

Public Law 117–70
117th Congress

An Act

Making further continuing appropriations for the fiscal year ending September 30, 2022, and for other purposes.

Dec. 3, 2021

[H.R. 6119]

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Further Extending Government Funding Act”.

Further
Extending
Government
Funding Act.

SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

- Sec. 1. Short Title.
- Sec. 2. Table of Contents.
- Sec. 3. References.

DIVISION A—FURTHER CONTINUING APPROPRIATIONS ACT, 2022

DIVISION B—ADDITIONAL AFGHANISTAN SUPPLEMENTAL
APPROPRIATIONS ACT, 2022

DIVISION C—EXTENSIONS

Title I—Extensions

Title II—Budgetary Effects

SEC. 3. REFERENCES.

Except as expressly provided otherwise, any reference to “this Act” contained in any division of this Act shall be treated as referring only to the provisions of that division.

**DIVISION A—FURTHER CONTINUING APPROPRIATIONS
ACT, 2022**

Further
Continuing
Appropriations
Act, 2022.

SEC. 101. The Continuing Appropriations Act, 2022 (division A of Public Law 117–43) is amended—

(1) by striking the date specified in section 106(3) and inserting “February 18, 2022”;

Ante, p. 346.

(2) in section 118, by striking “first quarter” and inserting “first and second quarters”;

Ante, p. 348.

(3) in section 137, by striking “\$22,080,000” and inserting “\$44,838,000” and by striking “\$2,261,000” and inserting “\$4,547,000”; and

Ante, p. 352.

(4) by adding after section 157 the following new sections:

Applicability.

“SEC. 158. Section 9(i)(2) of the Food and Nutrition Act of 2008 (7 U.S.C. 2018(i)(2)) shall be applied by substituting the date specified in section 106(3) of this Act for ‘December 31, 2021’.

“SEC. 159. Section 533 of title V of division B of Public Law 116–260 is repealed.

Repeal.

“SEC. 160. (a) Notwithstanding section 101, section 748 of title VII of division E of Public Law 116–260 shall be applied during the period covered by this Act by—

“(1) substituting ‘2023’ for ‘2022’;

“(2) substituting ‘2022’ for ‘2021’ each place it appears;

“(3) substituting ‘2021’ for ‘2020’ each place it appears;

and

“(4) substituting ‘section 748 of division E of Public Law 116–260, as in effect on September 30, 2021’ for ‘section 749 of division C of Public Law 116–93’ each place it appears.

Effective date.

“(b) Subsection (a) shall not take effect until the first day of the first applicable pay period beginning on or after January 1, 2022.

“SEC. 161. Section 302 of the Universal Service Antideficiency Temporary Suspension Act shall be applied by substituting the date specified in section 106(3) of this Act for ‘December 31, 2021’ each place it appears.

“SEC. 162. In addition to amounts otherwise provided by this Act, there is appropriated \$1,600,000,000, for an additional amount for fiscal year 2022, to remain available until September 30, 2024, for the account specified and for the activities specified, in section 141 of this Act.

“SEC. 163. During the period covered by this Act, section 506(a)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318) shall be applied by substituting ‘\$200,000,000’ for ‘\$100,000,000’.”

This division may be cited as the “Further Continuing Appropriations Act, 2022”.

Additional
Afghanistan
Supplemental
Appropriations
Act, 2022.

DIVISION B—ADDITIONAL AFGHANISTAN SUPPLEMENTAL APPROPRIATIONS ACT, 2022

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2022, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for “Military Personnel, Army”, \$128,000,000, to remain available until September 30, 2022, for support of Operation Allies Welcome by the Department of Defense.

MILITARY PERSONNEL, NAVY

For an additional amount for “Military Personnel, Navy”, \$7,000,000, to remain available until September 30, 2022, for support of Operation Allies Welcome by the Department of Defense.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for “Military Personnel, Marine Corps”, \$32,000,000, to remain available until September 30, 2022,

for support of Operation Allies Welcome by the Department of Defense.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for “Military Personnel, Air Force”, \$145,000,000, to remain available until September 30, 2022, for support of Operation Allies Welcome by the Department of Defense.

OPERATION AND MAINTENANCE

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For an additional amount for “Overseas Humanitarian, Disaster, and Civic Aid”, \$4,000,000,000, to remain available until September 30, 2023, for support of Operation Allies Welcome by the Department of Defense.

