher education, as defined in section
17 101(a) of the Higher Education Act of
18 1965, eligible to participate through con-
19 sortia, with community colleges as the lead
20 grantee: *Provided*, That the Secretary shall
21 follow the requirements for the program in
22 House Report 116-62 and in the report
23 accompanying this Act: *Provided further*,
24 That any grant funds used for apprentice-
25 ships shall be used to support only appren-

1 ticeship programs registered under the Na-
2 tional Apprenticeship Act and as referred
3 to in section 3(7)(B) of the WIOA;

4 (ii) \$100,000,000 shall be for training
5 and employment assistance for workers in
6 communities that have experienced job
7 losses due to dislocations in industries re-
8 lated to fossil fuel extraction or energy
9 production;

10 (B) \$58,000,000 for Native American pro-
11 grams under section 166 of the WIOA, which
12 shall be available for the period July 1, 2022
13 through June 30, 2023;

14 (C) \$96,711,000 for migrant and seasonal
15 farmworker programs under section 167 of the
16 WIOA, including \$89,693,000 for formula
17 grants (of which not less than 70 percent shall
18 be for employment and training services),
19 \$6,444,000 for migrant and seasonal housing
20 (of which not less than 70 percent shall be for
21 permanent housing), and \$574,000 for other
22 discretionary purposes, which shall be available
23 for the period April 1, 2022 through June 30,
24 2023: *Provided*, That notwithstanding any
25 other provision of law or related regulation, the

1 Department of Labor shall take no action lim-
2 iting the number or proportion of eligible par-
3 ticipants receiving related assistance services or
4 discouraging grantees from providing such serv-
5 ices: *Provided further*, That notwithstanding the
6 definition of “eligible seasonal farmworker” in
7 section 167(i)(3)(A) of the WIOA relating to an
8 individual being “low-income”, an individual is
9 eligible for migrant and seasonal farmworker
10 programs under section 167 of the WIOA under
11 that definition if, in addition to meeting the re-
12 quirements of clauses (i) and (ii) of section
13 167(i)(3)(A), such individual is a member of a
14 family with a total family income equal to or
15 less than 150 percent of the poverty line;

16 (D) \$145,000,000 for YouthBuild activi-
17 ties as described in section 171 of the WIOA,
18 which shall be available for the period April 1,
19 2022 through June 30, 2023;

20 (E) \$150,000,000 for ex-offender activi-
21 ties, under the authority of section 169 of the
22 WIOA, which shall be available for the period
23 April 1, 2022 through June 30, 2023: *Provided*,
24 That of this amount, \$25,000,000 shall be for
25 competitive grants to national and regional

1 intermediaries for activities that prepare for
2 employment young adults with criminal legal
3 histories, young adults who have been justice
4 system-involved, or young adults who have
5 dropped out of school or other educational pro-
6 grams, with a priority for projects serving high-
7 crime, high-poverty areas;

8 (F) \$7,250,000 for the Workforce Data
9 Quality Initiative, under the authority of section
10 169 of the WIOA, which shall be available for
11 the period July 1, 2022 through June 30,
12 2023; and

13 (G) \$285,000,000 to expand opportunities
14 through apprenticeships only registered under
15 the National Apprenticeship Act and as referred
16 to in section 3(7)(B) of the WIOA, to be avail-
17 able to the Secretary to carry out activities
18 through grants, cooperative agreements, con-
19 tracts and other arrangements, with States and
20 other appropriate entities, including equity
21 intermediaries and business and labor industry
22 partner intermediaries, which shall be available
23 for the period July 1, 2022 through June 30,
24 2023.

1 (H) \$50,000,000 for a National Youth
2 Employment Program, under the authority of
3 section 169 of the WIOA, including the expan-
4 sion of summer and year-round job opportuni-
5 ties for disadvantaged youth, which shall be
6 available for the period April 1, 2022 through
7 June 30, 2023;

8 (I) \$20,000,000 for a national training
9 program for veterans, members of the armed
10 forces who are separating from active duty, and
11 the spouses of veterans and such members, fo-
12 cused on training related to employment in
13 clean energy sectors and occupations, under the
14 authority of section 169 of the WIOA, which
15 shall be available for the period July 1, 2022
16 through June 30, 2023; and

17 (J) \$63,956,000 for carrying out Dem-
18 onstration and Pilot projects under section
19 169(c) of the WIOA, which shall be available
20 for the period April 1, 2022 through June 30,
21 2023, in addition to funds available for such ac-
22 tivities under subparagraph (A) for the
23 projects, and in the amounts, specified under
24 the heading “Training and Employment Serv-
25 ices” in the report accompanying this Act: *Pro-*

1 through June 30, 2025, and which may include the
2 acquisition, maintenance, and repair of major items
3 of equipment: *Provided*, That the Secretary may
4 transfer up to 15 percent of such funds to meet the
5 operational needs of such centers or to achieve ad-
6 ministrative efficiencies: *Provided further*, That any
7 funds transferred pursuant to the preceding provi-
8 sion shall not be available for obligation after June
9 30, 2023: *Provided further*, That the Committees on
10 Appropriations of the House of Representatives and
11 the Senate are notified at least 15 days in advance
12 of any transfer; and

13 (3) \$38,748,000 for necessary expenses of Job
14 Corps, which shall be available for obligation for the
15 period October 1, 2021 through September 30,
16 2022:

17 *Provided*, That no funds from any other appropriation
18 shall be used to provide meal services at or for Job Corps
19 centers.

20 COMMUNITY SERVICE EMPLOYMENT FOR OLDER

21 AMERICANS

22 To carry out title V of the Older Americans Act of
23 1965 (referred to in this Act as “OAA”), \$450,000,000,
24 which shall be available for the period April 1, 2022

1 through June 30, 2023, and may be recaptured and reobli-
2 gated in accordance with section 517(c) of the OAA.

3 FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

4 For payments during fiscal year 2022 of trade ad-
5 justment benefit payments and allowances under part I
6 of subchapter B of chapter 2 of title II of the Trade Act
7 of 1974, and section 246 of that Act; and for training,
8 employment and case management services, allowances for
9 job search and relocation, and related State administrative
10 expenses under part II of subchapter B of chapter 2 of
11 title II of the Trade Act of 1974, and including benefit
12 payments, allowances, training, employment and case
13 management services, and related State administration
14 provided pursuant to section 231(a) of the Trade Adjust-
15 ment Assistance Extension Act of 2011, sections 405(a)
16 and 406 of the Trade Preferences Extension Act of 2015,
17 and section 285(a)(2) of the Trade Act of 1974 (as
18 amended by section 406(a)(7) of the Trade Preferences
19 Extension Act of 2015), \$551,000,000 together with such
20 amounts as may be necessary to be charged to the subse-
21 quent appropriation for payments for any period subse-
22 quent to September 15, 2022: *Provided*, That notwith-
23 standing section 502 of this Act, any part of the appro-
24 priation provided under this heading may remain available
25 for obligation beyond the current fiscal year pursuant to

1 the authorities of section 245(c) of the Trade Act of 1974
2 (19 U.S.C. 2317(c)).

3 STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT
4 SERVICE OPERATIONS

5 For authorized administrative expenses,
6 \$89,066,000, together with not to exceed \$4,087,164,000
7 which may be expended from the Employment Security
8 Administration Account in the Unemployment Trust Fund
9 (“the Trust Fund”), of which—

10 (1) \$2,866,214,000 from the Trust Fund is for
11 grants to States for the administration of State un-
12 employment insurance laws as authorized under title
13 III of the Social Security Act (including not less
14 than \$250,000,000 to carry out reemployment serv-
15 ices and eligibility assessments under section 306 of
16 such Act, any claimants of regular compensation, as
17 defined in such section, including those who are
18 profiled as most likely to exhaust their benefits, may
19 be eligible for such services and assessments: *Pro-*
20 *vided*, That of such amount, \$117,000,000 is speci-
21 fied for grants under section 306 of the Social Secu-
22 rity Act and \$133,000,000 is additional new budget
23 authority specified for purposes of section 314(g) of
24 the Congressional Budget Act of 1974; and
25 \$9,000,000 for continued support of the Unemploy-

1 ment Insurance Integrity Center of Excellence), the
2 administration of unemployment insurance for Fed-
3 eral employees and for ex-service members as au-
4 thorized under 5 U.S.C. 8501–8523, and the admin-
5 istration of trade readjustment allowances, reem-
6 ployment trade adjustment assistance, and alter-
7 native trade adjustment assistance under the Trade
8 Act of 1974 and under section 231(a) of the Trade
9 Adjustment Assistance Extension Act of 2011, sec-
10 tions 405(a) and 406 of the Trade Preferences Ex-
11 tension Act of 2015, and section 285(a)(2) of the
12 Trade Act of 1974 (as amended by section 406(a)(7)
13 of the Trade Preferences Extension Act of 2015),
14 and shall be available for obligation by the States
15 through December 31, 2022, except that funds used
16 for automation shall be available for Federal obliga-
17 tion through December 31, 2022, and for State obli-
18 gation through September 30, 2024, or, if the auto-
19 mation is being carried out through consortia of
20 States, for State obligation through September 30,
21 2028, and for expenditure through September 30,
22 2029, and funds for competitive grants awarded to
23 States for improved operations and to conduct in-
24 person reemployment and eligibility assessments and
25 unemployment insurance improper payment reviews

1 and provide reemployment services and referrals to
2 training, as appropriate, shall be available for Fed-
3 eral obligation through December 31, 2022, and for
4 obligation by the States through September 30,
5 2024, and funds for the Unemployment Insurance
6 Integrity Center of Excellence shall be available for
7 obligation by the State through September 30, 2023,
8 and funds used for unemployment insurance work-
9 loads experienced through September 30, 2022 shall
10 be available for Federal obligation through Decem-
11 ber 31, 2022;

12 (2) \$118,108,000 from the Trust Fund is for
13 national activities necessary to support the adminis-
14 tration of the Federal-State unemployment insur-
15 ance system;

16 (3) \$727,449,000 from the Trust Fund, to-
17 gether with \$21,413,000 from the General Fund of
18 the Treasury, is for grants to States in accordance
19 with section 6 of the Wagner-Peyser Act, and shall
20 be available for Federal obligation for the period
21 July 1, 2022 through June 30, 2023;

22 (4) \$22,318,000 from the Trust Fund is for na-
23 tional activities of the Employment Service, includ-
24 ing administration of the work opportunity tax cred-
25 it under section 51 of the Internal Revenue Code of

1 1986 (including assisting States in adopting or mod-
2 ernizing information technology for use in the proc-
3 essing of certification requests), and the provision of
4 technical assistance and staff training under the
5 Wagner-Peyser Act;

6 (5) \$94,075,000 from the Trust Fund is for the
7 administration of foreign labor certifications and re-
8 lated activities under the Immigration and Nation-
9 ality Act and related laws, of which \$67,793,000
10 shall be available for the Federal administration of
11 such activities, and \$26,282,000 shall be available
12 for grants to States for the administration of such
13 activities; and

14 (6) \$67,653,000 from the General Fund is to
15 provide workforce information, national electronic
16 tools, and one-stop system building under the Wag-
17 ner-Peyser Act and shall be available for Federal ob-
18 ligation for the period July 1, 2022 through June
19 30, 2023, of which up to \$9,800,000 shall be used
20 to carry out research and demonstration projects re-
21 lated to testing effective ways to promote greater
22 labor force participation of people with disabilities:
23 *Provided*, That the Secretary may transfer amounts
24 made available for research and demonstration
25 projects under this paragraph to the “Office of Dis-

1 ability Employment Policy’ account for such pur-
2 poses:

3 *Provided*, That to the extent that the Average Weekly In-
4 sured Unemployment (“AWIU”) for fiscal year 2022 is
5 projected by the Department of Labor to exceed
6 2,008,000, an additional \$28,600,000 from the Trust
7 Fund shall be available for obligation for every 100,000
8 increase in the AWIU level (including a pro rata amount
9 for any increment less than 100,000) to carry out title
10 III of the Social Security Act: *Provided further*, That
11 funds appropriated in this Act that are allotted to a State
12 to carry out activities under title III of the Social Security
13 Act may be used by such State to assist other States in
14 carrying out activities under such title III if the other
15 States include areas that have suffered a major disaster
16 declared by the President under the Robert T. Stafford
17 Disaster Relief and Emergency Assistance Act: *Provided*
18 *further*, That the Secretary may use funds appropriated
19 for grants to States under title III of the Social Security
20 Act to make payments on behalf of States for the use of
21 the National Directory of New Hires under section
22 453(j)(8) of such Act: *Provided further*, That the Sec-
23 retary may use funds appropriated for grants to States
24 under title III of the Social Security Act to make pay-
25 ments on behalf of States to the entity operating the State

1 Information Data Exchange System: *Provided further,*
2 That funds appropriated in this Act which are used to es-
3 tablish a national one-stop career center system, or which
4 are used to support the national activities of the Federal-
5 State unemployment insurance, employment service, or
6 immigration programs, may be obligated in contracts,
7 grants, or agreements with States and non-State entities:
8 *Provided further,* That States awarded competitive grants
9 for improved operations under title III of the Social Secu-
10 rity Act, or awarded grants to support the national activi-
11 ties of the Federal-State unemployment insurance system,
12 may award subgrants to other States and non-State enti-
13 ties under such grants, subject to the conditions applicable
14 to the grants: *Provided further,* That funds appropriated
15 under this Act for activities authorized under title III of
16 the Social Security Act and the Wagner-Peyser Act may
17 be used by States to fund integrated Unemployment In-
18 surance and Employment Service automation efforts, not-
19 withstanding cost allocation principles prescribed under
20 the final rule entitled “Uniform Administrative Require-
21 ments, Cost Principles, and Audit Requirements for Fed-
22 eral Awards” at part 200 of title 2, Code of Federal Regu-
23 lations: *Provided further,* That the Secretary, at the re-
24 quest of a State participating in a consortium with other
25 States, may reallocate funds allotted to such State under title

1 III of the Social Security Act to other States participating
2 in the consortium or to the entity operating the Unemploy-
3 ment Insurance Information Technology Support Center
4 in order to carry out activities that benefit the administra-
5 tion of the unemployment compensation law of the State
6 making the request: *Provided further*, That the Secretary
7 may collect fees for the costs associated with additional
8 data collection, analyses, and reporting services relating
9 to the National Agricultural Workers Survey requested by
10 State and local governments, public and private institu-
11 tions of higher education, and nonprofit organizations and
12 may utilize such sums, in accordance with the provisions
13 of 29 U.S.C. 9a, for the National Agricultural Workers
14 Survey infrastructure, methodology, and data to meet the
15 information collection and reporting needs of such entities,
16 which shall be credited to this appropriation and shall re-
17 main available until September 30, 2023, for such pur-
18 poses.

19 ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND
20 OTHER FUNDS

21 For repayable advances to the Unemployment Trust
22 Fund as authorized by sections 905(d) and 1203 of the
23 Social Security Act, and to the Black Lung Disability
24 Trust Fund as authorized by section 9501(c)(1) of the In-
25 ternal Revenue Code of 1986; and for nonrepayable ad-

1 vances to the revolving fund established by section 901(e)
2 of the Social Security Act, to the Unemployment Trust
3 Fund as authorized by 5 U.S.C. 8509, and to the “Federal
4 Unemployment Benefits and Allowances” account, such
5 sums as may be necessary, which shall be available for
6 obligation through September 30, 2023.

7 PROGRAM ADMINISTRATION

8 For expenses of administering employment and train-
9 ing programs, \$144,497,000, together with not to exceed
10 \$67,006,000 which may be expended from the Employ-
11 ment Security Administration Account in the Unemploy-
12 ment Trust Fund: *Provided*, That funds made available
13 for the Office of Apprenticeship shall be used only for the
14 administration of apprenticeship programs registered
15 under the National Apprenticeship Act and as referred to
16 in section 3(7)(B) of the WIOA and to provide for the
17 full and adequate staffing of the Federal Office of Appren-
18 ticeship and each of the State Offices of Apprenticeship.

19 EMPLOYEE BENEFITS SECURITY ADMINISTRATION

20 SALARIES AND EXPENSES

21 For necessary expenses for the Employee Benefits
22 Security Administration, \$218,475,000, of which up to
23 \$3,000,000 shall be made available through September 30,
24 2023, for the procurement of expert witnesses for enforce-
25 ment litigation.

1 PENSION BENEFIT GUARANTY CORPORATION

2 PENSION BENEFIT GUARANTY CORPORATION FUND

3 The Pension Benefit Guaranty Corporation (“Cor-
4 poration”) is authorized to make such expenditures, in-
5 cluding financial assistance authorized by subtitle E of
6 title IV of the Employee Retirement Income Security Act
7 of 1974, within limits of funds and borrowing authority
8 available to the Corporation, and in accord with law, and
9 to make such contracts and commitments without regard
10 to fiscal year limitations, as provided by 31 U.S.C. 9104,
11 as may be necessary in carrying out the program, includ-
12 ing associated administrative expenses, through Sep-
13 tember 30, 2022, for the Corporation: *Provided*, That
14 none of the funds available to the Corporation for fiscal
15 year 2022 shall be available for obligations for administra-
16 tive expenses in excess of \$472,955,000: *Provided further*,
17 That to the extent that the number of new plan partici-
18 pants in plans terminated by the Corporation exceeds
19 100,000 in fiscal year 2022, an amount not to exceed an
20 additional \$9,200,000 shall be available through Sep-
21 tember 30, 2026, for obligations for administrative ex-
22 penses for every 20,000 additional terminated partici-
23 pants: *Provided further*, That obligations in excess of the
24 amounts provided for administrative expenses in this para-
25 graph may be incurred and shall be available through Sep-

1 tember 30, 2026 for obligation for unforeseen and extraor-
2 dinary pre-termination or termination expenses or extraor-
3 dinary multiemployer program related expenses after ap-
4 proval by the Office of Management and Budget and noti-
5 fication of the Committees on Appropriations of the House
6 of Representatives and the Senate: *Provided further*, That
7 an additional amount shall be available for obligation
8 through September 30, 2026 to the extent the Corpora-
9 tion's costs exceed \$250,000 for the provision of credit or
10 identity monitoring to affected individuals upon suffering
11 a security incident or privacy breach, not to exceed an ad-
12 ditional \$100 per affected individual.

13 WAGE AND HOUR DIVISION

14 SALARIES AND EXPENSES

15 For necessary expenses for the Wage and Hour Divi-
16 sion, including reimbursement to State, Federal, and local
17 agencies and their employees for inspection services ren-
18 dered, \$300,000,000: *Provided*, That the Secretary of
19 Labor shall use funds made available under this heading
20 to establish a national hotline to support domestic work-
21 ers.

22 OFFICE OF LABOR-MANAGEMENT STANDARDS

23 SALARIES AND EXPENSES

24 For necessary expenses for the Office of Labor-Man-
25 agement Standards, \$44,437,000.

1 OFFICE OF FEDERAL CONTRACT COMPLIANCE

2 PROGRAMS

3 SALARIES AND EXPENSES

4 For necessary expenses for the Office of Federal Con-
5 tract Compliance Programs, \$140,732,000.

6 OFFICE OF WORKERS' COMPENSATION PROGRAMS

7 SALARIES AND EXPENSES

8 For necessary expenses for the Office of Workers'
9 Compensation Programs, \$138,604,000, together with
10 \$2,205,000 which may be expended from the Special Fund
11 in accordance with sections 39(c), 44(d), and 44(j) of the
12 Longshore and Harbor Workers' Compensation Act.

13 SPECIAL BENEFITS

14 (INCLUDING TRANSFER OF FUNDS)

15 For the payment of compensation, benefits, and ex-
16 penses (except administrative expenses not otherwise au-
17 thorized) accruing during the current or any prior fiscal
18 year authorized by 5 U.S.C. 81; continuation of benefits
19 as provided for under the heading "Civilian War Benefits"
20 in the Federal Security Agency Appropriation Act, 1947;
21 the Employees' Compensation Commission Appropriation
22 Act, 1944; section 5(f) of the War Claims Act (50 U.S.C.
23 App. 2012); obligations incurred under the War Hazards
24 Compensation Act (42 U.S.C. 1701 et seq.); and 50 per-
25 cent of the additional compensation and benefits required

1 by section 10(h) of the Longshore and Harbor Workers'
2 Compensation Act, \$244,000,000, together with such
3 amounts as may be necessary to be charged to the subse-
4 quent year appropriation for the payment of compensation
5 and other benefits for any period subsequent to August
6 15 of the current year, for deposit into and to assume
7 the attributes of the Employees' Compensation Fund es-
8 tablished under 5 U.S.C. 8147(a): *Provided*, That
9 amounts appropriated may be used under 5 U.S.C. 8104
10 by the Secretary to reimburse an employer, who is not the
11 employer at the time of injury, for portions of the salary
12 of a re-employed, disabled beneficiary: *Provided further*,
13 That balances of reimbursements unobligated on Sep-
14 tember 30, 2021, shall remain available until expended for
15 the payment of compensation, benefits, and expenses: *Pro-*
16 *vided further*, That in addition there shall be transferred
17 to this appropriation from the Postal Service and from
18 any other corporation or instrumentality required under
19 5 U.S.C. 8147(c) to pay an amount for its fair share of
20 the cost of administration, such sums as the Secretary de-
21 termines to be the cost of administration for employees
22 of such fair share entities through September 30, 2022:
23 *Provided further*, That of those funds transferred to this
24 account from the fair share entities to pay the cost of ad-
25 ministration of the Federal Employees' Compensation Act,

1 \$80,920,000 shall be made available to the Secretary as
2 follows:

3 (1) For enhancement and maintenance of auto-
4 mated data processing systems operations and tele-
5 communications systems, \$27,445,000;

6 (2) For automated workload processing oper-
7 ations, including document imaging, centralized mail
8 intake, and medical bill processing, \$25,859,000;

9 (3) For periodic roll disability management and
10 medical review, \$25,860,000;

11 (4) For program integrity, \$1,756,000; and

12 (5) The remaining funds shall be paid into the
13 Treasury as miscellaneous receipts:

14 *Provided further*, That the Secretary may require that any
15 person filing a notice of injury or a claim for benefits
16 under 5 U.S.C. 81, or the Longshore and Harbor Work-
17 ers' Compensation Act, provide as part of such notice and
18 claim, such identifying information (including Social Secu-
19 rity account number) as such regulations may prescribe.

20 SPECIAL BENEFITS FOR DISABLED COAL MINERS

21 For carrying out title IV of the Federal Mine Safety
22 and Health Act of 1977, as amended by Public Law 107-
23 275, \$32,970,000, to remain available until expended.

24 For making after July 31 of the current fiscal year,
25 benefit payments to individuals under title IV of such Act,

1 for costs incurred in the current fiscal year, such amounts
2 as may be necessary.

3 For making benefit payments under title IV for the
4 first quarter of fiscal year 2023, \$11,000,000, to remain
5 available until expended.

6 ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES

7 OCCUPATIONAL ILLNESS COMPENSATION FUND

8 For necessary expenses to administer the Energy
9 Employees Occupational Illness Compensation Program
10 Act, \$63,428,000, to remain available until expended: *Pro-*
11 *vided*, That the Secretary may require that any person fil-
12 ing a claim for benefits under the Act provide as part of
13 such claim such identifying information (including Social
14 Security account number) as may be prescribed.

15 BLACK LUNG DISABILITY TRUST FUND

16 (INCLUDING TRANSFER OF FUNDS)

17 Such sums as may be necessary from the Black Lung
18 Disability Trust Fund (the “Fund”), to remain available
19 until expended, for payment of all benefits authorized by
20 section 9501(d)(1), (2), (6), and (7) of the Internal Rev-
21 enue Code of 1986; and repayment of, and payment of
22 interest on advances, as authorized by section 9501(d)(4)
23 of that Act. In addition, the following amounts may be
24 expended from the Fund for fiscal year 2022 for expenses
25 of operation and administration of the Black Lung Bene-

1 fits program, as authorized by section 9501(d)(5): not to
2 exceed \$41,464,000 for transfer to the Office of Workers'
3 Compensation Programs, "Salaries and Expenses"; not to
4 exceed \$37,598,000 for transfer to Departmental Manage-
5 ment, "Salaries and Expenses"; not to exceed \$342,000
6 for transfer to Departmental Management, "Office of In-
7 spector General"; and not to exceed \$356,000 for pay-
8 ments into miscellaneous receipts for the expenses of the
9 Department of the Treasury.

10 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
11 SALARIES AND EXPENSES

12 For necessary expenses for the Occupational Safety
13 and Health Administration, \$691,787,000, including not
14 to exceed \$118,737,000 which shall be the maximum
15 amount available for grants to States under section 23(g)
16 of the Occupational Safety and Health Act (the "Act"),
17 which grants shall be no less than 50 percent of the costs
18 of State occupational safety and health programs required
19 to be incurred under plans approved by the Secretary
20 under section 18 of the Act; and, in addition, notwith-
21 standing 31 U.S.C. 3302, the Occupational Safety and
22 Health Administration may retain up to \$499,000 per fis-
23 cal year of training institute course tuition and fees, other-
24 wise authorized by law to be collected, and may utilize
25 such sums for occupational safety and health training and

1 education: *Provided*, That notwithstanding 31 U.S.C.
2 3302, the Secretary is authorized, during the fiscal year
3 ending September 30, 2022, to collect and retain fees for
4 services provided to Nationally Recognized Testing Lab-
5 oratories, and may utilize such sums, in accordance with
6 the provisions of 29 U.S.C. 9a, to administer national and
7 international laboratory recognition programs that ensure
8 the safety of equipment and products used by workers in
9 the workplace: *Provided further*, That \$14,787,000 shall
10 be available for Susan Harwood training grants, of which
11 not less than \$4,500,000 is for Susan Harwood Training
12 Capacity Building Developmental grants for program ac-
13 tivities starting not later than September 30, 2022 and
14 lasting for a period of 12 months.

15 MINE SAFETY AND HEALTH ADMINISTRATION

16 SALARIES AND EXPENSES

17 For necessary expenses for the Mine Safety and
18 Health Administration, \$404,816,000, including purchase
19 and bestowal of certificates and trophies in connection
20 with mine rescue and first-aid work, and the hire of pas-
21 senger motor vehicles, including up to \$2,000,000 for
22 mine rescue and recovery activities and not less than
23 \$10,537,000 for State assistance grants: *Provided*, That
24 notwithstanding 31 U.S.C. 3302, not to exceed \$750,000
25 may be collected by the National Mine Health and Safety

1 Academy for room, board, tuition, and the sale of training
2 materials, otherwise authorized by law to be collected, to
3 be available for mine safety and health education and
4 training activities: *Provided further*, That notwithstanding
5 31 U.S.C. 3302, the Mine Safety and Health Administra-
6 tion is authorized to collect and retain up to \$2,499,000
7 from fees collected for the approval and certification of
8 equipment, materials, and explosives for use in mines, and
9 may utilize such sums for such activities: *Provided further*,
10 That the Secretary is authorized to accept lands, build-
11 ings, equipment, and other contributions from public and
12 private sources and to prosecute projects in cooperation
13 with other agencies, Federal, State, or private: *Provided*
14 *further*, That the Mine Safety and Health Administration
15 is authorized to promote health and safety education and
16 training in the mining community through cooperative
17 programs with States, industry, and safety associations:
18 *Provided further*, That the Secretary is authorized to rec-
19 ognize the Joseph A. Holmes Safety Association as a prin-
20 cipal safety association and, notwithstanding any other
21 provision of law, may provide funds and, with or without
22 reimbursement, personnel, including service of Mine Safe-
23 ty and Health Administration officials as officers in local
24 chapters or in the national organization: *Provided further*,
25 That any funds available to the Department of Labor may

1 be used, with the approval of the Secretary, to provide
2 for the costs of mine rescue and survival operations in the
3 event of a major disaster.

4 BUREAU OF LABOR STATISTICS

5 SALARIES AND EXPENSES

6 For necessary expenses for the Bureau of Labor Sta-
7 tistics, including advances or reimbursements to State,
8 Federal, and local agencies and their employees for serv-
9 ices rendered, \$632,653,000, together with not to exceed
10 \$68,000,000 which may be expended from the Employ-
11 ment Security Administration account in the Unemploy-
12 ment Trust Fund.

13 Within this amount, \$28,470,000 for costs associated
14 with the physical move of the Bureau of Labor Statistics'
15 headquarters, including replication of space, furniture, fix-
16 tures, equipment, and related costs shall remain available
17 until September 30, 2026.

