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

JULY 19, 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  Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

2  That the following sums are appropriated, out of any

3  money in the Treasury not otherwise appropriated, for the

4  Departments of Labor, Health and Human Services, and
Education, and related agencies for the fiscal year ending September 30, 2022, and for other purposes, namely:

TITLE I

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

For necessary expenses of the Workforce Innovation and Opportunity Act (referred to in this Act as “WIOA”) and the National Apprenticeship Act, $4,407,108,000, plus reimbursements, shall be available. Of the amounts provided:

(1) for grants to States for adult employment and training activities, youth activities, and dislocated worker employment and training activities, $3,095,332,000 as follows:

(A) $923,174,000 for adult employment and training activities, of which $211,174,000 shall be available for the period July 1, 2022 through June 30, 2023, and of which $712,000,000 shall be available for the period October 1, 2022 through June 30, 2023;

(B) $988,604,000 for youth activities, which shall be available for the period April 1, 2022 through June 30, 2023; and
(C) $1,183,554,000 for dislocated worker employment and training activities, of which $323,554,000 shall be available for the period July 1, 2022 through June 30, 2023, and of which $860,000,000 shall be available for the period October 1, 2022 through June 30, 2023:

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

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

(A) $435,859,000 for the dislocated workers assistance national reserve, of which $235,859,000 shall be available for the period July 1, 2022 through September 30, 2023, and of which $200,000,000 shall be available for the period October 1, 2022 through September 30, 2023: Provided, That funds made available in this subparagraph shall be available for the pilot program authorized under section 8041 of the SUPPORT for Patients and Communities Act (Public Law 115-271): Provided further, That funds provided to carry out section 132(a)(2)(A) of the WIOA may be used to pro-
vide assistance to a State for statewide or local
use in order to address cases where there have
been worker dislocations across multiple sectors
or across multiple local areas and such workers
remain dislocated; coordinate the State work-
force development plan with emerging economic
development needs; and train such eligible dis-
located workers: Provided further, That funds
provided to carry out sections 168(b) and
169(c) of the WIOA may be used for technical
assistance and demonstration projects, respec-
tively, that provide assistance to new entrants
in the workforce and incumbent workers: Pro-
vided further, That notwithstanding section
168(b) of the WIOA, of the funds provided
under this subparagraph, the Secretary of
Labor (referred to in this title as “Secretary”) may reserve not more than 10 percent of such
funds to provide technical assistance and carry
out additional activities related to the transition
to the WIOA: Provided further, That of the
funds provided under this subparagraph,
$200,000,000 shall be for training and employ-
ment assistance under sections 168(b), 169(c)
(notwithstanding the 10 percent limitation in such section) and 170 of the WIOA as follows:

(i) $100,000,000 shall be for the purpose of developing, offering, or improving educational or career training programs at community colleges, defined as public institutions of higher education, as described in section 101(a) of the Higher Education Act of 1965 and at which the associate’s degree is primarily the highest degree awarded, with other eligible institutions of higher education, as defined in section 101(a) of the Higher Education Act of 1965, eligible to participate through consortia, with community colleges as the lead grantee: Provided, That the Secretary shall follow the requirements for the program in House Report 116–62 and in the report accompanying this Act: Provided further, That any grant funds used for apprenticeships shall be used to support only apprenticeship programs registered under the National Apprenticeship Act and as referred to in section 3(7)(B) of the WIOA;
(ii) $100,000,000 shall be for training and employment assistance for workers in communities that have experienced job losses due to dislocations in industries related to fossil fuel extraction or energy production;

(B) $58,000,000 for Native American programs under section 166 of the WIOA, which shall be available for the period July 1, 2022 through June 30, 2023;

(C) $96,711,000 for migrant and seasonal farmworker programs under section 167 of the WIOA, including $89,693,000 for formula grants (of which not less than 70 percent shall be for employment and training services), $6,444,000 for migrant and seasonal housing (of which not less than 70 percent shall be for permanent housing), and $574,000 for other discretionary purposes, which shall be available for the period April 1, 2022 through June 30, 2023: Provided, That notwithstanding any other provision of law or related regulation, the Department of Labor shall take no action limiting the number or proportion of eligible participants receiving related assistance services or
discouraging grantees from providing such services: Provided further, That notwithstanding the definition of “eligible seasonal farmworker” in section 167(i)(3)(A) of the WIOA relating to an individual being “low-income”, an individual is eligible for migrant and seasonal farmworker programs under section 167 of the WIOA under that definition if, in addition to meeting the requirements of clauses (i) and (ii) of section 167(i)(3)(A), such individual is a member of a family with a total family income equal to or less than 150 percent of the poverty line;

(D) $145,000,000 for YouthBuild activities as described in section 171 of the WIOA, which shall be available for the period April 1, 2022 through June 30, 2023;

(E) $150,000,000 for ex-offender activities, under the authority of section 169 of the WIOA, which shall be available for the period April 1, 2022 through June 30, 2023: Provided, That of this amount, $25,000,000 shall be for competitive grants to national and regional intermediaries for activities that prepare for employment young adults with criminal legal histories, young adults who have been justice
system-involved, or young adults who have dropped out of school or other educational programs, with a priority for projects serving high-crime, high-poverty areas;

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

(G) $285,000,000 to expand opportunities through apprenticeships only registered under the National Apprenticeship Act and as referred to in section 3(7)(B) of the WIOA, to be available to the Secretary to carry out activities through grants, cooperative agreements, contracts and other arrangements, with States and other appropriate entities, including equity intermediaries and business and labor industry partner intermediaries, which shall be available for the period July 1, 2022 through June 30, 2023.

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

(I) $20,000,000 for a national training program for veterans, members of the armed forces who are separating from active duty, and the spouses of veterans and such members, focused on training related to employment in clean energy sectors and occupations, under the authority of section 169 of the WIOA, which shall be available for the period July 1, 2022 through June 30, 2023; and

(J) $63,956,000 for carrying out Demonstration and Pilot projects under section 169(c) of the WIOA, which shall be available for the period April 1, 2022 through June 30, 2023, in addition to funds available for such activities under subparagraph (A) for the projects, and in the amounts, specified under the heading “Training and Employment Services” in the report accompanying this Act: Provided, That such funds may be used for projects that are related to the employment and training needs of dislocated workers, other adults, or youth: Provided further, That the 10
percent funding limitation under such section shall not apply to such funds: Provided further, That section 169(b)(6)(C) of the WIOA shall not apply to such funds: Provided further, That sections 102 and 107 of this Act shall not apply to such funds.

JOB CORPS

(INCLUDING TRANSFER OF FUNDS)

To carry out subtitle C of title I of the WIOA, including Federal administrative expenses, the purchase and hire of passenger motor vehicles, the construction, alteration, and repairs of buildings and other facilities, and the purchase of real property for training centers as authorized by the WIOA, $1,830,073,000, plus reimbursements, as follows:

(1) $1,653,325,000 for Job Corps Operations, which shall be available for the period July 1, 2022 through June 30, 2023;

(2) $138,000,000 for construction, rehabilitation and acquisition of Job Corps Centers, which shall be available for the period July 1, 2022 through June 30, 2025, and which may include the acquisition, maintenance, and repair of major items of equipment: Provided, That the Secretary may transfer up to 15 percent of such funds to meet the
operational needs of such centers or to achieve ad-
ministrative efficiencies: *Provided further*, That any
funds transferred pursuant to the preceding provi-
sion shall not be available for obligation after June
30, 2023: *Provided further*, That the Committees on
Appropriations of the House of Representatives and
the Senate are notified at least 15 days in advance
of any transfer; and

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

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

COMMUNITY SERVICE EMPLOYMENT FOR OLDER
AMERICANS

To carry out title V of the Older Americans Act of
1965 (referred to in this Act as “OAA”), $450,000,000,
which shall be available for the period April 1, 2022
through June 30, 2023, and may be recaptured and reobli-
gated in accordance with section 517(c) of the OAA.

FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

For payments during fiscal year 2022 of trade ad-
justment benefit payments and allowances under part I
of subchapter B of chapter 2 of title II of the Trade Act of 1974, and section 246 of that Act; and for training, employment and case management services, allowances for job search and relocation, and related State administrative expenses under part II of subchapter B of chapter 2 of title II of the Trade Act of 1974, and including benefit payments, allowances, training, employment and case management services, and related State administration provided pursuant to section 231(a) of the Trade Adjustment Assistance Extension Act of 2011, sections 405(a) and 406 of the Trade Preferences Extension Act of 2015, and section 285(a)(2) of the Trade Act of 1974 (as amended by section 406(a)(7) of the Trade Preferences Extension Act of 2015), $551,000,000 together with such amounts as may be necessary to be charged to the subsequent appropriation for payments for any period subsequent to September 15, 2022: Provided, That notwithstanding section 502 of this Act, any part of the appropriation provided under this heading may remain available for obligation beyond the current fiscal year pursuant to the authorities of section 245(c) of the Trade Act of 1974 (19 U.S.C. 2317(c)).
STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

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

(1) $3,125,214,000 from the Trust Fund is for grants to States for the administration of State unemployment insurance laws as authorized under title III of the Social Security Act (including not less than $250,000,000 to carry out reemployment services and eligibility assessments under section 306 of such Act, any claimants of regular compensation, as defined in such section, including those who are profiled as most likely to exhaust their benefits, may be eligible for such services and assessments: Provided, That of such amount, $117,000,000 is specified for grants under section 306 of the Social Security Act and $133,000,000 is additional new budget authority specified for purposes of section 314(g) of the Congressional Budget Act of 1974; and $9,000,000 for continued support of the Unemployment Insurance Integrity Center of Excellence), the administration of unemployment insurance for Fed-
eral employees and for ex-service members as au-
thorized under 5 U.S.C. 8501–8523, and the admin-
istration of trade readjustment allowances, reem-
ployment trade adjustment assistance, and alter-
native trade adjustment assistance under the Trade
Act of 1974 and under section 231(a) of the Trade
Adjustment Assistance Extension Act of 2011, sec-
tions 405(a) and 406 of the Trade Preferences Ex-
tension Act of 2015, and section 285(a)(2) of the
Trade Act of 1974 (as amended by section 406(a)(7)
of the Trade Preferences Extension Act of 2015),
and shall be available for obligation by the States
through December 31, 2022, except that funds used
for automation shall be available for Federal obliga-
tion through December 31, 2022, and for State obli-
gation through September 30, 2024, or, if the auto-
mation is being carried out through consortia of
States, for State obligation through September 30,
2028, and for expenditure through September 30,
2029, and funds for competitive grants awarded to
States for improved operations and to conduct in-
person reemployment and eligibility assessments and
unemployment insurance improper payment reviews
and provide reemployment services and referrals to
training, as appropriate, shall be available for Fed-
eral obligation through December 31, 2022, and for
obligation by the States through September 30, 2024, and funds for the Unemployment Insurance
Integrity Center of Excellence shall be available for
obligation by the State through September 30, 2023,
and funds used for unemployment insurance work-
loads experienced through September 30, 2022 shall
be available for Federal obligation through Decem-
ber 31, 2022;

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

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

(4) $22,318,000 from the Trust Fund is for na-
tional activities of the Employment Service, includ-
ing administration of the work opportunity tax cred-
it under section 51 of the Internal Revenue Code of
1986 (including assisting States in adopting or mod-
ernizing information technology for use in the proce-
essing of certification requests), and the provision of technical assistance and staff training under the Wagner-Peyser Act;

(5) $94,075,000 from the Trust Fund is for the administration of foreign labor certifications and related activities under the Immigration and Nationality Act and related laws, of which $67,793,000 shall be available for the Federal administration of such activities, and $26,282,000 shall be available for grants to States for the administration of such activities; and

(6) $67,653,000 from the General Fund is to provide workforce information, national electronic tools, and one-stop system building under the Wagner-Peyser Act and shall be available for Federal obligation for the period July 1, 2022 through June 30, 2023, of which up to $9,800,000 shall be used to carry out research and demonstration projects related to testing effective ways to promote greater labor force participation of people with disabilities: Provided, That the Secretary may transfer amounts made available for research and demonstration projects under this paragraph to the “Office of Disability Employment Policy” account for such purposes:
Provided, That to the extent that the Average Weekly Insured Unemployment ("AWIU") for fiscal year 2022 is projected by the Department of Labor to exceed 2,008,000, an additional $28,600,000 from the Trust Fund shall be available for obligation for every 100,000 increase in the AWIU level (including a pro rata amount for any increment less than 100,000) to carry out title III of the Social Security Act: Provided further, That funds appropriated in this Act that are allotted to a State to carry out activities under title III of the Social Security Act may be used by such State to assist other States in carrying out activities under such title III if the other States include areas that have suffered a major disaster declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act: Provided further, That the Secretary may use funds appropriated for grants to States under title III of the Social Security Act to make payments on behalf of States for the use of the National Directory of New Hires under section 453(j)(8) of such Act: Provided further, That the Secretary may use funds appropriated for grants to States under title III of the Social Security Act to make payments on behalf of States to the entity operating the State Information Data Exchange System: Provided further, That funds appropriated in this Act which are used to es-
establish a national one-stop career center system, or which
are used to support the national activities of the Federal-
State unemployment insurance, employment service, or
immigration programs, may be obligated in contracts,
grants, or agreements with States and non-State entities:

Provided further, That States awarded competitive grants
for improved operations under title III of the Social Secu-
ritiy Act, or awarded grants to support the national activi-
ties of the Federal-State unemployment insurance system,
may award subgrants to other States and non-State enti-
ties under such grants, subject to the conditions applicable
to the grants: Provided further, That funds appropriated
under this Act for activities authorized under title III of
the Social Security Act and the Wagner-Peyser Act may
be used by States to fund integrated Unemployment In-
surance and Employment Service automation efforts, not-
withstanding cost allocation principles prescribed under
the final rule entitled “Uniform Administrative Require-
ments, Cost Principles, and Audit Requirements for Fed-
eral Awards” at part 200 of title 2, Code of Federal Regu-
lations: Provided further, That the Secretary, at the re-
quest of a State participating in a consortium with other
States, may reallocate funds allotted to such State under title
III of the Social Security Act to other States participating
in the consortium or to the entity operating the Unemploy-
ment Insurance Information Technology Support Center
in order to carry out activities that benefit the administra-
tion of the unemployment compensation law of the State
making the request: Provided further, That the Secretary
may collect fees for the costs associated with additional
data collection, analyses, and reporting services relating
to the National Agricultural Workers Survey requested by
State and local governments, public and private institu-
tions of higher education, and nonprofit organizations and
may utilize such sums, in accordance with the provisions
of 29 U.S.C. 9a, for the National Agricultural Workers
Survey infrastructure, methodology, and data to meet the
information collection and reporting needs of such entities,
which shall be credited to this appropriation and shall re-
main available until September 30, 2023, for such pur-
poses.

ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND
OTHER FUNDS

For repayable advances to the Unemployment Trust
Fund as authorized by sections 905(d) and 1203 of the
Social Security Act, and to the Black Lung Disability
Trust Fund as authorized by section 9501(c)(1) of the In-
ternal Revenue Code of 1986; and for nonrepayable ad-
ances to the revolving fund established by section 901(e)
of the Social Security Act, to the Unemployment Trust
Fund as authorized by 5 U.S.C. 8509, and to the “Federal Unemployment Benefits and Allowances” account, such sums as may be necessary, which shall be available for obligation through September 30, 2023.

PROGRAM ADMINISTRATION

For expenses of administering employment and training programs, $144,497,000, together with not to exceed $67,006,000 which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund: Provided, That funds made available for the Office of Apprenticeship shall be used only for the administration of apprenticeship programs registered under the National Apprenticeship Act and as referred to in section 3(7)(B) of the WIOA and to provide for the full and adequate staffing of the Federal Office of Apprenticeship and each of the State Offices of Apprenticeship.

EMPLOYEE BENEFITS SECURITY ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Employee Benefits Security Administration, $218,475,000, of which up to $3,000,000 shall be made available through September 30, 2023, for the procurement of expert witnesses for enforcement litigation.
PENSION BENEFIT GUARANTY CORPORATION

PENSION BENEFIT GUARANTY CORPORATION FUND

The Pension Benefit Guaranty Corporation ("Corporation") is authorized to make such expenditures, including financial assistance authorized by subtitle E of title IV of the Employee Retirement Income Security Act of 1974, within limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by 31 U.S.C. 9104, as may be necessary in carrying out the program, including associated administrative expenses, through September 30, 2022, for the Corporation: Provided, That none of the funds available to the Corporation for fiscal year 2022 shall be available for obligations for administrative expenses in excess of $472,955,000: Provided further, That to the extent that the number of new plan participants in plans terminated by the Corporation exceeds 100,000 in fiscal year 2022, an amount not to exceed an additional $9,200,000 shall be available through September 30, 2026, for obligations for administrative expenses for every 20,000 additional terminated participants: Provided further, That obligations in excess of the amounts provided for administrative expenses in this paragraph may be incurred and shall be available through Sep-
September 30, 2026 for obligation for unforeseen and extraordinary pre-termination or termination expenses or extraordinary multiemployer program related expenses after approval by the Office of Management and Budget and notification of the Committees on Appropriations of the House of Representatives and the Senate: Provided further, That an additional amount shall be available for obligation through September 30, 2026 to the extent the Corporation’s costs exceed $250,000 for the provision of credit or identity monitoring to affected individuals upon suffering a security incident or privacy breach, not to exceed an additional $100 per affected individual.

WAGE AND HOUR DIVISION

SALARIES AND EXPENSES

For necessary expenses for the Wage and Hour Division, including reimbursement to State, Federal, and local agencies and their employees for inspection services rendered, $300,000,000: Provided, That the Secretary of Labor shall use funds made available under this heading to establish a national hotline to support domestic workers.

OFFICE OF LABOR-MANAGEMENT STANDARDS

SALARIES AND EXPENSES

For necessary expenses for the Office of Labor-Management Standards, $44,437,000.
Office of Federal Contract Compliance

Programs

Salaries and Expenses

For necessary expenses for the Office of Federal Contract Compliance Programs, $140,732,000.

Office of Workers’ Compensation Programs

Salaries and Expenses

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

SPECIAL BENEFITS

(Including Transfer of Funds)

For the payment of compensation, benefits, and expenses (except administrative expenses not otherwise authorized) accruing during the current or any prior fiscal year authorized by 5 U.S.C. 81; continuation of benefits as provided for under the heading “Civilian War Benefits” in the Federal Security Agency Appropriation Act, 1947; the Employees’ Compensation Commission Appropriation Act, 1944; section 5(f) of the War Claims Act (50 U.S.C. App. 2012); obligations incurred under the War Hazards Compensation Act (42 U.S.C. 1701 et seq.); and 50 percent of the additional compensation and benefits required
by section 10(h) of the Longshore and Harbor Workers’ Compensation Act, $244,000,000, together with such amounts as may be necessary to be charged to the subsequent year appropriation for the payment of compensation and other benefits for any period subsequent to August 15 of the current year, for deposit into and to assume the attributes of the Employees’ Compensation Fund established under 5 U.S.C. 8147(a): Provided, That amounts appropriated may be used under 5 U.S.C. 8104 by the Secretary to reimburse an employer, who is not the employer at the time of injury, for portions of the salary of a re-employed, disabled beneficiary: Provided further, That balances of reimbursements unobligated on September 30, 2021, shall remain available until expended for the payment of compensation, benefits, and expenses: Provided further, That in addition there shall be transferred to this appropriation from the Postal Service and from any other corporation or instrumentality required under 5 U.S.C. 8147(c) to pay an amount for its fair share of the cost of administration, such sums as the Secretary determines to be the cost of administration for employees of such fair share entities through September 30, 2022: Provided further, That of those funds transferred to this account from the fair share entities to pay the cost of administration of the Federal Employees’ Compensation Act,
$80,920,000 shall be made available to the Secretary as follows:

(1) For enhancement and maintenance of automated data processing systems operations and telecommunications systems, $27,445,000;

(2) For automated workload processing operations, including document imaging, centralized mail intake, and medical bill processing, $25,859,000;

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

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

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

Provided further, That the Secretary may require that any person filing a notice of injury or a claim for benefits under 5 U.S.C. 81, or the Longshore and Harbor Workers’ Compensation Act, provide as part of such notice and claim, such identifying information (including Social Security account number) as such regulations may prescribe.

