

117TH CONGRESS
1ST SESSION

S. 3062

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 SENATE OF THE UNITED STATES

OCTOBER 25, 2021

Mrs. MURRAY introduced the following bill; which was read twice and referred to the Committee on Appropriations

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 Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 Departments of Labor, Health and Human Services, and
6 Education, and related agencies for the fiscal year ending
7 September 30, 2022, and for other purposes, namely:

1 TITLE I
2 DEPARTMENT OF LABOR
3 EMPLOYMENT AND TRAINING ADMINISTRATION
4 TRAINING AND EMPLOYMENT SERVICES

5 For necessary expenses of the Workforce Innovation
6 and Opportunity Act (referred to in this Act as “WIOA”)
7 and the National Apprenticeship Act, \$4,023,731,000,
8 plus reimbursements, shall be available. Of the amounts
9 provided:

10 (1) for grants to States for adult employment
11 and training activities, youth activities, and dis-
12 located worker employment and training activities,
13 \$2,938,102,000 as follows:

14 (A) \$882,987,000 for adult employment
15 and training activities, of which \$170,987,000
16 shall be available for the period July 1, 2022
17 through June 30, 2023, and of which
18 \$712,000,000 shall be available for the period
19 October 1, 2022 through June 30, 2023;

20 (B) \$944,837,000 for youth activities,
21 which shall be available for the period April 1,
22 2022 through June 30, 2023; and

23 (C) \$1,110,278,000 for dislocated worker
24 employment and training activities, of which
25 \$250,278,000 shall be available for the period

1 July 1, 2022 through June 30, 2023, and of
2 which \$860,000,000 shall be available for the
3 period October 1, 2022 through June 30, 2023:

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

8 (2) for national programs, \$1,085,629,000 as
9 follows:

10 (A) \$315,859,000 for the dislocated work-
11 ers assistance national reserve, of which
12 \$115,859,000 shall be available for the period
13 July 1, 2022 through September 30, 2023, and
14 of which \$200,000,000 shall be available for the
15 period October 1, 2022 through September 30,
16 2023: *Provided*, That funds provided to carry
17 out section 132(a)(2)(A) of the WIOA may be
18 used to provide assistance to a State for state-
19 wide or local use in order to address cases
20 where there have been worker dislocations
21 across multiple sectors or across multiple local
22 areas and such workers remain dislocated; co-
23 ordinate the State workforce development plan
24 with emerging economic development needs; and
25 train such eligible dislocated workers: *Provided*

1 *further*, That funds provided to carry out sec-
2 tions 168(b) and 169(c) of the WIOA may be
3 used for technical assistance and demonstration
4 projects, respectively, that provide assistance to
5 new entrants in the workforce and incumbent
6 workers: *Provided further*, That notwithstanding
7 section 168(b) of the WIOA, of the funds pro-
8 vided under this subparagraph, the Secretary of
9 Labor (referred to in this title as “Secretary”)
10 may reserve not more than 10 percent of such
11 funds to provide technical assistance and carry
12 out additional activities related to the transition
13 to the WIOA: *Provided further*, That of the
14 funds provided under this subparagraph,
15 \$190,000,000 shall be for training and employ-
16 ment assistance under sections 168(b), 169(c)
17 (notwithstanding the 10 percent limitation in
18 such section) and 170 of the WIOA as follows:

19 (i) \$45,000,000 shall be for workers
20 in the Appalachian region, as defined by
21 40 U.S.C. 14102(a)(1), workers in the
22 Lower Mississippi, as defined in section
23 4(2) of the Delta Development Act (Public
24 Law 100–460, 102 Stat. 2246; 7 U.S.C.
25 2009aa(2)), and workers in the region

1 served by the Northern Border Regional
2 Commission, as defined by 40 U.S.C.
3 15733;

4 (ii) \$45,000,000 shall be for the pur-
5 pose of developing, offering, or improving
6 educational or career training programs at
7 community colleges, defined as public insti-
8 tutions of higher education, as described in
9 section 101(a) of the Higher Education
10 Act of 1965 and at which the associate's
11 degree is primarily the highest degree
12 awarded, with other eligible institutions of
13 higher education, as defined in section
14 101(a) of the Higher Education Act of
15 1965, eligible to participate through con-
16 sortia, with community colleges as the lead
17 grantee: *Provided*, That any grant funds
18 used for apprenticeships shall be used to
19 support only apprenticeship programs reg-
20 istered under the National Apprenticeship
21 Act and as referred to in section 3(7)(B)
22 of the WIOA;

23 (iii) \$30,000,000 shall be for training
24 and employment assistance for workers in
25 communities that have experienced job

1 losses due to dislocations in industries re-
2 lated to fossil fuel extraction or energy
3 production;

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

8 (C) \$96,711,000 for migrant and seasonal
9 farmworker programs under section 167 of the
10 WIOA, including \$89,315,000 for formula
11 grants (of which not less than 70 percent shall
12 be for employment and training services),
13 \$6,429,000 for migrant and seasonal housing
14 (of which not less than 70 percent shall be for
15 permanent housing), and \$967,000 for other
16 discretionary purposes, which shall be available
17 for the period April 1, 2022 through June 30,
18 2023: *Provided*, That notwithstanding any
19 other provision of law or related regulation, the
20 Department of Labor shall take no action lim-
21 iting the number or proportion of eligible par-
22 ticipants receiving related assistance services or
23 discouraging grantees from providing such serv-
24 ices: *Provided further*, That notwithstanding the
25 definition of “eligible seasonal farmworker” in

1 section 167(i)(3)(A) of the WIOA relating to an
2 individual being “low-income”, an individual is
3 eligible for migrant and seasonal farmworker
4 programs under section 167 of the WIOA under
5 that definition if, in addition to meeting the re-
6 quirements of clauses (i) and (ii) of section
7 167(i)(3)(A), such individual is a member of a
8 family with a total family income equal to or
9 less than 150 percent of the poverty line;

10 (D) \$120,000,000 for YouthBuild activi-
11 ties as described in section 171 of the WIOA,
12 which shall be available for the period April 1,
13 2022 through June 30, 2023;

14 (E) \$125,000,000 for ex-offender activi-
15 ties, under the authority of section 169 of the
16 WIOA, which shall be available for the period
17 April 1, 2022 through June 30, 2023: *Provided*,
18 That of this amount, \$25,000,000 shall be for
19 competitive grants to national and regional
20 intermediaries for activities that prepare for
21 employment young adults with criminal records,
22 young adults who have been justice system-in-
23 volved, or young adults who have dropped out
24 of school or other educational programs, with a

1 priority for projects serving high-crime, high-
2 poverty areas;

3 (F) \$6,000,000 for the Workforce Data
4 Quality Initiative, under the authority of section
5 169 of the WIOA, which shall be available for
6 the period July 1, 2022 through June 30,
7 2023;

8 (G) \$245,000,000 to expand opportunities
9 through apprenticeships only registered under
10 the National Apprenticeship Act and as referred
11 to in section 3(7)(B) of the WIOA, to be avail-
12 able to the Secretary to carry out activities
13 through grants, cooperative agreements, con-
14 tracts and other arrangements, with States and
15 other appropriate entities, including equity
16 intermediaries and business and labor industry
17 partner intermediaries, which shall be available
18 for the period July 1, 2022 through June 30,
19 2023;

20 (H) \$25,000,000 for a National Youth
21 Employment Program, under the authority of
22 section 169 of the WIOA, including the expan-
23 sion of summer and year-round job opportuni-
24 ties for disadvantaged youth, which shall be

1 available for the period April 1, 2022 through
2 June 30, 2023;

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

12 (J) \$84,059,000 for carrying out Dem-
13 onstration and Pilot projects under section
14 169(c) of the WIOA, which shall be available
15 for the period April 1, 2022 through June 30,
16 2023, in addition to funds available for such ac-
17 tivities under subparagraph (A) for the
18 projects, and in the amounts, specified in the
19 explanatory statement accompanying this Act:
20 *Provided*, That such funds may be used for
21 projects that are related to the employment and
22 training needs of dislocated workers, other
23 adults, or youth: *Provided further*, That the 10
24 percent funding limitation under such section
25 shall not apply to such funds: *Provided further*,

1 funds transferred pursuant to the preceding provi-
 2 sion shall not be available for obligation after June
 3 30, 2022: *Provided further*, That the Committees on
 4 Appropriations of the House of Representatives and
 5 the Senate are notified at least 15 days in advance
 6 of any transfer; and

7 (3) \$34,434,000 for necessary expenses of Job
 8 Corps, which shall be available for obligation for the
 9 period October 1, 2021 through September 30,
 10 2022:

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

14 COMMUNITY SERVICE EMPLOYMENT FOR OLDER

15 AMERICANS

16 To carry out title V of the Older Americans Act of
 17 1965 (referred to in this Act as “OAA”), \$410,000,000,
 18 which shall be available for the period April 1, 2022
 19 through June 30, 2023, and may be recaptured and reobli-
 20 gated in accordance with section 517(c) of the OAA.

21 FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

22 For payments during fiscal year 2022 of trade ad-
 23 justment benefit payments and allowances under part I
 24 of subchapter B of chapter 2 of title II of the Trade Act
 25 of 1974, and section 246 of that Act; and for training,

1 employment and case management services, allowances for
 2 job search and relocation, and related State administrative
 3 expenses under part II of subchapter B of chapter 2 of
 4 title II of the Trade Act of 1974, and including benefit
 5 payments, allowances, training, employment and case
 6 management services, and related State administration
 7 provided pursuant to section 231(a) of the Trade Adjust-
 8 ment Assistance Extension Act of 2011 and section 405(a)
 9 of the Trade Preferences Extension Act of 2015,
 10 \$540,000,000 together with such amounts as may be nec-
 11 essary to be charged to the subsequent appropriation for
 12 payments for any period subsequent to September 15,
 13 2022: *Provided*, That notwithstanding section 502 of this
 14 Act, any part of the appropriation provided under this
 15 heading may remain available for obligation beyond the
 16 current fiscal year pursuant to the authorities of section
 17 245(c) of the Trade Act of 1974 (19 U.S.C. 2317(c)).

18 STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT

19 SERVICE OPERATIONS

20 (INCLUDING TRANSFER OF FUNDS)

21 For authorized administrative expenses,
 22 \$89,066,000, together with not to exceed \$3,914,791,000
 23 which may be expended from the Employment Security
 24 Administration Account in the Unemployment Trust Fund
 25 (“the Trust Fund”), of which—

1 (1) \$3,075,214,000 from the Trust Fund is for
2 grants to States for the administration of State un-
3 employment insurance laws as authorized under title
4 III of the Social Security Act (including not less
5 than \$250,000,000 to carry out reemployment serv-
6 ices and eligibility assessments under section 306 of
7 such Act, any claimants of regular compensation, as
8 defined in such section, including those who are
9 profiled as most likely to exhaust their benefits, may
10 be eligible for such services and assessments: *Pro-*
11 *vided*, That of such amount, \$117,000,000 is speci-
12 fied for grants under section 306 of the Social Secu-
13 rity Act and is provided to meet the terms of section
14 4004(b)(4)(B) and section 4005(d)(2) of S. Con.
15 Res. 14 (117th Congress), the concurrent resolution
16 on the budget for fiscal year 2022, and
17 \$133,000,000 is additional new budget authority
18 specified for purposes of section 4004(b)(4) and sec-
19 tion 4005(d) of such resolution; and \$9,000,000 for
20 continued support of the Unemployment Insurance
21 Integrity Center of Excellence), the administration
22 of unemployment insurance for Federal employees
23 and for ex-service members as authorized under 5
24 U.S.C. 8501–8523, and the administration of trade
25 readjustment allowances, reemployment trade ad-

1 justment assistance, and alternative trade adjust-
2 ment assistance under the Trade Act of 1974 and
3 under section 231(a) of the Trade Adjustment As-
4 sistance Extension Act of 2011 and section 405(a)
5 of the Trade Preferences Extension Act of 2015,
6 and shall be available for obligation by the States
7 through December 31, 2022, except that funds used
8 for automation shall be available for Federal obliga-
9 tion through December 31, 2022, and for State obli-
10 gation through September 30, 2024, or, if the auto-
11 mation is being carried out through consortia of
12 States, for State obligation through September 30,
13 2028, and for expenditure through September 30,
14 2029, and funds for competitive grants awarded to
15 States for improved operations and to conduct in-
16 person reemployment and eligibility assessments and
17 unemployment insurance improper payment reviews
18 and provide reemployment services and referrals to
19 training, as appropriate, shall be available for Fed-
20 eral obligation through December 31, 2022, and for
21 obligation by the States through September 30,
22 2024, and funds for the Unemployment Insurance
23 Integrity Center of Excellence shall be available for
24 obligation by the State through September 30, 2023,
25 and funds used for unemployment insurance work-

1 loads experienced through September 30, 2022 shall
2 be available for Federal obligation through Decem-
3 ber 31, 2022;

4 (2) \$68,000,000 from the Trust Fund is for na-
5 tional activities necessary to support the administra-
6 tion of the Federal-State unemployment insurance
7 system;

8 (3) \$663,449,000 from the Trust Fund, to-
9 gether with \$21,413,000 from the General Fund of
10 the Treasury, is for grants to States in accordance
11 with section 6 of the Wagner-Peyser Act, and shall
12 be available for Federal obligation for the period
13 July 1, 2022 through June 30, 2023;

14 (4) \$22,318,000 from the Trust Fund is for na-
15 tional activities of the Employment Service, includ-
16 ing administration of the work opportunity tax cred-
17 it under section 51 of the Internal Revenue Code of
18 1986 (including assisting States in adopting or mod-
19 ernizing information technology for use in the proc-
20 essing of certification requests), and the provision of
21 technical assistance and staff training under the
22 Wagner-Peyser Act;

23 (5) \$85,810,000 from the Trust Fund is for the
24 administration of foreign labor certifications and re-
25 lated activities under the Immigration and Nation-

1 ality Act and related laws, of which \$62,528,000
2 shall be available for the Federal administration of
3 such activities, and \$23,282,000 shall be available
4 for grants to States for the administration of such
5 activities; and

6 (6) \$67,653,000 from the General Fund is to
7 provide workforce information, national electronic
8 tools, and one-stop system building under the Wag-
9 ner-Peyser Act and shall be available for Federal ob-
10 ligation for the period July 1, 2022 through June
11 30, 2023, of which up to \$9,800,000 shall be used
12 to carry out research and demonstration projects re-
13 lated to testing effective ways to promote greater
14 labor force participation of people with disabilities:
15 *Provided*, That the Secretary may transfer amounts
16 made available for research and demonstration
17 projects under this paragraph to the “Office of Dis-
18 ability Employment Policy” account for such pur-
19 poses:

20 *Provided*, That to the extent that the Average Weekly In-
21 sured Unemployment (“AWIU”) for fiscal year 2022 is
22 projected by the Department of Labor to exceed
23 2,008,000, an additional \$28,600,000 from the Trust
24 Fund shall be available for obligation for every 100,000
25 increase in the AWIU level (including a pro rata amount

1 for any increment less than 100,000) to carry out title
2 III of the Social Security Act: *Provided further*, That
3 funds appropriated in this Act that are allotted to a State
4 to carry out activities under title III of the Social Security
5 Act may be used by such State to assist other States in
6 carrying out activities under such title III if the other
7 States include areas that have suffered a major disaster
8 declared by the President under the Robert T. Stafford
9 Disaster Relief and Emergency Assistance Act: *Provided*
10 *further*, That the Secretary may use funds appropriated
11 for grants to States under title III of the Social Security
12 Act to make payments on behalf of States for the use of
13 the National Directory of New Hires under section
14 453(j)(8) of such Act: *Provided further*, That the Sec-
15 retary may use funds appropriated for grants to States
16 under title III of the Social Security Act to make pay-
17 ments on behalf of States to the entity operating the State
18 Information Data Exchange System: *Provided further*,
19 That funds appropriated in this Act which are used to es-
20 tablish a national one-stop career center system, or which
21 are used to support the national activities of the Federal-
22 State unemployment insurance, employment service, or
23 immigration programs, may be obligated in contracts,
24 grants, or agreements with States and non-State entities:
25 *Provided further*, That States awarded competitive grants

1 for improved operations under title III of the Social Secu-
2 rity Act, or awarded grants to support the national activi-
3 ties of the Federal-State unemployment insurance system,
4 may award subgrants to other States and non-State enti-
5 ties under such grants, subject to the conditions applicable
6 to the grants: *Provided further*, That funds appropriated
7 under this Act for activities authorized under title III of
8 the Social Security Act and the Wagner-Peyser Act may
9 be used by States to fund integrated Unemployment In-
10 surance and Employment Service automation efforts, not-
11 withstanding cost allocation principles prescribed under
12 the final rule entitled “Uniform Administrative Require-
13 ments, Cost Principles, and Audit Requirements for Fed-
14 eral Awards” at part 200 of title 2, Code of Federal Regu-
15 lations: *Provided further*, That the Secretary, at the re-
16 quest of a State participating in a consortium with other
17 States, may reallocate funds allotted to such State under title
18 III of the Social Security Act to other States participating
19 in the consortium or to the entity operating the Unemploy-
20 ment Insurance Information Technology Support Center
21 in order to carry out activities that benefit the administra-
22 tion of the unemployment compensation law of the State
23 making the request: *Provided further*, That the Secretary
24 may collect fees for the costs associated with additional
25 data collection, analyses, and reporting services relating

1 PROGRAM ADMINISTRATION

2 For expenses of administering employment and train-
3 ing programs, \$127,505,000, together with not to exceed
4 \$58,931,000 which may be expended from the Employ-
5 ment Security Administration Account in the Unemploy-
6 ment Trust Fund.

7 EMPLOYEE BENEFITS SECURITY ADMINISTRATION

8 SALARIES AND EXPENSES

9 For necessary expenses for the Employee Benefits
10 Security Administration, \$222,475,000, of which up to
11 \$3,000,000 shall be available for obligation through Sep-
12 tember 30, 2023, for the procurement of expert witnesses
13 for enforcement litigation.

14 PENSION BENEFIT GUARANTY CORPORATION

15 PENSION BENEFIT GUARANTY CORPORATION FUND

16 The Pension Benefit Guaranty Corporation (“Cor-
17 poration”) is authorized to make such expenditures, in-
18 cluding financial assistance authorized by subtitle E of
19 title IV of the Employee Retirement Income Security Act
20 of 1974, within limits of funds and borrowing authority
21 available to the Corporation, and in accord with law, and
22 to make such contracts and commitments without regard
23 to fiscal year limitations, as provided by 31 U.S.C. 9104,
24 as may be necessary in carrying out the program, includ-
25 ing associated administrative expenses, through Sep-

1 tember 30, 2022, for the Corporation: *Provided*, That
2 none of the funds available to the Corporation for fiscal
3 year 2022 shall be available for obligations for administra-
4 tive expenses in excess of \$472,955,000: *Provided further*,
5 That to the extent that the number of new plan partici-
6 pants in plans terminated by the Corporation exceeds
7 100,000 in fiscal year 2022, an amount not to exceed an
8 additional \$9,200,000 shall be available through Sep-
9 tember 30, 2026, for obligations for administrative ex-
10 penses for every 20,000 additional terminated partici-
11 pants: *Provided further*, That obligations in excess of the
12 amounts provided for administrative expenses in this para-
13 graph may be incurred and shall be available through Sep-
14 tember 30, 2026 for obligation for unforeseen and extraor-
15 dinary pre-termination or termination expenses or extraor-
16 dinary multiemployer program related expenses after ap-
17 proval by the Office of Management and Budget and noti-
18 fication of the Committees on Appropriations of the House
19 of Representatives and the Senate: *Provided further*, That
20 an additional amount shall be available for obligation
21 through September 30, 2026 to the extent the Corpora-
22 tion's expenses exceed \$250,000 for the provision of credit
23 or identity monitoring to affected individuals upon suf-
24 fering a security incident or privacy breach, not to exceed
25 an additional \$100 per affected individual.

1 WAGE AND HOUR DIVISION

2 SALARIES AND EXPENSES

3 For necessary expenses for the Wage and Hour Divi-
4 sion, including reimbursement to State, Federal, and local
5 agencies and their employees for inspection services ren-
6 dered, \$278,700,000.

7 OFFICE OF LABOR-MANAGEMENT STANDARDS

8 SALARIES AND EXPENSES

9 For necessary expenses for the Office of Labor-Man-
10 agement Standards, \$47,437,000.

11 OFFICE OF FEDERAL CONTRACT COMPLIANCE

12 PROGRAMS

13 SALARIES AND EXPENSES

14 For necessary expenses for the Office of Federal Con-
15 tract Compliance Programs, \$135,732,000.

16 OFFICE OF WORKERS' COMPENSATION PROGRAMS

17 SALARIES AND EXPENSES

18 For necessary expenses for the Office of Workers'
19 Compensation Programs, \$138,604,000, together with
20 \$2,205,000 which may be expended from the Special Fund
21 in accordance with sections 39(c), 44(d), and 44(j) of the
22 Longshore and Harbor Workers' Compensation Act.

1 SPECIAL BENEFITS

2 (INCLUDING TRANSFER OF FUNDS)

3 For the payment of compensation, benefits, and ex-
4 penses (except administrative expenses not otherwise au-
5 thorized) accruing during the current or any prior fiscal
6 year authorized by 5 U.S.C. 81; continuation of benefits
7 as provided for under the heading “Civilian War Benefits”
8 in the Federal Security Agency Appropriation Act, 1947;
9 the Employees’ Compensation Commission Appropriation
10 Act, 1944; section 5(f) of the War Claims Act (50 U.S.C.
11 App. 2012); obligations incurred under the War Hazards
12 Compensation Act (42 U.S.C. 1701 et seq.); and 50 per-
13 cent of the additional compensation and benefits required
14 by section 10(h) of the Longshore and Harbor Workers’
15 Compensation Act, \$244,000,000, together with such
16 amounts as may be necessary to be charged to the subse-
17 quent year appropriation for the payment of compensation
18 and other benefits for any period subsequent to August
19 15 of the current year, for deposit into and to assume
20 the attributes of the Employees’ Compensation Fund es-
21 tablished under 5 U.S.C. 8147(a): *Provided*, That
22 amounts appropriated may be used under 5 U.S.C. 8104
23 by the Secretary to reimburse an employer, who is not the
24 employer at the time of injury, for portions of the salary
25 of a re-employed, disabled beneficiary: *Provided further*,

1 That balances of reimbursements unobligated on Sep-
2 tember 30, 2021, shall remain available until expended for
3 the payment of compensation, benefits, and expenses: *Pro-*
4 *vided further*, That in addition there shall be transferred
5 to this appropriation from the Postal Service and from
6 any other corporation or instrumentality required under
7 5 U.S.C. 8147(c) to pay an amount for its fair share of
8 the cost of administration, such sums as the Secretary de-
9 termines to be the cost of administration for employees
10 of such fair share entities through September 30, 2022:
11 *Provided further*, That of those funds transferred to this
12 account from the fair share entities to pay the cost of ad-
13 ministration of the Federal Employees' Compensation Act,
14 \$80,920,000 shall be made available to the Secretary as
15 follows:

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

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

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

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

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

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

9 SPECIAL BENEFITS FOR DISABLED COAL MINERS

10 For carrying out title IV of the Federal Mine Safety
11 and Health Act of 1977, as amended by Public Law 107-
12 275, \$32,970,000, to remain available until expended.

