

Calendar No. 267

117TH CONGRESS
2D SESSION

H. R. 6617

IN THE SENATE OF THE UNITED STATES

FEBRUARY 8 (legislative day, FEBRUARY 3), 2022

Received; read the first time

FEBRUARY 9, 2022

Read the second time and placed on the calendar

AN ACT

Making further continuing appropriations 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 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Further Additional Ex-
5 tending Government Funding Act”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents of this Act is as follows:

Sec. 1. Short Title.

Sec. 2. Table of Contents.

Sec. 3. References.

DIVISION B—EXTENSIONS

Title I—Extensions

Title II—Budgetary Effects

1 **SEC. 3. REFERENCES.**

2 Except as expressly provided otherwise, any reference
3 to “this Act” contained in any division of this Act shall
4 be treated as referring only to the provisions of that divi-
5 sion.

6 **DIVISION A—FURTHER ADDITIONAL**
7 **CONTINUING APPROPRIATIONS ACT, 2022**

8 SEC. 101. The Continuing Appropriations Act, 2022
9 (division A of Public Law 117–43) is further amended—
10 (1) by striking the date specified in section
11 106(3) and inserting “March 11, 2022”;
12 (2) in section 163, by striking “\$200,000,000”
13 and inserting “\$300,000,000”; and
14 (3) by adding after section 163 the following
15 new sections:

16 “SEC. 164. Notwithstanding sections 102 and 104,
17 amounts made available by section 101 to the Department
18 of Defense for ‘Shipbuilding and Conversion, Navy’ may
19 be apportioned up to the rate for operations necessary for
20 ‘Columbia Class Submarine (AP)’ in an amount not to ex-
21 ceed \$1,601,805,000.

22 “SEC. 165. (a) Notwithstanding sections 101 and
23 106 of this Act, for the duration of fiscal year 2022,

1 amounts made available in fiscal year 2022 to the Depart-
2 ment of Defense under the heading ‘Operation and Main-
3 tenance’, other than amounts designated by the Congress
4 as being for an emergency requirement pursuant to sec-
5 tion 4001(a)(1) and section 4001(b) of S. Con. Res. 14
6 (117th Congress), the concurrent resolution on the budget
7 for fiscal year 2022, may be used for emergencies and ex-
8 traordinary expenses, in addition to any other funds spe-
9 cifically made available for such expenses, for purposes the
10 Secretary of Defense or the Secretary of the Navy, as ap-
11 propriate, determines to be proper with regard to the re-
12 sponse to the disruption of the water supply near the Red
13 Hill Bulk Fuel Storage Facility, on O’ahu, Hawaii, in ac-
14 cordance with 10 U.S.C. 127, in an amount not to exceed
15 \$53,000,000: *Provided*, That not later than 30 days after
16 the date of enactment of the Further Additional Con-
17 tinuing Appropriations Act, 2022 and every 30 days there-
18 after through fiscal year 2022, the Secretary of Defense
19 shall submit a report to the Committees on Appropriations
20 of the House of Representatives and Senate, setting forth
21 all categories and amounts of obligations and expenditures
22 made under the authority provided by this subsection.

23 “(b) In addition to amounts otherwise provided by
24 this Act, there is appropriated to the Department of De-
25 fense \$250,000,000, for an additional amount for fiscal

1 year 2022, for necessary expenses to address drinking
2 water contamination at the Red Hill Bulk Fuel Storage
3 Facility in Hawaii, for the accounts and in the amounts
4 specified:

5 “‘Military Personnel, Army’, \$33,263,000, to
6 remain available until September 30, 2022;

7 “‘Military Personnel, Navy’, \$91,327,000, to
8 remain available until September 30, 2022;

9 “‘Military Personnel, Marine Corps’,
10 \$5,206,000, to remain available until September 30,
11 2022;

12 “‘Military Personnel, Air Force’, \$27,564,000,
13 to remain available until September 30, 2022;

14 “‘Operation and Maintenance, Army’,
15 \$22,640,000, to remain available until September
16 30, 2022; and

17 “‘Operation and Maintenance, Navy’,
18 \$70,000,000, to remain available until September
19 30, 2022.