18 OFFICE OF DISABILITY EMPLOYMENT POLICY

19 SALARIES AND EXPENSES

20 For necessary expenses for the Office of Disability
21 Employment Policy to provide leadership, develop policy
22 and initiatives, and award grants furthering the objective
23 of eliminating barriers to the training and employment of
24 people with disabilities, \$42,711,000.

1 DEPARTMENTAL MANAGEMENT

2 SALARIES AND EXPENSES

3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses for Departmental Manage-
5 ment, including the hire of three passenger motor vehicles,
6 \$456,911,000, together with not to exceed \$308,000,
7 which may be expended from the Employment Security
8 Administration account in the Unemployment Trust
9 Fund: *Provided*, That \$97,947,000 for the Bureau of
10 International Labor Affairs shall be available for obliga-
11 tion through December 31, 2022: *Provided further*, That
12 funds available to the Bureau of International Labor Af-
13 fairs may be used to administer or operate international
14 labor activities, bilateral and multilateral technical assist-
15 ance, and microfinance programs, by or through contracts,
16 grants, subgrants and other arrangements: *Provided fur-*
17 *ther*, That not more than \$57,772,000 shall be for pro-
18 grams to combat exploitative child labor internationally
19 and not less than \$40,175,000 shall be used to implement
20 model programs that address worker rights issues through
21 technical assistance in countries with which the United
22 States has free trade agreements or trade preference pro-
23 grams: *Provided further*, That \$10,040,000 shall be used
24 for program evaluation and shall be available for obliga-
25 tion through September 30, 2023: *Provided further*, That

1 funds available for program evaluation may be used to ad-
2 minister grants for the purpose of evaluation: *Provided*
3 *further*, That grants made for the purpose of evaluation
4 shall be awarded through fair and open competition: *Pro-*
5 *vided further*, That funds available for program evaluation
6 may be transferred to any other appropriate account in
7 the Department for such purpose: *Provided further*, That
8 the Committees on Appropriations of the House of Rep-
9 resentatives and the Senate are notified at least 15 days
10 in advance of any transfer: *Provided further*, That the
11 funds available to the Women’s Bureau may be used for
12 grants to serve and promote the interests of women in the
13 workforce: *Provided further*, That of the amounts made
14 available to the Women’s Bureau, not less than
15 \$6,794,000 shall be used for grants authorized by the
16 Women in Apprenticeship and Nontraditional Occupations
17 Act.

18 VETERANS’ EMPLOYMENT AND TRAINING

19 Not to exceed \$267,331,000 may be derived from the
20 Employment Security Administration account in the Un-
21 employment Trust Fund to carry out the provisions of
22 chapters 41, 42, and 43 of title 38, United States Code,
23 of which—

24 (1) \$180,000,000 is for Jobs for Veterans State
25 grants under 38 U.S.C. 4102A(b)(5) to support dis-

1 abled veterans' outreach program specialists under
2 section 4103A of such title and local veterans' em-
3 ployment representatives under section 4104(b) of
4 such title, and for the expenses described in section
5 4102A(b)(5)(C), which shall be available for expend-
6 iture by the States through September 30, 2024,
7 and not to exceed 3 percent for the necessary Fed-
8 eral expenditures for data systems and contract sup-
9 port to allow for the tracking of participant and per-
10 formance information: *Provided*, That, in addition,
11 such funds may be used to support such specialists
12 and representatives in the provision of services to
13 transitioning members of the Armed Forces who
14 have participated in the Transition Assistance Pro-
15 gram and have been identified as in need of inten-
16 sive services, to members of the Armed Forces who
17 are wounded, ill, or injured and receiving treatment
18 in military treatment facilities or warrior transition
19 units, and to the spouses or other family caregivers
20 of such wounded, ill, or injured members;

21 (2) \$31,379,000 is for carrying out the Transi-
22 tion Assistance Program under 38 U.S.C. 4113 and
23 10 U.S.C. 1144;

24 (3) \$52,538,000 is for Federal administration
25 of chapters 41, 42, and 43 of title 38, and sections

1 2021, 2021A and 2023 of title 38, United States
2 Code: *Provided*, That, up to \$500,000 may be used
3 to carry out the Hire VETS Act (division O of Pub-
4 lic Law 115–31); and

5 (4) \$3,414,000 is for the National Veterans’
6 Employment and Training Services Institute under
7 38 U.S.C. 4109:

8 *Provided*, That the Secretary may reallocate among the
9 appropriations provided under paragraphs (1) through (4)
10 above an amount not to exceed 3 percent of the appropria-
11 tion from which such reallocation is made.

12 In addition, from the General Fund of the Treasury,
13 \$67,500,000 is for carrying out programs to assist home-
14 less veterans and veterans at risk of homelessness who are
15 transitioning from certain institutions under sections
16 2021, 2021A, and 2023 of title 38, United States Code:
17 *Provided*, That notwithstanding subsections (c)(3) and (d)
18 of section 2023, the Secretary may award grants through
19 September 30, 2022, to provide services under such sec-
20 tion: *Provided further*, That services provided under sec-
21 tions 2021 or under 2021A may include, in addition to
22 services to homeless veterans described in section
23 2002(a)(1), services to veterans who were homeless at
24 some point within the 60 days prior to program entry or
25 veterans who are at risk of homelessness within the next

1 60 days, and that services provided under section 2023
2 may include, in addition to services to the individuals de-
3 scribed in subsection (e) of such section, services to vet-
4 erans recently released from incarceration who are at risk
5 of homelessness: *Provided further*, That notwithstanding
6 paragraph (3) under this heading, funds appropriated in
7 this paragraph may be used for data systems and contract
8 support to allow for the tracking of participant and per-
9 formance information: *Provided further*, That notwith-
10 standing sections 2021(e)(2) and 2021A(f)(2) of title 38,
11 United States Code, such funds shall be available for ex-
12 penditure pursuant to 31 U.S.C. 1553.

13 In addition, fees may be assessed and deposited in
14 the HIRE Vets Medallion Award Fund pursuant to sec-
15 tion 5(b) of the HIRE Vets Act, and such amounts shall
16 be available to the Secretary to carry out the HIRE Vets
17 Medallion Award Program, as authorized by such Act, and
18 shall remain available until expended: *Provided*, That such
19 sums shall be in addition to any other funds available for
20 such purposes, including funds available under paragraph
21 (3) of this heading: *Provided further*, That section 2(d)
22 of division O of the Consolidated Appropriations Act, 2017
23 (Public Law 115–31; 38 U.S.C. 4100 note) shall not
24 apply.

1 IT MODERNIZATION

2 For necessary expenses for Department of Labor cen-
3 tralized infrastructure technology investment activities re-
4 lated to support systems and modernization, \$37,269,000,
5 which shall be available through September 30, 2023.

6 OFFICE OF INSPECTOR GENERAL

7 For salaries and expenses of the Office of Inspector
8 General in carrying out the provisions of the Inspector
9 General Act of 1978, \$89,738,000, together with not to
10 exceed \$5,660,000 which may be expended from the Em-
11 ployment Security Administration account in the Unem-
12 ployment Trust Fund.

13 GENERAL PROVISIONS

14 SEC. 101. None of the funds appropriated by this Act
15 for the Job Corps shall be used to pay the salary and bo-
16 nuses of an individual, either as direct costs or any prora-
17 tion as an indirect cost, at a rate in excess of Executive
18 Level II.

19 (TRANSFER OF FUNDS)

20 SEC. 102. Not to exceed 1 percent of any discre-
21 tionary funds (pursuant to the Balanced Budget and
22 Emergency Deficit Control Act of 1985) which are appro-
23 priated for the current fiscal year for the Department of
24 Labor in this Act may be transferred between a program,
25 project, or activity, but no such program, project, or activ-

1 ity shall be increased by more than 3 percent by any such
2 transfer: *Provided*, That the transfer authority granted by
3 this section shall not be used to create any new program
4 or to fund any project or activity for which no funds are
5 provided in this Act: *Provided further*, That the Commit-
6 tees on Appropriations of the House of Representatives
7 and the Senate are notified at least 15 days in advance
8 of any transfer.

9 SEC. 103. In accordance with Executive Order
10 13126, none of the funds appropriated or otherwise made
11 available pursuant to this Act shall be obligated or ex-
12 pended for the procurement of goods mined, produced,
13 manufactured, or harvested or services rendered, in whole
14 or in part, by forced or indentured child labor in industries
15 and host countries already identified by the United States
16 Department of Labor prior to enactment of this Act.

17 SEC. 104. Except as otherwise provided in this sec-
18 tion, none of the funds made available to the Department
19 of Labor for grants under section 414(c) of the American
20 Competitiveness and Workforce Improvement Act of 1998
21 (29 U.S.C. 2916a) may be used for any purpose other
22 than competitive grants for training individuals who are
23 older than 16 years of age and are not currently enrolled
24 in school within a local educational agency in the occupa-
25 tions and industries for which employers are using H-1B

1 determined that those services will be more efficiently per-
2 formed by Federal employees: *Provided*, That this section
3 shall not apply to section 171 of the WIOA.

4 (b) Notwithstanding section 102, the Secretary may
5 transfer not more than 0.5 percent of each discretionary
6 appropriation made available to the Employment and
7 Training Administration by this Act to “Program Admin-
8 istration” in order to carry out program integrity activities
9 relating to any of the programs or activities that are fund-
10 ed under any such discretionary appropriations: *Provided*,
11 That notwithstanding section 102 and the preceding pro-
12 viso, the Secretary may transfer not more than 0.5 percent
13 of funds made available in paragraphs (1) and (2) of the
14 “Office of Job Corps” account to paragraph (3) of such
15 account to carry out program integrity activities related
16 to the Job Corps program: *Provided further*, That funds
17 transferred under the authority provided by this sub-
18 section shall be available for obligation through September
19 30, 2023.

20 (TRANSFER OF FUNDS)

21 SEC. 107. (a) The Secretary may reserve not more
22 than 0.75 percent from each appropriation made available
23 in this Act identified in subsection (b) in order to carry
24 out evaluations of any of the programs or activities that
25 are funded under such accounts. Any funds reserved under

1 this section shall be transferred to “Departmental Man-
2 agement” for use by the Office of the Chief Evaluation
3 Officer within the Department of Labor, and shall be
4 available for obligation through September 30, 2023: *Pro-*
5 *vided*, That such funds shall only be available if the Chief
6 Evaluation Officer of the Department of Labor submits
7 a plan to the Committees on Appropriations of the House
8 of Representatives and the Senate describing the evalua-
9 tions to be carried out 15 days in advance of any transfer.

10 (b) The accounts referred to in subsection (a) are:
11 “Training and Employment Services”, “Job Corps”,
12 “Community Service Employment for Older Americans”,
13 “State Unemployment Insurance and Employment Service
14 Operations”, “Employee Benefits Security Administra-
15 tion”, “Office of Workers’ Compensation Programs”,
16 “Wage and Hour Division”, “Office of Federal Contract
17 Compliance Programs”, “Office of Labor Management
18 Standards”, “Occupational Safety and Health Adminis-
19 tration”, “Mine Safety and Health Administration”, “Of-
20 fice of Disability Employment Policy”, funding made
21 available to the “Bureau of International Labor Affairs”
22 and “Women’s Bureau” within the “Departmental Man-
23 agement, Salaries and Expenses” account, and “Veterans’
24 Employment and Training”.

1 SEC. 108. Notwithstanding any other provision of
2 law, the Secretary may furnish through grants, coopera-
3 tive agreements, contracts, and other arrangements, up to
4 \$2,000,000 of excess personal property, at a value deter-
5 mined by the Secretary, to apprenticeship programs for
6 the purpose of training apprentices in those programs.

7 SEC. 109. (a) The Act entitled “An Act to create a
8 Department of Labor”, approved March 4, 1913 (37 Stat.
9 736, chapter 141) shall be applied as if the following text
10 is part of such Act:

11 **“SEC. 12. SECURITY DETAIL.**

12 “(a) IN GENERAL.—The Secretary of Labor is au-
13 thorized to employ law enforcement officers or special
14 agents to—

15 “(1) provide protection for the Secretary of
16 Labor during the workday of the Secretary and dur-
17 ing any activity that is preliminary or postliminary
18 to the performance of official duties by the Sec-
19 retary;

20 “(2) provide protection, incidental to the protec-
21 tion provided to the Secretary, to a member of the
22 immediate family of the Secretary who is partici-
23 pating in an activity or event relating to the official
24 duties of the Secretary;

1 “(3) provide continuous protection to the Sec-
2 retary (including during periods not described in
3 paragraph (1)) and to the members of the imme-
4 diate family of the Secretary if there is a significant
5 and articulable threat of physical harm, in accord-
6 ance with guidelines established by the Secretary;
7 and

8 “(4) provide protection to the Deputy Secretary
9 of Labor in the performance of official duties at a
10 public event outside of the United States if there is
11 a significant and articulable threat of physical harm
12 and protective services are not provided as part of
13 an official U.S. visit.

14 “(b) AUTHORITIES.—The Secretary of Labor may
15 authorize a law enforcement officer or special agent em-
16 ployed under subsection (a), for the purpose of performing
17 the duties authorized under subsection (a), to—

18 “(1) carry firearms;

19 “(2) make arrests without a warrant for any of-
20 fense against the United States committed in the
21 presence of such officer or special agent;

22 “(3) perform protective intelligence work, in-
23 cluding identifying and mitigating potential threats
24 and conducting advance work to review security mat-
25 ters relating to sites and events;

1 “(4) coordinate with local law enforcement
2 agencies; and

3 “(5) initiate criminal and other investigations
4 into potential threats to the security of the Sec-
5 retary, in coordination with the Inspector General of
6 the Department of Labor.

7 “(c) COMPLIANCE WITH GUIDELINES.—A law en-
8 forcement officer or special agent employed under sub-
9 section (a) shall exercise any authority provided under this
10 section in accordance with any—

11 “(1) guidelines issued by the Attorney General;
12 and

13 “(2) guidelines prescribed by the Secretary of
14 Labor.”.

15 (b) This section shall be effective on the date of en-
16 actment of this Act.

17 SEC. 110. The Secretary is authorized to dispose of
18 or divest, by any means the Secretary determines appro-
19 priate, including an agreement or partnership to construct
20 a new Job Corps center, all or a portion of the real prop-
21 erty on which the Treasure Island Job Corps Center is
22 situated. Any sale or other disposition will not be subject
23 to any requirement of any Federal law or regulation relat-
24 ing to the disposition of Federal real property, including
25 but not limited to subchapter III of chapter 5 of title 40

1 of the United States Code and subchapter V of chapter
2 119 of title 42 of the United States Code. The net pro-
3 ceeds of such a sale shall be transferred to the Secretary,
4 which shall be available until expended to carry out the
5 Job Corps Program on Treasure Island.

6 SEC. 111. None of the funds made available by this
7 Act may be used to—

8 (1) alter or terminate the Interagency Agree-
9 ment between the United States Department of
10 Labor and the United States Department of Agri-
11 culture; or

12 (2) close any of the Civilian Conservation Cen-
13 ters, except if such closure is necessary to prevent
14 the endangerment of the health and safety of the
15 students, the capacity of the program is retained,
16 and the requirements of section 159(j) of the WIOA
17 are met.

18 SEC. 112. Notwithstanding any other provision of
19 law, not to exceed \$36,000,000 of the unobligated bal-
20 ances available to the Secretary of Labor in fiscal year
21 2022 (other than the amounts specified in subparagraph
22 (2)(J) under the heading “Employment and Training—
23 Training and Employment Services”) may be transferred
24 to the Department’s Working Capital Fund for the acqui-
25 sition of capital equipment, the improvement and imple-

1 mentation of Department financial management, informa-
2 tion technology, infrastructure technology investment ac-
3 tivities related to support systems and modernization, and
4 other support systems necessary for the delivery of finan-
5 cial, administrative, and information technology services
6 of primary benefit to the agencies and programs of the
7 Department of Labor: *Provided*, That any funds so trans-
8 ferred shall remain available for obligation for five fiscal
9 years after the fiscal year of such transfer: *Provided fur-*
10 *ther*, That no funds may be transferred pursuant to this
11 section unless the Chief Information Officer of the Depart-
12 ment of Labor submits a plan to the Committees on Ap-
13 propriations of the House of Representatives and the Sen-
14 ate describing the amounts to be transferred by account;
15 the planned use of funds, including descriptions of
16 projects; project status, including any scheduled delays
17 and cost overruns; financial expenditures; planned activi-
18 ties; and expected benefits: *Provided further*, That the
19 transfer authority provided in this section shall be in addi-
20 tion to any other transfer authority provided by law.

21 SEC. 113. (a) Section 118(a) of division BB of the
22 Consolidated Appropriations Act, 2021 (Public Law 116-
23 620) is amended by—

1 (1) inserting “and in addition to amounts otherwise
2 available for such purposes,” before “there are appro-
3 priated”; and

4 (2) striking “expended through”.

5 (b) The amendments made by this section shall take
6 effect as if included in the enactment of the Consolidated
7 Appropriations Act, 2021.

8 SEC. 114. None of the funds made available by this
9 Act may be used to implement or enforce the final rule
10 entitled “Wagner-Peyser Act Staffing Flexibility” pub-
11 lished by the Department of Labor in the Federal Register
12 on January 6, 2020.

13 SEC. 115. None of the funds made available by this
14 Act may be used to implement or enforce Subpart B of
15 29 CFR Part 29 (29 CFR 29.20 through 29 CFR 29.31
16 (Industry Recognized Apprenticeship Programs)).

17 SEC. 116. (a) None of the funds made available by
18 this Act may be used to process or approve any Applica-
19 tion for Temporary Employment Certification for job op-
20 portunities in construction (as defined in Sector 23 of the
21 North American Industry Classification System).

22 (b) None of the funds made available by this Act may
23 be used to process or approve any Application for Tem-
24 porary Employment Certification for job opportunities in
25 any industry that experienced an unemployment rate equal

1 to or exceeding 10 percent at any point between the date
2 the petitioning employer submits its application to the Of-
3 fice of Foreign Labor Certification and the preceding 12
4 months.

5 (c) The restrictions in this section shall not apply to
6 an Application for Temporary Employment Certification
7 for foreign workers who are members of a union that is
8 affiliated with a U.S.-based union in existence as of the
9 date of enactment of this Act.

10 SEC. 117. (a) The determination of prevailing wage
11 for the purposes of the H-2B program shall be the greater
12 of—

13 (1) any collectively bargained wage and fringe benefit
14 rates in the area of intended employment (or adjacent
15 Metropolitan Statistical Area) applicable to the occupa-
16 tional category in the job order, regardless of whether the
17 petitioning employer is signatory to any such collective
18 bargaining agreement;

19 (2) any wage and fringe benefit rates for the occupa-
20 tion established by chapter 67 of title 41, United States
21 Code (known as the “McNamara-O’Hara Service Con-
22 tract”), provided that no such wage shall fall below the
23 minimum wage established pursuant to Executive Order
24 13658, including subsequent annual increases;

25 (3) 150 percent of the Federal minimum wage; and

1 (4) the State or local minimum wage.

2 (b) None of the funds may be available this Act may
3 be used to process or approve any Application for Pre-
4 vailing Wage Determination or Application for Temporary
5 Employment Certification that incorporates wages or
6 fringe benefits derived from private wage surveys de-
7 scribed in 20 C.F.R. 655.10(f).

8 SEC. 118. (a) None of the funds made available by
9 this Act shall be used by the Office of Foreign Labor Cer-
10 tification to process or approve an Application for Tem-
11 porary Employment Certification submitted by or on be-
12 half of a petitioning employer that has had an administra-
13 tive merits determination, arbitral award or decision, or
14 civil judgment, rendered against it in the preceding 3
15 years for violations of:

16 (1) the Fair Labor Standards Act of 1938;

17 (2) the Occupational Safety and Health Act of
18 1970;

19 (3) the Migrant and Seasonal Agricultural
20 Worker Protection Act;

21 (4) the National Labor Relations Act;

22 (5) subchapter IV of chapter 31 of title 40,
23 United States Code (known as the “Davis-Bacon
24 Act”);

1 (6) chapter 67 of title 41, United States Code
2 (known as the “McNamara-O’Hara Service Contract
3 Act”),

4 (7) Executive Order No. 11246 (42 United
5 States Code 2000e note; relating to equal employ-
6 ment opportunity),

7 (8) section 503 of the Rehabilitation Act of
8 1973;

9 (9) section 4212 of title 38, United States
10 Code;

11 (10) the Family and Medical Leave Act of
12 1993;

13 (11) title VII of the Civil Rights Act of 1964;

14 (12) the American with Disabilities Act of
15 1990;

16 (13) the Age Discrimination in Employment
17 Act of 1967;

18 (14) Federal Government standards estab-
19 lishing a minimum wage for contractors; or

20 (15) equivalent State or local laws.

21 (b) For purposes of subsection (a), the term “peti-
22 tioning employer” shall also include—

23 (1) any businesses in which the employer has involve-
24 ment or over which it has any level of interest, ownership
25 or control; and

1 (2) any businesses in which any principal of the em-
2 ployer has any level of interest, ownership, or control.

3 This title may be cited as the “Department of Labor
4 Appropriations Act, 2022”.

5 TITLE II
6 DEPARTMENT OF HEALTH AND HUMAN
7 SERVICES

8 HEALTH RESOURCES AND SERVICES ADMINISTRATION

9 PRIMARY HEALTH CARE

10 For carrying out titles II and III of the Public Health
11 Service Act (referred to in this Act as the “PHS Act”)
12 with respect to primary health care and the Native Hawai-
13 ian Health Care Act of 1988, \$1,831,772,000: *Provided*,
14 That \$25,000,000 shall be available for the purpose of
15 making grants to support school-based health centers as
16 authorized under section 399Z-1 of the PHS Act (42
17 U.S.C. 280h-5): *Provided further*, That no more than
18 \$1,000,000 shall be available until expended for carrying
19 out the provisions of section 224(o) of the PHS Act: *Pro-*
20 *vided further*, That no more than \$120,000,000 shall be
21 available until expended for carrying out subsections (g)
22 through (n) and (q) of section 224 of the PHS Act, and
23 for expenses incurred by the Department of Health and
24 Human Services (referred to in this Act as “HHS”) per-
25 taining to administrative claims made under such law.

1 HEALTH WORKFORCE

2 For carrying out titles III, VII, and VIII of the PHS
3 Act with respect to the health workforce, sections 1128E
4 and 1921 of the Social Security Act, and the Health Care
5 Quality Improvement Act of 1986, \$1,564,876,000: *Pro-*
6 *vided*, That sections 751(j)(2) and 762(k) of the PHS Act
7 and the proportional funding amounts in paragraphs (1)
8 through (4) of section 756(f) of the PHS Act shall not
9 apply to funds made available under this heading: *Pro-*
10 *vided further*, That for any program operating under sec-
11 tion 751 of the PHS Act on or before January 1, 2009,
12 the Secretary of Health and Human Services (referred to
13 in this title as the “Secretary”) may hereafter waive any
14 of the requirements contained in sections 751(d)(2)(A)
15 and 751(d)(2)(B) of such Act for the full project period
16 of a grant under such section: *Provided further*, That fees
17 collected for the disclosure of information under section
18 427(b) of the Health Care Quality Improvement Act of
19 1986 and sections 1128E(d)(2) and 1921 of the Social
20 Security Act shall be sufficient to recover the full costs
21 of operating the programs authorized by such sections and
22 shall remain available until expended for the National
23 Practitioner Data Bank: *Provided further*, That funds
24 transferred to this account to carry out section 846 and
25 subpart 3 of part D of title III of the PHS Act may be

1 used to make prior year adjustments to awards made
2 under such section and subpart: *Provided further*, That
3 \$185,000,000 shall remain available until expended for
4 the purposes of providing primary health services, assign-
5 ing National Health Service Corps (“NHSC”) members
6 to expand the delivery of substance use disorder treatment
7 services, notwithstanding the assignment priorities and
8 limitations under sections 333(a)(1)(D), 333(b), and
9 333A(a)(1)(B)(ii) of the PHS Act, and making payments
10 under the NHSC Loan Repayment Program under section
11 338B of such Act: *Provided further*, That, within the
12 amount made available in the previous proviso,
13 \$15,000,000 shall remain available until expended for the
14 purposes of making payments under the NHSC Loan Re-
15 payment Program under section 338B of the PHS Act
16 to individuals participating in such program who provide
17 primary health services in Indian Health Service facilities,
18 Tribally-Operated 638 Health Programs, and Urban In-
19 dian Health Programs (as those terms are defined by the
20 Secretary), notwithstanding the assignment priorities and
21 limitations under section 333(b) of such Act: *Provided fur-*
22 *ther*, That for purposes of the previous two provisos, sec-
23 tion 331(a)(3)(D) of the PHS Act shall be applied as if
24 the term “primary health services” includes clinical sub-
25 stance use disorder treatment services, including those

1 provided by masters level, licensed substance use disorder
2 treatment counselors: *Provided further*, That of the funds
3 made available under this heading, \$15,000,000 shall be
4 available to make grants to establish or expand optional
5 community-based nurse practitioner fellowship programs
6 that are accredited or in the accreditation process, with
7 a preference for those in Federally Qualified Health Cen-
8 ters, for practicing postgraduate nurse practitioners in
9 primary care or behavioral health.

10 Of the funds made available under this heading,
11 \$75,000,000 shall remain available until expended for
12 grants to public institutions of higher education to expand
13 or support graduate education for physicians provided by
14 such institutions: *Provided*, That, in awarding such
15 grants, the Secretary shall give priority to public institu-
16 tions of higher education located in States with a projected
17 primary care provider shortage in 2026, as determined by
18 the Secretary: *Provided further*, That grants so awarded
19 are limited to such public institutions of higher education
20 in States in the top quintile of States with a projected
21 primary care provider shortage in 2026, as determined by
22 the Secretary: *Provided further*, That the minimum
23 amount of a grant so awarded to such an institution shall
24 be not less than \$1,000,000 per year: *Provided further*,
25 That such a grant may be awarded for a period not to

1 exceed 5 years: *Provided further*, That amounts made
2 available in this paragraph shall be awarded as supple-
3 mental grants to recipients of grants awarded for this pur-
4 pose in fiscal years 2020 and 2021, pursuant to the terms
5 and conditions of each institution's initial grant agree-
6 ment, in an amount for each institution that will result
7 in every institution being awarded the same total grant
8 amount over fiscal years 2020 through 2022, provided the
9 institution can justify the expenditure of such funds: *Pro-*
10 *vided further*, That such a grant awarded with respect to
11 a year to such an institution shall be subject to a matching
12 requirement of non-Federal funds in an amount that is
13 not less than 10 percent of the total amount of Federal
14 funds provided in the grant to such institution with re-
15 spect to such year.

16 MATERNAL AND CHILD HEALTH

17 For carrying out titles III, XI, XII, and XIX of the
18 PHS Act with respect to maternal and child health and
19 title V of the Social Security Act, \$1,188,784,000: *Pro-*
20 *vided*, That notwithstanding sections 502(a)(1) and
21 502(b)(1) of the Social Security Act, not more than
22 \$266,116,000 shall be available for carrying out special
23 projects of regional and national significance pursuant to
24 section 501(a)(2) of such Act and \$10,276,000 shall be

1 available for projects described in subparagraphs (A)
2 through (F) of section 501(a)(3) of such Act.

3 RYAN WHITE HIV/AIDS PROGRAM

4 For carrying out title XXVI of the PHS Act with
5 respect to the Ryan White HIV/AIDS program,
6 \$2,654,781,000, of which \$2,087,881,000 shall remain
7 available to the Secretary through September 30, 2024,
8 for parts A and B of title XXVI of the PHS Act, and
9 of which not less than \$900,313,000 shall be for State
10 AIDS Drug Assistance Programs under the authority of
11 section 2616 or 311(c) of such Act; and of which
12 \$190,000,000, to remain available until expended, shall be
13 available to the Secretary for carrying out a program of
14 grants and contracts under title XXVI or section 311(c)
15 of such Act focused on ending the nationwide HIV/AIDS
16 epidemic, with any grants issued under such section
17 311(c) administered in conjunction with title XXVI of the
18 PHS Act, including the limitation on administrative ex-
19 penses.

20 HEALTH CARE SYSTEMS

21 For carrying out titles III and XII of the PHS Act
22 with respect to health care systems, and the Stem Cell
23 Therapeutic and Research Act of 2005, \$147,093,000, of
24 which \$122,000 shall be available until expended for facili-

1 ties renovations and other facilities-related expenses of the
2 National Hansen's Disease Program.