GENERAL PROVISIONS—THIS TITLE

SEC. 1101. Not later than 30 days after the date of enactment of this Act, and every 30 days thereafter through fiscal year 2022, the Secretary of Defense shall provide a written report to the congressional defense committees describing the execution of funds provided in this title, including the amounts obligated and expended, in total and since the previous report; the nature of the costs incurred or services provided by such funds; and any reimbursements or funds transferred by another Federal agency to the Department of Defense which relates to the purpose of the funds provided by this title.

Time period.
Reports.

SEC. 1102. Notwithstanding any other provision of law, funds provided by this title shall only be for the purposes specified, and shall not be subject to any transfer authority provided by law.

TITLE II

DEPARTMENT OF HOMELAND SECURITY

DEPARTMENTAL MANAGEMENT, OPERATIONS, INTELLIGENCE, AND OVERSIGHT

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

OPERATIONS AND SUPPORT

For an additional amount for “Operations and Support”, \$147,456,000, to remain available until September 30, 2022, for necessary expenses in support of Operation Allies Welcome, including the provision of staffing and support services for Safe Havens: *Provided*, That amounts provided under this heading in this Act may be transferred by the Secretary of Homeland Security to other appropriations in the Department of Homeland Security only for necessary expenses of Operation Allies Welcome and not for any other purpose: *Provided further*, That amounts made available under this heading in this Act shall be available in addition to any other appropriations available for the same purpose, including appropriations available pursuant to the authority of

Transfer
authority.

Reports. section 506(a)(2) of the Foreign Assistance Act of 1961: *Provided further*, That, beginning not later than January 31, 2022, the Office of the Secretary shall report monthly to the Committees on Appropriations of the Senate and the House of Representatives on the use of transfer authority provided under this heading in this Act.

TITLE III

DEPARTMENT OF HEALTH AND HUMAN SERVICES

CENTERS FOR DISEASE CONTROL AND PREVENTION

CDC–WIDE ACTIVITIES AND PROGRAM SUPPORT

For an additional amount for “CDC–Wide Activities and Program Support”, \$8,000,000, to remain available until September 30, 2022, for support of Operation Allies Welcome for medical support, screening, and other related public health activities related to Afghan arrivals and refugees.

ADMINISTRATION FOR CHILDREN AND FAMILIES

REFUGEE AND ENTRANT ASSISTANCE

For an additional amount for “Refugee and Entrant Assistance”, \$1,263,728,000, to remain available until September 30, 2023, for support of Operation Allies Welcome for carrying out refugee and entrant assistance activities in support of citizens or nationals of Afghanistan paroled into the United States under section 212(d)(5) of the Immigration and Nationality Act and citizens or nationals of Afghanistan for whom such refugee and entrant assistance activities are authorized: *Provided*, That amounts made available under this heading in this Act may be used for grants or contracts with qualified nonprofit organizations to provide culturally and linguistically appropriate services, including wrap-around services during temporary housing and after resettlement, housing assistance, medical assistance, legal assistance, education services, and case management assistance: *Provided further*, That the Director of the Office of Refugee Resettlement, in carrying out section 412(c)(1)(A) of the Immigration and Nationality Act with amounts made available under this heading in this Act, may allocate such amounts among the States in a manner that accounts for the most current data available.

Grants.
Contracts.

Allocation.

TITLE IV

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC PROGRAMS

For an additional amount for “Diplomatic Programs”, \$44,300,000, to remain available until expended, for support for Operation Allies Welcome and related efforts by the Department of State, including additional relocations of individuals at risk as a result of the situation in Afghanistan and related expenses, and to reimburse the account under this heading in prior Acts making

appropriations for the Department of State, foreign operations, and related programs for obligations previously incurred.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For an additional amount for “Emergencies in the Diplomatic and Consular Service”, \$36,000,000, to remain available until expended, for support for Operation Allies Welcome and related efforts by the Department of State, including additional relocations of individuals at risk as a result of the situation in Afghanistan and related expenses, and to reimburse the account under this heading in prior Acts making appropriations for the Department of State, foreign operations, and related programs for obligations previously incurred.

Reimbursement.

BILATERAL ECONOMIC ASSISTANCE

DEPARTMENT OF STATE

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

For an additional amount for “United States Emergency Refugee and Migration Assistance Fund”, \$1,200,000,000, to remain available until expended, notwithstanding section 2(c)(2) of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601(c)(2)), for support for Operation Allies Welcome and related efforts by the Department of State, including additional relocations of individuals at risk as a result of the situation in Afghanistan and related expenses.