20 “(c) In addition to amounts otherwise provided by
21 this Act, there is appropriated to the Department of De-
22 fense \$100,000,000, for an additional amount for fiscal
23 year 2022, to remain available until expended, for transfer
24 only to accounts under the headings ‘Operation and Main-
25 tenance’, ‘Procurement’, ‘Research, Development, Test

1 and Evaluation’, and ‘Defense Working Capital Funds’,
2 for the Secretary of Defense to conduct activities in com-
3 pliance with the State of Hawaii Department of Health
4 Order 21-UST-EA-02, signed December 6, 2021, related
5 to the removal of fuel from and improvement of infrastruc-
6 ture at the Red Hill Bulk Fuel Storage Facility: *Provided*,
7 That the transfer authority provided in this subsection is
8 in addition to any other transfer authority available to the
9 Department of Defense: *Provided further*, That amounts
10 provided in this subsection shall not be available for trans-
11 fer, obligation, or expenditure until the Secretary of De-
12 fense briefs the Committees on Appropriations of the
13 House of Representatives and Senate regarding the rec-
14 ommendations of the third-party assessment of the oper-
15 ations and system integrity of the Red Hill facility and
16 the Department’s own analysis regarding the distribution
17 of fuel reserves for operations in the Pacific theater, as
18 well as other activities recommended by the third-party as-
19 sessment or Departmental analysis: *Provided further*, That
20 not less than 15 days prior to any transfer of funds pursu-
21 ant to this subsection, the Secretary of Defense shall no-
22 tify the congressional defense committees of the details of
23 any such transfer: *Provided further*, That not later than
24 60 days after the date of enactment of the Further Addi-
25 tional Continuing Appropriations Act, 2022 and every 30

1 days thereafter through fiscal year 2023, the Secretary of
 2 Defense shall submit a report to the Committees on Ap-
 3 propriations of the House of Representatives and Senate,
 4 setting forth all categories and amounts of obligations and
 5 expenditures made under the authority provided by this
 6 subsection.

7 “SEC. 166. Amounts made available by section 101
 8 to the Department of the Interior under the heading
 9 ‘Working Capital Fund’ may be apportioned up to the rate
 10 for operations necessary to implement enterprise cyberse-
 11 curity safeguards.”.

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

14 **DIVISION B—EXTENSIONS**
 15 **TITLE I—EXTENSIONS**

16 **SEC. 1101. EXTENSION OF AUTHORITY TO MAKE CERTAIN**
 17 **APPOINTMENTS FOR NATIONAL DISASTER**
 18 **MEDICAL SYSTEM.**

19 Section 2812(c)(4)(B) of the Public Health Service
 20 Act (42 U.S.C. 300hh–11(c)(4)(B)) is amended by strik-
 21 ing “February 18, 2022” and inserting “March 11,
 22 2022”.

1 **SEC. 1102. EXTENSION OF ADDITIONAL SPECIAL ASSESS-**
2 **MENT.**

3 Section 3014(a) of title 18, United States Code, is
4 amended by striking “February 18, 2022” and inserting
5 “March 11, 2022”.

6 **SEC. 1103. EXTENSION OF TEMPORARY ORDER FOR**
7 **FENTANYL-RELATED SUBSTANCES.**

8 Effective as if included in the enactment of the Tem-
9 porary Reauthorization and Study of the Emergency
10 Scheduling of Fentanyl Analogues Act (Public Law 116–
11 114), section 2 of such Act (as amended by Public Law
12 117–70) is amended by striking “February 18, 2022” and
13 inserting “March 11, 2022”.

14 **SEC. 1104. EXTENDING INCREASED FMAP FOR CERTAIN**
15 **TERRITORIES.**

16 (a) IN GENERAL.—Section 1905(ff)(3) of the Social
17 Security Act (42 U.S.C. 1396d(ff)(3)) is amended by
18 striking “February 18, 2022” and inserting “March 11,
19 2022”.

20 (b) REDUCTION OF MEDICARE IMPROVEMENT
21 FUND.—Section 1898(b)(1) of the Social Security Act (42
22 U.S.C. 1395iii(b)(1)) is amended by striking
23 “\$101,000,000” and inserting “\$99,000,000”.

1 **TITLE II—BUDGETARY EFFECTS**

2 **SEC. 1201. BUDGETARY EFFECTS.**

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

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

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

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

19 (2) for purposes of an allocation to the Com-
20 mittee on Appropriations pursuant to section 302(a)
21 of the Congressional Budget Act of 1974; and

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

Passed the House of Representatives February 8,
2022.

Attest: **CHERYL L. JOHNSON,**
Clerk.

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