3 RURAL HEALTH

4 For carrying out titles III and IV of the PHS Act
5 with respect to rural health, section 427(a) of the Federal
6 Coal Mine Health and Safety Act of 1969, and sections
7 711 and 1820 of the Social Security Act, \$400,209,000,
8 of which \$80,009,000 from general revenues, notwith-
9 standing section 1820(j) of the Social Security Act, shall
10 be available for carrying out the Medicare rural hospital
11 flexibility grants program: *Provided*, That of the funds
12 made available under this heading for Medicare rural hos-
13 pital flexibility grants, \$23,242,000 shall be available for
14 the Small Rural Hospital Improvement Grant Program
15 for quality improvement and adoption of health informa-
16 tion technology and up to \$1,000,000 shall be to carry
17 out section 1820(g)(6) of the Social Security Act, with
18 funds provided for grants under section 1820(g)(6) avail-
19 able for the purchase and implementation of telehealth
20 services, including pilots and demonstrations on the use
21 of electronic health records to coordinate rural veterans
22 care between rural providers and the Department of Vet-
23 erans Affairs electronic health record system: *Provided*
24 *further*, That notwithstanding section 338J(k) of the PHS
25 Act, \$1,300,000 shall be available for State Offices of

1 Rural Health: *Provided further*, That \$12,700,000 shall
2 remain available through September 30, 2024, to support
3 the Rural Residency Development Program.

4 FAMILY PLANNING

5 For carrying out the program under title X of the
6 PHS Act to provide for voluntary family planning
7 projects, \$400,000,000: *Provided*, That amounts provided
8 to said projects under such title shall not be expended for
9 abortions, that all pregnancy counseling shall be nondirec-
10 tive, and that such amounts shall not be expended for any
11 activity (including the publication or distribution of lit-
12 erature) that in any way tends to promote public support
13 or opposition to any legislative proposal or candidate for
14 public office: *Provided further*, That all entities funded
15 under this heading shall provide clinical services consistent
16 with nationally recognized clinical standards: *Provided fur-*
17 *ther*, That projects funded under section 1001 of the PHS
18 Act shall provide the full range of contraceptive methods
19 approved by the Food and Drug Administration: *Provided*
20 *further*, That all patients under title X of the PHS Act
21 with a positive pregnancy test shall be given the oppor-
22 tunity to be provided information and counseling regard-
23 ing (1) prenatal care and delivery; (2) infant care, foster
24 care, and adoption; and (3) pregnancy termination: *Pro-*
25 *vided further*, That if such a patient requests information

1 specified in the preceding proviso, such patient shall be
2 provided with neutral, factual information and nondirec-
3 tive counseling on each such option, including referral
4 upon request, except with respect to any option about
5 which the patient indicates no interest in receiving such
6 information and counseling.

7
8 **PROGRAM MANAGEMENT**

9 For program support in the Health Resources and
10 Services Administration, \$536,407,000: *Provided*, That
11 funds made available under this heading may be used to
12 supplement program support funding provided under the
13 headings “Primary Health Care”, “Health Workforce”,
14 “Maternal and Child Health”, “Ryan White HIV/AIDS
15 Program”, “Health Care Systems”, and “Rural Health”:
16 *Provided*, That of the amount made available under this
17 heading, \$367,415,000 shall be used for the projects fi-
18 nancing the construction and renovation (including equip-
19 ment) of health care and other facilities, and for the
20 projects financing one-time grants that support activities
21 funded under headings listed in the preceding proviso, and
22 in the amounts, specified under the heading “Program
23 Management” in the report accompanying this Act, and
24 of which up to \$4,000,000 may be used for related agency
25 administrative expenses: *Provided further*, That none of
the funds made available for projects described in the pre-

1 ceding proviso shall be subject to section 241 of the PHS
2 Act or section 205 of this Act.

3 VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

4 For payments from the Vaccine Injury Compensation
5 Program Trust Fund (the “Trust Fund”), such sums as
6 may be necessary for claims associated with vaccine-re-
7 lated injury or death with respect to vaccines administered
8 after September 30, 1988, pursuant to subtitle 2 of title
9 XXI of the PHS Act, to remain available until expended:
10 *Provided*, That for necessary administrative expenses, not
11 to exceed \$16,200,000 shall be available from the Trust
12 Fund to the Secretary.

13 COVERED COUNTERMEASURES PROCESS FUND

14 For carrying out section 319F-4 of the PHS Act,
15 \$5,000,000, to remain available until expended.

16 CENTERS FOR DISEASE CONTROL AND PREVENTION

17 IMMUNIZATION AND RESPIRATORY DISEASES

18 For carrying out titles II, III, XVII, and XXI, and
19 section 2821 of the PHS Act, titles II and IV of the Immi-
20 gration and Nationality Act, and section 501 of the Ref-
21 ugee Education Assistance Act, with respect to immuniza-
22 tion and respiratory diseases, \$531,580,000.

1 HIV/AIDS, VIRAL HEPATITIS, SEXUALLY TRANSMITTED
2 DISEASES, AND TUBERCULOSIS PREVENTION

3 For carrying out titles II, III, XVII, and XXIII of
4 the PHS Act with respect to HIV/AIDS, viral hepatitis,
5 sexually transmitted diseases, and tuberculosis prevention,
6 \$1,501,556,000.

7 EMERGING AND ZONOTIC INFECTIOUS DISEASES

8 For carrying out titles II, III, and XVII, and section
9 2821 of the PHS Act, titles II and IV of the Immigration
10 and Nationality Act, and section 501 of the Refugee Edu-
11 cation Assistance Act, with respect to emerging and
12 zoonotic infectious diseases, \$674,272,000: *Provided*, That
13 of the amounts made available under this heading, up to
14 \$1,000,000 shall remain available until expended to pay
15 for the transportation, medical care, treatment, and other
16 related costs of persons quarantined or isolated under
17 Federal or State quarantine law.

18 CHRONIC DISEASE PREVENTION AND HEALTH

19 PROMOTION

20 For carrying out titles II, III, XI, XV, XVII, and
21 XIX of the PHS Act with respect to chronic disease pre-
22 vention and health promotion, \$1,302,114,000: *Provided*,
23 That funds made available under this heading may be
24 available for making grants under section 1509 of the
25 PHS Act for not less than 21 States, tribes, or tribal orga-

1 nizations: *Provided further*, That of the funds made avail-
2 able under this heading, \$15,000,000 shall be available to
3 continue and expand community specific extension and
4 outreach programs to combat obesity in counties with the
5 highest levels of obesity: *Provided further*, That the pro-
6 portional funding requirements under section 1503(a) of
7 the PHS Act shall not apply to funds made available
8 under this heading.

9 BIRTH DEFECTS, DEVELOPMENTAL DISABILITIES,
10 DISABILITIES AND HEALTH

11 For carrying out titles II, III, XI, and XVII of the
12 PHS Act with respect to birth defects, developmental dis-
13 abilities, disabilities and health, \$186,810,000.

14 PUBLIC HEALTH SCIENTIFIC SERVICES

15 For carrying out titles II, III, and XVII of the PHS
16 Act with respect to health statistics, surveillance, health
17 informatics, and workforce development, \$756,997,000.

18 ENVIRONMENTAL HEALTH

19 For carrying out titles II, III, and XVII of the PHS
20 Act with respect to environmental health, \$326,350,000.

21 INJURY PREVENTION AND CONTROL

22 For carrying out titles II, III, and XVII of the PHS
23 Act with respect to injury prevention and control,
24 \$1,064,169,000.

1 NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND
2 HEALTH

3 For carrying out titles II, III, and XVII of the PHS
4 Act, sections 101, 102, 103, 201, 202, 203, 301, and 501
5 of the Federal Mine Safety and Health Act, section 13
6 of the Mine Improvement and New Emergency Response
7 Act, and sections 20, 21, and 22 of the Occupational Safe-
8 ty and Health Act, with respect to occupational safety and
9 health, \$360,300,000.

10 ENERGY EMPLOYEES OCCUPATIONAL ILLNESS
11 COMPENSATION PROGRAM

12 For necessary expenses to administer the Energy
13 Employees Occupational Illness Compensation Program
14 Act, \$55,358,000, to remain available until expended: *Pro-*
15 *vided*, That this amount shall be available consistent with
16 the provision regarding administrative expenses in section
17 151(b) of division B, title I of Public Law 106–554.

18 GLOBAL HEALTH

19 For carrying out titles II, III, and XVII of the PHS
20 Act with respect to global health, \$842,843,000, of which:
21 (1) \$128,421,000 shall remain available through Sep-
22 tember 30, 2023 for international HIV/AIDS; and (2)
23 \$448,200,000 shall remain available through September
24 30, 2024 for global public health protection: *Provided*,

1 That funds may be used for purchase and insurance of
2 official motor vehicles in foreign countries.

3 PUBLIC HEALTH PREPAREDNESS AND RESPONSE

4 For carrying out titles II, III, and XVII of the PHS
5 Act with respect to public health preparedness and re-
6 sponse, and for expenses necessary to support activities
7 related to countering potential biological, nuclear, radio-
8 logical, and chemical threats to civilian populations,
9 \$862,200,000: *Provided*, That the Director of the Centers
10 for Disease Control and Prevention (referred to in this
11 title as “CDC”) or the Administrator of the Agency for
12 Toxic Substances and Disease Registry may detail staff
13 without reimbursement to support an activation of the
14 CDC Emergency Operations Center, so long as the Direc-
15 tor or Administrator, as applicable, provides a notice to
16 the Committees on Appropriations of the House of Rep-
17 resentatives and the Senate within 15 days of the use of
18 this authority, a full report within 30 days after use of
19 this authority which includes the number of staff and
20 funding level broken down by the originating center and
21 number of days detailed, and an update of such report
22 every 180 days until staff are no longer on detail without
23 reimbursement to the CDC Emergency Operations Center.

1 BUILDINGS AND FACILITIES

2 (INCLUDING TRANSFER OF FUNDS)

3 For acquisition of real property, equipment, construc-
4 tion, installation, demolition, and renovation of facilities,
5 \$55,000,000, which shall remain available until September
6 30, 2026: *Provided*, That funds made available to this ac-
7 count in this or any prior Act that are available for the
8 acquisition of real property or for construction or improve-
9 ment of facilities shall be available to make improvements
10 on non-federally owned property, provided that any im-
11 provements that are not adjacent to federally owned prop-
12 erty do not exceed \$2,500,000, and that the primary ben-
13 efit of such improvements accrues to CDC: *Provided fur-*
14 *ther*, That funds previously set-aside by CDC for repair
15 and upgrade of the Lake Lynn Experimental Mine and
16 Laboratory shall be used to acquire a replacement mine
17 safety research facility: *Provided further*, That in addition,
18 the prior year unobligated balance of any amounts as-
19 signed to former employees in accounts of CDC made
20 available for Individual Learning Accounts shall be cred-
21 ited to and merged with the amounts made available under
22 this heading to support the replacement of the mine safety
23 research facility.

1 CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT
2 (INCLUDING TRANSFER OF FUNDS)

3 For carrying out titles II, III, XVII and XIX, and
4 section 2821 of the PHS Act and for cross-cutting activi-
5 ties and program support for activities funded in other
6 appropriations included in this Act for the Centers for
7 Disease Control and Prevention, \$1,148,570,000, of which
8 \$1,000,000,000 shall remain available through September
9 30, 2024, for public health infrastructure and capacity:
10 *Provided*, That paragraphs (1) through (3) of subsection
11 (b) of section 2821 of the PHS Act shall not apply to
12 funds appropriated under this heading and in all other ac-
13 counts of the CDC: *Provided further*, That of the amounts
14 made available under this heading, \$35,000,000, to re-
15 main available until expended, shall be available to the Di-
16 rector of the CDC for deposit in the Infectious Diseases
17 Rapid Response Reserve Fund established by section 231
18 of division B of Public Law 115–245: *Provided further*,
19 That funds appropriated under this heading may be used
20 to support a contract for the operation and maintenance
21 of an aircraft in direct support of activities throughout
22 CDC to ensure the agency is prepared to address public
23 health preparedness emergencies: *Provided further*, That
24 employees of CDC or the Public Health Service, both civil-
25 ian and commissioned officers, detailed to States, munici-

1 palities, or other organizations under authority of section
2 214 of the PHS Act, or in overseas assignments, shall be
3 treated as non-Federal employees for reporting purposes
4 only and shall not be included within any personnel ceiling
5 applicable to the Agency, Service, or HHS during the pe-
6 riod of detail or assignment: *Provided further*, That CDC
7 may use up to \$10,000 from amounts appropriated to
8 CDC in this Act for official reception and representation
9 expenses when specifically approved by the Director of
10 CDC: *Provided further*, That in addition, such sums as
11 may be derived from authorized user fees, which shall be
12 credited to the appropriation charged with the cost there-
13 of: *Provided further*, That with respect to the previous pro-
14 viso, authorized user fees from the Vessel Sanitation Pro-
15 gram and the Respirator Certification Program shall be
16 available through September 30, 2023.

17 NATIONAL INSTITUTES OF HEALTH

18 NATIONAL CANCER INSTITUTE

19 For carrying out section 301 and title IV of the PHS
20 Act with respect to cancer, \$6,798,056,000, of which up
21 to \$30,000,000 may be used for facilities repairs and im-
22 provements at the National Cancer Institute—Frederick
23 Federally Funded Research and Development Center in
24 Frederick, Maryland.

1 NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

2 For carrying out section 301 and title IV of the PHS
3 Act with respect to cardiovascular, lung, and blood dis-
4 eases, and blood and blood products, \$3,866,828,000.

5 NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL
6 RESEARCH

7 For carrying out section 301 and title IV of the PHS
8 Act with respect to dental and craniofacial diseases,
9 \$519,010,000.

10 NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND
11 KIDNEY DISEASES

12 For carrying out section 301 and title IV of the PHS
13 Act with respect to diabetes and digestive and kidney dis-
14 ease, \$2,237,625,000.

15 NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS
16 AND STROKE

17 For carrying out section 301 and title IV of the PHS
18 Act with respect to neurological disorders and stroke,
19 \$2,723,515,000.

20 NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS
21 DISEASES

22 For carrying out section 301 and title IV of the PHS
23 Act with respect to allergy and infectious diseases,
24 \$6,557,803,000.

1 NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

2 For carrying out section 301 and title IV of the PHS
3 Act with respect to general medical sciences,
4 \$3,139,656,000, of which \$1,271,505,000 shall be from
5 funds available under section 241 of the PHS Act: *Pro-*
6 *vided*, That not less than \$415,000,000 is provided for
7 the Institutional Development Awards program.

8 EUNICE KENNEDY SHRIVER NATIONAL INSTITUTE OF
9 CHILD HEALTH AND HUMAN DEVELOPMENT

10 For carrying out section 301 and title IV of the PHS
11 Act with respect to child health and human development,
12 \$1,689,786,000.

13 NATIONAL EYE INSTITUTE

14 For carrying out section 301 and title IV of the PHS
15 Act with respect to eye diseases and visual disorders,
16 \$877,129,000.

17 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH
18 SCIENCES

19 For carrying out section 301 and title IV of the PHS
20 Act with respect to environmental health sciences,
21 \$941,799,000.

22 NATIONAL INSTITUTE ON AGING

23 For carrying out section 301 and title IV of the PHS
24 Act with respect to aging, \$4,258,049,000.

1 NATIONAL INSTITUTE OF ARTHRITIS AND
2 MUSCULOSKELETAL AND SKIN DISEASES

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to arthritis and musculoskeletal and skin
5 diseases, \$679,410,000.

6 NATIONAL INSTITUTE ON DEAFNESS AND OTHER
7 COMMUNICATION DISORDERS

8 For carrying out section 301 and title IV of the PHS
9 Act with respect to deafness and other communication dis-
10 orders, \$522,758,000.

11 NATIONAL INSTITUTE OF NURSING RESEARCH

12 For carrying out section 301 and title IV of the PHS
13 Act with respect to nursing research, \$200,782,000.

14 NATIONAL INSTITUTE ON ALCOHOL ABUSE AND
15 ALCOHOLISM

16 For carrying out section 301 and title IV of the PHS
17 Act with respect to alcohol abuse and alcoholism,
18 \$582,422,000.

19 NATIONAL INSTITUTE ON DRUG ABUSE

20 For carrying out section 301 and title IV of the PHS
21 Act with respect to drug abuse, \$1,860,329,000.

22 NATIONAL INSTITUTE OF MENTAL HEALTH

23 For carrying out section 301 and title IV of the PHS
24 Act with respect to mental health, \$2,147,085,000.

1 NATIONAL HUMAN GENOME RESEARCH INSTITUTE

2 For carrying out section 301 and title IV of the PHS
3 Act with respect to human genome research,
4 \$646,295,000.

5 NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND
6 BIOENGINEERING

7 For carrying out section 301 and title IV of the PHS
8 Act with respect to biomedical imaging and bioengineering
9 research, \$431,081,000.

10 NATIONAL CENTER FOR COMPLEMENTARY AND
11 INTEGRATIVE HEALTH

12 For carrying out section 301 and title IV of the PHS
13 Act with respect to complementary and integrative health,
14 \$185,295,000.

15 NATIONAL INSTITUTE ON MINORITY HEALTH AND
16 HEALTH DISPARITIES

17 For carrying out section 301 and title IV of the PHS
18 Act with respect to minority health and health disparities
19 research, \$661,879,000.

20 JOHN E. FOGARTY INTERNATIONAL CENTER

21 For carrying out the activities of the John E. Fogarty
22 International Center (described in subpart 2 of part E of
23 title IV of the PHS Act), \$96,842,000.

1 NATIONAL LIBRARY OF MEDICINE

2 For carrying out section 301 and title IV of the PHS
3 Act with respect to health information communications,
4 \$486,769,000: *Provided*, That of the amounts available for
5 improvement of information systems, \$4,000,000 shall be
6 available until September 30, 2023: *Provided further*, That
7 in fiscal year 2022, the National Library of Medicine may
8 enter into personal services contracts for the provision of
9 services in facilities owned, operated, or constructed under
10 the jurisdiction of the National Institutes of Health (re-
11 ferred to in this title as “NIH”).

12 NATIONAL CENTER FOR ADVANCING TRANSLATIONAL
13 SCIENCES

14 For carrying out section 301 and title IV of the PHS
15 Act with respect to translational sciences, \$897,812,000:
16 *Provided*, That up to \$60,000,000 shall be available to im-
17 plement section 480 of the PHS Act, relating to the Cures
18 Acceleration Network: *Provided further*, That at least
19 \$616,183,000 is provided to the Clinical and Translational
20 Sciences Awards program.

21 OFFICE OF THE DIRECTOR

22 (INCLUDING TRANSFER OF FUNDS)

23 For carrying out the responsibilities of the Office of
24 the Director, NIH, \$2,667,385,000: *Provided*, That fund-
25 ing shall be available for the purchase of not to exceed

1 29 passenger motor vehicles for replacement only: *Pro-*
2 *vided further*, That all funds credited to the NIH Manage-
3 ment Fund shall remain available for one fiscal year after
4 the fiscal year in which they are deposited: *Provided fur-*
5 *ther*, That \$180,000,000 shall be for the Environmental
6 Influences on Child Health Outcomes study: *Provided fur-*
7 *ther*, That \$657,112,000 shall be available for the Com-
8 mon Fund established under section 402A(c)(1) of the
9 PHS Act: *Provided further*, That of the funds provided,
10 \$10,000 shall be for official reception and representation
11 expenses when specifically approved by the Director of the
12 NIH: *Provided further*, That the Office of AIDS Research
13 within the Office of the Director of the NIH may spend
14 up to \$8,000,000 to make grants for construction or ren-
15 ovation of facilities as provided for in section
16 2354(a)(5)(B) of the PHS Act: *Provided further*, That
17 \$50,000,000 shall be used to carry out section 404I of
18 the PHS Act (42 U.S.C. 283K), relating to biomedical and
19 behavioral research facilities: *Provided further*, That
20 \$5,000,000 shall be transferred to and merged with the
21 appropriation for the “Office of Inspector General” for
22 oversight of grant programs and operations of the NIH,
23 including agency efforts to ensure the integrity of its grant
24 application evaluation and selection processes, and shall
25 be in addition to funds otherwise made available for over-

1 sight of the NIH: *Provided further*, That the funds pro-
2 vided in the previous proviso may be transferred from one
3 specified activity to another with 15 days prior approval
4 of the Committees on Appropriations of the House of Rep-
5 resentatives and the Senate: *Provided further*, That the In-
6 spector General shall consult with the Committees on Ap-
7 propriations of the House of Representatives and the Sen-
8 ate before submitting to the Committees an audit plan for
9 fiscal years 2022 and 2023 no later than 30 days after
10 the date of enactment of this Act: *Provided further*, That
11 amounts made available under this heading are also avail-
12 able to establish, operate, and support the Research Policy
13 Board authorized by section 2034(f) of the 21st Century
14 Cures Act: *Provided further*, That the funds made avail-
15 able under this heading for the Office of Research on
16 Women's Health shall also be available for making grants
17 to serve and promote the interests of women in research,
18 and the director of such Office may, in making such
19 grants, use the authorities available to NIH Institutes and
20 Centers with respect to research on the role of sex and
21 gender on health.

22 In addition to other funds appropriated for the Com-
23 mon Fund established under section 402A(c) of the PHS
24 Act, \$12,600,000 is appropriated to the Common Fund
25 for the purpose of carrying out section 402(b)(7)(B)(ii)

1 of the PHS Act (relating to pediatric research), as author-
2 ized in the Gabriella Miller Kids First Research Act, of
3 which \$3,000,000 shall be derived from the 10-year Pedi-
4 atric Research Initiative Fund described in section 9008
5 of the Internal Revenue Code of 1986 (26 U.S.C. 9008).

6 BUILDINGS AND FACILITIES

7 For the study of, construction of, demolition of, ren-
8 ovation of, and acquisition of equipment for, facilities of
9 or used by NIH, including the acquisition of real property,
10 \$250,000,000, to remain available through September 30,
11 2026.

12 NIH INNOVATION ACCOUNT, CURES ACT

13 (INCLUDING TRANSFER OF FUNDS)

14 For necessary expenses to carry out the purposes de-
15 scribed in section 1001(b)(4) of the 21st Century Cures
16 Act, in addition to amounts available for such purposes
17 in the appropriations provided to the NIH in this Act,
18 \$496,000,000, to remain available until expended: *Pro-*
19 *vided*, That such amounts are appropriated pursuant to
20 section 1001(b)(3) of such Act, are to be derived from
21 amounts transferred under section 1001(b)(2)(A) of such
22 Act, and may be transferred by the Director of the Na-
23 tional Institutes of Health to other accounts of the Na-
24 tional Institutes of Health solely for the purposes provided
25 in such Act: *Provided further*, That upon a determination

1 by the Director that funds transferred pursuant to the
2 previous proviso are not necessary for the purposes pro-
3 vided, such amounts may be transferred back to the Ac-
4 count: *Provided further*, That the transfer authority pro-
5 vided under this heading is in addition to any other trans-
6 fer authority provided by law.

7 ADVANCED RESEARCH PROJECTS AGENCY FOR HEALTH

8 For carrying out section 301 and title IV of the PHS
9 Act with respect to advanced research projects for health,
10 \$3,000,000,000, to remain available through September
11 30, 2024: *Provided*, That such funds shall only be made
12 available if legislation specifically establishing the Ad-
13 vanced Research Projects Agency for Health (“ARPA-H”)
14 is enacted into law: *Provided further*, That the Director
15 of ARPA-H may utilize all of the authorities and processes
16 established under section 24 of the Stevenson-Wydler
17 Technology Innovation Act of 1980 (15 U.S.C. 3719) to
18 support prize competitions: *Provided further*, That re-
19 search funded by amounts made available under this head-
20 ing shall not be subject to the requirements of sections
21 406(a)(3)(A)(ii) or 492 of the PHS Act: *Provided further*,
22 That the Director of ARPA-H may enter into a multi-
23 year contract, with amounts made available under this
24 heading, if—

1 (1) funds are available and obligated for the
2 contract, for the full period of the contract or for the
3 first fiscal year in which the contract is in effect,
4 and for the estimated costs associated with a nec-
5 essary termination of the contract;

6 (2) the Director determines that a multiyear
7 contract will serve the best interests of the Federal
8 Government in carrying out the responsibilities of
9 ARPA-H; and

10 (3) the contract includes a clause that provides
11 that the contract shall be terminated if funds are
12 not made available for the continuation of the con-
13 tract in a fiscal year covered by the contract;

14 *Provided further*, That funds available for paying termi-
15 nation costs pursuant to the previous proviso shall remain
16 available for that purpose until the costs associated with
17 termination of the contract are paid.

18 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

19 ADMINISTRATION

20 MENTAL HEALTH

21 For carrying out titles III, V, and XIX of the PHS
22 Act with respect to mental health, and the Protection and
23 Advocacy for Individuals with Mental Illness Act,
24 \$3,128,256,000: *Provided*, That of the funds made avail-
25 able under this heading, \$100,000,000 shall be for the Na-

1 tional Child Traumatic Stress Initiative: *Provided further,*
2 That notwithstanding section 520A(f)(2) of the PHS Act,
3 no funds appropriated for carrying out section 520A shall
4 be available for carrying out section 1971 of the PHS Act:
5 *Provided further,* That in addition to amounts provided
6 herein, \$21,039,000 shall be available under section 241
7 of the PHS Act to carry out subpart I of part B of title
8 XIX of the PHS Act to fund section 1920(b) technical
9 assistance, national data, data collection and evaluation
10 activities, and further that the total available under this
11 Act for section 1920(b) activities shall not exceed 5 per-
12 cent of the amounts appropriated for subpart I of part
13 B of title XIX: *Provided further,* That of the funds made
14 available under this heading for subpart I of part B of
15 title XIX of the PHS Act, at least 10 percent shall be
16 available to support evidence-based crisis systems: *Pro-*
17 *vided further,* That up to 10 percent of the amounts made
18 available to carry out the Children’s Mental Health Serv-
19 ices program may be used to carry out demonstration
20 grants or contracts for early interventions with persons
21 not more than 25 years of age at clinical high risk of de-
22 veloping a first episode of psychosis: *Provided further,*
23 That section 520E(b)(2) of the PHS Act shall not apply
24 to funds appropriated in this Act for fiscal year 2022: *Pro-*
25 *vided further,* That States shall expend at least 10 percent

1 of the amount each receives for carrying out section 1911
2 of the PHS Act to support evidence-based programs that
3 address the needs of individuals with early serious mental
4 illness, including psychotic disorders, regardless of the age
5 of the individual at onset: *Provided further*, That
6 \$375,000,000 shall be available until September 30, 2024
7 for grants to communities and community organizations
8 who meet criteria for Certified Community Behavioral
9 Health Clinics pursuant to section 223(a) of Public Law
10 113–93: *Provided further*, That none of the funds provided
11 for section 1911 of the PHS Act shall be subject to section
12 241 of such Act: *Provided further*, That of the funds made
13 available under this heading, \$21,420,000 shall be to
14 carry out section 224 of the Protecting Access to Medicare
15 Act of 2014 (Public Law 113–93; 42 U.S.C. 290aa 22
16 note): *Provided further*, That notwithstanding sections
17 1911(b) and 1912 of the PHS Act, amounts made avail-
18 able under this heading for subpart I of part B of title
19 XIX of such Act shall also be available to support evi-
20 dence-based programs that address early intervention and
21 prevention of mental disorders among at-risk children and
22 adults: *Provided further*, That States shall expend at least
23 10 percent of the amount each receives for carrying out
24 section 1911 of the PHS Act to support evidence-based
25 programs that address early intervention and prevention

1 of mental disorders among at-risk children and adults:
2 *Provided further*, That notwithstanding section 1912 of
3 the PHS Act, the plan described in such section and sec-
4 tion 1911(b) of the PHS Act shall also include the evi-
5 dence-based programs described in the previous proviso,
6 pursuant to plan criteria established by the Secretary.

