

In the House of Representatives, U. S.,

March 9, 2022.

Resolved, That the House agree to the amendment of the Senate to the bill (H.R. 2471) entitled “An Act to measure the progress of post-disaster recovery and efforts to address corruption, governance, rule of law, and media freedoms in Haiti.”, with the following

HOUSE AMENDMENT TO SENATE AMENDMENT:

In lieu of the matter proposed to be inserted by the amendment of the Senate, insert the following:

1 SECTION 1. SHORT TITLE.

2 *This Act may be cited as the “Consolidated Appropria-*
3 *tions Act, 2022”.*

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Provisions of Law*

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1 SEC. 3. REFERENCES.

2 *Except as expressly provided otherwise, any reference*
3 *to “this Act” contained in any division of this Act shall*

1 *be treated as referring only to the provisions of that divi-*
2 *sion.*

3 **SEC. 4. EXPLANATORY STATEMENT.**

4 *The explanatory statement regarding this Act, printed*
5 *in the House section of the Congressional Record on or*
6 *about March 9, 2022, and submitted by the chair of the*
7 *Committee on Appropriations of the House, shall have the*
8 *same effect with respect to the allocation of funds and im-*
9 *plementation of divisions A through L of this Act as if it*
10 *were a joint explanatory statement of a committee of con-*
11 *ference.*

12 **SEC. 5. STATEMENT OF APPROPRIATIONS.**

13 *The following sums in this Act are appropriated, out*
14 *of any money in the Treasury not otherwise appropriated,*
15 *for the fiscal year ending September 30, 2022.*

16 **SEC. 6. ADJUSTMENTS TO COMPENSATION.**

17 *Notwithstanding any other provision of law, no adjust-*
18 *ment shall be made under section 601(a) of the Legislative*
19 *Reorganization Act of 1946 (2 U.S.C. 4501) (relating to*
20 *cost of living adjustments for Members of Congress) during*
21 *fiscal year 2022.*

1 ***DIVISION A—AGRICULTURE, RURAL DE-***
2 ***VELOPMENT, FOOD AND DRUG ADMIN-***
3 ***ISTRATION, AND RELATED AGENCIES***
4 ***APPROPRIATIONS ACT, 2022***

5 *TITLE I*

6 *AGRICULTURAL PROGRAMS*

7 *PROCESSING, RESEARCH, AND MARKETING*

8 *OFFICE OF THE SECRETARY*

9 *(INCLUDING TRANSFERS OF FUNDS)*

10 *For necessary expenses of the Office of the Secretary,*
11 *\$54,710,000, of which not to exceed \$7,203,000 shall be*
12 *available for the immediate Office of the Secretary; not to*
13 *exceed \$1,353,000 shall be available for the Office of Home-*
14 *land Security; not to exceed \$2,215,000 shall be available*
15 *for the Office of Tribal Relations; not to exceed \$7,044,000*
16 *shall be available for the Office of Partnerships and Public*
17 *Engagement, of which \$1,500,000 shall be for 7 U.S.C.*
18 *2279(c)(5); not to exceed \$24,931,000 shall be available for*
19 *the Office of the Assistant Secretary for Administration, of*
20 *which \$23,282,000 shall be available for Departmental Ad-*
21 *ministration to provide for necessary expenses for manage-*
22 *ment support services to offices of the Department and for*
23 *general administration, security, repairs and alterations,*
24 *and other miscellaneous supplies and expenses not otherwise*
25 *provided for and necessary for the practical and efficient*

1 *work of the Department: Provided, That funds made avail-*
2 *able by this Act to an agency in the Administration mission*
3 *area for salaries and expenses are available to fund up to*
4 *one administrative support staff for the Office; not to exceed*
5 *\$4,480,000 shall be available for the Office of Assistant Sec-*
6 *retary for Congressional Relations and Intergovernmental*
7 *Affairs to carry out the programs funded by this Act, in-*
8 *cluding programs involving intergovernmental affairs and*
9 *liaison within the executive branch; and not to exceed*
10 *\$7,484,000 shall be available for the Office of Communica-*
11 *tions: Provided further, That the Secretary of Agriculture*
12 *is authorized to transfer funds appropriated for any office*
13 *of the Office of the Secretary to any other office of the Office*
14 *of the Secretary: Provided further, That no appropriation*
15 *for any office shall be increased or decreased by more than*
16 *5 percent: Provided further, That not to exceed \$22,000 of*
17 *the amount made available under this paragraph for the*
18 *immediate Office of the Secretary shall be available for offi-*
19 *cial reception and representation expenses, not otherwise*
20 *provided for, as determined by the Secretary: Provided fur-*
21 *ther, That the amount made available under this heading*
22 *for Departmental Administration shall be reimbursed from*
23 *applicable appropriations in this Act for travel expenses in-*
24 *cident to the holding of hearings as required by 5 U.S.C.*
25 *551–558: Provided further, That funds made available*

1 *under this heading for the Office of the Assistant Secretary*
2 *for Congressional Relations and Intergovernmental Affairs*
3 *shall be transferred to agencies of the Department of Agri-*
4 *culture funded by this Act to maintain personnel at the*
5 *agency level: Provided further, That no funds made avail-*
6 *able under this heading for the Office of Assistant Secretary*
7 *for Congressional Relations may be obligated after 30 days*
8 *from the date of enactment of this Act, unless the Secretary*
9 *has notified the Committees on Appropriations of both*
10 *Houses of Congress on the allocation of these funds by*
11 *USDA agency: Provided further, That during any 30 day*
12 *notification period referenced in section 716 of this Act, the*
13 *Secretary of Agriculture shall take no action to begin imple-*
14 *mentation of the action that is subject to section 716 of this*
15 *Act or make any public announcement of such action in*
16 *any form.*

17 *EXECUTIVE OPERATIONS*

18 *OFFICE OF THE CHIEF ECONOMIST*

19 *For necessary expenses of the Office of the Chief Econo-*
20 *mist, \$27,199,000, of which \$8,000,000 shall be for grants*
21 *or cooperative agreements for policy research under 7*
22 *U.S.C. 3155: Provided, That of the amounts made available*
23 *under this heading, \$500,000 shall be available to carry out*
24 *section 224 of subtitle A of the Department of Agriculture*

1 *Reorganization Act of 1994 (7 U.S.C. 6924), as amended*
2 *by section 12504 of Public Law 115–334.*

3 *OFFICE OF HEARINGS AND APPEALS*

4 *For necessary expenses of the Office of Hearings and*
5 *Appeals, \$16,173,000.*

6 *OFFICE OF BUDGET AND PROGRAM ANALYSIS*

7 *For necessary expenses of the Office of Budget and Pro-*
8 *gram Analysis, \$11,337,000.*

9 *OFFICE OF THE CHIEF INFORMATION OFFICER*

10 *For necessary expenses of the Office of the Chief Infor-*
11 *mation Officer, \$84,746,000, of which not less than*
12 *\$69,672,000 is for cybersecurity requirements of the depart-*
13 *ment.*

14 *OFFICE OF THE CHIEF FINANCIAL OFFICER*

15 *For necessary expenses of the Office of the Chief Finan-*
16 *cial Officer, \$7,118,000.*

17 *OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL*

18 *RIGHTS*

19 *For necessary expenses of the Office of the Assistant*
20 *Secretary for Civil Rights, \$1,426,000: Provided, That*
21 *funds made available by this Act to an agency in the Civil*
22 *Rights mission area for salaries and expenses are available*
23 *to fund up to one administrative support staff for the Office.*

1 *herein to the Department for Hazardous Materials Manage-*
2 *ment may be transferred to any agency of the Department*
3 *for its use in meeting all requirements pursuant to the*
4 *above Acts on Federal and non-Federal lands.*

5 *OFFICE OF SAFETY, SECURITY, AND PROTECTION*

6 *For necessary expenses of the Office of Safety, Security,*
7 *and Protection, \$23,306,000.*

8 *OFFICE OF INSPECTOR GENERAL*

9 *For necessary expenses of the Office of Inspector Gen-*
10 *eral, including employment pursuant to the Inspector Gen-*
11 *eral Act of 1978 (Public Law 95-452; 5 U.S.C. App.),*
12 *\$106,309,000, including such sums as may be necessary for*
13 *contracting and other arrangements with public agencies*
14 *and private persons pursuant to section 6(a)(9) of the In-*
15 *spector General Act of 1978 (Public Law 95-452; 5 U.S.C.*
16 *App.), and including not to exceed \$125,000 for certain con-*
17 *fidential operational expenses, including the payment of in-*
18 *formants, to be expended under the direction of the Inspec-*
19 *tor General pursuant to the Inspector General Act of 1978*
20 *(Public Law 95-452; 5 U.S.C. App.) and section 1337 of*
21 *the Agriculture and Food Act of 1981 (Public Law 97-98).*

22 *OFFICE OF THE GENERAL COUNSEL*

23 *For necessary expenses of the Office of the General*
24 *Counsel, \$57,268,000.*

1 *OFFICE OF ETHICS*

2 *For necessary expenses of the Office of Ethics,*
3 *\$4,277,000.*

4 *OFFICE OF THE UNDER SECRETARY FOR RESEARCH,*
5 *EDUCATION, AND ECONOMICS*

6 *For necessary expenses of the Office of the Under Sec-*
7 *retary for Research, Education, and Economics,*
8 *\$3,327,000: Provided, That funds made available by this*
9 *Act to an agency in the Research, Education, and Econom-*
10 *ics mission area for salaries and expenses are available to*
11 *fund up to one administrative support staff for the Office:*
12 *Provided further, That of the amounts made available*
13 *under this heading, \$1,000,000 shall be made available for*
14 *the Office of the Chief Scientist.*

15 *ECONOMIC RESEARCH SERVICE*

16 *For necessary expenses of the Economic Research Serv-*
17 *ice, \$87,794,000.*

18 *NATIONAL AGRICULTURAL STATISTICS SERVICE*

19 *For necessary expenses of the National Agricultural*
20 *Statistics Service, \$190,162,000, of which up to \$46,850,000*
21 *shall be available until expended for the Census of Agri-*
22 *culture: Provided, That amounts made available for the*
23 *Census of Agriculture may be used to conduct Current In-*
24 *dustrial Report surveys subject to 7 U.S.C. 2204g(d) and*
25 *(f).*

1 *AGRICULTURAL RESEARCH SERVICE*2 *SALARIES AND EXPENSES*

3 *For necessary expenses of the Agricultural Research*
4 *Service and for acquisition of lands by donation, exchange,*
5 *or purchase at a nominal cost not to exceed \$100, and for*
6 *land exchanges where the lands exchanged shall be of equal*
7 *value or shall be equalized by a payment of money to the*
8 *grantor which shall not exceed 25 percent of the total value*
9 *of the land or interests transferred out of Federal ownership,*
10 *\$1,633,496,000: Provided, That appropriations hereunder*
11 *shall be available for the operation and maintenance of air-*
12 *craft and the purchase of not to exceed one for replacement*
13 *only: Provided further, That appropriations hereunder shall*
14 *be available pursuant to 7 U.S.C. 2250 for the construction,*
15 *alteration, and repair of buildings and improvements, but*
16 *unless otherwise provided, the cost of constructing any one*
17 *building shall not exceed \$500,000, except for headhouses*
18 *or greenhouses which shall each be limited to \$1,800,000,*
19 *except for 10 buildings to be constructed or improved at*
20 *a cost not to exceed \$1,100,000 each, and except for four*
21 *buildings to be constructed at a cost not to exceed*
22 *\$5,000,000 each, and the cost of altering any one building*
23 *during the fiscal year shall not exceed 10 percent of the cur-*
24 *rent replacement value of the building or \$500,000, which-*
25 *ever is greater: Provided further, That appropriations here-*

1 *under shall be available for entering into lease agreements*
2 *at any Agricultural Research Service location for the con-*
3 *struction of a research facility by a non-Federal entity for*
4 *use by the Agricultural Research Service and a condition*
5 *of the lease shall be that any facility shall be owned, oper-*
6 *ated, and maintained by the non-Federal entity and shall*
7 *be removed upon the expiration or termination of the lease*
8 *agreement: Provided further, That the limitations on alter-*
9 *ations contained in this Act shall not apply to moderniza-*
10 *tion or replacement of existing facilities at Beltsville, Mary-*
11 *land: Provided further, That appropriations hereunder*
12 *shall be available for granting easements at the Beltsville*
13 *Agricultural Research Center: Provided further, That the*
14 *foregoing limitations shall not apply to replacement of*
15 *buildings needed to carry out the Act of April 24, 1948 (21*
16 *U.S.C. 113a): Provided further, That appropriations here-*
17 *under shall be available for granting easements at any Ag-*
18 *ricultural Research Service location for the construction of*
19 *a research facility by a non-Federal entity for use by, and*
20 *acceptable to, the Agricultural Research Service and a con-*
21 *dition of the easements shall be that upon completion the*
22 *facility shall be accepted by the Secretary, subject to the*
23 *availability of funds herein, if the Secretary finds that ac-*
24 *ceptance of the facility is in the interest of the United*
25 *States: Provided further, That funds may be received from*

1 *any State, other political subdivision, organization, or in-*
2 *dividual for the purpose of establishing or operating any*
3 *research facility or research project of the Agricultural Re-*
4 *search Service, as authorized by law.*

5 *BUILDINGS AND FACILITIES*

6 *For the acquisition of land, construction, repair, im-*
7 *provement, extension, alteration, and purchase of fixed*
8 *equipment or facilities as necessary to carry out the agricul-*
9 *tural research programs of the Department of Agriculture,*
10 *where not otherwise provided, \$127,805,000 to remain*
11 *available until expended, of which \$20,000,000 shall be allo-*
12 *cated for ARS facilities co-located with university partners,*
13 *and of which \$62,400,000 shall be for the purposes, and in*
14 *the amounts, specified for this account in the table titled*
15 *“Community Project Funding/Congressionally Directed*
16 *Spending” in the explanatory statement described in sec-*
17 *tion 4 (in the matter preceding division A of this consoli-*
18 *dated Act), in accordance with applicable statutory and*
19 *regulatory requirements.*

20 *NATIONAL INSTITUTE OF FOOD AND AGRICULTURE*

21 *RESEARCH AND EDUCATION ACTIVITIES*

22 *For payments to agricultural experiment stations, for*
23 *cooperative forestry and other research, for facilities, and*
24 *for other expenses, \$1,046,244,000, which shall be for the*
25 *purposes, and in the amounts, specified in the table titled*

1 “National Institute of Food and Agriculture, Research and
2 Education Activities” in the explanatory statement de-
3 scribed in section 4 (in the matter preceding division A of
4 this consolidated Act): Provided, That funds for research
5 grants for 1994 institutions, education grants for 1890 in-
6 stitutions, Hispanic serving institutions education grants,
7 capacity building for non-land-grant colleges of agriculture,
8 the agriculture and food research initiative, veterinary
9 medicine loan repayment, multicultural scholars, graduate
10 fellowship and institution challenge grants, grants manage-
11 ment systems, tribal colleges education equity grants, and
12 scholarships at 1890 institutions shall remain available
13 until expended: Provided further, That each institution eli-
14 gible to receive funds under the Evans-Allen program re-
15 ceives no less than \$1,000,000: Provided further, That funds
16 for education grants for Alaska Native and Native Hawai-
17 ian-serving institutions be made available to individual eli-
18 gible institutions or consortia of eligible institutions with
19 funds awarded equally to each of the States of Alaska and
20 Hawaii: Provided further, That funds for providing grants
21 for food and agricultural sciences for Alaska Native and
22 Native Hawaiian-Serving institutions and for Insular
23 Areas shall remain available until September 30, 2023:
24 Provided further, That funds for education grants for 1890
25 institutions shall be made available to institutions eligible

1 *to receive funds under 7 U.S.C. 3221 and 3222: Provided*
 2 *further, That not more than 5 percent of the amounts made*
 3 *available by this or any other Act to carry out the Agri-*
 4 *culture and Food Research Initiative under 7 U.S.C. 3157*
 5 *may be retained by the Secretary of Agriculture to pay ad-*
 6 *ministrative costs incurred by the Secretary in carrying out*
 7 *that authority.*

8 *NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND*

9 *For the Native American Institutions Endowment*
 10 *Fund authorized by Public Law 103–382 (7 U.S.C. 301*
 11 *note), \$11,880,000, to remain available until expended.*

12 *EXTENSION ACTIVITIES*

13 *For payments to States, the District of Columbia,*
 14 *Puerto Rico, Guam, the Virgin Islands, Micronesia, the*
 15 *Northern Marianas, and American Samoa, \$550,605,000,*
 16 *which shall be for the purposes, and in the amounts, speci-*
 17 *fied in the table titled “National Institute of Food and Agri-*
 18 *culture, Extension Activities” in the explanatory statement*
 19 *described in section 4 (in the matter preceding division A*
 20 *of this consolidated Act): Provided, That funds for extension*
 21 *services at 1994 institutions and for facility improvements*
 22 *at 1890 institutions shall remain available until expended:*
 23 *Provided further, That institutions eligible to receive funds*
 24 *under 7 U.S.C. 3221 for cooperative extension receive no*
 25 *less than \$1,000,000: Provided further, That funds for coop-*

1 *erative extension under sections 3(b) and (c) of the Smith-*
2 *Lever Act (7 U.S.C. 343(b) and (c)) and section 208(c) of*
3 *Public Law 93–471 shall be available for retirement and*
4 *employees’ compensation costs for extension agents.*

5 *INTEGRATED ACTIVITIES*

6 *For the integrated research, education, and extension*
7 *grants programs, including necessary administrative ex-*
8 *penses, \$40,000,000, which shall be for the purposes, and*
9 *in the amounts, specified in the table titled “National Insti-*
10 *tute of Food and Agriculture, Integrated Activities” in the*
11 *explanatory statement described in section 4 (in the matter*
12 *preceding division A of this consolidated Act): Provided,*
13 *That funds for the Food and Agriculture Defense Initiative*
14 *shall remain available until September 30, 2023: Provided*
15 *further, That notwithstanding any other provision of law,*
16 *indirect costs shall not be charged against any Extension*
17 *Implementation Program Area grant awarded under the*
18 *Crop Protection/Pest Management Program (7 U.S.C.*
19 *7626).*

20 *OFFICE OF THE UNDER SECRETARY FOR MARKETING AND*
21 *REGULATORY PROGRAMS*

22 *For necessary expenses of the Office of the Under Sec-*
23 *retary for Marketing and Regulatory Programs, \$1,577,000:*
24 *Provided, That funds made available by this Act to an*
25 *agency in the Marketing and Regulatory Programs mission*

1 *area for salaries and expenses are available to fund up to*
2 *one administrative support staff for the Office.*

3 *ANIMAL AND PLANT HEALTH INSPECTION SERVICE*

4 *SALARIES AND EXPENSES*

5 *(INCLUDING TRANSFERS OF FUNDS)*

6 *For necessary expenses of the Animal and Plant*
7 *Health Inspection Service, including up to \$30,000 for rep-*
8 *resentation allowances and for expenses pursuant to the*
9 *Foreign Service Act of 1980 (22 U.S.C. 4085),*
10 *\$1,110,218,000 of which up to \$3,474,000 shall be for the*
11 *purposes, and in the amounts, specified for this account in*
12 *the table titled “Community Project Funding/Congression-*
13 *ally Directed Spending” in the explanatory statement de-*
14 *scribed in section 4 (in the matter preceding division A of*
15 *this consolidated Act), in accordance with applicable statu-*
16 *tory and regulatory requirements; of which \$491,000, to re-*
17 *main available until expended, shall be available for the*
18 *control of outbreaks of insects, plant diseases, animal dis-*
19 *eases and for control of pest animals and birds (“contin-*
20 *gency fund”) to the extent necessary to meet emergency con-*
21 *ditions; of which \$14,725,000, to remain available until ex-*
22 *pended, shall be used for the cotton pests program, includ-*
23 *ing for cost share purposes or for debt retirement for active*
24 *eradication zones; of which \$38,486,000, to remain avail-*
25 *able until expended, shall be for Animal Health Technical*

1 *Services; of which \$3,040,000 shall be for activities under*
2 *the authority of the Horse Protection Act of 1970, as*
3 *amended (15 U.S.C. 1831); of which \$63,833,000, to remain*
4 *available until expended, shall be used to support avian*
5 *health; of which \$4,251,000, to remain available until ex-*
6 *pended, shall be for information technology infrastructure;*
7 *of which \$209,553,000, to remain available until expended,*
8 *shall be for specialty crop pests, of which \$8,500,000, to re-*
9 *main available until September 30, 2023, shall be for one-*
10 *time control and management and associated activities di-*
11 *rectly related to the multiple-agency response to citrus*
12 *greening; of which, \$11,137,000, to remain available until*
13 *expended, shall be for field crop and rangeland ecosystem*
14 *pests; of which \$20,282,000, to remain available until ex-*
15 *pended, shall be for zoonotic disease management; of which*
16 *\$42,021,000, to remain available until expended, shall be*
17 *for emergency preparedness and response; of which*
18 *\$61,217,000, to remain available until expended, shall be*
19 *for tree and wood pests; of which \$5,751,000, to remain*
20 *available until expended, shall be for the National Veteri-*
21 *nary Stockpile; of which up to \$1,500,000, to remain avail-*
22 *able until expended, shall be for the scrapie program for*
23 *indemnities; of which \$2,500,000, to remain available until*
24 *expended, shall be for the wildlife damage management pro-*
25 *gram for aviation safety: Provided, That any of the funds*

1 *described in the “Community Project Funding/Congression-*
2 *ally Directed Spending” table in the explanatory statement*
3 *described in section 4 (in the matter preceding division A*
4 *of this consolidated Act) that the Secretary determines will*
5 *not be obligated during the fiscal year shall not be subject*
6 *to the direction provided in such table: Provided further,*
7 *That of amounts available under this heading for wildlife*
8 *services methods development, \$1,000,000 shall remain*
9 *available until expended: Provided further, That of amounts*
10 *available under this heading for the screwworm program,*
11 *\$4,990,000 shall remain available until expended; of which*
12 *\$24,307,000, to remain available until expended, shall be*
13 *used to carry out the science program and transition activi-*
14 *ties for the National Bio and Agro-defense Facility located*
15 *in Manhattan, Kansas: Provided further, That no funds*
16 *shall be used to formulate or administer a brucellosis eradi-*
17 *cation program for the current fiscal year that does not re-*
18 *quire minimum matching by the States of at least 40 per-*
19 *cent: Provided further, That this appropriation shall be*
20 *available for the purchase, replacement, operation, and*
21 *maintenance of aircraft: Provided further, That in addi-*
22 *tion, in emergencies which threaten any segment of the agri-*
23 *cultural production industry of the United States, the Sec-*
24 *retary may transfer from other appropriations or funds*
25 *available to the agencies or corporations of the Department*

1 *such sums as may be deemed necessary, to be available only*
2 *in such emergencies for the arrest and eradication of con-*
3 *tagious or infectious disease or pests of animals, poultry,*
4 *or plants, and for expenses in accordance with sections*
5 *10411 and 10417 of the Animal Health Protection Act (7*
6 *U.S.C. 8310 and 8316) and sections 431 and 442 of the*
7 *Plant Protection Act (7 U.S.C. 7751 and 7772), and any*
8 *unexpended balances of funds transferred for such emer-*
9 *gency purposes in the preceding fiscal year shall be merged*
10 *with such transferred amounts: Provided further, That ap-*
11 *propriations hereunder shall be available pursuant to law*
12 *(7 U.S.C. 2250) for the repair and alteration of leased*
13 *buildings and improvements, but unless otherwise provided*
14 *the cost of altering any one building during the fiscal year*
15 *shall not exceed 10 percent of the current replacement value*
16 *of the building.*

17 *In fiscal year 2022, the agency is authorized to collect*
18 *fees to cover the total costs of providing technical assistance,*
19 *goods, or services requested by States, other political sub-*
20 *divisions, domestic and international organizations, foreign*
21 *governments, or individuals, provided that such fees are*
22 *structured such that any entity's liability for such fees is*
23 *reasonably based on the technical assistance, goods, or serv-*
24 *ices provided to the entity by the agency, and such fees shall*
25 *be reimbursed to this account, to remain available until ex-*

1 *pending, without further appropriation, for providing such*
2 *assistance, goods, or services.*

3 *BUILDINGS AND FACILITIES*

4 *For plans, construction, repair, preventive mainte-*
5 *nance, environmental support, improvement, extension, al-*
6 *teration, and purchase of fixed equipment or facilities, as*
7 *authorized by 7 U.S.C. 2250, and acquisition of land as*
8 *authorized by 7 U.S.C. 2268a, \$3,175,000, to remain avail-*
9 *able until expended.*

10 *AGRICULTURAL MARKETING SERVICE*

11 *MARKETING SERVICES*

12 *For necessary expenses of the Agricultural Marketing*
13 *Service, \$226,657,000, of which \$7,000,000 shall be avail-*
14 *able for the purposes of section 12306 of Public Law 113-*
15 *79: Provided, That of the amounts made available under*
16 *this heading, \$25,000,000, to remain available until ex-*
17 *pended, shall be to carry out section 12513 of Public Law*
18 *115-334, of which \$23,000,000 shall be for dairy business*
19 *innovation initiatives established in Public Law 116-6 and*
20 *the Secretary shall take measures to ensure an equal dis-*
21 *tribution of funds between these three regional innovation*
22 *initiatives: Provided further, That this appropriation shall*
23 *be available pursuant to law (7 U.S.C. 2250) for the alter-*
24 *ation and repair of buildings and improvements, but the*
25 *cost of altering any one building during the fiscal year shall*

1 *not exceed 10 percent of the current replacement value of*
2 *the building.*

3 *Fees may be collected for the cost of standardization*
4 *activities, as established by regulation pursuant to law (31*
5 *U.S.C. 9701), except for the cost of activities relating to the*
6 *development or maintenance of grain standards under the*
7 *United States Grain Standards Act, 7 U.S.C. 71 et seq.*

8 *LIMITATION ON ADMINISTRATIVE EXPENSES*

9 *Not to exceed \$61,786,000 (from fees collected) shall be*
10 *obligated during the current fiscal year for administrative*
11 *expenses: Provided, That if crop size is understated and/*
12 *or other uncontrollable events occur, the agency may exceed*
13 *this limitation by up to 10 percent with notification to the*
14 *Committees on Appropriations of both Houses of Congress.*

15 *FUNDS FOR STRENGTHENING MARKETS, INCOME, AND*

16 *SUPPLY (SECTION 32)*

17 *(INCLUDING TRANSFERS OF FUNDS)*

18 *Funds available under section 32 of the Act of August*
19 *24, 1935 (7 U.S.C. 612c), shall be used only for commodity*
20 *program expenses as authorized therein, and other related*
21 *operating expenses, except for: (1) transfers to the Depart-*
22 *ment of Commerce as authorized by the Fish and Wildlife*
23 *Act of 1956 (16 U.S.C. 742a et seq.); (2) transfers otherwise*
24 *provided in this Act; and (3) not more than \$20,817,000*
25 *for formulation and administration of marketing agree-*

1 *ments and orders pursuant to the Agricultural Marketing*
2 *Agreement Act of 1937 and the Agricultural Act of 1961*
3 *(Public Law 87–128).*

4 *PAYMENTS TO STATES AND POSSESSIONS*

5 *For payments to departments of agriculture, bureaus*
6 *and departments of markets, and similar agencies for mar-*
7 *keting activities under section 204(b) of the Agricultural*
8 *Marketing Act of 1946 (7 U.S.C. 1623(b)), \$1,235,000.*

9 *LIMITATION ON INSPECTION AND WEIGHING SERVICES*

10 *EXPENSES*

11 *Not to exceed \$55,000,000 (from fees collected) shall be*
12 *obligated during the current fiscal year for inspection and*
13 *weighing services: Provided, That if grain export activities*
14 *require additional supervision and oversight, or other un-*
15 *controllable factors occur, this limitation may be exceeded*
16 *by up to 10 percent with notification to the Committees*
17 *on Appropriations of both Houses of Congress.*

18 *OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY*

19 *For necessary expenses of the Office of the Under Sec-*
20 *retary for Food Safety, \$1,077,000: Provided, That funds*
21 *made available by this Act to an agency in the Food Safety*
22 *mission area for salaries and expenses are available to fund*
23 *up to one administrative support staff for the Office.*

1 *FOOD SAFETY AND INSPECTION SERVICE*

2 *For necessary expenses to carry out services authorized*
3 *by the Federal Meat Inspection Act, the Poultry Products*
4 *Inspection Act, and the Egg Products Inspection Act, in-*
5 *cluding not to exceed \$10,000 for representation allowances*
6 *and for expenses pursuant to section 8 of the Act approved*
7 *August 3, 1956 (7 U.S.C. 1766), \$1,108,664,000; and in*
8 *addition, \$1,000,000 may be credited to this account from*
9 *fees collected for the cost of laboratory accreditation as au-*
10 *thorized by section 1327 of the Food, Agriculture, Conserva-*
11 *tion and Trade Act of 1990 (7 U.S.C. 138f): Provided, That*
12 *funds provided for the Public Health Data Communication*
13 *Infrastructure system shall remain available until ex-*
14 *pended: Provided further, That no fewer than 148 full-time*
15 *equivalent positions shall be employed during fiscal year*
16 *2022 for purposes dedicated solely to inspections and en-*
17 *forcement related to the Humane Methods of Slaughter Act*
18 *(7 U.S.C. 1901 et seq.): Provided further, That the Food*
19 *Safety and Inspection Service shall continue implementa-*
20 *tion of section 11016 of Public Law 110–246 as further*
21 *clarified by the amendments made in section 12106 of Pub-*
22 *lic Law 113–79: Provided further, That this appropriation*
23 *shall be available pursuant to law (7 U.S.C. 2250) for the*
24 *alteration and repair of buildings and improvements, but*
25 *the cost of altering any one building during the fiscal year*

- 1 *shall not exceed 10 percent of the current replacement value*
- 2 *of the building.*

1 *TITLE II*
2 *FARM PRODUCTION AND CONSERVATION*
3 *PROGRAMS*

4 *OFFICE OF THE UNDER SECRETARY FOR FARM*
5 *PRODUCTION AND CONSERVATION*

6 *For necessary expenses of the Office of the Under Sec-*
7 *retary for Farm Production and Conservation, \$1,687,000:*
8 *Provided, That funds made available by this Act to an*
9 *agency in the Farm Production and Conservation mission*
10 *area for salaries and expenses are available to fund up to*
11 *one administrative support staff for the Office.*

12 *FARM PRODUCTION AND CONSERVATION BUSINESS*
13 *CENTER*

14 *SALARIES AND EXPENSES*

15 *(INCLUDING TRANSFERS OF FUNDS)*

16 *For necessary expenses of the Farm Production and*
17 *Conservation Business Center, \$238,177,000: Provided,*
18 *That \$60,228,000 of amounts appropriated for the current*
19 *fiscal year pursuant to section 1241(a) of the Farm Secu-*
20 *rity and Rural Investment Act of 1985 (16 U.S.C. 3841(a))*
21 *shall be transferred to and merged with this account.*

1 *FARM SERVICE AGENCY*2 *SALARIES AND EXPENSES*3 *(INCLUDING TRANSFERS OF FUNDS)*

4 *For necessary expenses of the Farm Service Agency,*
5 *\$1,173,070,000, of which not less than \$15,000,000 shall be*
6 *for the hiring of new employees to fill vacancies and antici-*
7 *pated vacancies at Farm Service Agency county offices and*
8 *farm loan officers and shall be available until September*
9 *30, 2023: Provided, That not more than 50 percent of the*
10 *funding made available under this heading for information*
11 *technology related to farm program delivery may be obli-*
12 *gated until the Secretary submits to the Committees on Ap-*
13 *propriations of both Houses of Congress, and receives writ-*
14 *ten or electronic notification of receipt from such Commit-*
15 *tees of, a plan for expenditure that (1) identifies for each*
16 *project/investment over \$25,000 (a) the functional and per-*
17 *formance capabilities to be delivered and the mission bene-*
18 *fits to be realized, (b) the estimated lifecycle cost for the*
19 *entirety of the project/investment, including estimates for*
20 *development as well as maintenance and operations, and*
21 *(c) key milestones to be met; (2) demonstrates that each*
22 *project/investment is, (a) consistent with the Farm Service*
23 *Agency Information Technology Roadmap, (b) being man-*
24 *aged in accordance with applicable lifecycle management*
25 *policies and guidance, and (c) subject to the applicable De-*

1 *partment's capital planning and investment control re-*
2 *quirements; and (3) has been reviewed by the Government*
3 *Accountability Office and approved by the Committees on*
4 *Appropriations of both Houses of Congress: Provided fur-*
5 *ther, That the agency shall submit a report by the end of*
6 *the fourth quarter of fiscal year 2022 to the Committees on*
7 *Appropriations and the Government Accountability Office,*
8 *that identifies for each project/investment that is oper-*
9 *ational (a) current performance against key indicators of*
10 *customer satisfaction, (b) current performance of service*
11 *level agreements or other technical metrics, (c) current per-*
12 *formance against a pre-established cost baseline, (d) a de-*
13 *tailed breakdown of current and planned spending on oper-*
14 *ational enhancements or upgrades, and (e) an assessment*
15 *of whether the investment continues to meet business needs*
16 *as intended as well as alternatives to the investment: Pro-*
17 *vided further, That the Secretary is authorized to use the*
18 *services, facilities, and authorities (but not the funds) of*
19 *the Commodity Credit Corporation to make program pay-*
20 *ments for all programs administered by the Agency: Pro-*
21 *vided further, That other funds made available to the Agen-*
22 *cy for authorized activities may be advanced to and merged*
23 *with this account: Provided further, That funds made avail-*
24 *able to county committees shall remain available until ex-*
25 *pendent: Provided further, That none of the funds available*

1 *to the Farm Service Agency shall be used to close Farm*
2 *Service Agency county offices: Provided further, That none*
3 *of the funds available to the Farm Service Agency shall be*
4 *used to permanently relocate county based employees that*
5 *would result in an office with two or fewer employees with-*
6 *out prior notification and approval of the Committees on*
7 *Appropriations of both Houses of Congress.*

8 *STATE MEDIATION GRANTS*

9 *For grants pursuant to section 502(b) of the Agricul-*
10 *tural Credit Act of 1987, as amended (7 U.S.C. 5101–5106),*
11 *\$7,000,000.*

12 *GRASSROOTS SOURCE WATER PROTECTION PROGRAM*

13 *For necessary expenses to carry out wellhead or*
14 *groundwater protection activities under section 12400 of*
15 *the Food Security Act of 1985 (16 U.S.C. 3839bb–2),*
16 *\$6,500,000, to remain available until expended.*

17 *DAIRY INDEMNITY PROGRAM*

18 *(INCLUDING TRANSFER OF FUNDS)*

19 *For necessary expenses involved in making indemnity*
20 *payments to dairy farmers and manufacturers of dairy*
21 *products under a dairy indemnity program, such sums as*
22 *may be necessary, to remain available until expended: Pro-*
23 *vided, That such program is carried out by the Secretary*
24 *in the same manner as the dairy indemnity program de-*
25 *scribed in the Agriculture, Rural Development, Food and*

1 *Drug Administration, and Related Agencies Appropria-*
2 *tions Act, 2001 (Public Law 106–387, 114 Stat. 1549A–*
3 *12).*

4 *GEOGRAPHICALLY DISADVANTAGED FARMERS AND*
5 *RANCHERS*

6 *For necessary expenses to carry out direct reimburse-*
7 *ment payments to geographically disadvantaged farmers*
8 *and ranchers under section 1621 of the Food Conservation,*
9 *and Energy Act of 2008 (7 U.S.C. 8792), \$3,000,000, to*
10 *remain available until expended.*

11 *AGRICULTURAL CREDIT INSURANCE FUND PROGRAM*

12 *ACCOUNT*

13 *(INCLUDING TRANSFERS OF FUNDS)*

14 *For gross obligations for the principal amount of di-*
15 *rect and guaranteed farm ownership (7 U.S.C. 1922 et seq.)*
16 *and operating (7 U.S.C. 1941 et seq.) loans, emergency*
17 *loans (7 U.S.C. 1961 et seq.), Indian tribe land acquisition*
18 *loans (25 U.S.C. 5136), boll weevil loans (7 U.S.C. 1989),*
19 *guaranteed conservation loans (7 U.S.C. 1924 et seq.), re-*
20 *lending program (7 U.S.C. 1936c), and Indian highly*
21 *fractionated land loans (25 U.S.C. 5136) to be available*
22 *from funds in the Agricultural Credit Insurance Fund, as*
23 *follows: \$3,500,000,000 for guaranteed farm ownership*
24 *loans and \$2,800,000,000 for farm ownership direct loans;*
25 *\$2,118,482,000 for unsubsidized guaranteed operating loans*

1 and \$1,633,333,000 for direct operating loans; emergency
2 loans, \$37,668,000; Indian tribe land acquisition loans,
3 \$20,000,000; guaranteed conservation loans, \$150,000,000;
4 relending program, \$61,425,000; Indian highly fractionated
5 land loans, \$5,000,000; and for boll weevil eradication pro-
6 gram loans, \$60,000,000: *Provided, That the Secretary shall*
7 *deem the pink bollworm to be a boll weevil for the purpose*
8 *of boll weevil eradication program loans.*

9 *For the cost of direct and guaranteed loans and grants,*
10 *including the cost of modifying loans as defined in section*
11 *502 of the Congressional Budget Act of 1974, as follows:*
12 *\$40,017,000 for direct farm operating loans, \$16,524,000*
13 *for unsubsidized guaranteed farm operating loans, \$267,000*
14 *for emergency loans, \$5,000,000 for the relending program,*
15 *and \$407,000 for Indian highly fractionated land loans, to*
16 *remain available until expended.*

17 *In addition, for administrative expenses necessary to*
18 *carry out the direct and guaranteed loan programs,*
19 *\$314,772,000: Provided, That of this amount, \$294,114,000*
20 *shall be transferred to and merged with the appropriation*
21 *for “Farm Service Agency, Salaries and Expenses”.*

22 *Funds appropriated by this Act to the Agricultural*
23 *Credit Insurance Program Account for farm ownership, op-*
24 *erating and conservation direct loans and guaranteed loans*
25 *may be transferred among these programs: Provided, That*

1 *the Committees on Appropriations of both Houses of Con-*
2 *gress are notified at least 15 days in advance of any trans-*
3 *fer.*

4 *RISK MANAGEMENT AGENCY*

5 *SALARIES AND EXPENSES*

6 *For necessary expenses of the Risk Management Agen-*
7 *cy, \$62,707,000: Provided, That \$1,000,000 of the amount*
8 *appropriated under this heading in this Act shall be avail-*
9 *able for compliance and integrity activities required under*
10 *section 516(b)(2)(C) of the Federal Crop Insurance Act of*
11 *1938 (7 U.S.C. 1516(b)(2)(C)), and shall be in addition to*
12 *amounts otherwise provided for such purpose: Provided fur-*
13 *ther, That not to exceed \$1,000 shall be available for official*
14 *reception and representation expenses, as authorized by 7*
15 *U.S.C. 1506(i).*

16 *NATURAL RESOURCES CONSERVATION SERVICE*

17 *CONSERVATION OPERATIONS*

18 *For necessary expenses for carrying out the provisions*
19 *of the Act of April 27, 1935 (16 U.S.C. 590a–f), including*
20 *preparation of conservation plans and establishment of*
21 *measures to conserve soil and water (including farm irriga-*
22 *tion and land drainage and such special measures for soil*
23 *and water management as may be necessary to prevent*
24 *floods and the siltation of reservoirs and to control agricul-*
25 *tural related pollutants); operation of conservation plant*

1 *materials centers; classification and mapping of soil; dis-*
2 *semination of information; acquisition of lands, water, and*
3 *interests therein for use in the plant materials program by*
4 *donation, exchange, or purchase at a nominal cost not to*
5 *exceed \$100 pursuant to the Act of August 3, 1956 (7 U.S.C.*
6 *2268a); purchase and erection or alteration or improvement*
7 *of permanent and temporary buildings; and operation and*
8 *maintenance of aircraft, \$904,396,000, to remain available*
9 *until September 30, 2023, of which up to \$19,611,000 shall*
10 *be for the purposes, and in the amounts, specified for this*
11 *account in the table titled “Community Project Funding/*
12 *Congressionally Directed Spending” in the explanatory*
13 *statement described in section 4 (in the matter preceding*
14 *division A of this consolidated Act), in accordance with ap-*
15 *plicable statutory and regulatory requirements: Provided,*
16 *That any of the funds described in the table titled “Commu-*
17 *nity Project Funding/Congressionally Directed Spending”*
18 *in the explanatory statement described in section 4 (in the*
19 *matter preceding division A of this consolidated Act) that*
20 *the Secretary determines will not be obligated during the*
21 *fiscal year shall not be subject to the direction provided in*
22 *such table: Provided further, That appropriations hereunder*
23 *shall be available pursuant to 7 U.S.C. 2250 for construc-*
24 *tion and improvement of buildings and public improve-*
25 *ments at plant materials centers, except that the cost of al-*

1 *terations and improvements to other buildings and other*
2 *public improvements shall not exceed \$250,000: Provided*
3 *further, That when buildings or other structures are erected*
4 *on non-Federal land, that the right to use such land is ob-*
5 *tained as provided in 7 U.S.C. 2250a: Provided further,*
6 *That of the total amount available under this heading,*
7 *\$8,500,000 shall be for necessary expenses to carry out the*
8 *Urban Agriculture and Innovative Production Program*
9 *under section 222 of subtitle A of title II of the Department*
10 *of Agriculture Reorganization Act of 1994 (7 U.S.C. 6923),*
11 *as amended by section 12302 of Public Law 115–334: Pro-*
12 *vided further, That of the total amount available,*
13 *\$7,000,000 shall remain available until expended for nec-*
14 *essary expenses to carry out the Healthy Forests Reserve*
15 *Program under the Healthy Forest Restoration Act of 2003*
16 *(16 U.S.C. 6571–6578).*

17 *WATERSHED AND FLOOD PREVENTION OPERATIONS*

18 *For necessary expenses to carry out preventive meas-*
19 *ures, including but not limited to surveys and investiga-*
20 *tions, engineering operations, works of improvement, and*
21 *changes in use of land, in accordance with the Watershed*
22 *Protection and Flood Prevention Act (16 U.S.C. 1001–1005*
23 *and 1007–1009) and in accordance with the provisions of*
24 *laws relating to the activities of the Department,*
25 *\$100,000,000, to remain available until expended, of which*

1 up to \$23,275,000 shall be for the purposes, and in the
2 amounts, specified for this account in the table titled “Com-
3 munity Project Funding/Congressionally Directed Spend-
4 ing” in the explanatory statement described in section 4
5 (in the matter preceding division A of this consolidated
6 Act), in accordance with applicable statutory and regu-
7 latory requirements: Provided, That for funds provided by
8 this Act or any other prior Act, the limitation regarding
9 the size of the watershed or subwatershed exceeding two hun-
10 dred and fifty thousand acres in which such activities can
11 be undertaken shall only apply for activities undertaken for
12 the primary purpose of flood prevention (including struc-
13 tural and land treatment measures): Provided further, That
14 of the amounts made available under this heading,
15 \$10,000,000 shall be allocated to projects and activities that
16 can commence promptly following enactment; that address
17 regional priorities for flood prevention, agricultural water
18 management, inefficient irrigation systems, fish and wild-
19 life habitat, or watershed protection; or that address author-
20 ized ongoing projects under the authorities of section 13 of
21 the Flood Control Act of December 22, 1944 (Public Law
22 78-534) with a primary purpose of watershed protection
23 by preventing floodwater damage and stabilizing stream
24 channels, tributaries, and banks to reduce erosion and sedi-
25 ment transport: Provided further, That of the amounts

1 *made available under this heading, \$10,000,000 shall re-*
2 *main available until expended for the authorities under 16*
3 *U.S.C. 1001–1005 and 1007–1009 for authorized ongoing*
4 *watershed projects with a primary purpose of providing*
5 *water to rural communities.*

6 *WATERSHED REHABILITATION PROGRAM*

7 *Under the authorities of section 14 of the Watershed*
8 *Protection and Flood Prevention Act, \$1,000,000 is pro-*
9 *vided.*

10 *CORPORATIONS*

11 *The following corporations and agencies are hereby au-*
12 *thorized to make expenditures, within the limits of funds*
13 *and borrowing authority available to each such corporation*
14 *or agency and in accord with law, and to make contracts*
15 *and commitments without regard to fiscal year limitations*
16 *as provided by section 104 of the Government Corporation*
17 *Control Act as may be necessary in carrying out the pro-*
18 *grams set forth in the budget for the current fiscal year for*
19 *such corporation or agency, except as hereinafter provided.*

20 *FEDERAL CROP INSURANCE CORPORATION FUND*

21 *For payments as authorized by section 516 of the Fed-*
22 *eral Crop Insurance Act (7 U.S.C. 1516), such sums as may*
23 *be necessary, to remain available until expended.*

1 *COMMODITY CREDIT CORPORATION FUND*
2 *REIMBURSEMENT FOR NET REALIZED LOSSES*
3 *(INCLUDING TRANSFERS OF FUNDS)*

4 *For the current fiscal year, such sums as may be nec-*
5 *essary to reimburse the Commodity Credit Corporation for*
6 *net realized losses sustained, but not previously reimbursed,*
7 *pursuant to section 2 of the Act of August 17, 1961 (15*
8 *U.S.C. 713a–11): Provided, That of the funds available to*
9 *the Commodity Credit Corporation under section 11 of the*
10 *Commodity Credit Corporation Charter Act (15 U.S.C.*
11 *714i) for the conduct of its business with the Foreign Agri-*
12 *cultural Service, up to \$5,000,000 may be transferred to*
13 *and used by the Foreign Agricultural Service for informa-*
14 *tion resource management activities of the Foreign Agricul-*
15 *tural Service that are not related to Commodity Credit Cor-*
16 *poration business.*

17 *HAZARDOUS WASTE MANAGEMENT*
18 *(LIMITATION ON EXPENSES)*

19 *For the current fiscal year, the Commodity Credit Cor-*
20 *poration shall not expend more than \$15,000,000 for site*
21 *investigation and cleanup expenses, and operations and*
22 *maintenance expenses to comply with the requirement of*
23 *section 107(g) of the Comprehensive Environmental Re-*
24 *sponse, Compensation, and Liability Act (42 U.S.C.*

- 1 9607(g)), and section 6001 of the Solid Waste Disposal Act
- 2 (42 U.S.C. 6961).

1 *TITLE III*
2 *RURAL DEVELOPMENT PROGRAMS*
3 *OFFICE OF THE UNDER SECRETARY FOR RURAL*
4 *DEVELOPMENT*

5 *For necessary expenses of the Office of the Under Sec-*
6 *retary for Rural Development, \$1,580,000: Provided, That*
7 *funds made available by this Act to an agency in the Rural*
8 *Development mission area for salaries and expenses are*
9 *available to fund up to one administrative support staff for*
10 *the Office.*

11 *RURAL DEVELOPMENT*
12 *SALARIES AND EXPENSES*
13 *(INCLUDING TRANSFERS OF FUNDS)*

14 *For necessary expenses for carrying out the adminis-*
15 *tration and implementation of Rural Development pro-*
16 *grams, including activities with institutions concerning the*
17 *development and operation of agricultural cooperatives; and*
18 *for cooperative agreements; \$300,285,000: Provided, That of*
19 *the amount made available under this heading, up to*
20 *\$5,000,000 shall be for the StrikeForce activities of the De-*
21 *partment of Agriculture, and may be transferred to agencies*
22 *of the Department for such purpose, consistent with the mis-*
23 *sions and authorities of such agencies: Provided further,*
24 *That notwithstanding any other provision of law, funds ap-*
25 *propriated under this heading may be used for advertising*

1 *and promotional activities that support Rural Development*
2 *programs: Provided further, That in addition to any other*
3 *funds appropriated for purposes authorized by section*
4 *502(i) of the Housing Act of 1949 (42 U.S.C. 1472(i)), any*
5 *amounts collected under such section, as amended by this*
6 *Act, will immediately be credited to this account and will*
7 *remain available until expended for such purposes.*

8 *RURAL HOUSING SERVICE*

9 *RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT*

10 *(INCLUDING TRANSFERS OF FUNDS)*

11 *For gross obligations for the principal amount of di-*
12 *rect and guaranteed loans as authorized by title V of the*
13 *Housing Act of 1949, to be available from funds in the rural*
14 *housing insurance fund, as follows: \$1,250,000,000 shall be*
15 *for direct loans and \$30,000,000,000 shall be for unsub-*
16 *sidized guaranteed loans; \$28,000,000 for section 504 hous-*
17 *ing repair loans; \$50,000,000 for section 515 rental hous-*
18 *ing; \$250,000,000 for section 538 guaranteed multi-family*
19 *housing loans; \$10,000,000 for credit sales of single family*
20 *housing acquired property; \$5,000,000 for section 523 self-*
21 *help housing land development loans; and \$5,000,000 for*
22 *section 524 site development loans.*

23 *For the cost of direct and guaranteed loans, including*
24 *the cost of modifying loans, as defined in section 502 of*
25 *the Congressional Budget Act of 1974, as follows: section*

1 502 loans, \$23,250,000 shall be for direct loans; section 504
2 housing repair loans, \$484,000; section 523 self-help hous-
3 ing land development loans, \$55,000; section 524 site devel-
4 opment loans, \$206,000; and repair, rehabilitation, and
5 new construction of section 515 rental housing, \$4,470,000:
6 Provided, That to support the loan program level for section
7 538 guaranteed loans made available under this heading
8 the Secretary may charge or adjust any fees to cover the
9 projected cost of such loan guarantees pursuant to the provi-
10 sions of the Credit Reform Act of 1990 (2 U.S.C. 661 et
11 seq.), and the interest on such loans may not be subsidized:
12 Provided further, That applicants in communities that have
13 a current rural area waiver under section 541 of the Hous-
14 ing Act of 1949 (42 U.S.C. 1490q) shall be treated as living
15 in a rural area for purposes of section 502 guaranteed loans
16 provided under this heading: Provided further, That of the
17 amounts available under this paragraph for section 502 di-
18 rect loans, no less than \$5,000,000 shall be available for
19 direct loans for individuals whose homes will be built pur-
20 suant to a program funded with a mutual and self-help
21 housing grant authorized by section 523 of the Housing Act
22 of 1949 until June 1, 2022: Provided further, That the Sec-
23 retary shall implement provisions to provide incentives to
24 nonprofit organizations and public housing authorities to
25 facilitate the acquisition of Rural Housing Service (RHS)

1 *multifamily housing properties by such nonprofit organiza-*
2 *tions and public housing authorities that commit to keep*
3 *such properties in the RHS multifamily housing program*
4 *for a period of time as determined by the Secretary, with*
5 *such incentives to include, but not be limited to, the fol-*
6 *lowing: allow such nonprofit entities and public housing*
7 *authorities to earn a Return on Investment on their own*
8 *resources to include proceeds from low income housing tax*
9 *credit syndication, own contributions, grants, and developer*
10 *loans at favorable rates and terms, invested in a deal; and*
11 *allow reimbursement of organizational costs associated with*
12 *owner’s oversight of asset referred to as “Asset Management*
13 *Fee” of up to \$7,500 per property.*

14 *In addition, for the cost of direct loans and grants,*
15 *including the cost of modifying loans, as defined in section*
16 *502 of the Congressional Budget Act of 1974, \$34,000,000,*
17 *to remain available until expended, for a demonstration*
18 *program for the preservation and revitalization of the sec-*
19 *tions 514, 515, and 516 multi-family rental housing prop-*
20 *erties to restructure existing USDA multi-family housing*
21 *loans, as the Secretary deems appropriate, expressly for the*
22 *purposes of ensuring the project has sufficient resources to*
23 *preserve the project for the purpose of providing safe and*
24 *affordable housing for low-income residents and farm labor-*
25 *ers including reducing or eliminating interest; deferring*

1 *loan payments, subordinating, reducing or re-amortizing*
2 *loan debt; and other financial assistance including ad-*
3 *vances, payments and incentives (including the ability of*
4 *owners to obtain reasonable returns on investment) required*
5 *by the Secretary: Provided, That the Secretary shall, as*
6 *part of the preservation and revitalization agreement, ob-*
7 *tain a restrictive use agreement consistent with the terms*
8 *of the restructuring: Provided further, That any balances,*
9 *including obligated balances, available for all demonstra-*
10 *tion programs for the preservation and revitalization of sec-*
11 *tions 514, 515, and 516 multi-family rental housing prop-*
12 *erties in the “Multi-Family Housing Revitalization Pro-*
13 *gram Account” shall be transferred to and merged with this*
14 *account, and shall also be available for the preservation and*
15 *revitalization of sections 514, 515, and 516 multi-family*
16 *rental housing properties, including the restructuring of ex-*
17 *isting USDA multi-family housing loans: Provided further,*
18 *That following the transfer of balances described in the pre-*
19 *ceding proviso, any adjustments to obligations for dem-*
20 *onstration programs for the preservation and revitalization*
21 *of sections 514, 515, and 516 multi-family rental housing*
22 *properties that would otherwise be incurred in the “Multi-*
23 *Family Housing Revitalization Program Account” shall be*
24 *made in this account from amounts transferred to this ac-*
25 *count under the preceding proviso.*

1 *agreements entered into or renewed during the current fiscal*
2 *year shall be funded for a one-year period: Provided further,*
3 *That upon request by an owner of a project financed by*
4 *an existing loan under section 514 or 515 of the Act, the*
5 *Secretary may renew the rental assistance agreement for*
6 *a period of 20 years or until the term of such loan has*
7 *expired, subject to annual appropriations: Provided further,*
8 *That any unexpended balances remaining at the end of such*
9 *one-year agreements may be transferred and used for pur-*
10 *poses of any debt reduction, maintenance, repair, or reha-*
11 *bilitation of any existing projects; preservation; and rental*
12 *assistance activities authorized under title V of the Act: Pro-*
13 *vided further, That rental assistance provided under agree-*
14 *ments entered into prior to fiscal year 2022 for a farm labor*
15 *multi-family housing project financed under section 514 or*
16 *516 of the Act may not be recaptured for use in another*
17 *project until such assistance has remained unused for a pe-*
18 *riod of 12 consecutive months, if such project has a waiting*
19 *list of tenants seeking such assistance or the project has*
20 *rental assistance eligible tenants who are not receiving such*
21 *assistance: Provided further, That such recaptured rental*
22 *assistance shall, to the extent practicable, be applied to an-*
23 *other farm labor multi-family housing project financed*
24 *under section 514 or 516 of the Act: Provided further, That*
25 *except as provided in the fourth proviso under this heading*

1 *and notwithstanding any other provision of the Act, the*
2 *Secretary may recapture rental assistance provided under*
3 *agreements entered into prior to fiscal year 2022 for a*
4 *project that the Secretary determines no longer needs rental*
5 *assistance and use such recaptured funds for current needs.*

6 *RURAL HOUSING VOUCHER ACCOUNT*

7 *For the rural housing voucher program as authorized*
8 *under section 542 of the Housing Act of 1949, but notwith-*
9 *standing subsection (b) of such section, \$45,000,000, to re-*
10 *main available until expended: Provided, That the funds*
11 *made available under this heading shall be available for*
12 *rural housing vouchers to any low-income household (in-*
13 *cluding those not receiving rental assistance) residing in*
14 *a property financed with a section 515 loan which has been*
15 *prepaid or otherwise paid off after September 30, 2005:*
16 *Provided further, That the amount of such voucher shall be*
17 *the difference between comparable market rent for the sec-*
18 *tion 515 unit and the tenant paid rent for such unit: Pro-*
19 *vided further, That funds made available for such vouchers*
20 *shall be subject to the availability of annual appropriations:*
21 *Provided further, That the Secretary shall, to the maximum*
22 *extent practicable, administer such vouchers with current*
23 *regulations and administrative guidance applicable to sec-*
24 *tion 8 housing vouchers administered by the Secretary of*
25 *the Department of Housing and Urban Development: Pro-*

1 *vided further, That in addition to any other available*
2 *funds, the Secretary may expend not more than \$1,000,000*
3 *total, from the program funds made available under this*
4 *heading, for administrative expenses for activities funded*
5 *under this heading: Provided further, That any obligated*
6 *or unobligated balances for the rural housing voucher pro-*
7 *gram in the “Multi-Family Housing Revitalization Pro-*
8 *gram Account” shall be transferred to and merged with this*
9 *account and available for the rural housing voucher pro-*
10 *gram.*

11 *MUTUAL AND SELF-HELP HOUSING GRANTS*

12 *For grants and contracts pursuant to section*
13 *523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c),*
14 *\$32,000,000, to remain available until expended.*

15 *RURAL HOUSING ASSISTANCE GRANTS*

16 *For grants for very low-income housing repair and*
17 *rural housing preservation made by the Rural Housing*
18 *Service, as authorized by 42 U.S.C. 1474, and 1490m,*
19 *\$48,000,000, to remain available until expended.*

20 *RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT*

21 *(INCLUDING TRANSFERS OF FUNDS)*

22 *For gross obligations for the principal amount of di-*
23 *rect and guaranteed loans as authorized by section 306 and*
24 *described in section 381E(d)(1) of the Consolidated Farm*

1 *and Rural Development Act, \$2,800,000,000 for direct loans*
2 *and \$650,000,000 for guaranteed loans.*

3 *For the cost of direct loans, loan guarantees and*
4 *grants, including the cost of modifying loans, as defined*
5 *in section 502 of the Congressional Budget Act of 1974, for*
6 *rural community facilities programs as authorized by sec-*
7 *tion 306 and described in section 381E(d)(1) of the Consoli-*
8 *dated Farm and Rural Development Act, \$239,449,000, to*
9 *remain available until expended, of which up to*
10 *\$183,448,714 shall be for the purposes, and in the amounts,*
11 *specified for this account in the table titled “Community*
12 *Project Funding/Congressionally Directed Spending” in the*
13 *explanatory statement described in section 4 (in the matter*
14 *preceding division A of this consolidated Act) in accordance*
15 *with applicable statutory and regulatory requirements ex-*
16 *cept for 7 CFR §3570.61(c): Provided, That \$6,000,000 of*
17 *the amount appropriated under this heading shall be avail-*
18 *able for a Rural Community Development Initiative: Pro-*
19 *vided further, That such funds shall be used solely to develop*
20 *the capacity and ability of private, nonprofit community-*
21 *based housing and community development organizations,*
22 *low-income rural communities, and Federally Recognized*
23 *Native American Tribes to undertake projects to improve*
24 *housing, community facilities, community and economic*
25 *development projects in rural areas: Provided further, That*

1 *such funds shall be made available to qualified private, non-*
2 *profit and public intermediary organizations proposing to*
3 *carry out a program of financial and technical assistance:*
4 *Provided further, That such intermediary organizations*
5 *shall provide matching funds from other sources, including*
6 *Federal funds for related activities, in an amount not less*
7 *than funds provided: Provided further, That any unobli-*
8 *gated balances from prior year appropriations under this*
9 *heading for the cost of direct loans, loan guarantees and*
10 *grants, including amounts deobligated or cancelled, may be*
11 *made available to cover the subsidy costs for direct loans*
12 *and or loan guarantees under this heading in this fiscal*
13 *year: Provided further, That no amounts may be made*
14 *available pursuant to the preceding proviso from amounts*
15 *that were designated by the Congress as an emergency re-*
16 *quirement pursuant to a Concurrent Resolution on the*
17 *Budget or the Balanced Budget and Emergency Deficit*
18 *Control Act of 1985: Provided further, That \$10,000,000 of*
19 *the amount appropriated under this heading shall be avail-*
20 *able for community facilities grants to tribal colleges, as*
21 *authorized by section 306(a)(19) of such Act: Provided fur-*
22 *ther, That sections 381E–H and 381N of the Consolidated*
23 *Farm and Rural Development Act are not applicable to the*
24 *funds made available under this heading.*

1 *RURAL BUSINESS—COOPERATIVE SERVICE*2 *RURAL BUSINESS PROGRAM ACCOUNT*3 *(INCLUDING TRANSFERS OF FUNDS)*

4 *For the cost of loan guarantees and grants, for the*
5 *rural business development programs authorized by section*
6 *310B and described in subsections (a), (c), (f) and (g) of*
7 *section 310B of the Consolidated Farm and Rural Develop-*
8 *ment Act, \$73,125,000, to remain available until expended:*
9 *Provided, That of the amount appropriated under this*
10 *heading, not to exceed \$500,000 shall be made available for*
11 *one grant to a qualified national organization to provide*
12 *technical assistance for rural transportation in order to*
13 *promote economic development and \$9,000,000 shall be for*
14 *grants to the Delta Regional Authority (7 U.S.C. 2009aa*
15 *et seq.), the Northern Border Regional Commission (40*
16 *U.S.C. 15101 et seq.), and the Appalachian Regional Com-*
17 *mission (40 U.S.C. 14101 et seq.) for any Rural Commu-*
18 *nity Advancement Program purpose as described in section*
19 *381E(d) of the Consolidated Farm and Rural Development*
20 *Act, of which not more than 5 percent may be used for ad-*
21 *ministrative expenses: Provided further, That \$4,000,000 of*
22 *the amount appropriated under this heading shall be for*
23 *business grants to benefit Federally Recognized Native*
24 *American Tribes, including \$250,000 for a grant to a quali-*
25 *fied national organization to provide technical assistance*

1 *for rural transportation in order to promote economic de-*
2 *velopment: Provided further, That of the amount appro-*
3 *priated under this heading, \$2,000,000 shall be for the*
4 *Rural Innovation Stronger Economy Grant Program (7*
5 *U.S.C. 2008w): Provided further, That sections 381E–H*
6 *and 381N of the Consolidated Farm and Rural Develop-*
7 *ment Act are not applicable to funds made available under*
8 *this heading.*

9 *INTERMEDIARY RELENDING PROGRAM FUND ACCOUNT*

10 *(INCLUDING TRANSFER OF FUNDS)*

11 *For the principal amount of direct loans, as authorized*
12 *by the Intermediary Relending Program Fund Account (7*
13 *U.S.C. 1936b), \$18,889,000.*

14 *For the cost of direct loans, \$1,524,000, as authorized*
15 *by the Intermediary Relending Program Fund Account (7*
16 *U.S.C. 1936b), of which \$167,000 shall be available through*
17 *June 30, 2022, for Federally Recognized Native American*
18 *Tribes; and of which \$305,000 shall be available through*
19 *June 30, 2022, for Mississippi Delta Region counties (as*
20 *determined in accordance with Public Law 100–460): Pro-*
21 *vided, That such costs, including the cost of modifying such*
22 *loans, shall be as defined in section 502 of the Congressional*
23 *Budget Act of 1974.*

24 *In addition, for administrative expenses to carry out*
25 *the direct loan programs, \$4,468,000 shall be transferred*

1 *to and merged with the appropriation for “Rural Develop-*
2 *ment, Salaries and Expenses”.*

3 *RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM*

4 *ACCOUNT*

5 *For the principal amount of direct loans, as authorized*
6 *under section 313B(a) of the Rural Electrification Act, for*
7 *the purpose of promoting rural economic development and*
8 *job creation projects, \$50,000,000.*

9 *The cost of grants authorized under section 313B(a)*
10 *of the Rural Electrification Act, for the purpose of pro-*
11 *moting rural economic development and job creation*
12 *projects shall not exceed \$10,000,000.*

13 *RURAL COOPERATIVE DEVELOPMENT GRANTS*

14 *For rural cooperative development grants authorized*
15 *under section 310B(e) of the Consolidated Farm and Rural*
16 *Development Act (7 U.S.C. 1932), \$27,600,000, of which*
17 *\$2,800,000 shall be for cooperative agreements for the ap-*
18 *propriate technology transfer for rural areas program: Pro-*
19 *vided, That not to exceed \$3,000,000 shall be for grants for*
20 *cooperative development centers, individual cooperatives, or*
21 *groups of cooperatives that serve socially disadvantaged*
22 *groups and a majority of the boards of directors or gov-*
23 *erning boards of which are comprised of individuals who*
24 *are members of socially disadvantaged groups; and of which*
25 *\$16,000,000, to remain available until expended, shall be*

1 *for value-added agricultural product market development*
2 *grants, as authorized by section 210A of the Agricultural*
3 *Marketing Act of 1946, of which \$3,000,000, to remain*
4 *available until expended, shall be for Agriculture Innova-*
5 *tion Centers authorized pursuant to section 6402 of Public*
6 *Law 107–171.*

7 *RURAL MICROENTREPRENEUR ASSISTANCE PROGRAM*

8 *For gross obligations for the principal amount of di-*
9 *rect loans as authorized by section 379E of the Consolidated*
10 *Farm and Rural Development Act (U.S.C. 2008s),*
11 *\$150,000,000.*

12 *For the cost of grants, \$6,500,000 under the same*
13 *terms and conditions as authorized by section 379E of the*
14 *Consolidated Farm and Rural Development Act (7 U.S.C.*
15 *2008s).*

16 *RURAL ENERGY FOR AMERICA PROGRAM*

17 *For the cost of a program of loan guarantees and*
18 *grants, under the same terms and conditions as authorized*
19 *by section 9007 of the Farm Security and Rural Investment*
20 *Act of 2002 (7 U.S.C. 8107), \$12,920,000: Provided, That*
21 *the cost of loan guarantees, including the cost of modifying*
22 *such loans, shall be as defined in section 502 of the Congres-*
23 *sional Budget Act of 1974.*

1 *HEALTHY FOOD FINANCING INITIATIVE*

2 *For the cost of loans and grants that is consistent with*
3 *section 243 of subtitle D of title II of the Department of*
4 *Agriculture Reorganization Act of 1994 (7 U.S.C. 6953),*
5 *as added by section 4206 of the Agricultural Act of 2014,*
6 *for necessary expenses of the Secretary to support projects*
7 *that provide access to healthy food in underserved areas,*
8 *to create and preserve quality jobs, and to revitalize low-*
9 *income communities, \$5,000,000, to remain available until*
10 *expended: Provided, That such costs of loans, including the*
11 *cost of modifying such loans, shall be as defined in section*
12 *502 of the Congressional Budget Act of 1974.*

13 *RURAL UTILITIES SERVICE*14 *RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT*15 *(INCLUDING TRANSFERS OF FUNDS)*

16 *For gross obligations for the principal amount of di-*
17 *rect and guaranteed loans as authorized by section 306 and*
18 *described in section 381E(d)(2) of the Consolidated Farm*
19 *and Rural Development Act, as follows: \$1,400,000,000 for*
20 *direct loans; and \$50,000,000 for guaranteed loans.*

21 *For the cost of loan guarantees and grants, including*
22 *the cost of modifying loans, as defined in section 502 of*
23 *the Congressional Budget Act of 1974, for rural water,*
24 *waste water, waste disposal, and solid waste management*
25 *programs authorized by sections 306, 306A, 306C, 306D,*

1 306E, and 310B and described in sections 306C(a)(2),
2 306D, 306E, and 381E(d)(2) of the Consolidated Farm and
3 Rural Development Act, \$653,307,000, to remain available
4 until expended, of which not to exceed \$1,000,000 shall be
5 available for the rural utilities program described in section
6 306(a)(2)(B) of such Act, and of which not to exceed
7 \$5,000,000 shall be available for the rural utilities program
8 described in section 306E of such Act: Provided, That not
9 to exceed \$15,000,000 of the amount appropriated under
10 this heading shall be for grants authorized by section
11 306A(i)(2) of the Consolidated Farm and Rural Develop-
12 ment Act in addition to funding authorized by section
13 306A(i)(1) of such Act: Provided further, That \$70,000,000
14 of the amount appropriated under this heading shall be for
15 loans and grants including water and waste disposal sys-
16 tems grants authorized by section 306C(a)(2)(B) and sec-
17 tion 306D of the Consolidated Farm and Rural Develop-
18 ment Act, and Federally Recognized Native American
19 Tribes authorized by 306C(a)(1) of such Act: Provided fur-
20 ther, That funding provided for section 306D of the Consoli-
21 dated Farm and Rural Development Act may be provided
22 to a consortium formed pursuant to section 325 of Public
23 Law 105–83: Provided further, That not more than 2 per-
24 cent of the funding provided for section 306D of the Consoli-
25 dated Farm and Rural Development Act may be used by

1 *the State of Alaska for training and technical assistance*
2 *programs and not more than 2 percent of the funding pro-*
3 *vided for section 306D of the Consolidated Farm and Rural*
4 *Development Act may be used by a consortium formed pur-*
5 *suant to section 325 of Public Law 105–83 for training and*
6 *technical assistance programs: Provided further, That not*
7 *to exceed \$37,500,000 of the amount appropriated under*
8 *this heading shall be for technical assistance grants for*
9 *rural water and waste systems pursuant to section*
10 *306(a)(14) of such Act, unless the Secretary makes a deter-*
11 *mination of extreme need, of which \$8,500,000 shall be*
12 *made available for a grant to a qualified nonprofit multi-*
13 *State regional technical assistance organization, with expe-*
14 *rience in working with small communities on water and*
15 *waste water problems, the principal purpose of such grant*
16 *shall be to assist rural communities with populations of*
17 *3,300 or less, in improving the planning, financing, devel-*
18 *opment, operation, and management of water and waste*
19 *water systems, and of which not less than \$800,000 shall*
20 *be for a qualified national Native American organization*
21 *to provide technical assistance for rural water systems for*
22 *tribal communities: Provided further, That not to exceed*
23 *\$20,762,000 of the amount appropriated under this heading*
24 *shall be for contracting with qualified national organiza-*
25 *tions for a circuit rider program to provide technical assist-*

1 *ance for rural water systems: Provided further, That not*
 2 *to exceed \$4,000,000 of the amounts made available under*
 3 *this heading shall be for solid waste management grants:*
 4 *Provided further, That \$10,000,000 of the amount appro-*
 5 *priated under this heading shall be transferred to, and*
 6 *merged with, the Rural Utilities Service, High Energy Cost*
 7 *Grants Account to provide grants authorized under section*
 8 *19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a):*
 9 *Provided further, That any prior year balances for high-*
 10 *energy cost grants authorized by section 19 of the Rural*
 11 *Electrification Act of 1936 (7 U.S.C. 918a) shall be trans-*
 12 *ferred to and merged with the Rural Utilities Service, High*
 13 *Energy Cost Grants Account: Provided further, That sec-*
 14 *tions 381E–H and 381N of the Consolidated Farm and*
 15 *Rural Development Act are not applicable to the funds*
 16 *made available under this heading.*

17 *RURAL ELECTRIFICATION AND TELECOMMUNICATIONS*

18 *LOANS PROGRAM ACCOUNT*

19 *(INCLUDING TRANSFER OF FUNDS)*

20 *The principal amount of direct and guaranteed loans*
 21 *as authorized by sections 4, 305, 306, and 317 of the Rural*
 22 *Electrification Act of 1936 (7 U.S.C. 904, 935, 936, and*
 23 *940g) shall be made as follows: loans made pursuant to sec-*
 24 *tions 4(c), 305(d)(2), 306, and 317, notwithstanding 317(c)*
 25 *and 4(c)(2), of that Act, rural direct electric loans,*

1 \$6,500,000,000; guaranteed underwriting loans pursuant to
2 section 313A of that Act, \$750,000,000; 5 percent rural tele-
3 communications loans, cost of money rural telecommuni-
4 cations loans, and for loans made pursuant to section 306
5 of that Act, rural telecommunications loans, \$690,000,000:
6 Provided, That up to \$2,000,000,000 shall be used for the
7 construction, acquisition, design and engineering or im-
8 provement of fossil-fueled electric generating plants (wheth-
9 er new or existing) that utilize carbon subsurface utilization
10 and storage systems.

11 *For the cost of direct loans as authorized by section*
12 *305(d)(2) of the Rural Electrification Act of 1936 (7 U.S.C.*
13 *935(d)(2)), including the cost of modifying loans, as defined*
14 *in section 502 of the Congressional Budget Act of 1974, cost*
15 *of money rural telecommunications loans, \$2,070,000.*

16 *In addition, \$11,500,000 to remain available until ex-*
17 *pended, to carry out section 6407 of the Farm Security and*
18 *Rural Investment Act of 2002 (7 U.S.C. 8107a): Provided,*
19 *That the energy efficiency measures supported by the fund-*
20 *ing in this paragraph shall contribute in a demonstrable*
21 *way to the reduction of greenhouse gases.*

22 *In addition, for administrative expenses necessary to*
23 *carry out the direct and guaranteed loan programs,*
24 *\$33,270,000, which shall be transferred to and merged with*

1 *the appropriation for “Rural Development, Salaries and*
2 *Expenses”.*

3 *DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND*
4 *PROGRAM*

5 *For grants for telemedicine and distance learning serv-*
6 *ices in rural areas, as authorized by 7 U.S.C. 950aaa et*
7 *seq., \$62,510,000, to remain available until expended, of*
8 *which up to \$2,510,000 shall be for the purposes, and in*
9 *the amounts, specified for this account in the table titled*
10 *“Community Project Funding/Congressionally Directed*
11 *Spending” in the explanatory statement described in sec-*
12 *tion 4 (in the matter preceding division A of this consoli-*
13 *dated Act), in accordance with applicable statutory and*
14 *regulatory requirements: Provided, That \$3,000,000 shall be*
15 *made available for grants authorized by section 379G of the*
16 *Consolidated Farm and Rural Development Act: Provided*
17 *further, That funding provided under this heading for*
18 *grants under section 379G of the Consolidated Farm and*
19 *Rural Development Act may only be provided to entities*
20 *that meet all of the eligibility criteria for a consortium as*
21 *established by this section.*

22 *For the cost of broadband loans, as authorized by sec-*
23 *tions 601 and 602 of the Rural Electrification Act,*
24 *\$2,272,000, to remain available until expended: Provided,*

1 *That the cost of direct loans shall be as defined in section*
2 *502 of the Congressional Budget Act of 1974.*

3 *For the broadband loan and grant pilot program es-*
4 *tablished by section 779 of division A of the Consolidated*
5 *Appropriations Act, 2018 (Public Law 115–141) under the*
6 *Rural Electrification Act of 1936, as amended (7 U.S.C.*
7 *901 et seq.), \$436,605,000, to remain available until ex-*
8 *pended, of which up to \$36,604,792 shall be for the pur-*
9 *poses, and in the amounts, specified for this account in the*
10 *table titled “Community Project Funding/Congressionally*
11 *Directed Spending” in the explanatory statement described*
12 *in section 4 (in the matter preceding division A of this con-*
13 *solidated Act), in accordance with applicable statutory and*
14 *regulatory requirements: Provided, That the Secretary may*
15 *award grants described in section 601(a) of the Rural Elec-*
16 *trification Act of 1936, as amended (7 U.S.C. 950bb(a)) for*
17 *the purposes of carrying out such pilot program: Provided*
18 *further, That the cost of direct loans shall be defined in sec-*
19 *tion 502 of the Congressional Budget Act of 1974: Provided*
20 *further, That at least 90 percent of the households to be*
21 *served by a project receiving a loan or grant under the pilot*
22 *program shall be in a rural area without sufficient access*
23 *to broadband: Provided further, That for purposes of such*
24 *pilot program, a rural area without sufficient access to*
25 *broadband shall be defined as twenty-five megabytes per sec-*

1 *ond downstream and three megabytes per second upstream:*
2 *Provided further, That to the extent possible, projects receiv-*
3 *ing funds provided under the pilot program must build out*
4 *service to at least one hundred megabytes per second down-*
5 *stream, and twenty megabytes per second upstream: Pro-*
6 *vided further, That an entity to which a loan or grant is*
7 *made under the pilot program shall not use the loan or*
8 *grant to overbuild or duplicate broadband service in a serv-*
9 *ice area by any entity that has received a broadband loan*
10 *from the Rural Utilities Service unless such service is not*
11 *provided sufficient access to broadband at the minimum*
12 *service threshold: Provided further, That not more than four*
13 *percent of the funds made available in this paragraph can*
14 *be used for administrative costs to carry out the pilot pro-*
15 *gram and up to three percent of funds made available in*
16 *this paragraph may be available for technical assistance*
17 *and pre-development planning activities to support the*
18 *most rural communities: Provided further, That the Rural*
19 *Utilities Service is directed to expedite program delivery*
20 *methods that would implement this paragraph: Provided*
21 *further, That for purposes of this paragraph, the Secretary*
22 *shall adhere to the notice, reporting and service area assess-*
23 *ment requirements set forth in section 701 of the Rural*
24 *Electrification Act (7 U.S.C. 950cc).*

1 *In addition, \$35,000,000, to remain available until ex-*
2 *pended, for the Community Connect Grant Program au-*
3 *thorized by 7 U.S.C. 950bb–3.*

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TITLE IV

DOMESTIC FOOD PROGRAMS

*OFFICE OF THE UNDER SECRETARY FOR FOOD,
NUTRITION, AND CONSUMER SERVICES*

For necessary expenses of the Office of the Under Secretary for Food, Nutrition, and Consumer Services, \$1,327,000: Provided, That funds made available by this Act to an agency in the Food, Nutrition and Consumer Services mission area for salaries and expenses are available to fund up to one administrative support staff for the Office.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), except section 21, and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21; \$26,883,922,000 to remain available through September 30, 2023, of which such sums as are made available under section 14222(b)(1) of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246), as amended by this Act, shall be merged with and available for the same time period and purposes as provided herein: Provided, That of the total amount available, \$18,004,000 shall be available to carry

1 out section 19 of the Child Nutrition Act of 1966 (42 U.S.C.
2 1771 et seq.): Provided further, That of the total amount
3 available, \$15,607,000 shall be available to carry out stud-
4 ies and evaluations and shall remain available until ex-
5 pended: Provided further, That of the total amount avail-
6 able, \$12,000,000 shall remain available until expended to
7 carry out section 18(g) of the Richard B. Russell National
8 School Lunch Act (42 U.S.C. 1769(g)): Provided further,
9 That notwithstanding section 18(g)(3)(C) of the Richard B.
10 Russell National School Lunch Act (42 U.S.C.
11 1769(g)(3)(c)), the total grant amount provided to a farm
12 to school grant recipient in fiscal year 2022 shall not exceed
13 \$500,000: Provided further, That of the total amount avail-
14 able, \$30,000,000 shall be available to provide competitive
15 grants to State agencies for subgrants to local educational
16 agencies and schools to purchase the equipment, with a
17 value of greater than \$1,000, needed to serve healthier
18 meals, improve food safety, and to help support the estab-
19 lishment, maintenance, or expansion of the school breakfast
20 program: Provided further, That of the total amount avail-
21 able, \$45,000,000 shall remain available until expended to
22 carry out section 749(g) of the Agriculture Appropriations
23 Act of 2010 (Public Law 111–80): Provided further, That
24 of the total amount available, \$2,000,000 shall remain
25 available until expended to carry out activities authorized

1 *under subsections (a)(2) and (e)(2) of section 21 of the Rich-*
2 *ard B. Russell National School Lunch Act (42 U.S.C.*
3 *1769b–1(a)(2) and (e)(2)): Provided further, That of the*
4 *total amount available, \$6,000,000 shall be available until*
5 *September 30, 2023 to carry out section 23 of the Child*
6 *Nutrition Act of 1966 (42 U.S.C. 1793), of which*
7 *\$2,000,000 shall be for grants under such section to the*
8 *Commonwealth of Puerto Rico, the Commonwealth of the*
9 *Northern Mariana Islands, the United States Virgin Is-*
10 *lands, Guam, and American Samoa: Provided further, That*
11 *section 26(d) of the Richard B. Russell National School*
12 *Lunch Act (42 U.S.C. 1769g(d)) is amended in the first*
13 *sentence by striking “2010 through 2022” and inserting*
14 *“2010 through 2023”:* *Provided further, That section*
15 *9(h)(3) of the Richard B. Russell National School Lunch*
16 *Act (42 U.S.C. 1758(h)(3)) is amended in the first sentence*
17 *by striking “For fiscal year 2021” and inserting “For fiscal*
18 *year 2022”:* *Provided further, That section 9(h)(4) of the*
19 *Richard B. Russell National School Lunch Act (42 U.S.C.*
20 *1758(h)(4)) is amended in the first sentence by striking*
21 *“For fiscal year 2021” and inserting “For fiscal year*
22 *2022”.*

1 *SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR*
2 *WOMEN, INFANTS, AND CHILDREN (WIC)*

3 *For necessary expenses to carry out the special supple-*
4 *mental nutrition program as authorized by section 17 of*
5 *the Child Nutrition Act of 1966 (42 U.S.C. 1786),*
6 *\$6,000,000,000, to remain available through September 30,*
7 *2023: Provided, That notwithstanding section 17(h)(10) of*
8 *the Child Nutrition Act of 1966 (42 U.S.C. 1786(h)(10)),*
9 *not less than \$90,000,000 shall be used for breastfeeding*
10 *peer counselors and other related activities, and*
11 *\$14,000,000 shall be used for infrastructure: Provided fur-*
12 *ther, That none of the funds provided in this account shall*
13 *be available for the purchase of infant formula except in*
14 *accordance with the cost containment and competitive bid-*
15 *ding requirements specified in section 17 of such Act: Pro-*
16 *vided further, That none of the funds provided shall be*
17 *available for activities that are not fully reimbursed by*
18 *other Federal Government departments or agencies unless*
19 *authorized by section 17 of such Act: Provided further, That*
20 *upon termination of a federally mandated vendor morato-*
21 *rium and subject to terms and conditions established by the*
22 *Secretary, the Secretary may waive the requirement at 7*
23 *CFR 246.12(g)(6) at the request of a State agency.*

1 *SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM*

2 *For necessary expenses to carry out the Food and Nu-*
3 *trition Act of 2008 (7 U.S.C. 2011 et seq.),*
4 *\$140,440,868,000, of which \$3,000,000,000, to remain*
5 *available through September 30, 2024, shall be placed in*
6 *reserve for use only in such amounts and at such times as*
7 *may become necessary to carry out program operations:*
8 *Provided, That funds provided herein shall be expended in*
9 *accordance with section 16 of the Food and Nutrition Act*
10 *of 2008: Provided further, That of the funds made available*
11 *under this heading, \$998,000 may be used to provide nutri-*
12 *tion education services to State agencies and Federally Rec-*
13 *ognized Tribes participating in the Food Distribution Pro-*
14 *gram on Indian Reservations: Provided further, That of the*
15 *funds made available under this heading, \$3,000,000, to re-*
16 *main available until September 30, 2023, shall be used to*
17 *carry out section 4003(b) of Public Law 115–334 relating*
18 *to demonstration projects for tribal organizations: Provided*
19 *further, That this appropriation shall be subject to any*
20 *work registration or workfare requirements as may be re-*
21 *quired by law: Provided further, That funds made available*
22 *for Employment and Training under this heading shall re-*
23 *main available through September 30, 2023: Provided fur-*
24 *ther, That funds made available under this heading for sec-*
25 *tion 28(d)(1), section 4(b), and section 27(a) of the Food*

1 *and Nutrition Act of 2008 shall remain available through*
2 *September 30, 2023: Provided further, That none of the*
3 *funds made available under this heading may be obligated*
4 *or expended in contravention of section 213A of the Immi-*
5 *gration and Nationality Act (8 U.S.C. 1183A): Provided*
6 *further, That funds made available under this heading may*
7 *be used to enter into contracts and employ staff to conduct*
8 *studies, evaluations, or to conduct activities related to pro-*
9 *gram integrity provided that such activities are authorized*
10 *by the Food and Nutrition Act of 2008.*

11 *COMMODITY ASSISTANCE PROGRAM*

12 *For necessary expenses to carry out disaster assistance*
13 *and the Commodity Supplemental Food Program as au-*
14 *thorized by section 4(a) of the Agriculture and Consumer*
15 *Protection Act of 1973 (7 U.S.C. 612c note); the Emergency*
16 *Food Assistance Act of 1983; special assistance for the nu-*
17 *clear affected islands, as authorized by section 103(f)(2) of*
18 *the Compact of Free Association Amendments Act of 2003*
19 *(Public Law 108–188); and the Farmers’ Market Nutrition*
20 *Program, as authorized by section 17(m) of the Child Nutri-*
21 *tion Act of 1966, \$440,070,000, to remain available through*
22 *September 30, 2023: Provided, That none of these funds*
23 *shall be available to reimburse the Commodity Credit Cor-*
24 *poration for commodities donated to the program: Provided*
25 *further, That notwithstanding any other provision of law,*

1 *effective with funds made available in fiscal year 2022 to*
2 *support the Seniors Farmers' Market Nutrition Program,*
3 *as authorized by section 4402 of the Farm Security and*
4 *Rural Investment Act of 2002, such funds shall remain*
5 *available through September 30, 2023: Provided further,*
6 *That of the funds made available under section 27(a) of*
7 *the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)),*
8 *the Secretary may use up to 20 percent for costs associated*
9 *with the distribution of commodities.*

10 *NUTRITION PROGRAMS ADMINISTRATION*

11 *For necessary administrative expenses of the Food and*
12 *Nutrition Service for carrying out any domestic nutrition*
13 *assistance program, \$170,133,000: Provided, That of the*
14 *funds provided herein, \$2,000,000 shall be used for the pur-*
15 *poses of section 4404 of Public Law 107-171, as amended*
16 *by section 4401 of Public Law 110-246.*

17 *TITLE V*

18 *FOREIGN ASSISTANCE AND RELATED PROGRAMS*

19 *OFFICE OF THE UNDER SECRETARY FOR TRADE AND*
20 *FOREIGN AGRICULTURAL AFFAIRS*

21 *For necessary expenses of the Office of the Under Sec-*
22 *retary for Trade and Foreign Agricultural Affairs,*
23 *\$908,000: Provided, That funds made available by this Act*
24 *to any agency in the Trade and Foreign Agricultural Af-*

1 *fairs mission area for salaries and expenses are available*
2 *to fund up to one administrative support staff for the Office.*

3 *OFFICE OF CODEX ALIMENTARIUS*

4 *For necessary expenses of the Office of Codex*
5 *Alimentarius, \$4,841,000, including not to exceed \$40,000*
6 *for official reception and representation expenses.*

7 *FOREIGN AGRICULTURAL SERVICE*

8 *SALARIES AND EXPENSES*

9 *(INCLUDING TRANSFERS OF FUNDS)*

10 *For necessary expenses of the Foreign Agricultural*
11 *Service, including not to exceed \$250,000 for representation*
12 *allowances and for expenses pursuant to section 8 of the*
13 *Act approved August 3, 1956 (7 U.S.C. 1766),*
14 *\$228,644,000, of which no more than 6 percent shall remain*
15 *available until September 30, 2023, for overseas operations*
16 *to include the payment of locally employed staff: Provided,*
17 *That the Service may utilize advances of funds, or reim-*
18 *burse this appropriation for expenditures made on behalf*
19 *of Federal agencies, public and private organizations and*
20 *institutions under agreements executed pursuant to the ag-*
21 *ricultural food production assistance programs (7 U.S.C.*
22 *1737) and the foreign assistance programs of the United*
23 *States Agency for International Development: Provided fur-*
24 *ther, That funds made available for middle-income country*
25 *training programs, funds made available for the Borlaug*

1 *International Agricultural Science and Technology Fellow-*
2 *ship program, and up to \$2,000,000 of the Foreign Agricul-*
3 *tural Service appropriation solely for the purpose of offset-*
4 *ting fluctuations in international currency exchange rates,*
5 *subject to documentation by the Foreign Agricultural Serv-*
6 *ice, shall remain available until expended.*

7 *FOOD FOR PEACE TITLE II GRANTS*

8 *For expenses during the current fiscal year, not other-*
9 *wise recoverable, and unrecovered prior years' costs, includ-*
10 *ing interest thereon, under the Food for Peace Act (Public*
11 *Law 83-480), for commodities supplied in connection with*
12 *dispositions abroad under title II of said Act,*
13 *\$1,740,000,000, to remain available until expended.*

14 *MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION*

15 *AND CHILD NUTRITION PROGRAM GRANTS*

16 *For necessary expenses to carry out the provisions of*
17 *section 3107 of the Farm Security and Rural Investment*
18 *Act of 2002 (7 U.S.C. 1736o-1), \$237,000,000, to remain*
19 *available until expended: Provided, That the Commodity*
20 *Credit Corporation is authorized to provide the services, fa-*
21 *cilities, and authorities for the purpose of implementing*
22 *such section, subject to reimbursement from amounts pro-*
23 *vided herein: Provided further, That of the amount made*
24 *available under this heading, not more than 10 percent, but*
25 *not less than \$23,700,000, shall remain available until ex-*

1 *pended to purchase agricultural commodities as described*
2 *in subsection 3107(a)(2) of the Farm Security and Rural*
3 *Investment Act of 2002 (7 U.S.C. 1736o–1(a)(2)).*

4 *COMMODITY CREDIT CORPORATION EXPORT (LOANS)*

5 *CREDIT GUARANTEE PROGRAM ACCOUNT*

6 *(INCLUDING TRANSFERS OF FUNDS)*

7 *For administrative expenses to carry out the Com-*
8 *modity Credit Corporation’s Export Guarantee Program,*
9 *GSM 102 and GSM 103, \$6,063,000, to cover common over-*
10 *head expenses as permitted by section 11 of the Commodity*
11 *Credit Corporation Charter Act and in conformity with the*
12 *Federal Credit Reform Act of 1990, which shall be trans-*
13 *ferred to and merged with the appropriation for “Foreign*
14 *Agricultural Service, Salaries and Expenses”.*

1 *main available until expended; \$243,473,000 shall be de-*
2 *rived from medical device user fees authorized by 21 U.S.C.*
3 *379j, and shall be credited to this account and remain*
4 *available until expended; \$539,656,000 shall be derived*
5 *from human generic drug user fees authorized by 21 U.S.C.*
6 *379j-42, and shall be credited to this account and remain*
7 *available until expended; \$40,040,000 shall be derived from*
8 *biosimilar biological product user fees authorized by 21*
9 *U.S.C. 379j-52, and shall be credited to this account and*
10 *remain available until expended; \$31,641,000 shall be de-*
11 *rived from animal drug user fees authorized by 21 U.S.C.*
12 *379j-12, and shall be credited to this account and remain*
13 *available until expended; \$24,798,000 shall be derived from*
14 *generic new animal drug user fees authorized by 21 U.S.C.*
15 *379j-21, and shall be credited to this account and remain*
16 *available until expended; \$712,000,000 shall be derived*
17 *from tobacco product user fees authorized by 21 U.S.C.*
18 *387s, and shall be credited to this account and remain*
19 *available until expended: Provided further, That in addi-*
20 *tion to and notwithstanding any other provision under this*
21 *heading, amounts collected for prescription drug user fees,*
22 *medical device user fees, human generic drug user fees, bio-*
23 *similar biological product user fees, animal drug user fees,*
24 *and generic new animal drug user fees that exceed the re-*
25 *spective fiscal year 2022 limitations are appropriated and*

1 shall be credited to this account and remain available until
2 expended: Provided further, That fees derived from prescrip-
3 tion drug, medical device, human generic drug, biosimilar
4 biological product, animal drug, and generic new animal
5 drug assessments for fiscal year 2022, including any such
6 fees collected prior to fiscal year 2022 but credited for fiscal
7 year 2022, shall be subject to the fiscal year 2022 limita-
8 tions: Provided further, That the Secretary may accept pay-
9 ment during fiscal year 2022 of user fees specified under
10 this heading and authorized for fiscal year 2023, prior to
11 the due date for such fees, and that amounts of such fees
12 assessed for fiscal year 2023 for which the Secretary accepts
13 payment in fiscal year 2022 shall not be included in
14 amounts under this heading: Provided further, That none
15 of these funds shall be used to develop, establish, or operate
16 any program of user fees authorized by 31 U.S.C. 9701:
17 Provided further, That of the total amount appropriated:
18 (1) \$1,133,176,000 shall be for the Center for Food Safety
19 and Applied Nutrition and related field activities in the
20 Office of Regulatory Affairs, of which no less than
21 \$15,000,000 shall be used for inspections of foreign seafood
22 manufacturers and field examinations of imported seafood;
23 (2) \$2,115,017,000 shall be for the Center for Drug Evalua-
24 tion and Research and related field activities in the Office
25 of Regulatory Affairs, of which no less than \$8,500,000 shall

1 *be for pilots to increase unannounced foreign inspections*
2 *and shall remain available until expended; (3)*
3 *\$456,882,000 shall be for the Center for Biologics Evalua-*
4 *tion and Research and for related field activities in the Of-*
5 *fice of Regulatory Affairs; (4) \$254,255,000 shall be for the*
6 *Center for Veterinary Medicine and for related field activi-*
7 *ties in the Office of Regulatory Affairs; (5) \$628,639,000*
8 *shall be for the Center for Devices and Radiological Health*
9 *and for related field activities in the Office of Regulatory*
10 *Affairs; (6) \$70,348,000 shall be for the National Center for*
11 *Toxicological Research; (7) \$679,944,000 shall be for the*
12 *Center for Tobacco Products and for related field activities*
13 *in the Office of Regulatory Affairs; (8) \$192,691,000 shall*
14 *be for Rent and Related activities, of which \$53,832,000*
15 *is for White Oak Consolidation, other than the amounts*
16 *paid to the General Services Administration for rent; (9)*
17 *\$235,691,000 shall be for payments to the General Services*
18 *Administration for rent; and (10) \$329,239,000 shall be for*
19 *other activities, including the Office of the Commissioner*
20 *of Food and Drugs, the Office of Food Policy and Response,*
21 *the Office of Operations, the Office of the Chief Scientist,*
22 *and central services for these offices: Provided further, That*
23 *not to exceed \$25,000 of this amount shall be for official*
24 *reception and representation expenses, not otherwise pro-*
25 *vided for, as determined by the Commissioner: Provided*

1 *further, That any transfer of funds pursuant to, and for*
2 *the administration of, section 770(n) of the Federal Food,*
3 *Drug, and Cosmetic Act (21 U.S.C. 379dd(n)) shall only*
4 *be from amounts made available under this heading for*
5 *other activities and shall not exceed \$2,000,000: Provided*
6 *further, That of the amounts that are made available under*
7 *this heading for “other activities”, and that are not derived*
8 *from user fees, \$1,500,000 shall be transferred to and*
9 *merged with the appropriation for “Department of Health*
10 *and Human Services—Office of Inspector General” for*
11 *oversight of the programs and operations of the Food and*
12 *Drug Administration and shall be in addition to funds oth-*
13 *erwise made available for oversight of the Food and Drug*
14 *Administration: Provided further, That funds may be*
15 *transferred from one specified activity to another with the*
16 *prior approval of the Committees on Appropriations of both*
17 *Houses of Congress.*

18 *In addition, mammography user fees authorized by 42*
19 *U.S.C. 263b, export certification user fees authorized by 21*
20 *U.S.C. 381, priority review user fees authorized by 21*
21 *U.S.C. 360n and 360ff, food and feed recall fees, food rein-*
22 *spection fees, and voluntary qualified importer program*
23 *fees authorized by 21 U.S.C. 379j–31, outsourcing facility*
24 *fees authorized by 21 U.S.C. 379j–62, prescription drug*
25 *wholesale distributor licensing and inspection fees author-*

1 ized by 21 U.S.C. 353(e)(3), third-party logistics provider
2 licensing and inspection fees authorized by 21 U.S.C.
3 360eee-3(c)(1), third-party auditor fees authorized by 21
4 U.S.C. 384d(c)(8), medical countermeasure priority review
5 voucher user fees authorized by 21 U.S.C. 360bbb-4a, and
6 fees relating to over-the-counter monograph drugs author-
7 ized by 21 U.S.C. 379j-72 shall be credited to this account,
8 to remain available until expended.

9 *BUILDINGS AND FACILITIES*

10 *For plans, construction, repair, improvement, exten-*
11 *sion, alteration, demolition, and purchase of fixed equip-*
12 *ment or facilities of or used by the Food and Drug Adminis-*
13 *tration, where not otherwise provided, \$12,788,000, to re-*
14 *main available until expended.*

15 *FDA INNOVATION ACCOUNT, CURES ACT*

16 *(INCLUDING TRANSFER OF FUNDS)*

17 *For necessary expenses to carry out the purposes de-*
18 *scribed under section 1002(b)(4) of the 21st Century Cures*
19 *Act, in addition to amounts available for such purposes*
20 *under the heading “Salaries and Expenses”, \$50,000,000,*
21 *to remain available until expended: Provided, That*
22 *amounts appropriated in this paragraph are appropriated*
23 *pursuant to section 1002(b)(3) of the 21st Century Cures*
24 *Act, are to be derived from amounts transferred under sec-*
25 *tion 1002(b)(2)(A) of such Act, and may be transferred by*

1 *the Commissioner of Food and Drugs to the appropriation*
2 *for “Department of Health and Human Services Food and*
3 *Drug Administration Salaries and Expenses” solely for the*
4 *purposes provided in such Act: Provided further, That upon*
5 *a determination by the Commissioner that funds trans-*
6 *ferred pursuant to the previous proviso are not necessary*
7 *for the purposes provided, such amounts may be transferred*
8 *back to the account: Provided further, That such transfer*
9 *authority is in addition to any other transfer authority*
10 *provided by law.*

11 *INDEPENDENT AGENCIES*

12 *COMMODITY FUTURES TRADING COMMISSION*

13 *(INCLUDING TRANSFER OF FUNDS)*

14 *For necessary expenses to carry out the provisions of*
15 *the Commodity Exchange Act (7 U.S.C. 1 et seq.), including*
16 *the purchase and hire of passenger motor vehicles, and the*
17 *rental of space (to include multiple year leases), in the Dis-*
18 *trict of Columbia and elsewhere, \$320,000,000, including*
19 *not to exceed \$3,000 for official reception and representa-*
20 *tion expenses, and not to exceed \$25,000 for the expenses*
21 *for consultations and meetings hosted by the Commission*
22 *with foreign governmental and other regulatory officials, of*
23 *which not less than \$20,000,000 shall remain available*
24 *until September 30, 2023, and of which not less than*
25 *\$4,017,000 shall be for expenses of the Office of the Inspector*

1 *General: Provided, That notwithstanding the limitations in*
2 *31 U.S.C. 1553, amounts provided under this heading are*
3 *available for the liquidation of obligations equal to current*
4 *year payments on leases entered into prior to the date of*
5 *enactment of this Act: Provided further, That for the pur-*
6 *pose of recording and liquidating any lease obligations that*
7 *should have been recorded and liquidated against accounts*
8 *closed pursuant to 31 U.S.C. 1552, and consistent with the*
9 *preceding proviso, such amounts shall be transferred to and*
10 *recorded in a no-year account in the Treasury, which has*
11 *been established for the sole purpose of recording adjust-*
12 *ments for and liquidating such unpaid obligations.*

13 *In addition, for move, replication, and related costs*
14 *associated with replacement leases for the Commission's fa-*
15 *cilities, not to exceed \$62,000,000, to remain available until*
16 *expended.*

17 *FARM CREDIT ADMINISTRATION*

18 *LIMITATION ON ADMINISTRATIVE EXPENSES*

19 *Not to exceed \$84,200,000 (from assessments collected*
20 *from farm credit institutions, including the Federal Agri-*
21 *cultural Mortgage Corporation) shall be obligated during*
22 *the current fiscal year for administrative expenses as au-*
23 *thorized under 12 U.S.C. 2249: Provided, That this limita-*
24 *tion shall not apply to expenses associated with receiver-*
25 *ships: Provided further, That the agency may exceed this*

1 *limitation by up to 10 percent with notification to the Com-*
2 *mittees on Appropriations of both Houses of Congress: Pro-*
3 *vided further, That the purposes of section 3.7(b)(2)(A)(i)*
4 *of the Farm Credit Act of 1971 (12 U.S.C.*
5 *2128(b)(2)(A)(i)), the Farm Credit Administration may ex-*
6 *empt, an amount in its sole discretion, from the application*
7 *of the limitation provided in that clause of export loans*
8 *described in the clause guaranteed or insured in a manner*
9 *other than described in subclause (II) of the clause.*

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TITLE VII

GENERAL PROVISIONS

(INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

SEC. 701. The Secretary may use any appropriations made available to the Department of Agriculture in this Act to purchase new passenger motor vehicles, in addition to specific appropriations for this purpose, so long as the total number of vehicles purchased in fiscal year 2022 does not exceed the number of vehicles owned or leased in fiscal year 2018: Provided, That, prior to purchasing additional motor vehicles, the Secretary must determine that such vehicles are necessary for transportation safety, to reduce operational costs, and for the protection of life, property, and public safety: Provided further, That the Secretary may not increase the Department of Agriculture's fleet above the 2018 level unless the Secretary notifies in writing, and receives approval from, the Committees on Appropriations of both Houses of Congress within 30 days of the notification.

SEC. 702. Notwithstanding any other provision of this Act, the Secretary of Agriculture may transfer unobligated balances of discretionary funds appropriated by this Act or any other available unobligated discretionary balances that are remaining available of the Department of Agriculture to the Working Capital Fund for the acquisition of property, plant and equipment and for the improvement,

1 *delivery, and implementation of Department financial, and*
2 *administrative information technology services, and other*
3 *support systems necessary for the delivery of financial, ad-*
4 *ministrative, and information technology services, includ-*
5 *ing cloud adoption and migration, of primary benefit to*
6 *the agencies of the Department of Agriculture, such trans-*
7 *ferred funds to remain available until expended: Provided,*
8 *That none of the funds made available by this Act or any*
9 *other Act shall be transferred to the Working Capital Fund*
10 *without the prior approval of the agency administrator:*
11 *Provided further, That none of the funds transferred to the*
12 *Working Capital Fund pursuant to this section shall be*
13 *available for obligation without written notification to and*
14 *the prior approval of the Committees on Appropriations of*
15 *both Houses of Congress: Provided further, That none of the*
16 *funds appropriated by this Act or made available to the*
17 *Department's Working Capital Fund shall be available for*
18 *obligation or expenditure to make any changes to the De-*
19 *partment's National Finance Center without written notifi-*
20 *cation to and prior approval of the Committees on Appro-*
21 *priations of both Houses of Congress as required by section*
22 *716 of this Act: Provided further, That none of the funds*
23 *appropriated by this Act or made available to the Depart-*
24 *ment's Working Capital Fund shall be available for obliga-*
25 *tion or expenditure to initiate, plan, develop, implement,*

1 *or make any changes to remove or relocate any systems,*
2 *missions, personnel, or functions of the offices of the Chief*
3 *Financial Officer and the Chief Information Officer, co-lo-*
4 *cated with or from the National Finance Center prior to*
5 *written notification to and prior approval of the Committee*
6 *on Appropriations of both Houses of Congress and in ac-*
7 *cordance with the requirements of section 716 of this Act:*
8 *Provided further, That the National Finance Center Infor-*
9 *mation Technology Services Division personnel and data*
10 *center management responsibilities, and control of any*
11 *functions, missions, and systems for current and future*
12 *human resources management and integrated personnel and*
13 *payroll systems (PPS) and functions provided by the Chief*
14 *Financial Officer and the Chief Information Officer shall*
15 *remain in the National Finance Center and under the man-*
16 *agement responsibility and administrative control of the*
17 *National Finance Center: Provided further, That the Sec-*
18 *retary of Agriculture and the offices of the Chief Financial*
19 *Officer shall actively market to existing and new Depart-*
20 *ments and other government agencies National Finance*
21 *Center shared services including, but not limited to, payroll,*
22 *financial management, and human capital shared services*
23 *and allow the National Finance Center to perform tech-*
24 *nology upgrades: Provided further, That of annual income*
25 *amounts in the Working Capital Fund of the Department*

1 of Agriculture attributable to the amounts in excess of the
2 true costs of the shared services provided by the National
3 Finance Center and budgeted for the National Finance Cen-
4 ter, the Secretary shall reserve not more than 4 percent for
5 the replacement or acquisition of capital equipment, includ-
6 ing equipment for the improvement, delivery, and imple-
7 mentation of financial, administrative, and information
8 technology services, and other systems of the National Fi-
9 nance Center or to pay any unforeseen, extraordinary cost
10 of the National Finance Center: Provided further, That
11 none of the amounts reserved shall be available for obliga-
12 tion unless the Secretary submits written notification of the
13 obligation to the Committees on Appropriations of both
14 Houses of Congress: Provided further, That the limitations
15 on the obligation of funds pending notification to Congres-
16 sional Committees shall not apply to any obligation that,
17 as determined by the Secretary, is necessary to respond to
18 a declared state of emergency that significantly impacts the
19 operations of the National Finance Center; or to evacuate
20 employees of the National Finance Center to a safe haven
21 to continue operations of the National Finance Center.

22 SEC. 703. No part of any appropriation contained in
23 this Act shall remain available for obligation beyond the
24 current fiscal year unless expressly so provided herein.

1 *SEC. 704. No funds appropriated by this Act may be*
2 *used to pay negotiated indirect cost rates on cooperative*
3 *agreements or similar arrangements between the United*
4 *States Department of Agriculture and nonprofit institu-*
5 *tions in excess of 10 percent of the total direct cost of the*
6 *agreement when the purpose of such cooperative arrange-*
7 *ments is to carry out programs of mutual interest between*
8 *the two parties. This does not preclude appropriate pay-*
9 *ment of indirect costs on grants and contracts with such*
10 *institutions when such indirect costs are computed on a*
11 *similar basis for all agencies for which appropriations are*
12 *provided in this Act.*

13 *SEC. 705. Appropriations to the Department of Agri-*
14 *culture for the cost of direct and guaranteed loans made*
15 *available in the current fiscal year shall remain available*
16 *until expended to disburse obligations made in the current*
17 *fiscal year for the following accounts: the Rural Develop-*
18 *ment Loan Fund program account, the Rural Electrifica-*
19 *tion and Telecommunication Loans program account, and*
20 *the Rural Housing Insurance Fund program account.*

21 *SEC. 706. None of the funds made available to the De-*
22 *partment of Agriculture by this Act may be used to acquire*
23 *new information technology systems or significant up-*
24 *grades, as determined by the Office of the Chief Information*
25 *Officer, without the approval of the Chief Information Offi-*

1 *cer and the concurrence of the Executive Information Tech-*
2 *nology Investment Review Board: Provided, That notwith-*
3 *standing any other provision of law, none of the funds ap-*
4 *propriated or otherwise made available by this Act may be*
5 *transferred to the Office of the Chief Information Officer*
6 *without written notification to and the prior approval of*
7 *the Committees on Appropriations of both Houses of Con-*
8 *gress: Provided further, That notwithstanding section 11319*
9 *of title 40, United States Code, none of the funds available*
10 *to the Department of Agriculture for information technology*
11 *shall be obligated for projects, contracts, or other agreements*
12 *over \$25,000 prior to receipt of written approval by the*
13 *Chief Information Officer: Provided further, That the Chief*
14 *Information Officer may authorize an agency to obligate*
15 *funds without written approval from the Chief Information*
16 *Officer for projects, contracts, or other agreements up to*
17 *\$250,000 based upon the performance of an agency meas-*
18 *ured against the performance plan requirements described*
19 *in the explanatory statement accompanying Public Law*
20 *113–235.*

21 *SEC. 707. Funds made available under section 524(b)*
22 *of the Federal Crop Insurance Act (7 U.S.C. 1524(b)) in*
23 *the current fiscal year shall remain available until ex-*
24 *pendent to disburse obligations made in the current fiscal*
25 *year.*

1 *SEC. 708. Notwithstanding any other provision of law,*
2 *any former Rural Utilities Service borrower that has repaid*
3 *or prepaid an insured, direct or guaranteed loan under the*
4 *Rural Electrification Act of 1936, or any not-for-profit util-*
5 *ity that is eligible to receive an insured or direct loan under*
6 *such Act, shall be eligible for assistance under section*
7 *313B(a) of such Act in the same manner as a borrower*
8 *under such Act.*

9 *SEC. 709. (a) Except as otherwise specifically provided*
10 *by law, not more than \$20,000,000 in unobligated balances*
11 *from appropriations made available for salaries and ex-*
12 *penses in this Act for the Farm Service Agency shall remain*
13 *available through September 30, 2023, for information tech-*
14 *nology expenses.*

15 *(b) Except as otherwise specifically provided by law,*
16 *not more than \$20,000,000 in unobligated balances from*
17 *appropriations made available for salaries and expenses in*
18 *this Act for the Rural Development mission area shall re-*
19 *main available through September 30, 2023, for informa-*
20 *tion technology expenses.*

21 *SEC. 710. None of the funds appropriated or otherwise*
22 *made available by this Act may be used for first-class travel*
23 *by the employees of agencies funded by this Act in con-*
24 *travention of sections 301–10.122 through 301–10.124 of*
25 *title 41, Code of Federal Regulations.*

1 *SEC. 711. In the case of each program established or*
2 *amended by the Agricultural Act of 2014 (Public Law 113–*
3 *79) or by a successor to that Act, other than by title I or*
4 *subtitle A of title III of such Act, or programs for which*
5 *indefinite amounts were provided in that Act, that is au-*
6 *thorized or required to be carried out using funds of the*
7 *Commodity Credit Corporation—*

8 *(1) such funds shall be available for salaries and*
9 *related administrative expenses, including technical*
10 *assistance, associated with the implementation of the*
11 *program, without regard to the limitation on the total*
12 *amount of allotments and fund transfers contained in*
13 *section 11 of the Commodity Credit Corporation*
14 *Charter Act (15 U.S.C. 714i); and*

15 *(2) the use of such funds for such purpose shall*
16 *not be considered to be a fund transfer or allotment*
17 *for purposes of applying the limitation on the total*
18 *amount of allotments and fund transfers contained in*
19 *such section.*

20 *SEC. 712. Of the funds made available by this Act, not*
21 *more than \$2,900,000 shall be used to cover necessary ex-*
22 *penses of activities related to all advisory committees, pan-*
23 *els, commissions, and task forces of the Department of Agri-*
24 *culture, except for panels used to comply with negotiated*

1 *rule makings and panels used to evaluate competitively*
2 *awarded grants.*

3 *SEC. 713. (a) None of the funds made available in this*
4 *Act may be used to maintain or establish a computer net-*
5 *work unless such network blocks the viewing, downloading,*
6 *and exchanging of pornography.*

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

11 *SEC. 714. Notwithstanding subsection (b) of section*
12 *14222 of Public Law 110–246 (7 U.S.C. 612c–6; in this*
13 *section referred to as “section 14222”), none of the funds*
14 *appropriated or otherwise made available by this or any*
15 *other Act shall be used to pay the salaries and expenses of*
16 *personnel to carry out a program under section 32 of the*
17 *Act of August 24, 1935 (7 U.S.C. 612c; in this section re-*
18 *ferred to as “section 32”) in excess of \$1,391,211,000 (exclu-*
19 *sive of carryover appropriations from prior fiscal years),*
20 *as follows: Child Nutrition Programs Entitlement Commod-*
21 *ities—\$485,000,000; State Option Contracts—\$5,000,000;*
22 *Removal of Defective Commodities—\$2,500,000; Adminis-*
23 *tration of section 32 Commodity Purchases—\$36,810,000:*
24 *Provided, That, of the total funds made available in the*
25 *matter preceding this proviso that remain unobligated on*

1 *October 1, 2022, such unobligated balances shall carryover*
2 *into fiscal year 2023 and shall remain available until ex-*
3 *pended for any of the purposes of section 32, except that*
4 *any such carryover funds used in accordance with clause*
5 *(3) of section 32 may not exceed \$350,000,000 and may*
6 *not be obligated until the Secretary of Agriculture provides*
7 *written notification of the expenditures to the Committees*
8 *on Appropriations of both Houses of Congress at least two*
9 *weeks in advance: Provided further, That, with the excep-*
10 *tion of any available carryover funds authorized in any*
11 *prior appropriations Act to be used for the purposes of*
12 *clause (3) of section 32, none of the funds appropriated or*
13 *otherwise made available by this or any other Act shall be*
14 *used to pay the salaries or expenses of any employee of the*
15 *Department of Agriculture to carry out clause (3) of section*
16 *32.*

17 *SEC. 715. None of the funds appropriated by this or*
18 *any other Act shall be used to pay the salaries and expenses*
19 *of personnel who prepare or submit appropriations lan-*
20 *guage as part of the President's budget submission to the*
21 *Congress for programs under the jurisdiction of the Appro-*
22 *priations Subcommittees on Agriculture, Rural Develop-*
23 *ment, Food and Drug Administration, and Related Agen-*
24 *cies that assumes revenues or reflects a reduction from the*
25 *previous year due to user fees proposals that have not been*

1 *enacted into law prior to the submission of the budget unless*
2 *such budget submission identifies which additional spend-*
3 *ing reductions should occur in the event the user fees pro-*
4 *posals are not enacted prior to the date of the convening*
5 *of a committee of conference for the fiscal year 2023 appro-*
6 *priations Act.*

7 *SEC. 716. (a) None of the funds provided by this Act,*
8 *or provided by previous appropriations Acts to the agencies*
9 *funded by this Act that remain available for obligation or*
10 *expenditure in the current fiscal year, or provided from any*
11 *accounts in the Treasury derived by the collection of fees*
12 *available to the agencies funded by this Act, shall be avail-*
13 *able for obligation or expenditure through a reprogram-*
14 *ming, transfer of funds, or reimbursements as authorized*
15 *by the Economy Act, or in the case of the Department of*
16 *Agriculture, through use of the authority provided by sec-*
17 *tion 702(b) of the Department of Agriculture Organic Act*
18 *of 1944 (7 U.S.C. 2257) or section 8 of Public Law 89-*
19 *106 (7 U.S.C. 2263), that—*

20 *(1) creates new programs;*

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

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

25 *(4) relocates an office or employees;*

1 (5) reorganizes offices, programs, or activities; or
2 (6) contracts out or privatizes any functions or
3 activities presently performed by Federal employees;
4 unless the Secretary of Agriculture, the Secretary of Health
5 and Human Services, or the Chairman of the Commodity
6 Futures Trading Commission (as the case may be) notifies
7 in writing and receives approval from the Committees on
8 Appropriations of both Houses of Congress at least 30 days
9 in advance of the reprogramming of such funds or the use
10 of such authority.

11 (b) None of the funds provided by this Act, or provided
12 by previous Appropriations Acts to the agencies funded by
13 this Act that remain available for obligation or expenditure
14 in the current fiscal year, or provided from any accounts
15 in the Treasury derived by the collection of fees available
16 to the agencies funded by this Act, shall be available for
17 obligation or expenditure for activities, programs, or
18 projects through a reprogramming or use of the authorities
19 referred to in subsection (a) involving funds in excess of
20 \$500,000 or 10 percent, whichever is less, that—

21 (1) augments existing programs, projects, or ac-
22 tivities;

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

1 (3) results from any general savings from a re-
2 duction in personnel which would result in a change
3 in existing programs, activities, or projects as ap-
4 proved by Congress;
5 unless the Secretary of Agriculture, the Secretary of Health
6 and Human Services, or the Chairman of the Commodity
7 Futures Trading Commission (as the case may be) notifies
8 in writing and receives approval from the Committees on
9 Appropriations of both Houses of Congress at least 30 days
10 in advance of the reprogramming or transfer of such funds
11 or the use of such authority.

12 (c) The Secretary of Agriculture, the Secretary of
13 Health and Human Services, or the Chairman of the Com-
14 modity Futures Trading Commission shall notify in writ-
15 ing and receive approval from the Committees on Appro-
16 priations of both Houses of Congress before implementing
17 any program or activity not carried out during the pre-
18 vious fiscal year unless the program or activity is funded
19 by this Act or specifically funded by any other Act.

20 (d) None of the funds provided by this Act, or provided
21 by previous Appropriations Acts to the agencies funded by
22 this Act that remain available for obligation or expenditure
23 in the current fiscal year, or provided from any accounts
24 in the Treasury derived by the collection of fees available
25 to the agencies funded by this Act, shall be available for—

1 (1) *modifying major capital investments funding*
2 *levels, including information technology systems, that*
3 *involves increasing or decreasing funds in the current*
4 *fiscal year for the individual investment in excess of*
5 *\$500,000 or 10 percent of the total cost, whichever is*
6 *less;*

7 (2) *realigning or reorganizing new, current, or*
8 *vacant positions or agency activities or functions to*
9 *establish a center, office, branch, or similar entity*
10 *with five or more personnel; or*

11 (3) *carrying out activities or functions that were*
12 *not described in the budget request;*

13 *unless the agencies funded by this Act notify, in writing,*
14 *the Committees on Appropriations of both Houses of Con-*
15 *gress at least 30 days in advance of using the funds for*
16 *these purposes.*

17 (e) *As described in this section, no funds may be used*
18 *for any activities unless the Secretary of Agriculture, the*
19 *Secretary of Health and Human Services, or the Chairman*
20 *of the Commodity Futures Trading Commission receives*
21 *from the Committee on Appropriations of both Houses of*
22 *Congress written or electronic mail confirmation of receipt*
23 *of the notification as required in this section.*

24 SEC. 717. *Notwithstanding section 310B(g)(5) of the*
25 *Consolidated Farm and Rural Development Act (7 U.S.C.*

1 1932(g)(5)), the Secretary may assess a one-time fee for any
2 guaranteed business and industry loan in an amount that
3 does not exceed 3 percent of the guaranteed principal por-
4 tion of the loan.

5 SEC. 718. None of the funds appropriated or otherwise
6 made available to the Department of Agriculture, the Food
7 and Drug Administration, the Commodity Futures Trading
8 Commission, or the Farm Credit Administration shall be
9 used to transmit or otherwise make available reports, ques-
10 tions, or responses to questions that are a result of informa-
11 tion requested for the appropriations hearing process to any
12 non-Department of Agriculture, non-Department of Health
13 and Human Services, non-Commodity Futures Trading
14 Commission, or non-Farm Credit Administration employee.

15 SEC. 719. Unless otherwise authorized by existing law,
16 none of the funds provided in this Act, may be used by an
17 executive branch agency to produce any prepackaged news
18 story intended for broadcast or distribution in the United
19 States unless the story includes a clear notification within
20 the text or audio of the prepackaged news story that the
21 prepackaged news story was prepared or funded by that ex-
22 ecutive branch agency.