SPECIAL BENEFITS FOR DISABLED COAL MINERS

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

For making after July 31 of the current fiscal year, benefit payments to individuals under title IV of such Act,
for costs incurred in the current fiscal year, such amounts
as may be necessary.

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

ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES

OCCUPATIONAL ILLNESS COMPENSATION FUND

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

BLACK LUNG DISABILITY TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

Such sums as may be necessary from the Black Lung
Disability Trust Fund (the “Fund”), to remain available
until expended, for payment of all benefits authorized by
section 9501(d)(1), (2), (6), and (7) of the Internal Rev-
ue Code of 1986; and repayment of, and payment of
interest on advances, as authorized by section 9501(d)(4)
of that Act. In addition, the following amounts may be
expended from the Fund for fiscal year 2022 for expenses
of operation and administration of the Black Lung Bene-
fits program, as authorized by section 9501(d)(5): not to exceed $41,464,000 for transfer to the Office of Workers’ Compensation Programs, “Salaries and Expenses”; not to exceed $37,598,000 for transfer to Departmental Management, “Salaries and Expenses”; not to exceed $342,000 for transfer to Departmental Management, “Office of Inspector General”; and not to exceed $356,000 for payments into miscellaneous receipts for the expenses of the Department of the Treasury.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Occupational Safety and Health Administration, $691,787,000, including not to exceed $118,737,000 which shall be the maximum amount available for grants to States under section 23(g) of the Occupational Safety and Health Act (the “Act”), which grants shall be no less than 50 percent of the costs of State occupational safety and health programs required to be incurred under plans approved by the Secretary under section 18 of the Act; and, in addition, notwithstanding 31 U.S.C. 3302, the Occupational Safety and Health Administration may retain up to $499,000 per fiscal year of training institute course tuition and fees, otherwise authorized by law to be collected, and may utilize such sums for occupational safety and health training and
education: Provided, That notwithstanding 31 U.S.C. 3302, the Secretary is authorized, during the fiscal year ending September 30, 2022, to collect and retain fees for services provided to Nationally Recognized Testing Laboratories, and may utilize such sums, in accordance with the provisions of 29 U.S.C. 9a, to administer national and international laboratory recognition programs that ensure the safety of equipment and products used by workers in the workplace: Provided further, That $14,787,000 shall be available for Susan Harwood training grants, of which not less than $4,500,000 is for Susan Harwood Training Capacity Building Developmental grants for program activities starting not later than September 30, 2022 and lasting for a period of 12 months.

MINE SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Mine Safety and Health Administration, $404,816,000, including purchase and bestowal of certificates and trophies in connection with mine rescue and first-aid work, and the hire of passenger motor vehicles, including up to $2,000,000 for mine rescue and recovery activities and not less than $10,537,000 for State assistance grants: Provided, That notwithstanding 31 U.S.C. 3302, not to exceed $750,000 may be collected by the National Mine Health and Safety
Academy for room, board, tuition, and the sale of training materials, otherwise authorized by law to be collected, to be available for mine safety and health education and training activities: Provided further, That notwithstanding 31 U.S.C. 3302, the Mine Safety and Health Administration is authorized to collect and retain up to $2,499,000 from fees collected for the approval and certification of equipment, materials, and explosives for use in mines, and may utilize such sums for such activities: Provided further, That the Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private: Provided further, That the Mine Safety and Health Administration is authorized to promote health and safety education and training in the mining community through cooperative programs with States, industry, and safety associations: Provided further, That the Secretary is authorized to recognize the Joseph A. Holmes Safety Association as a principal safety association and, notwithstanding any other provision of law, may provide funds and, with or without reimbursement, personnel, including service of Mine Safety and Health Administration officials as officers in local chapters or in the national organization: Provided further, That any funds available to the Department of Labor may
be used, with the approval of the Secretary, to provide for the costs of mine rescue and survival operations in the event of a major disaster.

**Bureau of Labor Statistics**

**Salaries and Expenses**

For necessary expenses for the Bureau of Labor Statistics, including advances or reimbursements to State, Federal, and local agencies and their employees for services rendered, $632,653,000, together with not to exceed $68,000,000 which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

Within this amount, $28,470,000 for costs associated with the physical move of the Bureau of Labor Statistics’ headquarters, including replication of space, furniture, fixtures, equipment, and related costs shall remain available until September 30, 2026.

**Office of Disability Employment Policy**

**Salaries and Expenses**

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

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for Departmental Management, including the hire of three passenger motor vehicles, $456,911,000, together with not to exceed $308,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund: Provided, That $97,947,000 for the Bureau of International Labor Affairs shall be available for obligation through December 31, 2022: Provided further, That funds available to the Bureau of International Labor Affairs may be used to administer or operate international labor activities, bilateral and multilateral technical assistance, and microfinance programs, by or through contracts, grants, subgrants and other arrangements: Provided further, That not more than $57,772,000 shall be for programs to combat exploitative child labor internationally and not less than $40,175,000 shall be used to implement model programs that address worker rights issues through technical assistance in countries with which the United States has free trade agreements or trade preference programs: Provided further, That $10,040,000 shall be used for program evaluation and shall be available for obligation through September 30, 2023: Provided further, That
funds available for program evaluation may be used to admin-
ister grants for the purpose of evaluation: *Provided
further*, That grants made for the purpose of evaluation
shall be awarded through fair and open competition: *Pro-
vided further*, That funds available for program evaluation
may be transferred to any other appropriate account in
the Department for such purpose: *Provided further*, That
the Committees on Appropriations of the House of Rep-
resentatives and the Senate are notified at least 15 days
in advance of any transfer: *Provided further*, That the
funds available to the Women’s Bureau may be used for
grants to serve and promote the interests of women in the
workforce: *Provided further*, That of the amounts made
available to the Women’s Bureau, not less than
$6,794,000 shall be used for grants authorized by the
Women in Apprenticeship and Nontraditional Occupations
Act.

**VETERANS’ EMPLOYMENT AND TRAINING**

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

(1) $180,000,000 is for Jobs for Veterans State
grants under 38 U.S.C. 4102A(b)(5) to support dis-
abled veterans’ outreach program specialists under
section 4103A of such title and local veterans’ em-
ployment representatives under section 4104(b) of
such title, and for the expenses described in section
4102A(b)(5)(C), which shall be available for expend-
iture by the States through September 30, 2024,
and not to exceed 3 percent for the necessary Fed-
eral expenditures for data systems and contract sup-
port to allow for the tracking of participant and per-
formance information: Provided, That, in addition,
such funds may be used to support such specialists
and representatives in the provision of services to
tltering members of the Armed Forces who
have participated in the Transition Assistance Pro-
gram and have been identified as in need of inten-
sive services, to members of the Armed Forces who
are wounded, ill, or injured and receiving treatment
in military treatment facilities or warrior transition
units, and to the spouses or other family caregivers
of such wounded, ill, or injured members;
(2) $31,379,000 is for carrying out the Transi-
tion Assistance Program under 38 U.S.C. 4113 and
10 U.S.C. 1144;
(3) $52,538,000 is for Federal administration
of chapters 41, 42, and 43 of title 38, and sections
2021, 2021A and 2023 of title 38, United States Code: Provided, That, up to $500,000 may be used to carry out the Hire VETS Act (division O of Public Law 115–31); and

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

Provided, That the Secretary may reallocate among the appropriations provided under paragraphs (1) through (4) above an amount not to exceed 3 percent of the appropriation from which such reallocation is made.

In addition, from the General Fund of the Treasury, $67,500,000 is for carrying out programs to assist homeless veterans and veterans at risk of homelessness who are transitioning from certain institutions under sections 2021, 2021A, and 2023 of title 38, United States Code: Provided, That notwithstanding subsections (c)(3) and (d) of section 2023, the Secretary may award grants through September 30, 2022, to provide services under such section: Provided further, That services provided under sections 2021 or under 2021A may include, in addition to services to homeless veterans described in section 2002(a)(1), services to veterans who were homeless at some point within the 60 days prior to program entry or veterans who are at risk of homelessness within the next
60 days, and that services provided under section 2023 may include, in addition to services to the individuals des-
scribed in subsection (e) of such section, services to vet-
erans recently released from incarceration who are at risk of homelessness: Provided further, That notwithstand-
ing paragraph (3) under this heading, funds appropriated in this paragraph may be used for data systems and contract support to allow for the tracking of participant and per-
formance information: Provided further, That notwith-
standing sections 2021(e)(2) and 2021A(f)(2) of title 38,
United States Code, such funds shall be available for ex-
penditure pursuant to 31 U.S.C. 1553.

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

For necessary expenses for Department of Labor centralized infrastructure technology investment activities related to support systems and modernization, $37,269,000, which shall be available through September 30, 2023.

OFFICE OF INSPECTOR GENERAL

For salaries and expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $89,738,000, together with not to exceed $5,660,000 which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

GENERAL PROVISIONS

Sec. 101. None of the funds appropriated by this Act for the Job Corps shall be used to pay the salary and bonuses of an individual, either as direct costs or any proration as an indirect cost, at a rate in excess of Executive Level II.

(TRANSFER OF FUNDS)

Sec. 102. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985) which are appropriated for the current fiscal year for the Department of Labor in this Act may be transferred between a program, project, or activity, but no such program, project, or activ-
ity shall be increased by more than 3 percent by any such
transfer: Provided, That the transfer authority granted by
this section shall not be used to create any new program
or to fund any project or activity for which no funds are
provided in this Act: Provided further, That the Commit-
tees on Appropriations of the House of Representatives
and the Senate are notified at least 15 days in advance
of any transfer.

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

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

Sec. 105. None of the funds made available by this Act under the heading “Employment and Training Administration” shall be used by a recipient or subrecipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of Executive Level II. This limitation shall not apply to vendors providing goods and services as defined in Office of Management and Budget Circular A–133. Where States are recipients of such funds, States may establish a lower limit for salaries and bonuses of those receiving salaries and bonuses from subrecipients of such funds, taking into account factors including the relative cost-of-living in the State, the compensation levels for comparable State or local government employees, and the size of the organizations that administer Federal programs involved including Employment and Training Administration programs.

(TRANSFER OF FUNDS)

Sec. 106. (a) Notwithstanding section 102, the Secretary may transfer funds made available to the Employment and Training Administration by this Act, either directly or through a set-aside, for technical assistance services to grantees to “Program Administration” when it is
determined that those services will be more efficiently performed by Federal employees: Provided, That this section shall not apply to section 171 of the WIOA.

(b) Notwithstanding section 102, the Secretary may transfer not more than 0.5 percent of each discretionary appropriation made available to the Employment and Training Administration by this Act to “Program Administration” in order to carry out program integrity activities relating to any of the programs or activities that are funded under any such discretionary appropriations: Provided, That notwithstanding section 102 and the preceding proviso, the Secretary may transfer not more than 0.5 percent of funds made available in paragraphs (1) and (2) of the “Office of Job Corps” account to paragraph (3) of such account to carry out program integrity activities related to the Job Corps program: Provided further, That funds transferred under the authority provided by this subsection shall be available for obligation through September 30, 2023.

(TRANSFER OF FUNDS)

Sec. 107. (a) The Secretary may reserve not more than 0.75 percent from each appropriation made available in this Act identified in subsection (b) in order to carry out evaluations of any of the programs or activities that are funded under such accounts. Any funds reserved under
this section shall be transferred to “Departmental Management” for use by the Office of the Chief Evaluation Officer within the Department of Labor, and shall be available for obligation through September 30, 2023: Provided, That such funds shall only be available if the Chief Evaluation Officer of the Department of Labor submits a plan to the Committees on Appropriations of the House of Representatives and the Senate describing the evaluations to be carried out 15 days in advance of any transfer.

(b) The accounts referred to in subsection (a) are:

SEC. 108. Notwithstanding any other provision of law, the Secretary may furnish through grants, cooperative agreements, contracts, and other arrangements, up to $2,000,000 of excess personal property, at a value determined by the Secretary, to apprenticeship programs for the purpose of training apprentices in those programs.

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

“SEC. 12. SECURITY DETAIL.

“(a) IN GENERAL.—The Secretary of Labor is authorized to employ law enforcement officers or special agents to—

“(1) provide protection for the Secretary of Labor during the workday of the Secretary and during any activity that is preliminary or postliminary to the performance of official duties by the Secretary;

“(2) provide protection, incidental to the protection provided to the Secretary, to a member of the immediate family of the Secretary who is participating in an activity or event relating to the official duties of the Secretary;
“(3) provide continuous protection to the Secretary (including during periods not described in paragraph (1)) and to the members of the immediate family of the Secretary if there is a significant and articulable threat of physical harm, in accordance with guidelines established by the Secretary; and

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

“(b) AUTHORITIES.—The Secretary of Labor may authorize a law enforcement officer or special agent employed under subsection (a), for the purpose of performing the duties authorized under subsection (a), to—

“(1) carry firearms;

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

“(3) perform protective intelligence work, including identifying and mitigating potential threats and conducting advance work to review security matters relating to sites and events;
“(4) coordinate with local law enforcement agencies; and

“(5) initiate criminal and other investigations into potential threats to the security of the Secretary, in coordination with the Inspector General of the Department of Labor.

“(c) COMPLIANCE WITH GUIDELINES.—A law enforcement officer or special agent employed under subsection (a) shall exercise any authority provided under this section in accordance with any—

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

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

(b) This section shall be effective on the date of enactment of this Act.

SEC. 110. The Secretary is authorized to dispose of or divest, by any means the Secretary determines appropriate, including an agreement or partnership to construct a new Job Corps center, all or a portion of the real property on which the Treasure Island Job Corps Center is situated. Any sale or other disposition will not be subject to any requirement of any Federal law or regulation relating to the disposition of Federal real property, including but not limited to subchapter III of chapter 5 of title 40.
of the United States Code and subchapter V of chapter 119 of title 42 of the United States Code. The net proceeds of such a sale shall be transferred to the Secretary, which shall be available until expended to carry out the Job Corps Program on Treasure Island.

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

(1) alter or terminate the Interagency Agreement between the United States Department of Labor and the United States Department of Agriculture; or

(2) close any of the Civilian Conservation Centers, except if such closure is necessary to prevent the endangerment of the health and safety of the students, the capacity of the program is retained, and the requirements of section 159(j) of the WIOA are met.

SEC. 112. Notwithstanding any other provision of law, not to exceed $36,000,000 of the unobligated balances available to the Secretary of Labor in fiscal year 2022 (other than the amounts specified in subparagraph (2)(J) under the heading “Employment and Training—Training and Employment Services”) may be transferred to the Department’s Working Capital Fund for the acquisition of capital equipment, the improvement and imple-
mentation of Department financial management, information technology, infrastructure technology investment activities related to support systems and modernization, and other support systems necessary for the delivery of financial, administrative, and information technology services of primary benefit to the agencies and programs of the Department of Labor: **Provided**, That any funds so transferred shall remain available for obligation for five fiscal years after the fiscal year of such transfer: **Provided further**, That no funds may be transferred pursuant to this section unless the Chief Information Officer of the Department of Labor submits a plan to the Committees on Appropriations of the House of Representatives and the Senate describing the amounts to be transferred by account; the planned use of funds, including descriptions of projects; project status, including any scheduled delays and cost overruns; financial expenditures; planned activities; and expected benefits: **Provided further**, That the transfer authority provided in this section shall be in addition to any other transfer authority provided by law.

Sec. 113. (a) Section 118(a) of division BB of the Consolidated Appropriations Act, 2021 (Public Law 116-260) is amended by—
(1) inserting “and in addition to amounts otherwise available for such purposes,” before “there are appropriated”; and

(2) striking “expended through”.

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

Sec. 114. None of the funds made available by this Act may be used to implement or enforce the final rule entitled “Wagner-Peyser Act Staffing Flexibility” published by the Department of Labor in the Federal Register on January 6, 2020.

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

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

TITLE II

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

PRIMARY HEALTH CARE

For carrying out titles II and III of the Public Health Service Act (referred to in this Act as the “PHS Act”)
with respect to primary health care and the Native Hawaiian Health Care Act of 1988, $1,831,772,000: Provided, That $25,000,000 shall be available for the purpose of making grants to support school-based health centers as authorized under section 399Z-1 of the PHS Act (42 U.S.C. 280h-5): Provided further, That no more than $1,000,000 shall be available until expended for carrying out the provisions of section 224(o) of the PHS Act: Provided further, That no more than $120,000,000 shall be available until expended for carrying out subsections (g) through (n) and (q) of section 224 of the PHS Act, and for expenses incurred by the Department of Health and Human Services (referred to in this Act as “HHS”) pertaining to administrative claims made under such law.

HEALTH WORKFORCE

For carrying out titles III, VII, and VIII of the PHS Act with respect to the health workforce, sections 1128E and 1921 of the Social Security Act, and the Health Care Quality Improvement Act of 1986, $1,564,876,000: Provided, That sections 751(j)(2) and 762(k) of the PHS Act and the proportional funding amounts in paragraphs (1) through (4) of section 756(f) of the PHS Act shall not apply to funds made available under this heading: Provided further, That for any program operating under section 751 of the PHS Act on or before January 1, 2009,
the Secretary of Health and Human Services (referred to in this title as the “Secretary”) may hereafter waive any of the requirements contained in sections 751(d)(2)(A) and 751(d)(2)(B) of such Act for the full project period of a grant under such section: Provided further, That fees collected for the disclosure of information under section 427(b) of the Health Care Quality Improvement Act of 1986 and sections 1128E(d)(2) and 1921 of the Social Security Act shall be sufficient to recover the full costs of operating the programs authorized by such sections and shall remain available until expended for the National Practitioner Data Bank: Provided further, That funds transferred to this account to carry out section 846 and subpart 3 of part D of title III of the PHS Act may be used to make prior year adjustments to awards made under such section and subpart: Provided further, That $185,000,000 shall remain available until expended for the purposes of providing primary health services, assigning National Health Service Corps (“NHSC”) members to expand the delivery of substance use disorder treatment services, notwithstanding the assignment priorities and limitations under sections 333(a)(1)(D), 333(b), and 333A(a)(1)(B)(ii) of the PHS Act, and making payments under the NHSC Loan Repayment Program under section 338B of such Act: Provided further, That, within the
amount made available in the previous proviso, $15,000,000 shall remain available until expended for the purposes of making payments under the NHSC Loan Repayment Program under section 338B of the PHS Act to individuals participating in such program who provide primary health services in Indian Health Service facilities, Tribally-Operated 638 Health Programs, and Urban Indian Health Programs (as those terms are defined by the Secretary), notwithstanding the assignment priorities and limitations under section 333(b) of such Act: Provided further, That for purposes of the previous two provisos, section 331(a)(3)(D) of the PHS Act shall be applied as if the term “primary health services” includes clinical substance use disorder treatment services, including those provided by masters level, licensed substance use disorder treatment counselors: Provided further, That of the funds made available under this heading, $15,000,000 shall be available to make grants to establish or expand optional community-based nurse practitioner fellowship programs that are accredited or in the accreditation process, with a preference for those in Federally Qualified Health Centers, for practicing postgraduate nurse practitioners in primary care or behavioral health.