7 SUBSTANCE ABUSE TREATMENT

8 For carrying out titles III and V of the PHS Act
9 with respect to substance abuse treatment and title XIX
10 of such Act with respect to substance abuse treatment and
11 prevention, and the SUPPORT for Patients and Commu-
12 nities Act, \$5,430,743,000: *Provided*, That
13 \$2,000,000,000 shall be for State Opioid Response Grants
14 for carrying out activities pertaining to opioids and stimu-
15 lants undertaken by the State agency responsible for ad-
16 ministering the substance abuse prevention and treatment
17 block grant under subpart II of part B of title XIX of
18 the PHS Act (42 U.S.C. 300x-21 et seq.): *Provided fur-*
19 *ther*, That of such amount \$75,000,000 shall be made
20 available to Indian Tribes or tribal organizations: *Provided*
21 *further*, That 15 percent of the remaining amount shall
22 be for the States with the highest mortality rate related
23 to opioid use disorders: *Provided further*, That of the
24 amounts provided for State Opioid Response Grants not
25 more than 2 percent shall be available for Federal admin-

1 istrative expenses, training, technical assistance, and eval-
2 uation: *Provided further*, That of the amount not reserved
3 by the previous three provisos, the Secretary shall make
4 allocations to States, territories, and the District of Co-
5 lumbia according to a formula using national survey re-
6 sults that the Secretary determines are the most objective
7 and reliable measure of drug use and drug-related deaths:
8 *Provided further*, That the Secretary shall submit the for-
9 mula methodology to the Committees on Appropriations
10 of the House of Representatives and the Senate not less
11 than 15 days prior to publishing a Funding Opportunity
12 Announcement: *Provided further*, That prevention and
13 treatment activities funded through such grants may in-
14 clude education, treatment (including the provision of
15 medication), behavioral health services for individuals in
16 treatment programs, referral to treatment services, recov-
17 ery support, and medical screening associated with such
18 treatment: *Provided further*, That each State, as well as
19 the District of Columbia, shall receive not less than
20 \$4,000,000: *Provided further*, That in addition to amounts
21 provided herein, the following amounts shall be available
22 under section 241 of the PHS Act: (1) \$79,200,000 to
23 carry out subpart II of part B of title XIX of the PHS
24 Act to fund section 1935(b) technical assistance, national
25 data, data collection and evaluation activities, and further

1 that the total available under this Act for section 1935(b)
2 activities shall not exceed 5 percent of the amounts appro-
3 priated for subpart II of part B of title XIX; and (2)
4 \$2,000,000 to evaluate substance abuse treatment pro-
5 grams: *Provided further*, That each State that receives
6 funds appropriated under this heading for carrying out
7 subpart II of part B of title XIX of the PHS Act shall
8 expend not less than 10 percent of such funds for recovery
9 support services: *Provided further*, That none of the funds
10 provided for section 1921 of the PHS Act or State Opioid
11 Response Grants shall be subject to section 241 of such
12 Act.

13 SUBSTANCE ABUSE PREVENTION

14 For carrying out titles III and V of the PHS Act
15 with respect to substance abuse prevention, \$243,503,000.

16 HEALTH SURVEILLANCE AND PROGRAM SUPPORT

17 For program support and cross-cutting activities that
18 supplement activities funded under the headings “Mental
19 Health”, “Substance Abuse Treatment”, and “Substance
20 Abuse Prevention” in carrying out titles III, V, and XIX
21 of the PHS Act and the Protection and Advocacy for Indi-
22 viduals with Mental Illness Act in the Substance Abuse
23 and Mental Health Services Administration,
24 \$212,108,000: *Provided*, That of the amount made avail-
25 able under this heading, \$70,665,000 shall be used for the

1 projects, and in the amounts, specified under the heading
2 “Health Surveillance and Program Support” in the report
3 accompanying this Act, of which \$1,000,000 may be used
4 for related agency administrative expenses: *Provided fur-*
5 *ther*, That none of the funds made available for projects
6 described in the preceding proviso shall be subject to sec-
7 tion 241 of the PHS Act or section 205 of this Act: *Pro-*
8 *vided further*, That in addition to amounts provided here-
9 in, \$31,428,000 shall be available under section 241 of
10 the PHS Act to supplement funds available to carry out
11 national surveys on drug abuse and mental health, to col-
12 lect and analyze program data, and to conduct public
13 awareness and technical assistance activities: *Provided fur-*
14 *ther*, That, in addition, fees may be collected for the costs
15 of publications, data, data tabulations, and data analysis
16 completed under title V of the PHS Act and provided to
17 a public or private entity upon request, which shall be
18 credited to this appropriation and shall remain available
19 until expended for such purposes: *Provided further*, That
20 amounts made available in this Act for carrying out sec-
21 tion 501(o) of the PHS Act shall remain available through
22 September 30, 2023: *Provided further*, That funds made
23 available under this heading (other than amounts specified
24 in the first proviso under this heading) may be used to
25 supplement program support funding provided under the

1 headings “Mental Health”, “Substance Abuse Treat-
2 ment”, and “Substance Abuse Prevention”.

3 AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

4 HEALTHCARE RESEARCH AND QUALITY

5 For carrying out titles III and IX of the PHS Act,
6 part A of title XI of the Social Security Act, and section
7 1013 of the Medicare Prescription Drug, Improvement,
8 and Modernization Act of 2003, \$250,792,000: *Provided*,
9 That in addition to amounts provided herein
10 \$129,208,000 shall be available from amounts available
11 under section 241 of the PHS Act: *Provided further*, That
12 section 947(c) of the PHS Act shall not apply in fiscal
13 year 2022: *Provided further*, That in addition, amounts
14 received from Freedom of Information Act fees, reimburs-
15 able and interagency agreements, and the sale of data
16 shall be credited to this appropriation and shall remain
17 available until September 30, 2023.

18 CENTERS FOR MEDICARE & MEDICAID SERVICES

19 GRANTS TO STATES FOR MEDICAID

20 For carrying out, except as otherwise provided, titles
21 XI and XIX of the Social Security Act, \$368,666,106,000,
22 to remain available until expended.

23 In addition, for carrying out such titles after May 31,
24 2022, for the last quarter of fiscal year 2022 for unantici-

1 pated costs incurred for the current fiscal year, such sums
2 as may be necessary, to remain available until expended.

3 In addition, for carrying out such titles for the first
4 quarter of fiscal year 2023, \$165,722,018,000, to remain
5 available until expended.

6 Payment under such title XIX may be made for any
7 quarter with respect to a State plan or plan amendment
8 in effect during such quarter, if submitted in or prior to
9 such quarter and approved in that or any subsequent
10 quarter.

11 PAYMENTS TO THE HEALTH CARE TRUST FUNDS

12 For payment to the Federal Hospital Insurance
13 Trust Fund and the Federal Supplementary Medical In-
14 surance Trust Fund, as provided under sections 217(g),
15 1844, and 1860D–16 of the Social Security Act, sections
16 103(c) and 111(d) of the Social Security Amendments of
17 1965, section 278(d)(3) of Public Law 97–248, and for
18 administrative expenses incurred pursuant to section
19 201(g) of the Social Security Act, \$487,862,000,000.

20 In addition, for making matching payments under
21 section 1844 and benefit payments under section 1860D–
22 16 of the Social Security Act that were not anticipated
23 in budget estimates, such sums as may be necessary.

1 PROGRAM MANAGEMENT

2 For carrying out, except as otherwise provided, titles
3 XI, XVIII, XIX, and XXI of the Social Security Act, titles
4 XIII and XXVII of the PHS Act, the Clinical Laboratory
5 Improvement Amendments of 1988, and other responsibil-
6 ities of the Centers for Medicare & Medicaid Services, not
7 to exceed \$4,315,843,000, to be transferred from the Fed-
8 eral Hospital Insurance Trust Fund and the Federal Sup-
9 plementary Medical Insurance Trust Fund, as authorized
10 by section 201(g) of the Social Security Act; together with
11 all funds collected in accordance with section 353 of the
12 PHS Act and section 1857(e)(2) of the Social Security
13 Act, funds retained by the Secretary pursuant to section
14 1893(h) of the Social Security Act, and such sums as may
15 be collected from authorized user fees and the sale of data,
16 which shall be credited to this account and remain avail-
17 able until expended: *Provided*, That all funds derived in
18 accordance with 31 U.S.C. 9701 from organizations estab-
19 lished under title XIII of the PHS Act shall be credited
20 to and available for carrying out the purposes of this ap-
21 propriation: *Provided further*, That the Secretary is di-
22 rected to collect fees in fiscal year 2022 from Medicare
23 Advantage organizations pursuant to section 1857(e)(2)
24 of the Social Security Act and from eligible organizations
25 with risk-sharing contracts under section 1876 of that Act

1 pursuant to section 1876(k)(4)(D) of that Act: *Provided*
2 *further*, That of the amount made available under this
3 heading, \$472,163,000 shall remain available until Sep-
4 tember 30, 2023, and shall be available for the Survey
5 and Certification Program: *Provided further*, That
6 amounts available under this heading to support quality
7 improvement organizations (as defined in section 1152 of
8 the Social Security Act) shall not exceed the amount spe-
9 cifically provided for such purpose under this heading in
10 division H of the Consolidated Appropriations Act, 2018
11 (Public Law 115–141).

12 HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT

13 In addition to amounts otherwise available for pro-
14 gram integrity and program management, \$872,793,000,
15 to remain available through September 30, 2023, to be
16 transferred from the Federal Hospital Insurance Trust
17 Fund and the Federal Supplementary Medical Insurance
18 Trust Fund, as authorized by section 201(g) of the Social
19 Security Act, of which \$650,726,000 shall be for the Cen-
20 ters for Medicare & Medicaid Services program integrity
21 activities, of which \$109,145,000 shall be for the Depart-
22 ment of Health and Human Services Office of Inspector
23 General to carry out fraud and abuse activities authorized
24 by section 1817(k)(3) of such Act, and of which
25 \$112,922,000 shall be for the Department of Justice to

1 carry out fraud and abuse activities authorized by section
2 1817(k)(3) of such Act: *Provided*, That the report re-
3 quired by section 1817(k)(5) of the Social Security Act
4 for fiscal year 2022 shall include measures of the oper-
5 ational efficiency and impact on fraud, waste, and abuse
6 in the Medicare, Medicaid, and CHIP programs for the
7 funds provided by this appropriation: *Provided further*,
8 That of the amount provided under this heading,
9 \$317,000,000 is provided to meet the terms of section 1(j)
10 of H. Res. 467 of the 117th Congress as engrossed in the
11 House of Representatives on June 14, 2021, and
12 \$555,793,000 is additional new budget authority specified
13 for purposes of such section 1(j): *Provided further*, That
14 the Secretary shall provide not less than \$30,000,000
15 from amounts made available under this heading and
16 amounts made available for fiscal year 2022 under section
17 1817(k)(3)(A) of the Social Security Act for the Senior
18 Medicare Patrol program to combat health care fraud and
19 abuse.

20 ADMINISTRATION FOR CHILDREN AND FAMILIES

21 PAYMENTS TO STATES FOR CHILD SUPPORT

22 ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

23 For carrying out, except as otherwise provided, titles
24 I, IV–D, X, XI, XIV, and XVI of the Social Security Act
25 and the Act of July 5, 1960, \$2,794,432,000, to remain

1 available until expended; and for such purposes for the
2 first quarter of fiscal year 2023, \$1,300,000,000, to re-
3 main available until expended.

4 For carrying out, after May 31 of the current fiscal
5 year, except as otherwise provided, titles I, IV–D, X, XI,
6 XIV, and XVI of the Social Security Act and the Act of
7 July 5, 1960, for the last 3 months of the current fiscal
8 year for unanticipated costs, incurred for the current fiscal
9 year, such sums as may be necessary.

10 LOW INCOME HOME ENERGY ASSISTANCE

11 For making payments under subsections (b) and (d)
12 of section 2602 of the Low-Income Home Energy Assist-
13 ance Act of 1981 (42 U.S.C. 8621 et seq.),
14 \$3,900,304,000: *Provided*, That notwithstanding section
15 2609A(a) of such Act, not more than \$3,500,000 may be
16 reserved by the Secretary of Health and Human Services
17 for technical assistance, training, and monitoring of pro-
18 gram activities for compliance with internal controls, poli-
19 cies and procedures and the Secretary may, in addition
20 to the authorities provided in section 2609A(a)(1), use
21 such funds through contracts with private entities that do
22 not qualify as nonprofit organizations: *Provided further*,
23 that \$3,746,804,000 of the amount appropriated under
24 this heading shall be allocated to each State and territory
25 in amounts equal to the amount each State and territory

1 was allocated in fiscal year 2021 pursuant to allocations
2 made from amounts appropriated under this heading in
3 title II of division H of the Consolidated Appropriations
4 Act, 2021 (Public Law 116–260): *Provided further*, That
5 of the remaining amount made available under this head-
6 ing that is not designated for allocation in the preceding
7 two provisos, \$75,000,000 shall be allocated as though the
8 total appropriation for such payments for fiscal year 2022
9 was less than \$1,975,000,000.

10 REFUGEE AND ENTRANT ASSISTANCE

11 For necessary expenses for refugee and entrant as-
12 sistance activities authorized by section 414 of the Immi-
13 gration and Nationality Act and section 501 of the Ref-
14 ugee Education Assistance Act of 1980, and for carrying
15 out section 462 of the Homeland Security Act of 2002,
16 section 235 of the William Wilberforce Trafficking Victims
17 Protection Reauthorization Act of 2008, the Trafficking
18 Victims Protection Act of 2000 (“TVPA”), and the Tor-
19 ture Victims Relief Act of 1998, \$4,504,947,000, of which
20 \$4,408,467,000 shall remain available through September
21 30, 2024 for carrying out such sections 414, 501, 462,
22 and 235 and \$30,000,000 shall remain available until ex-
23 pended for the purposes authorized in section 238 of this
24 title: *Provided*, That amounts available under this heading
25 to carry out the TVPA shall also be available for research

1 and evaluation with respect to activities under such Act:
2 *Provided further*, That the contribution of funds require-
3 ment under section 235(e)(6)(C)(iii) of the William Wil-
4 berforce Trafficking Victims Protection Reauthorization
5 Act of 2008 shall not apply to funds made available under
6 this heading.

7 PAYMENTS TO STATES FOR THE CHILD CARE AND
8 DEVELOPMENT BLOCK GRANT

9 For carrying out the Child Care and Development
10 Block Grant Act of 1990 (“CCDBG Act”),
11 \$7,377,000,000 shall be used to supplement, not supplant
12 State general revenue funds for child care assistance for
13 low-income families: *Provided*, That technical assistance
14 under section 658I(a)(3) of such Act may be provided di-
15 rectly, or through the use of contracts, grants, cooperative
16 agreements, or interagency agreements: *Provided further*,
17 That all funds made available to carry out section 418
18 of the Social Security Act (42 U.S.C. 618), including
19 funds appropriated for that purpose in such section 418
20 or any other provision of law, shall be subject to the res-
21 ervation of funds authority in paragraphs (4) and (5) of
22 section 658O(a) of the CCDBG Act: *Provided further*,
23 That in addition to the amounts required to be reserved
24 by the Secretary under section 658O(a)(2)(A) of such Act,

1 \$177,330,000 shall be for Indian tribes and tribal organi-
2 zations.

3 SOCIAL SERVICES BLOCK GRANT

4 For making grants to States pursuant to section
5 2002 of the Social Security Act, \$1,700,000,000: *Pro-*
6 *vided*, That notwithstanding subparagraph (B) of section
7 404(d)(2) of such Act, the applicable percent specified
8 under such subparagraph for a State to carry out State
9 programs pursuant to title XX-A of such Act shall be 10
10 percent.

11 In addition, \$200,000,000 for carrying out a supple-
12 mental grant program to make grants to States to be dis-
13 tributed as provided for under section 2002 of the Social
14 Security Act and subject to the limitations of section 2005
15 of such Act: *Provided*, That funds appropriated in this
16 paragraph are in addition to the entitlement grants au-
17 thorized by section 2002(a)(1) of the Social Security Act
18 and shall not be available for such entitlement grants: *Pro-*
19 *vided further*, That such supplemental grants shall be used
20 by States to make subgrants to social service agencies or
21 other nonprofit organizations to provide diapers and dia-
22 pering supplies (including diaper wipes, diaper cream, and
23 other supplies necessary to ensure that a child using a
24 diaper is properly cleaned and protected from diaper rash)
25 to families in need: *Provided further*, That such supple-

1 mental grants are used by States to supplement, not sup-
2 plant, State general revenue funds provided for such pur-
3 poses: *Provided further*, That the term “in need”, with re-
4 spect to a family, means a family whose self-certified in-
5 come is not more than 200 percent of the Federal poverty
6 line, as defined by the Office of Management and Budget
7 and revised annually in accordance with section 673(2) of
8 the Omnibus Budget Reconciliation Act of 1981 applicable
9 to a family of the size involved: *Provided further*, That not
10 later than December 31, 2022, each subgrantee receiving
11 funding from amounts made available in this paragraph
12 shall submit a report to the applicable State on the use
13 of such funds: *Provided further*, That each State shall in-
14 clude in the annual report required under section 2006
15 of the Social Security Act and submitted with respect to
16 fiscal year 2023 information detailing how grantees and
17 subgrantees used funds made available in this paragraph
18 to distribute diapers and diapering supplies to families in
19 need.

20 CHILDREN AND FAMILIES SERVICES PROGRAMS

21 For carrying out, except as otherwise provided, the
22 Runaway and Homeless Youth Act, the Head Start Act,
23 the Every Student Succeeds Act, the Child Abuse Preven-
24 tion and Treatment Act, sections 303 and 313 of the
25 Family Violence Prevention and Services Act, the Native

1 American Programs Act of 1974, title II of the Child
2 Abuse Prevention and Treatment and Adoption Reform
3 Act of 1978 (adoption opportunities), part B–1 of title IV
4 and sections 429, 473A, 477(i), 1110, 1114A, and 1115
5 of the Social Security Act, and the Community Services
6 Block Grant Act (“CSBG Act”); and for necessary admin-
7 istrative expenses to carry out titles I, IV, V, X, XI, XIV,
8 XVI, and XX–A of the Social Security Act, the Act of
9 July 5, 1960, the Low-Income Home Energy Assistance
10 Act of 1981, the Child Care and Development Block Grant
11 Act of 1990, title IV of the Immigration and Nationality
12 Act, section 501 of the Refugee Education Assistance Act
13 of 1980, and section 2204 of the American Rescue Plan
14 Act of 2021, \$15,232,981,000, of which \$75,000,000, to
15 remain available through September 30, 2023, shall be for
16 grants to States for adoption and legal guardianship in-
17 centive payments, as defined by section 473A of the Social
18 Security Act and may be made for adoptions and legal
19 guardianships completed before September 30, 2022: *Pro-*
20 *vided*, That \$12,182,095,000 shall be for making pay-
21 ments under the Head Start Act, including for Early Head
22 Start-Child Care Partnerships, and, of which, notwith-
23 standing section 640 of such Act:

24 (1) \$234,000,000 shall be available for a cost
25 of living adjustment, and with respect to any con-

1 continuing appropriations act, funding available for a
2 cost of living adjustment shall not be construed as
3 an authority or condition under this Act;

4 (2) \$25,000,000 shall be available for allocation
5 by the Secretary to supplement activities described
6 in paragraphs (7)(B) and (9) of section 641(c) of
7 the Head Start Act under the Designation Renewal
8 System, established under the authority of sections
9 641(c)(7), 645A(b)(12), and 645A(d) of such Act,
10 and such funds shall not be included in the calcula-
11 tion of “base grant” in subsequent fiscal years, as
12 such term is used in section 640(a)(7)(A) of such
13 Act;

14 (3) \$750,000,000, in addition to funds other-
15 wise available for such purposes under section 640
16 of the Head Start Act, shall be available through
17 September 30, 2023, for awards to eligible entities
18 for Head Start and Early Head Start programs and
19 to entities defined as eligible under section 645A(d)
20 of such Act for high quality infant and toddler care
21 through Early Head Start - Child Care Partner-
22 ships, and for training and technical assistance for
23 such activities: *Provided further*, That of the funds
24 made available in this paragraph, up to \$21,000,000

1 shall be available to the Secretary for the adminis-
2 trative costs of carrying out this paragraph;

3 (4) \$250,000,000 shall be available for quality
4 improvement consistent with paragraph (5) of sec-
5 tion 640(a) of such Act, except that any amount of
6 such funds may be used for any of the activities de-
7 scribed in such section (5), of which not less than
8 \$12,500,000 shall be available to migrant and sea-
9 sonal Head Start programs for such activities, in ad-
10 dition to funds made available for migrant and sea-
11 sonal Head Start programs under any other provi-
12 sion of section 640(a) of such Act;

13 (5) \$200,000,000 shall be available through
14 September 30, 2023, of which up to 1 percent may
15 be reserved for research and evaluation, and the re-
16 maining unreserved amount shall be available in ad-
17 dition to funds made available under any other pro-
18 vision of section 640, for award by the Secretary to
19 grantees that apply for supplemental funding to in-
20 crease their hours of program operations and for
21 training and technical assistance for such activities;

22 (6) \$8,000,000 shall be available for the pur-
23 poses of maintaining the Tribal Colleges and Univer-
24 sities Head Start Partnership Program consistent
25 with section 648(g) of such Act; and

1 (7) \$21,000,000 shall be available to supple-
2 ment funding otherwise available for research, eval-
3 uation, and Federal administrative costs:
4 *Provided further*, That the Secretary may reduce the res-
5 ervation of funds under section 640(a)(2)(C) of such Act
6 in lieu of reducing the reservation of funds under sections
7 640(a)(2)(B), 640(a)(2)(D), and 640(a)(2)(E) of such
8 Act: *Provided further*, That \$450,000,000 shall be avail-
9 able until December 31, 2022 for carrying out sections
10 9212 and 9213 of the Every Student Succeeds Act: *Pro-*
11 *vided further*, That up to 3 percent of the funds in the
12 preceding proviso shall be available for technical assist-
13 ance and evaluation related to grants awarded under such
14 section 9212: *Provided further*, That \$834,000,000 shall
15 be for making payments under the CSBG Act: *Provided*
16 *further*, That for the purposes of carrying out the CSBG
17 Act, the term “poverty line” as defined in section 673(2)
18 of the CSBG Act means 200 percent of the poverty line
19 otherwise applicable under such section (excluding the last
20 sentence of such section) without regard to such section:
21 *Provided further*, That \$34,000,000 shall be for section
22 680 of the CSBG Act, of which not less than \$23,000,000
23 shall be for section 680(a)(2) and not less than
24 \$11,000,000 shall be for section 680(a)(3)(B) of such Act:
25 *Provided further*, That, notwithstanding section

1 675C(a)(3) of the CSBG Act, to the extent Community
2 Services Block Grant funds are distributed as grant funds
3 by a State to an eligible entity as provided under such
4 Act, and have not been expended by such entity, they shall
5 remain with such entity for carryover into the next fiscal
6 year for expenditure by such entity consistent with pro-
7 gram purposes: *Provided further*, That the Secretary shall
8 establish procedures regarding the disposition of intan-
9 gible assets and program income that permit such assets
10 acquired with, and program income derived from, grant
11 funds authorized under section 680 of the CSBG Act to
12 become the sole property of such grantees after a period
13 of not more than 12 years after the end of the grant pe-
14 riod for any activity consistent with section 680(a)(2)(A)
15 of the CSBG Act: *Provided further*, That intangible assets
16 in the form of loans, equity investments and other debt
17 instruments, and program income may be used by grant-
18 ees for any eligible purpose consistent with section
19 680(a)(2)(A) of the CSBG Act: *Provided further*, That
20 these procedures shall apply to such grant funds made
21 available after November 29, 1999: *Provided further*, That
22 funds appropriated for section 680(a)(2) of the CSBG Act
23 shall be available for financing construction and rehabili-
24 tation and loans or investments in private business enter-
25 prises owned by community development corporations:

1 *Provided further*, That \$449,700,000 shall be for carrying
2 out section 303(a) of the Family Violence Prevention and
3 Services Act, of which \$175,000,000 shall be for providing
4 direct payments to any victim of family violence, domestic
5 violence, or dating violence, or to any dependent of such
6 victim, notwithstanding section 308(d)(1) of such Act:
7 *Provided further*, That \$7,000,000 shall be allocated, not-
8 withstanding section 303(a)(2) of the Family Violence
9 Prevention and Services Act, for carrying out section 309
10 of such Act; and \$6,750,000 shall be for necessary admin-
11 istrative expenses to carry out such Act and section 2204
12 of the American Rescue Plan Act of 2021, in addition to
13 amounts otherwise available for such purposes: *Provided*
14 *further*, That the percentages specified in section
15 112(a)(2) of the Child Abuse Prevention and Treatment
16 Act shall not apply to funds appropriated under this head-
17 ing: *Provided further*, That \$4,000,000 shall be for a
18 human services case management system for federally de-
19 clared disasters, to include a comprehensive national case
20 management contract and Federal costs of administering
21 the system: *Provided further*, That up to \$2,000,000 shall
22 be for improving the Public Assistance Reporting Informa-
23 tion System, including grants to States to support data
24 collection for a study of the system's effectiveness.

25

1 PROMOTING SAFE AND STABLE FAMILIES

2 For carrying out, except as otherwise provided, sec-
3 tion 436 of the Social Security Act, \$345,000,000 and,
4 for carrying out, except as otherwise provided, section 437
5 of such Act, \$106,000,000: *Provided*, That of the funds
6 available to carry out section 437, \$60,000,000 shall be
7 allocated consistent with subsections (b) through (d) of
8 such section: *Provided further*, That of the funds available
9 to carry out section 437, to assist in meeting the require-
10 ments described in section 471(e)(4)(C), \$30,000,000
11 shall be for grants to each State, territory, and Indian
12 tribe operating title IV–E plans for developing, enhancing,
13 or evaluating kinship navigator programs, as described in
14 section 427(a)(1) of such Act and \$9,000,000, in addition
15 to funds otherwise appropriated in section 476 for such
16 purposes, shall be for the Family First Clearinghouse and
17 to support evaluation and technical assistance relating to
18 the evaluation of child and family services: *Provided fur-*
19 *ther*, That of the funds available to carry out section 437,
20 \$7,000,000 shall be for competitive grants to regional
21 partnerships as described in section 437(f), and shall be
22 in addition to any other funds appropriated for such pur-
23 poses: *Provided further*, That section 437(b)(1) shall be
24 applied to amounts in the previous proviso by substituting
25 “5 percent” for “3.3 percent”, and notwithstanding sec-

1 tion 436(b)(1), such reserved amounts may be used for
2 identifying, establishing, and disseminating practices to
3 meet the criteria specified in section 471(e)(4)(C): *Pro-*
4 *vided further*, That the reservation in section 437(b)(2)
5 and the limitations in section 437(d) shall not apply to
6 funds specified in the second proviso under this heading:
7 *Provided further*, That the minimum grant award for kin-
8 ship navigator programs in the case of States and terri-
9 tories shall be \$200,000, and, in the case of tribes, shall
10 be \$25,000.

11 PAYMENTS FOR FOSTER CARE AND PERMANENCY

12 For carrying out, except as otherwise provided, title
13 IV–E of the Social Security Act, \$6,963,000,000.

14 For carrying out, except as otherwise provided, title
15 IV–E of the Social Security Act, for the first quarter of
16 fiscal year 2023, \$3,200,000,000.

17 For carrying out, after May 31 of the current fiscal
18 year, except as otherwise provided, section 474 of title IV–
19 E of the Social Security Act, for the last 3 months of the
20 current fiscal year for unanticipated costs, incurred for the
21 current fiscal year, such sums as may be necessary.