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

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

20 ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES

21 OCCUPATIONAL ILLNESS COMPENSATION FUND

22 For necessary expenses to administer the Energy
23 Employees Occupational Illness Compensation Program
24 Act, \$63,428,000, to remain available until expended: *Pro-*
25 *vided*, That the Secretary may require that any person fil-

1 ing a claim for benefits under the Act provide as part of
2 such claim such identifying information (including Social
3 Security account number) as may be prescribed.

4 BLACK LUNG DISABILITY TRUST FUND
5 (INCLUDING TRANSFER OF FUNDS)

6 Such sums as may be necessary from the Black Lung
7 Disability Trust Fund (the “Fund”), to remain available
8 until expended, for payment of all benefits authorized by
9 section 9501(d)(1), (2), (6), and (7) of the Internal Rev-
10 enue Code of 1986; and repayment of, and payment of
11 interest on advances, as authorized by section 9501(d)(4)
12 of that Act. In addition, the following amounts may be
13 expended from the Fund for fiscal year 2022 for expenses
14 of operation and administration of the Black Lung Bene-
15 fits program, as authorized by section 9501(d)(5): not to
16 exceed \$41,464,000 for transfer to the Office of Workers’
17 Compensation Programs, “Salaries and Expenses”; not to
18 exceed \$37,598,000 for transfer to Departmental Manage-
19 ment, “Salaries and Expenses”; not to exceed \$342,000
20 for transfer to Departmental Management, “Office of In-
21 spector General”; and not to exceed \$356,000 for pay-
22 ments into miscellaneous receipts for the expenses of the
23 Department of the Treasury.

1 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
2 SALARIES AND EXPENSES

3 For necessary expenses for the Occupational Safety
4 and Health Administration, \$665,924,000, including not
5 to exceed \$118,875,000 which shall be the maximum
6 amount available for grants to States under section 23(g)
7 of the Occupational Safety and Health Act (the “Act”),
8 which grants shall be no less than 50 percent of the costs
9 of State occupational safety and health programs required
10 to be incurred under plans approved by the Secretary
11 under section 18 of the Act; and, in addition, notwith-
12 standing 31 U.S.C. 3302, the Occupational Safety and
13 Health Administration may retain up to \$499,000 per fis-
14 cal year of training institute course tuition and fees, other-
15 wise authorized by law to be collected, and may utilize
16 such sums for occupational safety and health training and
17 education: *Provided*, That notwithstanding 31 U.S.C.
18 3302, the Secretary is authorized, during the fiscal year
19 ending September 30, 2022, to collect and retain fees for
20 services provided to Nationally Recognized Testing Lab-
21 oratories, and may utilize such sums, in accordance with
22 the provisions of 29 U.S.C. 9a, to administer national and
23 international laboratory recognition programs that ensure
24 the safety of equipment and products used by workers in
25 the workplace: *Provided further*, That none of the funds

1 appropriated under this paragraph shall be obligated or
2 expended to prescribe, issue, administer, or enforce any
3 standard, rule, regulation, or order under the Act which
4 is applicable to any person who is engaged in a farming
5 operation which does not maintain a temporary labor
6 camp and employs 10 or fewer employees: *Provided fur-*
7 *ther*, That no funds appropriated under this paragraph
8 shall be obligated or expended to administer or enforce
9 any standard, rule, regulation, or order under the Act with
10 respect to any employer of 10 or fewer employees who is
11 included within a category having a Days Away, Re-
12 stricted, or Transferred (“DART”) occupational injury
13 and illness rate, at the most precise industrial classifica-
14 tion code for which such data are published, less than the
15 national average rate as such rates are most recently pub-
16 lished by the Secretary, acting through the Bureau of
17 Labor Statistics, in accordance with section 24 of the Act,
18 except—

19 (1) to provide, as authorized by the Act, con-
20 sultation, technical assistance, educational and train-
21 ing services, and to conduct surveys and studies;

22 (2) to conduct an inspection or investigation in
23 response to an employee complaint, to issue a cita-
24 tion for violations found during such inspection, and
25 to assess a penalty for violations which are not cor-

1 rected within a reasonable abatement period and for
2 any willful violations found;

3 (3) to take any action authorized by the Act
4 with respect to imminent dangers;

5 (4) to take any action authorized by the Act
6 with respect to health hazards;

7 (5) to take any action authorized by the Act
8 with respect to a report of an employment accident
9 which is fatal to one or more employees or which re-
10 sults in hospitalization of two or more employees,
11 and to take any action pursuant to such investiga-
12 tion authorized by the Act; and

13 (6) to take any action authorized by the Act
14 with respect to complaints of discrimination against
15 employees for exercising rights under the Act:

16 *Provided further*, That the foregoing proviso shall not
17 apply to any person who is engaged in a farming operation
18 which does not maintain a temporary labor camp and em-
19 ploys 10 or fewer employees: *Provided further*, That
20 \$13,787,000 shall be available for Susan Harwood train-
21 ing grants, of which not more than \$6,500,000 is for
22 Susan Harwood Training Capacity Building Develop-
23 mental grants, for program activities starting not later
24 than September 30, 2022 and lasting for a period of 12

1 months: *Provided further*, That not less than \$3,500,000
2 shall be for Voluntary Protection Programs.

3 MINE SAFETY AND HEALTH ADMINISTRATION

4 SALARIES AND EXPENSES

5 For necessary expenses for the Mine Safety and
6 Health Administration, \$402,209,000, including purchase
7 and bestowal of certificates and trophies in connection
8 with mine rescue and first-aid work, and the hire of pas-
9 senger motor vehicles, including up to \$2,000,000 for
10 mine rescue and recovery activities and not less than
11 \$10,537,000 for State assistance grants: *Provided*, That
12 notwithstanding 31 U.S.C. 3302, not to exceed \$750,000
13 may be collected by the National Mine Health and Safety
14 Academy for room, board, tuition, and the sale of training
15 materials, otherwise authorized by law to be collected, to
16 be available for mine safety and health education and
17 training activities: *Provided further*, That notwithstanding
18 31 U.S.C. 3302, the Mine Safety and Health Administra-
19 tion is authorized to collect and retain up to \$2,499,000
20 from fees collected for the approval and certification of
21 equipment, materials, and explosives for use in mines, and
22 may utilize such sums for such activities: *Provided further*,
23 That the Secretary is authorized to accept lands, build-
24 ings, equipment, and other contributions from public and
25 private sources and to prosecute projects in cooperation

1 with other agencies, Federal, State, or private: *Provided*
 2 *further*, That the Mine Safety and Health Administration
 3 is authorized to promote health and safety education and
 4 training in the mining community through cooperative
 5 programs with States, industry, and safety associations:
 6 *Provided further*, That the Secretary is authorized to rec-
 7 ognize the Joseph A. Holmes Safety Association as a prin-
 8 cipal safety association and, notwithstanding any other
 9 provision of law, may provide funds and, with or without
 10 reimbursement, personnel, including service of Mine Safe-
 11 ty and Health Administration officials as officers in local
 12 chapters or in the national organization: *Provided further*,
 13 That any funds available to the Department of Labor may
 14 be used, with the approval of the Secretary, to provide
 15 for the costs of mine rescue and survival operations in the
 16 event of a major disaster.

17 BUREAU OF LABOR STATISTICS

18 SALARIES AND EXPENSES

19 For necessary expenses for the Bureau of Labor Sta-
 20 tistics, including advances or reimbursements to State,
 21 Federal, and local agencies and their employees for serv-
 22 ices rendered, \$617,183,000, together with not to exceed
 23 \$68,000,000 which may be expended from the Employ-
 24 ment Security Administration account in the Unemploy-
 25 ment Trust Fund.

1 OFFICE OF DISABILITY EMPLOYMENT POLICY

2 SALARIES AND EXPENSES

3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses for the Office of Disability
5 Employment Policy to provide leadership, develop policy
6 and initiatives, and award grants furthering the objective
7 of eliminating barriers to the training and employment of
8 people with disabilities, \$42,711,000, of which not less
9 than \$9,000,000 shall be for research and demonstration
10 projects related to testing effective ways to promote great-
11 er labor force participation of people with disabilities: *Pro-*
12 *vided*, That the Secretary may transfer amounts made
13 available under this heading for research and demonstra-
14 tion projects to the "State Unemployment Insurance and
15 Employment Service Operations" account for such pur-
16 poses.

17 DEPARTMENTAL MANAGEMENT

18 SALARIES AND EXPENSES

19 (INCLUDING TRANSFER OF FUNDS)

20 For necessary expenses for Departmental Manage-
21 ment, including the hire of three passenger motor vehicles,
22 \$443,662,000, together with not to exceed \$308,000,
23 which may be expended from the Employment Security
24 Administration account in the Unemployment Trust
25 Fund: *Provided*, That \$89,947,000 for the Bureau of

1 International Labor Affairs shall be available for obliga-
2 tion through December 31, 2022: *Provided further*, That
3 funds available to the Bureau of International Labor Af-
4 fairs may be used to administer or operate international
5 labor activities, bilateral and multilateral technical assist-
6 ance, and microfinance programs, by or through contracts,
7 grants, subgrants and other arrangements: *Provided fur-*
8 *ther*, That not less than \$43,092,000 shall be for programs
9 to combat exploitative child labor internationally and not
10 less than \$30,175,000 shall be used to implement model
11 programs that address worker rights issues through tech-
12 nical assistance in countries with which the United States
13 has free trade agreements or trade preference programs:
14 *Provided further*, That \$10,040,000 shall be used for pro-
15 gram evaluation and shall be available for obligation
16 through September 30, 2023: *Provided further*, That
17 funds available for program evaluation may be used to ad-
18 minister grants for the purpose of evaluation: *Provided*
19 *further*, That grants made for the purpose of evaluation
20 shall be awarded through fair and open competition: *Pro-*
21 *vided further*, That funds available for program evaluation
22 may be transferred to any other appropriate account in
23 the Department for such purpose: *Provided further*, That
24 the Committees on Appropriations of the House of Rep-
25 resentatives and the Senate are notified at least 15 days

1 in advance of any transfer: *Provided further*, That the
2 funds available to the Women’s Bureau may be used for
3 grants to serve and promote the interests of women in the
4 workforce: *Provided further*, That of the amounts made
5 available to the Women’s Bureau, not less than
6 \$2,500,000 shall be used for grants authorized by the
7 Women in Apprenticeship and Nontraditional Occupations
8 Act.

9 VETERANS’ EMPLOYMENT AND TRAINING

10 Not to exceed \$264,831,000 may be derived from the
11 Employment Security Administration account in the Un-
12 employment Trust Fund to carry out the provisions of
13 chapters 41, 42, and 43 of title 38, United States Code,
14 of which—

15 (1) \$180,000,000 is for Jobs for Veterans State
16 grants under 38 U.S.C. 4102A(b)(5) to support dis-
17 abled veterans’ outreach program specialists under
18 section 4103A of such title and local veterans’ em-
19 ployment representatives under section 4104(b) of
20 such title, and for the expenses described in section
21 4102A(b)(5)(C), which shall be available for expend-
22 iture by the States through September 30, 2024,
23 and not to exceed 3 percent for the necessary Fed-
24 eral expenditures for data systems and contract sup-
25 port to allow for the tracking of participant and per-

1 formance information: *Provided*, That, in addition,
2 such funds may be used to support such specialists
3 and representatives in the provision of services to
4 transitioning members of the Armed Forces who
5 have participated in the Transition Assistance Pro-
6 gram and have been identified as in need of inten-
7 sive services, to members of the Armed Forces who
8 are wounded, ill, or injured and receiving treatment
9 in military treatment facilities or warrior transition
10 units, and to the spouses or other family caregivers
11 of such wounded, ill, or injured members;

12 (2) \$33,379,000 is for carrying out the Transi-
13 tion Assistance Program under 38 U.S.C. 4113 and
14 10 U.S.C. 1144;

15 (3) \$48,038,000 is for Federal administration
16 of chapters 41, 42, and 43 of title 38, and sections
17 2021, 2021A and 2023 of title 38, United States
18 Code: *Provided*, That, up to \$500,000 may be used
19 to carry out the Hire VETS Act (division O of Pub-
20 lic Law 115–31); and

21 (4) \$3,414,000 is for the National Veterans'
22 Employment and Training Services Institute under
23 38 U.S.C. 4109:

24 *Provided*, That the Secretary may reallocate among the
25 appropriations provided under paragraphs (1) through (4)

1 above an amount not to exceed 3 percent of the appropria-
2 tion from which such reallocation is made.

3 In addition, from the General Fund of the Treasury,
4 \$60,500,000 is for carrying out programs to assist home-
5 less veterans and veterans at risk of homelessness who are
6 transitioning from certain institutions under sections
7 2021, 2021A, and 2023 of title 38, United States Code:
8 *Provided*, That notwithstanding subsections (c)(3) and (d)
9 of section 2023, the Secretary may award grants through
10 September 30, 2022, to provide services under such sec-
11 tion: *Provided further*, That services provided under sec-
12 tions 2021 or under 2021A may include, in addition to
13 services to homeless veterans described in section
14 2002(a)(1), services to veterans who were homeless at
15 some point within the 60 days prior to program entry or
16 veterans who are at risk of homelessness within the next
17 60 days, and that services provided under section 2023
18 may include, in addition to services to the individuals de-
19 scribed in subsection (e) of such section, services to vet-
20 erans recently released from incarceration who are at risk
21 of homelessness: *Provided further*, That notwithstanding
22 paragraph (3) under this heading, funds appropriated in
23 this paragraph may be used for data systems and contract
24 support to allow for the tracking of participant and per-
25 formance information: *Provided further*, That notwith-

1 standing sections 2021(e)(2) and 2021A(f)(2) of title 38,
2 United States Code, such funds shall be available for ex-
3 penditure pursuant to 31 U.S.C. 1553.

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

16 IT MODERNIZATION

17 For necessary expenses for Department of Labor cen-
18 tralized infrastructure technology investment activities re-
19 lated to support systems and modernization, \$43,269,000,
20 which shall be available through September 30, 2023.

21 OFFICE OF INSPECTOR GENERAL

22 For salaries and expenses of the Office of Inspector
23 General in carrying out the provisions of the Inspector
24 General Act of 1978, \$89,738,000, together with not to
25 exceed \$5,660,000 which may be expended from the Em-

1 ployment Security Administration account in the Unem-
2 ployment Trust Fund.

3 GENERAL PROVISIONS

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

9 (TRANSFER OF FUNDS)

10 SEC. 102. Not to exceed 1 percent of any discre-
11 tionary funds (pursuant to the Balanced Budget and
12 Emergency Deficit Control Act of 1985) which are appro-
13 priated for the current fiscal year for the Department of
14 Labor in this Act may be transferred between a program,
15 project, or activity, but no such program, project, or activ-
16 ity shall be increased by more than 3 percent by any such
17 transfer: *Provided*, That the transfer authority granted by
18 this section shall not be used to create any new program
19 or to fund any project or activity for which no funds are
20 provided in this Act: *Provided further*, That the Commit-
21 tees on Appropriations of the House of Representatives
22 and the Senate are notified at least 15 days in advance
23 of any transfer.

24 SEC. 103. In accordance with Executive Order
25 13126, none of the funds appropriated or otherwise made

1 available pursuant to this Act shall be obligated or ex-
2 pended for the procurement of goods mined, produced,
3 manufactured, or harvested or services rendered, in whole
4 or in part, by forced or indentured child labor in industries
5 and host countries already identified by the United States
6 Department of Labor prior to enactment of this Act.

7 SEC. 104. Except as otherwise provided in this sec-
8 tion, none of the funds made available to the Department
9 of Labor for grants under section 414(c) of the American
10 Competitiveness and Workforce Improvement Act of 1998
11 (29 U.S.C. 2916a) may be used for any purpose other
12 than competitive grants for training individuals who are
13 older than 16 years of age and are not currently enrolled
14 in school within a local educational agency in the occupa-
15 tions and industries for which employers are using H-1B
16 visas to hire foreign workers, and the related activities
17 necessary to support such training.

18 SEC. 105. None of the funds made available by this
19 Act under the heading “Employment and Training Ad-
20 ministration” shall be used by a recipient or subrecipient
21 of such funds to pay the salary and bonuses of an indi-
22 vidual, either as direct costs or indirect costs, at a rate
23 in excess of Executive Level II. This limitation shall not
24 apply to vendors providing goods and services as defined
25 in Office of Management and Budget Circular A-133.

1 Where States are recipients of such funds, States may es-
2 tablish a lower limit for salaries and bonuses of those re-
3 ceiving salaries and bonuses from subrecipients of such
4 funds, taking into account factors including the relative
5 cost-of-living in the State, the compensation levels for
6 comparable State or local government employees, and the
7 size of the organizations that administer Federal pro-
8 grams involved including Employment and Training Ad-
9 ministration programs.

10 (TRANSFER OF FUNDS)

11 SEC. 106. (a) Notwithstanding section 102, the Sec-
12 retary may transfer funds made available to the Employ-
13 ment and Training Administration by this Act, either di-
14 rectly or through a set-aside, for technical assistance serv-
15 ices to grantees to “Program Administration” when it is
16 determined that those services will be more efficiently per-
17 formed by Federal employees: *Provided*, That this section
18 shall not apply to section 171 of the WIOA.

19 (b) Notwithstanding section 102, the Secretary may
20 transfer not more than 0.5 percent of each discretionary
21 appropriation made available to the Employment and
22 Training Administration by this Act to “Program Admin-
23 istration” in order to carry out program integrity activities
24 that lead to a reduction in improper payments or prevent
25 the unauthorized use of funds in any of the programs or

1 activities that are funded under any such discretionary ap-
2 propriations: *Provided*, That notwithstanding section 102
3 and the preceding proviso, the Secretary may transfer not
4 more than 0.5 percent of funds made available in para-
5 graphs (1) and (2) of the “Office of Job Corps” account
6 to paragraph (3) of such account to carry out program
7 integrity activities that lead to a reduction in improper
8 payments or prevent the unauthorized use of funds in the
9 Job Corps program: *Provided further*, That funds trans-
10 ferred under this subsection shall be available to the Sec-
11 retary to carry out program integrity activities directly or
12 through grants, cooperative agreements, contracts and
13 other arrangements with States and other appropriate en-
14 tities: *Provided further*, That funds transferred under the
15 authority provided by this subsection shall be available for
16 obligation through September 30, 2023.

17 (TRANSFER OF FUNDS)

18 SEC. 107. (a) The Secretary may reserve not more
19 than 0.75 percent from each appropriation made available
20 in this Act identified in subsection (b) in order to carry
21 out evaluations of any of the programs or activities that
22 are funded under such accounts. Any funds reserved under
23 this section shall be transferred to “Departmental Man-
24 agement” for use by the Office of the Chief Evaluation
25 Officer within the Department of Labor, and shall be

1 available for obligation through September 30, 2023: *Pro-*
2 *vided*, That such funds shall only be available if the Chief
3 Evaluation Officer of the Department of Labor submits
4 a plan to the Committees on Appropriations of the House
5 of Representatives and the Senate describing the evalua-
6 tions to be carried out 15 days in advance of any transfer.

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

22 SEC. 108. (a) Section 7 of the Fair Labor Standards
23 Act of 1938 (29 U.S.C. 207) shall be applied as if the
24 following text is part of such section:

1 “(s)(1) The provisions of this section shall not apply
2 for a period of 2 years after the occurrence of a major
3 disaster to any employee—

4 “(A) employed to adjust or evaluate claims
5 resulting from or relating to such major dis-
6 aster, by an employer not engaged, directly or
7 through an affiliate, in underwriting, selling, or
8 marketing property, casualty, or liability insur-
9 ance policies or contracts;

10 “(B) who receives from such employer on
11 average weekly compensation of not less than
12 \$591.00 per week or any minimum weekly
13 amount established by the Secretary, whichever
14 is greater, for the number of weeks such em-
15 ployee is engaged in any of the activities de-
16 scribed in subparagraph (C); and

17 “(C) whose duties include any of the fol-
18 lowing:

19 “(i) interviewing insured individuals,
20 individuals who suffered injuries or other
21 damages or losses arising from or relating
22 to a disaster, witnesses, or physicians;

23 “(ii) inspecting property damage or
24 reviewing factual information to prepare
25 damage estimates;

1 “(iii) evaluating and making rec-
2 ommendations regarding coverage or com-
3 pensability of claims or determining liabil-
4 ity or value aspects of claims;

5 “(iv) negotiating settlements; or

6 “(v) making recommendations regard-
7 ing litigation.

8 “(2) The exemption in this subsection shall not
9 affect the exemption provided by section 13(a)(1).

10 “(3) For purposes of this subsection—

11 “(A) the term ‘major disaster’ means any
12 disaster or catastrophe declared or designated
13 by any State or Federal agency or department;

14 “(B) the term ‘employee employed to ad-
15 just or evaluate claims resulting from or relat-
16 ing to such major disaster’ means an individual
17 who timely secured or secures a license required
18 by applicable law to engage in and perform the
19 activities described in clauses (i) through (v) of
20 paragraph (1)(C) relating to a major disaster,
21 and is employed by an employer that maintains
22 worker compensation insurance coverage or pro-
23 tection for its employees, if required by applica-
24 ble law, and withholds applicable Federal,
25 State, and local income and payroll taxes from

1 the wages, salaries and any benefits of such em-
2 ployees; and

3 “(C) the term ‘affiliate’ means a company
4 that, by reason of ownership or control of 25
5 percent or more of the outstanding shares of
6 any class of voting securities of one or more
7 companies, directly or indirectly, controls, is
8 controlled by, or is under common control with,
9 another company.”.

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

12 SEC. 109. (a) FLEXIBILITY WITH RESPECT TO THE
13 CROSSING OF H-2B NONIMMIGRANTS WORKING IN THE
14 SEAFOOD INDUSTRY.—

15 (1) IN GENERAL.—Subject to paragraph (2), if
16 a petition for H-2B nonimmigrants filed by an em-
17 ployer in the seafood industry is granted, the em-
18 ployer may bring the nonimmigrants described in
19 the petition into the United States at any time dur-
20 ing the 120-day period beginning on the start date
21 for which the employer is seeking the services of the
22 nonimmigrants without filing another petition.

23 (2) REQUIREMENTS FOR CROSSINGS AFTER
24 90TH DAY.—An employer in the seafood industry
25 may not bring H-2B nonimmigrants into the United

1 States after the date that is 90 days after the start
2 date for which the employer is seeking the services
3 of the nonimmigrants unless the employer—

4 (A) completes a new assessment of the
5 local labor market by—

6 (i) listing job orders in local news-
7 papers on 2 separate Sundays; and

8 (ii) posting the job opportunity on the
9 appropriate Department of Labor Elec-
10 tronic Job Registry and at the employer's
11 place of employment; and

12 (B) offers the job to an equally or better
13 qualified United States worker who—

14 (i) applies for the job; and

15 (ii) will be available at the time and
16 place of need.

17 (3) EXEMPTION FROM RULES WITH RESPECT
18 TO STAGGERING.—The Secretary of Labor shall not
19 consider an employer in the seafood industry who
20 brings H-2B nonimmigrants into the United States
21 during the 120-day period specified in paragraph (1)
22 to be staggering the date of need in violation of sec-
23 tion 655.20(d) of title 20, Code of Federal Regula-
24 tions, or any other applicable provision of law.

1 (b) H-2B NONIMMIGRANTS DEFINED.—In this sec-
2 tion, the term “H-2B nonimmigrants” means aliens ad-
3 mitted to the United States pursuant to section
4 101(a)(15)(H)(ii)(B) of the Immigration and Nationality
5 Act (8 U.S.C. 1101(a)(15)(H)(ii)(B)).