23 SEC. 720. No employee of the Department of Agri-
24 culture may be detailed or assigned from an agency or office
25 funded by this Act or any other Act to any other agency

1 *or office of the Department for more than 60 days in a*
2 *fiscal year unless the individual's employing agency or of-*
3 *fice is fully reimbursed by the receiving agency or office*
4 *for the salary and expenses of the employee for the period*
5 *of assignment.*

6 *SEC. 721. Not later than 30 days after the date of en-*
7 *actment of this Act, the Secretary of Agriculture, the Com-*
8 *missioner of the Food and Drug Administration, the Chair-*
9 *man of the Commodity Futures Trading Commission, and*
10 *the Chairman of the Farm Credit Administration shall sub-*
11 *mit to the Committees on Appropriations of both Houses*
12 *of Congress a detailed spending plan by program, project,*
13 *and activity for all the funds made available under this*
14 *Act including appropriated user fees, as defined in the ex-*
15 *planatory statement described in section 4 (in the matter*
16 *preceding division A of this consolidated Act).*

17 *SEC. 722. Of the unobligated balances from amounts*
18 *made available for the supplemental nutrition program as*
19 *authorized by section 17 of the Child Nutrition Act of 1966*
20 *(42 U.S.C. 1786), \$621,672,000 are hereby rescinded: Pro-*
21 *vided, That no amounts may be rescinded from amounts*
22 *that were designated by the Congress as an emergency re-*
23 *quirement pursuant to a Concurrent Resolution on the*
24 *Budget or the Balanced Budget and Emergency Deficit*
25 *Control Act of 1985.*

1 *SEC. 723. For the purposes of determining eligibility*
2 *or level of program assistance for Rural Development pro-*
3 *grams the Secretary shall not include incarcerated prison*
4 *populations.*

5 *SEC. 724. For loans and loan guarantees that do not*
6 *require budget authority and the program level has been*
7 *established in this Act, the Secretary of Agriculture may*
8 *increase the program level for such loans and loan guaran-*
9 *tees by not more than 25 percent: Provided, That prior to*
10 *the Secretary implementing such an increase, the Secretary*
11 *notifies, in writing, the Committees on Appropriations of*
12 *both Houses of Congress at least 15 days in advance.*

13 *SEC. 725. None of the credit card refunds or rebates*
14 *transferred to the Working Capital Fund pursuant to sec-*
15 *tion 729 of the Agriculture, Rural Development, Food and*
16 *Drug Administration, and Related Agencies Appropria-*
17 *tions Act, 2002 (7 U.S.C. 2235a; Public Law 107-76) shall*
18 *be available for obligation without written notification to,*
19 *and the prior approval of, the Committees on Appropria-*
20 *tions of both Houses of Congress: Provided, That the refunds*
21 *or rebates so transferred shall be available for obligation*
22 *only for the acquisition of property, plant and equipment,*
23 *including equipment for the improvement, delivery, and*
24 *implementation of Departmental financial management,*
25 *information technology, and other support systems nec-*

1 *essary for the delivery of financial, administrative, and in-*
2 *formation technology services, including cloud adoption and*
3 *migration, of primary benefit to the agencies of the Depart-*
4 *ment of Agriculture.*

5 *SEC. 726. None of the funds made available by this*
6 *Act may be used to implement, administer, or enforce the*
7 *“variety” requirements of the final rule entitled “Enhanc-*
8 *ing Retailer Standards in the Supplemental Nutrition As-*
9 *sistance Program (SNAP)” published by the Department*
10 *of Agriculture in the Federal Register on December 15, 2016*
11 *(81 Fed. Reg. 90675) until the Secretary of Agriculture*
12 *amends the definition of the term “variety” as defined in*
13 *section 278.1(b)(1)(ii)(C) of title 7, Code of Federal Regula-*
14 *tions, and “variety” as applied in the definition of the term*
15 *“staple food” as defined in section 271.2 of title 7, Code*
16 *of Federal Regulations, to increase the number of items that*
17 *qualify as acceptable varieties in each staple food category*
18 *so that the total number of such items in each staple food*
19 *category exceeds the number of such items in each staple*
20 *food category included in the final rule as published on De-*
21 *cember 15, 2016: Provided, That until the Secretary pro-*
22 *mulgates such regulatory amendments, the Secretary shall*
23 *apply the requirements regarding acceptable varieties and*
24 *breadth of stock to Supplemental Nutrition Assistance Pro-*
25 *gram retailers that were in effect on the day before the date*

1 *of the enactment of the Agricultural Act of 2014 (Public*
2 *Law 113–79).*

3 *SEC. 727. In carrying out subsection (h) of section 502*
4 *of the Housing Act of 1949 (42 U.S.C. 1472), the Secretary*
5 *of Agriculture shall have the same authority with respect*
6 *to loans guaranteed under such section and eligible lenders*
7 *for such loans as the Secretary has under subsections (h)*
8 *and (j) of section 538 of such Act (42 U.S.C. 1490p–2) with*
9 *respect to loans guaranteed under such section 538 and eli-*
10 *gible lenders for such loans.*

11 *SEC. 728. None of the funds appropriated or otherwise*
12 *made available by this Act shall be available for the United*
13 *States Department of Agriculture to propose, finalize or im-*
14 *plement any regulation that would promulgate new user*
15 *fees pursuant to 31 U.S.C. 9701 after the date of the enact-*
16 *ment of this Act.*

17 *SEC. 729. None of the funds made available by this*
18 *or any other Act may be used to carry out the final rule*
19 *promulgated by the Food and Drug Administration and*
20 *put into effect November 16, 2015, in regards to the hazard*
21 *analysis and risk-based preventive control requirements of*
22 *the current good manufacturing practice, hazard analysis,*
23 *and risk-based preventive controls for food for animals rule*
24 *with respect to the regulation of the production, distribu-*

1 *tion, sale, or receipt of dried spent grain byproducts of the*
2 *alcoholic beverage production process.*

3 *SEC. 730. The National Bio and Agro-Defense Facility*
4 *shall be transferred this or any fiscal year hereafter without*
5 *reimbursement from the Secretary of Homeland Security to*
6 *the Secretary of Agriculture.*

7 *SEC. 731. (a) The Secretary of Agriculture shall—*

8 *(1) conduct audits in a manner that evaluates*
9 *the following factors in the country or region being*
10 *audited, as applicable—*

11 *(A) veterinary control and oversight;*

12 *(B) disease history and vaccination prac-*
13 *tices;*

14 *(C) livestock demographics and traceability;*

15 *(D) epidemiological separation from poten-*
16 *tial sources of infection;*

17 *(E) surveillance practices;*

18 *(F) diagnostic laboratory capabilities; and*

19 *(G) emergency preparedness and response;*

20 *and*

21 *(2) promptly make publicly available the final*
22 *reports of any audits or reviews conducted pursuant*
23 *to subsection (1).*

1 **(b)** *This section shall be applied in a manner con-*
2 *sistent with United States obligations under its inter-*
3 *national trade agreements.*

4 **SEC. 732.** *None of the funds made available by this*
5 *Act may be used to implement section 3.7(f) of the Farm*
6 *Credit Act of 1971 in a manner inconsistent with section*
7 *343(a)(13) of the Consolidated Farm and Rural Develop-*
8 *ment Act.*

9 **SEC. 733.** *None of the funds made available by this*
10 *Act may be used to carry out any activities or incur any*
11 *expense related to the issuance of licenses under section 3*
12 *of the Animal Welfare Act (7 U.S.C. 2133), or the renewal*
13 *of such licenses, to class B dealers who sell Random Source*
14 *dogs and cats for use in research, experiments, teaching,*
15 *or testing.*

16 **SEC. 734. (a)(1)** *No Federal funds made available for*
17 *this fiscal year for the rural water, waste water, waste dis-*
18 *posal, and solid waste management programs authorized by*
19 *sections 306, 306A, 306C, 306D, 306E, and 310B of the*
20 *Consolidated Farm and Rural Development Act (7 U.S.C.*
21 *1926 et seq.) shall be used for a project for the construction,*
22 *alteration, maintenance, or repair of a public water or*
23 *wastewater system unless all of the iron and steel products*
24 *used in the project are produced in the United States.*

1 (2) *In this section, the term “iron and steel products”*
2 *means the following products made primarily of iron or*
3 *steel: lined or unlined pipes and fittings, manhole covers*
4 *and other municipal castings, hydrants, tanks, flanges, pipe*
5 *clamps and restraints, valves, structural steel, reinforced*
6 *precast concrete, and construction materials.*

7 (b) *Subsection (a) shall not apply in any case or cat-*
8 *egory of cases in which the Secretary of Agriculture (in this*
9 *section referred to as the “Secretary”) or the designee of*
10 *the Secretary finds that—*

11 (1) *applying subsection (a) would be inconsistent*
12 *with the public interest;*

13 (2) *iron and steel products are not produced in*
14 *the United States in sufficient and reasonably avail-*
15 *able quantities or of a satisfactory quality; or*

16 (3) *inclusion of iron and steel products produced*
17 *in the United States will increase the cost of the over-*
18 *all project by more than 25 percent.*

19 (c) *If the Secretary or the designee receives a request*
20 *for a waiver under this section, the Secretary or the designee*
21 *shall make available to the public on an informal basis a*
22 *copy of the request and information available to the Sec-*
23 *retary or the designee concerning the request, and shall*
24 *allow for informal public input on the request for at least*
25 *15 days prior to making a finding based on the request.*

1 *The Secretary or the designee shall make the request and*
2 *accompanying information available by electronic means,*
3 *including on the official public Internet Web site of the De-*
4 *partment.*

5 *(d) This section shall be applied in a manner con-*
6 *sistent with United States obligations under international*
7 *agreements.*

8 *(e) The Secretary may retain up to 0.25 percent of*
9 *the funds appropriated in this Act for “Rural Utilities*
10 *Service—Rural Water and Waste Disposal Program Ac-*
11 *count” for carrying out the provisions described in sub-*
12 *section (a)(1) for management and oversight of the require-*
13 *ments of this section.*

14 *(f) Subsection (a) shall not apply with respect to a*
15 *project for which the engineering plans and specifications*
16 *include use of iron and steel products otherwise prohibited*
17 *by such subsection if the plans and specifications have re-*
18 *ceived required approvals from State agencies prior to the*
19 *date of enactment of this Act.*

20 *(g) For purposes of this section, the terms “United*
21 *States” and “State” shall include each of the several States,*
22 *the District of Columbia, and each Federally recognized In-*
23 *dian Tribe.*

24 *SEC. 735. None of the funds appropriated by this Act*
25 *may be used in any way, directly or indirectly, to influence*

1 congressional action on any legislation or appropriation
2 matters pending before Congress, other than to commu-
3 nicate to Members of Congress as described in 18 U.S.C.
4 1913.

5 SEC. 736. *Of the total amounts made available by this*
6 *Act for direct loans and grants under the following head-*
7 *ings: “Rural Housing Service—Rural Housing Insurance*
8 *Fund Program Account”; “Rural Housing Service—Mu-*
9 *tual and Self-Help Housing Grants”; “Rural Housing*
10 *Service—Rural Housing Assistance Grants”; “Rural Hous-*
11 *ing Service—Rural Community Facilities Program Ac-*
12 *count”; “Rural Business-Cooperative Service—Rural Busi-*
13 *ness Program Account”; “Rural Business-Cooperative Serv-*
14 *ice—Rural Economic Development Loans Program Ac-*
15 *count”; “Rural Business-Cooperative Service—Rural Coop-*
16 *erative Development Grants”; “Rural Business-Cooperative*
17 *Service—Rural Microentrepreneur Assistance Program”;*
18 *“Rural Utilities Service—Rural Water and Waste Disposal*
19 *Program Account”; “Rural Utilities Service—Rural Elec-*
20 *trification and Telecommunications Loans Program Ac-*
21 *count”; and “Rural Utilities Service—Distance Learning,*
22 *Telemedicine, and Broadband Program”, to the maximum*
23 *extent feasible, at least 10 percent of the funds shall be allo-*
24 *cated for assistance in persistent poverty counties under*
25 *this section, including, notwithstanding any other provision*

1 *regarding population limits, any county seat of such a per-*
2 *sistent poverty county that has a population that does not*
3 *exceed the authorized population limit by more than 10 per-*
4 *cent: Provided, That for purposes of this section, the term*
5 *“persistent poverty counties” means any county that has*
6 *had 20 percent or more of its population living in poverty*
7 *over the past 30 years, as measured by the 1990 and 2000*
8 *decennial censuses, and 2007–2011 American Community*
9 *Survey 5-year average, or any territory or possession of the*
10 *United States: Provided further, That with respect to spe-*
11 *cific activities for which program levels have been made*
12 *available by this Act that are not supported by budget au-*
13 *thority, the requirements of this section shall be applied to*
14 *such program level.*

15 *SEC. 737. None of the funds made available by this*
16 *Act may be used to notify a sponsor or otherwise acknowl-*
17 *edge receipt of a submission for an exemption for investiga-*
18 *tional use of a drug or biological product under section*
19 *505(i) of the Federal Food, Drug, and Cosmetic Act (21*
20 *U.S.C. 355(i)) or section 351(a)(3) of the Public Health*
21 *Service Act (42 U.S.C. 262(a)(3)) in research in which a*
22 *human embryo is intentionally created or modified to in-*
23 *clude a heritable genetic modification. Any such submission*
24 *shall be deemed to have not been received by the Secretary,*
25 *and the exemption may not go into effect.*

1 *SEC. 738. None of the funds made available by this*
2 *or any other Act may be used to enforce the final rule pro-*
3 *mulgated by the Food and Drug Administration entitled*
4 *“Standards for the Growing, Harvesting, Packing, and*
5 *Holding of Produce for Human Consumption,” and pub-*
6 *lished on November 27, 2015, with respect to the regulation*
7 *of entities that grow, harvest, pack, or hold wine grapes,*
8 *hops, pulse crops, or almonds.*

9 *SEC. 739. There is hereby appropriated \$5,000,000, to*
10 *remain available until September 30, 2023, for a pilot pro-*
11 *gram for the National Institute of Food and Agriculture*
12 *to provide grants to nonprofit organizations for programs*
13 *and services to establish and enhance farming and ranching*
14 *opportunities for military veterans.*

15 *SEC. 740. For school years 2021–2022 and 2022–2023,*
16 *none of the funds made available by this Act may be used*
17 *to implement or enforce the matter following the first*
18 *comma in the second sentence of footnote (c) of section*
19 *220.8(c) of title 7, Code of Federal Regulations, with respect*
20 *to the substitution of vegetables for fruits under the school*
21 *breakfast program established under section 4 of the Child*
22 *Nutrition Act of 1966 (42 U.S.C. 1773).*

23 *SEC. 741. None of the funds made available by this*
24 *Act or any other Act may be used—*

1 (1) *in contravention of section 7606 of the Agri-*
2 *cultural Act of 2014 (7 U.S.C. 5940), subtitle G of the*
3 *Agricultural Marketing Act of 1946, or section 10114*
4 *of the Agriculture Improvement Act of 2018; or*

5 (2) *to prohibit the transportation, processing,*
6 *sale, or use of hemp, or seeds of such plant, that is*
7 *grown or cultivated in accordance with section 7606*
8 *of the Agricultural Act of 2014 or Subtitle G of the*
9 *Agricultural Marketing Act of 1946, within or outside*
10 *the State in which the hemp is grown or cultivated.*

11 *SEC. 742. There is hereby appropriated \$3,000,000, to*
12 *remain available until expended, for grants under section*
13 *12502 of Public Law 115–334.*

14 *SEC. 743. There is hereby appropriated \$1,000,000 to*
15 *carry out section 3307 of Public Law 115–334.*

16 *SEC. 744. The Secretary of Agriculture may waive the*
17 *matching funds requirement under section 412(g) of the Ag-*
18 *ricultural Research, Extension, and Education Reform Act*
19 *of 1998 (7 U.S.C. 7632(g)).*

20 *SEC. 745. There is hereby appropriated \$2,000,000, to*
21 *remain available until expended, for a pilot program for*
22 *the Secretary to provide grants to qualified non-profit orga-*
23 *nizations and public housing authorities to provide tech-*
24 *nical assistance, including financial and legal services, to*
25 *RHS multi-family housing borrowers to facilitate the ac-*

1 *quisition of RHS multi-family housing properties in areas*
2 *where the Secretary determines a risk of loss of affordable*
3 *housing, by non-profit housing organizations and public*
4 *housing authorities as authorized by law that commit to*
5 *keep such properties in the RHS multi-family housing pro-*
6 *gram for a period of time as determined by the Secretary.*

7 *SEC. 746. There is hereby appropriated \$3,000,000, to*
8 *carry out section 4208 of Public Law 115–334, including*
9 *for project locations in additional regions and timely com-*
10 *pletion of required reporting to Congress.*

11 *SEC. 747. There is hereby appropriated \$4,000,000 to*
12 *carry out section 12301 of Public Law 115–334.*

13 *SEC. 748. In response to an eligible community where*
14 *the drinking water supplies are inadequate due to a natural*
15 *disaster, as determined by the Secretary, including drought*
16 *or severe weather, the Secretary may provide potable water*
17 *through the Emergency Community Water Assistance*
18 *Grant Program for an additional period of time not to ex-*
19 *ceed 120 days beyond the established period provided under*
20 *the Program in order to protect public health.*

21 *SEC. 749. Funds made available under title II of the*
22 *Food for Peace Act (7 U.S.C. 1721 et seq.) may only be*
23 *used to provide assistance to recipient nations if adequate*
24 *monitoring and controls, as determined by the Adminis-*
25 *trator, are in place to ensure that emergency food aid is*

1 received by the intended beneficiaries in areas affected by
2 food shortages and not diverted for unauthorized or inap-
3 propriate purposes.

4 *SEC. 750. In this fiscal year, and notwithstanding any*
5 *other provision of law, ARS facilities as described in the*
6 *“Memorandum of Understanding Between the U.S. Depart-*
7 *ment of Agriculture Animal and Plant Health Inspection*
8 *Service (APHIS) and the U.S. Department of Agriculture*
9 *Agricultural Research Service (ARS) Concerning Labora-*
10 *tory Animal Welfare” (16–6100–0103–MU Revision 16–1)*
11 *shall be inspected by APHIS for compliance with the Ani-*
12 *mal Welfare Act and its regulations and standards.*

13 *SEC. 751. None of the funds made available by this*
14 *Act may be used to procure raw or processed poultry prod-*
15 *ucts imported into the United States from the People’s Re-*
16 *public of China for use in the school lunch program under*
17 *the Richard B. Russell National School Lunch Act (42*
18 *U.S.C. 1751 et seq.), the Child and Adult Care Food Pro-*
19 *gram under section 17 of such Act (42 U.S.C. 1766), the*
20 *Summer Food Service Program for Children under section*
21 *13 of such Act (42 U.S.C. 1761), or the school breakfast*
22 *program under the Child Nutrition Act of 1966 (42 U.S.C.*
23 *1771 et seq.).*

24 *SEC. 752. For school year 2022–2023, only a school*
25 *food authority that had a negative balance in the nonprofit*

1 *school food service account as of December 31, 2021, shall*
2 *be required to establish a price for paid lunches in accord-*
3 *ance with section 12(p) of the Richard B. Russell National*
4 *School Lunch Act (42 U.S.C. 1760(p)).*

5 *SEC. 753. There is hereby appropriated \$2,000,000, to*
6 *remain available until expended, for the Secretary of Agri-*
7 *culture to carry out a pilot program that assists rural hos-*
8 *pitals to improve long-term operations and financial health*
9 *by providing technical assistance through analysis of cur-*
10 *rent hospital management practices.*

11 *SEC. 754. Any funds made available by this or any*
12 *other Act that the Secretary withholds pursuant to section*
13 *1668(g)(2) of the Food, Agriculture, Conservation, and*
14 *Trade Act of 1990 (7 U.S.C. 5921(g)(2)), as amended, shall*
15 *be available for grants for biotechnology risk assessment re-*
16 *search: Provided, That the Secretary may transfer such*
17 *funds among appropriations of the Department of Agri-*
18 *culture for purposes of making such grants.*

19 *SEC. 755. Section 313(b) of the Rural Electrification*
20 *Act of 1936, as amended (7 U.S.C. 940c(b)), shall be applied*
21 *for fiscal year 2022 and each fiscal year thereafter until*
22 *the specified funding has been expended as if the following*
23 *were inserted after the final period in subsection (b)(2): “In*
24 *addition, the Secretary shall use \$425,000,000 of funds*
25 *available in this subaccount in fiscal year 2019 for an addi-*

1 tional amount for the same purpose and under the same
2 terms and conditions as funds appropriated by section 779
3 of Public Law 115–141, shall use \$255,000,000 of funds
4 available in this subaccount in fiscal year 2020 for an addi-
5 tional amount for the same purpose and under the same
6 terms and conditions as funds appropriated by section 779
7 of Public Law 115–141, shall use \$104,000,000 of funds
8 available in this subaccount in fiscal year 2021 for an addi-
9 tional amount for the same purpose and under the same
10 terms and conditions as funds appropriated by section 779
11 of Public Law 115–141, and shall use \$50,000,000 of funds
12 available in this subaccount in fiscal year 2022 for an addi-
13 tional amount for the same purpose and under the same
14 terms and conditions as funds appropriated by section 779
15 of Public Law 115–141.”: Provided, That any use of such
16 funds shall be treated as a reprogramming of funds under
17 section 716 of this Act: Provided further, That section
18 775(b) of division A of Public Law 116–260 shall no longer
19 apply.

20 SEC. 756. There is hereby appropriated \$400,000 to
21 carry out section 1672(g)(4)(B) of the Food, Agriculture,
22 Conservation, and Trade Act of 1990 (7 U.S.C.
23 5925(g)(4)(B)) as amended by section 7209 of Public Law
24 115–334.

1 *SEC. 757. For an additional amount for “National In-*
2 *stitute of Food and Agriculture—Research and Education*
3 *Activities”, \$1,000,000, to develop a public-private coopera-*
4 *tive framework based on open data standards for neutral*
5 *data repository solutions to preserve and share the big data*
6 *generated by technological advancements in the agriculture*
7 *industry and for the preservation and curation of data in*
8 *collaboration with land-grant universities.*

9 *SEC. 758. Notwithstanding any other provision of law,*
10 *no funds available to the Department of Agriculture may*
11 *be used to move any staff office or any agency from the*
12 *mission area in which it was located on August 1, 2018,*
13 *to any other mission area or office within the Department*
14 *in the absence of the enactment of specific legislation affirm-*
15 *ing such move.*

16 *SEC. 759. The Secretary, acting through the Chief of*
17 *the Natural Resources Conservation Service, may use funds*
18 *appropriated under this Act or any other Act for the Water-*
19 *shed and Flood Prevention Operations Program and the*
20 *Watershed Rehabilitation Program carried out pursuant to*
21 *the Watershed Protection and Flood Prevention Act (16*
22 *U.S.C. 1001 et seq.), and for the Emergency Watershed Pro-*
23 *tection Program carried out pursuant to section 403 of the*
24 *Agricultural Credit Act of 1978 (16 U.S.C. 2203) to provide*
25 *technical services for such programs pursuant to section*

1 1252(a)(1) of the Food Security Act of 1985 (16 U.S.C.
2 3851(a)(1)), notwithstanding subsection (c) of such section.

3 SEC. 760. In administering the pilot program estab-
4 lished by section 779 of division A of the Consolidated Ap-
5 propriations Act, 2018 (Public Law 115–141), the Sec-
6 retary of Agriculture may, for purposes of determining enti-
7 ties eligible to receive assistance, consider those communities
8 which are “Areas Rural in Character”: Provided, That not
9 more than 10 percent of the funds made available under
10 the heading “Distance Learning, Telemedicine, and
11 Broadband Program” for the purposes of the pilot program
12 established by section 779 of Public Law 115–141 may be
13 used for this purpose.

14 SEC. 761. There is hereby appropriated \$24,525,000
15 for the Goodfellow Federal facility, to remain available
16 until expended, of which \$12,000,000 shall be transferred
17 to and merged with the appropriation for “Office of the
18 Chief Information Officer”, and of which \$12,525,000 shall
19 be transferred to and merged with the appropriation for
20 “Food Safety and Inspection Service”.

21 SEC. 762. None of the funds made available by this
22 Act may be used to pay the salaries or expenses of per-
23 sonnel—

24 (1) to inspect horses under section 3 of the Fed-
25 eral Meat Inspection Act (21 U.S.C. 603);

1 (2) to inspect horses under section 903 of the
2 *Federal Agriculture Improvement and Reform Act of*
3 1996 (7 U.S.C. 1901 note; Public Law 104–127); or
4 (3) to implement or enforce section 352.19 of
5 title 9, *Code of Federal Regulations* (or a successor
6 regulation).

7 SEC. 763. For an additional amount for “National In-
8 stitute of Food and Agriculture—Research and Education
9 Activities”, \$300,000, for the Under Secretary for Research,
10 Education, and Economics to convene a blue-ribbon panel
11 for the purpose of evaluating the overall structure of re-
12 search and education through the public and land-grant
13 universities, including 1890 Institutions, to define a new
14 architecture that can better integrate, coordinate, and assess
15 economic impact of the collective work of these institutions.

16 SEC. 764. For an additional amount for “National In-
17 stitute of Food and Agriculture—Research and Education
18 Activities”, \$5,000,000, to remain available until Sep-
19 tember 30, 2023, for a competitive grant to an institution
20 in the land-grant university system to establish a Farm of
21 the Future testbed and demonstration site.

22 SEC. 765. Section 788(b) of the Further Consolidated
23 Appropriations Act, 2020 (Public Law 116–94) is amended
24 to read as follows:

1 “(b) hereafter, make publicly available via searchable
2 database, in their entirety without redactions except signa-
3 tures, the following records:

4 “(1) all final Animal Welfare Act inspection re-
5 ports, including all reports documenting all Animal
6 Welfare Act violations and non-compliances observed
7 by USDA officials and all animal inventories for the
8 current year and the preceding three years;

9 “(2) all final Animal Welfare Act and Horse
10 Protection Act enforcement records for the current
11 year and the preceding three years;

12 “(3) all reports or other materials documenting
13 any violations and non-compliances observed by
14 USDA officials for the current year and the preceding
15 three years; and

16 “(4) within six months of receipt by the agency,
17 all final Animal Welfare Act research facility annual
18 reports, including their attachments with appropriate
19 redactions made for confidential business information
20 that USDA could withhold under FOIA Exemption
21 4.”.

22 SEC. 766. None of the funds made available by this
23 Act may be used to propose, promulgate, or implement any
24 rule, or take any other action with respect to, allowing or
25 requiring information intended for a prescribing health

1 *care professional, in the case of a drug or biological product*
2 *subject to section 503(b)(1) of the Federal Food, Drug, and*
3 *Cosmetic Act (21 U.S.C. 353(b)(1)), to be distributed to*
4 *such professional electronically (in lieu of in paper form)*
5 *unless and until a Federal law is enacted to allow or re-*
6 *quire such distribution.*

7 *SEC. 767. There is hereby appropriated \$5,000,000, to*
8 *remain available until expended, to establish a National*
9 *Farm to School Institute to provide technical and practical*
10 *assistance to Farm to School programs across the country*
11 *and shall be located at Shelburne Farms in Shelburne, VT.*

12 *SEC. 768. Out of amounts appropriated to the Food*
13 *and Drug Administration under title VI, the Secretary of*
14 *Health and Human Services, acting through the Commis-*
15 *sioner of Food and Drugs, shall, not later than September*
16 *30, 2022, and following the review required under Executive*
17 *Order No. 12866 (5 U.S.C. 601 note; relating to regulatory*
18 *planning and review), issue advice revising the advice pro-*
19 *vided in the notice of availability entitled “Advice About*
20 *Eating Fish, From the Environmental Protection Agency*
21 *and Food and Drug Administration; Revised Fish Advice;*
22 *Availability” (82 Fed. Reg. 6571 (January 19, 2017)), in*
23 *a manner that is consistent with nutrition science recog-*
24 *nized by the Food and Drug Administration on the net ef-*
25 *fects of seafood consumption.*

1 *SEC. 769. In addition to amounts otherwise made*
2 *available by this Act and notwithstanding the last sentence*
3 *of 16 U.S.C. 1310, there is appropriated \$4,000,000, to re-*
4 *main available until expended, to implement non-renewable*
5 *agreements on eligible lands, including flooded agricultural*
6 *lands, as determined by the Secretary, under the Water*
7 *Bank Act (16 U.S.C. 1301–1311).*

8 *SEC. 770. The Secretary shall set aside for Rural Eco-*
9 *nomie Area Partnership (REAP) Zones, until August 15,*
10 *2022, an amount of funds made available in title III under*
11 *the headings of Rural Housing Insurance Fund Program*
12 *Account, Mutual and Self-Help Housing Grants, Rural*
13 *Housing Assistance Grants, Rural Community Facilities*
14 *Program Account, Rural Business Program Account, Rural*
15 *Development Loan Fund Program Account, and Rural*
16 *Water and Waste Disposal Program Account, equal to the*
17 *amount obligated in REAP Zones with respect to funds*
18 *provided under such headings in the most recent fiscal year*
19 *any such funds were obligated under such headings for*
20 *REAP Zones.*

21 *SEC. 771. There is hereby appropriated \$5,000,000, to*
22 *remain available until expended, to carry out section 2103*
23 *of Public Law 115–334: Provided, That the Secretary shall*
24 *prioritize the wetland compliance needs of areas with sig-*

1 *nificant numbers of individual wetlands, wetland acres,*
2 *and conservation compliance requests.*

3 *SEC. 772. Notwithstanding any other provision of law,*
4 *the acceptable market name of any engineered animal ap-*
5 *proved prior to the effective date of the National Bioengi-*
6 *neered Food Disclosure Standard (February 19, 2019) shall*
7 *include the words “genetically engineered” prior to the ex-*
8 *isting acceptable market name.*

9 *SEC. 773. Section 9(i)(2) of the Food and Nutrition*
10 *Act of 2008 (7 U.S.C. 2018(i)(2)) is amended by striking*
11 *“December 31, 2021” and inserting “December 31, 2022”.*

12 *SEC. 774. There is hereby appropriated \$500,000 to*
13 *carry out the duties of the working group established under*
14 *section 770 of the Agriculture, Rural Development, Food*
15 *and Drug Administration, and Related Agencies Appro-*
16 *priations Act, 2019 (Public Law 116–6; 133 Stat. 89).*

17 *SEC. 775. (a) There is hereby appropriated \$3,000,000,*
18 *to remain available until expended, for a pilot program for*
19 *the Animal and Plant Health Inspection Service to provide*
20 *grants to State departments of agriculture and forestry*
21 *commissions in states identified in the final environmental*
22 *assessment published in the Federal Register on September*
23 *23, 2020 (85 Fed. Reg. 59735), to combat and treat*
24 *cogongrass through established cogongrass control programs.*

1 (b) Not to exceed 2 percent of the funds provided under
2 this section shall be available for necessary costs of grant
3 administration.

4 SEC. 776. Section 764(d)(3)(B) of division N of Public
5 Law 116–260 is amended by inserting “and fiscal year
6 2022” after “fiscal year 2021” and before the final period.

7 SEC. 777. Section 6402(f) of the Farm Security and
8 Rural Investment Act of 2002 (7 U.S.C. 1632b(f)) is amend-
9 ed in the matter preceding paragraph (1) by striking “sec-
10 tion 210A(d)(2)” and inserting “section 210A(d)(5)(D)”.

11 SEC. 778. For an additional amount for the Office of
12 the Secretary, \$30,000,000, to remain available until ex-
13 pended, to establish an Institute for Rural Partnerships:
14 Provided, That the Secretary shall establish a grant pro-
15 gram and distribute the funds to three geographically di-
16 verse established land-grant universities: Provided further,
17 That the Institute for Rural Partnerships shall dedicate re-
18 sources to researching the causes and conditions of chal-
19 lenges facing rural areas, and develop community partner-
20 ships to address such challenges: Provided further, That ad-
21 ministrative or other fees shall not exceed one percent: Pro-
22 vided further, That such partnership shall coordinate and
23 publish an annual report.

24 SEC. 779. There is hereby appropriated \$1,000,000, to
25 remain available until September 30, 2023, for a Cattle

1 *Contracts Library pilot program that the Agricultural Mar-*
2 *keting Service shall develop and maintain within the Live-*
3 *stock, Poultry, and Grain Market News Division. This pro-*
4 *gram shall be similar, as determined by the Secretary, to*
5 *the swine contract library the U.S. Department of Agri-*
6 *culture currently maintains pursuant to section 222 of the*
7 *Packers and Stockyards Act (7 U.S.C. 198a). The promul-*
8 *gation of the regulations and administration of this section*
9 *shall be made without regard to: (1) the notice and comment*
10 *provisions of section 553 of title 5; and (2) chapter 35 of*
11 *title 44 (commonly known as the “Paperwork Reduction*
12 *Act”).*

13 *SEC. 780. There is hereby appropriated \$10,000,000,*
14 *to remain available until expended, for costs associated with*
15 *the establishment of an Institute of Rural Partnership, lo-*
16 *cated at the University of Vermont, Burlington, VT.*

17 *SEC. 781. Notwithstanding any provision of law that*
18 *regulates the calculation and payment of overtime and holi-*
19 *day pay for FSIS inspectors, the Secretary may charge es-*
20 *tablishments subject to the inspection requirements of the*
21 *Poultry Products Inspection Act, 21 U.S.C. 451 et seq., the*
22 *Federal Meat Inspection Act, 21 U.S.C. 601 et seq, and the*
23 *Egg Products Inspection Act, 21 U.S.C. 1031 et seq., for*
24 *the cost of inspection services provided outside of an estab-*
25 *lishment’s approved inspection shifts, and for inspection*

1 *services provided on Federal holidays: Provided, That any*
2 *sums charged pursuant to this paragraph shall be deemed*
3 *as overtime pay or holiday pay under section 1001(d) of*
4 *the American Rescue Plan Act of 2021 (Public Law 117–*
5 *2, 135 Stat. 242): Provided further, That sums received by*
6 *the Secretary under this paragraph shall, in addition to*
7 *other available funds, remain available until expended to*
8 *the Secretary without further appropriation for the purpose*
9 *of funding all costs associated with FSIS inspections.*

10 *SEC. 782. Of the unobligated balances from prior year*
11 *appropriations made available under the heading “Farm*
12 *Service Agency—Agricultural Credit Insurance Fund Pro-*
13 *gram Account”, \$90,000,000 are hereby rescinded.*

14 *SEC. 783. Of the unobligated balances from prior year*
15 *appropriations made available under the heading “Agri-*
16 *culture Buildings and Facilities”, \$73,400,000 are hereby*
17 *rescinded.*

18 *SEC. 784. (a) DESIGNATION.—The Federal building lo-*
19 *cated at 1636 East Alisal Street, Salinas, California, shall*
20 *be known and designated as the “Sam Farr United States*
21 *Crop Improvement and Protection Research Center”.*

22 *(b) REFERENCES.—Any reference in a law, map, regu-*
23 *lation, document, paper, or other record of the United*
24 *States to the Federal building referred to in subsection (a)*

1 *shall be deemed to be a reference to the “Sam Farr United*
2 *States Crop Improvement and Protection Research Center”.*

3 *SEC. 785. For necessary expenses for salary and re-*
4 *lated costs associated with Agriculture Quarantine and In-*
5 *spection Services activities pursuant to 21 U.S.C. 136a(6),*
6 *and in addition to any other funds made available for this*
7 *purpose, there is appropriated, out of any money in the*
8 *Treasury not otherwise appropriated, \$250,000,000, to re-*
9 *main available until September 30, 2023, to offset the loss*
10 *resulting from the coronavirus pandemic of quarantine and*
11 *inspection fees collected pursuant to sections 2508 and 2509*
12 *of the Food, Agriculture, Conservation, and Trade Act of*
13 *1990 (21 U.S.C. 136, 136a): Provided, That amounts made*
14 *available in this section shall be treated as funds collected*
15 *by fees authorized under sections 2508 and 2509 of the*
16 *Food, Agriculture, Conservation, and Trade Act of 1990 (21*
17 *U.S.C. 136, 136a) for purposes of section 421(f) of the*
18 *Homeland Security Act of 2002 (6 U.S.C. 231(f)).*

19 *SEC. 786. The matter under the heading “Department*
20 *of Agriculture—Rural Development Programs—Rural*
21 *Utilities Service—Distance Learning, Telemedicine, and*
22 *Broadband” in title I of division J of Public Law 117–*
23 *58 is amended—*

24 *(1) in the eighth proviso, by striking “electric co-*
25 *operatives” and inserting “pole owners” and;*

1 (2) *in the ninth proviso, by inserting a comma*
2 *after “Corporations”.*

3 *Provided, That amounts repurposed pursuant to*
4 *this section that were previously designated by the*
5 *Congress as an emergency requirement pursuant to*
6 *section 4112(a) of H. Con. Res. 71 (115th Congress),*
7 *the concurrent resolution on the budget for fiscal year*
8 *2018, and to section 251(b) of the Balanced Budget*
9 *and Emergency Deficit Control Act of 1985 are des-*
10 *ignated by the Congress as an emergency requirement*
11 *pursuant to section 4001(a)(1) and section 4001(b) of*
12 *S. Con. Res. 14 (117th Congress), the concurrent reso-*
13 *lution on the budget for fiscal year 2022.*

14 *SEC. 787. The Secretary shall use funds made avail-*
15 *able under the heading “Special Supplemental Nutrition*
16 *Program for Women, Infants, and Children (WIC)” to in-*
17 *crease the amount of a cash-value voucher for women and*
18 *children participants to an amount recommended by the*
19 *National Academies of Science, Engineering and Medicine*
20 *and adjusted for inflation.*

21 *This division may be cited as the “Agriculture, Rural*
22 *Development, Food and Drug Administration, and Related*
23 *Agencies Appropriations Act, 2022”.*

1 **DIVISION B—COMMERCE, JUSTICE,**
2 **SCIENCE, AND RELATED AGENCIES AP-**
3 **PROPRIATIONS ACT, 2022**

4 *TITLE I*

5 *DEPARTMENT OF COMMERCE*

6 *INTERNATIONAL TRADE ADMINISTRATION*

7 *OPERATIONS AND ADMINISTRATION*

8 *For necessary expenses for international trade activi-*
9 *ties of the Department of Commerce provided for by law,*
10 *to carry out activities associated with facilitating, attract-*
11 *ing, and retaining business investment in the United*
12 *States, and for engaging in trade promotional activities*
13 *abroad, including expenses of grants and cooperative agree-*
14 *ments for the purpose of promoting exports of United States*
15 *firms, without regard to sections 3702 and 3703 of title 44,*
16 *United States Code; full medical coverage for dependent*
17 *members of immediate families of employees stationed over-*
18 *seas and employees temporarily posted overseas; travel and*
19 *transportation of employees of the International Trade Ad-*
20 *ministration between two points abroad, without regard to*
21 *section 40118 of title 49, United States Code; employment*
22 *of citizens of the United States and aliens by contract for*
23 *services; rental of space abroad for periods not exceeding*
24 *10 years, and expenses of alteration, repair, or improve-*
25 *ment; purchase or construction of temporary demountable*

1 *exhibition structures for use abroad; payment of tort claims,*
2 *in the manner authorized in the first paragraph of section*
3 *2672 of title 28, United States Code, when such claims arise*
4 *in foreign countries; not to exceed \$294,300 for official rep-*
5 *resentation expenses abroad; purchase of passenger motor*
6 *vehicles for official use abroad, not to exceed \$45,000 per*
7 *vehicle; not to exceed \$325,000 for purchase of armored ve-*
8 *hicles without regard to the general purchase price limita-*
9 *tions; obtaining insurance on official motor vehicles; and*
10 *rental of tie lines, \$570,000,000, of which \$80,000,000 shall*
11 *remain available until September 30, 2023: Provided, That*
12 *\$11,000,000 is to be derived from fees to be retained and*
13 *used by the International Trade Administration, notwith-*
14 *standing section 3302 of title 31, United States Code: Pro-*
15 *vided further, That, of amounts provided under this head-*
16 *ing, not less than \$16,400,000 shall be for China anti-*
17 *dumping and countervailing duty enforcement and compli-*
18 *ance activities: Provided further, That the provisions of the*
19 *first sentence of section 105(f) and all of section 108(c) of*
20 *the Mutual Educational and Cultural Exchange Act of 1961*
21 *(22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying*
22 *out these activities; and that for the purpose of this Act,*
23 *contributions under the provisions of the Mutual Edu-*
24 *cational and Cultural Exchange Act of 1961 shall include*

1 *payment for assessments for services provided as part of*
2 *these activities.*

3 *BUREAU OF INDUSTRY AND SECURITY*

4 *OPERATIONS AND ADMINISTRATION*

5 *For necessary expenses for export administration and*
6 *national security activities of the Department of Commerce,*
7 *including costs associated with the performance of export*
8 *administration field activities both domestically and*
9 *abroad; full medical coverage for dependent members of im-*
10 *mediate families of employees stationed overseas; employ-*
11 *ment of citizens of the United States and aliens by contract*
12 *for services abroad; payment of tort claims, in the manner*
13 *authorized in the first paragraph of section 2672 of title*
14 *28, United States Code, when such claims arise in foreign*
15 *countries; not to exceed \$13,500 for official representation*
16 *expenses abroad; awards of compensation to informers*
17 *under the Export Control Reform Act of 2018 (subtitle B*
18 *of title XVII of the John S. McCain National Defense Au-*
19 *thorization Act for Fiscal Year 2019; Public Law 115–232;*
20 *132 Stat. 2208; 50 U.S.C. 4801 et seq.), and as authorized*
21 *by section 1(b) of the Act of June 15, 1917 (40 Stat. 223;*
22 *22 U.S.C. 401(b)); and purchase of passenger motor vehicles*
23 *for official use and motor vehicles for law enforcement use*
24 *with special requirement vehicles eligible for purchase with-*
25 *out regard to any price limitation otherwise established by*

1 law, \$141,000,000, of which \$52,410,000 shall remain
2 available until expended: Provided, That the provisions of
3 the first sentence of section 105(f) and all of section 108(c)
4 of the Mutual Educational and Cultural Exchange Act of
5 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in car-
6 rying out these activities: Provided further, That payments
7 and contributions collected and accepted for materials or
8 services provided as part of such activities may be retained
9 for use in covering the cost of such activities, and for pro-
10 viding information to the public with respect to the export
11 administration and national security activities of the De-
12 partment of Commerce and other export control programs
13 of the United States and other governments.

14 *ECONOMIC DEVELOPMENT ADMINISTRATION*

15 *ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS*

16 *For grants for economic development assistance as pro-*
17 *vided by the Public Works and Economic Development Act*
18 *of 1965, for trade adjustment assistance, and for grants au-*
19 *thorized by sections 27 and 28 of the Stevenson-Wydler*
20 *Technology Innovation Act of 1980 (15 U.S.C. 3722 and*
21 *3723), as amended, \$330,000,000 to remain available until*
22 *expended, of which \$45,000,000 shall be for grants under*
23 *such section 27 and \$2,000,000 shall be for grants under*
24 *such section 28: Provided, That any deviation from the*
25 *amounts designated for specific activities in the explana-*

1 tory statement described in section 4 (in the matter pre-
2 ceding division A of this consolidated Act), or any use of
3 deobligated balances of funds provided under this heading
4 in previous years, shall be subject to the procedures set forth
5 in section 505 of this Act.

6 *SALARIES AND EXPENSES*

7 *For necessary expenses of administering the economic*
8 *development assistance programs as provided for by law,*
9 *\$43,500,000: Provided, That funds provided under this*
10 *heading may be used to monitor projects approved pursuant*
11 *to title I of the Public Works Employment Act of 1976; title*
12 *II of the Trade Act of 1974; sections 27 and 28 of the Ste-*
13 *venson-Wydler Technology Innovation Act of 1980 (15*
14 *U.S.C. 3722 and 3723), as amended; and the Community*
15 *Emergency Drought Relief Act of 1977.*

16 *MINORITY BUSINESS DEVELOPMENT AGENCY*

17 *MINORITY BUSINESS DEVELOPMENT*

18 *For necessary expenses of the Department of Commerce*
19 *in fostering, promoting, and developing minority business*
20 *enterprises, including expenses of grants, contracts, and*
21 *other agreements with public or private organizations,*
22 *\$55,000,000, of which not more than \$18,000,000 shall be*
23 *available for overhead expenses, including salaries and ex-*
24 *penses, rent, utilities, and information technology services.*

1 *ECONOMIC AND STATISTICAL ANALYSIS*2 *SALARIES AND EXPENSES*

3 *For necessary expenses, as authorized by law, of eco-*
4 *nomic and statistical analysis programs of the Department*
5 *of Commerce, \$116,000,000, to remain available until Sep-*
6 *tember 30, 2023.*

7 *BUREAU OF THE CENSUS*8 *CURRENT SURVEYS AND PROGRAMS*

9 *For necessary expenses for collecting, compiling, ana-*
10 *lyzing, preparing, and publishing statistics, provided for by*
11 *law, \$300,000,000: Provided, That, from amounts provided*
12 *herein, funds may be used for promotion, outreach, and*
13 *marketing activities.*

14 *PERIODIC CENSUSES AND PROGRAMS*15 *(INCLUDING TRANSFER OF FUNDS)*

16 *For necessary expenses for collecting, compiling, ana-*
17 *lyzing, preparing, and publishing statistics for periodic*
18 *censuses and programs provided for by law, \$1,054,000,000,*
19 *to remain available until September 30, 2023: Provided,*
20 *That, from amounts provided herein, funds may be used*
21 *for promotion, outreach, and marketing activities: Provided*
22 *further, That within the amounts appropriated, \$3,556,000*
23 *shall be transferred to the “Office of Inspector General” ac-*
24 *count for activities associated with carrying out investiga-*
25 *tions and audits related to the Bureau of the Census.*

1 *NATIONAL TELECOMMUNICATIONS AND INFORMATION*

2 *ADMINISTRATION*

3 *SALARIES AND EXPENSES*

4 *For necessary expenses, as provided for by law, of the*
5 *National Telecommunications and Information Adminis-*
6 *tration (NTIA), \$50,000,000, to remain available until*
7 *September 30, 2023: Provided, That, notwithstanding 31*
8 *U.S.C. 1535(d), the Secretary of Commerce shall charge*
9 *Federal agencies for costs incurred in spectrum manage-*
10 *ment, analysis, operations, and related services, and such*
11 *fees shall be retained and used as offsetting collections for*
12 *costs of such spectrum services, to remain available until*
13 *expended: Provided further, That the Secretary of Com-*
14 *merce is authorized to retain and use as offsetting collec-*
15 *tions all funds transferred, or previously transferred, from*
16 *other Government agencies for all costs incurred in tele-*
17 *communications research, engineering, and related activi-*
18 *ties by the Institute for Telecommunication Sciences of*
19 *NTIA, in furtherance of its assigned functions under this*
20 *paragraph, and such funds received from other Government*
21 *agencies shall remain available until expended.*

22 *PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND*

23 *CONSTRUCTION*

24 *For the administration of prior-year grants, recoveries*
25 *and unobligated balances of funds previously appropriated*

1 *are available for the administration of all open grants until*
2 *their expiration.*

3 *UNITED STATES PATENT AND TRADEMARK OFFICE*

4 *SALARIES AND EXPENSES*

5 *(INCLUDING TRANSFERS OF FUNDS)*

6 *For necessary expenses of the United States Patent and*
7 *Trademark Office (USPTO) provided for by law, including*
8 *defense of suits instituted against the Under Secretary of*
9 *Commerce for Intellectual Property and Director of the*
10 *USPTO, \$4,058,410,000, to remain available until ex-*
11 *pended: Provided, That the sum herein appropriated from*
12 *the general fund shall be reduced as offsetting collections*
13 *of fees and surcharges assessed and collected by the USPTO*
14 *under any law are received during fiscal year 2022, so as*
15 *to result in a fiscal year 2022 appropriation from the gen-*
16 *eral fund estimated at \$0: Provided further, That during*
17 *fiscal year 2022, should the total amount of such offsetting*
18 *collections be less than \$4,058,410,000, this amount shall*
19 *be reduced accordingly: Provided further, That any amount*
20 *received in excess of \$4,058,410,000 in fiscal year 2022 and*
21 *deposited in the Patent and Trademark Fee Reserve Fund*
22 *shall remain available until expended: Provided further,*
23 *That the Director of USPTO shall submit a spending plan*
24 *to the Committees on Appropriations of the House of Rep-*
25 *resentatives and the Senate for any amounts made available*

1 *by the preceding proviso and such spending plan shall be*
2 *treated as a reprogramming under section 505 of this Act*
3 *and shall not be available for obligation or expenditure ex-*
4 *cept in compliance with the procedures set forth in that sec-*
5 *tion: Provided further, That any amounts reprogrammed*
6 *in accordance with the preceding proviso shall be trans-*
7 *ferred to the United States Patent and Trademark Office*
8 *“Salaries and Expenses” account: Provided further, That*
9 *the budget of the President submitted for fiscal year 2023*
10 *under section 1105 of title 31, United States Code, shall*
11 *include within amounts provided under this heading for*
12 *necessary expenses of the USPTO any increases that are*
13 *expected to result from an increase promulgated through*
14 *rule or regulation in offsetting collections of fees and sur-*
15 *charges assessed and collected by the USPTO under any law*
16 *in either fiscal year 2022 or fiscal year 2023: Provided fur-*
17 *ther, That from amounts provided herein, not to exceed*
18 *\$13,500 shall be made available in fiscal year 2022 for offi-*
19 *cial reception and representation expenses: Provided fur-*
20 *ther, That in fiscal year 2022 from the amounts made*
21 *available for “Salaries and Expenses” for the USPTO, the*
22 *amounts necessary to pay (1) the difference between the per-*
23 *centage of basic pay contributed by the USPTO and em-*
24 *ployees under section 8334(a) of title 5, United States Code,*
25 *and the normal cost percentage (as defined by section*

1 8331(17) of that title) as provided by the Office of Personnel
2 Management (OPM) for USPTO's specific use, of basic pay,
3 of employees subject to subchapter III of chapter 83 of that
4 title, and (2) the present value of the otherwise unfunded
5 accruing costs, as determined by OPM for USPTO's specific
6 use of post-retirement life insurance and post-retirement
7 health benefits coverage for all USPTO employees who are
8 enrolled in Federal Employees Health Benefits (FEHB)
9 and Federal Employees Group Life Insurance (FEGLI),
10 shall be transferred to the Civil Service Retirement and Dis-
11 ability Fund, the FEGLI Fund, and the Employees FEHB
12 Fund, as appropriate, and shall be available for the author-
13 ized purposes of those accounts: Provided further, That any
14 differences between the present value factors published in
15 OPM's yearly 300 series benefit letters and the factors that
16 OPM provides for USPTO's specific use shall be recognized
17 as an imputed cost on USPTO's financial statements, where
18 applicable: Provided further, That, notwithstanding any
19 other provision of law, all fees and surcharges assessed and
20 collected by USPTO are available for USPTO only pursu-
21 ant to section 42(c) of title 35, United States Code, as
22 amended by section 22 of the Leahy-Smith America Invents
23 Act (Public Law 112-29): Provided further, That within
24 the amounts appropriated, \$2,000,000 shall be transferred
25 to the "Office of Inspector General" account for activities

1 *associated with carrying out investigations and audits re-*
2 *lated to the USPTO.*

3 *NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY*
4 *SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES*
5 *(INCLUDING TRANSFER OF FUNDS)*

6 *For necessary expenses of the National Institute of*
7 *Standards and Technology (NIST), \$850,000,000, to re-*
8 *main available until expended, of which not to exceed*
9 *\$9,000,000 may be transferred to the “Working Capital*
10 *Fund”: Provided, That of the amounts appropriated under*
11 *this heading, \$37,598,000 shall be used for the projects, and*
12 *in the amounts, specified in the table immediately following*
13 *the paragraph “NIST External Projects” in the explana-*
14 *tory statement described in section 4 (in the matter pre-*
15 *ceding division A of this consolidated Act): Provided fur-*
16 *ther, That the amounts made available for the projects ref-*
17 *erenced in the preceding proviso may not be transferred for*
18 *any other purpose: Provided further, That not to exceed*
19 *\$5,000 shall be for official reception and representation ex-*
20 *penses: Provided further, That NIST may provide local*
21 *transportation for summer undergraduate research fellow-*
22 *ship program participants.*

23 *INDUSTRIAL TECHNOLOGY SERVICES*

24 *For necessary expenses for industrial technology serv-*
25 *ices, \$174,500,000, to remain available until expended, of*

1 *which \$158,000,000 shall be for the Hollings Manufacturing*
2 *Extension Partnership, and of which \$16,500,000 shall be*
3 *for the Manufacturing USA Program.*

4 *CONSTRUCTION OF RESEARCH FACILITIES*

5 *For construction of new research facilities, including*
6 *architectural and engineering design, and for renovation*
7 *and maintenance of existing facilities, not otherwise pro-*
8 *vided for the National Institute of Standards and Tech-*
9 *nology, as authorized by sections 13 through 15 of the Na-*
10 *tional Institute of Standards and Technology Act (15*
11 *U.S.C. 278c–278e), \$205,563,000, to remain available until*
12 *expended: Provided, That of the amounts appropriated*
13 *under this heading, \$125,563,000 shall be used for the*
14 *projects, and in the amounts, specified in the table imme-*
15 *diately following the paragraph “NIST Extramural Con-*
16 *struction” in the explanatory statement described in section*
17 *4 (in the matter preceding division A of this consolidated*
18 *Act): Provided further, That up to one percent of amounts*
19 *made available for the projects referenced in the preceding*
20 *proviso may be used for the administrative costs of such*
21 *projects: Provided further, That the Director of the National*
22 *Institute of Standards and Technology shall submit a*
23 *spending plan to the Committees on Appropriations of the*
24 *House of Representatives and the Senate for any amounts*
25 *made available by the preceding proviso and such spending*

1 *plan shall be treated as a reprogramming under section 505*
2 *of this Act and shall not be available for obligation or ex-*
3 *penditure except in compliance with the procedures set forth*
4 *in that section: Provided further, That the Secretary of*
5 *Commerce shall include in the budget justification mate-*
6 *rials for fiscal year 2023 that the Secretary submits to Con-*
7 *gress in support of the Department of Commerce budget (as*
8 *submitted with the budget of the President under section*
9 *1105(a) of title 31, United States Code) an estimate for each*
10 *National Institute of Standards and Technology construc-*
11 *tion project having a total multi-year program cost of more*
12 *than \$5,000,000, and simultaneously the budget justifica-*
13 *tion materials shall include an estimate of the budgetary*
14 *requirements for each such project for each of the 5 subse-*
15 *quent fiscal years.*

16 *NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION*
17 *OPERATIONS, RESEARCH, AND FACILITIES*
18 *(INCLUDING TRANSFERS OF FUNDS)*

19 *For necessary expenses of activities authorized by law*
20 *for the National Oceanic and Atmospheric Administration,*
21 *including maintenance, operation, and hire of aircraft and*
22 *vessels; pilot programs for State-led fisheries management,*
23 *notwithstanding any other provision of law; grants, con-*
24 *tracts, or other payments to nonprofit organizations for the*
25 *purposes of conducting activities pursuant to cooperative*

1 *agreements; and relocation of facilities, \$4,157,311,000, to*
2 *remain available until September 30, 2023: Provided, That*
3 *fees and donations received by the National Ocean Service*
4 *for the management of national marine sanctuaries may*
5 *be retained and used for the salaries and expenses associated*
6 *with those activities, notwithstanding section 3302 of title*
7 *31, United States Code: Provided further, That in addition,*
8 *\$243,532,000 shall be derived by transfer from the fund en-*
9 *titled “Promote and Develop Fishery Products and Re-*
10 *search Pertaining to American Fisheries”, which shall only*
11 *be used for fishery activities related to the Saltonstall-Ken-*
12 *nedy Grant Program; Fisheries Data Collections, Surveys,*
13 *and Assessments; Observers and Training; Fisheries Man-*
14 *agement Programs and Services; and Interjurisdictional*
15 *Fisheries Grants: Provided further, That not to exceed*
16 *\$67,867,000 shall be for payment to the “Department of*
17 *Commerce Working Capital Fund”:* *Provided further, That*
18 *of the \$4,423,843,000 provided for in direct obligations*
19 *under this heading, \$4,157,311,000 is appropriated from*
20 *the general fund, \$243,532,000 is provided by transfer, and*
21 *\$23,000,000 is derived from recoveries of prior year obliga-*
22 *tions: Provided further, That of the amounts appropriated*
23 *under this heading, \$84,354,000 shall be used for the*
24 *projects, and in the amounts, specified in the table imme-*
25 *diately following the paragraph “NOAA Community*

1 *Project Funding/NOAA Special Projects” in the explana-*
2 *tory statement described in section 4 (in the matter pre-*
3 *ceding division A of this consolidated Act): Provided fur-*
4 *ther, That the amounts made available for the projects ref-*
5 *erenced in the preceding proviso may not be transferred for*
6 *any other purpose: Provided further, That any deviation*
7 *from the amounts designated for specific activities in the*
8 *explanatory statement described in section 4 (in the matter*
9 *preceding division A of this consolidated Act), or any use*
10 *of deobligated balances of funds provided under this heading*
11 *in previous years, shall be subject to the procedures set forth*
12 *in section 505 of this Act: Provided further, That, of the*
13 *amounts appropriated under this heading, \$750,000 shall*
14 *be transferred to the “Office of Inspector General” account*
15 *for activities associated with carrying out investigations*
16 *and audits related to National Weather Service operations:*
17 *Provided further, That in addition, for necessary retired*
18 *pay expenses under the Retired Serviceman’s Family Pro-*
19 *tection and Survivor Benefits Plan, and for payments for*
20 *the medical care of retired personnel and their dependents*
21 *under the Dependents’ Medical Care Act (10 U.S.C. ch. 55),*
22 *such sums as may be necessary.*

1 *PROCUREMENT, ACQUISITION AND CONSTRUCTION*2 *(INCLUDING TRANSFER OF FUNDS)*

3 *For procurement, acquisition and construction of cap-*
4 *ital assets, including alteration and modification costs, of*
5 *the National Oceanic and Atmospheric Administration,*
6 *\$1,672,689,000, to remain available until September 30,*
7 *2024, except that funds provided for acquisition and con-*
8 *struction of vessels and aircraft, and construction of facili-*
9 *ties shall remain available until expended: Provided, That*
10 *of the \$1,685,689,000 provided for in direct obligations*
11 *under this heading, \$1,672,689,000 is appropriated from*
12 *the general fund and \$13,000,000 is provided from recov-*
13 *eries of prior year obligations: Provided further, That any*
14 *deviation from the amounts designated for specific activities*
15 *in the explanatory statement described in section 4 (in the*
16 *matter preceding division A of this consolidated Act), or*
17 *any use of deobligated balances of funds provided under this*
18 *heading in previous years, shall be subject to the procedures*
19 *set forth in section 505 of this Act: Provided further, That*
20 *the Secretary of Commerce shall include in budget justifica-*
21 *tion materials for fiscal year 2023 that the Secretary sub-*
22 *mits to Congress in support of the Department of Commerce*
23 *budget (as submitted with the budget of the President under*
24 *section 1105(a) of title 31, United States Code) an estimate*
25 *for each National Oceanic and Atmospheric Administration*

1 *procurement, acquisition or construction project having a*
2 *total of more than \$5,000,000 and simultaneously the budg-*
3 *et justification shall include an estimate of the budgetary*
4 *requirements for each such project for each of the 5 subse-*
5 *quent fiscal years: Provided further, That, within the*
6 *amounts appropriated, \$3,000,000 shall be transferred to*
7 *the “Office of Inspector General” account for activities asso-*
8 *ciated with carrying out investigations and audits related*
9 *to satellite and vessel procurement, acquisition and con-*
10 *struction.*

11 *PACIFIC COASTAL SALMON RECOVERY*

12 *For necessary expenses associated with the restoration*
13 *of Pacific salmon populations, \$65,000,000, to remain*
14 *available until September 30, 2023: Provided, That, of the*
15 *funds provided herein, the Secretary of Commerce may*
16 *issue grants to the States of Washington, Oregon, Idaho,*
17 *Nevada, California, and Alaska, and to the federally recog-*
18 *nized Tribes of the Columbia River and Pacific Coast (in-*
19 *cluding Alaska), for projects necessary for conservation of*
20 *salmon and steelhead populations that are listed as threat-*
21 *ened or endangered, or that are identified by a State as*
22 *at-risk to be so listed, for maintaining populations nec-*
23 *essary for exercise of Tribal treaty fishing rights or native*
24 *subsistence fishing, or for conservation of Pacific coastal*
25 *salmon and steelhead habitat, based on guidelines to be de-*

1 *veloped by the Secretary of Commerce: Provided further,*
2 *That all funds shall be allocated based on scientific and*
3 *other merit principles and shall not be available for mar-*
4 *keting activities: Provided further, That funds disbursed to*
5 *States shall be subject to a matching requirement of funds*
6 *or documented in-kind contributions of at least 33 percent*
7 *of the Federal funds.*

8 *FISHERMEN’S CONTINGENCY FUND*

9 *For carrying out the provisions of title IV of Public*
10 *Law 95–372, not to exceed \$349,000, to be derived from re-*
11 *ceipts collected pursuant to that Act, to remain available*
12 *until expended.*

13 *FISHERIES FINANCE PROGRAM ACCOUNT*

14 *Subject to section 502 of the Congressional Budget Act*
15 *of 1974, during fiscal year 2022, obligations of direct loans*
16 *may not exceed \$24,000,000 for Individual Fishing Quota*
17 *loans and not to exceed \$100,000,000 for traditional direct*
18 *loans as authorized by the Merchant Marine Act of 1936.*

19 *DEPARTMENTAL MANAGEMENT*

20 *SALARIES AND EXPENSES*

21 *For necessary expenses for the management of the De-*
22 *partment of Commerce provided for by law, including not*
23 *to exceed \$4,500 for official reception and representation,*
24 *\$80,000,000: Provided, That no employee of the Department*
25 *of Commerce may be detailed or assigned from a bureau*

1 *or office funded by this Act or any other Act to offices with-*
2 *in the Office of the Secretary of the Department of Com-*
3 *merce for more than 180 days in a fiscal year unless the*
4 *individual's employing bureau or office is fully reimbursed*
5 *for the salary and expenses of the employee for the entire*
6 *period of assignment using funds provided under this head-*
7 *ing: Provided further, That amounts made available to the*
8 *Department of Commerce in this or any prior Act may not*
9 *be transferred pursuant to section 508 of this or any prior*
10 *Act to the account funded under this heading, except in the*
11 *case of extraordinary circumstances that threaten life or*
12 *property.*

13 *RENOVATION AND MODERNIZATION*

14 *For necessary expenses for the renovation and mod-*
15 *ernization of the Herbert C. Hoover Building, \$1,100,000.*

16 *NONRECURRING EXPENSES FUND*

17 *For necessary expenses for technology modernization*
18 *projects and cybersecurity risk mitigation of the Depart-*
19 *ment of Commerce, \$30,000,000, to remain available until*
20 *September 30, 2024, of which up to \$20,000,000 shall be*
21 *available for a business application system modernization:*
22 *Provided, That amounts made available under this heading*
23 *are in addition to such other funds as may be available*
24 *for such purposes: Provided further, That any unobligated*
25 *balances of expired discretionary funds transferred to the*

1 *Department of Commerce Nonrecurring Expenses Fund, as*
2 *authorized by section 111 of title I of division B of Public*
3 *Law 116–93, may be obligated only after the Committees*
4 *on Appropriations of the House of Representatives and the*
5 *Senate are notified at least 15 days in advance of the*
6 *planned use of funds.*

7 *OFFICE OF INSPECTOR GENERAL*

8 *For necessary expenses of the Office of Inspector Gen-*
9 *eral in carrying out the provisions of the Inspector General*
10 *Act of 1978 (5 U.S.C. App.), \$35,783,000: Provided, That*
11 *notwithstanding section 6413 of the Middle Class Tax Relief*
12 *and Job Creation Act of 2012 (Public Law 112–96), an*
13 *additional \$2,000,000, to remain available until expended,*
14 *shall be derived from the Public Safety Trust Fund for ac-*
15 *tivities associated with carrying out investigations and au-*
16 *dits related to the First Responder Network Authority*
17 *(FirstNet).*

18 *GENERAL PROVISIONS—DEPARTMENT OF COMMERCE*

19 *(INCLUDING TRANSFER OF FUNDS)*

20 *SEC. 101. During the current fiscal year, applicable*
21 *appropriations and funds made available to the Depart-*
22 *ment of Commerce by this Act shall be available for the*
23 *activities specified in the Act of October 26, 1949 (15 U.S.C.*
24 *1514), to the extent and in the manner prescribed by the*
25 *Act, and, notwithstanding 31 U.S.C. 3324, may be used for*

1 *advanced payments not otherwise authorized only upon the*
2 *certification of officials designated by the Secretary of Com-*
3 *merce that such payments are in the public interest.*

4 *SEC. 102. During the current fiscal year, appropria-*
5 *tions made available to the Department of Commerce by*
6 *this Act for salaries and expenses shall be available for hire*
7 *of passenger motor vehicles as authorized by 31 U.S.C. 1343*
8 *and 1344; services as authorized by 5 U.S.C. 3109; and uni-*
9 *forms or allowances therefor, as authorized by law (5 U.S.C.*
10 *5901–5902).*

11 *SEC. 103. Not to exceed 5 percent of any appropriation*
12 *made available for the current fiscal year for the Depart-*
13 *ment of Commerce in this Act may be transferred between*
14 *such appropriations, but no such appropriation shall be in-*
15 *creased by more than 10 percent by any such transfers: Pro-*
16 *vided, That any transfer pursuant to this section shall be*
17 *treated as a reprogramming of funds under section 505 of*
18 *this Act and shall not be available for obligation or expendi-*
19 *ture except in compliance with the procedures set forth in*
20 *that section: Provided further, That the Secretary of Com-*
21 *merce shall notify the Committees on Appropriations at*
22 *least 15 days in advance of the acquisition or disposal of*
23 *any capital asset (including land, structures, and equip-*
24 *ment) not specifically provided for in this Act or any other*
25 *law appropriating funds for the Department of Commerce.*

1 *SEC. 104. The requirements set forth by section 105*
2 *of the Commerce, Justice, Science, and Related Agencies*
3 *Appropriations Act, 2012 (Public Law 112–55), as amend-*
4 *ed by section 105 of title I of division B of Public Law*
5 *113–6, are hereby adopted by reference and made applicable*
6 *with respect to fiscal year 2022: Provided, That the life*
7 *cycle cost for the Joint Polar Satellite System is*
8 *\$11,322,125,000, the life cycle cost of the Polar Follow On*
9 *Program is \$6,837,900,000, the life cycle cost for the Geo-*
10 *stationary Operational Environmental Satellite R-Series*
11 *Program is \$11,700,100,000, and the life cycle cost for the*
12 *Space Weather Follow On Program is \$692,800,000.*

13 *SEC. 105. Notwithstanding any other provision of law,*
14 *the Secretary of Commerce may furnish services (including*
15 *but not limited to utilities, telecommunications, and secu-*
16 *rity services) necessary to support the operation, mainte-*
17 *nance, and improvement of space that persons, firms, or*
18 *organizations are authorized, pursuant to the Public Build-*
19 *ings Cooperative Use Act of 1976 or other authority, to use*
20 *or occupy in the Herbert C. Hoover Building, Washington,*
21 *DC, or other buildings, the maintenance, operation, and*
22 *protection of which has been delegated to the Secretary from*
23 *the Administrator of General Services pursuant to the Fed-*
24 *eral Property and Administrative Services Act of 1949 on*
25 *a reimbursable or non-reimbursable basis. Amounts received*

1 *as reimbursement for services provided under this section*
2 *or the authority under which the use or occupancy of the*
3 *space is authorized, up to \$200,000, shall be credited to the*
4 *appropriation or fund which initially bears the costs of*
5 *such services.*

6 *SEC. 106. Nothing in this title shall be construed to*
7 *prevent a grant recipient from deterring child pornography,*
8 *copyright infringement, or any other unlawful activity over*
9 *its networks.*

10 *SEC. 107. The Administrator of the National Oceanic*
11 *and Atmospheric Administration is authorized to use, with*
12 *their consent, with reimbursement and subject to the limits*
13 *of available appropriations, the land, services, equipment,*
14 *personnel, and facilities of any department, agency, or in-*
15 *strumentality of the United States, or of any State, local*
16 *government, Indian Tribal government, Territory, or pos-*
17 *session, or of any political subdivision thereof, or of any*
18 *foreign government or international organization, for pur-*
19 *poses related to carrying out the responsibilities of any stat-*
20 *ute administered by the National Oceanic and Atmospheric*
21 *Administration.*

22 *SEC. 108. The National Technical Information Service*
23 *shall not charge any customer for a copy of any report or*
24 *document generated by the Legislative Branch unless the*
25 *Service has provided information to the customer on how*

1 *an electronic copy of such report or document may be*
2 *accessed and downloaded for free online. Should a customer*
3 *still require the Service to provide a printed or digital copy*
4 *of the report or document, the charge shall be limited to*
5 *recovering the Service’s cost of processing, reproducing, and*
6 *delivering such report or document.*

7 *SEC. 109. To carry out the responsibilities of the Na-*
8 *tional Oceanic and Atmospheric Administration (NOAA),*
9 *the Administrator of NOAA is authorized to: (1) enter into*
10 *grants and cooperative agreements with; (2) use on a non-*
11 *reimbursable basis land, services, equipment, personnel, and*
12 *facilities provided by; and (3) receive and expend funds*
13 *made available on a consensual basis from: a Federal agen-*
14 *cy, State or subdivision thereof, local government, Tribal*
15 *government, Territory, or possession or any subdivisions*
16 *thereof: Provided, That funds received for permitting and*
17 *related regulatory activities pursuant to this section shall*
18 *be deposited under the heading “National Oceanic and At-*
19 *mospheric Administration—Operations, Research, and Fa-*
20 *cilities” and shall remain available until September 30,*
21 *2023, for such purposes: Provided further, That all funds*
22 *within this section and their corresponding uses are subject*
23 *to section 505 of this Act.*

24 *SEC. 110. Amounts provided by this Act or by any*
25 *prior appropriations Act that remain available for obliga-*

1 *tion, for necessary expenses of the programs of the Econom-*
2 *ics and Statistics Administration of the Department of*
3 *Commerce, including amounts provided for programs of the*
4 *Bureau of Economic Analysis and the Bureau of the Cen-*
5 *sus, shall be available for expenses of cooperative agreements*
6 *with appropriate entities, including any Federal, State, or*
7 *local governmental unit, or institution of higher education,*
8 *to aid and promote statistical, research, and methodology*
9 *activities which further the purposes for which such*
10 *amounts have been made available.*

11 *SEC. 111. Amounts provided by this Act for the Hol-*
12 *lings Manufacturing Extension Partnership under the*
13 *heading “National Institute of Standards and Tech-*
14 *nology—Industrial Technology Services” shall not be sub-*
15 *ject to cost share requirements under 15 U.S.C. 278k(e)(2):*
16 *Provided, That the authority made available pursuant to*
17 *this section shall be elective, in whole or in part, for any*
18 *Manufacturing Extension Partnership Center that also re-*
19 *ceives funding from a State that is conditioned upon the*
20 *application of a Federal cost sharing requirement.*

21 *SEC. 112. The Secretary of Commerce, or the designee*
22 *of the Secretary, may waive—*

23 *(1) in whole or in part, the matching require-*
24 *ments under sections 306 and 306A, and the cost*
25 *sharing requirements under section 315, of the Coast-*

1 *al Zone Management Act of 1972 (16 U.S.C. 1455,*
2 *1455a, and 1461) as necessary at the request of the*
3 *grant applicant, for amounts made available under*
4 *this Act under the heading “Operations, Research,*
5 *and Facilities” under the heading “National Oceanic*
6 *and Atmospheric Administration”; and*

7 (2) *up to 50 percent of the matching require-*
8 *ments under sections 306 and 306A, and the cost*
9 *sharing requirements under section 315, of the Coast-*
10 *al Zone Management Act of 1972 (16 U.S.C. 1455,*
11 *1455a, and 1461) as necessary at the request of the*
12 *grant applicant, for amounts made available under*
13 *this Act under the heading “Procurement, Acquisition*
14 *and Construction” under the heading “National Oce-*
15 *anic and Atmospheric Administration”.*

16 *This title may be cited as the “Department of Com-*
17 *merce Appropriations Act, 2022”.*

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TITLE II

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, \$127,794,000, of which \$4,000,000 shall remain available until September 30, 2023, and of which not to exceed \$4,000,000 for security and construction of Department of Justice facilities shall remain available until expended.

JUSTICE INFORMATION SHARING TECHNOLOGY

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for information sharing technology, including planning, development, deployment and departmental direction, \$38,000,000, to remain available until expended: Provided, That the Attorney General may transfer up to \$40,000,000 to this account, from funds available to the Department of Justice for information technology, to remain available until expended, for enterprise-wide information technology initiatives: Provided further, That the transfer authority in the preceding proviso is in addition to any other transfer authority contained in this Act: Provided further, That any transfer pursuant to the first proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation

1 *or expenditure except in compliance with the procedures set*
2 *forth in that section.*

3 *EXECUTIVE OFFICE FOR IMMIGRATION REVIEW*

4 *(INCLUDING TRANSFER OF FUNDS)*

5 *For expenses necessary for the administration of immi-*
6 *gration-related activities of the Executive Office for Immi-*
7 *gration Review, \$760,000,000, of which \$4,000,000 shall be*
8 *derived by transfer from the Executive Office for Immigra-*
9 *tion Review fees deposited in the “Immigration Examina-*
10 *tions Fee” account, and of which not less than \$24,000,000*
11 *shall be available for services and activities provided by the*
12 *Legal Orientation Program: Provided, That not to exceed*
13 *\$50,000,000 of the total amount made available under this*
14 *heading shall remain available until September 30, 2026.*

15 *OFFICE OF INSPECTOR GENERAL*

16 *For necessary expenses of the Office of Inspector Gen-*
17 *eral, \$118,000,000, including not to exceed \$10,000 to meet*
18 *unforeseen emergencies of a confidential character: Pro-*
19 *vided, That not to exceed \$4,000,000 shall remain available*
20 *until September 30, 2023.*

21 *UNITED STATES PAROLE COMMISSION*

22 *SALARIES AND EXPENSES*

23 *For necessary expenses of the United States Parole*
24 *Commission as authorized, \$14,238,000: Provided, That,*
25 *notwithstanding any other provision of law, upon the expi-*

1 *ration of a term of office of a Commissioner, the Commis-*
2 *sioner may continue to act until a successor has been ap-*
3 *pointed.*

4 *LEGAL ACTIVITIES*

5 *SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES*

6 *(INCLUDING TRANSFER OF FUNDS)*

7 *For expenses necessary for the legal activities of the*
8 *Department of Justice, not otherwise provided for, includ-*
9 *ing not to exceed \$20,000 for expenses of collecting evidence,*
10 *to be expended under the direction of, and to be accounted*
11 *for solely under the certificate of, the Attorney General; the*
12 *administration of pardon and clemency petitions; and rent*
13 *of private or Government-owned space in the District of Co-*
14 *lumbia, \$1,000,000,000, of which not to exceed \$50,000,000*
15 *for litigation support contracts and information technology*
16 *projects, including cybersecurity and hardening of critical*
17 *networks, shall remain available until expended: Provided,*
18 *That of the amount provided for INTERPOL Washington*
19 *dues payments, not to exceed \$685,000 shall remain avail-*
20 *able until expended: Provided further, That of the total*
21 *amount appropriated, not to exceed \$9,000 shall be avail-*
22 *able to INTERPOL Washington for official reception and*
23 *representation expenses: Provided further, That of the total*
24 *amount appropriated, not to exceed \$9,000 shall be avail-*
25 *able to the Criminal Division for official reception and rep-*

1 *resentation expenses: Provided further, That notwith-*
2 *standing section 205 of this Act, upon a determination by*
3 *the Attorney General that emergent circumstances require*
4 *additional funding for litigation activities of the Civil Divi-*
5 *sion, the Attorney General may transfer such amounts to*
6 *“Salaries and Expenses, General Legal Activities” from*
7 *available appropriations for the current fiscal year for the*
8 *Department of Justice, as may be necessary to respond to*
9 *such circumstances: Provided further, That any transfer*
10 *pursuant to the preceding proviso shall be treated as a re-*
11 *programming under section 505 of this Act and shall not*
12 *be available for obligation or expenditure except in compli-*
13 *ance with the procedures set forth in that section: Provided*
14 *further, That of the amount appropriated, such sums as*
15 *may be necessary shall be available to the Civil Rights Divi-*
16 *sion for salaries and expenses associated with the election*
17 *monitoring program under section 8 of the Voting Rights*
18 *Act of 1965 (52 U.S.C. 10305) and to reimburse the Office*
19 *of Personnel Management for such salaries and expenses:*
20 *Provided further, That of the amounts provided under this*
21 *heading for the election monitoring program, \$3,390,000*
22 *shall remain available until expended.*

23 *In addition, for reimbursement of expenses of the De-*
24 *partment of Justice associated with processing cases under*
25 *the National Childhood Vaccine Injury Act of 1986,*

1 \$19,000,000, to be appropriated from the Vaccine Injury
2 Compensation Trust Fund and to remain available until
3 expended.

4 *SALARIES AND EXPENSES, ANTITRUST DIVISION*

5 *For expenses necessary for the enforcement of antitrust*
6 *and kindred laws, \$192,776,000, to remain available until*
7 *expended: Provided, That notwithstanding any other provi-*
8 *sion of law, fees collected for premerger notification filings*
9 *under the Hart-Scott-Rodino Antitrust Improvements Act*
10 *of 1976 (15 U.S.C. 18a), regardless of the year of collection*
11 *(and estimated to be \$138,000,000 in fiscal year 2022),*
12 *shall be retained and used for necessary expenses in this*
13 *appropriation, and shall remain available until expended:*
14 *Provided further, That the sum herein appropriated from*
15 *the general fund shall be reduced as such offsetting collec-*
16 *tions are received during fiscal year 2022, so as to result*
17 *in a final fiscal year 2022 appropriation from the general*
18 *fund estimated at \$54,776,000.*

19 *SALARIES AND EXPENSES, UNITED STATES ATTORNEYS*

20 *For necessary expenses of the Offices of the United*
21 *States Attorneys, including inter-governmental and cooper-*
22 *ative agreements, \$2,419,868,000: Provided, That of the*
23 *total amount appropriated, not to exceed \$7,200 shall be*
24 *available for official reception and representation expenses:*
25 *Provided further, That not to exceed \$25,000,000 shall re-*

1 *main available until expended: Provided further, That each*
2 *United States Attorney shall establish or participate in a*
3 *task force on human trafficking.*

4 *UNITED STATES TRUSTEE SYSTEM FUND*

5 *For necessary expenses of the United States Trustee*
6 *Program, as authorized, \$239,000,000, to remain available*
7 *until expended: Provided, That, notwithstanding any other*
8 *provision of law, deposits of discretionary offsetting collec-*
9 *tions to the United States Trustee System Fund and*
10 *amounts herein appropriated shall be available in such*
11 *amounts as may be necessary to pay refunds due depositors:*
12 *Provided further, That, notwithstanding any other provi-*
13 *sion of law, fees deposited into the Fund as discretionary*
14 *offsetting collections pursuant to section 589a of title 28,*
15 *United States Code (as limited by section 589a(f)(2) of title*
16 *28, United States Code), shall be retained and used for nec-*
17 *essary expenses in this appropriation and shall remain*
18 *available until expended: Provided further, That to the ex-*
19 *tent that fees deposited into the Fund as discretionary off-*
20 *setting collections in fiscal year 2022, net of amounts nec-*
21 *essary to pay refunds due depositors, exceed \$239,000,000,*
22 *those excess amounts shall be available in future fiscal years*
23 *only to the extent provided in advance in appropriations*
24 *Acts: Provided further, That the sum herein appropriated*
25 *from the general fund shall be reduced (1) as such fees are*

1 *received during fiscal year 2022, net of amounts necessary*
2 *to pay refunds due depositors, (estimated at \$413,000,000)*
3 *and (2) to the extent that any remaining general fund ap-*
4 *propriations can be derived from amounts deposited in the*
5 *Fund as discretionary offsetting collections in previous fis-*
6 *cal years that are not otherwise appropriated, so as to result*
7 *in a final fiscal year 2022 appropriation from the general*
8 *fund estimated at \$0.*

9 *SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT*

10 *COMMISSION*

11 *For expenses necessary to carry out the activities of*
12 *the Foreign Claims Settlement Commission, including serv-*
13 *ices as authorized by section 3109 of title 5, United States*
14 *Code, \$2,434,000.*

15 *FEEES AND EXPENSES OF WITNESSES*

16 *For fees and expenses of witnesses, for expenses of con-*
17 *tracts for the procurement and supervision of expert wit-*
18 *nesses, for private counsel expenses, including advances,*
19 *and for expenses of foreign counsel, \$270,000,000, to remain*
20 *available until expended, of which not to exceed \$16,000,000*
21 *is for construction of buildings for protected witness*
22 *safesites; not to exceed \$3,000,000 is for the purchase and*
23 *maintenance of armored and other vehicles for witness secu-*
24 *rity caravans; and not to exceed \$25,000,000 is for the pur-*
25 *chase, installation, maintenance, and upgrade of secure*

1 *telecommunications equipment and a secure automated in-*
2 *formation network to store and retrieve the identities and*
3 *locations of protected witnesses: Provided, That amounts*
4 *made available under this heading may not be transferred*
5 *pursuant to section 205 of this Act.*

6 *SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE*
7 *(INCLUDING TRANSFER OF FUNDS)*

8 *For necessary expenses of the Community Relations*
9 *Service, \$21,000,000: Provided, That notwithstanding sec-*
10 *tion 205 of this Act, upon a determination by the Attorney*
11 *General that emergent circumstances require additional*
12 *funding for conflict resolution and violence prevention ac-*
13 *tivities of the Community Relations Service, the Attorney*
14 *General may transfer such amounts to the Community Re-*
15 *lations Service, from available appropriations for the cur-*
16 *rent fiscal year for the Department of Justice, as may be*
17 *necessary to respond to such circumstances: Provided fur-*
18 *ther, That any transfer pursuant to the preceding proviso*
19 *shall be treated as a reprogramming under section 505 of*
20 *this Act and shall not be available for obligation or expendi-*
21 *ture except in compliance with the procedures set forth in*
22 *that section.*

23 *ASSETS FORFEITURE FUND*

24 *For expenses authorized by subparagraphs (B), (F),*
25 *and (G) of section 524(c)(1) of title 28, United States Code,*

1 \$20,514,000, to be derived from the Department of Justice
2 Assets Forfeiture Fund.

3 *UNITED STATES MARSHALS SERVICE*

4 *SALARIES AND EXPENSES*

5 *For necessary expenses of the United States Marshals*
6 *Service, \$1,580,000,000, of which not to exceed \$6,000 shall*
7 *be available for official reception and representation ex-*
8 *penses, and not to exceed \$25,000,000 shall remain avail-*
9 *able until expended.*

10 *CONSTRUCTION*

11 *For construction in space that is controlled, occupied,*
12 *or utilized by the United States Marshals Service for pris-*
13 *oner holding and related support, \$15,000,000, to remain*
14 *available until expended.*

15 *FEDERAL PRISONER DETENTION*

16 *For necessary expenses related to United States pris-*
17 *oners in the custody of the United States Marshals Service*
18 *as authorized by section 4013 of title 18, United States*
19 *Code, \$2,123,015,000, to remain available until expended:*
20 *Provided, That not to exceed \$20,000,000 shall be considered*
21 *“funds appropriated for State and local law enforcement*
22 *assistance” pursuant to section 4013(b) of title 18, United*
23 *States Code: Provided further, That the United States Mar-*
24 *shals Service shall be responsible for managing the Justice*
25 *Prisoner and Alien Transportation System.*

1 *NATIONAL SECURITY DIVISION*2 *SALARIES AND EXPENSES*3 *(INCLUDING TRANSFER OF FUNDS)*

4 *For expenses necessary to carry out the activities of*
5 *the National Security Division, \$120,681,000, of which not*
6 *to exceed \$5,000,000 for information technology systems*
7 *shall remain available until expended: Provided, That not-*
8 *withstanding section 205 of this Act, upon a determination*
9 *by the Attorney General that emergent circumstances re-*
10 *quire additional funding for the activities of the National*
11 *Security Division, the Attorney General may transfer such*
12 *amounts to this heading from available appropriations for*
13 *the current fiscal year for the Department of Justice, as*
14 *may be necessary to respond to such circumstances: Pro-*
15 *vided further, That any transfer pursuant to the preceding*
16 *proviso shall be treated as a reprogramming under section*
17 *505 of this Act and shall not be available for obligation*
18 *or expenditure except in compliance with the procedures set*
19 *forth in that section.*

20 *INTERAGENCY LAW ENFORCEMENT*21 *INTERAGENCY CRIME AND DRUG ENFORCEMENT*

22 *For necessary expenses for the identification, inves-*
23 *tigation, and prosecution of individuals associated with the*
24 *most significant drug trafficking organizations,*
25 *transnational organized crime, and money laundering or-*

1 *ganizations not otherwise provided for, to include inter-gov-*
2 *ernmental agreements with State and local law enforcement*
3 *agencies engaged in the investigation and prosecution of in-*
4 *dividuals involved in transnational organized crime and*
5 *drug trafficking, \$550,458,000, of which \$50,000,000 shall*
6 *remain available until expended: Provided, That any*
7 *amounts obligated from appropriations under this heading*
8 *may be used under authorities available to the organiza-*
9 *tions reimbursed from this appropriation.*

10 *FEDERAL BUREAU OF INVESTIGATION*

11 *SALARIES AND EXPENSES*

12 *For necessary expenses of the Federal Bureau of Inves-*
13 *tigation for detection, investigation, and prosecution of*
14 *crimes against the United States, \$10,136,295,000, of which*
15 *not to exceed \$216,900,000 shall remain available until ex-*
16 *pended: Provided, That not to exceed \$284,000 shall be*
17 *available for official reception and representation expenses.*

18 *CONSTRUCTION*

19 *For necessary expenses, to include the cost of equip-*
20 *ment, furniture, and information technology requirements,*
21 *related to construction or acquisition of buildings, facilities,*
22 *and sites by purchase, or as otherwise authorized by law;*
23 *conversion, modification, and extension of federally owned*
24 *buildings; preliminary planning and design of projects; and*
25 *operation and maintenance of secure work environment fa-*

1 *cilities and secure networking capabilities; \$632,000,000, to*
2 *remain available until expended.*

3 *DRUG ENFORCEMENT ADMINISTRATION*

4 *SALARIES AND EXPENSES*

5 *For necessary expenses of the Drug Enforcement Ad-*
6 *ministration, including not to exceed \$70,000 to meet un-*
7 *foreseen emergencies of a confidential character pursuant*
8 *to section 530C of title 28, United States Code; and expenses*
9 *for conducting drug education and training programs, in-*
10 *cluding travel and related expenses for participants in such*
11 *programs and the distribution of items of token value that*
12 *promote the goals of such programs, \$2,421,522,000, of*
13 *which not to exceed \$75,000,000 shall remain available*
14 *until expended and not to exceed \$90,000 shall be available*
15 *for official reception and representation expenses: Provided,*
16 *That, notwithstanding section 3672 of Public Law 106–310,*
17 *up to \$10,000,000 may be used to reimburse States, units*
18 *of local government, Indian Tribal Governments, other pub-*
19 *lic entities, and multi-jurisdictional or regional consortia*
20 *thereof for expenses incurred to clean up and safely dispose*
21 *of substances associated with clandestine methamphetamine*
22 *laboratories, conversion and extraction operations, tableting*
23 *operations, or laboratories and processing operations for*
24 *fentanyl and fentanyl-related substances which may present*
25 *a danger to public health or the environment.*

1 *functions, missions, or activities of the Bureau of Alcohol,*
2 *Tobacco, Firearms and Explosives to other agencies or De-*
3 *partments.*

4 *FEDERAL PRISON SYSTEM*

5 *SALARIES AND EXPENSES*

6 *(INCLUDING TRANSFER OF FUNDS)*

7 *For necessary expenses of the Federal Prison System*
8 *for the administration, operation, and maintenance of Fed-*
9 *eral penal and correctional institutions, and for the provi-*
10 *sion of technical assistance and advice on corrections re-*
11 *lated issues to foreign governments, \$7,865,000,000: Pro-*
12 *vided, That not less than \$409,483,000 shall be for the pro-*
13 *grams and activities authorized by the First Step Act of*
14 *2018 (Public Law 115–391): Provided further, That the At-*
15 *torney General may transfer to the Department of Health*
16 *and Human Services such amounts as may be necessary*
17 *for direct expenditures by that Department for medical re-*
18 *lief for inmates of Federal penal and correctional institu-*
19 *tions: Provided further, That the Director of the Federal*
20 *Prison System, where necessary, may enter into contracts*
21 *with a fiscal agent or fiscal intermediary claims processor*
22 *to determine the amounts payable to persons who, on behalf*
23 *of the Federal Prison System, furnish health services to in-*
24 *dividuals committed to the custody of the Federal Prison*
25 *System: Provided further, That not to exceed \$5,400 shall*

1 *be available for official reception and representation ex-*
2 *penses: Provided further, That not to exceed \$50,000,000*
3 *shall remain available until expended for necessary oper-*
4 *ations: Provided further, That, of the amounts provided for*
5 *contract confinement, not to exceed \$20,000,000 shall re-*
6 *main available until expended to make payments in ad-*
7 *vance for grants, contracts and reimbursable agreements,*
8 *and other expenses: Provided further, That the Director of*
9 *the Federal Prison System may accept donated property*
10 *and services relating to the operation of the prison card*
11 *program from a not-for-profit entity which has operated*
12 *such program in the past, notwithstanding the fact that*
13 *such not-for-profit entity furnishes services under contracts*
14 *to the Federal Prison System relating to the operation of*
15 *pre-release services, halfway houses, or other custodial fa-*
16 *cilities.*

17 *BUILDINGS AND FACILITIES*

18 *For planning, acquisition of sites, and construction of*
19 *new facilities; purchase and acquisition of facilities and re-*
20 *modeling, and equipping of such facilities for penal and*
21 *correctional use, including all necessary expenses incident*
22 *thereto, by contract or force account; and constructing, re-*
23 *modeling, and equipping necessary buildings and facilities*
24 *at existing penal and correctional institutions, including*
25 *all necessary expenses incident thereto, by contract or force*

1 *account, \$235,000,000, to remain available until expended,*
2 *of which \$176,000,000 shall be available only for costs re-*
3 *lated to construction of new facilities: Provided, That labor*
4 *of United States prisoners may be used for work performed*
5 *under this appropriation.*

6 *FEDERAL PRISON INDUSTRIES, INCORPORATED*

7 *The Federal Prison Industries, Incorporated, is hereby*
8 *authorized to make such expenditures within the limits of*
9 *funds and borrowing authority available, and in accord*
10 *with the law, and to make such contracts and commitments*
11 *without regard to fiscal year limitations as provided by sec-*
12 *tion 9104 of title 31, United States Code, as may be nec-*
13 *essary in carrying out the program set forth in the budget*
14 *for the current fiscal year for such corporation.*

15 *LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL*
16 *PRISON INDUSTRIES, INCORPORATED*

17 *Not to exceed \$2,700,000 of the funds of the Federal*
18 *Prison Industries, Incorporated, shall be available for its*
19 *administrative expenses, and for services as authorized by*
20 *section 3109 of title 5, United States Code, to be computed*
21 *on an accrual basis to be determined in accordance with*
22 *the corporation's current prescribed accounting system, and*
23 *such amounts shall be exclusive of depreciation, payment*
24 *of claims, and expenditures which such accounting system*
25 *requires to be capitalized or charged to cost of commodities*

1 *acquired or produced, including selling and shipping ex-*
2 *penses, and expenses in connection with acquisition, con-*
3 *struction, operation, maintenance, improvement, protec-*
4 *tion, or disposition of facilities and other property belong-*
5 *ing to the corporation or in which it has an interest.*

6 *STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES*

7 *OFFICE ON VIOLENCE AGAINST WOMEN*

8 *VIOLENCE AGAINST WOMEN PREVENTION AND*

9 *PROSECUTION PROGRAMS*

10 *(INCLUDING TRANSFER OF FUNDS)*

11 *For grants, contracts, cooperative agreements, and*
12 *other assistance for the prevention and prosecution of vio-*
13 *lence against women, as authorized by the Omnibus Crime*
14 *Control and Safe Streets Act of 1968 (34 U.S.C. 10101 et*
15 *seq.) (“the 1968 Act”); the Violent Crime Control and Law*
16 *Enforcement Act of 1994 (Public Law 103–322) (“the 1994*
17 *Act”); the Victims of Child Abuse Act of 1990 (Public Law*
18 *101–647) (“the 1990 Act”); the Prosecutorial Remedies and*
19 *Other Tools to end the Exploitation of Children Today Act*
20 *of 2003 (Public Law 108–21); the Juvenile Justice and De-*
21 *linquency Prevention Act of 1974 (34 U.S.C. 11101 et seq.)*
22 *(“the 1974 Act”); the Victims of Trafficking and Violence*
23 *Protection Act of 2000 (Public Law 106–386) (“the 2000*
24 *Act”); the Violence Against Women and Department of Jus-*
25 *tice Reauthorization Act of 2005 (Public Law 109–162)*

1 (“the 2005 Act”); the Violence Against Women Reauthoriza-
2 tion Act of 2013 (Public Law 113–4) (“the 2013 Act”); the
3 Justice for Victims of Trafficking Act of 2015 (Public Law
4 114–22) (“the 2015 Act”); and the Abolish Human Traf-
5 ficking Act (Public Law 115–392); and for related victims
6 services, \$575,000,000, to remain available until expended,
7 of which \$575,000,000 shall be derived by transfer from
8 amounts available for obligation in this Act from the Fund
9 established by section 1402 of chapter XIV of title II of Pub-
10 lic Law 98–473 (34 U.S.C. 20101), notwithstanding section
11 1402(d) of such Act of 1984, and merged with the amounts
12 otherwise made available under this heading: Provided,
13 That except as otherwise provided by law, not to exceed 5
14 percent of funds made available under this heading may
15 be used for expenses related to evaluation, training, and
16 technical assistance: Provided further, That of the amount
17 provided—

18 (1) \$217,000,000 is for grants to combat violence
19 against women, as authorized by part T of the 1968
20 Act;

21 (2) \$43,000,000 is for transitional housing as-
22 sistance grants for victims of domestic violence, dat-
23 ing violence, stalking, or sexual assault as authorized
24 by section 40299 of the 1994 Act;

1 (3) \$2,500,000 is for the National Institute of
2 Justice and the Bureau of Justice Statistics for re-
3 search, evaluation, and statistics of violence against
4 women and related issues addressed by grant pro-
5 grams of the Office on Violence Against Women,
6 which shall be transferred to “Research, Evaluation
7 and Statistics” for administration by the Office of
8 Justice Programs;

9 (4) \$15,000,000 is for a grant program to pro-
10 vide services to advocate for and respond to youth vic-
11 tims of domestic violence, dating violence, sexual as-
12 sault, and stalking; assistance to children and youth
13 exposed to such violence; programs to engage men and
14 youth in preventing such violence; and assistance to
15 middle and high school students through education
16 and other services related to such violence, of which
17 \$3,000,000 is to engage men and youth in preventing
18 domestic violence, dating violence, sexual assault, and
19 stalking: Provided, That unobligated balances avail-
20 able for the programs authorized by sections 41201,
21 41204, 41303, and 41305 of the 1994 Act, prior to its
22 amendment by the 2013 Act, shall be available for
23 this program: Provided further, That 10 percent of
24 the total amount available for this grant program
25 shall be available for grants under the program au-

1 *thorized by section 2015 of the 1968 Act: Provided*
2 *further, That the definitions and grant conditions in*
3 *section 40002 of the 1994 Act shall apply to this pro-*
4 *gram;*

5 *(5) \$55,000,000 is for grants to encourage arrest*
6 *policies as authorized by part U of the 1968 Act, of*
7 *which \$4,000,000 is for a homicide reduction initia-*
8 *tive and up to \$4,000,000 is for a domestic violence*
9 *lethality reduction initiative;*

10 *(6) \$54,000,000 is for sexual assault victims as-*
11 *sistance, as authorized by section 41601 of the 1994*
12 *Act;*

13 *(7) \$48,000,000 is for rural domestic violence*
14 *and child abuse enforcement assistance grants, as au-*
15 *thorized by section 40295 of the 1994 Act;*

16 *(8) \$22,000,000 is for grants to reduce violent*
17 *crimes against women on campus, as authorized by*
18 *section 304 of the 2005 Act and notwithstanding the*
19 *restrictions of section 304(a)(2) of such Act, of which*
20 *\$11,000,000 is for grants to Historically Black Col-*
21 *leges and Universities, Hispanic-Serving Institutions,*
22 *and Tribal colleges;*

23 *(9) \$50,000,000 is for legal assistance for vic-*
24 *tims, as authorized by section 1201 of the 2000 Act;*

1 (10) \$7,500,000 is for enhanced training and
2 services to end violence against and abuse of women
3 in later life, as authorized by section 40801 of the
4 1994 Act;

5 (11) \$20,000,000 is for grants to support fami-
6 lies in the justice system, as authorized by section
7 1301 of the 2000 Act: Provided, That unobligated bal-
8 ances available for the programs authorized by section
9 1301 of the 2000 Act and section 41002 of the 1994
10 Act, prior to their amendment by the 2013 Act, shall
11 be available for this program;

12 (12) \$7,500,000 is for education and training to
13 end violence against and abuse of women with dis-
14 abilities, as authorized by section 1402 of the 2000
15 Act;

16 (13) \$1,000,000 is for the National Resource
17 Center on Workplace Responses to assist victims of
18 domestic violence, as authorized by section 41501 of
19 the 1994 Act;

20 (14) \$1,000,000 is for analysis and research on
21 violence against Indian women, including as author-
22 ized by section 904 of the 2005 Act: Provided, That
23 such funds may be transferred to “Research, Evalua-
24 tion and Statistics” for administration by the Office
25 of Justice Programs;

1 (15) \$500,000 is for a national clearinghouse
2 that provides training and technical assistance on
3 issues relating to sexual assault of American Indian
4 and Alaska Native women;

5 (16) \$5,500,000 is for grants to assist Tribal
6 Governments in exercising special domestic violence
7 criminal jurisdiction, as authorized by section 904 of
8 the 2013 Act: Provided, That the grant conditions in
9 section 40002(b) of the 1994 Act shall apply to this
10 program;

11 (17) \$1,500,000 is for the purposes authorized
12 under the 2015 Act;

13 (18) \$11,000,000 is for a grant program to sup-
14 port restorative justice responses to domestic violence,
15 dating violence, sexual assault, and stalking, includ-
16 ing evaluations of those responses: Provided, That the
17 definitions and grant conditions in section 40002 of
18 the 1994 Act, and in the explanatory statement de-
19 scribed in section 4 (in the matter preceding division
20 A of this consolidated Act), shall apply to this pro-
21 gram;

22 (19) \$10,000,000 is for culturally specific serv-
23 ices for victims, as authorized by section 121 of the
24 2005 Act; and

1 (20) \$3,000,000 is for an initiative to support
2 cross-designation of tribal prosecutors as Tribal Spe-
3 cial Assistant United States Attorneys: Provided,
4 That the definitions and grant conditions in section
5 40002 of the 1994 Act shall apply to this initiative.

6 OFFICE OF JUSTICE PROGRAMS

7 RESEARCH, EVALUATION AND STATISTICS

8 For grants, contracts, cooperative agreements, and
9 other assistance authorized by title I of the Omnibus Crime
10 Control and Safe Streets Act of 1968 (“the 1968 Act”); the
11 Violent Crime Control and Law Enforcement Act of 1994
12 (Public Law 103–322) (“the 1994 Act”); the Juvenile Jus-
13 tice and Delinquency Prevention Act of 1974 (“the 1974
14 Act”); the Missing Children’s Assistance Act (34 U.S.C.
15 11291 et seq.); the Prosecutorial Remedies and Other Tools
16 to end the Exploitation of Children Today Act of 2003
17 (Public Law 108–21) (“the PROTECT Act”); the Justice
18 for All Act of 2004 (Public Law 108–405); the Violence
19 Against Women and Department of Justice Reauthorization
20 Act of 2005 (Public Law 109–162) (“the 2005 Act”); the
21 Victims of Child Abuse Act of 1990 (Public Law 101–647);
22 the Second Chance Act of 2007 (Public Law 110–199); the
23 Victims of Crime Act of 1984 (Public Law 98–473); the
24 Adam Walsh Child Protection and Safety Act of 2006 (Pub-
25 lic Law 109–248) (“the Adam Walsh Act”); the PROTECT

1 *Our Children Act of 2008 (Public Law 110–401); subtitle*
2 *C of title II of the Homeland Security Act of 2002 (Public*
3 *Law 107–296) (“the 2002 Act”); the Prison Rape Elimini-*
4 *ation Act of 2003 (Public Law 108–79) (“PREA”); the*
5 *NICS Improvement Amendments Act of 2007 (Public Law*
6 *110–180); the Violence Against Women Reauthorization Act*
7 *of 2013 (Public Law 113–4) (“the 2013 Act”); the Com-*
8 *prehensive Addiction and Recovery Act of 2016 (Public*
9 *Law 114–198); the First Step Act of 2018 (Public Law*
10 *115–391); and other programs, \$70,000,000, to remain*
11 *available until expended, of which—*

12 (1) *\$40,000,000 is for criminal justice statistics*
13 *programs, and other activities, as authorized by part*
14 *C of title I of the 1968 Act; and*

15 (2) *\$30,000,000 is for research, development, and*
16 *evaluation programs, and other activities as author-*
17 *ized by part B of title I of the 1968 Act and subtitle*
18 *C of title II of the 2002 Act, and for activities author-*
19 *ized by or consistent with the First Step Act of 2018,*
20 *of which \$1,500,000 is for a feasibility study to create*
21 *a system to monitor abuse in youth-serving organiza-*
22 *tions.*

1 *Reduction Reauthorization and Improvement Act of 2008*
2 *(Public Law 110–416); the Violence Against Women Reau-*
3 *thorization Act of 2013 (Public Law 113–4) (“the 2013*
4 *Act”); the Comprehensive Addiction and Recovery Act of*
5 *2016 (Public Law 114–198) (“CARA”); the Justice for All*
6 *Reauthorization Act of 2016 (Public Law 114–324); Kevin*
7 *and Avonte’s Law (division Q of Public Law 115–141)*
8 *(“Kevin and Avonte’s Law”); the Keep Young Athletes Safe*
9 *Act of 2018 (title III of division S of Public Law 115–*
10 *141) (“the Keep Young Athletes Safe Act”); the STOP*
11 *School Violence Act of 2018 (title V of division S of Public*
12 *Law 115–141) (“the STOP School Violence Act”); the Fix*
13 *NICS Act of 2018 (title VI of division S of Public Law*
14 *115–141); the Project Safe Neighborhoods Grant Program*
15 *Authorization Act of 2018 (Public Law 115–185); the SUP-*
16 *PORT for Patients and Communities Act (Public Law*
17 *115–271); the Second Chance Reauthorization Act of 2018*
18 *(Public Law 115–391); the Matthew Shepard and James*
19 *Byrd, Jr. Hate Crimes Prevention Act (Public Law 111–*
20 *84); the Ashanti Alert Act of 2018 (Public Law 115–401);*
21 *the Missing Persons and Unidentified Remains Act of 2019*
22 *(Public Law 116–277); the Jabara-Heyer NO HATE Act*
23 *(34 U.S.C. 30507) and other programs, \$2,213,000,000, to*
24 *remain available until expended as follows—*

1 (1) \$674,500,000 for the *Edward Byrne Memorial Justice Assistance Grant* program as authorized
2 by subpart 1 of part E of title I of the 1968 Act (except that section 1001(c), and the special rules for
3 Puerto Rico under section 505(g), of title I of the
4 1968 Act shall not apply for purposes of this Act), of
5 which, notwithstanding such subpart 1—

8 (A) \$13,000,000 is for an *Officer Robert Wilson III memorial initiative on Preventing Violence Against Law Enforcement and Ensuring Officer Resilience and Survivability (VALOR)*;

13 (B) \$2,400,000 is for the operation, maintenance, and expansion of the *National Missing and Unidentified Persons System*;

16 (C) \$10,000,000 is for a grant program for
17 State and local law enforcement to provide officer training on responding to individuals with
18 mental illness or disabilities;

20 (D) \$4,000,000 is for a student loan repayment assistance program pursuant to section 952
21 of Public Law 110–315;

23 (E) \$15,500,000 is for prison rape prevention and prosecution grants to States and units
24 of local government, and other programs, as au-
25

1 *thorized by the Prison Rape Elimination Act of*
2 *2003 (Public Law 108–79);*

3 *(F) \$3,000,000 is for the Missing Americans*
4 *Alert Program (title XXIV of the 1994 Act), as*
5 *amended by Kevin and Avonte’s Law;*

6 *(G) \$20,000,000 is for grants authorized*
7 *under the Project Safe Neighborhoods Grant Au-*
8 *thorization Act of 2018 (Public Law 115–185);*

9 *(H) \$12,000,000 is for the Capital Litiga-*
10 *tion Improvement Grant Program, as authorized*
11 *by section 426 of Public Law 108–405, and for*
12 *grants for wrongful conviction review;*

13 *(I) \$3,000,000 is for a national center on*
14 *restorative justice;*

15 *(J) \$1,000,000 is for the purposes of the*
16 *Ashanti Alert Communications Network as au-*
17 *thorized under the Ashanti Alert Act of 2018*
18 *(Public Law 115–401);*

19 *(K) \$3,500,000 is for a grant program to*
20 *replicate family-based alternative sentencing*
21 *pilot programs;*

22 *(L) \$2,000,000 is for a grant program to*
23 *support child advocacy training in post-sec-*
24 *ondary education;*

1 (M) \$8,000,000 is for a rural violent crime
2 initiative, including assistance for law enforce-
3 ment;

4 (N) \$5,000,000 is for grants authorized
5 under the Missing Persons and Unidentified Re-
6 mains Act of 2019 (Public Law 116–277);

7 (O) \$4,000,000 is for a drug data research
8 center to combat opioid abuse;

9 (P) \$1,500,000 is for grants to accredited
10 institutions of higher education to support foren-
11 sic ballistics programs; and

12 (Q) \$184,707,000 is for discretionary grants
13 to improve the functioning of the criminal justice
14 system, to prevent or combat juvenile delin-
15 quency, and to assist victims of crime (other
16 than compensation), which shall be used for the
17 projects, and in the amounts, specified under the
18 heading, “Byrne Discretionary Community
19 Project Grants/Byrne Discretionary Grants”, in
20 the explanatory statement described in section 4
21 (in the matter preceding division A of this con-
22 solidated Act): Provided, That such amounts
23 may not be transferred for any other purpose;

24 (2) \$234,000,000 for the State Criminal Alien
25 Assistance Program, as authorized by section

1 *241(I)(5) of the Immigration and Nationality Act (8*
2 *U.S.C. 1231(I)(5)): Provided, That no jurisdiction*
3 *shall request compensation for any cost greater than*
4 *the actual cost for Federal immigration and other de-*
5 *tainees housed in State and local detention facilities;*

6 *(3) \$88,000,000 for victim services programs for*
7 *victims of trafficking, as authorized by section*
8 *107(b)(2) of Public Law 106–386, for programs au-*
9 *thorized under Public Law 109–164, or programs au-*
10 *thorized under Public Law 113–4;*

11 *(4) \$12,000,000 for a grant program to prevent*
12 *and address economic, high technology, white collar,*
13 *and Internet crime, including as authorized by sec-*
14 *tion 401 of Public Law 110–403, of which not less*
15 *than \$2,500,000 is for intellectual property enforce-*
16 *ment grants including as authorized by section 401,*
17 *and \$2,000,000 is for grants to develop databases on*
18 *Internet of Things device capabilities and to build*
19 *and execute training modules for law enforcement;*

20 *(5) \$20,000,000 for sex offender management as-*
21 *sistance, as authorized by the Adam Walsh Act, and*
22 *related activities;*

23 *(6) \$30,000,000 for the Patrick Leahy Bullet-*
24 *proof Vest Partnership Grant Program, as authorized*
25 *by section 2501 of title I of the 1968 Act: Provided,*

1 *That \$1,500,000 shall be transferred directly to the*
2 *National Institute of Standards and Technology’s Of-*
3 *fice of Law Enforcement Standards for research, test-*
4 *ing, and evaluation programs;*

5 (7) *\$1,000,000 for the National Sex Offender*
6 *Public Website;*

7 (8) *\$95,000,000 for grants to States to upgrade*
8 *criminal and mental health records for the National*
9 *Instant Criminal Background Check System, of which*
10 *no less than \$25,000,000 shall be for grants made*
11 *under the authorities of the NICS Improvement*
12 *Amendments Act of 2007 (Public Law 110–180) and*
13 *Fix NICS Act of 2018;*

14 (9) *\$33,000,000 for Paul Coverdell Forensic*
15 *Sciences Improvement Grants under part BB of title*
16 *I of the 1968 Act;*

17 (10) *\$151,000,000 for DNA-related and forensic*
18 *programs and activities, of which—*

19 (A) *\$120,000,000 is for the purposes author-*
20 *ized under section 2 of the DNA Analysis Back-*
21 *log Elimination Act of 2000 (Public Law 106–*
22 *546) (the Debbie Smith DNA Backlog Grant*
23 *Program): Provided, That up to 4 percent of*
24 *funds made available under this paragraph may*
25 *be used for the purposes described in the DNA*

1 *Training and Education for Law Enforcement,*
2 *Correctional Personnel, and Court Officers pro-*
3 *gram (Public Law 108–405, section 303);*

4 *(B) \$15,000,000 for other local, State, and*
5 *Federal forensic activities;*

6 *(C) \$12,000,000 is for the purposes de-*
7 *scribed in the Kirk Bloodsworth Post-Conviction*
8 *DNA Testing Grant Program (Public Law 108–*
9 *405, section 412); and*

10 *(D) \$4,000,000 is for Sexual Assault Foren-*
11 *sic Exam Program grants, including as author-*
12 *ized by section 304 of Public Law 108–405;*

13 *(11) \$50,000,000 for community-based grant*
14 *programs to improve the response to sexual assault,*
15 *including assistance for investigation and prosecution*
16 *of related cold cases;*

17 *(12) \$14,000,000 for the court-appointed special*
18 *advocate program, as authorized by section 217 of the*
19 *1990 Act;*

20 *(13) \$50,000,000 for assistance to Indian Tribes;*

21 *(14) \$115,000,000 for offender reentry programs*
22 *and research, as authorized by the Second Chance Act*
23 *of 2007 (Public Law 110–199) and by the Second*
24 *Chance Reauthorization Act of 2018 (Public Law*
25 *115–391), without regard to the time limitations*

1 *specified at section 6(1) of such Act, of which not to*
2 *exceed—*

3 *(A) \$8,000,000 is for a program to improve*
4 *State, local, and Tribal probation or parole su-*
5 *per vision efforts and strategies;*

6 *(B) \$5,000,000 is for children of incarcer-*
7 *ated parents demonstration programs to enhance*
8 *and maintain parental and family relationships*
9 *for incarcerated parents as a reentry or recidi-*
10 *vism reduction strategy;*

11 *(C) \$5,000,000 is for additional replication*
12 *sites employing the Project HOPE Opportunity*
13 *Probation with Enforcement model imple-*
14 *menting swift and certain sanctions in proba-*
15 *tion, of which no less than \$500,000 shall be used*
16 *for a project that provides training, technical as-*
17 *sistance, and best practices; and*

18 *(D) \$10,000,000 is for a grant program for*
19 *crisis stabilization and community reentry, as*
20 *authorized by the Crisis Stabilization and Com-*
21 *munity Reentry Act of 2020 (Public Law 116–*
22 *281):*

23 *Provided, That up to \$7,500,000 of funds made avail-*
24 *able in this paragraph may be used for performance-*
25 *based awards for Pay for Success projects, of which*

1 *up to \$5,000,000 shall be for Pay for Success pro-*
2 *grams implementing the Permanent Supportive*
3 *Housing Model and reentry housing;*

4 *(15) \$415,000,000 for comprehensive opioid*
5 *abuse reduction activities, including as authorized by*
6 *CARA, and for the following programs, which shall*
7 *address opioid, stimulant, and substance use disorders*
8 *consistent with underlying program authorities, of*
9 *which—*

10 *(A) \$88,000,000 is for Drug Courts, as au-*
11 *thorized by section 1001(a)(25)(A) of title I of*
12 *the 1968 Act;*

13 *(B) \$40,000,000 is for mental health courts*
14 *and adult and juvenile collaboration program*
15 *grants, as authorized by parts V and HH of title*
16 *I of the 1968 Act, and the Mentally Ill Offender*
17 *Treatment and Crime Reduction Reauthoriza-*
18 *tion and Improvement Act of 2008 (Public Law*
19 *110–416);*

20 *(C) \$40,000,000 is for grants for Residen-*
21 *tial Substance Abuse Treatment for State Pris-*
22 *oners, as authorized by part S of title I of the*
23 *1968 Act;*

24 *(D) \$29,000,000 is for a veterans treatment*
25 *courts program;*

1 (E) \$33,000,000 is for a program to mon-
2 itor prescription drugs and scheduled listed
3 chemical products; and

4 (F) \$185,000,000 is for a comprehensive
5 opioid, stimulant, and substance abuse program;

6 (16) \$2,500,000 for a competitive grant program
7 authorized by the Keep Young Athletes Safe Act;

8 (17) \$82,000,000 for grants to be administered
9 by the Bureau of Justice Assistance for purposes au-
10 thorized under the STOP School Violence Act;

11 (18) \$3,000,000 for grants to State and local law
12 enforcement agencies for the expenses associated with
13 the investigation and prosecution of criminal offenses
14 involving civil rights, authorized by the Emmett Till
15 Unsolved Civil Rights Crimes Reauthorization Act of
16 2016 (Public Law 114–325);

17 (19) \$13,000,000 for grants to State, local, and
18 Tribal law enforcement agencies to conduct edu-
19 cational outreach and training on hate crimes and to
20 investigate and prosecute hate crimes, as authorized
21 by section 4704 of the Matthew Shepard and James
22 Byrd, Jr. Hate Crimes Prevention Act (Public Law
23 111–84);

24 (20) \$5,000,000 for grants to support commu-
25 nity-based approaches to advancing justice and rec-

1 *conciliation, facilitating dialogue between all parties,*
2 *building local capacity, de-escalating community ten-*
3 *sions, and preventing hate crimes through conflict res-*
4 *olution and community empowerment and education;*

5 *(21) \$120,000,000 for initiatives to improve po-*
6 *lice-community relations, of which \$35,000,000 is for*
7 *a competitive matching grant program for purchases*
8 *of body-worn cameras for State, local, and Tribal law*
9 *enforcement; \$35,000,000 is for a justice reinvestment*
10 *initiative, for activities related to criminal justice re-*
11 *form and recidivism reduction; and \$50,000,000 is for*
12 *a community violence intervention and prevention*
13 *initiative; and*

14 *(22) \$5,000,000 for programs authorized under*
15 *the Jabara-Heyer NO HATE Act (34 U.S.C. 30507):*

16 *Provided, That, if a unit of local government uses any of*
17 *the funds made available under this heading to increase the*
18 *number of law enforcement officers, the unit of local govern-*
19 *ment will achieve a net gain in the number of law enforce-*
20 *ment officers who perform non-administrative public sector*
21 *safety service: Provided further, That in the spending plan*
22 *submitted pursuant to section 528 of this Act, the Office*
23 *of Justice Programs shall specifically and explicitly iden-*
24 *tify all changes in the administration of competitive grant*
25 *programs for fiscal year 2022, including changes to appli-*

1 cant eligibility, priority areas or weightings, and the appli-
2 cation review process.

3 *JUVENILE JUSTICE PROGRAMS*

4 *For grants, contracts, cooperative agreements, and*
5 *other assistance authorized by the Juvenile Justice and De-*
6 *linquency Prevention Act of 1974 (“the 1974 Act”); the Om-*
7 *nibus Crime Control and Safe Streets Act of 1968 (“the*
8 *1968 Act”); the Violence Against Women and Department*
9 *of Justice Reauthorization Act of 2005 (Public Law 109–*
10 *162) (“the 2005 Act”); the Missing Children’s Assistance*
11 *Act (34 U.S.C. 11291 et seq.); the PROTECT Act (Public*
12 *Law 108–21); the Victims of Child Abuse Act of 1990 (Pub-*
13 *lic Law 101–647) (“the 1990 Act”); the Adam Walsh Child*
14 *Protection and Safety Act of 2006 (Public Law 109–248)*
15 *(“the Adam Walsh Act”); the PROTECT Our Children Act*
16 *of 2008 (Public Law 110–401); the Violence Against Women*
17 *Reauthorization Act of 2013 (Public Law 113–4) (“the*
18 *2013 Act”); the Justice for All Reauthorization Act of 2016*
19 *(Public Law 114–324); the Missing Children’s Assistance*
20 *Act of 2018 (Public Law 115–267); the Juvenile Justice Re-*
21 *form Act of 2018 (Public Law 115–385); the Victims of*
22 *Crime Act of 1984 (chapter XIV of title II of Public Law*
23 *98–473) (“the 1984 Act”); the Comprehensive Addiction*
24 *and Recovery Act of 2016 (Public Law 114–198); and other*

1 *juvenile justice programs, \$360,000,000, to remain avail-*
2 *able until expended as follows—*

3 (1) *\$70,000,000 for programs authorized by sec-*
4 *tion 221 of the 1974 Act, and for training and tech-*
5 *nical assistance to assist small, nonprofit organiza-*
6 *tions with the Federal grants process: Provided, That*
7 *of the amounts provided under this paragraph,*
8 *\$500,000 shall be for a competitive demonstration*
9 *grant program to support emergency planning among*
10 *State, local, and Tribal juvenile justice residential fa-*
11 *cilities;*

12 (2) *\$102,000,000 for youth mentoring grants;*

13 (3) *\$49,500,000 for delinquency prevention, of*
14 *which, pursuant to sections 261 and 262 of the 1974*
15 *Act—*

16 (A) *\$4,000,000 shall be for grants to prevent*
17 *trafficking of girls;*

18 (B) *\$14,000,000 shall be for the Tribal*
19 *Youth Program;*

20 (C) *\$500,000 shall be for an Internet site*
21 *providing information and resources on children*
22 *of incarcerated parents;*

23 (D) *\$4,500,000 shall be for competitive*
24 *grants focusing on girls in the juvenile justice*
25 *system;*

1 (E) \$12,000,000 shall be for an initiative
2 relating to youth affected by opioids, stimulants,
3 and other substance use;

4 (F) \$8,000,000 shall be for an initiative re-
5 lating to children exposed to violence; and

6 (G) \$5,000,000 shall be for grants to protect
7 vulnerable and at-risk youth;

8 (4) \$33,000,000 for programs authorized by the
9 *Victims of Child Abuse Act of 1990*;

10 (5) \$99,000,000 for missing and exploited chil-
11 dren programs, including as authorized by sections
12 404(b) and 405(a) of the 1974 Act (except that section
13 102(b)(4)(B) of the *PROTECT Our Children Act of*
14 *2008 (Public Law 110–401)* shall not apply for pur-
15 poses of this Act);

16 (6) \$4,000,000 for child abuse training programs
17 for judicial personnel and practitioners, as authorized
18 by section 222 of the 1990 Act; and

19 (7) \$2,500,000 for a program to improve juvenile
20 indigent defense:

21 *Provided, That not more than 10 percent of each amount*
22 *may be used for research, evaluation, and statistics activi-*
23 *ties designed to benefit the programs or activities author-*
24 *ized: Provided further, That not more than 2 percent of the*
25 *amounts designated under paragraphs (1) through (3) and*

1 (6) may be used for training and technical assistance: Pro-
2 vided further, That the two preceding provisos shall not
3 apply to grants and projects administered pursuant to sec-
4 tions 261 and 262 of the 1974 Act and to missing and ex-
5 ploited children programs.

6 PUBLIC SAFETY OFFICER BENEFITS

7 (INCLUDING TRANSFER OF FUNDS)

8 For payments and expenses authorized under section
9 1001(a)(4) of title I of the Omnibus Crime Control and Safe
10 Streets Act of 1968, such sums as are necessary (including
11 amounts for administrative costs), to remain available
12 until expended; and \$30,000,000 for payments authorized
13 by section 1201(b) of such Act and for educational assist-
14 ance authorized by section 1218 of such Act, to remain
15 available until expended: Provided, That notwithstanding
16 section 205 of this Act, upon a determination by the Attor-
17 ney General that emergent circumstances require additional
18 funding for such disability and education payments, the At-
19 torney General may transfer such amounts to "Public Safe-
20 ty Officer Benefits" from available appropriations for the
21 Department of Justice as may be necessary to respond to
22 such circumstances: Provided further, That any transfer
23 pursuant to the preceding proviso shall be treated as a re-
24 programming under section 505 of this Act and shall not

1 *be available for obligation or expenditure except in compli-*
2 *ance with the procedures set forth in that section.*

3 *COMMUNITY ORIENTED POLICING SERVICES*

4 *COMMUNITY ORIENTED POLICING SERVICES PROGRAMS*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *For activities authorized by the Violent Crime Control*
7 *and Law Enforcement Act of 1994 (Public Law 103–322);*
8 *the Omnibus Crime Control and Safe Streets Act of 1968*
9 *(“the 1968 Act”); the Violence Against Women and Depart-*
10 *ment of Justice Reauthorization Act of 2005 (Public Law*
11 *109–162) (“the 2005 Act”); the American Law Enforcement*
12 *Heroes Act of 2017 (Public Law 115–37); the Law Enforce-*
13 *ment Mental Health and Wellness Act (Public Law 115–*
14 *113) (“the LEMHW Act”); the SUPPORT for Patients and*
15 *Communities Act (Public Law 115–271); and the Sup-*
16 *porting and Treating Officers In Crisis Act of 2019 (Public*
17 *Law 116–32) (“the STOIC Act”), \$511,744,000, to remain*
18 *available until expended: Provided, That any balances*
19 *made available through prior year deobligations shall only*
20 *be available in accordance with section 505 of this Act: Pro-*
21 *vided further, That of the amount provided under this head-*
22 *ing—*

23 *(1) \$246,000,000 is for grants under section*
24 *1701 of title I of the 1968 Act (34 U.S.C. 10381) for*
25 *the hiring and rehiring of additional career law en-*

1 *forcement officers under part Q of such title notwith-*
2 *standing subsection (I) of such section: Provided,*
3 *That, notwithstanding section 1704(c) of such title*
4 *(34 U.S.C. 10384(c)), funding for hiring or rehiring*
5 *a career law enforcement officer may not exceed*
6 *\$125,000 unless the Director of the Office of Commu-*
7 *nity Oriented Policing Services grants a waiver from*
8 *this limitation: Provided further, That of the amounts*
9 *appropriated under this paragraph, \$31,500,000 is*
10 *for improving Tribal law enforcement, including hir-*
11 *ing, equipment, training, anti-methamphetamine ac-*
12 *tivities, and anti-opioid activities: Provided further,*
13 *That of the amounts appropriated under this para-*
14 *graph \$42,000,000 is for regional information sharing*
15 *activities, as authorized by part M of title I of the*
16 *1968 Act, which shall be transferred to and merged*
17 *with “Research, Evaluation, and Statistics” for ad-*
18 *ministration by the Office of Justice Programs: Pro-*
19 *vided further, That of the amounts appropriated*
20 *under this paragraph, no less than \$3,000,000 is to*
21 *support the Tribal Access Program: Provided further,*
22 *That of the amounts appropriated under this para-*
23 *graph, \$8,000,000 is for training, peer mentoring,*
24 *mental health program activities, and other support*
25 *services as authorized under the LEMHW Act and the*

1 *STOIC Act: Provided further, That of the amounts*
2 *appropriated under this paragraph, \$5,000,000 is for*
3 *the collaborative reform model of technical assistance*
4 *in furtherance of section 1701 of title I of the 1968*
5 *Act (34 U.S.C. 10381);*

6 (2) *\$11,000,000 is for activities authorized by*
7 *the POLICE Act of 2016 (Public Law 114–199);*

8 (3) *\$15,000,000 is for competitive grants to State*
9 *law enforcement agencies in States with high seizures*
10 *of precursor chemicals, finished methamphetamine,*
11 *laboratories, and laboratory dump seizures: Provided,*
12 *That funds appropriated under this paragraph shall*
13 *be utilized for investigative purposes to locate or in-*
14 *vestigate illicit activities, including precursor diver-*
15 *sion, laboratories, or methamphetamine traffickers;*

16 (4) *\$35,000,000 is for competitive grants to*
17 *statewide law enforcement agencies in States with*
18 *high rates of primary treatment admissions for her-*
19 *oin and other opioids: Provided, That these funds*
20 *shall be utilized for investigative purposes to locate or*
21 *investigate illicit activities, including activities re-*
22 *lated to the distribution of heroin or unlawful dis-*
23 *tribution of prescription opioids, or unlawful heroin*
24 *and prescription opioid traffickers through statewide*
25 *collaboration;*

1 (5) \$53,000,000 is for competitive grants to be
2 administered by the Community Oriented Policing
3 Services Office for purposes authorized under the
4 STOP School Violence Act (title V of division S of
5 Public Law 115–141);

6 (6) \$40,000,000 is for community policing devel-
7 opment activities in furtherance of section 1701 of
8 title I of the 1968 Act (34 U.S.C. 10381); and

9 (7) \$111,744,000 is for a law enforcement tech-
10 nologies and interoperable communications program,
11 and related law enforcement and public safety equip-
12 ment, which shall be used for the projects, and in the
13 amounts, specified under the heading, “Community
14 Oriented Policing Services, Technology and Equip-
15 ment Community Projects/ COPS Law Enforcement
16 Technology and Equipment”, in the explanatory
17 statement described in section 4 (in the matter pre-
18 ceding division A of this consolidated Act): Provided,
19 That such amounts may not be transferred for any
20 other purpose: Provided further, That grants funded
21 by such amounts shall not be subject to section 1703
22 of title I of the 1968 Act (34 U.S.C. 10383).