Of the funds made available under this heading, $75,000,000 shall remain available until expended for
grants to public institutions of higher education to expand or support graduate education for physicians provided by such institutions: Provided, That, in awarding such grants, the Secretary shall give priority to public institutions of higher education located in States with a projected primary care provider shortage in 2026, as determined by the Secretary: Provided further, That grants so awarded are limited to such public institutions of higher education in States in the top quintile of States with a projected primary care provider shortage in 2026, as determined by the Secretary: Provided further, That the minimum amount of a grant so awarded to such an institution shall be not less than $1,000,000 per year: Provided further, That such a grant may be awarded for a period not to exceed 5 years: Provided further, That amounts made available in this paragraph shall be awarded as supplemental grants to recipients of grants awarded for this purpose in fiscal years 2020 and 2021, pursuant to the terms and conditions of each institution’s initial grant agreement, in an amount for each institution that will result in every institution being awarded the same total grant amount over fiscal years 2020 through 2022, provided the institution can justify the expenditure of such funds: Provided further, That such a grant awarded with respect to a year to such an institution shall be subject to a matching
requirement of non-Federal funds in an amount that is not less than 10 percent of the total amount of Federal funds provided in the grant to such institution with respect to such year.

MATERNAL AND CHILD HEALTH

For carrying out titles III, XI, XII, and XIX of the PHS Act with respect to maternal and child health and title V of the Social Security Act, $1,188,784,000: Provided, That notwithstanding sections 502(a)(1) and 502(b)(1) of the Social Security Act, not more than $266,116,000 shall be available for carrying out special projects of regional and national significance pursuant to section 501(a)(2) of such Act and $10,276,000 shall be available for projects described in subparagraphs (A) through (F) of section 501(a)(3) of such Act.

RYAN WHITE HIV/AIDS PROGRAM

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

HEALTH CARE SYSTEMS

For carrying out titles III and XII of the PHS Act
with respect to health care systems, and the Stem Cell
Therapeutic and Research Act of 2005, $147,093,000, of
which $122,000 shall be available until expended for facili-
ties renovations and other facilities-related expenses of the
National Hansen’s Disease Program.

RURAL HEALTH

For carrying out titles III and IV of the PHS Act
with respect to rural health, section 427(a) of the Federal
Coal Mine Health and Safety Act of 1969, and sections
711 and 1820 of the Social Security Act, $400,209,000,
of which $80,009,000 from general revenues, notwith-
standing section 1820(j) of the Social Security Act, shall
be available for carrying out the Medicare rural hospital
flexibility grants program: Provided, That of the funds
made available under this heading for Medicare rural hos-
pital flexibility grants, $23,242,000 shall be available for
the Small Rural Hospital Improvement Grant Program for quality improvement and adoption of health information technology and up to $1,000,000 shall be to carry out section 1820(g)(6) of the Social Security Act, with funds provided for grants under section 1820(g)(6) available for the purchase and implementation of telehealth services, including pilots and demonstrations on the use of electronic health records to coordinate rural veterans care between rural providers and the Department of Veterans Affairs electronic health record system: Provided further, That notwithstanding section 338J(k) of the PHS Act, $13,000,000 shall be available for State Offices of Rural Health: Provided further, That $12,700,000 shall remain available through September 30, 2024, to support the Rural Residency Development Program.

FAMILY PLANNING

For carrying out the program under title X of the PHS Act to provide for voluntary family planning projects, $400,000,000: Provided, That amounts provided to said projects under such title shall not be expended for abortions, that all pregnancy counseling shall be nondirective, and that such amounts shall not be expended for any activity (including the publication or distribution of literature) that in any way tends to promote public support or opposition to any legislative proposal or candidate for
public office: Provided further, That all entities funded
under this heading shall provide clinical services consistent
with nationally recognized clinical standards: Provided fur-
ther, That projects funded under section 1001 of the PHS
Act shall provide the full range of contraceptive methods
approved by the Food and Drug Administration: Provided
further, That all patients under title X of the PHS Act
with a positive pregnancy test shall be given the oppor-
tunity to be provided information and counseling regard-
ing (1) prenatal care and delivery; (2) infant care, foster
care, and adoption; and (3) pregnancy termination: Pro-
vided further, That if such a patient requests information
specified in the preceding proviso, such patient shall be
provided with neutral, factual information and nondirec-
tive counseling on each such option, including referral
upon request, except with respect to any option about
which the patient indicates no interest in receiving such
information and counseling.

PROGRAM MANAGEMENT

For program support in the Health Resources and
Services Administration, $536,407,000: Provided, That
funds made available under this heading may be used to
supplement program support funding provided under the
headings “Primary Health Care”, “Health Workforce”,
“Maternal and Child Health”, “Ryan White HIV/AIDS
Provided, That of the amount made available under this heading, $367,415,000 shall be used for the projects financing the construction and renovation (including equipment) of health care and other facilities, and for the projects financing one-time grants that support activities funded under headings listed in the preceding proviso, and in the amounts, specified under the heading “Program Management” in the report accompanying this Act, and of which up to $4,000,000 may be used for related agency administrative expenses: Provided further, That none of the funds made available for projects described in the preceding proviso shall be subject to section 241 of the PHS Act or section 205 of this Act.

VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

For payments from the Vaccine Injury Compensation Program Trust Fund (the “Trust Fund”), such sums as may be necessary for claims associated with vaccine-related injury or death with respect to vaccines administered after September 30, 1988, pursuant to subtitle 2 of title XXI of the PHS Act, to remain available until expended: Provided, That for necessary administrative expenses, not to exceed $16,200,000 shall be available from the Trust Fund to the Secretary.
COVERED COUNTERMEASURES PROCESS FUND

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

CENTERS FOR DISEASE CONTROL AND PREVENTION
IMMUNIZATION AND RESPIRATORY DISEASES

For carrying out titles II, III, XVII, and XXI, and section 2821 of the PHS Act, titles II and IV of the Immigration and Nationality Act, and section 501 of the Refugee Education Assistance Act, with respect to immunization and respiratory diseases, $531,580,000.

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

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

EMERGING AND ZOONOTIC INFECTIOUS DISEASES

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

CHRONIC DISEASE PREVENTION AND HEALTH

PROMOTION

For carrying out titles II, III, XI, XV, XVII, and XIX of the PHS Act with respect to chronic disease prevention and health promotion, $1,302,114,000: Provided, That funds made available under this heading may be available for making grants under section 1509 of the PHS Act for not less than 21 States, tribes, or tribal organizations: Provided further, That of the funds made available under this heading, $15,000,000 shall be available to continue and expand community specific extension and outreach programs to combat obesity in counties with the highest levels of obesity: Provided further, That the proportional funding requirements under section 1503(a) of the PHS Act shall not apply to funds made available under this heading.

BIRTH DEFECTS, DEVELOPMENTAL DISABILITIES,

DISABILITIES AND HEALTH

For carrying out titles II, III, XI, and XVII of the PHS Act with respect to birth defects, developmental disabilities, disabilities and health, $186,810,000.
PUBLIC HEALTH SCIENTIFIC SERVICES

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

ENVIRONMENTAL HEALTH

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

INJURY PREVENTION AND CONTROL

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

NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND HEALTH

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

ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM

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

GLOBAL HEALTH

For carrying out titles II, III, and XVII of the PHS Act with respect to global health, $842,843,000, of which: (1) $128,421,000 shall remain available through September 30, 2023 for international HIV/AIDS; and (2) $448,200,000 shall remain available through September 30, 2024 for global public health protection: Provided, That funds may be used for purchase and insurance of official motor vehicles in foreign countries.

PUBLIC HEALTH PREPAREDNESS AND RESPONSE

For carrying out titles II, III, and XVII of the PHS Act with respect to public health preparedness and response, and for expenses necessary to support activities related to countering potential biological, nuclear, radiological, and chemical threats to civilian populations, $862,200,000: Provided, That the Director of the Centers for Disease Control and Prevention (referred to in this title as “CDC”) or the Administrator of the Agency for Toxic Substances and Disease Registry may detail staff without reimbursement to support an activation of the CDC Emergency Operations Center, so long as the Director or Administrator, as applicable, provides a notice to
the Committees on Appropriations of the House of Represent- 
atives and the Senate within 15 days of the use of this authority, a full report within 30 days after use of this authority which includes the number of staff and funding level broken down by the originating center and number of days detailed, and an update of such report every 180 days until staff are no longer on detail without reimbursement to the CDC Emergency Operations Center.

BUILDINGS AND FACILITIES

(INCLUDING TRANSFER OF FUNDS)

For acquisition of real property, equipment, construction, installation, demolition, and renovation of facilities, $55,000,000, which shall remain available until September 30, 2026: Provided, That funds made available to this account in this or any prior Act that are available for the acquisition of real property or for construction or improvement of facilities shall be available to make improvements on non-federally owned property, provided that any improvements that are not adjacent to federally owned property do not exceed $2,500,000, and that the primary benefit of such improvements accrues to CDC: Provided further, That funds previously set-aside by CDC for repair and upgrade of the Lake Lynn Experimental Mine and Laboratory shall be used to acquire a replacement mine safety research facility: Provided further, That in addition,
the prior year unobligated balance of any amounts assigned to former employees in accounts of CDC made available for Individual Learning Accounts shall be credited to and merged with the amounts made available under this heading to support the replacement of the mine safety research facility.

CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

(INCLUDING TRANSFER OF FUNDS)

For carrying out titles II, III, XVII and XIX, and section 2821 of the PHS Act and for cross-cutting activities and program support for activities funded in other appropriations included in this Act for the Centers for Disease Control and Prevention, $1,148,570,000, of which $1,000,000,000 shall remain available through September 30, 2024, for public health infrastructure and capacity: Provided, That paragraphs (1) through (3) of subsection (b) of section 2821 of the PHS Act shall not apply to funds appropriated under this heading and in all other accounts of the CDC: Provided further, That of the amounts made available under this heading, $35,000,000, to remain available until expended, shall be available to the Director of the CDC for deposit in the Infectious Diseases Rapid Response Reserve Fund established by section 231 of division B of Public Law 115–245: Provided further, That funds appropriated under this heading may be used
to support a contract for the operation and maintenance of an aircraft in direct support of activities throughout CDC to ensure the agency is prepared to address public health preparedness emergencies: Provided further, That employees of CDC or the Public Health Service, both civilian and commissioned officers, detailed to States, municipalities, or other organizations under authority of section 214 of the PHS Act, or in overseas assignments, shall be treated as non-Federal employees for reporting purposes only and shall not be included within any personnel ceiling applicable to the Agency, Service, or HHS during the period of detail or assignment: Provided further, That CDC may use up to $10,000 from amounts appropriated to CDC in this Act for official reception and representation expenses when specifically approved by the Director of CDC: Provided further, That in addition, such sums as may be derived from authorized user fees, which shall be credited to the appropriation charged with the cost thereof: Provided further, That with respect to the previous proviso, authorized user fees from the Vessel Sanitation Program and the Respirator Certification Program shall be available through September 30, 2023.
NATIONAL INSTITUTES OF HEALTH

NATIONAL CANCER INSTITUTE

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

NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to cardiovascular, lung, and blood diseases, and blood and blood products, $3,866,828,000.

NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL RESEARCH

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

NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND KIDNEY DISEASES

For carrying out section 301 and title IV of the PHS Act with respect to diabetes and digestive and kidney disease, $2,237,625,000.
NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

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

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

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

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

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

EUNICE KENNEDY SHRIVER NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

For carrying out section 301 and title IV of the PHS Act with respect to child health and human development, $1,689,786,000.
NATIONAL EYE INSTITUTE

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

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

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

NATIONAL INSTITUTE ON AGING

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

NATIONAL INSTITUTE OF ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES

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

NATIONAL INSTITUTE ON DEAFNESS AND OTHER COMMUNICATION DISORDERS

For carrying out section 301 and title IV of the PHS Act with respect to deafness and other communication disorders, $522,758,000.

NATIONAL INSTITUTE OF NURSING RESEARCH

For carrying out section 301 and title IV of the PHS Act with respect to nursing research, $200,782,000.
NATIONAL INSTITUTE ON ALCOHOL ABUSE AND ALCOHOLISM
For carrying out section 301 and title IV of the PHS Act with respect to alcohol abuse and alcoholism, $582,422,000.

NATIONAL INSTITUTE ON DRUG ABUSE
For carrying out section 301 and title IV of the PHS Act with respect to drug abuse, $1,860,329,000.

NATIONAL INSTITUTE OF MENTAL HEALTH
For carrying out section 301 and title IV of the PHS Act with respect to mental health, $2,147,085,000.

NATIONAL HUMAN GENOME RESEARCH INSTITUTE
For carrying out section 301 and title IV of the PHS Act with respect to human genome research, $646,295,000.

NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND BIOENGINEERING
For carrying out section 301 and title IV of the PHS Act with respect to biomedical imaging and bioengineering research, $431,081,000.

NATIONAL CENTER FOR COMPLEMENTARY AND INTEGRATIVE HEALTH
For carrying out section 301 and title IV of the PHS Act with respect to complementary and integrative health, $185,295,000.
NATIONAL INSTITUTE ON MINORITY HEALTH AND HEALTH DISPARITIES

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

JOHN E. FOGARTY INTERNATIONAL CENTER

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

NATIONAL LIBRARY OF MEDICINE

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

NATIONAL CENTER FOR ADVANCING TRANSLATIONAL SCIENCES

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

OFFICE OF THE DIRECTOR

(INCLUDING TRANSFER OF FUNDS)

For carrying out the responsibilities of the Office of the Director, NIH, $2,667,385,000: Provided, That funding shall be available for the purchase of not to exceed 29 passenger motor vehicles for replacement only: Provided further, That all funds credited to the NIH Management Fund shall remain available for one fiscal year after the fiscal year in which they are deposited: Provided further, That $180,000,000 shall be for the Environmental Influences on Child Health Outcomes study: Provided further, That $657,112,000 shall be available for the Common Fund established under section 402A(c)(1) of the PHS Act: Provided further, That of the funds provided, $10,000 shall be for official reception and representation expenses when specifically approved by the Director of the NIH: Provided further, That the Office of AIDS Research within the Office of the Director of the NIH may spend up to $8,000,000 to make grants for construction or renovation of facilities as provided for in section 2354(a)(5)(B) of the PHS Act: Provided further, That
$50,000,000 shall be used to carry out section 404I of the PHS Act (42 U.S.C. 283K), relating to biomedical and behavioral research facilities. Provided further, That $5,000,000 shall be transferred to and merged with the appropriation for the “Office of Inspector General” for oversight of grant programs and operations of the NIH, including agency efforts to ensure the integrity of its grant application evaluation and selection processes, and shall be in addition to funds otherwise made available for oversight of the NIH. Provided further, That the funds provided in the previous proviso may be transferred from one specified activity to another with 15 days prior approval of the Committees on Appropriations of the House of Representatives and the Senate. Provided further, That the Inspector General shall consult with the Committees on Appropriations of the House of Representatives and the Senate before submitting to the Committees an audit plan for fiscal years 2022 and 2023 no later than 30 days after the date of enactment of this Act. Provided further, That amounts made available under this heading are also available to establish, operate, and support the Research Policy Board authorized by section 2034(f) of the 21st Century Cures Act. Provided further, That the funds made available under this heading for the Office of Research on Women’s Health shall also be available for making grants
to serve and promote the interests of women in research, 
and the director of such Office may, in making such 
grants, use the authorities available to NIH Institutes and 
Centers with respect to research on the role of sex and 
gender on health. 

In addition to other funds appropriated for the Com-
mon Fund established under section 402A(c) of the PHS 
Act, $12,600,000 is appropriated to the Common Fund 
for the purpose of carrying out section 402(b)(7)(B)(ii) 
of the PHS Act (relating to pediatric research), as author-
ized in the Gabriella Miller Kids First Research Act, of 
which $3,000,000 shall be derived from the 10-year Pedi-
atrict Research Initiative Fund described in section 9008 

BUILDINGS AND FACILITIES 

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

NIH INNOVATION ACCOUNT, CURES ACT 

(INCLUDING TRANSFER OF FUNDS) 

For necessary expenses to carry out the purposes de-
scribed in section 1001(b)(4) of the 21st Century Cures 
Act, in addition to amounts available for such purposes
in the appropriations provided to the NIH in this Act, $496,000,000, to remain available until expended: Provided, That such amounts are appropriated pursuant to section 1001(b)(3) of such Act, are to be derived from amounts transferred under section 1001(b)(2)(A) of such Act, and may be transferred by the Director of the National Institutes of Health to other accounts of the National Institutes of Health solely for the purposes provided in such Act: Provided further, That upon a determination by the Director that funds transferred pursuant to the previous proviso are not necessary for the purposes provided, such amounts may be transferred back to the Account: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided by law.

ADVANCED RESEARCH PROJECTS AGENCY FOR HEALTH

For carrying out section 301 and title IV of the PHS Act with respect to advanced research projects for health, $3,000,000,000, to remain available through September 30, 2024: Provided, That such funds shall only be made available if legislation specifically establishing the Advanced Research Projects Agency for Health (“ARPA-H”) is enacted into law: Provided further, That the Director of ARPA-H may utilize all of the authorities and processes established under section 24 of the Stevenson-Wydler
Technology Innovation Act of 1980 (15 U.S.C. 3719) to support prize competitions: Provided further, That research funded by amounts made available under this heading shall not be subject to the requirements of sections 406(a)(3)(A)(ii) or 492 of the PHS Act: Provided further, That the Director of ARPA-H may enter into a multiyear contract, with amounts made available under this heading, if—

(1) funds are available and obligated for the contract, for the full period of the contract or for the first fiscal year in which the contract is in effect, and for the estimated costs associated with a necessary termination of the contract;

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

(3) the contract includes a clause that provides that the contract shall be terminated if funds are not made available for the continuation of the contract in a fiscal year covered by the contract; Provided further, That funds available for paying termination costs pursuant to the previous proviso shall remain available for that purpose until the costs associated with termination of the contract are paid.
Substance Abuse and Mental Health Services Administration

Mental Health

For carrying out titles III, V, and XIX of the PHS Act with respect to mental health, and the Protection and Advocacy for Individuals with Mental Illness Act, $3,128,256,000: Provided, That of the funds made available under this heading, $100,000,000 shall be for the National Child Traumatic Stress Initiative: Provided further, That notwithstanding section 520A(f)(2) of the PHS Act, no funds appropriated for carrying out section 520A shall be available for carrying out section 1971 of the PHS Act: Provided further, That in addition to amounts provided herein, $21,039,000 shall be available under section 241 of the PHS Act to carry out subpart I of part B of title XIX of the PHS Act to fund section 1920(b) technical assistance, national data, data collection and evaluation activities, and further that the total available under this Act for section 1920(b) activities shall not exceed 5 percent of the amounts appropriated for subpart I of part B of title XIX: Provided further, That of the funds made available under this heading for subpart I of part B of title XIX of the PHS Act, at least 10 percent shall be available to support evidence-based crisis systems: Provided further, That up to 10 percent of the amounts made
available to carry out the Children’s Mental Health Services program may be used to carry out demonstration programs or contracts for early interventions with persons not more than 25 years of age at clinical high risk of developing a first episode of psychosis: Provided further, That section 520E(b)(2) of the PHS Act shall not apply to funds appropriated in this Act for fiscal year 2022: Provided further, That States shall expend at least 10 percent of the amount each receives for carrying out section 1911 of the PHS Act to support evidence-based programs that address the needs of individuals with early serious mental illness, including psychotic disorders, regardless of the age of the individual at onset: Provided further, That $375,000,000 shall be available until September 30, 2024 for grants to communities and community organizations who meet criteria for Certified Community Behavioral Health Clinics pursuant to section 223(a) of Public Law 113–93: Provided further, That none of the funds provided for section 1911 of the PHS Act shall be subject to section 241 of such Act: Provided further, That of the funds made available under this heading, $21,420,000 shall be to carry out section 224 of the Protecting Access to Medicare Act of 2014 (Public Law 113–93; 42 U.S.C. 290aa note): Provided further, That notwithstanding sections 1911(b) and 1912 of the PHS Act, amounts made avail-
able under this heading for subpart I of part B of title XIX of such Act shall also be available to support evidence-based programs that address early intervention and prevention of mental disorders among at-risk children and adults: Provided further, That States shall expend at least 10 percent of the amount each receives for carrying out section 1911 of the PHS Act to support evidence-based programs that address early intervention and prevention of mental disorders among at-risk children and adults: Provided further, That notwithstanding section 1912 of the PHS Act, the plan described in such section and section 1911(b) of the PHS Act shall also include the evidence-based programs described in the previous proviso, pursuant to plan criteria established by the Secretary.