1 ADMINISTRATION FOR COMMUNITY LIVING
2 AGING AND DISABILITY SERVICES PROGRAMS
3 (INCLUDING TRANSFER OF FUNDS)

4 For carrying out, to the extent not otherwise pro-
5 vided, the Older Americans Act of 1965 (“OAA”), the
6 RAISE Family Caregivers Act, the Supporting Grand-
7 parents Raising Grandchildren Act, titles III and XXIX
8 of the PHS Act, sections 1252 and 1253 of the PHS Act,
9 section 119 of the Medicare Improvements for Patients
10 and Providers Act of 2008, title XX–B of the Social Secu-
11 rity Act, the Developmental Disabilities Assistance and
12 Bill of Rights Act, parts 2 and 5 of subtitle D of title
13 II of the Help America Vote Act of 2002, the Assistive
14 Technology Act of 1998, titles II and VII (and section
15 14 with respect to such titles) of the Rehabilitation Act
16 of 1973, and for Department-wide coordination of policy
17 and program activities that assist individuals with disabil-
18 ities, \$3,047,414,000, together with \$57,115,000 to be
19 transferred from the Federal Hospital Insurance Trust
20 Fund and the Federal Supplementary Medical Insurance
21 Trust Fund to carry out section 4360 of the Omnibus
22 Budget Reconciliation Act of 1990: *Provided*, That
23 amounts appropriated under this heading may be used for
24 grants to States under section 361 of the OAA only for
25 disease prevention and health promotion programs and ac-

1 tivities which have been demonstrated through rigorous
2 evaluation to be evidence-based and effective: *Provided*
3 *further*, That of amounts made available under this head-
4 ing to carry out sections 311, 331, and 336 of the OAA,
5 up to one percent of such amounts shall be available for
6 developing and implementing evidence-based practices for
7 enhancing senior nutrition, including medically-tailored
8 meals: *Provided further*, That notwithstanding any other
9 provision of this Act, funds made available under this
10 heading to carry out section 311 of the OAA may be trans-
11 ferred to the Secretary of Agriculture in accordance with
12 such section: *Provided further*, That \$2,000,000 shall be
13 for competitive grants to support alternative financing
14 programs that provide for the purchase of assistive tech-
15 nology devices, such as a low-interest loan fund; an inter-
16 est buy-down program; a revolving loan fund; a loan guar-
17 antee; or an insurance program: *Provided further*, That
18 applicants shall provide an assurance that, and informa-
19 tion describing the manner in which, the alternative fi-
20 nancing program will expand and emphasize consumer
21 choice and control: *Provided further*, That State agencies
22 and community-based disability organizations that are di-
23 rected by and operated for individuals with disabilities
24 shall be eligible to compete: *Provided further*, That none
25 of the funds made available under this heading may be

1 used by an eligible system (as defined in section 102 of
2 the Protection and Advocacy for Individuals with Mental
3 Illness Act (42 U.S.C. 10802)) to continue to pursue any
4 legal action in a Federal or State court on behalf of an
5 individual or group of individuals with a developmental
6 disability (as defined in section 102(8)(A) of the Develop-
7 mental Disabilities and Assistance and Bill of Rights Act
8 of 2000 (20 U.S.C. 15002(8)(A)) that is attributable to
9 a mental impairment (or a combination of mental and
10 physical impairments), that has as the requested remedy
11 the closure of State operated intermediate care facilities
12 for people with intellectual or developmental disabilities,
13 unless reasonable public notice of the action has been pro-
14 vided to such individuals (or, in the case of mental inca-
15 pacitation, the legal guardians who have been specifically
16 awarded authority by the courts to make healthcare and
17 residential decisions on behalf of such individuals) who are
18 affected by such action, within 90 days of instituting such
19 legal action, which informs such individuals (or such legal
20 guardians) of their legal rights and how to exercise such
21 rights consistent with current Federal Rules of Civil Pro-
22 cedure: *Provided further*, That the limitations in the imme-
23 diately preceding proviso shall not apply in the case of an
24 individual who is neither competent to consent nor has a
25 legal guardian, nor shall the proviso apply in the case of

1 individuals who are a ward of the State or subject to pub-
2 lic guardianship.

3 OFFICE OF THE SECRETARY

4 GENERAL DEPARTMENTAL MANAGEMENT

5 For necessary expenses, not otherwise provided, for
6 general departmental management, including hire of six
7 passenger motor vehicles, and for carrying out titles III,
8 XVII, XXI, and section 229 of the PHS Act, the United
9 States-Mexico Border Health Commission Act, and re-
10 search studies under section 1110 of the Social Security
11 Act, \$582,981,000, together with \$74,828,000 from the
12 amounts available under section 241 of the PHS Act to
13 carry out national health or human services research and
14 evaluation activities: *Provided*, That of this amount,
15 \$58,400,000 shall be for minority AIDS prevention and
16 treatment activities: *Provided further*, That of the funds
17 made available under this heading, \$130,000,000 shall be
18 for making competitive contracts and grants to public and
19 private entities to fund medically accurate and age appro-
20 priate programs that reduce teen pregnancy and for the
21 Federal costs associated with administering and evalu-
22 ating such contracts and grants, of which not more than
23 10 percent of the available funds shall be for training and
24 technical assistance, evaluation, outreach, and additional
25 program support activities, and of the remaining amount

1 75 percent shall be for replicating programs that have
2 been proven effective through rigorous evaluation to re-
3 duce teenage pregnancy, behavioral risk factors underlying
4 teenage pregnancy, or other associated risk factors, and
5 25 percent shall be available for research and demonstra-
6 tion grants to develop, replicate, refine, and test additional
7 models and innovative strategies for preventing teenage
8 pregnancy: *Provided further*, That of the amounts pro-
9 vided under this heading from amounts available under
10 section 241 of the PHS Act, \$6,800,000 shall be available
11 to carry out evaluations (including longitudinal evalua-
12 tions) of teenage pregnancy prevention approaches: *Pro-*
13 *vided further*, That funds provided in this Act for embryo
14 adoption activities may be used to provide to individuals
15 adopting embryos, through grants and other mechanisms,
16 medical and administrative services deemed necessary for
17 such adoptions: *Provided further*, That such services shall
18 be provided consistent with 42 CFR 59.5(a)(4): *Provided*
19 *further*, That of the funds made available under this head-
20 ing, \$5,000,000 shall be for carrying out prize competi-
21 tions sponsored by the Office of the Secretary to accelerate
22 innovation in the prevention, diagnosis, and treatment of
23 kidney diseases (as authorized by section 24 of the Steven-
24 son-Wydler Technology Innovation Act of 1980 (15 U.S.C.
25 3719)): *Provided further*, That notwithstanding any other

1 provision of law, the Secretary may use \$7,891,000 of the
2 amounts appropriated under this heading to supplement
3 funds otherwise available to the Secretary for the hire and
4 purchase of electric vehicles and electric vehicle charging
5 stations, and to cover other costs related to electrifying
6 the motor vehicle fleet within HHS: *Provided further*, That
7 electric chargers installed in a parking area with such
8 funds described in the preceding proviso shall be deemed
9 personal property under the control and custody of the
10 Department of Health and Human Services managing
11 such parking area: *Provided further*, That of the funds
12 made available under this heading \$3,000,000 shall be for
13 establishing a National Health Care Workforce Commis-
14 sion (as authorized by section 5101 of Public Law 111-
15 148).

16 MEDICARE HEARINGS AND APPEALS

17 For expenses necessary for Medicare hearings and
18 appeals in the Office of the Secretary, \$196,000,000 shall
19 remain available until September 30, 2023, to be trans-
20 ferred in appropriate part from the Federal Hospital In-
21 surance Trust Fund and the Federal Supplementary Med-
22 ical Insurance Trust Fund.

1 OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH
2 INFORMATION TECHNOLOGY

3 For expenses necessary for the Office of the National
4 Coordinator for Health Information Technology, including
5 grants, contracts, and cooperative agreements for the de-
6 velopment and advancement of interoperable health infor-
7 mation technology, \$86,614,000 shall be available from
8 amounts available under section 241 of the PHS Act.

9 OFFICE OF INSPECTOR GENERAL

10 For expenses necessary for the Office of Inspector
11 General, including the hire of passenger motor vehicles for
12 investigations, in carrying out the provisions of the Inspec-
13 tor General Act of 1978, \$100,000,000: *Provided*, That
14 of such amount, necessary sums shall be available for pro-
15 viding protective services to the Secretary and inves-
16 tigating non-payment of child support cases for which non-
17 payment is a Federal offense under 18 U.S.C. 228: *Pro-*
18 *vided further*, That, of the amount appropriated under this
19 heading \$5,300,000 shall be available through September
20 30, 2023, for activities authorized under section 3022 of
21 the PHS Act (42 U.S.C. 300jj-52).

22 OFFICE FOR CIVIL RIGHTS

23 For expenses necessary for the Office for Civil
24 Rights, \$47,931,000.

1 RETIREMENT PAY AND MEDICAL BENEFITS FOR
2 COMMISSIONED OFFICERS

3 For retirement pay and medical benefits of Public
4 Health Service Commissioned Officers as authorized by
5 law, for payments under the Retired Serviceman's Family
6 Protection Plan and Survivor Benefit Plan, and for med-
7 ical care of dependents and retired personnel under the
8 Dependents' Medical Care Act, such amounts as may be
9 required during the current fiscal year.

10 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY
11 FUND

12 For expenses necessary to support activities related
13 to countering potential biological, nuclear, radiological,
14 chemical, and cybersecurity threats to civilian populations,
15 and for other public health emergencies, \$1,508,036,000,
16 of which \$823,380,000 shall remain available through
17 September 30, 2023, for expenses necessary to support
18 advanced research and development pursuant to section
19 319L of the PHS Act and other administrative expenses
20 of the Biomedical Advanced Research and Development
21 Authority: *Provided*, That funds provided under this head-
22 ing for the purpose of acquisition of security counter-
23 measures shall be in addition to any other funds available
24 for such purpose: *Provided further*, That products pur-
25 chased with funds provided under this heading may, at

1 the discretion of the Secretary, be deposited in the Stra-
2 tegic National Stockpile pursuant to section 319F-2 of
3 the PHS Act: *Provided further*, That \$5,000,000 of the
4 amounts made available to support emergency operations
5 shall remain available through September 30, 2024.

6 For expenses necessary for procuring security coun-
7 termeasures (as defined in section 319F-2(c)(1)(B) of the
8 PHS Act), \$770,000,000, to remain available until ex-
9 pended.

10 For expenses necessary to carry out section 319F-
11 2(a) of the PHS Act, \$905,000,000, to remain available
12 until expended.

13 For an additional amount for expenses necessary to
14 prepare for or respond to an influenza pandemic,
15 \$335,000,000; of which \$300,000,000 shall be available
16 until expended, for activities including the development
17 and purchase of vaccine, antivirals, necessary medical sup-
18 plies, diagnostics, and other surveillance tools: *Provided*,
19 That notwithstanding section 496(b) of the PHS Act,
20 funds may be used for the construction or renovation of
21 privately owned facilities for the production of pandemic
22 influenza vaccines and other biologics, if the Secretary
23 finds such construction or renovation necessary to secure
24 sufficient supplies of such vaccines or biologics.

1 GENERAL PROVISIONS

2 SEC. 201. Funds appropriated in this title shall be
3 available for not to exceed \$50,000 for official reception
4 and representation expenses when specifically approved by
5 the Secretary.

6 SEC. 202. None of the funds appropriated in this title
7 shall be used to pay the salary of an individual, through
8 a grant or other extramural mechanism, at a rate in excess
9 of Executive Level II: *Provided*, That none of the funds
10 appropriated in this title shall be used to prevent the NIH
11 from paying up to 100 percent of the salary of an indi-
12 vidual at this rate.

13 SEC. 203. None of the funds appropriated in this Act
14 may be expended pursuant to section 241 of the PHS Act,
15 except for funds specifically provided for in this Act, or
16 for other taps and assessments made by any office located
17 in HHS, prior to the preparation and submission of a re-
18 port by the Secretary to the Committees on Appropria-
19 tions of the House of Representatives and the Senate de-
20 tailing the planned uses of such funds.

21 SEC. 204. Notwithstanding section 241(a) of the
22 PHS Act, such portion as the Secretary shall determine,
23 but not more than 2.5 percent, of any amounts appro-
24 priated for programs authorized under such Act shall be
25 made available for the evaluation (directly, or by grants

1 or contracts) and the implementation and effectiveness of
2 programs funded in this title.

3 (TRANSFER OF FUNDS)

4 SEC. 205. Not to exceed 1 percent of any discre-
5 tionary funds (pursuant to the Balanced Budget and
6 Emergency Deficit Control Act of 1985) which are appro-
7 priated for the current fiscal year for HHS in this Act
8 may be transferred between appropriations, but no such
9 appropriation shall be increased by more than 3 percent
10 by any such transfer: *Provided*, That the transfer author-
11 ity granted by this section shall not be used to create any
12 new program or to fund any project or activity for which
13 no funds are provided in this Act: *Provided further*, That
14 the Committees on Appropriations of the House of Rep-
15 resentatives and the Senate are notified at least 15 days
16 in advance of any transfer.

17 SEC. 206. In lieu of the timeframe specified in section
18 338E(c)(2) of the PHS Act, terminations described in
19 such section may occur up to 60 days after the effective
20 date of a contract awarded in fiscal year 2022 under sec-
21 tion 338B of such Act, or at any time if the individual
22 who has been awarded such contract has not received
23 funds due under the contract.

24 SEC. 207. None of the funds appropriated in this Act
25 may be made available to any entity under title X of the

1 PHS Act unless the applicant for the award certifies to
2 the Secretary that it encourages family participation in
3 the decision of minors to seek family planning services and
4 that it provides counseling to minors on how to resist at-
5 tempts to coerce minors into engaging in sexual activities.

6 SEC. 208. Notwithstanding any other provision of
7 law, no provider of services under title X of the PHS Act
8 shall be exempt from any State law requiring notification
9 or the reporting of child abuse, child molestation, sexual
10 abuse, rape, or incest.

11 SEC. 209. None of the funds appropriated by this Act
12 (including funds appropriated to any trust fund) may be
13 used to carry out the Medicare Advantage program if the
14 Secretary denies participation in such program to an oth-
15 erwise eligible entity (including a Provider Sponsored Or-
16 ganization) because the entity informs the Secretary that
17 it will not provide, pay for, provide coverage of, or provide
18 referrals for abortions: *Provided*, That the Secretary shall
19 make appropriate prospective adjustments to the capita-
20 tion payment to such an entity (based on an actuarially
21 sound estimate of the expected costs of providing the serv-
22 ice to such entity's enrollees): *Provided further*, That noth-
23 ing in this section shall be construed to change the Medi-
24 care program's coverage for such services and a Medicare
25 Advantage organization described in this section shall be

1 responsible for informing enrollees where to obtain infor-
2 mation about all Medicare covered services.

3 SEC. 210. None of the funds made available in this
4 title may be used, in whole or in part, to advocate or pro-
5 mote gun control.

6 SEC. 211. The Secretary shall make available through
7 assignment not more than 60 employees of the Public
8 Health Service to assist in child survival activities and to
9 work in AIDS programs through and with funds provided
10 by the Agency for International Development, the United
11 Nations International Children's Emergency Fund or the
12 World Health Organization.

13 SEC. 212. In order for HHS to carry out inter-
14 national health activities, including HIV/AIDS and other
15 infectious disease, chronic and environmental disease, and
16 other health activities abroad during fiscal year 2022:

17 (1) The Secretary may exercise authority equiv-
18 alent to that available to the Secretary of State in
19 section 2(c) of the State Department Basic Authori-
20 ties Act of 1956. The Secretary shall consult with
21 the Secretary of State and relevant Chief of Mission
22 to ensure that the authority provided in this section
23 is exercised in a manner consistent with section 207
24 of the Foreign Service Act of 1980 and other appli-

1 cable statutes administered by the Department of
2 State.

3 (2) The Secretary is authorized to provide such
4 funds by advance or reimbursement to the Secretary
5 of State as may be necessary to pay the costs of ac-
6 quisition, lease, alteration, renovation, and manage-
7 ment of facilities outside of the United States for
8 the use of HHS. The Department of State shall co-
9 operate fully with the Secretary to ensure that HHS
10 has secure, safe, functional facilities that comply
11 with applicable regulation governing location, set-
12 back, and other facilities requirements and serve the
13 purposes established by this Act. The Secretary is
14 authorized, in consultation with the Secretary of
15 State, through grant or cooperative agreement, to
16 make available to public or nonprofit private institu-
17 tions or agencies in participating foreign countries,
18 funds to acquire, lease, alter, or renovate facilities in
19 those countries as necessary to conduct programs of
20 assistance for international health activities, includ-
21 ing activities relating to HIV/AIDS and other infec-
22 tious diseases, chronic and environmental diseases,
23 and other health activities abroad.

24 (3) The Secretary is authorized to provide to
25 personnel appointed or assigned by the Secretary to

1 serve abroad, allowances and benefits similar to
2 those provided under chapter 9 of title I of the For-
3 eign Service Act of 1980, and 22 U.S.C. 4081
4 through 4086 and subject to such regulations pre-
5 scribed by the Secretary. The Secretary is further
6 authorized to provide locality-based comparability
7 payments (stated as a percentage) up to the amount
8 of the locality-based comparability payment (stated
9 as a percentage) that would be payable to such per-
10 sonnel under section 5304 of title 5, United States
11 Code if such personnel's official duty station were in
12 the District of Columbia. Leaves of absence for per-
13 sonnel under this subsection shall be on the same
14 basis as that provided under subchapter I of chapter
15 63 of title 5, United States Code, or section 903 of
16 the Foreign Service Act of 1980, to individuals serv-
17 ing in the Foreign Service.

18 (TRANSFER OF FUNDS)

19 SEC. 213. The Director of the NIH, jointly with the
20 Director of the Office of AIDS Research, may transfer up
21 to 3 percent among institutes and centers from the total
22 amounts identified by these two Directors as funding for
23 research pertaining to the human immunodeficiency virus:
24 *Provided*, That the Committees on Appropriations of the

1 House of Representatives and the Senate are notified at
2 least 15 days in advance of any transfer.

3 (TRANSFER OF FUNDS)

4 SEC. 214. Of the amounts made available in this Act
5 for NIH, the amount for research related to the human
6 immunodeficiency virus, as jointly determined by the Di-
7 rector of NIH and the Director of the Office of AIDS Re-
8 search, shall be made available to the “Office of AIDS
9 Research” account. The Director of the Office of AIDS
10 Research shall transfer from such account amounts nec-
11 essary to carry out section 2353(d)(3) of the PHS Act.

12 SEC. 215. (a) AUTHORITY.—Notwithstanding any
13 other provision of law, the Director of NIH (“Director”)
14 may use funds authorized under section 402(b)(12) of the
15 PHS Act to enter into transactions (other than contracts,
16 cooperative agreements, or grants) to carry out research
17 identified pursuant to or research and activities described
18 in such section 402(b)(12).

19 (b) PEER REVIEW.—In entering into transactions
20 under subsection (a), the Director may utilize such peer
21 review procedures (including consultation with appropriate
22 scientific experts) as the Director determines to be appro-
23 priate to obtain assessments of scientific and technical
24 merit. Such procedures shall apply to such transactions
25 in lieu of the peer review and advisory council review pro-

1 cedures that would otherwise be required under sections
2 301(a)(3), 405(b)(1)(B), 405(b)(2), 406(a)(3)(A), 492,
3 and 494 of the PHS Act.

4 SEC. 216. Not to exceed \$45,000,000 of funds appro-
5 priated by this Act to the institutes and centers of the
6 National Institutes of Health may be used for alteration,
7 repair, or improvement of facilities, as necessary for the
8 proper and efficient conduct of the activities authorized
9 herein, at not to exceed \$3,500,000 per project.

10 (TRANSFER OF FUNDS)

11 SEC. 217. Of the amounts made available for NIH,
12 1 percent of the amount made available for National Re-
13 search Service Awards (“NRSA”) shall be made available
14 to the Administrator of the Health Resources and Services
15 Administration to make NRSA awards for research in pri-
16 mary medical care to individuals affiliated with entities
17 who have received grants or contracts under sections 736,
18 739, or 747 of the PHS Act, and 1 percent of the amount
19 made available for NRSA shall be made available to the
20 Director of the Agency for Healthcare Research and Qual-
21 ity to make NRSA awards for health service research.

22 SEC. 218. (a) The Biomedical Advanced Research
23 and Development Authority (“BARDA”) may enter into
24 a contract, for more than one but no more than 10 pro-
25 gram years, for purchase of research services or of security

1 countermeasures, as that term is defined in section 319F–
2 2(c)(1)(B) of the PHS Act (42 U.S.C. 247d–6b(c)(1)(B)),
3 if—

4 (1) funds are available and obligated—

5 (A) for the full period of the contract or
6 for the first fiscal year in which the contract is
7 in effect; and

8 (B) for the estimated costs associated with
9 a necessary termination of the contract; and

10 (2) the Secretary determines that a multi-year
11 contract will serve the best interests of the Federal
12 Government by encouraging full and open competi-
13 tion or promoting economy in administration, per-
14 formance, and operation of BARDA’s programs.

15 (b) A contract entered into under this section—

16 (1) shall include a termination clause as de-
17 scribed by subsection (c) of section 3903 of title 41,
18 United States Code; and

19 (2) shall be subject to the congressional notice
20 requirement stated in subsection (d) of such section.

21 SEC. 219. The Secretary shall publish, as part of the
22 fiscal year 2023 budget of the President submitted under
23 section 1105(a) of title 31, United States Code, informa-
24 tion that details the uses of all funds used by the Centers
25 for Medicare & Medicaid Services specifically for Health

1 Insurance Exchanges for each fiscal year since the enact-
2 ment of the ACA and the proposed uses for such funds
3 for fiscal year 2023. Such information shall include, for
4 each such fiscal year, the amount of funds used for each
5 activity specified under the heading “Health Insurance
6 Exchange Transparency” in the report accompanying this
7 Act.

8 SEC. 220. None of the funds made available by this
9 Act from the Federal Hospital Insurance Trust Fund or
10 the Federal Supplemental Medical Insurance Trust Fund,
11 or transferred from other accounts funded by this Act to
12 the “Centers for Medicare & Medicaid Services—Program
13 Management” account, may be used for payments under
14 section 1342(b)(1) of Public Law 111–148 (relating to
15 risk corridors).

16 (TRANSFER OF FUNDS)

17 SEC. 221. (a) Within 45 days of enactment of this
18 Act, the Secretary shall transfer funds appropriated under
19 section 4002 of the ACA to the accounts specified, in the
20 amounts specified, and for the activities specified under
21 the heading “Prevention and Public Health Fund” in the
22 report accompanying this Act.

23 (b) Notwithstanding section 4002(c) of the ACA, the
24 Secretary may not further transfer these amounts.

1 (c) Funds transferred for activities authorized under
2 section 2821 of the PHS Act shall be made available with-
3 out reference to section 2821(b) of such Act.

4 SEC. 222. Effective during the period beginning on
5 November 1, 2015 and ending January 1, 2024, any pro-
6 vision of law that refers (including through cross-reference
7 to another provision of law) to the current recommenda-
8 tions of the United States Preventive Services Task Force
9 with respect to breast cancer screening, mammography,
10 and prevention shall be administered by the Secretary in-
11 volved as if—

12 (1) such reference to such current recommenda-
13 tions were a reference to the recommendations of
14 such Task Force with respect to breast cancer
15 screening, mammography, and prevention last issued
16 before 2009; and

17 (2) such recommendations last issued before
18 2009 applied to any screening mammography modal-
19 ity under section 1861(jj) of the Social Security Act
20 (42 U.S.C. 1395x(jj)).

21 SEC. 223. In making Federal financial assistance, the
22 provisions relating to indirect costs in part 75 of title 45,
23 Code of Federal Regulations, including with respect to the
24 approval of deviations from negotiated rates, shall con-
25 tinue to apply to the National Institutes of Health to the

1 same extent and in the same manner as such provisions
2 were applied in the third quarter of fiscal year 2017. None
3 of the funds appropriated in this or prior Acts or otherwise
4 made available to the Department of Health and Human
5 Services or to any department or agency may be used to
6 develop or implement a modified approach to such provi-
7 sions, or to intentionally or substantially expand the fiscal
8 effect of the approval of such deviations from negotiated
9 rates beyond the proportional effect of such approvals in
10 such quarter.

11 (TRANSFER OF FUNDS)

12 SEC. 224. The NIH Director may transfer funds for
13 opioid addiction, opioid alternatives, stimulant misuse and
14 addiction, pain management, and addiction treatment to
15 other Institutes and Centers of the NIH to be used for
16 the same purpose 15 days after notifying the Committees
17 on Appropriations of the House of Representatives and the
18 Senate: *Provided*, That the transfer authority provided in
19 the previous proviso is in addition to any other transfer
20 authority provided by law.

21 SEC. 225. (a) The Secretary shall provide to the
22 Committees on Appropriations of the House of Represent-
23 atives and the Senate:

24 (1) Detailed monthly enrollment figures from
25 the Exchanges established under the Patient Protec-

1 tion and Affordable Care Act of 2010 pertaining to
2 enrollments during the open enrollment period; and

3 (2) Notification of any new or competitive grant
4 awards, including supplements, authorized under
5 section 330 of the Public Health Service Act.

6 (b) The Committees on Appropriations of the House
7 and Senate must be notified at least 2 business days in
8 advance of any public release of enrollment information
9 or the award of such grants.

10 SEC. 226. The Department of Health and Human
11 Services shall provide the Committees on Appropriations
12 of the House of Representatives and Senate a biannual
13 report 30 days after enactment of this Act on staffing de-
14 scribed in the report accompanying this Act.

15 SEC. 227. Funds appropriated in this Act that are
16 available for salaries and expenses of employees of the De-
17 partment of Health and Human Services shall also be
18 available to pay travel and related expenses of such an
19 employee or of a member of his or her family, when such
20 employee is assigned to duty, in the United States or in
21 a U.S. territory, during a period and in a location that
22 are the subject of a determination of a public health emer-
23 gency under section 319 of the Public Health Service Act
24 and such travel is necessary to obtain medical care for
25 an illness, injury, or medical condition that cannot be ade-

1 quately addressed in that location at that time. For pur-
2 poses of this section, the term “U.S. territory” means
3 Guam, the Commonwealth of Puerto Rico, the Northern
4 Mariana Islands, the Virgin Islands, American Samoa, or
5 the Trust Territory of the Pacific Islands.

6 SEC. 228. The Department of Health and Human
7 Services may accept donations from the private sector,
8 nongovernmental organizations, and other groups inde-
9 pendent of the Federal Government for the care of unac-
10 companied alien children (as defined in section 462(g)(2)
11 of the Homeland Security Act of 2002 (6 U.S.C.
12 279(g)(2))) in the care of the Office of Refugee Resettle-
13 ment of the Administration for Children and Families, in-
14 cluding monetary donations, medical goods and services,
15 which may include early childhood developmental
16 screenings, school supplies, toys, clothing, and any other
17 items and services intended to promote the wellbeing of
18 such children. Monetary donations received by the Depart-
19 ment of Health and Human Services under this section
20 shall be retained and credited to the Refugee and Entrant
21 Assistance account and shall remain available until ex-
22 pended for the purposes provided by this section.

23 SEC. 229. None of the funds made available in this
24 Act under the heading “Department of Health and
25 Human Services—Administration for Children and Fami-

1 lies—Refugee and Entrant Assistance” may be obligated
2 to a grantee or contractor to house unaccompanied alien
3 children (as such term is defined in section 462(g)(2) of
4 the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2)))
5 in any facility that is not State-licensed for the care of
6 unaccompanied alien children, except in the case that the
7 Secretary determines that housing unaccompanied alien
8 children in such a facility is necessary on a temporary
9 basis due to an influx of such children or an emergency,
10 provided that—

11 (1) the terms of the grant or contract for the
12 operations of any such facility that remains in oper-
13 ation for more than three consecutive months shall
14 require compliance with—

15 (A) the same requirements as licensed
16 placements, as listed in Exhibit 1 of the Flores
17 Settlement Agreement that the Secretary deter-
18 mines are applicable to non-State licensed facili-
19 ties; and

20 (B) staffing ratios of one (1) on-duty
21 Youth Care Worker for every eight (8) children
22 or youth during waking hours, one (1) on-duty
23 Youth Care Worker for every sixteen (16) chil-
24 dren or youth during sleeping hours, and clini-
25 cian ratios to children (including mental health

1 providers) as required in grantee cooperative
2 agreements;

3 (2) the Secretary may grant a 60-day waiver
4 for a contractor's or grantee's non-compliance with
5 paragraph (1) if the Secretary certifies and provides
6 a report to Congress on the contractor's or grantee's
7 good-faith efforts and progress towards compliance;

8 (3) if the Secretary determines that a con-
9 tractor or grantee is not in compliance after the Sec-
10 retary has granted a 60-day waiver, the Secretary
11 shall not permit such contractor or grantee to con-
12 tinue to provide services beyond a reasonable period,
13 not to exceed 60 days, needed to award a contract
14 or grant to a new service provider, and the incum-
15 bent contractor or grantee shall not be eligible to
16 compete for the new contact or grant;

17 (4) ORR shall ensure full adherence to the
18 monitoring requirements set forth in section 5.5 of
19 its Policies and Procedures Guide as of May 15,
20 2019;

21 (5) for any such unlicensed facility in operation
22 for more than three consecutive months, ORR shall
23 conduct a minimum of one comprehensive moni-
24 toring visit during the first three months of oper-

1 ation, with quarterly monitoring visits thereafter;
2 and

3 (6) not later than 60 days after the date of en-
4 actment of this Act, ORR shall brief the Committees
5 on Appropriations of the House of Representatives
6 and the Senate outlining the requirements of ORR
7 for influx facilities including any requirement listed
8 in paragraph (1)(A) that the Secretary has deter-
9 mined are not applicable to non-State licensed facili-
10 ties.