1 *SEC. 205. Not to exceed 5 percent of any appropriation*
2 *made available for the current fiscal year for the Depart-*
3 *ment of Justice in this Act may be transferred between such*
4 *appropriations, but no such appropriation, except as other-*
5 *wise specifically provided, shall be increased by more than*
6 *10 percent by any such transfers: Provided, That any trans-*
7 *fer pursuant to this section shall be treated as a reprogram-*
8 *ming of funds under section 505 of this Act and shall not*
9 *be available for obligation except in compliance with the*
10 *procedures set forth in that section: Provided further, That*
11 *this section shall not apply to the following—*

12 (1) *paragraph 1(Q) under the heading “State*
13 *and Local Law Enforcement Assistance”;* and

14 (2) *paragraph (7) under the heading “Communi-*
15 *ty Oriented Policing Services Programs”.*

16 *SEC. 206. None of the funds made available under this*
17 *title may be used by the Federal Bureau of Prisons or the*
18 *United States Marshals Service for the purpose of trans-*
19 *porting an individual who is a prisoner pursuant to convic-*
20 *tion for crime under State or Federal law and is classified*
21 *as a maximum or high security prisoner, other than to a*
22 *prison or other facility certified by the Federal Bureau of*
23 *Prisons as appropriately secure for housing such a prisoner.*

24 *SEC. 207. (a) None of the funds appropriated by this*
25 *Act may be used by Federal prisons to purchase cable tele-*

1 *vision services, or to rent or purchase audiovisual or elec-*
2 *tronic media or equipment used primarily for recreational*
3 *purposes.*

4 *(b) Subsection (a) does not preclude the rental, mainte-*
5 *nance, or purchase of audiovisual or electronic media or*
6 *equipment for inmate training, religious, or educational*
7 *programs.*

8 *SEC. 208. None of the funds made available under this*
9 *title shall be obligated or expended for any new or enhanced*
10 *information technology program having total estimated de-*
11 *velopment costs in excess of \$100,000,000, unless the Deputy*
12 *Attorney General and the investment review board certify*
13 *to the Committees on Appropriations of the House of Rep-*
14 *resentatives and the Senate that the information technology*
15 *program has appropriate program management controls*
16 *and contractor oversight mechanisms in place, and that the*
17 *program is compatible with the enterprise architecture of*
18 *the Department of Justice.*

19 *SEC. 209. The notification thresholds and procedures*
20 *set forth in section 505 of this Act shall apply to deviations*
21 *from the amounts designated for specific activities in this*
22 *Act and in the explanatory statement described in section*
23 *4 (in the matter preceding division A of this consolidated*
24 *Act), and to any use of deobligated balances of funds pro-*
25 *vided under this title in previous years.*

1 *SEC. 210. None of the funds appropriated by this Act*
2 *may be used to plan for, begin, continue, finish, process,*
3 *or approve a public-private competition under the Office*
4 *of Management and Budget Circular A-76 or any successor*
5 *administrative regulation, directive, or policy for work per-*
6 *formed by employees of the Bureau of Prisons or of Federal*
7 *Prison Industries, Incorporated.*

8 *SEC. 211. Notwithstanding any other provision of law,*
9 *no funds shall be available for the salary, benefits, or ex-*
10 *penses of any United States Attorney assigned dual or addi-*
11 *tional responsibilities by the Attorney General or his des-*
12 *ignee that exempt that United States Attorney from the*
13 *residency requirements of section 545 of title 28, United*
14 *States Code.*

15 *SEC. 212. At the discretion of the Attorney General,*
16 *and in addition to any amounts that otherwise may be*
17 *available (or authorized to be made available) by law, with*
18 *respect to funds appropriated by this title under the head-*
19 *ings “Research, Evaluation and Statistics”, “State and*
20 *Local Law Enforcement Assistance”, and “Juvenile Justice*
21 *Programs”—*

22 *(1) up to 2 percent of funds made available to*
23 *the Office of Justice Programs for grant or reimburse-*
24 *ment programs may be used by such Office to provide*
25 *training and technical assistance; and*

1 (2) up to 2 percent of funds made available for
2 grant or reimbursement programs under such head-
3 ings, except for amounts appropriated specifically for
4 research, evaluation, or statistical programs adminis-
5 tered by the National Institute of Justice and the Bu-
6 reau of Justice Statistics, shall be transferred to and
7 merged with funds provided to the National Institute
8 of Justice and the Bureau of Justice Statistics, to be
9 used by them for research, evaluation, or statistical
10 purposes, without regard to the authorizations for
11 such grant or reimbursement programs.

12 This section shall not apply to paragraph 1(Q) under
13 the heading “State and Local Law Enforcement Assist-
14 ance”.

15 SEC. 213. Upon request by a grantee for whom the At-
16 torney General has determined there is a fiscal hardship,
17 the Attorney General may, with respect to funds appro-
18 priated in this or any other Act making appropriations for
19 fiscal years 2019 through 2022 for the following programs,
20 waive the following requirements:

21 (1) For the adult and juvenile offender State and
22 local reentry demonstration projects under part FF of
23 title I of the Omnibus Crime Control and Safe Streets
24 Act of 1968 (34 U.S.C. 10631 et seq.), the require-

1 *ments under section 2976(g)(1) of such part (34*
2 *U.S.C. 10631(g)(1)).*

3 *(2) For grants to protect inmates and safeguard*
4 *communities as authorized by section 6 of the Prison*
5 *Rape Elimination Act of 2003 (34 U.S.C.*
6 *30305(c)(3)), the requirements of section 6(c)(3) of*
7 *such Act.*

8 *SEC. 214. Notwithstanding any other provision of law,*
9 *section 20109(a) of subtitle A of title II of the Violent Crime*
10 *Control and Law Enforcement Act of 1994 (34 U.S.C.*
11 *12109(a)) shall not apply to amounts made available by*
12 *this or any other Act.*

13 *SEC. 215. None of the funds made available under this*
14 *Act, other than for the national instant criminal back-*
15 *ground check system established under section 103 of the*
16 *Brady Handgun Violence Prevention Act (34 U.S.C.*
17 *40901), may be used by a Federal law enforcement officer*
18 *to facilitate the transfer of an operable firearm to an indi-*
19 *vidual if the Federal law enforcement officer knows or sus-*
20 *pects that the individual is an agent of a drug cartel, unless*
21 *law enforcement personnel of the United States continu-*
22 *ously monitor or control the firearm at all times.*

23 *SEC. 216. (a) None of the income retained in the De-*
24 *partment of Justice Working Capital Fund pursuant to*
25 *title I of Public Law 102–140 (105 Stat. 784; 28 U.S.C.*

1 527 note) shall be available for obligation during fiscal year
2 2022, except up to \$12,000,000 may be obligated for imple-
3 mentation of a unified Department of Justice financial
4 management system.

5 (b) Not to exceed \$30,000,000 of the unobligated bal-
6 ances transferred to the capital account of the Department
7 of Justice Working Capital Fund pursuant to title I of Pub-
8 lic Law 102–140 (105 Stat. 784; 28 U.S.C. 527 note) shall
9 be available for obligation in fiscal year 2022, and any use,
10 obligation, transfer, or allocation of such funds shall be
11 treated as a reprogramming of funds under section 505 of
12 this Act.

13 (c) Not to exceed \$10,000,000 of the excess unobligated
14 balances available under section 524(c)(8)(E) of title 28,
15 United States Code, shall be available for obligation during
16 fiscal year 2022, and any use, obligation, transfer or alloca-
17 tion of such funds shall be treated as a reprogramming of
18 funds under section 505 of this Act.

19 SEC. 217. Discretionary funds that are made available
20 in this Act for the Office of Justice Programs may be used
21 to participate in Performance Partnership Pilots author-
22 ized under such authorities as have been enacted for Per-
23 formance Partnership Pilots in appropriations acts in
24 prior fiscal years and the current fiscal year.

1 *SEC. 218. The Attorney General shall submit to the*
2 *Committees on Appropriations of the House of Representa-*
3 *tives and the Senate quarterly reports on the Crime Victims*
4 *Fund, the Working Capital Fund, the Three Percent Fund,*
5 *and the Asset Forfeiture Fund. Such quarterly reports shall*
6 *contain at least the same level of information and detail*
7 *for each Fund as was provided to the Committees on Appro-*
8 *priations of the House of Representatives and the Senate*
9 *in fiscal year 2021.*

10 *This title may be cited as the “Department of Justice*
11 *Appropriations Act, 2022”.*

1 *TITLE III*2 *SCIENCE*3 *OFFICE OF SCIENCE AND TECHNOLOGY POLICY*

4 *For necessary expenses of the Office of Science and*
5 *Technology Policy, in carrying out the purposes of the Na-*
6 *tional Science and Technology Policy, Organization, and*
7 *Priorities Act of 1976 (42 U.S.C. 6601 et seq.), hire of pas-*
8 *senger motor vehicles, and services as authorized by section*
9 *3109 of title 5, United States Code, not to exceed \$2,250*
10 *for official reception and representation expenses, and rent-*
11 *al of conference rooms in the District of Columbia,*
12 *\$6,652,000.*

13 *NATIONAL SPACE COUNCIL*

14 *For necessary expenses of the National Space Council,*
15 *in carrying out the purposes of title V of Public Law 100-*
16 *685 and Executive Order No. 13803, hire of passenger*
17 *motor vehicles, and services as authorized by section 3109*
18 *of title 5, United States Code, not to exceed \$2,250 for offi-*
19 *cial reception and representation expenses, \$1,965,000: Pro-*
20 *vided, That notwithstanding any other provision of law, the*
21 *National Space Council may accept personnel support from*
22 *Federal agencies, departments, and offices, and such Fed-*
23 *eral agencies, departments, and offices may detail staff*
24 *without reimbursement to the National Space Council for*
25 *purposes provided herein.*

1 of passenger motor vehicles; and purchase, lease, charter,
2 maintenance, and operation of mission and administrative
3 aircraft, \$880,700,000, to remain available until September
4 30, 2023.

5 *SPACE TECHNOLOGY*

6 *For necessary expenses, not otherwise provided for, in*
7 *the conduct and support of space technology research and*
8 *development activities, including research, development, op-*
9 *erations, support, and services; maintenance and repair, fa-*
10 *cility planning and design; space flight, spacecraft control,*
11 *and communications activities; program management; per-*
12 *sonnel and related costs, including uniforms or allowances*
13 *therefor, as authorized by sections 5901 and 5902 of title*
14 *5, United States Code; travel expenses; purchase and hire*
15 *of passenger motor vehicles; and purchase, lease, charter,*
16 *maintenance, and operation of mission and administrative*
17 *aircraft, \$1,100,000,000, to remain available until Sep-*
18 *tember 30, 2023: Provided, That \$227,000,000 shall be for*
19 *RESTORE-L/SPace Infrastructure DExterous Robot: Pro-*
20 *vided further, That \$110,000,000 shall be for the develop-*
21 *ment, production, and demonstration of a nuclear thermal*
22 *propulsion system, of which \$80,000,000 shall be for the de-*
23 *sign of a flight demonstration system: Provided further,*
24 *That, not later than 180 days after the enactment of this*

1 *Act, the National Aeronautics and Space Administration*
2 *shall provide a plan for the design of a flight demonstration.*

3 *EXPLORATION*

4 *For necessary expenses, not otherwise provided for, in*
5 *the conduct and support of exploration research and devel-*
6 *opment activities, including research, development, oper-*
7 *ations, support, and services; maintenance and repair, fa-*
8 *cility planning and design; space flight, spacecraft control,*
9 *and communications activities; program management; per-*
10 *sonnel and related costs, including uniforms or allowances*
11 *therefor, as authorized by sections 5901 and 5902 of title*
12 *5, United States Code; travel expenses; purchase and hire*
13 *of passenger motor vehicles; and purchase, lease, charter,*
14 *maintenance, and operation of mission and administrative*
15 *aircraft, \$6,791,700,000, to remain available until Sep-*
16 *tember 30, 2023: Provided, That not less than*
17 *\$1,406,700,000 shall be for the Orion Multi-Purpose Crew*
18 *Vehicle: Provided further, That not less than \$2,600,000,000*
19 *shall be for the Space Launch System (SLS) launch vehicle,*
20 *which shall have a lift capability not less than 130 metric*
21 *tons and which shall have core elements and an Exploration*
22 *Upper Stage developed simultaneously to be used to the*
23 *maximum extent practicable, including for Earth to Moon*
24 *missions and Moon landings: Provided further, That of the*
25 *amounts provided for SLS, not less than \$600,000,000 shall*

1 *be for SLS Block 1B development including the Exploration*
2 *Upper Stage and associated systems including related*
3 *facilitization, to support an SLS Block 1B mission avail-*
4 *able to launch in 2025 in addition to the planned Block*
5 *1 missions for Artemis I through Artemis III: Provided fur-*
6 *ther, That \$590,000,000 shall be for Exploration Ground*
7 *Systems and associated Block 1B activities, including up*
8 *to \$165,300,000 for a second mobile launch platform: Pro-*
9 *vided further, That the National Aeronautics and Space*
10 *Administration shall provide to the Committees on Appro-*
11 *priations of the House of Representatives and the Senate,*
12 *concurrent with the annual budget submission, a 5-year*
13 *budget profile for an integrated system that includes the*
14 *SLS, the Orion Multi-Purpose Crew Vehicle, and associated*
15 *ground systems that will ensure a crewed launch as early*
16 *as possible, as well as a system-based funding profile for*
17 *a sustained launch cadence that contemplates the use of an*
18 *SLS Block 1B cargo variant with an 8.4 meter fairing and*
19 *associated ground systems: Provided further, That*
20 *\$2,195,000,000 shall be for exploration research and devel-*
21 *opment: Provided further, That acquisition of human-rated*
22 *deep space exploration lunar and cislunar transportation*
23 *and habitation capabilities, human-rated lunar terrain mo-*
24 *bility capabilities, exploration mission rated suits, lunar*
25 *communications and navigation capabilities, and their as-*

1 *sociated components, may be funded incrementally in fiscal*
2 *year 2022 and thereafter.*

3 *SPACE OPERATIONS*

4 *For necessary expenses, not otherwise provided for, in*
5 *the conduct and support of space operations research and*
6 *development activities, including research, development, op-*
7 *erations, support and services; space flight, spacecraft con-*
8 *trol, and communications activities, including operations,*
9 *production, and services; maintenance and repair, facility*
10 *planning and design; program management; personnel and*
11 *related costs, including uniforms or allowances therefor, as*
12 *authorized by sections 5901 and 5902 of title 5, United*
13 *States Code; travel expenses; purchase and hire of passenger*
14 *motor vehicles; and purchase, lease, charter, maintenance,*
15 *and operation of mission and administrative aircraft,*
16 *\$4,041,300,000, to remain available until September 30,*
17 *2023.*

18 *SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS*

19 *ENGAGEMENT*

20 *For necessary expenses, not otherwise provided for, in*
21 *the conduct and support of aerospace and aeronautical edu-*
22 *cation research and development activities, including re-*
23 *search, development, operations, support, and services; pro-*
24 *gram management; personnel and related costs, including*
25 *uniforms or allowances therefor, as authorized by sections*

1 5901 and 5902 of title 5, United States Code; travel ex-
2 penses; purchase and hire of passenger motor vehicles; and
3 purchase, lease, charter, maintenance, and operation of
4 mission and administrative aircraft, \$137,000,000, to re-
5 main available until September 30, 2023, of which
6 \$26,000,000 shall be for the Established Program to Stimu-
7 late Competitive Research and \$54,500,000 shall be for the
8 National Space Grant College and Fellowship Program.

9 SAFETY, SECURITY AND MISSION SERVICES

10 For necessary expenses, not otherwise provided for, in
11 the conduct and support of science, aeronautics, space tech-
12 nology, exploration, space operations and education re-
13 search and development activities, including research, devel-
14 opment, operations, support, and services; maintenance and
15 repair, facility planning and design; space flight, spacecraft
16 control, and communications activities; program manage-
17 ment; personnel and related costs, including uniforms or
18 allowances therefor, as authorized by sections 5901 and
19 5902 of title 5, United States Code; travel expenses; pur-
20 chase and hire of passenger motor vehicles; not to exceed
21 \$63,000 for official reception and representation expenses;
22 and purchase, lease, charter, maintenance, and operation
23 of mission and administrative aircraft, \$3,020,600,000, to
24 remain available until September 30, 2023: Provided, That
25 if available balances in the “Science, Space, and Technology

1 *Education Trust Fund*” are not sufficient to provide for
2 *the grant disbursements required under the third and fourth*
3 *provisos under such heading in the Department of Housing*
4 *and Urban Development-Independent Agencies Appropria-*
5 *tions Act, 1989 (Public Law 100–404) as amended by the*
6 *Departments of Veterans Affairs and Housing and Urban*
7 *Development, and Independent Agencies Appropriations*
8 *Act, 1995 (Public Law 103–327) up to \$1,000,000 shall be*
9 *available from amounts made available under this heading*
10 *to make such grant disbursements: Provided further, That*
11 *of the amounts appropriated under this heading,*
12 *\$22,655,000 shall be used for the projects, and in the*
13 *amounts, specified in the table under the heading “NASA*
14 *Community Projects/NASA Special Projects” in the explan-*
15 *atory statement described in section 4 (in the matter pre-*
16 *ceding division A of this consolidated Act): Provided fur-*
17 *ther, That the amounts made available for the projects ref-*
18 *erenced in the preceding proviso may not be transferred for*
19 *any other purpose.*

20 *CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND*
21 *RESTORATION*

22 *For necessary expenses for construction of facilities in-*
23 *cluding repair, rehabilitation, revitalization, and modifica-*
24 *tion of facilities, construction of new facilities and addi-*
25 *tions to existing facilities, facility planning and design,*

1 *and restoration, and acquisition or condemnation of real*
2 *property, as authorized by law, and environmental compli-*
3 *ance and restoration, \$410,300,000, to remain available*
4 *until September 30, 2027, of which \$55,000,000 shall be*
5 *available only for costs related to the replacement of Na-*
6 *tional Aeronautics and Space Administration facilities that*
7 *were subject to an emergency closure for life and safety*
8 *issues in fiscal year 2020: Provided, That proceeds from*
9 *leases deposited into this account shall be available for a*
10 *period of 5 years to the extent and in amounts as provided*
11 *in annual appropriations Acts: Provided further, That such*
12 *proceeds referred to in the preceding proviso shall be avail-*
13 *able for obligation for fiscal year 2022 in an amount not*
14 *to exceed \$20,000,000: Provided further, That each annual*
15 *budget request shall include an annual estimate of gross re-*
16 *ceipts and collections and proposed use of all funds collected*
17 *pursuant to section 20145 of title 51, United States Code.*

18 *OFFICE OF INSPECTOR GENERAL*

19 *For necessary expenses of the Office of Inspector Gen-*
20 *eral in carrying out the Inspector General Act of 1978,*
21 *\$45,300,000, of which \$500,000 shall remain available until*
22 *September 30, 2023.*

1 ADMINISTRATIVE PROVISIONS

2 (INCLUDING TRANSFERS OF FUNDS)

3 *Funds for any announced prize otherwise authorized*
4 *shall remain available, without fiscal year limitation, until*
5 *a prize is claimed or the offer is withdrawn.*

6 *Not to exceed 5 percent of any appropriation made*
7 *available for the current fiscal year for the National Aero-*
8 *nautics and Space Administration in this Act may be*
9 *transferred between such appropriations, but no such ap-*
10 *propriation, except as otherwise specifically provided, shall*
11 *be increased by more than 10 percent by any such transfers.*
12 *Any funds transferred to “Construction and Environmental*
13 *Compliance and Restoration” for construction activities*
14 *shall not increase that account by more than 20 percent*
15 *and any funds transferred to or within “Exploration” for*
16 *Exploration Ground Systems shall not increase Explo-*
17 *ration Ground Systems by more than \$100,000,000. Bal-*
18 *ances so transferred shall be merged with and available for*
19 *the same purposes and the same time period as the appro-*
20 *priations to which transferred. Any transfer pursuant to*
21 *this provision shall be treated as a reprogramming of funds*
22 *under section 505 of this Act and shall not be available for*
23 *obligation except in compliance with the procedures set*
24 *forth in that section.*

1 *Not to exceed 5 percent of any appropriation provided*
2 *for the National Aeronautics and Space Administration*
3 *under previous appropriations Acts that remains available*
4 *for obligation or expenditure in fiscal year 2022 may be*
5 *transferred between such appropriations, but no such ap-*
6 *propriation, except as otherwise specifically provided, shall*
7 *be increased by more than 10 percent by any such transfers.*
8 *Any transfer pursuant to this provision shall retain its*
9 *original availability and shall be treated as a reprogram-*
10 *ming of funds under section 505 of this Act and shall not*
11 *be available for obligation except in compliance with the*
12 *procedures set forth in that section.*

13 *The spending plan required by this Act shall be pro-*
14 *vided by the National Aeronautics and Space Administra-*
15 *tion at the theme, program, project, and activity level. The*
16 *spending plan, as well as any subsequent change of an*
17 *amount established in that spending plan that meets the*
18 *notification requirements of section 505 of this Act, shall*
19 *be treated as a reprogramming under section 505 of this*
20 *Act and shall not be available for obligation or expenditure*
21 *except in compliance with the procedures set forth in that*
22 *section.*

23 *Not more than 20 percent or \$50,000,000, whichever*
24 *is less, of the amounts made available in the current-year*
25 *Construction and Environmental Compliance and Restora-*

1 *tion (CECR) appropriation may be applied to CECR*
2 *projects funded under previous years' CECR appropria-*
3 *tions. Use of current-year funds under this provision shall*
4 *be treated as a reprogramming of funds under section 505*
5 *of this act and shall not be available for obligation except*
6 *in compliance with the procedures set forth in that section.*

7 *Of the amounts made available in this Act under the*
8 *heading "Science, Technology, Engineering, and Mathe-*
9 *matics Engagement" ("STEM Engagement"), up to*
10 *\$5,000,000 shall be available to jointly fund, with an addi-*
11 *tional amount of up to \$1,000,000 each from amounts made*
12 *available in this Act under the headings "Science", "Aero-*
13 *nautics", "Space Technology", "Exploration", and "Space*
14 *Operations", projects and activities for engaging students*
15 *in STEM and increasing STEM research capacities of uni-*
16 *versities, including Minority Serving Institutions.*

17 *NATIONAL SCIENCE FOUNDATION*

18 *RESEARCH AND RELATED ACTIVITIES*

19 *For necessary expenses in carrying out the National*
20 *Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.),*
21 *and Public Law 86-209 (42 U.S.C. 1880 et seq.); services*
22 *as authorized by section 3109 of title 5, United States Code;*
23 *maintenance and operation of aircraft and purchase of*
24 *flight services for research support; acquisition of aircraft;*
25 *and authorized travel; \$7,159,400,000, to remain available*

1 *until September 30, 2023, of which not to exceed*
2 *\$544,000,000 shall remain available until expended for*
3 *polar research and operations support, and for reimburse-*
4 *ment to other Federal agencies for operational and science*
5 *support and logistical and other related activities for the*
6 *United States Antarctic program: Provided, That receipts*
7 *for scientific support services and materials furnished by*
8 *the National Research Centers and other National Science*
9 *Foundation supported research facilities may be credited to*
10 *this appropriation.*

11 *MAJOR RESEARCH EQUIPMENT AND FACILITIES*

12 *CONSTRUCTION*

13 *For necessary expenses for the acquisition, construc-*
14 *tion, commissioning, and upgrading of major research*
15 *equipment, facilities, and other such capital assets pursuant*
16 *to the National Science Foundation Act of 1950 (42 U.S.C.*
17 *1861 et seq.), including authorized travel, \$249,000,000, to*
18 *remain available until expended.*

19 *EDUCATION AND HUMAN RESOURCES*

20 *For necessary expenses in carrying out science, mathe-*
21 *matics, and engineering education and human resources*
22 *programs and activities pursuant to the National Science*
23 *Foundation Act of 1950 (42 U.S.C. 1861 et seq.), including*
24 *services as authorized by section 3109 of title 5, United*
25 *States Code, authorized travel, and rental of conference*

1 *rooms in the District of Columbia, \$1,006,000,000, to re-*
2 *main available until September 30, 2023.*

3 *AGENCY OPERATIONS AND AWARD MANAGEMENT*

4 *For agency operations and award management nec-*
5 *essary in carrying out the National Science Foundation Act*
6 *of 1950 (42 U.S.C. 1861 et seq.); services authorized by sec-*
7 *tion 3109 of title 5, United States Code; hire of passenger*
8 *motor vehicles; uniforms or allowances therefor, as author-*
9 *ized by sections 5901 and 5902 of title 5, United States*
10 *Code; rental of conference rooms in the District of Colum-*
11 *bia; and reimbursement of the Department of Homeland Se-*
12 *curity for security guard services; \$400,000,000: Provided,*
13 *That not to exceed \$8,280 is for official reception and rep-*
14 *resentation expenses: Provided further, That contracts may*
15 *be entered into under this heading in fiscal year 2022 for*
16 *maintenance and operation of facilities and for other serv-*
17 *ices to be provided during the next fiscal year.*

18 *OFFICE OF THE NATIONAL SCIENCE BOARD*

19 *For necessary expenses (including payment of salaries,*
20 *authorized travel, hire of passenger motor vehicles, the rent-*
21 *al of conference rooms in the District of Columbia, and the*
22 *employment of experts and consultants under section 3109*
23 *of title 5, United States Code) involved in carrying out sec-*
24 *tion 4 of the National Science Foundation Act of 1950 (42*
25 *U.S.C. 1863) and Public Law 86–209 (42 U.S.C. 1880 et*

1 *seq.), \$4,600,000: Provided, That not to exceed \$2,500 shall*
2 *be available for official reception and representation ex-*
3 *penses.*

4 *OFFICE OF INSPECTOR GENERAL*

5 *For necessary expenses of the Office of Inspector Gen-*
6 *eral as authorized by the Inspector General Act of 1978,*
7 *\$19,000,000, of which \$400,000 shall remain available until*
8 *September 30, 2023.*

9 *ADMINISTRATIVE PROVISIONS*

10 *(INCLUDING TRANSFERS OF FUNDS)*

11 *Not to exceed 5 percent of any appropriation made*
12 *available for the current fiscal year for the National Science*
13 *Foundation in this Act may be transferred between such*
14 *appropriations, but no such appropriation shall be in-*
15 *creased by more than 10 percent by any such transfers. Any*
16 *transfer pursuant to this paragraph shall be treated as a*
17 *reprogramming of funds under section 505 of this Act and*
18 *shall not be available for obligation except in compliance*
19 *with the procedures set forth in that section.*

20 *Of the amounts provided for “Research and Related*
21 *Activities”, up to \$148,000,000 may be transferred to “Edu-*
22 *cation and Human Resources” consistent with direction*
23 *provided in the explanatory statement described in section*
24 *4 (in the matter preceding division A of this consolidated*
25 *Act). The authority provided by this paragraph is in addi-*

1 *tion to the authority provided by the first paragraph under*
2 *this heading.*

3 *The Director of the National Science Foundation*
4 *(NSF) shall notify the Committees on Appropriations of the*
5 *House of Representatives and the Senate at least 30 days*
6 *in advance of any planned divestment through transfer, de-*
7 *commissioning, termination, or deconstruction of any NSF-*
8 *owned facilities or any NSF capital assets (including land,*
9 *structures, and equipment) valued greater than \$2,500,000.*
10 *This title may be cited as the “Science Appropriations*
11 *Act, 2022”.*

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TITLE IV

RELATED AGENCIES

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, \$13,000,000: Provided, That none of the funds appropriated in this paragraph may be used to employ any individuals under Schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations exclusive of one special assistant for each Commissioner: Provided further, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the chairperson, who is permitted 125 billable days: Provided further, That the Chair may accept and use any gift or donation to carry out the work of the Commission: Provided further, That none of the funds appropriated in this paragraph shall be used for any activity or expense that is not explicitly authorized by section 3 of the Civil Rights Commission Act of 1983 (42 U.S.C. 1975a): Provided further, That notwithstanding the preceding proviso, \$1,000,000 shall be used to separately fund the Commission on the Social Status of Black Men and Boys.

1 *EQUAL EMPLOYMENT OPPORTUNITY COMMISSION*2 *SALARIES AND EXPENSES*

3 *For necessary expenses of the Equal Employment Op-*
4 *portunity Commission as authorized by title VII of the*
5 *Civil Rights Act of 1964, the Age Discrimination in Em-*
6 *ployment Act of 1967, the Equal Pay Act of 1963, the Amer-*
7 *icans with Disabilities Act of 1990, section 501 of the Reha-*
8 *ilitation Act of 1973, the Civil Rights Act of 1991, the*
9 *Genetic Information Nondiscrimination Act (GINA) of*
10 *2008 (Public Law 110–233), the ADA Amendments Act of*
11 *2008 (Public Law 110–325), and the Lilly Ledbetter Fair*
12 *Pay Act of 2009 (Public Law 111–2), including services*
13 *as authorized by section 3109 of title 5, United States Code;*
14 *hire of passenger motor vehicles as authorized by section*
15 *1343(b) of title 31, United States Code; nonmonetary*
16 *awards to private citizens; and up to \$31,500,000 for pay-*
17 *ments to State and local enforcement agencies for author-*
18 *ized services to the Commission, \$420,000,000: Provided,*
19 *That the Commission is authorized to make available for*
20 *official reception and representation expenses not to exceed*
21 *\$2,250 from available funds: Provided further, That the*
22 *Commission may take no action to implement any work-*
23 *force repositioning, restructuring, or reorganization until*
24 *such time as the Committees on Appropriations of the*
25 *House of Representatives and the Senate have been notified*

1 *of such proposals, in accordance with the reprogramming*
2 *requirements of section 505 of this Act: Provided further,*
3 *That the Chair may accept and use any gift or donation*
4 *to carry out the work of the Commission.*

5 *INTERNATIONAL TRADE COMMISSION*

6 *SALARIES AND EXPENSES*

7 *For necessary expenses of the International Trade*
8 *Commission, including hire of passenger motor vehicles and*
9 *services as authorized by section 3109 of title 5, United*
10 *States Code, and not to exceed \$2,250 for official reception*
11 *and representation expenses, \$110,000,000, to remain avail-*
12 *able until expended.*

13 *LEGAL SERVICES CORPORATION*

14 *PAYMENT TO THE LEGAL SERVICES CORPORATION*

15 *For payment to the Legal Services Corporation to*
16 *carry out the purposes of the Legal Services Corporation*
17 *Act of 1974, \$489,000,000, of which \$448,750,000 is for*
18 *basic field programs and required independent audits;*
19 *\$5,500,000 is for the Office of Inspector General, of which*
20 *such amounts as may be necessary may be used to conduct*
21 *additional audits of recipients; \$23,500,000 is for manage-*
22 *ment and grants oversight; \$4,500,000 is for client self-help*
23 *and information technology; \$4,750,000 is for a Pro Bono*
24 *Innovation Fund; and \$2,000,000 is for loan repayment as-*
25 *sistance: Provided, That the Legal Services Corporation*

1 *may continue to provide locality pay to officers and em-*
2 *ployees at a rate no greater than that provided by the Fed-*
3 *eral Government to Washington, DC-based employees as au-*
4 *thorized by section 5304 of title 5, United States Code, not-*
5 *withstanding section 1005(d) of the Legal Services Corpora-*
6 *tion Act (42 U.S.C. 2996d(d)): Provided further, That the*
7 *authorities provided in section 205 of this Act shall be ap-*
8 *plicable to the Legal Services Corporation: Provided fur-*
9 *ther, That, for the purposes of section 505 of this Act, the*
10 *Legal Services Corporation shall be considered an agency*
11 *of the United States Government.*

12 *ADMINISTRATIVE PROVISION—LEGAL SERVICES*

13 *CORPORATION*

14 *None of the funds appropriated in this Act to the Legal*
15 *Services Corporation shall be expended for any purpose pro-*
16 *hibited or limited by, or contrary to any of the provisions*
17 *of, sections 501, 502, 503, 504, 505, and 506 of Public Law*
18 *105–119, and all funds appropriated in this Act to the*
19 *Legal Services Corporation shall be subject to the same*
20 *terms and conditions set forth in such sections, except that*
21 *all references in sections 502 and 503 to 1997 and 1998*
22 *shall be deemed to refer instead to 2021 and 2022, respec-*
23 *tively.*

1 *MARINE MAMMAL COMMISSION*2 *SALARIES AND EXPENSES*

3 *For necessary expenses of the Marine Mammal Com-*
4 *mission as authorized by title II of the Marine Mammal*
5 *Protection Act of 1972 (16 U.S.C. 1361 et seq.), \$4,200,000.*

6 *OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE*7 *SALARIES AND EXPENSES*

8 *For necessary expenses of the Office of the United*
9 *States Trade Representative, including the hire of passenger*
10 *motor vehicles and the employment of experts and consult-*
11 *ants as authorized by section 3109 of title 5, United States*
12 *Code, \$56,000,000, of which \$1,000,000 shall remain avail-*
13 *able until expended: Provided, That of the total amount*
14 *made available under this heading, not to exceed \$124,000*
15 *shall be available for official reception and representation*
16 *expenses.*

17 *TRADE ENFORCEMENT TRUST FUND*18 *(INCLUDING TRANSFER OF FUNDS)*

19 *For activities of the United States Trade Representa-*
20 *tive authorized by section 611 of the Trade Facilitation and*
21 *Trade Enforcement Act of 2015 (19 U.S.C. 4405), including*
22 *transfers, \$15,000,000, to be derived from the Trade En-*
23 *forcement Trust Fund: Provided, That any transfer pursu-*
24 *ant to subsection (d)(1) of such section shall be treated as*
25 *a reprogramming under section 505 of this Act.*

1 *STATE JUSTICE INSTITUTE*2 *SALARIES AND EXPENSES*

3 *For necessary expenses of the State Justice Institute,*
4 *as authorized by the State Justice Institute Act of 1984 (42*
5 *U.S.C. 10701 et seq.) \$7,200,000, of which \$500,000 shall*
6 *remain available until September 30, 2023: Provided, That*
7 *not to exceed \$2,250 shall be available for official reception*
8 *and representation expenses: Provided further, That, for the*
9 *purposes of section 505 of this Act, the State Justice Insti-*
10 *tute shall be considered an agency of the United States Gov-*
11 *ernment.*

12 *COMMISSION ON THE STATE OF U.S. OLYMPICS AND*13 *PARALYMPICS*14 *SALARIES AND EXPENSES*

15 *For necessary expenses of the Commission on the State*
16 *of U.S. Olympics and Paralympics, as authorized by sec-*
17 *tion 11 of the Empowering Olympic, Paralympic, and*
18 *Amateur Athletes Act of 2020 (Public Law 116–189),*
19 *\$2,000,000, to remain available until September 30, 2023.*

1 *TITLE V*2 *GENERAL PROVISIONS*3 *(INCLUDING RESCISSIONS)*4 *(INCLUDING TRANSFER OF FUNDS)*

5 *SEC. 501. No part of any appropriation contained in*
6 *this Act shall be used for publicity or propaganda purposes*
7 *not authorized by the Congress.*

8 *SEC. 502. No part of any appropriation contained in*
9 *this Act shall remain available for obligation beyond the*
10 *current fiscal year unless expressly so provided herein.*

11 *SEC. 503. The expenditure of any appropriation under*
12 *this Act for any consulting service through procurement*
13 *contract, pursuant to section 3109 of title 5, United States*
14 *Code, shall be limited to those contracts where such expendi-*
15 *tures are a matter of public record and available for public*
16 *inspection, except where otherwise provided under existing*
17 *law, or under existing Executive order issued pursuant to*
18 *existing law.*

19 *SEC. 504. If any provision of this Act or the applica-*
20 *tion of such provision to any person or circumstances shall*
21 *be held invalid, the remainder of the Act and the applica-*
22 *tion of each provision to persons or circumstances other*
23 *than those as to which it is held invalid shall not be affected*
24 *thereby.*

1 *SEC. 505. None of the funds provided under this Act,*
2 *or provided under previous appropriations Acts to the agen-*
3 *cies funded by this Act that remain available for obligation*
4 *or expenditure in fiscal year 2022, or provided from any*
5 *accounts in the Treasury of the United States derived by*
6 *the collection of fees available to the agencies funded by this*
7 *Act, shall be available for obligation or expenditure through*
8 *a reprogramming of funds that: (1) creates or initiates a*
9 *new program, project, or activity; (2) eliminates a pro-*
10 *gram, project, or activity; (3) increases funds or personnel*
11 *by any means for any project or activity for which funds*
12 *have been denied or restricted; (4) relocates an office or em-*
13 *ployees; (5) reorganizes or renames offices, programs, or ac-*
14 *tivities; (6) contracts out or privatizes any functions or ac-*
15 *tivities presently performed by Federal employees; (7) aug-*
16 *ments existing programs, projects, or activities in excess of*
17 *\$500,000 or 10 percent, whichever is less, or reduces by 10*
18 *percent funding for any program, project, or activity, or*
19 *numbers of personnel by 10 percent; or (8) results from any*
20 *general savings, including savings from a reduction in per-*
21 *sonnel, which would result in a change in existing pro-*
22 *grams, projects, or activities as approved by Congress; un-*
23 *less the House and Senate Committees on Appropriations*
24 *are notified 15 days in advance of such reprogramming of*
25 *funds.*

1 *SEC. 506. (a) If it has been finally determined by a*
2 *court or Federal agency that any person intentionally af-*
3 *fixed a label bearing a “Made in America” inscription, or*
4 *any inscription with the same meaning, to any product sold*
5 *in or shipped to the United States that is not made in the*
6 *United States, the person shall be ineligible to receive any*
7 *contract or subcontract made with funds made available in*
8 *this Act, pursuant to the debarment, suspension, and ineli-*
9 *gibility procedures described in sections 9.400 through*
10 *9.409 of title 48, Code of Federal Regulations.*

11 *(b)(1) To the extent practicable, with respect to author-*
12 *ized purchases of promotional items, funds made available*
13 *by this Act shall be used to purchase items that are manu-*
14 *factured, produced, or assembled in the United States, its*
15 *territories or possessions.*

16 *(2) The term “promotional items” has the meaning*
17 *given the term in OMB Circular A–87, Attachment B, Item*
18 *(1)(f)(3).*

19 *SEC. 507. (a) The Departments of Commerce and Jus-*
20 *tice, the National Science Foundation, and the National*
21 *Aeronautics and Space Administration shall provide to the*
22 *Committees on Appropriations of the House of Representa-*
23 *tives and the Senate a quarterly report on the status of bal-*
24 *ances of appropriations at the account level. For unobli-*
25 *gated, uncommitted balances and unobligated, committed*

1 *balances the quarterly reports shall separately identify the*
2 *amounts attributable to each source year of appropriation*
3 *from which the balances were derived. For balances that are*
4 *obligated, but unexpended, the quarterly reports shall sepa-*
5 *rately identify amounts by the year of obligation.*

6 *(b) The report described in subsection (a) shall be sub-*
7 *mitted within 30 days of the end of each quarter.*

8 *(c) If a department or agency is unable to fulfill any*
9 *aspect of a reporting requirement described in subsection*
10 *(a) due to a limitation of a current accounting system, the*
11 *department or agency shall fulfill such aspect to the max-*
12 *imum extent practicable under such accounting system and*
13 *shall identify and describe in each quarterly report the ex-*
14 *tent to which such aspect is not fulfilled.*

15 *SEC. 508. Any costs incurred by a department or agen-*
16 *cy funded under this Act resulting from, or to prevent, per-*
17 *sonnel actions taken in response to funding reductions in-*
18 *cluded in this Act shall be absorbed within the total budg-*
19 *etary resources available to such department or agency:*
20 *Provided, That the authority to transfer funds between ap-*
21 *propriations accounts as may be necessary to carry out this*
22 *section is provided in addition to authorities included else-*
23 *where in this Act: Provided further, That use of funds to*
24 *carry out this section shall be treated as a reprogramming*
25 *of funds under section 505 of this Act and shall not be avail-*

1 *able for obligation or expenditure except in compliance with*
2 *the procedures set forth in that section: Provided further,*
3 *That for the Department of Commerce, this section shall*
4 *also apply to actions taken for the care and protection of*
5 *loan collateral or grant property.*

6 *SEC. 509. None of the funds provided by this Act shall*
7 *be available to promote the sale or export of tobacco or to-*
8 *bacco products, or to seek the reduction or removal by any*
9 *foreign country of restrictions on the marketing of tobacco*
10 *or tobacco products, except for restrictions which are not*
11 *applied equally to all tobacco or tobacco products of the*
12 *same type.*

13 *SEC. 510. Notwithstanding any other provision of law,*
14 *amounts deposited or available in the Fund established by*
15 *section 1402 of chapter XIV of title II of Public Law 98-*
16 *473 (34 U.S.C. 20101) in any fiscal year in excess of*
17 *\$2,600,000,000 shall not be available for obligation until*
18 *the following fiscal year: Provided, That notwithstanding*
19 *section 1402(d) of such Act, of the amounts available from*
20 *the Fund for obligation: (1) \$10,000,000 shall be transferred*
21 *to the Department of Justice Office of Inspector General*
22 *and remain available until expended for oversight and au-*
23 *diting purposes associated with this section; and (2) 5 per-*
24 *cent shall be available to the Office for Victims of Crime*
25 *for grants, consistent with the requirements of the Victims*

1 *of Crime Act, to Indian Tribes to improve services for vic-*
2 *tims of crime.*

3 *SEC. 511. None of the funds made available to the De-*
4 *partment of Justice in this Act may be used to discriminate*
5 *against or denigrate the religious or moral beliefs of stu-*
6 *dents who participate in programs for which financial as-*
7 *sistance is provided from those funds, or of the parents or*
8 *legal guardians of such students.*

9 *SEC. 512. None of the funds made available in this*
10 *Act may be transferred to any department, agency, or in-*
11 *strumentality of the United States Government, except pur-*
12 *suant to a transfer made by, or transfer authority provided*
13 *in, this Act or any other appropriations Act.*

14 *SEC. 513. (a) The Inspectors General of the Depart-*
15 *ment of Commerce, the Department of Justice, the National*
16 *Aeronautics and Space Administration, the National*
17 *Science Foundation, and the Legal Services Corporation*
18 *shall conduct audits, pursuant to the Inspector General Act*
19 *(5 U.S.C. App.), of grants or contracts for which funds are*
20 *appropriated by this Act, and shall submit reports to Con-*
21 *gress on the progress of such audits, which may include pre-*
22 *liminary findings and a description of areas of particular*
23 *interest, within 180 days after initiating such an audit and*
24 *every 180 days thereafter until any such audit is completed.*

1 (b) *Within 60 days after the date on which an audit*
2 *described in subsection (a) by an Inspector General is com-*
3 *pleted, the Secretary, Attorney General, Administrator, Di-*
4 *rector, or President, as appropriate, shall make the results*
5 *of the audit available to the public on the Internet website*
6 *maintained by the Department, Administration, Founda-*
7 *tion, or Corporation, respectively. The results shall be made*
8 *available in redacted form to exclude—*

9 (1) *any matter described in section 552(b) of*
10 *title 5, United States Code; and*

11 (2) *sensitive personal information for any indi-*
12 *vidual, the public access to which could be used to*
13 *commit identity theft or for other inappropriate or*
14 *unlawful purposes.*

15 (c) *Any person awarded a grant or contract funded*
16 *by amounts appropriated by this Act shall submit a state-*
17 *ment to the Secretary of Commerce, the Attorney General,*
18 *the Administrator, Director, or President, as appropriate,*
19 *certifying that no funds derived from the grant or contract*
20 *will be made available through a subcontract or in any*
21 *other manner to another person who has a financial interest*
22 *in the person awarded the grant or contract.*

23 (d) *The provisions of the preceding subsections of this*
24 *section shall take effect 30 days after the date on which the*
25 *Director of the Office of Management and Budget, in con-*

1 *sultation with the Director of the Office of Government Eth-*
2 *ics, determines that a uniform set of rules and requirements,*
3 *substantially similar to the requirements in such sub-*
4 *sections, consistently apply under the executive branch eth-*
5 *ics program to all Federal departments, agencies, and enti-*
6 *ties.*

7 *SEC. 514. (a) None of the funds appropriated or other-*
8 *wise made available under this Act may be used by the De-*
9 *partments of Commerce and Justice, the National Aero-*
10 *navitics and Space Administration, or the National Science*
11 *Foundation to acquire a high-impact or moderate-impact*
12 *information system, as defined for security categorization*
13 *in the National Institute of Standards and Technology's*
14 *(NIST) Federal Information Processing Standard Publica-*
15 *tion 199, "Standards for Security Categorization of Federal*
16 *Information and Information Systems" unless the agency*
17 *has—*

18 *(1) reviewed the supply chain risk for the infor-*
19 *mation systems against criteria developed by NIST*
20 *and the Federal Bureau of Investigation (FBI) to in-*
21 *form acquisition decisions for high-impact and mod-*
22 *erate-impact information systems within the Federal*
23 *Government;*

24 *(2) reviewed the supply chain risk from the pre-*
25 *sumptive awardee against available and relevant*

1 *threat information provided by the FBI and other ap-*
2 *propriate agencies; and*

3 *(3) in consultation with the FBI or other appro-*
4 *propriate Federal entity, conducted an assessment of any*
5 *risk of cyber-espionage or sabotage associated with the*
6 *acquisition of such system, including any risk associ-*
7 *ated with such system being produced, manufactured,*
8 *or assembled by one or more entities identified by the*
9 *United States Government as posing a cyber threat,*
10 *including but not limited to, those that may be*
11 *owned, directed, or subsidized by the People's Repub-*
12 *lic of China, the Islamic Republic of Iran, the Demo-*
13 *cratic People's Republic of Korea, or the Russian Fed-*
14 *eration.*

15 *(b) None of the funds appropriated or otherwise made*
16 *available under this Act may be used to acquire a high-*
17 *impact or moderate-impact information system reviewed*
18 *and assessed under subsection (a) unless the head of the as-*
19 *sessing entity described in subsection (a) has—*

20 *(1) developed, in consultation with NIST, the*
21 *FBI, and supply chain risk management experts, a*
22 *mitigation strategy for any identified risks;*

23 *(2) determined, in consultation with NIST and*
24 *the FBI, that the acquisition of such system is in the*
25 *national interest of the United States; and*

1 (3) reported that determination to the Commit-
2 tees on Appropriations of the House of Representa-
3 tives and the Senate and the agency Inspector Gen-
4 eral.

5 SEC. 515. None of the funds made available in this
6 Act shall be used in any way whatsoever to support or jus-
7 tify the use of torture by any official or contract employee
8 of the United States Government.

9 SEC. 516. None of the funds made available in this
10 Act may be used to include in any new bilateral or multi-
11 lateral trade agreement the text of—

12 (1) paragraph 2 of article 16.7 of the United
13 States–Singapore Free Trade Agreement;

14 (2) paragraph 4 of article 17.9 of the United
15 States–Australia Free Trade Agreement; or

16 (3) paragraph 4 of article 15.9 of the United
17 States–Morocco Free Trade Agreement.

18 SEC. 517. None of the funds made available in this
19 Act may be used to authorize or issue a national security
20 letter in contravention of any of the following laws author-
21 izing the Federal Bureau of Investigation to issue national
22 security letters: The Right to Financial Privacy Act of
23 1978; The Electronic Communications Privacy Act of 1986;
24 The Fair Credit Reporting Act; The National Security Act

1 of 1947; USA PATRIOT Act; USA FREEDOM Act of
2 2015; and the laws amended by these Acts.

3 SEC. 518. *If at any time during any quarter, the pro-*
4 *gram manager of a project within the jurisdiction of the*
5 *Departments of Commerce or Justice, the National Aero-*
6 *navitics and Space Administration, or the National Science*
7 *Foundation totaling more than \$75,000,000 has reasonable*
8 *cause to believe that the total program cost has increased*
9 *by 10 percent or more, the program manager shall imme-*
10 *diately inform the respective Secretary, Administrator, or*
11 *Director. The Secretary, Administrator, or Director shall*
12 *notify the House and Senate Committees on Appropriations*
13 *within 30 days in writing of such increase, and shall in-*
14 *clude in such notice: the date on which such determination*
15 *was made; a statement of the reasons for such increases;*
16 *the action taken and proposed to be taken to control future*
17 *cost growth of the project; changes made in the performance*
18 *or schedule milestones and the degree to which such changes*
19 *have contributed to the increase in total program costs or*
20 *procurement costs; new estimates of the total project or pro-*
21 *curement costs; and a statement validating that the project's*
22 *management structure is adequate to control total project*
23 *or procurement costs.*

24 SEC. 519. *Funds appropriated by this Act, or made*
25 *available by the transfer of funds in this Act, for intelligence*

1 *merce, the following funds are hereby permanently re-*
2 *scinded, not later than September 30, 2022, from the fol-*
3 *lowing accounts in the specified amounts—*

4 (1) *“Economic Development Administration,*
5 *Economic Development Assistance Programs”,*
6 *\$15,000,000; and*

7 (2) *“National Oceanic and Atmospheric Admin-*
8 *istration, Operations, Research, and Facilities”,*
9 *\$10,000,000.*

10 (b) *Of the unobligated balances from prior year appro-*
11 *priations available to the Department of Justice, the fol-*
12 *lowing funds are hereby permanently rescinded, not later*
13 *than September 30, 2022, from the following accounts in*
14 *the specified amounts—*

15 (1) *“State and Local Law Enforcement Activi-*
16 *ties, Office on Violence Against Women, Violence*
17 *Against Women Prevention and Prosecution Pro-*
18 *grams”, \$15,000,000;*

19 (2) *“State and Local Law Enforcement Activi-*
20 *ties, Office of Justice Programs”, \$100,000,000; and*

21 (3) *“State and Local Law Enforcement Activi-*
22 *ties, Community Oriented Policing Services”,*
23 *\$15,000,000.*

24 (c) *Of the unobligated balances available to the Depart-*
25 *ment of Justice, the following funds are hereby permanently*

1 *rescinded, not later than September 30, 2022, from the fol-*
2 *lowing accounts in the specified amounts—*

3 (1) *“Working Capital Fund”, \$234,839,000; and*

4 (2) *“Legal Activities, Assets Forfeiture Fund”,*
5 *\$127,000,000.*

6 (d) *The Departments of Commerce and Justice shall*
7 *submit to the Committees on Appropriations of the House*
8 *of Representatives and the Senate a report no later than*
9 *September 1, 2022, specifying the amount of each rescission*
10 *made pursuant to subsections (a), (b), and (c).*

11 (e) *The amounts rescinded in subsections (a) and (b)*
12 *shall not be from amounts that were designated by the Con-*
13 *gress as an emergency or disaster relief requirement pursu-*
14 *ant to the concurrent resolution on the budget or the Bal-*
15 *anced Budget and Emergency Deficit Control Act of 1985.*

16 SEC. 522. *None of the funds made available in this*
17 *Act may be used to purchase first class or premium airline*
18 *travel in contravention of sections 301–10.122 through 301–*
19 *10.124 of title 41 of the Code of Federal Regulations.*

20 SEC. 523. *None of the funds made available in this*
21 *Act may be used to send or otherwise pay for the attendance*
22 *of more than 50 employees from a Federal department or*
23 *agency, who are stationed in the United States, at any sin-*
24 *gle conference occurring outside the United States unless—*

1 (1) *such conference is a law enforcement training*
2 *or operational conference for law enforcement per-*
3 *sonnel and the majority of Federal employees in at-*
4 *tendance are law enforcement personnel stationed out-*
5 *side the United States; or*

6 (2) *such conference is a scientific conference and*
7 *the department or agency head determines that such*
8 *attendance is in the national interest and notifies the*
9 *Committees on Appropriations of the House of Rep-*
10 *resentatives and the Senate within at least 15 days*
11 *of that determination and the basis for that deter-*
12 *mination.*

13 *SEC. 524. The Director of the Office of Management*
14 *and Budget shall instruct any department, agency, or in-*
15 *strumentality of the United States receiving funds appro-*
16 *priated under this Act to track undisbursed balances in ex-*
17 *pired grant accounts and include in its annual performance*
18 *plan and performance and accountability reports the fol-*
19 *lowing:*

20 (1) *Details on future action the department,*
21 *agency, or instrumentality will take to resolve*
22 *undisbursed balances in expired grant accounts.*

23 (2) *The method that the department, agency, or*
24 *instrumentality uses to track undisbursed balances in*
25 *expired grant accounts.*

1 (3) *Identification of undisbursed balances in ex-*
2 *pired grant accounts that may be returned to the*
3 *Treasury of the United States.*

4 (4) *In the preceding 3 fiscal years, details on the*
5 *total number of expired grant accounts with*
6 *undisbursed balances (on the first day of each fiscal*
7 *year) for the department, agency, or instrumentality*
8 *and the total finances that have not been obligated to*
9 *a specific project remaining in the accounts.*

10 *SEC. 525. To the extent practicable, funds made avail-*
11 *able in this Act should be used to purchase light bulbs that*
12 *are “Energy Star” qualified or have the “Federal Energy*
13 *Management Program” designation.*

14 *SEC. 526. (a) None of the funds made available by this*
15 *Act may be used for the National Aeronautics and Space*
16 *Administration (NASA), the Office of Science and Tech-*
17 *nology Policy (OSTP), or the National Space Council*
18 *(NSC) to develop, design, plan, promulgate, implement, or*
19 *execute a bilateral policy, program, order, or contract of*
20 *any kind to participate, collaborate, or coordinate bilat-*
21 *erally in any way with China or any Chinese-owned com-*
22 *pany unless such activities are specifically authorized by*
23 *a law enacted after the date of enactment of this Act.*

1 (b) *None of the funds made available by this Act may*
2 *be used to effectuate the hosting of official Chinese visitors*
3 *at facilities belonging to or utilized by NASA.*

4 (c) *The limitations described in subsections (a) and*
5 *(b) shall not apply to activities which NASA, OSTP, or*
6 *NSC, after consultation with the Federal Bureau of Inves-*
7 *tigation, have certified—*

8 (1) *pose no risk of resulting in the transfer of*
9 *technology, data, or other information with national*
10 *security or economic security implications to China*
11 *or a Chinese-owned company; and*

12 (2) *will not involve knowing interactions with*
13 *officials who have been determined by the United*
14 *States to have direct involvement with violations of*
15 *human rights.*

16 (d) *Any certification made under subsection (c) shall*
17 *be submitted to the Committees on Appropriations of the*
18 *House of Representatives and the Senate, and the Federal*
19 *Bureau of Investigation, no later than 30 days prior to the*
20 *activity in question and shall include a description of the*
21 *purpose of the activity, its agenda, its major participants,*
22 *and its location and timing.*

23 SEC. 527. (a) *None of the funds made available in this*
24 *Act may be used to maintain or establish a computer net-*

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

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

8 *SEC. 528. The Departments of Commerce and Justice,*
9 *the National Aeronautics and Space Administration, the*
10 *National Science Foundation, the Commission on Civil*
11 *Rights, the Equal Employment Opportunity Commission,*
12 *the International Trade Commission, the Legal Services*
13 *Corporation, the Marine Mammal Commission, the Offices*
14 *of Science and Technology Policy and the United States*
15 *Trade Representative, the National Space Council, and the*
16 *State Justice Institute shall submit spending plans, signed*
17 *by the respective department or agency head, to the Com-*
18 *mittees on Appropriations of the House of Representatives*
19 *and the Senate not later than 45 days after the date of en-*
20 *actment of this Act.*

21 *SEC. 529. Notwithstanding any other provision of this*
22 *Act, none of the funds appropriated or otherwise made*
23 *available by this Act may be used to pay award or incentive*
24 *fees for contractor performance that has been judged to be*

1 *below satisfactory performance or for performance that does*
2 *not meet the basic requirements of a contract.*

3 *SEC. 530. None of the funds made available by this*
4 *Act may be used in contravention of section 7606 (“Legit-*
5 *imacy of Industrial Hemp Research”) of the Agricultural*
6 *Act of 2014 (Public Law 113–79) by the Department of Jus-*
7 *tice or the Drug Enforcement Administration.*

8 *SEC. 531. None of the funds made available under this*
9 *Act to the Department of Justice may be used, with respect*
10 *to any of the States of Alabama, Alaska, Arizona, Arkansas,*
11 *California, Colorado, Connecticut, Delaware, Florida, Geor-*
12 *gia, Hawaii, Illinois, Indiana, Iowa, Kentucky, Louisiana,*
13 *Maine, Maryland, Massachusetts, Michigan, Minnesota,*
14 *Mississippi, Missouri, Montana, Nevada, New Hampshire,*
15 *New Jersey, New Mexico, New York, North Carolina, North*
16 *Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Is-*
17 *land, South Carolina, South Dakota, Tennessee, Texas,*
18 *Utah, Vermont, Virginia, Washington, West Virginia, Wis-*
19 *consin, and Wyoming, or with respect to the District of Co-*
20 *lumbia, the Commonwealth of the Northern Mariana Is-*
21 *lands, the United States Virgin Islands, Guam, or Puerto*
22 *Rico, to prevent any of them from implementing their own*
23 *laws that authorize the use, distribution, possession, or cul-*
24 *tivation of medical marijuana.*

1 *SEC. 532. The Department of Commerce, the National*
2 *Aeronautics and Space Administration, and the National*
3 *Science Foundation shall provide a quarterly report to the*
4 *Committees on Appropriations of the House of Representa-*
5 *tives and the Senate on any official travel to China by any*
6 *employee of such Department or agency, including the pur-*
7 *pose of such travel.*

8 *SEC. 533. Of the amounts made available by this Act,*
9 *not less than 10 percent of each total amount provided, re-*
10 *spectively, for Public Works grants authorized by the Public*
11 *Works and Economic Development Act of 1965 and grants*
12 *authorized by section 27 of the Stevenson-Wydler Tech-*
13 *nology Innovation Act of 1980 (15 U.S.C. 3722) shall be*
14 *allocated for assistance in persistent poverty counties: Pro-*
15 *vided, That for purposes of this section, the term “persistent*
16 *poverty counties” means any county that has had 20 per-*
17 *cent or more of its population living in poverty over the*
18 *past 30 years, as measured by the 1993 Small Area Income*
19 *and Poverty Estimates, the 2000 decennial census, and the*
20 *most recent Small Area Income and Poverty Estimates, or*
21 *any Territory or possession of the United States.*

22 *SEC. 534. (a) Not later than 180 days after the date*
23 *of enactment of this Act, the Director of the Federal Bureau*
24 *of Investigation shall work with the Administrator of the*
25 *General Services Administration to transmit to the Com-*

1 *mittees on Appropriations of the House of Representatives*
2 *and the Senate, the Committee on Transportation and In-*
3 *frastructure of the House of Representatives, and the Com-*
4 *mittee on Environment and Public Works of the Senate,*
5 *a report on the construction of a new headquarters for the*
6 *Federal Bureau of Investigation in the National Capital*
7 *Region.*

8 *(b) The report transmitted under subsection (a) shall*
9 *be consistent with the requirements of section 3307(b) of*
10 *title 40, United States Code, and include a summary of*
11 *the material provisions of the construction and full consoli-*
12 *dation of the Federal Bureau of Investigation in a new*
13 *headquarters facility, including all the costs associated with*
14 *site acquisition, design, management, and inspection, and*
15 *a description of all buildings and infrastructure needed to*
16 *complete the project.*

17 *SEC. 535. (a) Notwithstanding any other provision of*
18 *law or treaty, none of the funds appropriated or otherwise*
19 *made available under this Act or any other Act may be*
20 *expended or obligated by a department, agency, or instru-*
21 *mentality of the United States to pay administrative ex-*
22 *penses or to compensate an officer or employee of the United*
23 *States in connection with requiring an export license for*
24 *the export to Canada of components, parts, accessories or*
25 *attachments for firearms listed in Category I, section 121.1*

1 *of title 22, Code of Federal Regulations (International Traf-*
2 *ficking in Arms Regulations (ITAR), part 121, as it existed*
3 *on April 1, 2005) with a total value not exceeding \$500*
4 *wholesale in any transaction, provided that the conditions*
5 *of subsection (b) of this section are met by the exporting*
6 *party for such articles.*

7 **(b)** *The foregoing exemption from obtaining an export*
8 *license—*

9 **(1)** *does not exempt an exporter from filing any*
10 *Shipper's Export Declaration or notification letter re-*
11 *quired by law, or from being otherwise eligible under*
12 *the laws of the United States to possess, ship, trans-*
13 *port, or export the articles enumerated in subsection*
14 *(a); and*

15 **(2)** *does not permit the export without a license*
16 *of—*

17 **(A)** *fully automatic firearms and compo-*
18 *nents and parts for such firearms, other than for*
19 *end use by the Federal Government, or a Provin-*
20 *cial or Municipal Government of Canada;*

21 **(B)** *barrels, cylinders, receivers (frames) or*
22 *complete breech mechanisms for any firearm list-*
23 *ed in Category I, other than for end use by the*
24 *Federal Government, or a Provincial or Munic-*
25 *ipal Government of Canada; or*

1 (C) articles for export from Canada to an-
2 other foreign destination.

3 (c) In accordance with this section, the District Direc-
4 tors of Customs and postmasters shall permit the permanent
5 or temporary export without a license of any unclassified
6 articles specified in subsection (a) to Canada for end use
7 in Canada or return to the United States, or temporary
8 import of Canadian-origin items from Canada for end use
9 in the United States or return to Canada for a Canadian
10 citizen.

11 (d) The President may require export licenses under
12 this section on a temporary basis if the President deter-
13 mines, upon publication first in the Federal Register, that
14 the Government of Canada has implemented or maintained
15 inadequate import controls for the articles specified in sub-
16 section (a), such that a significant diversion of such articles
17 has and continues to take place for use in international
18 terrorism or in the escalation of a conflict in another na-
19 tion. The President shall terminate the requirements of a
20 license when reasons for the temporary requirements have
21 ceased.

22 SEC. 536. Notwithstanding any other provision of law,
23 no department, agency, or instrumentality of the United
24 States receiving appropriated funds under this Act or any
25 other Act shall obligate or expend in any way such funds

1 to pay administrative expenses or the compensation of any
2 officer or employee of the United States to deny any appli-
3 cation submitted pursuant to 22 U.S.C. 2778(b)(1)(B) and
4 qualified pursuant to 27 CFR section 478.112 or .113, for
5 a permit to import United States origin “curios or relics”
6 firearms, parts, or ammunition.

7 *SEC. 537. None of the funds made available by this*
8 *Act may be used to pay the salaries or expenses of personnel*
9 *to deny, or fail to act on, an application for the importation*
10 *of any model of shotgun if—*

11 (1) *all other requirements of law with respect to*
12 *the proposed importation are met; and*

13 (2) *no application for the importation of such*
14 *model of shotgun, in the same configuration, had been*
15 *denied by the Attorney General prior to January 1,*
16 *2011, on the basis that the shotgun was not particu-*
17 *larly suitable for or readily adaptable to sporting*
18 *purposes.*

19 *SEC. 538. None of the funds made available by this*
20 *Act may be obligated or expended to implement the Arms*
21 *Trade Treaty until the Senate approves a resolution of rati-*
22 *fication for the Treaty.*

23 *SEC. 539. None of the funds appropriated or otherwise*
24 *made available in this or any other Act may be used to*
25 *transfer, release, or assist in the transfer or release to or*

1 *within the United States, its territories, or possessions*
2 *Khalid Sheikh Mohammed or any other detainee who—*

3 *(1) is not a United States citizen or a member*
4 *of the Armed Forces of the United States; and*

5 *(2) is or was held on or after June 24, 2009, at*
6 *the United States Naval Station, Guantanamo Bay,*
7 *Cuba, by the Department of Defense.*

8 *SEC. 540. (a) None of the funds appropriated or other-*
9 *wise made available in this or any other Act may be used*
10 *to construct, acquire, or modify any facility in the United*
11 *States, its territories, or possessions to house any individual*
12 *described in subsection (c) for the purposes of detention or*
13 *imprisonment in the custody or under the effective control*
14 *of the Department of Defense.*

15 *(b) The prohibition in subsection (a) shall not apply*
16 *to any modification of facilities at United States Naval*
17 *Station, Guantanamo Bay, Cuba.*

18 *(c) An individual described in this subsection is any*
19 *individual who, as of June 24, 2009, is located at United*
20 *States Naval Station, Guantanamo Bay, Cuba, and who—*

21 *(1) is not a citizen of the United States or a*
22 *member of the Armed Forces of the United States; and*

23 *(2) is—*

24 *(A) in the custody or under the effective*
25 *control of the Department of Defense; or*

1 (B) otherwise under detention at United
2 States Naval Station, Guantanamo Bay, Cuba.

3 SEC. 541. The matter preceding the first proviso under
4 the heading “Department of Commerce—National Tele-
5 communications and Information Administration—
6 Broadband Connectivity Fund” in title II of division J of
7 Public Law 117–58 is amended by striking “for grants for
8 the Tribal Broadband Connectivity Program, as authorized
9 under section 905(c) of division N of the Consolidated Ap-
10 propriations Act, 2021 (Public Law 116–260), as amended
11 by section 60201 of division F this Act” and inserting “for
12 purposes of the Tribal Broadband Connectivity Program,
13 as authorized under section 905(c) of division N of the Con-
14 solidated Appropriations Act, 2021 (Public Law 116–260),
15 as amended by section 60201 of division F of this Act, of
16 which up to two percent shall be for administrative costs”:
17 Provided, That amounts repurposed pursuant to this sec-
18 tion that were previously designated by the Congress as an
19 emergency requirement pursuant to section 4112(a) of H.
20 Con. Res. 71 (115th Congress), the concurrent resolution on
21 the budget for fiscal year 2018, and to section 251(b) of
22 the Balanced Budget and Emergency Deficit Control Act
23 of 1985 are designated by the Congress as an emergency
24 requirement pursuant to section 4001(a)(1) and section

1 4001(b) of S. Con. Res. 14 (117th Congress), the concurrent
2 resolution on the budget for fiscal year 2022.

3 SEC. 542. The matter preceding the first proviso under
4 the heading “Department of Commerce—National Tele-
5 communications and Information Administration—Middle
6 Mile Deployment” in title II of division J of Public Law
7 117–58 is amended by striking “to remain available Sep-
8 tember” and inserting “to remain available until Sep-
9 tember”: Provided, That amounts repurposed pursuant to
10 this section that were previously designated by the Congress
11 as an emergency requirement pursuant to section 4112(a)
12 of H. Con. Res. 71 (115th Congress), the concurrent resolu-
13 tion on the budget for fiscal year 2018, and to section 251(b)
14 of the Balanced Budget and Emergency Deficit Control Act
15 of 1985 are designated by the Congress as an emergency
16 requirement pursuant to section 4001(a)(1) and section
17 4001(b) of S. Con. Res. 14 (117th Congress), the concurrent
18 resolution on the budget for fiscal year 2022.

19 SEC. 543. Paragraph (14) under the heading “Depart-
20 ment of Commerce—National Oceanic and Atmospheric
21 Administration—Operations, Research, and Facilities” in
22 title II of division J of Public Law 117–58 is amended by
23 striking “an institution of higher education, non-profit,
24 commercial (for profit) organizations, U.S. territories, and
25 state or local governments” and inserting “institutions of

1 *higher education, non-profit or commercial (for profit) or-*
2 *ganizations, U.S. territories, or state or local governments”:*
3 *Provided, That amounts repurposed pursuant to this sec-*
4 *tion that were previously designated by the Congress as an*
5 *emergency requirement pursuant to section 4112(a) of H.*
6 *Con. Res. 71 (115th Congress), the concurrent resolution on*
7 *the budget for fiscal year 2018, and to section 251(b) of*
8 *the Balanced Budget and Emergency Deficit Control Act*
9 *of 1985 are designated by the Congress as an emergency*
10 *requirement pursuant to section 4001(a)(1) and section*
11 *4001(b) of S. Con. Res. 14 (117th Congress), the concurrent*
12 *resolution on the budget for fiscal year 2022.*

13 *SEC. 544. Funds made available to the Department of*
14 *Commerce and under the heading “Department of Justice—*
15 *Federal Bureau of Investigation—Salaries and Expenses”*
16 *in this Act and any remaining unobligated balances of*
17 *funds made available to the Department of Commerce and*
18 *under the heading “Department of Justice—Federal Bu-*
19 *reau of Investigation—Salaries and Expenses” in prior*
20 *year Acts, other than amounts designated by the Congress*
21 *as being for an emergency requirement pursuant to a con-*
22 *current resolution on the budget or the Balanced Budget*
23 *and Emergency Deficit Control Act of 1985, shall be avail-*
24 *able to provide payments pursuant to section 901(i)(2) of*
25 *title IX of division J of the Further Consolidated Appro-*

1 *priations Act, 2020 (22 U.S.C. 2680b(i)(2)): Provided, That*
2 *payments made pursuant to the matter preceding this pro-*
3 *viso may not exceed \$2,000,000 for the Department of Com-*
4 *merce and \$5,000,000 for the Federal Bureau of Investiga-*
5 *tion.*

6 *This division may be cited as the “Commerce, Justice,*
7 *Science, and Related Agencies Appropriations Act, 2022”.*

1 ***DIVISION C—DEPARTMENT OF DEFENSE***
2 ***APPROPRIATIONS ACT, 2022***

3 ***TITLE I***

4 ***MILITARY PERSONNEL***

5 ***MILITARY PERSONNEL, ARMY***

6 *For pay, allowances, individual clothing, subsistence,*
7 *interest on deposits, gratuities, permanent change of station*
8 *travel (including all expenses thereof for organizational*
9 *movements), and expenses of temporary duty travel between*
10 *permanent duty stations, for members of the Army on active*
11 *duty (except members of reserve components provided for*
12 *elsewhere), cadets, and aviation cadets; for members of the*
13 *Reserve Officers' Training Corps; and for payments pursu-*
14 *ant to section 156 of Public Law 97–377, as amended (42*
15 *U.S.C. 402 note), and to the Department of Defense Mili-*
16 *tary Retirement Fund, \$47,814,079,000.*

17 ***MILITARY PERSONNEL, NAVY***

18 *For pay, allowances, individual clothing, subsistence,*
19 *interest on deposits, gratuities, permanent change of station*
20 *travel (including all expenses thereof for organizational*
21 *movements), and expenses of temporary duty travel between*
22 *permanent duty stations, for members of the Navy on active*
23 *duty (except members of the Reserve provided for elsewhere),*
24 *midshipmen, and aviation cadets; for members of the Re-*
25 *serve Officers' Training Corps; and for payments pursuant*

1 *to section 156 of Public Law 97-377, as amended (42*
2 *U.S.C. 402 note), and to the Department of Defense Mili-*
3 *tary Retirement Fund, \$35,504,251,000.*

4 *MILITARY PERSONNEL, MARINE CORPS*

5 *For pay, allowances, individual clothing, subsistence,*
6 *interest on deposits, gratuities, permanent change of station*
7 *travel (including all expenses thereof for organizational*
8 *movements), and expenses of temporary duty travel between*
9 *permanent duty stations, for members of the Marine Corps*
10 *on active duty (except members of the Reserve provided for*
11 *elsewhere); and for payments pursuant to section 156 of*
12 *Public Law 97-377, as amended (42 U.S.C. 402 note), and*
13 *to the Department of Defense Military Retirement Fund,*
14 *\$14,572,400,000.*

15 *MILITARY PERSONNEL, AIR FORCE*

16 *For pay, allowances, individual clothing, subsistence,*
17 *interest on deposits, gratuities, permanent change of station*
18 *travel (including all expenses thereof for organizational*
19 *movements), and expenses of temporary duty travel between*
20 *permanent duty stations, for members of the Air Force on*
21 *active duty (except members of reserve components provided*
22 *for elsewhere), cadets, and aviation cadets; for members of*
23 *the Reserve Officers' Training Corps; and for payments*
24 *pursuant to section 156 of Public Law 97-377, as amended*

1 *(42 U.S.C. 402 note), and to the Department of Defense*
2 *Military Retirement Fund, \$35,078,206,000.*

3 *RESERVE PERSONNEL, ARMY*

4 *For pay, allowances, clothing, subsistence, gratuities,*
5 *travel, and related expenses for personnel of the Army Re-*
6 *serve on active duty under sections 10211, 10302, and 7038*
7 *of title 10, United States Code, or while serving on active*
8 *duty under section 12301(d) of title 10, United States Code,*
9 *in connection with performing duty specified in section*
10 *12310(a) of title 10, United States Code, or while under-*
11 *going reserve training, or while performing drills or equiva-*
12 *lent duty or other duty, and expenses authorized by section*
13 *16131 of title 10, United States Code; and for payments*
14 *to the Department of Defense Military Retirement Fund,*
15 *\$5,156,976,000.*

16 *RESERVE PERSONNEL, NAVY*

17 *For pay, allowances, clothing, subsistence, gratuities,*
18 *travel, and related expenses for personnel of the Navy Re-*
19 *serve on active duty under section 10211 of title 10, United*
20 *States Code, or while serving on active duty under section*
21 *12301(d) of title 10, United States Code, in connection with*
22 *performing duty specified in section 12310(a) of title 10,*
23 *United States Code, or while undergoing reserve training,*
24 *or while performing drills or equivalent duty, and expenses*
25 *authorized by section 16131 of title 10, United States Code;*

1 *and for payments to the Department of Defense Military*
2 *Retirement Fund, \$2,297,029,000.*

3 *RESERVE PERSONNEL, MARINE CORPS*

4 *For pay, allowances, clothing, subsistence, gratuities,*
5 *travel, and related expenses for personnel of the Marine*
6 *Corps Reserve on active duty under section 10211 of title*
7 *10, United States Code, or while serving on active duty*
8 *under section 12301(d) of title 10, United States Code, in*
9 *connection with performing duty specified in section*
10 *12310(a) of title 10, United States Code, or while under-*
11 *going reserve training, or while performing drills or equiva-*
12 *lent duty, and for members of the Marine Corps platoon*
13 *leaders class, and expenses authorized by section 16131 of*
14 *title 10, United States Code; and for payments to the De-*
15 *partment of Defense Military Retirement Fund,*
16 *\$802,619,000.*

17 *RESERVE PERSONNEL, AIR FORCE*

18 *For pay, allowances, clothing, subsistence, gratuities,*
19 *travel, and related expenses for personnel of the Air Force*
20 *Reserve on active duty under sections 10211, 10305, and*
21 *8038 of title 10, United States Code, or while serving on*
22 *active duty under section 12301(d) of title 10, United States*
23 *Code, in connection with performing duty specified in sec-*
24 *tion 12310(a) of title 10, United States Code, or while un-*
25 *dergoing reserve training, or while performing drills or*

1 *equivalent duty or other duty, and expenses authorized by*
2 *section 16131 of title 10, United States Code; and for pay-*
3 *ments to the Department of Defense Military Retirement*
4 *Fund, \$2,371,001,000.*

5 *NATIONAL GUARD PERSONNEL, ARMY*

6 *For pay, allowances, clothing, subsistence, gratuities,*
7 *travel, and related expenses for personnel of the Army Na-*
8 *tional Guard while on duty under sections 10211, 10302,*
9 *or 12402 of title 10 or section 708 of title 32, United States*
10 *Code, or while serving on duty under section 12301(d) of*
11 *title 10 or section 502(f) of title 32, United States Code,*
12 *in connection with performing duty specified in section*
13 *12310(a) of title 10, United States Code, or while under-*
14 *going training, or while performing drills or equivalent*
15 *duty or other duty, and expenses authorized by section*
16 *16131 of title 10, United States Code; and for payments*
17 *to the Department of Defense Military Retirement Fund,*
18 *\$9,017,728,000.*

19 *NATIONAL GUARD PERSONNEL, AIR FORCE*

20 *For pay, allowances, clothing, subsistence, gratuities,*
21 *travel, and related expenses for personnel of the Air Na-*
22 *tional Guard on duty under sections 10211, 10305, or*
23 *12402 of title 10 or section 708 of title 32, United States*
24 *Code, or while serving on duty under section 12301(d) of*
25 *title 10 or section 502(f) of title 32, United States Code,*

1 *in connection with performing duty specified in section*
2 *12310(a) of title 10, United States Code, or while under-*
3 *going training, or while performing drills or equivalent*
4 *duty or other duty, and expenses authorized by section*
5 *16131 of title 10, United States Code; and for payments*
6 *to the Department of Defense Military Retirement Fund,*
7 *\$4,764,443,000.*

1 *TITLE II*2 *OPERATION AND MAINTENANCE*3 *OPERATION AND MAINTENANCE, ARMY*

4 *For expenses, not otherwise provided for, necessary for*
5 *the operation and maintenance of the Army, as authorized*
6 *by law, \$55,016,103,000: Provided, That not to exceed*
7 *\$12,478,000 may be used for emergencies and extraordinary*
8 *expenses, to be expended upon the approval or authority*
9 *of the Secretary of the Army, and payments may be made*
10 *upon his certificate of necessity for confidential military*
11 *purposes.*

12 *OPERATION AND MAINTENANCE, NAVY*

13 *For expenses, not otherwise provided for, necessary for*
14 *the operation and maintenance of the Navy and the Marine*
15 *Corps, as authorized by law, \$62,480,035,000: Provided,*
16 *That not to exceed \$15,055,000 may be used for emergencies*
17 *and extraordinary expenses, to be expended upon the ap-*
18 *proval or authority of the Secretary of the Navy, and pay-*
19 *ments may be made upon his certificate of necessity for con-*
20 *fidential military purposes.*

21 *OPERATION AND MAINTENANCE, MARINE CORPS*

22 *For expenses, not otherwise provided for, necessary for*
23 *the operation and maintenance of the Marine Corps, as au-*
24 *thorized by law, \$9,185,430,000.*

1 *OPERATION AND MAINTENANCE, AIR FORCE*

2 *For expenses, not otherwise provided for, necessary for*
3 *the operation and maintenance of the Air Force, as author-*
4 *ized by law, \$55,103,948,000: Provided, That not to exceed*
5 *\$7,699,000 may be used for emergencies and extraordinary*
6 *expenses, to be expended upon the approval or authority*
7 *of the Secretary of the Air Force, and payments may be*
8 *made upon his certificate of necessity for confidential mili-*
9 *tary purposes.*

10 *OPERATION AND MAINTENANCE, SPACE FORCE*

11 *For expenses, not otherwise provided for, necessary for*
12 *the operation and maintenance of the Space Force, as au-*
13 *thorized by law, \$3,435,212,000.*

14 *OPERATION AND MAINTENANCE, DEFENSE-WIDE*

15 *(INCLUDING TRANSFER OF FUNDS)*

16 *For expenses, not otherwise provided for, necessary for*
17 *the operation and maintenance of activities and agencies*
18 *of the Department of Defense (other than the military de-*
19 *partments), as authorized by law, \$45,864,202,000: Pro-*
20 *vided, That not more than \$3,000,000 may be used for the*
21 *Combatant Commander Initiative Fund authorized under*
22 *section 166a of title 10, United States Code: Provided fur-*
23 *ther, That not to exceed \$36,000,000 may be used for emer-*
24 *gencies and extraordinary expenses, to be expended upon*
25 *the approval or authority of the Secretary of Defense, and*

1 *payments may be made upon his certificate of necessity for*
2 *confidential military purposes: Provided further, That of*
3 *the funds provided under this heading, not less than*
4 *\$50,000,000 shall be made available for the Procurement*
5 *Technical Assistance Cooperative Agreement Program, of*
6 *which not less than \$4,500,000 shall be available for centers*
7 *defined in 10 U.S.C. 2411(1)(D): Provided further, That*
8 *none of the funds appropriated or otherwise made available*
9 *by this Act may be used to plan or implement the consolida-*
10 *tion of a budget or appropriations liaison office of the Office*
11 *of the Secretary of Defense, the office of the Secretary of*
12 *a military department, or the service headquarters of one*
13 *of the Armed Forces into a legislative affairs or legislative*
14 *liaison office: Provided further, That \$72,000,000, to re-*
15 *main available until expended, is available only for ex-*
16 *penses relating to certain classified activities, and may be*
17 *transferred as necessary by the Secretary of Defense to oper-*
18 *ation and maintenance appropriations or research, develop-*
19 *ment, test and evaluation appropriations, to be merged with*
20 *and to be available for the same time period as the appro-*
21 *priations to which transferred: Provided further, That any*
22 *ceiling on the investment item unit cost of items that may*
23 *be purchased with operation and maintenance funds shall*
24 *not apply to the funds described in the preceding proviso:*
25 *Provided further, That of the funds provided under this*

1 heading, \$2,261,570,000, of which \$1,299,386,000, to re-
2 main available until September 30, 2023, shall be available
3 to provide support and assistance to foreign security forces
4 or other groups or individuals to conduct, support or facili-
5 tate counterterrorism, crisis response, or other Department
6 of Defense security cooperation programs: Provided further,
7 That the Secretary of Defense shall provide quarterly re-
8 ports to the Committees on Appropriations of the House of
9 Representatives and the Senate on the use and status of
10 funds made available in this paragraph: Provided further,
11 That the transfer authority provided under this heading is
12 in addition to any other transfer authority provided else-
13 where in this Act.

14 *COUNTER-ISIS TRAIN AND EQUIP FUND*

15 For the “Counter-Islamic State of Iraq and Syria
16 Train and Equip Fund”, \$500,000,000, to remain available
17 until September 30, 2023: Provided, That such funds shall
18 be available to the Secretary of Defense in coordination
19 with the Secretary of State, to provide assistance, including
20 training; equipment; logistics support, supplies, and serv-
21 ices; stipends; infrastructure repair and renovation; con-
22 struction for facility fortification and humane treatment;
23 and sustainment, to foreign security forces, irregular forces,
24 groups, or individuals participating, or preparing to par-
25 ticipate in activities to counter the Islamic State of Iraq

1 *and Syria, and their affiliated or associated groups: Pro-*
2 *vided further, That amounts made available under this*
3 *heading shall be available to provide assistance only for ac-*
4 *tivities in a country designated by the Secretary of Defense,*
5 *in coordination with the Secretary of State, as having a*
6 *security mission to counter the Islamic State of Iraq and*
7 *Syria, and following written notification to the congres-*
8 *sional defense committees of such designation: Provided fur-*
9 *ther, That the Secretary of Defense shall ensure that prior*
10 *to providing assistance to elements of any forces or individ-*
11 *uals, such elements or individuals are appropriately vetted,*
12 *including at a minimum, assessing such elements for asso-*
13 *ciations with terrorist groups or groups associated with the*
14 *Government of Iran; and receiving commitments from such*
15 *elements to promote respect for human rights and the rule*
16 *of law: Provided further, That the Secretary of Defense*
17 *shall, not fewer than 15 days prior to obligating from this*
18 *appropriation account, notify the congressional defense*
19 *committees in writing of the details of any such obligation:*
20 *Provided further, That the Secretary of Defense may accept*
21 *and retain contributions, including assistance in-kind,*
22 *from foreign governments, including the Government of*
23 *Iraq and other entities, to carry out assistance authorized*
24 *under this heading: Provided further, That contributions of*
25 *funds for the purposes provided herein from any foreign*

1 *government or other entity may be credited to this Fund,*
2 *to remain available until expended, and used for such pur-*
3 *poses: Provided further, That the Secretary of Defense shall*
4 *prioritize such contributions when providing any assistance*
5 *for construction for facility fortification: Provided further,*
6 *That the Secretary of Defense may waive a provision of*
7 *law relating to the acquisition of items and support services*
8 *or sections 40 and 40A of the Arms Export Control Act*
9 *(22 U.S.C. 2780 and 2785) if the Secretary determines that*
10 *such provision of law would prohibit, restrict, delay or oth-*
11 *erwise limit the provision of such assistance and a notice*
12 *of and justification for such waiver is submitted to the con-*
13 *gressional defense committees, the Committees on Appro-*
14 *priations and Foreign Relations of the Senate and the Com-*
15 *mittees on Appropriations and Foreign Affairs of the House*
16 *of Representatives: Provided further, That the United States*
17 *may accept equipment procured using funds provided under*
18 *this heading, or under the heading, “Iraq Train and Equip*
19 *Fund” in prior Acts, that was transferred to security forces,*
20 *irregular forces, or groups participating, or preparing to*
21 *participate in activities to counter the Islamic State of Iraq*
22 *and Syria and returned by such forces or groups to the*
23 *United States, and such equipment may be treated as stocks*
24 *of the Department of Defense upon written notification to*
25 *the congressional defense committees: Provided further, That*

1 *equipment procured using funds provided under this head-*
2 *ing, or under the heading, "Iraq Train and Equip Fund"*
3 *in prior Acts, and not yet transferred to security forces,*
4 *irregular forces, or groups participating, or preparing to*
5 *participate in activities to counter the Islamic State of Iraq*
6 *and Syria may be treated as stocks of the Department of*
7 *Defense when determined by the Secretary to no longer be*
8 *required for transfer to such forces or groups and upon*
9 *written notification to the congressional defense committees:*
10 *Provided further, That the Secretary of Defense shall pro-*
11 *vide quarterly reports to the congressional defense commit-*
12 *tees on the use of funds provided under this heading, includ-*
13 *ing, but not limited to, the number of individuals trained,*
14 *the nature and scope of support and sustainment provided*
15 *to each group or individual, the area of operations for each*
16 *group, and the contributions of other countries, groups, or*
17 *individuals.*

18 *OPERATION AND MAINTENANCE, ARMY RESERVE*

19 *For expenses, not otherwise provided for, necessary for*
20 *the operation and maintenance, including training, organi-*
21 *zation, and administration, of the Army Reserve; repair of*
22 *facilities and equipment; hire of passenger motor vehicles;*
23 *travel and transportation; care of the dead; recruiting; pro-*
24 *curement of services, supplies, and equipment; and commu-*
25 *nications, \$3,032,255,000.*

1 *OPERATION AND MAINTENANCE, NAVY RESERVE*

2 *For expenses, not otherwise provided for, necessary for*
3 *the operation and maintenance, including training, organi-*
4 *zation, and administration, of the Navy Reserve; repair of*
5 *facilities and equipment; hire of passenger motor vehicles;*
6 *travel and transportation; care of the dead; recruiting; pro-*
7 *curement of services, supplies, and equipment; and commu-*
8 *nications, \$1,173,598,000.*

9 *OPERATION AND MAINTENANCE, MARINE CORPS RESERVE*

10 *For expenses, not otherwise provided for, necessary for*
11 *the operation and maintenance, including training, organi-*
12 *zation, and administration, of the Marine Corps Reserve;*
13 *repair of facilities and equipment; hire of passenger motor*
14 *vehicles; travel and transportation; care of the dead; recruit-*
15 *ing; procurement of services, supplies, and equipment; and*
16 *communications, \$294,860,000.*

17 *OPERATION AND MAINTENANCE, AIR FORCE RESERVE*

18 *For expenses, not otherwise provided for, necessary for*
19 *the operation and maintenance, including training, organi-*
20 *zation, and administration, of the Air Force Reserve; repair*
21 *of facilities and equipment; hire of passenger motor vehicles;*
22 *travel and transportation; care of the dead; recruiting; pro-*
23 *curement of services, supplies, and equipment; and commu-*
24 *nications, \$3,417,706,000.*

1 *OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD*

2 *For expenses of training, organizing, and admin-*
3 *istering the Army National Guard, including medical and*
4 *hospital treatment and related expenses in non-Federal hos-*
5 *pitals; maintenance, operation, and repairs to structures*
6 *and facilities; hire of passenger motor vehicles; personnel*
7 *services in the National Guard Bureau; travel expenses*
8 *(other than mileage), as authorized by law for Army per-*
9 *sonnel on active duty, for Army National Guard division,*
10 *regimental, and battalion commanders while inspecting*
11 *units in compliance with National Guard Bureau regula-*
12 *tions when specifically authorized by the Chief, National*
13 *Guard Bureau; supplying and equipping the Army Na-*
14 *tional Guard as authorized by law; and expenses of repair,*
15 *modification, maintenance, and issue of supplies and*
16 *equipment (including aircraft), \$7,714,473,000.*

17 *OPERATION AND MAINTENANCE, AIR NATIONAL GUARD*

18 *For expenses of training, organizing, and admin-*
19 *istering the Air National Guard, including medical and*
20 *hospital treatment and related expenses in non-Federal hos-*
21 *pitals; maintenance, operation, and repairs to structures*
22 *and facilities; transportation of things, hire of passenger*
23 *motor vehicles; supplying and equipping the Air National*
24 *Guard, as authorized by law; expenses for repair, modifica-*
25 *tion, maintenance, and issue of supplies and equipment,*

1 *including those furnished from stocks under the control of*
2 *agencies of the Department of Defense; travel expenses (other*
3 *than mileage) on the same basis as authorized by law for*
4 *Air National Guard personnel on active Federal duty, for*
5 *Air National Guard commanders while inspecting units in*
6 *compliance with National Guard Bureau regulations when*
7 *specifically authorized by the Chief, National Guard Bu-*
8 *reau, \$6,786,420,000.*

9 *UNITED STATES COURT OF APPEALS FOR THE ARMED*
10 *FORCES*

11 *For salaries and expenses necessary for the United*
12 *States Court of Appeals for the Armed Forces, \$15,589,000,*
13 *of which not to exceed \$15,000 may be used for official rep-*
14 *resentation purposes.*

15 *ENVIRONMENTAL RESTORATION, ARMY*
16 *(INCLUDING TRANSFER OF FUNDS)*

17 *For the Department of the Army, \$299,008,000, to re-*
18 *main available until transferred: Provided, That the Sec-*
19 *retary of the Army shall, upon determining that such funds*
20 *are required for environmental restoration, reduction and*
21 *recycling of hazardous waste, removal of unsafe buildings*
22 *and debris of the Department of the Army, or for similar*
23 *purposes, transfer the funds made available by this appro-*
24 *priation to other appropriations made available to the De-*
25 *partment of the Army, to be merged with and to be available*

1 *for the same purposes and for the same time period as the*
2 *appropriations to which transferred: Provided further, That*
3 *upon a determination that all or part of the funds trans-*
4 *ferred from this appropriation are not necessary for the*
5 *purposes provided herein, such amounts may be transferred*
6 *back to this appropriation: Provided further, That the*
7 *transfer authority provided under this heading is in addi-*
8 *tion to any other transfer authority provided elsewhere in*
9 *this Act.*

10 *ENVIRONMENTAL RESTORATION, NAVY*

11 *(INCLUDING TRANSFER OF FUNDS)*

12 *For the Department of the Navy, \$390,113,000, to re-*
13 *main available until transferred: Provided, That the Sec-*
14 *retary of the Navy shall, upon determining that such funds*
15 *are required for environmental restoration, reduction and*
16 *recycling of hazardous waste, removal of unsafe buildings*
17 *and debris of the Department of the Navy, or for similar*
18 *purposes, transfer the funds made available by this appro-*
19 *priation to other appropriations made available to the De-*
20 *partment of the Navy, to be merged with and to be available*
21 *for the same purposes and for the same time period as the*
22 *appropriations to which transferred: Provided further, That*
23 *upon a determination that all or part of the funds trans-*
24 *ferred from this appropriation are not necessary for the*
25 *purposes provided herein, such amounts may be transferred*

1 *back to this appropriation: Provided further, That the*
2 *transfer authority provided under this heading is in addi-*
3 *tion to any other transfer authority provided elsewhere in*
4 *this Act.*

5 *ENVIRONMENTAL RESTORATION, AIR FORCE*
6 *(INCLUDING TRANSFER OF FUNDS)*

7 *For the Department of the Air Force, \$522,010,000,*
8 *to remain available until transferred: Provided, That the*
9 *Secretary of the Air Force shall, upon determining that*
10 *such funds are required for environmental restoration, re-*
11 *duction and recycling of hazardous waste, removal of unsafe*
12 *buildings and debris of the Department of the Air Force,*
13 *or for similar purposes, transfer the funds made available*
14 *by this appropriation to other appropriations made avail-*
15 *able to the Department of the Air Force, to be merged with*
16 *and to be available for the same purposes and for the same*
17 *time period as the appropriations to which transferred:*
18 *Provided further, That upon a determination that all or*
19 *part of the funds transferred from this appropriation are*
20 *not necessary for the purposes provided herein, such*
21 *amounts may be transferred back to this appropriation:*
22 *Provided further, That the transfer authority provided*
23 *under this heading is in addition to any other transfer au-*
24 *thority provided elsewhere in this Act.*

1 are required for environmental restoration, reduction and
2 recycling of hazardous waste, removal of unsafe buildings
3 and debris at sites formerly used by the Department of De-
4 fense, transfer the funds made available by this appropria-
5 tion to other appropriations made available to the Depart-
6 ment of the Army, to be merged with and to be available
7 for the same purposes and for the same time period as the
8 appropriations to which transferred: Provided further, That
9 upon a determination that all or part of the funds trans-
10 ferred from this appropriation are not necessary for the
11 purposes provided herein, such amounts may be transferred
12 back to this appropriation: Provided further, That the
13 transfer authority provided under this heading is in addi-
14 tion to any other transfer authority provided elsewhere in
15 this Act.

16 *OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID*

17 *For expenses relating to the Overseas Humanitarian,*
18 *Disaster, and Civic Aid programs of the Department of De-*
19 *fense (consisting of the programs provided under sections*
20 *401, 402, 404, 407, 2557, and 2561 of title 10, United*
21 *States Code), \$160,051,000, to remain available until Sep-*
22 *tember 30, 2023: Provided, That such amounts shall not*
23 *be subject to the limitation in section 407(c)(3) of title 10,*
24 *United States Code.*

1 *COOPERATIVE THREAT REDUCTION ACCOUNT*

2 *For assistance, including assistance provided by con-*
3 *tract or by grants, under programs and activities of the*
4 *Department of Defense Cooperative Threat Reduction Pro-*
5 *gram authorized under the Department of Defense Cooper-*
6 *ative Threat Reduction Act, \$344,849,000, to remain avail-*
7 *able until September 30, 2024.*

8 *DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE*9 *DEVELOPMENT ACCOUNT*

10 *For the Department of Defense Acquisition Workforce*
11 *Development Account, \$56,679,000, to remain available for*
12 *obligation until September 30, 2022: Provided, That no*
13 *other amounts may be otherwise credited or transferred to*
14 *the Account, or deposited into the Account, in fiscal year*
15 *2022 pursuant to section 1705(d) of title 10, United States*
16 *Code.*

1 *TITLE III*
2 *PROCUREMENT*

3 *AIRCRAFT PROCUREMENT, ARMY*

4 *For construction, procurement, production, modifica-*
5 *tion, and modernization of aircraft, equipment, including*
6 *ordnance, ground handling equipment, spare parts, and ac-*
7 *cessories therefor; specialized equipment and training de-*
8 *vices; expansion of public and private plants, including the*
9 *land necessary therefor, for the foregoing purposes, and such*
10 *lands and interests therein, may be acquired, and construc-*
11 *tion prosecuted thereon prior to approval of title; and pro-*
12 *curement and installation of equipment, appliances, and*
13 *machine tools in public and private plants; reserve plant*
14 *and Government and contractor-owned equipment layaway;*
15 *and other expenses necessary for the foregoing purposes,*
16 *\$3,295,431,000, to remain available for obligation until*
17 *September 30, 2024.*

18 *MISSILE PROCUREMENT, ARMY*

19 *For construction, procurement, production, modifica-*
20 *tion, and modernization of missiles, equipment, including*
21 *ordnance, ground handling equipment, spare parts, and ac-*
22 *cessories therefor; specialized equipment and training de-*
23 *vices; expansion of public and private plants, including the*
24 *land necessary therefor, for the foregoing purposes, and such*
25 *lands and interests therein, may be acquired, and construc-*

1 *tion prosecuted thereon prior to approval of title; and pro-*
2 *curement and installation of equipment, appliances, and*
3 *machine tools in public and private plants; reserve plant*
4 *and Government and contractor-owned equipment layaway;*
5 *and other expenses necessary for the foregoing purposes,*
6 *\$3,460,064,000, to remain available for obligation until*
7 *September 30, 2024.*

8 *PROCUREMENT OF WEAPONS AND TRACKED COMBAT*
9 *VEHICLES, ARMY*

10 *For construction, procurement, production, and modi-*
11 *fication of weapons and tracked combat vehicles, equipment,*
12 *including ordnance, spare parts, and accessories therefor;*
13 *specialized equipment and training devices; expansion of*
14 *public and private plants, including the land necessary*
15 *therefor, for the foregoing purposes, and such lands and in-*
16 *terests therein, may be acquired, and construction pros-*
17 *ecuted thereon prior to approval of title; and procurement*
18 *and installation of equipment, appliances, and machine*
19 *tools in public and private plants; reserve plant and Gov-*
20 *ernment and contractor-owned equipment layaway; and*
21 *other expenses necessary for the foregoing purposes,*
22 *\$4,319,082,000, to remain available for obligation until*
23 *September 30, 2024.*

1 *PROCUREMENT OF AMMUNITION, ARMY*

2 *For construction, procurement, production, and modi-*
3 *fication of ammunition, and accessories therefor; specialized*
4 *equipment and training devices; expansion of public and*
5 *private plants, including ammunition facilities, authorized*
6 *by section 2854 of title 10, United States Code, and the*
7 *land necessary therefor, for the foregoing purposes, and such*
8 *lands and interests therein, may be acquired, and construc-*
9 *tion prosecuted thereon prior to approval of title; and pro-*
10 *curement and installation of equipment, appliances, and*
11 *machine tools in public and private plants; reserve plant*
12 *and Government and contractor-owned equipment layaway;*
13 *and other expenses necessary for the foregoing purposes,*
14 *\$2,276,667,000, to remain available for obligation until*
15 *September 30, 2024.*

16 *OTHER PROCUREMENT, ARMY*

17 *For construction, procurement, production, and modi-*
18 *fication of vehicles, including tactical, support, and non-*
19 *tracked combat vehicles; the purchase of passenger motor ve-*
20 *hicles for replacement only; communications and electronic*
21 *equipment; other support equipment; spare parts, ordnance,*
22 *and accessories therefor; specialized equipment and training*
23 *devices; expansion of public and private plants, including*
24 *the land necessary therefor, for the foregoing purposes, and*
25 *such lands and interests therein, may be acquired, and con-*

1 *struction prosecuted thereon prior to approval of title; and*
2 *procurement and installation of equipment, appliances,*
3 *and machine tools in public and private plants; reserve*
4 *plant and Government and contractor-owned equipment*
5 *layaway; and other expenses necessary for the foregoing*
6 *purposes, \$9,453,524,000, to remain available for obligation*
7 *until September 30, 2024.*

8 *AIRCRAFT PROCUREMENT, NAVY*

9 *For construction, procurement, production, modifica-*
10 *tion, and modernization of aircraft, equipment, including*
11 *ordnance, spare parts, and accessories therefor; specialized*
12 *equipment; expansion of public and private plants, includ-*
13 *ing the land necessary therefor, and such lands and inter-*
14 *ests therein, may be acquired, and construction prosecuted*
15 *thereon prior to approval of title; and procurement and in-*
16 *stallation of equipment, appliances, and machine tools in*
17 *public and private plants; reserve plant and Government*
18 *and contractor-owned equipment layaway,*
19 *\$17,799,321,000, to remain available for obligation until*
20 *September 30, 2024.*

21 *WEAPONS PROCUREMENT, NAVY*

22 *For construction, procurement, production, modifica-*
23 *tion, and modernization of missiles, torpedoes, other weap-*
24 *ons, and related support equipment including spare parts,*
25 *and accessories therefor; expansion of public and private*

1 *plants, including the land necessary therefor, and such*
2 *lands and interests therein, may be acquired, and construc-*
3 *tion prosecuted thereon prior to approval of title; and pro-*
4 *curement and installation of equipment, appliances, and*
5 *machine tools in public and private plants; reserve plant*
6 *and Government and contractor-owned equipment layaway,*
7 *\$3,982,657,000, to remain available for obligation until*
8 *September 30, 2024.*

9 *PROCUREMENT OF AMMUNITION, NAVY AND MARINE*

10 *CORPS*

11 *For construction, procurement, production, and modi-*
12 *fication of ammunition, and accessories therefor; specialized*
13 *equipment and training devices; expansion of public and*
14 *private plants, including ammunition facilities, authorized*
15 *by section 2854 of title 10, United States Code, and the*
16 *land necessary therefor, for the foregoing purposes, and such*
17 *lands and interests therein, may be acquired, and construc-*
18 *tion prosecuted thereon prior to approval of title; and pro-*
19 *curement and installation of equipment, appliances, and*
20 *machine tools in public and private plants; reserve plant*
21 *and Government and contractor-owned equipment layaway;*
22 *and other expenses necessary for the foregoing purposes,*
23 *\$845,289,000, to remain available for obligation until Sep-*
24 *tember 30, 2024.*

1 *SHIPBUILDING AND CONVERSION, NAVY*

2 *For expenses necessary for the construction, acquisi-*
3 *tion, or conversion of vessels as authorized by law, includ-*
4 *ing armor and armament thereof, plant equipment, appli-*
5 *ances, and machine tools and installation thereof in public*
6 *and private plants; reserve plant and Government and con-*
7 *tractor-owned equipment layaway; procurement of critical,*
8 *long lead time components and designs for vessels to be con-*
9 *structed or converted in the future; and expansion of public*
10 *and private plants, including land necessary therefor, and*
11 *such lands and interests therein, may be acquired, and con-*
12 *struction prosecuted thereon prior to approval of title, as*
13 *follows:*

14 *Columbia Class Submarine, \$3,003,000,000;*

15 *Columbia Class Submarine (AP),*
16 *\$1,773,980,000;*

17 *Carrier Replacement Program (CVN-80),*
18 *\$1,062,205,000;*

19 *Carrier Replacement Program (CVN-81),*
20 *\$1,287,719,000;*

21 *Virginia Class Submarine, \$4,234,240,000;*

22 *Virginia Class Submarine (AP), \$2,105,407,000;*

23 *CVN Refueling Overhauls, \$2,424,218,000;*

24 *CVN Refueling Overhauls (AP), \$66,262,000;*

25 *DDG-1000 Program, \$56,597,000;*

1 *DDG-51 Destroyer, \$3,675,987,000;*
2 *DDG-51 Destroyer (AP), \$120,000,000;*
3 *FFG-Frigate, \$1,090,900,000;*
4 *LPD Flight II, \$60,636,000;*
5 *LPD Flight II (AP), \$250,000,000;*
6 *Expeditionary Sea Base, \$577,000,000;*
7 *LHA Replacement, \$68,637,000;*
8 *Expeditionary Fast Transport, \$590,000,000;*
9 *TAO Fleet Oiler, \$1,463,784,000;*
10 *TAGOS SURTASS Ships, \$434,384,000;*
11 *Towing, Salvage, and Rescue Ship,*
12 *\$183,800,000;*
13 *LCU 1700, \$67,928,000;*
14 *Ship to Shore Connector, \$391,838,000;*
15 *Service Craft, \$67,866,000;*
16 *LCAC SLEP, \$32,712,000;*
17 *Auxiliary Vessels, \$299,900,000;*
18 *For outfitting, post delivery, conversions, and*
19 *first destination transportation, \$614,731,000; and*
20 *Completion of Prior Year Shipbuilding Pro-*
21 *grams, \$660,795,000.*
22 *In all: \$26,664,526,000, to remain available for obliga-*
23 *tion until September 30, 2026: Provided, That additional*
24 *obligations may be incurred after September 30, 2026, for*
25 *engineering services, tests, evaluations, and other such budg-*

1 *eted work that must be performed in the final stage of ship*
2 *construction: Provided further, That none of the funds pro-*
3 *vided under this heading for the construction or conversion*
4 *of any naval vessel to be constructed in shipyards in the*
5 *United States shall be expended in foreign facilities for the*
6 *construction of major components of such vessel: Provided*
7 *further, That none of the funds provided under this heading*
8 *shall be used for the construction of any naval vessel in*
9 *foreign shipyards: Provided further, That funds appro-*
10 *priated or otherwise made available by this Act for Colum-*
11 *bia Class Submarine (AP) may be available for the pur-*
12 *poses authorized by subsections (f), (g), (h) or (i) of section*
13 *2218a of title 10, United States Code, only in accordance*
14 *with the provisions of the applicable subsection: Provided*
15 *further, That prior to entering into a contract for more than*
16 *one amphibious ship, the Secretary of Defense shall provide*
17 *to the congressional defense committees the future years de-*
18 *fense program which displays the funding programmed for*
19 *all shipbuilding programs currently or anticipated to be*
20 *under a multiyear contract, block buy contract, or other*
21 *contract involving economic order quantity.*

22 *OTHER PROCUREMENT, NAVY*

23 *For procurement, production, and modernization of*
24 *support equipment and materials not otherwise provided*
25 *for, Navy ordnance (except ordnance for new aircraft, new*

1 *ships, and ships authorized for conversion); the purchase*
2 *of passenger motor vehicles for replacement only; expansion*
3 *of public and private plants, including the land necessary*
4 *therefor, and such lands and interests therein, may be ac-*
5 *quired, and construction prosecuted thereon prior to ap-*
6 *proval of title; and procurement and installation of equip-*
7 *ment, appliances, and machine tools in public and private*
8 *plants; reserve plant and Government and contractor-owned*
9 *equipment layaway, \$11,072,651,000, to remain available*
10 *for obligation until September 30, 2024: Provided, That*
11 *such funds are also available for the maintenance, repair,*
12 *and modernization of ships under a pilot program estab-*
13 *lished for such purposes.*

14 *PROCUREMENT, MARINE CORPS*

15 *For expenses necessary for the procurement, manufac-*
16 *ture, and modification of missiles, armament, military*
17 *equipment, spare parts, and accessories therefor; plant*
18 *equipment, appliances, and machine tools, and installation*
19 *thereof in public and private plants; reserve plant and Gov-*
20 *ernment and contractor-owned equipment layaway; vehicles*
21 *for the Marine Corps, including the purchase of passenger*
22 *motor vehicles for replacement only; and expansion of pub-*
23 *lic and private plants, including land necessary therefor,*
24 *and such lands and interests therein, may be acquired, and*
25 *construction prosecuted thereon prior to approval of title,*

1 \$3,093,770,000, to remain available for obligation until
2 September 30, 2024.

3 *AIRCRAFT PROCUREMENT, AIR FORCE*

4 *For construction, procurement, and modification of*
5 *aircraft and equipment, including armor and armament,*
6 *specialized ground handling equipment, and training de-*
7 *vices, spare parts, and accessories therefor; specialized*
8 *equipment; expansion of public and private plants, Govern-*
9 *ment-owned equipment and installation thereof in such*
10 *plants, erection of structures, and acquisition of land, for*
11 *the foregoing purposes, and such lands and interests therein,*
12 *may be acquired, and construction prosecuted thereon prior*
13 *to approval of title; reserve plant and Government and con-*
14 *tractor-owned equipment layaway; and other expenses nec-*
15 *essary for the foregoing purposes including rents and trans-*
16 *portation of things, \$18,383,946,000, to remain available*
17 *for obligation until September 30, 2024.*

18 *MISSILE PROCUREMENT, AIR FORCE*

19 *For construction, procurement, and modification of*
20 *missiles, rockets, and related equipment, including spare*
21 *parts and accessories therefor; ground handling equipment,*
22 *and training devices; expansion of public and private*
23 *plants, Government-owned equipment and installation*
24 *thereof in such plants, erection of structures, and acquisi-*
25 *tion of land, for the foregoing purposes, and such lands and*

1 *interests therein, may be acquired, and construction pros-*
2 *ecuted thereon prior to approval of title; reserve plant and*
3 *Government and contractor-owned equipment layaway; and*
4 *other expenses necessary for the foregoing purposes includ-*
5 *ing rents and transportation of things, \$2,475,206,000, to*
6 *remain available for obligation until September 30, 2024.*

7 *PROCUREMENT OF AMMUNITION, AIR FORCE*

8 *For construction, procurement, production, and modi-*
9 *fication of ammunition, and accessories therefor; specialized*
10 *equipment and training devices; expansion of public and*
11 *private plants, including ammunition facilities, authorized*
12 *by section 2854 of title 10, United States Code, and the*
13 *land necessary therefor, for the foregoing purposes, and such*
14 *lands and interests therein, may be acquired, and construc-*
15 *tion prosecuted thereon prior to approval of title; and pro-*
16 *curement and installation of equipment, appliances, and*
17 *machine tools in public and private plants; reserve plant*
18 *and Government and contractor-owned equipment layaway;*
19 *and other expenses necessary for the foregoing purposes,*
20 *\$665,977,000, to remain available for obligation until Sep-*
21 *tember 30, 2024.*

22 *OTHER PROCUREMENT, AIR FORCE*

23 *For procurement and modification of equipment (in-*
24 *cluding ground guidance and electronic control equipment,*
25 *and ground electronic and communication equipment), and*

1 *supplies, materials, and spare parts therefor, not otherwise*
2 *provided for; the purchase of passenger motor vehicles for*
3 *replacement only; lease of passenger motor vehicles; and ex-*
4 *pansion of public and private plants, Government-owned*
5 *equipment and installation thereof in such plants, erection*
6 *of structures, and acquisition of land, for the foregoing pur-*
7 *poses, and such lands and interests therein, may be ac-*
8 *quired, and construction prosecuted thereon, prior to ap-*
9 *proval of title; reserve plant and Government and con-*
10 *tractor-owned equipment layaway, \$26,615,079,000, to re-*
11 *main available for obligation until September 30, 2024.*

12 *PROCUREMENT, SPACE FORCE*

13 *For construction, procurement, and modification of*
14 *spacecraft, rockets, and related equipment, including spare*
15 *parts and accessories therefor; ground handling equipment,*
16 *and training devices; expansion of public and private*
17 *plants, Government-owned equipment and installation*
18 *thereof in such plants, erection of structures, and acquisi-*
19 *tion of land, for the foregoing purposes, and such lands and*
20 *interests therein, may be acquired, and construction pros-*
21 *ecuted thereon prior to approval of title; reserve plant and*
22 *Government and contractor-owned equipment layaway; and*
23 *other expenses necessary for the foregoing purposes includ-*
24 *ing rents and transportation of things, \$3,023,408,000, to*
25 *remain available for obligation until September 30, 2024.*

1 *PROCUREMENT, DEFENSE-WIDE*

2 *For expenses of activities and agencies of the Depart-*
3 *ment of Defense (other than the military departments) nec-*
4 *essary for procurement, production, and modification of*
5 *equipment, supplies, materials, and spare parts therefor,*
6 *not otherwise provided for; the purchase of passenger motor*
7 *vehicles for replacement only; expansion of public and pri-*
8 *vate plants, equipment, and installation thereof in such*
9 *plants, erection of structures, and acquisition of land for*
10 *the foregoing purposes, and such lands and interests therein,*
11 *may be acquired, and construction prosecuted thereon prior*
12 *to approval of title; reserve plant and Government and con-*
13 *tractor-owned equipment layaway, \$6,177,561,000, to re-*
14 *main available for obligation until September 30, 2024.*

15 *DEFENSE PRODUCTION ACT PURCHASES*

16 *For activities by the Department of Defense pursuant*
17 *to sections 108, 301, 302, and 303 of the Defense Production*
18 *Act of 1950 (50 U.S.C. 4518, 4531, 4532, and 4533),*
19 *\$388,327,000, to remain available until expended, which*
20 *shall be obligated and expended by the Secretary of Defense*
21 *as if delegated the necessary authorities conferred by the*
22 *Defense Production Act of 1950.*

23 *NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT*

24 *For procurement of rotary-wing aircraft; combat, tac-*
25 *tical and support vehicles; other weapons; and other pro-*

1 *curement items for the reserve components of the Armed*
2 *Forces, \$950,000,000, to remain available for obligation*
3 *until September 30, 2024: Provided, That the Chiefs of Na-*
4 *tional Guard and Reserve components shall, not later than*
5 *30 days after enactment of this Act, individually submit*
6 *to the congressional defense committees the modernization*
7 *priority assessment for their respective National Guard or*
8 *Reserve component: Provided further, That none of the*
9 *funds made available by this paragraph may be used to*
10 *procure manned fixed wing aircraft, or procure or modify*
11 *missiles, munitions, or ammunition.*

1 *TITLE IV*
2 *RESEARCH, DEVELOPMENT, TEST AND*
3 *EVALUATION*

4 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY*
5 *For expenses necessary for basic and applied scientific*
6 *research, development, test and evaluation, including main-*
7 *tenance, rehabilitation, lease, and operation of facilities*
8 *and equipment, \$14,539,417,000, to remain available for*
9 *obligation until September 30, 2023.*

10 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY*
11 *For expenses necessary for basic and applied scientific*
12 *research, development, test and evaluation, including main-*
13 *tenance, rehabilitation, lease, and operation of facilities*
14 *and equipment, \$22,139,080,000, to remain available for*
15 *obligation until September 30, 2023: Provided, That funds*
16 *appropriated in this paragraph which are available for the*
17 *V-22 may be used to meet unique operational requirements*
18 *of the Special Operations Forces.*

19 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR*
20 *FORCE*

21 *For expenses necessary for basic and applied scientific*
22 *research, development, test and evaluation, including main-*
23 *tenance, rehabilitation, lease, and operation of facilities*
24 *and equipment, \$41,592,913,000, to remain available for*
25 *obligation until September 30, 2023.*

1 *evaluation; and administrative expenses in connection*
2 *therewith, \$276,591,000, to remain available for obligation*
3 *until September 30, 2023.*

4 *TITLE V*

5 *REVOLVING AND MANAGEMENT FUNDS*

6 *DEFENSE WORKING CAPITAL FUNDS*

7 *For the Defense Working Capital Funds,*
8 *\$2,017,000,000.*

1 *United States Army Medical Research and Development*
2 *Command to carry out the congressionally directed medical*
3 *research programs: Provided further, That the Secretary of*
4 *Defense shall submit to the congressional defense committees*
5 *quarterly reports on the current status of the deployment*
6 *of the electronic health record: Provided further, That the*
7 *Secretary of Defense shall provide notice to the congres-*
8 *sional defense committees not later than 10 business days*
9 *after delaying the proposed timeline of such deployment if*
10 *such delay is longer than 1 week: Provided further, That*
11 *the Comptroller General of the United States shall perform*
12 *quarterly performance reviews of such deployment.*

13 *CHEMICAL AGENTS AND MUNITIONS DESTRUCTION,*

14 *DEFENSE*

15 *For expenses, not otherwise provided for, necessary for*
16 *the destruction of the United States stockpile of lethal chem-*
17 *ical agents and munitions in accordance with the provi-*
18 *sions of section 1412 of the Department of Defense Author-*
19 *ization Act, 1986 (50 U.S.C. 1521), and for the destruction*
20 *of other chemical warfare materials that are not in the*
21 *chemical weapon stockpile, \$1,094,352,000, of which*
22 *\$93,121,000 shall be for operation and maintenance, of*
23 *which no less than \$48,668,000 shall be for the Chemical*
24 *Stockpile Emergency Preparedness Program, consisting of*
25 *\$22,134,000 for activities on military installations and*

1 \$26,534,000, to remain available until September 30, 2023,
2 to assist State and local governments; and \$1,001,231,000,
3 to remain available until September 30, 2023, shall be for
4 research, development, test and evaluation, of which
5 \$995,011,000 shall only be for the Assembled Chemical
6 Weapons Alternatives program.

7 *DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,*

8 *DEFENSE*

9 *(INCLUDING TRANSFER OF FUNDS)*

10 *For drug interdiction and counter-drug activities of*
11 *the Department of Defense, for transfer to appropriations*
12 *available to the Department of Defense for military per-*
13 *sonnel of the reserve components serving under the provi-*
14 *sions of title 10 and title 32, United States Code; for oper-*
15 *ation and maintenance; for procurement; and for research,*
16 *development, test and evaluation, \$925,649,000, of which*
17 *\$579,750,000 shall be for counter-narcotics support;*
18 *\$126,024,000 shall be for the drug demand reduction pro-*
19 *gram; \$194,211,000 shall be for the National Guard*
20 *counter-drug program; and \$25,664,000 shall be for the Na-*
21 *tional Guard counter-drug schools program: Provided, That*
22 *the funds appropriated under this heading shall be avail-*
23 *able for obligation for the same time period and for the*
24 *same purpose as the appropriation to which transferred:*
25 *Provided further, That upon a determination that all or*

1 *part of the funds transferred from this appropriation are*
2 *not necessary for the purposes provided herein, such*
3 *amounts may be transferred back to this appropriation:*
4 *Provided further, That the transfer authority provided*
5 *under this heading is in addition to any other transfer au-*
6 *thority contained elsewhere in this Act.*

7 *OFFICE OF THE INSPECTOR GENERAL*

8 *For expenses and activities of the Office of the Inspec-*
9 *tor General in carrying out the provisions of the Inspector*
10 *General Act of 1978, as amended, \$438,363,000, of which*
11 *\$435,918,000 shall be for operation and maintenance, of*
12 *which not to exceed \$700,000 is available for emergencies*
13 *and extraordinary expenses to be expended upon the ap-*
14 *proval or authority of the Inspector General, and payments*
15 *may be made upon the Inspector General's certificate of ne-*
16 *cessity for confidential military purposes; of which \$80,000,*
17 *to remain available for obligation until September 30,*
18 *2024, shall be for procurement; and of which \$2,365,000,*
19 *to remain available until September 30, 2023, shall be for*
20 *research, development, test and evaluation.*

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TITLE VII

RELATED AGENCIES

*CENTRAL INTELLIGENCE AGENCY RETIREMENT AND
DISABILITY SYSTEM FUND*

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain the proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System, \$514,000,000.

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For necessary expenses of the Intelligence Community Management Account, \$587,100,000.