SUBSTANCE ABUSE TREATMENT

For carrying out titles III and V of the PHS Act with respect to substance abuse treatment and title XIX of such Act with respect to substance abuse treatment and prevention, and the SUPPORT for Patients and Communities Act, $5,430,743,000: Provided, That $2,000,000,000 shall be for State Opioid Response Grants for carrying out activities pertaining to opioids and stimulants undertaken by the State agency responsible for administering the substance abuse prevention and treatment block grant under subpart II of part B of title XIX of
the PHS Act (42 U.S.C. 300x–21 et seq.): Provided further, That of such amount $75,000,000 shall be made available to Indian Tribes or tribal organizations: Provided further, That 15 percent of the remaining amount shall be for the States with the highest mortality rate related to opioid use disorders: Provided further, That of the amounts provided for State Opioid Response Grants not more than 2 percent shall be available for Federal administrative expenses, training, technical assistance, and evaluation: Provided further, That of the amount not reserved by the previous three provisos, the Secretary shall make allocations to States, territories, and the District of Columbia according to a formula using national survey results that the Secretary determines are the most objective and reliable measure of drug use and drug-related deaths: Provided further, That the Secretary shall submit the formula methodology to the Committees on Appropriations of the House of Representatives and the Senate not less than 15 days prior to publishing a Funding Opportunity Announcement: Provided further, That prevention and treatment activities funded through such grants may include education, treatment (including the provision of medication), behavioral health services for individuals in treatment programs, referral to treatment services, recovery support, and medical screening associated with such
treatment: Provided further, That each State, as well as the District of Columbia, shall receive not less than $4,000,000: Provided further, That in addition to amounts provided herein, the following amounts shall be available under section 241 of the PHS Act: (1) $79,200,000 to carry out subpart II of part B of title XIX of the PHS Act to fund section 1935(b) technical assistance, national data, data collection and evaluation activities, and further that the total available under this Act for section 1935(b) activities shall not exceed 5 percent of the amounts appropriated for subpart II of part B of title XIX; and (2) $2,000,000 to evaluate substance abuse treatment programs: Provided further, That each State that receives funds appropriated under this heading for carrying out subpart II of part B of title XIX of the PHS Act shall expend not less than 10 percent of such funds for recovery support services: Provided further, That none of the funds provided for section 1921 of the PHS Act or State Opioid Response Grants shall be subject to section 241 of such Act.

SUBSTANCE ABUSE PREVENTION

For carrying out titles III and V of the PHS Act with respect to substance abuse prevention, $243,503,000.
HEALTH SURVEILLANCE AND PROGRAM SUPPORT

For program support and cross-cutting activities that supplement activities funded under the headings “Mental Health”, “Substance Abuse Treatment”, and “Substance Abuse Prevention” in carrying out titles III, V, and XIX of the PHS Act and the Protection and Advocacy for Individuals with Mental Illness Act in the Substance Abuse and Mental Health Services Administration, $212,108,000: Provided, That of the amount made available under this heading, $70,665,000 shall be used for the projects, and in the amounts, specified under the heading “Health Surveillance and Program Support” in the report accompanying this Act, of which $1,000,000 may be used for related agency administrative expenses: Provided further, That none of the funds made available for projects described in the preceding proviso shall be subject to section 241 of the PHS Act or section 205 of this Act: Provided further, That in addition to amounts provided herein, $31,428,000 shall be available under section 241 of the PHS Act to supplement funds available to carry out national surveys on drug abuse and mental health, to collect and analyze program data, and to conduct public awareness and technical assistance activities: Provided further, That, in addition, fees may be collected for the costs of publications, data, data tabulations, and data analysis.
completed under title V of the PHS Act and provided to
a public or private entity upon request, which shall be
credited to this appropriation and shall remain available
until expended for such purposes: Provided further, That
amounts made available in this Act for carrying out sec-
tion 501(o) of the PHS Act shall remain available through
September 30, 2023: Provided further, That funds made
available under this heading (other than amounts specified
in the first proviso under this heading) may be used to
supplement program support funding provided under the
headings “Mental Health”, “Substance Abuse Treat-
ment”, and “Substance Abuse Prevention”.

AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

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

Centers for Medicare & Medicaid Services

Grants to States for Medicaid

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

In addition, for carrying out such titles after May 31,
2022, for the last quarter of fiscal year 2022 for unantici-
pated costs incurred for the current fiscal year, such sums
as may be necessary, to remain available until expended.

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

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

Payments to the Health Care Trust Funds

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

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

PROGRAM MANAGEMENT

For carrying out, except as otherwise provided, titles XI, XVIII, XIX, and XXI of the Social Security Act, titles XIII and XXVII of the PHS Act, the Clinical Laboratory Improvement Amendments of 1988, and other responsibilities of the Centers for Medicare & Medicaid Services, not to exceed $4,315,843,000, to be transferred from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, as authorized by section 201(g) of the Social Security Act; together with all funds collected in accordance with section 353 of the PHS Act and section 1857(e)(2) of the Social Security Act, funds retained by the Secretary pursuant to section 1893(h) of the Social Security Act, and such sums as may be collected from authorized user fees and the sale of data, which shall be credited to this account and remain available until expended: Provided, That all funds derived in accordance with 31 U.S.C. 9701 from organizations estab-
lished under title XIII of the PHS Act shall be credited to and available for carrying out the purposes of this appropria-
tion: **Provided further,** That the Secretary is directed to collect fees in fiscal year 2022 from Medicare Advantage organizations pursuant to section 1857(c)(2) of the Social Security Act and from eligible organizations with risk-sharing contracts under section 1876 of that Act pursuant to section 1876(k)(4)(D) of that Act: **Provided further,** That of the amount made available under this heading, $472,163,000 shall remain available until September 30, 2023, and shall be available for the Survey and Certification Program: **Provided further,** That amounts available under this heading to support quality improvement organizations (as defined in section 1152 of the Social Security Act) shall not exceed the amount specifically provided for such purpose under this heading in division H of the Consolidated Appropriations Act, 2018 (Public Law 115–141).

**HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT**

In addition to amounts otherwise available for program integrity and program management, $872,793,000, to remain available through September 30, 2023, to be transferred from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, as authorized by section 201(g) of the Social
Security Act, of which $650,726,000 shall be for the Centers for Medicare & Medicaid Services program integrity activities, of which $109,145,000 shall be for the Department of Health and Human Services Office of Inspector General to carry out fraud and abuse activities authorized by section 1817(k)(3) of such Act, and of which $112,922,000 shall be for the Department of Justice to carry out fraud and abuse activities authorized by section 1817(k)(3) of such Act: Provided, That the report required by section 1817(k)(5) of the Social Security Act for fiscal year 2022 shall include measures of the operational efficiency and impact on fraud, waste, and abuse in the Medicare, Medicaid, and CHIP programs for the funds provided by this appropriation: Provided further, That of the amount provided under this heading, $317,000,000 is provided to meet the terms of section 1(j) of H. Res. 467 of the 117th Congress as engrossed in the House of Representatives on June 14, 2021, and $555,793,000 is additional new budget authority specified for purposes of such section 1(j): Provided further, That the Secretary shall provide not less than $30,000,000 from amounts made available under this heading and amounts made available for fiscal year 2022 under section 1817(k)(3)(A) of the Social Security Act for the Senior
Medicare Patrol program to combat health care fraud and abuse.

Administration for Children and Families

Payments to States for Child Support

Enforcement and Family Support Programs

For carrying out, except as otherwise provided, titles I, IV–D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960, $2,794,432,000, to remain available until expended; and for such purposes for the first quarter of fiscal year 2023, $1,300,000,000, to remain available until expended.

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

Low Income Home Energy Assistance

For making payments under subsections (b) and (d) of section 2602 of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 et seq.), $3,900,304,000: Provided, That notwithstanding section 2609A(a) of such Act, not more than $3,500,000 may be reserved by the Secretary of Health and Human Services for technical assistance, training, and monitoring of pro-
gram activities for compliance with internal controls, policies and procedures and the Secretary may, in addition to the authorities provided in section 2609A(a)(1), use such funds through contracts with private entities that do not qualify as nonprofit organizations: Provided further, that $3,746,804,000 of the amount appropriated under this heading shall be allocated to each State and territory in amounts equal to the amount each State and territory was allocated in fiscal year 2021 pursuant to allocations made from amounts appropriated under this heading in title II of division H of the Consolidated Appropriations Act, 2021 (Public Law 116–260): Provided further, That of the remaining amount made available under this heading that is not designated for allocation in the preceding two provisos, $75,000,000 shall be allocated as though the total appropriation for such payments for fiscal year 2022 was less than $1,975,000,000.

REFUGEE AND ENTRANT ASSISTANCE

Victims Protection Act of 2000 ("TVPA"), and the Torture Victims Relief Act of 1998, $4,504,947,000, of which $4,408,467,000 shall remain available through September 30, 2024 for carrying out such sections 414, 501, 462, and 235 and $30,000,000 shall remain available until expended for the purposes authorized in section 238 of this title: Provided, That amounts available under this heading to carry out the TVPA shall also be available for research and evaluation with respect to activities under such Act: Provided further, That the contribution of funds requirement under section 235(c)(6)(C)(iii) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 shall not apply to funds made available under this heading.

PAYMENTS TO STATES FOR THE CHILD CARE AND DEVELOPMENT BLOCK GRANT

For carrying out the Child Care and Development Block Grant Act of 1990 ("CCDBG Act"), $7,377,000,000 shall be used to supplement, not supplant State general revenue funds for child care assistance for low-income families: Provided, That technical assistance under section 658I(a)(3) of such Act may be provided directly, or through the use of contracts, grants, cooperative agreements, or interagency agreements: Provided further, That all funds made available to carry out section 418
of the Social Security Act (42 U.S.C. 618), including
funds appropriated for that purpose in such section 418
or any other provision of law, shall be subject to the res-
ervation of funds authority in paragraphs (4) and (5) of
section 658O(a) of the CCDBG Act: Provided further,
That in addition to the amounts required to be reserved
by the Secretary under section 658O(a)(2)(A) of such Act,
$177,330,000 shall be for Indian tribes and tribal organi-
izations.

SOCIAL SERVICES BLOCK GRANT

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

In addition, $200,000,000 for carrying out a supple-
mental grant program to make grants to States to be dis-
tributed as provided for under section 2002 of the Social
Security Act and subject to the limitations of section 2005
of such Act: Provided, That funds appropriated in this
paragraph are in addition to the entitlement grants au-
thorized by section 2002(a)(1) of the Social Security Act
and shall not be available for such entitlement grants: Pro-
vided further, That such supplemental grants shall be used by States to make subgrants to social service agencies or other nonprofit organizations to provide diapers and diapering supplies (including diaper wipes, diaper cream, and other supplies necessary to ensure that a child using a diaper is properly cleaned and protected from diaper rash) to families in need: Provided further, That such supplemental grants are used by States to supplement, not supplant, State general revenue funds provided for such purposes: Provided further, That the term “in need”, with respect to a family, means a family whose self-certified income is not more than 200 percent of the Federal poverty line, as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Omnibus Budget Reconciliation Act of 1981 applicable to a family of the size involved: Provided further, That not later than December 31, 2022, each subgrantee receiving funding from amounts made available in this paragraph shall submit a report to the applicable State on the use of such funds: Provided further, That each State shall include in the annual report required under section 2006 of the Social Security Act and submitted with respect to fiscal year 2023 information detailing how grantees and subgrantees used funds made available in this paragraph
to distribute diapers and diapering supplies to families in need.

CHILDREN AND FAMILIES SERVICES PROGRAMS

For carrying out, except as otherwise provided, the Runaway and Homeless Youth Act, the Head Start Act, the Every Student Succeeds Act, the Child Abuse Prevention and Treatment Act, sections 303 and 313 of the Family Violence Prevention and Services Act, the Native American Programs Act of 1974, title II of the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978 (adoption opportunities), part B–1 of title IV and sections 429, 473A, 477(i), 1110, 1114A, and 1115 of the Social Security Act, and the Community Services Block Grant Act (‘‘CSBG Act’’); and for necessary administrative expenses to carry out titles I, IV, V, X, XI, XIV, XVI, and XX–A of the Social Security Act, the Act of July 5, 1960, the Low-Income Home Energy Assistance Act of 1981, the Child Care and Development Block Grant Act of 1990, title IV of the Immigration and Nationality Act, section 501 of the Refugee Education Assistance Act of 1980, and section 2204 of the American Rescue Plan Act of 2021, $15,232,981,000, of which $75,000,000, to remain available through September 30, 2023, shall be for grants to States for adoption and legal guardianship incentive payments, as defined by section 473A of the Social
Security Act and may be made for adoptions and legal guardianships completed before September 30, 2022: Provided, That $12,182,095,000 shall be for making payments under the Head Start Act, including for Early Head Start-Child Care Partnerships, and, of which, notwithstanding section 640 of such Act:

(1) $234,000,000 shall be available for a cost of living adjustment, and with respect to any continuing appropriations act, funding available for a cost of living adjustment shall not be construed as an authority or condition under this Act;

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

(3) $750,000,000, in addition to funds otherwise available for such purposes under section 640 of the Head Start Act, shall be available through September 30, 2023, for awards to eligible entities
for Head Start and Early Head Start programs and to entities defined as eligible under section 645A(d) of such Act for high quality infant and toddler care through Early Head Start - Child Care Partnerships, and for training and technical assistance for such activities: Provided further, That of the funds made available in this paragraph, up to $21,000,000 shall be available to the Secretary for the administrative costs of carrying out this paragraph;

(4) $250,000,000 shall be available for quality improvement consistent with paragraph (5) of section 640(a) of such Act, except that any amount of such funds may be used for any of the activities described in such section (5), of which not less than $12,500,000 shall be available to migrant and seasonal Head Start programs for such activities, in addition to funds made available for migrant and seasonal Head Start programs under any other provision of section 640(a) of such Act;

(5) $200,000,000 shall be available through September 30, 2023, of which up to 1 percent may be reserved for research and evaluation, and the remaining unreserved amount shall be available in addition to funds made available under any other provision of section 640, for award by the Secretary to
grantees that apply for supplemental funding to increase their hours of program operations and for training and technical assistance for such activities;

(6) $8,000,000 shall be available for the purposes of maintaining the Tribal Colleges and Universities Head Start Partnership Program consistent with section 648(g) of such Act; and

(7) $21,000,000 shall be available to supplement funding otherwise available for research, evaluation, and Federal administrative costs:

Provided further, That the Secretary may reduce the reservation of funds under section 640(a)(2)(C) of such Act in lieu of reducing the reservation of funds under sections 640(a)(2)(B), 640(a)(2)(D), and 640(a)(2)(E) of such Act: Provided further, That $450,000,000 shall be available until December 31, 2022 for carrying out sections 9212 and 9213 of the Every Student Succeeds Act: Provided further, That up to 3 percent of the funds in the preceding proviso shall be available for technical assistance and evaluation related to grants awarded under such section 9212: Provided further, That $834,000,000 shall be for making payments under the CSBG Act: Provided further, That for the purposes of carrying out the CSBG Act, the term “poverty line” as defined in section 673(2) of the CSBG Act means 200 percent of the poverty line
otherwise applicable under such section (excluding the last sentence of such section) without regard to such section:

Provided further, That $34,000,000 shall be for section 680 of the CSBG Act, of which not less than $23,000,000 shall be for section 680(a)(2) and not less than $11,000,000 shall be for section 680(a)(3)(B) of such Act:

Provided further, That, notwithstanding section 675C(a)(3) of the CSBG Act, to the extent Community Services Block Grant funds are distributed as grant funds by a State to an eligible entity as provided under such Act, and have not been expended by such entity, they shall remain with such entity for carryover into the next fiscal year for expenditure by such entity consistent with program purposes: Provided further, That the Secretary shall establish procedures regarding the disposition of intangible assets and program income that permit such assets acquired with, and program income derived from, grant funds authorized under section 680 of the CSBG Act to become the sole property of such grantees after a period of not more than 12 years after the end of the grant period for any activity consistent with section 680(a)(2)(A) of the CSBG Act: Provided further, That intangible assets in the form of loans, equity investments and other debt instruments, and program income may be used by grantees for any eligible purpose consistent with section...
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1 680(a)(2)(A) of the CSBG Act: Provided further, That
2 these procedures shall apply to such grant funds made
3 available after November 29, 1999: Provided further, That
4 funds appropriated for section 680(a)(2) of the CSBG Act
5 shall be available for financing construction and rehabili-
6 tation and loans or investments in private business enter-
7 prises owned by community development corporations:
8 Provided further, That $449,700,000 shall be for carrying
9 out section 303(a) of the Family Violence Prevention and
10 Services Act, of which $175,000,000 shall be for providing
direct payments to any victim of family violence, domestic
violence, or dating violence, or to any dependent of such
victim, notwithstanding section 308(d)(1) of such Act:
Provided further, That $7,000,000 shall be allocated, not-
withstanding section 303(a)(2) of the Family Violence
Prevention and Services Act, for carrying out section 309
of such Act; and $6,750,000 shall be for necessary admin-
istrative expenses to carry out such Act and section 2204
of the American Rescue Plan Act of 2021, in addition to
amounts otherwise available for such purposes: Provided
further, That the percentages specified in section
112(a)(2) of the Child Abuse Prevention and Treatment
Act shall not apply to funds appropriated under this head-
ing: Provided further, That $4,000,000 shall be for a
human services case management system for federally de-
clared disasters, to include a comprehensive national case
management contract and Federal costs of administering
the system: Provided further, That up to $2,000,000 shall
be for improving the Public Assistance Reporting Informa-
tion System, including grants to States to support data
collection for a study of the system’s effectiveness.

PROMOTING SAFE AND STABLE FAMILIES

For carrying out, except as otherwise provided, sec-
tion 436 of the Social Security Act, $345,000,000 and,
for carrying out, except as otherwise provided, section 437
of such Act, $106,000,000: Provided, That of the funds
available to carry out section 437, $60,000,000 shall be
allocated consistent with subsections (b) through (d) of
such section: Provided further, That of the funds available
to carry out section 437, to assist in meeting the require-
ments described in section 471(e)(4)(C), $30,000,000
shall be for grants to each State, territory, and Indian
tribe operating title IV–E plans for developing, enhancing,
or evaluating kinship navigator programs, as described in
section 427(a)(1) of such Act and $9,000,000, in addition
to funds otherwise appropriated in section 476 for such
purposes, shall be for the Family First Clearinghouse and
to support evaluation and technical assistance relating to
the evaluation of child and family services: Provided fur-
ther, That of the funds available to carry out section 437, $7,000,000 shall be for competitive grants to regional partnerships as described in section 437(f), and shall be in addition to any other funds appropriated for such purposes: **Provided further,** That section 437(b)(1) shall be applied to amounts in the previous proviso by substituting “5 percent” for “3.3 percent”, and notwithstanding section 436(b)(1), such reserved amounts may be used for identifying, establishing, and disseminating practices to meet the criteria specified in section 471(e)(4)(C): **Provided further,** That the reservation in section 437(b)(2) and the limitations in section 437(d) shall not apply to funds specified in the second proviso under this heading: **Provided further,** That the minimum grant award for kinship navigator programs in the case of States and territories shall be $200,000, and, in the case of tribes, shall be $25,000.