6 SEC. 110. The determination of prevailing wage for
7 the purposes of the H-2B program shall be the greater
8 of—(1) the actual wage level paid by the employer to other
9 employees with similar experience and qualifications for
10 such position in the same location; or (2) the prevailing
11 wage level for the occupational classification of the posi-
12 tion in the geographic area in which the H-2B non-
13 immigrant will be employed, based on the best information
14 available at the time of filing the petition. In the deter-
15 mination of prevailing wage for the purposes of the H-
16 2B program, the Secretary shall accept private wage sur-
17 veys even in instances where Occupational Employment
18 Statistics survey data are available unless the Secretary
19 determines that the methodology and data in the provided
20 survey are not statistically supported.

21 SEC. 111. None of the funds in this Act shall be used
22 to enforce the definition of corresponding employment
23 found in 20 CFR 655.5 or the three-fourths guarantee
24 rule definition found in 20 CFR 655.20, or any references
25 thereto. Further, for the purpose of regulating admission

1 of temporary workers under the H-2B program, the defi-
2 nition of temporary need shall be that provided in 8 CFR
3 214.2(h)(6)(ii)(B).

4 SEC. 112. Notwithstanding any other provision of
5 law, the Secretary may furnish through grants, coopera-
6 tive agreements, contracts, and other arrangements, up to
7 \$2,000,000 of excess personal property, at a value deter-
8 mined by the Secretary, to apprenticeship programs for
9 the purpose of training apprentices in those programs.

10 SEC. 113. (a) The Act entitled “An Act to create a
11 Department of Labor”, approved March 4, 1913 (37 Stat.
12 736, chapter 141) shall be applied as if the following text
13 is part of such Act:

14 **“SEC. 12. SECURITY DETAIL.**

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

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

23 “(2) provide protection, incidental to the protec-
24 tion provided to the Secretary, to a member of the
25 immediate family of the Secretary who is partici-

1 pating in an activity or event relating to the official
2 duties of the Secretary;

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

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

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

20 “(1) carry firearms;

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

24 “(3) perform protective intelligence work, in-
25 cluding identifying and mitigating potential threats

1 and conducting advance work to review security mat-
2 ters relating to sites and events;

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

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

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

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

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

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

19 SEC. 114. The Secretary is authorized to dispose of
20 or divest, by any means the Secretary determines appro-
21 priate, including an agreement or partnership to construct
22 a new Job Corps center, all or a portion of the real prop-
23 erty on which the Treasure Island Job Corps Center is
24 situated. Any sale or other disposition will not be subject
25 to any requirement of any Federal law or regulation relat-

1 ing to the disposition of Federal real property, including
2 but not limited to subchapter III of chapter 5 of title 40
3 of the United States Code and subchapter V of chapter
4 119 of title 42 of the United States Code. The net pro-
5 ceeds of such a sale shall be transferred to the Secretary,
6 which shall be available until expended to carry out the
7 Job Corps Program on Treasure Island.

8 SEC. 115. None of the funds made available by this
9 Act may be used to—

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

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

20 SEC. 116. The paragraph under the heading “Work-
21 ing Capital Fund” in the Department of Labor Appropria-
22 tions Act, 1958, Public Law 85–67, 71 Stat. 210, as
23 amended, is further amended by striking the third proviso
24 and inserting in lieu thereof “That the Secretary of Labor
25 may transfer to the Working Capital Fund, to remain

1 available for obligation for five fiscal years after the fiscal
2 year of such transfer, annually an amount not to exceed
3 \$9,000,000 from unobligated balances in the Depart-
4 ment's salaries and expenses accounts made available in
5 Public Laws 115-245, 116-94, or 116-260, and annually
6 an amount not to exceed \$9,000,000 from unobligated bal-
7 ances in the Department's discretionary grants accounts
8 made available in Public Laws 115-245, 116-94, 116-
9 260, for the acquisition of capital equipment and the im-
10 provement of financial management, information tech-
11 nology, infrastructure technology investment activities re-
12 lated to support systems and modernization, and other
13 support systems: *Provided further*, That the Secretary of
14 Labor may transfer to the Working Capital Fund, to re-
15 main available for obligation for five fiscal years after the
16 fiscal year of such transfer, annually an amount not to
17 exceed \$18,000,000 from unobligated balances in the De-
18 partment's salaries and expenses accounts made available
19 in this Act and hereafter, and \$18,000,000 from unobli-
20 gated balances in the Department's discretionary grants
21 accounts made available in this Act and hereafter for the
22 acquisition of capital equipment and the improvement of
23 financial management, information technology, infrastruc-
24 ture technology investment activities related to support
25 systems and modernization, and other support systems:".

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

1 TITLE II
2 DEPARTMENT OF HEALTH AND HUMAN
3 SERVICES
4 HEALTH RESOURCES AND SERVICES ADMINISTRATION
5 PRIMARY HEALTH CARE

6 For carrying out titles II and III of the Public Health
7 Service Act (referred to in this Act as the “PHS Act”) *Pro-*
8 *vided,* with respect to primary health care and the Native Hawai-
9 ian Health Care Act of 1988, \$1,793,772,000: *Provided,*
10 That no more than \$1,000,000 shall be available until ex-
11 pended for carrying out the provisions of section 224(o)
12 of the PHS Act: *Provided further,* That no more than
13 \$120,000,000 shall be available until expended for car-
14 rying out subsections (g) through (n) and (q) of section
15 224 of the PHS Act, and for expenses incurred by the
16 Department of Health and Human Services (referred to
17 in this Act as “HHS”) pertaining to administrative claims
18 made under such law.

19 HEALTH WORKFORCE

20 For carrying out titles III, VII, and VIII of the PHS
21 Act with respect to the health workforce, sections 1128E
22 and 1921 of the Social Security Act, and the Health Care
23 Quality Improvement Act of 1986, \$1,409,760,000: *Pro-*
24 *vided,* That sections 751(j)(2) and 762(k) of the PHS Act
25 and the proportional funding amounts in paragraphs (1)

1 through (4) of section 756(f) of the PHS Act shall not
2 apply to funds made available under this heading: *Pro-*
3 *vided further*, That for any program operating under sec-
4 tion 751 of the PHS Act on or before January 1, 2009,
5 the Secretary of Health and Human Services (referred to
6 in this title as the “Secretary”) may hereafter waive any
7 of the requirements contained in sections 751(d)(2)(A)
8 and 751(d)(2)(B) of such Act for the full project period
9 of a grant under such section: *Provided further*, That fees
10 collected for the disclosure of information under section
11 427(b) of the Health Care Quality Improvement Act of
12 1986 and sections 1128E(d)(2) and 1921 of the Social
13 Security Act shall be sufficient to recover the full costs
14 of operating the programs authorized by such sections and
15 shall remain available until expended for the National
16 Practitioner Data Bank: *Provided further*, That funds
17 transferred to this account to carry out section 846 and
18 subpart 3 of part D of title III of the PHS Act may be
19 used to make prior year adjustments to awards made
20 under such section and subpart: *Provided further*, That
21 \$150,000,000 shall remain available until expended for
22 the purposes of providing primary health services, assign-
23 ing National Health Service Corps (“NHSC”) members
24 to expand the delivery of substance use disorder treatment
25 services, notwithstanding the assignment priorities and

1 limitations under sections 333(a)(1)(D), 333(b), and
2 333A(a)(1)(B)(ii) of the PHS Act, and making payments
3 under the NHSC Loan Repayment Program under section
4 338B of such Act: *Provided further*, That, within the
5 amount made available in the previous proviso,
6 \$15,000,000 shall remain available until expended for the
7 purposes of making payments under the NHSC Loan Re-
8 payment Program under section 338B of the PHS Act
9 to individuals participating in such program who provide
10 primary health services in Indian Health Service facilities,
11 Tribally-Operated 638 Health Programs, and Urban In-
12 dian Health Programs (as those terms are defined by the
13 Secretary), notwithstanding the assignment priorities and
14 limitations under section 333(b) of such Act: *Provided fur-*
15 *ther*, That for purposes of the previous two provisos, sec-
16 tion 331(a)(3)(D) of the PHS Act shall be applied as if
17 the term “primary health services” includes clinical sub-
18 stance use disorder treatment services, including those
19 provided by masters level, licensed substance use disorder
20 treatment counselors: *Provided further*, That of the funds
21 made available under this heading, \$5,000,000 shall be
22 available to make grants to establish or expand optional
23 community-based nurse practitioner fellowship programs
24 that are accredited or in the accreditation process, with
25 a preference for those in Federally Qualified Health Cen-

1 ters, for practicing postgraduate nurse practitioners in
2 primary care or behavioral health.

3 Of the funds made available under this heading,
4 \$50,000,000 shall remain available until expended for
5 grants to public institutions of higher education to expand
6 or support graduate education for physicians provided by
7 such institutions: *Provided*, That, in awarding such
8 grants, the Secretary shall give priority to public institu-
9 tions of higher education located in States with a projected
10 primary care provider shortage in 2025, as determined by
11 the Secretary: *Provided further*, That grants so awarded
12 are limited to such public institutions of higher education
13 in States in the top quintile of States with a projected
14 primary care provider shortage in 2025, as determined by
15 the Secretary: *Provided further*, That the minimum
16 amount of a grant so awarded to such an institution shall
17 be not less than \$1,000,000 per year: *Provided further*,
18 That such a grant may be awarded for a period not to
19 exceed 5 years: *Provided further*, That such a grant award-
20 ed with respect to a year to such an institution shall be
21 subject to a matching requirement of non-Federal funds
22 in an amount that is not less than 10 percent of the total
23 amount of Federal funds provided in the grant to such
24 institution with respect to such year.

1 MATERNAL AND CHILD HEALTH

2 For carrying out titles III, XI, XII, and XIX of the
3 PHS Act with respect to maternal and child health and
4 title V of the Social Security Act, \$1,156,084,000: *Pro-*
5 *vided*, That notwithstanding sections 502(a)(1) and
6 502(b)(1) of the Social Security Act, not more than
7 \$255,116,000 shall be available for carrying out special
8 projects of regional and national significance pursuant to
9 section 501(a)(2) of such Act and \$10,276,000 shall be
10 available for projects described in subparagraphs (A)
11 through (F) of section 501(a)(3) of such Act.

12 RYAN WHITE HIV/AIDS PROGRAM

13 For carrying out title XXVI of the PHS Act with
14 respect to the Ryan White HIV/AIDS program,
15 \$2,554,781,000, of which \$2,005,881,000 shall remain
16 available to the Secretary through September 30, 2023,
17 for parts A and B of title XXVI of the PHS Act, and
18 of which not less than \$900,313,000 shall be for State
19 AIDS Drug Assistance Programs under the authority of
20 section 2616 or 311(c) of such Act; and of which
21 \$190,000,000, to remain available until expended, shall be
22 available to the Secretary for carrying out a program of
23 grants and contracts under title XXVI or section 311(c)
24 of such Act focused on ending the nationwide HIV/AIDS
25 epidemic, with any grants issued under such section

1 311(c) administered in conjunction with title XXVI of the
2 PHS Act, including the limitation on administrative ex-
3 penses.

4 HEALTH CARE SYSTEMS

5 For carrying out titles III and XII of the PHS Act
6 with respect to health care systems, and the Stem Cell
7 Therapeutic and Research Act of 2005, \$137,093,000, of
8 which \$122,000 shall be available until expended for facili-
9 ties-related expenses of the National Hansen's Disease
10 Program.

11 RURAL HEALTH

12 For carrying out titles III and IV of the PHS Act
13 with respect to rural health, section 427(a) of the Federal
14 Coal Mine Health and Safety Act of 1969, and sections
15 711 and 1820 of the Social Security Act, \$402,709,000,
16 of which \$57,509,000 from general revenues, notwith-
17 standing section 1820(j) of the Social Security Act, shall
18 be available for carrying out the Medicare rural hospital
19 flexibility grants program: *Provided*, That of the funds
20 made available under this heading for Medicare rural hos-
21 pital flexibility grants, \$20,942,000 shall be available for
22 the Small Rural Hospital Improvement Grant Program
23 for quality improvement and adoption of health informa-
24 tion technology and up to \$1,000,000 shall be to carry
25 out section 1820(g)(6) of the Social Security Act, with

1 funds provided for grants under section 1820(g)(6) avail-
2 able for the purchase and implementation of telehealth
3 services, including pilots and demonstrations on the use
4 of electronic health records to coordinate rural veterans
5 care between rural providers and the Department of Vet-
6 erans Affairs electronic health record system: *Provided*
7 *further*, That notwithstanding section 338J(k) of the PHS
8 Act, \$12,500,000 shall be available for State Offices of
9 Rural Health: *Provided further*, That \$12,700,000 shall
10 remain available through September 30, 2024, to support
11 the Rural Residency Development Program: *Provided fur-*
12 *ther*, That \$165,000,000 shall be for the Rural Commu-
13 nities Opioids Response Program.

14

FAMILY PLANNING

15 For carrying out the program under title X of the
16 PHS Act to provide for voluntary family planning
17 projects, \$500,000,000: *Provided*, That amounts provided
18 to said projects under such title shall not be expended for
19 abortions, that all pregnancy counseling shall be nondirec-
20 tive, and that such amounts shall not be expended for any
21 activity (including the publication or distribution of lit-
22 erature) that in any way tends to promote public support
23 or opposition to any legislative proposal or candidate for
24 public office: *Provided further*, That all entities funded
25 under this heading shall provide clinical services consistent

1 with nationally recognized clinical standards: *Provided fur-*
2 *ther*, That projects funded under section 1001 of the PHS
3 Act shall provide the full range of contraceptive methods
4 approved by the Food and Drug Administration: *Provided*
5 *further*, That all patients served under title X of the PHS
6 Act with a positive pregnancy test shall be given the op-
7 portunity to be provided information and counseling re-
8 garding: (1) prenatal care and delivery; (2) infant care,
9 foster care, and adoption; and (3) pregnancy termination:
10 *Provided further*, That if such a patient requests informa-
11 tion specified in the preceding proviso, such patient shall
12 be provided with neutral, factual information and non-
13 directive counseling on each such option, including referral
14 upon request, except with respect to any option about
15 which the patient indicates no interest in receiving such
16 information and counseling.

17 PROGRAM MANAGEMENT

18 For program support in the Health Resources and
19 Services Administration, \$893,127,000: *Provided*, That
20 funds made available under this heading may be used to
21 supplement program support funding provided under the
22 headings “Primary Health Care”, “Health Workforce”,
23 “Maternal and Child Health”, “Ryan White HIV/AIDS
24 Program”, “Health Care Systems”, and “Rural Health”:
25 *Provided further*, That of the amount made available

1 under this heading, \$727,956,000 shall be used for the
2 projects financing the construction and renovation (includ-
3 ing equipment) of health care and other facilities, and for
4 the projects financing one-time grants that support activi-
5 ties funded under headings listed in the preceding proviso,
6 and in the amounts, specified in the explanatory statement
7 accompanying this Act: *Provided further*, That none of the
8 funds made available for projects described in the pre-
9 ceding proviso shall be subject to section 241 of the PHS
10 Act or section 205 of this Act.

11 VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

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

21 COVERED COUNTERMEASURES PROCESS FUND

22 For carrying out section 319F–4 of the PHS Act,
23 \$5,000,000, to remain available until expended.

1 CENTERS FOR DISEASE CONTROL AND PREVENTION

2 IMMUNIZATION AND RESPIRATORY DISEASES

3 For carrying out titles II, III, XVII, and XXI, and
4 section 2821 of the PHS Act, titles II and IV of the Immi-
5 gration and Nationality Act, and section 501 of the Ref-
6 ugee Education Assistance Act, with respect to immuniza-
7 tion and respiratory diseases, \$526,580,000.

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

10 For carrying out titles II, III, XVII, and XXIII of
11 the PHS Act with respect to HIV/AIDS, viral hepatitis,
12 sexually transmitted diseases, and tuberculosis prevention,
13 \$1,436,056,000.

14 EMERGING AND ZOOONOTIC INFECTIOUS DISEASES

15 For carrying out titles II, III, and XVII, and section
16 2821 of the PHS Act, titles II and IV of the Immigration
17 and Nationality Act, and section 501 of the Refugee Edu-
18 cation Assistance Act, with respect to emerging and
19 zoonotic infectious diseases, \$674,272,000: *Provided*, That
20 of the amounts made available under this heading, up to
21 \$1,000,000 shall remain available until expended to pay
22 for the transportation, medical care, treatment, and other
23 related costs of persons quarantined or isolated under
24 Federal or State quarantine law.

1 *Provided*, That in addition to amounts provided herein,
2 \$132,000,000 is available to this appropriation, for the
3 purposes under this heading, from amounts provided pur-
4 suant to section 241 of the PHS Act.

5 ENVIRONMENTAL HEALTH

6 For carrying out titles II, III, and XVII of the PHS
7 Act with respect to environmental health, \$309,350,000:
8 *Provided*, That in addition to amounts provided herein,
9 \$7,000,000 is available to this appropriation, for the pur-
10 poses under this heading, from amounts provided pursu-
11 ant to section 241 of the PHS Act.

12 INJURY PREVENTION AND CONTROL

13 For carrying out titles II, III, and XVII of the PHS
14 Act with respect to injury prevention and control,
15 \$1,050,169,000.

16 NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND
17 HEALTH

18 For carrying out titles II, III, and XVII of the PHS
19 Act, sections 101, 102, 103, 201, 202, 203, 301, and 501
20 of the Federal Mine Safety and Health Act, section 13
21 of the Mine Improvement and New Emergency Response
22 Act, and sections 20, 21, and 22 of the Occupational Safe-
23 ty and Health Act, with respect to occupational safety and
24 health, \$347,300,000.

1 ENERGY EMPLOYEES OCCUPATIONAL ILLNESS
2 COMPENSATION PROGRAM

3 For necessary expenses to administer the Energy
4 Employees Occupational Illness Compensation Program
5 Act, \$55,358,000, to remain available until expended: *Pro-*
6 *vided*, That this amount shall be available consistent with
7 the provision regarding administrative expenses in section
8 151(b) of division B, title I of Public Law 106–554.

9 GLOBAL HEALTH

10 For carrying out titles II, III, and XVII of the PHS
11 Act with respect to global health, \$597,843,000, of which:
12 (1) \$128,421,000 shall remain available through Sep-
13 tember 30, 2023 for international HIV/AIDS; and (2)
14 \$203,200,000 shall remain available through September
15 30, 2024 for global public health protection: *Provided*,
16 That funds may be used for purchase and insurance of
17 official motor vehicles in foreign countries.

18 PUBLIC HEALTH PREPAREDNESS AND RESPONSE

19 For carrying out titles II, III, and XVII of the PHS
20 Act with respect to public health preparedness and re-
21 sponse, and for expenses necessary to support activities
22 related to countering potential biological, nuclear, radio-
23 logical, and chemical threats to civilian populations,
24 \$862,200,000: *Provided*, That the Director of the Centers
25 for Disease Control and Prevention (referred to in this

1 title as “CDC”) or the Administrator of the Agency for
2 Toxic Substances and Disease Registry may detail staff
3 without reimbursement to support an activation of the
4 CDC Emergency Operations Center, so long as the Direc-
5 tor or Administrator, as applicable, provides a notice to
6 the Committees on Appropriations of the House of Rep-
7 resentatives and the Senate within 15 days of the use of
8 this authority, a full report within 30 days after use of
9 this authority which includes the number of staff and
10 funding level broken down by the originating center and
11 number of days detailed, and an update of such report
12 every 180 days until staff are no longer on detail without
13 reimbursement to the CDC Emergency Operations Center.

14 BUILDINGS AND FACILITIES

15 (INCLUDING TRANSFER OF FUNDS)

16 For acquisition of real property, equipment, construc-
17 tion, installation, demolition, and renovation of facilities,
18 \$50,000,000, which shall remain available until September
19 30, 2026: *Provided*, That funds made available to this ac-
20 count in this or any prior Act that are available for the
21 acquisition of real property or for construction or improve-
22 ment of facilities shall be available to make improvements
23 on non-federally owned property, provided that any im-
24 provements that are not adjacent to federally owned prop-
25 erty do not exceed \$2,500,000, and that the primary ben-

1 efit of such improvements accrues to CDC: *Provided fur-*
 2 *ther*, That funds previously set-aside by CDC for repair
 3 and upgrade of the Lake Lynn Experimental Mine and
 4 Laboratory shall be used to acquire a replacement mine
 5 safety research facility: *Provided further*, That funds made
 6 available to this account in this or any prior Act that are
 7 available for the acquisition of real property or for con-
 8 struction or improvement of facilities in conjunction with
 9 the new replacement mine safety research facility shall be
 10 available to make improvements on non-federally owned
 11 property, provided that any improvements that are not ad-
 12 jacent to federally owned property do not exceed
 13 \$5,000,000: *Provided further*, That in addition, the prior
 14 year unobligated balance of any amounts assigned to
 15 former employees in accounts of CDC made available for
 16 Individual Learning Accounts shall be credited to and
 17 merged with the amounts made available under this head-
 18 ing to support the replacement of the mine safety research
 19 facility.

20 CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

21 (INCLUDING TRANSFER OF FUNDS)

22 For carrying out titles II, III, XVII and XIX, and
 23 section 2821 of the PHS Act and for cross-cutting activi-
 24 ties and program support for activities funded in other
 25 appropriations included in this Act for the Centers for

1 Disease Control and Prevention, \$733,570,000, of which
2 \$600,000,000 shall remain available through September
3 30, 2024, for public health infrastructure capacity: *Pro-*
4 *vided*, That paragraphs (1) through (3) of subsection (b)
5 of section 2821 of the PHS Act shall not apply to funds
6 appropriated under this heading and in all other accounts
7 of the CDC: *Provided further*, That of the amounts made
8 available under this heading, \$15,000,000, to remain
9 available until expended, shall be available to the Director
10 of the CDC for deposit in the Infectious Diseases Rapid
11 Response Reserve Fund established by section 231 of divi-
12 sion B of Public Law 115–245: *Provided further*, That
13 funds appropriated under this heading may be used to
14 support a contract for the operation and maintenance of
15 an aircraft in direct support of activities throughout CDC
16 to ensure the agency is prepared to address public health
17 preparedness emergencies: *Provided further*, That employ-
18 ees of CDC or the Public Health Service, both civilian and
19 commissioned officers, detailed to States, municipalities,
20 or other organizations under authority of section 214 of
21 the PHS Act, or in overseas assignments, shall be treated
22 as non-Federal employees for reporting purposes only and
23 shall not be included within any personnel ceiling applica-
24 ble to the Agency, Service, or HHS during the period of
25 detail or assignment: *Provided further*, That CDC may use

1 up to \$10,000 from amounts appropriated to CDC in this
2 Act for official reception and representation expenses
3 when specifically approved by the Director of CDC: *Pro-*
4 *vided further*, That in addition, such sums as may be de-
5 rived from authorized user fees, which shall be credited
6 to the appropriation charged with the cost thereof: *Pro-*
7 *vided further*, That with respect to the previous proviso,
8 authorized user fees from the Vessel Sanitation Program
9 and the Respirator Certification Program shall be avail-
10 able through September 30, 2023.

11 NATIONAL INSTITUTES OF HEALTH

12 NATIONAL CANCER INSTITUTE

13 For carrying out section 301 and title IV of the PHS
14 Act with respect to cancer, \$6,578,469,000, of which up
15 to \$30,000,000 may be used for facilities repairs and im-
16 provements at the National Cancer Institute—Frederick
17 Federally Funded Research and Development Center in
18 Frederick, Maryland.