TITLE VIII

GENERAL PROVISIONS

1
2
3 *SEC. 8001. No part of any appropriation contained*
4 *in this Act shall be used for publicity or propaganda pur-*
5 *poses not authorized by the Congress.*

6 *SEC. 8002. During the current fiscal year, provisions*
7 *of law prohibiting the payment of compensation to, or em-*
8 *ployment of, any person not a citizen of the United States*
9 *shall not apply to personnel of the Department of Defense:*
10 *Provided, That salary increases granted to direct and indi-*
11 *rect hire foreign national employees of the Department of*
12 *Defense funded by this Act shall not be at a rate in excess*
13 *of the percentage increase authorized by law for civilian*
14 *employees of the Department of Defense whose pay is com-*
15 *puted under the provisions of section 5332 of title 5, United*
16 *States Code, or at a rate in excess of the percentage increase*
17 *provided by the appropriate host nation to its own employ-*
18 *ees, whichever is higher: Provided further, That this section*
19 *shall not apply to Department of Defense foreign service*
20 *national employees serving at United States diplomatic*
21 *missions whose pay is set by the Department of State under*
22 *the Foreign Service Act of 1980: Provided further, That the*
23 *limitations of this provision shall not apply to foreign na-*
24 *tional employees of the Department of Defense in the Re-*
25 *public of Turkey.*

1 *in no case where the item for which funds are requested*
2 *has been denied by the Congress: Provided further, That the*
3 *Secretary of Defense shall notify the Congress promptly of*
4 *all transfers made pursuant to this authority or any other*
5 *authority in this Act: Provided further, That no part of*
6 *the funds in this Act shall be available to prepare or present*
7 *a request to the Committees on Appropriations of the House*
8 *of Representatives and the Senate for reprogramming of*
9 *funds, unless for higher priority items, based on unforeseen*
10 *military requirements, than those for which originally ap-*
11 *propriated and in no case where the item for which re-*
12 *programming is requested has been denied by the Congress:*
13 *Provided further, That a request for multiple*
14 *reprogrammings of funds using authority provided in this*
15 *section shall be made prior to June 30, 2022: Provided fur-*
16 *ther, That transfers among military personnel appropria-*
17 *tions shall not be taken into account for purposes of the*
18 *limitation on the amount of funds that may be transferred*
19 *under this section.*

20 *SEC. 8006. (a) With regard to the list of specific pro-*
21 *grams, projects, and activities (and the dollar amounts and*
22 *adjustments to budget activities corresponding to such pro-*
23 *grams, projects, and activities) contained in the tables titled*
24 *Explanation of Project Level Adjustments in the explana-*
25 *tory statement regarding this Act and the tables contained*

1 *in the classified annex accompanying this Act, the obliga-*
2 *tion and expenditure of amounts appropriated or otherwise*
3 *made available in this Act for those programs, projects, and*
4 *activities for which the amounts appropriated exceed the*
5 *amounts requested are hereby required by law to be carried*
6 *out in the manner provided by such tables to the same ex-*
7 *tent as if the tables were included in the text of this Act.*

8 *(b) Amounts specified in the referenced tables described*
9 *in subsection (a) shall not be treated as subdivisions of ap-*
10 *propriations for purposes of section 8005 of this Act: Pro-*
11 *vided, That section 8005 shall apply when transfers of the*
12 *amounts described in subsection (a) occur between appro-*
13 *priation accounts.*

14 *SEC. 8007. (a) Not later than 60 days after the date*
15 *of the enactment of this Act, the Department of Defense shall*
16 *submit a report to the congressional defense committees to*
17 *establish the baseline for application of reprogramming and*
18 *transfer authorities for fiscal year 2022: Provided, That the*
19 *report shall include—*

20 *(1) a table for each appropriation with a sepa-*
21 *rate column to display the President's budget request,*
22 *adjustments made by Congress, adjustments due to*
23 *enacted rescissions, if appropriate, and the fiscal year*
24 *enacted level;*

1 (2) a delineation in the table for each appropri-
2 tion both by budget activity and program, project,
3 and activity as detailed in the Budget Appendix; and

4 (3) an identification of items of special congress-
5 sional interest.

6 (b) Notwithstanding section 8005 of this Act, none of
7 the funds provided in this Act shall be available for re-
8 programming or transfer until the report identified in sub-
9 section (a) is submitted to the congressional defense commit-
10 tees, unless the Secretary of Defense certifies in writing to
11 the congressional defense committees that such reprogram-
12 ming or transfer is necessary as an emergency requirement:
13 Provided, That this subsection shall not apply to transfers
14 from the following appropriations accounts:

15 (1) “Environmental Restoration, Army”;

16 (2) “Environmental Restoration, Navy”;

17 (3) “Environmental Restoration, Air Force”;

18 (4) “Environmental Restoration, Defense-Wide”;

19 (5) “Environmental Restoration, Formerly Used
20 Defense Sites”; and

21 (6) “Drug Interdiction and Counter-drug Activi-
22 ties, Defense”.

23 (TRANSFER OF FUNDS)

24 SEC. 8008. During the current fiscal year, cash bal-
25 ances in working capital funds of the Department of De-

1 *fense established pursuant to section 2208 of title 10, United*
2 *States Code, may be maintained in only such amounts as*
3 *are necessary at any time for cash disbursements to be made*
4 *from such funds: Provided, That transfers may be made be-*
5 *tween such funds: Provided further, That transfers may be*
6 *made between working capital funds and the “Foreign Cur-*
7 *rency Fluctuations, Defense” appropriation and the “Oper-*
8 *ation and Maintenance” appropriation accounts in such*
9 *amounts as may be determined by the Secretary of Defense,*
10 *with the approval of the Office of Management and Budget,*
11 *except that such transfers may not be made unless the Sec-*
12 *retary of Defense has notified the Congress of the proposed*
13 *transfer: Provided further, That except in amounts equal*
14 *to the amounts appropriated to working capital funds in*
15 *this Act, no obligations may be made against a working*
16 *capital fund to procure or increase the value of war reserve*
17 *material inventory, unless the Secretary of Defense has no-*
18 *tified the Congress prior to any such obligation.*

19 *SEC. 8009. Funds appropriated by this Act may not*
20 *be used to initiate a special access program without prior*
21 *notification 30 calendar days in advance to the congres-*
22 *sional defense committees.*

23 *SEC. 8010. None of the funds provided in this Act shall*
24 *be available to initiate: (1) a multiyear contract that em-*
25 *ploys economic order quantity procurement in excess of*

1 \$20,000,000 in any one year of the contract or that includes
2 an unfunded contingent liability in excess of \$20,000,000;
3 or (2) a contract for advance procurement leading to a
4 multiyear contract that employs economic order quantity
5 procurement in excess of \$20,000,000 in any one year, un-
6 less the congressional defense committees have been notified
7 at least 30 days in advance of the proposed contract award:
8 Provided, That no part of any appropriation contained in
9 this Act shall be available to initiate a multiyear contract
10 for which the economic order quantity advance procurement
11 is not funded at least to the limits of the Government's li-
12 ability: Provided further, That no part of any appropria-
13 tion contained in this Act shall be available to initiate
14 multiyear procurement contracts for any systems or compo-
15 nent thereof if the value of the multiyear contract would
16 exceed \$500,000,000 unless specifically provided in this Act:
17 Provided further, That no multiyear procurement contract
18 can be terminated without 30-day prior notification to the
19 congressional defense committees: Provided further, That the
20 execution of multiyear authority shall require the use of a
21 present value analysis to determine lowest cost compared
22 to an annual procurement: Provided further, That none of
23 the funds provided in this Act may be used for a multiyear
24 contract executed after the date of the enactment of this Act
25 unless in the case of any such contract—

1 (1) *the Secretary of Defense has submitted to*
2 *Congress a budget request for full funding of units to*
3 *be procured through the contract and, in the case of*
4 *a contract for procurement of aircraft, that includes,*
5 *for any aircraft unit to be procured through the con-*
6 *tract for which procurement funds are requested in*
7 *that budget request for production beyond advance*
8 *procurement activities in the fiscal year covered by*
9 *the budget, full funding of procurement of such unit*
10 *in that fiscal year;*

11 (2) *cancellation provisions in the contract do not*
12 *include consideration of recurring manufacturing*
13 *costs of the contractor associated with the production*
14 *of unfunded units to be delivered under the contract;*

15 (3) *the contract provides that payments to the*
16 *contractor under the contract shall not be made in*
17 *advance of incurred costs on funded units; and*

18 (4) *the contract does not provide for a price ad-*
19 *justment based on a failure to award a follow-on con-*
20 *tract.*

21 *Funds appropriated in title III of this Act may be used*
22 *for multiyear procurement contracts for the UH/HH-60M*
23 *Black Hawk helicopter and the AH-64E Apache helicopter.*

24 *SEC. 8011. Within the funds appropriated for the oper-*
25 *ation and maintenance of the Armed Forces, funds are here-*

1 *by appropriated pursuant to section 401 of title 10, United*
2 *States Code, for humanitarian and civic assistance costs*
3 *under chapter 20 of title 10, United States Code. Such funds*
4 *may also be obligated for humanitarian and civic assist-*
5 *ance costs incidental to authorized operations and pursuant*
6 *to authority granted in section 401 of title 10, United*
7 *States Code, and these obligations shall be reported as re-*
8 *quired by section 401(d) of title 10, United States Code:*
9 *Provided, That funds available for operation and mainte-*
10 *nance shall be available for providing humanitarian and*
11 *similar assistance by using Civic Action Teams in the*
12 *Trust Territories of the Pacific Islands and freely associated*
13 *states of Micronesia, pursuant to the Compact of Free Asso-*
14 *ciation as authorized by Public Law 99–239: Provided fur-*
15 *ther, That upon a determination by the Secretary of the*
16 *Army that such action is beneficial for graduate medical*
17 *education programs conducted at Army medical facilities*
18 *located in Hawaii, the Secretary of the Army may author-*
19 *ize the provision of medical services at such facilities and*
20 *transportation to such facilities, on a nonreimbursable*
21 *basis, for civilian patients from American Samoa, the Com-*
22 *monwealth of the Northern Mariana Islands, the Marshall*
23 *Islands, the Federated States of Micronesia, Palau, and*
24 *Guam.*

1 *SEC. 8012. (a) During the current fiscal year, the ci-*
2 *vilian personnel of the Department of Defense may not be*
3 *managed on the basis of any constraint or limitation in*
4 *terms of man years, end strength, full-time equivalent posi-*
5 *tions, or maximum number of employees, but are to be man-*
6 *aged solely on the basis of, and in a manner consistent*
7 *with—*

8 *(1) the total force management policies and pro-*
9 *cedures established under section 129a of title 10,*
10 *United States Code;*

11 *(2) the workload required to carry out the func-*
12 *tions and activities of the Department; and*

13 *(3) the funds made available to the Department*
14 *for such fiscal year.*

15 *(b) None of the funds appropriated by this Act may*
16 *be used to reduce the civilian workforce programmed full*
17 *time equivalent levels absent the appropriate analysis of the*
18 *impacts of these reductions on workload, military force*
19 *structure, lethality, readiness, operational effectiveness,*
20 *stress on the military force, and fully burdened costs.*

21 *(c) A projection of the number of full-time equivalent*
22 *positions shall not be considered a constraint or limitation*
23 *for purposes of subsection (a) and reducing funding for*
24 *under-execution of such a projection shall not be considered*

1 *managing based on a constraint or limitation for purposes*
2 *of such subsection.*

3 *(d) The fiscal year 2023 budget request for the Depart-*
4 *ment of Defense, and any justification material and other*
5 *documentation supporting such request, shall be prepared*
6 *and submitted to Congress as if subsections (a) and (b) were*
7 *effective with respect to such fiscal year.*

8 *(e) Nothing in this section shall be construed to apply*
9 *to military (civilian) technicians.*

10 *SEC. 8013. None of the funds made available by this*
11 *Act shall be used in any way, directly or indirectly, to in-*
12 *fluence congressional action on any legislation or appro-*
13 *priation matters pending before the Congress.*

14 *SEC. 8014. None of the funds appropriated by this Act*
15 *shall be available for the basic pay and allowances of any*
16 *member of the Army participating as a full-time student*
17 *and receiving benefits paid by the Secretary of Veterans Af-*
18 *airs from the Department of Defense Education Benefits*
19 *Fund when time spent as a full-time student is credited*
20 *toward completion of a service commitment: Provided, That*
21 *this section shall not apply to those members who have reen-*
22 *listed with this option prior to October 1, 1987: Provided*
23 *further, That this section applies only to active components*
24 *of the Army.*

(TRANSFER OF FUNDS)

1
2 *SEC. 8015. (a) Funds appropriated in title III of this*
3 *Act for the Department of Defense Pilot Mentor-Protégé*
4 *Program may be transferred to any other appropriation*
5 *contained in this Act solely for the purpose of implementing*
6 *a Mentor-Protégé Program developmental assistance agree-*
7 *ment pursuant to section 831 of the National Defense Au-*
8 *thorization Act for Fiscal Year 1991 (Public Law 101–510;*
9 *10 U.S.C. 2302 note), as amended, under the authority of*
10 *this provision or any other transfer authority contained in*
11 *this Act.*

12 *(b) The Secretary of Defense shall include with the*
13 *budget justification documents in support of the budget for*
14 *fiscal year 2023 (as submitted to Congress pursuant to sec-*
15 *tion 1105 of title 31, United States Code) a description of*
16 *each transfer under this section that occurred during the*
17 *last fiscal year before the fiscal year in which such budget*
18 *is submitted.*

19 *SEC. 8016. None of the funds in this Act may be avail-*
20 *able for the purchase by the Department of Defense (and*
21 *its departments and agencies) of welded shipboard anchor*
22 *and mooring chain unless the anchor and mooring chain*
23 *are manufactured in the United States from components*
24 *which are substantially manufactured in the United States:*
25 *Provided, That for the purpose of this section, the term*

1 “manufactured” shall include cutting, heat treating, qual-
2 ity control, testing of chain and welding (including the
3 forging and shot blasting process): Provided further, That
4 for the purpose of this section substantially all of the compo-
5 nents of anchor and mooring chain shall be considered to
6 be produced or manufactured in the United States if the
7 aggregate cost of the components produced or manufactured
8 in the United States exceeds the aggregate cost of the compo-
9 nents produced or manufactured outside the United States:
10 Provided further, That when adequate domestic supplies are
11 not available to meet Department of Defense requirements
12 on a timely basis, the Secretary of the Service responsible
13 for the procurement may waive this restriction on a case-
14 by-case basis by certifying in writing to the Committees on
15 Appropriations of the House of Representatives and the
16 Senate that such an acquisition must be made in order to
17 acquire capability for national security purposes.

18 SEC. 8017. None of the funds appropriated by this Act
19 shall be used for the support of any nonappropriated funds
20 activity of the Department of Defense that procures malt
21 beverages and wine with nonappropriated funds for resale
22 (including such alcoholic beverages sold by the drink) on
23 a military installation located in the United States unless
24 such malt beverages and wine are procured within that
25 State, or in the case of the District of Columbia, within

1 *the District of Columbia, in which the military installation*
2 *is located: Provided, That, in a case in which the military*
3 *installation is located in more than one State, purchases*
4 *may be made in any State in which the installation is lo-*
5 *cated: Provided further, That such local procurement re-*
6 *quirements for malt beverages and wine shall apply to all*
7 *alcoholic beverages only for military installations in States*
8 *which are not contiguous with another State: Provided fur-*
9 *ther, That alcoholic beverages other than wine and malt bev-*
10 *erages, in contiguous States and the District of Columbia*
11 *shall be procured from the most competitive source, price*
12 *and other factors considered.*

13 *SEC. 8018. None of the funds available to the Depart-*
14 *ment of Defense may be used to demilitarize or dispose of*
15 *M-1 Carbines, M-1 Garand rifles, M-14 rifles, .22 caliber*
16 *rifles, .30 caliber rifles, or M-1911 pistols, or to demili-*
17 *tarize or destroy small arms ammunition or ammunition*
18 *components that are not otherwise prohibited from commer-*
19 *cial sale under Federal law, unless the small arms ammuni-*
20 *tion or ammunition components are certified by the Sec-*
21 *retary of the Army or designee as unserviceable or unsafe*
22 *for further use.*

23 *SEC. 8019. No more than \$500,000 of the funds appro-*
24 *priated or made available in this Act shall be used during*
25 *a single fiscal year for any single relocation of an organiza-*

1 *tion, unit, activity or function of the Department of Defense*
2 *into or within the National Capital Region: Provided, That*
3 *the Secretary of Defense may waive this restriction on a*
4 *case-by-case basis by certifying in writing to the congres-*
5 *sional defense committees that such a relocation is required*
6 *in the best interest of the Government.*

7 *SEC. 8020. In addition to the funds provided elsewhere*
8 *in this Act, \$25,000,000 is appropriated only for incentive*
9 *payments authorized by section 504 of the Indian Financ-*
10 *ing Act of 1974 (25 U.S.C. 1544): Provided, That a prime*
11 *contractor or a subcontractor at any tier that makes a sub-*
12 *contract award to any subcontractor or supplier as defined*
13 *in section 1544 of title 25, United States Code, or a small*
14 *business owned and controlled by an individual or individ-*
15 *uals defined under section 4221(9) of title 25, United States*
16 *Code, shall be considered a contractor for the purposes of*
17 *being allowed additional compensation under section 504*
18 *of the Indian Financing Act of 1974 (25 U.S.C. 1544)*
19 *whenever the prime contract or subcontract amount is over*
20 *\$500,000 and involves the expenditure of funds appro-*
21 *priated by an Act making appropriations for the Depart-*
22 *ment of Defense with respect to any fiscal year: Provided*
23 *further, That notwithstanding section 1906 of title 41,*
24 *United States Code, this section shall be applicable to any*
25 *Department of Defense acquisition of supplies or services,*

1 *including any contract and any subcontract at any tier for*
2 *acquisition of commercial items produced or manufactured,*
3 *in whole or in part, by any subcontractor or supplier de-*
4 *fin ed in section 1544 of title 25, United States Code, or*
5 *a small business owned and controlled by an individual or*
6 *individuals defined under section 4221(9) of title 25,*
7 *United States Code.*

8 *SEC. 8021. (a) Notwithstanding any other provision*
9 *of law, the Secretary of the Air Force may convey at no*
10 *cost to the Air Force, without consideration, to Indian*
11 *tribes located in the States of Nevada, Idaho, North Dakota,*
12 *South Dakota, Montana, Oregon, Minnesota, and Wash-*
13 *ington relocatable military housing units located at Grand*
14 *Forks Air Force Base, Malmstrom Air Force Base, Moun-*
15 *tain Home Air Force Base, Ellsworth Air Force Base, and*
16 *Minot Air Force Base that are excess to the needs of the*
17 *Air Force.*

18 *(b) The Secretary of the Air Force shall convey, at no*
19 *cost to the Air Force, military housing units under sub-*
20 *section (a) in accordance with the request for such units*
21 *that are submitted to the Secretary by the Operation Walk-*
22 *ing Shield Program on behalf of Indian tribes located in*
23 *the States of Nevada, Idaho, North Dakota, South Dakota,*
24 *Montana, Oregon, Minnesota, and Washington. Any such*
25 *conveyance shall be subject to the condition that the housing*

1 *units shall be removed within a reasonable period of time,*
2 *as determined by the Secretary.*

3 *(c) The Operation Walking Shield Program shall re-*
4 *solve any conflicts among requests of Indian tribes for hous-*
5 *ing units under subsection (a) before submitting requests*
6 *to the Secretary of the Air Force under subsection (b).*

7 *(d) In this section, the term “Indian tribe” means any*
8 *recognized Indian tribe included on the current list pub-*
9 *lished by the Secretary of the Interior under section 104*
10 *of the Federally Recognized Indian Tribe Act of 1994 (Pub-*
11 *lic Law 103–454; 108 Stat. 4792; 25 U.S.C. 5131).*

12 *SEC. 8022. Of the funds appropriated to the Depart-*
13 *ment of Defense under the heading “Operation and Mainte-*
14 *nance, Defense-Wide”, not less than \$12,000,000 shall be*
15 *made available only for the mitigation of environmental*
16 *impacts, including training and technical assistance to*
17 *tribes, related administrative support, the gathering of in-*
18 *formation, documenting of environmental damage, and de-*
19 *veloping a system for prioritization of mitigation and cost*
20 *to complete estimates for mitigation, on Indian lands re-*
21 *sulting from Department of Defense activities.*

22 *SEC. 8023. Funds appropriated by this Act for the De-*
23 *fense Media Activity shall not be used for any national or*
24 *international political or psychological activities.*

1 *SEC. 8024. None of the funds available in this Act to*
2 *the Department of Defense, other than appropriations made*
3 *for necessary or routine refurbishments, upgrades or main-*
4 *tenance activities, shall be used to reduce or to prepare to*
5 *reduce the number of deployed and non-deployed strategic*
6 *delivery vehicles and launchers below the levels set forth in*
7 *the report submitted to Congress in accordance with section*
8 *1042 of the National Defense Authorization Act for Fiscal*
9 *Year 2012.*

10 *SEC. 8025. Of the amounts appropriated for “Working*
11 *Capital Fund, Army”, \$115,000,000 shall be available to*
12 *maintain competitive rates at the arsenals.*

13 *SEC. 8026. (a) Of the funds made available in this*
14 *Act, not less than \$60,500,000 shall be available for the*
15 *Civil Air Patrol Corporation, of which—*

16 (1) *\$47,300,000 shall be available from “Oper-*
17 *ation and Maintenance, Air Force” to support Civil*
18 *Air Patrol Corporation operation and maintenance,*
19 *readiness, counter-drug activities, and drug demand*
20 *reduction activities involving youth programs;*

21 (2) *\$11,400,000 shall be available from “Aircraft*
22 *Procurement, Air Force”;* and

23 (3) *\$1,800,000 shall be available from “Other*
24 *Procurement, Air Force” for vehicle procurement.*

1 **(b) The Secretary of the Air Force should waive reim-**
2 *bursement for any funds used by the Civil Air Patrol for*
3 *counter-drug activities in support of Federal, State, and*
4 *local government agencies.*

5 **SEC. 8027. (a) None of the funds appropriated in this**
6 *Act are available to establish a new Department of Defense*
7 *(department) federally funded research and development*
8 *center (FFRDC), either as a new entity, or as a separate*
9 *entity administrated by an organization managing another*
10 *FFRDC, or as a nonprofit membership corporation con-*
11 *sisting of a consortium of other FFRDCs and other non-*
12 *profit entities.*

13 **(b) No member of a Board of Directors, Trustees, Over-**
14 *seers, Advisory Group, Special Issues Panel, Visiting Com-*
15 *mittee, or any similar entity of a defense FFRDC, and no*
16 *paid consultant to any defense FFRDC, except when acting*
17 *in a technical advisory capacity, may be compensated for*
18 *his or her services as a member of such entity, or as a paid*
19 *consultant by more than one FFRDC in a fiscal year: Pro-*
20 *vided, That a member of any such entity referred to pre-*
21 *viously in this subsection shall be allowed travel expenses*
22 *and per diem as authorized under the Federal Joint Travel*
23 *Regulations, when engaged in the performance of member-*
24 *ship duties.*

1 (c) Notwithstanding any other provision of law, none
2 of the funds available to the department from any source
3 during the current fiscal year may be used by a defense
4 FFRDC, through a fee or other payment mechanism, for
5 construction of new buildings not located on a military in-
6 stallation, for payment of cost sharing for projects funded
7 by Government grants, for absorption of contract overruns,
8 or for certain charitable contributions, not to include em-
9 ployee participation in community service and/or develop-
10 ment.

11 (d) Notwithstanding any other provision of law, of the
12 funds available to the department during fiscal year 2022,
13 not more than 6,119 staff years of technical effort (staff
14 years) may be funded for defense FFRDCs: Provided, That
15 within such funds for 6,119 staff years, funds shall be avail-
16 able only for 1,148 staff years for the defense studies and
17 analysis FFRDCs: Provided further, That this subsection
18 shall not apply to staff years funded in the National Intel-
19 ligence Program and the Military Intelligence Program:
20 Provided further, That the limit on staff years in the matter
21 preceding the first proviso in this subsection may be in-
22 creased to 6,184, from within funds available to the Depart-
23 ment during fiscal year 2022, no sooner than 60 days after
24 the Secretary of Defense submits in writing to the congress-
25 sional defense committees—

1 (1) a complete breakdown of actual staff years by
2 program and primary sponsor for fiscal years 2020
3 and 2021;

4 (2) a complete breakdown of the estimated 6,184
5 staff years by program and primary sponsor for fiscal
6 year 2022;

7 (3) a list of corrective actions planned and im-
8 plemented following the 2019 Under Secretary of De-
9 fense (Research and Engineering)-led FFRDC man-
10 agement review regarding the implementation of a
11 strategic management process and continued inde-
12 pendence of defense FFRDCs; and

13 (4) a plan to commission a near-term inde-
14 pendent review and assessment of current FFRDC
15 and potentially competitive non-FFRDC entities' core
16 competencies as compared to new or emerging re-
17 quirements:

18 *Provided further, That the Secretary of Defense shall pro-*
19 *vide a plan to commission a near-term independent review*
20 *of current Department of Defense and military service*
21 *workforce core competencies as compared to new or emerg-*
22 *ing requirements, to include a review of current and pro-*
23 *posed workforce development, talent management, and pro-*
24 *fessional military education initiatives and career options*
25 *by June 15, 2022.*

1 (e) *The Secretary of Defense shall, with the submission*
2 *of the department’s fiscal year 2023 budget request, submit*
3 *a report presenting the specific amounts of staff years of*
4 *technical effort to be allocated for each defense FFRDC by*
5 *program during that fiscal year and the associated budget*
6 *estimates.*

7 (f) *Notwithstanding any other provision of this Act,*
8 *the total amount appropriated in this Act for FFRDCs is*
9 *hereby reduced by \$63,840,000: Provided, That this sub-*
10 *section shall not apply to appropriations for the National*
11 *Intelligence Program and Military Intelligence Program.*

12 SEC. 8028. *For the purposes of this Act, the term “con-*
13 *gressional defense committees” means the Armed Services*
14 *Committee of the House of Representatives, the Armed Serv-*
15 *ices Committee of the Senate, the Subcommittee on Defense*
16 *of the Committee on Appropriations of the Senate, and the*
17 *Subcommittee on Defense of the Committee on Appropria-*
18 *tions of the House of Representatives.*

19 SEC. 8029. *For the purposes of this Act, the term “con-*
20 *gressional intelligence committees” means the Permanent*
21 *Select Committee on Intelligence of the House of Represent-*
22 *atives, the Select Committee on Intelligence of the Senate,*
23 *the Subcommittee on Defense of the Committee on Appro-*
24 *priations of the House of Representatives, and the Sub-*

1 *committee on Defense of the Committee on Appropriations*
2 *of the Senate.*

3 *SEC. 8030. During the current fiscal year, the Depart-*
4 *ment of Defense may acquire the modification, depot main-*
5 *tenance and repair of aircraft, vehicles and vessels as well*
6 *as the production of components and other Defense-related*
7 *articles, through competition between Department of De-*
8 *fense depot maintenance activities and private firms: Pro-*
9 *vided, That the Senior Acquisition Executive of the military*
10 *department or Defense Agency concerned, with power of del-*
11 *egation, shall certify that successful bids include comparable*
12 *estimates of all direct and indirect costs for both public and*
13 *private bids: Provided further, That Office of Management*
14 *and Budget Circular A-76 shall not apply to competitions*
15 *conducted under this section.*

16 *SEC. 8031. (a) None of the funds appropriated in this*
17 *Act may be expended by an entity of the Department of*
18 *Defense unless the entity, in expending the funds, complies*
19 *with the Buy American Act. For purposes of this subsection,*
20 *the term “Buy American Act” means chapter 83 of title*
21 *41, United States Code.*

22 *(b) If the Secretary of Defense determines that a person*
23 *has been convicted of intentionally affixing a label bearing*
24 *a “Made in America” inscription to any product sold in*
25 *or shipped to the United States that is not made in Amer-*

1 *ica, the Secretary shall determine, in accordance with sec-*
2 *tion 2410f of title 10, United States Code, whether the per-*
3 *son should be debarred from contracting with the Depart-*
4 *ment of Defense.*

5 *(c) In the case of any equipment or products purchased*
6 *with appropriations provided under this Act, it is the sense*
7 *of the Congress that any entity of the Department of De-*
8 *fense, in expending the appropriation, purchase only Amer-*
9 *ican-made equipment and products, provided that Amer-*
10 *ican-made equipment and products are cost-competitive,*
11 *quality competitive, and available in a timely fashion.*

12 *SEC. 8032. None of the funds appropriated or made*
13 *available in this Act shall be used to procure carbon, alloy,*
14 *or armor steel plate for use in any Government-owned facil-*
15 *ity or property under the control of the Department of De-*
16 *fense which were not melted and rolled in the United States*
17 *or Canada: Provided, That these procurement restrictions*
18 *shall apply to any and all Federal Supply Class 9515,*
19 *American Society of Testing and Materials (ASTM) or*
20 *American Iron and Steel Institute (AISI) specifications of*
21 *carbon, alloy or armor steel plate: Provided further, That*
22 *the Secretary of the military department responsible for the*
23 *procurement may waive this restriction on a case-by-case*
24 *basis by certifying in writing to the Committees on Appro-*
25 *priations of the House of Representatives and the Senate*

1 *that adequate domestic supplies are not available to meet*
2 *Department of Defense requirements on a timely basis and*
3 *that such an acquisition must be made in order to acquire*
4 *capability for national security purposes: Provided further,*
5 *That these restrictions shall not apply to contracts which*
6 *are in being as of the date of the enactment of this Act.*

7 *SEC. 8033. (a)(1) If the Secretary of Defense, after con-*
8 *sultation with the United States Trade Representative, de-*
9 *termines that a foreign country which is party to an agree-*
10 *ment described in paragraph (2) has violated the terms of*
11 *the agreement by discriminating against certain types of*
12 *products produced in the United States that are covered by*
13 *the agreement, the Secretary of Defense shall rescind the*
14 *Secretary's blanket waiver of the Buy American Act with*
15 *respect to such types of products produced in that foreign*
16 *country.*

17 *(2) An agreement referred to in paragraph (1) is any*
18 *reciprocal defense procurement memorandum of under-*
19 *standing, between the United States and a foreign country*
20 *pursuant to which the Secretary of Defense has prospec-*
21 *tively waived the Buy American Act for certain products*
22 *in that country.*

23 *(b) The Secretary of Defense shall submit to the Con-*
24 *gress a report on the amount of Department of Defense pur-*
25 *chases from foreign entities in fiscal year 2022. Such report*

1 *shall separately indicate the dollar value of items for which*
2 *the Buy American Act was waived pursuant to any agree-*
3 *ment described in subsection (a)(2), the Trade Agreements*
4 *Act of 1979 (19 U.S.C. 2501 et seq.), or any international*
5 *agreement to which the United States is a party.*

6 *(c) For purposes of this section, the term “Buy Amer-*
7 *ican Act” means chapter 83 of title 41, United States Code.*

8 *SEC. 8034. None of the funds appropriated by this Act*
9 *may be used for the procurement of ball and roller bearings*
10 *other than those produced by a domestic source and of do-*
11 *mestic origin: Provided, That the Secretary of the military*
12 *department responsible for such procurement may waive*
13 *this restriction on a case-by-case basis by certifying in writ-*
14 *ing to the Committees on Appropriations of the House of*
15 *Representatives and the Senate, that adequate domestic*
16 *supplies are not available to meet Department of Defense*
17 *requirements on a timely basis and that such an acquisition*
18 *must be made in order to acquire capability for national*
19 *security purposes: Provided further, That this restriction*
20 *shall not apply to the purchase of “commercial products”,*
21 *as defined by section 103 of title 41, United States Code,*
22 *except that the restriction shall apply to ball or roller bear-*
23 *ings purchased as end items.*

24 *SEC. 8035. In addition to any other funds made avail-*
25 *able for such purposes, including pursuant to section 98h*

1 of title 50, United States Code, or elsewhere in this Act,
2 there is appropriated \$125,000,000, for an additional
3 amount for “National Defense Stockpile Transaction
4 Fund”, to remain available until September 30, 2024,
5 which shall only be used for the acquisition and retention
6 of certain materials, as specified in the classified annex ac-
7 companying this Act: Provided, That none of the funds pro-
8 vided under this section may be obligated or expended until
9 90 days after the Secretary of Defense provides the congres-
10 sional defense committees a detailed execution plan for these
11 funds.

12 SEC. 8036. None of the funds in this Act may be used
13 to purchase any supercomputer which is not manufactured
14 in the United States, unless the Secretary of Defense cer-
15 tifies to the congressional defense committees that such an
16 acquisition must be made in order to acquire capability for
17 national security purposes that is not available from
18 United States manufacturers.

19 SEC. 8037. (a) The Secretary of Defense may, on a
20 case-by-case basis, waive with respect to a foreign country
21 each limitation on the procurement of defense items from
22 foreign sources provided in law if the Secretary determines
23 that the application of the limitation with respect to that
24 country would invalidate cooperative programs entered into
25 between the Department of Defense and the foreign country,

1 *or would invalidate reciprocal trade agreements for the pro-*
2 *curement of defense items entered into under section 2531*
3 *of title 10, United States Code, and the country does not*
4 *discriminate against the same or similar defense items pro-*
5 *duced in the United States for that country.*

6 *(b) Subsection (a) applies with respect to—*

7 *(1) contracts and subcontracts entered into on or*
8 *after the date of the enactment of this Act; and*

9 *(2) options for the procurement of items that are*
10 *exercised after such date under contracts that are en-*
11 *tered into before such date if the option prices are ad-*
12 *justed for any reason other than the application of a*
13 *waiver granted under subsection (a).*

14 *(c) Subsection (a) does not apply to a limitation re-*
15 *garding construction of public vessels, ball and roller bear-*
16 *ings, food, and clothing or textile materials as defined by*
17 *section XI (chapters 50–65) of the Harmonized Tariff*
18 *Schedule of the United States and products classified under*
19 *headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019,*
20 *7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502*
21 *through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.*

22 *SEC. 8038. None of the funds made available in this*
23 *Act, or any subsequent Act making appropriations for the*
24 *Department of Defense, may be used for the purchase or*
25 *manufacture of a flag of the United States unless such flags*

1 *are treated as covered items under section 2533a(b) of title*
2 *10, United States Code.*

3 *SEC. 8039. During the current fiscal year, amounts*
4 *contained in the Department of Defense Overseas Military*
5 *Facility Investment Recovery Account shall be available*
6 *until expended for the payments specified by section*
7 *2687a(b)(2) of title 10, United States Code.*

8 *SEC. 8040. During the current fiscal year, appropria-*
9 *tions which are available to the Department of Defense for*
10 *operation and maintenance may be used to purchase items*
11 *having an investment item unit cost of not more than*
12 *\$250,000: Provided, That upon determination by the Sec-*
13 *retary of Defense that such action is necessary to meet the*
14 *operational requirements of a Commander of a Combatant*
15 *Command engaged in a named contingency operation over-*
16 *seas, such funds may be used to purchase items having an*
17 *investment item unit cost of not more than \$500,000.*

18 *SEC. 8041. Amounts appropriated or otherwise made*
19 *available to the Department of Defense in this Act, may*
20 *not be obligated or expended for the retirement or divesti-*
21 *ture of the RQ-4 Global Hawk Block 40 aircraft: Provided,*
22 *That the Secretary of the Air Force is prohibited from de-*
23 *activating the corresponding squadrons responsible for the*
24 *operations of the aforementioned aircraft.*

1 *SEC. 8042. Up to \$11,120,000 of the funds appro-*
2 *priated under the heading “Operation and Maintenance,*
3 *Navy” may be made available for the Asia Pacific Regional*
4 *Initiative Program for the purpose of enabling the United*
5 *States Indo-Pacific Command to execute Theater Security*
6 *Cooperation activities such as humanitarian assistance,*
7 *and payment of incremental and personnel costs of training*
8 *and exercising with foreign security forces: Provided, That*
9 *funds made available for this purpose may be used, notwith-*
10 *standing any other funding authorities for humanitarian*
11 *assistance, security assistance or combined exercise ex-*
12 *penses: Provided further, That funds may not be obligated*
13 *to provide assistance to any foreign country that is other-*
14 *wise prohibited from receiving such type of assistance under*
15 *any other provision of law.*

16 *SEC. 8043. The Secretary of Defense shall issue regula-*
17 *tions to prohibit the sale of any tobacco or tobacco-related*
18 *products in military resale outlets in the United States, its*
19 *territories and possessions at a price below the most com-*
20 *petitive price in the local community: Provided, That such*
21 *regulations shall direct that the prices of tobacco or tobacco-*
22 *related products in overseas military retail outlets shall be*
23 *within the range of prices established for military retail*
24 *system stores located in the United States.*

1 *SEC. 8044. (a) During the current fiscal year, none*
2 *of the appropriations or funds available to the Department*
3 *of Defense Working Capital Funds shall be used for the pur-*
4 *chase of an investment item for the purpose of acquiring*
5 *a new inventory item for sale or anticipated sale during*
6 *the current fiscal year or a subsequent fiscal year to cus-*
7 *tomers of the Department of Defense Working Capital*
8 *Funds if such an item would not have been chargeable to*
9 *the Department of Defense Business Operations Fund dur-*
10 *ing fiscal year 1994 and if the purchase of such an invest-*
11 *ment item would be chargeable during the current fiscal*
12 *year to appropriations made to the Department of Defense*
13 *for procurement.*

14 *(b) The fiscal year 2023 budget request for the Depart-*
15 *ment of Defense as well as all justification material and*
16 *other documentation supporting the fiscal year 2023 De-*
17 *partment of Defense budget shall be prepared and submitted*
18 *to the Congress on the basis that any equipment which was*
19 *classified as an end item and funded in a procurement ap-*
20 *propriation contained in this Act shall be budgeted for in*
21 *a proposed fiscal year 2023 procurement appropriation and*
22 *not in the supply management business area or any other*
23 *area or category of the Department of Defense Working*
24 *Capital Funds.*

1 *SEC. 8045. None of the funds appropriated by this Act*
2 *for programs of the Central Intelligence Agency shall re-*
3 *main available for obligation beyond the current fiscal year,*
4 *except for funds appropriated for the Reserve for Contin-*
5 *gencies, which shall remain available until September 30,*
6 *2023: Provided, That funds appropriated, transferred, or*
7 *otherwise credited to the Central Intelligence Agency Cen-*
8 *tral Services Working Capital Fund during this or any*
9 *prior or subsequent fiscal year shall remain available until*
10 *expended: Provided further, That any funds appropriated*
11 *or transferred to the Central Intelligence Agency for ad-*
12 *vanced research and development acquisition, for agent op-*
13 *erations, and for covert action programs authorized by the*
14 *President under section 503 of the National Security Act*
15 *of 1947 (50 U.S.C. 3093) shall remain available until Sep-*
16 *tember 30, 2023: Provided further, That any funds appro-*
17 *priated or transferred to the Central Intelligence Agency for*
18 *the construction, improvement, or alteration of facilities,*
19 *including leased facilities, to be used primarily by per-*
20 *sonnel of the intelligence community shall remain available*
21 *until September 30, 2024.*

22 *SEC. 8046. (a) Except as provided in subsections (b)*
23 *and (c), none of the funds made available by this Act may*
24 *be used—*

25 *(1) to establish a field operating agency; or*

1 (2) to pay the basic pay of a member of the
2 *Armed Forces or civilian employee of the department*
3 *who is transferred or reassigned from a headquarters*
4 *activity if the member or employee's place of duty re-*
5 *remains at the location of that headquarters.*

6 (b) *The Secretary of Defense or Secretary of a military*
7 *department may waive the limitations in subsection (a),*
8 *on a case-by-case basis, if the Secretary determines, and cer-*
9 *tifies to the Committees on Appropriations of the House of*
10 *Representatives and the Senate that the granting of the*
11 *waiver will reduce the personnel requirements or the finan-*
12 *cial requirements of the department.*

13 (c) *This section does not apply to—*

14 (1) *field operating agencies funded within the*
15 *National Intelligence Program;*

16 (2) *an Army field operating agency established*
17 *to eliminate, mitigate, or counter the effects of impro-*
18 *vised explosive devices, and, as determined by the Sec-*
19 *retary of the Army, other similar threats;*

20 (3) *an Army field operating agency established*
21 *to improve the effectiveness and efficiencies of biomet-*
22 *ric activities and to integrate common biometric tech-*
23 *nologies throughout the Department of Defense; or*

24 (4) *an Air Force field operating agency estab-*
25 *lished to administer the Air Force Mortuary Affairs*

1 *Program and Mortuary Operations for the Depart-*
2 *ment of Defense and authorized Federal entities.*

3 *SEC. 8047. (a) None of the funds appropriated by this*
4 *Act shall be available to convert to contractor performance*
5 *an activity or function of the Department of Defense that,*
6 *on or after the date of the enactment of this Act, is per-*
7 *formed by Department of Defense civilian employees un-*
8 *less—*

9 *(1) the conversion is based on the result of a pub-*
10 *lic-private competition that includes a most efficient*
11 *and cost effective organization plan developed by such*
12 *activity or function;*

13 *(2) the Competitive Sourcing Official determines*
14 *that, over all performance periods stated in the solici-*
15 *tation of offers for performance of the activity or*
16 *function, the cost of performance of the activity or*
17 *function by a contractor would be less costly to the*
18 *Department of Defense by an amount that equals or*
19 *exceeds the lesser of—*

20 *(A) 10 percent of the most efficient organi-*
21 *zation's personnel-related costs for performance*
22 *of that activity or function by Federal employ-*
23 *ees; or*

24 *(B) \$10,000,000; and*

1 (3) *the contractor does not receive an advantage*
2 *for a proposal that would reduce costs for the Depart-*
3 *ment of Defense by—*

4 (A) *not making an employer-sponsored*
5 *health insurance plan available to the workers*
6 *who are to be employed in the performance of*
7 *that activity or function under the contract; or*

8 (B) *offering to such workers an employer-*
9 *sponsored health benefits plan that requires the*
10 *employer to contribute less towards the premium*
11 *or subscription share than the amount that is*
12 *paid by the Department of Defense for health*
13 *benefits for civilian employees under chapter 89*
14 *of title 5, United States Code.*

15 (b)(1) *The Department of Defense, without regard to*
16 *subsection (a) of this section or subsection (a), (b), or (c)*
17 *of section 2461 of title 10, United States Code, and notwith-*
18 *standing any administrative regulation, requirement, or*
19 *policy to the contrary shall have full authority to enter into*
20 *a contract for the performance of any commercial or indus-*
21 *trial type function of the Department of Defense that—*

22 (A) *is included on the procurement list estab-*
23 *lished pursuant to section 2 of the Javits-Wagner-*
24 *O'Day Act (section 8503 of title 41, United States*
25 *Code);*

1 (B) is planned to be converted to performance by
2 a qualified nonprofit agency for the blind or by a
3 qualified nonprofit agency for other severely handi-
4 capped individuals in accordance with that Act; or

5 (C) is planned to be converted to performance by
6 a qualified firm under at least 51 percent ownership
7 by an Indian tribe, as defined in section 4(e) of the
8 Indian Self-Determination and Education Assistance
9 Act (25 U.S.C. 450b(e)), or a Native Hawaiian Orga-
10 nization, as defined in section 8(a)(15) of the Small
11 Business Act (15 U.S.C. 637(a)(15)).

12 (2) This section shall not apply to depot contracts or
13 contracts for depot maintenance as provided in sections
14 2469 and 2474 of title 10, United States Code.

15 (c) The conversion of any activity or function of the
16 Department of Defense under the authority provided by this
17 section shall be credited toward any competitive or out-
18 sourcing goal, target, or measurement that may be estab-
19 lished by statute, regulation, or policy and is deemed to
20 be awarded under the authority of, and in compliance with,
21 subsection (h) of section 2304 of title 10, United States
22 Code, for the competition or outsourcing of commercial ac-
23 tivities.

(RESCISSIONS)

1
2 *SEC. 8048. Of the funds appropriated in Department*
3 *of Defense Appropriations Acts, the following funds are*
4 *hereby rescinded from the following accounts and programs*
5 *in the specified amounts: Provided, That no amounts may*
6 *be rescinded from amounts that were designated by the Con-*
7 *gress as an emergency requirement pursuant to a concur-*
8 *rent resolution on the budget or the Balanced Budget and*
9 *Emergency Deficit Control Act of 1985:*

10 *“Missile Procurement, Army”, 2020/2022,*
11 *\$6,953,000;*

12 *“Procurement of Weapons and Tracked Combat*
13 *Vehicles, Army”, 2020/2022, \$4,500,000;*

14 *“Other Procurement, Army”, 2020/2022,*
15 *\$13,000,000;*

16 *“Other Procurement, Navy”, 2020/2022,*
17 *\$3,500,000;*

18 *“Aircraft Procurement, Air Force”, 2020/2022,*
19 *\$153,485,000;*

20 *“Missile Procurement, Air Force”, 2020/2022,*
21 *\$40,000,000;*

22 *“Other Procurement, Air Force”, 2020/2022,*
23 *\$38,000,000;*

24 *“Operation and Maintenance, Defense-Wide”,*
25 *2021/2022, \$101,000,000;*

1 *“Afghanistan Security Forces Fund”*, 2021/2022,
2 \$700,000,000;

3 *“Counter-ISIS Train and Equip Fund”*, 2021/
4 2022, \$250,000,000;

5 *“Aircraft Procurement, Army”*, 2021/2023,
6 \$5,000,000;

7 *“Procurement of Weapons and Tracked Combat*
8 *Vehicles, Army”*, 2021/2023, \$4,533,000;

9 *“Procurement of Ammunition, Army”*, 2021/
10 2023, \$64,754,000;

11 *“Other Procurement, Army”*, 2021/2023,
12 \$3,177,000;

13 *“Aircraft Procurement, Navy”*, 2021/2023,
14 \$51,782,000;

15 *“Weapons Procurement, Navy”*, 2021/2023,
16 \$37,035,000;

17 *“Procurement of Ammunition, Navy and Marine*
18 *Corps”*, 2021/2023, \$5,194,000;

19 *“Shipbuilding and Conversion, Navy: DDG-51*
20 *Destroyer (AP)”*, 2021/2025, \$130,000,000;

21 *“Other Procurement, Navy”*, 2021/2023,
22 \$49,325,000;

23 *“Procurement, Marine Corps”*, 2021/2023,
24 \$80,109,000;

1 *“Aircraft Procurement, Air Force”, 2021/2023,*
2 *\$690,775,000;*

3 *“Procurement, Space Force”, 2021/2023,*
4 *\$35,700,000;*

5 *“Procurement of Ammunition, Air Force”, 2021/*
6 *2023, \$351,689,000;*

7 *“Other Procurement, Air Force”, 2021/2023,*
8 *\$79,390,000;*

9 *“Research, Development, Test and Evaluation,*
10 *Army”, 2021/2022, \$79,585,000;*

11 *“Research, Development, Test and Evaluation,*
12 *Navy”, 2021/2022, \$68,022,000;*

13 *“Research, Development, Test and Evaluation,*
14 *Space Force”, 2021/2022, \$120,500,000;*

15 *“Research, Development, Test and Evaluation,*
16 *Defense-Wide”, 2021/2022, \$108,717,000; and*

17 *“Defense Counterintelligence and Security Agen-*
18 *cy Working Capital Fund”, 2021/XXXX, \$30,000,000.*

19 *SEC. 8049. None of the funds available in this Act may*
20 *be used to reduce the authorized positions for military tech-*
21 *nicians (dual status) of the Army National Guard, Air Na-*
22 *tional Guard, Army Reserve and Air Force Reserve for the*
23 *purpose of applying any administratively imposed civilian*
24 *personnel ceiling, freeze, or reduction on military techni-*

1 cians (*dual status*), unless such reductions are a direct re-
2 sult of a reduction in military force structure.

3 *SEC. 8050. None of the funds appropriated or other-*
4 *wise made available in this Act may be obligated or ex-*
5 *pended for assistance to the Democratic People's Republic*
6 *of Korea unless specifically appropriated for that purpose:*
7 *Provided, That this restriction shall not apply to any ac-*
8 *tivities incidental to the Defense POW/MIA Accounting*
9 *Agency mission to recover and identify the remains of*
10 *United States Armed Forces personnel from the Democratic*
11 *People's Republic of Korea.*

12 *SEC. 8051. Funds appropriated in this Act for oper-*
13 *ation and maintenance of the Military Departments, Com-*
14 *batant Commands and Defense Agencies shall be available*
15 *for reimbursement of pay, allowances and other expenses*
16 *which would otherwise be incurred against appropriations*
17 *for the National Guard and Reserve when members of the*
18 *National Guard and Reserve provide intelligence or coun-*
19 *terintelligence support to Combatant Commands, Defense*
20 *Agencies and Joint Intelligence Activities, including the ac-*
21 *tivities and programs included within the National Intel-*
22 *ligence Program and the Military Intelligence Program:*
23 *Provided, That nothing in this section authorizes deviation*
24 *from established Reserve and National Guard personnel and*
25 *training procedures.*

1 *SEC. 8052. (a) None of the funds available to the De-*
2 *partment of Defense for any fiscal year for drug interdic-*
3 *tion or counter-drug activities may be transferred to any*
4 *other department or agency of the United States except as*
5 *specifically provided in an appropriations law.*

6 *(b) None of the funds available to the Central Intel-*
7 *ligence Agency for any fiscal year for drug interdiction or*
8 *counter-drug activities may be transferred to any other de-*
9 *partment or agency of the United States except as specifi-*
10 *cally provided in an appropriations law.*

11 *SEC. 8053. In addition to the amounts appropriated*
12 *or otherwise made available elsewhere in this Act,*
13 *\$49,000,000 is hereby appropriated to the Department of*
14 *Defense: Provided, That upon the determination of the Sec-*
15 *retary of Defense that it shall serve the national interest,*
16 *the Secretary shall make grants in the amounts specified*
17 *as follows: \$24,000,000 to the United Service Organizations*
18 *and \$25,000,000 to the Red Cross.*

19 *SEC. 8054. Notwithstanding any other provision in*
20 *this Act, the Small Business Innovation Research program*
21 *and the Small Business Technology Transfer program set-*
22 *asides shall be taken proportionally from all programs,*
23 *projects, or activities to the extent they contribute to the*
24 *extramural budget. The Secretary of each military depart-*
25 *ment, the Director of each Defense Agency, and the head*

1 of each other relevant component of the Department of De-
2 fense shall submit to the congressional defense committees,
3 concurrent with submission of the budget justification docu-
4 ments to Congress pursuant to section 1105 of title 31,
5 United States Code, a report with a detailed accounting
6 of the Small Business Innovation Research program and
7 the Small Business Technology Transfer program set-asides
8 taken from programs, projects, or activities within such de-
9 partment, agency, or component during the most recently
10 completed fiscal year.

11 *SEC. 8055. None of the funds available to the Depart-*
12 *ment of Defense under this Act shall be obligated or ex-*
13 *pended to pay a contractor under a contract with the De-*
14 *partment of Defense for costs of any amount paid by the*
15 *contractor to an employee when—*

16 (1) *such costs are for a bonus or otherwise in ex-*
17 *cess of the normal salary paid by the contractor to the*
18 *employee; and*

19 (2) *such bonus is part of restructuring costs asso-*
20 *ciated with a business combination.*

21 (INCLUDING TRANSFER OF FUNDS)

22 *SEC. 8056. During the current fiscal year, no more*
23 *than \$30,000,000 of appropriations made in this Act under*
24 *the heading “Operation and Maintenance, Defense-Wide”*
25 *may be transferred to appropriations available for the pay*

1 *of military personnel, to be merged with, and to be available*
2 *for the same time period as the appropriations to which*
3 *transferred, to be used in support of such personnel in con-*
4 *nection with support and services for eligible organizations*
5 *and activities outside the Department of Defense pursuant*
6 *to section 2012 of title 10, United States Code.*

7 *SEC. 8057. During the current fiscal year, in the case*
8 *of an appropriation account of the Department of Defense*
9 *for which the period of availability for obligation has ex-*
10 *pired or which has closed under the provisions of section*
11 *1552 of title 31, United States Code, and which has a nega-*
12 *tive unliquidated or unexpended balance, an obligation or*
13 *an adjustment of an obligation may be charged to any cur-*
14 *rent appropriation account for the same purpose as the ex-*
15 *pired or closed account if—*

16 *(1) the obligation would have been properly*
17 *chargeable (except as to amount) to the expired or*
18 *closed account before the end of the period of avail-*
19 *ability or closing of that account;*

20 *(2) the obligation is not otherwise properly*
21 *chargeable to any current appropriation account of*
22 *the Department of Defense; and*

23 *(3) in the case of an expired account, the obliga-*
24 *tion is not chargeable to a current appropriation of*
25 *the Department of Defense under the provisions of sec-*

1 *tion 1405(b)(8) of the National Defense Authorization*
2 *Act for Fiscal Year 1991, Public Law 101–510, as*
3 *amended (31 U.S.C. 1551 note): Provided, That in*
4 *the case of an expired account, if subsequent review*
5 *or investigation discloses that there was not in fact a*
6 *negative unliquidated or unexpended balance in the*
7 *account, any charge to a current account under the*
8 *authority of this section shall be reversed and re-*
9 *corded against the expired account: Provided further,*
10 *That the total amount charged to a current appro-*
11 *priation under this section may not exceed an*
12 *amount equal to 1 percent of the total appropriation*
13 *for that account:*

14 *Provided, That the Under Secretary of Defense (Comp-*
15 *troller) shall include with the budget of the President for*
16 *fiscal year 2023 (as submitted to Congress pursuant to sec-*
17 *tion 1105 of title 31, United States Code) a statement de-*
18 *scribing each instance if any, during each of the fiscal years*
19 *2016 through 2022 in which the authority in this section*
20 *was exercised.*

21 *SEC. 8058. (a) Notwithstanding any other provision*
22 *of law, the Chief of the National Guard Bureau may permit*
23 *the use of equipment of the National Guard Distance Learn-*
24 *ing Project by any person or entity on a space-available,*
25 *reimbursable basis. The Chief of the National Guard Bu-*

1 *reau shall establish the amount of reimbursement for such*
2 *use on a case-by-case basis.*

3 *(b) Amounts collected under subsection (a) shall be*
4 *credited to funds available for the National Guard Distance*
5 *Learning Project and be available to defray the costs associ-*
6 *ated with the use of equipment of the project under that*
7 *subsection. Such funds shall be available for such purposes*
8 *without fiscal year limitation.*

9 *(INCLUDING TRANSFER OF FUNDS)*

10 *SEC. 8059. Of the funds appropriated in this Act*
11 *under the heading “Operation and Maintenance, Defense-*
12 *Wide”, \$47,000,000 shall be for continued implementation*
13 *and expansion of the Sexual Assault Special Victims’ Coun-*
14 *sel Program: Provided, That the funds are made available*
15 *for transfer to the Department of the Army, the Department*
16 *of the Navy, and the Department of the Air Force: Provided*
17 *further, That funds transferred shall be merged with and*
18 *available for the same purposes and for the same time pe-*
19 *riod as the appropriations to which the funds are trans-*
20 *ferred: Provided further, That this transfer authority is in*
21 *addition to any other transfer authority provided in this*
22 *Act.*

23 *SEC. 8060. None of the funds appropriated in title IV*
24 *of this Act may be used to procure end-items for delivery*
25 *to military forces for operational training, operational use*

1 *or inventory requirements: Provided, That this restriction*
2 *does not apply to end-items used in development, proto-*
3 *typing, and test activities preceding and leading to accept-*
4 *ance for operational use: Provided further, That this restric-*
5 *tion does not apply to programs funded within the National*
6 *Intelligence Program: Provided further, That the Secretary*
7 *of Defense shall, at the time of the submittal to Congress*
8 *of the budget of the President for fiscal year 2023 pursuant*
9 *to section 1105 of title 31, United States Code, submit to*
10 *the congressional defense committees a report detailing the*
11 *use of funds requested in research, development, test and*
12 *evaluation accounts for end-items used in development,*
13 *prototyping and test activities preceding and leading to ac-*
14 *ceptance for operational use: Provided further, That the re-*
15 *port shall set forth, for each end-item covered by the pre-*
16 *ceding proviso, a detailed list of the statutory authorities*
17 *under which amounts in the accounts described in that pro-*
18 *viso were used for such item: Provided further, That the*
19 *Secretary of Defense shall, at the time of the submittal to*
20 *Congress of the budget of the President for fiscal year 2023*
21 *pursuant to section 1105 of title 31, United States Code,*
22 *submit to the congressional defense committees a certifi-*
23 *cation that funds requested for fiscal year 2023 in research,*
24 *development, test and evaluation are in compliance with*
25 *this section: Provided further, That the Secretary of Defense*

1 *may waive this restriction on a case-by-case basis by certi-*
2 *fying in writing to the Committees on Appropriations of*
3 *the House of Representatives and the Senate that it is in*
4 *the national security interest to do so.*

5 *SEC. 8061. None of the funds appropriated or other-*
6 *wise made available by this or other Department of Defense*
7 *Appropriations Acts may be obligated or expended for the*
8 *purpose of performing repairs or maintenance to military*
9 *family housing units of the Department of Defense, includ-*
10 *ing areas in such military family housing units that may*
11 *be used for the purpose of conducting official Department*
12 *of Defense business.*

13 *SEC. 8062. Notwithstanding any other provision of*
14 *law, funds appropriated in this Act under the heading “Re-*
15 *search, Development, Test and Evaluation, Defense-Wide”*
16 *for any new start advanced concept technology demonstra-*
17 *tion project or joint capability demonstration project may*
18 *only be obligated 45 days after a report, including a de-*
19 *scription of the project, the planned acquisition and transi-*
20 *tion strategy and its estimated annual and total cost, has*
21 *been provided in writing to the congressional defense com-*
22 *mittees: Provided, That the Secretary of Defense may waive*
23 *this restriction on a case-by-case basis by certifying to the*
24 *congressional defense committees that it is in the national*
25 *interest to do so.*

1 *SEC. 8063. The Secretary of Defense shall continue to*
2 *provide a classified quarterly report to the Committees on*
3 *Appropriations of the House of Representatives and the*
4 *Senate, Subcommittees on Defense on certain matters as di-*
5 *rected in the classified annex accompanying this Act.*

6 *SEC. 8064. Notwithstanding section 12310(b) of title*
7 *10, United States Code, a Reserve who is a member of the*
8 *National Guard serving on full-time National Guard duty*
9 *under section 502(f) of title 32, United States Code, may*
10 *perform duties in support of the ground-based elements of*
11 *the National Ballistic Missile Defense System.*

12 *SEC. 8065. None of the funds provided in this Act may*
13 *be used to transfer to any nongovernmental entity ammuni-*
14 *tion held by the Department of Defense that has a center-*
15 *fire cartridge and a United States military nomenclature*
16 *designation of “armor penetrator”, “armor piercing (AP)”,*
17 *“armor piercing incendiary (API)”, or “armor-piercing in-*
18 *cendiary tracer (API-T)”, except to an entity performing*
19 *demilitarization services for the Department of Defense*
20 *under a contract that requires the entity to demonstrate to*
21 *the satisfaction of the Department of Defense that armor*
22 *piercing projectiles are either: (1) rendered incapable of*
23 *reuse by the demilitarization process; or (2) used to manu-*
24 *facture ammunition pursuant to a contract with the De-*
25 *partment of Defense or the manufacture of ammunition for*

1 *Provided further, That contracts entered into under the au-*
2 *thority of this section may provide for such indemnification*
3 *as the Secretary determines to be necessary: Provided fur-*
4 *ther, That projects authorized by this section shall comply*
5 *with applicable Federal, State, and local law to the max-*
6 *imum extent consistent with the national security, as deter-*
7 *mined by the Secretary of Defense.*

8 *SEC. 8068. (a) None of the funds appropriated in this*
9 *or any other Act may be used to take any action to mod-*
10 *ify—*

11 *(1) the appropriations account structure for the*
12 *National Intelligence Program budget, including*
13 *through the creation of a new appropriation or new*
14 *appropriation account;*

15 *(2) how the National Intelligence Program budg-*
16 *et request is presented in the unclassified P-1, R-1,*
17 *and O-1 documents supporting the Department of*
18 *Defense budget request;*

19 *(3) the process by which the National Intelligence*
20 *Program appropriations are apportioned to the exe-*
21 *cuting agencies; or*

22 *(4) the process by which the National Intelligence*
23 *Program appropriations are allotted, obligated and*
24 *disbursed.*

1 (b) *Nothing in subsection (a) shall be construed to pro-*
2 *hibit the merger of programs or changes to the National*
3 *Intelligence Program budget at or below the Expenditure*
4 *Center level, provided such change is otherwise in accord-*
5 *ance with paragraphs (1)–(3) of subsection (a).*

6 (c) *The Director of National Intelligence and the Sec-*
7 *retary of Defense may jointly, only for the purposes of*
8 *achieving auditable financial statements and improving fis-*
9 *cal reporting, study and develop detailed proposals for al-*
10 *ternative financial management processes. Such study shall*
11 *include a comprehensive counterintelligence risk assessment*
12 *to ensure that none of the alternative processes will ad-*
13 *versely affect counterintelligence.*

14 (d) *Upon development of the detailed proposals defined*
15 *under subsection (c), the Director of National Intelligence*
16 *and the Secretary of Defense shall—*

17 (1) *provide the proposed alternatives to all af-*
18 *ected agencies;*

19 (2) *receive certification from all affected agencies*
20 *attesting that the proposed alternatives will help*
21 *achieve auditability, improve fiscal reporting, and*
22 *will not adversely affect counterintelligence; and*

23 (3) *not later than 30 days after receiving all nec-*
24 *essary certifications under paragraph (2), present the*

1 *Provided further, That not less than 30 days prior to any*
2 *transfer of funds, the Secretary of Defense shall notify the*
3 *congressional defense committees of the details of any such*
4 *transfer: Provided further, That upon transfer, the funds*
5 *shall be merged with and available for the same purposes,*
6 *and for the same time period, as the appropriation to which*
7 *transferred: Provided further, That the transfer authority*
8 *provided under this section is in addition to any other*
9 *transfer authority provided elsewhere in this Act.*

10 *(INCLUDING TRANSFER OF FUNDS)*

11 *SEC. 8071. During the current fiscal year, not to ex-*
12 *ceed \$11,000,000 from each of the appropriations made in*
13 *title II of this Act for “Operation and Maintenance, Army”,*
14 *“Operation and Maintenance, Navy”, and “Operation and*
15 *Maintenance, Air Force” may be transferred by the mili-*
16 *tary department concerned to its central fund established*
17 *for Fisher Houses and Suites pursuant to section 2493(d)*
18 *of title 10, United States Code.*

19 *(INCLUDING TRANSFER OF FUNDS)*

20 *SEC. 8072. Of the amounts appropriated for “Oper-*
21 *ation and Maintenance, Navy”, up to \$1,000,000 shall be*
22 *available for transfer to the John C. Stennis Center for Pub-*
23 *lic Service Development Trust Fund established under sec-*
24 *tion 116 of the John C. Stennis Center for Public Service*
25 *Training and Development Act (2 U.S.C. 1105).*

1 *SEC. 8073. None of the funds available to the Depart-*
2 *ment of Defense may be obligated to modify command and*
3 *control relationships to give Fleet Forces Command oper-*
4 *ational and administrative control of United States Navy*
5 *forces assigned to the Pacific fleet: Provided, That the com-*
6 *mand and control relationships which existed on October*
7 *1, 2004, shall remain in force until a written modification*
8 *has been proposed to the Committees on Appropriations of*
9 *the House of Representatives and the Senate: Provided fur-*
10 *ther, That the proposed modification may be implemented*
11 *30 days after the notification unless an objection is received*
12 *from either the House or Senate Appropriations Commit-*
13 *tees: Provided further, That any proposed modification*
14 *shall not preclude the ability of the commander of United*
15 *States Indo-Pacific Command to meet operational require-*
16 *ments.*

17 *SEC. 8074. Any notice that is required to be submitted*
18 *to the Committees on Appropriations of the House of Rep-*
19 *resentatives and the Senate under section 806(c)(4) of the*
20 *Bob Stump National Defense Authorization Act for Fiscal*
21 *Year 2003 (10 U.S.C. 2302 note) after the date of the enact-*
22 *ment of this Act shall be submitted pursuant to that require-*
23 *ment concurrently to the Subcommittees on Defense of the*
24 *Committees on Appropriations of the House of Representa-*
25 *tives and the Senate.*

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 8075. Of the amounts appropriated in this Act
3 under the headings “Procurement, Defense-Wide” and “Re-
4 search, Development, Test and Evaluation, Defense-Wide”,
5 \$500,000,000 shall be for the Israeli Cooperative Programs:
6 Provided, That of this amount, \$108,000,000 shall be for
7 the Secretary of Defense to provide to the Government of
8 Israel for the procurement of the Iron Dome defense system
9 to counter short-range rocket threats, subject to the U.S.-
10 Israel Iron Dome Procurement Agreement, as amended;
11 \$157,000,000 shall be for the Short Range Ballistic Missile
12 Defense (SRBMD) program, including cruise missile de-
13 fense research and development under the SRBMD pro-
14 gram, of which \$30,000,000 shall be for co-production ac-
15 tivities of SRBMD systems in the United States and in
16 Israel to meet Israel’s defense requirements consistent with
17 each nation’s laws, regulations, and procedures, subject to
18 the U.S.-Israeli co-production agreement for SRBMD, as
19 amended; \$62,000,000 shall be for an upper-tier component
20 to the Israeli Missile Defense Architecture, of which
21 \$62,000,000 shall be for co-production activities of Arrow
22 3 Upper Tier systems in the United States and in Israel
23 to meet Israel’s defense requirements consistent with each
24 nation’s laws, regulations, and procedures, subject to the
25 U.S.-Israeli co-production agreement for Arrow 3 Upper

1 *Tier, as amended; and \$173,000,000 shall be for the Arrow*
2 *System Improvement Program including development of a*
3 *long range, ground and airborne, detection suite: Provided*
4 *further, That the transfer authority provided under this*
5 *provision is in addition to any other transfer authority con-*
6 *tained in this Act.*

7 *SEC. 8076. Of the amounts appropriated in this Act*
8 *under the heading “Shipbuilding and Conversion, Navy”,*
9 *\$660,795,000 shall be available until September 30, 2022,*
10 *to fund prior year shipbuilding cost increases for the fol-*
11 *lowing programs:*

12 *(1) Under the heading “Shipbuilding and Con-*
13 *version, Navy”, 2013/2022: Carrier Replacement Pro-*
14 *gram \$291,000,000;*

15 *(2) Under the heading “Shipbuilding and Con-*
16 *version, Navy”, 2015/2022: DDG–51 Destroyer*
17 *\$44,577,000;*

18 *(3) Under the heading “Shipbuilding and Con-*
19 *version, Navy”, 2016/2022: DDG–51 Destroyer*
20 *\$1,176,000;*

21 *(4) Under the heading “Shipbuilding and Con-*
22 *version, Navy”, 2016/2022: TAO Fleet Oiler*
23 *\$23,358,000;*

1 (5) *Under the heading “Shipbuilding and Con-*
2 *version, Navy”, 2016/2022: Littoral Combat Ship*
3 *\$24,860,000;*

4 (6) *Under the heading “Shipbuilding and Con-*
5 *version, Navy”, 2016/2022: CVN Refueling Overhauls*
6 *\$158,800,000;*

7 (7) *Under the heading “Shipbuilding and Con-*
8 *version, Navy”, 2017/2022: LPD–17 \$53,682,000;*

9 (8) *Under the heading “Shipbuilding and Con-*
10 *version, Navy”, 2017/2022: Littoral Combat Ship*
11 *\$20,000,000; and*

12 (9) *Under the heading “Shipbuilding and Con-*
13 *version, Navy”, 2018/2022: TAO Fleet Oiler*
14 *\$43,342,000.*

15 *SEC. 8077. Funds appropriated by this Act, or made*
16 *available by the transfer of funds in this Act, for intelligence*
17 *activities are deemed to be specifically authorized by the*
18 *Congress for purposes of section 504 of the National Secu-*
19 *rity Act of 1947 (50 U.S.C. 3094) during fiscal year 2022*
20 *until the enactment of the Intelligence Authorization Act*
21 *for Fiscal Year 2022.*

22 *SEC. 8078. None of the funds provided in this Act shall*
23 *be available for obligation or expenditure through a re-*
24 *programming of funds that creates or initiates a new pro-*
25 *gram, project, or activity unless such program, project, or*

1 activity must be undertaken immediately in the interest of
2 national security and only after written prior notification
3 to the congressional defense committees.

4 SEC. 8079. The budget of the President for fiscal year
5 2023 submitted to the Congress pursuant to section 1105
6 of title 31, United States Code, shall include separate budget
7 justification documents for costs of United States Armed
8 Forces' participation in contingency operations for the
9 Military Personnel accounts, the Operation and Maintenance
10 accounts, the Procurement accounts, and the Research,
11 Development, Test and Evaluation accounts: Provided,
12 That these documents shall include a description of
13 the funding requested for each contingency operation, for
14 each military service, to include all Active and Reserve
15 components, and for each appropriations account: Provided
16 further, That these documents shall include estimated costs
17 for each element of expense or object class, a reconciliation
18 of increases and decreases for each contingency operation,
19 and programmatic data including, but not limited to, troop
20 strength for each Active and Reserve component, and estimates
21 of the major weapons systems deployed in support
22 of each contingency: Provided further, That these documents
23 shall include budget exhibits OP-5 and OP-32 (as defined
24 in the Department of Defense Financial Management Regu-

1 lation) for all contingency operations for the budget year
2 and the two preceding fiscal years.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 8080. In addition to amounts made available
5 elsewhere in this Act, \$50,000,000 is hereby appropriated
6 to the Department of Defense and made available for trans-
7 fer to the Department of Defense Acquisition Workforce De-
8 velopment Account and the operation and maintenance ac-
9 counts of the Army, Navy, Marine Corps, Air Force, and
10 Space Force for purposes of recruiting and training the De-
11 partment of Defense artificial intelligence-literate acquisi-
12 tion workforce: Provided, That none of the funds provided
13 under this section may be obligated or expended until 90
14 days after the Secretary of Defense provides to the congres-
15 sional defense committees an execution plan: Provided fur-
16 ther, That not less than 30 days prior to any transfer of
17 funds, the Secretary of Defense shall notify the congressional
18 defense committees of the details of any such transfer: Pro-
19 vided further, That upon transfer, the funds shall be merged
20 with and be available for the same purposes, and for the
21 same time period, as the appropriation to which trans-
22 ferred: Provided further, That the transfer authority pro-
23 vided under this section is in addition to any other transfer
24 authority provided elsewhere in this Act.

1 *SEC. 8081. None of the funds in this Act may be used*
2 *for research, development, test, evaluation, procurement or*
3 *deployment of nuclear armed interceptors of a missile de-*
4 *fense system.*

5 *SEC. 8082. The Secretary of Defense may use up to*
6 *\$650,000,000 of the amounts appropriated or otherwise*
7 *made available in this Act to the Department of Defense*
8 *for the rapid acquisition and deployment of supplies and*
9 *associated support services pursuant to section 806 of the*
10 *Bob Stump National Defense Authorization Act for Fiscal*
11 *Year 2003 (Public Law 107–314; 10 U.S.C. 2302 note), but*
12 *only for the purposes specified in clauses (i), (ii), (iii), and*
13 *(iv) of subsection (c)(3)(B) of such section and subject to*
14 *the applicable limits specified in clauses (i), (ii), and (iii)*
15 *of such subsection and, in the case of clause (iv) of such*
16 *subsection, subject to a limit of \$50,000,000: Provided, That*
17 *the Secretary of Defense shall notify the congressional de-*
18 *fense committees promptly of all uses of this authority.*

19 *SEC. 8083. None of the funds appropriated or made*
20 *available in this Act shall be used to reduce or disestablish*
21 *the operation of the 53rd Weather Reconnaissance Squad-*
22 *ron of the Air Force Reserve, if such action would reduce*
23 *the WC–130 Weather Reconnaissance mission below the lev-*
24 *els funded in this Act: Provided, That the Air Force shall*
25 *allow the 53rd Weather Reconnaissance Squadron to per-*

1 *form other missions in support of national defense require-*
2 *ments during the non-hurricane season.*

3 *SEC. 8084. None of the funds provided in this Act shall*
4 *be available for integration of foreign intelligence informa-*
5 *tion unless the information has been lawfully collected and*
6 *processed during the conduct of authorized foreign intel-*
7 *ligence activities: Provided, That information pertaining to*
8 *United States persons shall only be handled in accordance*
9 *with protections provided in the Fourth Amendment of the*
10 *United States Constitution as implemented through Execu-*
11 *tive Order No. 12333.*

12 *SEC. 8085. (a) None of the funds appropriated by this*
13 *Act may be used to transfer research and development, ac-*
14 *quisition, or other program authority relating to current*
15 *tactical unmanned aerial vehicles (TUAVs) from the Army.*

16 *(b) The Army shall retain responsibility for and oper-*
17 *ational control of the MQ-1C Gray Eagle Unmanned Aerial*
18 *Vehicle (UAV) in order to support the Secretary of Defense*
19 *in matters relating to the employment of unmanned aerial*
20 *vehicles.*

21 *SEC. 8086. None of the funds appropriated by this Act*
22 *for programs of the Office of the Director of National Intel-*
23 *ligence shall remain available for obligation beyond the cur-*
24 *rent fiscal year, except for funds appropriated for research*
25 *and technology, which shall remain available until Sep-*

1 *tember 30, 2023, and except for funds appropriated for the*
2 *purchase of real property, which shall remain available*
3 *until September 30, 2024.*

4 *SEC. 8087. For purposes of section 1553(b) of title 31,*
5 *United States Code, any subdivision of appropriations*
6 *made in this Act under the heading “Shipbuilding and*
7 *Conversion, Navy” shall be considered to be for the same*
8 *purpose as any subdivision under the heading “Ship-*
9 *building and Conversion, Navy” appropriations in any*
10 *prior fiscal year, and the 1 percent limitation shall apply*
11 *to the total amount of the appropriation.*

12 *SEC. 8088. (a) Not later than 60 days after the date*
13 *of the enactment of this Act, the Director of National Intel-*
14 *ligence shall submit a report to the congressional intel-*
15 *ligence committees to establish the baseline for application*
16 *of reprogramming and transfer authorities for fiscal year*
17 *2022: Provided, That the report shall include—*

18 *(1) a table for each appropriation with a sepa-*
19 *rate column to display the President’s budget request,*
20 *adjustments made by Congress, adjustments due to*
21 *enacted rescissions, if appropriate, and the fiscal year*
22 *enacted level;*

23 *(2) a delineation in the table for each appropria-*
24 *tion by Expenditure Center and project; and*

1 (3) an identification of items of special congress-
2 sional interest.

3 (b) None of the funds provided for the National Intel-
4 ligence Program in this Act shall be available for re-
5 programming or transfer until the report identified in sub-
6 section (a) is submitted to the congressional intelligence
7 committees, unless the Director of National Intelligence cer-
8 tifies in writing to the congressional intelligence committees
9 that such reprogramming or transfer is necessary as an
10 emergency requirement.

11 SEC. 8089. Any transfer of amounts appropriated to
12 the Department of Defense Acquisition Workforce Develop-
13 ment Account in or for fiscal year 2022 to a military de-
14 partment or Defense Agency pursuant to section 1705(e)(1)
15 of title 10, United States Code, shall be covered by and sub-
16 ject to section 8005 of this Act.

17 SEC. 8090. (a) None of the funds provided for the Na-
18 tional Intelligence Program in this or any prior appropri-
19 ations Act shall be available for obligation or expenditure
20 through a reprogramming or transfer of funds in accord-
21 ance with section 102A(d) of the National Security Act of
22 1947 (50 U.S.C. 3024(d)) that—

23 (1) creates a new start effort;

24 (2) terminates a program with appropriated
25 funding of \$10,000,000 or more;

1 (3) transfers funding into or out of the National
2 Intelligence Program; or

3 (4) transfers funding between appropriations,
4 unless the congressional intelligence committees are
5 notified 30 days in advance of such reprogramming
6 of funds; this notification period may be reduced for
7 urgent national security requirements.

8 (b) None of the funds provided for the National Intel-
9 ligence Program in this or any prior appropriations Act
10 shall be available for obligation or expenditure through a
11 reprogramming or transfer of funds in accordance with sec-
12 tion 102A(d) of the National Security Act of 1947 (50
13 U.S.C. 3024(d)) that results in a cumulative increase or
14 decrease of the levels specified in the classified annex accom-
15 panying the Act unless the congressional intelligence com-
16 mittees are notified 30 days in advance of such reprogram-
17 ming of funds; this notification period may be reduced for
18 urgent national security requirements.

19 SEC. 8091. (a) Any agency receiving funds made
20 available in this Act, shall, subject to subsections (b) and
21 (c), post on the public Web site of that agency any report
22 required to be submitted by the Congress in this or any
23 other Act, upon the determination by the head of the agency
24 that it shall serve the national interest.

25 (b) Subsection (a) shall not apply to a report if—

1 (1) *the public posting of the report compromises*
2 *national security; or*

3 (2) *the report contains proprietary information.*

4 (c) *The head of the agency posting such report shall*
5 *do so only after such report has been made available to the*
6 *requesting Committee or Committees of Congress for no less*
7 *than 45 days.*

8 SEC. 8092. (a) *None of the funds appropriated or oth-*
9 *erwise made available by this Act may be expended for any*
10 *Federal contract for an amount in excess of \$1,000,000, un-*
11 *less the contractor agrees not to—*

12 (1) *enter into any agreement with any of its em-*
13 *ployees or independent contractors that requires, as a*
14 *condition of employment, that the employee or inde-*
15 *pendent contractor agree to resolve through arbitra-*
16 *tion any claim under title VII of the Civil Rights Act*
17 *of 1964 or any tort related to or arising out of sexual*
18 *assault or harassment, including assault and battery,*
19 *intentional infliction of emotional distress, false im-*
20 *prisonment, or negligent hiring, supervision, or reten-*
21 *tion; or*

22 (2) *take any action to enforce any provision of*
23 *an existing agreement with an employee or inde-*
24 *pendent contractor that mandates that the employee*
25 *or independent contractor resolve through arbitration*

1 *any claim under title VII of the Civil Rights Act of*
2 *1964 or any tort related to or arising out of sexual*
3 *assault or harassment, including assault and battery,*
4 *intentional infliction of emotional distress, false im-*
5 *prisonment, or negligent hiring, supervision, or reten-*
6 *tion.*

7 *(b) None of the funds appropriated or otherwise made*
8 *available by this Act may be expended for any Federal con-*
9 *tract unless the contractor certifies that it requires each cov-*
10 *ered subcontractor to agree not to enter into, and not to*
11 *take any action to enforce any provision of, any agreement*
12 *as described in paragraphs (1) and (2) of subsection (a),*
13 *with respect to any employee or independent contractor per-*
14 *forming work related to such subcontract. For purposes of*
15 *this subsection, a “covered subcontractor” is an entity that*
16 *has a subcontract in excess of \$1,000,000 on a contract sub-*
17 *ject to subsection (a).*

18 *(c) The prohibitions in this section do not apply with*
19 *respect to a contractor’s or subcontractor’s agreements with*
20 *employees or independent contractors that may not be en-*
21 *forced in a court of the United States.*

22 *(d) The Secretary of Defense may waive the applica-*
23 *tion of subsection (a) or (b) to a particular contractor or*
24 *subcontractor for the purposes of a particular contract or*
25 *subcontract if the Secretary or the Deputy Secretary per-*

1 *sonally determines that the waiver is necessary to avoid*
2 *harm to national security interests of the United States,*
3 *and that the term of the contract or subcontract is not*
4 *longer than necessary to avoid such harm. The determina-*
5 *tion shall set forth with specificity the grounds for the waiv-*
6 *er and for the contract or subcontract term selected, and*
7 *shall state any alternatives considered in lieu of a waiver*
8 *and the reasons each such alternative would not avoid harm*
9 *to national security interests of the United States. The Sec-*
10 *retary of Defense shall transmit to Congress, and simulta-*
11 *neously make public, any determination under this sub-*
12 *section not less than 15 business days before the contract*
13 *or subcontract addressed in the determination may be*
14 *awarded.*

15 *(INCLUDING TRANSFER OF FUNDS)*

16 *SEC. 8093. From within the funds appropriated for*
17 *operation and maintenance for the Defense Health Program*
18 *in this Act, up to \$137,000,000, shall be available for trans-*
19 *fer to the Joint Department of Defense-Department of Vet-*
20 *erans Affairs Medical Facility Demonstration Fund in ac-*
21 *cordance with the provisions of section 1704 of the National*
22 *Defense Authorization Act for Fiscal Year 2010, Public Law*
23 *111–84: Provided, That for purposes of section 1704(b), the*
24 *facility operations funded are operations of the integrated*
25 *Captain James A. Lovell Federal Health Care Center, con-*

1 *sisting of the North Chicago Veterans Affairs Medical Cen-*
2 *ter, the Navy Ambulatory Care Center, and supporting fa-*
3 *cilities designated as a combined Federal medical facility*
4 *as described by section 706 of Public Law 110–417: Pro-*
5 *vided further, That additional funds may be transferred*
6 *from funds appropriated for operation and maintenance for*
7 *the Defense Health Program to the Joint Department of De-*
8 *fense-Department of Veterans Affairs Medical Facility*
9 *Demonstration Fund upon written notification by the Sec-*
10 *retary of Defense to the Committees on Appropriations of*
11 *the House of Representatives and the Senate.*

12 *SEC. 8094. None of the funds appropriated or other-*
13 *wise made available by this Act may be used by the Depart-*
14 *ment of Defense or a component thereof in contravention*
15 *of the provisions of section 130h of title 10, United States*
16 *Code.*

17 *SEC. 8095. Appropriations available to the Depart-*
18 *ment of Defense may be used for the purchase of heavy and*
19 *light armored vehicles for the physical security of personnel*
20 *or for force protection purposes up to a limit of \$450,000*
21 *per vehicle, notwithstanding price or other limitations ap-*
22 *plicable to the purchase of passenger carrying vehicles.*

23 *(INCLUDING TRANSFER OF FUNDS)*

24 *SEC. 8096. Upon a determination by the Director of*
25 *National Intelligence that such action is necessary and in*

1 *the national interest, the Director may, with the approval*
2 *of the Office of Management and Budget, transfer not to*
3 *exceed \$1,500,000,000 of the funds made available in this*
4 *Act for the National Intelligence Program: Provided, That*
5 *such authority to transfer may not be used unless for higher*
6 *priority items, based on unforeseen intelligence require-*
7 *ments, than those for which originally appropriated and*
8 *in no case where the item for which funds are requested*
9 *has been denied by the Congress: Provided further, That a*
10 *request for multiple reprogrammings of funds using author-*
11 *ity provided in this section shall be made prior to June*
12 *30, 2022.*

13 *SEC. 8097. Of the amounts appropriated in this Act*
14 *for “Shipbuilding and Conversion, Navy”, \$299,900,000, to*
15 *remain available for obligation until September 30, 2026,*
16 *may be used for the purchase of five used sealift vessels for*
17 *the National Defense Reserve Fleet, established under sec-*
18 *tion 11 of the Merchant Ship Sales Act of 1946 (46 U.S.C.*
19 *57100): Provided, That such amounts are available for re-*
20 *imbursements to the Ready Reserve Force, Maritime Ad-*
21 *ministration account of the United States Department of*
22 *Transportation for programs, projects, activities, and ex-*
23 *penses related to the National Defense Reserve Fleet: Pro-*
24 *vided further, That notwithstanding section 2218 of title 10,*

1 *United States Code, none of these funds shall be transferred*
2 *to the National Defense Sealift Fund for execution.*

3 *SEC. 8098. The Secretary of Defense shall post grant*
4 *awards on a public website in a searchable format.*

5 *SEC. 8099. None of the funds made available by this*
6 *Act may be used by the National Security Agency to—*

7 *(1) conduct an acquisition pursuant to section*
8 *702 of the Foreign Intelligence Surveillance Act of*
9 *1978 for the purpose of targeting a United States per-*
10 *son; or*

11 *(2) acquire, monitor, or store the contents (as*
12 *such term is defined in section 2510(8) of title 18,*
13 *United States Code) of any electronic communication*
14 *of a United States person from a provider of elec-*
15 *tronic communication services to the public pursuant*
16 *to section 501 of the Foreign Intelligence Surveillance*
17 *Act of 1978.*

18 *SEC. 8100. None of the funds made available in this*
19 *or any other Act may be used to pay the salary of any*
20 *officer or employee of any agency funded by this Act who*
21 *approves or implements the transfer of administrative re-*
22 *sponsibilities or budgetary resources of any program,*
23 *project, or activity financed by this Act to the jurisdiction*
24 *of another Federal agency not financed by this Act without*
25 *the express authorization of Congress: Provided, That this*

1 *limitation shall not apply to transfers of funds expressly*
2 *provided for in Defense Appropriations Acts, or provisions*
3 *of Acts providing supplemental appropriations for the De-*
4 *partment of Defense.*

5 *SEC. 8101. Of the amounts appropriated in this Act*
6 *for “Operation and Maintenance, Navy”, \$435,032,000, to*
7 *remain available until expended, may be used for any pur-*
8 *poses related to the National Defense Reserve Fleet estab-*
9 *lished under section 11 of the Merchant Ship Sales Act of*
10 *1946 (46 U.S.C. 57100): Provided, That such amounts are*
11 *available for reimbursements to the Ready Reserve Force,*
12 *Maritime Administration account of the United States De-*
13 *partment of Transportation for programs, projects, activi-*
14 *ties, and expenses related to the National Defense Reserve*
15 *Fleet.*

16 *SEC. 8102. None of the funds made available in this*
17 *Act may be obligated for activities authorized under section*
18 *1208 of the Ronald W. Reagan National Defense Authoriza-*
19 *tion Act for Fiscal Year 2005 (Public Law 112–81; 125*
20 *Stat. 1621) to initiate support for, or expand support to,*
21 *foreign forces, irregular forces, groups, or individuals unless*
22 *the congressional defense committees are notified in accord-*
23 *ance with the direction contained in the classified annex*
24 *accompanying this Act, not less than 15 days before initi-*
25 *ating such support: Provided, That none of the funds made*

1 *available in this Act may be used under section 1208 for*
2 *any activity that is not in support of an ongoing military*
3 *operation being conducted by United States Special Oper-*
4 *ations Forces to combat terrorism: Provided further, That*
5 *the Secretary of Defense may waive the prohibitions in this*
6 *section if the Secretary determines that such waiver is re-*
7 *quired by extraordinary circumstances and, by not later*
8 *than 72 hours after making such waiver, notifies the con-*
9 *gressional defense committees of such waiver.*

10 *SEC. 8103. (a) None of the funds provided in this Act*
11 *for the TAO Fleet Oiler program shall be used to award*
12 *a new contract that provides for the acquisition of the fol-*
13 *lowing components unless those components are manufac-*
14 *tured in the United States: Auxiliary equipment (including*
15 *pumps) for shipboard services; propulsion equipment (in-*
16 *cluding engines, reduction gears, and propellers); shipboard*
17 *cranes; spreaders for shipboard cranes; and anchor chains*
18 *specifically for the seventh and subsequent ships of the fleet.*

19 *(b) None of the funds provided in this Act for the*
20 *FFG(X) Frigate program shall be used to award a new con-*
21 *tract that provides for the acquisition of the following com-*
22 *ponents unless those components are manufactured in the*
23 *United States: Air circuit breakers; gyrocompasses; elec-*
24 *tronic navigation chart systems; steering controls; pumps;*
25 *propulsion and machinery control systems; totally enclosed*

1 *lifeboats; auxiliary equipment pumps; shipboard cranes;*
2 *auxiliary chill water systems; and propulsion propellers;*
3 *Provided, That the Secretary of the Navy shall incorporate*
4 *United States manufactured propulsion engines and pro-*
5 *pulsion reduction gears into the FFG(X) Frigate program*
6 *beginning not later than with the eleventh ship of the pro-*
7 *gram.*

8 *SEC. 8104. None of the funds provided in this Act for*
9 *requirements development, performance specification devel-*
10 *opment, concept design and development, ship configura-*
11 *tion development, systems engineering, naval architecture,*
12 *marine engineering, operations research analysis, industry*
13 *studies, preliminary design, development of the Detailed*
14 *Design and Construction Request for Proposals solicitation*
15 *package, or related activities for the T-ARC(X) Cable Lay-*
16 *ing and Repair Ship or the T-AGOS(X) Oceanographic*
17 *Surveillance Ship may be used to award a new contract*
18 *for such activities unless these contracts include specifica-*
19 *tions that all auxiliary equipment, including pumps and*
20 *propulsion shafts, are manufactured in the United States.*

21 *SEC. 8105. None of the funds made available by this*
22 *Act may be obligated or expended for the purpose of decom-*
23 *missioning the USS Fort Worth, the USS Detroit, or the*
24 *USS Little Rock.*

1 *SEC. 8106. No amounts credited or otherwise made*
2 *available in this or any other Act to the Department of De-*
3 *fense Acquisition Workforce Development Account may be*
4 *transferred to:*

5 (1) *the Rapid Prototyping Fund established*
6 *under section 804(d) of the National Defense Author-*
7 *ization Act for Fiscal Year 2016 (10 U.S.C. 2302*
8 *note); or*

9 (2) *credited to a military-department specific*
10 *fund established under section 804(d)(2) of the Na-*
11 *tional Defense Authorization Act for Fiscal Year 2016*
12 *(as amended by section 897 of the National Defense*
13 *Authorization Act for Fiscal Year 2017).*

14 *SEC. 8107. None of the funds made available by this*
15 *Act may be used for Government Travel Charge Card ex-*
16 *penses by military or civilian personnel of the Department*
17 *of Defense for gaming, or for entertainment that includes*
18 *topless or nude entertainers or participants, as prohibited*
19 *by Department of Defense FMR, Volume 9, Chapter 3 and*
20 *Department of Defense Instruction 1015.10 (enclosure 3,*
21 *14a and 14b).*

22 *SEC. 8108. (a) None of the funds made available in*
23 *this Act may be used to maintain or establish a computer*
24 *network unless such network is designed to block access to*
25 *pornography websites.*

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

7 *SEC. 8109. In addition to amounts provided elsewhere*
8 *in this Act, there is appropriated \$516,233,000, for an ad-*
9 *ditional amount for “Operation and Maintenance, Defense-*
10 *Wide”, to remain available until expended: Provided, That*
11 *such funds shall only be available to the Secretary of De-*
12 *fense, acting through the Office of Local Defense Community*
13 *Cooperation of the Department of Defense, or for transfer*
14 *to the Secretary of Education, notwithstanding any other*
15 *provision of law, to make grants, conclude cooperative*
16 *agreements, or supplement other Federal funds to construct,*
17 *renovate, repair, or expand elementary and secondary pub-*
18 *lic schools on military installations in order to address ca-*
19 *capacity or facility condition deficiencies at such schools: Pro-*
20 *vided further, That in making such funds available, the Of-*
21 *fice of Local Defense Community Cooperation or the Sec-*
22 *retary of Education shall give priority consideration to*
23 *those military installations with schools having the most*
24 *serious capacity or facility condition deficiencies as deter-*
25 *mined by the Secretary of Defense: Provided further, That*

1 *as a condition of receiving funds under this section a local*
2 *educational agency or State shall provide a matching share*
3 *as described in the notice titled “Department of Defense*
4 *Program for Construction, Renovation, Repair or Expan-*
5 *sion of Public Schools Located on Military Installations”*
6 *published by the Department of Defense in the Federal Reg-*
7 *ister on September 9, 2011 (76 Fed. Reg. 55883 et seq.):*
8 *Provided further, That these provisions apply to funds pro-*
9 *vided under this section, and to funds previously provided*
10 *by Congress to construct, renovate, repair, or expand ele-*
11 *mentary and secondary public schools on military installa-*
12 *tions in order to address capacity or facility condition defi-*
13 *ciencies at such schools to the extent such funds remain un-*
14 *obligated on the date of enactment of this section.*

15 *SEC. 8110. In carrying out the program described in*
16 *the memorandum on the subject of “Policy for Assisted Re-*
17 *productive Services for the Benefit of Seriously or Severely*
18 *Ill/Injured (Category II or III) Active Duty Service Mem-*
19 *bers” issued by the Assistant Secretary of Defense for*
20 *Health Affairs on April 3, 2012, and the guidance issued*
21 *to implement such memorandum, the Secretary of Defense*
22 *shall apply such policy and guidance, except that—*

23 *(1) the limitation on periods regarding embryo*
24 *cryopreservation and storage set forth in part III(G)*

1 *and in part IV(H) of such memorandum shall not*
2 *apply; and*

3 *(2) the term “assisted reproductive technology”*
4 *shall include embryo cryopreservation and storage*
5 *without limitation on the duration of such*
6 *cryopreservation and storage.*

7 *SEC. 8111. None of the funds provided for, or otherwise*
8 *made available, in this or any other Act, may be obligated*
9 *or expended by the Secretary of Defense to provide motor-*
10 *ized vehicles, aviation platforms, munitions other than*
11 *small arms and munitions appropriate for customary cere-*
12 *monial honors, operational military units, or operational*
13 *military platforms if the Secretary determines that pro-*
14 *viding such units, platforms, or equipment would under-*
15 *mine the readiness of such units, platforms, or equipment.*

16 *SEC. 8112. The Secretary of Defense may obligate and*
17 *expend funds made available under this Act for procure-*
18 *ment or for research, development, test and evaluation for*
19 *the F-35 Joint Strike Fighter to modify up to six F-35*
20 *aircraft, including up to two F-35 aircraft of each variant,*
21 *to a test configuration: Provided, That the Secretary of De-*
22 *fense shall, with the concurrence of the Secretary of the Air*
23 *Force and the Secretary of the Navy, notify the congres-*
24 *sional defense committees not fewer than 30 days prior to*
25 *obligating and expending funds under this section: Provided*

1 *further, That any transfer of funds pursuant to the author-*
2 *ity provided in this section shall be made in accordance*
3 *with section 8005 of this Act: Provided further, That air-*
4 *craft referred to previously in this section are not addi-*
5 *tional to aircraft referred to in section 8135 of the Depart-*
6 *ment of Defense Appropriations Act, 2019, section 8126 of*
7 *the Department of Defense Appropriations Act, 2020, and*
8 *section 8122 of the Department of Defense Appropriations*
9 *Act, 2021.*

10 *SEC. 8113. (a) None of the funds made available by*
11 *this or any other Act may be used to enter into a contract,*
12 *memorandum of understanding, or cooperative agreement*
13 *with, make a grant to, or provide a loan or loan guarantee*
14 *to any corporation that has any unpaid Federal tax liabil-*
15 *ity that has been assessed, for which all judicial and admin-*
16 *istrative remedies have been exhausted or have lapsed, and*
17 *that is not being paid in a timely manner pursuant to an*
18 *agreement with the authority responsible for collecting such*
19 *tax liability, provided that the applicable Federal agency*
20 *is aware of the unpaid Federal tax liability.*

21 *(b) Subsection (a) shall not apply if the applicable*
22 *Federal agency has considered suspension or debarment of*
23 *the corporation described in such subsection and has made*
24 *a determination that such suspension or debarment is not*
25 *necessary to protect the interests of the Federal Government.*

1 *SEC. 8114. None of the funds appropriated or other-*
2 *wise made available by this Act may be used to transfer*
3 *the National Reconnaissance Office to the Space Force: Pro-*
4 *vided, That nothing in this Act shall be construed to limit*
5 *or prohibit cooperation, collaboration, and coordination be-*
6 *tween the National Reconnaissance Office and the Space*
7 *Force or any other elements of the Department of Defense.*

8 *SEC. 8115. None of the funds appropriated or other-*
9 *wise made available by this Act may be used to transfer*
10 *any element of the Department of the Army, the Depart-*
11 *ment of the Navy, or a Department of Defense agency to*
12 *the Space Force unless, concurrent with the fiscal year 2023*
13 *budget submission (as submitted to Congress pursuant to*
14 *section 1105 of title 31, United States Code), the Secretary*
15 *of Defense, not to be delegated, provides a report to the Com-*
16 *mittees on Appropriations of the House of Representatives*
17 *and the Senate, detailing any plans to transfer appropriate*
18 *space elements of the Department of the Army, the Depart-*
19 *ment of the Navy, or a Department of Defense agency to*
20 *the Space Force and certifies in writing to the Committees*
21 *on Appropriations of the House of Representatives and the*
22 *Senate that such transfer is consistent with the mission of*
23 *the Space Force and will not have an adverse impact on*
24 *the Department or agency from which such element is being*
25 *transferred: Provided, That such report shall include fiscal*

1 *year 2023 budget and future years defense program adjust-*
2 *ments associated with such planned transfers.*

3 *SEC. 8116. None of the funds appropriated or other-*
4 *wise made available by this Act may be used to establish*
5 *a field operating agency of the Space Force.*

6 *SEC. 8117. During fiscal year 2022, the monetary lim-*
7 *itation imposed by section 2208(l)(3) of title 10, United*
8 *States Code may be exceeded by up to \$1,000,000,000.*

9 *SEC. 8118. Funds appropriated in title I of this Act*
10 *under headings for “Military Personnel” may be used for*
11 *expenses described therein for members of the Space Force*
12 *on active duty: Provided, That amounts appropriated*
13 *under such headings may be used for payments pursuant*
14 *to section 156 of Public Law 97–377, as amended (42*
15 *U.S.C. 402 note), and to the Department of Defense Mili-*
16 *tary Retirement Fund.*

17 *SEC. 8119. (a) Amounts appropriated under title IV*
18 *of this Act, as detailed in budget activity eight of the tables*
19 *in the explanatory statement regarding this Act, may be*
20 *used for expenses for the agile research, development, test*
21 *and evaluation, procurement, production, modification,*
22 *and operation and maintenance, only for the following Soft-*
23 *ware and Digital Technology Pilot programs—*

24 *(1) Defensive Cyber—Software Prototype Devel-*
25 *opment (PE 0608041A);*

1 (2) *Risk Management Information (PE*
2 *0608013N)*;

3 (3) *Maritime Tactical Command Control (PE*
4 *0608231N)*;

5 (4) *JSpOC Mission System (PE 1203614SF)*;

6 (5) *National Background Investigation Services*
7 *(PE 0608197V)*;

8 (6) *Global Command and Control System-Joint*
9 *(PE 0308150K)*;

10 (7) *Algorithmic Warfare Cross Functional Team*
11 *(PE 0308588D8Z)*; and

12 (8) *Acquisition Visibility (PE 0608648D8Z)*.

13 (b) *None of the funds appropriated by this or prior*
14 *Department of Defense Appropriations Acts may be obli-*
15 *gated or expended to initiate additional Software and Dig-*
16 *ital Technology Pilot Programs in fiscal year 2022.*

17 *SEC. 8120. Of the amounts appropriated in this Act*
18 *under the heading “Operation and Maintenance, Defense-*
19 *Wide”, \$75,000,000, to remain available until September*
20 *30, 2025: Provided, That such funds shall only be available*
21 *to the Secretary of Defense, acting through the Office of*
22 *Local Defense Community Cooperation of the Department*
23 *of Defense, to make grants to communities impacted by*
24 *military aviation noise for the purpose of installing noise*
25 *mitigating insulation at covered facilities: Provided further,*

1 *That \$56,250,000 shall be allocated to address programs at*
2 *or near active military installations: Provided further,*
3 *That \$18,750,000 shall be allocated for programs at or near*
4 *reserve component installations, of which \$5,000,000 shall*
5 *be for grants to communities for which a nearby military*
6 *installation has transitioned to a new type or model of air-*
7 *craft after January 1, 2019: Provided further, That, to be*
8 *eligible to receive a grant under the program, a community*
9 *must enter into an agreement with the Secretary under*
10 *which the community prioritizes the use of funds for the*
11 *installation of noise mitigation at covered facilities in the*
12 *community: Provided further, That as a condition of receiv-*
13 *ing funds under this section a State or local entity shall*
14 *provide a matching share of ten percent: Provided further,*
15 *That grants under the program may be used to meet the*
16 *Federal match requirement under the airport improvement*
17 *program established under subchapter I of chapter 471 and*
18 *subchapter I of chapter 475 of title 49, United States Code:*
19 *Provided further, That, in carrying out the program, the*
20 *Secretary of Defense shall coordinate with the Secretary of*
21 *Transportation to minimize duplication of efforts with any*
22 *other noise mitigation program compliant with part 150*
23 *of title 14, Code of Federal Regulations: Provided further,*
24 *That, in this section, the term “covered facilities” means*
25 *hospitals, daycare facilities, schools, facilities serving senior*

1 *citizens, and private residences that are located within one*
2 *mile or a day-night average sound level of 65 or greater*
3 *of a military installation or another location at which mili-*
4 *tary aircraft are stationed or are located in an area im-*
5 *pacted by military aviation noise within one mile or a day-*
6 *night average sound level of 65 or greater, as determined*
7 *by the Department of Defense or Federal Aviation Adminis-*
8 *tration noise modeling programs.*

9 *SEC. 8121. None of the funds made available in this*
10 *Act may be used in contravention of the following laws en-*
11 *acted or regulations promulgated to implement the United*
12 *Nations Convention Against Torture and Other Cruel, In-*
13 *human or Degrading Treatment or Punishment (done at*
14 *New York on December 10, 1984):*

15 *(1) Section 2340A of title 18, United States*
16 *Code.*

17 *(2) Section 2242 of the Foreign Affairs Reform*
18 *and Restructuring Act of 1998 (division G of Public*
19 *Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231*
20 *note) and regulations prescribed thereto, including*
21 *regulations under part 208 of title 8, Code of Federal*
22 *Regulations, and part 95 of title 22, Code of Federal*
23 *Regulations.*

24 *(3) Sections 1002 and 1003 of the Department of*
25 *Defense, Emergency Supplemental Appropriations to*

1 *Address Hurricanes in the Gulf of Mexico, and Pan-*
2 *demic Influenza Act, 2006 (Public Law 109–148).*

3 *SEC. 8122. During the current fiscal year, the Depart-*
4 *ment of Defense is authorized to incur obligations of not*
5 *to exceed \$350,000,000 for purposes specified in section*
6 *2350j(c) of title 10, United States Code, in anticipation of*
7 *receipt of contributions, only from the Government of Ku-*
8 *wait, under that section: Provided, That, upon receipt, such*
9 *contributions from the Government of Kuwait shall be cred-*
10 *ited to the appropriations or fund which incurred such obli-*
11 *gations.*

12 *SEC. 8123. The Secretary of Defense shall notify the*
13 *congressional defense committees in writing not more than*
14 *30 days after the receipt of any contribution of funds re-*
15 *ceived from the government of a foreign country for any*
16 *purpose relating to the stationing or operations of the*
17 *United States Armed Forces: Provided, That such notifica-*
18 *tion shall include the amount of the contribution; the pur-*
19 *pose for which such contribution was made; and the author-*
20 *ity under which such contribution was accepted by the Sec-*
21 *retary of Defense: Provided further, That not fewer than*
22 *15 days prior to obligating such funds, the Secretary of De-*
23 *fense shall submit to the congressional defense committees*
24 *in writing a notification of the planned use of such con-*
25 *tributions, including whether such contributions would sup-*

1 *port existing or new stationing or operations of the United*
2 *States Armed Forces.*

3 *SEC. 8124. From funds made available in title II of*
4 *this Act, the Secretary of Defense may purchase for use by*
5 *military and civilian employees of the Department of De-*
6 *fense in the United States Central Command area of re-*
7 *sponsibility: (1) passenger motor vehicles up to a limit of*
8 *\$75,000 per vehicle; and (2) heavy and light armored vehi-*
9 *cles for the physical security of personnel or for force protec-*
10 *tion purposes up to a limit of \$450,000 per vehicle, notwith-*
11 *standing price or other limitations applicable to the pur-*
12 *chase of passenger carrying vehicles.*

13 *SEC. 8125. None of the funds made available by this*
14 *Act may be used in contravention of the War Powers Reso-*
15 *lution (50 U.S.C. 1541 et seq.).*

16 *SEC. 8126. None of the funds made available by this*
17 *Act may be used with respect to Iraq in contravention of*
18 *the War Powers Resolution (50 U.S.C. 1541 et seq.), includ-*
19 *ing for the introduction of United States Armed Forces into*
20 *hostilities in Iraq, into situations in Iraq where imminent*
21 *involvement in hostilities is clearly indicated by the cir-*
22 *cumstances, or into Iraqi territory, airspace, or waters*
23 *while equipped for combat, in contravention of the congres-*
24 *sional consultation and reporting requirements of sections*
25 *3 and 4 of such Resolution (50 U.S.C. 1542 and 1543).*

1 *SEC. 8127. None of the funds made available by this*
2 *Act may be used with respect to Syria in contravention of*
3 *the War Powers Resolution (50 U.S.C. 1541 et seq.), includ-*
4 *ing for the introduction of United States armed or military*
5 *forces into hostilities in Syria, into situations in Syria*
6 *where imminent involvement in hostilities is clearly indi-*
7 *cated by the circumstances, or into Syrian territory, air-*
8 *space, or waters while equipped for combat, in contraven-*
9 *tion of the congressional consultation and reporting require-*
10 *ments of sections 3 and 4 of that law (50 U.S.C. 1542 and*
11 *1543).*

12 *SEC. 8128. Nothing in this Act may be construed as*
13 *authorizing the use of force against Iran or the Democratic*
14 *People's Republic of Korea.*

15 *SEC. 8129. None of the funds appropriated or other-*
16 *wise made available by this or any other Act shall be obli-*
17 *gated or expended by the United States Government for a*
18 *purpose as follows:*

19 *(1) To establish any military installation or base*
20 *for the purpose of providing for the permanent sta-*
21 *tioning of United States Armed Forces in Iraq.*

22 *(2) To exercise United States control over any*
23 *oil resource of Iraq or Syria.*

24 *SEC. 8130. None of the funds made available by this*
25 *Act under the heading "Counter-ISIS Train and Equip*

1 *Fund*”, and under the heading “*Operation and Maintenance, Defense-Wide*” for Department of Defense security
2 cooperation grant programs, may be used to procure or
3 transfer man-portable air defense systems.

5 *SEC. 8131. None of the funds made available by this*
6 *Act for excess defense articles, assistance under section 333*
7 *of title 10, United States Code, or peacekeeping operations*
8 *for the countries designated annually to be in violation of*
9 *the standards of the Child Soldiers Prevention Act of 2008*
10 *(Public Law 110–457; 22 U.S.C. 2370c–1) may be used to*
11 *support any military training or operation that includes*
12 *child soldiers, as defined by the Child Soldiers Prevention*
13 *Act of 2008, unless such assistance is otherwise permitted*
14 *under section 404 of the Child Soldiers Prevention Act of*
15 *2008.*

16 *SEC. 8132. None of the funds made available by this*
17 *Act may be made available for any member of the Taliban.*

18 *SEC. 8133. Notwithstanding any other provision of*
19 *law, any transfer of funds, appropriated or otherwise made*
20 *available by this Act, for support to friendly foreign coun-*
21 *tries in connection with the conduct of operations in which*
22 *the United States is not participating, pursuant to section*
23 *331(d) of title 10, United States Code, shall be made in*
24 *accordance with section 8005 of this Act.*

1 *SEC. 8134. Funds appropriated in this Act under the*
2 *heading “Operation and Maintenance, Defense-Wide”, for*
3 *the Defense Security Cooperation Agency, may be used, not-*
4 *withstanding any other provision of law, to provide sup-*
5 *plies, services, transportation, including airlift and sealift,*
6 *and other logistical support to coalition forces to counter*
7 *the Islamic State of Iraq and Syria: Provided, That the*
8 *Secretary of Defense shall provide quarterly reports to the*
9 *congressional defense committees regarding support pro-*
10 *vided under this section.*

11 *SEC. 8135. Of the amounts appropriated in this Act*
12 *under the heading “Operation and Maintenance, Defense-*
13 *Wide”, for the Defense Security Cooperation Agency,*
14 *\$1,299,386,000, to remain available until September 30,*
15 *2023, shall be available for International Security Coopera-*
16 *tion Programs and other programs to provide support and*
17 *assistance to foreign security forces or other groups or indi-*
18 *viduals to conduct, support or facilitate counterterrorism,*
19 *crisis response, or building partner capacity programs:*
20 *Provided, That the Secretary of Defense shall, not less than*
21 *15 days prior to obligating funds made available in this*
22 *section, notify the congressional defense committees in writ-*
23 *ing of the details of any planned obligation: Provided fur-*
24 *ther, That the Secretary of Defense shall provide quarterly*
25 *reports to the Committees on Appropriations of the House*

1 *of Representatives and the Senate on the use and status of*
2 *funds made available in this section.*

3 *SEC. 8136. Of the amounts appropriated in this Act*
4 *under the heading “Operation and Maintenance, Defense-*
5 *Wide”, for the Defense Security Cooperation Agency,*
6 *\$50,000,000, to remain available until September 30, 2023,*
7 *shall be for payments to reimburse key cooperating nations*
8 *for logistical, military, and other support, including access,*
9 *provided to United States military and stability operations*
10 *in Afghanistan and to counter the Islamic State of Iraq*
11 *and Syria: Provided, That such reimbursement payments*
12 *may be made in such amounts as the Secretary of Defense,*
13 *with the concurrence of the Secretary of State, and in con-*
14 *sultation with the Director of the Office of Management and*
15 *Budget, may determine, based on documentation deter-*
16 *mined by the Secretary of Defense to adequately account*
17 *for the support provided, and such determination is final*
18 *and conclusive upon the accounting officers of the United*
19 *States, and 15 days following written notification to the*
20 *appropriate congressional committees: Provided further,*
21 *That these funds may be used for the purpose of providing*
22 *specialized training and procuring supplies and specialized*
23 *equipment and providing such supplies and loaning such*
24 *equipment on a non-reimbursable basis to coalition forces*
25 *supporting United States military and stability operations*

1 *in Afghanistan and to counter the Islamic State of Iraq*
2 *and Syria, and 15 days following written notification to*
3 *the appropriate congressional committees: Provided further,*
4 *That the Secretary of Defense shall provide quarterly re-*
5 *ports to the Committees on Appropriations of the House of*
6 *Representatives and the Senate on the use and status of*
7 *funds made available in this section.*

8 *SEC. 8137. Of the amounts appropriated in this Act*
9 *under the heading “Operation and Maintenance, Defense-*
10 *Wide”, for the Defense Security Cooperation Agency,*
11 *\$370,000,000, to remain available until September 30,*
12 *2023, shall be available to reimburse Jordan, Lebanon,*
13 *Egypt, Tunisia, and Oman under section 1226 of the Na-*
14 *tional Defense Authorization Act for Fiscal Year 2016 (22*
15 *U.S.C. 2151 note), for enhanced border security, of which*
16 *not less than \$150,000,000 shall be for Jordan: Provided,*
17 *That the Secretary of Defense shall, not less than 15 days*
18 *prior to obligating funds made available in this section, no-*
19 *tify the congressional defense committees in writing of the*
20 *details of any planned obligation and the nature of the ex-*
21 *penses incurred: Provided further, That the Secretary of De-*
22 *fense shall provide quarterly reports to the Committees on*
23 *Appropriations of the House of Representatives and the*
24 *Senate on the use and status of funds made available in*
25 *this section.*

1 *SEC. 8138. Up to \$500,000,000 of funds appropriated*
2 *by this Act for the Defense Security Cooperation Agency*
3 *in “Operation and Maintenance, Defense-Wide” may be*
4 *used to provide assistance to the Government of Jordan to*
5 *support the armed forces of Jordan and to enhance security*
6 *along its borders.*

7 *SEC. 8139. Of the amounts appropriated in this Act*
8 *under the heading “Operation and Maintenance, Defense-*
9 *Wide”, for the Defense Security Cooperation Agency,*
10 *\$300,000,000, to remain available until September 30,*
11 *2023, shall be for the Ukraine Security Assistance Initia-*
12 *tive: Provided, That such funds shall be available to the Sec-*
13 *retary of Defense, with the concurrence of the Secretary of*
14 *State, to provide assistance, including training; equipment;*
15 *lethal assistance; logistics support, supplies and services;*
16 *salaries and stipends; sustainment; and intelligence support*
17 *to the military and national security forces of Ukraine, and*
18 *to other forces or groups recognized by and under the au-*
19 *thority of the Government of Ukraine, including govern-*
20 *mental entities within Ukraine, engaged in resisting Rus-*
21 *sian aggression against Ukraine, for replacement of any*
22 *weapons or articles provided to the Government of Ukraine*
23 *from the inventory of the United States, and to recover or*
24 *dispose of equipment procured using funds made available*
25 *in this section in this or prior Acts: Provided further, That*

1 *such funds may be obligated and expended notwithstanding*
2 *section 1250 of the National Defense Authorization Act for*
3 *Fiscal Year 2016 (Public Law 114-92): Provided further,*
4 *That the Secretary of Defense shall, not less than 15 days*
5 *prior to obligating funds made available in this section (or*
6 *if the Secretary of Defense determines, on a case-by-case*
7 *basis, that extraordinary circumstances exist that impact*
8 *the national security of the United States, as far in advance*
9 *as is practicable) notify the congressional defense commit-*
10 *tees in writing of the details of any such obligation: Pro-*
11 *vided further, That the Secretary of Defense shall, not more*
12 *than 60 days after such notification is made, inform such*
13 *committees if such funds have not been obligated and the*
14 *reasons therefor: Provided further, That the Secretary of De-*
15 *fense shall consult with such committees in advance of the*
16 *provision of support provided to other forces or groups rec-*
17 *ognized by and under the authority of the Government of*
18 *Ukraine: Provided further, That the United States may ac-*
19 *cept equipment procured using funds made available in this*
20 *section in this or prior Acts transferred to the security*
21 *forces of Ukraine and returned by such forces to the United*
22 *States: Provided further, That equipment procured using*
23 *funds made available in this section in this or prior Acts,*
24 *and not yet transferred to the military or national security*
25 *forces of Ukraine or to other assisted entities, or returned*

1 *by such forces or other assisted entities to the United States,*
2 *may be treated as stocks of the Department of Defense upon*
3 *written notification to the congressional defense committees:*
4 *Provided further, That the Secretary of Defense shall pro-*
5 *vide quarterly reports to the congressional defense commit-*
6 *tees on the use and status of funds made available in this*
7 *section.*

8 *SEC. 8140. (a) None of the funds appropriated or oth-*
9 *erwise made available by this or any other Act may be used*
10 *by the Secretary of Defense, or any other official or officer*
11 *of the Department of Defense, to enter into a contract,*
12 *memorandum of understanding, or cooperative agreement*
13 *with, or make a grant to, or provide a loan or loan guar-*
14 *antee to Rosoboronexport or any subsidiary of*
15 *Rosoboronexport.*

16 *(b) The Secretary of Defense may waive the limitation*
17 *in subsection (a) if the Secretary, in consultation with the*
18 *Secretary of State and the Director of National Intelligence,*
19 *determines that it is in the vital national security interest*
20 *of the United States to do so, and certifies in writing to*
21 *the congressional defense committees that—*

22 *(1) Rosoboronexport has ceased the transfer of le-*
23 *thal military equipment to, and the maintenance of*
24 *existing lethal military equipment for, the Govern-*
25 *ment of the Syrian Arab Republic;*

1 (2) *the armed forces of the Russian Federation*
2 *have withdrawn from Crimea, other than armed*
3 *forces present on military bases subject to agreements*
4 *in force between the Government of the Russian Fed-*
5 *eration and the Government of Ukraine; and*

6 (3) *agents of the Russian Federation have ceased*
7 *taking active measures to destabilize the control of the*
8 *Government of Ukraine over eastern Ukraine.*

9 (c) *The Inspector General of the Department of Defense*
10 *shall conduct a review of any action involving*
11 *Rosoboronexport with respect to a waiver issued by the Sec-*
12 *retary of Defense pursuant to subsection (b), and not later*
13 *than 90 days after the date on which such a waiver is issued*
14 *by the Secretary of Defense, the Inspector General shall sub-*
15 *mit to the congressional defense committees a report con-*
16 *taining the results of the review conducted with respect to*
17 *such waiver.*

18 SEC. 8141. *None of the funds made available by this*
19 *Act may be used to provide arms, training, or other assist-*
20 *ance to the Azov Battalion.*

21 SEC. 8142. *In addition to amounts provided elsewhere*
22 *in this Act, there is appropriated \$1,000,000,000, for an*
23 *additional amount for “Procurement, Defense-Wide”, to re-*
24 *main available until September 30, 2024, which shall be*
25 *for the Secretary of Defense to provide to the Government*

1 *of Israel for the procurement of the Iron Dome defense sys-*
2 *tem to counter short-range rocket threats: Provided, That*
3 *such funds shall be transferred pursuant to an exchange of*
4 *letters and are in addition to funds provided pursuant to*
5 *the U.S.-Israel Iron Dome Procurement Agreement, as*
6 *amended: Provided further, That nothing in the preceding*
7 *proviso shall be construed to apply to appropriations in*
8 *this or prior Acts for the procurement of the Iron Dome*
9 *defense system.*

10 *SEC. 8143. None of the funds appropriated or other-*
11 *wise made available by this Act may be used in contraven-*
12 *tion of the First Amendment of the Constitution.*

13 *SEC. 8144. None of the funds appropriated or made*
14 *available in this Act shall be used to support any activity*
15 *conducted by, or associated with, the Wuhan Institute of*
16 *Virology.*

17 *SEC. 8145. None of the funds appropriated or other-*
18 *wise made available in this or any other Act may be used*
19 *to transfer, release, or assist in the transfer or release to*
20 *or within the United States, its territories, or possessions*
21 *Khalid Sheikh Mohammed or any other detainee who—*

22 *(1) is not a United States citizen or a member*
23 *of the Armed Forces of the United States; and*

1 (2) *is or was held on or after June 24, 2009, at*
2 *United States Naval Station, Guantánamo Bay,*
3 *Cuba, by the Department of Defense.*

4 *SEC. 8146. None of the funds appropriated or other-*
5 *wise made available in this Act may be used to transfer*
6 *any individual detained at United States Naval Station*
7 *Guantánamo Bay, Cuba, to the custody or control of the*
8 *individual's country of origin, any other foreign country,*
9 *or any other foreign entity except in accordance with sec-*
10 *tion 1034 of the National Defense Authorization Act for Fis-*
11 *cal Year 2016 (Public Law 114–92) and section 1035 of*
12 *the John S. McCain National Defense Authorization Act for*
13 *Fiscal Year 2019 (Public Law 115–232).*

14 *SEC. 8147. (a) None of the funds appropriated or oth-*
15 *erwise made available in this or any other Act may be used*
16 *to construct, acquire, or modify any facility in the United*
17 *States, its territories, or possessions to house any individual*
18 *described in subsection (c) for the purposes of detention or*
19 *imprisonment in the custody or under the effective control*
20 *of the Department of Defense.*

21 *(b) The prohibition in subsection (a) shall not apply*
22 *to any modification of facilities at United States Naval*
23 *Station, Guantánamo Bay, Cuba.*

1 (c) *An individual described in this subsection is any*
2 *individual who, as of June 24, 2009, is located at United*
3 *States Naval Station, Guantánamo Bay, Cuba, and who—*

4 (1) *is not a citizen of the United States or a*
5 *member of the Armed Forces of the United States; and*

6 (2) *is—*

7 (A) *in the custody or under the effective*
8 *control of the Department of Defense; or*

9 (B) *otherwise under detention at United*
10 *States Naval Station, Guantánamo Bay, Cuba.*

11 *SEC. 8148. None of the funds made available by this*
12 *Act may be used to carry out the closure or realignment*
13 *of the United States Naval Station, Guantánamo Bay,*
14 *Cuba.*

15 *SEC. 8149. Section 165 of the Continuing Appropria-*
16 *tions Act, 2022 (division A of Public Law 117–43) shall*
17 *be amended by striking “\$53,000,000” and inserting*
18 *“\$85,250,000”.*

19 *SEC. 8150. In addition to amounts otherwise made*
20 *available, there is appropriated \$100,000,000 to the Depart-*
21 *ment of Defense, to remain available until expended, for*
22 *the same purposes and under the same authorities and con-*
23 *ditions as amounts made available in section 165(c) of the*
24 *Continuing Appropriations Act, 2022 (division A of Public*
25 *Law 117–43).*

1 *SEC. 8151. (a) COMMISSION ON PLANNING, PROGRAM-*
2 *MING, BUDGETING, AND EXECUTION REFORM.—Section*
3 *1004 of the National Defense Authorization Act for Fiscal*
4 *Year 2022 (Public Law 117–81; 135 Stat. 1884) is amend-*
5 *ed—*

6 (1) *in subsection (a)(2), by striking “not later”;*
7 *and*

8 (2) *in subsection (b)—*

9 (A) *in paragraph (3), by striking “30” and*
10 *inserting “45”; and*

11 (B) *in paragraph (4), by striking “sub-*
12 *section (a)(2)” and inserting “paragraph (3)”.*

13 (b) *AFGHANISTAN WAR COMMISSION.—Section 1094 of*
14 *the National Defense Authorization Act for Fiscal Year*
15 *2022 (Public Law 117–81; 135 Stat. 1942) is amended—*

16 (1) *in subsection (c)(2)(D)(i), by striking “60”*
17 *and inserting “90”; and*

18 (2) *in subsection (f)(5)(B)(ii), by striking “sub-*
19 *section (g)(1)” and inserting “clause (i)”.*

20 (c) *CONGRESSIONAL COMMISSION ON THE STRATEGIC*
21 *POSTURE OF THE UNITED STATES.—Section 1687 of the*
22 *National Defense Authorization Act for Fiscal Year 2022*
23 *(Public Law 117–81; 135 Stat. 2126) is amended—*

24 (1) *in subsection (b)—*

1 (A) in paragraph (2)(A)(ii), by inserting
2 “(other than experts or consultants the services of
3 which are procured under section 3109 of title 5,
4 United States Code)” after “Federal Govern-
5 ment”; and

6 (B) in paragraph (3)(A), by striking “45
7 days after the date of the enactment of this Act”
8 and inserting “April 11, 2022”; and

9 (2) in subsection (d)(1), by striking “December
10 31, 2022” and inserting “February 28, 2023”.