**PAYMENTS FOR FOSTER CARE AND PERMANENCY**

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

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

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

ADMINISTRATION FOR COMMUNITY LIVING

AGING AND DISABILITY SERVICES PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For carrying out, to the extent not otherwise pro-
vided, the Older Americans Act of 1965 ("OAA"), the
RAISE Family Caregivers Act, the Supporting Grand-
parents Raising Grandchildren Act, titles III and XXIX
of the PHS Act, sections 1252 and 1253 of the PHS Act,
section 119 of the Medicare Improvements for Patients
and Providers Act of 2008, title XX–B of the Social Secu-
rity Act, the Developmental Disabilities Assistance and
Bill of Rights Act, parts 2 and 5 of subtitle D of title
II of the Help America Vote Act of 2002, the Assistive
Technology Act of 1998, titles II and VII (and section
14 with respect to such titles) of the Rehabilitation Act
of 1973, and for Department-wide coordination of policy
and program activities that assist individuals with disabil-
ities, $3,047,414,000, together with $57,115,000 to be
transferred from the Federal Hospital Insurance Trust
Fund and the Federal Supplementary Medical Insurance
Trust Fund to carry out section 4360 of the Omnibus
Budget Reconciliation Act of 1990: Provided, That
amounts appropriated under this heading may be used for grants to States under section 361 of the OAA only for disease prevention and health promotion programs and activities which have been demonstrated through rigorous evaluation to be evidence-based and effective: Provided further, That of amounts made available under this heading to carry out sections 311, 331, and 336 of the OAA, up to one percent of such amounts shall be available for developing and implementing evidence-based practices for enhancing senior nutrition, including medically-tailored meals: Provided further, That notwithstanding any other provision of this Act, funds made available under this heading to carry out section 311 of the OAA may be transferred to the Secretary of Agriculture in accordance with such section: Provided further, That $2,000,000 shall be for competitive grants to support alternative financing programs that provide for the purchase of assistive technology devices, such as a low-interest loan fund; an interest buy-down program; a revolving loan fund; a loan guarantee; or an insurance program: Provided further, That applicants shall provide an assurance that, and information describing the manner in which, the alternative financing program will expand and emphasize consumer choice and control: Provided further, That State agencies and community-based disability organizations that are di-
rected by and operated for individuals with disabilities shall be eligible to compete: Provided further, That none of the funds made available under this heading may be used by an eligible system (as defined in section 102 of the Protection and Advocacy for Individuals with Mental Illness Act (42 U.S.C. 10802)) to continue to pursue any legal action in a Federal or State court on behalf of an individual or group of individuals with a developmental disability (as defined in section 102(8)(A) of the Developmental Disabilities and Assistance and Bill of Rights Act of 2000 (20 U.S.C. 15002(8)(A)) that is attributable to a mental impairment (or a combination of mental and physical impairments), that has as the requested remedy the closure of State operated intermediate care facilities for people with intellectual or developmental disabilities, unless reasonable public notice of the action has been provided to such individuals (or, in the case of mental incapacitation, the legal guardians who have been specifically awarded authority by the courts to make healthcare and residential decisions on behalf of such individuals) who are affected by such action, within 90 days of instituting such legal action, which informs such individuals (or such legal guardians) of their legal rights and how to exercise such rights consistent with current Federal Rules of Civil Procedure: Provided further, That the limitations in the imme-
diately preceding proviso shall not apply in the case of an individual who is neither competent to consent nor has a legal guardian, nor shall the proviso apply in the case of individuals who are a ward of the State or subject to public guardianship.

Office of the Secretary

General Departmental Management

For necessary expenses, not otherwise provided, for general departmental management, including hire of six passenger motor vehicles, and for carrying out titles III, XVII, XXI, and section 229 of the PHS Act, the United States-Mexico Border Health Commission Act, and research studies under section 1110 of the Social Security Act, $582,981,000, together with $74,828,000 from the amounts available under section 241 of the PHS Act to carry out national health or human services research and evaluation activities: Provided, That of this amount, $58,400,000 shall be for minority AIDS prevention and treatment activities: Provided further, That of the funds made available under this heading, $130,000,000 shall be for making competitive contracts and grants to public and private entities to fund medically accurate and age appropriate programs that reduce teen pregnancy and for the Federal costs associated with administering and evaluating such contracts and grants, of which not more than
10 percent of the available funds shall be for training and technical assistance, evaluation, outreach, and additional program support activities, and of the remaining amount 75 percent shall be for replicating programs that have been proven effective through rigorous evaluation to reduce teenage pregnancy, behavioral risk factors underlying teenage pregnancy, or other associated risk factors, and 25 percent shall be available for research and demonstration grants to develop, replicate, refine, and test additional models and innovative strategies for preventing teenage pregnancy: Provided further, That of the amounts provided under this heading from amounts available under section 241 of the PHS Act, $6,800,000 shall be available to carry out evaluations (including longitudinal evaluations) of teenage pregnancy prevention approaches: Provided further, That funds provided in this Act for embryo adoption activities may be used to provide to individuals adopting embryos, through grants and other mechanisms, medical and administrative services deemed necessary for such adoptions: Provided further, That such services shall be provided consistent with 42 CFR 59.5(a)(4): Provided further, That of the funds made available under this heading, $5,000,000 shall be for carrying out prize competitions sponsored by the Office of the Secretary to accelerate innovation in the prevention, diagnosis, and treatment of
kidney diseases (as authorized by section 24 of the Steven-
3719)): Provided further, That notwithstanding any other
provision of law, the Secretary may use $7,891,000 of the
amounts appropriated under this heading to supplement
funds otherwise available to the Secretary for the hire and
purchase of electric vehicles and electric vehicle charging
stations, and to cover other costs related to electrifying
the motor vehicle fleet within HHS: Provided further, That
electric chargers installed in a parking area with such
funds described in the preceding proviso shall be deemed
personal property under the control and custody of the
Department of Health and Human Services managing
such parking area: Provided further, That of the funds
made available under this heading $3,000,000 shall be for
establishing a National Health Care Workforce Commis-
sion (as authorized by section 5101 of Public Law 111-
148).

MEDICARE HEARINGS AND APPEALS

For expenses necessary for Medicare hearings and
appeals in the Office of the Secretary, $196,000,000 shall
remain available until September 30, 2023, to be trans-
ferred in appropriate part from the Federal Hospital In-
surance Trust Fund and the Federal Supplementary Med-
ical Insurance Trust Fund.
For expenses necessary for the Office of the National Coordinator for Health Information Technology, including grants, contracts, and cooperative agreements for the development and advancement of interoperable health information technology, $86,614,000 shall be available from amounts available under section 241 of the PHS Act.

For expenses necessary for the Office of Inspector General, including the hire of passenger motor vehicles for investigations, in carrying out the provisions of the Inspector General Act of 1978, $100,000,000: Provided, That of such amount, necessary sums shall be available for providing protective services to the Secretary and investigating non-payment of child support cases for which non-payment is a Federal offense under 18 U.S.C. 228: Provided further, That, of the amount appropriated under this heading $5,300,000 shall be available through September 30, 2023, for activities authorized under section 3022 of the PHS Act (42 U.S.C. 300jj-52).

For expenses necessary for the Office for Civil Rights, $47,931,000.
RETIEMENT PAY AND MEDICAL BENEFITS FOR COMMISSIONED OFFICERS

For retirement pay and medical benefits of Public Health Service Commissioned Officers as authorized by law, for payments under the Retired Serviceman’s Family Protection Plan and Survivor Benefit Plan, and for medical care of dependents and retired personnel under the Dependents’ Medical Care Act, such amounts as may be required during the current fiscal year.

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

For expenses necessary to support activities related to countering potential biological, nuclear, radiological, chemical, and cybersecurity threats to civilian populations, and for other public health emergencies, $1,508,036,000, of which $823,380,000 shall remain available through September 30, 2023, for expenses necessary to support advanced research and development pursuant to section 319L of the PHS Act and other administrative expenses of the Biomedical Advanced Research and Development Authority: Provided, That funds provided under this heading for the purpose of acquisition of security countermeasures shall be in addition to any other funds available for such purpose: Provided further, That products purchased with funds provided under this heading may, at
the discretion of the Secretary, be deposited in the Strategic National Stockpile pursuant to section 319F–2 of the PHS Act: Provided further, That $5,000,000 of the amounts made available to support emergency operations shall remain available through September 30, 2024.

For expenses necessary for procuring security countermeasures (as defined in section 319F–2(e)(1)(B) of the PHS Act), $770,000,000, to remain available until expended.

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

For an additional amount for expenses necessary to prepare for or respond to an influenza pandemic, $335,000,000; of which $300,000,000 shall be available until expended, for activities including the development and purchase of vaccine, antivirals, necessary medical supplies, diagnostics, and other surveillance tools: Provided, That notwithstanding section 496(b) of the PHS Act, funds may be used for the construction or renovation of privately owned facilities for the production of pandemic influenza vaccines and other biologies, if the Secretary finds such construction or renovation necessary to secure sufficient supplies of such vaccines or biologies.
General Provisions

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

Sec. 202. None of the funds appropriated in this title shall be used to pay the salary of an individual, through a grant or other extramural mechanism, at a rate in excess of Executive Level II: Provided, That none of the funds appropriated in this title shall be used to prevent the NIH from paying up to 100 percent of the salary of an individual at this rate.

Sec. 203. None of the funds appropriated in this Act may be expended pursuant to section 241 of the PHS Act, except for funds specifically provided for in this Act, or for other taps and assessments made by any office located in HHS, prior to the preparation and submission of a report by the Secretary to the Committees on Appropriations of the House of Representatives and the Senate detailing the planned uses of such funds.

Sec. 204. Notwithstanding section 241(a) of the PHS Act, such portion as the Secretary shall determine, but not more than 2.5 percent, of any amounts appropriated for programs authorized under such Act shall be made available for the evaluation (directly, or by grants...
or contracts) and the implementation and effectiveness of programs funded in this title.

(TRANSFER OF FUNDS)

Sec. 205. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985) which are appropriated for the current fiscal year for HHS in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: Provided, That the transfer authority granted by this section shall not be used to create any new program or to fund any project or activity for which no funds are provided in this Act: Provided further, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

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

Sec. 207. None of the funds appropriated in this Act may be made available to any entity under title X of the
PHS Act unless the applicant for the award certifies to
the Secretary that it encourages family participation in
the decision of minors to seek family planning services and
that it provides counseling to minors on how to resist at-
tempts to coerce minors into engaging in sexual activities.

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

Sec. 209. None of the funds appropriated by this Act
(including funds appropriated to any trust fund) may be
used to carry out the Medicare Advantage program if the
Secretary denies participation in such program to an oth-
erwise eligible entity (including a Provider Sponsored Or-
ganization) because the entity informs the Secretary that
it will not provide, pay for, provide coverage of, or provide
referrals for abortions: Provided, That the Secretary shall
make appropriate prospective adjustments to the capita-
tion payment to such an entity (based on an actuarially
sound estimate of the expected costs of providing the serv-
ice to such entity’s enrollees): Provided further, That noth-
ing in this section shall be construed to change the Medi-
care program’s coverage for such services and a Medicare
Advantage organization described in this section shall be
responsible for informing enrollees where to obtain information about all Medicare covered services.

SEC. 210. None of the funds made available in this title may be used, in whole or in part, to advocate or promote gun control.

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

SEC. 212. In order for HHS to carry out international health activities, including HIV/AIDS and other infectious disease, chronic and environmental disease, and other health activities abroad during fiscal year 2022:

(1) The Secretary may exercise authority equivalent to that available to the Secretary of State in section 2(c) of the State Department Basic Authorities Act of 1956. The Secretary shall consult with the Secretary of State and relevant Chief of Mission to ensure that the authority provided in this section is exercised in a manner consistent with section 207 of the Foreign Service Act of 1980 and other appli-
cable statutes administered by the Department of State.

(2) The Secretary is authorized to provide such funds by advance or reimbursement to the Secretary of State as may be necessary to pay the costs of acquisition, lease, alteration, renovation, and management of facilities outside of the United States for the use of HHS. The Department of State shall cooperate fully with the Secretary to ensure that HHS has secure, safe, functional facilities that comply with applicable regulation governing location, setback, and other facilities requirements and serve the purposes established by this Act. The Secretary is authorized, in consultation with the Secretary of State, through grant or cooperative agreement, to make available to public or nonprofit private institutions or agencies in participating foreign countries, funds to acquire, lease, alter, or renovate facilities in those countries as necessary to conduct programs of assistance for international health activities, including activities relating to HIV/AIDS and other infectious diseases, chronic and environmental diseases, and other health activities abroad.

(3) The Secretary is authorized to provide to personnel appointed or assigned by the Secretary to
serve abroad, allowances and benefits similar to
those provided under chapter 9 of title I of the For-
through 4086 and subject to such regulations pre-
scribed by the Secretary. The Secretary is further
authorized to provide locality-based comparability
payments (stated as a percentage) up to the amount
of the locality-based comparability payment (stated
as a percentage) that would be payable to such per-
sonnel under section 5304 of title 5, United States
Code if such personnel’s official duty station were in
the District of Columbia. Leaves of absence for per-
sonnel under this subsection shall be on the same
basis as that provided under subchapter I of chapter
63 of title 5, United States Code, or section 903 of
the Foreign Service Act of 1980, to individuals serv-
ing in the Foreign Service.

(TRANSFER OF FUNDS)

Sec. 213. The Director of the NIH, jointly with the
Director of the Office of AIDS Research, may transfer up
to 3 percent among institutes and centers from the total
amounts identified by these two Directors as funding for
research pertaining to the human immunodeficiency virus:
Provided, That the Committees on Appropriations of the
House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

(TRANSFER OF FUNDS)

SEC. 214. Of the amounts made available in this Act for NIH, the amount for research related to the human immunodeficiency virus, as jointly determined by the Director of NIH and the Director of the Office of AIDS Research, shall be made available to the “Office of AIDS Research” account. The Director of the Office of AIDS Research shall transfer from such account amounts necessary to carry out section 2353(d)(3) of the PHS Act.

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

(b) PEER REVIEW.—In entering into transactions under subsection (a), the Director may utilize such peer review procedures (including consultation with appropriate scientific experts) as the Director determines to be appropriate to obtain assessments of scientific and technical merit. Such procedures shall apply to such transactions in lieu of the peer review and advisory council review pro-
cedures that would otherwise be required under sections 301(a)(3), 405(b)(1)(B), 405(b)(2), 406(a)(3)(A), 492, and 494 of the PHS Act.

Sec. 216. Not to exceed $45,000,000 of funds appropriated by this Act to the institutes and centers of the National Institutes of Health may be used for alteration, repair, or improvement of facilities, as necessary for the proper and efficient conduct of the activities authorized herein, at not to exceed $3,500,000 per project.

(TRANSFER OF FUNDS)

Sec. 217. Of the amounts made available for NIH, 1 percent of the amount made available for National Research Service Awards (‘‘NRSA’’) shall be made available to the Administrator of the Health Resources and Services Administration to make NRSA awards for research in primary medical care to individuals affiliated with entities who have received grants or contracts under sections 736, 739, or 747 of the PHS Act, and 1 percent of the amount made available for NRSA shall be made available to the Director of the Agency for Healthcare Research and Quality to make NRSA awards for health service research.

Sec. 218. (a) The Biomedical Advanced Research and Development Authority (‘‘BARDA’’) may enter into a contract, for more than one but no more than 10 program years, for purchase of research services or of security services necessary for the performance of research and development activities.
countermeasures, as that term is defined in section 319F–
2(c)(1)(B) of the PHS Act (42 U.S.C. 247d–6b(c)(1)(B)),
if—

(1) funds are available and obligated—

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

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

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

(b) A contract entered into under this section—

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

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

Sec. 219. The Secretary shall publish, as part of the
fiscal year 2023 budget of the President submitted under
section 1105(a) of title 31, United States Code, informa-
tion that details the uses of all funds used by the Centers
for Medicare & Medicaid Services specifically for Health
Insurance Exchanges for each fiscal year since the enactment of the ACA and the proposed uses for such funds for fiscal year 2023. Such information shall include, for each such fiscal year, the amount of funds used for each activity specified under the heading “Health Insurance Exchange Transparency” in the report accompanying this Act.

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

(TRANSFER OF FUNDS)

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

(b) Notwithstanding section 4002(e) of the ACA, the Secretary may not further transfer these amounts.
(c) Funds transferred for activities authorized under section 2821 of the PHS Act shall be made available without reference to section 2821(b) of such Act.

SEC. 222. Effective during the period beginning on November 1, 2015 and ending January 1, 2024, any provision of law that refers (including through cross-reference to another provision of law) to the current recommendations of the United States Preventive Services Task Force with respect to breast cancer screening, mammography, and prevention shall be administered by the Secretary involved as if—

(1) such reference to such current recommendations were a reference to the recommendations of such Task Force with respect to breast cancer screening, mammography, and prevention last issued before 2009; and

(2) such recommendations last issued before 2009 applied to any screening mammography modality under section 1861(jj) of the Social Security Act (42 U.S.C. 1395x(jj)).

SEC. 223. In making Federal financial assistance, the provisions relating to indirect costs in part 75 of title 45, Code of Federal Regulations, including with respect to the approval of deviations from negotiated rates, shall continue to apply to the National Institutes of Health to the
same extent and in the same manner as such provisions were applied in the third quarter of fiscal year 2017. None of the funds appropriated in this or prior Acts or otherwise made available to the Department of Health and Human Services or to any department or agency may be used to develop or implement a modified approach to such provisions, or to intentionally or substantially expand the fiscal effect of the approval of such deviations from negotiated rates beyond the proportional effect of such approvals in such quarter.

(TRANSFER OF FUNDS)

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

Sec. 225. (a) The Secretary shall provide to the Committees on Appropriations of the House of Representatives and the Senate:

1. Detailed monthly enrollment figures from the Exchanges established under the Patient Protec-
tion and Affordable Care Act of 2010 pertaining to
enrollments during the open enrollment period; and

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

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

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

SEC. 227. Funds appropriated in this Act that are
available for salaries and expenses of employees of the De-
partment of Health and Human Services shall also be
available to pay travel and related expenses of such an
employee or of a member of his or her family, when such
employee is assigned to duty, in the United States or in
a U.S. territory, during a period and in a location that
are the subject of a determination of a public health emer-
gency under section 319 of the Public Health Service Act
and such travel is necessary to obtain medical care for
an illness, injury, or medical condition that cannot be ade-
quately addressed in that location at that time. For purposes of this section, the term “U.S. territory” means Guam, the Commonwealth of Puerto Rico, the Northern Mariana Islands, the Virgin Islands, American Samoa, or the Trust Territory of the Pacific Islands.

SEC. 228. The Department of Health and Human Services may accept donations from the private sector, nongovernmental organizations, and other groups independent of the Federal Government for the care of unaccompanied alien children (as defined in section 462(g)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2))) in the care of the Office of Refugee Resettlement of the Administration for Children and Families, including monetary donations, medical goods and services, which may include early childhood developmental screenings, school supplies, toys, clothing, and any other items and services intended to promote the wellbeing of such children. Monetary donations received by the Department of Health and Human Services under this section shall be retained and credited to the Refugee and Entrant Assistance account and shall remain available until expended for the purposes provided by this section.