19 NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

20 For carrying out section 301 and title IV of the PHS
21 Act with respect to cardiovascular, lung, and blood dis-
22 eases, and blood and blood products, \$3,841,998,000.

1 NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL
2 RESEARCH

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to dental and craniofacial diseases,
5 \$515,720,000.

6 NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND
7 KIDNEY DISEASES

8 For carrying out section 301 and title IV of the PHS
9 Act with respect to diabetes and digestive and kidney dis-
10 ease, \$2,217,136,000.

11 NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS
12 AND STROKE

13 For carrying out section 301 and title IV of the PHS
14 Act with respect to neurological disorders and stroke,
15 \$2,710,096,000.

16 NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS
17 DISEASES

18 For carrying out section 301 and title IV of the PHS
19 Act with respect to allergy and infectious diseases,
20 \$6,342,756,000.

21 NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

22 For carrying out section 301 and title IV of the PHS
23 Act with respect to general medical sciences,
24 \$3,067,557,000, of which \$1,214,505,000 shall be from
25 funds available under section 241 of the PHS Act: *Pro-*

1 *vided*, That not less than \$410,453,000 is provided for
2 the Institutional Development Awards program.

3 EUNICE KENNEDY SHRIVER NATIONAL INSTITUTE OF
4 CHILD HEALTH AND HUMAN DEVELOPMENT

5 For carrying out section 301 and title IV of the PHS
6 Act with respect to child health and human development,
7 \$1,678,970,000.

8 NATIONAL EYE INSTITUTE

9 For carrying out section 301 and title IV of the PHS
10 Act with respect to eye diseases and visual disorders,
11 \$857,868,000.

12 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH
13 SCIENCES

14 For carrying out section 301 and title IV of the PHS
15 Act with respect to environmental health sciences,
16 \$936,271,000.

17 NATIONAL INSTITUTE ON AGING

18 For carrying out section 301 and title IV of the PHS
19 Act with respect to aging, \$4,180,838,000.

20 NATIONAL INSTITUTE OF ARTHRITIS AND
21 MUSCULOSKELETAL AND SKIN DISEASES

22 For carrying out section 301 and title IV of the PHS
23 Act with respect to arthritis and musculoskeletal and skin
24 diseases, \$675,106,000.

1 NATIONAL INSTITUTE ON DEAFNESS AND OTHER
2 COMMUNICATION DISORDERS

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to deafness and other communication dis-
5 orders, \$511,280,000.

6 NATIONAL INSTITUTE OF NURSING RESEARCH

7 For carrying out section 301 and title IV of the PHS
8 Act with respect to nursing research, \$199,595,000.

9 NATIONAL INSTITUTE ON ALCOHOL ABUSE AND
10 ALCOHOLISM

11 For carrying out section 301 and title IV of the PHS
12 Act with respect to alcohol abuse and alcoholism,
13 \$569,633,000.

14 NATIONAL INSTITUTE ON DRUG ABUSE

15 For carrying out section 301 and title IV of the PHS
16 Act with respect to drug abuse, \$1,832,906,000.

17 NATIONAL INSTITUTE OF MENTAL HEALTH

18 For carrying out section 301 and title IV of the PHS
19 Act with respect to mental health, \$2,142,900,000.

20 NATIONAL HUMAN GENOME RESEARCH INSTITUTE

21 For carrying out section 301 and title IV of the PHS
22 Act with respect to human genome research,
23 \$634,598,000.

1 NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND
2 BIOENGINEERING

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to biomedical imaging and bioengineering
5 research, \$421,617,000.

6 NATIONAL CENTER FOR COMPLEMENTARY AND
7 INTEGRATIVE HEALTH

8 For carrying out section 301 and title IV of the PHS
9 Act with respect to complementary and integrative health,
10 \$184,249,000.

11 NATIONAL INSTITUTE ON MINORITY HEALTH AND
12 HEALTH DISPARITIES

13 For carrying out section 301 and title IV of the PHS
14 Act with respect to minority health and health disparities
15 research, \$651,101,000.

16 JOHN E. FOGARTY INTERNATIONAL CENTER

17 For carrying out the activities of the John E. Fogarty
18 International Center (described in subpart 2 of part E of
19 title IV of the PHS Act), \$96,268,000.

20 NATIONAL LIBRARY OF MEDICINE

21 For carrying out section 301 and title IV of the PHS
22 Act with respect to health information communications,
23 \$476,074,000: *Provided*, That of the amounts available for
24 improvement of information systems, \$4,000,000 shall be
25 available until September 30, 2023: *Provided further*, That

1 in fiscal year 2022, the National Library of Medicine may
 2 enter into personal services contracts for the provision of
 3 services in facilities owned, operated, or constructed under
 4 the jurisdiction of the National Institutes of Health (re-
 5 ferred to in this title as “NIH”).

6 NATIONAL CENTER FOR ADVANCING TRANSLATIONAL
 7 SCIENCES

8 For carrying out section 301 and title IV of the PHS
 9 Act with respect to translational sciences, \$878,072,000:
 10 *Provided*, That up to \$60,000,000 shall be available to im-
 11 plement section 480 of the PHS Act, relating to the Cures
 12 Acceleration Network: *Provided further*, That at least
 13 \$600,925,000 is provided to the Clinical and Translational
 14 Sciences Awards program.

15 OFFICE OF THE DIRECTOR
 16 (INCLUDING TRANSFER OF FUNDS)

17 For carrying out the responsibilities of the Office of
 18 the Director, NIH, \$2,538,213,000: *Provided*, That fund-
 19 ing shall be available for the purchase of not to exceed
 20 29 passenger motor vehicles for replacement only: *Pro-
 21 vided further*, That all funds credited to the NIH Manage-
 22 ment Fund shall remain available for one fiscal year after
 23 the fiscal year in which they are deposited: *Provided fur-
 24 ther*, That \$180,000,000 shall be for the Environmental
 25 Influences on Child Health Outcomes study: *Provided fur-*

1 *ther*, That \$651,202,000 shall be available for the Com-
2 mon Fund established under section 402A(c)(1) of the
3 PHS Act: *Provided further*, That of the funds provided,
4 \$10,000 shall be for official reception and representation
5 expenses when specifically approved by the Director of the
6 NIH: *Provided further*, That the Office of AIDS Research
7 within the Office of the Director of the NIH may spend
8 up to \$8,000,000 to make grants for construction or ren-
9 ovation of facilities as provided for in section
10 2354(a)(5)(B) of the PHS Act: *Provided further*, That
11 \$80,000,000 shall be used to carry out section 404I of
12 the PHS Act (42 U.S.C. 283K), relating to biomedical and
13 behavioral research facilities: *Provided further*, That
14 \$5,000,000 shall be transferred to and merged with the
15 appropriation for the “Office of Inspector General” for
16 oversight of grant programs and operations of the NIH,
17 including agency efforts to ensure the integrity of its grant
18 application evaluation and selection processes, and shall
19 be in addition to funds otherwise made available for over-
20 sight of the NIH: *Provided further*, That the funds pro-
21 vided in the previous proviso may be transferred from one
22 specified activity to another with 15 days prior approval
23 of the Committees on Appropriations of the House of Rep-
24 resentatives and the Senate: *Provided further*, That the In-
25 spector General shall consult with the Committees on Ap-

1 appropriations of the House of Representatives and the Sen-
2 ate before submitting to the Committees an audit plan for
3 fiscal years 2022 and 2023 no later than 30 days after
4 the date of enactment of this Act: *Provided further*, That
5 amounts made available under this heading are also avail-
6 able to establish, operate, and support the Research Policy
7 Board authorized by section 2034(f) of the 21st Century
8 Cures Act: *Provided further*, That the funds made avail-
9 able under this heading for the Office of Research on
10 Women’s Health shall also be available for making grants,
11 and the Director of such Office may, in making such
12 grants, use the authorities available to NIH Institutes and
13 Centers.

14 In addition to other funds appropriated for the Com-
15 mon Fund established under section 402A(c) of the PHS
16 Act, \$12,600,000 is appropriated to the Common Fund
17 for the purpose of carrying out section 402(b)(7)(B)(ii)
18 of the PHS Act (relating to pediatric research), as author-
19 ized in the Gabriella Miller Kids First Research Act, of
20 which \$3,000,000 shall be derived from the 10-year Pedi-
21 atric Research Initiative Fund described in section 9008
22 of the Internal Revenue Code of 1986 (26 U.S.C. 9008).

23 BUILDINGS AND FACILITIES

24 For the study of, construction of, demolition of, ren-
25 ovation of, and acquisition of equipment for, facilities of

1 or used by NIH, including the acquisition of real property,
2 \$275,000,000, to remain available through September 30,
3 2026.

4 NIH INNOVATION ACCOUNT, CURES ACT
5 (INCLUDING TRANSFER OF FUNDS)

6 For necessary expenses to carry out the purposes de-
7 scribed in section 1001(b)(4) of the 21st Century Cures
8 Act, in addition to amounts available for such purposes
9 in the appropriations provided to the NIH in this Act,
10 \$496,000,000, to remain available until expended: *Pro-*
11 *vided*, That such amounts are appropriated pursuant to
12 section 1001(b)(3) of such Act, are to be derived from
13 amounts transferred under section 1001(b)(2)(A) of such
14 Act, and may be transferred by the Director of the Na-
15 tional Institutes of Health to other accounts of the Na-
16 tional Institutes of Health solely for the purposes provided
17 in such Act: *Provided further*, That upon a determination
18 by the Director that funds transferred pursuant to the
19 previous proviso are not necessary for the purposes pro-
20 vided, such amounts may be transferred back to the Ac-
21 count: *Provided further*, That the transfer authority pro-
22 vided under this heading is in addition to any other trans-
23 fer authority provided by law.

1 ADVANCED RESEARCH PROJECTS AGENCY FOR HEALTH

2 For carrying out section 301 and title IV of the PHS
3 Act with respect to advanced research projects for health,
4 \$2,400,000,000, to remain available through September
5 30, 2024: *Provided*, That such funds shall only be made
6 available if legislation specifically establishing the Ad-
7 vanced Research Projects Agency for Health (“ARPA-
8 H”) is enacted into law: *Provided further*, That the Direc-
9 tor of ARPA–H may utilize all of the authorities and proc-
10 esses established under section 24 of the Stevenson-
11 Wydler Technology Innovation Act of 1980 (15 U.S.C.
12 3719) to support prize competitions: *Provided further*,
13 That research funded by amounts made available under
14 this heading shall not be subject to the requirements of
15 sections 406(a)(3)(A)(ii) or 492 of the PHS Act: *Provided*
16 *further*, That the Director of ARPA–H may enter into a
17 multi-year contract, with amounts made available under
18 this heading, if—

19 (1) funds are available and obligated for the
20 contract, for the full period of the contract or for the
21 first fiscal year in which the contract is in effect,
22 and for the estimated costs associated with a nec-
23 essary termination of the contract;

24 (2) the Director determines that a multiyear
25 contract will serve the best interests of the Federal

1 Government in carrying out the responsibilities of
 2 ARPA-H; and

3 (3) the contract includes a clause that provides
 4 that the contract shall be terminated if funds are
 5 not made available for the continuation of the con-
 6 tract in a fiscal year covered by the contract:

7 *Provided further*, That funds available for paying termi-
 8 nation costs pursuant to the previous proviso shall remain
 9 available for that purpose until the costs associated with
 10 termination of the contract are paid.

11 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

12 ADMINISTRATION

13 MENTAL HEALTH

14 For carrying out titles III, V, and XIX of the PHS
 15 Act with respect to mental health, the Protection and Ad-
 16 vocacy for Individuals with Mental Illness Act, and the
 17 SUPPORT for Patients and Communities Act,
 18 \$2,937,489,000: *Provided*, That of the funds made avail-
 19 able under this heading, \$81,887,000 shall be for the Na-
 20 tional Child Traumatic Stress Initiative: *Provided further*,
 21 That notwithstanding section 520A(f)(2) of the PHS Act,
 22 no funds appropriated for carrying out section 520A shall
 23 be available for carrying out section 1971 of the PHS Act:
 24 *Provided further*, That in addition to amounts provided
 25 herein, \$21,039,000 shall be available under section 241

1 of the PHS Act to carry out subpart I of part B of title
2 XIX of the PHS Act to fund section 1920(b) technical
3 assistance, national data, data collection and evaluation
4 activities, and further that the total available under this
5 Act for section 1920(b) activities shall not exceed 5 per-
6 cent of the amounts appropriated for subpart I of part
7 B of title XIX: *Provided further*, That of the funds made
8 available under this heading for subpart I of part B of
9 title XIX of the PHS Act, at least 5 percent shall be avail-
10 able to support evidence-based crisis systems: *Provided*
11 *further*, That up to 10 percent of the amounts made avail-
12 able to carry out the Children’s Mental Health Services
13 program may be used to carry out demonstration grants
14 or contracts for early interventions with persons not more
15 than 25 years of age at clinical high risk of developing
16 a first episode of psychosis: *Provided further*, That section
17 520E(b)(2) of the PHS Act shall not apply to funds ap-
18 propriated in this Act for fiscal year 2022: *Provided fur-*
19 *ther*, That States shall expend at least 10 percent of the
20 amount each receives for carrying out section 1911 of the
21 PHS Act to support evidence-based programs that address
22 the needs of individuals with early serious mental illness,
23 including psychotic disorders, regardless of the age of the
24 individual at onset: *Provided further*, That \$350,000,000
25 shall be available until September 30, 2024 for grants to

1 communities and community organizations who meet cri-
2 teria for Certified Community Behavioral Health Clinics
3 pursuant to section 223(a) of Public Law 113–93: *Pro-*
4 *vided further*, That none of the funds provided for section
5 1911 of the PHS Act shall be subject to section 241 of
6 such Act: *Provided further*, That of the funds made avail-
7 able under this heading, \$21,420,000 shall be to carry out
8 section 224 of the Protecting Access to Medicare Act of
9 2014 (Public Law 113–93; 42 U.S.C. 290aa 22 note):
10 *Provided further*, That of the funds made available under
11 this heading \$25,000,000 shall be used by the Secretary
12 for activities described in section 7134 of Public Law 115–
13 271: *Provided further*, That notwithstanding sections
14 1911(b) and 1912 of the PHS Act, amounts made avail-
15 able under this heading for subpart I of part B of title
16 XIX of such Act shall also be available to support evi-
17 dence-based programs that address early intervention and
18 prevention of mental disorders among at-risk children and
19 adults: *Provided further*, That States shall expend at least
20 10 percent of the amount each receives for carrying out
21 section 1911 of the PHS Act to support evidence-based
22 programs that address early intervention and prevention
23 of mental disorders among at-risk children and adults:
24 *Provided further*, That notwithstanding section 1912 of
25 the PHS Act, the plan described in such section and sec-

1 tion 1911(b) of the PHS Act shall also include the evi-
2 dence-based programs described in the preceding proviso,
3 pursuant to plan criteria established by the Secretary.

4 SUBSTANCE ABUSE TREATMENT

5 For carrying out titles III and V of the PHS Act
6 with respect to substance abuse treatment and title XIX
7 of such Act with respect to substance abuse treatment and
8 prevention, and the SUPPORT for Patients and Commu-
9 nities Act, \$5,570,243,000: *Provided*, That
10 \$2,000,000,000 shall be for State Opioid Response Grants
11 for carrying out activities pertaining to opioids and stimu-
12 lants undertaken by the State agency responsible for ad-
13 ministering the substance abuse prevention and treatment
14 block grant under subpart II of part B of title XIX of
15 the PHS Act (42 U.S.C. 300x-21 et seq.): *Provided fur-*
16 *ther*, That of such amount \$75,000,000 shall be made
17 available to Indian Tribes or tribal organizations: *Provided*
18 *further*, That 15 percent of the remaining amount shall
19 be for the States with the highest mortality rate related
20 to opioid use disorders: *Provided further*, That of the
21 amounts provided for State Opioid Response Grants not
22 more than 2 percent shall be available for Federal admin-
23 istrative expenses, training, technical assistance, and eval-
24 uation: *Provided further*, That of the amount not reserved
25 by the previous three provisos, the Secretary shall make

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

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

10 SUBSTANCE ABUSE PREVENTION

11 For carrying out titles III and V of the PHS Act
12 with respect to substance abuse prevention, \$245,667,000.

13 HEALTH SURVEILLANCE AND PROGRAM SUPPORT

14 For program support and cross-cutting activities that
15 supplement activities funded under the headings “Mental
16 Health”, “Substance Abuse Treatment”, and “Substance
17 Abuse Prevention” in carrying out titles III, V, and XIX
18 of the PHS Act and the Protection and Advocacy for Indi-
19 viduals with Mental Illness Act in the Substance Abuse
20 and Mental Health Services Administration,
21 \$204,013,000: *Provided*, That of the amount made avail-
22 able under this heading, \$65,068,000 shall be used for the
23 projects, and in the amounts, specified in the explanatory
24 statement accompanying this Act: *Provided further*, That
25 none of the funds made available for projects described

1 in the preceding proviso shall be subject to section 241
2 of the PHS Act or section 205 of this Act: *Provided fur-*
3 *ther*, That in addition to amounts provided herein,
4 \$31,428,000 shall be available under section 241 of the
5 PHS Act to supplement funds available to carry out na-
6 tional surveys on drug abuse and mental health, to collect
7 and analyze program data, and to conduct public aware-
8 ness and technical assistance activities: *Provided further*,
9 That, in addition, fees may be collected for the costs of
10 publications, data, data tabulations, and data analysis
11 completed under title V of the PHS Act and provided to
12 a public or private entity upon request, which shall be
13 credited to this appropriation and shall remain available
14 until expended for such purposes: *Provided further*, That
15 amounts made available in this Act for carrying out sec-
16 tion 501(o) of the PHS Act shall remain available through
17 September 30, 2023: *Provided further*, That funds made
18 available under this heading (other than amounts specified
19 in the first proviso under this heading) may be used to
20 supplement program support funding provided under the
21 headings “Mental Health”, “Substance Abuse Treat-
22 ment”, and “Substance Abuse Prevention”.

1 AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

2 HEALTHCARE RESEARCH AND QUALITY

3 For carrying out titles III and IX of the PHS Act,
4 part A of title XI of the Social Security Act, and section
5 1013 of the Medicare Prescription Drug, Improvement,
6 and Modernization Act of 2003, \$353,000,000: *Provided*,
7 That section 947(c) of the PHS Act shall not apply in
8 fiscal year 2022: *Provided further*, That, in addition to
9 amounts provided herein, \$27,000,000 shall be available
10 to this appropriation, for the purposes under this heading,
11 from amounts provided pursuant to section 241 of the
12 PHS Act: *Provided further*, That in addition, amounts re-
13 ceived from Freedom of Information Act fees, reimburs-
14 able and interagency agreements, and the sale of data
15 shall be credited to this appropriation and shall remain
16 available until September 30, 2023.

17 CENTERS FOR MEDICARE & MEDICAID SERVICES

18 GRANTS TO STATES FOR MEDICAID

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

22 For making, after May 31, 2022, payments to States
23 under title XIX or in the case of section 1928 on behalf
24 of States under title XIX of the Social Security Act for
25 the last quarter of fiscal year 2022 for unanticipated costs

1 incurred for the current fiscal year, such sums as may be
2 necessary.

3 For making payments to States or in the case of sec-
4 tion 1928 on behalf of States under title XIX of the Social
5 Security Act for the first quarter of fiscal year 2023,
6 \$165,722,018,000, to remain available until expended.

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

12 PAYMENTS TO THE HEALTH CARE TRUST FUNDS

13 For payment to the Federal Hospital Insurance
14 Trust Fund and the Federal Supplementary Medical In-
15 surance Trust Fund, as provided under sections 217(g),
16 1844, and 1860D–16 of the Social Security Act, sections
17 103(e) and 111(d) of the Social Security Amendments of
18 1965, section 278(d)(3) of Public Law 97–248, and for
19 administrative expenses incurred pursuant to section
20 201(g) of the Social Security Act, \$487,862,000,000.

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

1 PROGRAM MANAGEMENT

2 For carrying out, except as otherwise provided, titles
3 XI, XVIII, XIX, and XXI of the Social Security Act, titles
4 XIII and XXVII of the PHS Act, the Clinical Laboratory
5 Improvement Amendments of 1988, and other responsibil-
6 ities of the Centers for Medicare & Medicaid Services, not
7 to exceed \$4,250,843,000, to be transferred from the Fed-
8 eral Hospital Insurance Trust Fund and the Federal Sup-
9 plementary Medical Insurance Trust Fund, as authorized
10 by section 201(g) of the Social Security Act; together with
11 all funds collected in accordance with section 353 of the
12 PHS Act and section 1857(e)(2) of the Social Security
13 Act, funds retained by the Secretary pursuant to section
14 1893(h) of the Social Security Act, and such sums as may
15 be collected from authorized user fees and the sale of data,
16 which shall be credited to this account and remain avail-
17 able until expended: *Provided*, That all funds derived in
18 accordance with 31 U.S.C. 9701 from organizations estab-
19 lished under title XIII of the PHS Act shall be credited
20 to and available for carrying out the purposes of this ap-
21 propriation: *Provided further*, That the Secretary is di-
22 rected to collect fees in fiscal year 2022 from Medicare
23 Advantage organizations pursuant to section 1857(e)(2)
24 of the Social Security Act and from eligible organizations
25 with risk-sharing contracts under section 1876 of that Act

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

12 HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT

13 In addition to amounts otherwise available for pro-
14 gram integrity and program management, \$873,000,000,
15 to remain available through September 30, 2023, to be
16 transferred from the Federal Hospital Insurance Trust
17 Fund and the Federal Supplementary Medical Insurance
18 Trust Fund, as authorized by section 201(g) of the Social
19 Security Act, of which \$675,933,000 shall be for the Cen-
20 ters for Medicare & Medicaid Services program integrity
21 activities, of which \$102,145,000 shall be for the Depart-
22 ment of Health and Human Services Office of Inspector
23 General to carry out fraud and abuse activities authorized
24 by section 1817(k)(3) of such Act, and of which
25 \$94,922,000 shall be for the Department of Justice to

1 carry out fraud and abuse activities authorized by section
 2 1817(k)(3) of such Act: *Provided*, That the report re-
 3 quired by section 1817(k)(5) of the Social Security Act
 4 for fiscal year 2022 shall include measures of the oper-
 5 ational efficiency and impact on fraud, waste, and abuse
 6 in the Medicare, Medicaid, and CHIP programs for the
 7 funds provided by this appropriation: *Provided further*,
 8 That of the amount provided under this heading,
 9 \$317,000,000 is provided to meet the terms of section
 10 4004(b)(3)(B) and section 4005(c)(2) of S. Con. Res. 14
 11 (117th Congress), the concurrent resolution on the budget
 12 for fiscal year 2022, and \$556,000,000 is additional new
 13 budget authority specified for purposes of section
 14 4004(b)(3) and section 4005(c) of such resolution: *Pro-*
 15 *vided further*, That the Secretary shall provide not less
 16 than \$30,000,000 from amounts made available under
 17 this heading and amounts made available for fiscal year
 18 2022 under section 1817(k)(3)(A) of the Social Security
 19 Act for the Senior Medicare Patrol program to combat
 20 health care fraud and abuse.