11 This division may be cited as the “Department of De-
12 fense Appropriations Act, 2022”.

1 ***DIVISION D—ENERGY AND WATER DEVEL-***
2 ***OPMENT AND RELATED AGENCIES AP-***
3 ***PROPRIATIONS ACT, 2022***

4 *TITLE I*

5 *CORPS OF ENGINEERS—CIVIL*

6 *DEPARTMENT OF THE ARMY*

7 *CORPS OF ENGINEERS—CIVIL*

8 *The following appropriations shall be expended under*
9 *the direction of the Secretary of the Army and the super-*
10 *vision of the Chief of Engineers for authorized civil func-*
11 *tions of the Department of the Army pertaining to river*
12 *and harbor, flood and storm damage reduction, shore pro-*
13 *tection, aquatic ecosystem restoration, and related efforts.*

14 *INVESTIGATIONS*

15 *For expenses necessary where authorized by law for the*
16 *collection and study of basic information pertaining to*
17 *river and harbor, flood and storm damage reduction, shore*
18 *protection, aquatic ecosystem restoration, and related needs;*
19 *for surveys and detailed studies, and plans and specifica-*
20 *tions of proposed river and harbor, flood and storm damage*
21 *reduction, shore protection, and aquatic ecosystem restora-*
22 *tion projects, and related efforts prior to construction; for*
23 *restudy of authorized projects; and for miscellaneous inves-*
24 *tigations, and, when authorized by law, surveys and de-*
25 *tailed studies, and plans and specifications of projects prior*

1 *to construction, \$143,000,000, to remain available until ex-*
2 *pended: Provided, That the Secretary shall not deviate from*
3 *the work plan, once the plan has been submitted to the Com-*
4 *mittees on Appropriations of both Houses of Congress.*

5 *CONSTRUCTION*

6 *For expenses necessary for the construction of river*
7 *and harbor, flood and storm damage reduction, shore pro-*
8 *tection, aquatic ecosystem restoration, and related projects*
9 *authorized by law; for conducting detailed studies, and*
10 *plans and specifications, of such projects (including those*
11 *involving participation by States, local governments, or*
12 *private groups) authorized or made eligible for selection by*
13 *law (but such detailed studies, and plans and specifications,*
14 *shall not constitute a commitment of the Government to*
15 *construction); \$2,492,800,000, to remain available until ex-*
16 *pended; of which \$97,539,000, to be derived from the Harbor*
17 *Maintenance Trust Fund, shall be to cover the Federal share*
18 *of construction costs for facilities under the Dredged Mate-*
19 *rial Disposal Facilities program; and of which such sums*
20 *as are necessary to cover 35 percent of the costs of construc-*
21 *tion, replacement, rehabilitation, and expansion of inland*
22 *waterways projects shall be derived from the Inland Water-*
23 *ways Trust Fund, except as otherwise specifically provided*
24 *for in law: Provided, That the Secretary shall not deviate*
25 *from the work plan, once the plan has been submitted to*

1 *the Committees on Appropriations of both Houses of Con-*
2 *gress.*

3 *MISSISSIPPI RIVER AND TRIBUTARIES*

4 *For expenses necessary for flood damage reduction*
5 *projects and related efforts in the Mississippi River alluvial*
6 *valley below Cape Girardeau, Missouri, as authorized by*
7 *law, \$370,000,000, to remain available until expended, of*
8 *which \$10,312,000, to be derived from the Harbor Mainte-*
9 *nance Trust Fund, shall be to cover the Federal share of*
10 *eligible operation and maintenance costs for inland harbors:*
11 *Provided, That the Secretary shall not deviate from the*
12 *work plan, once the plan has been submitted to the Commit-*
13 *tees on Appropriations of both Houses of Congress.*

14 *OPERATION AND MAINTENANCE*

15 *For expenses necessary for the operation, maintenance,*
16 *and care of existing river and harbor, flood and storm dam-*
17 *age reduction, aquatic ecosystem restoration, and related*
18 *projects authorized by law; providing security for infra-*
19 *structure owned or operated by the Corps, including admin-*
20 *istrative buildings and laboratories; maintaining harbor*
21 *channels provided by a State, municipality, or other public*
22 *agency that serve essential navigation needs of general com-*
23 *merce, where authorized by law; surveying and charting*
24 *northern and northwestern lakes and connecting waters;*
25 *clearing and straightening channels; and removing obstruc-*

1 tions to navigation, \$4,570,000,000, to remain available
2 until expended, of which \$1,941,442,000, to be derived from
3 the Harbor Maintenance Trust Fund, shall be to cover the
4 Federal share of eligible operations and maintenance costs
5 for coastal harbors and channels, and for inland harbors;
6 of which such sums as become available from the special
7 account for the Corps of Engineers established by the Land
8 and Water Conservation Fund Act of 1965 shall be derived
9 from that account for resource protection, research, inter-
10 pretation, and maintenance activities related to resource
11 protection in the areas at which outdoor recreation is avail-
12 able; of which such sums as become available from fees col-
13 lected under section 217 of Public Law 104–303 shall be
14 used to cover the cost of operation and maintenance of the
15 dredged material disposal facilities for which such fees have
16 been collected; and of which \$50,000,000, to be derived from
17 the general fund of the Treasury, shall be to carry out sub-
18 section (c) of section 2106 of the Water Resources Reform
19 and Development Act of 2014 (33 U.S.C. 2238c) and shall
20 be designated as being for such purpose pursuant to para-
21 graph (2)(B) of section 14003 of division B of the
22 Coronavirus Aid, Relief, and Economic Security Act (Pub-
23 lic Law 116–136): Provided, That 1 percent of the total
24 amount of funds provided for each of the programs, projects,
25 or activities funded under this heading shall not be allo-

1 cated to a field operating activity prior to the beginning
2 of the fourth quarter of the fiscal year and shall be available
3 for use by the Chief of Engineers to fund such emergency
4 activities as the Chief of Engineers determines to be nec-
5 essary and appropriate, and that the Chief of Engineers
6 shall allocate during the fourth quarter any remaining
7 funds which have not been used for emergency activities
8 proportionally in accordance with the amounts provided for
9 the programs, projects, or activities: Provided further, That
10 the Secretary shall not deviate from the work plan, once
11 the plan has been submitted to the Committees on Appro-
12 priations of both Houses of Congress: Provided further, That
13 none of the funds provided under this heading in this Act
14 may be used for the projects specified in the table referenced
15 in the succeeding proviso: Provided further, That in addi-
16 tion to any amounts otherwise available for necessary ex-
17 penses to dredge Federal navigation projects in response to,
18 and repair damages to Corps of Engineers Federal projects
19 caused by, natural disasters, available amounts provided
20 under the heading “Operation and Maintenance” in title
21 IV of the Disaster Relief Supplemental Appropriations Act,
22 2022 shall be used for such purposes in the amounts speci-
23 fied and for the projects specified in the table titled “Corps
24 of Engineers—Damage Repairs” in the explanatory state-
25 ment described in section 4 (in the matter preceding divi-

1 sion A of this consolidated Act): Provided further, That ex-
2 penditures made or obligations incurred under the heading
3 “Corps of Engineers—Civil—Operation and Maintenance”
4 pursuant to the Continuing Appropriations Act, 2022 for
5 necessary expenses to dredge Federal navigation projects in
6 response to, and repair damages to Corps of Engineers Fed-
7 eral projects caused by, natural disasters shall be charged
8 to available amounts provided under the heading “Oper-
9 ation and Maintenance” in title IV of the Disaster Relief
10 Supplemental Appropriations Act, 2022, consistent with
11 the preceding proviso: Provided further, That each amount
12 repurposed under this heading in this Act that was pre-
13 viously designated by the Congress as an emergency require-
14 ment pursuant to the Balanced Budget and Emergency Def-
15 icit Control Act of 1985 or a concurrent resolution on the
16 budget is designated by the Congress as an emergency re-
17 quirement pursuant to section 4001(a)(1) and section
18 4001(b) of S. Con. Res. 14 (117th Congress), the concurrent
19 resolution on the budget for fiscal year 2022.

20 *REGULATORY PROGRAM*

21 *For expenses necessary for administration of laws per-*
22 *taining to regulation of navigable waters and wetlands,*
23 *\$212,000,000, to remain available until September 30,*
24 *2023.*

1 *FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM*

2 *For expenses necessary to clean up contamination*
3 *from sites in the United States resulting from work per-*
4 *formed as part of the Nation's early atomic energy pro-*
5 *gram, \$300,000,000, to remain available until expended.*

6 *FLOOD CONTROL AND COASTAL EMERGENCIES*

7 *For expenses necessary to prepare for flood, hurricane,*
8 *and other natural disasters and support emergency oper-*
9 *ations, repairs, and other activities in response to such dis-*
10 *asters as authorized by law, \$35,000,000, to remain avail-*
11 *able until expended.*

12 *EXPENSES*

13 *For expenses necessary for the supervision and general*
14 *administration of the civil works program in the head-*
15 *quarters of the Corps of Engineers and the offices of the*
16 *Division Engineers; and for costs of management and oper-*
17 *ation of the Humphreys Engineer Center Support Activity,*
18 *the Institute for Water Resources, the United States Army*
19 *Engineer Research and Development Center, and the*
20 *United States Army Corps of Engineers Finance Center al-*
21 *locable to the civil works program, \$208,000,000, to remain*
22 *available until September 30, 2023, of which not to exceed*
23 *\$5,000 may be used for official reception and representation*
24 *purposes and only during the current fiscal year: Provided,*
25 *That no part of any other appropriation provided in this*

1 *title shall be available to fund the civil works activities of*
2 *the Office of the Chief of Engineers or the civil works execu-*
3 *tive direction and management activities of the division of*
4 *ices: Provided further, That any Flood Control and Coastal*
5 *Emergencies appropriation may be used to fund the super-*
6 *vision and general administration of emergency operations,*
7 *repairs, and other activities in response to any flood, hurri-*
8 *cane, or other natural disaster.*

9 *OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY FOR*
10 *CIVIL WORKS*

11 *For the Office of the Assistant Secretary of the Army*
12 *for Civil Works as authorized by 10 U.S.C. 3016(b)(3),*
13 *\$5,000,000, to remain available until September 30, 2023:*
14 *Provided, That not more than 75 percent of such amount*
15 *may be obligated or expended until the Assistant Secretary*
16 *submits to the Committees on Appropriations of both*
17 *Houses of Congress the report required under section 101(d)*
18 *of this Act and a work plan that allocates at least 95 per-*
19 *cent of the additional funding provided under each heading*
20 *in the explanatory statement described in section 4 (in the*
21 *matter preceding division A of this consolidated Act), to*
22 *specific programs, projects, or activities.*

1 *will be determined for loans financed by appropriations*
2 *provided under this heading in this Act; (2) a comparison*
3 *of the factors that will be considered in estimating subsidy*
4 *rates for loans financed under this heading in this Act with*
5 *factors that will be considered in estimates of subsidy rates*
6 *for other projects authorized by the Water Infrastructure Fi-*
7 *nance and Innovation Act of 2014, including an analysis*
8 *of how both sets of rates will be determined; and (3) an*
9 *analysis of the process for developing draft regulations for*
10 *the Water Infrastructure Finance and Innovation program,*
11 *including a crosswalk from the statutory requirements for*
12 *such program, and a timetable for publishing such regula-*
13 *tions: Provided further, That the use of direct loans or loan*
14 *guarantee authority under this heading for direct loans or*
15 *commitments to guarantee loans for any project shall be*
16 *in accordance with the criteria published in the Federal*
17 *Register on June 30, 2020 (85 FR 39189) pursuant to the*
18 *fourth proviso under the heading “Water Infrastructure Fi-*
19 *nance and Innovation Program Account” in division D of*
20 *the Further Consolidated Appropriations Act, 2020 (Public*
21 *Law 116–94): Provided further, That none of the direct*
22 *loans or loan guarantee authority made available under*
23 *this heading shall be available for any project unless the*
24 *Secretary and the Director of the Office of Management and*
25 *Budget have certified in advance in writing that the direct*

1 *loan or loan guarantee, as applicable, and the project com-*
2 *ply with the criteria referenced in the previous proviso: Pro-*
3 *vided further, That any references to the Environmental*
4 *Protection Agency (EPA) or the Administrator in the cri-*
5 *teria referenced in the previous two provisos shall be deemed*
6 *to be references to the Army Corps of Engineers or the Sec-*
7 *retary of the Army, respectively, for purposes of the direct*
8 *loans or loan guarantee authority made available under*
9 *this heading: Provided further, That for the purposes of car-*
10 *rying out the Congressional Budget Act of 1974, the Direc-*
11 *tor of the Congressional Budget Office may request, and the*
12 *Secretary shall promptly provide, documentation and infor-*
13 *mation relating to a project identified in a Letter of Interest*
14 *submitted to the Secretary pursuant to a Notice of Funding*
15 *Availability for applications for credit assistance under the*
16 *Water Infrastructure Finance and Innovation Act Pro-*
17 *gram, including with respect to a project that was initiated*
18 *or completed before the date of enactment of this Act.*

19 *In addition, fees authorized to be collected pursuant*
20 *to sections 5029 and 5030 of the Water Infrastructure Fi-*
21 *nance and Innovation Act of 2014 shall be deposited in this*
22 *account, to remain available until expended.*

23 *In addition, for administrative expenses to carry out*
24 *the direct and guaranteed loan programs, \$2,200,000, to re-*
25 *main available until September 30, 2023.*

1 *GENERAL PROVISIONS—CORPS OF ENGINEERS—*
2 *CIVIL*
3 *(INCLUDING TRANSFER OF FUNDS)*

4 *SEC. 101. (a) None of the funds provided in title I*
5 *of this Act, or provided by previous appropriations Acts*
6 *to the agencies or entities funded in title I of this Act that*
7 *remain available for obligation or expenditure in fiscal year*
8 *2022, shall be available for obligation or expenditure*
9 *through a reprogramming of funds that:*

10 *(1) creates or initiates a new program, project,*
11 *or activity;*

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

13 *(3) increases funds or personnel for any pro-*
14 *gram, project, or activity for which funds have been*
15 *denied or restricted by this Act, unless prior approval*
16 *is received from the Committees on Appropriations of*
17 *both Houses of Congress;*

18 *(4) proposes to use funds directed for a specific*
19 *activity for a different purpose, unless prior approval*
20 *is received from the Committees on Appropriations of*
21 *both Houses of Congress;*

22 *(5) augments or reduces existing programs,*
23 *projects, or activities in excess of the amounts con-*
24 *tained in paragraphs (6) through (10), unless prior*

1 *approval is received from the Committees on Appro-*
2 *propriations of both Houses of Congress;*

3 (6) *INVESTIGATIONS.—For a base level over*
4 *\$100,000, reprogramming of 25 percent of the base*
5 *amount up to a limit of \$150,000 per project, study*
6 *or activity is allowed: Provided, That for a base level*
7 *less than \$100,000, the reprogramming limit is*
8 *\$25,000: Provided further, That up to \$25,000 may be*
9 *reprogrammed into any continuing study or activity*
10 *that did not receive an appropriation for existing ob-*
11 *ligations and concomitant administrative expenses;*

12 (7) *CONSTRUCTION.—For a base level over*
13 *\$2,000,000, reprogramming of 15 percent of the base*
14 *amount up to a limit of \$3,000,000 per project, study*
15 *or activity is allowed: Provided, That for a base level*
16 *less than \$2,000,000, the reprogramming limit is*
17 *\$300,000: Provided further, That up to \$3,000,000*
18 *may be reprogrammed for settled contractor claims,*
19 *changed conditions, or real estate deficiency judg-*
20 *ments: Provided further, That up to \$300,000 may be*
21 *reprogrammed into any continuing study or activity*
22 *that did not receive an appropriation for existing ob-*
23 *ligations and concomitant administrative expenses;*

24 (8) *OPERATION AND MAINTENANCE.—Unlimited*
25 *reprogramming authority is granted for the Corps to*

1 *be able to respond to emergencies: Provided, That the*
2 *Chief of Engineers shall notify the Committees on Ap-*
3 *propriations of both Houses of Congress of these emer-*
4 *gency actions as soon thereafter as practicable: Pro-*
5 *vided further, That for a base level over \$1,000,000,*
6 *reprogramming of 15 percent of the base amount up*
7 *to a limit of \$5,000,000 per project, study, or activity*
8 *is allowed: Provided further, That for a base level less*
9 *than \$1,000,000, the reprogramming limit is*
10 *\$150,000: Provided further, That \$150,000 may be re-*
11 *programmed into any continuing study or activity*
12 *that did not receive an appropriation;*

13 (9) *MISSISSIPPI RIVER AND TRIBUTARIES.—The*
14 *reprogramming guidelines in paragraphs (6), (7),*
15 *and (8) shall apply to the Investigations, Construc-*
16 *tion, and Operation and Maintenance portions of the*
17 *Mississippi River and Tributaries Account, respec-*
18 *tively; and*

19 (10) *FORMERLY UTILIZED SITES REMEDIAL AC-*
20 *TION PROGRAM.—Reprogramming of up to 15 percent*
21 *of the base of the receiving project is permitted.*

22 (b) *DE MINIMUS REPROGRAMMINGS.—In no case*
23 *should a reprogramming for less than \$50,000 be submitted*
24 *to the Committees on Appropriations of both Houses of Con-*
25 *gress.*

1 (c) *CONTINUING AUTHORITIES PROGRAM.*—Subsection
2 (a)(1) shall not apply to any project or activity funded
3 under the continuing authorities program.

4 (d) Not later than 60 days after the date of enactment
5 of this Act, the Secretary shall submit a report to the Com-
6 mittees on Appropriations of both Houses of Congress to
7 establish the baseline for application of reprogramming and
8 transfer authorities for the current fiscal year which shall
9 include:

10 (1) A table for each appropriation with a sepa-
11 rate column to display the President's budget request,
12 adjustments made by Congress, adjustments due to
13 enacted rescissions, if applicable, and the fiscal year
14 enacted level; and

15 (2) A delineation in the table for each appro-
16 priation both by object class and program, project
17 and activity as detailed in the budget appendix for
18 the respective appropriations; and

19 (3) An identification of items of special congres-
20 sional interest.

21 SEC. 102. The Secretary shall allocate funds made
22 available in this Act solely in accordance with the provi-
23 sions of this Act and in the explanatory statement described
24 in section 4 (in the matter preceding division A of this con-
25 solidated Act).

1 *SEC. 103. None of the funds made available in this*
2 *title may be used to award or modify any contract that*
3 *commits funds beyond the amounts appropriated for that*
4 *program, project, or activity that remain unobligated, ex-*
5 *cept that such amounts may include any funds that have*
6 *been made available through reprogramming pursuant to*
7 *section 101.*

8 *SEC. 104. The Secretary of the Army may transfer to*
9 *the Fish and Wildlife Service, and the Fish and Wildlife*
10 *Service may accept and expend, up to \$5,400,000 of funds*
11 *provided in this title under the heading “Operation and*
12 *Maintenance” to mitigate for fisheries lost due to Corps of*
13 *Engineers projects.*

14 *SEC. 105. None of the funds in this Act shall be used*
15 *for an open lake placement alternative for dredged material,*
16 *after evaluating the least costly, environmentally acceptable*
17 *manner for the disposal or management of dredged material*
18 *originating from Lake Erie or tributaries thereto, unless it*
19 *is approved under a State water quality certification pur-*
20 *suant to section 401 of the Federal Water Pollution Control*
21 *Act (33 U.S.C. 1341): Provided, That until an open lake*
22 *placement alternative for dredged material is approved*
23 *under a State water quality certification, the Corps of En-*
24 *gineers shall continue upland placement of such dredged*
25 *material consistent with the requirements of section 101 of*

1 *the Water Resources Development Act of 1986 (33 U.S.C.*
2 *2211).*

3 *SEC. 106. None of the funds made available by this*
4 *Act may be used to carry out any water supply reallocation*
5 *study under the Wolf Creek Dam, Lake Cumberland, Ken-*
6 *tucky, project authorized under the Act of July 24, 1946*
7 *(60 Stat. 636, ch. 595).*

8 *SEC. 107. None of the funds made available by this*
9 *Act or any other Act may be used to reorganize or to trans-*
10 *fer the Civil Works functions or authority of the Corps of*
11 *Engineers or the Secretary of the Army to another depart-*
12 *ment or agency.*

13 *SEC. 108. Additional funding provided in this Act*
14 *shall be allocated only to projects determined to be eligible*
15 *by the Chief of Engineers.*

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TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, \$23,000,000, to remain available until expended, of which \$5,000,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission: Provided, That of the amount provided under this heading, \$1,550,000 shall be available until September 30, 2023, for expenses necessary in carrying out related responsibilities of the Secretary of the Interior: Provided further, That for fiscal year 2022, of the amount made available to the Commission under this Act or any other Act, the Commission may use an amount not to exceed \$1,850,000 for administrative expenses.

BUREAU OF RECLAMATION

The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

WATER AND RELATED RESOURCES

(INCLUDING TRANSFERS OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance, and rehabilita-

1 *tion of reclamation and other facilities, participation in*
2 *fulfilling related Federal responsibilities to Native Ameri-*
3 *cans, and related grants to, and cooperative and other*
4 *agreements with, State and local governments, federally rec-*
5 *ognized Indian Tribes, and others, \$1,747,101,000, to re-*
6 *main available until expended, of which \$71,217,000 shall*
7 *be available for transfer to the Upper Colorado River Basin*
8 *Fund and \$19,606,000 shall be available for transfer to the*
9 *Lower Colorado River Basin Development Fund; of which*
10 *such amounts as may be necessary may be advanced to the*
11 *Colorado River Dam Fund: Provided, That \$40,000,000*
12 *shall be available for transfer into the Blackfeet Water Set-*
13 *tlement Implementation Fund established by section 3717*
14 *of Public Law 114–322: Provided further, That \$100,000*
15 *shall be available for transfer into the Aging Infrastructure*
16 *Account established by section 9603(d)(1) of the Omnibus*
17 *Public Land Management Act of 2009, as amended (43*
18 *U.S.C. 510b(d)(1)): Provided further, That such transfers,*
19 *except for the transfer authorized by the preceding proviso,*
20 *may be increased or decreased within the overall appropria-*
21 *tion under this heading: Provided further, That of the total*
22 *appropriated, the amount for program activities that can*
23 *be financed by the Reclamation Fund, the Water Storage*
24 *Enhancement Receipts account established by section*
25 *4011(e) of Public Law 114–322, or the Bureau of Reclama-*

1 *tion special fee account established by 16 U.S.C. 6806 shall*
2 *be derived from that Fund or account: Provided further,*
3 *That funds contributed under 43 U.S.C. 395 are available*
4 *until expended for the purposes for which the funds were*
5 *contributed: Provided further, That funds advanced under*
6 *43 U.S.C. 397a shall be credited to this account and are*
7 *available until expended for the same purposes as the sums*
8 *appropriated under this heading: Provided further, That of*
9 *the amounts made available under this heading,*
10 *\$10,000,000 shall be deposited in the San Gabriel Basin*
11 *Restoration Fund established by section 110 of title I of di-*
12 *vision B of appendix D of Public Law 106-554: Provided*
13 *further, That of the amounts provided herein, funds may*
14 *be used for high-priority projects which shall be carried out*
15 *by the Youth Conservation Corps, as authorized by 16*
16 *U.S.C. 1706: Provided further, That within available funds,*
17 *\$250,000 shall be for grants and financial assistance for*
18 *educational activities.*

19 *CENTRAL VALLEY PROJECT RESTORATION FUND*

20 *For carrying out the programs, projects, plans, habitat*
21 *restoration, improvement, and acquisition provisions of the*
22 *Central Valley Project Improvement Act, \$56,499,000, to be*
23 *derived from such sums as may be collected in the Central*
24 *Valley Project Restoration Fund pursuant to sections*
25 *3407(d), 3404(c)(3), and 3405(f) of Public Law 102-575,*

1 *to remain available until expended: Provided, That the Bu-*
2 *reau of Reclamation is directed to assess and collect the full*
3 *amount of the additional mitigation and restoration pay-*
4 *ments authorized by section 3407(d) of Public Law 102-*
5 *575: Provided further, That none of the funds made avail-*
6 *able under this heading may be used for the acquisition or*
7 *leasing of water for in-stream purposes if the water is al-*
8 *ready committed to in-stream purposes by a court adopted*
9 *decree or order.*

10 *CALIFORNIA BAY-DELTA RESTORATION*
11 *(INCLUDING TRANSFERS OF FUNDS)*

12 *For carrying out activities authorized by the Water*
13 *Supply, Reliability, and Environmental Improvement Act,*
14 *consistent with plans to be approved by the Secretary of*
15 *the Interior, \$33,000,000, to remain available until ex-*
16 *pended, of which such amounts as may be necessary to*
17 *carry out such activities may be transferred to appropriate*
18 *accounts of other participating Federal agencies to carry*
19 *out authorized purposes: Provided, That funds appro-*
20 *priated herein may be used for the Federal share of the costs*
21 *of CALFED Program management: Provided further, That*
22 *CALFED implementation shall be carried out in a bal-*
23 *anced manner with clear performance measures dem-*
24 *onstrating concurrent progress in achieving the goals and*
25 *objectives of the Program.*

1 (1) *initiates or creates a new program, project,*
2 *or activity;*

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

4 (3) *increases funds for any program, project, or*
5 *activity for which funds have been denied or restricted*
6 *by this Act, unless prior approval is received from the*
7 *Committees on Appropriations of both Houses of Con-*
8 *gress;*

9 (4) *restarts or resumes any program, project or*
10 *activity for which funds are not provided in this Act,*
11 *unless prior approval is received from the Committees*
12 *on Appropriations of both Houses of Congress;*

13 (5) *transfers funds in excess of the following lim-*
14 *its, unless prior approval is received from the Com-*
15 *mittees on Appropriations of both Houses of Congress:*

16 (A) *15 percent for any program, project or*
17 *activity for which \$2,000,000 or more is avail-*
18 *able at the beginning of the fiscal year; or*

19 (B) *\$400,000 for any program, project or*
20 *activity for which less than \$2,000,000 is avail-*
21 *able at the beginning of the fiscal year;*

22 (6) *transfers more than \$500,000 from either the*
23 *Facilities Operation, Maintenance, and Rehabilita-*
24 *tion category or the Resources Management and De-*
25 *velopment category to any program, project, or activ-*

1 *ity in the other category, unless prior approval is re-*
2 *ceived from the Committees on Appropriations of both*
3 *Houses of Congress; or*

4 *(7) transfers, where necessary to discharge legal*
5 *obligations of the Bureau of Reclamation, more than*
6 *\$5,000,000 to provide adequate funds for settled con-*
7 *tractor claims, increased contractor earnings due to*
8 *accelerated rates of operations, and real estate defi-*
9 *ciency judgments, unless prior approval is received*
10 *from the Committees on Appropriations of both*
11 *Houses of Congress.*

12 *(b) Subsection (a)(5) shall not apply to any transfer*
13 *of funds within the Facilities Operation, Maintenance, and*
14 *Rehabilitation category.*

15 *(c) For purposes of this section, the term “transfer”*
16 *means any movement of funds into or out of a program,*
17 *project, or activity.*

18 *(d) Except as provided in subsections (a) and (b), the*
19 *amounts made available in this title under the heading*
20 *“Bureau of Reclamation—Water and Related Resources”*
21 *shall be expended for the programs, projects, and activities*
22 *specified in the “Final Bill” columns in the “Water and*
23 *Related Resources” table included under the heading “Title*
24 *II—Department of the Interior” in the explanatory state-*

1 *ment described in section 4 (in the matter preceding divi-*
2 *sion A of this consolidated Act).*

3 *(e) The Bureau of Reclamation shall submit reports*
4 *on a quarterly basis to the Committees on Appropriations*
5 *of both Houses of Congress detailing all the funds repro-*
6 *grammed between programs, projects, activities, or cat-*
7 *egories of funding. The first quarterly report shall be sub-*
8 *mitted not later than 60 days after the date of enactment*
9 *of this Act.*

10 *SEC. 202. (a) None of the funds appropriated or other-*
11 *wise made available by this Act may be used to determine*
12 *the final point of discharge for the interceptor drain for*
13 *the San Luis Unit until development by the Secretary of*
14 *the Interior and the State of California of a plan, which*
15 *shall conform to the water quality standards of the State*
16 *of California as approved by the Administrator of the Envi-*
17 *ronmental Protection Agency, to minimize any detrimental*
18 *effect of the San Luis drainage waters.*

19 *(b) The costs of the Kesterson Reservoir Cleanup Pro-*
20 *gram and the costs of the San Joaquin Valley Drainage*
21 *Program shall be classified by the Secretary of the Interior*
22 *as reimbursable or nonreimbursable and collected until fully*
23 *repaid pursuant to the “Cleanup Program—Alternative*
24 *Repayment Plan” and the “SJVDP—Alternative Repay-*
25 *ment Plan” described in the report entitled “Repayment*

1 *Report, Kesterson Reservoir Cleanup Program and San*
2 *Joaquin Valley Drainage Program, February 1995*”, pre-
3 *pared by the Department of the Interior, Bureau of Rec-*
4 *lamation. Any future obligations of funds by the United*
5 *States relating to, or providing for, drainage service or*
6 *drainage studies for the San Luis Unit shall be fully reim-*
7 *bursable by San Luis Unit beneficiaries of such service or*
8 *studies pursuant to Federal reclamation law.*

9 *SEC. 203. Section 9504(e) of the Omnibus Public Land*
10 *Management Act of 2009 (42 U.S.C. 10364(e)) is amended*
11 *by striking “\$610,000,000” and inserting “\$750,000,000”.*

12 *SEC. 204. Title I of Public Law 108–361 (the*
13 *CALFED Bay-Delta Authorization Act) (118 Stat. 1681),*
14 *as amended by section 204 of division D of Public Law*
15 *116–260, is amended by striking “2021” each place it ap-*
16 *pears and inserting “2022”.*

17 *SEC. 205. Section 9106(g)(2) of Public Law 111–11*
18 *(Omnibus Public Land Management Act of 2009) is amend-*
19 *ed by striking “2021” and inserting “2022”.*

20 *SEC. 206. (a) Section 104(c) of the Reclamation States*
21 *Emergency Drought Relief Act of 1991 (43 U.S.C. 2214(c))*
22 *is amended by striking “2021” and inserting “2022”.*

23 *(b) Section 301 of the Reclamation States Emergency*
24 *Drought Relief Act of 1991 (43 U.S.C. 2241) is amended*
25 *by striking “2021” and inserting “2022”.*

1 *SEC. 207. Section 1101(d) of the Reclamation Projects*
2 *Authorization and Adjustment Act of 1992 (Public Law*
3 *102–575) is amended by striking “\$10,000,000” and insert-*
4 *ing “\$13,000,000”.*

5 *SEC. 208. None of the funds made available by this*
6 *Act may be used for pre-construction or construction activi-*
7 *ties for any project recommended after enactment of the En-*
8 *ergy and Water Development and Related Agencies Appro-*
9 *priations Act, 2020 and prior to enactment of this Act by*
10 *the Secretary of the Interior and transmitted to the appro-*
11 *priate committees of Congress pursuant to section 4007 of*
12 *the Water Infrastructure Improvements for the Nation Act*
13 *(Public Law 114–322) if such project is not named in this*
14 *Act, Public Law 116–260, or Public Law 117–43.*

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TITLE III

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY EFFICIENCY AND RENEWABLE ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for energy efficiency and renewable energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$3,200,000,000, to remain available until expended: Provided, That of such amount, \$209,453,000 shall be available until September 30, 2023, for program direction: Provided further, That of the amount appropriated in this paragraph, \$77,047,000 shall be used for projects specified in the table that appears under the heading “Congressionally Directed Spending Energy Efficiency and Renewable Energy Projects” in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act): Provided further, That section 366(e) of the Energy Policy and Conservation Act (42 U.S.C. 6326(e)) shall not apply to Federal financial assistance provided under part D of title III of the Energy Policy and Conservation

1 *Act (42 U.S.C. 6321 et seq.) from amounts made available*
2 *under this heading in this Act.*

3 *CYBERSECURITY, ENERGY SECURITY, AND EMERGENCY*
4 *RESPONSE*

5 *For Department of Energy expenses including the pur-*
6 *chase, construction, and acquisition of plant and capital*
7 *equipment, and other expenses necessary for energy sector*
8 *cybersecurity, energy security, and emergency response ac-*
9 *tivities in carrying out the purposes of the Department of*
10 *Energy Organization Act (42 U.S.C. 7101 et seq.), includ-*
11 *ing the acquisition or condemnation of any real property*
12 *or any facility or for plant or facility acquisition, construc-*
13 *tion, or expansion, \$185,804,000, to remain available until*
14 *expended: Provided, That of such amount, \$16,000,000 shall*
15 *be available until September 30, 2023, for program direc-*
16 *tion: Provided further, That of the amount appropriated*
17 *in this paragraph, \$3,000,000 shall be used for projects*
18 *specified in the table that appears under the heading “Con-*
19 *gressionally Directed Spending Cybersecurity, Energy Se-*
20 *curity, and Emergency Response Projects” in the explana-*
21 *tory statement described in section 4 (in the matter pre-*
22 *ceding division A of this consolidated Act).*

23 *ELECTRICITY*

24 *For Department of Energy expenses including the pur-*
25 *chase, construction, and acquisition of plant and capital*

1 *equipment, and other expenses necessary for electricity ac-*
2 *tivities in carrying out the purposes of the Department of*
3 *Energy Organization Act (42 U.S.C. 7101 et seq.), includ-*
4 *ing the acquisition or condemnation of any real property*
5 *or any facility or for plant or facility acquisition, construc-*
6 *tion, or expansion, \$277,000,000, to remain available until*
7 *expended: Provided, That of such amount, \$20,000,000 shall*
8 *be available until September 30, 2023, for program direc-*
9 *tion: Provided further, That of the amount appropriated*
10 *in this paragraph, \$2,850,000 shall be used for projects*
11 *specified in the table that appears under the heading “Con-*
12 *gressionally Directed Spending Electricity Projects” in the*
13 *explanatory statement described in section 4 (in the matter*
14 *preceding division A of this consolidated Act).*

15 *NUCLEAR ENERGY*

16 *For Department of Energy expenses including the pur-*
17 *chase, construction, and acquisition of plant and capital*
18 *equipment, and other expenses necessary for nuclear energy*
19 *activities in carrying out the purposes of the Department*
20 *of Energy Organization Act (42 U.S.C. 7101 et seq.), in-*
21 *cluding the acquisition or condemnation of any real prop-*
22 *erty or any facility or for plant or facility acquisition, con-*
23 *struction, or expansion, \$1,654,800,000, to remain avail-*
24 *able until expended: Provided, That of such amount,*
25 *\$80,000,000 shall be available until September 30, 2023,*

1 *for program direction: Provided further, That for the pur-*
2 *pose of section 954(a)(6) of the Energy Policy Act of 2005,*
3 *as amended, the only amount available shall be from the*
4 *amount specified as including that purpose in the “Final*
5 *Bill” column in the “Department of Energy” table included*
6 *under the heading “Title III—Department of Energy” in*
7 *the explanatory statement described in section 4 (in the*
8 *matter preceding division A of this consolidated Act).*

9 *FOSSIL ENERGY AND CARBON MANAGEMENT*

10 *For Department of Energy expenses necessary in car-*
11 *rying out fossil energy and carbon management research*
12 *and development activities, under the authority of the De-*
13 *partment of Energy Organization Act (42 U.S.C. 7101 et*
14 *seq.), including the acquisition of interest, including defea-*
15 *sible and equitable interests in any real property or any*
16 *facility or for plant or facility acquisition or expansion,*
17 *and for conducting inquiries, technological investigations*
18 *and research concerning the extraction, processing, use, and*
19 *disposal of mineral substances without objectionable social*
20 *and environmental costs (30 U.S.C. 3, 1602, and 1603),*
21 *\$825,000,000, to remain available until expended: Pro-*
22 *vided, That of such amount \$66,800,000 shall be available*
23 *until September 30, 2023, for program direction: Provided*
24 *further, That of the amount appropriated in this para-*
25 *graph, \$20,199,000 shall be used for projects specified in*

1 *the table that appears under the heading “Congressionally*
2 *Directed Spending Fossil Energy and Carbon Management*
3 *Projects” in the explanatory statement described in section*
4 *4 (in the matter preceding division A of this consolidated*
5 *Act).*

6 *NAVAL PETROLEUM AND OIL SHALE RESERVES*

7 *For Department of Energy expenses necessary to carry*
8 *out naval petroleum and oil shale reserve activities,*
9 *\$13,650,000, to remain available until expended: Provided,*
10 *That notwithstanding any other provision of law, unobli-*
11 *gated funds remaining from prior years shall be available*
12 *for all naval petroleum and oil shale reserve activities.*

13 *STRATEGIC PETROLEUM RESERVE*

14 *For Department of Energy expenses necessary for*
15 *Strategic Petroleum Reserve facility development and oper-*
16 *ations and program management activities pursuant to the*
17 *Energy Policy and Conservation Act (42 U.S.C. 6201 et*
18 *seq.), \$219,000,000, to remain available until expended.*

19 *SPR PETROLEUM ACCOUNT*

20 *For the acquisition, transportation, and injection of*
21 *petroleum products, and for other necessary expenses pursu-*
22 *ant to the Energy Policy and Conservation Act of 1975,*
23 *as amended (42 U.S.C. 6201 et seq.), sections 403 and 404*
24 *of the Bipartisan Budget Act of 2015 (42 U.S.C. 6241, 6239*
25 *note), and section 5010 of the 21st Century Cures Act (Pub-*

1 *lic Law 114–255), \$7,350,000, to remain available until ex-*
2 *pended.*

3 *NORTHEAST HOME HEATING OIL RESERVE*

4 *For Department of Energy expenses necessary for*
5 *Northeast Home Heating Oil Reserve storage, operation,*
6 *and management activities pursuant to the Energy Policy*
7 *and Conservation Act (42 U.S.C. 6201 et seq.), \$6,500,000,*
8 *to remain available until expended.*

9 *ENERGY INFORMATION ADMINISTRATION*

10 *For Department of Energy expenses necessary in car-*
11 *rying out the activities of the Energy Information Adminis-*
12 *tration, \$129,087,000, to remain available until expended.*

13 *NON-DEFENSE ENVIRONMENTAL CLEANUP*

14 *For Department of Energy expenses, including the*
15 *purchase, construction, and acquisition of plant and cap-*
16 *ital equipment and other expenses necessary for non-defense*
17 *environmental cleanup activities in carrying out the pur-*
18 *poses of the Department of Energy Organization Act (42*
19 *U.S.C. 7101 et seq.), including the acquisition or con-*
20 *demnation of any real property or any facility or for plant*
21 *or facility acquisition, construction, or expansion,*
22 *\$333,863,000, to remain available until expended: Pro-*
23 *vided, That, in addition, fees collected pursuant to sub-*
24 *section (b)(1) of section 6939f of title 42, United States*
25 *Code, and deposited under this heading in fiscal year 2022*

1 *pursuant to section 309 of title III of division C of Public*
2 *Law 116-94 are appropriated, to remain available until*
3 *expended, for mercury storage costs.*

4 *URANIUM ENRICHMENT DECONTAMINATION AND*
5 *DECOMMISSIONING FUND*

6 *For Department of Energy expenses necessary in car-*
7 *rying out uranium enrichment facility decontamination*
8 *and decommissioning, remedial actions, and other activities*
9 *of title II of the Atomic Energy Act of 1954, and title X,*
10 *subtitle A, of the Energy Policy Act of 1992, \$860,000,000,*
11 *to be derived from the Uranium Enrichment Decontamina-*
12 *tion and Decommissioning Fund, to remain available until*
13 *expended, of which \$16,155,000 shall be available in accord-*
14 *ance with title X, subtitle A, of the Energy Policy Act of*
15 *1992.*

16 *SCIENCE*

17 *For Department of Energy expenses including the pur-*
18 *chase, construction, and acquisition of plant and capital*
19 *equipment, and other expenses necessary for science activi-*
20 *ties in carrying out the purposes of the Department of En-*
21 *ergy Organization Act (42 U.S.C. 7101 et seq.), including*
22 *the acquisition or condemnation of any real property or*
23 *any facility or for plant or facility acquisition, construc-*
24 *tion, or expansion, and purchase of not more than 35 pas-*
25 *senger motor vehicles, including one ambulance, for replace-*

1 *ment only, \$7,475,000,000, to remain available until ex-*
2 *pende*: *Provided, That of such amount, \$202,000,000 shall*
3 *be available until September 30, 2023, for program direc-*
4 *tion.*

5 *NUCLEAR WASTE DISPOSAL*

6 *For Department of Energy expenses necessary for nu-*
7 *clear waste disposal activities to carry out the purposes of*
8 *the Nuclear Waste Policy Act of 1982, Public Law 97–425,*
9 *as amended, including interim storage activities,*
10 *\$27,500,000, to remain available until expended, of which*
11 *\$7,500,000 shall be derived from the Nuclear Waste Fund.*

12 *TECHNOLOGY TRANSITIONS*

13 *For Department of Energy expenses necessary for car-*
14 *rying out the activities of technology transitions,*
15 *\$19,470,000, to remain available until expended: Provided,*
16 *That of such amount, \$8,375,000 shall be available until*
17 *September 30, 2023, for program direction.*

18 *CLEAN ENERGY DEMONSTRATIONS*

19 *For Department of Energy expenses, including the*
20 *purchase, construction, and acquisition of plant and cap-*
21 *ital equipment and other expenses necessary for clean en-*
22 *ergy demonstrations in carrying out the purposes of the De-*
23 *partment of Energy Organization Act (42 U.S.C. 7101 et*
24 *seq.), including the acquisition or condemnation of any real*
25 *property or any facility or for plant or facility acquisition,*

1 construction, or expansion, \$20,000,000, to remain avail-
2 able until expended: Provided, That of such amount,
3 \$8,000,000 shall be available until September 30, 2023, for
4 program direction.

5 *ADVANCED RESEARCH PROJECTS AGENCY—ENERGY*

6 *For Department of Energy expenses necessary in car-*
7 *rying out the activities authorized by section 5012 of the*
8 *America COMPETES Act (Public Law 110–69),*
9 *\$450,000,000, to remain available until expended: Pro-*
10 *vided, That of such amount, \$36,000,000 shall be available*
11 *until September 30, 2023, for program direction.*

12 *TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE*

13 *PROGRAM*

14 *Such sums as are derived from amounts received from*
15 *borrowers pursuant to section 1702(b) of the Energy Policy*
16 *Act of 2005 under this heading in prior Acts, shall be col-*
17 *lected in accordance with section 502(7) of the Congres-*
18 *sional Budget Act of 1974: Provided, That for necessary ad-*
19 *ministrative expenses of the Title 17 Innovative Technology*
20 *Loan Guarantee Program, as authorized, \$32,000,000 is*
21 *appropriated, to remain available until September 30,*
22 *2023: Provided further, That up to \$32,000,000 of fees col-*
23 *lected in fiscal year 2022 pursuant to section 1702(h) of*
24 *the Energy Policy Act of 2005 shall be credited as offsetting*
25 *collections under this heading and used for necessary ad-*

1 *ministrative expenses in this appropriation and shall re-*
2 *main available until September 30, 2023: Provided further,*
3 *That to the extent that fees collected in fiscal year 2022*
4 *exceed \$32,000,000, those excess amounts shall be credited*
5 *as offsetting collections under this heading and available*
6 *in future fiscal years only to the extent provided in advance*
7 *in appropriations Acts: Provided further, That the sum*
8 *herein appropriated from the general fund shall be reduced*
9 *(1) as such fees are received during fiscal year 2022 (esti-*
10 *mated at \$3,000,000) and (2) to the extent that any remain-*
11 *ing general fund appropriations can be derived from fees*
12 *collected in previous fiscal years that are not otherwise ap-*
13 *propriated, so as to result in a final fiscal year 2022 appro-*
14 *priation from the general fund estimated at \$0: Provided*
15 *further, That the Department of Energy shall not subordi-*
16 *nate any loan obligation to other financing in violation of*
17 *section 1702 of the Energy Policy Act of 2005 or subordi-*
18 *nate any Guaranteed Obligation to any loan or other debt*
19 *obligations in violation of section 609.10 of title 10, Code*
20 *of Federal Regulations.*

21 *ADVANCED TECHNOLOGY VEHICLES MANUFACTURING*

22 *LOAN PROGRAM*

23 *For Department of Energy administrative expenses*
24 *necessary in carrying out the Advanced Technology Vehicles*

1 *Manufacturing Loan Program, \$5,000,000, to remain*
2 *available until September 30, 2023.*

3 *TRIBAL ENERGY LOAN GUARANTEE PROGRAM*

4 *For Department of Energy administrative expenses*
5 *necessary in carrying out the Tribal Energy Loan Guar-*
6 *antee Program, \$2,000,000, to remain available until Sep-*
7 *tember 30, 2023: Provided, That under section 2602(c) of*
8 *the Energy Policy Act of 1992 (25 U.S.C. 3502(c)), the Sec-*
9 *retary of Energy may also provide direct loans, as defined*
10 *in section 502 of the Congressional Budget Act of 1974 (2*
11 *U.S.C. 661a): Provided further, That such direct loans shall*
12 *be made through the Federal Financing Bank, with the full*
13 *faith and credit of the United States Government on the*
14 *principal and interest: Provided further, That any funds*
15 *previously appropriated for the cost of loan guarantees*
16 *under section 2602(c) of the Energy Policy Act of 1992 (25*
17 *U.S.C. 3502(c)) may also be used for the cost of direct loans*
18 *provided under such section of such Act.*

19 *INDIAN ENERGY POLICY AND PROGRAMS*

20 *For necessary expenses for Indian Energy activities in*
21 *carrying out the purposes of the Department of Energy Or-*
22 *ganization Act (42 U.S.C. 7101 et seq.), \$58,000,000, to re-*
23 *main available until expended: Provided, That of the*
24 *amount appropriated under this heading, \$5,523,000 shall*

1 *be available until September 30, 2023, for program direc-*
2 *tion.*

3 *DEPARTMENTAL ADMINISTRATION*

4 *For salaries and expenses of the Department of Energy*
5 *necessary for departmental administration in carrying out*
6 *the purposes of the Department of Energy Organization Act*
7 *(42 U.S.C. 7101 et seq.), \$340,578,000, to remain available*
8 *until September 30, 2023, including the hire of passenger*
9 *motor vehicles and official reception and representation ex-*
10 *penses not to exceed \$30,000, plus such additional amounts*
11 *as necessary to cover increases in the estimated amount of*
12 *cost of work for others notwithstanding the provisions of*
13 *the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): Provided,*
14 *That such increases in cost of work are offset by revenue*
15 *increases of the same or greater amount: Provided further,*
16 *That moneys received by the Department for miscellaneous*
17 *revenues estimated to total \$100,578,000 in fiscal year 2022*
18 *may be retained and used for operating expenses within this*
19 *account, as authorized by section 201 of Public Law 95–*
20 *238, notwithstanding the provisions of 31 U.S.C. 3302: Pro-*
21 *vided further, That the sum herein appropriated shall be*
22 *reduced as collections are received during the fiscal year*
23 *so as to result in a final fiscal year 2022 appropriation*
24 *from the general fund estimated at not more than*
25 *\$240,000,000.*

1 *OFFICE OF THE INSPECTOR GENERAL*

2 *For expenses necessary for the Office of the Inspector*
3 *General in carrying out the provisions of the Inspector Gen-*
4 *eral Act of 1978, \$78,000,000, to remain available until*
5 *September 30, 2023.*

6 *ATOMIC ENERGY DEFENSE ACTIVITIES*7 *NATIONAL NUCLEAR SECURITY ADMINISTRATION*8 *WEAPONS ACTIVITIES*

9 *For Department of Energy expenses, including the*
10 *purchase, construction, and acquisition of plant and cap-*
11 *ital equipment and other incidental expenses necessary for*
12 *atomic energy defense weapons activities in carrying out*
13 *the purposes of the Department of Energy Organization Act*
14 *(42 U.S.C. 7101 et seq.), including the acquisition or con-*
15 *demnation of any real property or any facility or for plant*
16 *or facility acquisition, construction, or expansion, and the*
17 *purchase of not to exceed one ambulance, for replacement*
18 *only, \$15,920,000,000, to remain available until expended:*
19 *Provided, That of such amount, \$117,060,000 shall be avail-*
20 *able until September 30, 2023, for program direction.*

21 *DEFENSE NUCLEAR NONPROLIFERATION*

22 *For Department of Energy expenses, including the*
23 *purchase, construction, and acquisition of plant and cap-*
24 *ital equipment and other incidental expenses necessary for*
25 *defense nuclear nonproliferation activities, in carrying out*

1 *the purposes of the Department of Energy Organization Act*
2 *(42 U.S.C. 7101 et seq.), including the acquisition or con-*
3 *demnation of any real property or any facility or for plant*
4 *or facility acquisition, construction, or expansion,*
5 *\$2,354,000,000, to remain available until expended.*

6 *NAVAL REACTORS*

7 *(INCLUDING TRANSFER OF FUNDS)*

8 *For Department of Energy expenses necessary for*
9 *naval reactors activities to carry out the Department of En-*
10 *ergy Organization Act (42 U.S.C. 7101 et seq.), including*
11 *the acquisition (by purchase, condemnation, construction,*
12 *or otherwise) of real property, plant, and capital equip-*
13 *ment, facilities, and facility expansion, \$1,918,000,000, to*
14 *remain available until expended, of which, \$92,747,000*
15 *shall be transferred to “Department of Energy—Energy*
16 *Programs—Nuclear Energy”, for the Advanced Test Reac-*
17 *tor: Provided, That of such amount, \$55,579,000 shall be*
18 *available until September 30, 2023, for program direction.*

19 *FEDERAL SALARIES AND EXPENSES*

20 *For expenses necessary for Federal Salaries and Ex-*
21 *penses in the National Nuclear Security Administration,*
22 *\$464,000,000, to remain available until September 30,*
23 *2023, including official reception and representation ex-*
24 *penses not to exceed \$17,000.*

1 *which shall be transferred to the “Uranium Enrichment De-*
2 *contamination and Decommissioning Fund”.*

3 *OTHER DEFENSE ACTIVITIES*

4 *For Department of Energy expenses, including the*
5 *purchase, construction, and acquisition of plant and cap-*
6 *ital equipment and other expenses, necessary for atomic en-*
7 *ergy defense, other defense activities, and classified activi-*
8 *ties, in carrying out the purposes of the Department of En-*
9 *ergy Organization Act (42 U.S.C. 7101 et seq.), including*
10 *the acquisition or condemnation of any real property or*
11 *any facility or for plant or facility acquisition, construc-*
12 *tion, or expansion, \$985,000,000, to remain available until*
13 *expended: Provided, That of such amount, \$337,636,000*
14 *shall be available until September 30, 2023, for program*
15 *direction.*

16 *POWER MARKETING ADMINISTRATIONS*

17 *BONNEVILLE POWER ADMINISTRATION FUND*

18 *Expenditures from the Bonneville Power Administra-*
19 *tion Fund, established pursuant to Public Law 93–454, are*
20 *approved for the Umatilla Hatchery Facility project and,*
21 *in addition, for official reception and representation ex-*
22 *penses in an amount not to exceed \$5,000: Provided, That*
23 *during fiscal year 2022, no new direct loan obligations may*
24 *be made.*

1 *this account as offsetting collections, to remain available*
2 *until expended for the sole purpose of making purchase*
3 *power and wheeling expenditures: Provided further, That*
4 *for purposes of this appropriation, annual expenses means*
5 *expenditures that are generally recovered in the same year*
6 *that they are incurred (excluding purchase power and*
7 *wheeling expenses).*

8 *OPERATION AND MAINTENANCE, SOUTHWESTERN POWER*
9 *ADMINISTRATION*

10 *For expenses necessary for operation and maintenance*
11 *of power transmission facilities and for marketing electric*
12 *power and energy, for construction and acquisition of*
13 *transmission lines, substations and appurtenant facilities,*
14 *and for administrative expenses, including official recep-*
15 *tion and representation expenses in an amount not to ex-*
16 *ceed \$1,500 in carrying out section 5 of the Flood Control*
17 *Act of 1944 (16 U.S.C. 825s), as applied to the South-*
18 *western Power Administration, \$48,324,000, to remain*
19 *available until expended: Provided, That notwithstanding*
20 *31 U.S.C. 3302 and section 5 of the Flood Control Act of*
21 *1944 (16 U.S.C. 825s), up to \$37,924,000 collected by the*
22 *Southwestern Power Administration from the sale of power*
23 *and related services shall be credited to this account as dis-*
24 *cretionary offsetting collections, to remain available until*
25 *expended, for the sole purpose of funding the annual ex-*

1 *penses of the Southwestern Power Administration: Provided*
2 *further, That the sum herein appropriated for annual ex-*
3 *penses shall be reduced as collections are received during*
4 *the fiscal year so as to result in a final fiscal year 2022*
5 *appropriation estimated at not more than \$10,400,000:*
6 *Provided further, That notwithstanding 31 U.S.C. 3302, up*
7 *to \$39,000,000 collected by the Southwestern Power Admin-*
8 *istration pursuant to the Flood Control Act of 1944 to re-*
9 *cover purchase power and wheeling expenses shall be cred-*
10 *ited to this account as offsetting collections, to remain avail-*
11 *able until expended for the sole purpose of making purchase*
12 *power and wheeling expenditures: Provided further, That*
13 *for purposes of this appropriation, annual expenses means*
14 *expenditures that are generally recovered in the same year*
15 *that they are incurred (excluding purchase power and*
16 *wheeling expenses).*

17 *CONSTRUCTION, REHABILITATION, OPERATION AND*
18 *MAINTENANCE, WESTERN AREA POWER ADMINISTRATION*
19 *For carrying out the functions authorized by title III,*
20 *section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C.*
21 *7152), and other related activities including conservation*
22 *and renewable resources programs as authorized,*
23 *\$285,237,000, including official reception and representa-*
24 *tion expenses in an amount not to exceed \$1,500, to remain*
25 *available until expended, of which \$285,237,000 shall be de-*

1 rived from the Department of the Interior Reclamation
2 Fund: Provided, That notwithstanding 31 U.S.C. 3302, sec-
3 tion 5 of the Flood Control Act of 1944 (16 U.S.C. 825s),
4 and section 1 of the Interior Department Appropriation
5 Act, 1939 (43 U.S.C. 392a), up to \$194,465,000 collected
6 by the Western Area Power Administration from the sale
7 of power and related services shall be credited to this ac-
8 count as discretionary offsetting collections, to remain
9 available until expended, for the sole purpose of funding
10 the annual expenses of the Western Area Power Administra-
11 tion: Provided further, That the sum herein appropriated
12 for annual expenses shall be reduced as collections are re-
13 ceived during the fiscal year so as to result in a final fiscal
14 year 2022 appropriation estimated at not more than
15 \$90,772,000, of which \$90,772,000 is derived from the Rec-
16 lamation Fund: Provided further, That notwithstanding 31
17 U.S.C. 3302, up to \$170,000,000 collected by the Western
18 Area Power Administration pursuant to the Flood Control
19 Act of 1944 and the Reclamation Project Act of 1939 to
20 recover purchase power and wheeling expenses shall be cred-
21 ited to this account as offsetting collections, to remain avail-
22 able until expended for the sole purpose of making purchase
23 power and wheeling expenditures: Provided further, That
24 for purposes of this appropriation, annual expenses means
25 expenditures that are generally recovered in the same year

1 *that they are incurred (excluding purchase power and*
2 *wheeling expenses).*

3 *FALCON AND AMISTAD OPERATING AND MAINTENANCE*

4 *FUND*

5 *For operation, maintenance, and emergency costs for*
6 *the hydroelectric facilities at the Falcon and Amistad*
7 *Dams, \$5,808,000, to remain available until expended, and*
8 *to be derived from the Falcon and Amistad Operating and*
9 *Maintenance Fund of the Western Area Power Administra-*
10 *tion, as provided in section 2 of the Act of June 18, 1954*
11 *(68 Stat. 255): Provided, That notwithstanding the provi-*
12 *sions of that Act and of 31 U.S.C. 3302, up to \$5,580,000*
13 *collected by the Western Area Power Administration from*
14 *the sale of power and related services from the Falcon and*
15 *Amistad Dams shall be credited to this account as discre-*
16 *tionary offsetting collections, to remain available until ex-*
17 *pended for the sole purpose of funding the annual expenses*
18 *of the hydroelectric facilities of these Dams and associated*
19 *Western Area Power Administration activities: Provided*
20 *further, That the sum herein appropriated for annual ex-*
21 *penses shall be reduced as collections are received during*
22 *the fiscal year so as to result in a final fiscal year 2022*
23 *appropriation estimated at not more than \$228,000: Pro-*
24 *vided further, That for purposes of this appropriation, an-*
25 *nual expenses means expenditures that are generally recov-*

1 *ered in the same year that they are incurred: Provided fur-*
2 *ther, That for fiscal year 2022, the Administrator of the*
3 *Western Area Power Administration may accept up to*
4 *\$1,737,000 in funds contributed by United States power*
5 *customers of the Falcon and Amistad Dams for deposit into*
6 *the Falcon and Amistad Operating and Maintenance Fund,*
7 *and such funds shall be available for the purpose for which*
8 *contributed in like manner as if said sums had been specifi-*
9 *cally appropriated for such purpose: Provided further, That*
10 *any such funds shall be available without further appro-*
11 *priation and without fiscal year limitation for use by the*
12 *Commissioner of the United States Section of the Inter-*
13 *national Boundary and Water Commission for the sole pur-*
14 *pose of operating, maintaining, repairing, rehabilitating,*
15 *replacing, or upgrading the hydroelectric facilities at these*
16 *Dams in accordance with agreements reached between the*
17 *Administrator, Commissioner, and the power customers.*

18 *FEDERAL ENERGY REGULATORY COMMISSION*

19 *SALARIES AND EXPENSES*

20 *For expenses necessary for the Federal Energy Regu-*
21 *latory Commission to carry out the provisions of the De-*
22 *partment of Energy Organization Act (42 U.S.C. 7101 et*
23 *seq.), including services as authorized by 5 U.S.C. 3109,*
24 *official reception and representation expenses not to exceed*
25 *\$3,000, and the hire of passenger motor vehicles,*

1 \$466,426,000, to remain available until expended: Pro-
2 vided, That notwithstanding any other provision of law, not
3 to exceed \$466,426,000 of revenues from fees and annual
4 charges, and other services and collections in fiscal year
5 2022 shall be retained and used for expenses necessary in
6 this account, and shall remain available until expended:
7 Provided further, That the sum herein appropriated from
8 the general fund shall be reduced as revenues are received
9 during fiscal year 2022 so as to result in a final fiscal year
10 2022 appropriation from the general fund estimated at not
11 more than \$0.

12 *GENERAL PROVISIONS—DEPARTMENT OF*

13 *ENERGY*

14 *(INCLUDING TRANSFERS AND RESCISSIONS OF FUNDS)*

15 *SEC. 301. (a) No appropriation, funds, or authority*
16 *made available by this title for the Department of Energy*
17 *shall be used to initiate or resume any program, project,*
18 *or activity or to prepare or initiate Requests For Proposals*
19 *or similar arrangements (including Requests for*
20 *Quotations, Requests for Information, and Funding Oppor-*
21 *tunity Announcements) for a program, project, or activity*
22 *if the program, project, or activity has not been funded by*
23 *Congress.*

24 *(b)(1) Unless the Secretary of Energy notifies the Com-*
25 *mittees on Appropriations of both Houses of Congress at*

1 *least 3 full business days in advance, none of the funds*
2 *made available in this title may be used to—*

3 *(A) make a grant allocation or discretionary*
4 *grant award totaling \$1,000,000 or more;*

5 *(B) make a discretionary contract award or*
6 *Other Transaction Agreement totaling \$1,000,000 or*
7 *more, including a contract covered by the Federal Ac-*
8 *quisition Regulation;*

9 *(C) issue a letter of intent to make an allocation,*
10 *award, or Agreement in excess of the limits in sub-*
11 *paragraph (A) or (B); or*

12 *(D) announce publicly the intention to make an*
13 *allocation, award, or Agreement in excess of the limits*
14 *in subparagraph (A) or (B).*

15 *(2) The Secretary of Energy shall submit to the Com-*
16 *mittees on Appropriations of both Houses of Congress with-*
17 *in 15 days of the conclusion of each quarter a report detail-*
18 *ing each grant allocation or discretionary grant award to-*
19 *taling less than \$1,000,000 provided during the previous*
20 *quarter.*

21 *(3) The notification required by paragraph (1) and the*
22 *report required by paragraph (2) shall include the recipient*
23 *of the award, the amount of the award, the fiscal year for*
24 *which the funds for the award were appropriated, the ac-*
25 *count and program, project, or activity from which the*

1 *funds are being drawn, the title of the award, and a brief*
2 *description of the activity for which the award is made.*

3 (c) *The Department of Energy may not, with respect*
4 *to any program, project, or activity that uses budget au-*
5 *thority made available in this title under the heading “De-*
6 *partment of Energy—Energy Programs”, enter into a*
7 *multiyear contract, award a multiyear grant, or enter into*
8 *a multiyear cooperative agreement unless—*

9 (1) *the contract, grant, or cooperative agreement*
10 *is funded for the full period of performance as antici-*
11 *ipated at the time of award; or*

12 (2) *the contract, grant, or cooperative agreement*
13 *includes a clause conditioning the Federal Govern-*
14 *ment’s obligation on the availability of future year*
15 *budget authority and the Secretary notifies the Com-*
16 *mittees on Appropriations of both Houses of Congress*
17 *at least 3 days in advance.*

18 (d) *Except as provided in subsections (e), (f), and (g),*
19 *the amounts made available by this title shall be expended*
20 *as authorized by law for the programs, projects, and activi-*
21 *ties specified in the “Final Bill” column in the “Depart-*
22 *ment of Energy” table included under the heading “Title*
23 *III—Department of Energy” in the explanatory statement*
24 *described in section 4 (in the matter preceding division A*
25 *of this consolidated Act).*

1 (e) *The amounts made available by this title may be*
2 *reprogrammed for any program, project, or activity, and*
3 *the Department shall notify, and obtain the prior approval*
4 *of, the Committees on Appropriations of both Houses of*
5 *Congress at least 30 days prior to the use of any proposed*
6 *reprogramming that would cause any program, project, or*
7 *activity funding level to increase or decrease by more than*
8 *\$5,000,000 or 10 percent, whichever is less, during the time*
9 *period covered by this Act.*

10 (f) *None of the funds provided in this title shall be*
11 *available for obligation or expenditure through a re-*
12 *programming of funds that—*

13 (1) *creates, initiates, or eliminates a program,*
14 *project, or activity;*

15 (2) *increases funds or personnel for any pro-*
16 *gram, project, or activity for which funds are denied*
17 *or restricted by this Act; or*

18 (3) *reduces funds that are directed to be used for*
19 *a specific program, project, or activity by this Act.*

20 (g)(1) *The Secretary of Energy may waive any re-*
21 *quirement or restriction in this section that applies to the*
22 *use of funds made available for the Department of Energy*
23 *if compliance with such requirement or restriction would*
24 *pose a substantial risk to human health, the environment,*
25 *welfare, or national security.*

1 (2) *The Secretary of Energy shall notify the Commit-*
2 *tees on Appropriations of both Houses of Congress of any*
3 *waiver under paragraph (1) as soon as practicable, but not*
4 *later than 3 days after the date of the activity to which*
5 *a requirement or restriction would otherwise have applied.*
6 *Such notice shall include an explanation of the substantial*
7 *risk under paragraph (1) that permitted such waiver.*

8 (h) *The unexpended balances of prior appropriations*
9 *provided for activities in this Act may be available to the*
10 *same appropriation accounts for such activities established*
11 *pursuant to this title. Available balances may be merged*
12 *with funds in the applicable established accounts and there-*
13 *after may be accounted for as one fund for the same time*
14 *period as originally enacted.*

15 SEC. 302. *Funds appropriated by this or any other*
16 *Act, or made available by the transfer of funds in this Act,*
17 *for intelligence activities are deemed to be specifically au-*
18 *thorized by the Congress for purposes of section 504 of the*
19 *National Security Act of 1947 (50 U.S.C. 3094) during fis-*
20 *cal year 2022 until the enactment of the Intelligence Au-*
21 *thorization Act for fiscal year 2022.*

22 SEC. 303. *None of the funds made available in this*
23 *title shall be used for the construction of facilities classified*
24 *as high-hazard nuclear facilities under 10 CFR Part 830*
25 *unless independent oversight is conducted by the Office of*

1 *Enterprise Assessments to ensure the project is in compli-*
2 *ance with nuclear safety requirements.*

3 *SEC. 304. None of the funds made available in this*
4 *title may be used to approve critical decision-2 or critical*
5 *decision-3 under Department of Energy Order 413.3B, or*
6 *any successive departmental guidance, for construction*
7 *projects where the total project cost exceeds \$100,000,000,*
8 *until a separate independent cost estimate has been devel-*
9 *oped for the project for that critical decision.*

10 *SEC. 305. Notwithstanding section 161 of the Energy*
11 *Policy and Conservation Act (42 U.S.C. 6241), upon a de-*
12 *termination by the President in this fiscal year that a re-*
13 *gional supply shortage of refined petroleum product of sig-*
14 *nificant scope and duration exists, that a severe increase*
15 *in the price of refined petroleum product will likely result*
16 *from such shortage, and that a draw down and sale of re-*
17 *fined petroleum product would assist directly and signifi-*
18 *cantly in reducing the adverse impact of such shortage, the*
19 *Secretary of Energy may draw down and sell refined petro-*
20 *leum product from the Strategic Petroleum Reserve. Pro-*
21 *ceeds from a sale under this section shall be deposited into*
22 *the SPR Petroleum Account established in section 167 of*
23 *the Energy Policy and Conservation Act (42 U.S.C. 6247),*
24 *and such amounts shall be available for obligation, without*
25 *fiscal year limitation, consistent with that section.*

1 *SEC. 306. No funds shall be transferred directly from*
2 *“Department of Energy—Power Marketing Administra-*
3 *tion—Colorado River Basins Power Marketing Fund, West-*
4 *ern Area Power Administration” to the general fund of the*
5 *Treasury in the current fiscal year.*

6 *SEC. 307. (a) Of the unobligated balances available to*
7 *the Department of Energy from amounts appropriated in*
8 *prior Acts, the following funds are hereby rescinded from*
9 *the following accounts and programs in the specified*
10 *amounts—*

11 *(1) “Defense Nuclear Nonproliferation” for the*
12 *construction project “99–D–143”, \$282,133,000; and*

13 *(2) “Naval Reactors”, \$6,000,000.*

14 *(b) No amounts may be rescinded under subsection (a)*
15 *from amounts that were previously designated by the Con-*
16 *gress as an emergency requirement pursuant to a concur-*
17 *rent resolution on the budget or the Balanced Budget and*
18 *Emergency Deficit Control Act of 1985.*

19 *SEC. 308. Of the unavailable collections currently in*
20 *the United States Enrichment Corporation Fund,*
21 *\$841,000,000 shall be transferred to and merged with the*
22 *Uranium Enrichment Decontamination and Decommis-*
23 *sioning Fund and shall be available only to the extent pro-*
24 *vided in advance in appropriations Acts.*

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TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended, notwithstanding 40 U.S.C. 14704, and for expenses necessary for the Federal Co-Chairman and the Alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, \$195,000,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For expenses necessary for the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100–456, section 1441, \$36,000,000, to remain available until September 30, 2023.

DELTA REGIONAL AUTHORITY

SALARIES AND EXPENSES

For expenses necessary for the Delta Regional Authority and to carry out its activities, as authorized by the Delta Regional Authority Act of 2000, notwithstanding sec-

1 tions 382F(d), 382M, and 382N of said Act, \$30,100,000,
2 to remain available until expended.

3 *DENALI COMMISSION*

4 *For expenses necessary for the Denali Commission in-*
5 *cluding the purchase, construction, and acquisition of plant*
6 *and capital equipment as necessary and other expenses,*
7 *\$15,100,000, to remain available until expended, notwith-*
8 *standing the limitations contained in section 306(g) of the*
9 *Denali Commission Act of 1998: Provided, That funds shall*
10 *be available for construction projects for which the Denali*
11 *Commission is the sole or primary funding source in an*
12 *amount not to exceed 80 percent of total project cost for*
13 *distressed communities, as defined by section 307 of the*
14 *Denali Commission Act of 1998 (division C, title III, Pub-*
15 *lic Law 105–277), as amended by section 701 of appendix*
16 *D, title VII, Public Law 106–113 (113 Stat. 1501A–280),*
17 *and an amount not to exceed 50 percent for non-distressed*
18 *communities: Provided further, That notwithstanding any*
19 *other provision of law regarding payment of a non-Federal*
20 *share in connection with a grant-in-aid program, amounts*
21 *under this heading shall be available for the payment of*
22 *such a non-Federal share for any project for which the*
23 *Denali Commission is not the sole or primary funding*
24 *source, provided that such project is consistent with the pur-*
25 *poses of the Commission.*

1 *NORTHERN BORDER REGIONAL COMMISSION*

2 *For expenses necessary for the Northern Border Re-*
3 *gional Commission in carrying out activities authorized by*
4 *subtitle V of title 40, United States Code, \$35,000,000, to*
5 *remain available until expended: Provided, That such*
6 *amounts shall be available for administrative expenses, not-*
7 *withstanding section 15751(b) of title 40, United States*
8 *Code.*

9 *SOUTHEAST CRESCENT REGIONAL COMMISSION*

10 *For expenses necessary for the Southeast Crescent Re-*
11 *gional Commission in carrying out activities authorized by*
12 *subtitle V of title 40, United States Code, \$5,000,000, to*
13 *remain available until expended.*

14 *SOUTHWEST BORDER REGIONAL COMMISSION*

15 *For expenses necessary for the Southwest Border Re-*
16 *gional Commission in carrying out activities authorized by*
17 *subtitle V of title 40, United States Code, \$2,500,000, to*
18 *remain available until expended.*

19 *NUCLEAR REGULATORY COMMISSION*20 *SALARIES AND EXPENSES*

21 *For expenses necessary for the Commission in carrying*
22 *out the purposes of the Energy Reorganization Act of 1974*
23 *and the Atomic Energy Act of 1954, \$873,901,000, includ-*
24 *ing official representation expenses not to exceed \$25,000,*
25 *to remain available until expended: Provided, That of the*

1 amount appropriated herein, not more than \$9,500,000
2 may be made available for salaries, travel, and other sup-
3 port costs for the Office of the Commission, to remain avail-
4 able until September 30, 2023: Provided further, That reve-
5 nues from licensing fees, inspection services, and other serv-
6 ices and collections estimated at \$745,258,000 in fiscal year
7 2022 shall be retained and used for necessary salaries and
8 expenses in this account, notwithstanding 31 U.S.C. 3302,
9 and shall remain available until expended: Provided fur-
10 ther, That the sum herein appropriated shall be reduced by
11 the amount of revenues received during fiscal year 2022 so
12 as to result in a final fiscal year 2022 appropriation esti-
13 mated at not more than \$128,643,000.

14 OFFICE OF INSPECTOR GENERAL

15 For expenses necessary for the Office of Inspector Gen-
16 eral in carrying out the provisions of the Inspector General
17 Act of 1978, \$13,799,000, to remain available until Sep-
18 tember 30, 2023: Provided, That revenues from licensing
19 fees, inspection services, and other services and collections
20 estimated at \$11,442,000 in fiscal year 2022 shall be re-
21 tained and be available until September 30, 2023, for nec-
22 essary salaries and expenses in this account, notwith-
23 standing section 3302 of title 31, United States Code: Pro-
24 vided further, That the sum herein appropriated shall be
25 reduced by the amount of revenues received during fiscal

1 *year 2022 so as to result in a final fiscal year 2022 appro-*
2 *priation estimated at not more than \$2,357,000: Provided*
3 *further, That of the amounts appropriated under this head-*
4 *ing, \$1,146,000 shall be for Inspector General services for*
5 *the Defense Nuclear Facilities Safety Board.*

6 *NUCLEAR WASTE TECHNICAL REVIEW BOARD*

7 *SALARIES AND EXPENSES*

8 *For expenses necessary for the Nuclear Waste Tech-*
9 *nical Review Board, as authorized by Public Law 100–203,*
10 *section 5051, \$3,800,000, to be derived from the Nuclear*
11 *Waste Fund, to remain available until September 30, 2023.*

12 *GENERAL PROVISIONS—INDEPENDENT*

13 *AGENCIES*

14 *SEC. 401. The Nuclear Regulatory Commission shall*
15 *comply with the July 5, 2011, version of Chapter VI of its*
16 *Internal Commission Procedures when responding to Con-*
17 *gressional requests for information, consistent with Depart-*
18 *ment of Justice guidance for all Federal agencies.*

19 *SEC. 402. (a) The amounts made available by this title*
20 *for the Nuclear Regulatory Commission may be repro-*
21 *grammed for any program, project, or activity, and the*
22 *Commission shall notify the Committees on Appropriations*
23 *of both Houses of Congress at least 30 days prior to the*
24 *use of any proposed reprogramming that would cause any*
25 *program funding level to increase or decrease by more than*

1 \$500,000 or 10 percent, whichever is less, during the time
2 period covered by this Act.

3 (b)(1) *The Nuclear Regulatory Commission may waive*
4 *the notification requirement in subsection (a) if compliance*
5 *with such requirement would pose a substantial risk to*
6 *human health, the environment, welfare, or national secu-*
7 *rity.*

8 (2) *The Nuclear Regulatory Commission shall notify*
9 *the Committees on Appropriations of both Houses of Con-*
10 *gress of any waiver under paragraph (1) as soon as prac-*
11 *ticable, but not later than 3 days after the date of the activ-*
12 *ity to which a requirement or restriction would otherwise*
13 *have applied. Such notice shall include an explanation of*
14 *the substantial risk under paragraph (1) that permitted*
15 *such waiver and shall provide a detailed report to the Com-*
16 *mittees of such waiver and changes to funding levels to pro-*
17 *grams, projects, or activities.*

18 (c) *Except as provided in subsections (a), (b), and (d),*
19 *the amounts made available by this title for “Nuclear Regu-*
20 *latory Commission—Salaries and Expenses” shall be ex-*
21 *pende*d as directed in the explanatory statement described
22 *in section 4 (in the matter preceding division A of this con-*
23 *solidated Act).*

24 (d) *None of the funds provided for the Nuclear Regu-*
25 *latory Commission shall be available for obligation or ex-*

1 *penditure through a reprogramming of funds that increases*
2 *funds or personnel for any program, project, or activity for*
3 *which funds are denied or restricted by this Act.*

4 *(e) The Commission shall provide a monthly report to*
5 *the Committees on Appropriations of both Houses of Con-*
6 *gress, which includes the following for each program,*
7 *project, or activity, including any prior year appropria-*
8 *tions—*

- 9 *(1) total budget authority;*
10 *(2) total unobligated balances; and*
11 *(3) total unliquidated obligations.*

TITLE V

GENERAL PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

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4 *SEC. 501. None of the funds appropriated by this Act*
5 *may be used in any way, directly or indirectly, to influence*
6 *congressional action on any legislation or appropriation*
7 *matters pending before Congress, other than to commu-*
8 *nicate to Members of Congress as described in 18 U.S.C.*
9 *1913.*

10 *SEC. 502. (a) None of the funds made available in title*
11 *III of this Act may be transferred to any department, agen-*
12 *cy, or instrumentality of the United States Government, ex-*
13 *cept pursuant to a transfer made by or transfer authority*
14 *provided in this Act or any other appropriations Act for*
15 *any fiscal year, transfer authority referenced in the explan-*
16 *atory statement described in section 4 (in the matter pre-*
17 *ceding division A of this consolidated Act), or any authority*
18 *whereby a department, agency, or instrumentality of the*
19 *United States Government may provide goods or services*
20 *to another department, agency, or instrumentality.*

21 *(b) None of the funds made available for any depart-*
22 *ment, agency, or instrumentality of the United States Gov-*
23 *ernment may be transferred to accounts funded in title III*
24 *of this Act, except pursuant to a transfer made by or trans-*
25 *fer authority provided in this Act or any other appropria-*

1 *tions Act for any fiscal year, transfer authority referenced*
2 *in the explanatory statement described in section 4 (in the*
3 *matter preceding division A of this consolidated Act), or*
4 *any authority whereby a department, agency, or instru-*
5 *mentality of the United States Government may provide*
6 *goods or services to another department, agency, or instru-*
7 *mentality.*

8 *(c) The head of any relevant department or agency*
9 *funded in this Act utilizing any transfer authority shall*
10 *submit to the Committees on Appropriations of both Houses*
11 *of Congress a semiannual report detailing the transfer au-*
12 *thorities, except for any authority whereby a department,*
13 *agency, or instrumentality of the United States Government*
14 *may provide goods or services to another department, agen-*
15 *cy, or instrumentality, used in the previous 6 months and*
16 *in the year-to-date. This report shall include the amounts*
17 *transferred and the purposes for which they were trans-*
18 *ferred, and shall not replace or modify existing notification*
19 *requirements for each authority.*

20 *SEC. 503. None of the funds made available by this*
21 *Act may be used in contravention of Executive Order No.*
22 *12898 of February 11, 1994 (Federal Actions to Address*
23 *Environmental Justice in Minority Populations and Low-*
24 *Income Populations).*

1 *SEC. 504. (a) None of the funds made available in this*
2 *Act may be used to maintain or establish a computer net-*
3 *work unless such network blocks the viewing, downloading,*
4 *and exchanging of pornography.*

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

9 *SEC. 505. The nineteenth proviso under the heading*
10 *“Fossil Energy and Carbon Management” in title III of*
11 *division J of Public Law 117–58 is amended by striking*
12 *“(b)” each place it appears and inserting “(h)”: Provided,*
13 *That amounts repurposed pursuant to this section that were*
14 *previously designated by the Congress as an emergency re-*
15 *quirement pursuant to section 4112(a) of H. Con. Res. 71*
16 *(115th Congress), the concurrent resolution on the budget*
17 *for fiscal year 2018, and to section 251(b) of the Balanced*
18 *Budget and Emergency Deficit Control Act of 1985 are des-*
19 *ignated by the Congress as an emergency requirement pur-*
20 *suant to section 4001(a)(1) and section 4001(b) of S. Con.*
21 *Res. 14 (117th Congress), the concurrent resolution on the*
22 *budget for fiscal year 2022.*

23 *This division may be cited as the “Energy and Water*
24 *Development and Related Agencies Appropriations Act,*
25 *2022”.*

1 ***DIVISION E—FINANCIAL SERVICES AND***
2 ***GENERAL GOVERNMENT APPROPRIA-***
3 ***TIONS ACT, 2022***

4 *TITLE I*

5 *DEPARTMENT OF THE TREASURY*

6 *DEPARTMENTAL OFFICES*

7 *SALARIES AND EXPENSES*

8 *For necessary expenses of the Departmental Offices in-*
9 *cluding operation and maintenance of the Treasury Build-*
10 *ing and Freedman’s Bank Building; hire of passenger*
11 *motor vehicles; maintenance, repairs, and improvements of,*
12 *and purchase of commercial insurance policies for, real*
13 *properties leased or owned overseas, when necessary for the*
14 *performance of official business; executive direction pro-*
15 *gram activities; international affairs and economic policy*
16 *activities; domestic finance and tax policy activities, in-*
17 *cluding technical assistance to State, local, and territorial*
18 *entities; and Treasury-wide management policies and pro-*
19 *grams activities, \$243,109,000: Provided, That of the*
20 *amount appropriated under this heading—*

21 *(1) not to exceed \$350,000 is for official recep-*
22 *tion and representation expenses;*

23 *(2) not to exceed \$258,000 is for unforeseen*
24 *emergencies of a confidential nature to be allocated*
25 *and expended under the direction of the Secretary of*

1 *the Treasury and to be accounted for solely on the*
2 *Secretary's certificate; and*

3 *(3) not to exceed \$34,000,000 shall remain avail-*
4 *able until September 30, 2023, for—*

5 *(A) the Treasury-wide Financial Statement*
6 *Audit and Internal Control Program;*

7 *(B) information technology modernization*
8 *requirements;*

9 *(C) the audit, oversight, and administration*
10 *of the Gulf Coast Restoration Trust Fund;*

11 *(D) the development and implementation of*
12 *programs within the Office of Cybersecurity and*
13 *Critical Infrastructure Protection, including en-*
14 *tering into cooperative agreements;*

15 *(E) operations and maintenance of facili-*
16 *ties; and*

17 *(F) international operations.*

18 *COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED*

19 *STATES FUND*

20 *(INCLUDING TRANSFER OF FUNDS)*

21 *For necessary expenses of the Committee on Foreign*
22 *Investment in the United States, \$20,000,000, to remain*
23 *available until expended: Provided, That the chairperson of*
24 *the Committee may transfer such amounts to any depart-*
25 *ment or agency represented on the Committee (including*

1 *the Department of the Treasury) subject to advance notifi-*
2 *cation to the Committees on Appropriations of the House*
3 *of Representatives and the Senate: Provided further, That*
4 *amounts so transferred shall remain available until ex-*
5 *pended for expenses of implementing section 721 of the De-*
6 *fense Production Act of 1950, as amended (50 U.S.C. 4565),*
7 *and shall be available in addition to any other funds avail-*
8 *able to any department or agency: Provided further, That*
9 *fees authorized by section 721(p) of such Act shall be cred-*
10 *ited to this appropriation as offsetting collections: Provided*
11 *further, That the total amount appropriated under this*
12 *heading from the general fund shall be reduced as such off-*
13 *setting collections are received during fiscal year 2022, so*
14 *as to result in a total appropriation from the general fund*
15 *estimated at not more than \$0.*

16 *OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE*

17 *SALARIES AND EXPENSES*

18 *For the necessary expenses of the Office of Terrorism*
19 *and Financial Intelligence to safeguard the financial sys-*
20 *tem against illicit use and to combat rogue nations, ter-*
21 *rorist facilitators, weapons of mass destruction*
22 *proliferators, human rights abusers, money launderers,*
23 *drug kingpins, and other national security threats,*
24 *\$195,192,000, of which not less than \$3,000,000 shall be*
25 *available for addressing human rights violations and cor-*

1 *ruption, including activities authorized by the Global*
2 *Magnitsky Human Rights Accountability Act (22 U.S.C.*
3 *2656 note): Provided, That of the amounts appropriated*
4 *under this heading, up to \$20,000,000 shall remain avail-*
5 *able until September 30, 2023.*

6 *CYBERSECURITY ENHANCEMENT ACCOUNT*

7 *For salaries and expenses for enhanced cybersecurity*
8 *for systems operated by the Department of the Treasury,*
9 *\$80,000,000, to remain available until September 30, 2024:*
10 *Provided, That such funds shall supplement and not sup-*
11 *plant any other amounts made available to the Treasury*
12 *offices and bureaus for cybersecurity: Provided further,*
13 *That of the total amount made available under this heading*
14 *\$4,000,000 shall be available for administrative expenses for*
15 *the Treasury Chief Information Officer to provide oversight*
16 *of the investments made under this heading: Provided fur-*
17 *ther, That such funds shall supplement and not supplant*
18 *any other amounts made available to the Treasury Chief*
19 *Information Officer.*

20 *DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS*

21 *PROGRAMS*

22 *(INCLUDING TRANSFER OF FUNDS)*

23 *For development and acquisition of automatic data*
24 *processing equipment, software, and services and for repairs*
25 *and renovations to buildings owned by the Department of*

1 *the Treasury, \$6,118,000, to remain available until Sep-*
2 *tember 30, 2024: Provided, That these funds shall be trans-*
3 *ferred to accounts and in amounts as necessary to satisfy*
4 *the requirements of the Department's offices, bureaus, and*
5 *other organizations: Provided further, That this transfer*
6 *authority shall be in addition to any other transfer author-*
7 *ity provided in this Act: Provided further, That none of*
8 *the funds appropriated under this heading shall be used to*
9 *support or supplement "Internal Revenue Service, Oper-*
10 *ations Support" or "Internal Revenue Service, Business*
11 *Systems Modernization".*

12 *OFFICE OF INSPECTOR GENERAL*

13 *SALARIES AND EXPENSES*

14 *For necessary expenses of the Office of Inspector Gen-*
15 *eral in carrying out the provisions of the Inspector General*
16 *Act of 1978, \$42,275,000, including hire of passenger motor*
17 *vehicles; of which not to exceed \$100,000 shall be available*
18 *for unforeseen emergencies of a confidential nature, to be*
19 *allocated and expended under the direction of the Inspector*
20 *General of the Treasury; of which up to \$2,800,000 to re-*
21 *main available until September 30, 2023, shall be for audits*
22 *and investigations conducted pursuant to section 1608 of*
23 *the Resources and Ecosystems Sustainability, Tourist Op-*
24 *portunities, and Revived Economies of the Gulf Coast*
25 *States Act of 2012 (33 U.S.C. 1321 note); and of which*

1 *not to exceed \$1,000 shall be available for official reception*
2 *and representation expenses.*

3 *TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION*

4 *SALARIES AND EXPENSES*

5 *For necessary expenses of the Treasury Inspector Gen-*
6 *eral for Tax Administration in carrying out the Inspector*
7 *General Act of 1978, as amended, including purchase and*
8 *hire of passenger motor vehicles (31 U.S.C. 1343(b)); and*
9 *services authorized by 5 U.S.C. 3109, at such rates as may*
10 *be determined by the Inspector General for Tax Administra-*
11 *tion; \$174,250,000, of which \$5,000,000 shall remain avail-*
12 *able until September 30, 2023; of which not to exceed*
13 *\$6,000,000 shall be available for official travel expenses; of*
14 *which not to exceed \$500,000 shall be available for unfore-*
15 *seen emergencies of a confidential nature, to be allocated*
16 *and expended under the direction of the Inspector General*
17 *for Tax Administration; and of which not to exceed \$1,500*
18 *shall be available for official reception and representation*
19 *expenses.*

20 *SPECIAL INSPECTOR GENERAL FOR THE TROUBLED ASSET*

21 *RELIEF PROGRAM*

22 *SALARIES AND EXPENSES*

23 *For necessary expenses of the Office of the Special In-*
24 *spector General in carrying out the provisions of the Emer-*

1 *gency Economic Stabilization Act of 2008 (Public Law*
2 *110–343), \$16,000,000.*

3 *FINANCIAL CRIMES ENFORCEMENT NETWORK*

4 *SALARIES AND EXPENSES*

5 *For necessary expenses of the Financial Crimes En-*
6 *forcement Network, including hire of passenger motor vehi-*
7 *cles; travel and training expenses of non-Federal and for-*
8 *ign government personnel to attend meetings and training*
9 *concerned with domestic and foreign financial intelligence*
10 *activities, law enforcement, and financial regulation; serv-*
11 *ices authorized by 5 U.S.C. 3109; not to exceed \$25,000 for*
12 *official reception and representation expenses; and for as-*
13 *sistance to Federal law enforcement agencies, with or with-*
14 *out reimbursement, \$161,000,000, of which not to exceed*
15 *\$55,000,000 shall remain available until September 30,*
16 *2024.*

17 *BUREAU OF THE FISCAL SERVICE*

18 *SALARIES AND EXPENSES*

19 *For necessary expenses of operations of the Bureau of*
20 *the Fiscal Service, \$355,936,000; of which not to exceed*
21 *\$8,000,000, to remain available until September 30, 2024,*
22 *is for information systems modernization initiatives; and*
23 *of which \$5,000 shall be available for official reception and*
24 *representation expenses.*

1 *In addition, \$165,000, to be derived from the Oil Spill*
2 *Liability Trust Fund to reimburse administrative and per-*
3 *sonnel expenses for financial management of the Fund, as*
4 *authorized by section 1012 of Public Law 101–380.*

5 *ALCOHOL AND TOBACCO TAX AND TRADE BUREAU*

6 *SALARIES AND EXPENSES*

7 *For necessary expenses of carrying out section 1111*
8 *of the Homeland Security Act of 2002, including hire of*
9 *passenger motor vehicles, \$128,067,000; of which not to ex-*
10 *ceed \$6,000 shall be available for official reception and rep-*
11 *resentation expenses; and of which not to exceed \$50,000*
12 *shall be available for cooperative research and development*
13 *programs for laboratory services; and provision of labora-*
14 *tory assistance to State and local agencies with or without*
15 *reimbursement: Provided, That of the amount appropriated*
16 *under this heading, \$5,000,000 shall be for the costs of accel-*
17 *erating the processing of formula and label applications:*
18 *Provided further, That of the amount appropriated under*
19 *this heading, \$5,000,000, to remain available until Sep-*
20 *tember 30, 2023, shall be for the costs associated with en-*
21 *forcement of and education regarding the trade practice*
22 *provisions of the Federal Alcohol Administration Act (27*
23 *U.S.C. 201 et seq.).*

1 *UNITED STATES MINT*

2 *UNITED STATES MINT PUBLIC ENTERPRISE FUND*

3 *Pursuant to section 5136 of title 31, United States*
4 *Code, the United States Mint is provided funding through*
5 *the United States Mint Public Enterprise Fund for costs*
6 *associated with the production of circulating coins, numis-*
7 *matic coins, and protective services, including both oper-*
8 *ating expenses and capital investments: Provided, That the*
9 *aggregate amount of new liabilities and obligations in-*
10 *curred during fiscal year 2022 under such section 5136 for*
11 *circulating coinage and protective service capital invest-*
12 *ments of the United States Mint shall not exceed*
13 *\$50,000,000.*

14 *COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS*

15 *FUND PROGRAM ACCOUNT*

16 *To carry out the Riegle Community Development and*
17 *Regulatory Improvement Act of 1994 (subtitle A of title I*
18 *of Public Law 103–325), including services authorized by*
19 *section 3109 of title 5, United States Code, but at rates for*
20 *individuals not to exceed the per diem rate equivalent to*
21 *the rate for EX–III, \$295,000,000. Of the amount appro-*
22 *priated under this heading—*

23 *(1) not less than \$173,383,000, notwithstanding*
24 *section 108(e) of Public Law 103–325 (12 U.S.C.*
25 *4707(e)) with regard to Small and/or Emerging Com-*

1 *munity Development Financial Institutions Assist-*
2 *ance awards, is available until September 30, 2023,*
3 *for financial assistance and technical assistance*
4 *under subparagraphs (A) and (B) of section*
5 *108(a)(1), respectively, of Public Law 103–325 (12*
6 *U.S.C. 4707(a)(1)(A) and (B)), of which up to*
7 *\$1,600,000 may be available for training and out-*
8 *reach under section 109 of Public Law 103–325 (12*
9 *U.S.C. 4708), of which up to \$3,153,750 may be used*
10 *for the cost of direct loans, of which up to*
11 *\$10,000,000, notwithstanding subsection (d) of section*
12 *108 of Public Law 103–325 (12 U.S.C. 4707 (d)),*
13 *may be available to provide financial assistance, tech-*
14 *nical assistance, training, and outreach to commu-*
15 *nity development financial institutions to expand in-*
16 *vestments that benefit individuals with disabilities,*
17 *and of which not less than \$2,000,000 shall be for the*
18 *Economic Mobility Corps to be operated in conjunc-*
19 *tion with the Corporation for National and Commu-*
20 *nity Service, pursuant to 42 U.S.C. 12571: Provided,*
21 *That the cost of direct and guaranteed loans, includ-*
22 *ing the cost of modifying such loans, shall be as de-*
23 *finied in section 502 of the Congressional Budget Act*
24 *of 1974: Provided further, That these funds are avail-*
25 *able to subsidize gross obligations for the principal*

1 amount of direct loans not to exceed \$25,000,000:
2 Provided further, That of the funds provided under
3 this paragraph, excluding those made to community
4 development financial institutions to expand invest-
5 ments that benefit individuals with disabilities and
6 those made to community development financial in-
7 stitutions that serve populations living in persistent
8 poverty counties, the CDFI Fund shall prioritize Fi-
9 nancial Assistance awards to organizations that in-
10 vest and lend in high-poverty areas: Provided further,
11 That for purposes of this section, the term “high-pov-
12 erty area” means any census tract with a poverty
13 rate of at least 20 percent as measured by the 2011–
14 2015 5-year data series available from the American
15 Community Survey of the Bureau of the Census for
16 all States and Puerto Rico or with a poverty rate of
17 at least 20 percent as measured by the 2010 Island
18 areas Decennial Census data for any territory or pos-
19 session of the United States;

20 (2) not less than \$21,500,000, notwithstanding
21 section 108(e) of Public Law 103–325 (12 U.S.C.
22 4707(e)), is available until September 30, 2023, for fi-
23 nancial assistance, technical assistance, training, and
24 outreach programs designed to benefit Native Amer-
25 ican, Native Hawaiian, and Alaska Native commu-

1 *nities and provided primarily through qualified com-*
2 *munity development lender organizations with experi-*
3 *ence and expertise in community development bank-*
4 *ing and lending in Indian country, Native American*
5 *organizations, Tribes and Tribal organizations, and*
6 *other suitable providers;*

7 *(3) not less than \$35,000,000 is available until*
8 *September 30, 2023, for the Bank Enterprise Award*
9 *program;*

10 *(4) not less than \$23,000,000, notwithstanding*
11 *subsections (d) and (e) of section 108 of Public Law*
12 *103–325 (12 U.S.C. 4707(d) and (e)), is available*
13 *until September 30, 2023, for a Healthy Food Fi-*
14 *nancing Initiative to provide financial assistance,*
15 *technical assistance, training, and outreach to com-*
16 *munity development financial institutions for the*
17 *purpose of offering affordable financing and technical*
18 *assistance to expand the availability of healthy food*
19 *options in distressed communities;*

20 *(5) not less than \$8,500,000 is available until*
21 *September 30, 2023, to provide grants for loan loss*
22 *reserve funds and to provide technical assistance for*
23 *small dollar loan programs under section 122 of Pub-*
24 *lic Law 103–325 (12 U.S.C. 4719): Provided, That*
25 *sections 108(d) and 122(b)(2) of such Public Law*

1 shall not apply to the provision of such grants and
2 technical assistance;

3 (6) up to \$33,617,000 is available for adminis-
4 trative expenses, including administration of CDFI
5 Fund programs and the New Markets Tax Credit
6 Program, of which not less than \$1,000,000 is for the
7 development of tools to better assess and inform CDFI
8 investment performance and CDFI program impacts,
9 and up to \$300,000 is for administrative expenses to
10 carry out the direct loan program; and

11 (7) during fiscal year 2022, none of the funds
12 available under this heading are available for the
13 cost, as defined in section 502 of the Congressional
14 Budget Act of 1974, of commitments to guarantee
15 bonds and notes under section 114A of the Riegle
16 Community Development and Regulatory Improve-
17 ment Act of 1994 (12 U.S.C. 4713a): Provided, That
18 commitments to guarantee bonds and notes under
19 such section 114A shall not exceed \$500,000,000: Pro-
20 vided further, That such section 114A shall remain in
21 effect until December 31, 2022: Provided further, That
22 of the funds awarded under this heading, except those
23 provided for the Economic Mobility Corps, not less
24 than 10 percent shall be used for awards that support
25 investments that serve populations living in persistent

1 *poverty counties: Provided further, That for the pur-*
2 *poses of this paragraph and paragraph (1), the term*
3 *“persistent poverty counties” means any county, in-*
4 *cluding county equivalent areas in Puerto Rico, that*
5 *has had 20 percent or more of its population living*
6 *in poverty over the past 30 years, as measured by the*
7 *1990 and 2000 decennial censuses and the 2011–2015*
8 *5-year data series available from the American Com-*
9 *munity Survey of the Bureau of the Census or any*
10 *other territory or possession of the United States that*
11 *has had 20 percent or more of its population living*
12 *in poverty over the past 30 years, as measured by the*
13 *1990, 2000 and 2010 Island Areas Decennial Cen-*
14 *suses, or equivalent data, of the Bureau of the Census.*

15 *INTERNAL REVENUE SERVICE*

16 *TAXPAYER SERVICES*

17 *For necessary expenses of the Internal Revenue Service*
18 *to provide taxpayer services, including pre-filing assistance*
19 *and education, filing and account services, taxpayer advo-*
20 *cacy services, and other services as authorized by 5 U.S.C.*
21 *3109, at such rates as may be determined by the Commis-*
22 *sioner, \$2,780,606,000, of which not to exceed \$100,000,000*
23 *shall remain available until September 30, 2023, of which*
24 *not less than \$11,000,000 shall be for the Tax Counseling*
25 *for the Elderly Program, of which not less than \$13,000,000*

1 *shall be available for low-income taxpayer clinic grants, of*
2 *which not less than \$30,000,000, to remain available until*
3 *September 30, 2023, shall be available for the Community*
4 *Volunteer Income Tax Assistance Matching Grants Pro-*
5 *gram for tax return preparation assistance, and of which*
6 *not less than \$221,000,000 shall be available for operating*
7 *expenses of the Taxpayer Advocate Service: Provided, That*
8 *of the amounts made available for the Taxpayer Advocate*
9 *Service, not less than \$5,500,000 shall be for identity theft*
10 *and refund fraud casework.*

11

ENFORCEMENT

12 *For necessary expenses for tax enforcement activities*
13 *of the Internal Revenue Service to determine and collect*
14 *owed taxes, to provide legal and litigation support, to con-*
15 *duct criminal investigations, to enforce criminal statutes*
16 *related to violations of internal revenue laws and other fi-*
17 *nancial crimes, to purchase and hire passenger motor vehi-*
18 *cles (31 U.S.C. 1343(b)), and to provide other services as*
19 *authorized by 5 U.S.C. 3109, at such rates as may be deter-*
20 *mined by the Commissioner, \$5,437,622,000, of which not*
21 *to exceed \$250,000,000 shall remain available until Sep-*
22 *tember 30, 2023; of which not less than \$60,257,000 shall*
23 *be for the Interagency Crime and Drug Enforcement pro-*
24 *gram; of which not to exceed \$21,000,000 shall be for inves-*
25 *tigative technology for the Criminal Investigation Division;*

1 *and of which not more than \$75,000,000 shall be available*
2 *to address the Internal Revenue Service’s paper inventory*
3 *of amended returns, correspondence and adjustments to re-*
4 *turn filings: Provided, That the amount made available for*
5 *addressing paper inventory shall be in addition to amounts*
6 *made available for such purpose under the “Taxpayer Serv-*
7 *ices” heading: Provided further, That the amount made*
8 *available for investigative technology for the Criminal In-*
9 *vestigation Division shall be in addition to amounts made*
10 *available for the Criminal Investigation Division under the*
11 *“Operations Support” heading.*

12 *OPERATIONS SUPPORT*

13 *For necessary expenses of the Internal Revenue Service*
14 *to support taxpayer services and enforcement programs, in-*
15 *cluding rent payments; facilities services; printing; postage;*
16 *physical security; headquarters and other IRS-wide admin-*
17 *istration activities; research and statistics of income; tele-*
18 *communications; information technology development, en-*
19 *hancement, operations, maintenance, and security; the hire*
20 *of passenger motor vehicles (31 U.S.C. 1343(b)); the oper-*
21 *ations of the Internal Revenue Service Oversight Board;*
22 *and other services as authorized by 5 U.S.C. 3109, at such*
23 *rates as may be determined by the Commissioner;*
24 *\$4,100,826,000, of which not to exceed \$275,000,000 shall*
25 *remain available until September 30, 2023; of which not*

1 to exceed \$10,000,000 shall remain available until expended
2 for acquisition of equipment and construction, repair and
3 renovation of facilities; of which not to exceed \$1,000,000
4 shall remain available until September 30, 2024, for re-
5 search; of which not less than \$10,000,000, to remain avail-
6 able until expended, shall be available for establishment of
7 an application through which entities registering and re-
8 newing registrations in the System for Award Management
9 may request an authenticated electronic certification stat-
10 ing that the entity does or does not have a seriously delin-
11 quent tax debt; of which not to exceed \$20,000 shall be for
12 official reception and representation expenses; and of which
13 not more than \$5,000,000 shall be available to address the
14 Internal Revenue Service’s paper inventory of amended re-
15 turns, correspondence and adjustments to return filings:
16 Provided, That the amount made available for addressing
17 paper inventory shall be in addition to amounts made
18 available for such purpose under the “Taxpayer Services”
19 heading: Provided further, That not later than 30 days after
20 the end of each quarter, the Internal Revenue Service shall
21 submit a report to the Committees on Appropriations of the
22 House of Representatives and the Senate and the Comp-
23 troller General of the United States detailing major infor-
24 mation technology investments in the Internal Revenue
25 Service Integrated Modernization Business Plan portfolio,

1 *including detailed, plain language summaries on the status*
2 *of plans, costs, and results; prior results and actual expend-*
3 *itures of the prior quarter; upcoming deliverables and costs*
4 *for the fiscal year; risks and mitigation strategies associated*
5 *with ongoing work; reasons for any cost or schedule*
6 *variances; and total expenditures by fiscal year: Provided*
7 *further, That the Internal Revenue Service shall include,*
8 *in its budget justification for fiscal year 2023, a summary*
9 *of cost and schedule performance information for its major*
10 *information technology systems.*

11 *BUSINESS SYSTEMS MODERNIZATION*

12 *For necessary expenses of the Internal Revenue Serv-*
13 *ice's business systems modernization program,*
14 *\$275,000,000, to remain available until September 30,*
15 *2024, and shall be for the capital asset acquisition of infor-*
16 *mation technology systems, including management and re-*
17 *lated contractual costs of said acquisitions, including re-*
18 *lated Internal Revenue Service labor costs, and contractual*
19 *costs associated with operations authorized by 5 U.S.C.*
20 *3109: Provided, That not later than 30 days after the end*
21 *of each quarter, the Internal Revenue Service shall submit*
22 *a report to the Committees on Appropriations of the House*
23 *of Representatives and the Senate and the Comptroller Gen-*
24 *eral of the United States detailing major information tech-*
25 *nology investments in the Internal Revenue Service Inte-*

1 *grated Modernization Business Plan portfolio, including de-*
2 *tailed, plain language summaries on the status of plans,*
3 *costs, and results; prior results and actual expenditures of*
4 *the prior quarter; upcoming deliverables and costs for the*
5 *fiscal year; risks and mitigation strategies associated with*
6 *ongoing work; reasons for any cost or schedule variances;*
7 *and total expenditures by fiscal year.*

8 *ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE*

9 *SERVICE*

10 *(INCLUDING TRANSFER OF FUNDS)*

11 *SEC. 101. Not to exceed 4 percent of the appropriation*
12 *made available in this Act to the Internal Revenue Service*
13 *under the “Enforcement” heading, and not to exceed 5 per-*
14 *cent of any other appropriation made available in this Act*
15 *to the Internal Revenue Service, may be transferred to any*
16 *other Internal Revenue Service appropriation upon the ad-*
17 *vance approval of the Committees on Appropriations of the*
18 *House of Representatives and the Senate.*

19 *SEC. 102. The Internal Revenue Service shall main-*
20 *tain an employee training program, which shall include the*
21 *following topics: taxpayers’ rights, dealing courteously with*
22 *taxpayers, cross-cultural relations, ethics, and the impartial*
23 *application of tax law.*

24 *SEC. 103. The Internal Revenue Service shall institute*
25 *and enforce policies and procedures that will safeguard the*

1 *confidentiality of taxpayer information and protect tax-*
2 *payers against identity theft.*

3 *SEC. 104. Funds made available by this or any other*
4 *Act to the Internal Revenue Service shall be available for*
5 *improved facilities and increased staffing to provide suffi-*
6 *cient and effective 1–800 help line service for taxpayers. The*
7 *Commissioner shall continue to make improvements to the*
8 *Internal Revenue Service 1–800 help line service a priority*
9 *and allocate resources necessary to enhance the response*
10 *time to taxpayer communications, particularly with regard*
11 *to victims of tax-related crimes.*

12 *SEC. 105. The Internal Revenue Service shall issue a*
13 *notice of confirmation of any address change relating to an*
14 *employer making employment tax payments, and such no-*
15 *tice shall be sent to both the employer’s former and new*
16 *address and an officer or employee of the Internal Revenue*
17 *Service shall give special consideration to an offer-in-com-*
18 *promise from a taxpayer who has been the victim of fraud*
19 *by a third party payroll tax preparer.*

20 *SEC. 106. None of the funds made available under this*
21 *Act may be used by the Internal Revenue Service to target*
22 *citizens of the United States for exercising any right guar-*
23 *anteed under the First Amendment to the Constitution of*
24 *the United States.*

1 *SEC. 107. None of the funds made available in this*
2 *Act may be used by the Internal Revenue Service to target*
3 *groups for regulatory scrutiny based on their ideological be-*
4 *liefs.*

5 *SEC. 108. None of funds made available by this Act*
6 *to the Internal Revenue Service shall be obligated or ex-*
7 *pended on conferences that do not adhere to the procedures,*
8 *verification processes, documentation requirements, and*
9 *policies issued by the Chief Financial Officer, Human Cap-*
10 *ital Office, and Agency-Wide Shared Services as a result*
11 *of the recommendations in the report published on May 31,*
12 *2013, by the Treasury Inspector General for Tax Adminis-*
13 *tration entitled “Review of the August 2010 Small Busi-*
14 *ness/Self-Employed Division’s Conference in Anaheim,*
15 *California” (Reference Number 2013–10–037).*

16 *SEC. 109. None of the funds made available in this*
17 *Act to the Internal Revenue Service may be obligated or*
18 *expended—*

19 *(1) to make a payment to any employee under*
20 *a bonus, award, or recognition program; or*

21 *(2) under any hiring or personnel selection proc-*
22 *ess with respect to re-hiring a former employee;*
23 *unless such program or process takes into account the con-*
24 *duct and Federal tax compliance of such employee or former*
25 *employee.*

1 *pendents serving in foreign countries; and services author-*
2 *ized by 5 U.S.C. 3109.*

3 *SEC. 113. Not to exceed 2 percent of any appropria-*
4 *tions in this title made available under the headings “De-*
5 *partmental Offices—Salaries and Expenses”, “Office of In-*
6 *spector General”, “Special Inspector General for the Trou-*
7 *bled Asset Relief Program”, “Financial Crimes Enforce-*
8 *ment Network”, “Bureau of the Fiscal Service”, and “Alco-*
9 *hol and Tobacco Tax and Trade Bureau” may be trans-*
10 *ferred between such appropriations upon the advance ap-*
11 *proval of the Committees on Appropriations of the House*
12 *of Representatives and the Senate: Provided, That no trans-*
13 *fer under this section may increase or decrease any such*
14 *appropriation by more than 2 percent.*

15 *SEC. 114. Not to exceed 2 percent of any appropriation*
16 *made available in this Act to the Internal Revenue Service*
17 *may be transferred to the Treasury Inspector General for*
18 *Tax Administration’s appropriation upon the advance ap-*
19 *proval of the Committees on Appropriations of the House*
20 *of Representatives and the Senate: Provided, That no trans-*
21 *fer may increase or decrease any such appropriation by*
22 *more than 2 percent.*

23 *SEC. 115. None of the funds appropriated in this Act*
24 *or otherwise available to the Department of the Treasury*

1 *or the Bureau of Engraving and Printing may be used to*
2 *redesign the \$1 Federal Reserve note.*

3 *SEC. 116. The Secretary of the Treasury may transfer*
4 *funds from the “Bureau of the Fiscal Service—Salaries and*
5 *Expenses” to the Debt Collection Fund as necessary to cover*
6 *the costs of debt collection: Provided, That such amounts*
7 *shall be reimbursed to such salaries and expenses account*
8 *from debt collections received in the Debt Collection Fund.*

9 *SEC. 117. None of the funds appropriated or otherwise*
10 *made available by this or any other Act may be used by*
11 *the United States Mint to construct or operate any museum*
12 *without the explicit approval of the Committees on Appro-*
13 *priations of the House of Representatives and the Senate,*
14 *the House Committee on Financial Services, and the Senate*
15 *Committee on Banking, Housing, and Urban Affairs.*

16 *SEC. 118. None of the funds appropriated or otherwise*
17 *made available by this or any other Act or source to the*
18 *Department of the Treasury, the Bureau of Engraving and*
19 *Printing, and the United States Mint, individually or col-*
20 *lectively, may be used to consolidate any or all functions*
21 *of the Bureau of Engraving and Printing and the United*
22 *States Mint without the explicit approval of the House*
23 *Committee on Financial Services; the Senate Committee on*
24 *Banking, Housing, and Urban Affairs; and the Committees*

1 *on Appropriations of the House of Representatives and the*
2 *Senate.*

3 *SEC. 119. Funds appropriated by this Act, or made*
4 *available by the transfer of funds in this Act, for the De-*
5 *partment of the Treasury's intelligence or intelligence re-*
6 *lated activities are deemed to be specifically authorized by*
7 *the Congress for purposes of section 504 of the National Se-*
8 *curity Act of 1947 (50 U.S.C. 414) during fiscal year 2022*
9 *until the enactment of the Intelligence Authorization Act*
10 *for Fiscal Year 2022.*

11 *SEC. 120. Not to exceed \$5,000 shall be made available*
12 *from the Bureau of Engraving and Printing's Industrial*
13 *Revolving Fund for necessary official reception and rep-*
14 *resentation expenses.*

15 *SEC. 121. The Secretary of the Treasury shall submit*
16 *a Capital Investment Plan to the Committees on Appro-*
17 *priations of the House of Representatives and the Senate*
18 *not later than 30 days following the submission of the an-*
19 *nual budget submitted by the President: Provided, That*
20 *such Capital Investment Plan shall include capital invest-*
21 *ment spending from all accounts within the Department of*
22 *the Treasury, including but not limited to the Department-*
23 *wide Systems and Capital Investment Programs account,*
24 *Treasury Franchise Fund account, and the Treasury For-*
25 *feiture Fund account: Provided further, That such Capital*

1 *Investment Plan shall include expenditures occurring in*
2 *previous fiscal years for each capital investment project*
3 *that has not been fully completed.*

4 *SEC. 122. Within 45 days after the date of enactment*
5 *of this Act, the Secretary of the Treasury shall submit an*
6 *itemized report to the Committees on Appropriations of the*
7 *House of Representatives and the Senate on the amount of*
8 *total funds charged to each office by the Franchise Fund*
9 *including the amount charged for each service provided by*
10 *the Franchise Fund to each office, a detailed description*
11 *of the services, a detailed explanation of how each charge*
12 *for each service is calculated, and a description of the role*
13 *customers have in governing in the Franchise Fund.*

14 *SEC. 123. During fiscal year 2022—*

15 *(1) none of the funds made available in this or*
16 *any other Act may be used by the Department of the*
17 *Treasury, including the Internal Revenue Service, to*
18 *issue, revise, or finalize any regulation, revenue rul-*
19 *ing, or other guidance not limited to a particular tax-*
20 *payer relating to the standard which is used to deter-*
21 *mine whether an organization is operated exclusively*
22 *for the promotion of social welfare for purposes of sec-*
23 *tion 501(c)(4) of the Internal Revenue Code of 1986*
24 *(including the proposed regulations published at 78*
25 *Fed. Reg. 71535 (November 29, 2013)); and*

1 (2) *the standard and definitions as in effect on*
2 *January 1, 2010, which are used to make such deter-*
3 *minations shall apply after the date of the enactment*
4 *of this Act for purposes of determining status under*
5 *section 501(c)(4) of such Code of organizations cre-*
6 *ated on, before, or after such date.*

7 *SEC. 124. (a) Not later than 60 days after the end of*
8 *each quarter, the Office of Financial Stability and the Of-*
9 *fice of Financial Research shall submit reports on their ac-*
10 *tivities to the Committees on Appropriations of the House*
11 *of Representatives and the Senate, the Committee on Finan-*
12 *cial Services of the House of Representatives and the Senate*
13 *Committee on Banking, Housing, and Urban Affairs.*

14 *(b) The reports required under subsection (a) shall in-*
15 *clude—*

16 *(1) the obligations made during the previous*
17 *quarter by object class, office, and activity;*

18 *(2) the estimated obligations for the remainder of*
19 *the fiscal year by object class, office, and activity;*

20 *(3) the number of full-time equivalents within*
21 *each office during the previous quarter;*

22 *(4) the estimated number of full-time equivalents*
23 *within each office for the remainder of the fiscal year;*

24 *and*

1 (5) actions taken to achieve the goals, objectives,
2 and performance measures of each office.

3 (c) At the request of any such Committees specified in
4 subsection (a), the Office of Financial Stability and the Of-
5 fice of Financial Research shall make officials available to
6 testify on the contents of the reports required under sub-
7 section (a).

8 SEC. 125. In addition to amounts otherwise available,
9 there is appropriated to the Special Inspector General for
10 Pandemic Recovery, \$8,000,000, to remain available until
11 expended, for necessary expenses in carrying out section
12 4018 of the Coronavirus Aid, Relief, and Economic Security
13 Act of 2020 (Public Law 116–136).

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

REIMBURSABLE EXPENSES

1
2 *For the reimbursable expenses of the Executive Resi-*
3 *dence at the White House, such sums as may be necessary:*
4 *Provided, That all reimbursable operating expenses of the*
5 *Executive Residence shall be made in accordance with the*
6 *provisions of this paragraph: Provided further, That, not-*
7 *withstanding any other provision of law, such amount for*
8 *reimbursable operating expenses shall be the exclusive au-*
9 *thority of the Executive Residence to incur obligations and*
10 *to receive offsetting collections, for such expenses: Provided*
11 *further, That the Executive Residence shall require each*
12 *person sponsoring a reimbursable political event to pay in*
13 *advance an amount equal to the estimated cost of the event,*
14 *and all such advance payments shall be credited to this ac-*
15 *count and remain available until expended: Provided fur-*
16 *ther, That the Executive Residence shall require the na-*
17 *tional committee of the political party of the President to*
18 *maintain on deposit \$25,000, to be separately accounted for*
19 *and available for expenses relating to reimbursable political*
20 *events sponsored by such committee during such fiscal year:*
21 *Provided further, That the Executive Residence shall ensure*
22 *that a written notice of any amount owed for a reimburs-*
23 *able operating expense under this paragraph is submitted*
24 *to the person owing such amount within 60 days after such*
25 *expense is incurred, and that such amount is collected with-*

1 *in 30 days after the submission of such notice: Provided*
2 *further, That the Executive Residence shall charge interest*
3 *and assess penalties and other charges on any such amount*
4 *that is not reimbursed within such 30 days, in accordance*
5 *with the interest and penalty provisions applicable to an*
6 *outstanding debt on a United States Government claim*
7 *under 31 U.S.C. 3717: Provided further, That each such*
8 *amount that is reimbursed, and any accompanying interest*
9 *and charges, shall be deposited in the Treasury as miscella-*
10 *neous receipts: Provided further, That the Executive Resi-*
11 *dence shall prepare and submit to the Committees on Ap-*
12 *propriations, by not later than 90 days after the end of*
13 *the fiscal year covered by this Act, a report setting forth*
14 *the reimbursable operating expenses of the Executive Resi-*
15 *dence during the preceding fiscal year, including the total*
16 *amount of such expenses, the amount of such total that con-*
17 *sists of reimbursable official and ceremonial events, the*
18 *amount of such total that consists of reimbursable political*
19 *events, and the portion of each such amount that has been*
20 *reimbursed as of the date of the report: Provided further,*
21 *That the Executive Residence shall maintain a system for*
22 *the tracking of expenses related to reimbursable events with-*
23 *in the Executive Residence that includes a standard for the*
24 *classification of any such expense as political or non-*
25 *political: Provided further, That no provision of this para-*

1 *graph may be construed to exempt the Executive Residence*
2 *from any other applicable requirement of subchapter I or*
3 *II of chapter 37 of title 31, United States Code.*

4 *WHITE HOUSE REPAIR AND RESTORATION*

5 *For the repair, alteration, and improvement of the Ex-*
6 *ecutive Residence at the White House pursuant to 3 U.S.C.*
7 *105(d), \$2,500,000, to remain available until expended, for*
8 *required maintenance, resolution of safety and health*
9 *issues, and continued preventative maintenance.*

10 *COUNCIL OF ECONOMIC ADVISERS*

11 *SALARIES AND EXPENSES*

12 *For necessary expenses of the Council of Economic Ad-*
13 *visers in carrying out its functions under the Employment*
14 *Act of 1946 (15 U.S.C. 1021 et seq.), \$4,120,000.*

15 *NATIONAL SECURITY COUNCIL AND HOMELAND SECURITY*

16 *COUNCIL*

17 *SALARIES AND EXPENSES*

18 *For necessary expenses of the National Security Coun-*
19 *cil and the Homeland Security Council, including services*
20 *as authorized by 5 U.S.C. 3109, \$12,500,000, of which not*
21 *to exceed \$6,000 shall be available for official reception and*
22 *representation expenses.*

1 *OFFICE OF ADMINISTRATION*

2 *SALARIES AND EXPENSES*

3 *For necessary expenses of the Office of Administration,*
4 *including services as authorized by 5 U.S.C. 3109 and 3*
5 *U.S.C. 107, and hire of passenger motor vehicles,*
6 *\$106,500,000, of which not to exceed \$12,800,000 shall re-*
7 *main available until expended for continued modernization*
8 *of information resources within the Executive Office of the*
9 *President: Provided, That of the amounts provided under*
10 *this heading, up to \$4,500,000 shall be available for a pro-*
11 *gram to provide payments (such as stipends, subsistence al-*
12 *lowances, cost reimbursements, or awards) to students, re-*
13 *cent graduates, and veterans recently discharged from ac-*
14 *tive duty who are performing voluntary services in the Ex-*
15 *ecutive Office of the President under section 3111(b) of title*
16 *5, United States Code, or comparable authority and shall*
17 *be in addition to amounts otherwise available to pay or*
18 *compensate such individuals: Provided further, That such*
19 *payments shall not be considered compensation for purposes*
20 *of such section 3111(b) and may be paid in advance.*

21 *OFFICE OF MANAGEMENT AND BUDGET*

22 *SALARIES AND EXPENSES*

23 *For necessary expenses of the Office of Management*
24 *and Budget, including hire of passenger motor vehicles and*
25 *services as authorized by 5 U.S.C. 3109, to carry out the*

1 *provisions of chapter 35 of title 44, United States Code,*
2 *and to prepare and submit the budget of the United States*
3 *Government, in accordance with section 1105(a) of title 31,*
4 *United States Code, \$116,000,000, of which not to exceed*
5 *\$3,000 shall be available for official representation expenses:*
6 *Provided, That none of the funds appropriated in this Act*
7 *for the Office of Management and Budget may be used for*
8 *the purpose of reviewing any agricultural marketing orders*
9 *or any activities or regulations under the provisions of the*
10 *Agricultural Marketing Agreement Act of 1937 (7 U.S.C.*
11 *601 et seq.): Provided further, That none of the funds made*
12 *available for the Office of Management and Budget by this*
13 *Act may be expended for the altering of the transcript of*
14 *actual testimony of witnesses, except for testimony of offi-*
15 *cials of the Office of Management and Budget, before the*
16 *Committees on Appropriations or their subcommittees: Pro-*
17 *vided further, That none of the funds made available for*
18 *the Office of Management and Budget by this Act may be*
19 *expended for the altering of the annual work plan developed*
20 *by the Corps of Engineers for submission to the Committees*
21 *on Appropriations: Provided further, That none of the funds*
22 *provided in this or prior Acts shall be used, directly or indi-*
23 *rectly, by the Office of Management and Budget, for evalu-*
24 *ating or determining if water resource project or study re-*
25 *ports submitted by the Chief of Engineers acting through*

1 *the Secretary of the Army are in compliance with all appli-*
2 *cable laws, regulations, and requirements relevant to the*
3 *Civil Works water resource planning process: Provided fur-*
4 *ther, That the Office of Management and Budget shall have*
5 *not more than 60 days in which to perform budgetary pol-*
6 *icy reviews of water resource matters on which the Chief*
7 *of Engineers has reported: Provided further, That the Direc-*
8 *tor of the Office of Management and Budget shall notify*
9 *the appropriate authorizing and appropriating committees*
10 *when the 60-day review is initiated: Provided further, That*
11 *if water resource reports have not been transmitted to the*
12 *appropriate authorizing and appropriating committees*
13 *within 15 days after the end of the Office of Management*
14 *and Budget review period based on the notification from*
15 *the Director, Congress shall assume Office of Management*
16 *and Budget concurrence with the report and act accord-*
17 *ingly: Provided further, That no later than 14 days after*
18 *the submission of the budget of the United States Govern-*
19 *ment for fiscal year 2023, the Director of the Office of Man-*
20 *agement and Budget shall make publicly available on a*
21 *website a tabular list for each agency that submits budget*
22 *justification materials (as defined in section 3 of the Fed-*
23 *eral Funding Accountability and Transparency Act of*
24 *2006) that shall include, at minimum, the name of the*
25 *agency, the date on which the budget justification materials*

1 *of the agency were submitted to Congress, and a uniform*
2 *resource locator where the budget justification materials are*
3 *published on the website of the agency.*

4 *INTELLECTUAL PROPERTY ENFORCEMENT COORDINATOR*

5 *For necessary expenses of the Office of the Intellectual*
6 *Property Enforcement Coordinator, as authorized by title*
7 *III of the Prioritizing Resources and Organization for In-*
8 *tellectual Property Act of 2008 (Public Law 110–403), in-*
9 *cluding services authorized by 5 U.S.C. 3109, \$1,838,000.*

10 *OFFICE OF NATIONAL DRUG CONTROL POLICY*

11 *SALARIES AND EXPENSES*

12 *For necessary expenses of the Office of National Drug*
13 *Control Policy; for research activities pursuant to the Office*
14 *of National Drug Control Policy Reauthorization Act of*
15 *1998, as amended; not to exceed \$10,000 for official recep-*
16 *tion and representation expenses; and for participation in*
17 *joint projects or in the provision of services on matters of*
18 *mutual interest with nonprofit, research, or public organi-*
19 *zations or agencies, with or without reimbursement,*
20 *\$18,952,000: Provided, That the Office is authorized to ac-*
21 *cept, hold, administer, and utilize gifts, both real and per-*
22 *sonal, public and private, without fiscal year limitation,*
23 *for the purpose of aiding or facilitating the work of the Of-*
24 *fice.*

1 *FEDERAL DRUG CONTROL PROGRAMS*
2 *HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM*
3 *(INCLUDING TRANSFERS OF FUNDS)*
4 *For necessary expenses of the Office of National Drug*
5 *Control Policy’s High Intensity Drug Trafficking Areas*
6 *Program, \$296,600,000, to remain available until Sep-*
7 *tember 30, 2023, for drug control activities consistent with*
8 *the approved strategy for each of the designated High Inten-*
9 *sity Drug Trafficking Areas (“HIDTAs”), of which not less*
10 *than 51 percent shall be transferred to State and local enti-*
11 *ties for drug control activities and shall be obligated not*
12 *later than 120 days after enactment of this Act: Provided,*
13 *That up to 49 percent may be transferred to Federal agen-*
14 *cies and departments in amounts determined by the Direc-*
15 *tor of the Office of National Drug Control Policy, of which*
16 *up to \$5,800,000 may be used for auditing services and as-*
17 *sociated activities and \$3,500,000 shall be for a new Grants*
18 *Management System for use by the Office of National Drug*
19 *Control Policy: Provided further, That any unexpended*
20 *funds obligated prior to fiscal year 2020 may be used for*
21 *any other approved activities of that HIDTA, subject to re-*
22 *programming requirements: Provided further, That each*
23 *HIDTA designated as of September 30, 2021, shall be fund-*
24 *ed at not less than the fiscal year 2021 base level, unless*
25 *the Director submits to the Committees on Appropriations*

1 *of the House of Representatives and the Senate justification*
2 *for changes to those levels based on clearly articulated prior-*
3 *ities and published Office of National Drug Control Policy*
4 *performance measures of effectiveness: Provided further,*
5 *That the Director shall notify the Committees on Appro-*
6 *priations of the initial allocation of fiscal year 2022 fund-*
7 *ing among HIDTAs not later than 45 days after enactment*
8 *of this Act, and shall notify the Committees of planned uses*
9 *of discretionary HIDTA funding, as determined in con-*
10 *sultation with the HIDTA Directors, not later than 90 days*
11 *after enactment of this Act: Provided further, That upon*
12 *a determination that all or part of the funds so transferred*
13 *from this appropriation are not necessary for the purposes*
14 *provided herein and upon notification to the Committees*
15 *on Appropriations of the House of Representatives and the*
16 *Senate, such amounts may be transferred back to this ap-*
17 *propriation.*

18 *OTHER FEDERAL DRUG CONTROL PROGRAMS*

19 *(INCLUDING TRANSFERS OF FUNDS)*

20 *For other drug control activities authorized by the*
21 *Anti-Drug Abuse Act of 1988 and the Office of National*
22 *Drug Control Policy Reauthorization Act of 1998, as*
23 *amended, \$133,617,000, to remain available until ex-*
24 *pended, which shall be available as follows: \$106,000,000*
25 *for the Drug-Free Communities Program, of which not more*

1 *than \$11,250,000 is for administrative expenses, and of*
2 *which \$2,500,000 shall be made available as directed by sec-*
3 *tion 4 of Public Law 107–82, as amended by section 8204*
4 *of Public Law 115–271; \$3,000,000 for drug court training*
5 *and technical assistance; \$15,000,000 for anti-doping ac-*
6 *tivities; up to \$3,167,000 for the United States membership*
7 *dues to the World Anti-Doping Agency; \$1,250,000 for the*
8 *Model Acts Program; and \$5,200,000 for activities author-*
9 *ized by section 103 of Public Law 114–198: Provided, That*
10 *amounts made available under this heading may be trans-*
11 *ferred to other Federal departments and agencies to carry*
12 *out such activities: Provided further, That the Director of*
13 *the Office of National Drug Control Policy shall, not fewer*
14 *than 30 days prior to obligating funds under this heading*
15 *for United States membership dues to the World Anti-*
16 *Doping Agency, submit to the Committees on Appropria-*
17 *tions of the House of Representatives and the Senate a*
18 *spending plan and explanation of the proposed uses of these*
19 *funds.*

20 *UNANTICIPATED NEEDS*

21 *For expenses necessary to enable the President to meet*
22 *unanticipated needs, in furtherance of the national interest,*
23 *security, or defense which may arise at home or abroad dur-*
24 *ing the current fiscal year, as authorized by 3 U.S.C. 108,*
25 *\$1,000,000, to remain available until September 30, 2023.*

1 *INFORMATION TECHNOLOGY OVERSIGHT AND REFORM*
2 *(INCLUDING TRANSFER OF FUNDS)*

3 *For necessary expenses for the furtherance of inte-*
4 *grated, efficient, secure, and effective uses of information*
5 *technology in the Federal Government, \$8,000,000, to re-*
6 *main available until expended: Provided, That the Director*
7 *of the Office of Management and Budget may transfer these*
8 *funds to one or more other agencies to carry out projects*
9 *to meet these purposes.*

10 *SPECIAL ASSISTANCE TO THE PRESIDENT*
11 *SALARIES AND EXPENSES*

12 *For necessary expenses to enable the Vice President to*
13 *provide assistance to the President in connection with spe-*
14 *cially assigned functions; services as authorized by 5 U.S.C.*
15 *3109 and 3 U.S.C. 106, including subsistence expenses as*
16 *authorized by 3 U.S.C. 106, which shall be expended and*
17 *accounted for as provided in that section; and hire of pas-*
18 *senger motor vehicles, \$4,839,000.*

19 *OFFICIAL RESIDENCE OF THE VICE PRESIDENT*
20 *OPERATING EXPENSES*
21 *(INCLUDING TRANSFER OF FUNDS)*

22 *For the care, operation, refurnishing, improvement,*
23 *and to the extent not otherwise provided for, heating and*
24 *lighting, including electric power and fixtures, of the offi-*
25 *cial residence of the Vice President; the hire of passenger*

1 *motor vehicles; and not to exceed \$90,000 pursuant to*
2 *U.S.C. 106(b)(2), \$311,000: Provided, That advances, re-*
3 *payments, or transfers from this appropriation may be*
4 *made to any department or agency for expenses of carrying*
5 *out such activities.*

6 *ADMINISTRATIVE PROVISIONS—EXECUTIVE OFFICE OF*
7 *THE PRESIDENT AND FUNDS APPROPRIATED TO THE*
8 *PRESIDENT*

9 *(INCLUDING TRANSFER OF FUNDS)*

10 *SEC. 201. From funds made available in this Act*
11 *under the headings “The White House”, “Executive Resi-*
12 *dence at the White House”, “White House Repair and Res-*
13 *toration”, “Council of Economic Advisers”, “National Se-*
14 *curity Council and Homeland Security Council”, “Office*
15 *of Administration”, “Special Assistance to the President”,*
16 *and “Official Residence of the Vice President”, the Director*
17 *of the Office of Management and Budget (or such other offi-*
18 *cer as the President may designate in writing), may, with*
19 *advance approval of the Committees on Appropriations of*
20 *the House of Representatives and the Senate, transfer not*
21 *to exceed 10 percent of any such appropriation to any other*
22 *such appropriation, to be merged with and available for*
23 *the same time and for the same purposes as the appropria-*
24 *tion to which transferred: Provided, That the amount of an*
25 *appropriation shall not be increased by more than 50 per-*

1 cent by such transfers: Provided further, That no amount
2 shall be transferred from “Special Assistance to the Presi-
3 dent” or “Official Residence of the Vice President” without
4 the approval of the Vice President.