SEC. 229. None of the funds made available in this Act under the heading “Department of Health and Human Services—Administration for Children and Fami-
lies—Refugee and Entrant Assistance” may be obligated to a grantee or contractor to house unaccompanied alien children (as such term is defined in section 462(g)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2))) in any facility that is not State-licensed for the care of unaccompanied alien children, except in the case that the Secretary determines that housing unaccompanied alien children in such a facility is necessary on a temporary basis due to an influx of such children or an emergency, provided that—

(1) the terms of the grant or contract for the operations of any such facility that remains in operation for more than three consecutive months shall require compliance with—

(A) the same requirements as licensed placements, as listed in Exhibit 1 of the Flores Settlement Agreement that the Secretary determines are applicable to non-State licensed facilities; and

(B) staffing ratios of one (1) on-duty Youth Care Worker for every eight (8) children or youth during waking hours, one (1) on-duty Youth Care Worker for every sixteen (16) children or youth during sleeping hours, and clinician ratios to children (including mental health

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providers) as required in grantee cooperative agreements;

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

(3) if the Secretary determines that a contractor or grantee is not in compliance after the Secretary has granted a 60-day waiver, the Secretary shall not permit such contractor or grantee to continue to provide services beyond a reasonable period, not to exceed 60 days, needed to award a contract or grant to a new service provider, and the incumbent contractor or grantee shall not be eligible to compete for the new contract or grant;

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

(5) for any such unlicensed facility in operation for more than three consecutive months, ORR shall conduct a minimum of one comprehensive monitoring visit during the first three months of oper-
ation, with quarterly monitoring visits thereafter; and

(6) not later than 60 days after the date of enactment of this Act, ORR shall brief the Committees on Appropriations of the House of Representatives and the Senate outlining the requirements of ORR for influx facilities including any requirement listed in paragraph (1)(A) that the Secretary has determined are not applicable to non-State licensed facilities.

SEC. 230. In addition to the existing Congressional notification for formal site assessments of potential influx facilities, the Secretary shall notify the Committees on Appropriations of the House of Representatives and the Senate at least 15 days before operationalizing an unlicensed facility, and shall (1) specify whether the facility is hard-sided or soft-sided, and (2) provide analysis that indicates that, in the absence of the influx facility, the likely outcome is that unaccompanied alien children will remain in the custody of the Department of Homeland Security for longer than 72 hours or that unaccompanied alien children will be otherwise placed in danger. Within 60 days of bringing such a facility online, and monthly thereafter, the Secretary shall provide to the Committees on Appropriations of the House of Representatives and the Senate a
report detailing the total number of children in care at
the facility, the average length of stay and average length
of care of children at the facility, and, for any child that
has been at the facility for more than 60 days, their length
of stay and reason for delay in release.

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

SEC. 232. Not later than 14 days after the date of
enactment of this Act, and monthly thereafter, the Sec-
retary shall submit to the Committees on Appropriations
of the House of Representatives and the Senate, and make
publicly available online, a report with respect to children
who were separated from their parents or legal guardians
by the Department of Homeland Security (DHS) (regard-
less of whether or not such separation was pursuant to
an option selected by the children, parents, or guardians),
subsequently classified as unaccompanied alien children, and transferred to the care and custody of ORR during the previous month. Each report shall contain the following information:

(1) the number and ages of children so separated subsequent to apprehension at or between ports of entry, to be reported by sector where separation occurred; and

(2) the documented cause of separation, as reported by DHS when each child was referred.

Sec. 233. (a) None of the funds made available by this Act may be used to share any information pertaining to an unaccompanied alien child (as defined in section 462(g)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2))) for use or reference in any removal proceeding or otherwise for enforcement of the immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))).

(b) Subsection (a) shall be construed to preclude the transmission of information described in such subsection to any individual, entity, or government agency with the knowledge or intent that the information would be retransmitted or otherwise shared for a purpose prohibited under such subsection.
(c) All records for which Office of Refugee Resettlement policies require the written release authorization of the Office of Refugee Resettlement shall have the presumption of confidentiality and nondisclosure, including unaccompanied alien child case files, specific information contained in such case files, all information given to a case manager, therapist, clinical worker, counselor, or social worker by such a child during clinical or therapeutic work, and other confidential information pertaining to such children, their sponsors, or their potential sponsors.

(d) Nothing in this section shall be construed to prohibit or restrict the continued implementation of interagency agreements or coordination under section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232) pertinent to a child’s placement after attaining 18 years of age.

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

(1) in the same facility; or

(2) with the same sponsor.
SEC. 235. Not later than 30 days after the date of enactment of this Act, the Secretary shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed spend plan of anticipated uses of all funds made available under the heading “Department of Health and Human Services—Administration for Children and Families—Refugee and Entrant Assistance”, including the following: a list of existing grants and contracts for both permanent and influx facilities, including their costs, capacity, and timelines; costs for expanding capacity through the use of community-based residential care placements (including long-term and transitional foster care and small group homes) through new or modified grants and contracts; current and planned efforts to expand small-scale shelters and available foster care placements, including collaboration with State child welfare providers; influx facilities being assessed for possible use; costs and services to be provided for legal services, child advocates, and post-release services; program administration; and the average number of weekly referrals and discharge rate assumed in the spend plan: Provided, That such plan shall be updated to reflect changes and expenditures and submitted to the Committees on Appropriations of the House of Representatives and the Senate every 60 days until all funds are expended or expired.
Sec. 236. Funds appropriated in this Act that are available for salaries and expenses of employees of the Centers for Disease Control and Prevention shall also be available for the primary and secondary schooling of eligible dependents of personnel stationed in a U.S. territory as defined in section 227 of this Act at costs not in excess of those paid for or reimbursed by the Department of Defense.

(RESCISSION)

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

Sec. 238. The Secretary is authorized to provide, from funds made available in this title for such purposes, mental health and other supportive services, including through grants, contracts, or cooperative agreements, for children, parents, and legal guardians who were separated at the United States-Mexico border between January 20, 2017, and January 20, 2021, in connection with the Zero-Tolerance Policy (as discussed in the Attorney General’s memorandum of April 6, 2018, entitled “Zero-Tolerance for Offenses Under 8 U.S.C. 1325(a)” ) or any other United States Government practice, policy, program, or initiative that resulted in the separation of children who
arrived at the United States-Mexico border with their parents or legal guardians during such period. The Secretary may identify the individuals eligible to receive such mental health and other supportive services under this section through reference to the identified members of the classes, and their minor children, in the class-action lawsuits *Ms. J.P. v. Barr* and *Ms. L. v. ICE*.

SEC. 239. The unobligated balances of amounts appropriated or transferred to the Centers for Disease Control and Prevention under the heading “Buildings and Facilities” in title II of division H of the Consolidated Appropriations Act, 2018 (Public Law 115–141) for a biosafety level 4 laboratory shall also be available for the acquisition of real property, equipment, construction, demolition, renovation of facilities, and installation expenses, including moving expenses, related to such laboratory: Provided, That not later than September 30, 2022, the remaining unobligated balances of such funds are hereby rescinded, and an amount of additional new budget authority equivalent to the amount rescinded is hereby appropriated, to remain available until expended, for the same purposes as such unobligated balances, in addition to any other amounts available for such purposes.

SEC. 240. (a) PREMIUM PAY AUTHORITY.—If services performed by a Department of Health and Human
Services employee during a public health emergency declared under section 319 of the Public Health Service Act are determined by the Secretary to be primarily related to preparation for, prevention of, or response to such public health emergency, any premium pay that is provided for such services shall be exempted from the aggregate of basic pay and premium pay calculated under section 5547(a) of title 5, United States Code, and any other provision of law limiting the aggregate amount of premium pay payable on a biweekly or calendar year basis.

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

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

(d) LIMITATION ON PAY AUTHORITY.—Pay exempted from otherwise applicable limits under subsection (a) shall not cause the aggregate pay earned for the calendar year in which the exempted pay is earned to exceed the rate of basic pay payable for a position at level II of the Execu-
(c) **DANGER PAY FOR SERVICE IN PUBLIC HEALTH EMERGENCIES.**—The Secretary may grant a danger pay allowance under section 5928 of title 5, United States Code, without regard to the conditions of the first sentence of such section, for work that is performed by a Department of Health and Human Services employee during a public health emergency declared under section 319 of the Public Health Service Act that the Secretary determines is primarily related to preparation for, prevention of, or response to such public health emergency and is performed under conditions that threaten physical harm or imminent danger to the health or well-being of the employee.

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

Sec. 241. (a) None of the funds made available by this Act may be awarded to any organization, including under the Child Welfare or Federal Foster Care programs under parts B or E of title IV of the Social Security Act, that does not comply with paragraphs (c) and (d) of section 75.300 of title 45, Code of Federal Regulations (prohibiting discrimination on the basis of age, disability, sex, race, color, national origin, religion, gender identity, or sexual orientation), as in effect on October 1, 2019.
(b) None of the funds made available by this Act may be used by the Department of Health and Human Services to grant an exception from either such paragraph for any Federal grantee.

Sec. 242. During this fiscal year, an Operating or Staff Division in HHS may enter into a reimbursable agreement with another major organizational unit within HHS or of another agency under which the ordering agency or unit delegates to the servicing agency or unit the authority and funding to issue a grant or cooperative agreement on its behalf: Provided, That the head of the ordering agency or unit certifies that amounts are available and that the order is in the best interests of the United States Government: Provided further, That funding may be provided by way of advance or reimbursement, as deemed appropriate by the ordering agency or unit, with proper adjustments of estimated amounts provided in advance to be made based on actual costs: Provided further, That an agreement made under this section obligates an appropriation of the ordering agency or unit, including for costs to administer such grant or cooperative agreement, and such obligation shall be deemed to be an obligation for any purpose of law: Provided further, That an agreement made under this section may be performed for a period that extends beyond the current fiscal year.
SEC. 243. (a) None of the funds made available by this Act may be used to prepare or issue any solicitation for a contract for the CMS Contact Center Operations that contemplates a total period of performance, including option periods, that exceeds 24 months.

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

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

SEC. 245. Section 402A(d) of the Public Health Service Act (42 U.S.C. 282a(d)) is amended—

(1) in the first sentence by striking “under subsection (a)(1)” and inserting “to carry out this title”; and

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

SEC. 246. The Secretary of Health and Human Services may waive penalties and administrative requirements in title XXVI of the Public Health Service Act for awards under such title from amounts provided under the heading
“Department of Health and Human Services—Health Resources and Services Administration” in this or any other appropriations Act for this fiscal year, including amounts made available to such heading by transfer.

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

SEC. 248. (a) Funds made available in Public Law 114-113 to the accounts of the National Institutes of Health that were available for obligation through fiscal year 2016 and were obligated for multi-year research grants shall be available through fiscal year 2022 for the liquidation of valid obligations incurred in fiscal year 2016 if the Director of the National Institutes of Health determines the project suffered an interruption of activities attributable to SARS-CoV-2.

(b)(1) Subject to paragraph (2), this section shall become effective immediately upon enactment of this Act.
(2) If this Act is enacted after September 30, 2021, this section shall be applied as if it were in effect on September 30, 2021.

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

TITLE III

DEPARTMENT OF EDUCATION

EDUCATION FOR THE DISADVANTAGED

For carrying out title I and subpart 2 of part B of title II of the Elementary and Secondary Education Act of 1965 (referred to in this Act as “ESEA”) and section 418A of the Higher Education Act of 1965 (referred to in this Act as “HEA”), $36,756,790,000, of which $25,813,490,000 shall become available on July 1, 2022, and shall remain available through September 30, 2023, and of which $10,841,177,000 shall become available on October 1, 2022, and shall remain available through September 30, 2023, for academic year 2022–2023: Provided, That $6,459,401,000 shall be for basic grants under section 1124 of the ESEA: Provided further, That up to $5,000,000 of these funds shall be available to the Secretary of Education (referred to in this title as “Secretary”) on October 1, 2021, to obtain annually updated local educational agency-level census poverty data from the Bureau of the Census: Provided further, That
$1,362,301,000 shall be for concentration grants under section 1124A of the ESEA: Provided further, That $14,107,550,000 shall be for targeted grants under section 1125 of the ESEA: Provided further, That $14,107,550,000 shall be for education finance incentive grants under section 1125A of the ESEA: Provided further, That $223,000,000 shall be for carrying out subpart 2 of part B of title II: Provided further, That $66,123,000 shall be for carrying out section 418A of the HEA.

IMPACT AID

For carrying out programs of financial assistance to federally affected schools authorized by title VII of the ESEA, $1,552,112,000, of which $1,404,242,000 shall be for basic support payments under section 7003(b), $48,316,000 shall be for payments for children with disabilities under section 7003(d), $17,406,000 shall be for construction under section 7007(a), $77,313,000 shall be for Federal property payments under section 7002, and $4,835,000, to remain available until expended, shall be for facilities maintenance under section 7008: Provided, That for purposes of computing the amount of a payment for an eligible local educational agency under section 7003(a) for school year 2021–2022, children enrolled in a school of such agency that would otherwise be eligible for payment under section 7003(a)(1)(B) of such Act, but
due to the deployment of both parents or legal guardians, or a parent or legal guardian having sole custody of such children, or due to the death of a military parent or legal guardian while on active duty (so long as such children reside on Federal property as described in section 7003(a)(1)(B)), are no longer eligible under such section, shall be considered as eligible students under such section, provided such students remain in average daily attendance at a school in the same local educational agency they attended prior to their change in eligibility status.

SCHOOL IMPROVEMENT PROGRAMS

For carrying out school improvement activities authorized by part B of title I, part A of title II, subpart 1 of part A of title IV, part B of title IV, part B of title V, and parts B and C of title VI of the ESEA; the McKinney-Vento Homeless Assistance Act; section 203 of the Educational Technical Assistance Act of 2002; the Compact of Free Association Amendments Act of 2003; and the Civil Rights Act of 1964, $5,803,539,000, of which $3,963,652,000 shall become available on July 1, 2022, and remain available through September 30, 2023, and of which $1,681,441,000 shall become available on October 1, 2022, and shall remain available through September 30, 2023, for academic year 2022–2023: Provided, That $378,000,000 shall be for part B of title I: Provided fur-
ther, That $1,359,673,000 shall be for part B of title IV:

Provided further, That $40,397,000 shall be for part B of title VI, which may be used for construction, renovation, and modernization of any public elementary school, secondary school, or structure related to a public elementary school or secondary school that serves a predominantly Native Hawaiian student body, and that the 5 percent limitation in section 6205(b) of the ESEA on the use of funds for administrative purposes shall apply only to direct administrative costs: Provided further, That $36,453,000 shall be for part C of title VI, which shall be awarded on a competitive basis, and may be used for construction, and that the 5 percent limitation in section 6305 of the ESEA on the use of funds for administrative purposes shall apply only to direct administrative costs: Provided further, That $52,000,000 shall be available to carry out section 203 of the Educational Technical Assistance Act of 2002 and the Secretary shall make such arrangements as determined to be necessary to ensure that the Bureau of Indian Education has access to services provided under this section: Provided further, That $23,021,000 shall be available to carry out the Supplemental Education Grants program for the Federated States of Micronesia and the Republic of the Marshall Islands: Provided further, That the Secretary may reserve
up to 5 percent of the amount referred to in the previous
proviso to provide technical assistance in the implementa-
tion of these grants: Provided further, That $192,840,000
shall be for part B of title V: Provided further, That
$1,305,000,000 shall be available for grants under sub-
part 1 of part A of title IV.

INDIAN EDUCATION

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

INNOVATION AND IMPROVEMENT

For carrying out activities authorized by subparts 1,
3 and 4 of part B of title II, and parts C, D, and E and
subparts 1 and 4 of part F of title IV of the ESEA,
$1,297,276,000: Provided, That $300,500,000 shall be for subparts 1, 3 and 4 of part B of title II and shall be made available without regard to sections 2201, 2231(b) and 2241: Provided further, That $642,776,000 shall be for parts C, D, and E and subpart 4 of part F of title IV, and shall be made available without regard to sections 4311, 4409(a), and 4601 of the ESEA: Provided further, That notwithstanding section 4601(b), $254,000,000 shall be available through December 31, 2022 for subpart 1 of part F of title IV: Provided further, That $100,000,000 shall be for competitive grants to local educational agencies and State educational agencies to reduce racial and socioeconomic segregation across and within school districts.

SAFE SCHOOLS AND CITIZENSHIP EDUCATION

For carrying out activities authorized by subparts 2 and 3 of part F of title IV of the ESEA, $1,666,000,000: Provided, That $1,127,000,000 shall be available for section 4631, of which $500,000,000 shall be for Mental Health Services Professional Demonstration Grants; $500,000,000 shall be for School-Based Mental Health Services Grants; and up to $5,000,000, to remain available until expended, shall be for the Project School Emergency Response to Violence (Project SERV) program: Provided further, That $443,000,000 shall be available for
section 4625: *Provided further*, That $96,000,000 shall be available through December 31, 2022, for section 4624: *Provided further*, That $5,000,000 of the funds made available in the preceding proviso shall be available for planning grants consistent with section 4624(d)(1) of the ESEA, which shall include as a required activity the needs analysis specified in section 4624(a)(4).