21 ADMINISTRATION FOR CHILDREN AND FAMILIES

22 PAYMENTS TO STATES FOR CHILD SUPPORT

23 ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

24 For carrying out, except as otherwise provided, titles
 25 I, IV–D, X, XI, XIV, and XVI of the Social Security Act

1 and the Act of July 5, 1960, \$2,795,044,000, to remain
2 available until expended; and for such purposes for the
3 first quarter of fiscal year 2023, \$1,300,000,000, to re-
4 main available until expended.

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

11 LOW INCOME HOME ENERGY ASSISTANCE

12 For making payments under subsections (b) and (d)
13 of section 2602 of the Low-Income Home Energy Assist-
14 ance Act of 1981 (42 U.S.C. 8621 et seq.),
15 \$3,925,304,000: *Provided*, That notwithstanding section
16 2609A(a) of such Act, not more than \$4,600,000 may be
17 reserved by the Secretary for technical assistance, train-
18 ing, and monitoring of program activities for compliance
19 with internal controls, policies and procedures, and to sup-
20 plement funding otherwise available for necessary admin-
21 istrative expenses to carry out such Act, and the Secretary
22 may, in addition to the authorities provided in section
23 2609A(a)(1), use such funds through contracts with pri-
24 vate entities that do not qualify as nonprofit organiza-
25 tions: *Provided further*, That all but \$847,500,000 of the

1 amount appropriated under this heading shall be allocated
2 as though the total appropriation for such payments for
3 fiscal year 2022 was less than \$1,975,000,000: *Provided*
4 *further*, That, after applying all applicable provisions of
5 section 2604 of such Act and the previous proviso, each
6 State or territory that would otherwise receive an alloca-
7 tion that is less than 97 percent of the amount that it
8 received under this heading for fiscal year 2021 from
9 amounts appropriated in Public Law 116–260 shall have
10 its allocation increased to that 97 percent level, with the
11 portions of other States’ and territories’ allocations that
12 would exceed 100 percent of the amounts they respectively
13 received in such fashion for fiscal year 2021 being ratably
14 reduced.

15 REFUGEE AND ENTRANT ASSISTANCE

16 (INCLUDING TRANSFER OF FUNDS)

17 For necessary expenses for refugee and entrant as-
18 sistance activities authorized by section 414 of the Immi-
19 gration and Nationality Act and section 501 of the Ref-
20 ugee Education Assistance Act of 1980, and for carrying
21 out section 462 of the Homeland Security Act of 2002,
22 section 235 of the William Wilberforce Trafficking Victims
23 Protection Reauthorization Act of 2008, the Trafficking
24 Victims Protection Act of 2000 (“TVPA”), and the Tor-
25 ture Victims Relief Act of 1998, \$6,021,480,000, of which

1 \$5,925,000,000 shall remain available through September
 2 30, 2024 for carrying out such sections 414, 501, 462,
 3 and 235 and \$30,000,000 shall remain available until ex-
 4 pended for the purposes authorized in section 235 of this
 5 title: *Provided*, That amounts available under this heading
 6 to carry out the TVPA shall also be available for research
 7 and evaluation with respect to activities under such Act:
 8 *Provided further*, That the limitation in section 205 of this
 9 Act regarding transfers increasing any appropriation shall
 10 apply to transfers to appropriations under this heading by
 11 substituting “15 percent” for “3 percent”: *Provided fur-*
 12 *ther*, That the contribution of funds requirement under
 13 section 235(c)(6)(C)(iii) of the William Wilberforce Traf-
 14 ficking Victims Protection Reauthorization Act of 2008
 15 shall not apply to funds made available under this head-
 16 ing.

17 PAYMENTS TO STATES FOR THE CHILD CARE AND
 18 DEVELOPMENT BLOCK GRANT

19 For carrying out the Child Care and Development
 20 Block Grant Act of 1990 (“CCDBG Act”),
 21 \$7,311,000,000 shall be used to supplement, not supplant
 22 State general revenue funds for child care assistance for
 23 low-income families: *Provided*, That technical assistance
 24 under section 658I(a)(3) of such Act may be provided di-
 25 rectly, or through the use of contracts, grants, cooperative

1 agreements, or interagency agreements: *Provided further*,
2 That all funds made available to carry out section 418
3 of the Social Security Act (42 U.S.C. 618), including
4 funds appropriated for that purpose in such section 418
5 or any other provision of law, shall be subject to the res-
6 ervation of funds authority in paragraphs (4) and (5) of
7 section 658O(a) of the CCDBG Act: *Provided further*,
8 That in addition to the amounts required to be reserved
9 by the Secretary under section 658O(a)(2)(A) of such Act,
10 \$177,330,000 shall be for Indian tribes and tribal organi-
11 zations.

12 SOCIAL SERVICES BLOCK GRANT

13 For making grants to States pursuant to section
14 2002 of the Social Security Act, \$1,700,000,000: *Pro-*
15 *vided*, That notwithstanding subparagraph (B) of section
16 404(d)(2) of such Act, the applicable percent specified
17 under such subparagraph for a State to carry out State
18 programs pursuant to title XX–A of such Act shall be 10
19 percent.

20 CHILDREN AND FAMILIES SERVICES PROGRAMS

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

1 American Programs Act of 1974, title II of the Child
2 Abuse Prevention and Treatment and Adoption Reform
3 Act of 1978 (adoption opportunities), part B–1 of title IV
4 and sections 429, 473A, 477(i), 1110, 1114A, and 1115
5 of the Social Security Act, and the Community Services
6 Block Grant Act (“CSBG Act”); and for necessary admin-
7 istrative expenses to carry out titles I, IV, V, X, XI, XIV,
8 XVI, and XX–A of the Social Security Act, the Act of
9 July 5, 1960, the Low-Income Home Energy Assistance
10 Act of 1981, the Child Care and Development Block Grant
11 Act of 1990, section 501 of the Refugee Education Assist-
12 ance Act of 1980, and section 2204 of the American Res-
13 cue Plan Act of 2021, \$14,949,267,000, of which
14 \$75,000,000, to remain available through September 30,
15 2023, shall be for grants to States for adoption and legal
16 guardianship incentive payments, as defined by section
17 473A of the Social Security Act and may be made for
18 adoptions and legal guardianships completed before Sep-
19 tember 30, 2022: *Provided*, That \$11,932,095,000 shall
20 be for making payments under the Head Start Act, includ-
21 ing for Early Head Start–Child Care Partnerships, and,
22 of which, notwithstanding section 640 of such Act:

23 (1) \$234,000,000 shall be available for a cost
24 of living adjustment, and with respect to any con-
25 tinuing appropriations act, funding available for a

1 cost of living adjustment shall not be construed as
2 an authority or condition under this Act;

3 (2) \$25,000,000 shall be available for allocation
4 by the Secretary to supplement activities described
5 in paragraphs (7)(B) and (9) of section 641(c) of
6 the Head Start Act under the Designation Renewal
7 System, established under the authority of sections
8 641(c)(7), 645A(b)(12), and 645A(d) of such Act,
9 and such funds shall not be included in the calcula-
10 tion of “base grant” in subsequent fiscal years, as
11 such term is used in section 640(a)(7)(A) of such
12 Act;

13 (3) \$500,000,000, in addition to funds other-
14 wise available for such purposes under section 640
15 of the Head Start Act, shall be available through
16 September 30, 2023, for awards to eligible entities
17 for Head Start and Early Head Start programs and
18 to entities defined as eligible under section 645A(d)
19 of such Act for high quality infant and toddler care
20 through Early Head Start–Child Care Partnerships,
21 and for training and technical assistance for such
22 activities: *Provided further*, That of the funds made
23 available in this paragraph, up to \$21,000,000 shall
24 be available to the Secretary for the administrative
25 costs of carrying out this paragraph;

1 (4) \$250,000,000 shall be available for quality
2 improvement consistent with section 640(a)(5) of
3 such Act except that any amount of the funds may
4 be used on any of the activities in such section;

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

14 (6) \$4,000,000 shall be available for the pur-
15 poses of maintaining the Tribal Colleges and Univer-
16 sities Head Start Partnership Program consistent
17 with section 648(g) of such Act; and

18 (7) \$21,000,000 shall be available to supple-
19 ment funding otherwise available for research, eval-
20 uation, and Federal administrative costs:

21 *Provided further*, That the Secretary may reduce the res-
22 ervation of funds under section 640(a)(2)(C) of such Act
23 in lieu of reducing the reservation of funds under sections
24 640(a)(2)(B), 640(a)(2)(D), and 640(a)(2)(E) of such
25 Act: *Provided further*, That \$450,000,000 shall be avail-

1 able until December 31, 2022 for carrying out sections
2 9212 and 9213 of the Every Student Succeeds Act: *Pro-*
3 *vided further*, That up to 3 percent of the funds in the
4 preceding proviso shall be available for technical assist-
5 ance and evaluation related to grants awarded under such
6 section 9212: *Provided further*, That \$800,106,000 shall
7 be for making payments under the CSBG Act: *Provided*
8 *further*, That for services furnished under the CSBG Act
9 with funds made available by this Act, by the Consolidated
10 Appropriations Act, 2021 (Public Law 116–260), or by
11 the Coronavirus Aid, Relief, and Economic Security Act
12 (Public Law 116–136), States may apply the last sentence
13 of section 673(2) of the CSBG Act by substituting “200
14 percent” for “125 percent”: *Provided further*, That each
15 amount repurposed by the preceding proviso that was pre-
16 viously designated by the Congress as an emergency re-
17 quirement pursuant to the Balanced Budget and Emer-
18 gency Deficit Control Act of 1985 is designated by the
19 Congress as an emergency requirement pursuant to sec-
20 tion 4001(a)(1) and section 4001(b) of S. Con. Res. 14
21 (117th Congress), the concurrent resolution on the budget
22 for fiscal year 2022 and to section 251(b) of the Balanced
23 Budget and Emergency Deficit Control Act of 1985: *Pro-*
24 *vided further*, That \$34,206,000 shall be for section 680
25 of the CSBG Act, of which not less than \$22,606,000 shall

1 be for section 680(a)(2) and not less than \$11,600,000
2 shall be for section 680(a)(3)(B) of such Act: *Provided*
3 *further*, That, notwithstanding section 675C(a)(3) of the
4 CSBG Act, to the extent Community Services Block Grant
5 funds are distributed as grant funds by a State to an eligi-
6 ble entity as provided under such Act, and have not been
7 expended by such entity, they shall remain with such enti-
8 ty for carryover into the next fiscal year for expenditure
9 by such entity consistent with program purposes: *Provided*
10 *further*, That the Secretary shall establish procedures re-
11 garding the disposition of intangible assets and program
12 income that permit such assets acquired with, and pro-
13 gram income derived from, grant funds authorized under
14 section 680 of the CSBG Act to become the sole property
15 of such grantees after a period of not more than 12 years
16 after the end of the grant period for any activity consistent
17 with section 680(a)(2)(A) of the CSBG Act: *Provided fur-*
18 *ther*, That intangible assets in the form of loans, equity
19 investments and other debt instruments, and program in-
20 come may be used by grantees for any eligible purpose
21 consistent with section 680(a)(2)(A) of the CSBG Act:
22 *Provided further*, That these procedures shall apply to
23 such grant funds made available after November 29, 1999:
24 *Provided further*, That funds appropriated for section
25 680(a)(2) of the CSBG Act shall be available for financing

1 construction and rehabilitation and loans or investments
2 in private business enterprises owned by community devel-
3 opment corporations: *Provided further*, That
4 \$453,450,000 shall be for carrying out section 303(a) of
5 the Family Violence Prevention and Services Act, of which
6 \$7,000,000 shall be allocated notwithstanding section
7 303(a)(2) of such Act for carrying out section 309 of such
8 Act, and of which \$6,750,000 shall be for necessary ad-
9 ministrative expenses to carry out such Act and section
10 2204 of the American Rescue Plan Act of 2021, in addi-
11 tion to amounts otherwise available for such purposes:
12 *Provided further*, That funds made available in the pre-
13 ceding proviso may be used for direct payments to any
14 victim of family violence, domestic violence, or dating vio-
15 lence, or to any dependent of such victim, notwithstanding
16 section 308(d)(1) of the Family Violence Prevention and
17 Services Act: *Provided further*, That any grantee or sub-
18 grantee under such Act, as appropriate, receiving funds
19 made available under the preceding proviso, shall use up
20 to 40 percent of such amount for direct payments: *Pro-*
21 *vided further*, That the percentages specified in section
22 112(a)(2) of the Child Abuse Prevention and Treatment
23 Act shall not apply to funds appropriated under this head-
24 ing: *Provided further*, That \$4,000,000 shall be for a
25 human services case management system for federally de-

1 clared disasters, to include a comprehensive national case
2 management contract and Federal costs of administering
3 the system: *Provided further*, That up to \$2,000,000 shall
4 be for improving the Public Assistance Reporting Informa-
5 tion System, including grants to States to support data
6 collection for a study of the system's effectiveness: *Pro-*
7 *vided further*, That \$28,287,000 shall be used for the
8 projects, and in the amounts, specified in the explanatory
9 statement accompanying this Act: *Provided further*, That
10 none of the funds made available for projects described
11 in the preceding proviso shall be subject to section 241
12 of the PHS Act or section 205 of this Act.

13 PROMOTING SAFE AND STABLE FAMILIES

14 For carrying out, except as otherwise provided, sec-
15 tion 436 of the Social Security Act, \$345,000,000 and,
16 for carrying out, except as otherwise provided, section 437
17 of such Act, \$106,000,000: *Provided*, That of the funds
18 available to carry out section 437, \$60,000,000 shall be
19 allocated consistent with subsections (b) through (d) of
20 such section: *Provided further*, That of the funds available
21 to carry out section 437, to assist in meeting the require-
22 ments described in section 471(e)(4)(C), \$30,000,000
23 shall be for grants to each State, territory, and Indian
24 tribe operating title IV-E plans for developing, enhancing,
25 or evaluating kinship navigator programs, as described in

1 section 427(a)(1) of such Act and \$9,000,000, in addition
2 to funds otherwise appropriated in section 476 for such
3 purposes, shall be for the Family First Clearinghouse and
4 to support evaluation and technical assistance relating to
5 the evaluation of child and family services: *Provided fur-*
6 *ther*, That of the funds available to carry out section 437,
7 \$7,000,000 shall be for competitive grants to regional
8 partnerships as described in section 437(f), and shall be
9 in addition to any other funds appropriated for such pur-
10 poses: *Provided further*, That section 437(b)(1) shall be
11 applied to amounts in the previous proviso by substituting
12 “5 percent” for “3.3 percent”, and notwithstanding sec-
13 tion 436(b)(1), such reserved amounts may be used for
14 identifying, establishing, and disseminating practices to
15 meet the criteria specified in section 471(e)(4)(C): *Pro-*
16 *vided further*, That the reservation in section 437(b)(2)
17 and the limitations in section 437(d) shall not apply to
18 funds specified in the second proviso: *Provided further*,
19 That the minimum grant award for kinship navigator pro-
20 grams in the case of States and territories shall be
21 \$200,000, and, in the case of tribes, shall be \$25,000.

22 PAYMENTS FOR FOSTER CARE AND PERMANENCY

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

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

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

9 ADMINISTRATION FOR COMMUNITY LIVING
 10 AGING AND DISABILITY SERVICES PROGRAMS
 11 (INCLUDING TRANSFER OF FUNDS)

12 For carrying out, to the extent not otherwise pro-
 13 vided, the Older Americans Act of 1965 (“OAA”), the
 14 RAISE Family Caregivers Act, the Supporting Grand-
 15 parents Raising Grandchildren Act, titles III and XXIX
 16 of the PHS Act, sections 1252 and 1253 of the PHS Act,
 17 section 119 of the Medicare Improvements for Patients
 18 and Providers Act of 2008, title XX–B of the Social Secu-
 19 rity Act, the Developmental Disabilities Assistance and
 20 Bill of Rights Act, parts 2 and 5 of subtitle D of title
 21 II of the Help America Vote Act of 2002, the Assistive
 22 Technology Act of 1998, titles II and VII (and section
 23 14 with respect to such titles) of the Rehabilitation Act
 24 of 1973, and for Department-wide coordination of policy
 25 and program activities that assist individuals with disabil-

ities, \$2,773,050,000, together with \$55,242,000 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

1 applicants shall provide an assurance that, and informa-
2 tion describing the manner in which, the alternative fi-
3 nancing program will expand and emphasize consumer
4 choice and control: *Provided further*, That State agencies
5 and community-based disability organizations that are di-
6 rected by and operated for individuals with disabilities
7 shall be eligible to compete: *Provided further*, That none
8 of the funds made available under this heading may be
9 used by an eligible system (as defined in section 102 of
10 the Protection and Advocacy for Individuals with Mental
11 Illness Act (42 U.S.C. 10802)) to continue to pursue any
12 legal action in a Federal or State court on behalf of an
13 individual or group of individuals with a developmental
14 disability (as defined in section 102(8)(A) of the Develop-
15 mental Disabilities and Assistance and Bill of Rights Act
16 of 2000 (20 U.S.C. 15002(8)(A)) that is attributable to
17 a mental impairment (or a combination of mental and
18 physical impairments), that has as the requested remedy
19 the closure of State operated intermediate care facilities
20 for people with intellectual or developmental disabilities,
21 unless reasonable public notice of the action has been pro-
22 vided to such individuals (or, in the case of mental inca-
23 pacitation, the legal guardians who have been specifically
24 awarded authority by the courts to make healthcare and
25 residential decisions on behalf of such individuals) who are

1 affected by such action, within 90 days of instituting such
2 legal action, which informs such individuals (or such legal
3 guardians) of their legal rights and how to exercise such
4 rights consistent with current Federal Rules of Civil Pro-
5 cedure: *Provided further*, That the limitations in the imme-
6 diately preceding proviso shall not apply in the case of an
7 individual who is neither competent to consent nor has a
8 legal guardian, nor shall the proviso apply in the case of
9 individuals who are a ward of the State or subject to pub-
10 lic guardianship: *Provided further*, That of the amount
11 made available under this heading, \$13,871,000 shall be
12 used for the one-time grant projects, and in the amounts,
13 specified in the explanatory statement accompanying this
14 Act: *Provided further*, That none of the funds made avail-
15 able for projects described in the preceding proviso shall
16 be subject to section 241 of the PHS Act or, section 205
17 of this Act.

18 OFFICE OF THE SECRETARY

19 GENERAL DEPARTMENTAL MANAGEMENT

20 For necessary expenses, not otherwise provided, for
21 general departmental management, including hire of six
22 passenger motor vehicles, and for carrying out titles III,
23 XVII, XXI, and section 229 of the PHS Act, the United
24 States-Mexico Border Health Commission Act, and re-
25 search studies under section 1110 of the Social Security

1 Act, \$544,090,000, together with \$84,328,000 from the
2 amounts available under section 241 of the PHS Act to
3 carry out national health or human services research and
4 evaluation activities: *Provided*, That of this amount,
5 \$58,400,000 shall be for minority AIDS prevention and
6 treatment activities: *Provided further*, That of the funds
7 made available under this heading, \$130,000,000 shall be
8 for making competitive contracts and grants to public and
9 private entities to fund medically accurate and age appro-
10 priate programs that reduce teen pregnancy and for the
11 Federal costs associated with administering and evalu-
12 ating such contracts and grants, of which not more than
13 10 percent of the available funds shall be for training and
14 technical assistance, evaluation, outreach, and additional
15 program support activities, and of the remaining amount
16 75 percent shall be for replicating programs that have
17 been proven effective through rigorous evaluation to re-
18 duce teenage pregnancy, behavioral risk factors underlying
19 teenage pregnancy, or other associated risk factors, and
20 25 percent shall be available for research and demonstra-
21 tion grants to develop, replicate, refine, and test additional
22 models and innovative strategies for preventing teenage
23 pregnancy: *Provided further*, That of the amounts pro-
24 vided under this heading from amounts available under
25 section 241 of the PHS Act, \$6,800,000 shall be available

1 to carry out evaluations (including longitudinal evalua-
2 tions) of teenage pregnancy prevention approaches: *Pro-*
3 *vided further*, That funds provided in this Act for embryo
4 adoption activities may be used to provide to individuals
5 adopting embryos, through grants and other mechanisms,
6 medical and administrative services deemed necessary for
7 such adoptions: *Provided further*, That such services shall
8 be provided consistent with 42 CFR 59.5(a)(4): *Provided*
9 *further*, That of the funds made available under this head-
10 ing, \$5,000,000 shall be for carrying out prize competi-
11 tions sponsored by the Office of the Secretary to accelerate
12 innovation in the prevention, diagnosis, and treatment of
13 kidney diseases (as authorized by section 24 of the Steven-
14 son-Wydler Technology Innovation Act of 1980 (15 U.S.C.
15 3719)): *Provided further*, That notwithstanding any other
16 provision of law, the Secretary may use \$5,000,000 of the
17 amounts appropriated under this heading to supplement
18 funds otherwise available to the Secretary for the hire and
19 purchase of electric vehicles and electric vehicle charging
20 stations, and to cover other costs related to electrifying
21 the motor vehicle fleet within HHS: *Provided further*, That
22 electric chargers installed in a parking area with such
23 funds described in the preceding proviso shall be deemed
24 personal property under the control and custody of the

1 Department of Health and Human Services managing
2 such parking area.

3 MEDICARE HEARINGS AND APPEALS

4 For expenses necessary for Medicare hearings and
5 appeals in the Office of the Secretary, \$196,000,000 shall
6 remain available until September 30, 2023, to be trans-
7 ferred in appropriate part from the Federal Hospital In-
8 surance Trust Fund and the Federal Supplementary Med-
9 ical Insurance Trust Fund.

10 OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH
11 INFORMATION TECHNOLOGY

12 For expenses necessary for the Office of the National
13 Coordinator for Health Information Technology, including
14 grants, contracts, and cooperative agreements for the de-
15 velopment and advancement of interoperable health infor-
16 mation technology, \$86,614,000 shall be from amounts
17 made available under section 241 of the PHS Act.

18 OFFICE OF INSPECTOR GENERAL

19 For expenses necessary for the Office of Inspector
20 General, including the hire of passenger motor vehicles for
21 investigations, in carrying out the provisions of the Inspec-
22 tor General Act of 1978, \$90,000,000: *Provided*, That of
23 such amount, necessary sums shall be available for pro-
24 viding protective services to the Secretary and inves-

1 tivating non-payment of child support cases for which non-
2 payment is a Federal offense under 18 U.S.C. 228.

3 OFFICE FOR CIVIL RIGHTS

4 For expenses necessary for the Office for Civil
5 Rights, \$47,931,000.

6 RETIREMENT PAY AND MEDICAL BENEFITS FOR

7 COMMISSIONED OFFICERS

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

15 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY

16 FUND

17 For expenses necessary to support activities related
18 to countering potential biological, nuclear, radiological,
19 chemical, and cybersecurity threats to civilian populations,
20 and for other public health emergencies, \$1,513,116,000,
21 of which \$823,380,000 shall remain available through
22 September 30, 2023, for expenses necessary to support
23 advanced research and development pursuant to section
24 319L of the PHS Act and other administrative expenses
25 of the Biomedical Advanced Research and Development

1 Authority: *Provided*, That funds provided under this head-
2 ing for the purpose of acquisition of security counter-
3 measures shall be in addition to any other funds available
4 for such purpose: *Provided further*, That products pur-
5 chased with funds provided under this heading may, at
6 the discretion of the Secretary, be deposited in the Stra-
7 tegic National Stockpile pursuant to section 319F-2 of
8 the PHS Act: *Provided further*, That \$5,000,000 of the
9 amounts made available to support emergency operations
10 shall remain available through September 30, 2024.