5 SEC. 202. (a) During fiscal year 2022, any Executive
6 order or Presidential memorandum issued or revoked by the
7 President shall be accompanied by a written statement from
8 the Director of the Office of Management and Budget on
9 the budgetary impact, including costs, benefits, and reve-
10 nues, of such order or memorandum.

11 (b) Any such statement shall include—

12 (1) a narrative summary of the budgetary im-
13 pact of such order or memorandum on the Federal
14 Government;

15 (2) the impact on mandatory and discretionary
16 obligations and outlays as the result of such order or
17 memorandum, listed by Federal agency, for each year
18 in the 5-fiscal-year period beginning in fiscal year
19 2022; and

20 (3) the impact on revenues of the Federal Gov-
21 ernment as the result of such order or memorandum
22 over the 5-fiscal-year period beginning in fiscal year
23 2022.

24 (c) If an Executive order or Presidential memorandum
25 is issued during fiscal year 2022 due to a national emer-

1 *gency, the Director of the Office of Management and Budget*
2 *may issue the statement required by subsection (a) not later*
3 *than 15 days after the date that such order or memorandum*
4 *is issued.*

5 *(d) The requirement for cost estimates for Presidential*
6 *memoranda shall only apply for Presidential memoranda*
7 *estimated to have a regulatory cost in excess of*
8 *\$100,000,000.*

9 *SEC. 203. Not later than 30 days after the date of en-*
10 *actment of this Act, the Director of the Office of Manage-*
11 *ment and Budget shall issue a memorandum to all Federal*
12 *departments, agencies, and corporations directing compli-*
13 *ance with the provisions in title VII of this Act.*

14 *SEC. 204. (a) Beginning not later than 10 days after*
15 *the date of enactment of this Act and until the requirements*
16 *of subsection (b) are completed, the Office of Management*
17 *and Budget shall provide to the Committees on Appropria-*
18 *tions and the Budget of the House of Representatives and*
19 *the Senate each document apportioning an appropriation,*
20 *pursuant to section 1513(b) of title 31, United States Code,*
21 *approved by the Office of Management and Budget, includ-*
22 *ing any associated footnotes, not later than 2 business days*
23 *after the date of approval of such apportionment by the Of-*
24 *fice of Management and Budget.*

1 (b) Not later than 120 days after the date of enactment
2 of this Act, the Office of Management and Budget shall com-
3 plete implementation of an automated system to post each
4 document apportioning an appropriation, pursuant to sec-
5 tion 1513(b) of title 31, United States Code, including any
6 associated footnotes, in a format that qualifies each such
7 document as an Open Government Data Asset (as defined
8 in section 3502 of title 44, United States Code), not later
9 than 2 business days after the date of approval of such ap-
10 portionment, and shall place on such website each document
11 apportioning an appropriation, pursuant to such section
12 1513(b), including any associated footnotes, already ap-
13 proved the current fiscal year, and shall report the date of
14 completion of such requirements to the Committees on Ap-
15 propriations and the Budget of the House of Representatives
16 and Senate.

17 (c) Each document apportioning an appropriation
18 pursuant to section 1513(b) of title 31, United States Code,
19 that is posted on a publicly accessible website pursuant to
20 such section shall also include a written explanation by the
21 official approving each such apportionment stating the ra-
22 tionale for any footnotes for apportioned amounts: Pro-
23 vided, That the Office of Management and Budget or the
24 applicable department or agency shall make available clas-
25 sified documentation referenced in any apportionment at

1 *the request of the chair or ranking member of any appro-*
2 *priate congressional committee or subcommittee.*

3 *(d)(1) Not later than 15 days after the date of enact-*
4 *ment of this Act, any delegation of apportionment authority*
5 *pursuant to section 1513(b) of title 31, United States Code,*
6 *that is in effect as of such date shall be submitted for publi-*
7 *cation in the Federal Register: Provided, That any delega-*
8 *tion of such apportionment authority after the date of en-*
9 *actment of this section shall, on the date of such delegation,*
10 *be submitted for publication in the Federal Register: Pro-*
11 *vided further, That the Office of Management and Budget*
12 *shall publish such delegations in a format that qualifies*
13 *such publications as an Open Government Data Asset (as*
14 *defined in section 3502 of title 44, United States Code) on*
15 *a public Internet website, which shall be continuously up-*
16 *dated with the position of each Federal officer or employee*
17 *to whom apportionment authority has been delegated.*

18 *(2) Not later than 5 days after any change in the posi-*
19 *tion of the approving official with respect to such delegated*
20 *apportionment authority for any account is made, the Of-*
21 *fice shall submit a report to the appropriate congressional*
22 *committees explaining why such change was made.*

23 *This title may be cited as the “Executive Office of the*
24 *President Appropriations Act, 2022”.*

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TITLE III

THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

For expenses necessary for the operation of the Supreme Court, as required by law, excluding care of the building and grounds, including hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; not to exceed \$10,000 for official reception and representation expenses; and for miscellaneous expenses, to be expended as the Chief Justice may approve, \$98,338,000, of which \$1,500,000 shall remain available until expended.

In addition, there are appropriated such sums as may be necessary under current law for the salaries of the chief justice and associate justices of the court.

CARE OF THE BUILDING AND GROUNDS

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon the Architect by 40 U.S.C. 6111 and 6112, \$14,434,000, to remain available until expended.

1 *UNITED STATES COURT OF APPEALS FOR THE FEDERAL*
2 *CIRCUIT*

3 *SALARIES AND EXPENSES*

4 *For salaries of officers and employees, and for nec-*
5 *essary expenses of the court, as authorized by law,*
6 *\$34,280,000.*

7 *In addition, there are appropriated such sums as may*
8 *be necessary under current law for the salaries of the chief*
9 *judge and judges of the court.*

10 *UNITED STATES COURT OF INTERNATIONAL TRADE*

11 *SALARIES AND EXPENSES*

12 *For salaries of officers and employees of the court, serv-*
13 *ices, and necessary expenses of the court, as authorized by*
14 *law, \$20,600,000.*

15 *In addition, there are appropriated such sums as may*
16 *be necessary under current law for the salaries of the chief*
17 *judge and judges of the court.*

18 *COURTS OF APPEALS, DISTRICT COURTS, AND OTHER*

19 *JUDICIAL SERVICES*

20 *SALARIES AND EXPENSES*

21 *For the salaries of judges of the United States Court*
22 *of Federal Claims, magistrate judges, and all other officers*
23 *and employees of the Federal Judiciary not otherwise spe-*
24 *cifically provided for, necessary expenses of the courts, and*
25 *the purchase, rental, repair, and cleaning of uniforms for*

1 *Probation and Pretrial Services Office staff, as authorized*
2 *by law, \$5,580,052,000 (including the purchase of firearms*
3 *and ammunition); of which not to exceed \$27,817,000 shall*
4 *remain available until expended for space alteration*
5 *projects and for furniture and furnishings related to new*
6 *space alteration and construction projects.*

7 *In addition, there are appropriated such sums as may*
8 *be necessary under current law for the salaries of circuit*
9 *and district judges (including judges of the territorial courts*
10 *of the United States), bankruptcy judges, and justices and*
11 *judges retired from office or from regular active service.*

12 *In addition, for expenses of the United States Court*
13 *of Federal Claims associated with processing cases under*
14 *the National Childhood Vaccine Injury Act of 1986 (Public*
15 *Law 99–660), not to exceed \$9,850,000, to be appropriated*
16 *from the Vaccine Injury Compensation Trust Fund.*

17 *DEFENDER SERVICES*

18 *For the operation of Federal Defender organizations;*
19 *the compensation and reimbursement of expenses of attor-*
20 *neys appointed to represent persons under 18 U.S.C. 3006A*
21 *and 3599, and for the compensation and reimbursement of*
22 *expenses of persons furnishing investigative, expert, and*
23 *other services for such representations as authorized by law;*
24 *the compensation (in accordance with the maximums under*
25 *18 U.S.C. 3006A) and reimbursement of expenses of attor-*

1 *neys appointed to assist the court in criminal cases where*
2 *the defendant has waived representation by counsel; the*
3 *compensation and reimbursement of expenses of attorneys*
4 *appointed to represent jurors in civil actions for the protec-*
5 *tion of their employment, as authorized by 28 U.S.C.*
6 *1875(d)(1); the compensation and reimbursement of ex-*
7 *penses of attorneys appointed under 18 U.S.C. 983(b)(1)*
8 *in connection with certain judicial civil forfeiture pro-*
9 *ceedings; the compensation and reimbursement of travel ex-*
10 *penses of guardians ad litem appointed under 18 U.S.C.*
11 *4100(b); and for necessary training and general adminis-*
12 *trative expenses, \$1,343,175,000, to remain available until*
13 *expended.*

14 *FEES OF JURORS AND COMMISSIONERS*

15 *For fees and expenses of jurors as authorized by 28*
16 *U.S.C. 1871 and 1876; compensation of jury commissioners*
17 *as authorized by 28 U.S.C. 1863; and compensation of com-*
18 *missioners appointed in condemnation cases pursuant to*
19 *rule 71.1(h) of the Federal Rules of Civil Procedure (28*
20 *U.S.C. Appendix Rule 71.1(h)), \$32,603,000, to remain*
21 *available until expended: Provided, That the compensation*
22 *of land commissioners shall not exceed the daily equivalent*
23 *of the highest rate payable under 5 U.S.C. 5332.*

1 COURT SECURITY

2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses, not otherwise provided for, in-
4 cident to the provision of protective guard services for
5 United States courthouses and other facilities housing Fed-
6 eral court or Administrative Office of the United States
7 Courts operations, the procurement, installation, and main-
8 tenance of security systems and equipment for United
9 States courthouses and other facilities housing Federal court
10 or Administrative Office of the United States Courts oper-
11 ations, building ingress-egress control, inspection of mail
12 and packages, directed security patrols, perimeter security,
13 basic security services provided by the Federal Protective
14 Service, and other similar activities as authorized by sec-
15 tion 1010 of the Judicial Improvement and Access to Jus-
16 tice Act (Public Law 100-702), \$704,800,000, of which not
17 to exceed \$20,000,000 shall remain available until ex-
18 pended, to be expended directly or transferred to the United
19 States Marshals Service, which shall be responsible for ad-
20 ministering the Judicial Facility Security Program con-
21 sistent with standards or guidelines agreed to by the Direc-
22 tor of the Administrative Office of the United States Courts
23 and the Attorney General: Provided, That funds made
24 available under this heading may be used for managing a
25 Judiciary-wide program to facilitate security and emer-

1 *gency management services among the Judiciary, United*
2 *States Marshals Service, Federal Protective Service, Gen-*
3 *eral Services Administration, other Federal agencies, state*
4 *and local governments and the public; and, notwithstanding*
5 *sections 331, 566(e)(1), and 566(i) of title 28, United States*
6 *Code, for identifying and pursuing the voluntary redaction*
7 *and reduction of personally identifiable information on the*
8 *internet of judges and other familial relatives who live at*
9 *the judge's domicile.*

10 *ADMINISTRATIVE OFFICE OF THE UNITED STATES*

11 *COURTS*

12 *SALARIES AND EXPENSES*

13 *For necessary expenses of the Administrative Office of*
14 *the United States Courts as authorized by law, including*
15 *travel as authorized by 31 U.S.C. 1345, hire of a passenger*
16 *motor vehicle as authorized by 31 U.S.C. 1343(b), adver-*
17 *tising and rent in the District of Columbia and elsewhere,*
18 *\$98,545,000, of which not to exceed \$8,500 is authorized*
19 *for official reception and representation expenses.*

20 *FEDERAL JUDICIAL CENTER*

21 *SALARIES AND EXPENSES*

22 *For necessary expenses of the Federal Judicial Center,*
23 *as authorized by Public Law 90–219, \$29,885,000; of which*
24 *\$1,800,000 shall remain available through September 30,*
25 *2023, to provide education and training to Federal court*

1 *personnel; and of which not to exceed \$1,500 is authorized*
2 *for official reception and representation expenses.*

3 *UNITED STATES SENTENCING COMMISSION*

4 *SALARIES AND EXPENSES*

5 *For the salaries and expenses necessary to carry out*
6 *the provisions of chapter 58 of title 28, United States Code,*
7 *\$20,564,000, of which not to exceed \$1,000 is authorized*
8 *for official reception and representation expenses.*

9 *ADMINISTRATIVE PROVISIONS—THE JUDICIARY*

10 *(INCLUDING TRANSFER OF FUNDS)*

11 *SEC. 301. Appropriations and authorizations made in*
12 *this title which are available for salaries and expenses shall*
13 *be available for services as authorized by 5 U.S.C. 3109.*

14 *SEC. 302. Not to exceed 5 percent of any appropriation*
15 *made available for the current fiscal year for the Judiciary*
16 *in this Act may be transferred between such appropriations,*
17 *but no such appropriation, except “Courts of Appeals, Dis-*
18 *trict Courts, and Other Judicial Services, Defender Serv-*
19 *ices” and “Courts of Appeals, District Courts, and Other*
20 *Judicial Services, Fees of Jurors and Commissioners”, shall*
21 *be increased by more than 10 percent by any such transfers:*
22 *Provided, That any transfer pursuant to this section shall*
23 *be treated as a reprogramming of funds under sections 604*
24 *and 608 of this Act and shall not be available for obligation*

1 *or expenditure except in compliance with the procedures set*
2 *forth in section 608.*

3 *SEC. 303. Notwithstanding any other provision of law,*
4 *the salaries and expenses appropriation for “Courts of Ap-*
5 *peals, District Courts, and Other Judicial Services” shall*
6 *be available for official reception and representation ex-*
7 *penses of the Judicial Conference of the United States: Pro-*
8 *vided, That such available funds shall not exceed \$11,000*
9 *and shall be administered by the Director of the Adminis-*
10 *trative Office of the United States Courts in the capacity*
11 *as Secretary of the Judicial Conference.*

12 *SEC. 304. Section 3315(a) of title 40, United States*
13 *Code, shall be applied by substituting “Federal” for “execu-*
14 *tive” each place it appears.*

15 *SEC. 305. In accordance with 28 U.S.C. 561–569, and*
16 *notwithstanding any other provision of law, the United*
17 *States Marshals Service shall provide, for such courthouses*
18 *as its Director may designate in consultation with the Di-*
19 *rector of the Administrative Office of the United States*
20 *Courts, for purposes of a pilot program, the security services*
21 *that 40 U.S.C. 1315 authorizes the Department of Home-*
22 *land Security to provide, except for the services specified*
23 *in 40 U.S.C. 1315(b)(2)(E). For building-specific security*
24 *services at these courthouses, the Director of the Administra-*
25 *tive Office of the United States Courts shall reimburse the*

1 *United States Marshals Service rather than the Department*
2 *of Homeland Security.*

3 *SEC. 306. (a) Section 203(c) of the Judicial Improve-*
4 *ments Act of 1990 (Public Law 101–650; 28 U.S.C. 133*
5 *note), is amended in the matter following paragraph 12—*

6 *(1) in the second sentence (relating to the Dis-*
7 *trict of Kansas), by striking “30 years and 6 months”*
8 *and inserting “31 years and 6 months”; and*

9 *(2) in the sixth sentence (relating to the District*
10 *of Hawaii), by striking “27 years and 6 months” and*
11 *inserting “28 years and 6 months”.*

12 *(b) Section 406 of the Transportation, Treasury,*
13 *Housing and Urban Development, the Judiciary, the Dis-*
14 *trict of Columbia, and Independent Agencies Appropria-*
15 *tions Act, 2006 (Public Law 109–115; 119 Stat. 2470; 28*
16 *U.S.C. 133 note) is amended in the second sentence (relat-*
17 *ing to the eastern District of Missouri) by striking “28*
18 *years and 6 months” and inserting “29 years and 6*
19 *months”.*

20 *(c) Section 312(c)(2) of the 21st Century Department*
21 *of Justice Appropriations Authorization Act (Public Law*
22 *107–273; 28 U.S.C. 133 note), is amended—*

23 *(1) in the first sentence by striking “19 years”*
24 *and inserting “20 years”;*

1 (2) *in the second sentence (relating to the central*
2 *District of California), by striking “18 years and 6*
3 *months” and inserting “19 years and 6 months”; and*

4 (3) *in the third sentence (relating to the western*
5 *district of North Carolina), by striking “17 years”*
6 *and inserting “18 years”.*

7 *This title may be cited as the “Judiciary Appropria-*
8 *tions Act, 2022”.*

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TITLE IV

DISTRICT OF COLUMBIA

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia, to be deposited into a dedicated account, for a nationwide program to be administered by the Mayor, for District of Columbia resident tuition support, \$40,000,000, to remain available until expended: Provided, That such funds, including any interest accrued thereon, may be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, or to pay up to \$2,500 each year at eligible private institutions of higher education: Provided further, That the awarding of such funds may be prioritized on the basis of a resident's academic merit, the income and need of eligible students and such other factors as may be authorized: Provided further, That the District of Columbia government shall maintain a dedicated account for the Resident Tuition Support Program that shall consist of the Federal funds appropriated to the Program in this Act and any subsequent appropriations, any unobligated balances from prior fiscal years, and any interest earned in this or any fiscal year: Provided further, That the account shall be under the con-

1 *trol of the District of Columbia Chief Financial Officer, who*
2 *shall use those funds solely for the purposes of carrying out*
3 *the Resident Tuition Support Program: Provided further,*
4 *That the Office of the Chief Financial Officer shall provide*
5 *a quarterly financial report to the Committees on Appro-*
6 *priations of the House of Representatives and the Senate*
7 *for these funds showing, by object class, the expenditures*
8 *made and the purpose therefor.*

9 *FEDERAL PAYMENT FOR EMERGENCY PLANNING AND*

10 *SECURITY COSTS IN THE DISTRICT OF COLUMBIA*

11 *For a Federal payment of necessary expenses, as deter-*
12 *mined by the Mayor of the District of Columbia in written*
13 *consultation with the elected county or city officials of sur-*
14 *rounding jurisdictions, \$25,000,000, to remain available*
15 *until expended, for the costs of providing public safety at*
16 *events related to the presence of the National Capital in*
17 *the District of Columbia, including support requested by*
18 *the Director of the United States Secret Service in carrying*
19 *out protective duties under the direction of the Secretary*
20 *of Homeland Security, and for the costs of providing sup-*
21 *port to respond to immediate and specific terrorist threats*
22 *or attacks in the District of Columbia or surrounding juris-*
23 *dictions.*

1 *That notwithstanding any other provision of law, all*
2 *amounts under this heading shall be apportioned quarterly*
3 *by the Office of Management and Budget and obligated and*
4 *expended in the same manner as funds appropriated for*
5 *salaries and expenses of other Federal agencies: Provided*
6 *further, That 30 days after providing written notice to the*
7 *Committees on Appropriations of the House of Representa-*
8 *tives and the Senate, the District of Columbia Courts may*
9 *reallocate not more than \$9,000,000 of the funds provided*
10 *under this heading among the items and entities funded*
11 *under this heading: Provided further, That the Joint Com-*
12 *mittee on Judicial Administration in the District of Colum-*
13 *bia may, by regulation, establish a program substantially*
14 *similar to the program set forth in subchapter II of chapter*
15 *35 of title 5, United States Code, for employees of the Dis-*
16 *trict of Columbia Courts.*

17 *FEDERAL PAYMENT FOR DEFENDER SERVICES IN DISTRICT*
18 *OF COLUMBIA COURTS*

19 *For payments authorized under section 11–2604 and*
20 *section 11–2605, D.C. Official Code (relating to representa-*
21 *tion provided under the District of Columbia Criminal Jus-*
22 *tice Act), payments for counsel appointed in proceedings*
23 *in the Family Court of the Superior Court of the District*
24 *of Columbia under chapter 23 of title 16, D.C. Official*
25 *Code, or pursuant to contractual agreements to provide*

1 guardian ad litem representation, training, technical as-
2 sistance, and such other services as are necessary to improve
3 the quality of guardian ad litem representation, payments
4 for counsel appointed in adoption proceedings under chap-
5 ter 3 of title 16, D.C. Official Code, and payments author-
6 ized under section 21-2060, D.C. Official Code (relating to
7 services provided under the District of Columbia Guardian-
8 ship, Protective Proceedings, and Durable Power of Attor-
9 ney Act of 1986), \$46,005,000, to remain available until
10 expended: Provided, That funds provided under this head-
11 ing shall be administered by the Joint Committee on Judi-
12 cial Administration in the District of Columbia: Provided
13 further, That, notwithstanding any other provision of law,
14 this appropriation shall be apportioned quarterly by the Of-
15 fice of Management and Budget and obligated and expended
16 in the same manner as funds appropriated for expenses of
17 other Federal agencies.

18 FEDERAL PAYMENT TO THE COURT SERVICES AND OF-
19 FENDER SUPERVISION AGENCY FOR THE DISTRICT OF
20 COLUMBIA

21 For salaries and expenses, including the transfer and
22 hire of motor vehicles, of the Court Services and Offender
23 Supervision Agency for the District of Columbia, as author-
24 ized by the National Capital Revitalization and Self-Gov-
25 ernment Improvement Act of 1997, \$286,426,000, of which

1 *not to exceed \$2,000 is for official reception and representa-*
2 *tion expenses related to Community Supervision and Pre-*
3 *trial Services Agency programs, and of which not to exceed*
4 *\$25,000 is for dues and assessments relating to the imple-*
5 *mentation of the Court Services and Offender Supervision*
6 *Agency Interstate Supervision Act of 2002: Provided, That,*
7 *of the funds appropriated under this heading, \$206,006,000*
8 *shall be for necessary expenses of Community Supervision*
9 *and Sex Offender Registration, to include expenses relating*
10 *to the supervision of adults subject to protection orders or*
11 *the provision of services for or related to such persons, of*
12 *which \$14,747,000 shall remain available until September*
13 *30, 2024, for costs associated with the relocation under re-*
14 *placement leases for headquarters offices, field offices and*
15 *related facilities: Provided further, That, of the funds ap-*
16 *propriated under this heading, \$80,420,000 shall be avail-*
17 *able to the Pretrial Services Agency, of which \$7,304,000*
18 *shall remain available until September 30, 2024, for costs*
19 *associated with relocation under a replacement lease for*
20 *headquarters offices, field offices, and related facilities: Pro-*
21 *vided further, That notwithstanding any other provision of*
22 *law, all amounts under this heading shall be apportioned*
23 *quarterly by the Office of Management and Budget and ob-*
24 *ligated and expended in the same manner as funds appro-*
25 *priated for salaries and expenses of other Federal agencies:*

1 *Provided further, That amounts under this heading may*
2 *be used for programmatic incentives for defendants to suc-*
3 *cessfully complete their terms of supervision.*

4 *FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA*
5 *PUBLIC DEFENDER SERVICE*

6 *For salaries and expenses, including the transfer and*
7 *hire of motor vehicles, of the District of Columbia Public*
8 *Defender Service, as authorized by the National Capital Re-*
9 *vitalization and Self-Government Improvement Act of 1997,*
10 *\$52,598,000, of which \$5,175,000 shall remain available*
11 *until September 30, 2024, for salaries and expenses associ-*
12 *ated with providing representation pursuant to title III of*
13 *the Comprehensive Youth Justice Amendment Act of 2016*
14 *(D.C. Law 21–238; D.C. Official Code, sec. 24–403.03), as*
15 *amended by title VI of the Omnibus Public Safety and Jus-*
16 *tice Amendment Act of 2020 (D.C. Law 23–274): Provided,*
17 *That notwithstanding any other provision of law, all*
18 *amounts under this heading shall be apportioned quarterly*
19 *by the Office of Management and Budget and obligated and*
20 *expended in the same manner as funds appropriated for*
21 *salaries and expenses of Federal agencies: Provided further,*
22 *That the District of Columbia Public Defender Service may*
23 *establish for employees of the District of Columbia Public*
24 *Defender Service a program substantially similar to the*
25 *program set forth in subchapter II of chapter 35 of title*

1 5, *United States Code*, except that the maximum amount
2 of the payment made under the program to any individual
3 may not exceed the amount referred to in section
4 3523(b)(3)(B) of title 5, *United States Code*: Provided fur-
5 ther, That for the purposes of engaging with, and receiving
6 services from, *Federal Franchise Fund Programs* estab-
7 lished in accordance with section 403 of the *Government*
8 *Management Reform Act of 1994*, as amended, the *District*
9 *of Columbia Public Defender Service* shall be considered an
10 agency of the *United States Government*: Provided further,
11 That the *District of Columbia Public Defender Service* may
12 enter into contracts for the procurement of severable services
13 and multiyear contracts for the acquisition of property and
14 services to the same extent and under the same conditions
15 as an executive agency under sections 3902 and 3903 of
16 title 41, *United States Code*.

17 *FEDERAL PAYMENT TO THE CRIMINAL JUSTICE*

18 *COORDINATING COUNCIL*

19 *For a Federal payment to the Criminal Justice Co-*
20 *ordinating Council, \$2,150,000, to remain available until*
21 *expended, to support initiatives related to the coordination*
22 *of Federal and local criminal justice resources in the Dis-*
23 *trict of Columbia.*

1 *FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS*

2 *For a Federal payment, to remain available until Sep-*
3 *tember 30, 2023, to the Commission on Judicial Disabilities*
4 *and Tenure, \$330,000, and for the Judicial Nomination*
5 *Commission, \$288,000.*

6 *FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT*

7 *For a Federal payment for a school improvement pro-*
8 *gram in the District of Columbia, \$52,500,000, to remain*
9 *available until expended, for payments authorized under the*
10 *Scholarships for Opportunity and Results Act (division C*
11 *of Public Law 112–10): Provided, That, to the extent that*
12 *funds are available for opportunity scholarships and fol-*
13 *lowing the priorities included in section 3006 of such Act,*
14 *the Secretary of Education shall make scholarships avail-*
15 *able to students eligible under section 3013(3) of such Act*
16 *(Public Law 112–10; 125 Stat. 211) including students who*
17 *were not offered a scholarship during any previous school*
18 *year: Provided further, That within funds provided for op-*
19 *portunity scholarships up to \$1,750,000 shall be for the ac-*
20 *tivities specified in sections 3007(b) through 3007(d) of the*
21 *Act and up to \$500,000 shall be for the activities specified*
22 *in section 3009 of the Act.*

1 *FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA*2 *NATIONAL GUARD*

3 *For a Federal payment to the District of Columbia*
4 *National Guard, \$600,000, to remain available until ex-*
5 *pended for the Major General David F. Wherley, Jr. Dis-*
6 *trict of Columbia National Guard Retention and College*
7 *Access Program.*

8 *FEDERAL PAYMENT FOR TESTING AND TREATMENT OF HIV/*9 *AIDS*

10 *For a Federal payment to the District of Columbia*
11 *for the testing of individuals for, and the treatment of indi-*
12 *viduals with, human immunodeficiency virus and acquired*
13 *immunodeficiency syndrome in the District of Columbia,*
14 *\$4,000,000.*

15 *FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA WATER*16 *AND SEWER AUTHORITY*

17 *For a Federal payment to the District of Columbia*
18 *Water and Sewer Authority, \$8,000,000, to remain avail-*
19 *able until expended, to continue implementation of the*
20 *Combined Sewer Overflow Long-Term Plan: Provided, That*
21 *the District of Columbia Water and Sewer Authority pro-*
22 *vides a 100 percent match for this payment.*

23 *DISTRICT OF COLUMBIA FUNDS*

24 *Local funds are appropriated for the District of Co-*
25 *lumbia for the current fiscal year out of the General Fund*

1 *of the District of Columbia (“General Fund”) for programs*
2 *and activities set forth in the Fiscal Year 2022 Local Budg-*
3 *et Act of 2021 (D.C. Act 24–173) and at rates set forth*
4 *under such Act, as amended as of the date of enactment*
5 *of this Act: Provided, That notwithstanding any other pro-*
6 *vision of law, except as provided in section 450A of the Dis-*
7 *trict of Columbia Home Rule Act (section 1–204.50a, D.C.*
8 *Official Code), sections 816 and 817 of the Financial Serv-*
9 *ices and General Government Appropriations Act, 2009*
10 *(secs. 47–369.01 and 47–369.02, D.C. Official Code), and*
11 *provisions of this Act, the total amount appropriated in*
12 *this Act for operating expenses for the District of Columbia*
13 *for fiscal year 2022 under this heading shall not exceed the*
14 *estimates included in the Fiscal Year 2022 Local Budget*
15 *Act of 2021, as amended as of the date of enactment of this*
16 *Act or the sum of the total revenues of the District of Colum-*
17 *bia for such fiscal year: Provided further, That the amount*
18 *appropriated may be increased by proceeds of one-time*
19 *transactions, which are expended for emergency or unan-*
20 *ticipated operating or capital needs: Provided further, That*
21 *such increases shall be approved by enactment of local Dis-*
22 *trict law and shall comply with all reserve requirements*
23 *contained in the District of Columbia Home Rule Act: Pro-*
24 *vided further, That the Chief Financial Officer of the Dis-*
25 *trict of Columbia shall take such steps as are necessary to*

1 *assure that the District of Columbia meets these require-*
2 *ments, including the apportioning by the Chief Financial*
3 *Officer of the appropriations and funds made available to*
4 *the District during fiscal year 2022, except that the Chief*
5 *Financial Officer may not reprogram for operating ex-*
6 *penses any funds derived from bonds, notes, or other obliga-*
7 *tions issued for capital projects.*

8 *This title may be cited as the “District of Columbia*
9 *Appropriations Act, 2022”.*

1 *ADMINISTRATIVE PROVISION—CONSUMER PRODUCT SAFETY*
2 *COMMISSION*

3 *SEC. 501. During fiscal year 2022, none of the*
4 *amounts made available by this Act may be used to finalize*
5 *or implement the Safety Standard for Recreational Off-*
6 *Highway Vehicles published by the Consumer Product Safe-*
7 *ty Commission in the Federal Register on November 19,*
8 *2014 (79 Fed. Reg. 68964) until after—*

9 *(1) the National Academy of Sciences, in con-*
10 *sultation with the National Highway Traffic Safety*
11 *Administration and the Department of Defense, com-*
12 *pletes a study to determine—*

13 *(A) the technical validity of the lateral sta-*
14 *bility and vehicle handling requirements pro-*
15 *posed by such standard for purposes of reducing*
16 *the risk of Recreational Off-Highway Vehicle (re-*
17 *ferred to in this section as “ROV”) rollovers in*
18 *the off-road environment, including the repeat-*
19 *ability and reproducibility of testing for compli-*
20 *ance with such requirements;*

21 *(B) the number of ROV rollovers that would*
22 *be prevented if the proposed requirements were*
23 *adopted;*

24 *(C) whether there is a technical basis for the*
25 *proposal to provide information on a point-of-*

1 *sale hangtag about a ROV's rollover resistance*
2 *on a progressive scale; and*

3 *(D) the effect on the utility of ROVs used by*
4 *the United States military if the proposed re-*
5 *quirements were adopted; and*

6 *(2) a report containing the results of the study*
7 *completed under paragraph (1) is delivered to—*

8 *(A) the Committee on Commerce, Science,*
9 *and Transportation of the Senate;*

10 *(B) the Committee on Energy and Com-*
11 *merce of the House of Representatives;*

12 *(C) the Committee on Appropriations of the*
13 *Senate; and*

14 *(D) the Committee on Appropriations of the*
15 *House of Representatives.*

16 *ELECTION ASSISTANCE COMMISSION*

17 *SALARIES AND EXPENSES*

18 *For necessary expenses to carry out the Help America*
19 *Vote Act of 2002 (Public Law 107–252), \$20,000,000, of*
20 *which \$1,500,000 shall be made available to the National*
21 *Institute of Standards and Technology for election reform*
22 *activities authorized under the Help America Vote Act of*
23 *2002.*

ELECTION SECURITY GRANTS

1
2 *Notwithstanding section 104(c)(2)(B) of the Help*
3 *America Vote Act of 2002 (52 U.S.C. 20904(c)(2)(B)),*
4 *\$75,000,000 is provided to the Election Assistance Commis-*
5 *sion for necessary expenses to make payments to States for*
6 *activities to improve the administration of elections for*
7 *Federal office, including to enhance election technology and*
8 *make election security improvements, as authorized by sec-*
9 *tions 101, 103, and 104 of such Act: Provided, That for*
10 *purposes of applying such sections, the Commonwealth of*
11 *the Northern Mariana Islands shall be deemed to be a State*
12 *and, for purposes of sections 101(d)(2) and 103(a) shall be*
13 *treated in the same manner as the Commonwealth of Puerto*
14 *Rico, Guam, American Samoa, and the United States Vir-*
15 *gin Islands: Provided further, That each reference to the*
16 *“Administrator of General Services” or the “Adminis-*
17 *trator” in sections 101 and 103 shall be deemed to refer*
18 *to the “Election Assistance Commission”: Provided further,*
19 *That each reference to “\$5,000,000” in section 103 shall be*
20 *deemed to refer to “\$1,000,000” and each reference to*
21 *“\$1,000,000” in section 103 shall be deemed to refer to*
22 *“\$200,000”: Provided further, That not later than 45 days*
23 *after the date of enactment of this Act, the Election Assist-*
24 *ance Commission shall make the payments to States under*
25 *this heading: Provided further, That not later than two*

1 *years after receiving a payment under this heading, a State*
2 *shall make available funds for such activities in an amount*
3 *equal to 20 percent of the total amount of the payment made*
4 *to the State under this heading: Provided further, That*
5 *States shall submit quarterly financial reports and annual*
6 *progress reports.*

7 *FEDERAL COMMUNICATIONS COMMISSION*

8 *SALARIES AND EXPENSES*

9 *For necessary expenses of the Federal Communications*
10 *Commission, as authorized by law, including uniforms and*
11 *allowances therefor, as authorized by 5 U.S.C. 5901–5902;*
12 *not to exceed \$4,000 for official reception and representa-*
13 *tion expenses; purchase and hire of motor vehicles; special*
14 *counsel fees; and services as authorized by 5 U.S.C. 3109,*
15 *\$381,950,000, to remain available until expended: Pro-*
16 *vided, That \$381,950,000 of offsetting collections shall be*
17 *assessed and collected pursuant to section 9 of title I of the*
18 *Communications Act of 1934, shall be retained and used*
19 *for necessary expenses and shall remain available until ex-*
20 *pended: Provided further, That the sum herein appro-*
21 *priated shall be reduced as such offsetting collections are*
22 *received during fiscal year 2022 so as to result in a final*
23 *fiscal year 2022 appropriation estimated at \$0: Provided*
24 *further, That, notwithstanding 47 U.S.C. 309(j)(8)(B), pro-*
25 *ceeds from the use of a competitive bidding system that may*

1 *be retained and made available for obligation shall not ex-*
2 *ceed \$128,621,000 for fiscal year 2022: Provided further,*
3 *That, of the amount appropriated under this heading, not*
4 *less than \$11,854,000 shall be for the salaries and expenses*
5 *of the Office of Inspector General.*

6 *ADMINISTRATIVE PROVISIONS—FEDERAL COMMUNICATIONS*

7 *COMMISSION*

8 *SEC. 510. Section 302 of the Universal Service*
9 *Antideficiency Temporary Suspension Act is amended by*
10 *striking “December 31, 2021” each place it appears and*
11 *inserting “December 31, 2022”.*

12 *SEC. 511. None of the funds appropriated by this Act*
13 *may be used by the Federal Communications Commission*
14 *to modify, amend, or change its rules or regulations for uni-*
15 *versal service support payments to implement the February*
16 *27, 2004, recommendations of the Federal-State Joint*
17 *Board on Universal Service regarding single connection or*
18 *primary line restrictions on universal service support pay-*
19 *ments.*

20 *FEDERAL DEPOSIT INSURANCE CORPORATION*

21 *OFFICE OF THE INSPECTOR GENERAL*

22 *For necessary expenses of the Office of Inspector Gen-*
23 *eral in carrying out the provisions of the Inspector General*
24 *Act of 1978, \$46,500,000, to be derived from the Deposit*

1 *Insurance Fund or, only when appropriate, the FSLIC Res-*
2 *olution Fund.*

3 *FEDERAL ELECTION COMMISSION*

4 *SALARIES AND EXPENSES*

5 *For necessary expenses to carry out the provisions of*
6 *the Federal Election Campaign Act of 1971, \$74,500,000,*
7 *of which not to exceed \$5,000 shall be available for reception*
8 *and representation expenses.*

9 *FEDERAL LABOR RELATIONS AUTHORITY*

10 *SALARIES AND EXPENSES*

11 *For necessary expenses to carry out functions of the*
12 *Federal Labor Relations Authority, pursuant to Reorga-*
13 *nization Plan Numbered 2 of 1978, and the Civil Service*
14 *Reform Act of 1978, including services authorized by 5*
15 *U.S.C. 3109, and including hire of experts and consultants,*
16 *hire of passenger motor vehicles, and including official re-*
17 *ception and representation expenses (not to exceed \$1,500)*
18 *and rental of conference rooms in the District of Columbia*
19 *and elsewhere, \$27,398,000: Provided, That public members*
20 *of the Federal Service Impasses Panel may be paid travel*
21 *expenses and per diem in lieu of subsistence as authorized*
22 *by law (5 U.S.C. 5703) for persons employed intermittently*
23 *in the Government service, and compensation as authorized*
24 *by 5 U.S.C. 3109: Provided further, That, notwithstanding*
25 *31 U.S.C. 3302, funds received from fees charged to non-*

1 *Federal participants at labor-management relations con-*
2 *ferences shall be credited to and merged with this account,*
3 *to be available without further appropriation for the costs*
4 *of carrying out these conferences.*

5 *FEDERAL PERMITTING IMPROVEMENT STEERING COUNCIL*
6 *ENVIRONMENTAL REVIEW IMPROVEMENT FUND*

7 *For necessary expenses of the Environmental Review*
8 *Improvement Fund established pursuant to 42 U.S.C.*
9 *4370m-8(d), \$10,000,000, to remain available until ex-*
10 *pended.*

11 *FEDERAL TRADE COMMISSION*

12 *SALARIES AND EXPENSES*

13 *For necessary expenses of the Federal Trade Commis-*
14 *sion, including uniforms or allowances therefor, as author-*
15 *ized by 5 U.S.C. 5901-5902; services as authorized by 5*
16 *U.S.C. 3109; hire of passenger motor vehicles; and not to*
17 *exceed \$2,000 for official reception and representation ex-*
18 *penses, \$376,530,000, to remain available until expended:*
19 *Provided, That not to exceed \$300,000 shall be available*
20 *for use to contract with a person or persons for collection*
21 *services in accordance with the terms of 31 U.S.C. 3718:*
22 *Provided further, That, notwithstanding any other provi-*
23 *sion of law, not to exceed \$138,000,000 of offsetting collec-*
24 *tions derived from fees collected for premerger notification*
25 *filings under the Hart-Scott-Rodino Antitrust Improve-*

1 *ments Act of 1976 (15 U.S.C. 18a), regardless of the year*
2 *of collection, shall be retained and used for necessary ex-*
3 *penses in this appropriation: Provided further, That, not-*
4 *withstanding any other provision of law, not to exceed*
5 *\$20,000,000 in offsetting collections derived from fees suffi-*
6 *cient to implement and enforce the Telemarketing Sales*
7 *Rule, promulgated under the Telemarketing and Consumer*
8 *Fraud and Abuse Prevention Act (15 U.S.C. 6101 et seq.),*
9 *shall be credited to this account, and be retained and used*
10 *for necessary expenses in this appropriation: Provided fur-*
11 *ther, That the sum herein appropriated from the general*
12 *fund shall be reduced as such offsetting collections are re-*
13 *ceived during fiscal year 2022, so as to result in a final*
14 *fiscal year 2022 appropriation from the general fund esti-*
15 *mated at not more than \$218,530,000: Provided further,*
16 *That none of the funds made available to the Federal Trade*
17 *Commission may be used to implement subsection (e)(2)(B)*
18 *of section 43 of the Federal Deposit Insurance Act (12*
19 *U.S.C. 1831t).*

1 *GENERAL SERVICES ADMINISTRATION*
2 *REAL PROPERTY ACTIVITIES*
3 *FEDERAL BUILDINGS FUND*
4 *LIMITATIONS ON AVAILABILITY OF REVENUE*
5 *(INCLUDING TRANSFERS OF FUNDS)*

6 *Amounts in the Fund, including revenues and collec-*
7 *tions deposited into the Fund, shall be available for nec-*
8 *essary expenses of real property management and related*
9 *activities not otherwise provided for, including operation,*
10 *maintenance, and protection of federally owned and leased*
11 *buildings; rental of buildings in the District of Columbia;*
12 *restoration of leased premises; moving governmental agen-*
13 *cies (including space adjustments and telecommunications*
14 *relocation expenses) in connection with the assignment, al-*
15 *location, and transfer of space; contractual services incident*
16 *to cleaning or servicing buildings, and moving; repair and*
17 *alteration of federally owned buildings, including grounds,*
18 *approaches, and appurtenances; care and safeguarding of*
19 *sites; maintenance, preservation, demolition, and equip-*
20 *ment; acquisition of buildings and sites by purchase, con-*
21 *demnation, or as otherwise authorized by law; acquisition*
22 *of options to purchase buildings and sites; conversion and*
23 *extension of federally owned buildings; preliminary plan-*
24 *ning and design of projects by contract or otherwise; con-*
25 *struction of new buildings (including equipment for such*

1 *buildings); and payment of principal, interest, and any*
2 *other obligations for public buildings acquired by install-*
3 *ment purchase and purchase contract; in the aggregate*
4 *amount of \$9,342,205,000, of which—*

5 *(1) \$299,476,000 shall remain available until ex-*
6 *pended for new construction and acquisition (includ-*
7 *ing funds for sites and expenses, and associated de-*
8 *sign and construction services and feasibility studies),*
9 *and demolition and related site and security expenses,*
10 *of which—*

11 *(A) \$245,976,000 is for new construction*
12 *and acquisition, as follows:*

13 *Connecticut:*

14 *Hartford, U.S. Courthouse, \$138,000,000;*

15 *Puerto Rico:*

16 *San Juan, U.S. Courthouse, \$22,476,000;*

17 *Tennessee:*

18 *Chattanooga, U.S. Courthouse, \$85,500,000;*

19 *(B) \$52,000,000 is for demolition of the*
20 *buildings located at 202-220 South State Street*
21 *in Chicago, Illinois, and protection of the adja-*
22 *cent buildings during the demolition process, se-*
23 *curing the vacant site of the demolished build-*
24 *ings, and landscaping the vacant site following*
25 *demolition; and*

1 (C) \$1,500,000 is for feasibility studies to
2 assess goals, scope, customer need, and alter-
3 natives for the following projects:

4 Arizona:

5 Nogales, Dennis DeConcini U.S. Land Port of
6 Entry, \$500,000;

7 Georgia:

8 Atlanta, Chamblee Campus, \$500,000;

9 New Mexico:

10 Santa Teresa, U.S. Land Port of Entry,
11 \$500,000:

12 *Provided, That each of the foregoing limits of costs on*
13 *new construction and acquisition projects may be ex-*
14 *ceeded to the extent that savings are effected in other*
15 *such projects, but not to exceed 10 percent of the*
16 *amounts included in a transmitted prospectus, if re-*
17 *quired, unless advance approval is obtained from the*
18 *Committees on Appropriations of the House of Rep-*
19 *resentatives and the Senate of a greater amount;*

20 (2) \$581,581,000 shall remain available until ex-
21 pended for repairs and alterations, including associ-
22 ated design and construction services, of which—

23 (A) \$139,893,000 is for Major Repairs and
24 Alterations as follows:

25 Alabama:

1 *Selma, U.S. Federal Building and Courthouse,*
2 \$4,200,000;

3 *District of Columbia:*

4 *Regional Office Building, Phase 2, \$4,941,000;*

5 *Maryland:*

6 *Suitland, Suitland Federal Campus,*
7 \$20,000,000;

8 *Michigan:*

9 *Detroit, Patrick V. McNamara Federal Building*
10 *Garage, \$1,208,000;*

11 *Mississippi:*

12 *Hattiesburg, William M. Colmer Federal Build-*
13 *ing and U.S. Courthouse, \$27,000,000;*

14 *Vicksburg, Mississippi River Commission Build-*
15 *ing, \$23,749,000;*

16 *Washington:*

17 *Tacoma, Tacoma Union Station, \$3,395,000;*

18 *West Virginia:*

19 *Clarksburg, Clarksburg Post Office and U.S.*
20 *Courthouse, \$55,400,000;*

21 *(B) \$388,710,000 is for Basic Repairs and*
22 *Alterations; and*

23 *(C) \$52,978,000 is for Special Emphasis*
24 *Programs as follows:*

1 *Childcare Facilities Security and Systems Im-*
2 *provements, \$15,000,000;*

3 *Consolidation Activities, \$8,178,000;*

4 *Fire Protection and Life Safety, \$10,000,000;*

5 *and*

6 *Judiciary Capital Security Program,*

7 *\$19,800,000:*

8 *Provided, That funds made available in this or any*
9 *previous Act in the Federal Buildings Fund for Re-*
10 *pairs and Alterations shall, for prospectus projects, be*
11 *limited to the amount identified for each project, ex-*
12 *cept each project in this or any previous Act may be*
13 *increased by an amount not to exceed 10 percent un-*
14 *less advance approval is obtained from the Commit-*
15 *tees on Appropriations of the House of Representa-*
16 *tives and the Senate of a greater amount: Provided*
17 *further, That additional projects for which*
18 *prospectuses have been fully approved may be funded*
19 *under this category only if advance approval is ob-*
20 *tained from the Committees on Appropriations of the*
21 *House of Representatives and the Senate: Provided*
22 *further, That the amounts provided in this or any*
23 *prior Act for “Repairs and Alterations” may be used*
24 *to fund costs associated with implementing security*
25 *improvements to buildings necessary to meet the min-*

1 *imum standards for security in accordance with cur-*
2 *rent law and in compliance with the reprogramming*
3 *guidelines of the appropriate Committees of the House*
4 *and Senate: Provided further, That the difference be-*
5 *tween the funds appropriated and expended on any*
6 *projects in this or any prior Act, under the heading*
7 *“Repairs and Alterations”, may be transferred to*
8 *“Basic Repairs and Alterations” or used to fund au-*
9 *thorized increases in prospectus projects: Provided*
10 *further, That the amount provided in this or any*
11 *prior Act for “Basic Repairs and Alterations” may be*
12 *used to pay claims against the Government arising*
13 *from any projects under the heading “Repairs and*
14 *Alterations” or used to fund authorized increases in*
15 *prospectus projects;*

16 *(3) \$5,665,148,000 for rental of space to remain*
17 *available until expended; and*

18 *(4) \$2,796,000,000 for building operations to re-*
19 *main available until expended: Provided, That the*
20 *total amount of funds made available from this Fund*
21 *to the General Services Administration shall not be*
22 *available for expenses of any construction, repair, al-*
23 *teration and acquisition project for which a pro-*
24 *spectus, if required by 40 U.S.C. 3307(a), has not*
25 *been approved, except that necessary funds may be ex-*

1 *pended for each project for required expenses for the*
2 *development of a proposed prospectus: Provided fur-*
3 *ther, That funds available in the Federal Buildings*
4 *Fund may be expended for emergency repairs when*
5 *advance approval is obtained from the Committees on*
6 *Appropriations of the House of Representatives and*
7 *the Senate: Provided further, That amounts necessary*
8 *to provide reimbursable special services to other agen-*
9 *cies under 40 U.S.C. 592(b)(2) and amounts to pro-*
10 *vide such reimbursable fencing, lighting, guard booths,*
11 *and other facilities on private or other property not*
12 *in Government ownership or control as may be ap-*
13 *propriate to enable the United States Secret Service*
14 *to perform its protective functions pursuant to 18*
15 *U.S.C. 3056, shall be available from such revenues*
16 *and collections: Provided further, That revenues and*
17 *collections and any other sums accruing to this Fund*
18 *during fiscal year 2022, excluding reimbursements*
19 *under 40 U.S.C. 592(b)(2), in excess of the aggregate*
20 *new obligational authority authorized for Real Prop-*
21 *erty Activities of the Federal Buildings Fund in this*
22 *Act shall remain in the Fund and shall not be avail-*
23 *able for expenditure except as authorized in appro-*
24 *priations Acts.*

1 *into the Federal Citizen Services Fund: Provided, That the*
2 *previous amount may be transferred to Federal agencies to*
3 *carry out the purpose of the Federal Citizen Services Fund:*
4 *Provided further, That the appropriations, revenues, reim-*
5 *bursements, and collections deposited into the Fund shall*
6 *be available until expended for necessary expenses of Fed-*
7 *eral Citizen Services and other activities that enable the*
8 *Federal Government to enhance its ability to conduct ac-*
9 *tivities electronically in the aggregate amount not to exceed*
10 *\$150,000,000: Provided further, That appropriations, reve-*
11 *nues, reimbursements, and collections accruing to this Fund*
12 *during fiscal year 2022 in excess of such amount shall re-*
13 *main in the Fund and shall not be available for expenditure*
14 *except as authorized in appropriations Acts: Provided fur-*
15 *ther, That the transfer authorities provided herein shall be*
16 *in addition to any other transfer authority provided in this*
17 *Act: Provided further, That of the total amount appro-*
18 *priated, up to \$5,000,000 shall be available for support*
19 *functions and full-time hires to support activities related*
20 *to the Administration's requirements under Title II of the*
21 *Foundations for Evidence-Based Policy-making Act of 2018*
22 *(Public Law 115-435).*

1 *ASSET PROCEEDS AND SPACE MANAGEMENT FUND*

2 *For carrying out section 16(b) of the Federal Assets*
3 *Sale and Transfer Act of 2016 (40 U.S.C. 1303 note),*
4 *\$4,000,000, to remain available until expended.*

5 *WORKING CAPITAL FUND*

6 *For the Working Capital Fund of the General Services*
7 *Administration, \$4,000,000, to remain available until ex-*
8 *pended, for necessary costs incurred by the Administrator*
9 *to modernize rulemaking systems and to provide support*
10 *services for Federal rulemaking agencies.*

11 *ADMINISTRATIVE PROVISIONS—GENERAL SERVICES*12 *ADMINISTRATION*13 *(INCLUDING TRANSFER OF FUNDS)*

14 *SEC. 520. Funds available to the General Services Ad-*
15 *ministration shall be available for the hire of passenger*
16 *motor vehicles.*

17 *SEC. 521. Funds in the Federal Buildings Fund made*
18 *available for fiscal year 2022 for Federal Buildings Fund*
19 *activities may be transferred between such activities only*
20 *to the extent necessary to meet program requirements: Pro-*
21 *vided, That any proposed transfers shall be approved in ad-*
22 *vance by the Committees on Appropriations of the House*
23 *of Representatives and the Senate.*

24 *SEC. 522. Except as otherwise provided in this title,*
25 *funds made available by this Act shall be used to transmit*

1 a fiscal year 2023 request for United States Courthouse con-
2 struction only if the request: (1) meets the design guide
3 standards for construction as established and approved by
4 the General Services Administration, the Judicial Con-
5 ference of the United States, and the Office of Management
6 and Budget; (2) reflects the priorities of the Judicial Con-
7 ference of the United States as set out in its approved
8 Courthouse Project Priorities plan; and (3) includes a
9 standardized courtroom utilization study of each facility to
10 be constructed, replaced, or expanded.

11 *SEC. 523. None of the funds provided in this Act may*
12 *be used to increase the amount of occupiable square feet,*
13 *provide cleaning services, security enhancements, or any*
14 *other service usually provided through the Federal Build-*
15 *ings Fund, to any agency that does not pay the rate per*
16 *square foot assessment for space and services as determined*
17 *by the General Services Administration in consideration of*
18 *the Public Buildings Amendments Act of 1972 (Public Law*
19 *92–313).*

20 *SEC. 524. From funds made available under the head-*
21 *ing “Federal Buildings Fund, Limitations on Availability*
22 *of Revenue”, claims against the Government of less than*
23 *\$250,000 arising from direct construction projects and ac-*
24 *quisition of buildings may be liquidated from savings ef-*
25 *fects in other construction projects with prior notification*

1 *to the Committees on Appropriations of the House of Rep-*
2 *resentatives and the Senate.*

3 *SEC. 525. In any case in which the Committee on*
4 *Transportation and Infrastructure of the House of Rep-*
5 *resentatives and the Committee on Environment and Public*
6 *Works of the Senate adopt a resolution granting lease au-*
7 *thority pursuant to a prospectus transmitted to Congress*
8 *by the Administrator of the General Services Administra-*
9 *tion under 40 U.S.C. 3307, the Administrator shall ensure*
10 *that the delineated area of procurement is identical to the*
11 *delineated area included in the prospectus for all lease*
12 *agreements, except that, if the Administrator determines*
13 *that the delineated area of the procurement should not be*
14 *identical to the delineated area included in the prospectus,*
15 *the Administrator shall provide an explanatory statement*
16 *to each of such committees and the Committees on Appro-*
17 *priations of the House of Representatives and the Senate*
18 *prior to exercising any lease authority provided in the reso-*
19 *lution.*

20 *SEC. 526. With respect to E–Government projects*
21 *funded under the heading “Federal Citizen Services Fund”,*
22 *the Administrator of General Services shall submit a spend-*
23 *ing plan and explanation for each project to be undertaken*
24 *to the Committees on Appropriations of the House of Rep-*

1 *representatives and the Senate not later than 60 days after*
2 *the date of enactment of this Act.*

3 *SEC. 527. Section 323 of title 40, United States Code,*
4 *is amended by adding at the end a new subsection:*

5 *“(f) The Administrator may enter into agreements*
6 *with federal agencies to provide services through the Fund*
7 *on a fully reimbursable basis.”.*

8 *SEC. 528. Section 3173(d)(1) of title 40, United States*
9 *Code, is amended by inserting before the period the fol-*
10 *lowing: “or for agency-wide acquisition of equipment or*
11 *systems or the acquisition of services in lieu thereof, as nec-*
12 *essary to implement the Act”.*

13 *SEC. 529. Section 3173(b)(1) of title 40, United States*
14 *Code, is amended by inserting “, including advance pay-*
15 *ments,” after “Amounts received”.*

16 *SEC. 530. (a) The Administrator of the General Serv-*
17 *ices Administration shall select a site from one of the three*
18 *listed in the General Services Administration Fiscal Year*
19 *2017 PNCR–FBI–NCR17 prospectus for a new fully con-*
20 *solidated Federal Bureau of Investigations (FBI) head-*
21 *quarters. Such decision shall be made in as expeditious*
22 *manner as possible.*

23 *(b) Within 180 days of selecting a site, the General*
24 *Services Administrator shall transmit to the Committees on*
25 *Appropriations of the House of Representatives and the*

1 *Senate, the Committee on Transportation and Infrastruc-*
2 *ture of the House of Representatives, and the Committee*
3 *on Environment and Public Works of the Senate, a report*
4 *on the construction of a new headquarters for the FBI in*
5 *the National Capital Region.*

6 *(c) The report transmitted under subsection (b) shall*
7 *be consistent with the requirements of section 3307(b) of*
8 *title 40, United States Code, and include a summary of*
9 *the material provisions of the construction and consolida-*
10 *tion of the FBI in a new headquarters facility, including*
11 *all the costs associated design, management, and inspection,*
12 *and a description of all buildings and infrastructure needed*
13 *to complete the project.*

14 *HARRY S TRUMAN SCHOLARSHIP FOUNDATION*

15 *SALARIES AND EXPENSES*

16 *For payment to the Harry S Truman Scholarship*
17 *Foundation Trust Fund, established by section 10 of Public*
18 *Law 93-642, \$2,500,000, to remain available until ex-*
19 *pended.*

20 *MERIT SYSTEMS PROTECTION BOARD*

21 *SALARIES AND EXPENSES*

22 *(INCLUDING TRANSFER OF FUNDS)*

23 *For necessary expenses to carry out functions of the*
24 *Merit Systems Protection Board pursuant to Reorganiza-*
25 *tion Plan Numbered 2 of 1978, the Civil Service Reform*

1 *Act of 1978, and the Whistleblower Protection Act of 1989*
2 *(5 U.S.C. 5509 note), including services as authorized by*
3 *5 U.S.C. 3109, rental of conference rooms in the District*
4 *of Columbia and elsewhere, hire of passenger motor vehicles,*
5 *direct procurement of survey printing, and not to exceed*
6 *\$2,000 for official reception and representation expenses,*
7 *\$45,825,000, to remain available until September 30, 2023,*
8 *and in addition not to exceed \$2,345,000, to remain avail-*
9 *able until September 30, 2023, for administrative expenses*
10 *to adjudicate retirement appeals to be transferred from the*
11 *Civil Service Retirement and Disability Fund in amounts*
12 *determined by the Merit Systems Protection Board.*

13 *MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION*
14 *MORRIS K. UDALL AND STEWART L. UDALL TRUST FUND*
15 *(INCLUDING TRANSFER OF FUNDS)*

16 *For payment to the Morris K. Udall and Stewart L.*
17 *Udall Foundation, pursuant to the Morris K. Udall and*
18 *Stewart L. Udall Foundation Act (20 U.S.C. 5601 et seq.),*
19 *\$1,800,000, to remain available until expended, of which,*
20 *notwithstanding sections 8 and 9 of such Act, up to*
21 *\$1,000,000 shall be available to carry out the activities au-*
22 *thorized by section 6(7) of Public Law 102–259 and section*
23 *817(a) of Public Law 106–568 (20 U.S.C. 5604(7)): Pro-*
24 *vided, That all current and previous amounts transferred*
25 *to the Office of Inspector General of the Department of the*

1 *Interior will remain available until expended for audits*
2 *and investigations of the Morris K. Udall and Stewart L.*
3 *Udall Foundation, consistent with the Inspector General*
4 *Act of 1978 (5 U.S.C. App.), as amended, and for annual*
5 *independent financial audits of the Morris K. Udall and*
6 *Stewart L. Udall Foundation pursuant to the Account-*
7 *ability of Tax Dollars Act of 2002 (Public Law 107–289):*
8 *Provided further, That previous amounts transferred to the*
9 *Office of Inspector General of the Department of the Interior*
10 *may be transferred to the Morris K. Udall and Stewart L.*
11 *Udall Foundation for annual independent financial audits*
12 *pursuant to the Accountability of Tax Dollars Act of 2002*
13 *(Public Law 107–289).*

14 *ENVIRONMENTAL DISPUTE RESOLUTION FUND*

15 *For payment to the Environmental Dispute Resolution*
16 *Fund to carry out activities authorized in the Environ-*
17 *mental Policy and Conflict Resolution Act of 1998,*
18 *\$3,296,000, to remain available until expended.*

19 *NATIONAL ARCHIVES AND RECORDS ADMINISTRATION*

20 *OPERATING EXPENSES*

21 *For necessary expenses in connection with the admin-*
22 *istration of the National Archives and Records Administra-*
23 *tion and archived Federal records and related activities, as*
24 *provided by law, and for expenses necessary for the review*
25 *and declassification of documents, the activities of the Pub-*

1 *lic Interest Declassification Board, the operations and*
2 *maintenance of the electronic records archives, the hire of*
3 *passenger motor vehicles, and for uniforms or allowances*
4 *therefor, as authorized by law (5 U.S.C. 5901), including*
5 *maintenance, repairs, and cleaning, \$388,310,000, of which*
6 *\$29,000,000 shall remain available until expended for ex-*
7 *penses necessary to enhance the Federal Government's abil-*
8 *ity to electronically preserve, manage, and store Govern-*
9 *ment records, and of which up to \$2,000,000 shall remain*
10 *available until expended to implement the Civil Rights Cold*
11 *Case Records Collection Act of 2018 (Public Law 115-426).*

12 *OFFICE OF INSPECTOR GENERAL*

13 *For necessary expenses of the Office of Inspector Gen-*
14 *eral in carrying out the provisions of the Inspector General*
15 *Reform Act of 2008, Public Law 110-409, 122 Stat. 4302-*
16 *16 (2008), and the Inspector General Act of 1978 (5 U.S.C.*
17 *App.), and for the hire of passenger motor vehicles,*
18 *\$4,968,000.*

19 *REPAIRS AND RESTORATION*

20 *(INCLUDING TRANSFER OF FUNDS)*

21 *For the repair, alteration, and improvement of ar-*
22 *chives facilities and museum exhibits, related equipment for*
23 *public spaces, and to provide adequate storage for holdings,*
24 *\$71,000,000, to remain available until expended, of which*
25 *\$11,500,000 is for the Harry S. Truman Library Institute*

1 *for National and International Affairs in Kansas City,*
2 *Missouri, and of which \$20,000,000 is for the Ulysses S.*
3 *Grant Presidential Library in Starkville, Mississippi: Pro-*
4 *vided, That such funds may be transferred directly to the*
5 *Truman Library Institute and to Mississippi State Univer-*
6 *sity and maybe used for improvements to library grounds*
7 *and construction and related activities.*

8 *NATIONAL HISTORICAL PUBLICATIONS AND RECORDS*

9 *COMMISSION*

10 *GRANTS PROGRAM*

11 *For necessary expenses for allocations and grants for*
12 *historical publications and records as authorized by 44*
13 *U.S.C. 2504, \$7,000,000, to remain available until ex-*
14 *pended.*

15 *ADMINISTRATIVE PROVISION—NATIONAL ARCHIVES AND*

16 *RECORDS ADMINISTRATION*

17 *SEC. 531. For an additional amount for “National*
18 *Historical Publications and Records Commission Grants*
19 *Program”, \$5,265,000, which shall be for initiatives in the*
20 *amounts and for the projects specified in the table that ap-*
21 *pears under the heading “Administrative Provisions—Na-*
22 *tional Archives and Records Administration” in the ex-*
23 *planatory statement described in section 4 (in the matter*
24 *preceding division A of this consolidated Act): Provided,*

1 *That none of the funds made available by this section may*
2 *be transferred for any other purpose.*

3 *NATIONAL CREDIT UNION ADMINISTRATION*

4 *COMMUNITY DEVELOPMENT REVOLVING LOAN FUND*

5 *For the Community Development Revolving Loan*
6 *Fund program as authorized by 42 U.S.C. 9812, 9822 and*
7 *9910, \$1,545,000 shall be available until September 30,*
8 *2023, for technical assistance to low-income designated*
9 *credit unions.*

10 *OFFICE OF GOVERNMENT ETHICS*

11 *SALARIES AND EXPENSES*

12 *For necessary expenses to carry out functions of the*
13 *Office of Government Ethics pursuant to the Ethics in Gov-*
14 *ernment Act of 1978, the Ethics Reform Act of 1989, and*
15 *the Representative Louise McIntosh Slaughter Stop Trad-*
16 *ing on Congressional Knowledge Act, including services as*
17 *authorized by 5 U.S.C. 3109, rental of conference rooms in*
18 *the District of Columbia and elsewhere, hire of passenger*
19 *motor vehicles, and not to exceed \$1,500 for official recep-*
20 *tion and representation expenses, \$19,158,000.*

21 *OFFICE OF PERSONNEL MANAGEMENT*

22 *SALARIES AND EXPENSES*

23 *(INCLUDING TRANSFERS OF TRUST FUNDS)*

24 *For necessary expenses to carry out functions of the*
25 *Office of Personnel Management (OPM) pursuant to Reor-*

1 *ganization Plan Numbered 2 of 1978 and the Civil Service*
2 *Reform Act of 1978, including services as authorized by 5*
3 *U.S.C. 3109; medical examinations performed for veterans*
4 *by private physicians on a fee basis; rental of conference*
5 *rooms in the District of Columbia and elsewhere; hire of*
6 *passenger motor vehicles; not to exceed \$2,500 for official*
7 *reception and representation expenses; and payment of per*
8 *diem and/or subsistence allowances to employees where Vot-*
9 *ing Rights Act activities require an employee to remain*
10 *overnight at his or her post of duty, \$164,934,000: Provided,*
11 *That of the total amount made available under this head-*
12 *ing, \$8,842,000 shall remain available until expended, for*
13 *information technology infrastructure modernization and*
14 *Trust Fund Federal Financial System migration or mod-*
15 *ernization, and shall be in addition to funds otherwise*
16 *made available for such purposes: Provided further, That*
17 *of the total amount made available under this heading,*
18 *\$1,073,201 may be made available for strengthening the ca-*
19 *capacity and capabilities of the acquisition workforce (as de-*
20 *finied by the Office of Federal Procurement Policy Act, as*
21 *amended (41 U.S.C. 4001 et seq.)), including the recruit-*
22 *ment, hiring, training, and retention of such workforce and*
23 *information technology in support of acquisition workforce*
24 *effectiveness or for management solutions to improve acqui-*
25 *sition management; and in addition \$174,714,000 for ad-*

1 *ministrative expenses, to be transferred from the appro-*
2 *priate trust funds of OPM without regard to other statutes,*
3 *including direct procurement of printed materials, for the*
4 *retirement and insurance programs: Provided further, That*
5 *the provisions of this appropriation shall not affect the au-*
6 *thority to use applicable trust funds as provided by sections*
7 *8348(a)(1)(B), 8958(f)(2)(A), 8988(f)(2)(A), and*
8 *9004(f)(2)(A) of title 5, United States Code: Provided fur-*
9 *ther, That no part of this appropriation shall be available*
10 *for salaries and expenses of the Legal Examining Unit of*
11 *OPM established pursuant to Executive Order No. 9358 of*
12 *July 1, 1943, or any successor unit of like purpose: Pro-*
13 *vided further, That the President's Commission on White*
14 *House Fellows, established by Executive Order No. 11183*
15 *of October 3, 1964, may, during fiscal year 2022, accept*
16 *donations of money, property, and personal services: Pro-*
17 *vided further, That such donations, including those from*
18 *prior years, may be used for the development of publicity*
19 *materials to provide information about the White House*
20 *Fellows, except that no such donations shall be accepted for*
21 *travel or reimbursement of travel expenses, or for the sala-*
22 *ries of employees of such Commission: Provided further,*
23 *That not to exceed 5 percent of amounts made available*
24 *under this heading may be transferred to an information*
25 *technology working capital fund established for purposes*

1 *authorized by subtitle G of title X of division A of the Na-*
2 *tional Defense Authorization Act for Fiscal Year 2018 (Pub-*
3 *lic Law 115–91; 40 U.S.C. 11301 note): Provided further,*
4 *That the Director of the OPM shall notify, and receive ap-*
5 *proval from, the Committees on Appropriations of the*
6 *House of Representatives and the Senate at least 15 days*
7 *in advance of any transfer under the preceding proviso:*
8 *Provided further, That amounts transferred to such a fund*
9 *under such transfer authority from any organizational cat-*
10 *egory of the OPM shall not exceed 5 percent of each such*
11 *organizational category’s budget as identified in the report*
12 *required by section 608 of this Act: Provided further, That*
13 *amounts transferred to such a fund shall remain available*
14 *for obligation through September 30, 2025.*

15 *OFFICE OF INSPECTOR GENERAL*

16 *SALARIES AND EXPENSES*

17 *(INCLUDING TRANSFER OF TRUST FUNDS)*

18 *For necessary expenses of the Office of Inspector Gen-*
19 *eral in carrying out the provisions of the Inspector General*
20 *Act of 1978, including services as authorized by 5 U.S.C.*
21 *3109, hire of passenger motor vehicles, \$5,150,000, and in*
22 *addition, not to exceed \$28,083,000 for administrative ex-*
23 *penses to audit, investigate, and provide other oversight of*
24 *the Office of Personnel Management’s retirement and insur-*
25 *ance programs, to be transferred from the appropriate trust*

1 *funds of the Office of Personnel Management, as determined*
2 *by the Inspector General: Provided, That the Inspector Gen-*
3 *eral is authorized to rent conference rooms in the District*
4 *of Columbia and elsewhere.*

5 *OFFICE OF SPECIAL COUNSEL*

6 *SALARIES AND EXPENSES*

7 *For necessary expenses to carry out functions of the*
8 *Office of Special Counsel, including services as authorized*
9 *by 5 U.S.C. 3109, payment of fees and expenses for wit-*
10 *nesses, rental of conference rooms in the District of Colum-*
11 *bia and elsewhere, and hire of passenger motor vehicles,*
12 *\$30,385,000.*

13 *POSTAL REGULATORY COMMISSION*

14 *SALARIES AND EXPENSES*

15 *(INCLUDING TRANSFER OF FUNDS)*

16 *For necessary expenses of the Postal Regulatory Com-*
17 *mission in carrying out the provisions of the Postal Ac-*
18 *countability and Enhancement Act (Public Law 109-435),*
19 *\$17,510,000, to be derived by transfer from the Postal Serv-*
20 *ice Fund and expended as authorized by section 603(a) of*
21 *such Act.*

22 *PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD*

23 *SALARIES AND EXPENSES*

24 *For necessary expenses of the Privacy and Civil Lib-*
25 *erties Oversight Board, as authorized by section 1061 of the*

1 *Intelligence Reform and Terrorism Prevention Act of 2004*
2 *(42 U.S.C. 2000ee), \$9,800,000, to remain available until*
3 *September 30, 2023.*

4 *PUBLIC BUILDINGS REFORM BOARD*

5 *SALARIES AND EXPENSES*

6 *For salaries and expenses of the Public Buildings Re-*
7 *form Board in carrying out the Federal Assets Sale and*
8 *Transfer Act of 2016 (Public Law 114–287), \$3,605,000,*
9 *to remain available until expended.*

10 *SECURITIES AND EXCHANGE COMMISSION*

11 *SALARIES AND EXPENSES*

12 *For necessary expenses for the Securities and Exchange*
13 *Commission, including services as authorized by 5 U.S.C.*
14 *3109, the rental of space (to include multiple year leases)*
15 *in the District of Columbia and elsewhere, and not to exceed*
16 *\$3,500 for official reception and representation expenses,*
17 *\$1,988,550,000, to remain available until expended; of*
18 *which not less than \$17,649,400 shall be for the Office of*
19 *Inspector General; of which not to exceed \$75,000 shall be*
20 *available for a permanent secretariat for the International*
21 *Organization of Securities Commissions; and of which not*
22 *to exceed \$100,000 shall be available for expenses for con-*
23 *sultations and meetings hosted by the Commission with for-*
24 *eign governmental and other regulatory officials, members*
25 *of their delegations and staffs to exchange views concerning*

1 securities matters, such expenses to include necessary logistic
2 tic and administrative expenses and the expenses of Commission
3 staff and foreign invitees in attendance including:
4 (1) incidental expenses such as meals; (2) travel and transportation;
5 and (3) related lodging or subsistence.

6 In addition to the foregoing appropriation, for move,
7 replication, and related costs associated with a replacement
8 lease for the Commission's Fort Worth Regional Office facilities,
9 not to exceed \$6,746,000, to remain available until
10 expended; and for move, replication, and related costs associated
11 with a replacement lease for the Commission's San
12 Francisco Regional Office facilities, not to exceed
13 \$4,367,000, to remain available until expended.

14 For purposes of calculating the fee rate under section
15 31(j) of the Securities Exchange Act of 1934 (15 U.S.C.
16 78ee(j)) for fiscal year 2022, all amounts appropriated
17 under this heading shall be deemed to be the regular appropriation
18 to the Commission for fiscal year 2022: Provided,
19 That fees and charges authorized by section 31 of the Securities
20 Exchange Act of 1934 (15 U.S.C. 78ee) shall be credited
21 to this account as offsetting collections: Provided further,
22 That not to exceed \$1,988,550,000 of such offsetting
23 collections shall be available until expended for necessary
24 expenses of this account; not to exceed \$6,746,000 of such
25 offsetting collections shall be available until expended for

1 *move, replication, and related costs under this heading asso-*
2 *ciated with a replacement lease for the Commission's Fort*
3 *Worth Regional Office facilities; and not to exceed*
4 *\$4,367,000 of such offsetting collections shall be available*
5 *until expended for move, replication, and related costs*
6 *under this heading associated with a replacement lease for*
7 *the Commission's San Francisco Regional Office facilities:*
8 *Provided further, That the total amount appropriated*
9 *under this heading from the general fund for fiscal year*
10 *2022 shall be reduced as such offsetting fees are received*
11 *so as to result in a final total fiscal year 2022 appropria-*
12 *tion from the general fund estimated at not more than \$0:*
13 *Provided further, That if any amount of the appropriation*
14 *for move, replication, and related costs associated with a*
15 *replacement lease for the Commission's Fort Worth Re-*
16 *gional Office facilities or if any amount of the appropria-*
17 *tion for move, replication, and related costs associated with*
18 *a replacement lease for the Commission's San Francisco Re-*
19 *gional Office facilities is subsequently de-obligated by the*
20 *Commission, such amount that was derived from the gen-*
21 *eral fund shall be returned to the general fund, and such*
22 *amounts that were derived from fees or assessments collected*
23 *for such purpose shall be paid to each national securities*
24 *exchange and national securities association, respectively,*
25 *in proportion to any fees or assessments paid by such na-*

1 *tional securities exchange or national securities association*
2 *under section 31 of the Securities Exchange Act of 1934*
3 *(15 U.S.C. 78ee) in fiscal year 2022.*

4 *SELECTIVE SERVICE SYSTEM*

5 *SALARIES AND EXPENSES*

6 *For necessary expenses of the Selective Service System,*
7 *including expenses of attendance at meetings and of train-*
8 *ing for uniformed personnel assigned to the Selective Serv-*
9 *ice System, as authorized by 5 U.S.C. 4101–4118 for civil-*
10 *ian employees; hire of passenger motor vehicles; services as*
11 *authorized by 5 U.S.C. 3109; and not to exceed \$750 for*
12 *official reception and representation expenses; \$29,200,000:*
13 *Provided, That during the current fiscal year, the President*
14 *may exempt this appropriation from the provisions of 31*
15 *U.S.C. 1341, whenever the President deems such action to*
16 *be necessary in the interest of national defense: Provided*
17 *further, That none of the funds appropriated by this Act*
18 *may be expended for or in connection with the induction*
19 *of any person into the Armed Forces of the United States.*

20 *SMALL BUSINESS ADMINISTRATION*

21 *SALARIES AND EXPENSES*

22 *For necessary expenses, not otherwise provided for, of*
23 *the Small Business Administration, including hire of pas-*
24 *senger motor vehicles as authorized by sections 1343 and*
25 *1344 of title 31, United States Code, and not to exceed*

1 \$3,500 for official reception and representation expenses,
2 \$278,378,000, of which not less than \$12,000,000 shall be
3 available for examinations, reviews, and other lender over-
4 sight activities: Provided, That the Administrator is au-
5 thorized to charge fees to cover the cost of publications devel-
6 oped by the Small Business Administration, and certain
7 loan program activities, including fees authorized by sec-
8 tion 5(b) of the Small Business Act: Provided further, That,
9 notwithstanding 31 U.S.C. 3302, revenues received from all
10 such activities shall be credited to this account, to remain
11 available until expended, for carrying out these purposes
12 without further appropriations: Provided further, That the
13 Small Business Administration may accept gifts in an
14 amount not to exceed \$4,000,000 and may co-sponsor ac-
15 tivities, each in accordance with section 132(a) of division
16 K of Public Law 108-447, during fiscal year 2022: Pro-
17 vided further, That \$6,100,000 shall be available for the
18 Loan Modernization and Accounting System, to be avail-
19 able until September 30, 2023.

20 *ENTREPRENEURIAL DEVELOPMENT PROGRAMS*

21 *For necessary expenses of programs supporting entre-*
22 *preneurial and small business development, \$290,150,000,*
23 *to remain available until September 30, 2023: Provided,*
24 *That \$138,000,000 shall be available to fund grants for per-*
25 *formance in fiscal year 2022 or fiscal year 2023 as author-*

1 ized by section 21 of the Small Business Act: Provided fur-
2 ther, That \$37,000,000 shall be for marketing, management,
3 and technical assistance under section 7(m) of the Small
4 Business Act (15 U.S.C. 636(m)(4)) by intermediaries that
5 make microloans under the microloan program: Provided
6 further, That \$20,000,000 shall be available for grants to
7 States to carry out export programs that assist small busi-
8 ness concerns authorized under section 22(l) of the Small
9 Business Act (15 U.S.C. 649(l)).

10 OFFICE OF INSPECTOR GENERAL

11 For necessary expenses of the Office of Inspector Gen-
12 eral in carrying out the provisions of the Inspector General
13 Act of 1978, \$22,671,000.

14 OFFICE OF ADVOCACY

15 For necessary expenses of the Office of Advocacy in
16 carrying out the provisions of title II of Public Law 94-
17 305 (15 U.S.C. 634a et seq.) and the Regulatory Flexibility
18 Act of 1980 (5 U.S.C. 601 et seq.), \$9,466,000, to remain
19 available until expended.

20 BUSINESS LOANS PROGRAM ACCOUNT

21 (INCLUDING TRANSFER OF FUNDS)

22 For the cost of direct loans, \$6,000,000, to remain
23 available until expended: Provided, That such costs, includ-
24 ing the cost of modifying such loans, shall be as defined
25 in section 502 of the Congressional Budget Act of 1974: Pro-

1 *vided further, That subject to section 502 of the Congres-*
2 *sional Budget Act of 1974, during fiscal year 2022 commit-*
3 *ments to guarantee loans under section 503 of the Small*
4 *Business Investment Act of 1958 shall not exceed*
5 *\$11,000,000,000: Provided further, That during fiscal year*
6 *2022 commitments for general business loans authorized*
7 *under paragraphs (1) through (35) of section 7(a) of the*
8 *Small Business Act shall not exceed \$30,000,000,000 for a*
9 *combination of amortizing term loans and the aggregated*
10 *maximum line of credit provided by revolving loans: Pro-*
11 *vided further, That during fiscal year 2022 commitments*
12 *for loans authorized under subparagraph (C) of section*
13 *502(7) of the Small Business Investment Act of 1958 (15*
14 *U.S.C. 696(7)) shall not exceed \$4,000,000,000: Provided*
15 *further, That during fiscal year 2022 commitments to guar-*
16 *antee loans for debentures under section 303(b) of the Small*
17 *Business Investment Act of 1958 shall not exceed*
18 *\$5,000,000,000: Provided further, That during fiscal year*
19 *2022, guarantees of trust certificates authorized by section*
20 *5(g) of the Small Business Act shall not exceed a principal*
21 *amount of \$13,000,000,000. In addition, for administrative*
22 *expenses to carry out the direct and guaranteed loan pro-*
23 *grams, \$163,000,000, which may be transferred to and*
24 *merged with the appropriations for Salaries and Expenses.*

1 *DISASTER LOANS PROGRAM ACCOUNT*2 *(INCLUDING TRANSFERS OF FUNDS)*

3 *For administrative expenses to carry out the direct*
4 *loan program authorized by section 7(b) of the Small Busi-*
5 *ness Act, \$178,000,000, to be available until expended, of*
6 *which \$1,600,000 is for the Office of Inspector General of*
7 *the Small Business Administration for audits and reviews*
8 *of disaster loans and the disaster loan programs and shall*
9 *be transferred to and merged with the appropriations for*
10 *the Office of Inspector General; of which \$168,000,000 is*
11 *for direct administrative expenses of loan making and serv-*
12 *icing to carry out the direct loan program, which may be*
13 *transferred to and merged with the appropriations for Sala-*
14 *ries and Expenses; and of which \$8,400,000 is for indirect*
15 *administrative expenses for the direct loan program, which*
16 *may be transferred to and merged with the appropriations*
17 *for Salaries and Expenses: Provided, That, of the funds pro-*
18 *vided under this heading, \$143,000,000 shall be for major*
19 *disasters declared pursuant to the Robert T. Stafford Dis-*
20 *aster Relief and Emergency Assistance Act (42 U.S.C.*
21 *5122(2)): Provided further, That the amount for major dis-*
22 *asters under this heading is designated by Congress as being*
23 *for disaster relief pursuant to section 4004(b)(6) and section*
24 *4005(f) of S. Con. Res. 14 (117th Congress), the concurrent*
25 *resolution on the budget for fiscal year 2022.*

1 *ADMINISTRATIVE PROVISIONS—SMALL BUSINESS*2 *ADMINISTRATION*3 *(INCLUDING TRANSFERS OF FUNDS)*

4 *SEC. 540. Not to exceed 5 percent of any appropriation*
5 *made available for the current fiscal year for the Small*
6 *Business Administration in this Act may be transferred be-*
7 *tween such appropriations, but no such appropriation shall*
8 *be increased by more than 10 percent by any such transfers:*
9 *Provided, That any transfer pursuant to this paragraph*
10 *shall be treated as a reprogramming of funds under section*
11 *608 of this Act and shall not be available for obligation*
12 *or expenditure except in compliance with the procedures set*
13 *forth in that section.*

14 *SEC. 541. Not to exceed 3 percent of any appropriation*
15 *made available in this Act for the Small Business Adminis-*
16 *tration under the headings “Salaries and Expenses” and*
17 *“Business Loans Program Account” may be transferred to*
18 *the Administration’s information technology system mod-*
19 *ernization and working capital fund (IT WCF), as author-*
20 *ized by section 1077(b)(1) of title X of division A of the*
21 *National Defense Authorization Act for Fiscal Year 2018,*
22 *for the purposes specified in section 1077(b)(3) of such Act,*
23 *upon the advance approval of the Committees on Appro-*
24 *priations of the House of Representatives and the Senate:*
25 *Provided, That amounts transferred to the IT WCF under*

1 *this section shall remain available for obligation through*
2 *September 30, 2025.*

3 *SEC. 542. For an additional amount for “Small Busi-*
4 *ness Administration—Salaries and Expenses”,*
5 *\$83,022,000, which shall be for initiatives related to small*
6 *business development and entrepreneurship, including pro-*
7 *grammatic and construction activities, in the amounts and*
8 *for the projects specified in the table that appears under*
9 *the heading “Administrative Provisions—Small Business*
10 *Administration” in the explanatory statement described in*
11 *section 4 (in the matter preceding division A of this consoli-*
12 *dated Act): Provided, That, notwithstanding sections*
13 *2701.92 and 2701.93 of title 2, Code of Federal Regulations,*
14 *the Administrator of the Small Business Administration*
15 *may permit awards to subrecipients for initiatives funded*
16 *under this section: Provided further, That none of the funds*
17 *made available by this section may be transferred for any*
18 *other purpose.*

19 *UNITED STATES POSTAL SERVICE*

20 *PAYMENT TO THE POSTAL SERVICE FUND*

21 *For payment to the Postal Service Fund for revenue*
22 *forgone on free and reduced rate mail, pursuant to sub-*
23 *sections (c) and (d) of section 2401 of title 39, United States*
24 *Code, \$52,570,000: Provided, That mail for overseas voting*
25 *and mail for the blind shall continue to be free: Provided*

1 *further, That 6-day delivery and rural delivery of mail*
2 *shall continue at not less than the 1983 level: Provided fur-*
3 *ther, That none of the funds made available to the Postal*
4 *Service by this Act shall be used to implement any rule,*
5 *regulation, or policy of charging any officer or employee*
6 *of any State or local child support enforcement agency, or*
7 *any individual participating in a State or local program*
8 *of child support enforcement, a fee for information requested*
9 *or provided concerning an address of a postal customer:*
10 *Provided further, That none of the funds provided in this*
11 *Act shall be used to consolidate or close small rural and*
12 *other small post offices: Provided further, That the Postal*
13 *Service may not destroy, and shall continue to offer for sale,*
14 *any copies of the Multinational Species Conservation Funds*
15 *Semipostal Stamp, as authorized under the Multinational*
16 *Species Conservation Funds Semipostal Stamp Act of 2010*
17 *(Public Law 111–241).*

18 *OFFICE OF INSPECTOR GENERAL*

19 *SALARIES AND EXPENSES*

20 *(INCLUDING TRANSFER OF FUNDS)*

21 *For necessary expenses of the Office of Inspector Gen-*
22 *eral in carrying out the provisions of the Inspector General*
23 *Act of 1978, \$262,000,000, to be derived by transfer from*
24 *the Postal Service Fund and expended as authorized by sec-*

1 *tion 603(b)(3) of the Postal Accountability and Enhance-*
2 *ment Act (Public Law 109–435).*

3 *UNITED STATES TAX COURT*

4 *SALARIES AND EXPENSES*

5 *For necessary expenses, including contract reporting*
6 *and other services as authorized by 5 U.S.C. 3109, and not*
7 *to exceed \$3,000 for official reception and representation*
8 *expenses; \$57,783,000, of which \$1,000,000 shall remain*
9 *available until expended: Provided, That travel expenses of*
10 *the judges shall be paid upon the written certificate of the*
11 *judge.*

TITLE VI

GENERAL PROVISIONS—THIS ACT

(INCLUDING RESCISSION OF FUNDS)

1
2
3
4 *SEC. 601. None of the funds in this Act shall be used*
5 *for the planning or execution of any program to pay the*
6 *expenses of, or otherwise compensate, non-Federal parties*
7 *intervening in regulatory or adjudicatory proceedings fund-*
8 *ed in this Act.*

9 *SEC. 602. None of the funds appropriated in this Act*
10 *shall remain available for obligation beyond the current fis-*
11 *cal year, nor may any be transferred to other appropria-*
12 *tions, unless expressly so provided herein.*

13 *SEC. 603. The expenditure of any appropriation under*
14 *this Act for any consulting service through procurement*
15 *contract pursuant to 5 U.S.C. 3109, shall be limited to those*
16 *contracts where such expenditures are a matter of public*
17 *record and available for public inspection, except where oth-*
18 *erwise provided under existing law, or under existing Exec-*
19 *utive order issued pursuant to existing law.*

20 *SEC. 604. None of the funds made available in this*
21 *Act may be transferred to any department, agency, or in-*
22 *strumentality of the United States Government, except pur-*
23 *suant to a transfer made by, or transfer authority provided*
24 *in, this Act or any other appropriations Act.*

1 *SEC. 605. None of the funds made available by this*
2 *Act shall be available for any activity or for paying the*
3 *salary of any Government employee where funding an ac-*
4 *tivity or paying a salary to a Government employee would*
5 *result in a decision, determination, rule, regulation, or pol-*
6 *icy that would prohibit the enforcement of section 307 of*
7 *the Tariff Act of 1930 (19 U.S.C. 1307).*

8 *SEC. 606. No funds appropriated pursuant to this Act*
9 *may be expended by an entity unless the entity agrees that*
10 *in expending the assistance the entity will comply with*
11 *chapter 83 of title 41, United States Code.*

12 *SEC. 607. No funds appropriated or otherwise made*
13 *available under this Act shall be made available to any per-*
14 *son or entity that has been convicted of violating chapter*
15 *83 of title 41, United States Code.*

16 *SEC. 608. Except as otherwise provided in this Act,*
17 *none of the funds provided in this Act, provided by previous*
18 *appropriations Acts to the agencies or entities funded in*
19 *this Act that remain available for obligation or expenditure*
20 *in fiscal year 2022, or provided from any accounts in the*
21 *Treasury derived by the collection of fees and available to*
22 *the agencies funded by this Act, shall be available for obliga-*
23 *tion or expenditure through a reprogramming of funds that:*
24 *(1) creates a new program; (2) eliminates a program,*
25 *project, or activity; (3) increases funds or personnel for any*

1 program, project, or activity for which funds have been de-
2 nied or restricted by the Congress; (4) proposes to use funds
3 directed for a specific activity by the Committee on Appro-
4 priations of either the House of Representatives or the Sen-
5 ate for a different purpose; (5) augments existing programs,
6 projects, or activities in excess of \$5,000,000 or 10 percent,
7 whichever is less; (6) reduces existing programs, projects,
8 or activities by \$5,000,000 or 10 percent, whichever is less;
9 or (7) creates or reorganizes offices, programs, or activities
10 unless prior approval is received from the Committees on
11 Appropriations of the House of Representatives and the
12 Senate: Provided, That prior to any significant reorganiza-
13 tion, restructuring, relocation, or closing of offices, pro-
14 grams, or activities, each agency or entity funded in this
15 Act shall consult with the Committees on Appropriations
16 of the House of Representatives and the Senate: Provided
17 further, That not later than 60 days after the date of enact-
18 ment of this Act, each agency funded by this Act shall sub-
19 mit a report to the Committees on Appropriations of the
20 House of Representatives and the Senate to establish the
21 baseline for application of reprogramming and transfer au-
22 thorities for the current fiscal year: Provided further, That
23 at a minimum the report shall include: (1) a table for each
24 appropriation, detailing both full-time employee equiva-
25 lents and budget authority, with separate columns to dis-

1 *play the prior year enacted level, the President's budget re-*
2 *quest, adjustments made by Congress, adjustments due to*
3 *enacted rescissions, if appropriate, and the fiscal year en-*
4 *acted level; (2) a delineation in the table for each appro-*
5 *priation and its respective prior year enacted level by object*
6 *class and program, project, and activity as detailed in this*
7 *Act, in the accompanying report, or in the budget appendix*
8 *for the respective appropriation, whichever is more detailed,*
9 *and which shall apply to all items for which a dollar*
10 *amount is specified and to all programs for which new*
11 *budget authority is provided, as well as to discretionary*
12 *grants and discretionary grant allocations; and (3) an*
13 *identification of items of special congressional interest: Pro-*
14 *vided further, That the amount appropriated or limited for*
15 *salaries and expenses for an agency shall be reduced by*
16 *\$100,000 per day for each day after the required date that*
17 *the report has not been submitted to the Congress.*

18 *SEC. 609. Except as otherwise specifically provided by*
19 *law, not to exceed 50 percent of unobligated balances re-*
20 *maining available at the end of fiscal year 2022 from ap-*
21 *propriations made available for salaries and expenses for*
22 *fiscal year 2022 in this Act, shall remain available through*
23 *September 30, 2023, for each such account for the purposes*
24 *authorized: Provided, That a request shall be submitted to*
25 *the Committees on Appropriations of the House of Rep-*

1 *representatives and the Senate for approval prior to the ex-*
2 *penditure of such funds: Provided further, That these re-*
3 *quests shall be made in compliance with reprogramming*
4 *guidelines.*

5 *SEC. 610. (a) None of the funds made available in this*
6 *Act may be used by the Executive Office of the President*
7 *to request—*

8 *(1) any official background investigation report*
9 *on any individual from the Federal Bureau of Inves-*
10 *tigation; or*

11 *(2) a determination with respect to the treatment*
12 *of an organization as described in section 501(c) of*
13 *the Internal Revenue Code of 1986 and exempt from*
14 *taxation under section 501(a) of such Code from the*
15 *Department of the Treasury or the Internal Revenue*
16 *Service.*

17 *(b) Subsection (a) shall not apply—*

18 *(1) in the case of an official background inves-*
19 *tigation report, if such individual has given express*
20 *written consent for such request not more than 6*
21 *months prior to the date of such request and during*
22 *the same presidential administration; or*

23 *(2) if such request is required due to extraor-*
24 *dinary circumstances involving national security.*

1 *SEC. 611. The cost accounting standards promulgated*
2 *under chapter 15 of title 41, United States Code shall not*
3 *apply with respect to a contract under the Federal Employ-*
4 *ees Health Benefits Program established under chapter 89*
5 *of title 5, United States Code.*

6 *SEC. 612. For the purpose of resolving litigation and*
7 *implementing any settlement agreements regarding the non-*
8 *foreign area cost-of-living allowance program, the Office of*
9 *Personnel Management may accept and utilize (without re-*
10 *gard to any restriction on unanticipated travel expenses*
11 *imposed in an Appropriations Act) funds made available*
12 *to the Office of Personnel Management pursuant to court*
13 *approval.*

14 *SEC. 613. No funds appropriated by this Act shall be*
15 *available to pay for an abortion, or the administrative ex-*
16 *penses in connection with any health plan under the Fed-*
17 *eral employees health benefits program which provides any*
18 *benefits or coverage for abortions.*

19 *SEC. 614. The provision of section 613 shall not apply*
20 *where the life of the mother would be endangered if the fetus*
21 *were carried to term, or the pregnancy is the result of an*
22 *act of rape or incest.*

23 *SEC. 615. In order to promote Government access to*
24 *commercial information technology, the restriction on pur-*
25 *chasing nondomestic articles, materials, and supplies set*

1 *forth in chapter 83 of title 41, United States Code (popu-*
2 *larly known as the Buy American Act), shall not apply to*
3 *the acquisition by the Federal Government of information*
4 *technology (as defined in section 11101 of title 40, United*
5 *States Code), that is a commercial item (as defined in sec-*
6 *tion 103 of title 41, United States Code).*

7 *SEC. 616. Notwithstanding section 1353 of title 31,*
8 *United States Code, no officer or employee of any regulatory*
9 *agency or commission funded by this Act may accept on*
10 *behalf of that agency, nor may such agency or commission*
11 *accept, payment or reimbursement from a non-Federal enti-*
12 *ty for travel, subsistence, or related expenses for the purpose*
13 *of enabling an officer or employee to attend and participate*
14 *in any meeting or similar function relating to the official*
15 *duties of the officer or employee when the entity offering*
16 *payment or reimbursement is a person or entity subject to*
17 *regulation by such agency or commission, or represents a*
18 *person or entity subject to regulation by such agency or*
19 *commission, unless the person or entity is an organization*
20 *described in section 501(c)(3) of the Internal Revenue Code*
21 *of 1986 and exempt from tax under section 501(a) of such*
22 *Code.*

23 *SEC. 617. (a)(1) Notwithstanding any other provision*
24 *of law, an Executive agency covered by this Act otherwise*
25 *authorized to enter into contracts for either leases or the*

1 *construction or alteration of real property for office, meet-*
2 *ing, storage, or other space must consult with the General*
3 *Services Administration before issuing a solicitation for of-*
4 *fers of new leases or construction contracts, and in the case*
5 *of succeeding leases, before entering into negotiations with*
6 *the current lessor.*

7 (2) *Any such agency with authority to enter into an*
8 *emergency lease may do so during any period declared by*
9 *the President to require emergency leasing authority with*
10 *respect to such agency.*

11 (b) *For purposes of this section, the term “Executive*
12 *agency covered by this Act” means any Executive agency*
13 *provided funds by this Act, but does not include the General*
14 *Services Administration or the United States Postal Serv-*
15 *ice.*

16 SEC. 618. (a) *There are appropriated for the following*
17 *activities the amounts required under current law:*

18 (1) *Compensation of the President (3 U.S.C.*
19 *102).*

20 (2) *Payments to—*

21 (A) *the Judicial Officers’ Retirement Fund*

22 *(28 U.S.C. 377(o));*

23 (B) *the Judicial Survivors’ Annuities Fund*

24 *(28 U.S.C. 376(c)); and*

1 (C) *the United States Court of Federal*
2 *Claims Judges' Retirement Fund (28 U.S.C.*
3 *178(l)).*

4 (3) *Payment of Government contributions—*

5 (A) *with respect to the health benefits of re-*
6 *tired employees, as authorized by chapter 89 of*
7 *title 5, United States Code, and the Retired Fed-*
8 *eral Employees Health Benefits Act (74 Stat.*
9 *849); and*

10 (B) *with respect to the life insurance bene-*
11 *fits for employees retiring after December 31,*
12 *1989 (5 U.S.C. ch. 87).*

13 (4) *Payment to finance the unfunded liability of*
14 *new and increased annuity benefits under the Civil*
15 *Service Retirement and Disability Fund (5 U.S.C.*
16 *8348).*

17 (5) *Payment of annuities authorized to be paid*
18 *from the Civil Service Retirement and Disability*
19 *Fund by statutory provisions other than subchapter*
20 *III of chapter 83 or chapter 84 of title 5, United*
21 *States Code.*

22 (b) *Nothing in this section may be construed to exempt*
23 *any amount appropriated by this section from any other-*
24 *wise applicable limitation on the use of funds contained in*
25 *this Act.*

1 *SEC. 619. None of the funds made available in this*
2 *Act may be used by the Federal Trade Commission to com-*
3 *plete the draft report entitled “Interagency Working Group*
4 *on Food Marketed to Children: Preliminary Proposed Nu-*
5 *trition Principles to Guide Industry Self-Regulatory Ef-*
6 *forts” unless the Interagency Working Group on Food Mar-*
7 *keted to Children complies with Executive Order No. 13563.*

8 *SEC. 620. (a) The head of each executive branch agency*
9 *funded by this Act shall ensure that the Chief Information*
10 *Officer of the agency has the authority to participate in*
11 *decisions regarding the budget planning process related to*
12 *information technology.*

13 *(b) Amounts appropriated for any executive branch*
14 *agency funded by this Act that are available for informa-*
15 *tion technology shall be allocated within the agency, con-*
16 *sistent with the provisions of appropriations Acts and budg-*
17 *et guidelines and recommendations from the Director of the*
18 *Office of Management and Budget, in such manner as speci-*
19 *fied by, or approved by, the Chief Information Officer of*
20 *the agency in consultation with the Chief Financial Officer*
21 *of the agency and budget officials.*

22 *SEC. 621. None of the funds made available in this*
23 *Act may be used in contravention of chapter 29, 31, or 33*
24 *of title 44, United States Code.*

1 *SEC. 622. None of the funds made available in this*
2 *Act may be used by a governmental entity to require the*
3 *disclosure by a provider of electronic communication service*
4 *to the public or remote computing service of the contents*
5 *of a wire or electronic communication that is in electronic*
6 *storage with the provider (as such terms are defined in sec-*
7 *tions 2510 and 2711 of title 18, United States Code) in*
8 *a manner that violates the Fourth Amendment to the Con-*
9 *stitution of the United States.*

10 *SEC. 623. None of the funds appropriated by this Act*
11 *may be used by the Federal Communications Commission*
12 *to modify, amend, or change the rules or regulations of the*
13 *Commission for universal service high-cost support for com-*
14 *petitive eligible telecommunications carriers in a way that*
15 *is inconsistent with paragraph (e)(5) or (e)(6) of section*
16 *54.307 of title 47, Code of Federal Regulations, as in effect*
17 *on July 15, 2015: Provided, That this section shall not pro-*
18 *hibit the Commission from considering, developing, or*
19 *adopting other support mechanisms as an alternative to*
20 *Mobility Fund Phase II: Provided further, That any such*
21 *alternative mechanism shall maintain existing high-cost*
22 *support to competitive eligible telecommunications carriers*
23 *until support under such mechanism commences.*

24 *SEC. 624. No funds provided in this Act shall be used*
25 *to deny an Inspector General funded under this Act timely*

1 access to any records, documents, or other materials avail-
2 able to the department or agency over which that Inspector
3 General has responsibilities under the Inspector General Act
4 of 1978, or to prevent or impede that Inspector General's
5 access to such records, documents, or other materials, under
6 any provision of law, except a provision of law that ex-
7 pressly refers to the Inspector General and expressly limits
8 the Inspector General's right of access. A department or
9 agency covered by this section shall provide its Inspector
10 General with access to all such records, documents, and
11 other materials in a timely manner. Each Inspector Gen-
12 eral shall ensure compliance with statutory limitations on
13 disclosure relevant to the information provided by the estab-
14 lishment over which that Inspector General has responsibil-
15 ities under the Inspector General Act of 1978. Each Inspec-
16 tor General covered by this section shall report to the Com-
17 mittees on Appropriations of the House of Representatives
18 and the Senate within 5 calendar days any failures to com-
19 ply with this requirement.

20 SEC. 625. (a) None of the funds made available in this
21 Act may be used to maintain or establish a computer net-
22 work unless such network blocks the viewing, downloading,
23 and exchanging of pornography.

24 (b) Nothing in subsection (a) shall limit the use of
25 funds necessary for any Federal, State, tribal, or local law

1 *enforcement agency or any other entity carrying out crimi-*
2 *nal investigations, prosecution, adjudication activities, or*
3 *other law enforcement- or victim assistance-related activity.*

4 *SEC. 626. None of the funds appropriated or other-wise*
5 *made available by this Act may be used to pay award or*
6 *incentive fees for contractors whose performance has been*
7 *judged to be below satisfactory, behind schedule, over budget,*
8 *or has failed to meet the basic requirements of a contract,*
9 *unless the Agency determines that any such deviations are*
10 *due to unforeseeable events, government-driven scope*
11 *changes, or are not significant within the overall scope of*
12 *the project and/or program and unless such awards or in-*
13 *centive fees are consistent with 16.401(e)(2) of the Federal*
14 *Acquisition Regulation.*

15 *SEC. 627. (a) None of the funds made available under*
16 *this Act may be used to pay for travel and conference activi-*
17 *ties that result in a total cost to an Executive branch de-*
18 *partment, agency, board or commission funded by this Act*
19 *of more than \$500,000 at any single conference unless the*
20 *agency or entity determines that such attendance is in the*
21 *national interest and advance notice is transmitted to the*
22 *Committees on Appropriations of the House of Representa-*
23 *tives and the Senate that includes the basis of that deter-*
24 *mination.*

1 (b) *None of the funds made available under this Act*
2 *may be used to pay for the travel to or attendance of more*
3 *than 50 employees, who are stationed in the United States,*
4 *at any single conference occurring outside the United States*
5 *unless the agency or entity determines that such attendance*
6 *is in the national interest and advance notice is trans-*
7 *mitted to the Committees on Appropriations of the House*
8 *of Representatives and the Senate that includes the basis*
9 *of that determination.*

10 *SEC. 628. None of the funds made available by this*
11 *Act may be used for first-class or business-class travel by*
12 *the employees of executive branch agencies funded by this*
13 *Act in contravention of sections 301–10.122 through 301–*
14 *10.125 of title 41, Code of Federal Regulations.*

15 *SEC. 629. In addition to any amounts appropriated*
16 *or otherwise made available for expenses related to enhance-*
17 *ments to www.oversight.gov, \$850,000, to remain available*
18 *until expended, shall be provided for an additional amount*
19 *for such purpose to the Inspectors General Council Fund*
20 *established pursuant to section 11(c)(3)(B) of the Inspector*
21 *General Act of 1978 (5 U.S.C. App.): Provided, That these*
22 *amounts shall be in addition to any amounts or any au-*
23 *thority available to the Council of the Inspectors General*
24 *on Integrity and Efficiency under section 11 of the Inspec-*
25 *tor General Act of 1978 (5 U.S.C. App.).*

1 *SEC. 630. None of the funds made available by this*
2 *Act may be obligated on contracts in excess of \$5,000 for*
3 *public relations, as that term is defined in Office and Man-*
4 *agement and Budget Circular A-87 (revised May 10, 2004),*
5 *unless advance notice of such an obligation is transmitted*
6 *to the Committees on Appropriations of the House of Rep-*
7 *resentatives and the Senate.*

8 *SEC. 631. Federal agencies funded under this Act shall*
9 *clearly state within the text, audio, or video used for adver-*
10 *tising or educational purposes, including emails or Internet*
11 *postings, that the communication is printed, published, or*
12 *produced and disseminated at U.S. taxpayer expense. The*
13 *funds used by a Federal agency to carry out this require-*
14 *ment shall be derived from amounts made available to the*
15 *agency for advertising or other communications regarding*
16 *the programs and activities of the agency.*

17 *SEC. 632. When issuing statements, press releases, re-*
18 *quests for proposals, bid solicitations and other documents*
19 *describing projects or programs funded in whole or in part*
20 *with Federal money, all grantees receiving Federal funds*
21 *included in this Act, 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. 633. None of the funds made available by this*
7 *Act shall be used by the Securities and Exchange Commis-*
8 *sion to finalize, issue, or implement any rule, regulation,*
9 *or order regarding the disclosure of political contributions,*
10 *contributions to tax exempt organizations, or dues paid to*
11 *trade associations.*

12 *SEC. 634. Not later than 45 days after the last day*
13 *of each quarter, each agency funded in this Act shall submit*
14 *to the Committees on Appropriations of the Senate and the*
15 *House of Representatives a quarterly budget report that in-*
16 *cludes total obligations of the Agency for that quarter for*
17 *each appropriation, by the source year of the appropriation.*

18 *SEC. 635. Of the unobligated balances available in the*
19 *Department of the Treasury, Treasury Forfeiture Fund, es-*
20 *tablished by section 9703 of title 31, United States Code,*
21 *\$175,000,000 shall be permanently rescinded not later than*
22 *September 30, 2022.*

23 *SEC. 636. (a) DESIGNATION.—The Federal building*
24 *and courthouse located at 2005 University Boulevard in*

1 *Tuscaloosa, Alabama, shall be known and designated as the*
2 *“Richard Shelby Federal Building and Courthouse”.*

3 **(b) REFERENCES.**—*Any reference in a law, map, regu-*
4 *lation, document, paper, or other record of the United*
5 *States to the Federal building and courthouse referred to*
6 *in subsection (a) shall be deemed to be a reference to the*
7 *“Richard Shelby Federal Building and Courthouse”.*

TITLE VII

GENERAL PROVISIONS—GOVERNMENT-WIDE

DEPARTMENTS, AGENCIES, AND CORPORATIONS

(INCLUDING TRANSFER OF FUNDS)

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2
3
4
5 *SEC. 701. No department, agency, or instrumentality*
6 *of the United States receiving appropriated funds under*
7 *this or any other Act for fiscal year 2022 shall obligate or*
8 *expend any such funds, unless such department, agency, or*
9 *instrumentality has in place, and will continue to admin-*
10 *ister in good faith, a written policy designed to ensure that*
11 *all of its workplaces are free from the illegal use, possession,*
12 *or distribution of controlled substances (as defined in the*
13 *Controlled Substances Act (21 U.S.C. 802)) by the officers*
14 *and employees of such department, agency, or instrumen-*
15 *tality.*

16 *SEC. 702. Unless otherwise specifically provided, the*
17 *maximum amount allowable during the current fiscal year*
18 *in accordance with subsection 1343(c) of title 31, United*
19 *States Code, for the purchase of any passenger motor vehicle*
20 *(exclusive of buses, ambulances, law enforcement vehicles,*
21 *protective vehicles, and undercover surveillance vehicles), is*
22 *hereby fixed at \$19,947 except station wagons for which the*
23 *maximum shall be \$19,997: Provided, That these limits*
24 *may be exceeded by not to exceed \$7,250 for police-type vehi-*
25 *cles: Provided further, That the limits set forth in this sec-*

1 *tion may not be exceeded by more than 5 percent for electric*
2 *or hybrid vehicles purchased for demonstration under the*
3 *provisions of the Electric and Hybrid Vehicle Research, De-*
4 *velopment, and Demonstration Act of 1976: Provided fur-*
5 *ther, That the limits set forth in this section may be exceed-*
6 *ed by the incremental cost of clean alternative fuels vehicles*
7 *acquired pursuant to Public Law 101–549 over the cost of*
8 *comparable conventionally fueled vehicles: Provided further,*
9 *That the limits set forth in this section shall not apply to*
10 *any vehicle that is a commercial item and which operates*
11 *on alternative fuel, including but not limited to electric,*
12 *plug-in hybrid electric, and hydrogen fuel cell vehicles.*

13 *SEC. 703. Appropriations of the executive departments*
14 *and independent establishments for the current fiscal year*
15 *available for expenses of travel, or for the expenses of the*
16 *activity concerned, are hereby made available for quarters*
17 *allowances and cost-of-living allowances, in accordance*
18 *with 5 U.S.C. 5922–5924.*

19 *SEC. 704. Unless otherwise specified in law during the*
20 *current fiscal year, no part of any appropriation contained*
21 *in this or any other Act shall be used to pay the compensa-*
22 *tion of any officer or employee of the Government of the*
23 *United States (including any agency the majority of the*
24 *stock of which is owned by the Government of the United*
25 *States) whose post of duty is in the continental United*

1 *States unless such person: (1) is a citizen of the United*
2 *States; (2) is a person who is lawfully admitted for perma-*
3 *nent residence and is seeking citizenship as outlined in 8*
4 *U.S.C. 1324b(a)(3)(B); (3) is a person who is admitted as*
5 *a refugee under 8 U.S.C. 1157 or is granted asylum under*
6 *8 U.S.C. 1158 and has filed a declaration of intention to*
7 *become a lawful permanent resident and then a citizen*
8 *when eligible; or (4) is a person who owes allegiance to the*
9 *United States: Provided, That for purposes of this section,*
10 *affidavits signed by any such person shall be considered*
11 *prima facie evidence that the requirements of this section*
12 *with respect to his or her status are being complied with:*
13 *Provided further, That for purposes of subsections (2) and*
14 *(3) such affidavits shall be submitted prior to employment*
15 *and updated thereafter as necessary: Provided further, That*
16 *any person making a false affidavit shall be guilty of a*
17 *felony, and upon conviction, shall be fined no more than*
18 *\$4,000 or imprisoned for not more than 1 year, or both:*
19 *Provided further, That the above penal clause shall be in*
20 *addition to, and not in substitution for, any other provi-*
21 *sions of existing law: Provided further, That any payment*
22 *made to any officer or employee contrary to the provisions*
23 *of this section shall be recoverable in action by the Federal*
24 *Government: Provided further, That this section shall not*
25 *apply to any person who is an officer or employee of the*

1 *Government of the United States on the date of enactment*
2 *of this Act, or to international broadcasters employed by*
3 *the Broadcasting Board of Governors, or to temporary em-*
4 *ployment of translators, or to temporary employment in the*
5 *field service (not to exceed 60 days) as a result of emer-*
6 *gencies: Provided further, That this section does not apply*
7 *to the employment as Wildland firefighters for not more*
8 *than 120 days of nonresident aliens employed by the De-*
9 *partment of the Interior or the USDA Forest Service pursu-*
10 *ant to an agreement with another country.*

11 *SEC. 705. Appropriations available to any department*
12 *or agency during the current fiscal year for necessary ex-*
13 *penses, including maintenance or operating expenses, shall*
14 *also be available for payment to the General Services Ad-*
15 *ministration for charges for space and services and those*
16 *expenses of renovation and alteration of buildings and fa-*
17 *cilities which constitute public improvements performed in*
18 *accordance with the Public Buildings Act of 1959 (73 Stat.*
19 *479), the Public Buildings Amendments of 1972 (86 Stat.*
20 *216), or other applicable law.*

21 *SEC. 706. In addition to funds provided in this or any*
22 *other Act, all Federal agencies are authorized to receive and*
23 *use funds resulting from the sale of materials, including*
24 *Federal records disposed of pursuant to a records schedule*
25 *recovered through recycling or waste prevention programs.*

1 *Such funds shall be available until expended for the fol-*
2 *lowing purposes:*

3 (1) *Acquisition, waste reduction and prevention,*
4 *and recycling programs as described in Executive*
5 *Order No. 13834 (May 17, 2018), including any such*
6 *programs adopted prior to the effective date of the Ex-*
7 *ecutive order.*

8 (2) *Other Federal agency environmental manage-*
9 *ment programs, including, but not limited to, the de-*
10 *velopment and implementation of hazardous waste*
11 *management and pollution prevention programs.*

12 (3) *Other employee programs as authorized by*
13 *law or as deemed appropriate by the head of the Fed-*
14 *eral agency.*

15 *SEC. 707. Funds made available by this or any other*
16 *Act for administrative expenses in the current fiscal year*
17 *of the corporations and agencies subject to chapter 91 of*
18 *title 31, United States Code, shall be available, in addition*
19 *to objects for which such funds are otherwise available, for*
20 *rent in the District of Columbia; services in accordance*
21 *with 5 U.S.C. 3109; and the objects specified under this*
22 *head, all the provisions of which shall be applicable to the*
23 *expenditure of such funds unless otherwise specified in the*
24 *Act by which they are made available: Provided, That in*
25 *the event any functions budgeted as administrative expenses*

1 *are subsequently transferred to or paid from other funds,*
2 *the limitations on administrative expenses shall be cor-*
3 *respondingly reduced.*

4 *SEC. 708. No part of any appropriation contained in*
5 *this or any other Act shall be available for interagency fi-*
6 *nancing of boards (except Federal Executive Boards), com-*
7 *missions, councils, committees, or similar groups (whether*
8 *or not they are interagency entities) which do not have a*
9 *prior and specific statutory approval to receive financial*
10 *support from more than one agency or instrumentality.*

11 *SEC. 709. None of the funds made available pursuant*
12 *to the provisions of this or any other Act shall be used to*
13 *implement, administer, or enforce any regulation which has*
14 *been disapproved pursuant to a joint resolution duly adopt-*
15 *ed in accordance with the applicable law of the United*
16 *States.*

17 *SEC. 710. During the period in which the head of any*
18 *department or agency, or any other officer or civilian em-*
19 *ployee of the Federal Government appointed by the Presi-*
20 *dent of the United States, holds office, no funds may be obli-*
21 *gated or expended in excess of \$5,000 to furnish or redeco-*
22 *rate the office of such department head, agency head, officer,*
23 *or employee, or to purchase furniture or make improve-*
24 *ments for any such office, unless advance notice of such fur-*
25 *nishing or redecoration is transmitted to the Committees*

1 *on Appropriations of the House of Representatives and the*
2 *Senate. For the purposes of this section, the term “office”*
3 *shall include the entire suite of offices assigned to the indi-*
4 *vidual, as well as any other space used primarily by the*
5 *individual or the use of which is directly controlled by the*
6 *individual.*

7 *SEC. 711. Notwithstanding 31 U.S.C. 1346, or section*
8 *708 of this Act, funds made available for the current fiscal*
9 *year by this or any other Act shall be available for the inter-*
10 *agency funding of national security and emergency pre-*
11 *paredness telecommunications initiatives which benefit*
12 *multiple Federal departments, agencies, or entities, as pro-*
13 *vided by Executive Order No. 13618 (July 6, 2012).*

14 *SEC. 712. (a) None of the funds made available by this*
15 *or any other Act may be obligated or expended by any de-*
16 *partment, agency, or other instrumentality of the Federal*
17 *Government to pay the salaries or expenses of any indi-*
18 *vidual appointed to a position of a confidential or policy-*
19 *determining character that is excepted from the competitive*
20 *service under section 3302 of title 5, United States Code,*
21 *(pursuant to schedule C of subpart C of part 213 of title*
22 *5 of the Code of Federal Regulations) unless the head of*
23 *the applicable department, agency, or other instrumentality*
24 *employing such schedule C individual certifies to the Direc-*
25 *tor of the Office of Personnel Management that the schedule*

1 *C position occupied by the individual was not created solely*
2 *or primarily in order to detail the individual to the White*
3 *House.*

4 *(b) The provisions of this section shall not apply to*
5 *Federal employees or members of the armed forces detailed*
6 *to or from an element of the intelligence community (as*
7 *that term is defined under section 3(4) of the National Secu-*
8 *rity Act of 1947 (50 U.S.C. 3003(4)).*

9 *SEC. 713. No part of any appropriation contained in*
10 *this or any other Act shall be available for the payment*
11 *of the salary of any officer or employee of the Federal Gov-*
12 *ernment, who—*

13 *(1) prohibits or prevents, or attempts or threat-*
14 *ens to prohibit or prevent, any other officer or em-*
15 *ployee of the Federal Government from having any*
16 *direct oral or written communication or contact with*
17 *any Member, committee, or subcommittee of the Con-*
18 *gress in connection with any matter pertaining to the*
19 *employment of such other officer or employee or per-*
20 *taining to the department or agency of such other of-*
21 *ficer or employee in any way, irrespective of whether*
22 *such communication or contact is at the initiative of*
23 *such other officer or employee or in response to the re-*
24 *quest or inquiry of such Member, committee, or sub-*
25 *committee; or*

1 (2) removes, suspends from duty without pay,
2 demotes, reduces in rank, seniority, status, pay, or
3 performance or efficiency rating, denies promotion to,
4 relocates, reassigns, transfers, disciplines, or discrimi-
5 nates in regard to any employment right, entitlement,
6 or benefit, or any term or condition of employment of,
7 any other officer or employee of the Federal Govern-
8 ment, or attempts or threatens to commit any of the
9 foregoing actions with respect to such other officer or
10 employee, by reason of any communication or contact
11 of such other officer or employee with any Member,
12 committee, or subcommittee of the Congress as de-
13 scribed in paragraph (1).