11 SEC. 230. In addition to the existing Congressional
12 notification for formal site assessments of potential influx
13 facilities, the Secretary shall notify the Committees on Ap-
14 propriations of the House of Representatives and the Sen-
15 ate at least 15 days before operationalizing an unlicensed
16 facility, and shall (1) specify whether the facility is hard-
17 sided or soft-sided, and (2) provide analysis that indicates
18 that, in the absence of the influx facility, the likely out-
19 come is that unaccompanied alien children will remain in
20 the custody of the Department of Homeland Security for
21 longer than 72 hours or that unaccompanied alien children
22 will be otherwise placed in danger. Within 60 days of
23 bringing such a facility online, and monthly thereafter, the
24 Secretary shall provide to the Committees on Appropria-
25 tions of the House of Representatives and the Senate a

1 report detailing the total number of children in care at
2 the facility, the average length of stay and average length
3 of care of children at the facility, and, for any child that
4 has been at the facility for more than 60 days, their length
5 of stay and reason for delay in release.

6 SEC. 231. None of the funds made available in this
7 Act may be used to prevent a United States Senator or
8 Member of the House of Representatives from entering,
9 for the purpose of conducting oversight, any facility in the
10 United States used for the purpose of maintaining custody
11 of, or otherwise housing, unaccompanied alien children (as
12 defined in section 462(g)(2) of the Homeland Security Act
13 of 2002 (6 U.S.C. 279(g)(2))). Nothing in this section
14 shall be construed to require such a Senator or Member
15 to provide prior notice of the intent to enter such a facility
16 for such purpose.

17 SEC. 232. Not later than 14 days after the date of
18 enactment of this Act, and monthly thereafter, the Sec-
19 retary shall submit to the Committees on Appropriations
20 of the House of Representatives and the Senate, and make
21 publicly available online, a report with respect to children
22 who were separated from their parents or legal guardians
23 by the Department of Homeland Security (DHS) (regard-
24 less of whether or not such separation was pursuant to
25 an option selected by the children, parents, or guardians),

1 subsequently classified as unaccompanied alien children,
2 and transferred to the care and custody of ORR during
3 the previous month. Each report shall contain the fol-
4 lowing information:

5 (1) the number and ages of children so sepa-
6 rated subsequent to apprehension at or between
7 ports of entry, to be reported by sector where sepa-
8 ration occurred; and

9 (2) the documented cause of separation, as re-
10 ported by DHS when each child was referred.

11 SEC. 233. (a) None of the funds made available by
12 this Act may be used to share any information pertaining
13 to an unaccompanied alien child (as defined in section
14 462(g)(2) of the Homeland Security Act of 2002 (6
15 U.S.C. 279(g)(2))) for use or reference in any removal
16 proceeding or otherwise for enforcement of the immigra-
17 tion laws (as defined in section 101(a)(17) of the Immi-
18 gration and Nationality Act (8 U.S.C. 1101(a)(17))).

19 (b) Subsection (a) shall be construed to preclude the
20 transmission of information described in such subsection
21 to any individual, entity, or government agency with the
22 knowledge or intent that the information would be re-
23 transmitted or otherwise shared for a purpose prohibited
24 under such subsection.

1 (c) All records for which Office of Refugee Resettle-
2 ment policies require the written release authorization of
3 the Office of Refugee Resettlement shall have the pre-
4 sumption of confidentiality and nondisclosure, including
5 unaccompanied alien child case files, specific information
6 contained in such case files, all information given to a case
7 manager, therapist, clinical worker, counselor, or social
8 worker by such a child during clinical or therapeutic work,
9 and other confidential information pertaining to such chil-
10 dren, their sponsors, or their potential sponsors.

11 (d) Nothing in this section shall be construed to pro-
12 hibit or restrict the continued implementation of inter-
13 agency agreements or coordination under section 235 of
14 the William Wilberforce Trafficking Victims Protection
15 Reauthorization Act of 2008 (8 U.S.C. 1232) pertinent
16 to a child's placement after attaining 18 years of age.

17 SEC. 234. To the extent practicable, and so long as
18 it is appropriate and in the best interest of the child, in
19 cases where the Office of Refugee Resettlement is respon-
20 sible for the care of siblings who are unaccompanied alien
21 children as defined in section 462(g)(2) of the Homeland
22 Security Act of 2002 (6. U.S.C. 279(g)(2)), the Director
23 of the Office shall place the siblings—

24 (1) in the same facility; or

25 (2) with the same sponsor.

1 SEC. 235. Not later than 30 days after the date of
2 enactment of this Act, the Secretary shall submit to the
3 Committees on Appropriations of the House of Represent-
4 atives and the Senate a detailed spend plan of anticipated
5 uses of all funds made available under the heading “De-
6 partment of Health and Human Services—Administration
7 for Children and Families—Refugee and Entrant Assist-
8 ance”, including the following: a list of existing grants and
9 contracts for both permanent and influx facilities, includ-
10 ing their costs, capacity, and timelines; costs for expand-
11 ing capacity through the use of community-based residen-
12 tial care placements (including long-term and transitional
13 foster care and small group homes) through new or modi-
14 fied grants and contracts; current and planned efforts to
15 expand small-scale shelters and available foster care place-
16 ments, including collaboration with State child welfare
17 providers; influx facilities being assessed for possible use;
18 costs and services to be provided for legal services, child
19 advocates, and post-release services; program administra-
20 tion; and the average number of weekly referrals and dis-
21 charge rate assumed in the spend plan: *Provided*, That
22 such plan shall be updated to reflect changes and expendi-
23 tures and submitted to the Committees on Appropriations
24 of the House of Representatives and the Senate every 60
25 days until all funds are expended or expired.

1 SEC. 236. Funds appropriated in this Act that are
2 available for salaries and expenses of employees of the
3 Centers for Disease Control and Prevention shall also be
4 available for the primary and secondary schooling of eligi-
5 ble dependents of personnel stationed in a U.S. territory
6 as defined in section 227 of this Act at costs not in excess
7 of those paid for or reimbursed by the Department of De-
8 fense.

9 (RESCISSION)

10 SEC. 237. Of the unobligated balances in the “Non-
11 recurring Expenses Fund” established in section 223 of
12 division G of Public Law 110–161, \$500,000,000 are
13 hereby rescinded not later than September 30, 2022.

14 SEC. 238. The Secretary is authorized to provide,
15 from funds made available in this title for such purposes,
16 mental health and other supportive services, including
17 through grants, contracts, or cooperative agreements, for
18 children, parents, and legal guardians who were separated
19 at the United States-Mexico border between January 20,
20 2017, and January 20, 2021, in connection with the Zero-
21 Tolerance Policy (as discussed in the Attorney General’s
22 memorandum of April 6, 2018, entitled “Zero-Tolerance
23 for Offenses Under 8 U.S.C. 1325(a)”) or any other
24 United States Government practice, policy, program, or
25 initiative that resulted in the separation of children who

1 arrived at the United States-Mexico border with their par-
2 ents or legal guardians during such period. The Secretary
3 may identify the individuals eligible to receive such mental
4 health and other supportive services under this section
5 through reference to the identified members of the classes,
6 and their minor children, in the class-action lawsuits *Ms.*
7 *J.P. v. Barr* and *Ms. L. v. ICE*.

8 SEC. 239. The unobligated balances of amounts ap-
9 propriated or transferred to the Centers for Disease Con-
10 trol and Prevention under the heading “Buildings and Fa-
11 cilities” in title II of division H of the Consolidated Appro-
12 priations Act, 2018 (Public Law 115–141) for a biosafety
13 level 4 laboratory shall also be available for the acquisition
14 of real property, equipment, construction, demolition, ren-
15 ovation of facilities, and installation expenses, including
16 moving expenses, related to such laboratory: *Provided*,
17 That not later than September 30, 2022, the remaining
18 unobligated balances of such funds are hereby rescinded,
19 and an amount of additional new budget authority equiva-
20 lent to the amount rescinded is hereby appropriated, to
21 remain available until expended, for the same purposes as
22 such unobligated balances, in addition to any other
23 amounts available for such purposes.

24 SEC. 240. (a) PREMIUM PAY AUTHORITY.—If serv-
25 ices performed by a Department of Health and Human

1 Services employee during a public health emergency de-
2 clared under section 319 of the Public Health Service Act
3 are determined by the Secretary to be primarily related
4 to preparation for, prevention of, or response to such pub-
5 lic health emergency, any premium pay that is provided
6 for such services shall be exempted from the aggregate of
7 basic pay and premium pay calculated under section
8 5547(a) of title 5, United States Code, and any other pro-
9 vision of law limiting the aggregate amount of premium
10 pay payable on a biweekly or calendar year basis.

11 (b) OVERTIME AUTHORITY.—Any overtime that is
12 provided for such services described in subsection (a) shall
13 be exempted from any annual limit on the amount of over-
14 time payable in a calendar or fiscal year.

15 (c) APPLICABILITY OF AGGREGATE LIMITATION ON
16 PAY.—In determining, for purposes of section 5307 of
17 title 5, United States Code, whether an employee's total
18 pay exceeds the annual rate payable under such section,
19 the Secretary shall not include pay exempted under this
20 section.

21 (d) LIMITATION ON PAY AUTHORITY.—Pay exempted
22 from otherwise applicable limits under subsection (a) shall
23 not cause the aggregate pay earned for the calendar year
24 in which the exempted pay is earned to exceed the rate
25 of basic pay payable for a position at level II of the Execu-

1 tive Schedule under section 5313 of title 5, United States
2 Code.

3 (e) DANGER PAY FOR SERVICE IN PUBLIC HEALTH
4 EMERGENCIES.—The Secretary may grant a danger pay
5 allowance under section 5928 of title 5, United States
6 Code, without regard to the conditions of the first sentence
7 of such section, for work that is performed by a Depart-
8 ment of Health and Human Services employee during a
9 public health emergency declared under section 319 of the
10 Public Health Service Act that the Secretary determines
11 is primarily related to preparation for, prevention of, or
12 response to such public health emergency and is performed
13 under conditions that threaten physical harm or imminent
14 danger to the health or well-being of the employee.

15 (f) EFFECTIVE DATE.—This section shall take effect
16 as if enacted on September 30, 2020.

17 SEC. 241. (a) None of the funds made available by
18 this Act may be awarded to any organization, including
19 under the Child Welfare or Federal Foster Care programs
20 under parts B or E of title IV of the Social Security Act,
21 that does not comply with paragraphs (c) and (d) of sec-
22 tion 75.300 of title 45, Code of Federal Regulations (pro-
23 hibiting discrimination on the basis of age, disability, sex,
24 race, color, national origin, religion, gender identity, or
25 sexual orientation), as in effect on October 1, 2019.

1 (b) None of the funds made available by this Act may
2 be used by the Department of Health and Human Services
3 to grant an exception from either such paragraph for any
4 Federal grantee.

5 SEC. 242. During this fiscal year, an Operating or
6 Staff Division in HHS may enter into a reimbursable
7 agreement with another major organizational unit within
8 HHS or of another agency under which the ordering agen-
9 cy or unit delegates to the servicing agency or unit the
10 authority and funding to issue a grant or cooperative
11 agreement on its behalf: *Provided*, That the head of the
12 ordering agency or unit certifies that amounts are avail-
13 able and that the order is in the best interests of the
14 United States Government: *Provided further*, That fund-
15 ing may be provided by way of advance or reimbursement,
16 as deemed appropriate by the ordering agency or unit,
17 with proper adjustments of estimated amounts provided
18 in advance to be made based on actual costs: *Provided fur-*
19 *ther*, That an agreement made under this section obligates
20 an appropriation of the ordering agency or unit, including
21 for costs to administer such grant or cooperative agree-
22 ment, and such obligation shall be deemed to be an obliga-
23 tion for any purpose of law: *Provided further*, That an
24 agreement made under this section may be performed for
25 a period that extends beyond the current fiscal year.

1 SEC. 243. (a) None of the funds made available by
2 this Act may be used to prepare or issue any solicitation
3 for a contract for the CMS Contact Center Operations
4 that contemplates a total period of performance, including
5 option periods, that exceeds 24 months.

6 (b) None of the funds made available by this Act may
7 be used to award or fund a contract for the CMS Contact
8 Center Operations with a total period of performance, in-
9 cluding option periods, that exceeds 24 months.

10 SEC. 244. For fiscal year 2022, the notification re-
11 quirements described in sections 1804(a) and 1851(d) of
12 the Social Security Act may be fulfilled by the Secretary
13 in a manner similar to that described in paragraphs (1)
14 and (2) of section 1806(c) of such Act.

15 SEC. 245. Section 402A(d) of the Public Health Serv-
16 ice Act (42 U.S.C. 282a(d)) is amended—

17 (1) in the first sentence by striking “under sub-
18 section (a)(1)” and inserting “to carry out this
19 title”; and

20 (2) in the second sentence by striking “account
21 under subsection (a)(1)”.

22 SEC. 246. The Secretary of Health and Human Serv-
23 ices may waive penalties and administrative requirements
24 in title XXVI of the Public Health Service Act for awards
25 under such title from amounts provided under the heading

1 “Department of Health and Human Services—Health Re-
2 sources and Services Administration” in this or any other
3 appropriations Act for this fiscal year, including amounts
4 made available to such heading by transfer.

5 SEC. 247. The Director of the National Institutes of
6 Health shall hereafter require institutions that receive
7 funds through a grant or cooperative agreement during
8 fiscal year 2022 and in future years to notify the Director
9 when individuals identified as a principal investigator or
10 as key personnel in an NIH notice of award are removed
11 from their position or are otherwise disciplined due to con-
12 cerns about harassment, bullying, retaliation, or hostile
13 working conditions. The Director may issue regulations
14 consistent with this section.

15 SEC. 248. (a) Funds made available in Public Law
16 114-113 to the accounts of the National Institutes of
17 Health that were available for obligation through fiscal
18 year 2016 and were obligated for multi-year research
19 grants shall be available through fiscal year 2022 for the
20 liquidation of valid obligations incurred in fiscal year 2016
21 if the Director of the National Institutes of Health deter-
22 mines the project suffered an interruption of activities at-
23 tributable to SARS-CoV-2.

24 (b)(1) Subject to paragraph (2), this section shall be-
25 come effective immediately upon enactment of this Act.

1 (2) If this Act is enacted after September 30,
2 2021, this section shall be applied as if it were in
3 effect on September 30, 2021.

4 This title may be cited as the “Department of Health
5 and Human Services Appropriations Act, 2022”.

6

TITLE III

7

DEPARTMENT OF EDUCATION

8

EDUCATION FOR THE DISADVANTAGED

9 For carrying out title I and subpart 2 of part B of
10 title II of the Elementary and Secondary Education Act
11 of 1965 (referred to in this Act as “ESEA”) and section
12 418A of the Higher Education Act of 1965 (referred to
13 in this Act as “HEA”), \$36,756,790,000, of which
14 \$25,813,490,000 shall become available on July 1, 2022,
15 and shall remain available through September 30, 2023,
16 and of which \$10,841,177,000 shall become available on
17 October 1, 2022, and shall remain available through Sep-
18 tember 30, 2023, for academic year 2022–2023: *Provided*,
19 That \$6,459,401,000 shall be for basic grants under sec-
20 tion 1124 of the ESEA: *Provided further*, That up to
21 \$5,000,000 of these funds shall be available to the Sec-
22 retary of Education (referred to in this title as “Sec-
23 retary”) on October 1, 2021, to obtain annually updated
24 local educational agency-level census poverty data from
25 the Bureau of the Census: *Provided further*, That

1 \$1,362,301,000 shall be for concentration grants under
2 section 1124A of the ESEA: *Provided further*, That
3 \$14,107,550,000 shall be for targeted grants under sec-
4 tion 1125 of the ESEA: *Provided further*, That
5 \$14,107,550,000 shall be for education finance incentive
6 grants under section 1125A of the ESEA: *Provided fur-*
7 *ther*, That \$223,000,000 shall be for carrying out subpart
8 2 of part B of title II: *Provided further*, That \$66,123,000
9 shall be for carrying out section 418A of the HEA.

10 IMPACT AID

11 For carrying out programs of financial assistance to
12 federally affected schools authorized by title VII of the
13 ESEA, \$1,552,112,000, of which \$1,404,242,000 shall be
14 for basic support payments under section 7003(b),
15 \$48,316,000 shall be for payments for children with dis-
16 abilities under section 7003(d), \$17,406,000 shall be for
17 construction under section 7007(a), \$77,313,000 shall be
18 for Federal property payments under section 7002, and
19 \$4,835,000, to remain available until expended, shall be
20 for facilities maintenance under section 7008: *Provided*,
21 That for purposes of computing the amount of a payment
22 for an eligible local educational agency under section
23 7003(a) for school year 2021–2022, children enrolled in
24 a school of such agency that would otherwise be eligible
25 for payment under section 7003(a)(1)(B) of such Act, but

1 due to the deployment of both parents or legal guardians,
2 or a parent or legal guardian having sole custody of such
3 children, or due to the death of a military parent or legal
4 guardian while on active duty (so long as such children
5 reside on Federal property as described in section
6 7003(a)(1)(B)), are no longer eligible under such section,
7 shall be considered as eligible students under such section,
8 provided such students remain in average daily attendance
9 at a school in the same local educational agency they at-
10 tended prior to their change in eligibility status.

11 SCHOOL IMPROVEMENT PROGRAMS

12 For carrying out school improvement activities au-
13 thorized by part B of title I, part A of title II, subpart
14 1 of part A of title IV, part B of title IV, part B of title
15 V, and parts B and C of title VI of the ESEA; the McKin-
16 ney-Vento Homeless Assistance Act; section 203 of the
17 Educational Technical Assistance Act of 2002; the Com-
18 pact of Free Association Amendments Act of 2003; and
19 the Civil Rights Act of 1964, \$5,803,539,000, of which
20 \$3,963,652,000 shall become available on July 1, 2022,
21 and remain available through September 30, 2023, and
22 of which \$1,681,441,000 shall become available on Octo-
23 ber 1, 2022, and shall remain available through September
24 30, 2023, for academic year 2022–2023: *Provided*, That
25 \$378,000,000 shall be for part B of title I: *Provided fur-*

1 *ther*, That \$1,359,673,000 shall be for part B of title IV:
2 *Provided further*, That \$40,397,000 shall be for part B
3 of title VI, which may be used for construction, renova-
4 tion, and modernization of any public elementary school,
5 secondary school, or structure related to a public elemen-
6 tary school or secondary school that serves a predomi-
7 nantly Native Hawaiian student body, and that the 5 per-
8 cent limitation in section 6205(b) of the ESEA on the use
9 of funds for administrative purposes shall apply only to
10 direct administrative costs: *Provided further*, That
11 \$36,453,000 shall be for part C of title VI, which shall
12 be awarded on a competitive basis, and may be used for
13 construction, and that the 5 percent limitation in section
14 6305 of the ESEA on the use of funds for administrative
15 purposes shall apply only to direct administrative costs:
16 *Provided further*, That \$52,000,000 shall be available to
17 carry out section 203 of the Educational Technical Assist-
18 ance Act of 2002 and the Secretary shall make such ar-
19 rangements as determined to be necessary to ensure that
20 the Bureau of Indian Education has access to services pro-
21 vided under this section: *Provided further*, That
22 \$23,021,000 shall be available to carry out the Supple-
23 mental Education Grants program for the Federated
24 States of Micronesia and the Republic of the Marshall Is-
25 lands: *Provided further*, That the Secretary may reserve

1 up to 5 percent of the amount referred to in the previous
2 proviso to provide technical assistance in the implementa-
3 tion of these grants: *Provided further*, That \$192,840,000
4 shall be for part B of title V: *Provided further*, That
5 \$1,305,000,000 shall be available for grants under sub-
6 part 1 of part A of title IV.

7 INDIAN EDUCATION

8 For expenses necessary to carry out, to the extent
9 not otherwise provided, title VI, part A of the ESEA,
10 \$187,739,000, of which \$67,993,000 shall be for subpart
11 2 of part A of title VI and \$9,365,000 shall be for subpart
12 3 of part A of title VI: *Provided*, That the 5 percent limita-
13 tion in sections 6115(d), 6121(e), and 6133(g) of the
14 ESEA on the use of funds for administrative purposes
15 shall apply only to direct administrative costs: *Provided*
16 *further*, That the Secretary may make awards under sub-
17 part 3 of Part A of title VI without regard to the funding
18 limitation in section 6133(b)(1) of the ESEA: *Provided*
19 *further*, That notwithstanding sections 6132(e)(2) and
20 6133(d)(1) of such Act, the Secretary may make such
21 awards for a period of up to 5 years.

22 INNOVATION AND IMPROVEMENT

23 For carrying out activities authorized by subparts 1,
24 3 and 4 of part B of title II, and parts C, D, and E and
25 subparts 1 and 4 of part F of title IV of the ESEA,

1 \$1,297,276,000: *Provided*, That \$300,500,000 shall be for
2 subparts 1, 3 and 4 of part B of title II and shall be made
3 available without regard to sections 2201, 2231(b) and
4 2241: *Provided further*, That \$642,776,000 shall be for
5 parts C, D, and E and subpart 4 of part F of title IV,
6 and shall be made available without regard to sections
7 4311, 4409(a), and 4601 of the ESEA: *Provided further*,
8 That notwithstanding section 4601(b), \$254,000,000 shall
9 be available through December 31, 2022 for subpart 1 of
10 part F of title IV: *Provided further*, That \$100,000,000
11 shall be for competitive grants to local educational agen-
12 cies and State educational agencies to reduce racial and
13 socioeconomic segregation across and within school dis-
14 tricts.

15 SAFE SCHOOLS AND CITIZENSHIP EDUCATION

16 For carrying out activities authorized by subparts 2
17 and 3 of part F of title IV of the ESEA, \$1,666,000,000:
18 *Provided*, That \$1,127,000,000 shall be available for sec-
19 tion 4631, of which \$500,000,000 shall be for Mental
20 Health Services Professional Demonstration Grants;
21 \$500,000,000 shall be for School-Based Mental Health
22 Services Grants; and up to \$5,000,000, to remain avail-
23 able until expended, shall be for the Project School Emer-
24 gency Response to Violence (Project SERV) program:
25 *Provided further*, That \$443,000,000 shall be available for

1 section 4625: *Provided further*, That \$96,000,000 shall be
2 available through December 31, 2022, for section 4624:
3 *Provided further*, That \$5,000,000 of the funds made
4 available in the preceding proviso shall be available for
5 planning grants consistent with section 4624(d)(1) of the
6 ESEA, which shall include as a required activity the needs
7 analysis specified in section 4624(a)(4).

8 ENGLISH LANGUAGE ACQUISITION

9 For carrying out part A of title III of the ESEA,
10 \$1,000,000,000, which shall become available on July 1,
11 2022, and shall remain available through September 30,
12 2023, except that 6.5 percent of such amount shall be
13 available on October 1, 2021, and shall remain available
14 through September 30, 2023, to carry out activities under
15 section 3111(c)(1)(C).

16 SPECIAL EDUCATION

17 For carrying out the Individuals with Disabilities
18 Education Act (IDEA) and the Special Olympics Sport
19 and Empowerment Act of 2004, \$17,200,256,000, of
20 which \$7,488,516,000 shall become available on July 1,
21 2022, and shall remain available through September 30,
22 2023, and of which \$9,283,383,000 shall become available
23 on October 1, 2022, and shall remain available through
24 September 30, 2023, for academic year 2022–2023: *Pro-*
25 *vided*, That the amount for section 611(b)(2) of the IDEA

1 shall be equal to the lesser of the amount available for
2 that activity during fiscal year 2021, increased by the
3 amount of inflation as specified in section 619(d)(2)(B)
4 of the IDEA, or the percent change in the funds appro-
5 priated under section 611(i) of the IDEA, but not less
6 than the amount for that activity during fiscal year 2021:
7 *Provided further*, That the Secretary shall, without regard
8 to section 611(d) of the IDEA, distribute to all other
9 States (as that term is defined in section 611(g)(2)), sub-
10 ject to the third proviso, any amount by which a State's
11 allocation under section 611, from funds appropriated
12 under this heading, is reduced under section
13 612(a)(18)(B), according to the following: 85 percent on
14 the basis of the States' relative populations of children
15 aged 3 through 21 who are of the same age as children
16 with disabilities for whom the State ensures the avail-
17 ability of a free appropriate public education under this
18 part, and 15 percent to States on the basis of the States'
19 relative populations of those children who are living in pov-
20 erty: *Provided further*, That the Secretary may not dis-
21 tribute any funds under the previous proviso to any State
22 whose reduction in allocation from funds appropriated
23 under this heading made funds available for such a dis-
24 tribution: *Provided further*, That the States shall allocate
25 such funds distributed under the second proviso to local

1 educational agencies in accordance with section 611(f):
2 *Provided further*, That the amount by which a State's allo-
3 cation under section 611(d) of the IDEA is reduced under
4 section 612(a)(18)(B) and the amounts distributed to
5 States under the previous provisos in fiscal year 2012 or
6 any subsequent year shall not be considered in calculating
7 the awards under section 611(d) for fiscal year 2013 or
8 for any subsequent fiscal years: *Provided further*, That,
9 notwithstanding the provision in section 612(a)(18)(B) re-
10 garding the fiscal year in which a State's allocation under
11 section 611(d) is reduced for failure to comply with the
12 requirement of section 612(a)(18)(A), the Secretary may
13 apply the reduction specified in section 612(a)(18)(B) over
14 a period of consecutive fiscal years, not to exceed 5, until
15 the entire reduction is applied: *Provided further*, That the
16 Secretary may, in any fiscal year in which a State's alloca-
17 tion under section 611 is reduced in accordance with sec-
18 tion 612(a)(18)(B), reduce the amount a State may re-
19 serve under section 611(e)(1) by an amount that bears
20 the same relation to the maximum amount described in
21 that paragraph as the reduction under section
22 612(a)(18)(B) bears to the total allocation the State
23 would have received in that fiscal year under section
24 611(d) in the absence of the reduction: *Provided further*,
25 That the Secretary shall either reduce the allocation of

1 funds under section 611 for any fiscal year following the
2 fiscal year for which the State fails to comply with the
3 requirement of section 612(a)(18)(A) as authorized by
4 section 612(a)(18)(B), or seek to recover funds under sec-
5 tion 452 of the General Education Provisions Act (20
6 U.S.C. 1234a): *Provided further*, That the funds reserved
7 under 611(c) of the IDEA may be used to provide tech-
8 nical assistance to States to improve the capacity of the
9 States to meet the data collection requirements of sections
10 616 and 618 and to administer and carry out other serv-
11 ices and activities to improve data collection, coordination,
12 quality, and use under parts B and C of the IDEA: *Pro-*
13 *vided further*, That the Secretary may use funds made
14 available for the State Personnel Development Grants pro-
15 gram under part D, subpart 1 of IDEA to evaluate pro-
16 gram performance under such subpart: *Provided further*,
17 That States may use funds reserved for other State-level
18 activities under sections 611(e)(2) and 619(f) of the IDEA
19 to make subgrants to local educational agencies, institu-
20 tions of higher education, other public agencies, and pri-
21 vate non-profit organizations to carry out activities au-
22 thorized by those sections: *Provided further*, That, not-
23 withstanding section 643(e)(2)(A) of the IDEA, if 5 or
24 fewer States apply for grants pursuant to section 643(e)
25 of such Act, the Secretary shall provide a grant to each

1 State in an amount equal to the maximum amount de-
2 scribed in section 643(e)(2)(B) of such Act: *Provided fur-*
3 *ther*, That if more than 5 States apply for grants pursuant
4 to section 643(e) of the IDEA, the Secretary shall award
5 funds to those States on the basis of the States' relative
6 populations of infants and toddlers except that no such
7 State shall receive a grant in excess of the amount de-
8 scribed in section 643(e)(2)(B) of such Act: *Provided fur-*
9 *ther*, That States may use funds allotted under section
10 643(c) of the IDEA to make subgrants to local edu-
11 cational agencies, institutions of higher education, other
12 public agencies, and private non-profit organizations to
13 carry out activities authorized by section 638 of IDEA:
14 *Provided further*, That, notwithstanding section 638 of the
15 IDEA, any State receiving a grant under section 633 of
16 the IDEA must reserve not less than 10 percent of its
17 award for use in a manner described in a State plan, ap-
18 proved by the Secretary, to ensure equitable access to and
19 participation in part C services in the State, particularly
20 for populations that have been traditionally underrep-
21 resented in the program: *Provided further*, That, notwith-
22 standing section 632(4)(B) of the IDEA, a State receiving
23 a grant under section 633 of the IDEA may establish a
24 system of payments but may not include in that system
25 family fees or out-of-pocket costs to families for early

1 intervention services: *Provided further*, That any State
2 seeking to amend its eligibility criteria under section
3 635(a)(1) of the IDEA in such a way that would have
4 the effect of reducing the number of infants and families
5 who are eligible under part C must conduct the public par-
6 ticipation under section 637(a)(8) of the IDEA at least
7 24 months prior to implementing such a change: *Provided*
8 *further*, That, notwithstanding section 638 of the IDEA,
9 a State may use funds it receives under section 633 of
10 the IDEA to offer continued early intervention services to
11 a child who previously received services under part C of
12 the IDEA from age 3 until the beginning of the school
13 year following the child's third birthday without regard to
14 the procedures in section 635(c) of the IDEA.