**ENGLISH LANGUAGE ACQUISITION**

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

**SPECIAL EDUCATION**

For carrying out the Individuals with Disabilities Education Act (IDEA) and the Special Olympics Sport and Empowerment Act of 2004, $17,200,256,000, of which $7,488,516,000 shall become available on July 1, 2022, and shall remain available through September 30, 2023, and of which $9,283,383,000 shall become available on October 1, 2022, and shall remain available through September 30, 2023, for academic year 2022–2023: *Provided*, That the amount for section 611(b)(2) of the IDEA...
shall be equal to the lesser of the amount available for that activity during fiscal year 2021, increased by the amount of inflation as specified in section 619(d)(2)(B) of the IDEA, or the percent change in the funds appropriated under section 611(i) of the IDEA, but not less than the amount for that activity during fiscal year 2021:

Provided further, That the Secretary shall, without regard to section 611(d) of the IDEA, distribute to all other States (as that term is defined in section 611(g)(2)), subject to the third proviso, any amount by which a State’s allocation under section 611, from funds appropriated under this heading, is reduced under section 612(a)(18)(B), according to the following: 85 percent on the basis of the States’ relative populations of children aged 3 through 21 who are of the same age as children with disabilities for whom the State ensures the availability of a free appropriate public education under this part, and 15 percent to States on the basis of the States’ relative populations of those children who are living in poverty: Provided further, That the Secretary may not distribute any funds under the previous proviso to any State whose reduction in allocation from funds appropriated under this heading made funds available for such a distribution: Provided further, That the States shall allocate such funds distributed under the second proviso to local
educational agencies in accordance with section 611(f):

Provided further, That the amount by which a State’s allocation under section 611(d) of the IDEA is reduced under section 612(a)(18)(B) and the amounts distributed to States under the previous provisos in fiscal year 2012 or any subsequent year shall not be considered in calculating the awards under section 611(d) for fiscal year 2013 or for any subsequent fiscal years: Provided further, That, notwithstanding the provision in section 612(a)(18)(B) regarding the fiscal year in which a State’s allocation under section 611(d) is reduced for failure to comply with the requirement of section 612(a)(18)(A), the Secretary may apply the reduction specified in section 612(a)(18)(B) over a period of consecutive fiscal years, not to exceed 5, until the entire reduction is applied: Provided further, That the Secretary may, in any fiscal year in which a State’s allocation under section 611 is reduced in accordance with section 612(a)(18)(B), reduce the amount a State may reserve under section 611(e)(1) by an amount that bears the same relation to the maximum amount described in that paragraph as the reduction under section 612(a)(18)(B) bears to the total allocation the State would have received in that fiscal year under section 611(d) in the absence of the reduction: Provided further, That the Secretary shall either reduce the allocation of
funds under section 611 for any fiscal year following the fiscal year for which the State fails to comply with the requirement of section 612(a)(18)(A) as authorized by section 612(a)(18)(B), or seek to recover funds under section 452 of the General Education Provisions Act (20 U.S.C. 1234a): Provided further, That the funds reserved under 611(e) of the IDEA may be used to provide technical assistance to States to improve the capacity of the States to meet the data collection requirements of sections 616 and 618 and to administer and carry out other services and activities to improve data collection, coordination, quality, and use under parts B and C of the IDEA: Provided further, That the Secretary may use funds made available for the State Personnel Development Grants program under part D, subpart 1 of IDEA to evaluate program performance under such subpart: Provided further, That States may use funds reserved for other State-level activities under sections 611(e)(2) and 619(f) of the IDEA to make subgrants to local educational agencies, institutions of higher education, other public agencies, and private non-profit organizations to carry out activities authorized by those sections: Provided further, That, notwithstanding section 643(e)(2)(A) of the IDEA, if 5 or fewer States apply for grants pursuant to section 643(e) of such Act, the Secretary shall provide a grant to each
State in an amount equal to the maximum amount described in section 643(e)(2)(B) of such Act: Provided further, That if more than 5 States apply for grants pursuant to section 643(e) of the IDEA, the Secretary shall award funds to those States on the basis of the States’ relative populations of infants and toddlers except that no such State shall receive a grant in excess of the amount described in section 643(e)(2)(B) of such Act: Provided further, That States may use funds allotted under section 643(c) of the IDEA to make subgrants to local educational agencies, institutions of higher education, other public agencies, and private non-profit organizations to carry out activities authorized by section 638 of IDEA: Provided further, That, notwithstanding section 638 of the IDEA, any State receiving a grant under section 633 of the IDEA must reserve not less than 10 percent of its award for use in a manner described in a State plan, approved by the Secretary, to ensure equitable access to and participation in part C services in the State, particularly for populations that have been traditionally underrepresented in the program: Provided further, That, notwithstanding section 632(4)(B) of the IDEA, a State receiving a grant under section 633 of the IDEA may establish a system of payments but may not include in that system family fees or out-of-pocket costs to families for early
intervention services: *Provided further,* That any State seeking to amend its eligibility criteria under section 635(a)(1) of the IDEA in such a way that would have the effect of reducing the number of infants and families who are eligible under part C must conduct the public participation under section 637(a)(8) of the IDEA at least 24 months prior to implementing such a change: *Provided further,* That, notwithstanding section 638 of the IDEA, a State may use funds it receives under section 633 of the IDEA to offer continued early intervention services to a child who previously received services under part C of the IDEA from age 3 until the beginning of the school year following the child’s third birthday without regard to the procedures in section 635(c) of the IDEA.

**Rehabilitation Services**

For carrying out, to the extent not otherwise provided, the Rehabilitation Act of 1973 and the Helen Keller National Center Act, $3,896,820,000, of which $3,719,121,000 shall be for grants for vocational rehabilitation services under title I of the Rehabilitation Act: *Provided,* That the Secretary may use amounts provided in this Act that remain available subsequent to the reallocation of funds to States pursuant to section 110(b) of the Rehabilitation Act for innovative activities aimed at increasing competitive integrated employment as defined in
section 7 of such Act for youth and other individuals with
disabilities: Provided further, That States may award sub-
grants for a portion of the funds to other public and pri-
ivate, nonprofit entities: Provided further, That any funds
made available subsequent to reallocation for innovative
activities aimed at improving the outcomes of individuals
with disabilities shall remain available until September 30,
2023.

SPECIAL INSTITUTIONS FOR PERSONS WITH
Disabilities

AMERICAN PRINTING HOUSE FOR THE BLIND

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

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

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

GALLAUDET UNIVERSITY

For the Kendall Demonstration Elementary School,
the Model Secondary School for the Deaf, and the partial
support of Gallaudet University under titles I and II of
the Education of the Deaf Act of 1986, $143,361,000:
1 Provided, That from the total amount available, the University may at its discretion use funds for the endowment program as authorized under section 207 of such Act.

CAREER, TECHNICAL, AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, the Carl D. Perkins Career and Technical Education Act of 2006 ("Perkins Act") and the Adult Education and Family Literacy Act ("AEFLA"), $2,238,981,000, of which $1,447,981,000 shall become available on July 1, 2022, and shall remain available through September 30, 2023, and of which $791,000,000 shall become available on October 1, 2022, and shall remain available through September 30, 2023: Provided, That $100,000,000 shall be for competitive grants for local educational agencies to carry out evidence-based middle and high school career and technical education innovation programs: Provided further, That section 3(20) of the Perkins Act shall be applied as if the term "eligible institution" includes an apprenticeship program that is registered under the National Apprenticeship Act and accredited by an agency recognized by the Secretary of Education: Provided further, That of the amounts made available for AEFLA, $38,712,000 shall be for national leadership activities under section 242.
STUDENT FINANCIAL ASSISTANCE

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

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

STUDENT AID ADMINISTRATION

For Federal administrative expenses to carry out part D of title I, and subparts 1, 3, 9, and 10 of part A, and parts B, C, D, and E of title IV of the HEA, and subpart 1 of part A of title VII of the Public Health Service Act, $2,053,943,000, to remain available through September 30, 2023: Provided, That the Secretary shall allocate new student loan borrower accounts to eligible student loan servicers on the basis of their past performance compared to all loan servicers utilizing established common metrics, and on the basis of the capacity of each servicer to process new and existing accounts and compliance with Federal and State law: Provided further, That for student loan contracts awarded prior to October 1, 2017, the Secretary shall allow student loan borrowers who are consolidating Federal student loans to select from any student loan servicer to service their new consolidated student loan: Provided further, That in order to promote accountability and high-quality service to borrowers, the Secretary shall
not award funding for any contract solicitation for a new Federal student loan servicing environment, including the solicitation for the Federal Student Aid (FSA) Next Generation Processing and Servicing Environment, unless such an environment provides for the participation of multiple student loan servicers that contract directly with the Department of Education: Provided further, That the Department shall re-allocate accounts from servicers for recurring non-compliance with FSA guidelines, contractual requirements, and Federal and State laws, including for failure to sufficiently inform borrowers of available repayment options: Provided further, That such servicers shall be evaluated based on their ability to meet contract requirements (including an understanding of Federal and State law), future performance on the contracts, and history of compliance with applicable consumer protections laws, including Federal and State law: Provided further, That to the extent FSA permits student loan servicing subcontracting, FSA shall hold prime contractors accountable for meeting the requirements of the contract, and the performance and expectations of subcontractors shall be accounted for in the prime contract and in the overall performance of the prime contractor: Provided further, That FSA shall ensure that the Next Generation Processing and Servicing Environment, or any new Federal loan serv-
icing environment, incentivize more support to borrowers
at risk of delinquency or default: Provided further, That
FSA shall ensure that in such environment contractors
have the capacity to meet and are held accountable for
performance on service levels; are held accountable for and
have a history of compliance with applicable consumer pro-
tection laws, including Federal and State law; and have
relevant experience and demonstrated effectiveness: Pro-
vided further, That the Secretary shall provide quarterly
briefings to the Committees on Appropriations and Edu-
cation and Labor of the House of Representatives and the
Committees on Appropriations and Health, Education,
Labor, and Pensions of the Senate on general progress
related to solicitations for Federal student loan servicing
contracts: Provided further, That FSA shall strengthen
transparency through expanded publication of aggregate
data on student loan and servicer performance: Provided
further, That not later than 60 days after enactment of
this Act, FSA shall provide to the Committees on Appro-
priations of the House of Representatives and the Senate
a detailed spend plan of anticipated uses of funds made
available in this account for fiscal year 2022 and provide
quarterly updates on this plan (including contracts award-
ed, change orders, bonuses paid to staff, reorganization
costs, and any other activity carried out using amounts
provided under this heading for fiscal year 2022): Provided further, That the FSA Next Generation Processing and Servicing Environment, or any new Federal student loan servicing environment, shall include accountability measures that account for the performance of the portfolio and contractor compliance with FSA guidelines.

HIGHER EDUCATION

For carrying out, to the extent not otherwise provided, titles II, III, IV, V, VI, VII, and VIII of the HEA, the Mutual Educational and Cultural Exchange Act of 1961, and section 117 of the Perkins Act, $3,430,757,000, of which $168,015,000 shall remain available through December 31, 2022: Provided, That notwithstanding any other provision of law, funds made available in this Act to carry out title VI of the HEA and section 102(b)(6) of the Mutual Educational and Cultural Exchange Act of 1961 may be used to support visits and study in foreign countries by individuals who are participating in advanced foreign language training and international studies in areas that are vital to United States national security and who plan to apply their language skills and knowledge of these countries in the fields of government, the professions, or international development: Provided further, That of the funds referred to in the preceding proviso up to 1 percent may be used for program
evaluation, national outreach, and information dissemination activities: Provided further, That up to 1.5 percent of the funds made available under chapter 2 of subpart 2 of part A of title IV of the HEA may be used for evaluation: Provided further, That section 313(d) of the HEA shall not apply to an institution of higher education that is eligible to receive funding under section 318 of the HEA: Provided further, That of the amounts made available under this heading, $92,015,000 shall be used for the projects, and in the amounts, specified under the heading “Higher Education” in the report accompanying this Act, and of which up to $1,000,000 may be used for related agency administrative expenses: Provided further, That none of the funds made available for projects described in the preceding proviso shall be subject to section 302 of this Act.

HOWARD UNIVERSITY

For partial support of Howard University, $411,018,000, of which not less than $3,405,000 shall be for a matching endowment grant pursuant to the Howard University Endowment Act and shall remain available until expended.
COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS PROGRAM

For Federal administrative expenses to carry out activities related to existing facility loans pursuant to section 121 of the HEA, $435,000.

HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL FINANCING PROGRAM ACCOUNT

For the cost of guaranteed loans, $24,150,000, as authorized pursuant to part D of title III of the HEA, which shall remain available through September 30, 2023: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $328,571,000: Provided further, That these funds may be used to support loans to public and private Historically Black Colleges and Universities without regard to the limitations within section 344(a) of the HEA.

In addition, for administrative expenses to carry out the Historically Black College and University Capital Financing Program entered into pursuant to part D of title III of the HEA, $334,000.
For carrying out activities authorized by the Education Sciences Reform Act of 2002, the National Assessment of Educational Progress Authorization Act, section 208 of the Educational Technical Assistance Act of 2002, and section 664 of the Individuals with Disabilities Education Act, $762,465,000, which shall remain available through September 30, 2023: Provided, That funds available to carry out section 208 of the Educational Technical Assistance Act may be used to link Statewide elementary and secondary data systems with early childhood, postsecondary, and workforce data systems, or to further develop such systems: Provided further, That up to $6,000,000 of the funds available to carry out section 208 of the Educational Technical Assistance Act may be used for awards to public or private organizations or agencies to support activities to improve data coordination, quality, and use at the local, State, and national levels.

DEPARTMENTAL MANAGEMENT

PROGRAM ADMINISTRATION

For carrying out, to the extent not otherwise provided, the Department of Education Organization Act, including rental of conference rooms in the District of Columbia and hire of three passenger motor vehicles, $480,000,000, of which up to $13,000,000, to remain
available until expended, shall be available for relocation expenses, and for the renovation and repair of leased buildings: Provided, That, notwithstanding any other provision of law, none of the funds provided by this Act or provided by previous Appropriations Acts to the Department of Education available for obligation or expenditure in the current fiscal year may be used for any activity relating to implementing a reorganization that decentralizes, reduces the staffing level, or alters the responsibilities, structure, authority, or functionality of the Budget Service of the Department of Education, relative to the organization and operation of the Budget Service as in effect on January 1, 2018.

OFFICE FOR CIVIL RIGHTS

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

OFFICE OF INSPECTOR GENERAL

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

SEC. 301. No funds appropriated in this Act may be used to prevent the implementation of programs of voluntary prayer and meditation in the public schools.

(TRANSFER OF FUNDS)

SEC. 302. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985) which are appropriated for the Department of Education in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: Provided, That the transfer authority granted by this section shall not be used to create any new program or to fund any project or activity for which no funds are provided in this Act: Provided further, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

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

SEC. 304. (a) An institution of higher education that maintains an endowment fund supported with funds appropriated for title III or V of the HEA for fiscal year
2022 may use the income from that fund to award scholarships to students, subject to the limitation in section 331(c)(3)(B)(i) of the HEA. The use of such income for such purposes, prior to the enactment of this Act, shall be considered to have been an allowable use of that income, subject to that limitation.

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

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

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

Sec. 307. Funds appropriated in this Act under the heading “Student Aid Administration” may be available for payments for student loan servicing to an institution of higher education that services outstanding Federal Perkins Loans under part E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087aa et seq.).

(RESCISSION)

Sec. 308. Of the amounts appropriated under Section 401(b)(7)(A)(iv)(XI) of the Higher Education Act of 1965 (20 U.S.C. 1070a(b)(7)(A)(iv)(XI)) for fiscal year 2022, $229,000,000 are hereby rescinded.
SEC. 309. Of the amounts made available under this title under the heading “Student Aid Administration”, $2,300,000 shall be used by the Secretary of Education to conduct outreach to borrowers of loans made under part D of title IV of the Higher Education Act of 1965 who may intend to qualify for loan cancellation under section 455(m) of such Act (20 U.S.C. 1087e(m)), to ensure that borrowers are meeting the terms and conditions of such loan cancellation: Provided, That the Secretary shall specifically conduct outreach to assist borrowers who would qualify for loan cancellation under section 455(m) of such Act except that the borrower has made some, or all, of the 120 required payments under a repayment plan that is not described under section 455(m)(A) of such Act, to encourage borrowers to enroll in a qualifying repayment plan: Provided further, That the Secretary shall also communicate to all Direct Loan borrowers the full requirements of section 455(m) of such Act and improve the filing of employment certification by providing improved outreach and information such as outbound calls, electronic communications, ensuring prominent access to program requirements and benefits on each servicer’s website, and creating an option for all borrowers to complete the entire payment certification process electronically and on a centralized website.
SEC. 310. For an additional amount for “Department of Education—Federal Direct Student Loan Program Account”, $25,000,000, to remain available until expended, shall be for the cost, as defined under section 502 of the Congressional Budget Act of 1974, of the Secretary of Education providing loan cancellation in the same manner as under section 455(m) of the Higher Education Act of 1965 (20 U.S.C. 1087e(m)), for borrowers of loans made under part B or D of title IV of such Act who would qualify for loan cancellation under section 455(m) except some, or all, of the 120 required payments under section 455(m)(1)(A) do not qualify for purposes of the program because they were monthly payments made on one or more loans prior to receiving a Federal Direct Consolidation Loan under section 455(g), or in accordance with graduated or extended repayment plans as described under subparagraph (B) or (C) of section 455(d)(1) or the corresponding repayment plan for a consolidation loan made under section 455(g): Provided further, That the total loan volume, including outstanding principal, fees, capitalized interest, or accrued interest, at application that is eligible for such loan cancellation by such borrowers shall not exceed $75,000,000: Provided further, That the Secretary shall develop and make available a simple method for borrowers to apply for loan cancellation under this section.
within 60 days of enactment of this Act: *Provided further,*
That the Secretary shall provide loan cancellation under
this section to eligible borrowers on a first-come, first-
serve basis, based on the date of application and subject
to both the limitation on total loan volume at application
for such loan cancellation specified in the second proviso
and the availability of appropriations under this section:
*Provided further,* That no borrower may, for the same
service, receive a reduction of loan obligations under both
this section and section 428J, 428K, 428L, or 460 of such
Act: *Provided further,* That the Secretary shall inform all
borrowers who have submitted and Employment Certifi-
cation Form and are in the incorrect repayment program
about the Temporary Expanded Public Service Loan For-
giveness Program and requirement for qualification under
the program.

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

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

Sec. 313. None of the funds made available by this
Act may be used by the Department of Education to sup-
port an educational institution that engages in the use of electric shock devices and equipment for aversive conditioning or disciplining of students.

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

Sec. 315. In addition to amounts otherwise appropriated in this title for purposes authorized by the Elementary and Secondary Education Act of 1965, there are hereby appropriated an additional $88,010,000 which shall be used for the projects, and in the amounts specified under the heading “Innovation and Improvement” in the report accompanying this Act, and of which up to $1,000,000 may be used for related agency administrative expenses: Provided, That none of the funds made available for projects described in this section shall be subject to section 302 of this Act.

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

Sec. 317. (a) Section 484 of the HEA (20 U.S.C. 1091) is amended—
(1) in subsection (a)(5) by inserting “a DACA recipient as defined in subsection (u), have temporary protected status under section 244 of the Immigration and Nationality Act (8 U.S.C. 1254a),” after “a permanent resident of the United States,”; and

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

“(u) DACA RECIPIENT.—In this section, the term ‘DACA recipient’ means an alien (as defined in section 101(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(3)) who is inadmissible to the United State or deportable from the United States under the immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17)) and who the Secretary of Homeland Security has, in his or her discretion, determined should be afforded a grant of deferred action under the Deferred Action for Childhood Arrivals (DACA) policy.”.

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

Sec. 318. Section 344(a) of the HEA (20 U.S.C. 1066c(a)) is amended by striking “No institution of higher education that has received assistance under section 8 of the Act of March 2, 1867 (20 U.S.C. 123) shall be eligible to receive assistance under this part.”.
This title may be cited as the “Department of Education Appropriations Act, 2022”.

TITLE IV

RELATED AGENCIES

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

SALARIES AND EXPENSES

For expenses necessary for the Committee for Purchase From People Who Are Blind or Severely Disabled (referred to in this title as “the Committee”) established under section 8502 of title 41, United States Code, $12,000,000: Provided, That in order to authorize any central nonprofit agency designated pursuant to section 8503(c) of title 41, United States Code, to perform requirements of the Committee as prescribed under section 51–3.2 of title 41, Code of Federal Regulations, the Committee shall enter into a written agreement with any such central nonprofit agency: Provided further, That such agreement shall contain such auditing, oversight, and reporting provisions as necessary to implement chapter 85 of title 41, United States Code: Provided further, That such agreement shall include the elements listed under the heading “Committee For Purchase From People Who Are Blind or Severely Disabled—Written Agreement Elements” in the explanatory statement described in section

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

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE OPERATING EXPENSES

For necessary expenses for the Corporation for National and Community Service (referred to in this title as “CNCS”) to carry out the Domestic Volunteer Service Act of 1973 (referred to in this title as “1973 Act”) and the National and Community Service Act of 1990 (referred to in this title as “1990 Act”), $1,021,120,000, notwithstanding sections 198B(b)(3), 198S(g), 501(a)(4)(C), and 501(a)(4)(F) of the 1990 Act: Provided, That of the amounts provided under this heading: (1) up to 1 percent of program grant funds may be used to defray the costs of conducting grant application reviews, including the use of outside peer reviewers and electronic management of the grants cycle; (2) $19,538,000 shall be available to provide assistance to State commissions on national and community service, under section 126(a) of the 1990 Act and notwithstanding section 501(a)(5)(B) of the 1990 Act; (3)
$37,735,000 shall be available to carry out subtitle E of the 1990 Act; and (4) $6,700,000 shall be available for expenses authorized under section 501(a)(4)(F) of the 1990 Act, which, notwithstanding the provisions of section 198P shall be awarded by CNCS on a competitive basis: Provided further, That for the purposes of carrying out the 1990 Act, satisfying the requirements in section 122(c)(1)(D) may include a determination of need by the local community.