14 SEC. 714. (a) None of the funds made available in this
15 or any other Act may be obligated or expended for any em-
16 ployee training that—

17 (1) does not meet identified needs for knowledge,
18 skills, and abilities bearing directly upon the perform-
19 ance of official duties;

20 (2) contains elements likely to induce high levels
21 of emotional response or psychological stress in some
22 participants;

23 (3) does not require prior employee notification
24 of the content and methods to be used in the training
25 and written end of course evaluation;

1 (4) contains any methods or content associated
2 with religious or quasi-religious belief systems or
3 “new age” belief systems as defined in Equal Employ-
4 ment Opportunity Commission Notice N-915.022,
5 dated September 2, 1988; or

6 (5) is offensive to, or designed to change, partici-
7 pants’ personal values or lifestyle outside the work-
8 place.

9 (b) Nothing in this section shall prohibit, restrict, or
10 otherwise preclude an agency from conducting training
11 bearing directly upon the performance of official duties.

12 SEC. 715. No part of any funds appropriated in this
13 or any other Act shall be used by an agency of the executive
14 branch, other than for normal and recognized executive-leg-
15 islative relationships, for publicity or propaganda pur-
16 poses, and for the preparation, distribution or use of any
17 kit, pamphlet, booklet, publication, radio, television, or film
18 presentation designed to support or defeat legislation pend-
19 ing before the Congress, except in presentation to the Con-
20 gress itself.

21 SEC. 716. None of the funds appropriated by this or
22 any other Act may be used by an agency to provide a Fed-
23 eral employee’s home address to any labor organization ex-
24 cept when the employee has authorized such disclosure or

1 *when such disclosure has been ordered by a court of com-*
2 *petent jurisdiction.*

3 *SEC. 717. None of the funds made available in this*
4 *or any other Act may be used to provide any non-public*
5 *information such as mailing, telephone, or electronic mail-*
6 *ing lists to any person or any organization outside of the*
7 *Federal Government without the approval of the Commit-*
8 *tees on Appropriations of the House of Representatives and*
9 *the Senate.*

10 *SEC. 718. No part of any appropriation contained in*
11 *this or any other Act shall be used directly or indirectly,*
12 *including by private contractor, for publicity or propa-*
13 *ganda purposes within the United States not heretofore au-*
14 *thorized by Congress.*

15 *SEC. 719. (a) In this section, the term “agency”—*

16 *(1) means an Executive agency, as defined under*
17 *5 U.S.C. 105; and*

18 *(2) includes a military department, as defined*
19 *under section 102 of such title, the United States*
20 *Postal Service, and the Postal Regulatory Commis-*
21 *sion.*

22 *(b) Unless authorized in accordance with law or regu-*
23 *lations to use such time for other purposes, an employee*
24 *of an agency shall use official time in an honest effort to*
25 *perform official duties. An employee not under a leave sys-*

1 *tem, including a Presidential appointee exempted under 5*
2 *U.S.C. 6301(2), has an obligation to expend an honest effort*
3 *and a reasonable proportion of such employee's time in the*
4 *performance of official duties.*

5 *SEC. 720. Notwithstanding 31 U.S.C. 1346 and section*
6 *708 of this Act, funds made available for the current fiscal*
7 *year by this or any other Act to any department or agency,*
8 *which is a member of the Federal Accounting Standards*
9 *Advisory Board (FASAB), shall be available to finance an*
10 *appropriate share of FASAB administrative costs.*

11 *SEC. 721. Notwithstanding 31 U.S.C. 1346 and section*
12 *708 of this Act, the head of each Executive department and*
13 *agency is hereby authorized to transfer to or reimburse*
14 *“General Services Administration, Government-wide Pol-*
15 *icy” with the approval of the Director of the Office of Man-*
16 *agement and Budget, funds made available for the current*
17 *fiscal year by this or any other Act, including rebates from*
18 *charge card and other contracts: Provided, That these funds*
19 *shall be administered by the Administrator of General Serv-*
20 *ices to support Government-wide and other multi-agency fi-*
21 *nancial, information technology, procurement, and other*
22 *management innovations, initiatives, and activities, in-*
23 *cluding improving coordination and reducing duplication,*
24 *as approved by the Director of the Office of Management*
25 *and Budget, in consultation with the appropriate inter-*

1 agency and multi-agency groups designated by the Director
2 (including the President’s Management Council for overall
3 management improvement initiatives, the Chief Financial
4 Officers Council for financial management initiatives, the
5 Chief Information Officers Council for information tech-
6 nology initiatives, the Chief Human Capital Officers Coun-
7 cil for human capital initiatives, the Chief Acquisition Offi-
8 cers Council for procurement initiatives, and the Perform-
9 ance Improvement Council for performance improvement
10 initiatives): Provided further, That the total funds trans-
11 ferred or reimbursed shall not exceed \$15,000,000 to im-
12 prove coordination, reduce duplication, and for other ac-
13 tivities related to Federal Government Priority Goals estab-
14 lished by 31 U.S.C. 1120, and not to exceed \$17,000,000
15 for Government-wide innovations, initiatives, and activi-
16 ties: Provided further, That the funds transferred to or for
17 reimbursement of “General Services Administration, Gov-
18 ernment-wide Policy” during fiscal year 2022 shall remain
19 available for obligation through September 30, 2023: Pro-
20 vided further, That such transfers or reimbursements may
21 only be made after 15 days following notification of the
22 Committees on Appropriations of the House of Representa-
23 tives and the Senate by the Director of the Office of Manage-
24 ment and Budget.

1 *SEC. 722. Notwithstanding any other provision of law,*
2 *a woman may breastfeed her child at any location in a*
3 *Federal building or on Federal property, if the woman and*
4 *her child are otherwise authorized to be present at the loca-*
5 *tion.*

6 *SEC. 723. Notwithstanding 31 U.S.C. 1346 , or section*
7 *708 of this Act, funds made available for the current fiscal*
8 *year by this or any other Act shall be available for the inter-*
9 *agency funding of specific projects, workshops, studies, and*
10 *similar efforts to carry out the purposes of the National*
11 *Science and Technology Council (authorized by Executive*
12 *Order No. 12881), which benefit multiple Federal depart-*
13 *ments, agencies, or entities: Provided, That the Office of*
14 *Management and Budget shall provide a report describing*
15 *the budget of and resources connected with the National*
16 *Science and Technology Council to the Committees on Ap-*
17 *propriations, the House Committee on Science, Space, and*
18 *Technology, and the Senate Committee on Commerce,*
19 *Science, and Transportation 90 days after enactment of this*
20 *Act.*

21 *SEC. 724. Any request for proposals, solicitation, grant*
22 *application, form, notification, press release, or other publi-*
23 *cations involving the distribution of Federal funds shall*
24 *comply with any relevant requirements in part 200 of title*
25 *2, Code of Federal Regulations: Provided, That this section*

1 *shall apply to direct payments, formula funds, and grants*
2 *received by a State receiving Federal funds.*

3 *SEC. 725. (a) PROHIBITION OF FEDERAL AGENCY*
4 *MONITORING OF INDIVIDUALS' INTERNET USE.—None of*
5 *the funds made available in this or any other Act may be*
6 *used by any Federal agency—*

7 *(1) to collect, review, or create any aggregation*
8 *of data, derived from any means, that includes any*
9 *personally identifiable information relating to an in-*
10 *dividual's access to or use of any Federal Government*
11 *Internet site of the agency; or*

12 *(2) to enter into any agreement with a third*
13 *party (including another government agency) to col-*
14 *lect, review, or obtain any aggregation of data, de-*
15 *derived from any means, that includes any personally*
16 *identifiable information relating to an individual's*
17 *access to or use of any nongovernmental Internet site.*

18 *(b) EXCEPTIONS.—The limitations established in sub-*
19 *section (a) shall not apply to—*

20 *(1) any record of aggregate data that does not*
21 *identify particular persons;*

22 *(2) any voluntary submission of personally iden-*
23 *tifiable information;*

1 (3) *any action taken for law enforcement, regu-*
2 *latory, or supervisory purposes, in accordance with*
3 *applicable law; or*

4 (4) *any action described in subsection (a)(1) that*
5 *is a system security action taken by the operator of*
6 *an Internet site and is necessarily incident to pro-*
7 *viding the Internet site services or to protecting the*
8 *rights or property of the provider of the Internet site.*

9 (c) *DEFINITIONS.—For the purposes of this section:*

10 (1) *The term “regulatory” means agency actions*
11 *to implement, interpret or enforce authorities pro-*
12 *vided in law.*

13 (2) *The term “supervisory” means examinations*
14 *of the agency’s supervised institutions, including as-*
15 *sessing safety and soundness, overall financial condi-*
16 *tion, management practices and policies and compli-*
17 *ance with applicable standards as provided in law.*

18 SEC. 726. (a) *None of the funds appropriated by this*
19 *Act may be used to enter into or renew a contract which*
20 *includes a provision providing prescription drug coverage,*
21 *except where the contract also includes a provision for con-*
22 *traceptive coverage.*

23 (b) *Nothing in this section shall apply to a contract*
24 *with—*

25 (1) *any of the following religious plans:*

1 (A) *Personal Care's HMO; and*

2 (B) *OSF HealthPlans, Inc.; and*

3 (2) *any existing or future plan, if the carrier for*
4 *the plan objects to such coverage on the basis of reli-*
5 *gious beliefs.*

6 (c) *In implementing this section, any plan that enters*
7 *into or renews a contract under this section may not subject*
8 *any individual to discrimination on the basis that the indi-*
9 *vidual refuses to prescribe or otherwise provide for contra-*
10 *ceptives because such activities would be contrary to the in-*
11 *dividual's religious beliefs or moral convictions.*

12 (d) *Nothing in this section shall be construed to require*
13 *coverage of abortion or abortion-related services.*

14 SEC. 727. *The United States is committed to ensuring*
15 *the health of its Olympic, Pan American, and Paralympic*
16 *athletes, and supports the strict adherence to anti-doping*
17 *in sport through testing, adjudication, education, and re-*
18 *search as performed by nationally recognized oversight au-*
19 *thorities.*

20 SEC. 728. *Notwithstanding any other provision of law,*
21 *funds appropriated for official travel to Federal depart-*
22 *ments and agencies may be used by such departments and*
23 *agencies, if consistent with Office of Management and*
24 *Budget Circular A-126 regarding official travel for Govern-*

1 *ment personnel, to participate in the fractional aircraft*
2 *ownership pilot program.*

3 *SEC. 729. Notwithstanding any other provision of law,*
4 *none of the funds appropriated or made available under*
5 *this or any other appropriations Act may be used to imple-*
6 *ment or enforce restrictions or limitations on the Coast*
7 *Guard Congressional Fellowship Program, or to implement*
8 *the proposed regulations of the Office of Personnel Manage-*
9 *ment to add sections 300.311 through 300.316 to part 300*
10 *of title 5 of the Code of Federal Regulations, published in*
11 *the Federal Register, volume 68, number 174, on September*
12 *9, 2003 (relating to the detail of executive branch employees*
13 *to the legislative branch).*

14 *SEC. 730. Notwithstanding any other provision of law,*
15 *no executive branch agency shall purchase, construct, or*
16 *lease any additional facilities, except within or contiguous*
17 *to existing locations, to be used for the purpose of con-*
18 *ducting Federal law enforcement training without the ad-*
19 *vance approval of the Committees on Appropriations of the*
20 *House of Representatives and the Senate, except that the*
21 *Federal Law Enforcement Training Centers is authorized*
22 *to obtain the temporary use of additional facilities by lease,*
23 *contract, or other agreement for training which cannot be*
24 *accommodated in existing Centers facilities.*

1 *SEC. 731. Unless otherwise authorized by existing law,*
2 *none of the funds provided in this or any other Act may*
3 *be used by an executive branch agency to produce any pre-*
4 *packaged news story intended for broadcast or distribution*
5 *in the United States, unless the story includes a clear notifi-*
6 *cation within the text or audio of the prepackaged news*
7 *story that the prepackaged news story was prepared or*
8 *funded by that executive branch agency.*

9 *SEC. 732. None of the funds made available in this*
10 *Act may be used in contravention of section 552a of title*
11 *5, United States Code (popularly known as the Privacy*
12 *Act), and regulations implementing that section.*

13 *SEC. 733. (a) IN GENERAL.—None of the funds appro-*
14 *priated or otherwise made available by this or any other*
15 *Act may be used for any Federal Government contract with*
16 *any foreign incorporated entity which is treated as an in-*
17 *verted domestic corporation under section 835(b) of the*
18 *Homeland Security Act of 2002 (6 U.S.C. 395(b)) or any*
19 *subsidiary of such an entity.*

20 *(b) WAIVERS.—*

21 *(1) IN GENERAL.—Any Secretary shall waive*
22 *subsection (a) with respect to any Federal Govern-*
23 *ment contract under the authority of such Secretary*
24 *if the Secretary determines that the waiver is required*
25 *in the interest of national security.*

1 (2) *REPORT TO CONGRESS.*—Any Secretary
2 issuing a waiver under paragraph (1) shall report
3 such issuance to Congress.

4 (c) *EXCEPTION.*—This section shall not apply to any
5 Federal Government contract entered into before the date
6 of the enactment of this Act, or to any task order issued
7 pursuant to such contract.

8 *SEC. 734. During fiscal year 2022, for each employee*
9 *who—*

10 (1) *retires under section 8336(d)(2) or*
11 *8414(b)(1)(B) of title 5, United States Code; or*

12 (2) *retires under any other provision of sub-*
13 *chapter III of chapter 83 or chapter 84 of such title*
14 *5 and receives a payment as an incentive to separate,*
15 *the separating agency shall remit to the Civil Service*
16 *Retirement and Disability Fund an amount equal to*
17 *the Office of Personnel Management’s average unit*
18 *cost of processing a retirement claim for the preceding*
19 *fiscal year. Such amounts shall be available until ex-*
20 *pended to the Office of Personnel Management and*
21 *shall be deemed to be an administrative expense*
22 *under section 8348(a)(1)(B) of title 5, United States*
23 *Code.*

24 *SEC. 735. (a) None of the funds made available in this*
25 *or any other Act may be used to recommend or require any*

1 *entity submitting an offer for a Federal contract to disclose*
2 *any of the following information as a condition of submit-*
3 *ting the offer:*

4 (1) *Any payment consisting of a contribution,*
5 *expenditure, independent expenditure, or disburse-*
6 *ment for an electioneering communication that is*
7 *made by the entity, its officers or directors, or any of*
8 *its affiliates or subsidiaries to a candidate for election*
9 *for Federal office or to a political committee, or that*
10 *is otherwise made with respect to any election for*
11 *Federal office.*

12 (2) *Any disbursement of funds (other than a*
13 *payment described in paragraph (1)) made by the en-*
14 *tity, its officers or directors, or any of its affiliates or*
15 *subsidiaries to any person with the intent or the rea-*
16 *sonable expectation that the person will use the funds*
17 *to make a payment described in paragraph (1).*

18 (b) *In this section, each of the terms “contribution”,*
19 *“expenditure”, “independent expenditure”, “electioneering*
20 *communication”, “candidate”, “election”, and “Federal of-*
21 *fice” has the meaning given such term in the Federal Elec-*
22 *tion Campaign Act of 1971 (52 U.S.C. 30101 et seq.).*

23 SEC. 736. *None of the funds made available in this*
24 *or any other Act may be used to pay for the painting of*
25 *a portrait of an officer or employee of the Federal Govern-*

1 *ment, including the President, the Vice President, a member*
2 *of Congress (including a Delegate or a Resident Commis-*
3 *sioner to Congress), the head of an executive branch agency*
4 *(as defined in section 133 of title 41, United States Code),*
5 *or the head of an office of the legislative branch.*

6 *SEC. 737. (a)(1) Notwithstanding any other provision*
7 *of law, and except as otherwise provided in this section,*
8 *no part of any of the funds appropriated for fiscal year*
9 *2022, by this or any other Act, may be used to pay any*
10 *prevailing rate employee described in section 5342(a)(2)(A)*
11 *of title 5, United States Code—*

12 *(A) during the period from the date of expiration*
13 *of the limitation imposed by the comparable section*
14 *for the previous fiscal years until the normal effective*
15 *date of the applicable wage survey adjustment that is*
16 *to take effect in fiscal year 2022, in an amount that*
17 *exceeds the rate payable for the applicable grade and*
18 *step of the applicable wage schedule in accordance*
19 *with such section; and*

20 *(B) during the period consisting of the remain-*
21 *der of fiscal year 2022, in an amount that exceeds,*
22 *as a result of a wage survey adjustment, the rate pay-*
23 *able under subparagraph (A) by more than the sum*
24 *of—*

1 (i) the percentage adjustment taking effect
2 in fiscal year 2022 under section 5303 of title 5,
3 United States Code, in the rates of pay under the
4 General Schedule; and

5 (ii) the difference between the overall aver-
6 age percentage of the locality-based com-
7 parability payments taking effect in fiscal year
8 2022 under section 5304 of such title (whether by
9 adjustment or otherwise), and the overall average
10 percentage of such payments which was effective
11 in the previous fiscal year under such section.

12 (2) Notwithstanding any other provision of law, no
13 prevailing rate employee described in subparagraph (B) or
14 (C) of section 5342(a)(2) of title 5, United States Code, and
15 no employee covered by section 5348 of such title, may be
16 paid during the periods for which paragraph (1) is in effect
17 at a rate that exceeds the rates that would be payable under
18 paragraph (1) were paragraph (1) applicable to such em-
19 ployee.

20 (3) For the purposes of this subsection, the rates pay-
21 able to an employee who is covered by this subsection and
22 who is paid from a schedule not in existence on September
23 30, 2021, shall be determined under regulations prescribed
24 by the Office of Personnel Management.

1 (4) *Notwithstanding any other provision of law, rates*
2 *of premium pay for employees subject to this subsection*
3 *may not be changed from the rates in effect on September*
4 *30, 2021, except to the extent determined by the Office of*
5 *Personnel Management to be consistent with the purpose of*
6 *this subsection.*

7 (5) *This subsection shall apply with respect to pay for*
8 *service performed after September 30, 2021.*

9 (6) *For the purpose of administering any provision*
10 *of law (including any rule or regulation that provides pre-*
11 *mium pay, retirement, life insurance, or any other em-*
12 *ployee benefit) that requires any deduction or contribution,*
13 *or that imposes any requirement or limitation on the basis*
14 *of a rate of salary or basic pay, the rate of salary or basic*
15 *pay payable after the application of this subsection shall*
16 *be treated as the rate of salary or basic pay.*

17 (7) *Nothing in this subsection shall be considered to*
18 *permit or require the payment to any employee covered by*
19 *this subsection at a rate in excess of the rate that would*
20 *be payable were this subsection not in effect.*

21 (8) *The Office of Personnel Management may provide*
22 *for exceptions to the limitations imposed by this subsection*
23 *if the Office determines that such exceptions are necessary*
24 *to ensure the recruitment or retention of qualified employ-*
25 *ees.*

1 **(b)** *Notwithstanding subsection (a), the adjustment in*
2 *rates of basic pay for the statutory pay systems that take*
3 *place in fiscal year 2022 under sections 5344 and 5348 of*
4 *title 5, United States Code, shall be—*

5 **(1)** *not less than the percentage received by em-*
6 *ployees in the same location whose rates of basic pay*
7 *are adjusted pursuant to the statutory pay systems*
8 *under sections 5303 and 5304 of title 5, United States*
9 *Code: Provided, That prevailing rate employees at lo-*
10 *cations where there are no employees whose pay is in-*
11 *creased pursuant to sections 5303 and 5304 of title 5,*
12 *United States Code, and prevailing rate employees de-*
13 *scribed in section 5343(a)(5) of title 5, United States*
14 *Code, shall be considered to be located in the pay lo-*
15 *cality designated as “Rest of United States” pursuant*
16 *to section 5304 of title 5, United States Code, for pur-*
17 *poses of this subsection; and*

18 **(2)** *effective as of the first day of the first appli-*
19 *cable pay period beginning after September 30, 2021.*

20 **SEC. 738. (a)** *The head of any Executive branch de-*
21 *partment, agency, board, commission, or office funded by*
22 *this or any other appropriations Act shall submit annual*
23 *reports to the Inspector General or senior ethics official for*
24 *any entity without an Inspector General, regarding the*
25 *costs and contracting procedures related to each conference*

1 *held by any such department, agency, board, commission,*
2 *or office during fiscal year 2022 for which the cost to the*
3 *United States Government was more than \$100,000.*

4 *(b) Each report submitted shall include, for each con-*
5 *ference described in subsection (a) held during the applica-*
6 *ble period—*

7 *(1) a description of its purpose;*

8 *(2) the number of participants attending;*

9 *(3) a detailed statement of the costs to the United*
10 *States Government, including—*

11 *(A) the cost of any food or beverages;*

12 *(B) the cost of any audio-visual services;*

13 *(C) the cost of employee or contractor travel*
14 *to and from the conference; and*

15 *(D) a discussion of the methodology used to*
16 *determine which costs relate to the conference;*
17 *and*

18 *(4) a description of the contracting procedures*
19 *used including—*

20 *(A) whether contracts were awarded on a*
21 *competitive basis; and*

22 *(B) a discussion of any cost comparison*
23 *conducted by the departmental component or of-*
24 *fice in evaluating potential contractors for the*
25 *conference.*

1 (c) *Within 15 days after the end of a quarter, the head*
2 *of any such department, agency, board, commission, or of-*
3 *fice shall notify the Inspector General or senior ethics offi-*
4 *cial for any entity without an Inspector General, of the*
5 *date, location, and number of employees attending a con-*
6 *ference held by any Executive branch department, agency,*
7 *board, commission, or office funded by this or any other*
8 *appropriations Act during fiscal year 2022 for which the*
9 *cost to the United States Government was more than*
10 *\$20,000.*

11 (d) *A grant or contract funded by amounts appro-*
12 *priated by this or any other appropriations Act may not*
13 *be used for the purpose of defraying the costs of a conference*
14 *described in subsection (c) that is not directly and program-*
15 *matically related to the purpose for which the grant or con-*
16 *tract was awarded, such as a conference held in connection*
17 *with planning, training, assessment, review, or other rou-*
18 *tine purposes related to a project funded by the grant or*
19 *contract.*

20 (e) *None of the funds made available in this or any*
21 *other appropriations Act may be used for travel and con-*
22 *ference activities that are not in compliance with Office of*
23 *Management and Budget Memorandum M-12-12 dated*
24 *May 11, 2012 or any subsequent revisions to that memo-*
25 *randum.*

1 *SEC. 739. None of the funds made available in this*
2 *or any other appropriations Act may be used to increase,*
3 *eliminate, or reduce funding for a program, project, or ac-*
4 *tivity as proposed in the President’s budget request for a*
5 *fiscal year until such proposed change is subsequently en-*
6 *acted in an appropriation Act, or unless such change is*
7 *made pursuant to the reprogramming or transfer provisions*
8 *of this or any other appropriations Act.*

9 *SEC. 740. None of the funds made available by this*
10 *or any other Act may be used to implement, administer,*
11 *enforce, or apply the rule entitled “Competitive Area” pub-*
12 *lished by the Office of Personnel Management in the Federal*
13 *Register on April 15, 2008 (73 Fed. Reg. 20180 et seq.).*

14 *SEC. 741. None of the funds appropriated or otherwise*
15 *made available by this or any other Act may be used to*
16 *begin or announce a study or public-private competition*
17 *regarding the conversion to contractor performance of any*
18 *function performed by Federal employees pursuant to Office*
19 *of Management and Budget Circular A–76 or any other ad-*
20 *ministrative regulation, directive, or policy.*

21 *SEC. 742. (a) None of the funds appropriated or other-*
22 *wise made available by this or any other Act may be avail-*
23 *able for a contract, grant, or cooperative agreement with*
24 *an entity that requires employees or contractors of such en-*
25 *tity seeking to report fraud, waste, or abuse to sign internal*

1 *confidentiality agreements or statements prohibiting or oth-*
2 *erwise restricting such employees or contractors from law-*
3 *fully reporting such waste, fraud, or abuse to a designated*
4 *investigative or law enforcement representative of a Federal*
5 *department or agency authorized to receive such informa-*
6 *tion.*

7 **(b)** *The limitation in subsection (a) shall not con-*
8 *travene requirements applicable to Standard Form 312,*
9 *Form 4414, or any other form issued by a Federal depart-*
10 *ment or agency governing the nondisclosure of classified in-*
11 *formation.*

12 **SEC. 743. (a)** *No funds appropriated in this or any*
13 *other Act may be used to implement or enforce the agree-*
14 *ments in Standard Forms 312 and 4414 of the Government*
15 *or any other nondisclosure policy, form, or agreement if*
16 *such policy, form, or agreement does not contain the fol-*
17 *lowing provisions: “These provisions are consistent with*
18 *and do not supersede, conflict with, or otherwise alter the*
19 *employee obligations, rights, or liabilities created by exist-*
20 *ing statute or Executive order relating to (1) classified in-*
21 *formation, (2) communications to Congress, (3) the report-*
22 *ing to an Inspector General or the Office of Special Counsel*
23 *of a violation of any law, rule, or regulation, or mis-*
24 *management, a gross waste of funds, an abuse of authority,*
25 *or a substantial and specific danger to public health or safe-*

1 *ty, or (4) any other whistleblower protection. The defini-*
2 *tions, requirements, obligations, rights, sanctions, and li-*
3 *abilities created by controlling Executive orders and statu-*
4 *tory provisions are incorporated into this agreement and*
5 *are controlling.”: Provided, That notwithstanding the pre-*
6 *ceding provision of this section, a nondisclosure policy form*
7 *or agreement that is to be executed by a person connected*
8 *with the conduct of an intelligence or intelligence-related*
9 *activity, other than an employee or officer of the United*
10 *States Government, may contain provisions appropriate to*
11 *the particular activity for which such document is to be*
12 *used. Such form or agreement shall, at a minimum, require*
13 *that the person will not disclose any classified information*
14 *received in the course of such activity unless specifically au-*
15 *thorized to do so by the United States Government. Such*
16 *nondisclosure forms shall also make it clear that they do*
17 *not bar disclosures to Congress, or to an authorized official*
18 *of an executive agency or the Department of Justice, that*
19 *are essential to reporting a substantial violation of law.*

20 *(b) A nondisclosure agreement may continue to be im-*
21 *plemented and enforced notwithstanding subsection (a) if*
22 *it complies with the requirements for such agreement that*
23 *were in effect when the agreement was entered into.*

24 *(c) No funds appropriated in this or any other Act*
25 *may be used to implement or enforce any agreement entered*

1 *into during fiscal year 2014 which does not contain sub-*
2 *stantially similar language to that required in subsection*
3 *(a).*

4 *SEC. 744. None of the funds made available by this*
5 *or any other Act may be used to enter into a contract,*
6 *memorandum of understanding, or cooperative agreement*
7 *with, make a grant to, or provide a loan or loan guarantee*
8 *to, any corporation that has any unpaid Federal tax liabil-*
9 *ity that has been assessed, for which all judicial and admin-*
10 *istrative remedies have been exhausted or have lapsed, and*
11 *that is not being paid in a timely manner pursuant to an*
12 *agreement with the authority responsible for collecting the*
13 *tax liability, where the awarding agency is aware of the*
14 *unpaid tax liability, unless a Federal agency has considered*
15 *suspension or debarment of the corporation and has made*
16 *a determination that this further action is not necessary*
17 *to protect the interests of the Government.*

18 *SEC. 745. None of the funds made available by this*
19 *or any other Act may be used to enter into a contract,*
20 *memorandum of understanding, or cooperative agreement*
21 *with, make a grant to, or provide a loan or loan guarantee*
22 *to, any corporation that was convicted of a felony criminal*
23 *violation under any Federal law within the preceding 24*
24 *months, where the awarding agency is aware of the convic-*
25 *tion, unless a Federal agency has considered suspension or*

1 *debarment of the corporation and has made a determina-*
2 *tion that this further action is not necessary to protect the*
3 *interests of the Government.*

4 *SEC. 746. (a) During fiscal year 2022, on the date on*
5 *which a request is made for a transfer of funds in accord-*
6 *ance with section 1017 of Public Law 111–203, the Bureau*
7 *of Consumer Financial Protection shall notify the Commit-*
8 *tees on Appropriations of the House of Representatives and*
9 *the Senate, the Committee on Financial Services of the*
10 *House of Representatives, and the Committee on Banking,*
11 *Housing, and Urban Affairs of the Senate of such request.*

12 *(b) Any notification required by this section shall be*
13 *made available on the Bureau’s public website.*

14 *SEC. 747. (a) Notwithstanding any official rate ad-*
15 *justed under section 104 of title 3, United States Code, the*
16 *rate payable to the Vice President during calendar year*
17 *2022 shall be the rate payable to the Vice President on De-*
18 *cember 31, 2021, by operation of section 748 of division*
19 *E of Public Law 116–260.*

20 *(b) Notwithstanding any official rate adjusted under*
21 *section 5318 of title 5, United States Code, or any other*
22 *provision of law, the payable rate during calendar year*
23 *2022 for an employee serving in an Executive Schedule po-*
24 *sition, or in a position for which the rate of pay is fixed*
25 *by statute at an Executive Schedule rate, shall be the rate*

1 payable for the applicable *Executive Schedule* level on De-
2 cember 31, 2021, by operation of section 748 of division
3 E of Public Law 116–260. Such an employee may not re-
4 ceive a rate increase during calendar year 2022, except as
5 provided in subsection (i).

6 (c) Notwithstanding section 401 of the *Foreign Service*
7 Act of 1980 (Public Law 96–465) or any other provision
8 of law, a chief of mission or ambassador at large is subject
9 to subsection (b) in the same manner as other employees
10 who are paid at an *Executive Schedule* rate.

11 (d)(1) This subsection applies to—

12 (A) a noncareer appointee in the *Senior Execu-*
13 *tive Service* paid a rate of basic pay at or above the
14 official rate for level IV of the *Executive Schedule*; or

15 (B) a limited term appointee or limited emer-
16 gency appointee in the *Senior Executive Service* serv-
17 ing under a political appointment and paid a rate of
18 basic pay at or above the official rate for level IV of
19 the *Executive Schedule*.

20 (2) Notwithstanding sections 5382 and 5383 of title
21 5, *United States Code*, an employee described in paragraph
22 (1) may not receive a pay rate increase during calendar
23 year 2022, except as provided in subsection (i).

24 (e) Notwithstanding any other provision of law, any
25 employee paid a rate of basic pay (including any locality-

1 based payments under section 5304 of title 5, United States
2 Code, or similar authority) at or above the official rate for
3 level IV of the Executive Schedule who serves under a polit-
4 ical appointment may not receive a pay rate increase dur-
5 ing calendar year 2022, except as provided in subsection
6 (i). This subsection does not apply to employees in the Gen-
7 eral Schedule pay system or the Foreign Service pay sys-
8 tem, to employees appointed under section 3161 of title 5,
9 United States Code, or to employees in another pay system
10 whose position would be classified at GS-15 or below if
11 chapter 51 of title 5, United States Code, applied to them.

12 (f) Nothing in subsections (b) through (e) shall prevent
13 employees who do not serve under a political appointment
14 from receiving pay increases as otherwise provided under
15 applicable law.

16 (g) This section does not apply to an individual who
17 makes an election to retain Senior Executive Service basic
18 pay under section 3392(c) of title 5, United States Code,
19 for such time as that election is in effect.

20 (h) This section does not apply to an individual who
21 makes an election to retain Senior Foreign Service pay en-
22 titlements under section 302(b) of the Foreign Service Act
23 of 1980 (Public Law 96-465) for such time as that election
24 is in effect.

1 (i) *Notwithstanding subsections (b) through (e), an em-*
2 *ployee in a covered position may receive a pay rate increase*
3 *upon an authorized movement to a different covered posi-*
4 *tion only if that new position has higher-level duties and*
5 *a pre-established level or range of pay higher than the level*
6 *or range for the position held immediately before the move-*
7 *ment. Any such increase must be based on the rates of pay*
8 *and applicable limitations on payable rates of pay in effect*
9 *on December 31, 2021, by operation of section 748 of divi-*
10 *sion E of Public Law 116–260.*

11 (j) *Notwithstanding any other provision of law, for an*
12 *individual who is newly appointed to a covered position*
13 *during the period of time subject to this section, the initial*
14 *pay rate shall be based on the rates of pay and applicable*
15 *limitations on payable rates of pay in effect on December*
16 *31, 2021, by operation of section 748 of division E of Public*
17 *Law 116–260.*

18 (k) *If an employee affected by this section is subject*
19 *to a biweekly pay period that begins in calendar year 2022*
20 *but ends in calendar year 2023, the bar on the employee’s*
21 *receipt of pay rate increases shall apply through the end*
22 *of that pay period.*

23 (l) *For the purpose of this section, the term “covered*
24 *position” means a position occupied by an employee whose*
25 *pay is restricted under this section.*

1 *(m) This section takes effect on the first day of the first*
2 *applicable pay period beginning on or after January 1,*
3 *2022.*

4 *SEC. 748. (a) Each department or agency of the execu-*
5 *tive branch of the United States Government shall notify*
6 *the Committees on Appropriations and the Budget of the*
7 *House of Representatives and the Senate and any other ap-*
8 *propriate congressional committees if—*

9 *(1) an apportionment is not made in the re-*
10 *quired time period provided in section 1513(b) of title*
11 *31, United States Code;*

12 *(2) an approved apportionment received by the*
13 *department or agency conditions the availability of*
14 *an appropriation on further action; or*

15 *(3) an approved apportionment received by the*
16 *department or agency may hinder the prudent obliga-*
17 *tion of such appropriation or the execution of a pro-*
18 *gram, project, or activity by such department or*
19 *agency.*

20 *(b) Any notification submitted to a congressional com-*
21 *mittee pursuant to this section shall contain information*
22 *identifying the bureau, account name, appropriation name,*
23 *and Treasury Appropriation Fund Symbol or fund ac-*
24 *count.*

1 *SEC. 749. (a) Any non-Federal entity receiving funds*
2 *provided in this or any other appropriations Act for fiscal*
3 *year 2022 that are specified in the disclosure table sub-*
4 *mitted in compliance with clause 9 of rule XXI of the Rules*
5 *of the House of Representatives or Rule XLIV of the Stand-*
6 *ing Rules of the Senate that is included in the report or*
7 *explanatory statement accompanying any such Act shall be*
8 *deemed to be a recipient of a Federal award with respect*
9 *to such funds for purposes of the requirements of 2 C.F.R.*
10 *200.334, regarding records retention, and 2 C.F.R. 200.337,*
11 *regarding access by the Comptroller General of the United*
12 *States.*

13 *(b) Nothing in this section shall be construed to limit,*
14 *amend, supersede, or restrict in any manner any require-*
15 *ments otherwise applicable to non-Federal entities described*
16 *in paragraph (1) or any existing authority of the Comp-*
17 *troller General.*

18 *SEC. 750. Section 15010(a)(6) of division B of the*
19 *Coronavirus Aid, Relief, and Economic Security Act (Pub-*
20 *lic Law 116–136) is amended—*

21 *(1) in subparagraph (D), by striking “or”;*

22 *(2) in subparagraph (E), by striking “; and”*
23 *and inserting “; or”; and*

24 *(3) by inserting after subparagraph (E), the fol-*
25 *lowing:*

1 “(F) the American Rescue Plan Act of 2021
2 (Public Law 117–2); and”.

3 SEC. 751. Notwithstanding section 1346 of title 31,
4 United States Code, or section 708 of this Act, funds made
5 available by this or any other Act to any Federal agency
6 may be used by that Federal agency for interagency funding
7 for coordination with, participation in, or recommenda-
8 tions involving, activities of the U.S. Army Medical Re-
9 search and Development Command, the Congressionally Di-
10 rected Medical Research Programs and the National Insti-
11 tutes of Health research programs.

12 SEC. 752. Except as expressly provided otherwise, any
13 reference to “this Act” contained in any title other than
14 title IV or VIII shall not apply to such title IV or VIII.

TITLE VIII

GENERAL PROVISIONS—DISTRICT OF COLUMBIA

(INCLUDING TRANSFERS OF FUNDS)

SEC. 801. *There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of legal settlements or judgments that have been entered against the District of Columbia government.*

SEC. 802. *None of the Federal funds provided in this Act shall be used for publicity or propaganda purposes or implementation of any policy including boycott designed to support or defeat legislation pending before Congress or any State legislature.*

SEC. 803. (a) *None of the Federal funds provided under this Act to the agencies funded by this Act, both Federal and District government agencies, that remain available for obligation or expenditure in fiscal year 2022, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditures for an agency through a reprogramming of funds which—*

(1) *creates new programs;*

(2) *eliminates a program, project, or responsibility center;*

1 (3) *establishes or changes allocations specifically*
2 *denied, limited or increased under this Act;*

3 (4) *increases funds or personnel by any means*
4 *for any program, project, or responsibility center for*
5 *which funds have been denied or restricted;*

6 (5) *re-establishes any program or project pre-*
7 *viously deferred through reprogramming;*

8 (6) *augments any existing program, project, or*
9 *responsibility center through a reprogramming of*
10 *funds in excess of \$3,000,000 or 10 percent, whichever*
11 *is less; or*

12 (7) *increases by 20 percent or more personnel as-*
13 *signed to a specific program, project or responsibility*
14 *center, unless prior approval is received from the*
15 *Committees on Appropriations of the House of Rep-*
16 *resentatives and the Senate.*

17 (b) *The District of Columbia government is authorized*
18 *to approve and execute reprogramming and transfer re-*
19 *quests of local funds under this title through November 7,*
20 *2022.*

21 SEC. 804. *None of the Federal funds provided in this*
22 *Act may be used by the District of Columbia to provide*
23 *for salaries, expenses, or other costs associated with the of-*
24 *fices of United States Senator or United States Representa-*
25 *tive under section 4(d) of the District of Columbia State-*

1 *hood Constitutional Convention Initiatives of 1979 (D.C.*
2 *Law 3–171; D.C. Official Code, sec. 1–123).*

3 *SEC. 805. Except as otherwise provided in this section,*
4 *none of the funds made available by this Act or by any*
5 *other Act may be used to provide any officer or employee*
6 *of the District of Columbia with an official vehicle unless*
7 *the officer or employee uses the vehicle only in the perform-*
8 *ance of the officer’s or employee’s official duties. For pur-*
9 *poses of this section, the term “official duties” does not in-*
10 *clude travel between the officer’s or employee’s residence and*
11 *workplace, except in the case of—*

12 *(1) an officer or employee of the Metropolitan*
13 *Police Department who resides in the District of Co-*
14 *lumbia or is otherwise designated by the Chief of the*
15 *Department;*

16 *(2) at the discretion of the Fire Chief, an officer*
17 *or employee of the District of Columbia Fire and*
18 *Emergency Medical Services Department who resides*
19 *in the District of Columbia and is on call 24 hours*
20 *a day;*

21 *(3) at the discretion of the Director of the De-*
22 *partment of Corrections, an officer or employee of the*
23 *District of Columbia Department of Corrections who*
24 *resides in the District of Columbia and is on call 24*
25 *hours a day;*

1 (4) *at the discretion of the Chief Medical Exam-*
2 *iner, an officer or employee of the Office of the Chief*
3 *Medical Examiner who resides in the District of Co-*
4 *lumbia and is on call 24 hours a day;*

5 (5) *at the discretion of the Director of the Home-*
6 *land Security and Emergency Management Agency,*
7 *an officer or employee of the Homeland Security and*
8 *Emergency Management Agency who resides in the*
9 *District of Columbia and is on call 24 hours a day;*

10 (6) *the Mayor of the District of Columbia; and*

11 (7) *the Chairman of the Council of the District*
12 *of Columbia.*

13 *SEC. 806. (a) None of the Federal funds contained in*
14 *this Act may be used by the District of Columbia Attorney*
15 *General or any other officer or entity of the District govern-*
16 *ment to provide assistance for any petition drive or civil*
17 *action which seeks to require Congress to provide for voting*
18 *representation in Congress for the District of Columbia.*

19 *(b) Nothing in this section bars the District of Colum-*
20 *bia Attorney General from reviewing or commenting on*
21 *briefs in private lawsuits, or from consulting with officials*
22 *of the District government regarding such lawsuits.*

23 *SEC. 807. None of the Federal funds contained in this*
24 *Act may be used to distribute any needle or syringe for the*
25 *purpose of preventing the spread of blood borne pathogens*

1 *in any location that has been determined by the local public*
2 *health or local law enforcement authorities to be inappro-*
3 *prate for such distribution.*

4 *SEC. 808. Nothing in this Act may be construed to pre-*
5 *vent the Council or Mayor of the District of Columbia from*
6 *addressing the issue of the provision of contraceptive cov-*
7 *erage by health insurance plans, but it is the intent of Con-*
8 *gress that any legislation enacted on such issue should in-*
9 *clude a “conscience clause” which provides exceptions for*
10 *religious beliefs and moral convictions.*

11 *SEC. 809. (a) None of the Federal funds contained in*
12 *this Act may be used to enact or carry out any law, rule,*
13 *or regulation to legalize or otherwise reduce penalties asso-*
14 *ciated with the possession, use, or distribution of any sched-*
15 *ule I substance under the Controlled Substances Act (21*
16 *U.S.C. 801 et seq.) or any tetrahydrocannabinols deriva-*
17 *tive.*

18 *(b) No funds available for obligation or expenditure*
19 *by the District of Columbia government under any author-*
20 *ity may be used to enact any law, rule, or regulation to*
21 *legalize or otherwise reduce penalties associated with the*
22 *possession, use, or distribution of any schedule I substance*
23 *under the Controlled Substances Act (21 U.S.C. 801 et seq.)*
24 *or any tetrahydrocannabinols derivative for recreational*
25 *purposes.*

1 *SEC. 810. No funds available for obligation or expendi-*
2 *ture by the District of Columbia government under any au-*
3 *thority shall be expended for any abortion except where the*
4 *life of the mother would be endangered if the fetus were car-*
5 *ried to term or where the pregnancy is the result of an act*
6 *of rape or incest.*

7 *SEC. 811. (a) No later than 30 calendar days after*
8 *the date of the enactment of this Act, the Chief Financial*
9 *Officer for the District of Columbia shall submit to the ap-*
10 *propriate committees of Congress, the Mayor, and the Coun-*
11 *cil of the District of Columbia, a revised appropriated funds*
12 *operating budget in the format of the budget that the Dis-*
13 *trict of Columbia government submitted pursuant to section*
14 *442 of the District of Columbia Home Rule Act (D.C. Offi-*
15 *cial Code, sec. 1–204.42), for all agencies of the District of*
16 *Columbia government for fiscal year 2022 that is in the*
17 *total amount of the approved appropriation and that re-*
18 *aligns all budgeted data for personal services and other-*
19 *than-personal services, respectively, with anticipated actual*
20 *expenditures.*

21 *(b) This section shall apply only to an agency for*
22 *which the Chief Financial Officer for the District of Colum-*
23 *bia certifies that a reallocation is required to address unan-*
24 *ticipated changes in program requirements.*

1 *SEC. 812. No later than 30 calendar days after the*
2 *date of the enactment of this Act, the Chief Financial Offi-*
3 *cer for the District of Columbia shall submit to the appro-*
4 *priate committees of Congress, the Mayor, and the Council*
5 *for the District of Columbia, a revised appropriated funds*
6 *operating budget for the District of Columbia Public*
7 *Schools that aligns schools budgets to actual enrollment. The*
8 *revised appropriated funds budget shall be in the format*
9 *of the budget that the District of Columbia government sub-*
10 *mitted pursuant to section 442 of the District of Columbia*
11 *Home Rule Act (D.C. Official Code, sec. 1–204.42).*

12 *SEC. 813. (a) Amounts appropriated in this Act as*
13 *operating funds may be transferred to the District of Co-*
14 *lumbia’s enterprise and capital funds and such amounts,*
15 *once transferred, shall retain appropriation authority con-*
16 *sistent with the provisions of this Act.*

17 *(b) The District of Columbia government is authorized*
18 *to reprogram or transfer for operating expenses any local*
19 *funds transferred or reprogrammed in this or the four prior*
20 *fiscal years from operating funds to capital funds, and such*
21 *amounts, once transferred or reprogrammed, shall retain*
22 *appropriation authority consistent with the provisions of*
23 *this Act.*

24 *(c) The District of Columbia government may not*
25 *transfer or reprogram for operating expenses any funds de-*

1 rived from bonds, notes, or other obligations issued for cap-
2 ital projects.

3 *SEC. 814. None of the Federal funds appropriated in*
4 *this Act shall remain available for obligation beyond the*
5 *current fiscal year, nor may any be transferred to other*
6 *appropriations, unless expressly so provided herein.*

7 *SEC. 815. Except as otherwise specifically provided by*
8 *law or under this Act, not to exceed 50 percent of unobli-*
9 *gated balances remaining available at the end of fiscal year*
10 *2022 from appropriations of Federal funds made available*
11 *for salaries and expenses for fiscal year 2022 in this Act,*
12 *shall remain available through September 30, 2023, for each*
13 *such account for the purposes authorized: Provided, That*
14 *a request shall be submitted to the Committees on Appro-*
15 *priations of the House of Representatives and the Senate*
16 *for approval prior to the expenditure of such funds: Pro-*
17 *vided further, That these requests shall be made in compli-*
18 *ance with reprogramming guidelines outlined in section*
19 *803 of this Act.*

20 *SEC. 816. (a)(1) During fiscal year 2023, during a*
21 *period in which neither a District of Columbia continuing*
22 *resolution or a regular District of Columbia appropriation*
23 *bill is in effect, local funds are appropriated in the amount*
24 *provided for any project or activity for which local funds*
25 *are provided in the Act referred to in paragraph (2) (subject*

1 *to any modifications enacted by the District of Columbia*
2 *as of the beginning of the period during which this sub-*
3 *section is in effect) at the rate set forth by such Act.*

4 (2) *The Act referred to in this paragraph is the Act*
5 *of the Council of the District of Columbia pursuant to which*
6 *a proposed budget is approved for fiscal year 2023 which*
7 *(subject to the requirements of the District of Columbia*
8 *Home Rule Act) will constitute the local portion of the an-*
9 *nual budget for the District of Columbia government for*
10 *fiscal year 2023 for purposes of section 446 of the District*
11 *of Columbia Home Rule Act (sec. 1–204.46, D.C. Official*
12 *Code).*

13 (b) *Appropriations made by subsection (a) shall cease*
14 *to be available—*

15 (1) *during any period in which a District of Co-*
16 *lumbia continuing resolution for fiscal year 2023 is*
17 *in effect; or*

18 (2) *upon the enactment into law of the regular*
19 *District of Columbia appropriation bill for fiscal year*
20 *2023.*

21 (c) *An appropriation made by subsection (a) is pro-*
22 *vided under the authority and conditions as provided under*
23 *this Act and shall be available to the extent and in the man-*
24 *ner that would be provided by this Act.*

1 (d) *An appropriation made by subsection (a) shall*
2 *cover all obligations or expenditures incurred for such*
3 *project or activity during the portion of fiscal year 2023*
4 *for which this section applies to such project or activity.*

5 (e) *This section shall not apply to a project or activity*
6 *during any period of fiscal year 2023 if any other provision*
7 *of law (other than an authorization of appropriations)—*

8 (1) *makes an appropriation, makes funds avail-*
9 *able, or grants authority for such project or activity*
10 *to continue for such period; or*

11 (2) *specifically provides that no appropriation*
12 *shall be made, no funds shall be made available, or*
13 *no authority shall be granted for such project or ac-*
14 *tivity to continue for such period.*

15 (f) *Nothing in this section shall be construed to affect*
16 *obligations of the government of the District of Columbia*
17 *mandated by other law.*

18 SEC. 817. (a) *Section 244 of the Revised Statutes of*
19 *the United States relating to the District of Columbia (sec.*
20 *9–1201.03, D.C. Official Code) does not apply with respect*
21 *to any railroads installed pursuant to the Long Bridge*
22 *Project.*

23 (b) *In this section, the term “Long Bridge Project”*
24 *means the project carried out by the District of Columbia*
25 *and the Commonwealth of Virginia to construct a new Long*

1 *Bridge adjacent to the existing Long Bridge over the Poto-*
2 *mac River, including related infrastructure and other re-*
3 *lated projects, to expand commuter and regional passenger*
4 *rail service and to provide bike and pedestrian access cross-*
5 *ings over the Potomac River.*

6 *SEC. 818. Not later than 45 days after the last day*
7 *of each quarter, each Federal and District government agen-*
8 *cy appropriated Federal funds in this Act shall submit to*
9 *the Committees on Appropriations of the House of Rep-*
10 *resentatives and the Senate a quarterly budget report that*
11 *includes total obligations of the Agency for that quarter for*
12 *each Federal funds appropriation provided in this Act, by*
13 *the source year of the appropriation.*

14 *SEC. 819. Except as expressly provided otherwise, any*
15 *reference to “this Act” contained in this title or in title*
16 *IV shall be treated as referring only to the provisions of*
17 *this title or of title IV.*

18 *This division may be cited as the “Financial Services*
19 *and General Government Appropriations Act, 2022”.*

1 ***DIVISION F—DEPARTMENT OF HOMELAND***
2 ***SECURITY APPROPRIATIONS ACT, 2022***

3 *TITLE I*
4 *DEPARTMENTAL MANAGEMENT, OPERATIONS,*
5 *INTELLIGENCE, AND OVERSIGHT*
6 *OFFICE OF THE SECRETARY AND EXECUTIVE*
7 *MANAGEMENT*
8 *OPERATIONS AND SUPPORT*

9 *For necessary expenses of the Office of the Secretary*
10 *and for executive management for operations and support,*
11 *\$236,053,000; of which \$23,204,000 shall be for the Office*
12 *of the Ombudsman for Immigration Detention, of which*
13 *\$5,000,000 shall remain available until September 30,*
14 *2023: Provided, That not to exceed \$30,000 shall be for offi-*
15 *cial reception and representation expenses: Provided fur-*
16 *ther, That \$5,000,000 shall be withheld from obligation*
17 *until the Secretary submits, to the Committees on Appro-*
18 *priations of the Senate and the House of Representatives,*
19 *responses to all questions for the record for each hearing*
20 *on the fiscal year 2023 budget submission for the Depart-*
21 *ment of Homeland Security held by such Committees prior*
22 *to July 1.*

1 *FEDERAL ASSISTANCE*2 *(INCLUDING TRANSFER OF FUNDS)*

3 *For necessary expenses of the Office of the Secretary*
4 *and for executive management for Federal assistance*
5 *through grants, contracts, cooperative agreements, and other*
6 *activities, \$35,000,000, which shall be transferred to “Fed-*
7 *eral Emergency Management Agency—Federal Assistance”,*
8 *of which \$20,000,000 shall be for targeted violence and ter-*
9 *rorism prevention grants and of which \$15,000,000 shall*
10 *be for an Alternatives to Detention Case Management pilot*
11 *program, to remain available until September 30, 2023:*
12 *Provided, That the amounts made available for the pilot*
13 *program shall be awarded as described in the first proviso*
14 *under this heading in title I of division F of Public Law*
15 *116–260 and services shall be provided as described in the*
16 *second and third such provisos.*

17 *MANAGEMENT DIRECTORATE*18 *OPERATIONS AND SUPPORT*

19 *For necessary expenses of the Management Directorate*
20 *for operations and support, including vehicle fleet mod-*
21 *ernization, \$1,637,009,000, of which \$33,500,000 shall re-*
22 *main available until September 30, 2023: Provided, That*
23 *not to exceed \$2,000 shall be for official reception and rep-*
24 *resentation expenses.*

1 *PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS*

2 *For necessary expenses of the Management Directorate*
3 *for procurement, construction, and improvements,*
4 *\$491,816,000, of which \$132,116,000 shall remain available*
5 *until September 30, 2024, and of which \$359,700,000 shall*
6 *remain available until September 30, 2026.*

7 *FEDERAL PROTECTIVE SERVICE*

8 *The revenues and collections of security fees credited*
9 *to this account shall be available until expended for nec-*
10 *essary expenses related to the protection of federally owned*
11 *and leased buildings and for the operations of the Federal*
12 *Protective Service.*

13 *INTELLIGENCE, ANALYSIS, AND OPERATIONS*

14 *COORDINATION*

15 *OPERATIONS AND SUPPORT*

16 *For necessary expenses of the Office of Intelligence and*
17 *Analysis and the Office of Operations Coordination for op-*
18 *erations and support, \$298,171,000, of which \$89,672,000*
19 *shall remain available until September 30, 2023: Provided,*
20 *That not to exceed \$3,825 shall be for official reception and*
21 *representation expenses and not to exceed \$2,000,000 is*
22 *available for facility needs associated with secure space at*
23 *fusion centers, including improvements to buildings.*

1 *OFFICE OF THE INSPECTOR GENERAL*
2 *OPERATIONS AND SUPPORT*

3 *For necessary expenses of the Office of the Inspector*
4 *General for operations and support, \$205,359,000: Pro-*
5 *vided, That not to exceed \$300,000 may be used for certain*
6 *confidential operational expenses, including the payment of*
7 *informants, to be expended at the direction of the Inspector*
8 *General.*

9 *ADMINISTRATIVE PROVISIONS*

10 *SEC. 101. (a) The Secretary of Homeland Security*
11 *shall submit a report not later than October 15, 2022, to*
12 *the Inspector General of the Department of Homeland Secu-*
13 *riety listing all grants and contracts awarded by any means*
14 *other than full and open competition during fiscal years*
15 *2021 or 2022.*

16 *(b) The Inspector General shall review the report re-*
17 *quired by subsection (a) to assess departmental compliance*
18 *with applicable laws and regulations and report the results*
19 *of that review to the Committees on Appropriations of the*
20 *Senate and the House of Representatives not later than Feb-*
21 *ruary 15, 2023.*

22 *SEC. 102. Not later than 30 days after the last day*
23 *of each month, the Chief Financial Officer of the Depart-*
24 *ment of Homeland Security shall submit to the Committees*
25 *on Appropriations of the Senate and the House of Rep-*

1 *representatives a monthly budget and staffing report that in-*
2 *cludes total obligations of the Department for that month*
3 *and for the fiscal year at the appropriation and program,*
4 *project, and activity levels, by the source year of the appro-*
5 *priation.*

6 *SEC. 103. The Secretary of Homeland Security shall*
7 *require that all contracts of the Department of Homeland*
8 *Security that provide award fees link such fees to successful*
9 *acquisition outcomes, which shall be specified in terms of*
10 *cost, schedule, and performance.*

11 *SEC. 104. (a) The Secretary of Homeland Security, in*
12 *consultation with the Secretary of the Treasury, shall notify*
13 *the Committees on Appropriations of the Senate and the*
14 *House of Representatives of any proposed transfers of funds*
15 *available under section 9705(g)(4)(B) of title 31, United*
16 *States Code, from the Department of the Treasury For-*
17 *feiture Fund to any agency within the Department of*
18 *Homeland Security.*

19 *(b) None of the funds identified for such a transfer may*
20 *be obligated until the Committees on Appropriations of the*
21 *Senate and the House of Representatives are notified of the*
22 *proposed transfer.*

23 *SEC. 105. All official costs associated with the use of*
24 *Government aircraft by Department of Homeland Security*
25 *personnel to support official travel of the Secretary and the*

1 *Deputy Secretary shall be paid from amounts made avail-*
2 *able for the Office of the Secretary.*

3 *SEC. 106. (a) The Under Secretary for Management*
4 *shall brief the Committees on Appropriations of the Senate*
5 *and the House of Representatives not later than 30 days*
6 *after the end of each fiscal quarter on all Level 1 and Level*
7 *2 acquisition programs on the Master Acquisition Oversight*
8 *list between Acquisition Decision Event 1 and Full Oper-*
9 *ational Capability, including programs that have been re-*
10 *moved from such list during the preceding quarter.*

11 *(b) For each such program without a department-ap-*
12 *proved acquisition program baseline, the briefing described*
13 *in subsection (a) shall include—*

14 *(1) a description of the purpose of the program,*
15 *including the capabilities being acquired and the*
16 *component(s) sponsoring the acquisition; and*

17 *(2) the Acquisition Review Board status, includ-*
18 *ing—*

19 *(A) the current acquisition phase;*

20 *(B) the date and purpose of the most recent*
21 *review; and*

22 *(C) whether the program has been paused or*
23 *is in breach status.*

1 (c) *For each such program with a department-ap-*
2 *proved acquisition program baseline, the briefing described*
3 *in subsection (a) shall include—*

4 (1) *a description of the purpose of the program,*
5 *including the capabilities being acquired and the*
6 *component(s) sponsoring the acquisition;*

7 (2) *the total number of units, as appropriate, to*
8 *be acquired annually until procurement is complete*
9 *under the current acquisition program baseline;*

10 (3) *the Acquisition Review Board status, includ-*
11 *ing—*

12 (A) *the current acquisition phase by incre-*
13 *ment, as applicable;*

14 (B) *the date of the most recent review; and*

15 (C) *whether the program has been paused or*
16 *is in breach status;*

17 (4) *a comparison between the initial Depart-*
18 *ment-approved acquisition program baseline cost,*
19 *schedule, and performance thresholds and objectives*
20 *and the program's current such thresholds and objec-*
21 *tives, if applicable;*

22 (5) *the lifecycle cost estimate, including—*

23 (A) *the confidence level for the estimate;*

24 (B) *the fiscal years included in the esti-*
25 *mate; and*

1 (C) a description of and rationale for any
2 changes to the estimate during the prior fiscal
3 year;

4 (6) a summary of the findings of any inde-
5 pendent verification and validation of the items to be
6 acquired or an explanation for why no such
7 verification and validation has been performed;

8 (7) a table displaying the obligation of all pro-
9 gram funds by prior fiscal year, the estimated obliga-
10 tion of funds for the current fiscal year, and an esti-
11 mate for the planned carryover of funds into the sub-
12 sequent fiscal year;

13 (8) a listing of prime contractors and major sub-
14 contractors; and

15 (9) narrative descriptions of risks to cost, sched-
16 ule, or performance that could result in a program
17 breach if not successfully mitigated.

18 (d) The Under Secretary for Management shall submit
19 each approved Acquisition Decision Memoranda for pro-
20 grams described in this section to the Committees on Appro-
21 priations of the Senate and the House of Representatives
22 not later than five business days after the date of approval
23 of such memorandum by the Under Secretary for Manage-
24 ment or the designee of the Under Secretary.

1 *SEC. 107. (a) No Federal funds made available to the*
2 *Department of Homeland Security may be obligated for*
3 *any pilot or demonstration program that uses more than*
4 *5 full-time equivalents or costs in excess of \$1,000,000 until*
5 *30 days after the date on which the Under Secretary for*
6 *Management of the Department of Homeland Security pro-*
7 *vides the following to the Committees on Appropriations of*
8 *the Senate and the House of Representatives for such pro-*
9 *gram:*

10 (1) *Objectives that are well-defined and measur-*
11 *able;*

12 (2) *An assessment methodology that details—*

13 (A) *the type and source of assessment data;*

14 (B) *the methods for and frequency of col-*
15 *lecting such data; and*

16 (C) *how such data will be analyzed;*

17 (3) *An implementation plan, including mile-*
18 *stones, a cost estimate, and schedule, including an*
19 *end date; and*

20 (4) *A signed interagency agreement or memo-*
21 *randum of agreement for any pilot or demonstration*
22 *program involving the participation of more than one*
23 *Department of Homeland Security component or that*
24 *of an entity not part of such Department.*

1 (b) *Not later than 30 days after the date of completion*
2 *of a pilot or demonstration program described in subsection*
3 *(a), the Under Secretary for Management of the Depart-*
4 *ment of Homeland Security shall provide a report to the*
5 *Committees on Appropriations of the Senate and the House*
6 *of Representatives detailing lessons learned, actual costs,*
7 *and any planned expansion or continuation of the pilot or*
8 *demonstration program.*

9 (c) *For the purposes of this section, a pilot or dem-*
10 *onstration program is a policy implementation, study,*
11 *demonstration, experimental program, or trial that is a*
12 *small-scale, short-term experiment conducted in order to*
13 *evaluate feasibility, duration, costs, or adverse events, and*
14 *improve upon the design of an effort prior to implementa-*
15 *tion of a larger scale effort.*

16 *SEC. 108. (a) Amounts provided in title II of division*
17 *B of Public Law 117–70 for “Office of the Secretary and*
18 *Executive Management—Operations and Support” are*
19 *available for providing reimbursement to airports and air-*
20 *port operators for costs incurred between August 1, 2021,*
21 *and September 30, 2022, for activities directly and demon-*
22 *strably related to Operation Allies Welcome.*

23 (b) *Each amount repurposed by this section that was*
24 *previously designated by the Congress as an emergency re-*
25 *quirement pursuant to the Balanced Budget and Emer-*

1 *gency Deficit Control Act of 1985 or a concurrent resolution*
2 *on the budget is designated by the Congress as an emergency*
3 *requirement pursuant to section 4001(a)(1) and section*
4 *4001(b) of S. Con. Res. 14 (117th Congress), the concurrent*
5 *resolution on the budget for fiscal year 2022.*

1 *which \$700,000,000 shall be available until September 30,*
2 *2023; and of which such sums as become available in the*
3 *Customs User Fee Account, except sums subject to section*
4 *13031(f)(3) of the Consolidated Omnibus Budget Reconcili-*
5 *ation Act of 1985 (19 U.S.C. 58c(f)(3)), shall be derived*
6 *from that account: Provided, That not to exceed \$34,425*
7 *shall be for official reception and representation expenses:*
8 *Provided further, That not to exceed \$150,000 shall be*
9 *available for payment for rental space in connection with*
10 *preclearance operations: Provided further, That not to ex-*
11 *ceed \$2,000,000 shall be for awards of compensation to in-*
12 *formants, to be accounted for solely under the certificate of*
13 *the Secretary of Homeland Security: Provided further, That*
14 *not to exceed \$5,000,000 may be transferred to the Bureau*
15 *of Indian Affairs for the maintenance and repair of roads*
16 *on Native American reservations used by the U.S. Border*
17 *Patrol.*

18 *PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS*

19 *For necessary expenses of U.S. Customs and Border*
20 *Protection for procurement, construction, and improve-*
21 *ments, including procurement of marine vessels, aircraft,*
22 *and unmanned aerial systems, \$572,083,000, of which*
23 *\$93,425,000 shall remain available until September 30,*
24 *2024; and of which \$478,658,000 shall remain available*
25 *until September 30, 2026.*

1 *U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT*2 *OPERATIONS AND SUPPORT*

3 *For necessary expenses of U.S. Immigration and Cus-*
4 *toms Enforcement for operations and support, including the*
5 *purchase and lease of up to 3,790 (2,350 for replacement*
6 *only) police-type vehicles; overseas vetted units; and mainte-*
7 *nance, minor construction, and minor leasehold improve-*
8 *ments at owned and leased facilities; \$8,206,526,000; of*
9 *which not less than \$6,000,000 shall remain available until*
10 *expended for efforts to enforce laws against forced child*
11 *labor; of which \$46,696,000 shall remain available until*
12 *September 30, 2023; of which not less than \$1,500,000 is*
13 *for paid apprenticeships for participants in the Human*
14 *Exploitation Rescue Operative Child-Rescue Corps; of*
15 *which not less than \$15,000,000 shall be available for inves-*
16 *tigation of intellectual property rights violations, including*
17 *operation of the National Intellectual Property Rights Co-*
18 *ordination Center; and of which not less than*
19 *\$4,175,786,000 shall be for enforcement, detention, and re-*
20 *moval operations, including transportation of unaccom-*
21 *panied alien minors: Provided, That not to exceed \$11,475*
22 *shall be for official reception and representation expenses:*
23 *Provided further, That not to exceed \$10,000,000 shall be*
24 *available until expended for conducting special operations*
25 *under section 3131 of the Customs Enforcement Act of 1986*

1 *(19 U.S.C. 2081): Provided further, That not to exceed*
2 *\$2,000,000 shall be for awards of compensation to inform-*
3 *ants, to be accounted for solely under the certificate of the*
4 *Secretary of Homeland Security: Provided further, That not*
5 *to exceed \$11,216,000 shall be available to fund or reim-*
6 *burse other Federal agencies for the costs associated with*
7 *the care, maintenance, and repatriation of smuggled aliens*
8 *unlawfully present in the United States: Provided further,*
9 *That of the amounts made available under this heading in*
10 *this Act for Executive Leadership and Oversight, \$5,000,000*
11 *shall not be available for obligation until the reports di-*
12 *rected under this heading by the explanatory statements ac-*
13 *companying Public Laws 116–6, 116–93, and 116–260*
14 *have been submitted to the Committees on Appropriations*
15 *of the Senate and the House of Representatives.*

16 *PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS*

17 *For necessary expenses of U.S. Immigration and Cus-*
18 *toms Enforcement for procurement, construction, and im-*
19 *provements, \$51,700,000, of which \$34,321,000 shall re-*
20 *main available until September 30, 2024, and of which*
21 *\$17,379,000 shall remain available until September 30,*
22 *2026.*

1 *TRANSPORTATION SECURITY ADMINISTRATION*
2 *OPERATIONS AND SUPPORT*

3 *For necessary expenses of the Transportation Security*
4 *Administration for operations and support, \$8,091,193,000,*
5 *to remain available until September 30, 2023: Provided,*
6 *That not to exceed \$7,650 shall be for official reception and*
7 *representation expenses: Provided further, That security*
8 *service fees authorized under section 44940 of title 49,*
9 *United States Code, shall be credited to this appropriation*
10 *as offsetting collections and shall be available only for avia-*
11 *tion security: Provided further, That the sum appropriated*
12 *under this heading from the general fund shall be reduced*
13 *on a dollar-for-dollar basis as such offsetting collections are*
14 *received during fiscal year 2022 so as to result in a final*
15 *fiscal year appropriation from the general fund estimated*
16 *at not more than \$5,981,193,000.*

17 *PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS*

18 *For necessary expenses of the Transportation Security*
19 *Administration for procurement, construction, and im-*
20 *provements, \$160,736,000, to remain available until Sep-*
21 *tember 30, 2024.*

22 *RESEARCH AND DEVELOPMENT*

23 *For necessary expenses of the Transportation Security*
24 *Administration for research and development, \$35,532,000,*
25 *to remain available until September 30, 2023.*

1 *COAST GUARD*2 *OPERATIONS AND SUPPORT*

3 *For necessary expenses of the Coast Guard for oper-*
4 *ations and support including the Coast Guard Reserve; pur-*
5 *chase or lease of not to exceed 25 passenger motor vehicles,*
6 *which shall be for replacement only; purchase or lease of*
7 *small boats for contingent and emergent requirements (at*
8 *a unit cost of not more than \$700,000) and repairs and*
9 *service-life replacements, not to exceed a total of*
10 *\$31,000,000; purchase, lease, or improvements of boats nec-*
11 *essary for overseas deployments and activities; payments*
12 *pursuant to section 156 of Public Law 97–377 (42 U.S.C.*
13 *402 note; 96 Stat. 1920); and recreation and welfare;*
14 *\$9,162,120,000, of which \$530,000,000 shall be for defense-*
15 *related activities; of which \$24,500,000 shall be derived*
16 *from the Oil Spill Liability Trust Fund to carry out the*
17 *purposes of section 1012(a)(5) of the Oil Pollution Act of*
18 *1990 (33 U.S.C. 2712(a)(5)); of which \$5,000,000 shall re-*
19 *main available until September 30, 2024; of which*
20 *\$27,456,000 shall remain available until September 30,*
21 *2026, for environmental compliance and restoration; and*
22 *of which \$70,000,000 shall remain available until Sep-*
23 *tember 30, 2023, which shall only be available for vessel*
24 *depot level maintenance: Provided, That not to exceed*

1 \$23,000 shall be for official reception and representation
2 expenses.

3 *PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS*

4 *For necessary expenses of the Coast Guard for procure-*
5 *ment, construction, and improvements, including aids to*
6 *navigation, shore facilities (including facilities at Depart-*
7 *ment of Defense installations used by the Coast Guard), and*
8 *vessels and aircraft, including equipment related thereto,*
9 *\$2,030,100,000, to remain available until September 30,*
10 *2026; of which \$20,000,000 shall be derived from the Oil*
11 *Spill Liability Trust Fund to carry out the purposes of sec-*
12 *tion 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C.*
13 *2712(a)(5)); and of which such sums as were deposited into*
14 *the Coast Guard Housing Fund prior to fiscal year 2021*
15 *that remain unavailable for obligation shall be available to*
16 *carry out the purposes of section 2946 of title 14, United*
17 *States Code, in addition to amounts otherwise available for*
18 *such purposes, and shall be derived from such deposits.*

19 *RESEARCH AND DEVELOPMENT*

20 *For necessary expenses of the Coast Guard for research*
21 *and development; and for maintenance, rehabilitation,*
22 *lease, and operation of facilities and equipment;*
23 *\$7,476,000, to remain available until September 30, 2024,*
24 *of which \$500,000 shall be derived from the Oil Spill Li-*
25 *ability Trust Fund to carry out the purposes of section*

1 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C.
2 2712(a)(5)): Provided, That there may be credited to and
3 used for the purposes of this appropriation funds received
4 from State and local governments, other public authorities,
5 private sources, and foreign countries for expenses incurred
6 for research, development, testing, and evaluation.

7 *RETIRED PAY*

8 *For retired pay, including the payment of obligations*
9 *otherwise chargeable to lapsed appropriations for this pur-*
10 *pose, payments under the Retired Serviceman's Family*
11 *Protection and Survivor Benefits Plans, payment for career*
12 *status bonuses, payment of continuation pay under section*
13 *356 of title 37, United States Code, concurrent receipts,*
14 *combat-related special compensation, and payments for*
15 *medical care of retired personnel and their dependents*
16 *under chapter 55 of title 10, United States Code,*
17 *\$1,963,519,000, to remain available until expended.*

18 *UNITED STATES SECRET SERVICE*

19 *OPERATIONS AND SUPPORT*

20 *For necessary expenses of the United States Secret*
21 *Service for operations and support, including purchase of*
22 *not to exceed 652 vehicles for police-type use; hire of pas-*
23 *senger motor vehicles; purchase of motorcycles made in the*
24 *United States; hire of aircraft; rental of buildings in the*
25 *District of Columbia; fencing, lighting, guard booths, and*

1 *other facilities on private or other property not in Govern-*
2 *ment ownership or control, as may be necessary to perform*
3 *protective functions; conduct of and participation in fire-*
4 *arms matches; presentation of awards; conduct of behav-*
5 *ioral research in support of protective intelligence and oper-*
6 *ations; payment in advance for commercial accommoda-*
7 *tions as may be necessary to perform protective functions;*
8 *and payment, without regard to section 5702 of title 5,*
9 *United States Code, of subsistence expenses of employees*
10 *who are on protective missions, whether at or away from*
11 *their duty stations; \$2,554,729,000; of which \$53,321,000*
12 *shall remain available until September 30, 2023, and of*
13 *which \$6,000,000 shall be for a grant for activities related*
14 *to investigations of missing and exploited children; and of*
15 *which up to \$17,000,000 may be for calendar year 2021*
16 *premium pay in excess of the annual equivalent of the limi-*
17 *tation on the rate of pay contained in section 5547(a) of*
18 *title 5, United States Code, pursuant to section 2 of the*
19 *Overtime Pay for Protective Services Act of 2016 (5 U.S.C.*
20 *5547 note), as last amended by Public Law 116–269: Pro-*
21 *vided, That not to exceed \$19,125 shall be for official recep-*
22 *tion and representation expenses: Provided further, That*
23 *not to exceed \$100,000 shall be to provide technical assist-*
24 *ance and equipment to foreign law enforcement organiza-*

1 *tions in criminal investigations within the jurisdiction of*
2 *the United States Secret Service.*

3 *PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS*

4 *For necessary expenses of the United States Secret*
5 *Service for procurement, construction, and improvements,*
6 *\$54,849,000, to remain available until September 30, 2024.*

7 *RESEARCH AND DEVELOPMENT*

8 *For necessary expenses of the United States Secret*
9 *Service for research and development, \$2,310,000, to remain*
10 *available until September 30, 2023.*

11 *ADMINISTRATIVE PROVISIONS*

12 *SEC. 201. Section 201 of the Department of Homeland*
13 *Security Appropriations Act, 2018 (division F of Public*
14 *Law 115–141), related to overtime compensation limita-*
15 *tions, shall apply with respect to funds made available in*
16 *this Act in the same manner as such section applied to*
17 *funds made available in that Act, except that “fiscal year*
18 *2022” shall be substituted for “fiscal year 2018”.*

19 *SEC. 202. Funding made available under the headings*
20 *“U.S. Customs and Border Protection—Operations and*
21 *Support” and “U.S. Customs and Border Protection—Pro-*
22 *curement, Construction, and Improvements” shall be avail-*
23 *able for customs expenses when necessary to maintain oper-*
24 *ations and prevent adverse personnel actions in Puerto Rico*
25 *and the U.S. Virgin Islands, in addition to funding pro-*

1 *vided by sections 740 and 1406i of title 48, United States*
2 *Code.*

3 *SEC. 203. As authorized by section 601(b) of the*
4 *United States-Colombia Trade Promotion Agreement Im-*
5 *plementation Act (Public Law 112–42), fees collected from*
6 *passengers arriving from Canada, Mexico, or an adjacent*
7 *island pursuant to section 13031(a)(5) of the Consolidated*
8 *Omnibus Budget Reconciliation Act of 1985 (19 U.S.C.*
9 *58c(a)(5)) shall be available until expended.*

10 *SEC. 204. (a) For an additional amount for “U.S.*
11 *Customs and Border Protection—Operations and Sup-*
12 *port”, \$31,000,000, to remain available until expended, to*
13 *be reduced by amounts collected and credited to this appro-*
14 *priation in fiscal year 2022 from amounts authorized to*
15 *be collected by section 286(i) of the Immigration and Na-*
16 *tionality Act (8 U.S.C. 1356(i)), section 10412 of the Farm*
17 *Security and Rural Investment Act of 2002 (7 U.S.C.*
18 *8311), and section 817 of the Trade Facilitation and Trade*
19 *Enforcement Act of 2015 (Public Law 114–25), or other*
20 *such authorizing language.*

21 *(b) To the extent that amounts realized from such col-*
22 *lections exceed \$31,000,000, those amounts in excess of*
23 *\$31,000,000 shall be credited to this appropriation, to re-*
24 *main available until expended.*

1 *SEC. 205. None of the funds made available in this*
2 *Act for U.S. Customs and Border Protection may be used*
3 *to prevent an individual not in the business of importing*
4 *a prescription drug (within the meaning of section 801(g)*
5 *of the Federal Food, Drug, and Cosmetic Act) from import-*
6 *ing a prescription drug from Canada that complies with*
7 *the Federal Food, Drug, and Cosmetic Act: Provided, That*
8 *this section shall apply only to individuals transporting on*
9 *their person a personal-use quantity of the prescription*
10 *drug, not to exceed a 90-day supply: Provided further, That*
11 *the prescription drug may not be—*

12 *(1) a controlled substance, as defined in section*
13 *102 of the Controlled Substances Act (21 U.S.C. 802);*
14 *or*

15 *(2) a biological product, as defined in section*
16 *351 of the Public Health Service Act (42 U.S.C. 262).*

17 *SEC. 206. (a) Notwithstanding any other provision of*
18 *law, none of the funds provided in this or any other Act*
19 *shall be used to approve a waiver of the navigation and*
20 *vessel-inspection laws pursuant to section 501(b) of title 46,*
21 *United States Code, for the transportation of crude oil dis-*
22 *tributed from and to the Strategic Petroleum Reserve until*
23 *the Secretary of Homeland Security, after consultation with*
24 *the Secretaries of the Departments of Energy and Transpor-*
25 *tation and representatives from the United States flag mar-*

1 *itime industry, takes adequate measures to ensure the use*
2 *of United States flag vessels.*

3 **(b)** *The Secretary shall notify the Committees on Ap-*
4 *propriations of the Senate and the House of Representa-*
5 *tives, the Committee on Commerce, Science, and Transpor-*
6 *tation of the Senate, and the Committee on Transportation*
7 *and Infrastructure of the House of Representatives within*
8 *2 business days of any request for waivers of navigation*
9 *and vessel-inspection laws pursuant to section 501(b) of*
10 *title 46, United States Code, with respect to such transpor-*
11 *tation, and the disposition of such requests.*

12 **SEC. 207.** *(a) Beginning on the date of enactment of*
13 *this Act, the Secretary of Homeland Security shall not—*

14 **(1)** *establish, collect, or otherwise impose any*
15 *new border crossing fee on individuals crossing the*
16 *Southern border or the Northern border at a land port*
17 *of entry; or*

18 **(2)** *conduct any study relating to the imposition*
19 *of a border crossing fee.*

20 **(b)** *In this section, the term “border crossing fee”*
21 *means a fee that every pedestrian, cyclist, and driver and*
22 *passenger of a private motor vehicle is required to pay for*
23 *the privilege of crossing the Southern border or the Northern*
24 *border at a land port of entry.*

1 *SEC. 208. (a) Not later than 90 days after the date*
2 *of enactment of this Act, the Secretary of Homeland Secu-*
3 *riety shall submit an expenditure plan for any amounts*
4 *made available for “U.S. Customs and Border Protection—*
5 *Procurement, Construction, and Improvements” in this Act*
6 *and prior Acts to the Committees on Appropriations of the*
7 *Senate and the House of Representatives.*

8 *(b) No such amounts may be obligated prior to the sub-*
9 *mission of such plan.*

10 *SEC. 209. Of the total amount made available under*
11 *“U.S. Customs and Border Protection—Procurement, Con-*
12 *struction, and Improvements”, \$572,083,000 shall be avail-*
13 *able only as follows:*

14 *(1) \$276,000,000 for the acquisition and deploy-*
15 *ment of border security technologies;*

16 *(2) \$99,653,000 for trade and travel assets and*
17 *infrastructure;*

18 *(3) \$93,425,000 for facility construction and im-*
19 *provements;*

20 *(4) \$72,395,000 for integrated operations assets*
21 *and infrastructure; and*

22 *(5) \$30,610,000 for mission support and infra-*
23 *structure.*

24 *SEC. 210. Section 211 of the Department of Homeland*
25 *Security Appropriations Act, 2021 (division F of Public*

1 *Law 116–260*), prohibiting the use of funds for the construc-
2 *tion of fencing in certain areas, shall apply with respect*
3 *to funds made available in this Act in the same manner*
4 *as such section applied to funds made available in that Act.*

5 *SEC. 211. (a) Funds made available in this Act may*
6 *be used to alter operations within the National Targeting*
7 *Center of U.S. Customs and Border Protection.*

8 *(b) None of the funds provided by this Act, provided*
9 *by previous appropriations Acts that remain available for*
10 *obligation or expenditure in fiscal year 2022, or provided*
11 *from any accounts in the Treasury of the United States*
12 *derived by the collection of fees available to the components*
13 *funded by this Act, may be used to reduce anticipated or*
14 *planned vetting operations at existing locations unless spe-*
15 *cifically authorized by a statute enacted after the date of*
16 *enactment of this Act.*

17 *SEC. 212. Section 411(o)(3) of the Homeland Security*
18 *Act of 2002 (6 U.S.C. 211(o)(3)), is amended by striking*
19 *“170” and inserting “250”.*

20 *SEC. 213. For an additional amount for “U.S. Cus-*
21 *toms and Border Protection—Operations and Support”,*
22 *\$100,000,000, to remain available until September 30,*
23 *2023, in addition to amounts otherwise available for such*
24 *purposes, for Border Patrol hiring and contractors, reten-*
25 *tion and relocation incentives and contract support.*

1 *SEC. 214. None of the funds provided under the head-*
2 *ing “U.S. Immigration and Customs Enforcement—Oper-*
3 *ations and Support” may be used to continue a delegation*
4 *of law enforcement authority authorized under section*
5 *287(g) of the Immigration and Nationality Act (8 U.S.C.*
6 *1357(g)) if the Department of Homeland Security Inspector*
7 *General determines that the terms of the agreement gov-*
8 *erning the delegation of authority have been materially vio-*
9 *lated.*

10 *SEC. 215. (a) None of the funds provided under the*
11 *heading “U.S. Immigration and Customs Enforcement—*
12 *Operations and Support” may be used to continue any con-*
13 *tract for the provision of detention services if the two most*
14 *recent overall performance evaluations received by the con-*
15 *tracted facility are less than “adequate” or the equivalent*
16 *median score in any subsequent performance evaluation*
17 *system.*

18 *(b) The performance evaluations referenced in sub-*
19 *section (a) shall be conducted by the U.S. Immigration and*
20 *Customs Enforcement Office of Professional Responsibility.*

21 *SEC. 216. Without regard to the limitation as to time*
22 *and condition of section 503(d) of this Act, the Secretary*
23 *may reprogram within and transfer funds to “U.S. Immi-*
24 *gration and Customs Enforcement—Operations and Sup-*

1 port” as necessary to ensure the detention of aliens
2 prioritized for removal.

3 *SEC. 217. The reports required to be submitted under*
4 *section 216 of the Department of Homeland Security Ap-*
5 *propriations Act, 2021 (division F of Public Law 116–260)*
6 *shall continue to be submitted semimonthly and each matter*
7 *required to be included in such report by such section 216*
8 *shall apply in the same manner and to the same extent*
9 *during the period described in this section.*

10 *SEC. 218. The terms and conditions of sections 216*
11 *and 217 of the Department of Homeland Security Appro-*
12 *priations Act, 2020 (division D of Public Law 116–93)*
13 *shall apply to this Act.*

14 *SEC. 219. Members of the United States House of Rep-*
15 *resentatives and the United States Senate, including the*
16 *leadership; the heads of Federal agencies and commissions,*
17 *including the Secretary, Deputy Secretary, Under Secre-*
18 *taries, and Assistant Secretaries of the Department of*
19 *Homeland Security; the United States Attorney General,*
20 *Deputy Attorney General, Assistant Attorneys General, and*
21 *the United States Attorneys; and senior members of the Ex-*
22 *ecutive Office of the President, including the Director of the*
23 *Office of Management and Budget, shall not be exempt from*
24 *Federal passenger and baggage screening.*

1 *SEC. 220. Any award by the Transportation Security*
2 *Administration to deploy explosives detection systems shall*
3 *be based on risk, the airport's current reliance on other*
4 *screening solutions, lobby congestion resulting in increased*
5 *security concerns, high injury rates, airport readiness, and*
6 *increased cost effectiveness.*

7 *SEC. 221. Notwithstanding section 44923 of title 49,*
8 *United States Code, for fiscal year 2022, any funds in the*
9 *Aviation Security Capital Fund established by section*
10 *44923(h) of title 49, United States Code, may be used for*
11 *the procurement and installation of explosives detection sys-*
12 *tems or for the issuance of other transaction agreements for*
13 *the purpose of funding projects described in section*
14 *44923(a) of such title.*

15 *SEC. 222. Not later than 30 days after the submission*
16 *of the President's budget proposal, the Administrator of the*
17 *Transportation Security Administration shall submit to the*
18 *Committees on Appropriations and Commerce, Science, and*
19 *Transportation of the Senate and the Committees on Appro-*
20 *priations and Homeland Security in the House of Rep-*
21 *resentatives a single report that fulfills the following re-*
22 *quirements:*

23 *(1) a Capital Investment Plan that includes a*
24 *plan for continuous and sustained capital investment*

1 *in new, and the replacement of aged, transportation*
2 *security equipment;*

3 *(2) the 5-year technology investment plan as re-*
4 *quired by section 1611 of title XVI of the Homeland*
5 *Security Act of 2002, as amended by section 3 of the*
6 *Transportation Security Acquisition Reform Act*
7 *(Public Law 113–245); and*

8 *(3) the Advanced Integrated Passenger Screening*
9 *Technologies report as required by the Senate Report*
10 *accompanying the Department of Homeland Security*
11 *Appropriations Act, 2019 (Senate Report 115–283).*

12 *SEC. 223. (a) None of the funds made available by this*
13 *Act under the heading “Coast Guard—Operations and*
14 *Support” shall be for expenses incurred for recreational ves-*
15 *sels under section 12114 of title 46, United States Code,*
16 *except to the extent fees are collected from owners of yachts*
17 *and credited to the appropriation made available by this*
18 *Act under the heading “Coast Guard—Operations and*
19 *Support”.*

20 *(b) To the extent such fees are insufficient to pay ex-*
21 *penses of recreational vessel documentation under such sec-*
22 *tion 12114, and there is a backlog of recreational vessel ap-*
23 *plications, personnel performing non-recreational vessel*
24 *documentation functions under subchapter II of chapter*

1 121 of title 46, United States Code, may perform docu-
2 mentation under section 12114.

3 SEC. 224. Without regard to the limitation as to time
4 and condition of section 503(d) of this Act, after June 30,
5 in accordance with the notification requirement described
6 in subsection (b) of such section, up to the following
7 amounts may be reprogrammed within “Coast Guard—Op-
8 erations and Support”—

9 (1) \$10,000,000 to or from the “Military Per-
10 sonnel” funding category; and

11 (2) \$10,000,000 between the “Field Operations”
12 funding subcategories.

13 SEC. 225. Notwithstanding any other provision of law,
14 the Commandant of the Coast Guard shall submit to the
15 Committees on Appropriations of the Senate and the House
16 of Representatives a future-years capital investment plan
17 as described in the second proviso under the heading “Coast
18 Guard—Acquisition, Construction, and Improvements” in
19 the Department of Homeland Security Appropriations Act,
20 2015 (Public Law 114–4), which shall be subject to the re-
21 quirements in the third and fourth provisos under such
22 heading.

23 SEC. 226. Of the funds made available for defense-re-
24 lated activities under the heading “Coast Guard—Oper-
25 ations and Support”, up to \$190,000,000 that are used for

1 *enduring overseas missions in support of the global fight*
2 *against terrorism may be reallocated by program, project,*
3 *and activity, notwithstanding section 503 of this Act.*

4 *SEC. 227. None of the funds in this Act shall be used*
5 *to reduce the Coast Guard's legacy Operations Systems Cen-*
6 *ter mission or its government-employed or contract staff lev-*
7 *els.*

8 *SEC. 228. None of the funds appropriated by this Act*
9 *may be used to conduct, or to implement the results of, a*
10 *competition under Office of Management and Budget Cir-*
11 *cular A-76 for activities performed with respect to the Coast*
12 *Guard National Vessel Documentation Center.*

13 *SEC. 229. Funds made available in this Act may be*
14 *used to alter operations within the Civil Engineering Pro-*
15 *gram of the Coast Guard nationwide, including civil engi-*
16 *neering units, facilities design and construction centers,*
17 *maintenance and logistics commands, and the Coast Guard*
18 *Academy, except that none of the funds provided in this*
19 *Act may be used to reduce operations within any civil engi-*
20 *neering unit unless specifically authorized by a statute en-*
21 *acted after the date of enactment of this Act.*

22 *SEC. 230. Amounts deposited into the Coast Guard*
23 *Housing Fund in fiscal year 2022 shall be available until*
24 *expended to carry out the purposes of section 2946 of title*

1 14, United States Code, and shall be in addition to funds
2 otherwise available for such purposes.

3 SEC. 231. (a) Notwithstanding section 2110 of title 46,
4 United States Code, none of the funds made available in
5 this Act shall be used to charge a fee for an inspection of
6 a towing vessel, as defined in 46 CFR Section 136.110, that
7 utilizes the Towing Safety Management System option for
8 a Certificate of Inspection issued under subchapter M of
9 title 46, Code of Federal Regulations.

10 (b) Subsection (a) shall not apply after the date the
11 Commandant of the Coast Guard makes a determination
12 under section 815(a) of the Frank LoBiondo Coast Guard
13 Authorization Act of 2018 (Public Law 115–282) and, as
14 necessary based on such determination, carries out the re-
15 quirements of subsection 815(b) of such Act.

16 SEC. 232. (a) For an additional amount for “Coast
17 Guard—Procurement, Construction, and Improvements”,
18 \$50,000,000, to remain available until expended, which
19 shall be distributed as a grant for the National Coast Guard
20 Museum to carry out activities under section 316(d) of title
21 14, United States Code.

22 (b) The Coast Guard shall not be responsible for the
23 execution of any contracts, planning, or execution of work
24 to accomplish any activities outlined in section 316(d) of
25 title 14, United States Code.

1 *SEC. 233. The United States Secret Service is author-*
2 *ized to obligate funds in anticipation of reimbursements*
3 *from executive agencies, as defined in section 105 of title*
4 *5, United States Code, for personnel receiving training*
5 *sponsored by the James J. Rowley Training Center, except*
6 *that total obligations at the end of the fiscal year shall not*
7 *exceed total budgetary resources available under the heading*
8 *“United States Secret Service—Operations and Support”*
9 *at the end of the fiscal year.*

10 *SEC. 234. (a) None of the funds made available to the*
11 *United States Secret Service by this Act or by previous ap-*
12 *propriations Acts may be made available for the protection*
13 *of the head of a Federal agency other than the Secretary*
14 *of Homeland Security.*

15 *(b) The Director of the United States Secret Service*
16 *may enter into agreements to provide such protection on*
17 *a fully reimbursable basis.*

18 *SEC. 235. For purposes of section 503(a)(3) of this Act,*
19 *up to \$15,000,000 may be reprogrammed within “United*
20 *States Secret Service—Operations and Support”.*

21 *SEC. 236. Funding made available in this Act for*
22 *“United States Secret Service—Operations and Support”*
23 *is available for travel of United States Secret Service em-*
24 *ployees on protective missions without regard to the limita-*
25 *tions on such expenditures in this or any other Act if the*

1 *Director of the United States Secret Service or a designee*
2 *notifies the Committees on Appropriations of the Senate*
3 *and the House of Representatives 10 or more days in ad-*
4 *vance, or as early as practicable, prior to such expenditures.*

5

*TITLE III*6 *PROTECTION, PREPAREDNESS, RESPONSE, AND*

7

*RECOVERY*8 *CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY*

9

OPERATIONS AND SUPPORT

10 *For necessary expenses of the Cybersecurity and Infra-*
11 *structure Security Agency for operations and support,*
12 *\$1,992,527,000, of which \$36,293,000, shall remain avail-*
13 *able until September 30, 2023: Provided, That not to exceed*
14 *\$3,825 shall be for official reception and representation ex-*
15 *penses.*

16 *PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS*

17 *For necessary expenses of the Cybersecurity and Infra-*
18 *structure Security Agency for procurement, construction,*
19 *and improvements, \$590,698,000, to remain available until*
20 *September 30, 2024.*

21

RESEARCH AND DEVELOPMENT

22 *For necessary expenses of the Cybersecurity and Infra-*
23 *structure Security Agency for research and development,*
24 *\$10,431,000, to remain available until September 30, 2023.*

1 *FEDERAL EMERGENCY MANAGEMENT AGENCY*
2 *OPERATIONS AND SUPPORT*

3 *For necessary expenses of the Federal Emergency Man-*
4 *agement Agency for operations and support,*
5 *\$1,245,859,000: Provided, That not to exceed \$2,250 shall*
6 *be for official reception and representation expenses.*

7 *PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS*

8 *For necessary expenses of the Federal Emergency Man-*
9 *agement Agency for procurement, construction, and im-*
10 *provements, \$209,985,000, of which \$98,775,000 shall re-*
11 *main available until September 30, 2024, and of which*
12 *\$111,210,000 shall remain available until September 30,*
13 *2026: Provided, That the Administrator of the Federal*
14 *Emergency Management Agency may use up to \$10,400,000*
15 *of the amounts made available under this heading to ac-*
16 *quire and develop real property adjacent to any existing*
17 *training facility currently funded within the Education,*
18 *Training, and Exercises program, project, or activity: Pro-*
19 *vided further, That such acquisition and development of*
20 *real property is only for the purposes of establishing a*
21 *multi-use training facility: Provided further, That none of*
22 *the funds made available in the first proviso may be used*
23 *for the management costs associated with such real prop-*
24 *erty: Provided further, That such management costs shall*
25 *be made available from funds provided under the heading*

1 *“Federal Emergency Management Agency—Operations and*
2 *Support”*.

3 *FEDERAL ASSISTANCE*

4 *(INCLUDING TRANSFER OF FUNDS)*

5 *For activities of the Federal Emergency Management*
6 *Agency for Federal assistance through grants, contracts, co-*
7 *operative agreements, and other activities, \$3,633,199,000,*
8 *which shall be allocated as follows:*

9 *(1) \$645,000,000 for the State Homeland Secu-*
10 *rity Grant Program under section 2004 of the Home-*
11 *land Security Act of 2002 (6 U.S.C. 605), of which*
12 *\$90,000,000 shall be for Operation Stonegarden,*
13 *\$15,000,000 shall be for Tribal Homeland Security*
14 *Grants under section 2005 of the Homeland Security*
15 *Act of 2002 (6 U.S.C. 606), and \$125,000,000 shall*
16 *be for organizations (as described under section*
17 *501(c)(3) of the Internal Revenue Code of 1986 and*
18 *exempt from tax under section 501(a) of such code)*
19 *determined by the Secretary of Homeland Security to*
20 *be at high risk of a terrorist attack: Provided, That*
21 *notwithstanding subsection (c)(4) of such section*
22 *2004, for fiscal year 2022, the Commonwealth of*
23 *Puerto Rico shall make available to local and tribal*
24 *governments amounts provided to the Commonwealth*

1 *of Puerto Rico under this paragraph in accordance*
2 *with subsection (c)(1) of such section 2004.*

3 *(2) \$740,000,000 for the Urban Area Security*
4 *Initiative under section 2003 of the Homeland Secu-*
5 *rity Act of 2002 (6 U.S.C. 604), of which*
6 *\$125,000,000 shall be for organizations (as described*
7 *under section 501(c)(3) of the Internal Revenue Code*
8 *of 1986 and exempt from tax under section 501(a) of*
9 *such code) determined by the Secretary of Homeland*
10 *Security to be at high risk of a terrorist attack.*

11 *(3) \$105,000,000 for Public Transportation Se-*
12 *curity Assistance, Railroad Security Assistance, and*
13 *Over-the-Road Bus Security Assistance under sections*
14 *1406, 1513, and 1532 of the Implementing Rec-*
15 *ommendations of the 9/11 Commission Act of 2007 (6*
16 *U.S.C. 1135, 1163, and 1182), of which \$10,000,000*
17 *shall be for Amtrak security and \$2,000,000 shall be*
18 *for Over-the-Road Bus Security: Provided, That such*
19 *public transportation security assistance shall be pro-*
20 *vided directly to public transportation agencies.*

21 *(4) \$100,000,000 for Port Security Grants in ac-*
22 *cordance with section 70107 of title 46, United States*
23 *Code.*

24 *(5) \$720,000,000, to remain available until Sep-*
25 *tember 30, 2023, of which \$360,000,000 shall be for*

1 *Assistance to Firefighter Grants and \$360,000,000*
2 *shall be for Staffing for Adequate Fire and Emer-*
3 *gency Response Grants under sections 33 and 34 re-*
4 *spectively of the Federal Fire Prevention and Control*
5 *Act of 1974 (15 U.S.C. 2229 and 2229a).*

6 (6) *\$355,000,000 for emergency management*
7 *performance grants under the National Flood Insur-*
8 *ance Act of 1968 (42 U.S.C. 4001 et seq.), the Robert*
9 *T. Stafford Disaster Relief and Emergency Assistance*
10 *Act (42 U.S.C. 5121), the Earthquake Hazards Re-*
11 *duction Act of 1977 (42 U.S.C. 7701), section 762 of*
12 *title 6, United States Code, and Reorganization Plan*
13 *No. 3 of 1978 (5 U.S.C. App.).*

14 (7) *\$275,500,000 for necessary expenses for Flood*
15 *Hazard Mapping and Risk Analysis, in addition to*
16 *and to supplement any other sums appropriated*
17 *under the National Flood Insurance Fund, and such*
18 *additional sums as may be provided by States or*
19 *other political subdivisions for cost-shared mapping*
20 *activities under section 1360(f)(2) of the National*
21 *Flood Insurance Act of 1968 (42 U.S.C. 4101(f)(2)),*
22 *to remain available until expended.*

23 (8) *\$12,000,000 for Regional Catastrophic Pre-*
24 *paredness Grants.*

1 (9) \$12,000,000 for *Rehabilitation of High Hazard Potential Dams under section 8A of the National Dam Safety Program Act (33 U.S.C. 467f–2)*.

4 (10) \$130,000,000 for the emergency food and shelter program under title III of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11331), to remain available until expended: Provided, That not to exceed 3.5 percent shall be for total administrative costs.

10 (11) \$40,000,000 for the Next Generation Warning System.

12 (12) \$205,098,811 for *Community Project Funding and Congressionally Directed Spending grants, which shall be for the purposes, and the amounts, specified in the table entitled “Community Project Funding and Congressionally Directed Spending” under this heading in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act), of which—*

20 (A) \$150,000, in addition to amounts otherwise made available for such purpose, is for a nonprofit security grant under sections 2003 and 2004 of the Homeland Security Act of 2002 (6 U.S.C. 604 and 605);

1 (B) \$49,026,403, in addition to amounts
2 otherwise made available for such purpose, is for
3 emergency operations center grants under section
4 614 of the Robert T. Stafford Disaster Relief and
5 Emergency Assistance Act (42 U.S.C. 5196c);

6 (C) \$153,922,408, in addition to amounts
7 otherwise made available for such purpose, is for
8 pre-disaster mitigation grants under section 203
9 of the Robert T. Stafford Disaster Relief and
10 Emergency Assistance Act (42 U.S.C. 5133(e),
11 notwithstanding subsections (f), (g), and (l) of
12 that section (42 U.S.C. 5133(f), (g), (l)); and

13 (D) \$2,000,000 shall be transferred to “Fed-
14 eral Emergency Management Agency—Oper-
15 ations and Support”, to manage and administer
16 Community Project Funding and Congression-
17 ally Directed Spending grants.

18 (13) \$293,600,000 to sustain current operations
19 for training, exercises, technical assistance, and other
20 programs.

21 DISASTER RELIEF FUND

22 For necessary expenses in carrying out the Robert T.
23 Stafford Disaster Relief and Emergency Assistance Act (42
24 U.S.C. 5121 et seq.), \$18,799,000,000, to remain available
25 until expended, shall be for major disasters declared pursu-

1 *ant to the Robert T. Stafford Disaster Relief and Emer-*
2 *gency Assistance Act (42 U.S.C. 5121 et seq.) and is des-*
3 *ignated by the Congress as being for disaster relief pursuant*
4 *to section 4004(b)(6) and section 4005(f) of S. Con. Res.*
5 *14 (117th Congress), the concurrent resolution on the budget*
6 *for fiscal year 2022: Provided, That of the amount provided*
7 *under this heading, up to \$3,000,000 may be transferred*
8 *to the Disaster Assistance Direct Loan Program Account*
9 *for administrative expenses related to direct loans as au-*
10 *thorized under section 417 of the Robert T. Stafford Dis-*
11 *aster Relief and Emergency Assistance Act (42 U.S.C.*
12 *5184).*

13 *NATIONAL FLOOD INSURANCE FUND*
14 *For activities under the National Flood Insurance Act*
15 *of 1968 (42 U.S.C. 4001 et seq.), the Flood Disaster Protec-*
16 *tion Act of 1973 (42 U.S.C. 4001 et seq.), the Biggert-*
17 *Waters Flood Insurance Reform Act of 2012 (Public Law*
18 *112–141, 126 Stat. 916), and the Homeowner Flood Insur-*
19 *ance Affordability Act of 2014 (Public Law 113–89; 128*
20 *Stat. 1020), \$214,706,000, to remain available until Sep-*
21 *tember 30, 2023, which shall be derived from offsetting*
22 *amounts collected under section 1308(d) of the National*
23 *Flood Insurance Act of 1968 (42 U.S.C. 4015(d)); of which*
24 *\$15,706,000 shall be available for mission support associ-*
25 *ated with flood management; and of which \$199,000,000*

1 *shall be available for flood plain management and flood*
2 *mapping: Provided, That any additional fees collected pur-*
3 *suant to section 1308(d) of the National Flood Insurance*
4 *Act of 1968 (42 U.S.C. 4015(d)) shall be credited as offset-*
5 *ting collections to this account, to be available for flood*
6 *plain management and flood mapping: Provided further,*
7 *That in fiscal year 2022, no funds shall be available from*
8 *the National Flood Insurance Fund under section 1310 of*
9 *the National Flood Insurance Act of 1968 (42 U.S.C. 4017)*
10 *in excess of—*

11 (1) *\$197,393,000 for operating expenses and sal-*
12 *aries and expenses associated with flood insurance op-*
13 *erations;*

14 (2) *\$876,743,000 for commissions and taxes of*
15 *agents;*

16 (3) *such sums as are necessary for interest on*
17 *Treasury borrowings; and*

18 (4) *\$175,000,000, which shall remain available*
19 *until expended, for flood mitigation actions and for*
20 *flood mitigation assistance under section 1366 of the*
21 *National Flood Insurance Act of 1968 (42 U.S.C.*
22 *4104c), notwithstanding sections 1366(e) and*
23 *1310(a)(7) of such Act (42 U.S.C. 4104c(e), 4017):*

24 *Provided further, That the amounts collected under section*
25 *102 of the Flood Disaster Protection Act of 1973 (42 U.S.C.*

1 4012a) and section 1366(e) of the National Flood Insurance
2 Act of 1968 (42 U.S.C. 4104c(e)), shall be deposited in the
3 National Flood Insurance Fund to supplement other
4 amounts specified as available for section 1366 of the Na-
5 tional Flood Insurance Act of 1968, notwithstanding section
6 102(f)(8), section 1366(e) of the National Flood Insurance
7 Act of 1968, and paragraphs (1) through (3) of section
8 1367(b) of such Act (42 U.S.C. 4012a(f)(8), 4104c(e),
9 4104d(b)(1)–(3)): Provided further, That total administra-
10 tive costs shall not exceed 4 percent of the total appropria-
11 tion: Provided further, That up to \$5,000,000 is available
12 to carry out section 24 of the Homeowner Flood Insurance
13 Affordability Act of 2014 (42 U.S.C. 4033).

14 *ADMINISTRATIVE PROVISIONS*

15 *SEC. 301. (a) Funds made available under the heading*
16 *“Cybersecurity and Infrastructure Security Agency—Oper-*
17 *ations and Support” may be made available for the nec-*
18 *essary expenses of carrying out the competition specified in*
19 *section 2(e) of Executive Order No. 13870 (May 2, 2019),*
20 *including the provision of monetary and non-monetary*
21 *awards for Federal civilian employees and members of the*
22 *uniformed services, the necessary expenses for the honorary*
23 *recognition of any award recipients, and activities to en-*
24 *courage participation in the competition, including pro-*
25 *motional items.*

1 **(b)** *Any awards made pursuant to this section shall*
2 *be of the same type and amount as those authorized under*
3 *sections 4501 through 4505 of title 5, United States Code.*

4 **SEC. 302.** *Funds made available under the heading*
5 *“Cybersecurity and Infrastructure Security Agency—Oper-*
6 *ations and Support” may be made available for the nec-*
7 *essary expenses of procuring or providing access to cyberse-*
8 *curity threat feeds for branches, agencies, independent agen-*
9 *cies, corporations, establishments, and instrumentalities of*
10 *the Federal government of the United States, state, local,*
11 *tribal, and territorial government entities, fusion centers as*
12 *described in section 210A of the Homeland Security Act (6*
13 *U.S.C. 124h), and Information Sharing and Analysis Or-*
14 *ganizations.*

15 **SEC. 303.** *(a) Notwithstanding section 2008(a)(12) of*
16 *the Homeland Security Act of 2002 (6 U.S.C. 609(a)(12))*
17 *or any other provision of law, not more than 5 percent of*
18 *the amount of a grant made available in paragraphs (1)*
19 *through (4) under “Federal Emergency Management Agen-*
20 *cy—Federal Assistance”, may be used by the recipient for*
21 *expenses directly related to administration of the grant.*

22 **(b)** *The authority provided in subsection (a) shall also*
23 *apply to a recipient for the administration of a grant under*
24 *such paragraphs (1) and (2) for organizations described*
25 *under section 501(c)(3) of the Internal Revenue Code of*

1 1986 and exempt from tax under section 501(a) of such code
2 that are determined by the Secretary of Homeland Security
3 to be at high risk of a terrorist attack.

4 *SEC. 304. Applications for grants under the heading*
5 *“Federal Emergency Management Agency—Federal Assist-*
6 *ance”, for paragraphs (1) through (4), shall be made avail-*
7 *able to eligible applicants not later than 60 days after the*
8 *date of enactment of this Act, eligible applicants shall sub-*
9 *mit applications not later than 80 days after the grant an-*
10 *nouncement, and the Administrator of the Federal Emer-*
11 *gency Management Agency shall act within 65 days after*
12 *the receipt of an application.*

13 *SEC. 305. Under the heading “Federal Emergency*
14 *Management Agency—Federal Assistance”, for grants*
15 *under paragraphs (1) through (4), (8), and (9), the Admin-*
16 *istrator of the Federal Emergency Management Agency*
17 *shall brief the Committees on Appropriations of the Senate*
18 *and the House of Representatives 5 full business days in*
19 *advance of announcing publicly the intention of making an*
20 *award.*

21 *SEC. 306. Under the heading “Federal Emergency*
22 *Management Agency—Federal Assistance”, for grants*
23 *under paragraphs (1) and (2), the installation of commu-*
24 *nications towers is not considered construction of a building*
25 *or other physical facility.*

1 *SEC. 307. The reporting requirements in paragraphs*
2 *(1) and (2) under the heading “Federal Emergency Man-*
3 *agement Agency—Disaster Relief Fund” in the Department*
4 *of Homeland Security Appropriations Act, 2015 (Public*
5 *Law 114–4) shall be applied in fiscal year 2022 with re-*
6 *spect to budget year 2023 and current fiscal year 2022, re-*
7 *spectively—*

8 *(1) in paragraph (1) by substituting “fiscal year*
9 *2023” for “fiscal year 2016”; and*

10 *(2) in paragraph (2) by inserting “business”*
11 *after “fifth”.*

12 *SEC. 308. In making grants under the heading “Fed-*
13 *eral Emergency Management Agency—Federal Assistance”,*
14 *for Staffing for Adequate Fire and Emergency Response*
15 *grants, the Administrator of the Federal Emergency Man-*
16 *agement Agency may grant waivers from the requirements*
17 *in subsections (a)(1)(A), (a)(1)(B), (a)(1)(E), (c)(1), (c)(2),*
18 *and (c)(4) of section 34 of the Federal Fire Prevention and*
19 *Control Act of 1974 (15 U.S.C. 2229a).*

20 *SEC. 309. (a) The aggregate charges assessed during*
21 *fiscal year 2022 , as authorized in title III of the Depart-*
22 *ments of Veterans Affairs and Housing and Urban Develop-*
23 *ment, and Independent Agencies Appropriations Act, 1999*
24 *(42 U.S.C. 5196e), shall not be less than 100 percent of the*
25 *amounts anticipated by the Department of Homeland Secu-*

1 rity to be necessary for its Radiological Emergency Pre-
2 paredness Program for the next fiscal year.

3 (b) The methodology for assessment and collection of
4 fees shall be fair and equitable and shall reflect costs of pro-
5 viding such services, including administrative costs of col-
6 lecting such fees.

7 (c) Such fees shall be deposited in a Radiological
8 Emergency Preparedness Program account as offsetting col-
9 lections and will become available for authorized purposes
10 on October 1, 2022, and remain available until expended.

11 SEC. 310. In making grants under the heading “Fed-
12 eral Emergency Management Agency—Federal Assistance”,
13 for Assistance to Firefighter Grants, the Administrator of
14 the Federal Emergency Management Agency may waive
15 subsection (k) of section 33 of the Federal Fire Prevention
16 and Control Act of 1974 (15 U.S.C. 2229).

17 SEC. 311. (a) Notwithstanding sections 403(b),
18 403(c)(4), 404(a), 406(b), 407(d), 408(g)(2), 428(e)(2)(B),
19 and 503(a) of the Robert T. Stafford Disaster Relief and
20 Emergency Assistance Act (42 U.S.C. 5121 et seq.), for any
21 emergency or major disaster declared by the President
22 under such Act with a declaration occurring or an incident
23 period beginning between January 1, 2020, and December
24 31, 2021, the Federal share of assistance, including direct

1 *Federal assistance, provided under such sections shall be not*
2 *less than 90 percent of the eligible cost of such assistance.*

3 *(b) Amounts repurposed pursuant to this section that*
4 *were previously designated by the Congress as an emergency*
5 *requirement or as being for disaster relief pursuant to the*
6 *Balanced Budget and Emergency Deficit Control Act of*
7 *1985 or a concurrent resolution on the budget are des-*
8 *ignated by the Congress as being for an emergency require-*
9 *ment pursuant to section 4001(a)(1) and section 4001(b)*
10 *of S. Con. Res. 14 (117th Congress), the concurrent resolu-*
11 *tion on the budget for fiscal year 2022, or as being for dis-*
12 *aster relief pursuant to section 4004(b)(6) and section*
13 *4005(f) of S. Con. Res. 14 (117th Congress), the concurrent*
14 *resolution on the budget for fiscal year 2022.*

15 *(c) Subsection (a) shall apply with respect to fiscal*
16 *year 2022 and each fiscal year thereafter.*

1 *TITLE IV*
2 *RESEARCH, DEVELOPMENT, TRAINING, AND*
3 *SERVICES*

4 *U.S. CITIZENSHIP AND IMMIGRATION SERVICES*
5 *OPERATIONS AND SUPPORT*

6 *For necessary expenses of U.S. Citizenship and Immi-*
7 *gration Services for operations and support, including for*
8 *the E-Verify Program, application processing, the reduction*
9 *of backlogs within asylum, field, and service center offices,*
10 *and support of the refugee program; \$389,504,000, of which*
11 *\$87,619,000 shall remain available until September 30,*
12 *2023: Provided, That such amounts shall be in addition to*
13 *any other amounts made available for such purposes, and*
14 *shall not be construed to require any reduction of any fee*
15 *described in section 286(m) of the Immigration and Nation-*
16 *ality Act (8 U.S.C. 1356(m)): Provided further, That not*
17 *to exceed \$2,500 shall be for official reception and represen-*
18 *tation expenses.*

19 *FEDERAL ASSISTANCE*

20 *For necessary expenses of U.S. Citizenship and Immi-*
21 *gration Services for Federal assistance for the Citizenship*
22 *and Integration Grant Program, \$20,000,000.*

1 *FEDERAL LAW ENFORCEMENT TRAINING CENTERS*

2 *OPERATIONS AND SUPPORT*

3 *For necessary expenses of the Federal Law Enforce-*
4 *ment Training Centers for operations and support, includ-*
5 *ing the purchase of not to exceed 117 vehicles for police-*
6 *type use and hire of passenger motor vehicles, and services*
7 *as authorized by section 3109 of title 5, United States Code,*
8 *\$322,436,000, of which \$61,618,000 shall remain available*
9 *until September 30, 2023: Provided, That not to exceed*
10 *\$7,180 shall be for official reception and representation ex-*
11 *penses.*

12 *PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS*

13 *For necessary expenses of the Federal Law Enforce-*
14 *ment Training Centers for procurement, construction, and*
15 *improvements, \$33,200,000, to remain available until Sep-*
16 *tember 30, 2026, for acquisition of necessary additional real*
17 *property and facilities, construction and ongoing mainte-*
18 *nance, facility improvements and related expenses of the*
19 *Federal Law Enforcement Training Centers.*

20 *SCIENCE AND TECHNOLOGY DIRECTORATE*

21 *OPERATIONS AND SUPPORT*

22 *For necessary expenses of the Science and Technology*
23 *Directorate for operations and support, including the pur-*
24 *chase or lease of not to exceed 5 vehicles, \$330,590,000, of*
25 *which \$196,624,000 shall remain available until September*

1 30, 2023: *Provided, That not to exceed \$10,000 shall be for*
2 *official reception and representation expenses.*

3 *PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS*

4 *For necessary expenses of the Science and Technology*
5 *Directorate for procurement, construction, and improve-*
6 *ments, \$12,859,000, to remain available until September*
7 *30, 2026.*

8 *RESEARCH AND DEVELOPMENT*

9 *For necessary expenses of the Science and Technology*
10 *Directorate for research and development, \$542,954,000, to*
11 *remain available until September 30, 2024.*

12 *COUNTERING WEAPONS OF MASS DESTRUCTION OFFICE*

13 *OPERATIONS AND SUPPORT*

14 *For necessary expenses of the Countering Weapons of*
15 *Mass Destruction Office for operations and support,*
16 *\$176,750,000, of which \$50,156,000 shall remain available*
17 *until September 30, 2023: Provided, That not to exceed*
18 *\$2,250 shall be for official reception and representation ex-*
19 *penses.*

20 *PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS*

21 *For necessary expenses of the Countering Weapons of*
22 *Mass Destruction Office for procurement, construction, and*
23 *improvements, \$76,604,000, to remain available until Sep-*
24 *tember 30, 2024.*

1 temporary or term basis) of U.S. Citizenship and Immigra-
2 tion Services of the Department of Homeland Security who
3 are known as Immigration Information Officers, Immigra-
4 tion Service Analysts, Contact Representatives, Investiga-
5 tive Assistants, or Immigration Services Officers.

6 SEC. 403. The terms and conditions of section 403 of
7 the Department of Homeland Security Appropriations Act,
8 2020 (division D of Public Law 116–93) shall apply to this
9 Act.

10 SEC. 404. Notwithstanding the seventh proviso under
11 the heading “Immigration and Naturalization Service—
12 Salaries and Expenses” in Public Law 105–119 (relating
13 to FD–258 fingerprint cards), or any other provision of
14 law, any Federal funds made available to U.S. Citizenship
15 and Immigration Services may be used for the collection
16 and use of biometrics taken at a U.S. Citizenship and Im-
17 migration Services Application Support Center that is
18 overseen virtually by U.S. Citizenship and Immigration
19 Services personnel using appropriate technology.

20 SEC. 405. The Director of the Federal Law Enforce-
21 ment Training Centers is authorized to distribute funds to
22 Federal law enforcement agencies for expenses incurred par-
23 ticipating in training accreditation.

24 SEC. 406. The Federal Law Enforcement Training Ac-
25 creditation Board, including representatives from the Fed-

1 eral law enforcement community and non-Federal accredi-
2 tation experts involved in law enforcement training, shall
3 lead the Federal law enforcement training accreditation
4 process to continue the implementation of measuring and
5 assessing the quality and effectiveness of Federal law en-
6 forcement training programs, facilities, and instructors.

7 *SEC. 407. (a) The Director of the Federal Law En-*
8 *forcement Training Centers may accept transfers to its*
9 *“Procurement, Construction, and Improvements” account*
10 *from Government agencies requesting the construction of*
11 *special use facilities, as authorized by the Economy Act (31*
12 *U.S.C. 1535(b)).*

13 *(b) The Federal Law Enforcement Training Centers*
14 *shall maintain administrative control and ownership upon*
15 *completion of such facilities.*

16 *SEC. 408. The functions of the Federal Law Enforce-*
17 *ment Training Centers instructor staff shall be classified*
18 *as inherently governmental for purposes of the Federal Ac-*
19 *tivities Inventory Reform Act of 1998 (31 U.S.C. 501 note).*

TITLE V

GENERAL PROVISIONS

(INCLUDING TRANSFERS AND RESCISSIONS OF FUNDS)

SEC. 501. *No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.*

SEC. 502. *Subject to the requirements of section 503 of this Act, the unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this Act, may be merged with funds in the applicable established accounts, and thereafter may be accounted for as one fund for the same time period as originally enacted.*

SEC. 503. (a) *None of the funds provided by this Act, provided by previous appropriations Acts to the components in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2022, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the components funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that—*

(1) *creates or eliminates a program, project, or activity, or increases funds for any program, project,*

1 *or activity for which funds have been denied or re-*
2 *stricted by the Congress;*

3 *(2) contracts out any function or activity pres-*
4 *ently performed by Federal employees or any new*
5 *function or activity proposed to be performed by Fed-*
6 *eral employees in the President's budget proposal for*
7 *fiscal year 2022 for the Department of Homeland Se-*
8 *curity;*

9 *(3) augments funding for existing programs,*
10 *projects, or activities in excess of \$5,000,000 or 10*
11 *percent, whichever is less;*

12 *(4) reduces funding for any program, project, or*
13 *activity, or numbers of personnel, by 10 percent or*
14 *more; or*

15 *(5) results from any general savings from a re-*
16 *duction in personnel that would result in a change in*
17 *funding levels for programs, projects, or activities as*
18 *approved by the Congress.*

19 *(b) Subsection (a) shall not apply if the Committees*
20 *on Appropriations of the Senate and the House of Rep-*
21 *resentatives are notified at least 15 days in advance of such*
22 *reprogramming.*

23 *(c) Up to 5 percent of any appropriation made avail-*
24 *able for the current fiscal year for the Department of Home-*
25 *land Security by this Act or provided by previous appro-*

1 *priations Acts may be transferred between such appropria-*
2 *tions if the Committees on Appropriations of the Senate*
3 *and the House of Representatives are notified at least 30*
4 *days in advance of such transfer, but no such appropria-*
5 *tion, except as otherwise specifically provided, shall be in-*
6 *creased by more than 10 percent by such transfer.*

7 *(d) Notwithstanding subsections (a), (b), and (c), no*
8 *funds shall be reprogrammed within or transferred between*
9 *appropriations based upon an initial notification provided*
10 *after June 30, except in extraordinary circumstances that*
11 *imminently threaten the safety of human life or the protec-*
12 *tion of property.*

13 *(e) The notification thresholds and procedures set forth*
14 *in subsections (a), (b), (c), and (d) shall apply to any use*
15 *of deobligated balances of funds provided in previous De-*
16 *partment of Homeland Security Appropriations Acts that*
17 *remain available for obligation in the current year.*

18 *(f) Notwithstanding subsection (c), the Secretary of*
19 *Homeland Security may transfer to the fund established by*
20 *8 U.S.C. 1101 note, up to \$20,000,000 from appropriations*
21 *available to the Department of Homeland Security: Pro-*
22 *vided, That the Secretary shall notify the Committees on*
23 *Appropriations of the Senate and the House of Representa-*
24 *tives at least 5 days in advance of such transfer.*

1 *SEC. 504. (a) Section 504 of the Department of Home-*
2 *land Security Appropriations Act, 2017 (division F of Pub-*
3 *lic Law 115–31), related to the operations of a working cap-*
4 *ital fund, shall apply with respect to funds made available*
5 *in this Act in the same manner as such section applied*
6 *to funds made available in that Act.*

7 *(b) Funds from such working capital fund may be obli-*
8 *gated and expended in anticipation of reimbursements from*
9 *components of the Department of Homeland Security.*

10 *SEC. 505. (a) Except as otherwise specifically provided*
11 *by law, not to exceed 50 percent of unobligated balances*
12 *remaining available at the end of fiscal year 2022, as re-*
13 *corded in the financial records at the time of a reprogram-*
14 *ming notification, but not later than June 30, 2023, from*
15 *appropriations for “Operations and Support” for fiscal*
16 *year 2022 in this Act shall remain available through Sep-*
17 *tember 30, 2023, in the account and for the purposes for*
18 *which the appropriations were provided.*

19 *(b) Prior to the obligation of such funds, a notification*
20 *shall be submitted to the Committees on Appropriations of*
21 *the Senate and the House of Representatives in accordance*
22 *with section 503 of this Act.*

23 *SEC. 506. (a) Funds made available by this Act for*
24 *intelligence activities are deemed to be specifically author-*
25 *ized by the Congress for purposes of section 504 of the Na-*

1 *tional Security Act of 1947 (50 U.S.C. 414) during fiscal*
2 *year 2022 until the enactment of an Act authorizing intel-*
3 *ligence activities for fiscal year 2022.*

4 *(b) Amounts described in subsection (a) made avail-*
5 *able for “Intelligence, Analysis, and Operations Coordina-*
6 *tion—Operations and Support” that exceed the amounts in*
7 *such authorization for such account shall be transferred to*
8 *and merged with amounts made available under the head-*
9 *ing “Management Directorate—Operations and Support”.*

10 *(c) Prior to the obligation of any funds transferred*
11 *under subsection (b), the Management Directorate shall*
12 *brief the Committees on Appropriations of the Senate and*
13 *the House of Representatives on a plan for the use of such*
14 *funds.*

15 *SEC. 507. (a) The Secretary of Homeland Security, or*
16 *the designee of the Secretary, shall notify the Committees*
17 *on Appropriations of the Senate and the House of Rep-*
18 *resentatives at least 3 full business days in advance of—*

19 *(1) making or awarding a grant allocation or*
20 *grant in excess of \$1,000,000;*

21 *(2) making or awarding a contract, other trans-*
22 *action agreement, or task or delivery order on a De-*
23 *partment of Homeland Security multiple award con-*
24 *tract, or to issue a letter of intent totaling in excess*
25 *of \$4,000,000;*

1 (3) awarding a task or delivery order requiring
2 an obligation of funds in an amount greater than
3 \$10,000,000 from multi-year Department of Home-
4 land Security funds;

5 (4) making a sole-source grant award; or

6 (5) announcing publicly the intention to make or
7 award items under paragraph (1), (2), (3), or (4), in-
8 cluding a contract covered by the Federal Acquisition
9 Regulation.