15 REHABILITATION SERVICES

16 For carrying out, to the extent not otherwise pro-
17 vided, the Rehabilitation Act of 1973 and the Helen Keller
18 National Center Act, \$3,896,820,000, of which
19 \$3,719,121,000 shall be for grants for vocational rehabili-
20 tation services under title I of the Rehabilitation Act: *Pro-*
21 *vided*, That the Secretary may use amounts provided in
22 this Act that remain available subsequent to the reallocot-
23 ment of funds to States pursuant to section 110(b) of the
24 Rehabilitation Act for innovative activities aimed at in-
25 creasing competitive integrated employment as defined in

1 section 7 of such Act for youth and other individuals with
2 disabilities: *Provided further*, That States may award sub-
3 grants for a portion of the funds to other public and pri-
4 vate, nonprofit entities: *Provided further*, That any funds
5 made available subsequent to reallocation for innovative
6 activities aimed at improving the outcomes of individuals
7 with disabilities shall remain available until September 30,
8 2023.

9 SPECIAL INSTITUTIONS FOR PERSONS WITH
10 DISABILITIES

11 AMERICAN PRINTING HOUSE FOR THE BLIND

12 For carrying out the Act to Promote the Education
13 of the Blind of March 3, 1879, \$37,431,000.

14 NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

15 For the National Technical Institute for the Deaf
16 under titles I and II of the Education of the Deaf Act
17 of 1986, \$84,500,000: *Provided*, That from the total
18 amount available, the Institute may at its discretion use
19 funds for the endowment program as authorized under
20 section 207 of such Act.

21 GALLAUDET UNIVERSITY

22 For the Kendall Demonstration Elementary School,
23 the Model Secondary School for the Deaf, and the partial
24 support of Gallaudet University under titles I and II of
25 the Education of the Deaf Act of 1986, \$143,361,000:

1 *Provided*, That from the total amount available, the Uni-
2 versity may at its discretion use funds for the endowment
3 program as authorized under section 207 of such Act.

4 CAREER, TECHNICAL, AND ADULT EDUCATION

5 For carrying out, to the extent not otherwise pro-
6 vided, the Carl D. Perkins Career and Technical Edu-
7 cation Act of 2006 (“Perkins Act”) and the Adult Edu-
8 cation and Family Literacy Act (“AEFLA”),
9 \$2,238,981,000, of which \$1,447,981,000 shall become
10 available on July 1, 2022, and shall remain available
11 through September 30, 2023, and of which \$791,000,000
12 shall become available on October 1, 2022, and shall re-
13 main available through September 30, 2023: *Provided*,
14 That \$100,000,000 shall be for competitive grants for
15 local educational agencies to carry out evidence-based mid-
16 dle and high school career and technical education innova-
17 tion programs: *Provided further*, That section 3(20) of the
18 Perkins Act shall be applied as if the term “eligible insti-
19 tution” includes an apprenticeship program that is reg-
20 istered under the National Apprenticeship Act and accred-
21 ited by an agency recognized by the Secretary of Edu-
22 cation: *Provided further*, That of the amounts made avail-
23 able for AEFLA, \$38,712,000 shall be for national leader-
24 ship activities under section 242.

1 STUDENT FINANCIAL ASSISTANCE

2 For carrying out subparts 1, 3, and 10 of part A,
3 and part C of title IV of the HEA, \$27,187,352,000 which
4 shall remain available through September 30, 2023.

5 The maximum Pell Grant for which a student shall
6 be eligible during award year 2022-2023 shall be \$5,835.

7 STUDENT AID ADMINISTRATION

8 For Federal administrative expenses to carry out part
9 D of title I, and subparts 1, 3, 9, and 10 of part A, and
10 parts B, C, D, and E of title IV of the HEA, and subpart
11 1 of part A of title VII of the Public Health Service Act,
12 \$2,053,943,000, to remain available through September
13 30, 2023: *Provided*, That the Secretary shall allocate new
14 student loan borrower accounts to eligible student loan
15 servicers on the basis of their past performance compared
16 to all loan servicers utilizing established common metrics,
17 and on the basis of the capacity of each servicer to process
18 new and existing accounts and compliance with Federal
19 and State law: *Provided further*, That for student loan
20 contracts awarded prior to October 1, 2017, the Secretary
21 shall allow student loan borrowers who are consolidating
22 Federal student loans to select from any student loan
23 servicer to service their new consolidated student loan:
24 *Provided further*, That in order to promote accountability
25 and high-quality service to borrowers, the Secretary shall

1 not award funding for any contract solicitation for a new
2 Federal student loan servicing environment, including the
3 solicitation for the Federal Student Aid (FSA) Next Gen-
4 eration Processing and Servicing Environment, unless
5 such an environment provides for the participation of mul-
6 tiple student loan servicers that contract directly with the
7 Department of Education: *Provided further*, That the De-
8 partment shall re-allocate accounts from servicers for re-
9 curring non-compliance with FSA guidelines, contractual
10 requirements, and Federal and State laws, including for
11 failure to sufficiently inform borrowers of available repay-
12 ment options: *Provided further*, That such servicers shall
13 be evaluated based on their ability to meet contract re-
14 quirements (including an understanding of Federal and
15 State law), future performance on the contracts, and his-
16 tory of compliance with applicable consumer protections
17 laws, including Federal and State law: *Provided further*,
18 That to the extent FSA permits student loan servicing
19 subcontracting, FSA shall hold prime contractors account-
20 able for meeting the requirements of the contract, and the
21 performance and expectations of subcontractors shall be
22 accounted for in the prime contract and in the overall per-
23 formance of the prime contractor: *Provided further*, That
24 FSA shall ensure that the Next Generation Processing
25 and Servicing Environment, or any new Federal loan serv-

1 icing environment, incentivize more support to borrowers
2 at risk of delinquency or default: *Provided further*, That
3 FSA shall ensure that in such environment contractors
4 have the capacity to meet and are held accountable for
5 performance on service levels; are held accountable for and
6 have a history of compliance with applicable consumer pro-
7 tection laws, including Federal and State law; and have
8 relevant experience and demonstrated effectiveness: *Pro-*
9 *vided further*, That the Secretary shall provide quarterly
10 briefings to the Committees on Appropriations and Edu-
11 cation and Labor of the House of Representatives and the
12 Committees on Appropriations and Health, Education,
13 Labor, and Pensions of the Senate on general progress
14 related to solicitations for Federal student loan servicing
15 contracts: *Provided further*, That FSA shall strengthen
16 transparency through expanded publication of aggregate
17 data on student loan and servicer performance: *Provided*
18 *further*, That not later than 60 days after enactment of
19 this Act, FSA shall provide to the Committees on Appro-
20 priations of the House of Representatives and the Senate
21 a detailed spend plan of anticipated uses of funds made
22 available in this account for fiscal year 2022 and provide
23 quarterly updates on this plan (including contracts award-
24 ed, change orders, bonuses paid to staff, reorganization
25 costs, and any other activity carried out using amounts

1 provided under this heading for fiscal year 2022): *Pro-*
2 *vided further*, That the FSA Next Generation Processing
3 and Servicing Environment, or any new Federal student
4 loan servicing environment, shall include accountability
5 measures that account for the performance of the portfolio
6 and contractor compliance with FSA guidelines.

7 HIGHER EDUCATION

8 For carrying out, to the extent not otherwise pro-
9 vided, titles II, III, IV, V, VI, VII, and VIII of the HEA,
10 the Mutual Educational and Cultural Exchange Act of
11 1961, and section 117 of the Perkins Act,
12 \$3,430,757,000, of which \$168,015,000 shall remain
13 available through December 31, 2022: *Provided*, That not-
14 withstanding any other provision of law, funds made avail-
15 able in this Act to carry out title VI of the HEA and sec-
16 tion 102(b)(6) of the Mutual Educational and Cultural
17 Exchange Act of 1961 may be used to support visits and
18 study in foreign countries by individuals who are partici-
19 pating in advanced foreign language training and inter-
20 national studies in areas that are vital to United States
21 national security and who plan to apply their language
22 skills and knowledge of these countries in the fields of gov-
23 ernment, the professions, or international development:
24 *Provided further*, That of the funds referred to in the pre-
25 ceding proviso up to 1 percent may be used for program

1 evaluation, national outreach, and information dissemina-
2 tion activities: *Provided further*, That up to 1.5 percent
3 of the funds made available under chapter 2 of subpart
4 2 of part A of title IV of the HEA may be used for evalua-
5 tion: *Provided further*, That section 313(d) of the HEA
6 shall not apply to an institution of higher education that
7 is eligible to receive funding under section 318 of the
8 HEA: *Provided further*, That of the amounts made avail-
9 able under this heading, \$92,015,000 shall be used for the
10 projects, and in the amounts, specified under the heading
11 “Higher Education” in the report accompanying this Act,
12 and of which up to \$1,000,000 may be used for related
13 agency administrative expenses: *Provided further*, That
14 none of the funds made available for projects described
15 in the preceding proviso shall be subject to section 302
16 of this Act.

17 HOWARD UNIVERSITY

18 For partial support of Howard University,
19 \$411,018,000, of which not less than \$3,405,000 shall be
20 for a matching endowment grant pursuant to the Howard
21 University Endowment Act and shall remain available
22 until expended.

1 COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS
2 PROGRAM

3 For Federal administrative expenses to carry out ac-
4 tivities related to existing facility loans pursuant to section
5 121 of the HEA, \$435,000.

6 HISTORICALLY BLACK COLLEGE AND UNIVERSITY
7 CAPITAL FINANCING PROGRAM ACCOUNT

8 For the cost of guaranteed loans, \$24,150,000, as au-
9 thorized pursuant to part D of title III of the HEA, which
10 shall remain available through September 30, 2023: *Pro-*
11 *vided*, That such costs, including the cost of modifying
12 such loans, shall be as defined in section 502 of the Con-
13 gressional Budget Act of 1974: *Provided further*, That
14 these funds are available to subsidize total loan principal,
15 any part of which is to be guaranteed, not to exceed
16 \$328,571,000: *Provided further*, That these funds may be
17 used to support loans to public and private Historically
18 Black Colleges and Universities without regard to the limi-
19 tations within section 344(a) of the HEA.

20 In addition, for administrative expenses to carry out
21 the Historically Black College and University Capital Fi-
22 nancing Program entered into pursuant to part D of title
23 III of the HEA, \$334,000.

1 INSTITUTE OF EDUCATION SCIENCES

2 For carrying out activities authorized by the Edu-
3 cation Sciences Reform Act of 2002, the National Assess-
4 ment of Educational Progress Authorization Act, section
5 208 of the Educational Technical Assistance Act of 2002,
6 and section 664 of the Individuals with Disabilities Edu-
7 cation Act, \$762,465,000, which shall remain available
8 through September 30, 2023: *Provided*, That funds avail-
9 able to carry out section 208 of the Educational Technical
10 Assistance Act may be used to link Statewide elementary
11 and secondary data systems with early childhood, postsec-
12 ondary, and workforce data systems, or to further develop
13 such systems: *Provided further*, That up to \$6,000,000 of
14 the funds available to carry out section 208 of the Edu-
15 cational Technical Assistance Act may be used for awards
16 to public or private organizations or agencies to support
17 activities to improve data coordination, quality, and use
18 at the local, State, and national levels.

19 DEPARTMENTAL MANAGEMENT

20 PROGRAM ADMINISTRATION

21 For carrying out, to the extent not otherwise pro-
22 vided, the Department of Education Organization Act, in-
23 cluding rental of conference rooms in the District of Co-
24 lumbia and hire of three passenger motor vehicles,
25 \$480,000,000, of which up to \$13,000,000, to remain

1 available until expended, shall be available for relocation
2 expenses, and for the renovation and repair of leased
3 buildings: *Provided*, That, notwithstanding any other pro-
4 vision of law, none of the funds provided by this Act or
5 provided by previous Appropriations Acts to the Depart-
6 ment of Education available for obligation or expenditure
7 in the current fiscal year may be used for any activity re-
8 lating to implementing a reorganization that decentralizes,
9 reduces the staffing level, or alters the responsibilities,
10 structure, authority, or functionality of the Budget Service
11 of the Department of Education, relative to the organiza-
12 tion and operation of the Budget Service as in effect on
13 January 1, 2018.

14 OFFICE FOR CIVIL RIGHTS

15 For expenses necessary for the Office for Civil
16 Rights, as authorized by section 203 of the Department
17 of Education Organization Act, \$144,000,000.

18 OFFICE OF INSPECTOR GENERAL

19 For expenses necessary for the Office of Inspector
20 General, as authorized by section 212 of the Department
21 of Education Organization Act, \$70,115,000, of which
22 \$2,000,000 shall remain available until expended.

1 GENERAL PROVISIONS

2 SEC. 301. No funds appropriated in this Act may be
3 used to prevent the implementation of programs of vol-
4 untary prayer and meditation in the public schools.

5 (TRANSFER OF FUNDS)

6 SEC. 302. Not to exceed 1 percent of any discre-
7 tionary funds (pursuant to the Balanced Budget and
8 Emergency Deficit Control Act of 1985) which are appro-
9 priated for the Department of Education in this Act may
10 be transferred between appropriations, but no such appro-
11 priation shall be increased by more than 3 percent by any
12 such transfer: *Provided*, That the transfer authority
13 granted by this section shall not be used to create any
14 new program or to fund any project or activity for which
15 no funds are provided in this Act: *Provided further*, That
16 the Committees on Appropriations of the House of Rep-
17 resentatives and the Senate are notified at least 15 days
18 in advance of any transfer.

19 SEC. 303. Funds appropriated in this Act and con-
20 solidated for evaluation purposes under section 8601(c) of
21 the ESEA shall be available from July 1, 2022, through
22 September 30, 2023.

23 SEC. 304. (a) An institution of higher education that
24 maintains an endowment fund supported with funds ap-
25 propriated for title III or V of the HEA for fiscal year

1 2022 may use the income from that fund to award schol-
2 arships to students, subject to the limitation in section
3 331(e)(3)(B)(i) of the HEA. The use of such income for
4 such purposes, prior to the enactment of this Act, shall
5 be considered to have been an allowable use of that in-
6 come, subject to that limitation.

7 (b) Subsection (a) shall be in effect until titles III
8 and V of the HEA are reauthorized.

9 SEC. 305. Section 114(f) of the HEA (20 U.S.C.
10 1011c(f)) is amended by striking “2021” and inserting
11 “2022”.

12 SEC. 306. Section 458(a) of the HEA (20 U.S.C.
13 1087h(a)) is amended in paragraph (4) by striking
14 “2021” and inserting “2022”.

15 SEC. 307. Funds appropriated in this Act under the
16 heading “Student Aid Administration” may be available
17 for payments for student loan servicing to an institution
18 of higher education that services outstanding Federal Per-
19 kins Loans under part E of title IV of the Higher Edu-
20 cation Act of 1965 (20 U.S.C. 1087aa et seq.).

21 (RESCISSION)

22 SEC. 308. Of the amounts appropriated under Sec-
23 tion 401(b)(7)(A)(iv)(XI) of the Higher Education Act of
24 1965 (20 U.S.C. 1070a(b)(7)(A)(iv)(XI)) for fiscal year
25 2022, \$229,000,000 are hereby rescinded.

1 SEC. 309. Of the amounts made available under this
2 title under the heading “Student Aid Administration”,
3 \$2,300,000 shall be used by the Secretary of Education
4 to conduct outreach to borrowers of loans made under part
5 D of title IV of the Higher Education Act of 1965 who
6 may intend to qualify for loan cancellation under section
7 455(m) of such Act (20 U.S.C. 1087e(m)), to ensure that
8 borrowers are meeting the terms and conditions of such
9 loan cancellation: *Provided*, That the Secretary shall spe-
10 cifically conduct outreach to assist borrowers who would
11 qualify for loan cancellation under section 455(m) of such
12 Act except that the borrower has made some, or all, of
13 the 120 required payments under a repayment plan that
14 is not described under section 455(m)(A) of such Act, to
15 encourage borrowers to enroll in a qualifying repayment
16 plan: *Provided further*, That the Secretary shall also com-
17 municate to all Direct Loan borrowers the full require-
18 ments of section 455(m) of such Act and improve the fil-
19 ing of employment certification by providing improved out-
20 reach and information such as outbound calls, electronic
21 communications, ensuring prominent access to program
22 requirements and benefits on each servicer’s website, and
23 creating an option for all borrowers to complete the entire
24 payment certification process electronically and on a cen-
25 tralized website.

1 SEC. 310. For an additional amount for “Department
2 of Education—Federal Direct Student Loan Program Ac-
3 count”, \$25,000,000, to remain available until expended,
4 shall be for the cost, as defined under section 502 of the
5 Congressional Budget Act of 1974, of the Secretary of
6 Education providing loan cancellation in the same manner
7 as under section 455(m) of the Higher Education Act of
8 1965 (20 U.S.C. 1087e(m)), for borrowers of loans made
9 under part B or D of title IV of such Act who would qual-
10 ify for loan cancellation under section 455(m) except
11 some, or all, of the 120 required payments under section
12 455(m)(1)(A) do not qualify for purposes of the program
13 because they were monthly payments made on one or more
14 loans prior to receiving a Federal Direct Consolidation
15 Loan under section 455(g), or in accordance with grad-
16 uated or extended repayment plans as described under
17 subparagraph (B) or (C) of section 455(d)(1) or the cor-
18 responding repayment plan for a consolidation loan made
19 under section 455(g): *Provided further*, That the total loan
20 volume, including outstanding principal, fees, capitalized
21 interest, or acerued interest, at application that is eligible
22 for such loan cancellation by such borrowers shall not ex-
23 ceed \$75,000,000: *Provided further*, That the Secretary
24 shall develop and make available a simple method for bor-
25 rowers to apply for loan cancellation under this section

1 within 60 days of enactment of this Act: *Provided further*,
2 That the Secretary shall provide loan cancellation under
3 this section to eligible borrowers on a first-come, first-
4 serve basis, based on the date of application and subject
5 to both the limitation on total loan volume at application
6 for such loan cancellation specified in the second proviso
7 and the availability of appropriations under this section:
8 *Provided further*, That no borrower may, for the same
9 service, receive a reduction of loan obligations under both
10 this section and section 428J, 428K, 428L, or 460 of such
11 Act: *Provided further*, That the Secretary shall inform all
12 borrowers who have submitted and Employment Certifi-
13 cation Form and are in the incorrect repayment program
14 about the Temporary Expanded Public Service Loan For-
15 giveness Program and requirement for qualification under
16 the program.

17 SEC. 311. None of the funds made available by this
18 Act may be used in contravention of section 203 of the
19 Department of Education Organization Act (20 U.S.C.
20 3413).

21 SEC. 312. Section 487(a) of the HEA is amended in
22 paragraph (24) by striking “ten percent” and inserting
23 “fifteen percent”.

24 SEC. 313. None of the funds made available by this
25 Act may be used by the Department of Education to sup-

1 port an educational institution that engages in the use of
2 electric shock devices and equipment for aversive condi-
3 tioning or disciplining of students.

4 SEC. 314. None of the funds made available by this
5 Act or any other Act may be awarded to a charter school
6 that contracts with a for-profit entity to operate, oversee
7 or manage the activities of the school.

8 SEC. 315. In addition to amounts otherwise appro-
9 priated in this title for purposes authorized by the Ele-
10 mentary and Secondary Education Act of 1965, there are
11 hereby appropriated an additional \$88,010,000 which
12 shall be used for the projects, and in the amounts specified
13 under the heading “Innovation and Improvement” in the
14 report accompanying this Act, and of which up to
15 \$1,000,000 may be used for related agency administrative
16 expenses: *Provided*, That none of the funds made available
17 for projects described in this section shall be subject to
18 section 302 of this Act.

19 SEC. 316. None of the funds appropriated by this
20 title for the Department of Education shall be withheld
21 from an institution of higher education solely because that
22 institution is conducting or preparing to conduct research
23 on marihuana as defined in 21 U.S.C. 802(16).

24 SEC. 317. (a) Section 484 of the HEA (20 U.S.C.
25 1091) is amended—

1 (1) in subsection (a)(5) by inserting “a DACA recipi-
2 ent as defined in subsection (u), have temporary protected
3 status under section 244 of the Immigration and Nation-
4 ality Act (8 U.S.C. 1254a),” after “a permanent resident
5 of the United States,”; and

6 (2) by adding at the end the following new subsection:

7 “(u) DACA RECIPIENT—In this section, the
8 term ‘DACA recipient’ means an alien (as defined in
9 section 101(a)(3) of the Immigration and Nation-
10 ality Act (8 U.S.C. 1101(a)(3)) who is inadmissible
11 to the United State or deportable from the United
12 States under the immigration laws (as defined in
13 section 101(a)(17) of the Immigration and Nation-
14 ality Act (8 U.S.C. 1101(a)(17)) and who the Sec-
15 retary of Homeland Security has, in his or her dis-
16 cretion, determined should be afforded a grant of de-
17 ferred action under the Deferred Action for Child-
18 hood Arrivals (DACA) policy.”.

19 (b) This section, and the amendments made by this
20 section, shall take effect on July 1, 2022.

21 SEC. 318. Section 344(a) of the HEA (20 U.S.C.
22 1066c(a)) is amended by striking “No institution of higher
23 education that has received assistance under section 8 of
24 the Act of March 2, 1867 (20 U.S.C. 123) shall be eligible
25 to receive assistance under this part.”.

1 This title may be cited as the “Department of Edu-
2 cation Appropriations Act, 2022”.

3 TITLE IV

4 RELATED AGENCIES

5 COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE

6 BLIND OR SEVERELY DISABLED

7 SALARIES AND EXPENSES

8 For expenses necessary for the Committee for Pur-
9 chase From People Who Are Blind or Severely Disabled
10 (referred to in this title as “the Committee”) established
11 under section 8502 of title 41, United States Code,
12 \$12,000,000: *Provided*, That in order to authorize any
13 central nonprofit agency designated pursuant to section
14 8503(c) of title 41, United States Code, to perform re-
15 quirements of the Committee as prescribed under section
16 51–3.2 of title 41, Code of Federal Regulations, the Com-
17 mittee shall enter into a written agreement with any such
18 central nonprofit agency: *Provided further*, That such
19 agreement shall contain such auditing, oversight, and re-
20 porting provisions as necessary to implement chapter 85
21 of title 41, United States Code: *Provided further*, That
22 such agreement shall include the elements listed under the
23 heading “Committee For Purchase From People Who Are
24 Blind or Severely Disabled—Written Agreement Ele-
25 ments” in the explanatory statement described in section

1 4 of Public Law 114–113 (in the matter preceding division
2 A of that consolidated Act): *Provided further*, That any
3 such central nonprofit agency may not charge a fee under
4 section 51–3.5 of title 41, Code of Federal Regulations,
5 prior to executing a written agreement with the Com-
6 mittee: *Provided further*, That no less than \$3,000,000
7 shall be available for the Office of Inspector General.

8 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE
9 OPERATING EXPENSES

10 For necessary expenses for the Corporation for Na-
11 tional and Community Service (referred to in this title as
12 “CNCS”) to carry out the Domestic Volunteer Service Act
13 of 1973 (referred to in this title as “1973 Act”) and the
14 National and Community Service Act of 1990 (referred
15 to in this title as “1990 Act”), \$1,021,120,000, notwith-
16 standing sections 198B(b)(3), 198S(g), 501(a)(4)(C), and
17 501(a)(4)(F) of the 1990 Act: *Provided*, That of the
18 amounts provided under this heading: (1) up to 1 percent
19 of program grant funds may be used to defray the costs
20 of conducting grant application reviews, including the use
21 of outside peer reviewers and electronic management of
22 the grants cycle; (2) \$19,538,000 shall be available to pro-
23 vide assistance to State commissions on national and com-
24 munity service, under section 126(a) of the 1990 Act and
25 notwithstanding section 501(a)(5)(B) of the 1990 Act; (3)

1 \$37,735,000 shall be available to carry out subtitle E of
2 the 1990 Act; and (4) \$6,700,000 shall be available for
3 expenses authorized under section 501(a)(4)(F) of the
4 1990 Act, which, notwithstanding the provisions of section
5 198P shall be awarded by CNCS on a competitive basis:
6 *Provided further*, That for the purposes of carrying out
7 the 1990 Act, satisfying the requirements in section
8 122(c)(1)(D) may include a determination of need by the
9 local community.

10 PAYMENT TO THE NATIONAL SERVICE TRUST

11 (INCLUDING TRANSFER OF FUNDS)

12 For payment to the National Service Trust estab-
13 lished under subtitle D of title I of the 1990 Act,
14 \$196,000,000, to remain available until expended: *Pro-*
15 *vided*, That CNCS may transfer additional funds from the
16 amount provided within “Operating Expenses” allocated
17 to grants under subtitle C of title I of the 1990 Act to
18 the National Service Trust upon determination that such
19 transfer is necessary to support the activities of national
20 service participants and after notice is transmitted to the
21 Committees on Appropriations of the House of Represent-
22 atives and the Senate: *Provided further*, That amounts ap-
23 propriated for or transferred to the National Service Trust
24 may be invested under section 145(b) of the 1990 Act

1 without regard to the requirement to apportion funds
2 under 31 U.S.C. 1513(b).

3 SALARIES AND EXPENSES

4 For necessary expenses of administration as provided
5 under section 501(a)(5) of the 1990 Act and under section
6 504(a) of the 1973 Act, including payment of salaries, au-
7 thorized travel, hire of passenger motor vehicles, the rental
8 of conference rooms in the District of Columbia, the em-
9 ployment of experts and consultants authorized under 5
10 U.S.C. 3109, and not to exceed \$2,500 for official recep-
11 tion and representation expenses, \$91,186,000.

12 OFFICE OF INSPECTOR GENERAL

13 For necessary expenses of the Office of Inspector
14 General in carrying out the Inspector General Act of 1978,
15 \$6,960,000.

16 ADMINISTRATIVE PROVISIONS

17 SEC. 401. CNCS shall make any significant changes
18 to program requirements, service delivery or policy only
19 through public notice and comment rulemaking. For fiscal
20 year 2022, during any grant selection process, an officer
21 or employee of CNCS shall not knowingly disclose any cov-
22 ered grant selection information regarding such selection,
23 directly or indirectly, to any person other than an officer
24 or employee of CNCS that is authorized by CNCS to re-
25 ceive such information.

1 SEC. 402. AmeriCorps programs receiving grants
2 under the National Service Trust program shall meet an
3 overall minimum share requirement of 24 percent for the
4 first 3 years that they receive AmeriCorps funding, and
5 thereafter shall meet the overall minimum share require-
6 ment as provided in section 2521.60 of title 45, Code of
7 Federal Regulations, without regard to the operating costs
8 match requirement in section 121(e) or the member sup-
9 port Federal share limitations in section 140 of the 1990
10 Act, and subject to partial waiver consistent with section
11 2521.70 of title 45, Code of Federal Regulations.

12 SEC. 403. Donations made to CNCS under section
13 196 of the 1990 Act for the purposes of financing pro-
14 grams and operations under titles I and II of the 1973
15 Act or subtitle B, C, D, or E of title I of the 1990 Act
16 shall be used to supplement and not supplant current pro-
17 grams and operations.

18 SEC. 404. In addition to the requirements in section
19 146(a) of the 1990 Act, use of an educational award for
20 the purpose described in section 148(a)(4) shall be limited
21 to individuals who are veterans as defined under section
22 101 of the Act.

23 SEC. 405. For the purpose of carrying out section
24 189D of the 1990 Act—

1 (1) entities described in paragraph (a) of such
2 section shall be considered “qualified entities” under
3 section 3 of the National Child Protection Act of
4 1993 (“NCPA”);

5 (2) individuals described in such section shall
6 be considered “volunteers” under section 3 of
7 NCPA; and

8 (3) State Commissions on National and Com-
9 munity Service established pursuant to section 178
10 of the 1990 Act, are authorized to receive criminal
11 history record information, consistent with Public
12 Law 92–544.