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

15 For expenses necessary to carry out section 319F-
16 2(a) of the PHS Act, \$905,000,000, to remain available
17 until expended.

18 For an additional amount for expenses necessary to
19 prepare for or respond to an influenza pandemic,
20 \$335,000,000; of which \$300,000,000 shall be available
21 until expended, for activities including the development
22 and purchase of vaccine, antivirals, necessary medical sup-
23 plies, diagnostics, and other surveillance tools: *Provided*,
24 That notwithstanding section 496(b) of the PHS Act,
25 funds may be used for the construction or renovation of

1 tion 338B of such Act, or at any time if the individual
2 who has been awarded such contract has not received
3 funds due under the contract.

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

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

16 SEC. 209. None of the funds appropriated by this Act
17 (including funds appropriated to any trust fund) may be
18 used to carry out the Medicare Advantage program if the
19 Secretary denies participation in such program to an oth-
20 erwise eligible entity (including a Provider Sponsored Or-
21 ganization) because the entity informs the Secretary that
22 it will not provide, pay for, provide coverage of, or provide
23 referrals for abortions: *Provided*, That the Secretary shall
24 make appropriate prospective adjustments to the capita-
25 tion payment to such an entity (based on an actuarially

1 sound estimate of the expected costs of providing the serv-
2 ice to such entity's enrollees): *Provided further*, That noth-
3 ing in this section shall be construed to change the Medi-
4 care program's coverage for such services and a Medicare
5 Advantage organization described in this section shall be
6 responsible for informing enrollees where to obtain infor-
7 mation about all Medicare covered services.

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

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

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

22 (1) The Secretary may exercise authority equiv-
23 alent to that available to the Secretary of State in
24 section 2(c) of the State Department Basic Authori-
25 ties Act of 1956. The Secretary shall consult with

1 the Secretary of State and relevant Chief of Mission
2 to ensure that the authority provided in this section
3 is exercised in a manner consistent with section 207
4 of the Foreign Service Act of 1980 and other appli-
5 cable statutes administered by the Department of
6 State.

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

1 tious diseases, chronic and environmental diseases,
2 and other health activities abroad.

3 (3) The Secretary is authorized to provide to
4 personnel appointed or assigned by the Secretary to
5 serve abroad, allowances and benefits similar to
6 those provided under chapter 9 of title I of the For-
7 eign Service Act of 1980, and 22 U.S.C. 4081
8 through 4086 and subject to such regulations pre-
9 scribed by the Secretary. The Secretary is further
10 authorized to provide locality-based comparability
11 payments (stated as a percentage) up to the amount
12 of the locality-based comparability payment (stated
13 as a percentage) that would be payable to such per-
14 sonnel under section 5304 of title 5, United States
15 Code if such personnel's official duty station were in
16 the District of Columbia. Leaves of absence for per-
17 sonnel under this subsection shall be on the same
18 basis as that provided under subchapter I of chapter
19 63 of title 5, United States Code, or section 903 of
20 the Foreign Service Act of 1980, to individuals serv-
21 ing in the Foreign Service.

22 (TRANSFER OF FUNDS)

23 SEC. 213. The Director of the NIH, jointly with the
24 Director of the Office of AIDS Research, may transfer up
25 to 3 percent among institutes and centers from the total

1 amounts identified by these two Directors as funding for
2 research pertaining to the human immunodeficiency virus:
3 *Provided*, That the Committees on Appropriations of the
4 House of Representatives and the Senate are notified at
5 least 15 days in advance of any transfer.

6 (TRANSFER OF FUNDS)

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

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

22 (b) PEER REVIEW.—In entering into transactions
23 under subsection (a), the Director may utilize such peer
24 review procedures (including consultation with appropriate
25 scientific experts) as the Director determines to be appro-

1 SEC. 218. (a) The Biomedical Advanced Research
2 and Development Authority (“BARDA”) may enter into
3 a contract, for more than one but no more than 10 pro-
4 gram years, for purchase of research services or of security
5 countermeasures, as that term is defined in section 319F-
6 2(c)(1)(B) of the PHS Act (42 U.S.C. 247d-6b(c)(1)(B)),
7 if—

8 (1) funds are available and obligated—

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

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

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

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

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

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

1 the heading “Prevention and Public Health Fund” in the
2 explanatory statement accompanying this Act.

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

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

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

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

21 (2) such recommendations last issued before
22 2009 applied to any screening mammography modal-
23 ity under section 1861(jj) of the Social Security Act
24 (42 U.S.C. 1395x(jj)).

1 SEC. 225. (a) The Secretary shall provide to the
2 Committees on Appropriations of the House of Represent-
3 atives and the Senate:

4 (1) Detailed monthly enrollment figures from
5 the Exchanges established under the Patient Protec-
6 tion and Affordable Care Act of 2010 pertaining to
7 enrollments during the open enrollment period; and

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

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

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

21 SEC. 227. Funds appropriated in this Act that are
22 available for salaries and expenses of employees of the De-
23 partment of Health and Human Services shall also be
24 available to pay travel and related expenses of such an
25 employee or of a member of his or her family, when such

1 employee is assigned to duty, in the United States or in
2 a U.S. territory, during a period and in a location that
3 are the subject of a determination of a public health emer-
4 gency under section 319 of the Public Health Service Act
5 and such travel is necessary to obtain medical care for
6 an illness, injury, or medical condition that cannot be ade-
7 quately addressed in that location at that time. For pur-
8 poses of this section, the term “U.S. territory” means
9 Guam, the Commonwealth of Puerto Rico, the Northern
10 Mariana Islands, the Virgin Islands, American Samoa, or
11 the Trust Territory of the Pacific Islands.

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

1 be retained and credited to the Refugee and Entrant As-
2 sistance account and shall remain available until expended
3 for the purposes provided by this section.

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

17 (1) the terms of the grant or contract for the
18 operations of any such facility that remains in oper-
19 ation for more than six consecutive months shall re-
20 quire compliance with—

21 (A) the same requirements as licensed
22 placements, as listed in Exhibit 1 of the Flores
23 Settlement Agreement that the Secretary deter-
24 mines are applicable to non-State licensed facili-
25 ties; and

1 (B) staffing ratios of one (1) on-duty
2 Youth Care Worker for every eight (8) children
3 or youth during waking hours, one (1) on-duty
4 Youth Care Worker for every sixteen (16) chil-
5 dren or youth during sleeping hours, and clini-
6 cian ratios to children (including mental health
7 providers) as required in grantee cooperative
8 agreements;

9 (2) the Secretary may grant a 60-day waiver
10 for a contractor's or grantee's non-compliance with
11 paragraph (1) if the Secretary certifies and provides
12 a report to Congress on the contractor's or grantee's
13 good-faith efforts and progress towards compliance,
14 which shall include the following—

15 (A) a detailed description of the services
16 and care available to children in such facility,
17 including any services not available relative to
18 those required by Exhibit 1 of the Flores Set-
19 tlement Agreement;

20 (B) a detailed accounting of the amounts
21 spent on such unlicensed facility by major cat-
22 egory and by grantee or contractor; and

23 (C) a justification for the continued need
24 for such facility;

1 (3) not more than four consecutive waivers
2 under paragraph (2) may be granted to a contractor
3 or grantee with respect to a specific facility;

4 (4) ORR shall ensure full adherence to the
5 monitoring requirements set forth in section 5.5 of
6 its Policies and Procedures Guide as of May 15,
7 2019; and

8 (5) for any such unlicensed facility in operation
9 for more than three consecutive months, ORR shall
10 conduct a minimum of one comprehensive moni-
11 toring visit during the first three months of oper-
12 ation, with quarterly monitoring visits thereafter.

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

1 Secretary shall provide to the Committees on Appropria-
2 tions of the House of Representatives and the Senate a
3 report detailing the total number of children in care at
4 the facility, the average length of stay and average length
5 of care of children at the facility, and, for any child that
6 has been at the facility for more than 60 days, their length
7 of stay and reason for delay in release.

8 SEC. 231. None of the funds made available in this
9 Act may be used to prevent a United States Senator or
10 Member of the House of Representatives from entering,
11 for the purpose of conducting oversight, any facility in the
12 United States used for the purpose of maintaining custody
13 of, or otherwise housing, unaccompanied alien children (as
14 defined in section 462(g)(2) of the Homeland Security Act
15 of 2002 (6 U.S.C. 279(g)(2))), provided that such Senator
16 or Member has coordinated the oversight visit with the
17 Office of Refugee Resettlement not less than two business
18 days in advance to ensure that such visit would not inter-
19 fere with the operations (including child welfare and child
20 safety operations) of such facility.

21 SEC. 232. Not later than 14 days after the date of
22 enactment of this Act, and monthly thereafter, the Sec-
23 retary shall submit to the Committees on Appropriations
24 of the House of Representatives and the Senate, and make
25 publicly available online, a report with respect to children

1 division G of Public Law 110–161, \$500,000,000 are
2 hereby rescinded not later than September 30, 2022.

3 SEC. 235. The Secretary is authorized to provide,
4 from funds made available in this title for such purposes,
5 mental health and other supportive services, including
6 through grants, contracts, or cooperative agreements, for
7 children, parents, and legal guardians who were separated
8 at the United States-Mexico border between January 20,
9 2017, and January 20, 2021, in connection with the Zero-
10 Tolerance Policy (as discussed in the Attorney General’s
11 memorandum of April 6, 2018, entitled “Zero-Tolerance
12 for Offenses Under 8 U.S.C. 1325(a)”) or any other
13 United States Government practice, policy, program, or
14 initiative that resulted in the separation of children who
15 arrived at the United States-Mexico border with their par-
16 ents or legal guardians during such period. The Secretary
17 may identify the individuals eligible to receive such mental
18 health and other supportive services under this section
19 through reference to the identified members of the classes,
20 and their minor children, in the class-action lawsuits *Ms.*
21 *J.P. v. Barr* and *Ms. L. v. ICE*.

22 SEC. 236. The unobligated balances of amounts ap-
23 propriated or transferred to the Centers for Disease Con-
24 trol and Prevention under the heading “Buildings and Fa-
25 cilities” in title II of division H of the Consolidated Appro-

1 priations Act, 2018 (Public Law 115–141) for a biosafety
2 level 4 laboratory shall also be available for the acquisition
3 of real property, equipment, construction, demolition, ren-
4 ovation of facilities, and installation expenses, including
5 moving expenses, related to such laboratory: *Provided*,
6 That not later than September 30, 2022, the remaining
7 unobligated balances of such funds are hereby rescinded,
8 and an amount of additional new budget authority equiva-
9 lent to the amount rescinded is hereby appropriated, to
10 remain available until expended, for the same purposes as
11 such unobligated balances, in addition to any other
12 amounts available for such purposes.

13 SEC. 237. (a) PREMIUM PAY AUTHORITY.—If serv-
14 ices performed by a Department of Health and Human
15 Services employee during a public health emergency de-
16 clared under section 319 of the Public Health Service Act
17 are determined by the Secretary to be primarily related
18 to preparation for, prevention of, or response to such pub-
19 lic health emergency, any premium pay that is provided
20 for such services shall be exempted from the aggregate of
21 basic pay and premium pay calculated under section
22 5547(a) of title 5, United States Code, and any other pro-
23 vision of law limiting the aggregate amount of premium
24 pay payable on a biweekly or calendar year basis.

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

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

11 (d) LIMITATION ON PAY AUTHORITY.—Pay exempted
12 from otherwise applicable limits under subsection (a) shall
13 not cause the aggregate pay earned for the calendar year
14 in which the exempted pay is earned to exceed the rate
15 of basic pay payable for a position at level II of the Execu-
16 tive Schedule under section 5313 of title 5, United States
17 Code.

18 (e) DANGER PAY FOR SERVICE IN PUBLIC HEALTH
19 EMERGENCIES.—The Secretary may grant a danger pay
20 allowance under section 5928 of title 5, United States
21 Code, without regard to the conditions of the first sentence
22 of such section, for work that is performed by a Depart-
23 ment of Health and Human Services employee during a
24 public health emergency declared under section 319 of the
25 Public Health Service Act that the Secretary determines

1 is primarily related to preparation for, prevention of, or
2 response to such public health emergency and is performed
3 under conditions that threaten physical harm or imminent
4 danger to the health or well-being of the employee.

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

7 SEC. 238. (a) None of the funds made available by
8 this Act may be awarded to any organization, including
9 under the Child Welfare or Federal Foster Care programs
10 under part B or E of title IV of the Social Security Act,
11 that does not comply with paragraphs (c) and (d) of sec-
12 tion 75.300 of title 45, Code of Federal Regulations (pro-
13 hibiting discrimination on the basis of age, disability, sex,
14 race, color, national origin, religion, gender identity, or
15 sexual orientation), as in effect on October 1, 2019.

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

20 SEC. 239. During this fiscal year, an Operating or
21 Staff Division in HHS may enter into a reimbursable
22 agreement with another major organizational unit within
23 HHS or of another agency under which the ordering agen-
24 cy or unit delegates to the servicing agency or unit the
25 authority and funding to issue a grant or cooperative

1 agreement on its behalf: *Provided*, That the head of the
2 ordering agency or unit must certify that amounts are
3 available and that the order is in the best interests of the
4 United States Government: *Provided further*, That fund-
5 ing may be provided by way of advance or reimbursement,
6 as deemed appropriate by the ordering agency or unit,
7 with proper adjustments of estimated amounts provided
8 in advance to be made based on actual costs: *Provided fur-*
9 *ther*, That an agreement made under this section obligates
10 an appropriation of the ordering agency or unit, including
11 for costs to administer such grant or cooperative agree-
12 ment, and such obligation shall be deemed to be an obliga-
13 tion for any purpose of law: *Provided further*, That an
14 agreement made under this section may be performed for
15 a period that extends beyond the current fiscal year.

16 SEC. 240. Section 402A(d) of the Public Health Serv-
17 ice Act (42 U.S.C. 282a(d)) is amended—

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

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

23 SEC. 241. The Secretary of Health and Human Serv-
24 ices may waive penalties and administrative requirements
25 in title XXVI of the Public Health Service Act for awards

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

6 SEC. 242. The Director of the National Institutes of
7 Health shall hereafter require institutions that receive
8 funds through a grant or cooperative agreement during
9 fiscal year 2022 and in future years to notify the Director
10 when individuals identified as principal investigator or key
11 personnel in an NIH notice of award are removed from
12 their position or are otherwise disciplined due to concerns
13 about harassment, bullying, retaliation, or hostile working
14 conditions. The Director may issue regulations consistent
15 with this section.

16 SEC. 243. The Centers for Disease Control and Pre-
17 vention Undergraduate Public Health Scholars Program
18 is hereby renamed as the John R. Lewis Undergraduate
19 Public Health Scholars Program.

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

1 TITLE III
2 DEPARTMENT OF EDUCATION
3 EDUCATION FOR THE DISADVANTAGED

4 For carrying out title I and subpart 2 of part B of
5 title II of the Elementary and Secondary Education Act
6 of 1965 (referred to in this Act as “ESEA”) and section
7 418A of the Higher Education Act of 1965 (referred to
8 in this Act as “HEA”), \$33,802,790,000, of which
9 \$22,856,490,000 shall become available on July 1, 2022,
10 and shall remain available through September 30, 2023,
11 and of which \$10,841,177,000 shall become available on
12 October 1, 2022, and shall remain available through Sep-
13 tember 30, 2023, for academic year 2022–2023: *Provided*,
14 That \$6,459,401,000 shall be for basic grants under sec-
15 tion 1124 of the ESEA: *Provided further*, That up to
16 \$5,000,000 of these funds shall be available to the Sec-
17 retary of Education (referred to in this title as “Sec-
18 retary”) on October 1, 2021, to obtain annually updated
19 local educational agency-level census poverty data from
20 the Bureau of the Census: *Provided further*, That up to
21 \$50,000,000 of these funds shall be available to the Sec-
22 retary for grants to States for voluntary activities de-
23 signed to improve State effort and equity factors described
24 in section 1125A of the ESEA: *Provided further*, That
25 \$1,362,301,000 shall be for concentration grants under

1 section 1124A of the ESEA: *Provided further*, That
2 \$12,632,550,000 shall be for targeted grants under sec-
3 tion 1125 of the ESEA: *Provided further*, That
4 \$12,632,550,000 shall be for education finance incentive
5 grants under section 1125A of the ESEA: *Provided fur-*
6 *ther*, That subsection (b) of section 1004 of the ESEA
7 shall apply to amounts appropriated under this heading
8 as if the amount specified in such subsection is the
9 amount appropriated for such purposes in division H of
10 Public Law 116–260: *Provided further*, That paragraph
11 (2) of section 1004(a) of the ESEA shall apply to funds
12 available under this heading as if the amount specified for
13 States in such paragraph is \$750,000: *Provided further*,
14 That \$226,000,000 shall be for carrying out subpart 2
15 of part B of title II: *Provided further*, That \$66,123,000
16 shall be for carrying out section 418A of the HEA.

17 IMPACT AID

18 For carrying out programs of financial assistance to
19 federally affected schools authorized by title VII of the
20 ESEA, \$1,565,838,000, of which \$1,417,000,000 shall be
21 for basic support payments under section 7003(b),
22 \$48,316,000 shall be for payments for children with dis-
23 abilities under section 7003(d), \$17,406,000 shall be for
24 construction under section 7007(a), \$78,281,000 shall be
25 for Federal property payments under section 7002, and

1 \$4,835,000, to remain available until expended, shall be
2 for facilities maintenance under section 7008: *Provided*,
3 That for purposes of computing the amount of a payment
4 for an eligible local educational agency under section
5 7003(a) for school year 2021–2022, children enrolled in
6 a school of such agency that would otherwise be eligible
7 for payment under section 7003(a)(1)(B) of such Act, but
8 due to the deployment of both parents or legal guardians,
9 or a parent or legal guardian having sole custody of such
10 children, or due to the death of a military parent or legal
11 guardian while on active duty (so long as such children
12 reside on Federal property as described in section
13 7003(a)(1)(B)), are no longer eligible under such section,
14 shall be considered as eligible students under such section,
15 provided such students remain in average daily attendance
16 at a school in the same local educational agency they at-
17 tended prior to their change in eligibility status.

18 SCHOOL IMPROVEMENT PROGRAMS

19 For carrying out school improvement activities au-
20 thorized by part B of title I, part A of title II, subpart
21 1 of part A of title IV, part B of title IV, part B of title
22 V, and parts B and C of title VI of the ESEA; the McKin-
23 ney-Vento Homeless Assistance Act; section 203 of the
24 Educational Technical Assistance Act of 2002; the Com-
25 pact of Free Association Amendments Act of 2003; and

1 the Civil Rights Act of 1964, \$5,760,835,000, of which
2 \$3,916,312,000 shall become available on July 1, 2022,
3 and remain available through September 30, 2023, and
4 of which \$1,681,441,000 shall become available on Octo-
5 ber 1, 2022, and shall remain available through September
6 30, 2023, for academic year 2022-2023: *Provided*, That
7 \$428,000,000 shall be for part B of title I: *Provided fur-*
8 *ther*, That \$1,309,673,000 shall be for part B of title IV:
9 *Provided further*, That \$42,397,000 shall be for part B
10 of title VI, which may be used for construction, renova-
11 tion, and modernization of any public elementary school,
12 secondary school, or structure related to a public elemen-
13 tary school or secondary school that serves a predomi-
14 nantly Native Hawaiian student body, and that the 5 per-
15 cent limitation in section 6205(b) of the ESEA on the use
16 of funds for administrative purposes shall apply only to
17 direct administrative costs: *Provided further*, That
18 \$36,453,000 shall be for part C of title VI, which shall
19 be awarded on a competitive basis, and may be used for
20 construction, and that the 5 percent limitation in section
21 6305 of the ESEA on the use of funds for administrative
22 purposes shall apply only to direct administrative costs:
23 *Provided further*, That \$57,000,000 shall be available to
24 carry out section 203 of the Educational Technical Assist-
25 ance Act of 2002 and the Secretary shall make such ar-

1 rangements as determined to be necessary to ensure that
2 the Bureau of Indian Education has access to services pro-
3 vided under this section: *Provided further*, That
4 \$19,657,000 shall be available to carry out the Supple-
5 mental Education Grants program for the Federated
6 States of Micronesia and the Republic of the Marshall Is-
7 lands: *Provided further*, That the Secretary may reserve
8 up to 5 percent of the amount referred to in the previous
9 proviso to provide technical assistance in the implementa-
10 tion of these grants: *Provided further*, That \$200,000,000
11 shall be for part B of title V: *Provided further*, That
12 \$1,320,000,000 shall be available for grants under sub-
13 part 1 of part A of title IV.

14 INDIAN EDUCATION

15 For expenses necessary to carry out, to the extent
16 not otherwise provided, title VI, part A of the ESEA,
17 \$189,246,000, of which \$70,000,000 shall be for subpart
18 2 of part A of title VI and \$8,865,000 shall be for activi-
19 ties described in subpart 3 of part A of title VI: *Provided*,
20 That the 5 percent limitation in sections 6115(d),
21 6121(e), and 6133(g) of the ESEA on the use of funds
22 for administrative purposes shall apply only to direct ad-
23 ministrative costs.

1 INNOVATION AND IMPROVEMENT

2 For carrying out activities authorized by subparts 1,
3 3 and 4 of part B of title II, and parts C, D, and E and
4 subparts 1 and 4 of part F of title IV of the ESEA,
5 \$1,301,500,000: *Provided*, That \$320,000,000 shall be for
6 subparts 1, 3 and 4 of part B of title II and shall be made
7 available without regard to sections 2201, 2231(b) and
8 2241: *Provided further*, That \$711,500,000 shall be for
9 parts C, D, and E and subpart 4 of part F of title IV,
10 and shall be made available without regard to sections
11 4311, 4409(a), and 4601 of the ESEA: *Provided further*,
12 That section 4303(d)(3)(A)(i) shall not apply to the funds
13 available for part C of title IV: *Provided further*, That of
14 the funds available for part C of title IV, the Secretary
15 shall use \$60,000,000 to carry out section 4304, of which
16 not more than \$10,000,000 shall be available to carry out
17 section 4304(k), \$140,000,000, to remain available
18 through March 31, 2023, to carry out section 4305(b),
19 and not more than \$18,000,000 to carry out the activities
20 in section 4305(a)(3): *Provided further*, That notwith-
21 standing section 4601(b), \$270,000,000 shall be available
22 through December 31, 2022 for subpart 1 of part F of
23 title IV.

1 SAFE SCHOOLS AND CITIZENSHIP EDUCATION

2 For carrying out activities authorized by subparts 2
3 and 3 of part F of title IV of the ESEA, \$1,417,000,000:
4 *Provided*, That \$916,000,000 shall be available for section
5 4631, of which up to \$5,000,000, to remain available until
6 expended, shall be for the Project School Emergency Re-
7 sponse to Violence (Project SERV) program: *Provided fur-*
8 *ther*, That \$400,000,000 shall be available for section
9 4625: *Provided further*, That \$101,000,000 shall be avail-
10 able through December 31, 2022, for section 4624.

11 ENGLISH LANGUAGE ACQUISITION

12 For carrying out part A of title III of the ESEA,
13 \$917,400,000, which shall become available on July 1,
14 2022, and shall remain available through September 30,
15 2023, except that 6.5 percent of such amount shall be
16 available on October 1, 2021, and shall remain available
17 through September 30, 2023, to carry out activities under
18 section 3111(c)(1)(C).