GENERAL PROVISION—THIS TITLE

SEC. 1401. The Secretary of State shall include in the reports required by section 2402 of title IV of the Afghanistan Supplemental Appropriations Act, 2022 (division C of Public Law 117–43) the proposed uses of funds appropriated under this title.

TITLE V

GENERAL PROVISIONS—THIS ACT

SEC. 1501. Each amount appropriated or made available by this Act is in addition to amounts otherwise appropriated for the fiscal year involved.

SEC. 1502. 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. 1503. Unless otherwise provided for by this Act, the additional amounts appropriated by this Act to appropriations accounts shall be available under the authorities and conditions applicable to such appropriations accounts for fiscal year 2022.

SEC. 1504. Each amount provided by this division is designated by the Congress as being for an emergency requirement pursuant to section 4001(a)(1) and section 4001(b) of S. Con. Res. 14 (117th Congress), the concurrent resolution on the budget for fiscal year 2022.

Reports.

Strategy.
Plans.
Timeline.
Cost estimate.

SEC. 1505. Not later than January 15, 2022, the Director of the Office of Management and Budget shall provide to the Committees on Appropriations of the House of Representatives and the Senate a written report on Operation Allies Welcome: *Provided*, That such report shall describe the strategy and transition plan leading to the conclusion of Operation Allies Welcome; a plan, including timeline, for relocating all Afghans currently residing at Department of Defense facilities to longer-term housing; the activities and responsibilities assigned to each Federal agency involved in such strategy and transition plan; and an estimate of the costs from each such agency for carrying out such strategy and transition plan.

This division may be cited as the “Additional Afghanistan Supplemental Appropriations Act, 2022”.

DIVISION C—EXTENSIONS

TITLE I—EXTENSIONS

SEC. 2101. EXTENSION OF AUTHORITY TO MAKE CERTAIN APPOINTMENTS FOR NATIONAL DISASTER MEDICAL SYSTEM.

Section 2812(c)(4)(B) of the Public Health Service Act (42 U.S.C. 300hh–11(c)(4)(B)) is amended by striking “December 3, 2021” and inserting “February 18, 2022”.

SEC. 2102. EXTENSION OF ADDITIONAL SPECIAL ASSESSMENT.

Section 3014(a) of title 18, United States Code, is amended by striking “December 31, 2021” and inserting “February 18, 2022”.

SEC. 2103. EXTENSION OF TEMPORARY ORDER FOR FENTANYL-RELATED SUBSTANCES.

Effective date.

Ante, p. 380.

Effective as if included in the enactment of the Temporary Reauthorization and Study of the Emergency Scheduling of Fentanyl Analogues Act (Public Law 116–114), section 2 of such Act (as amended by Public Law 117–43) is amended by striking “January 28, 2022” and inserting “February 18, 2022”.

SEC. 2104. EXTENDING INCREASED FMAP FOR CERTAIN TERRITORIES.

(a) IN GENERAL.—Section 1905(ff)(3) of the Social Security Act (42 U.S.C. 1396d(ff)(3)) is amended by striking “December 3, 2021” and inserting “February 18, 2022”.

(b) REDUCTION OF MEDICARE IMPROVEMENT FUND.—Section 1898(b)(1) of the Social Security Act (42 U.S.C. 1395iii(b)(1)) is amended by striking “\$69,000,000” and inserting “\$56,000,000”.

TITLE II—BUDGETARY EFFECTS

SEC. 2201. BUDGETARY EFFECTS.

(a) STATUTORY PAYGO SCORECARDS.—The budgetary effects of this division shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(b) SENATE PAYGO SCORECARDS.—The budgetary effects of this division shall not be entered on any PAYGO scorecard maintained for purposes of section 4106 of H. Con. Res. 71 (115th Congress).

(c) CLASSIFICATION OF BUDGETARY EFFECTS.—Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105–217 and section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of this division shall not be estimated—

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

(2) for purposes of an allocation to the Committee on Appropriations pursuant to section 302(a) of the Congressional Budget Act of 1974; and

(3) for purposes of paragraph (4)(C) of section 3 of the Statutory Pay-As-You-Go Act of 2010 as being included in an appropriation Act.

Approved December 3, 2021.

LEGISLATIVE HISTORY—H.R. 6119:

CONGRESSIONAL RECORD, Vol. 167 (2021):

Dec. 2, considered and passed House and Senate.