13 SEC. 406. Notwithstanding sections 139(b), 146 and
14 147 of the 1990 Act, an individual who successfully com-
15 pletes a term of service of not less than 1,200 hours dur-
16 ing a period of not more than one year may receive a na-
17 tional service education award having a value of 70 per-
18 cent of the value of a national service education award
19 determined under section 147(a) of the Act.

20 SEC. 407. Section 148(f)(2)(A)(i) of the 1990 Act
21 shall be applied by substituting “an approved national
22 service position” for “a national service program that re-
23 ceives grants under subtitle C”.

24 SEC. 408. (a) Section 137(a)(5) of the 1990 Act shall
25 be applied as if the following were inserted before the pe-

1 rioid: “, or has submitted a request for administrative re-
2 lief pursuant to the policy established in the memorandum
3 of the Secretary of Homeland Security dated June 15,
4 2012, and entitled ‘Exercising Prosecutorial Discretion
5 with Respect to Individuals Who Came to the United
6 States as Children’ (Deferred Action for Childhood Arriv-
7 als)”.

8 (b) Section 146(a)(3) of the 1990 Act shall be applied
9 as if the following were inserted before the period: “, or
10 has submitted a request for administrative relief pursuant
11 to the policy established in the memorandum of the Sec-
12 retary of Homeland Security dated June 15, 2012, and
13 entitled ‘Exercising Prosecutorial Discretion with Respect
14 to Individuals Who Came to the United States as Children
15 (Deferred Action for Childhood Arrivals)”.

16 CORPORATION FOR PUBLIC BROADCASTING

17 For payment to the Corporation for Public Broad-
18 casting (“CPB”), as authorized by the Communications
19 Act of 1934, an amount which shall be available within
20 limitations specified by that Act, for the fiscal year 2024,
21 \$565,000,000: *Provided*, That none of the funds made
22 available to CPB by this Act shall be used to pay for re-
23 ceptions, parties, or similar forms of entertainment for
24 Government officials or employees: *Provided further*, That
25 none of the funds made available to CPB by this Act shall

1 be available or used to aid or support any program or ac-
2 tivity from which any person is excluded, or is denied ben-
3 efits, or is discriminated against, on the basis of race,
4 color, national origin, religion, or sex: *Provided further,*
5 That none of the funds made available to CPB by this
6 Act shall be used to apply any political test or qualification
7 in selecting, appointing, promoting, or taking any other
8 personnel action with respect to officers, agents, and em-
9 ployees of CPB.

10 In addition, for the costs associated with replacing
11 and upgrading the public broadcasting interconnection
12 system and other technologies and services that create in-
13 frastructure and efficiencies within the public media sys-
14 tem, \$20,000,000.

15 FEDERAL MEDIATION AND CONCILIATION SERVICE

16 SALARIES AND EXPENSES

17 For expenses necessary for the Federal Mediation
18 and Conciliation Service (“Service”) to carry out the func-
19 tions vested in it by the Labor-Management Relations Act,
20 1947, including hire of passenger motor vehicles; for ex-
21 penses necessary for the Labor-Management Cooperation
22 Act of 1978; and for expenses necessary for the Service
23 to carry out the functions vested in it by the Civil Service
24 Reform Act, \$50,000,000: *Provided,* That notwithstanding
25 31 U.S.C. 3302, fees charged, up to full-cost recovery, for

1 special training activities and other conflict resolution
2 services and technical assistance, including those provided
3 to foreign governments and international organizations,
4 and for arbitration services shall be credited to and
5 merged with this account, and shall remain available until
6 expended: *Provided further*, That fees for arbitration serv-
7 ices shall be available only for education, training, and
8 professional development of the agency workforce: *Pro-*
9 *vided further*, That the Director of the Service is author-
10 ized to accept and use on behalf of the United States gifts
11 of services and real, personal, or other property in the aid
12 of any projects or functions within the Director's jurisdic-
13 tion.

14 FEDERAL MINE SAFETY AND HEALTH REVIEW

15 COMMISSION

16 SALARIES AND EXPENSES

17 For expenses necessary for the Federal Mine Safety
18 and Health Review Commission, \$17,539,000.

19 INSTITUTE OF MUSEUM AND LIBRARY SERVICES

20 OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS

21 AND ADMINISTRATION

22 For carrying out the Museum and Library Services
23 Act of 1996, the National Museum of African American
24 History and Culture Act, and the National Museum of the
25 American Latino Act, \$282,000,000.

1 NATIONAL MEDIATION BOARD

2 SALARIES AND EXPENSES

3 For expenses necessary to carry out the provisions
4 of the Railway Labor Act, including emergency boards ap-
5 pointed by the President, \$15,542,000.

6 OCCUPATIONAL SAFETY AND HEALTH REVIEW

7 COMMISSION

8 SALARIES AND EXPENSES

9 For expenses necessary for the Occupational Safety
10 and Health Review Commission, \$15,028,000.

11 RAILROAD RETIREMENT BOARD

12 DUAL BENEFITS PAYMENTS ACCOUNT

13 For payment to the Dual Benefits Payments Ac-
14 count, authorized under section 15(d) of the Railroad Re-
15 tirement Act of 1974, \$11,000,000, which shall include
16 amounts becoming available in fiscal year 2022 pursuant
17 to section 224(c)(1)(B) of Public Law 98-76; and in addi-
18 tion, an amount, not to exceed 2 percent of the amount
19 provided herein, shall be available proportional to the
20 amount by which the product of recipients and the average
21 benefit received exceeds the amount available for payment
22 of vested dual benefits: *Provided*, That the total amount
23 provided herein shall be credited in 12 approximately
24 equal amounts on the first day of each month in the fiscal
25 year.

1 FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT
2 ACCOUNTS

3 For payment to the accounts established in the
4 Treasury for the payment of benefits under the Railroad
5 Retirement Act for interest earned on unnegotiated
6 checks, \$150,000, to remain available through September
7 30, 2023, which shall be the maximum amount available
8 for payment pursuant to section 417 of Public Law 98–
9 76.

10 LIMITATION ON ADMINISTRATION

11 For necessary expenses for the Railroad Retirement
12 Board (“Board”) for administration of the Railroad Re-
13 tirement Act and the Railroad Unemployment Insurance
14 Act, \$130,049,000, to be derived in such amounts as de-
15 termined by the Board from the railroad retirement ac-
16 counts and from moneys credited to the railroad unem-
17 ployment insurance administration fund: *Provided*, That
18 notwithstanding section 7(b)(9) of the Railroad Retire-
19 ment Act this limitation may be used to hire attorneys
20 only through the excepted service: *Provided further*, That
21 the previous proviso shall not change the status under
22 Federal employment laws of any attorney hired by the
23 Railroad Retirement Board prior to January 1, 2013: *Pro-*
24 *vided further*, That notwithstanding section 7(b)(9) of the
25 Railroad Retirement Act, this limitation may be used to

1 hire students attending qualifying educational institutions
2 or individuals who have recently completed qualifying edu-
3 cational programs using current excepted hiring authori-
4 ties established by the Office of Personnel Management.

5 LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

6 For expenses necessary for the Office of Inspector
7 General for audit, investigatory and review activities, as
8 authorized by the Inspector General Act of 1978, not more
9 than \$12,650,000, to be derived from the railroad retire-
10 ment accounts and railroad unemployment insurance ac-
11 count.

12 SOCIAL SECURITY ADMINISTRATION

13 PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

14 For payment to the Federal Old-Age and Survivors
15 Insurance Trust Fund and the Federal Disability Insur-
16 ance Trust Fund, as provided under sections 201(m) and
17 1131(b)(2) of the Social Security Act, \$11,000,000.

18 SUPPLEMENTAL SECURITY INCOME PROGRAM

19 For carrying out titles XI and XVI of the Social Se-
20 curity Act, section 401 of Public Law 92–603, section 212
21 of Public Law 93–66, as amended, and section 405 of
22 Public Law 95–216, including payment to the Social Secu-
23 rity trust funds for administrative expenses incurred pur-
24 suant to section 201(g)(1) of the Social Security Act,
25 \$46,167,573,000, to remain available until expended: *Pro-*

1 *vided*, That any portion of the funds provided to a State
2 in the current fiscal year and not obligated by the State
3 during that year shall be returned to the Treasury: *Pro-*
4 *vided further*, That not more than \$86,000,000 shall be
5 available for research and demonstrations under sections
6 1110, 1115, and 1144 of the Social Security Act, and re-
7 main available through September 30, 2024.

8 For making, after June 15 of the current fiscal year,
9 benefit payments to individuals under title XVI of the So-
10 cial Security Act, for unanticipated costs incurred for the
11 current fiscal year, such sums as may be necessary.

12 For making benefit payments under title XVI of the
13 Social Security Act for the first quarter of fiscal year
14 2023, \$15,600,000,000, to remain available until ex-
15 pended.

16 LIMITATION ON ADMINISTRATIVE EXPENSES

17 For necessary expenses, including the hire and pur-
18 chase of two passenger motor vehicles, and not to exceed
19 \$20,000 for official reception and representation expenses,
20 not more than \$13,927,945,000 may be expended, as au-
21 thorized by section 201(g)(1) of the Social Security Act,
22 from any one or all of the trust funds referred to in such
23 section: *Provided*, That not less than \$2,700,000 shall be
24 for the Social Security Advisory Board: *Provided further*,
25 That unobligated balances of funds provided under this

1 paragraph at the end of fiscal year 2022 not needed for
2 fiscal year 2022 shall remain available until expended to
3 invest in the Social Security Administration information
4 technology and telecommunications hardware and soft-
5 ware infrastructure, including related equipment and non-
6 payroll administrative expenses associated solely with this
7 information technology and telecommunications infra-
8 structure: *Provided further*, That the Commissioner of So-
9 cial Security shall notify the Committees on Appropria-
10 tions of the House of Representatives and the Senate prior
11 to making unobligated balances available under the au-
12 thority in the previous proviso: *Provided further*, That re-
13 imbursement to the trust funds under this heading for ex-
14 penditures for official time for employees of the Social Se-
15 curity Administration pursuant to 5 U.S.C. 7131, and for
16 facilities or support services for labor organizations pursu-
17 ant to policies, regulations, or procedures referred to in
18 section 7135(b) of such title shall be made by the Sec-
19 retary of the Treasury, with interest, from amounts in the
20 general fund not otherwise appropriated, as soon as pos-
21 sible after such expenditures are made.

22 Of the total amount made available in the first para-
23 graph under this heading, \$1,708,000,000, to remain
24 available through March 31, 2023, is for the costs associ-
25 ated with continuing disability reviews under titles II and

1 XVI of the Social Security Act, including work-related
2 continuing disability reviews to determine whether earn-
3 ings derived from services demonstrate an individual’s
4 ability to engage in substantial gainful activity, for the
5 cost associated with conducting redeterminations of eligi-
6 bility under title XVI of the Social Security Act, for the
7 cost of co-operative disability investigation units, and for
8 the cost associated with the prosecution of fraud in the
9 programs and operations of the Social Security Adminis-
10 tration by Special Assistant United States Attorneys: *Pro-*
11 *vided*, That, of such amount, \$273,000,000 is provided to
12 meet the terms of section 1(k) of H. Res. 467 of the 117th
13 Congress as engrossed in the House of Representatives on
14 June 14, 2021, and \$1,435,000,000 is additional new
15 budget authority specified for purposes of such section
16 1(k): *Provided further*, That, of the additional new budget
17 authority described in the preceding proviso, up to
18 \$12,100,000 may be transferred to the “Office of Inspec-
19 tor General”, Social Security Administration, for the cost
20 of jointly operated co-operative disability investigation
21 units: *Provided further*, That such transfer authority is in
22 addition to any other transfer authority provided by law:
23 *Provided further*, That the Commissioner shall provide to
24 the Congress (at the conclusion of the fiscal year) a report
25 on the obligation and expenditure of these funds, similar

1 to the reports that were required by section 103(d)(2) of
2 Public Law 104–121 for fiscal years 1996 through 2002.

3 In addition, \$138,000,000 to be derived from admin-
4 istration fees in excess of \$5.00 per supplementary pay-
5 ment collected pursuant to section 1616(d) of the Social
6 Security Act or section 212(b)(3) of Public Law 93–66,
7 which shall remain available until expended: *Provided*,
8 That to the extent that the amounts collected pursuant
9 to such sections in fiscal year 2022 exceed \$138,000,000,
10 the amounts shall be available in fiscal year 2023 only
11 to the extent provided in advance in appropriations Acts.

12 In addition, up to \$1,000,000 to be derived from fees
13 collected pursuant to section 303(c) of the Social Security
14 Protection Act, which shall remain available until ex-
15 pended.

16 OFFICE OF INSPECTOR GENERAL
17 (INCLUDING TRANSFER OF FUNDS)

18 For expenses necessary for the Office of Inspector
19 General in carrying out the provisions of the Inspector
20 General Act of 1978, \$32,000,000, together with not to
21 exceed \$80,000,000, to be transferred and expended as
22 authorized by section 201(g)(1) of the Social Security Act
23 from the Federal Old-Age and Survivors Insurance Trust
24 Fund and the Federal Disability Insurance Trust Fund:
25 *Provided*, That \$2,000,000 shall remain available until ex-

1 pended for information technology modernization, includ-
2 ing related hardware and software infrastructure and
3 equipment, and for administrative expenses directly asso-
4 ciate with information technology modernization.

5 In addition, an amount not to exceed 3 percent of
6 the total provided in this appropriation may be transferred
7 from the “Limitation on Administrative Expenses”, Social
8 Security Administration, to be merged with this account,
9 to be available for the time and purposes for which this
10 account is available: *Provided*, That notice of such trans-
11 fers shall be transmitted promptly to the Committees on
12 Appropriations of the House of Representatives and the
13 Senate at least 15 days in advance of any transfer.

14 TITLE V

15 GENERAL PROVISIONS

16 (TRANSFER OF FUNDS)

17 SEC. 501. The Secretaries of Labor, Health and
18 Human Services, and Education are authorized to transfer
19 unexpended balances of prior appropriations to accounts
20 corresponding to current appropriations provided in this
21 Act. Such transferred balances shall be used for the same
22 purpose, and for the same periods of time, for which they
23 were originally appropriated.

1 SEC. 502. No part of any appropriation contained in
2 this Act shall remain available for obligation beyond the
3 current fiscal year unless expressly so provided herein.

4 SEC. 503. (a) No part of any appropriation contained
5 in this Act or transferred pursuant to section 4002 of
6 Public Law 111–148 shall be used, other than for normal
7 and recognized executive-legislative relationships, for pub-
8 licity or propaganda purposes, for the preparation, dis-
9 tribution, or use of any kit, pamphlet, booklet, publication,
10 electronic communication, radio, television, or video pres-
11 entation designed to support or defeat the enactment of
12 legislation before the Congress or any State or local legis-
13 lature or legislative body, except in presentation to the
14 Congress or any State or local legislature itself, or de-
15 signed to support or defeat any proposed or pending regu-
16 lation, administrative action, or order issued by the execu-
17 tive branch of any State or local government, except in
18 presentation to the executive branch of any State or local
19 government itself.

20 (b) No part of any appropriation contained in this
21 Act or transferred pursuant to section 4002 of Public Law
22 111–148 shall be used to pay the salary or expenses of
23 any grant or contract recipient, or agent acting for such
24 recipient, related to any activity designed to influence the
25 enactment of legislation, appropriations, regulation, ad-

1 ministrative action, or Executive order proposed or pend-
2 ing before the Congress or any State government, State
3 legislature or local legislature or legislative body, other
4 than for normal and recognized executive-legislative rela-
5 tionships or participation by an agency or officer of a
6 State, local or tribal government in policymaking and ad-
7 ministrative processes within the executive branch of that
8 government.

9 (c) The prohibitions in subsections (a) and (b) shall
10 include any activity to advocate or promote any proposed,
11 pending or future Federal, State or local tax increase, or
12 any proposed, pending, or future requirement or restric-
13 tion on any legal consumer product, including its sale or
14 marketing, including but not limited to the advocacy or
15 promotion of gun control.

16 SEC. 504. The Secretaries of Labor and Education
17 are authorized to make available not to exceed \$28,000
18 and \$20,000, respectively, from funds available for sala-
19 ries and expenses under titles I and III, respectively, for
20 official reception and representation expenses; the Direc-
21 tor of the Federal Mediation and Conciliation Service is
22 authorized to make available for official reception and rep-
23 resentation expenses not to exceed \$5,000 from the funds
24 available for “Federal Mediation and Conciliation Service,
25 Salaries and Expenses”; and the Chairman of the Na-

1 tional Mediation Board is authorized to make available for
2 official reception and representation expenses not to ex-
3 ceed \$5,000 from funds available for “National Mediation
4 Board, Salaries and Expenses”.

5 SEC. 505. When issuing statements, press releases,
6 requests for proposals, bid solicitations and other docu-
7 ments describing projects or programs funded in whole or
8 in part with Federal money, all grantees receiving Federal
9 funds included in this Act, including but not limited to
10 State and local governments and recipients of Federal re-
11 search grants, shall clearly state—

12 (1) the percentage of the total costs of the pro-
13 gram or project which will be financed with Federal
14 money;

15 (2) the dollar amount of Federal funds for the
16 project or program; and

17 (3) percentage and dollar amount of the total
18 costs of the project or program that will be financed
19 by non-governmental sources.

20 SEC. 506. (a) None of the funds made available in
21 this Act may be used for—

22 (1) the creation of a human embryo or embryos
23 for research purposes; or

24 (2) research in which a human embryo or em-
25 bryos are destroyed, discarded, or knowingly sub-

1 jected to risk of injury or death greater than that
2 allowed for research on fetuses in utero under 45
3 CFR 46.204(b) and section 498(b) of the Public
4 Health Service Act (42 U.S.C. 289g(b)).

5 (b) For purposes of this section, the term “human
6 embryo or embryos” includes any organism, not protected
7 as a human subject under 45 CFR 46 as of the date of
8 the enactment of this Act, that is derived by fertilization,
9 parthenogenesis, cloning, or any other means from one or
10 more human gametes or human diploid cells.

11 SEC. 507. (a) None of the funds made available in
12 this Act may be used for any activity that promotes the
13 legalization of any drug or other substance included in
14 schedule I of the schedules of controlled substances estab-
15 lished under section 202 of the Controlled Substances Act
16 except for normal and recognized executive-congressional
17 communications.

18 (b) The limitation in subsection (a) shall not apply
19 when there is significant medical evidence of a therapeutic
20 advantage to the use of such drug or other substance or
21 that federally sponsored clinical trials are being conducted
22 to determine therapeutic advantage.

23 SEC. 508. None of the funds made available in this
24 Act may be obligated or expended to enter into or renew
25 a contract with an entity if—

1 (1) such entity is otherwise a contractor with
2 the United States and is subject to the requirement
3 in 38 U.S.C. 4212(d) regarding submission of an
4 annual report to the Secretary of Labor concerning
5 employment of certain veterans; and

6 (2) such entity has not submitted a report as
7 required by that section for the most recent year for
8 which such requirement was applicable to such enti-
9 ty.

10 SEC. 509. None of the funds made available in this
11 Act may be transferred to any department, agency, or in-
12 strumentality of the United States Government, except
13 pursuant to a transfer made by, or transfer authority pro-
14 vided in, this Act or any other appropriation Act.

15 SEC. 510. None of the funds made available by this
16 Act to carry out the Library Services and Technology Act
17 may be made available to any library covered by para-
18 graph (1) of section 224(f) of such Act, as amended by
19 the Children's Internet Protection Act, unless such library
20 has made the certifications required by paragraph (4) of
21 such section.

22 SEC. 511. (a) None of the funds provided under this
23 Act, or provided under previous appropriations Acts to the
24 agencies funded by this Act that remain available for obli-
25 gation or expenditure in fiscal year 2022, or provided from

1 any accounts in the Treasury of the United States derived
2 by the collection of fees available to the agencies funded
3 by this Act, shall be available for obligation or expenditure
4 through a reprogramming of funds that—

5 (1) creates new programs;

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

7 (3) increases funds or personnel by any means
8 for any project or activity for which funds have been
9 denied or restricted;

10 (4) relocates an office or employees;

11 (5) reorganizes or renames offices;

12 (6) reorganizes programs or activities; or

13 (7) contracts out or privatizes any functions or
14 activities presently performed by Federal employees;

15 unless the Committees on Appropriations of the House of
16 Representatives and the Senate are consulted 15 days in
17 advance of such reprogramming or of an announcement
18 of intent relating to such reprogramming, whichever oc-
19 curs earlier, and are notified in writing 10 days in advance
20 of such reprogramming.

21 (b) None of the funds provided under this Act, or
22 provided under previous appropriations Acts to the agen-
23 cies funded by this Act that remain available for obligation
24 or expenditure in fiscal year 2022, or provided from any
25 accounts in the Treasury of the United States derived by

1 the collection of fees available to the agencies funded by
2 this Act, shall be available for obligation or expenditure
3 through a reprogramming of funds in excess of \$500,000
4 or 10 percent, whichever is less, that—

5 (1) augments existing programs, projects (in-
6 cluding construction projects), or activities;

7 (2) reduces by 10 percent funding for any exist-
8 ing program, project, or activity, or numbers of per-
9 sonnel by 10 percent as approved by Congress; or

10 (3) results from any general savings from a re-
11 duction in personnel which would result in a change
12 in existing programs, activities, or projects as ap-
13 proved by Congress;

14 unless the Committees on Appropriations of the House of
15 Representatives and the Senate are consulted 15 days in
16 advance of such reprogramming or of an announcement
17 of intent relating to such reprogramming, whichever oc-
18 curs earlier, and are notified in writing 10 days in advance
19 of such reprogramming.

20 SEC. 512. (a) None of the funds made available in
21 this Act may be used to request that a candidate for ap-
22 pointment to a Federal scientific advisory committee dis-
23 close the political affiliation or voting history of the can-
24 didate or the position that the candidate holds with re-

1 spect to political issues not directly related to and nec-
2 essary for the work of the committee involved.

3 (b) None of the funds made available in this Act may
4 be used to disseminate information that is deliberately
5 false or misleading.

6 SEC. 513. Within 45 days of enactment of this Act,
7 each department and related agency funded through this
8 Act shall submit an operating plan that details at the pro-
9 gram, project, and activity level any funding allocations
10 for fiscal year 2022 that are different than those specified
11 in this Act, the report accompanying this Act, or the fiscal
12 year 2022 budget request.

13 SEC. 514. The Secretaries of Labor, Health and
14 Human Services, and Education shall each prepare and
15 submit to the Committees on Appropriations of the House
16 of Representatives and the Senate a report on the number
17 and amount of contracts, grants, and cooperative agree-
18 ments exceeding \$500,000, individually or in total for a
19 particular project, activity, or programmatic initiative, in
20 value and awarded by the Department on a non-competi-
21 tive basis during each quarter of fiscal year 2022, but not
22 to include grants awarded on a formula basis or directed
23 by law. Such report shall include the name of the con-
24 tractor or grantee, the amount of funding, the govern-
25 mental purpose, including a justification for issuing the

1 award on a non-competitive basis. Such report shall be
2 transmitted to the Committees within 30 days after the
3 end of the quarter for which the report is submitted.

4 SEC. 515. None of the funds appropriated in this Act
5 shall be expended or obligated by the Commissioner of So-
6 cial Security, for purposes of administering Social Security
7 benefit payments under title II of the Social Security Act,
8 to process any claim for credit for a quarter of coverage
9 based on work performed under a social security account
10 number that is not the claimant's number and the per-
11 formance of such work under such number has formed the
12 basis for a conviction of the claimant of a violation of sec-
13 tion 208(a)(6) or (7) of the Social Security Act.

14 SEC. 516. None of the funds appropriated by this Act
15 may be used by the Commissioner of Social Security or
16 the Social Security Administration to pay the compensa-
17 tion of employees of the Social Security Administration
18 to administer Social Security benefit payments, under any
19 agreement between the United States and Mexico estab-
20 lishing totalization arrangements between the social secu-
21 rity system established by title II of the Social Security
22 Act and the social security system of Mexico, which would
23 not otherwise be payable but for such agreement.

24 SEC. 517. (a) None of the funds made available in
25 this Act may be used to maintain or establish a computer

1 network unless such network blocks the viewing,
2 downloading, and exchanging of pornography.

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

7 SEC. 518. For purposes of carrying out Executive
8 Order 13589, Office of Management and Budget Memo-
9 randum M-12-12 dated May 11, 2012, and requirements
10 contained in the annual appropriations bills relating to
11 conference attendance and expenditures:

12 (1) the operating divisions of HHS shall be con-
13 sidered independent agencies; and

14 (2) attendance at and support for scientific con-
15 ferences shall be tabulated separately from and not
16 included in agency totals.

17 SEC. 519. Federal agencies funded under this Act
18 shall clearly state within the text, audio, or video used for
19 advertising or educational purposes, including emails or
20 Internet postings, that the communication is printed, pub-
21 lished, or produced and disseminated at U.S. taxpayer ex-
22 pense. The funds used by a Federal agency to carry out
23 this requirement shall be derived from amounts made
24 available to the agency for advertising or other commu-

1 nications regarding the programs and activities of the
2 agency.

3 SEC. 520. (a) Federal agencies may use Federal dis-
4 cretionary funds that are made available in this Act to
5 carry out up to 10 Performance Partnership Pilots. Such
6 Pilots shall be governed by the provisions of section 526
7 of division H of Public Law 113–76, except that in car-
8 rying out such Pilots section 526 shall be applied by sub-
9 stituting “FISCAL YEAR 2022” for “FISCAL YEAR 2014”
10 in the title of subsection (b) and by substituting “Sep-
11 tember 30, 2026” for “September 30, 2018” each place
12 it appears: *Provided*, That such pilots shall include com-
13 munities that have experienced civil unrest.

14 (b) In addition, Federal agencies may use Federal
15 discretionary funds that are made available in this Act to
16 participate in Performance Partnership Pilots that are
17 being carried out pursuant to the authority provided by
18 section 526 of division H of Public Law 113–76, section
19 524 of division G of Public Law 113–235, section 525 of
20 division H of Public Law 114–113, section 525 of division
21 H of Public Law 115–31, section 525 of division H of
22 Public Law 115–141, and section 524 of division A of
23 Public Law 116–94.

24 (c) Pilot sites selected under authorities in this Act
25 and prior appropriations Acts may be granted by relevant

1 agencies up to an additional 5 years to operate under such
2 authorities.

3 SEC. 521. Not later than 30 days after the end of
4 each calendar quarter, beginning with the first month of
5 fiscal year 2022 the Departments of Labor, Health and
6 Human Services and Education and the Social Security
7 Administration shall provide the Committees on Appro-
8 priations of the House of Representatives and Senate a
9 report on the status of balances of appropriations: *Pro-*
10 *vided*, That for balances that are unobligated and uncom-
11 mitted, committed, and obligated but unexpended, the
12 monthly reports shall separately identify the amounts at-
13 tributable to each source year of appropriation (beginning
14 with fiscal year 2012, or, to the extent feasible, earlier
15 fiscal years) from which balances were derived.

16 SEC. 522. The Departments of Labor, Health and
17 Human Services, or Education shall provide to the Com-
18 mittees on Appropriations of the House of Representatives
19 and the Senate a comprehensive list of any new or com-
20 petitive grant award notifications, including supplements,
21 issued at the discretion of such Departments not less than
22 3 full business days before any entity selected to receive
23 a grant award is announced by the Department or its of-
24 fices (other than emergency response grants at any time
25 of the year or for grant awards made during the last 10

1 business days of the fiscal year, or if applicable, of the
2 program year).

3 SEC. 523. Each department and related agency fund-
4 ed through this Act shall provide answers to questions
5 submitted for the record by members of the Committee
6 within 45 business days after receipt.

7 SEC. 524. Of amounts deposited in the Child Enroll-
8 ment Contingency Fund under section 2104(n)(2) of the
9 Social Security Act and the income derived from invest-
10 ment of those funds pursuant to section 2104(n)(2)(C) of
11 that Act, \$13,715,000,000 shall not be available for obli-
12 gation in this fiscal year.

13 SEC. 525. None of the funds appropriated in this Act
14 may be used to implement or enforce the final rule entitled
15 “Hearings Held by Administrative Appeals Judges of the
16 Appeals Council” (85 Fed. Reg. 73138, December 16,
17 2020).

18 This Act may be cited as the “Departments of Labor,
19 Health and Human Services, and Education, and Related
20 Agencies Appropriations Act, 2022”.

[FULL COMMITTEE PRINT]

Union Calendar No. _____

117TH CONGRESS
1ST Session

H. R. _____

[Report No. 117-____]

A BILL

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2022, and for other purposes.

, 2021

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