19 SPECIAL EDUCATION

20 For carrying out the Individuals with Disabilities
21 Education Act (IDEA), section 773 of the Higher Edu-
22 cation Act, and the Special Olympics Sport and Empower-
23 ment Act of 2004, \$17,154,604,000, of which
24 \$7,488,516,000 shall become available on July 1, 2022,
25 and shall remain available through September 30, 2023,

1 and of which \$9,283,383,000 shall become available on
2 October 1, 2022, and shall remain available through Sep-
3 tember 30, 2023, for academic year 2022–2023: *Provided*,
4 That the amount for section 611(b)(2) of the IDEA shall
5 be equal to the lesser of the amount available for that ac-
6 tivity during fiscal year 2021, increased by the amount
7 of inflation as specified in section 619(d)(2)(B) of the
8 IDEA, or the percent change in the funds appropriated
9 under section 611(i) of the IDEA, but not less than the
10 amount for that activity during fiscal year 2021: *Provided*
11 *further*, That the Secretary shall, without regard to section
12 611(d) of the IDEA, distribute to all other States (as that
13 term is defined in section 611(g)(2)), subject to the third
14 proviso, any amount by which a State’s allocation under
15 section 611, from funds appropriated under this heading,
16 is reduced under section 612(a)(18)(B), according to the
17 following: 85 percent on the basis of the States’ relative
18 populations of children aged 3 through 21 who are of the
19 same age as children with disabilities for whom the State
20 ensures the availability of a free appropriate public edu-
21 cation under this part, and 15 percent to States on the
22 basis of the States’ relative populations of those children
23 who are living in poverty: *Provided further*, That the Sec-
24 retary may not distribute any funds under the previous
25 proviso to any State whose reduction in allocation from

1 funds appropriated under this heading made funds avail-
2 able for such a distribution: *Provided further*, That the
3 States shall allocate such funds distributed under the sec-
4 ond proviso to local educational agencies in accordance
5 with section 611(f): *Provided further*, That the amount by
6 which a State's allocation under section 611(d) of the
7 IDEA is reduced under section 612(a)(18)(B) and the
8 amounts distributed to States under the previous provisos
9 in fiscal year 2012 or any subsequent year shall not be
10 considered in calculating the awards under section 611(d)
11 for fiscal year 2013 or for any subsequent fiscal years:
12 *Provided further*, That, notwithstanding the provision in
13 section 612(a)(18)(B) regarding the fiscal year in which
14 a State's allocation under section 611(d) is reduced for
15 failure to comply with the requirement of section
16 612(a)(18)(A), the Secretary may apply the reduction
17 specified in section 612(a)(18)(B) over a period of con-
18 secutive fiscal years, not to exceed 5, until the entire re-
19 duction is applied: *Provided further*, That the Secretary
20 may, in any fiscal year in which a State's allocation under
21 section 611 is reduced in accordance with section
22 612(a)(18)(B), reduce the amount a State may reserve
23 under section 611(e)(1) by an amount that bears the same
24 relation to the maximum amount described in that para-
25 graph as the reduction under section 612(a)(18)(B) bears

1 to the total allocation the State would have received in
2 that fiscal year under section 611(d) in the absence of the
3 reduction: *Provided further*, That the Secretary shall ei-
4 ther reduce the allocation of funds under section 611 for
5 any fiscal year following the fiscal year for which the State
6 fails to comply with the requirement of section
7 612(a)(18)(A) as authorized by section 612(a)(18)(B), or
8 seek to recover funds under section 452 of the General
9 Education Provisions Act (20 U.S.C. 1234a): *Provided*
10 *further*, That the funds reserved under 611(c) of the
11 IDEA may be used to provide technical assistance to
12 States to improve the capacity of the States to meet the
13 data collection requirements of sections 616 and 618 and
14 to administer and carry out other services and activities
15 to improve data collection, coordination, quality, and use
16 under parts B and C of the IDEA: *Provided further*, That
17 the Secretary may use funds made available for the State
18 Personnel Development Grants program under part D,
19 subpart 1 of IDEA to evaluate program performance
20 under such subpart: *Provided further*, That States may
21 use funds reserved for other State-level activities under
22 sections 611(e)(2) and 619(f) of the IDEA to make sub-
23 grants to local educational agencies, institutions of higher
24 education, other public agencies, and private non-profit or-
25 ganizations to carry out activities authorized by those sec-

1 tions: *Provided further*, That, notwithstanding section
2 643(e)(2)(A) of the IDEA, if 5 or fewer States apply for
3 grants pursuant to section 643(e) of such Act, the Sec-
4 retary shall provide a grant to each State in an amount
5 equal to the maximum amount described in section
6 643(e)(2)(B) of such Act: *Provided further*, That if more
7 than 5 States apply for grants pursuant to section 643(e)
8 of the IDEA, the Secretary shall award funds to those
9 States on the basis of the States' relative populations of
10 infants and toddlers except that no such State shall re-
11 ceive a grant in excess of the amount described in section
12 643(e)(2)(B) of such Act: *Provided further*, That States
13 may use funds allotted under section 643(c) of the IDEA
14 to make subgrants to early intervention providers to carry
15 out activities authorized by section 638 of IDEA: *Provided*
16 *further*, That, notwithstanding section 638 of the IDEA,
17 any State receiving a grant under section 633 of the IDEA
18 must reserve not less than ten percent of its award for
19 use in a manner described in a State plan, approved by
20 the Secretary, to ensure equitable access to and participa-
21 tion in part C services in the State, particularly for popu-
22 lations that have been traditionally underrepresented in
23 the program: *Provided further*, That, notwithstanding sec-
24 tion 632(4)(B) of the IDEA, a State receiving a grant
25 under section 633 of the IDEA may establish a system

1 of payments but may not include in that system family
 2 fees or any out-of-pocket costs to families for early inter-
 3 vention services insofar as such prohibition does not affect
 4 the ability of states to maximize the use of private insur-
 5 ance and Medicaid consistent with section 631(b)(2): *Pro-*
 6 *vided further*, That any State seeking to amend its eligi-
 7 bility criteria under section 635(a)(1) of the IDEA in such
 8 a way that would have the effect of reducing the number
 9 of infants and families who are eligible under part C must
 10 conduct the public participation under section 637(a)(8)
 11 of the IDEA at least 24 months prior to implementing
 12 such a change: *Provided further*, That, notwithstanding
 13 section 638 of the IDEA, a State may use funds it receives
 14 under section 633 of the IDEA to offer continued early
 15 intervention services to a child who previously received
 16 services under part C of the IDEA from age three until
 17 the beginning of the school year following the child's third
 18 birthday with parental consent and without regard to the
 19 procedures in section 635(c) of the IDEA.

20 REHABILITATION SERVICES

21 For carrying out, to the extent not otherwise pro-
 22 vided, the Rehabilitation Act of 1973 and the Helen Keller
 23 National Center Act, \$3,874,145,000, of which
 24 \$3,719,121,000 shall be for grants for vocational rehabili-
 25 tation services under title I of the Rehabilitation Act: *Pro-*

1 *vided*, That the Secretary may use amounts provided in
2 this Act that remain available subsequent to the reallocot-
3 ment of funds to States pursuant to section 110(b) of the
4 Rehabilitation Act for innovative activities aimed at in-
5 creasing competitive integrated employment as defined in
6 section 7 of such Act for youth and other individuals with
7 disabilities: *Provided further*, That up to 15 percent of the
8 amounts available for innovative activities described in the
9 preceding proviso from funds provided under this para-
10 graph in this Act and title III of the Departments of
11 Labor, Health and Human Services, and Education, and
12 Related Agencies Appropriations Act, 2021 (division H of
13 Public Law 116–260), may be used for evaluation and
14 technical assistance related to such activities: *Provided*
15 *further*, That States may award subgrants for a portion
16 of the funds to other public and private, nonprofit entities:
17 *Provided further*, That any funds provided in this Act and
18 made available subsequent to reallocation for innovative
19 activities aimed at improving the outcomes of individuals
20 with disabilities shall remain available until September 30,
21 2023: *Provided further*, That of the amounts made avail-
22 able under this heading, \$2,325,000 shall be used for the
23 projects, and in the amounts, specified in the explanatory
24 statement accompanying this Act: *Provided further*, That
25 none of the funds made available for projects described

1 in the preceding proviso shall be subject to section 302
2 of this Act.

3 SPECIAL INSTITUTIONS FOR PERSONS WITH
4 DISABILITIES

5 AMERICAN PRINTING HOUSE FOR THE BLIND

6 For carrying out the Act to Promote the Education
7 of the Blind of March 3, 1879, \$41,431,000.

8 NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

9 For the National Technical Institute for the Deaf
10 under titles I and II of the Education of the Deaf Act
11 of 1986, \$90,700,000: *Provided*, That from the total
12 amount available, the Institute may at its discretion use
13 funds for the endowment program as authorized under
14 section 207 of such Act.

15 GALLAUDET UNIVERSITY

16 For the Kendall Demonstration Elementary School,
17 the Model Secondary School for the Deaf, and the partial
18 support of Gallaudet University under titles I and II of
19 the Education of the Deaf Act of 1986, \$164,361,000, of
20 which up to \$25,000,000, to remain available until ex-
21 pended, shall be for construction, as defined by section
22 201(2) of the Education of the Deaf Act of 1986: *Pro-*
23 *vided*, That from the total amount available, the Univer-
24 sity may at its discretion use funds for the endowment
25 program as authorized under section 207 of such Act.

1 CAREER, TECHNICAL, AND ADULT EDUCATION

2 For carrying out, to the extent not otherwise pro-
3 vided, the Carl D. Perkins Career and Technical Edu-
4 cation Act of 2006 (“Perkins Act”) and the Adult Edu-
5 cation and Family Literacy Act (“AEFLA”),
6 \$2,132,848,000, of which \$1,341,848,000 shall become
7 available on July 1, 2022, and shall remain available
8 through September 30, 2023, and of which \$791,000,000
9 shall become available on October 1, 2022, and shall re-
10 main available through September 30, 2023: *Provided*,
11 That up to \$20,000,000 shall be for competitive grants
12 for local educational agencies to carry out evidence-based
13 middle and high school career and technical education in-
14 novation programs: *Provided further*, That of the amounts
15 made available for AEFLA, \$23,000,000 shall be for na-
16 tional leadership activities under section 242.

17 STUDENT FINANCIAL ASSISTANCE

18 For carrying out subparts 1, 3, and 10 of part A,
19 and part C of title IV of the HEA, \$26,413,460,000 which
20 shall remain available through September 30, 2023.

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

23 STUDENT AID ADMINISTRATION

24 For Federal administrative expenses to carry out part
25 D of title I, and subparts 1, 3, 9, and 10 of part A, and

1 parts B, C, D, and E of title IV of the HEA, and subpart
2 1 of part A of title VII of the Public Health Service Act,
3 \$2,033,943,000, to remain available through September
4 30, 2023: *Provided*, That until any new and long-term
5 Federal student loan servicing environment (“future serv-
6 icing environment”), including the Federal Student Aid
7 (FSA) Next Generation Processing and Servicing Envi-
8 ronment (Next Gen), is capable of servicing new student
9 loan borrower accounts, the Secretary shall continue to al-
10 locate new student loan borrower accounts to eligible stu-
11 dent loan servicers on the basis of their past performance
12 compared to all loan servicers utilizing established com-
13 mon metrics, and on the basis of the capacity of each
14 servicer to process new and existing accounts: *Provided*
15 *further*, That for student loan servicing contracts awarded
16 prior to October 1, 2017, the Secretary shall allow student
17 loan borrowers who are consolidating Federal student
18 loans to select from any student loan servicer that is meet-
19 ing contract requirements to service their new consolidated
20 student loan: *Provided further*, That the Secretary shall
21 ensure that all contractors in the current and future serv-
22 icing environments are held accountable for performance
23 on service levels, non-compliance with Department guide-
24 lines, non-compliance with contractual requirements, and
25 non-compliance with applicable Federal and State con-

1 sumer protection law, including for failure to sufficiently
2 inform borrowers of available repayment, forgiveness, or
3 discharge options: *Provided further*, That the Secretary
4 shall ensure that all contractors in the current and future
5 servicing environments incentivize more support to bor-
6 rowers at risk of delinquency or default: *Provided further*,
7 That the Secretary shall evaluate all contractors in the
8 current and future servicing environments based on their
9 ability to meet contract requirements, relevant experience
10 and demonstrated effectiveness, and a history of compli-
11 ance with applicable Federal and State consumer protec-
12 tion laws: *Provided further*, That in order to promote ac-
13 countability and high-quality service to borrowers, the Sec-
14 retary shall not award funding for a future servicing envi-
15 ronment unless such an environment provides for the par-
16 ticipation of multiple student loan servicers that contract
17 directly with the Department: *Provided further*, That to
18 the extent that the Secretary permits student loan serv-
19 icing subcontracting in the future servicing environment,
20 the Secretary shall hold prime contractors accountable for
21 meeting the requirements of the contract, and the per-
22 formance and expectations of subcontractors shall be ac-
23 counted for in the prime contract and in the overall per-
24 formance of the prime contractor: *Provided further*, That
25 the Secretary shall not delay, prevent, or otherwise ob-

1 struct, directly or indirectly, Federal or State law enforce-
2 ment, regulation, or information collection from the De-
3 partment's contractors: *Provided further*, That the Sec-
4 retary shall strengthen transparency through expanded
5 publication of quarterly data on student loan discharges
6 and forgiveness, collections, and contractor performance
7 and outcomes: *Provided further*, That the Secretary shall
8 ensure that the future servicing environment provides for
9 a single, centralized website and phone line with U.S. De-
10 partment of Education branding for all federally-held stu-
11 dent loan borrowers to manage account information and
12 make payments: *Provided further*, That the Secretary shall
13 ensure that the name and other identifying information
14 of any contractor involved in the future servicing environ-
15 ment that interacts directly with borrowers is made avail-
16 able upon request or complaint from a borrower or Fed-
17 eral or State law enforcement, or upon finding of non-
18 compliance, and including the nature of such interaction
19 with the borrower: *Provided further*, That the Secretary
20 shall ensure that borrowers in the current or future serv-
21 icing environments who maintain an automated clearing-
22 house or other automated withdrawal method of payment
23 are not removed from such payment method unless the
24 borrower specifically and affirmatively requests to be re-
25 moved: *Provided further*, That the Secretary shall provide

1 quarterly briefings to the Committees on Appropriations
2 and Education and Labor of the House of Representatives
3 and the Committees on Appropriations and Health, Edu-
4 cation, Labor, and Pensions of the Senate on general
5 progress related to solicitations for Federal student loan
6 servicing contracts (including contracts awarded, change
7 orders, bonuses paid to staff, reorganization costs, and
8 any other activity carried out using amounts provided
9 under this heading for fiscal year 2022).

10 HIGHER EDUCATION

11 For carrying out, to the extent not otherwise pro-
12 vided, titles II, III, IV, V, VI, VII, and VIII of the HEA,
13 the Mutual Educational and Cultural Exchange Act of
14 1961, and section 117 of the Perkins Act,
15 \$3,383,375,000: *Provided*, That notwithstanding any
16 other provision of law, funds made available in this Act
17 to carry out title VI of the HEA and section 102(b)(6)
18 of the Mutual Educational and Cultural Exchange Act of
19 1961 may be used to support visits and study in foreign
20 countries by individuals who are participating in advanced
21 foreign language training and international studies in
22 areas that are vital to United States national security and
23 who plan to apply their language skills and knowledge of
24 these countries in the fields of government, the profes-
25 sions, or international development: *Provided further*, That

1 COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS
2 PROGRAM

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

6 HISTORICALLY BLACK COLLEGE AND UNIVERSITY
7 CAPITAL FINANCING PROGRAM ACCOUNT

8 For the cost of guaranteed loans, \$20,150,000, as au-
9 thorized pursuant to part D of title III of the HEA, which
10 shall remain available through September 30, 2023: *Pro-*
11 *vided*, That such costs, including the cost of modifying
12 such loans, shall be as defined in section 502 of the Con-
13 gressional Budget Act of 1974: *Provided further*, That
14 these funds are available to subsidize total loan principal,
15 any part of which is to be guaranteed, not to exceed
16 \$274,149,000: *Provided further*, That these funds may be
17 used to support loans to public and private Historically
18 Black Colleges and Universities without regard to the limi-
19 tations within section 344(a) of the HEA.

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

1 INSTITUTE OF EDUCATION SCIENCES

2 For necessary expenses for the Institute of Education
3 Sciences as authorized by section 208 of the Department
4 of Education Organization Act and carrying out activities
5 authorized by the National Assessment of Educational
6 Progress Authorization Act, section 208 of the Edu-
7 cational Technical Assistance Act of 2002, and section
8 664 of the Individuals with Disabilities Education Act,
9 \$814,492,000, which shall remain available through Sep-
10 tember 30, 2023: *Provided*, That funds available to carry
11 out section 208 of the Educational Technical Assistance
12 Act may be used to link Statewide elementary and sec-
13 ondary data systems with early childhood, postsecondary,
14 and workforce data systems, or to further develop such
15 systems: *Provided further*, That up to \$6,000,000 of the
16 funds available to carry out section 208 of the Educational
17 Technical Assistance Act may be used for awards to public
18 or private organizations or agencies to support activities
19 to improve data coordination, quality, and use at the local,
20 State, and national levels.

21 DEPARTMENTAL MANAGEMENT

22 PROGRAM ADMINISTRATION

23 For carrying out, to the extent not otherwise pro-
24 vided, the Department of Education Organization Act, in-
25 cluding rental of conference rooms in the District of Co-

1 lumbia and hire of three passenger motor vehicles,
2 \$419,973,000, of which up to \$13,000,000, to remain
3 available until expended, shall be available for relocation
4 expenses, and for the renovation and repair of leased
5 buildings: *Provided*, That, notwithstanding any other pro-
6 vision of law, none of the funds provided by this Act or
7 provided by previous Appropriations Acts to the Depart-
8 ment of Education available for obligation or expenditure
9 in the current fiscal year may be used for any activity re-
10 lating to implementing a reorganization that decentralizes,
11 reduces the staffing level, or alters the responsibilities,
12 structure, authority, or functionality of the Budget Service
13 of the Department of Education, relative to the organiza-
14 tion and operation of the Budget Service as in effect on
15 January 1, 2018.

16 OFFICE FOR CIVIL RIGHTS

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

20 OFFICE OF INSPECTOR GENERAL

21 For expenses necessary for the Office of Inspector
22 General, as authorized by section 212 of the Department
23 of Education Organization Act, \$70,115,000, of which
24 \$2,000,000 shall remain available until expended.

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

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

9 SEC. 305. Section 114(f) of the HEA (20 U.S.C.
10 1011c(f)) shall be applied by substituting “2022” for
11 “2021”.

12 SEC. 306. Section 458(a)(4) of the HEA (20 U.S.C.
13 1087h(a)) shall be applied by substituting “2022” for
14 “2021”.

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

21 (RESCISSION)

22 SEC. 308. Of the amounts appropriated under Sec-
23 tion 401(b)(7)(A)(iv)(XI) of the Higher Education Act of
24 1965 (20 U.S.C. 1070a(b)(7)(A)(iv)(XI)) for fiscal year
25 2022, \$85,000,000 are hereby rescinded.

1 SEC. 309. Of the amounts made available under this
2 title under the heading “Student Aid Administration”,
3 \$2,300,000 shall be used by the Secretary of Education
4 to conduct direct outreach to all borrowers of loans made,
5 insured, or guaranteed under title IV of the Higher Edu-
6 cation Act of 1965 who may intend to qualify for loan
7 cancellation under section 455(m) of such Act (20 U.S.C.
8 1087e(m)) or for Temporary Expanded Public Service
9 Loan Forgiveness (TEPSLF), to ensure that borrowers
10 are meeting the terms and conditions of such loan can-
11 cellation programs: *Provided*, That the Secretary shall spe-
12 cifically conduct outreach to assist all borrowers who
13 would qualify for loan cancellation under section 455(m)
14 of such Act except that the borrower has made some, or
15 all, of the 120 required payments under a repayment plan
16 that is not described under section 455(m)(A) of such Act,
17 to encourage borrowers to apply for TEPSLF or to enroll
18 in a qualifying repayment plan: *Provided further*, That the
19 Secretary shall also communicate directly to all federally-
20 held student loan borrowers the full requirements of sec-
21 tion 455(m) of such Act and of TEPSLF, and improve
22 progress toward cancellation by providing improved out-
23 reach and information such as outbound calls, electronic
24 communications, ensuring prominent access to program
25 requirements and benefits on relevant websites, and cre-

1 ating an option for all borrowers to complete the entire
2 payment certification process electronically and on a cen-
3 tralized website, including obtaining an employer's signa-
4 ture.

5 SEC. 310. For an additional amount for “Department
6 of Education—Federal Direct Student Loan Program Ac-
7 count”, \$50,000,000, to remain available until expended,
8 shall be for the cost, as defined under section 502 of the
9 Congressional Budget Act of 1974, of the Secretary of
10 Education providing loan cancellation in the same manner
11 as under section 455(m) of the Higher Education Act of
12 1965 (20 U.S.C. 1087e(m)), for borrowers of loans made,
13 insured, or guaranteed under title IV of such Act who
14 would qualify for loan cancellation under section 455(m)
15 except some, or all, of the 120 required payments under
16 section 455(m)(1)(A) do not qualify for purposes of the
17 program because they were monthly payments made in ac-
18 cordance with graduated or extended repayment plans as
19 described under subparagraph (B) or (C) of section
20 455(d)(1) or the corresponding repayment plan for a con-
21 solidation loan made under section 455(g) and that were
22 less than the amount calculated under section
23 455(d)(1)(A), based on a 10-year repayment period: *Pro-*
24 *vided*, That the total loan volume, including outstanding
25 principal, fees, capitalized interest, or accrued interest, at

1 application that is eligible for such loan cancellation by
2 such borrowers shall not exceed \$75,000,000: *Provided*
3 *further*, That the Secretary shall continue to maintain a
4 simple method for borrowers to apply for loan cancellation
5 under this section: *Provided further*, That the Secretary
6 shall provide loan cancellation under this section to eligible
7 borrowers on a first-come, first-serve basis, based on the
8 date of application and subject to both the limitation on
9 total loan volume at application for such loan cancellation
10 specified in the second proviso and the availability of ap-
11 propriations under this section: *Provided further*, That
12 funds appropriated in section 315 of division H of Public
13 Law 115–141, section 313 of division B of Public Law
14 115–245, section 314 of division A of Public Law 116–
15 94, and section 311 of division H of Public Law 116–260
16 that remain available for the cancellation of loans as de-
17 scribed in such sections may be used for the cancellation
18 of loans under the same terms and conditions as provided
19 under this section.