PAYMENT TO THE NATIONAL SERVICE TRUST

(INCLUDING TRANSFER OF FUNDS)

For payment to the National Service Trust established under subtitle D of title I of the 1990 Act, $196,000,000, to remain available until expended: Provided, That CNCS may transfer additional funds from the amount provided within “Operating Expenses” allocated to grants under subtitle C of title I of the 1990 Act to the National Service Trust upon determination that such transfer is necessary to support the activities of national service participants and after notice is transmitted to the Committees on Appropriations of the House of Representatives and the Senate: Provided further, That amounts appropriated for or transferred to the National Service Trust may be invested under section 145(b) of the 1990 Act.
without regard to the requirement to apportion funds under 31 U.S.C. 1513(b).

SALARIES AND EXPENSES

For necessary expenses of administration as provided under section 501(a)(5) of the 1990 Act and under section 504(a) of the 1973 Act, including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, the employment of experts and consultants authorized under 5 U.S.C. 3109, and not to exceed $2,500 for official reception and representation expenses, $91,186,000.

OFFICE OF INSPECTOR GENERAL


ADMINISTRATIVE PROVISIONS

Sec. 401. CNCS shall make any significant changes to program requirements, service delivery or policy only through public notice and comment rulemaking. For fiscal year 2022, during any grant selection process, an officer or employee of CNCS shall not knowingly disclose any covered grant selection information regarding such selection, directly or indirectly, to any person other than an officer or employee of CNCS that is authorized by CNCS to receive such information.
Sec. 402. AmeriCorps programs receiving grants under the National Service Trust program shall meet an overall minimum share requirement of 24 percent for the first 3 years that they receive AmeriCorps funding, and thereafter shall meet the overall minimum share requirement as provided in section 2521.60 of title 45, Code of Federal Regulations, without regard to the operating costs match requirement in section 121(e) or the member support Federal share limitations in section 140 of the 1990 Act, and subject to partial waiver consistent with section 2521.70 of title 45, Code of Federal Regulations.

Sec. 403. Donations made to CNCS under section 196 of the 1990 Act for the purposes of financing programs and operations under titles I and II of the 1973 Act or subtitle B, C, D, or E of title I of the 1990 Act shall be used to supplement and not supplant current programs and operations.

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

Sec. 405. For the purpose of carrying out section 189D of the 1990 Act—
(1) entities described in paragraph (a) of such section shall be considered “qualified entities” under section 3 of the National Child Protection Act of 1993 (“NCPA”);

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

(3) State Commissions on National and Community Service established pursuant to section 178 of the 1990 Act, are authorized to receive criminal history record information, consistent with Public Law 92–544.

Sec. 406. Notwithstanding sections 139(b), 146 and 147 of the 1990 Act, an individual who successfully completes a term of service of not less than 1,200 hours during a period of not more than one year may receive a national service education award having a value of 70 percent of the value of a national service education award determined under section 147(a) of the Act.

Sec. 407. Section 148(f)(2)(A)(i) of the 1990 Act shall be applied by substituting “an approved national service position” for “a national service program that receives grants under subtitle C”.

Sec. 408. (a) Section 137(a)(5) of the 1990 Act shall be applied as if the following were inserted before the pe-
period: “, or has submitted a request for administrative relief pursuant to the policy established in the memorandum of the Secretary of Homeland Security dated June 15, 2012, and entitled ‘Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children’ (Deferred Action for Childhood Arrivals)’.

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

CORPORATION FOR PUBLIC BROADCASTING

For payment to the Corporation for Public Broadcasting (‘‘CPB’’), as authorized by the Communications Act of 1934, an amount which shall be available within limitations specified by that Act, for the fiscal year 2024, $565,000,000: Provided, That none of the funds made available to CPB by this Act shall be used to pay for receptions, parties, or similar forms of entertainment for Government officials or employees: Provided further, That none of the funds made available to CPB by this Act shall
be available or used to aid or support any program or ac-
tivity from which any person is excluded, or is denied ben-
cfits, or is discriminated against, on the basis of race,
color, national origin, religion, or sex: Provided further,
That none of the funds made available to CPB by this
Act shall be used to apply any political test or qualification
in selecting, appointing, promoting, or taking any other
personnel action with respect to officers, agents, and em-
ployees of CPB.

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

FEDERAL MEDIATION AND CONCILIATION SERVICE

SALARIES AND EXPENSES

For expenses necessary for the Federal Mediation
and Conciliation Service (“Service”) to carry out the func-
tions vested in it by the Labor-Management Relations Act,
1947, including hire of passenger motor vehicles; for ex-
penses necessary for the Labor-Management Cooperation
Act of 1978; and for expenses necessary for the Service
to carry out the functions vested in it by the Civil Service
Reform Act, $50,000,000: Provided, That notwithstanding
31 U.S.C. 3302, fees charged, up to full-cost recovery, for
special training activities and other conflict resolution
services and technical assistance, including those provided
to foreign governments and international organizations,
and for arbitration services shall be credited to and
merged with this account, and shall remain available until
expended: Provided further, That fees for arbitration serv-
ices shall be available only for education, training, and
professional development of the agency workforce: Pro-
vided further, That the Director of the Service is author-
ized to accept and use on behalf of the United States gifts
of services and real, personal, or other property in the aid
of any projects or functions within the Director’s jurisdi-
tion.

FEDERAL MINE SAFETY AND HEALTH REVIEW

COMMISSION

SALARIES AND EXPENSES

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

INSTITUTE OF MUSEUM AND LIBRARY SERVICES

OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS

AND ADMINISTRATION

For carrying out the Museum and Library Services
Act of 1996, the National Museum of African American
History and Culture Act, and the National Museum of the
American Latino Act, $282,000,000.
MEDICAID AND CHIP PAYMENT AND ACCESS

Commission

SALARIES AND EXPENSES

For expenses necessary to carry out section 1900 of the Social Security Act, $9,350,000.

MEDICARE PAYMENT ADVISORY COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out section 1805 of the Social Security Act, $13,310,000, to be transferred to this appropriation from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund.

NATIONAL COUNCIL ON DISABILITY

SALARIES AND EXPENSES

For expenses necessary for the National Council on Disability as authorized by title IV of the Rehabilitation Act of 1973, $3,750,000.

NATIONAL LABOR RELATIONS BOARD

SALARIES AND EXPENSES

For expenses necessary for the National Labor Relations Board to carry out the functions vested in it by the Labor-Management Relations Act, 1947, and other laws, $316,925,000 of which not less than $1,000,000 shall be used to develop a system and procedures to conduct union representation elections electronically.
NATIONAL MEDIATION BOARD

SALARIES AND EXPENSES

For expenses necessary to carry out the provisions of the Railway Labor Act, including emergency boards appointed by the President, $15,542,000.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

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

RAILROAD RETIREMENT BOARD

DUAL BENEFITS PAYMENTS ACCOUNT

For payment to the Dual Benefits Payments Account, authorized under section 15(d) of the Railroad Retirement Act of 1974, $11,000,000, which shall include amounts becoming available in fiscal year 2022 pursuant to section 224(c)(1)(B) of Public Law 98–76; and in addition, an amount, not to exceed 2 percent of the amount provided herein, shall be available proportional to the amount by which the product of recipients and the average benefit received exceeds the amount available for payment of vested dual benefits: Provided, That the total amount provided herein shall be credited in 12 approximately equal amounts on the first day of each month in the fiscal year.
FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT ACCOUNTS

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

LIMITATION ON ADMINISTRATION

For necessary expenses for the Railroad Retirement Board ("Board") for administration of the Railroad Retirement Act and the Railroad Unemployment Insurance Act, $130,049,000, to be derived in such amounts as determined by the Board from the railroad retirement accounts and from moneys credited to the railroad unemployment insurance administration fund: Provided, That notwithstanding section 7(b)(9) of the Railroad Retirement Act this limitation may be used to hire attorneys only through the excepted service: Provided further, That the previous proviso shall not change the status under Federal employment laws of any attorney hired by the Railroad Retirement Board prior to January 1, 2013: Provided further, That notwithstanding section 7(b)(9) of the Railroad Retirement Act, this limitation may be used to
hire students attending qualifying educational institutions
or individuals who have recently completed qualifying edu-
cational programs using current excepted hiring authori-
ties established by the Office of Personnel Management.

LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

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

SOCIAL SECURITY ADMINISTRATION

PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

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

SUPPLEMENTAL SECURITY INCOME PROGRAM

For carrying out titles XI and XVI of the Social Se-
curity Act, section 401 of Public Law 92–603, section 212
of Public Law 93–66, as amended, and section 405 of
Public Law 95–216, including payment to the Social Secu-
rity trust funds for administrative expenses incurred pur-
suant to section 201(g)(1) of the Social Security Act,
$46,167,573,000, to remain available until expended: Pro-
vided, That any portion of the funds provided to a State in the current fiscal year and not obligated by the State during that year shall be returned to the Treasury: Pro-
vided further, That not more than $86,000,000 shall be available for research and demonstrations under sections 1110, 1115, and 1144 of the Social Security Act, and re-
main available through September 30, 2024.

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

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

LIMITATION ON ADMINISTRATIVE EXPENSES

For necessary expenses, including the hire and pur-
chase of two passenger motor vehicles, and not to exceed $20,000 for official reception and representation expenses, not more than $13,927,945,000 may be expended, as au-
thorized by section 201(g)(1) of the Social Security Act, from any one or all of the trust funds referred to in such section: Provided, That not less than $2,700,000 shall be for the Social Security Advisory Board: Provided further, That unobligated balances of funds provided under this
paragraph at the end of fiscal year 2022 not needed for fiscal year 2022 shall remain available until expended to invest in the Social Security Administration information technology and telecommunications hardware and software infrastructure, including related equipment and non-payroll administrative expenses associated solely with this information technology and telecommunications infrastructure: Provided further, That the Commissioner of Social Security shall notify the Committees on Appropriations of the House of Representatives and the Senate prior to making unobligated balances available under the authority in the previous proviso: Provided further, That reimbursement to the trust funds under this heading for expenditures for official time for employees of the Social Security Administration pursuant to 5 U.S.C. 7131, and for facilities or support services for labor organizations pursuant to policies, regulations, or procedures referred to in section 7135(b) of such title shall be made by the Secretary of the Treasury, with interest, from amounts in the general fund not otherwise appropriated, as soon as possible after such expenditures are made.

Of the total amount made available in the first paragraph under this heading, $1,708,000,000, to remain available through March 31, 2023, is for the costs associated with continuing disability reviews under titles II and
XVI of the Social Security Act, including work-related continuing disability reviews to determine whether earnings derived from services demonstrate an individual’s ability to engage in substantial gainful activity, for the cost associated with conducting redeterminations of eligibility under title XVI of the Social Security Act, for the cost of co-operative disability investigation units, and for the cost associated with the prosecution of fraud in the programs and operations of the Social Security Administration by Special Assistant United States Attorneys: Provided, That, of such amount, $273,000,000 is provided to meet the terms of section 1(k) of H. Res. 467 of the 117th Congress as engrossed in the House of Representatives on June 14, 2021, and $1,435,000,000 is additional new budget authority specified for purposes of such section 1(k): Provided further, That, of the additional new budget authority described in the preceding proviso, up to $12,100,000 may be transferred to the “Office of Inspector General”, Social Security Administration, for the cost of jointly operated co-operative disability investigation units: Provided further, That such transfer authority is in addition to any other transfer authority provided by law: Provided further, That the Commissioner shall provide to the Congress (at the conclusion of the fiscal year) a report on the obligation and expenditure of these funds, similar
to the reports that were required by section 103(d)(2) of Public Law 104–121 for fiscal years 1996 through 2002.

In addition, $138,000,000 to be derived from administration fees in excess of $5.00 per supplementary payment collected pursuant to section 1616(d) of the Social Security Act or section 212(b)(3) of Public Law 93–66, which shall remain available until expended: Provided, That to the extent that the amounts collected pursuant to such sections in fiscal year 2022 exceed $138,000,000, the amounts shall be available in fiscal year 2023 only to the extent provided in advance in appropriations Acts.

In addition, up to $1,000,000 to be derived from fees collected pursuant to section 303(c) of the Social Security Protection Act, which shall remain available until expended.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $32,000,000, together with not to exceed $80,000,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund: Provided, That $2,000,000 shall remain available until ex-
pended for information technology modernization, including related hardware and software infrastructure and equipment, and for administrative expenses directly associated with information technology modernization.

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

TITLE V
GENERAL PROVISIONS
(TRANSFER OF FUNDS)

Sec. 501. The Secretaries of Labor, Health and Human Services, and Education are authorized to transfer unexpended balances of prior appropriations to accounts corresponding to current appropriations provided in this Act. Such transferred balances shall be used for the same purpose, and for the same periods of time, for which they were originally appropriated.
SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 503. (a) No part of any appropriation contained in this Act or transferred pursuant to section 4002 of Public Law 111–148 shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, electronic communication, radio, television, or video presentation designed to support or defeat the enactment of legislation before the Congress or any State or local legislature or legislative body, except in presentation to the Congress or any State or local legislature itself, or designed to support or defeat any proposed or pending regulation, administrative action, or order issued by the executive branch of any State or local government, except in presentation to the executive branch of any State or local government itself.

(b) No part of any appropriation contained in this Act or transferred pursuant to section 4002 of Public Law 111–148 shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence the enactment of legislation, appropriations, regulation, ad-
ministrative action, or Executive order proposed or pending before the Congress or any State government, State legislature or local legislature or legislative body, other than for normal and recognized executive-legislative relationships or participation by an agency or officer of a State, local or tribal government in policymaking and administrative processes within the executive branch of that government.

(e) The prohibitions in subsections (a) and (b) shall include any activity to advocate or promote any proposed, pending or future Federal, State or local tax increase, or any proposed, pending, or future requirement or restriction on any legal consumer product, including its sale or marketing, including but not limited to the advocacy or promotion of gun control.

SEC. 504. The Secretaries of Labor and Education are authorized to make available not to exceed $28,000 and $20,000, respectively, from funds available for salaries and expenses under titles I and III, respectively, for official reception and representation expenses; the Director of the Federal Mediation and Conciliation Service is authorized to make available for official reception and representation expenses not to exceed $5,000 from the funds available for “Federal Mediation and Conciliation Service, Salaries and Expenses”; and the Chairman of the Na-
tional Mediation Board is authorized to make available for
official reception and representation expenses not to ex-
ceed $5,000 from funds available for “National Mediation
Board, Salaries and Expenses”.

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

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

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

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

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

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

(2) research in which a human embryo or em-
bryos are destroyed, discarded, or knowingly sub-
jected to risk of injury or death greater than that allowed for research on fetuses in utero under 45 CFR 46.204(b) and section 498(b) of the Public Health Service Act (42 U.S.C. 289g(b)).

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

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

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

SEC. 508. None of the funds made available in this Act may be obligated or expended to enter into or renew a contract with an entity if—
(1) such entity is otherwise a contractor with the United States and is subject to the requirement in 38 U.S.C. 4212(d) regarding submission of an annual report to the Secretary of Labor concerning employment of certain veterans; and

(2) such entity has not submitted a report as required by that section for the most recent year for which such requirement was applicable to such entity.

Sec. 509. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

Sec. 510. None of the funds made available by this Act to carry out the Library Services and Technology Act may be made available to any library covered by paragraph (1) of section 224(f) of such Act, as amended by the Children’s Internet Protection Act, unless such library has made the certifications required by paragraph (4) of such section.

Sec. 511. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2022, or provided from
any accounts in the Treasury of the United States derived
by the collection of fees available to the agencies funded
by this Act, shall be available for obligation or expenditure
through a reprogramming of funds that—

(1) creates new programs;

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

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

(4) relocates an office or employees;

(5) reorganizes or renames offices;

(6) reorganizes programs or activities; or

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

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

(b) None of the funds provided under this Act, or
provided under previous appropriations Acts to the agen-
cies funded by this Act that remain available for obligation
or expenditure in fiscal year 2022, or provided from any
accounts in the Treasury of the United States derived by
the collection of fees available to the agencies funded by
this Act, shall be available for obligation or expenditure
through a reprogramming of funds in excess of $500,000
or 10 percent, whichever is less, that—

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

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

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

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

Sec. 512. (a) None of the funds made available in
this Act may be used to request that a candidate for ap-
pointment to a Federal scientific advisory committee dis-
close the political affiliation or voting history of the can-
didate or the position that the candidate holds with re-
spect to political issues not directly related to and necessary for the work of the committee involved.

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

Sec. 513. Within 45 days of enactment of this Act, each department and related agency funded through this Act shall submit an operating plan that details at the program, project, and activity level any funding allocations for fiscal year 2022 that are different than those specified in this Act, the report accompanying this Act, or the fiscal year 2022 budget request.

Sec. 514. The Secretaries of Labor, Health and Human Services, and Education shall each prepare and submit to the Committees on Appropriations of the House of Representatives and the Senate a report on the number and amount of contracts, grants, and cooperative agreements exceeding $500,000, individually or in total for a particular project, activity, or programmatic initiative, in value and awarded by the Department on a non-competitive basis during each quarter of fiscal year 2022, but not to include grants awarded on a formula basis or directed by law. Such report shall include the name of the contractor or grantee, the amount of funding, the governmental purpose, including a justification for issuing the
award on a non-competitive basis. Such report shall be
transmitted to the Committees within 30 days after the
end of the quarter for which the report is submitted.

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

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

SEC. 517. (a) None of the funds made available in
this Act may be used to maintain or establish a computer
network unless such network blocks the viewing, downloading, and exchanging of pornography.

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

SEC. 518. For purposes of carrying out Executive Order 13589, Office of Management and Budget Memorandum M–12–12 dated May 11, 2012, and requirements contained in the annual appropriations bills relating to conference attendance and expenditures:

(1) the operating divisions of HHS shall be considered independent agencies; and

(2) attendance at and support for scientific conferences shall be tabulated separately from and not included in agency totals.

SEC. 519. Federal agencies funded under this Act shall clearly state within the text, audio, or video used for advertising or educational purposes, including emails or Internet postings, that the communication is printed, published, or produced and disseminated at U.S. taxpayer expense. The funds used by a Federal agency to carry out this requirement shall be derived from amounts made available to the agency for advertising or other commu-
nications regarding the programs and activities of the agency.

Sec. 520. (a) Federal agencies may use Federal discretionary funds that are made available in this Act to carry out up to 10 Performance Partnership Pilots. Such Pilots shall be governed by the provisions of section 526 of division H of Public Law 113–76, except that in carrying out such Pilots section 526 shall be applied by substituting “FISCAL YEAR 2022” for “FISCAL YEAR 2014” in the title of subsection (b) and by substituting “September 30, 2026” for “September 30, 2018” each place it appears: Provided, That such pilots shall include communities that have experienced civil unrest.

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

(c) Pilot sites selected under authorities in this Act and prior appropriations Acts may be granted by relevant
agencies up to an additional 5 years to operate under such
authorities.

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

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

Sec. 523. Each department and related agency funded through this Act shall provide answers to questions submitted for the record by members of the Committee within 45 business days after receipt.

Sec. 524. Of amounts deposited in the Child Enrollment Contingency Fund under section 2104(n)(2) of the Social Security Act and the income derived from investment of those funds pursuant to section 2104(n)(2)(C) of that Act, $13,715,000,000 shall not be available for obligation in this fiscal year.

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

Sec. 526. None of the funds made available by this Act may be made available to the Wuhan Institute of Virology located in the City of Wuhan in the People’s Republic of China.

Sec. 527. None of the funds made available by this Act may be used, either directly or indirectly, to conduct or support any gain-of-function research involving a poten-
potential pandemic pathogen by a foreign adversary including China, Russia, Iran, and North Korea.

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

•HR 4502 RH
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.

JULY 19, 2021

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

[Report No. 117-96]