20 SEC. 311. Notwithstanding any other provision of
21 law, the Secretary may reserve not more than 0.5 percent
22 from any amount made available in this Act for an HEA
23 program, except for any amounts made available for sub-
24 part 1 of part A of title IV of the HEA, to carry out rig-
25 orous and independent evaluations and to collect and ana-

1 lyze outcome data for any program authorized by the
2 HEA: *Provided*, That no funds made available in this Act
3 for the “Student Aid Administration” account shall be
4 subject to the reservation under this section: *Provided fur-*
5 *ther*, That any funds reserved under this section shall be
6 available through September 30, 2023: *Provided further*,
7 That if, under any other provision of law, funds are au-
8 thorized to be reserved or used for evaluation activities
9 with respect to a program or project, the Secretary may
10 also reserve funds for such program or project for the pur-
11 poses described in this section so long as the total reserva-
12 tion of funds for such program or project does not exceed
13 any statutory limits on such reservations: *Provided fur-*
14 *ther*, That not later than 10 days prior to the initial obli-
15 gation of funds reserved under this section, the Secretary
16 shall submit to the Committees on Appropriations of the
17 Senate and the House of Representatives, the Committee
18 on Health, Education, Labor and Pensions of the Senate,
19 and the Committee on Education and Labor of the House
20 of Representatives a plan that identifies the source and
21 amount of funds reserved under this section, the impact
22 on program grantees if funds are withheld for the pur-
23 poses of this section, and the activities to be carried out
24 with such funds.

1 SEC. 312. In addition to amounts otherwise appro-
2 priated by this Act under the heading “Innovation and
3 Improvement” for purposes authorized by the Elementary
4 and Secondary Education Act of 1965, there are hereby
5 appropriated an additional \$54,085,000 which shall be
6 used for the projects, and in the amounts, specified in the
7 explanatory statement accompanying this Act: *Provided*,
8 That none of the funds made available for such projects
9 shall be subject to section 302 of this Act.

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

1 TITLE IV
2 RELATED AGENCIES
3 COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE
4 BLIND OR SEVERELY DISABLED
5 SALARIES AND EXPENSES

6 For expenses necessary for the Committee for Pur-
7 chase From People Who Are Blind or Severely Disabled
8 (referred to in this title as “the Committee”) established
9 under section 8502 of title 41, United States Code,
10 \$12,000,000: *Provided*, That in order to authorize any
11 central nonprofit agency designated pursuant to section
12 8503(c) of title 41, United States Code, to perform re-
13 quirements of the Committee as prescribed under section
14 51–3.2 of title 41, Code of Federal Regulations, the Com-
15 mittee shall enter into a written agreement with any such
16 central nonprofit agency: *Provided further*, That such
17 agreement shall contain such auditing, oversight, and re-
18 porting provisions as necessary to implement chapter 85
19 of title 41, United States Code: *Provided further*, That
20 such agreement shall include the elements listed under the
21 heading “Committee For Purchase From People Who Are
22 Blind or Severely Disabled—Written Agreement Ele-
23 ments” in the explanatory statement described in section
24 4 of Public Law 114–113 (in the matter preceding division
25 A of that consolidated Act): *Provided further*, That any

1 such central nonprofit agency may not charge a fee under
2 section 51–3.5 of title 41, Code of Federal Regulations,
3 prior to executing a written agreement with the Com-
4 mittee: *Provided further*, That no less than \$3,000,000
5 shall be available for the Office of Inspector General.

6 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE
7 OPERATING EXPENSES

8 For necessary expenses for the Corporation for Na-
9 tional and Community Service (referred to in this title as
10 “CNCS”) to carry out the Domestic Volunteer Service Act
11 of 1973 (referred to in this title as “1973 Act”) and the
12 National and Community Service Act of 1990 (referred
13 to in this title as “1990 Act”), \$900,120,000, notwith-
14 standing sections 198B(b)(3), 198S(g), 501(a)(4)(C), and
15 501(a)(4)(F) of the 1990 Act: *Provided*, That of the
16 amounts provided under this heading: (1) up to 1 percent
17 of program grant funds may be used to defray the costs
18 of conducting grant application reviews, including the use
19 of outside peer reviewers and electronic management of
20 the grants cycle; (2) \$19,538,000 shall be available to pro-
21 vide assistance to State commissions on national and com-
22 munity service, under section 126(a) of the 1990 Act and
23 notwithstanding section 501(a)(5)(B) of the 1990 Act; (3)
24 \$37,735,000 shall be available to carry out subtitle E of
25 the 1990 Act; and (4) \$6,400,000 shall be available for

1 expenses authorized under section 501(a)(4)(F) of the
2 1990 Act, which, notwithstanding the provisions of section
3 198P shall be awarded by CNCS on a competitive basis:
4 *Provided further*, That for the purposes of carrying out
5 the 1990 Act, satisfying the requirements in section
6 122(c)(1)(D) may include a determination of need by the
7 local community.

8 PAYMENT TO THE NATIONAL SERVICE TRUST
9 (INCLUDING TRANSFER OF FUNDS)

10 For payment to the National Service Trust estab-
11 lished under subtitle D of title I of the 1990 Act,
12 \$187,000,000, to remain available until expended: *Pro-*
13 *vided*, That CNCS may transfer additional funds from the
14 amount provided within “Operating Expenses” allocated
15 to grants under subtitle C of title I of the 1990 Act to
16 the National Service Trust upon determination that such
17 transfer is necessary to support the activities of national
18 service participants and after notice is transmitted to the
19 Committees on Appropriations of the House of Represent-
20 atives and the Senate: *Provided further*, That amounts ap-
21 propriated for or transferred to the National Service Trust
22 may be invested under section 145(b) of the 1990 Act
23 without regard to the requirement to apportion funds
24 under 31 U.S.C. 1513(b).

1 SALARIES AND EXPENSES

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

10 OFFICE OF INSPECTOR GENERAL

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

14 ADMINISTRATIVE PROVISIONS

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

24 SEC. 402. AmeriCorps programs receiving grants
25 under the National Service Trust program shall meet an

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

10 SEC. 403. Donations made to CNCS under section
11 196 of the 1990 Act for the purposes of financing pro-
12 grams and operations under titles I and II of the 1973
13 Act or subtitle B, C, D, or E of title I of the 1990 Act
14 shall be used to supplement and not supplant current pro-
15 grams and operations.

16 SEC. 404. In addition to the requirements in section
17 146(a) of the 1990 Act, use of an educational award for
18 the purpose described in section 148(a)(4) shall be limited
19 to individuals who are veterans as defined under section
20 101 of the Act.

21 SEC. 405. For the purpose of carrying out section
22 189D of the 1990 Act—

23 (1) entities described in paragraph (a) of such
24 section shall be considered “qualified entities” under

1 section 3 of the National Child Protection Act of
2 1993 (“NCPA”);

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

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

11 SEC. 406. Notwithstanding sections 139(b), 146 and
12 147 of the 1990 Act, an individual who successfully com-
13 pletes a term of service of not less than 1,200 hours dur-
14 ing a period of not more than one year may receive a na-
15 tional service education award having a value of 70 per-
16 cent of the value of a national service education award
17 determined under section 147(a) of the Act.

18 CORPORATION FOR PUBLIC BROADCASTING

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

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

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

17 FEDERAL MEDIATION AND CONCILIATION SERVICE

18 SALARIES AND EXPENSES

19 For expenses necessary for the Federal Mediation
20 and Conciliation Service (“Service”) to carry out the func-
21 tions vested in it by the Labor-Management Relations Act,
22 1947, including hire of passenger motor vehicles; for ex-
23 penses necessary for the Labor-Management Cooperation
24 Act of 1978; and for expenses necessary for the Service
25 to carry out the functions vested in it by the Civil Service

1 Reform Act, \$50,000,000: *Provided*, That notwithstanding
 2 31 U.S.C. 3302, fees charged, up to full-cost recovery, for
 3 special training activities and other conflict resolution
 4 services and technical assistance, including those provided
 5 to foreign governments and international organizations,
 6 and for arbitration services shall be credited to and
 7 merged with this account, and shall remain available until
 8 expended: *Provided further*, That fees for arbitration serv-
 9 ices shall be available only for education, training, and
 10 professional development of the agency workforce: *Pro-*
 11 *vided further*, That the Director of the Service is author-
 12 ized to accept and use on behalf of the United States gifts
 13 of services and real, personal, or other property in the aid
 14 of any projects or functions within the Director's jurisdic-
 15 tion.

16 FEDERAL MINE SAFETY AND HEALTH REVIEW

17 COMMISSION

18 SALARIES AND EXPENSES

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

21 INSTITUTE OF MUSEUM AND LIBRARY SERVICES

22 OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS

23 AND ADMINISTRATION

24 For carrying out the Museum and Library Services
 25 Act of 1996 and the National Museum of African Amer-

1 ican History and Culture Act, \$282,000,000: *Provided*,
2 That \$3,000,000 shall remain available until expended for
3 the establishment and support of an Information Literacy
4 Taskforce appointed and led by the Director of the Insti-
5 tute of Museum and Library Services: *Provided further*,
6 That such Taskforce shall take actions it deems necessary
7 to improve the quality of and increase access to informa-
8 tion literacy skills development.

9 MEDICAID AND CHIP PAYMENT AND ACCESS

10 COMMISSION

11 SALARIES AND EXPENSES

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

14 MEDICARE PAYMENT ADVISORY COMMISSION

15 SALARIES AND EXPENSES

16 For expenses necessary to carry out section 1805 of
17 the Social Security Act, \$13,310,000, to be transferred to
18 this appropriation from the Federal Hospital Insurance
19 Trust Fund and the Federal Supplementary Medical In-
20 surance Trust Fund.

21 NATIONAL COUNCIL ON DISABILITY

22 SALARIES AND EXPENSES

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

1 NATIONAL LABOR RELATIONS BOARD

2 SALARIES AND EXPENSES

3 For expenses necessary for the National Labor Rela-
4 tions Board to carry out the functions vested in it by the
5 Labor-Management Relations Act, 1947, and other laws,
6 \$301,925,000: *Provided*, That no part of this appropria-
7 tion shall be available to organize or assist in organizing
8 agricultural laborers or used in connection with investiga-
9 tions, hearings, directives, or orders concerning bargaining
10 units composed of agricultural laborers as referred to in
11 section 2(3) of the Act of July 5, 1935, and as amended
12 by the Labor-Management Relations Act, 1947, and as de-
13 fined in section 3(f) of the Act of June 25, 1938, and
14 including in said definition employees engaged in the
15 maintenance and operation of ditches, canals, reservoirs,
16 and waterways when maintained or operated on a mutual,
17 nonprofit basis and at least 95 percent of the water stored
18 or supplied thereby is used for farming purposes.

19 NATIONAL MEDIATION BOARD

20 SALARIES AND EXPENSES

21 For expenses necessary to carry out the provisions
22 of the Railway Labor Act, including emergency boards ap-
23 pointed by the President, \$14,542,000.

1 OCCUPATIONAL SAFETY AND HEALTH REVIEW

2 COMMISSION

3 SALARIES AND EXPENSES

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

6 RAILROAD RETIREMENT BOARD

7 DUAL BENEFITS PAYMENTS ACCOUNT

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

21 FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT

22 ACCOUNTS

23 For payment to the accounts established in the
24 Treasury for the payment of benefits under the Railroad
25 Retirement Act for interest earned on unnegotiated

1 LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

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

8 SOCIAL SECURITY ADMINISTRATION

9 PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

10 For payment to the Federal Old-Age and Survivors
11 Insurance Trust Fund and the Federal Disability Insur-
12 ance Trust Fund, as provided under sections 201(m) and
13 1131(b)(2) of the Social Security Act, \$11,000,000.

14 SUPPLEMENTAL SECURITY INCOME PROGRAM

15 For carrying out titles XI and XVI of the Social Se-
16 curity Act, section 401 of Public Law 92-603, section 212
17 of Public Law 93-66, as amended, and section 405 of
18 Public Law 95-216, including payment to the Social Secu-
19 rity trust funds for administrative expenses incurred pur-
20 suant to section 201(g)(1) of the Social Security Act,
21 \$46,122,423,000, to remain available until expended: *Pro-*
22 *vided*, That any portion of the funds provided to a State
23 in the current fiscal year and not obligated by the State
24 during that year shall be returned to the Treasury: *Pro-*
25 *vided further*, That not more than \$86,000,000 shall be

1 available for research and demonstrations under sections
2 1110, 1115, and 1144 of the Social Security Act, and re-
3 main available through September 30, 2024.

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

8 For making benefit payments under title XVI of the
9 Social Security Act for the first quarter of fiscal year
10 2023, \$15,600,000,000, to remain available until ex-
11 pended.

12 LIMITATION ON ADMINISTRATIVE EXPENSES

13 For necessary expenses, including the hire of two pas-
14 senger motor vehicles, and not to exceed \$20,000 for offi-
15 cial reception and representation expenses, not more than
16 \$13,798,945,000 may be expended, as authorized by sec-
17 tion 201(g)(1) of the Social Security Act, from any one
18 or all of the trust funds referred to in such section: *Pro-*
19 *vided*, That not less than \$2,700,000 shall be for the So-
20 cial Security Advisory Board: *Provided further*, That unob-
21 ligated balances of funds provided under this paragraph
22 at the end of fiscal year 2022 not needed for fiscal year
23 2022 shall remain available until expended to invest in the
24 Social Security Administration information technology
25 and telecommunications hardware and software infra-

1 structure, including related equipment and non-payroll ad-
2 ministrative expenses associated solely with this informa-
3 tion technology and telecommunications infrastructure:
4 *Provided further*, That the Commissioner of Social Secu-
5 rity shall notify the Committees on Appropriations of the
6 House of Representatives and the Senate prior to making
7 unobligated balances available under the authority in the
8 previous proviso: *Provided further*, That reimbursement to
9 the trust funds under this heading for expenditures for
10 official time for employees of the Social Security Adminis-
11 tration pursuant to 5 U.S.C. 7131, and for facilities or
12 support services for labor organizations pursuant to poli-
13 cies, regulations, or procedures referred to in section
14 7135(b) of such title shall be made by the Secretary of
15 the Treasury, with interest, from amounts in the general
16 fund not otherwise appropriated, as soon as possible after
17 such expenditures are made.

18 From funds provided under the first paragraph, not
19 more than \$1,708,000,000, to remain available through
20 March 31, 2023, is for the costs associated with con-
21 tinuing disability reviews under titles II and XVI of the
22 Social Security Act, including work-related continuing dis-
23 ability reviews to determine whether earnings derived from
24 services demonstrate an individual's ability to engage in
25 substantial gainful activity, for the cost associated with

1 conducting redeterminations of eligibility under title XVI
2 of the Social Security Act, for the cost of co-operative dis-
3 ability investigation units, and for the cost associated with
4 the prosecution of fraud in the programs and operations
5 of the Social Security Administration by Special Assistant
6 United States Attorneys: *Provided*, That, of such amount,
7 \$273,000,000 is provided to meet the terms of section
8 4004(b)(1)(B)(i) and section 4005(a)(2)(A) of S. Con.
9 Res. 14 (117th Congress), the concurrent resolution on
10 the budget for fiscal year 2022, and \$1,435,000,000 is
11 additional new budget authority specified for purposes of
12 section 4004(b)(1) and section 4005(a) of such resolution:
13 *Provided further*, That, of the additional new budget au-
14 thority described in the preceding proviso, up to
15 \$12,100,000 may be transferred to the “Office of Inspec-
16 tor General”, Social Security Administration, for the cost
17 of jointly operated co-operative disability investigation
18 units: *Provided further*, That such transfer authority is in
19 addition to any other transfer authority provided by law:
20 *Provided further*, That the Commissioner shall provide to
21 the Congress (at the conclusion of the fiscal year) a report
22 on the obligation and expenditure of these funds, similar
23 to the reports that were required by section 103(d)(2) of
24 Public Law 104–121 for fiscal years 1996 through 2002:
25 *Provided further*, That none of the funds described in this

1 paragraph shall be available for transfer or reprogram-
2 ming except as specified in this paragraph.

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

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

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

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

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

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

TITLE V

GENERAL PROVISIONS

(TRANSFER OF FUNDS)

1
2
3
4 SEC. 501. The Secretaries of Labor, Health and
5 Human Services, and Education are authorized to transfer
6 unexpended balances of prior appropriations to accounts
7 corresponding to current appropriations provided in this
8 Act. Such transferred balances shall be used for the same
9 purpose, and for the same periods of time, for which they
10 were originally appropriated.

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

14 SEC. 503. (a) No part of any appropriation contained
15 in this Act or transferred pursuant to section 4002 of
16 Public Law 111–148 shall be used, other than for normal
17 and recognized executive-legislative relationships, for pub-
18 licity or propaganda purposes, for the preparation, dis-
19 tribution, or use of any kit, pamphlet, booklet, publication,
20 electronic communication, radio, television, or video pres-
21 entation designed to support or defeat the enactment of
22 legislation before the Congress or any State or local legis-
23 lature or legislative body, except in presentation to the
24 Congress or any State or local legislature itself, or de-
25 signed to support or defeat any proposed or pending regu-

1 lation, administrative action, or order issued by the execu-
2 tive branch of any State or local government, except in
3 presentation to the executive branch of any State or local
4 government itself.

5 (b) No part of any appropriation contained in this
6 Act or transferred pursuant to section 4002 of Public Law
7 111–148 shall be used to pay the salary or expenses of
8 any grant or contract recipient, or agent acting for such
9 recipient, related to any activity designed to influence the
10 enactment of legislation, appropriations, regulation, ad-
11 ministrative action, or Executive order proposed or pend-
12 ing before the Congress or any State government, State
13 legislature or local legislature or legislative body, other
14 than for normal and recognized executive-legislative rela-
15 tionships or participation by an agency or officer of a
16 State, local or tribal government in policymaking and ad-
17 ministrative processes within the executive branch of that
18 government.

19 (c) The prohibitions in subsections (a) and (b) shall
20 include any activity to advocate or promote any proposed,
21 pending or future Federal, State or local tax increase, or
22 any proposed, pending, or future requirement or restric-
23 tion on any legal consumer product, including its sale or
24 marketing, including but not limited to the advocacy or
25 promotion of gun control.

1 SEC. 504. The Secretaries of Labor and Education
2 are authorized to make available not to exceed \$28,000
3 and \$20,000, respectively, from funds available for sala-
4 ries and expenses under titles I and III, respectively, for
5 official reception and representation expenses; the Direc-
6 tor of the Federal Mediation and Conciliation Service is
7 authorized to make available for official reception and rep-
8 resentation expenses not to exceed \$5,000 from the funds
9 available for “Federal Mediation and Conciliation Service,
10 Salaries and Expenses”; and the Chairman of the Na-
11 tional Mediation Board is authorized to make available for
12 official reception and representation expenses not to ex-
13 ceed \$5,000 from funds available for “National Mediation
14 Board, Salaries and Expenses”.

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

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

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

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

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

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

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

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

22 SEC. 507. (a) None of the funds made available in
23 this Act may be used for any activity that promotes the
24 legalization of any drug or other substance included in
25 schedule I of the schedules of controlled substances estab-

1 lished under section 202 of the Controlled Substances Act
2 except for normal and recognized executive-congressional
3 communications.

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

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

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

17 (2) such entity has not submitted a report as
18 required by that section for the most recent year for
19 which such requirement was applicable to such enti-
20 ty.

21 SEC. 509. None of the funds made available in this
22 Act may be transferred to any department, agency, or in-
23 strumentality of the United States Government, except
24 pursuant to a transfer made by, or transfer authority pro-
25 vided in, this Act or any other appropriation Act.

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

8 SEC. 511. (a) None of the funds provided under this
9 Act, or provided under previous appropriations Acts to the
10 agencies funded by this Act that remain available for obli-
11 gation or expenditure in fiscal year 2022, or provided from
12 any accounts in the Treasury of the United States derived
13 by the collection of fees available to the agencies funded
14 by this Act, shall be available for obligation or expenditure
15 through a reprogramming of funds that—

- 16 (1) creates new programs;
- 17 (2) eliminates a program, project, or activity;
- 18 (3) increases funds or personnel by any means
19 for any project or activity for which funds have been
20 denied or restricted;
- 21 (4) relocates an office or employees;
- 22 (5) reorganizes or renames offices;
- 23 (6) reorganizes programs or activities; or
- 24 (7) contracts out or privatizes any functions or
25 activities presently performed by Federal employees;

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

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

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

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

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

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

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

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

17 SEC. 513. Within 45 days of enactment of this Act,
18 each department and related agency funded through this
19 Act shall submit an operating plan that details at the pro-
20 gram, project, and activity level any funding allocations
21 for fiscal year 2022 that are different than those specified
22 in this Act, the explanatory statement accompanying this
23 Act, or the fiscal year 2022 budget request.

24 SEC. 514. The Secretaries of Labor, Health and
25 Human Services, and Education shall each prepare and

1 submit to the Committees on Appropriations of the House
2 of Representatives and the Senate a report on the number
3 and amount of contracts, grants, and cooperative agree-
4 ments exceeding \$500,000, individually or in total for a
5 particular project, activity, or programmatic initiative, in
6 value and awarded by the Department on a non-competi-
7 tive basis during each quarter of fiscal year 2022, but not
8 to include grants awarded on a formula basis or directed
9 by law. Such report shall include the name of the con-
10 tractor or grantee, the amount of funding, the govern-
11 mental purpose, including a justification for issuing the
12 award on a non-competitive basis. Such report shall be
13 transmitted to the Committees within 30 days after the
14 end of the quarter for which the report is submitted.

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

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

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

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

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

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

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

4 SEC. 519. Federal agencies funded under this Act
5 shall clearly state within the text, audio, or video used for
6 advertising or educational purposes, including emails or
7 Internet postings, that the communication is printed, pub-
8 lished, or produced and disseminated at United States tax-
9 payer expense. The funds used by a Federal agency to
10 carry out this requirement shall be derived from amounts
11 made available to the agency for advertising or other com-
12 munications regarding the programs and activities of the
13 agency.

14 SEC. 520. (a) Federal agencies may use Federal dis-
15 cretionary funds that are made available in this Act to
16 carry out up to 10 Performance Partnership Pilots. Such
17 Pilots shall be governed by the provisions of section 526
18 of division H of Public Law 113–76, except that in car-
19 rying out such Pilots section 526 shall be applied by sub-
20 stituting “Fiscal Year 2022” for “Fiscal Year 2014” in
21 the title of subsection (b) and by substituting “September
22 30, 2026” for “September 30, 2018” each place it ap-
23 pears: *Provided*, That such pilots shall include commu-
24 nities that have been disproportionately impacted by the
25 COVID–19 pandemic.

1 (b) In addition, Federal agencies may use Federal
2 discretionary funds that are made available in this Act to
3 participate in Performance Partnership Pilots that are
4 being carried out pursuant to the authority provided by
5 section 526 of division H of Public Law 113–76, section
6 524 of division G of Public Law 113–235, section 525 of
7 division H of Public Law 114–113, section 525 of division
8 H of Public Law 115–31, section 525 of division H of
9 Public Law 115–141, section 524 of division A of Public
10 Law 116–94, and section 524 of division H of Public Law
11 116–260.

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

16 SEC. 521. Not later than 30 days after the end of
17 each calendar quarter, beginning with the first month of
18 fiscal year 2022 the Departments of Labor, Health and
19 Human Services and Education and the Social Security
20 Administration shall provide the Committees on Appro-
21 priations of the House of Representatives and Senate a
22 report on the status of balances of appropriations: Pro-
23 vided, That for balances that are unobligated and uncom-
24 mitted, committed, and obligated but unexpended, the
25 monthly reports shall separately identify the amounts at-

1 (c) Amounts referenced in subsection (b) that are un-
2 expended at the time of completion of a contract, grant,
3 or cooperative agreement may be deobligated and shall im-
4 mediately become available and may be reobligated in that
5 fiscal year or the subsequent fiscal year for the research,
6 evaluation, or statistical purposes for which such amounts
7 are available.

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

○