10 (b) If the Secretary of Homeland Security determines
11 that compliance with this section would pose a substantial
12 risk to human life, health, or safety, an award may be made
13 without notification, and the Secretary shall notify the
14 Committees on Appropriations of the Senate and the House
15 of Representatives not later than 5 full business days after
16 such an award is made or letter issued.

17 (c) A notification under this section—

18 (1) may not involve funds that are not available
19 for obligation; and

20 (2) shall include the amount of the award; the
21 fiscal year for which the funds for the award were ap-
22 propriated; the type of contract; and the account from
23 which the funds are being drawn.

24 SEC. 508. Notwithstanding any other provision of law,
25 no agency shall purchase, construct, or lease any additional

1 *facilities, except within or contiguous to existing locations,*
2 *to be used for the purpose of conducting Federal law enforce-*
3 *ment training without advance notification to the Commit-*
4 *tees on Appropriations of the Senate and the House of Rep-*
5 *resentatives, except that the Federal Law Enforcement*
6 *Training Centers is authorized to obtain the temporary use*
7 *of additional facilities by lease, contract, or other agreement*
8 *for training that cannot be accommodated in existing Cen-*
9 *ters' facilities.*

10 *SEC. 509. None of the funds appropriated or otherwise*
11 *made available by this Act may be used for expenses for*
12 *any construction, repair, alteration, or acquisition project*
13 *for which a prospectus otherwise required under chapter 33*
14 *of title 40, United States Code, has not been approved, ex-*
15 *cept that necessary funds may be expended for each project*
16 *for required expenses for the development of a proposed pro-*
17 *spectus.*

18 *SEC. 510. Sections 520, 522, and 530 of the Depart-*
19 *ment of Homeland Security Appropriations Act, 2008 (di-*
20 *vision E of Public Law 110–161; 121 Stat. 2073 and 2074)*
21 *shall apply with respect to funds made available in this*
22 *Act in the same manner as such sections applied to funds*
23 *made available in that Act.*

1 *SEC. 511. (a) None of the funds made available in this*
2 *Act may be used in contravention of the applicable provi-*
3 *sions of the Buy American Act.*

4 *(b) For purposes of subsection (a), the term “Buy*
5 *American Act” means chapter 83 of title 41, United States*
6 *Code.*

7 *SEC. 512. None of the funds made available in this*
8 *Act may be used to amend the oath of allegiance required*
9 *by section 337 of the Immigration and Nationality Act (8*
10 *U.S.C. 1448).*

11 *SEC. 513. (a) None of the funds provided or otherwise*
12 *made available in this Act shall be available to carry out*
13 *section 872 of the Homeland Security Act of 2002 (6 U.S.C.*
14 *452) unless explicitly authorized by the Congress.*

15 *(b) Subsection (a) shall not apply to—*

16 *(1) the use of such section 872 to establish an of-*
17 *fice within the Office of the Secretary that shall, for*
18 *departmental workforce health, safety, and medical*
19 *functions and activities—*

20 *(A) develop departmental policies;*

21 *(B) establish standards;*

22 *(C) provide technical assistance;*

23 *(D) conduct oversight; and*

24 *(E) serve as the primary liaison and coor-*
25 *dinator; and*

1 (2) *the reallocation to an office established under*
2 *paragraph (1) of—*

3 (A) *the position and responsibilities of the*
4 *Chief Medical Officer and related personnel from*
5 *the Countering Weapons of Mass Destruction Of-*
6 *fice;*

7 (B) *the personnel, functions, and respon-*
8 *sibilities related to departmental workforce*
9 *health and medical activities from the Under*
10 *Secretary for Management as authorized in sec-*
11 *tion 710 of the Homeland Security Act, and re-*
12 *lated safety activities; and*

13 (C) *the responsibility of carrying out the*
14 *program authorized by section 528 of the Home-*
15 *land Security Act and related personnel.*

16 (c) *The Secretary of Homeland Security may transfer*
17 *funds made available in this Act under the headings “Man-*
18 *agement Directorate” and “Countering Weapons of Mass*
19 *Destruction Office” consistent with the establishment of the*
20 *office and the reallocations of functions, positions, and re-*
21 *sponsibilities described in subsection (b).*

22 (d) *The Secretary shall submit a notification to the*
23 *Committees on Appropriations of the Senate and the House*
24 *of Representatives, the Committee on Homeland Security*
25 *of the House of Representatives, and the Homeland Security*

1 *and Governmental Affairs Committee of the Senate at least*
2 *15 days prior to the establishment of the office described*
3 *in subsection (b).*

4 *(e) The functions of the office described in subsection*
5 *(b) shall not include chemical, biological, radiological, and*
6 *nuclear programs of the Countering Weapons of Mass De-*
7 *struction Office and the transfer of funds described in sub-*
8 *section (c) shall not include funding appropriated for such*
9 *programs.*

10 *SEC. 514. None of the funds made available in this*
11 *Act may be used for planning, testing, piloting, or devel-*
12 *oping a national identification card.*

13 *SEC. 515. Any official that is required by this Act to*
14 *report or to certify to the Committees on Appropriations*
15 *of the Senate and the House of Representatives may not*
16 *delegate such authority to perform that act unless specifi-*
17 *cally authorized herein.*

18 *SEC. 516. None of the funds made available in this*
19 *Act may be used for first-class travel by the employees of*
20 *agencies funded by this Act in contravention of sections*
21 *301–10.122 through 301–10.124 of title 41, Code of Federal*
22 *Regulations.*

23 *SEC. 517. None of the funds made available in this*
24 *Act may be used to employ workers described in section*

1 *274A(h)(3) of the Immigration and Nationality Act (8*
2 *U.S.C. 1324a(h)(3)).*

3 *SEC. 518. Notwithstanding any other provision of this*
4 *Act, none of the funds appropriated or otherwise made*
5 *available by this Act may be used to pay award or incentive*
6 *fees for contractor performance that has been judged to be*
7 *below satisfactory performance or performance that does not*
8 *meet the basic requirements of a contract.*

9 *SEC. 519. None of the funds appropriated or otherwise*
10 *made available by this Act may be used by the Department*
11 *of Homeland Security to enter into any Federal contract*
12 *unless such contract is entered into in accordance with the*
13 *requirements of subtitle I of title 41, United States Code,*
14 *or chapter 137 of title 10, United States Code, and the Fed-*
15 *eral Acquisition Regulation, unless such contract is other-*
16 *wise authorized by statute to be entered into without regard*
17 *to the above referenced statutes.*

18 *SEC. 520. (a) None of the funds made available in this*
19 *Act may be used to maintain or establish a computer net-*
20 *work unless such network blocks the viewing, downloading,*
21 *and exchanging of pornography.*

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

1 *SEC. 521. None of the funds made available in this*
2 *Act may be used by a Federal law enforcement officer to*
3 *facilitate the transfer of an operable firearm to an indi-*
4 *vidual if the Federal law enforcement officer knows or sus-*
5 *pects that the individual is an agent of a drug cartel unless*
6 *law enforcement personnel of the United States continu-*
7 *ously monitor or control the firearm at all times.*

8 *SEC. 522. (a) None of the funds made available in this*
9 *Act may be used to pay for the travel to or attendance of*
10 *more than 50 employees of a single component of the De-*
11 *partment of Homeland Security, who are stationed in the*
12 *United States, at a single international conference unless*
13 *the Secretary of Homeland Security, or a designee, deter-*
14 *mines that such attendance is in the national interest and*
15 *notifies the Committees on Appropriations of the Senate*
16 *and the House of Representatives within at least 10 days*
17 *of that determination and the basis for that determination.*

18 *(b) For purposes of this section the term “international*
19 *conference” shall mean a conference occurring outside of the*
20 *United States attended by representatives of the United*
21 *States Government and of foreign governments, inter-*
22 *national organizations, or nongovernmental organizations.*

23 *(c) The total cost to the Department of Homeland Se-*
24 *curity of any such conference shall not exceed \$500,000.*

1 (d) *Employees who attend a conference virtually with-*
2 *out travel away from their permanent duty station within*
3 *the United States shall not be counted for purposes of this*
4 *section, and the prohibition contained in this section shall*
5 *not apply to payments for the costs of attendance for such*
6 *employees.*

7 *SEC. 523. None of the funds made available in this*
8 *Act may be used to reimburse any Federal department or*
9 *agency for its participation in a National Special Security*
10 *Event.*

11 *SEC. 524. (a) None of the funds made available to the*
12 *Department of Homeland Security by this or any other Act*
13 *may be obligated for the implementation of any structural*
14 *pay reform or the introduction of any new position classi-*
15 *fication that will affect more than 100 full-time positions*
16 *or costs more than \$5,000,000 in a single year before the*
17 *end of the 30-day period beginning on the date on which*
18 *the Secretary of Homeland Security submits to Congress a*
19 *notification that includes—*

20 (1) *the number of full-time positions affected by*
21 *such change;*

22 (2) *funding required for such change for the cur-*
23 *rent fiscal year and through the Future Years Home-*
24 *land Security Program;*

25 (3) *justification for such change; and*

1 (4) for a structural pay reform, an analysis of
2 compensation alternatives to such change that were
3 considered by the Department.

4 (b) Subsection (a) shall not apply to such change if—

5 (1) it was proposed in the President's budget
6 proposal for the fiscal year funded by this Act; and

7 (2) funds for such change have not been explic-
8 itly denied or restricted in this Act.

9 SEC. 525. (a) Any agency receiving funds made avail-
10 able in this Act shall, subject to subsections (b) and (c),
11 post on the public website of that agency any report re-
12 quired to be submitted by the Committees on Appropria-
13 tions of the Senate and the House of Representatives in this
14 Act, upon the determination by the head of the agency that
15 it shall serve the national interest.

16 (b) Subsection (a) shall not apply to a report if—

17 (1) the public posting of the report compromises
18 homeland or national security; or

19 (2) the report contains proprietary information.

20 (c) The head of the agency posting such report shall
21 do so only after such report has been made available to the
22 Committees on Appropriations of the Senate and the House
23 of Representatives for not less than 45 days except as other-
24 wise specified in law.

1 *SEC. 526. (a) Funding provided in this Act for “Oper-*
2 *ations and Support” may be used for minor procurement,*
3 *construction, and improvements.*

4 *(b) For purposes of subsection (a), “minor” refers to*
5 *end items with a unit cost of \$250,000 or less for personal*
6 *property, and \$2,000,000 or less for real property.*

7 *SEC. 527. The authority provided by section 532 of*
8 *the Department of Homeland Security Appropriations Act,*
9 *2018 (Public Law 115–141) regarding primary and sec-*
10 *ondary schooling of dependents shall continue in effect dur-*
11 *ing fiscal year 2022.*

12 *SEC. 528. (a) For an additional amount for “Federal*
13 *Emergency Management Agency—Federal Assistance”,*
14 *\$3,000,000, to remain available until September 30, 2023,*
15 *exclusively for providing reimbursement of extraordinary*
16 *law enforcement or other emergency personnel costs for pro-*
17 *tection activities directly and demonstrably associated with*
18 *any residence of the President that is designated or identi-*
19 *fied to be secured by the United States Secret Service.*

20 *(b) Subsections (b) through (f) of section 534 of the*
21 *Department of Homeland Security Appropriations Act,*
22 *2018 (Public Law 115–141), shall be applied with respect*
23 *to amounts made available by subsection (a) of this section*
24 *by substituting “October 1, 2022” for “October 1, 2018”*
25 *and “October 1, 2021” for “October 1, 2017”.*

1 *SEC. 529. (a) Section 831 of the Homeland Security*
2 *Act of 2002 (6 U.S.C. 391) shall be applied—*

3 *(1) In subsection (a), by substituting “September*
4 *30, 2022,” for “September 30, 2017,”; and*

5 *(2) In subsection (c)(1), by substituting “Sep-*
6 *tember 30, 2022,” for “September 30, 2017”.*

7 *(b) The Secretary of Homeland Security, under the au-*
8 *thority of section 831 of the Homeland Security Act of 2002*
9 *(6 U.S.C. 391(a)), may carry out prototype projects under*
10 *section 2371b of title 10, United States Code, and the Sec-*
11 *retary shall perform the functions of the Secretary of De-*
12 *fense as prescribed.*

13 *(c) The Secretary of Homeland Security under section*
14 *831 of the Homeland Security Act of 2002 (6 U.S.C.*
15 *391(d)) may use the definition of nontraditional govern-*
16 *ment contractor as defined in section 2371b(e) of title 10,*
17 *United States Code.*

18 *SEC. 530. (a) None of the funds appropriated or other-*
19 *wise made available to the Department of Homeland Secu-*
20 *rity by this Act may be used to prevent any of the following*
21 *persons from entering, for the purpose of conducting over-*
22 *sight, any facility operated by or for the Department of*
23 *Homeland Security used to detain or otherwise house*
24 *aliens, or to make any temporary modification at any such*
25 *facility that in any way alters what is observed by a vis-*

1 *iting Member of Congress or such designated employee, com-*
2 *pared to what would be observed in the absence of such*
3 *modification:*

4 (1) *A Member of Congress.*

5 (2) *An employee of the United States House of*
6 *Representatives or the United States Senate des-*
7 *ignated by such a Member for the purposes of this sec-*
8 *tion.*

9 (b) *Nothing in this section may be construed to require*
10 *a Member of Congress to provide prior notice of the intent*
11 *to enter a facility described in subsection (a) for the purpose*
12 *of conducting oversight.*

13 (c) *With respect to individuals described in subsection*
14 *(a)(2), the Department of Homeland Security may require*
15 *that a request be made at least 24 hours in advance of an*
16 *intent to enter a facility described in subsection (a).*

17 *SEC. 531. (a) Except as provided in subsection (b),*
18 *none of the funds made available in this Act may be used*
19 *to place restraints on a woman in the custody of the De-*
20 *partment of Homeland Security (including during trans-*
21 *port, in a detention facility, or at an outside medical facil-*
22 *ity) who is pregnant or in post-delivery recuperation.*

23 (b) *Subsection (a) shall not apply with respect to a*
24 *pregnant woman if—*

1 (1) *an appropriate official of the Department of*
2 *Homeland Security makes an individualized deter-*
3 *mination that the woman—*

4 (A) *is a serious flight risk, and such risk*
5 *cannot be prevented by other means; or*

6 (B) *poses an immediate and serious threat*
7 *to harm herself or others that cannot be pre-*
8 *vented by other means; or*

9 (2) *a medical professional responsible for the*
10 *care of the pregnant woman determines that the use*
11 *of therapeutic restraints is appropriate for the med-*
12 *ical safety of the woman.*

13 (c) *If a pregnant woman is restrained pursuant to sub-*
14 *section (b), only the safest and least restrictive restraints,*
15 *as determined by the appropriate medical professional*
16 *treating the woman, may be used. In no case may restraints*
17 *be used on a woman who is in active labor or delivery,*
18 *and in no case may a pregnant woman be restrained in*
19 *a face-down position with four-point restraints, on her*
20 *back, or in a restraint belt that constricts the area of the*
21 *pregnancy. A pregnant woman who is immobilized by re-*
22 *straints shall be positioned, to the maximum extent feasible,*
23 *on her left side.*

1 *SEC. 532. (a) None of the funds made available by this*
2 *Act may be used to destroy any document, recording, or*
3 *other record pertaining to any—*

4 (1) *death of,*

5 (2) *potential sexual assault or abuse perpetrated*
6 *against, or*

7 (3) *allegation of abuse, criminal activity, or dis-*
8 *ruption committed by*

9 *an individual held in the custody of the Department of*
10 *Homeland Security.*

11 *(b) The records referred to in subsection (a) shall be*
12 *made available, in accordance with applicable laws and*
13 *regulations, and Federal rules governing disclosure in liti-*
14 *gation, to an individual who has been charged with a crime,*
15 *been placed into segregation, or otherwise punished as a re-*
16 *sult of an allegation described in paragraph (3), upon the*
17 *request of such individual.*

18 *SEC. 533. Section 519 of division F of Public Law*
19 *114–113, regarding a prohibition on funding for any posi-*
20 *tion designated as a Principal Federal Official, shall apply*
21 *with respect to any Federal funds in the same manner as*
22 *such section applied to funds made available in that Act.*

23 *SEC. 534. Within 60 days of any budget submission*
24 *for the Department of Homeland Security for fiscal year*
25 *2023 that assumes revenues or proposes a reduction from*

1 *the previous year based on user fees proposals that have not*
2 *been enacted into law prior to the submission of the budget,*
3 *the Secretary of Homeland Security shall provide the Com-*
4 *mittees on Appropriations of the Senate and the House of*
5 *Representatives specific reductions in proposed discre-*
6 *tionary budget authority commensurate with the revenues*
7 *assumed in such proposals in the event that they are not*
8 *enacted prior to October 1, 2022.*

9 *SEC. 535. None of the funds made available by this*
10 *Act may be obligated or expended to implement the Arms*
11 *Trade Treaty until the Senate approves a resolution of rati-*
12 *fication for the Treaty.*

13 *SEC. 536. (a) Not later than 10 days after the date*
14 *on which the budget of the President for a fiscal year is*
15 *submitted to Congress pursuant to section 1105(a) of title*
16 *31, United States Code, the Under Secretary for Manage-*
17 *ment of Homeland Security shall submit to the Committees*
18 *on Appropriations of the Senate and the House of Rep-*
19 *resentatives a report on the unfunded priorities, for the De-*
20 *partment of Homeland Security and separately for each de-*
21 *partmental component, for which discretionary funding*
22 *would be classified as budget function 050.*

23 *(b) Each report under this section shall specify, for*
24 *each such unfunded priority—*

1 (1) a summary description, including the objec-
2 tives to be achieved if such priority is funded (wheth-
3 er in whole or in part);

4 (2) the description, including the objectives to be
5 achieved if such priority is funded (whether in whole
6 or in part);

7 (3) account information, including the following
8 (as applicable):

9 (A) appropriation account; and

10 (B) program, project, or activity name; and

11 (4) the additional number of full-time or part-
12 time positions to be funded as part of such priority.

13 (c) In this section, the term “unfunded priority”, in
14 the case of a fiscal year, means a requirement that—

15 (1) is not funded in the budget referred to in
16 subsection (a);

17 (2) is necessary to fulfill a requirement associ-
18 ated with an operational or contingency plan for the
19 Department; and

20 (3) would have been recommended for funding
21 through the budget referred to in subsection (a) if—

22 (A) additional resources had been available
23 for the budget to fund the requirement;

24 (B) the requirement has emerged since the
25 budget was formulated; or

1 (C) the requirement is necessary to sustain
2 prior-year investments.

3 SEC. 537. (a) Not later than 10 days after a deter-
4 mination is made by the President to evaluate and initiate
5 protection under any authority for a former or retired Gov-
6 ernment official or employee, or for an individual who, dur-
7 ing the duration of the directed protection, will become a
8 former or retired Government official or employee (referred
9 to in this section as a “covered individual”), the Secretary
10 of Homeland Security shall submit a notification to con-
11 gressional leadership and the Committees on Appropria-
12 tions of the Senate and the House of Representatives, the
13 Committees on the Judiciary of the Senate and the House
14 of Representatives, the Committee on Homeland Security
15 and Governmental Affairs of the Senate, the Committee on
16 Homeland Security of the House of Representatives, and
17 the Committee on Oversight and Reform of the House of
18 Representatives (referred to in this section as the “appro-
19 priate congressional committees”).

20 (b) Such notification may be submitted in classified
21 form, if necessary, and in consultation with the Director
22 of National Intelligence or the Director of the Federal Bu-
23 reau of Investigation, as appropriate, and shall include the
24 threat assessment, scope of the protection, and the antici-
25 pated cost and duration of such protection.

1 (c) Not later than 15 days before extending, or 30 days
2 before terminating, protection for a covered individual, the
3 Secretary of Homeland Security shall submit a notification
4 regarding the extension or termination and any change to
5 the threat assessment to the congressional leadership and
6 the appropriate congressional committees.

7 (d) Not later than 45 days after the date of enactment
8 of this Act, and quarterly thereafter, the Secretary shall sub-
9 mit a report to the congressional leadership and the appro-
10 priate congressional committees, which may be submitted
11 in classified form, if necessary, detailing each covered indi-
12 vidual, and the scope and associated cost of protection.

13 SEC. 538. (a) There is hereby established in the Treas-
14 ury of the United States a fund to be known as the “Depart-
15 ment of Homeland Security Nonrecurring Expenses Fund”
16 (the Fund).

17 (b) Unobligated balances of expired discretionary
18 funds appropriated for this or any succeeding fiscal year
19 from the General Fund of the Treasury to the Department
20 of Homeland Security by this or any other Act may be
21 transferred (not later than the end of the fifth fiscal year
22 after the last fiscal year for which such funds are available
23 for the purposes for which appropriated) into the Fund.

24 (c) Amounts deposited in the Fund shall be available
25 until expended, and in addition to such other funds as may

1 *be available for such purposes, for information technology*
2 *system modernization and facilities infrastructure improve-*
3 *ments necessary for the operation of the Department, subject*
4 *to approval by the Office of Management and Budget.*

5 *(d) Amounts in the Fund may be obligated only after*
6 *the Committees on Appropriations of the House of Rep-*
7 *resentatives and the Senate are notified at least 15 days*
8 *in advance of the planned use of funds.*

9 *SEC. 539. (a) None of the funds provided to the De-*
10 *partment of Homeland Security in this or any prior Act*
11 *may be used by an agency to submit an initial project pro-*
12 *posal to the Technology Modernization Fund (as authorized*
13 *by section 1078 of subtitle G of Title X of the National De-*
14 *fense Authorization Act for Fiscal Year 2018 (Public Law*
15 *115–91)) unless, concurrent with the submission of an ini-*
16 *tial project proposal to the Technology Modernization*
17 *Board, the head of the agency—*

18 *(1) notifies the Committees on Appropriations of*
19 *the Senate and the House of Representatives of the*
20 *proposed submission of the project proposal;*

21 *(2) submits to the Committees on Appropriations*
22 *a copy of the project proposal; and*

23 *(3) provides a detailed analysis of how the pro-*
24 *posed project funding would supplement or supplant*

1 *funding requested as part of the Department's most*
2 *recent budget submission.*

3 *(b) None of the funds provided to the Department of*
4 *Homeland Security by the Technology Modernization Fund*
5 *shall be available for obligation until 15 days after a report*
6 *on such funds has been transmitted to the Committees on*
7 *Appropriations of the Senate and the House of Representa-*
8 *tives.*

9 *(c) The report described in subsection (b) shall in-*
10 *clude—*

11 *(1) the full project proposal submitted to and ap-*
12 *proved by the Fund's Technology Modernization*
13 *Board;*

14 *(2) the finalized interagency agreement between*
15 *the Department and the Fund including the project's*
16 *deliverables and repayment terms, as applicable;*

17 *(3) a detailed analysis of how the project will*
18 *supplement or supplant existing funding available to*
19 *the Department for similar activities;*

20 *(4) a plan for how the Department will repay*
21 *the Fund, including specific planned funding sources,*
22 *as applicable; and*

23 *(5) other information as determined by the Sec-*
24 *retary.*

1 *SEC. 540. None of the funds appropriated or otherwise*
2 *made available in this or any other Act may be used to*
3 *transfer, release, or assist in the transfer or release to or*
4 *within the United States, its territories, or possessions*
5 *Khalid Sheikh Mohammed or any other detainee who—*

6 *(1) is not a United States citizen or a member*
7 *of the Armed Forces of the United States; and*

8 *(2) is or was held on or after June 24, 2009, at*
9 *the United States Naval Station, Guantanamo Bay,*
10 *Cuba, by the Department of Defense.*

11 *SEC. 541. Subsection (c) of section 16005 of title VI*
12 *of division B of the Coronavirus Aid, Relief, and Economic*
13 *Security Act (Public Law 116–136) shall be applied as if*
14 *the language read as follows: “Subsection (a) shall apply*
15 *until September 30, 2022.”.*

16 *SEC. 542. For necessary expenses related to providing*
17 *customs and immigration inspection and pre-inspection*
18 *services at, or in support of ports of entry, pursuant to sec-*
19 *tion 1356 of title 8, United States Code, and section 58c(f)*
20 *of title 19, United States Code, and in addition to any other*
21 *funds made available for this purpose, there is appro-*
22 *priated, out of any money in the Treasury not otherwise*
23 *appropriated, \$650,000,000, to offset the loss resulting from*
24 *the coronavirus pandemic of Immigration User Fee receipts*
25 *collected pursuant to section 286(h) of the Immigration and*

1 *Nationality Act (8 U.S.C. 1356(h)), and fees for certain cus-*
2 *toms services collected pursuant to paragraphs 1 through*
3 *8 and paragraph 10 of subsection (a) of section 13031 of*
4 *the Consolidated Omnibus Budget Reconciliation Act of*
5 *1985 (19 U.S.C. 58c(a)(1)–(8) and (a)(10)).*

6 *SEC. 543. (a) For an additional amount for the ac-*
7 *counts, in the amounts, and for the purposes specified, in*
8 *addition to amounts otherwise made available for such pur-*
9 *poses—*

10 *(1) “U.S. Customs and Border Protection—Op-*
11 *erations and Support”, \$993,792,000 for border man-*
12 *agement requirements of the U.S. Border Patrol;*

13 *(2) “U.S. Immigration and Customs Enforce-*
14 *ment—Operations and Support”, \$239,658,000 for*
15 *non-detention border management requirements; and*

16 *(3) “Federal Emergency Management Agency—*
17 *Federal Assistance”, \$150,000,000, to be available for*
18 *the emergency food and shelter program for the pur-*
19 *poses of providing shelter and other services to fami-*
20 *lies and individuals encountered by the Department*
21 *of Homeland Security.*

22 *(b) Not later than 30 days after the date of enactment*
23 *of this Act, the Under Secretary for Management shall pro-*
24 *vide an expenditure plan for the use of the funds made*
25 *available in subsection (a).*

(RESCISSIONS OF FUNDS)

1
2 *SEC. 544. (a) Of the unobligated balances from*
3 *amounts made available under the heading “U.S. Customs*
4 *and Border Protection—Procurement, Construction, and*
5 *Improvements” by section 230(a)(3) of division A of the*
6 *Consolidated Appropriations Act, 2019 (Public Law 116–*
7 *6) for construction and facility improvements, \$90,500,000*
8 *are hereby rescinded.*

9 *(b) Of the unobligated balances from amounts made*
10 *available under the heading “U.S. Customs and Border*
11 *Protection—Procurement, Construction, and Improve-*
12 *ments” by section 209(2) of division F of the Consolidated*
13 *Appropriations Act, 2021 (Public Law 116–260) for facil-*
14 *ity construction and improvements, \$40,000,000 are hereby*
15 *rescinded.*

16 *(c) For an additional amount for “Management Direc-*
17 *torate—Procurement, Construction, and Improvements”,*
18 *\$130,500,000, to remain available until September 30,*
19 *2025, in addition to any amounts otherwise available for*
20 *such purposes, for the development of joint processing cen-*
21 *ters.*

22 *SEC. 545. (a) Of the unobligated balances from*
23 *amounts made available under the heading “U.S. Customs*
24 *and Border Protection—Procurement, Construction, and*
25 *Improvements” by the Emergency Supplemental Appro-*

1 *priations for Humanitarian Assistance and Security at the*
2 *Southern Border Act, 2019 (Public Law 116–26) for the*
3 *development of a joint processing center, \$49,500,000 are*
4 *hereby rescinded: Provided, That the amounts rescinded by*
5 *this subsection that were previously designated by the Con-*
6 *gress as an emergency requirement pursuant to section*
7 *251(b)(2)(A)(i) of the Balanced Budget and Emergency*
8 *Deficit Control Act of 1985 are designated by the Congress*
9 *as an emergency requirement pursuant to section*
10 *4001(a)(1) and section 4001(b) of S. Con. Res. 14 (117th*
11 *Congress), the concurrent resolution on the budget for fiscal*
12 *year 2022.*

13 *(b) For an additional amount for “Management Direc-*
14 *torate—Procurement, Construction, and Improvements”,*
15 *\$49,500,000, to remain available until September 30, 2025,*
16 *in addition to any amounts otherwise available for such*
17 *purposes, for the development of joint processing centers:*
18 *Provided, That such amount is designated by the Congress*
19 *as being for an emergency requirement pursuant to section*
20 *4001(a)(1) and section 4001(b) of S. Con. Res. 14 (117th*
21 *Congress), the concurrent resolution on the budget for fiscal*
22 *year 2022.*

23 *SEC. 546. Of the funds appropriated to the Depart-*
24 *ment of Homeland Security, the following funds are hereby*
25 *rescinded from the following accounts and programs in the*

1 *specified amounts: Provided, That no amounts may be re-*
2 *scinded from amounts that were designated by the Congress*
3 *as an emergency requirement pursuant to a concurrent res-*
4 *olution on the budget or the Balanced Budget and Emer-*
5 *gency Deficit Control Act of 1985 (Public Law 99–177):*

6 (1) *\$21,650 from the unobligated balances avail-*
7 *able in the “Office of the Executive Secretary—Oper-*
8 *ations and Support” account (70 X 0100).*

9 (2) *\$1,810 from the unobligated balances avail-*
10 *able in the “Office of the Undersecretary for Manage-*
11 *ment” account (70 X 0112).*

12 (3) *\$12,628,523 from the unobligated balances*
13 *available in the “Management Directorate—Office of*
14 *the Chief Information Officer and Operations” ac-*
15 *count (70 X 0113).*

16 (4) *\$8,456 from the unobligated balances avail-*
17 *able in Treasury Account Fund Symbol 70 X 0504,*
18 *“Immigration and Customs Enforcement, Border and*
19 *Transportation Security, INS”.*

20 (5) *\$503 from the unobligated balances available*
21 *in Treasury Account Fund Symbol 70 X 8598, “U.S.*
22 *Immigration and Customs Enforcement, Violent*
23 *Crime Reduction Program”.*

1 (6) \$7,006 from the unobligated balances avail-
2 able in Treasury Account Fund Symbol 70 X 0508,
3 “Transportation Security Administration, Expenses”.

4 (7) \$11,412 from the unobligated balances avail-
5 able in the “Transportation Security Administra-
6 tion—Federal Air Marshals” account (70 X 0541).

7 (8) \$311 from the unobligated balances available
8 in the “Transportation Security Administration—
9 Surface Transportation Security” account (70 X
10 0551).

11 (9) \$5,308,328 from the unobligated balances
12 available in the “Transportation Security Adminis-
13 tration—Intelligence and Vetting” account (70 X
14 0557).

15 (10) \$1.41 from the unobligated balances avail-
16 able in the “Transportation Security Administra-
17 tion—Research and Development” account (70 X
18 0553).

19 (11) \$322,105 from the unobligated balances
20 available in the “Transportation Security Adminis-
21 tration—Transportation Security Support” account
22 (70 X 0554).

23 (12) \$457,920 from the unobligated balances
24 available in Treasury Account Fund Symbol 70 X

1 0900, “Cybersecurity and Infrastructure Security
2 Agency, Operating Expenses”.

3 (13) \$199,690 from the unobligated balances
4 available in the “Federal Emergency Management
5 Agency—State and Local Programs” account (70 X
6 0560).

7 (14) \$1,670 from the unobligated balances avail-
8 able in the “Federal Emergency Management Agen-
9 cy—Administrative and Regional Operations, Emer-
10 gency Preparedness and Response” account (70 X
11 0712).

12 (15) \$115,138 from the unobligated balances
13 available in the “Federal Emergency Management
14 Agency—Operations and Support” account (70 X
15 0700).

16 (16) \$1,243,822 from the unobligated balances
17 available in Treasury Account Fund Symbol 70 X
18 0300, “U.S. Citizenship and Immigration Services,
19 Operations and Support”.

20 (17) \$350,656 from the unobligated balances
21 available in the “Countering Weapons of Mass De-
22 struction Office—Research and Development” account
23 (70 X 0860).

24 (18) \$3,000,000 from the unobligated balances
25 available in the “Federal Emergency Management

1 *Agency—National Predisaster Mitigation Fund” ac-*
2 *count (70 X 0716).*

3 (19) \$24,339,000 from the unobligated balances
4 *available in the “U.S. Customs and Border Protec-*
5 *tion—Border Security Fencing, Infrastructure, and*
6 *Technology” account (70 X 0533).*

7 (20) \$10,000,000 from Public Law 116–260
8 *under the heading “U.S. Customs and Border Protec-*
9 *tion—Procurement, Construction, and Improve-*
10 *ments”.*

11 (21) \$6,161,000 from the unobligated balances
12 *available in the “U.S. Customs and Border Protec-*
13 *tion—Procurement, Construction, and Improve-*
14 *ments” account (70 X 0532).*

15 (22) \$4,500,000 from Public Law 115–141 under
16 *the heading “U.S. Customs and Border Protection—*
17 *Construction and Facility Improvements”.*

18 (23) \$6,999 from the unobligated balances avail-
19 *able in the “U.S. Customs and Border Protection—*
20 *Operations and Support” account (70 X 0530).*

21 (24) \$21,000,000 from Public Law 115–141
22 *under the heading “Coast Guard—Acquisition, Con-*
23 *struction, and Improvements”.*

24 *SEC. 547. The following unobligated balances made*
25 *available to the Department of Homeland Security pursu-*

1 *ant to section 505 of the Department of Homeland Security*
2 *Appropriations Act, 2021 (Public Law 116–260) are re-*
3 *scinded:*

4 (1) \$791,720 from “*Office of the Secretary and*
5 *Executive Management—Operations and Support*”.

6 (2) \$359,920 from “*Management Directorate—*
7 *Operations and Support*”.

8 (3) \$1,041,300 from “*Intelligence, Analysis, and*
9 *Operations Coordination—Operations and Support*”.

10 (4) \$132,133 from “*Office of the Inspector Gen-*
11 *eral—Operations and Support*”.

12 (5) \$19,337,430 from “*U.S. Customs and Border*
13 *Protection—Operations and Support*”.

14 (6) \$7,169,547 from “*U.S. Immigration and*
15 *Customs Enforcement—Operations and Support*”.

16 (7) \$1,000,000 from “*Coast Guard—Operations*
17 *and Support*”.

18 (8) \$6,394,290 from “*United States Secret Serv-*
19 *ice--Operations and Support*”.

20 (9) \$2,793,900 from “*Cybersecurity and Infra-*
21 *structure Security Agency—Operations and Sup-*
22 *port*”.

23 (10) \$668,640 from “*Federal Emergency Man-*
24 *agement Agency—Operations and Support*”.

1 (11) \$1,368,190 from “U.S. Citizenship and Im-
2 migration Services—Operations and Support”.

3 (12) \$903,710 from “Federal Law Enforcement
4 Training Centers—Operations and Support”.

5 (13) \$110,710 from “Science and Technology Di-
6 rectorate—Operations and Support”.

7 (14) \$385,640 from “Countering Weapons of
8 Mass Destruction Office—Operations and Support”.

9 SEC. 548. Of the unobligated balances made available
10 to “Federal Emergency Management Agency—Disaster Re-
11 lief Fund”, \$147,592,596 shall be rescinded: Provided, That
12 no amounts may be rescinded from amounts that were des-
13 ignated by the Congress as an emergency requirement pur-
14 suant to a concurrent resolution on the budget or the Bal-
15 anced Budget and Emergency Deficit Control Act of 1985,
16 as amended: Provided further, That no amounts may be re-
17 scinded from amounts that were designated by the Congress
18 as being for disaster relief pursuant to section 4004(b)(6)
19 and section 4005(f) of S. Con. Res. 14 (117th Congress),
20 the concurrent resolution on the budget for fiscal year 2022,
21 or section 251(b)(2)(D) of the Balanced Budget and Emer-
22 gency Deficit Control Act of 1985: Provided further, That
23 no amounts may be rescinded from amounts that were made
24 available by section 4005 of the American Rescue Plan Act
25 of 2021 (Public Law 117–2).

- 1 *This division may be cited as the “Department of*
- 2 *Homeland Security Appropriations Act, 2022”.*

1 ***DIVISION G—DEPARTMENT OF THE INTE-***
2 ***RIOR, ENVIRONMENT, AND RELATED***
3 ***AGENCIES APPROPRIATIONS ACT, 2022***

4 ***TITLE I***

5 ***DEPARTMENT OF THE INTERIOR***

6 ***BUREAU OF LAND MANAGEMENT***

7 ***MANAGEMENT OF LANDS AND RESOURCES***

8 *For necessary expenses for protection, use, improve-*
9 *ment, development, disposal, cadastral surveying, classifica-*
10 *tion, acquisition of easements and other interests in lands,*
11 *and performance of other functions, including maintenance*
12 *of facilities, as authorized by law, in the management of*
13 *lands and their resources under the jurisdiction of the Bu-*
14 *reau of Land Management, including the general adminis-*
15 *tration of the Bureau, and assessment of mineral potential*
16 *of public lands pursuant to section 1010(a) of Public Law*
17 *96–487 (16 U.S.C. 3150(a)), \$1,281,940,000, to remain*
18 *available until September 30, 2023; of which \$79,035,000*
19 *for annual and deferred maintenance and \$137,093,000 for*
20 *the wild horse and burro program, as authorized by Public*
21 *Law 92–195 (16 U.S.C. 1331 et seq.), shall remain avail-*
22 *able until expended: Provided, That amounts in the fee ac-*
23 *count of the BLM Permit Processing Improvement Fund*
24 *may be used for any bureau-related expenses associated*

1 *with the processing of oil and gas applications for permits*
2 *to drill and related use of authorizations.*

3 *In addition, \$39,696,000 is for Mining Law Adminis-*
4 *tration program operations, including the cost of admin-*
5 *istering the mining claim fee program, to remain available*
6 *until expended, to be reduced by amounts collected by the*
7 *Bureau and credited to this appropriation from mining*
8 *claim maintenance fees and location fees that are hereby*
9 *authorized for fiscal year 2022, so as to result in a final*
10 *appropriation estimated at not more than \$1,281,940,000,*
11 *and \$2,000,000, to remain available until expended, from*
12 *communication site rental fees established by the Bureau*
13 *for the cost of administering communication site activities.*

14 *OREGON AND CALIFORNIA GRANT LANDS*

15 *For expenses necessary for management, protection,*
16 *and development of resources and for construction, oper-*
17 *ation, and maintenance of access roads, reforestation, and*
18 *other improvements on the revested Oregon and California*
19 *Railroad grant lands, on other Federal lands in the Oregon*
20 *and California land-grant counties of Oregon, and on adja-*
21 *cent rights-of-way; and acquisition of lands or interests*
22 *therein, including existing connecting roads on or adjacent*
23 *to such grant lands; \$117,283,000, to remain available until*
24 *expended: Provided, That 25 percent of the aggregate of all*
25 *receipts during the current fiscal year from the revested Or-*

1 *egon and California Railroad grant lands is hereby made*
2 *a charge against the Oregon and California land-grant*
3 *fund and shall be transferred to the General Fund in the*
4 *Treasury in accordance with the second paragraph of sub-*
5 *section (b) of title II of the Act of August 28, 1937 (43*
6 *U.S.C. 2605).*

7 *RANGE IMPROVEMENTS*

8 *For rehabilitation, protection, and acquisition of lands*
9 *and interests therein, and improvement of Federal range-*
10 *lands pursuant to section 401 of the Federal Land Policy*
11 *and Management Act of 1976 (43 U.S.C. 1751), notwith-*
12 *standing any other Act, sums equal to 50 percent of all*
13 *moneys received during the prior fiscal year under sections*
14 *3 and 15 of the Taylor Grazing Act (43 U.S.C. 315b, 315m)*
15 *and the amount designated for range improvements from*
16 *grazing fees and mineral leasing receipts from Bankhead-*
17 *Jones lands transferred to the Department of the Interior*
18 *pursuant to law, but not less than \$10,000,000, to remain*
19 *available until expended: Provided, That not to exceed*
20 *\$600,000 shall be available for administrative expenses.*

21 *SERVICE CHARGES, DEPOSITS, AND FORFEITURES*

22 *For administrative expenses and other costs related to*
23 *processing application documents and other authorizations*
24 *for use and disposal of public lands and resources, for costs*
25 *of providing copies of official public land documents, for*

1 *monitoring construction, operation, and termination of fa-*
2 *cilities in conjunction with use authorizations, and for re-*
3 *habilitation of damaged property, such amounts as may be*
4 *collected under Public Law 94–579 (43 U.S.C. 1701 et seq.),*
5 *and under section 28 of the Mineral Leasing Act (30 U.S.C.*
6 *185), to remain available until expended: Provided, That*
7 *notwithstanding any provision to the contrary of section*
8 *305(a) of Public Law 94–579 (43 U.S.C. 1735(a)), any*
9 *moneys that have been or will be received pursuant to that*
10 *section, whether as a result of forfeiture, compromise, or set-*
11 *tlement, if not appropriate for refund pursuant to section*
12 *305(c) of that Act (43 U.S.C. 1735(c)), shall be available*
13 *and may be expended under the authority of this Act by*
14 *the Secretary of the Interior to improve, protect, or rehabili-*
15 *tate any public lands administered through the Bureau of*
16 *Land Management which have been damaged by the action*
17 *of a resource developer, purchaser, permittee, or any unau-*
18 *thorized person, without regard to whether all moneys col-*
19 *lected from each such action are used on the exact lands*
20 *damaged which led to the action: Provided further, That*
21 *any such moneys that are in excess of amounts needed to*
22 *repair damage to the exact land for which funds were col-*
23 *lected may be used to repair other damaged public lands.*

1 MISCELLANEOUS TRUST FUNDS

2 *In addition to amounts authorized to be expended*
3 *under existing laws, there is hereby appropriated such*
4 *amounts as may be contributed under section 307 of Public*
5 *Law 94–579 (43 U.S.C. 1737), and such amounts as may*
6 *be advanced for administrative costs, surveys, appraisals,*
7 *and costs of making conveyances of omitted lands under sec-*
8 *tion 211(b) of that Act (43 U.S.C. 1721(b)), to remain*
9 *available until expended.*

10 ADMINISTRATIVE PROVISIONS

11 *The Bureau of Land Management may carry out the*
12 *operations funded under this Act by direct expenditure, con-*
13 *tracts, grants, cooperative agreements, and reimbursable*
14 *agreements with public and private entities, including with*
15 *States. Appropriations for the Bureau shall be available for*
16 *purchase, erection, and dismantlement of temporary struc-*
17 *tures, and alteration and maintenance of necessary build-*
18 *ings and appurtenant facilities to which the United States*
19 *has title; up to \$100,000 for payments, at the discretion*
20 *of the Secretary, for information or evidence concerning vio-*
21 *lations of laws administered by the Bureau; miscellaneous*
22 *and emergency expenses of enforcement activities authorized*
23 *or approved by the Secretary and to be accounted for solely*
24 *on the Secretary's certificate, not to exceed \$10,000: Pro-*
25 *vided, That notwithstanding Public Law 90–620 (44 U.S.C.*

1 501), the Bureau may, under cooperative cost-sharing and
2 partnership arrangements authorized by law, procure
3 printing services from cooperators in connection with joint-
4 ly produced publications for which the cooperators share the
5 cost of printing either in cash or in services, and the Bureau
6 determines the cooperator is capable of meeting accepted
7 quality standards: Provided further, That projects to be
8 funded pursuant to a written commitment by a State gov-
9 ernment to provide an identified amount of money in sup-
10 port of the project may be carried out by the Bureau on
11 a reimbursable basis.

12 UNITED STATES FISH AND WILDLIFE SERVICE

13 RESOURCE MANAGEMENT

14 (INCLUDING TRANSFER OF FUNDS)

15 For necessary expenses of the United States Fish and
16 Wildlife Service, as authorized by law, and for scientific
17 and economic studies, general administration, and for the
18 performance of other authorized functions related to such
19 resources, \$1,451,545,000, to remain available until Sep-
20 tember 30, 2023: Provided, That not to exceed \$21,279,000
21 shall be used for implementing subsections (a), (b), (c), and
22 (e) of section 4 of the Endangered Species Act of 1973 (16
23 U.S.C. 1533) (except for processing petitions, developing
24 and issuing proposed and final regulations, and taking any
25 other steps to implement actions described in subsection

1 (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii): Provided further,
2 That of the amount appropriated under this heading,
3 \$6,813,000, to remain available until September 30, 2024,
4 shall be for projects specified for Stewardship Priorities in
5 the table titled “Interior and Environment Incorporation
6 of Community Project Funding Items/Congressionally Di-
7 rected Spending Items” included for this division in the ex-
8 planatory statement described in section 4 (in the matter
9 preceding division A of this consolidated Act): Provided fur-
10 ther, That amounts in the preceding proviso may be trans-
11 ferred to the appropriate program, project, or activity
12 under this heading and shall continue to only be available
13 for the purposes and in such amounts as such funds were
14 originally appropriated.

15 CONSTRUCTION

16 (INCLUDING RESCISSION OF FUNDS)

17 For construction, improvement, acquisition, or re-
18 moval of buildings and other facilities required in the con-
19 servation, management, investigation, protection, and utili-
20 zation of fish and wildlife resources, and the acquisition
21 of lands and interests therein; \$12,847,000, to remain avail-
22 able until expended.

23 Of the unobligated balances from amounts made avail-
24 able under this heading for construction, \$1,240,000 is per-
25 manently rescinded: Provided, That no amounts may be re-

1 *scinded from amounts that were designated by the Congress*
2 *as an emergency requirement pursuant to the Concurrent*
3 *Resolution on the Budget or the Balanced Budget and*
4 *Emergency Deficit Control Act of 1985.*

5 *COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND*
6 *(INCLUDING RESCISSION OF FUNDS)*

7 *For expenses necessary to carry out section 6 of the*
8 *Endangered Species Act of 1973 (16 U.S.C. 1535),*
9 *\$24,064,000, to remain available until expended, to be de-*
10 *rived from the Cooperative Endangered Species Conserva-*
11 *tion Fund.*

12 *Of the unobligated balances from amounts made avail-*
13 *able under this heading from the Cooperative Endangered*
14 *Species Conservation Fund, \$945,000 is permanently re-*
15 *scinded: Provided, That no amounts may be rescinded from*
16 *amounts that were designated by the Congress as an emer-*
17 *gency requirement pursuant to the Concurrent Resolution*
18 *on the Budget or the Balanced Budget and Emergency Def-*
19 *icit Control Act of 1985.*

20 *NATIONAL WILDLIFE REFUGE FUND*

21 *For expenses necessary to implement the Act of October*
22 *17, 1978 (16 U.S.C. 715s), \$13,228,000.*

23 *NORTH AMERICAN WETLANDS CONSERVATION FUND*

24 *For expenses necessary to carry out the provisions of*
25 *the North American Wetlands Conservation Act (16 U.S.C.*

1 4401 et seq.), \$48,500,000, to remain available until ex-
2 pended.

3 *NEOTROPICAL MIGRATORY BIRD CONSERVATION*

4 *For expenses necessary to carry out the Neotropical*
5 *Migratory Bird Conservation Act (16 U.S.C. 6101 et seq.),*
6 *\$5,000,000, to remain available until expended.*

7 *MULTINATIONAL SPECIES CONSERVATION FUND*

8 *For expenses necessary to carry out the African Ele-*
9 *phant Conservation Act (16 U.S.C. 4201 et seq.), the Asian*
10 *Elephant Conservation Act of 1997 (16 U.S.C. 4261 et seq.),*
11 *the Rhinoceros and Tiger Conservation Act of 1994 (16*
12 *U.S.C. 5301 et seq.), the Great Ape Conservation Act of*
13 *2000 (16 U.S.C. 6301 et seq.), and the Marine Turtle Con-*
14 *servation Act of 2004 (16 U.S.C. 6601 et seq.), \$20,000,000,*
15 *to remain available until expended.*

16 *STATE AND TRIBAL WILDLIFE GRANTS*

17 *For wildlife conservation grants to States and to the*
18 *District of Columbia, Puerto Rico, Guam, the United States*
19 *Virgin Islands, the Northern Mariana Islands, American*
20 *Samoa, and Indian tribes under the provisions of the Fish*
21 *and Wildlife Act of 1956 and the Fish and Wildlife Coordi-*
22 *nation Act, for the development and implementation of pro-*
23 *grams for the benefit of wildlife and their habitat, including*
24 *species that are not hunted or fished, \$72,612,000, to re-*
25 *main available until expended: Provided, That of the*

1 amount provided herein, \$6,000,000 is for a competitive
2 grant program for Indian tribes not subject to the remain-
3 ing provisions of this appropriation: Provided further, That
4 \$7,362,000 is for a competitive grant program to implement
5 approved plans for States, territories, and other jurisdic-
6 tions and at the discretion of affected States, the regional
7 Associations of fish and wildlife agencies, not subject to the
8 remaining provisions of this appropriation: Provided fur-
9 ther, That the Secretary shall, after deducting \$13,362,000
10 and administrative expenses, apportion the amount pro-
11 vided herein in the following manner: (1) to the District
12 of Columbia and to the Commonwealth of Puerto Rico, each
13 a sum equal to not more than one-half of 1 percent thereof;
14 and (2) to Guam, American Samoa, the United States Vir-
15 gin Islands, and the Commonwealth of the Northern Mar-
16 iana Islands, each a sum equal to not more than one-fourth
17 of 1 percent thereof: Provided further, That the Secretary
18 of the Interior shall apportion the remaining amount in
19 the following manner: (1) one-third of which is based on
20 the ratio to which the land area of such State bears to the
21 total land area of all such States; and (2) two-thirds of
22 which is based on the ratio to which the population of such
23 State bears to the total population of all such States: Pro-
24 vided further, That the amounts apportioned under this
25 paragraph shall be adjusted equitably so that no State shall

1 *be apportioned a sum which is less than 1 percent of the*
2 *amount available for apportionment under this paragraph*
3 *for any fiscal year or more than 5 percent of such amount:*
4 *Provided further, That the Federal share of planning grants*
5 *shall not exceed 75 percent of the total costs of such projects*
6 *and the Federal share of implementation grants shall not*
7 *exceed 65 percent of the total costs of such projects: Provided*
8 *further, That the non-Federal share of such projects may*
9 *not be derived from Federal grant programs: Provided fur-*
10 *ther, That any amount apportioned in 2022 to any State,*
11 *territory, or other jurisdiction that remains unobligated as*
12 *of September 30, 2023, shall be reapportioned, together with*
13 *funds appropriated in 2024, in the manner provided here-*
14 *in.*

15 *ADMINISTRATIVE PROVISIONS*

16 *The United States Fish and Wildlife Service may*
17 *carry out the operations of Service programs by direct ex-*
18 *penditure, contracts, grants, cooperative agreements and re-*
19 *imbursable agreements with public and private entities. Ap-*
20 *propriations and funds available to the United States Fish*
21 *and Wildlife Service shall be available for repair of damage*
22 *to public roads within and adjacent to reservation areas*
23 *caused by operations of the Service; options for the purchase*
24 *of land at not to exceed one dollar for each option; facilities*
25 *incident to such public recreational uses on conservation*

1 areas as are consistent with their primary purpose; and
2 the maintenance and improvement of aquaria, buildings,
3 and other facilities under the jurisdiction of the Service and
4 to which the United States has title, and which are used
5 pursuant to law in connection with management, and in-
6 vestigation of fish and wildlife resources: Provided, That
7 notwithstanding 44 U.S.C. 501, the Service may, under co-
8 operative cost sharing and partnership arrangements au-
9 thorized by law, procure printing services from cooperators
10 in connection with jointly produced publications for which
11 the cooperators share at least one-half the cost of printing
12 either in cash or services and the Service determines the
13 cooperator is capable of meeting accepted quality standards:
14 Provided further, That the Service may accept donated air-
15 craft as replacements for existing aircraft: Provided further,
16 That notwithstanding 31 U.S.C. 3302, all fees collected for
17 non-toxic shot review and approval shall be deposited under
18 the heading “United States Fish and Wildlife Service—Re-
19 source Management” and shall be available to the Sec-
20 retary, without further appropriation, to be used for ex-
21 penses of processing of such non-toxic shot type or coating
22 applications and revising regulations as necessary, and
23 shall remain available until expended.

1 *NATIONAL PARK SERVICE*2 *OPERATION OF THE NATIONAL PARK SYSTEM*

3 *For expenses necessary for the management, operation,*
4 *and maintenance of areas and facilities administered by*
5 *the National Park Service and for the general administra-*
6 *tion of the National Park Service, \$2,767,028,000, of which*
7 *\$11,452,000 for planning and interagency coordination in*
8 *support of Everglades restoration and \$135,980,000 for*
9 *maintenance, repair, or rehabilitation projects for con-*
10 *structed assets and \$188,184,000 for cyclic maintenance*
11 *projects for constructed assets and cultural resources and*
12 *\$5,000,000 for uses authorized by section 101122 of title*
13 *54, United States Code shall remain available until Sep-*
14 *tember 30, 2023: Provided, That funds appropriated under*
15 *this heading in this Act are available for the purposes of*
16 *section 5 of Public Law 95–348: Provided further, That not-*
17 *withstanding section 9 of the 400 Years of African-Amer-*
18 *ican History Commission Act (36 U.S.C. note prec. 101;*
19 *Public Law 115–102), \$3,300,000 of the funds provided*
20 *under this heading shall be made available for the purposes*
21 *specified by that Act: Provided further, That sections (7)(b)*
22 *and (8) of that Act shall be amended by striking “July 1,*
23 *2022” and inserting “July 1, 2023”.*

24 *In addition, for purposes described in section 2404 of*
25 *Public Law 116–9, an amount equal to the amount depos-*

1 *ited in this fiscal year into the National Park Medical Serv-*
2 *ices Fund established pursuant to such section of such Act,*
3 *to remain available until expended, shall be derived from*
4 *such Fund.*

5 *NATIONAL RECREATION AND PRESERVATION*

6 *For expenses necessary to carry out recreation pro-*
7 *grams, natural programs, cultural programs, heritage part-*
8 *nership programs, environmental compliance and review,*
9 *international park affairs, and grant administration, not*
10 *otherwise provided for, \$83,910,000, to remain available*
11 *until September 30, 2023, of which \$3,500,000 shall be for*
12 *projects specified for Statutory and Contractual Aid in the*
13 *table titled “Interior and Environment Incorporation of*
14 *Community Project Funding Items/Congressionally Di-*
15 *rected Spending Items” included for this division in the ex-*
16 *planatory statement described in section 4 (in the matter*
17 *preceding division A of this consolidated Act).*

18 *HISTORIC PRESERVATION FUND*

19 *For expenses necessary in carrying out the National*
20 *Historic Preservation Act (division A of subtitle III of title*
21 *54, United States Code), \$173,072,000, to be derived from*
22 *the Historic Preservation Fund and to remain available*
23 *until September 30, 2023, of which \$26,500,000 shall be for*
24 *Save America’s Treasures grants for preservation of nation-*
25 *ally significant sites, structures and artifacts as authorized*

1 *by section 7303 of the Omnibus Public Land Management*
2 *Act of 2009 (54 U.S.C. 3089): Provided, That an individual*
3 *Save America's Treasures grant shall be matched by non-*
4 *Federal funds: Provided further, That individual projects*
5 *shall only be eligible for one grant: Provided further, That*
6 *all projects to be funded shall be approved by the Secretary*
7 *of the Interior in consultation with the House and Senate*
8 *Committees on Appropriations: Provided further, That of*
9 *the funds provided for the Historic Preservation Fund,*
10 *\$1,250,000 is for competitive grants for the survey and*
11 *nomination of properties to the National Register of His-*
12 *toric Places and as National Historic Landmarks associ-*
13 *ated with communities currently under-represented, as de-*
14 *termined by the Secretary; \$26,375,000 is for competitive*
15 *grants to preserve the sites and stories of the Civil Rights*
16 *movement; \$10,000,000 is for grants to Historically Black*
17 *Colleges and Universities; \$10,000,000 is for competitive*
18 *grants for the restoration of historic properties of national,*
19 *State, and local significance listed on or eligible for inclu-*
20 *sion on the National Register of Historic Places, to be made*
21 *without imposing the usage or direct grant restrictions of*
22 *section 101(e)(3) (54 U.S.C. 302904) of the National His-*
23 *torical Preservation Act; \$10,000,000 is for a competitive*
24 *grant program to honor the semiquincentennial anniver-*
25 *sary of the United States by restoring and preserving state-*

1 *owned sites and structures listed on the National Register*
2 *of Historic Places that commemorate the founding of the*
3 *nation; and \$15,272,000 is for projects specified for the His-*
4 *toric Preservation Fund in the table titled “Interior and*
5 *Environment Incorporation of Community Project Fund-*
6 *ing Items/Congressionally Directed Spending Items” in-*
7 *cluded for this division in the explanatory statement de-*
8 *scribed in section 4 (in the matter preceding division A of*
9 *this consolidated Act): Provided further, That such competi-*
10 *tive grants shall be made without imposing the matching*
11 *requirements in section 302902(b)(3) of title 54, United*
12 *States Code to States and Indian tribes as defined in chap-*
13 *ter 3003 of such title, Native Hawaiian organizations, local*
14 *governments, including Certified Local Governments, and*
15 *non-profit organizations.*

16 *CONSTRUCTION*

17 *For construction, improvements, repair, or replace-*
18 *ment of physical facilities, and compliance and planning*
19 *for programs and areas administered by the National Park*
20 *Service, \$225,984,000, to remain available until expended:*
21 *Provided, That notwithstanding any other provision of law,*
22 *for any project initially funded in fiscal year 2022 with*
23 *a future phase indicated in the National Park Service 5-*
24 *Year Line Item Construction Plan, a single procurement*
25 *may be issued which includes the full scope of the project:*

1 *Provided further, That the solicitation and contract shall*
2 *contain the clause availability of funds found at 48 CFR*
3 *52.232–18: Provided further, That National Park Service*
4 *Donations, Park Concessions Franchise Fees, and Recre-*
5 *ation Fees may be made available for the cost of adjust-*
6 *ments and changes within the original scope of effort for*
7 *projects funded by the National Park Service Construction*
8 *appropriation: Provided further, That the Secretary of the*
9 *Interior shall consult with the Committees on Appropria-*
10 *tions, in accordance with current reprogramming thresh-*
11 *olds, prior to making any charges authorized by this sec-*
12 *tion.*

13 *CENTENNIAL CHALLENGE*

14 *For expenses necessary to carry out the provisions of*
15 *section 101701 of title 54, United States Code, relating to*
16 *challenge cost share agreements, \$15,000,000, to remain*
17 *available until expended, for Centennial Challenge projects*
18 *and programs: Provided, That not less than 50 percent of*
19 *the total cost of each project or program shall be derived*
20 *from non-Federal sources in the form of donated cash, as-*
21 *sets, or a pledge of donation guaranteed by an irrevocable*
22 *letter of credit.*

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

1
2
3 *In addition to other uses set forth in section*
4 *101917(c)(2) of title 54, United States Code, franchise fees*
5 *credited to a sub-account shall be available for expenditure*
6 *by the Secretary, without further appropriation, for use at*
7 *any unit within the National Park System to extinguish*
8 *or reduce liability for Possessory Interest or leasehold sur-*
9 *render interest. Such funds may only be used for this pur-*
10 *pose to the extent that the benefitting unit anticipated fran-*
11 *chise fee receipts over the term of the contract at that unit*
12 *exceed the amount of funds used to extinguish or reduce li-*
13 *ability. Franchise fees at the benefitting unit shall be cred-*
14 *ited to the sub-account of the originating unit over a period*
15 *not to exceed the term of a single contract at the benefitting*
16 *unit, in the amount of funds so expended to extinguish or*
17 *reduce liability.*

18 *For the costs of administration of the Land and Water*
19 *Conservation Fund grants authorized by section*
20 *105(a)(2)(B) of the Gulf of Mexico Energy Security Act of*
21 *2006 (Public Law 109-432), the National Park Service*
22 *may retain up to 3 percent of the amounts which are au-*
23 *thorized to be disbursed under such section, such retained*
24 *amounts to remain available until expended.*

1 *National Park Service funds may be transferred to the*
2 *Federal Highway Administration (FHWA), Department of*
3 *Transportation, for purposes authorized under 23 U.S.C.*
4 *203. Transfers may include a reasonable amount for*
5 *FHWA administrative support costs.*

6 *UNITED STATES GEOLOGICAL SURVEY*
7 *SURVEYS, INVESTIGATIONS, AND RESEARCH*
8 *(INCLUDING TRANSFER OF FUNDS)*

9 *For expenses necessary for the United States Geological*
10 *Survey to perform surveys, investigations, and research cov-*
11 *ering topography, geology, hydrology, biology, and the min-*
12 *eral and water resources of the United States, its territories*
13 *and possessions, and other areas as authorized by 43 U.S.C.*
14 *31, 1332, and 1340; classify lands as to their mineral and*
15 *water resources; give engineering supervision to power per-*
16 *mittees and Federal Energy Regulatory Commission licens-*
17 *ees; administer the minerals exploration program (30*
18 *U.S.C. 641); conduct inquiries into the economic conditions*
19 *affecting mining and materials processing industries (30*
20 *U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(a)(1)) and related*
21 *purposes as authorized by law; and to publish and dissemi-*
22 *nate data relative to the foregoing activities;*
23 *\$1,394,360,000, to remain available until September 30,*
24 *2023; of which \$84,788,000 shall remain available until ex-*
25 *pended for satellite operations; and of which \$74,664,000*

1 *shall be available until expended for deferred maintenance*
2 *and capital improvement projects that exceed \$100,000 in*
3 *cost: Provided, That none of the funds provided for the eco-*
4 *system research activity shall be used to conduct new sur-*
5 *veys on private property, unless specifically authorized in*
6 *writing by the property owner: Provided further, That no*
7 *part of this appropriation shall be used to pay more than*
8 *one-half the cost of topographic mapping or water resources*
9 *data collection and investigations carried on in cooperation*
10 *with States and municipalities: Provided further, That of*
11 *the amount appropriated under this heading, \$1,000,000*
12 *shall be for projects specified for Special Initiatives in the*
13 *table titled "Interior and Environment Incorporation of*
14 *Community Project Funding Items/Congressionally Di-*
15 *rected Spending Items" included for this division in the ex-*
16 *planatory statement described in section 4 (in the matter*
17 *preceding division A of this consolidated Act): Provided fur-*
18 *ther, That amounts in the preceding proviso may be trans-*
19 *ferred to the appropriate program, project, or activity*
20 *under this heading and shall continue to only be available*
21 *for the purposes and in such amounts as such funds were*
22 *originally appropriated.*

23 *ADMINISTRATIVE PROVISIONS*

24 *From within the amount appropriated for activities*
25 *of the United States Geological Survey such sums as are*

1 *necessary shall be available for contracting for the fur-*
2 *nishing of topographic maps and for the making of geo-*
3 *physical or other specialized surveys when it is administra-*
4 *tively determined that such procedures are in the public in-*
5 *terest; construction and maintenance of necessary buildings*
6 *and appurtenant facilities; acquisition of lands for gauging*
7 *stations, observation wells, and seismic equipment; expenses*
8 *of the United States National Committee for Geological*
9 *Sciences; and payment of compensation and expenses of*
10 *persons employed by the Survey duly appointed to represent*
11 *the United States in the negotiation and administration*
12 *of interstate compacts: Provided, That activities funded by*
13 *appropriations herein made may be accomplished through*
14 *the use of contracts, grants, or cooperative agreements as*
15 *defined in section 6302 of title 31, United States Code: Pro-*
16 *vided further, That the United States Geological Survey*
17 *may enter into contracts or cooperative agreements directly*
18 *with individuals or indirectly with institutions or non-*
19 *profit organizations, without regard to 41 U.S.C. 6101, for*
20 *the temporary or intermittent services of students or recent*
21 *graduates, who shall be considered employees for the pur-*
22 *pose of chapters 57 and 81 of title 5, United States Code,*
23 *relating to compensation for travel and work injuries, and*
24 *chapter 171 of title 28, United States Code, relating to tort*

1 *claims, but shall not be considered to be Federal employees*
2 *for any other purposes.*

3 *BUREAU OF OCEAN ENERGY MANAGEMENT*

4 *OCEAN ENERGY MANAGEMENT*

5 *For expenses necessary for granting and administering*
6 *leases, easements, rights-of-way, and agreements for use for*
7 *oil and gas, other minerals, energy, and marine-related*
8 *purposes on the Outer Continental Shelf and approving op-*
9 *erations related thereto, as authorized by law; for environ-*
10 *mental studies, as authorized by law; for implementing*
11 *other laws and to the extent provided by Presidential or*
12 *Secretarial delegation; and for matching grants or coopera-*
13 *tive agreements, \$206,748,000, of which \$163,748,000 is to*
14 *remain available until September 30, 2023, and of which*
15 *\$43,000,000 is to remain available until expended: Pro-*
16 *vided, That this total appropriation shall be reduced by*
17 *amounts collected by the Secretary of the Interior and cred-*
18 *ited to this appropriation from additions to receipts result-*
19 *ing from increases to lease rental rates in effect on August*
20 *5, 1993, and from cost recovery fees from activities con-*
21 *ducted by the Bureau of Ocean Energy Management pursu-*
22 *ant to the Outer Continental Shelf Lands Act, including*
23 *studies, assessments, analysis, and miscellaneous adminis-*
24 *trative activities: Provided further, That the sum herein ap-*
25 *propriated shall be reduced as such collections are received*

1 *during the fiscal year, so as to result in a final fiscal year*
2 *2022 appropriation estimated at not more than*
3 *\$163,748,000: Provided further, That not to exceed \$3,000*
4 *shall be available for reasonable expenses related to pro-*
5 *moting volunteer beach and marine cleanup activities.*

6 *BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT*
7 *OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT*
8 *(INCLUDING RESCISSION OF FUNDS)*

9 *For expenses necessary for the regulation of operations*
10 *related to leases, easements, rights-of-way, and agreements*
11 *for use for oil and gas, other minerals, energy, and marine-*
12 *related purposes on the Outer Continental Shelf, as author-*
13 *ized by law; for enforcing and implementing laws and regu-*
14 *lations as authorized by law and to the extent provided by*
15 *Presidential or Secretarial delegation; and for matching*
16 *grants or cooperative agreements, \$171,848,000, of which*
17 *\$147,848,000 is to remain available until September 30,*
18 *2023, and of which \$24,000,000 is to remain available until*
19 *expended, including \$3,000,000 for offshore decommis-*
20 *sioning activities: Provided, That this total appropriation*
21 *shall be reduced by amounts collected by the Secretary of*
22 *the Interior and credited to this appropriation from addi-*
23 *tions to receipts resulting from increases to lease rental*
24 *rates in effect on August 5, 1993, and from cost recovery*
25 *fees from activities conducted by the Bureau of Safety and*

1 *Environmental Enforcement pursuant to the Outer Conti-*
2 *mental Shelf Lands Act, including studies, assessments,*
3 *analysis, and miscellaneous administrative activities: Pro-*
4 *vided further, That the sum herein appropriated shall be*
5 *reduced as such collections are received during the fiscal*
6 *year, so as to result in a final fiscal year 2022 appropria-*
7 *tion estimated at not more than \$150,848,000: Provided*
8 *further, That of the unobligated balances from amounts*
9 *made available under this heading, \$10,000,000 is perma-*
10 *nently rescinded: Provided further, That no amounts may*
11 *be rescinded from amounts that were designated by the Con-*
12 *gress as an emergency requirement pursuant to the Concur-*
13 *rent Resolution on the Budget or the Balanced Budget and*
14 *Emergency Deficit Control Act of 1985.*

15 *For an additional amount, \$34,000,000, to remain*
16 *available until expended, to be reduced by amounts collected*
17 *by the Secretary and credited to this appropriation, which*
18 *shall be derived from non-refundable inspection fees col-*
19 *lected in fiscal year 2022, as provided in this Act: Provided,*
20 *That to the extent that amounts realized from such inspec-*
21 *tion fees exceed \$34,000,000, the amounts realized in excess*
22 *of \$34,000,000 shall be credited to this appropriation and*
23 *remain available until expended: Provided further, That for*
24 *fiscal year 2022, not less than 50 percent of the inspection*
25 *fees expended by the Bureau of Safety and Environmental*

1 *Enforcement will be used to fund personnel and mission-*
2 *related costs to expand capacity and expedite the orderly*
3 *development, subject to environmental safeguards, of the*
4 *Outer Continental Shelf pursuant to the Outer Continental*
5 *Shelf Lands Act (43 U.S.C. 1331 et seq.), including the re-*
6 *view of applications for permits to drill.*

7 *OIL SPILL RESEARCH*

8 *For necessary expenses to carry out title I, section*
9 *1016; title IV, sections 4202 and 4303; title VII; and title*
10 *VIII, section 8201 of the Oil Pollution Act of 1990,*
11 *\$15,099,000, which shall be derived from the Oil Spill Li-*
12 *ability Trust Fund, to remain available until expended.*

13 *OFFICE OF SURFACE MINING RECLAMATION AND*

14 *ENFORCEMENT*

15 *REGULATION AND TECHNOLOGY*

16 *For necessary expenses to carry out the provisions of*
17 *the Surface Mining Control and Reclamation Act of 1977,*
18 *Public Law 95–87, \$118,117,000, to remain available until*
19 *September 30, 2023, of which \$65,000,000 shall be available*
20 *for state and tribal regulatory grants: Provided, That ap-*
21 *propriations for the Office of Surface Mining Reclamation*
22 *and Enforcement may provide for the travel and per diem*
23 *expenses of State and tribal personnel attending Office of*
24 *Surface Mining Reclamation and Enforcement sponsored*
25 *training.*

1 *In addition, for costs to review, administer, and en-*
2 *force permits issued by the Office pursuant to section 507*
3 *of Public Law 95–87 (30 U.S.C. 1257), \$40,000, to remain*
4 *available until expended: Provided, That fees assessed and*
5 *collected by the Office pursuant to such section 507 shall*
6 *be credited to this account as discretionary offsetting collec-*
7 *tions, to remain available until expended: Provided further,*
8 *That the sum herein appropriated from the general fund*
9 *shall be reduced as collections are received during the fiscal*
10 *year, so as to result in a fiscal year 2022 appropriation*
11 *estimated at not more than \$118,117,000.*

12 *ABANDONED MINE RECLAMATION FUND*

13 *For necessary expenses to carry out title IV of the Sur-*
14 *face Mining Control and Reclamation Act of 1977, Public*
15 *Law 95–87, \$27,480,000, to be derived from receipts of the*
16 *Abandoned Mine Reclamation Fund and to remain avail-*
17 *able until expended: Provided, That pursuant to Public*
18 *Law 97–365, the Department of the Interior is authorized*
19 *to use up to 20 percent from the recovery of the delinquent*
20 *debt owed to the United States Government to pay for con-*
21 *tracts to collect these debts: Provided further, That funds*
22 *made available under title IV of Public Law 95–87 may*
23 *be used for any required non-Federal share of the cost of*
24 *projects funded by the Federal Government for the purpose*
25 *of environmental restoration related to treatment or abate-*

1 *ment of acid mine drainage from abandoned mines: Pro-*
2 *vided further, That such projects must be consistent with*
3 *the purposes and priorities of the Surface Mining Control*
4 *and Reclamation Act: Provided further, That amounts pro-*
5 *vided under this heading may be used for the travel and*
6 *per diem expenses of State and tribal personnel attending*
7 *Office of Surface Mining Reclamation and Enforcement*
8 *sponsored training.*

9 *In addition, \$122,500,000, to remain available until*
10 *expended, for grants to States and federally recognized In-*
11 *dian Tribes for reclamation of abandoned mine lands and*
12 *other related activities in accordance with the terms and*
13 *conditions described in the explanatory statement described*
14 *in section 4 (in the matter preceding division A of this con-*
15 *solidated Act): Provided, That such additional amount shall*
16 *be used for economic and community development in con-*
17 *junction with the priorities in section 403(a) of the Surface*
18 *Mining Control and Reclamation Act of 1977 (30 U.S.C.*
19 *1233(a)): Provided further, That of such additional*
20 *amount, \$79,890,000 shall be distributed in equal amounts*
21 *to the three Appalachian States with the greatest amount*
22 *of unfunded needs to meet the priorities described in para-*
23 *graphs (1) and (2) of such section, \$31,956,000 shall be dis-*
24 *tributed in equal amounts to the three Appalachian States*
25 *with the subsequent greatest amount of unfunded needs to*

1 *meet such priorities, and \$10,654,000 shall be for grants*
2 *to federally recognized Indian Tribes without regard to*
3 *their status as certified or uncertified under the Surface*
4 *Mining Control and Reclamation Act of 1977 (30 U.S.C.*
5 *1233(a)), for reclamation of abandoned mine lands and*
6 *other related activities in accordance with the terms and*
7 *conditions described in the explanatory statement described*
8 *in section 4 (in the matter preceding division A of this con-*
9 *solidated Act) and shall be used for economic and commu-*
10 *nity development in conjunction with the priorities in sec-*
11 *tion 403(a) of the Surface Mining Control and Reclamation*
12 *Act of 1977: Provided further, That such additional amount*
13 *shall be allocated to States and Indian Tribes within 60*
14 *days after the date of enactment of this Act.*

15 *INDIAN AFFAIRS*

16 *BUREAU OF INDIAN AFFAIRS*

17 *OPERATION OF INDIAN PROGRAMS*

18 *(INCLUDING TRANSFERS OF FUNDS)*

19 *For expenses necessary for the operation of Indian pro-*
20 *grams, as authorized by law, including the Snyder Act of*
21 *November 2, 1921 (25 U.S.C. 13) and the Indian Self-De-*
22 *termination and Education Assistance Act of 1975 (25*
23 *U.S.C. 5301 et seq.), \$1,820,334,000, to remain available*
24 *until September 30, 2023, except as otherwise provided*
25 *herein; of which not to exceed \$8,500 may be for official*

1 reception and representation expenses; of which not to ex-
2 ceed \$78,494,000 shall be for welfare assistance payments:
3 Provided, That in cases of designated Federal disasters, the
4 Secretary of the Interior may exceed such cap for welfare
5 payments from the amounts provided herein, to provide for
6 disaster relief to Indian communities affected by the dis-
7 aster: Provided further, That federally recognized Indian
8 tribes and tribal organizations of federally recognized In-
9 dian tribes may use their tribal priority allocations for
10 unmet welfare assistance costs: Provided further, That not
11 to exceed \$59,182,000 shall remain available until expended
12 for housing improvement, road maintenance, attorney fees,
13 litigation support, land records improvement, and the Nav-
14 ajo-Hopi Settlement Program: Provided further, That of the
15 amount appropriated under this heading, \$1,250,000 shall
16 be for projects specified for Special Initiatives (CDS) in
17 the table titled “Interior and Environment Incorporation
18 of Community Project Funding Items/Congressionally Di-
19 rected Spending Items” included for this division in the ex-
20 planatory statement described in section 4 (in the matter
21 preceding division A of this consolidated Act): Provided fur-
22 ther, That any forestry funds allocated to a federally recog-
23 nized tribe which remain unobligated as of September 30,
24 2023, may be transferred during fiscal year 2024 to an In-
25 dian forest land assistance account established for the ben-

1 *efit of the holder of the funds within the holder's trust fund*
2 *account: Provided further, That any such unobligated bal-*
3 *ances not so transferred shall expire on September 30, 2024:*
4 *Provided further, That in order to enhance the safety of Bu-*
5 *reau field employees, the Bureau may use funds to purchase*
6 *uniforms or other identifying articles of clothing for per-*
7 *sonnel: Provided further, That the Bureau of Indian Affairs*
8 *may accept transfers of funds from United States Customs*
9 *and Border Protection to supplement any other funding*
10 *available for reconstruction or repair of roads owned by the*
11 *Bureau of Indian Affairs as identified on the National*
12 *Tribal Transportation Facility Inventory, 23 U.S.C.*
13 *202(b)(1).*

14 *INDIAN LAND CONSOLIDATION*

15 *For the acquisition of fractional interests to further*
16 *land consolidation as authorized under the Indian Land*
17 *Consolidation Act Amendments of 2000 (Public Law 106–*
18 *462), and the American Indian Probate Reform Act of 2004*
19 *(Public Law 108–374), \$7,000,000, to remain available*
20 *until expended: Provided, That any provision of the Indian*
21 *Land Consolidation Act Amendments of 2000 (Public Law*
22 *106–462) that requires or otherwise relates to application*
23 *of a lien shall not apply to the acquisitions funded herein.*

1 *services by contract; acquisition of lands, and interests in*
2 *lands; and preparation of lands for farming, and for con-*
3 *struction of the Navajo Indian Irrigation Project pursuant*
4 *to Public Law 87-483; \$146,769,000, to remain available*
5 *until expended: Provided, That such amounts as may be*
6 *available for the construction of the Navajo Indian Irriga-*
7 *tion Project may be transferred to the Bureau of Reclama-*
8 *tion: Provided further, That any funds provided for the*
9 *Safety of Dams program pursuant to the Act of November*
10 *2, 1921 (25 U.S.C. 13), shall be made available on a nonre-*
11 *imbursable basis: Provided further, That this appropriation*
12 *may be reimbursed from the Office of the Special Trustee*
13 *for American Indians appropriation for the appropriate*
14 *share of construction costs for space expansion needed in*
15 *agency offices to meet trust reform implementation: Pro-*
16 *vided further, That of the funds made available under this*
17 *heading, \$10,000,000 shall be derived from the Indian Irri-*
18 *gation Fund established by section 3211 of the WIIN Act*
19 *(Public Law 114-322; 130 Stat. 1749).*

20 *INDIAN LAND AND WATER CLAIM SETTLEMENTS AND*

21 *MISCELLANEOUS PAYMENTS TO INDIANS*

22 *For payments and necessary administrative expenses*
23 *for implementation of Indian land and water claim settle-*
24 *ments pursuant to Public Laws 99-264, 101-618, 114-322,*
25 *111-291 and 116-260, and for implementation of other*

1 *land and water rights settlements, \$1,000,000, to remain*
2 *available until expended, which may be deposited, as nec-*
3 *essary, into the Séliš-Qlispé Ksanka Settlement and the*
4 *Navajo Utah Settlement Trust Funds established by Public*
5 *Law 116–260.*

6 *INDIAN GUARANTEED LOAN PROGRAM ACCOUNT*

7 *For the cost of guaranteed loans and insured loans,*
8 *\$11,833,000, to remain available until September 30, 2023,*
9 *of which \$1,629,000 is for administrative expenses, as au-*
10 *thorized by the Indian Financing Act of 1974: Provided,*
11 *That such costs, including the cost of modifying such loans,*
12 *shall be as defined in section 502 of the Congressional Budg-*
13 *et Act of 1974: Provided further, That these funds are avail-*
14 *able to subsidize total loan principal, any part of which*
15 *is to be guaranteed or insured, not to exceed \$103,456,940.*

16 *BUREAU OF INDIAN EDUCATION*

17 *OPERATION OF INDIAN EDUCATION PROGRAMS*

18 *For expenses necessary for the operation of Indian edu-*
19 *cation programs, as authorized by law, including the Sny-*
20 *der Act of November 2, 1921 (25 U.S.C. 13), the Indian*
21 *Self-Determination and Education Assistance Act of 1975*
22 *(25 U.S.C. 5301 et seq.), the Education Amendments of*
23 *1978 (25 U.S.C. 2001–2019), and the Tribally Controlled*
24 *Schools Act of 1988 (25 U.S.C. 2501 et seq.), \$1,017,601,000*
25 *to remain available until September 30, 2023, except as oth-*

1 *erwise provided herein: Provided, That federally recognized*
2 *Indian tribes and tribal organizations of federally recog-*
3 *nized Indian tribes may use their tribal priority allocations*
4 *for unmet welfare assistance costs: Provided further, That*
5 *not to exceed \$752,148,000 for school operations costs of Bu-*
6 *reau-funded schools and other education programs shall be-*
7 *come available on July 1, 2022, and shall remain available*
8 *until September 30, 2023: Provided further, That notwith-*
9 *standing any other provision of law, including but not lim-*
10 *ited to the Indian Self-Determination Act of 1975 (25*
11 *U.S.C. 5301 et seq.) and section 1128 of the Education*
12 *Amendments of 1978 (25 U.S.C. 2008), not to exceed*
13 *\$89,450,000 within and only from such amounts made*
14 *available for school operations shall be available for admin-*
15 *istrative cost grants associated with grants approved prior*
16 *to July 1, 2022: Provided further, That in order to enhance*
17 *the safety of Bureau field employees, the Bureau may use*
18 *funds to purchase uniforms or other identifying articles of*
19 *clothing for personnel.*

20 *EDUCATION CONSTRUCTION*

21 *For construction, repair, improvement, and mainte-*
22 *nance of buildings, utilities, and other facilities necessary*
23 *for the operation of Indian education programs, including*
24 *architectural and engineering services by contract; acquisi-*
25 *tion of lands, and interests in lands; \$264,330,000 to re-*

1 *main available until expended: Provided, That in order to*
2 *ensure timely completion of construction projects, the Sec-*
3 *retary of the Interior may assume control of a project and*
4 *all funds related to the project, if, not later than 18 months*
5 *after the date of the enactment of this Act, any Public Law*
6 *100–297 (25 U.S.C. 2501, et seq.) grantee receiving funds*
7 *appropriated in this Act or in any prior Act, has not com-*
8 *pleted the planning and design phase of the project and*
9 *commenced construction.*

10 *ADMINISTRATIVE PROVISIONS*

11 *The Bureau of Indian Affairs and the Bureau of In-*
12 *dian Education may carry out the operation of Indian pro-*
13 *grams by direct expenditure, contracts, cooperative agree-*
14 *ments, compacts, and grants, either directly or in coopera-*
15 *tion with States and other organizations.*

16 *Notwithstanding Public Law 87–279 (25 U.S.C. 15),*
17 *the Bureau of Indian Affairs may contract for services in*
18 *support of the management, operation, and maintenance of*
19 *the Power Division of the San Carlos Irrigation Project.*

20 *Notwithstanding any other provision of law, no funds*
21 *available to the Bureau of Indian Affairs or the Bureau*
22 *of Indian Education for central office oversight and Execu-*
23 *tive Direction and Administrative Services (except Execu-*
24 *tive Direction and Administrative Services funding for*
25 *Tribal Priority Allocations, regional offices, and facilities*

1 operations and maintenance) shall be available for con-
2 tracts, grants, compacts, or cooperative agreements with the
3 Bureau of Indian Affairs or the Bureau of Indian Edu-
4 cation under the provisions of the Indian Self-Determina-
5 tion Act or the Tribal Self-Governance Act of 1994 (Public
6 Law 103-413).

7 In the event any tribe returns appropriations made
8 available by this Act to the Bureau of Indian Affairs or
9 the Bureau of Indian Education, this action shall not di-
10 minish the Federal Government's trust responsibility to
11 that tribe, or the government-to-government relationship be-
12 tween the United States and that tribe, or that tribe's abil-
13 ity to access future appropriations.

14 Notwithstanding any other provision of law, no funds
15 available to the Bureau of Indian Education, other than
16 the amounts provided herein for assistance to public schools
17 under 25 U.S.C. 452 et seq., shall be available to support
18 the operation of any elementary or secondary school in the
19 State of Alaska.

20 No funds available to the Bureau of Indian Education
21 shall be used to support expanded grades for any school or
22 dormitory beyond the grade structure in place or approved
23 by the Secretary of the Interior at each school in the Bureau
24 of Indian Education school system as of October 1, 1995,
25 except that the Secretary of the Interior may waive this

1 prohibition to support expansion of up to one additional
2 grade when the Secretary determines such waiver is needed
3 to support accomplishment of the mission of the Bureau of
4 Indian Education, or more than one grade to expand the
5 elementary grade structure for Bureau-funded schools with
6 a K–2 grade structure on October 1, 1996. Appropriations
7 made available in this or any prior Act for schools funded
8 by the Bureau shall be available, in accordance with the
9 Bureau’s funding formula, only to the schools in the Bureau
10 school system as of September 1, 1996, and to any school
11 or school program that was reinstated in fiscal year 2012.
12 Funds made available under this Act may not be used to
13 establish a charter school at a Bureau-funded school (as that
14 term is defined in section 1141 of the Education Amend-
15 ments of 1978 (25 U.S.C. 2021)), except that a charter
16 school that is in existence on the date of the enactment of
17 this Act and that has operated at a Bureau-funded school
18 before September 1, 1999, may continue to operate during
19 that period, but only if the charter school pays to the Bu-
20 reau a pro rata share of funds to reimburse the Bureau
21 for the use of the real and personal property (including
22 buses and vans), the funds of the charter school are kept
23 separate and apart from Bureau funds, and the Bureau
24 does not assume any obligation for charter school programs
25 of the State in which the school is located if the charter

1 school loses such funding. Employees of Bureau-funded
2 schools sharing a campus with a charter school and per-
3 forming functions related to the charter school's operation
4 and employees of a charter school shall not be treated as
5 Federal employees for purposes of chapter 171 of title 28,
6 United States Code.

7 Notwithstanding any other provision of law, including
8 section 113 of title I of appendix C of Public Law 106–
9 113, if in fiscal year 2003 or 2004 a grantee received indi-
10 rect and administrative costs pursuant to a distribution
11 formula based on section 5(f) of Public Law 101–301, the
12 Secretary shall continue to distribute indirect and adminis-
13 trative cost funds to such grantee using the section 5(f) dis-
14 tribution formula.

15 Funds available under this Act may not be used to
16 establish satellite locations of schools in the Bureau school
17 system as of September 1, 1996, except that the Secretary
18 may waive this prohibition in order for an Indian tribe
19 to provide language and cultural immersion educational
20 programs for non-public schools located within the jurisdic-
21 tional area of the tribal government which exclusively serve
22 tribal members, do not include grades beyond those cur-
23 rently served at the existing Bureau-funded school, provide
24 an educational environment with educator presence and
25 academic facilities comparable to the Bureau-funded school,

1 *comply with all applicable Tribal, Federal, or State health*
2 *and safety standards, and the Americans with Disabilities*
3 *Act, and demonstrate the benefits of establishing operations*
4 *at a satellite location in lieu of incurring extraordinary*
5 *costs, such as for transportation or other impacts to stu-*
6 *dents such as those caused by busing students extended dis-*
7 *tances: Provided, That no funds available under this Act*
8 *may be used to fund operations, maintenance, rehabilita-*
9 *tion, construction, or other facilities-related costs for such*
10 *assets that are not owned by the Bureau: Provided further,*
11 *That the term “satellite school” means a school location*
12 *physically separated from the existing Bureau school by*
13 *more than 50 miles but that forms part of the existing*
14 *school in all other respects.*

15 *Funds made available for Tribal Priority Allocations*
16 *within Operation of Indian Programs and Operation of In-*
17 *dian Education Programs may be used to execute requested*
18 *adjustments in tribal priority allocations initiated by an*
19 *Indian Tribe.*

20 *OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN*

21 *INDIANS*

22 *FEDERAL TRUST PROGRAMS*

23 *(INCLUDING TRANSFER OF FUNDS)*

24 *For the operation of trust programs for Indians by di-*
25 *rect expenditure, contracts, cooperative agreements, com-*

1 *pacts, and grants, \$109,572,000, to remain available until*
2 *expended, of which not to exceed \$17,536,000 from this or*
3 *any other Act, may be available for historical accounting:*
4 *Provided, That funds for trust management improvements*
5 *and litigation support may, as needed, be transferred to or*
6 *merged with the Bureau of Indian Affairs, “Operation of*
7 *Indian Programs” and Bureau of Indian Education, “Op-*
8 *eration of Indian Education Programs” accounts; the Office*
9 *of the Solicitor, “Salaries and Expenses” account; and the*
10 *Office of the Secretary, “Departmental Operations” ac-*
11 *count: Provided further, That funds made available through*
12 *contracts or grants obligated during fiscal year 2022, as*
13 *authorized by the Indian Self-Determination Act of 1975*
14 *(25 U.S.C. 5301 et seq.), shall remain available until ex-*
15 *pended by the contractor or grantee: Provided further, That*
16 *notwithstanding any other provision of law, the Secretary*
17 *shall not be required to provide a quarterly statement of*
18 *performance for any Indian trust account that has not had*
19 *activity for at least 15 months and has a balance of \$15*
20 *or less: Provided further, That the Secretary shall issue an*
21 *annual account statement and maintain a record of any*
22 *such accounts and shall permit the balance in each such*
23 *account to be withdrawn upon the express written request*
24 *of the account holder: Provided further, That not to exceed*
25 *\$100,000 is available for the Secretary to make payments*

1 *to correct administrative errors of either disbursements*
2 *from or deposits to Individual Indian Money or Tribal ac-*
3 *counts after September 30, 2002: Provided further, That er-*
4 *roneous payments that are recovered shall be credited to and*
5 *remain available in this account for this purpose: Provided*
6 *further, That the Secretary shall not be required to reconcile*
7 *Special Deposit Accounts with a balance of less than \$500*
8 *unless the Office of the Special Trustee receives proof of*
9 *ownership from a Special Deposit Accounts claimant: Pro-*
10 *vided further, That notwithstanding section 102 of the*
11 *American Indian Trust Fund Management Reform Act of*
12 *1994 (Public Law 103–412) or any other provision of law,*
13 *the Secretary may aggregate the trust accounts of individ-*
14 *uals whose whereabouts are unknown for a continuous pe-*
15 *riod of at least 5 years and shall not be required to generate*
16 *periodic statements of performance for the individual ac-*
17 *counts: Provided further, That with respect to the eighth*
18 *proviso, the Secretary shall continue to maintain sufficient*
19 *records to determine the balance of the individual accounts,*
20 *including any accrued interest and income, and such funds*
21 *shall remain available to the individual account holders.*

1 *DEPARTMENTAL OFFICES*2 *OFFICE OF THE SECRETARY*3 *DEPARTMENTAL OPERATIONS*4 *(INCLUDING TRANSFER OF FUNDS)*

5 *For necessary expenses for management of the Depart-*
6 *ment of the Interior and for grants and cooperative agree-*
7 *ments, as authorized by law, \$123,367,000, to remain avail-*
8 *able until September 30, 2023; of which not to exceed*
9 *\$15,000 may be for official reception and representation ex-*
10 *penses; of which up to \$1,000,000 shall be available for*
11 *workers compensation payments and unemployment com-*
12 *pensation payments associated with the orderly closure of*
13 *the United States Bureau of Mines; and of which*
14 *\$12,341,000 for Indian land, mineral, and resource valu-*
15 *ation activities shall remain available until expended: Pro-*
16 *vided, That funds for Indian land, mineral, and resource*
17 *valuation activities may, as needed, be transferred to and*
18 *merged with the Bureau of Indian Affairs “Operation of*
19 *Indian Programs” and Bureau of Indian Education “Oper-*
20 *ation of Indian Education Programs” accounts and the Of-*
21 *fice of the Special Trustee “Federal Trust Programs” ac-*
22 *count: Provided further, That funds made available through*
23 *contracts or grants obligated during fiscal year 2022, as*
24 *authorized by the Indian Self-Determination Act of 1975*

1 *(25 U.S.C. 5301 et seq.), shall remain available until ex-*
2 *pended by the contractor or grantee.*

3 *ADMINISTRATIVE PROVISIONS*

4 *For fiscal year 2022, up to \$400,000 of the payments*
5 *authorized by chapter 69 of title 31, United States Code,*
6 *may be retained for administrative expenses of the Pay-*
7 *ments in Lieu of Taxes Program: Provided, That the*
8 *amounts provided under this Act specifically for the Pay-*
9 *ments in Lieu of Taxes program are the only amounts*
10 *available for payments authorized under chapter 69 of title*
11 *31, United States Code: Provided further, That in the event*
12 *the sums appropriated for any fiscal year for payments*
13 *pursuant to this chapter are insufficient to make the full*
14 *payments authorized by that chapter to all units of local*
15 *government, then the payment to each local government*
16 *shall be made proportionally: Provided further, That the*
17 *Secretary may make adjustments to payment to individual*
18 *units of local government to correct for prior overpayments*
19 *or underpayments: Provided further, That no payment shall*
20 *be made pursuant to that chapter to otherwise eligible units*
21 *of local government if the computed amount of the payment*
22 *is less than \$100.*

1 *by the Government Accountability Office, at its discretion,*
2 *in accordance with chapter 35 of title 31, United States*
3 *Code: Provided further, That Northern Mariana Islands*
4 *Covenant grant funding shall be provided according to those*
5 *terms of the Agreement of the Special Representatives on*
6 *Future United States Financial Assistance for the Northern*
7 *Mariana Islands approved by Public Law 104–134: Pro-*
8 *vided further, That the funds for the program of operations*
9 *and maintenance improvement are appropriated to institu-*
10 *tionalize routine operations and maintenance improvement*
11 *of capital infrastructure with territorial participation and*
12 *cost sharing to be determined by the Secretary based on the*
13 *grantee’s commitment to timely maintenance of its capital*
14 *assets: Provided further, That any appropriation for dis-*
15 *aster assistance under this heading in this Act or previous*
16 *appropriations Acts may be used as non–Federal matching*
17 *funds for the purpose of hazard mitigation grants provided*
18 *pursuant to section 404 of the Robert T. Stafford Disaster*
19 *Relief and Emergency Assistance Act (42 U.S.C. 5170c).*

20 *COMPACT OF FREE ASSOCIATION*

21 *For grants and necessary expenses, \$8,463,000, to re-*
22 *main available until expended, as provided for in sections*
23 *221(a)(2) and 233 of the Compact of Free Association for*
24 *the Republic of Palau; and section 221(a)(2) of the Com-*
25 *pacts of Free Association for the Government of the Repub-*

1 *lic of the Marshall Islands and the Federated States of Mi-*
2 *cronesia, as authorized by Public Law 99–658 and Public*
3 *Law 108–188: Provided, That of the funds appropriated*
4 *under this heading, \$5,000,000 is for deposit into the Com-*
5 *pact Trust Fund of the Republic of the Marshall Islands*
6 *as compensation authorized by Public Law 108–188 for ad-*
7 *verse financial and economic impacts.*

8 *ADMINISTRATIVE PROVISIONS*

9 *(INCLUDING TRANSFER OF FUNDS)*

10 *At the request of the Governor of Guam, the Secretary*
11 *may transfer discretionary funds or mandatory funds pro-*
12 *vided under section 104(e) of Public Law 108–188 and Pub-*
13 *lic Law 104–134, that are allocated for Guam, to the Sec-*
14 *retary of Agriculture for the subsidy cost of direct or guar-*
15 *anteed loans, plus not to exceed three percent of the amount*
16 *of the subsidy transferred for the cost of loan administra-*
17 *tion, for the purposes authorized by the Rural Electrifica-*
18 *tion Act of 1936 and section 306(a)(1) of the Consolidated*
19 *Farm and Rural Development Act for construction and re-*
20 *pair projects in Guam, and such funds shall remain avail-*
21 *able until expended: Provided, That such costs, including*
22 *the cost of modifying such loans, shall be as defined in sec-*
23 *tion 502 of the Congressional Budget Act of 1974: Provided*
24 *further, That such loans or loan guarantees may be made*
25 *without regard to the population of the area, credit else-*

1 *where requirements, and restrictions on the types of eligible*
2 *entities under the Rural Electrification Act of 1936 and*
3 *section 306(a)(1) of the Consolidated Farm and Rural De-*
4 *velopment Act: Provided further, That any funds trans-*
5 *ferred to the Secretary of Agriculture shall be in addition*
6 *to funds otherwise made available to make or guarantee*
7 *loans under such authorities.*

8 *OFFICE OF THE SOLICITOR*

9 *SALARIES AND EXPENSES*

10 *For necessary expenses of the Office of the Solicitor,*
11 *\$94,998,000, to remain available until September 30, 2023.*

12 *OFFICE OF INSPECTOR GENERAL*

13 *SALARIES AND EXPENSES*

14 *For necessary expenses of the Office of Inspector Gen-*
15 *eral, \$62,132,000, to remain available until September 30,*
16 *2023.*

17 *DEPARTMENT-WIDE PROGRAMS*

18 *WILDLAND FIRE MANAGEMENT*

19 *(INCLUDING TRANSFERS OF FUNDS)*

20 *For necessary expenses for fire preparedness, fire sup-*
21 *pression operations, fire science and research, emergency re-*
22 *habilitation, fuels management activities, and rural fire as-*
23 *sistance by the Department of the Interior, \$1,026,097,000,*
24 *to remain available until expended, of which not to exceed*
25 *\$18,427,000 shall be for the renovation or construction of*

1 *fire facilities: Provided, That such funds are also available*
2 *for repayment of advances to other appropriation accounts*
3 *from which funds were previously transferred for such pur-*
4 *poses: Provided further, That of the funds provided*
5 *\$227,000,000 is for fuels management activities: Provided*
6 *further, That of the funds provided \$22,470,000 is for*
7 *burned area rehabilitation: Provided further, That persons*
8 *hired pursuant to 43 U.S.C. 1469 may be furnished subsist-*
9 *ence and lodging without cost from funds available from*
10 *this appropriation: Provided further, That notwithstanding*
11 *42 U.S.C. 1856d, sums received by a bureau or office of*
12 *the Department of the Interior for fire protection rendered*
13 *pursuant to 42 U.S.C. 1856 et seq., protection of United*
14 *States property, may be credited to the appropriation from*
15 *which funds were expended to provide that protection, and*
16 *are available without fiscal year limitation: Provided fur-*
17 *ther, That using the amounts designated under this title*
18 *of this Act, the Secretary of the Interior may enter into*
19 *procurement contracts, grants, or cooperative agreements,*
20 *for fuels management activities, and for training and moni-*
21 *toring associated with such fuels management activities on*
22 *Federal land, or on adjacent non-Federal land for activities*
23 *that benefit resources on Federal land: Provided further,*
24 *That the costs of implementing any cooperative agreement*
25 *between the Federal Government and any non-Federal enti-*

1 *ty may be shared, as mutually agreed on by the affected*
2 *parties: Provided further, That notwithstanding require-*
3 *ments of the Competition in Contracting Act, the Secretary,*
4 *for purposes of fuels management activities, may obtain*
5 *maximum practicable competition among: (1) local private,*
6 *nonprofit, or cooperative entities; (2) Youth Conservation*
7 *Corps crews, Public Lands Corps (Public Law 109–154),*
8 *or related partnerships with State, local, or nonprofit youth*
9 *groups; (3) small or micro-businesses; or (4) other entities*
10 *that will hire or train locally a significant percentage, de-*
11 *finied as 50 percent or more, of the project workforce to com-*
12 *plete such contracts: Provided further, That in imple-*
13 *menting this section, the Secretary shall develop written*
14 *guidance to field units to ensure accountability and con-*
15 *sistent application of the authorities provided herein: Pro-*
16 *vided further, That funds appropriated under this heading*
17 *may be used to reimburse the United States Fish and Wild-*
18 *life Service and the National Marine Fisheries Service for*
19 *the costs of carrying out their responsibilities under the En-*
20 *dangered Species Act of 1973 (16 U.S.C. 1531 et seq.) to*
21 *consult and conference, as required by section 7 of such Act,*
22 *in connection with wildland fire management activities:*
23 *Provided further, That the Secretary of the Interior may*
24 *use wildland fire appropriations to enter into leases of real*
25 *property with local governments, at or below fair market*

1 *value, to construct capitalized improvements for fire facili-*
2 *ties on such leased properties, including but not limited to*
3 *fire guard stations, retardant stations, and other initial at-*
4 *tack and fire support facilities, and to make advance pay-*
5 *ments for any such lease or for construction activity associ-*
6 *ated with the lease: Provided further, That the Secretary*
7 *of the Interior and the Secretary of Agriculture may author-*
8 *ize the transfer of funds appropriated for wildland fire*
9 *management, in an aggregate amount not to exceed*
10 *\$50,000,000 between the Departments when such transfers*
11 *would facilitate and expedite wildland fire management*
12 *programs and projects: Provided further, That funds pro-*
13 *vided for wildfire suppression shall be available for support*
14 *of Federal emergency response actions: Provided further,*
15 *That funds appropriated under this heading shall be avail-*
16 *able for assistance to or through the Department of State*
17 *in connection with forest and rangeland research, technical*
18 *information, and assistance in foreign countries, and, with*
19 *the concurrence of the Secretary of State, shall be available*
20 *to support forestry, wildland fire management, and related*
21 *natural resource activities outside the United States and*
22 *its territories and possessions, including technical assist-*
23 *ance, education and training, and cooperation with United*
24 *States and international organizations: Provided further,*
25 *That of the funds provided under this heading \$383,657,000*

1 *shall be available for wildfire suppression operations, and*
2 *is provided to meet the terms of section 4004(b)(5)(B) and*
3 *section 4005(e)(2)(A) of S. Con. Res. 14 (117th Congress),*
4 *the concurrent resolution on the budget for fiscal year 2022.*

5 *WILDFIRE SUPPRESSION OPERATIONS RESERVE FUND*
6 *(INCLUDING TRANSFERS OF FUNDS)*

7 *In addition to the amounts provided under the heading*
8 *“Department of the Interior—Department-Wide Pro-*
9 *grams—Wildland Fire Management” for wildfire suppres-*
10 *sion operations, \$330,000,000, to remain available until*
11 *transferred, is additional new budget authority as specified*
12 *for purposes of section 4004(b)(5) and section 4005(e) of*
13 *S. Con. Res. 14 (117th Congress), the concurrent resolution*
14 *on the budget for fiscal year 2022: Provided, That such*
15 *amounts may be transferred to and merged with amounts*
16 *made available under the headings “Department of Agri-*
17 *culture—Forest Service—Wildland Fire Management” and*
18 *“Department of the Interior—Department-Wide Pro-*
19 *grams—Wildland Fire Management” for wildfire suppres-*
20 *sion operations in the fiscal year in which such amounts*
21 *are transferred: Provided further, That amounts may be*
22 *transferred to the “Wildland Fire Management” accounts*
23 *in the Department of Agriculture or the Department of the*
24 *Interior only upon the notification of the House and Senate*
25 *Committees on Appropriations that all wildfire suppression*

1 *operations funds appropriated under that heading in this*
2 *and prior appropriations Acts to the agency to which the*
3 *funds will be transferred will be obligated within 30 days:*
4 *Provided further, That the transfer authority provided*
5 *under this heading is in addition to any other transfer au-*
6 *thority provided by law: Provided further, That, in deter-*
7 *mining whether all wildfire suppression operations funds*
8 *appropriated under the heading “Wildland Fire Manage-*
9 *ment” in this and prior appropriations Acts to either the*
10 *Department of Agriculture or the Department of the Inte-*
11 *rior will be obligated within 30 days pursuant to the pre-*
12 *vious proviso, any funds transferred or permitted to be*
13 *transferred pursuant to any other transfer authority pro-*
14 *vided by law shall be excluded.*

15 *CENTRAL HAZARDOUS MATERIALS FUND*

16 *For necessary expenses of the Department of the Inte-*
17 *rior and any of its component offices and bureaus for the*
18 *response action, including associated activities, performed*
19 *pursuant to the Comprehensive Environmental Response,*
20 *Compensation, and Liability Act (42 U.S.C. 9601 et seq.),*
21 *\$10,036,000, to remain available until expended.*

22 *ENERGY COMMUNITY REVITALIZATION PROGRAM*

23 *(INCLUDING TRANSFERS OF FUNDS)*

24 *For necessary expenses of the Department of the Inte-*
25 *rior to inventory, assess, decommission, reclaim, respond to*

1 *hazardous substance releases, remediate lands pursuant to*
2 *section 40704 of Public Law 117–58 (135 Stat. 1093), and*
3 *carry out the purposes of section 349 of the Energy Policy*
4 *Act of 2005 (42 U.S.C. 15907), as amended, \$5,000,000,*
5 *to remain available until expended: Provided, That such*
6 *amount shall be in addition to amounts otherwise available*
7 *for such purposes: Provided further, That amounts appro-*
8 *priated under this heading are available for program man-*
9 *agement and oversight of these activities: Provided further,*
10 *That the Secretary may transfer the funds provided under*
11 *this heading in this Act to any other account in the Depart-*
12 *ment to carry out such purposes, and may expend such*
13 *funds directly, or through grants: Provided further, That*
14 *these amounts are not available to fulfill Comprehensive*
15 *Environmental Response, Compensation, and Liability Act*
16 *(42 U.S.C. 9601 et seq.) obligations agreed to in settlement*
17 *or imposed by a court, whether for payment of funds or*
18 *for work to be performed.*

19 *NATURAL RESOURCE DAMAGE ASSESSMENT AND*

20 *RESTORATION*

21 *NATURAL RESOURCE DAMAGE ASSESSMENT FUND*

22 *To conduct natural resource damage assessment, res-*
23 *toration activities, and onshore oil spill preparedness by the*
24 *Department of the Interior necessary to carry out the provi-*
25 *sions of the Comprehensive Environmental Response, Com-*

1 *ension, and Liability Act (42 U.S.C. 9601 et seq.), the*
2 *Federal Water Pollution Control Act (33 U.S.C. 1251 et*
3 *seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.),*
4 *and 54 U.S.C. 100721 et seq., \$7,933,000, to remain avail-*
5 *able until expended.*

6 *WORKING CAPITAL FUND*

7 *For the operation and maintenance of a departmental*
8 *financial and business management system, information*
9 *technology improvements of general benefit to the Depart-*
10 *ment, cybersecurity, and the consolidation of facilities and*
11 *operations throughout the Department, \$91,436,000, to re-*
12 *main available until expended: Provided, That none of the*
13 *funds appropriated in this Act or any other Act may be*
14 *used to establish reserves in the Working Capital Fund ac-*
15 *count other than for accrued annual leave and depreciation*
16 *of equipment without prior approval of the Committees on*
17 *Appropriations of the House of Representatives and the*
18 *Senate: Provided further, That the Secretary of the Interior*
19 *may assess reasonable charges to State, local, and tribal*
20 *government employees for training services provided by the*
21 *National Indian Program Training Center, other than*
22 *training related to Public Law 93–638: Provided further,*
23 *That the Secretary may lease or otherwise provide space*
24 *and related facilities, equipment, or professional services of*
25 *the National Indian Program Training Center to State,*

1 *local and tribal government employees or persons or organi-*
2 *zations engaged in cultural, educational, or recreational ac-*
3 *tivities (as defined in section 3306(a) of title 40, United*
4 *States Code) at the prevailing rate for similar space, facili-*
5 *ties, equipment, or services in the vicinity of the National*
6 *Indian Program Training Center: Provided further, That*
7 *all funds received pursuant to the two preceding provisos*
8 *shall be credited to this account, shall be available until*
9 *expended, and shall be used by the Secretary for necessary*
10 *expenses of the National Indian Program Training Center:*
11 *Provided further, That the Secretary may enter into grants*
12 *and cooperative agreements to support the Office of Natural*
13 *Resource Revenue's collection and disbursement of royalties,*
14 *fees, and other mineral revenue proceeds, as authorized by*
15 *law.*

16 *ADMINISTRATIVE PROVISION*

17 *There is hereby authorized for acquisition from avail-*
18 *able resources within the Working Capital Fund, aircraft*
19 *which may be obtained by donation, purchase, or through*
20 *available excess surplus property: Provided, That existing*
21 *aircraft being replaced may be sold, with proceeds derived*
22 *or trade-in value used to offset the purchase price for the*
23 *replacement aircraft.*

1 *OFFICE OF NATURAL RESOURCES REVENUE*

2 *For necessary expenses for management of the collec-*
3 *tion and disbursement of royalties, fees, and other mineral*
4 *revenue proceeds, and for grants and cooperative agree-*
5 *ments, as authorized by law, \$169,640,000, to remain avail-*
6 *able until September 30, 2023; of which \$68,151,000 shall*
7 *remain available until expended for the purpose of mineral*
8 *revenue management activities: Provided, That notwith-*
9 *standing any other provision of law, \$15,000 shall be avail-*
10 *able for refunds of overpayments in connection with certain*
11 *Indian leases in which the Secretary of the Interior con-*
12 *curred with the claimed refund due, to pay amounts owed*
13 *to Indian allottees or tribes, or to correct prior unrecover-*
14 *able erroneous payments.*

15 *GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR*16 *(INCLUDING TRANSFERS OF FUNDS)*17 *EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU*

18 *SEC. 101. Appropriations made in this title shall be*
19 *available for expenditure or transfer (within each bureau*
20 *or office), with the approval of the Secretary of the Interior,*
21 *for the emergency reconstruction, replacement, or repair of*
22 *aircraft, buildings, utilities, or other facilities or equipment*
23 *damaged or destroyed by fire, flood, storm, or other un-*
24 *avoidable causes: Provided, That no funds shall be made*
25 *available under this authority until funds specifically made*

1 *available to the Department of the Interior for emergencies*
2 *shall have been exhausted: Provided further, That all funds*
3 *used pursuant to this section must be replenished by a sup-*
4 *plemental appropriation, which must be requested as*
5 *promptly as possible.*

6 *EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE*

7 *SEC. 102. The Secretary of the Interior may authorize*
8 *the expenditure or transfer of any no year appropriation*
9 *in this title, in addition to the amounts included in the*
10 *budget programs of the several agencies, for the suppression*
11 *or emergency prevention of wildland fires on or threatening*
12 *lands under the jurisdiction of the Department of the Inte-*
13 *rior; for the emergency rehabilitation of burned-over lands*
14 *under its jurisdiction; for emergency actions related to po-*
15 *tential or actual earthquakes, floods, volcanoes, storms, or*
16 *other unavoidable causes; for contingency planning subse-*
17 *quent to actual oil spills; for response and natural resource*
18 *damage assessment activities related to actual oil spills or*
19 *releases of hazardous substances into the environment; for*
20 *the prevention, suppression, and control of actual or poten-*
21 *tial grasshopper and Mormon cricket outbreaks on lands*
22 *under the jurisdiction of the Secretary, pursuant to the au-*
23 *thority in section 417(b) of Public Law 106–224 (7 U.S.C.*
24 *7717(b)); for emergency reclamation projects under section*
25 *410 of Public Law 95–87; and shall transfer, from any no*

1 *year funds available to the Office of Surface Mining Rec-*
2 *lamation and Enforcement, such funds as may be necessary*
3 *to permit assumption of regulatory authority in the event*
4 *a primacy State is not carrying out the regulatory provi-*
5 *sions of the Surface Mining Act: Provided, That appropria-*
6 *tions made in this title for wildland fire operations shall*
7 *be available for the payment of obligations incurred during*
8 *the preceding fiscal year, and for reimbursement to other*
9 *Federal agencies for destruction of vehicles, aircraft, or*
10 *other equipment in connection with their use for wildland*
11 *fire operations, with such reimbursement to be credited to*
12 *appropriations currently available at the time of receipt*
13 *thereof: Provided further, That for wildland fire operations,*
14 *no funds shall be made available under this authority until*
15 *the Secretary determines that funds appropriated for*
16 *“wildland fire suppression” shall be exhausted within 30*
17 *days: Provided further, That all funds used pursuant to this*
18 *section must be replenished by a supplemental appropria-*
19 *tion, which must be requested as promptly as possible: Pro-*
20 *vided further, That such replenishment funds shall be used*
21 *to reimburse, on a pro rata basis, accounts from which*
22 *emergency funds were transferred.*

23 *AUTHORIZED USE OF FUNDS*

24 *SEC. 103. Appropriations made to the Department of*
25 *the Interior in this title shall be available for services as*

1 *authorized by section 3109 of title 5, United States Code,*
2 *when authorized by the Secretary of the Interior, in total*
3 *amount not to exceed \$500,000; purchase and replacement*
4 *of motor vehicles, including specially equipped law enforce-*
5 *ment vehicles; hire, maintenance, and operation of aircraft;*
6 *hire of passenger motor vehicles; purchase of reprints; pay-*
7 *ment for telephone service in private residences in the field,*
8 *when authorized under regulations approved by the Sec-*
9 *retary; and the payment of dues, when authorized by the*
10 *Secretary, for library membership in societies or associa-*
11 *tions which issue publications to members only or at a price*
12 *to members lower than to subscribers who are not members.*

13 *AUTHORIZED USE OF FUNDS, INDIAN TRUST MANAGEMENT*

14 *SEC. 104. Appropriations made in this Act under the*
15 *headings Bureau of Indian Affairs and Bureau of Indian*
16 *Education, and Office of the Special Trustee for American*
17 *Indians and any unobligated balances from prior appro-*
18 *priations Acts made under the same headings shall be avail-*
19 *able for expenditure or transfer for Indian trust manage-*
20 *ment and reform activities. Total funding for historical ac-*
21 *counting activities shall not exceed amounts specifically*
22 *designated in this Act for such purpose. The Secretary shall*
23 *notify the House and Senate Committees on Appropriations*
24 *within 60 days of the expenditure or transfer of any funds*

1 *under this section, including the amount expended or trans-*
2 *ferred and how the funds will be used.*

3 *REDISTRIBUTION OF FUNDS, BUREAU OF INDIAN AFFAIRS*

4 *SEC. 105. Notwithstanding any other provision of law,*
5 *the Secretary of the Interior is authorized to redistribute*
6 *any Tribal Priority Allocation funds, including tribal base*
7 *funds, to alleviate tribal funding inequities by transferring*
8 *funds to address identified, unmet needs, dual enrollment,*
9 *overlapping service areas or inaccurate distribution meth-*
10 *odologies. No tribe shall receive a reduction in Tribal Pri-*
11 *ority Allocation funds of more than 10 percent in fiscal*
12 *year 2022. Under circumstances of dual enrollment, over-*
13 *lapping service areas or inaccurate distribution methodolo-*
14 *gies, the 10 percent limitation does not apply.*

15 *ELLIS, GOVERNORS, AND LIBERTY ISLANDS*

16 *SEC. 106. Notwithstanding any other provision of law,*
17 *the Secretary of the Interior is authorized to acquire lands,*
18 *waters, or interests therein, including the use of all or part*
19 *of any pier, dock, or landing within the State of New York*
20 *and the State of New Jersey, for the purpose of operating*
21 *and maintaining facilities in the support of transportation*
22 *and accommodation of visitors to Ellis, Governors, and Lib-*
23 *erty Islands, and of other program and administrative ac-*
24 *tivities, by donation or with appropriated funds, including*
25 *franchise fees (and other monetary consideration), or by ex-*

1 *change; and the Secretary is authorized to negotiate and*
2 *enter into leases, subleases, concession contracts, or other*
3 *agreements for the use of such facilities on such terms and*
4 *conditions as the Secretary may determine reasonable.*

5 *OUTER CONTINENTAL SHELF INSPECTION FEES*

6 *SEC. 107. (a) In fiscal year 2022, the Secretary of the*
7 *Interior shall collect a nonrefundable inspection fee, which*
8 *shall be deposited in the “Offshore Safety and Environ-*
9 *mental Enforcement” account, from the designated operator*
10 *for facilities subject to inspection under 43 U.S.C. 1348(c).*

11 *(b) Annual fees shall be collected for facilities that are*
12 *above the waterline, excluding drilling rigs, and are in*
13 *place at the start of the fiscal year. Fees for fiscal year 2022*
14 *shall be—*

15 *(1) \$10,500 for facilities with no wells, but with*
16 *processing equipment or gathering lines;*

17 *(2) \$17,000 for facilities with 1 to 10 wells, with*
18 *any combination of active or inactive wells; and*

19 *(3) \$31,500 for facilities with more than 10*
20 *wells, with any combination of active or inactive*
21 *wells.*

22 *(c) Fees for drilling rigs shall be assessed for all inspec-*
23 *tions completed in fiscal year 2022. Fees for fiscal year*
24 *2022 shall be—*

1 (1) \$30,500 per inspection for rigs operating in
2 water depths of 500 feet or more; and

3 (2) \$16,700 per inspection for rigs operating in
4 water depths of less than 500 feet.

5 (d) Fees for inspection of well operations conducted via
6 non-rig units as outlined in title 30 CFR 250 subparts D,
7 E, F, and Q shall be assessed for all inspections completed
8 in fiscal year 2022. Fees for fiscal year 2022 shall be—

9 (1) \$13,260 per inspection for non-rig units op-
10 erating in water depths of 2,500 feet or more;

11 (2) \$11,530 per inspection for non-rig units op-
12 erating in water depths between 500 and 2,499 feet;
13 and

14 (3) \$4,470 per inspection for non-rig units oper-
15 ating in water depths of less than 500 feet.

16 (e) The Secretary shall bill designated operators under
17 subsection (b) quarterly, with payment required within 30
18 days of billing. The Secretary shall bill designated operators
19 under subsection (c) within 30 days of the end of the month
20 in which the inspection occurred, with payment required
21 within 30 days of billing. The Secretary shall bill des-
22 ignated operators under subsection (d) with payment re-
23 quired by the end of the following quarter.

1 *PAYMENTS IN LIEU OF TAXES (PILT)*

2 *SEC. 114. Section 6906 of title 31, United States Code,*
3 *shall be applied by substituting “fiscal year 2022” for “fis-*
4 *cal year 2019”.*

5 *DISCLOSURE OF DEPARTURE OR ALTERNATE PROCEDURE*
6 *APPROVAL*

7 *SEC. 115. (a) Subject to subsection (b), in any case*
8 *in which the Bureau of Safety and Environmental Enforce-*
9 *ment or the Bureau of Ocean Energy Management pre-*
10 *scribes or approves any departure or use of alternate proce-*
11 *dure or equipment, in regards to a plan or permit, under*
12 *30 CFR 585.103; 30 CFR 550.141; 30 CFR 550.142; 30*
13 *CFR 250.141; or 30 CFR 250.142, the head of such bureau*
14 *shall post a description of such departure or alternate pro-*
15 *cedure or equipment use approval on such bureau’s publicly*
16 *available website not more than 15 business days after such*
17 *issuance.*

18 *(b) The head of each bureau may exclude confidential*
19 *business information.*

20 *LONG BRIDGE PROJECT*

21 *SEC. 116. (a) AUTHORIZATION OF CONVEYANCE.—On*
22 *request by the State of Virginia or the District of Columbia*
23 *for the purpose of the construction of rail and other infra-*
24 *structure relating to the Long Bridge Project, the Secretary*
25 *of the Interior may convey to the State or the District of*

1 *Columbia, as applicable, all right, title, and interest of the*
2 *United States in and to any portion of the approximately*
3 *4.4 acres of National Park Service land depicted as “Per-*
4 *manent Impact to NPS Land” on the Map dated May 15,*
5 *2020, that is identified by the State or the District of Co-*
6 *lumbia.*

7 **(b) TERMS AND CONDITIONS.**—*Such conveyance of the*
8 *National Park Service land under subsection (a) shall be*
9 *subject to any terms and conditions that the Secretary may*
10 *require. If such conveyed land is no longer being used for*
11 *the purposes specified in this section, the lands or interests*
12 *therein shall revert to the National Park Service after they*
13 *have been restored or remediated to the satisfaction of the*
14 *Secretary.*

15 **(c) CORRECTIONS.**—*The Secretary and the State or the*
16 *District of Columbia, as applicable, by mutual agreement,*
17 *may—*

18 **(1)** *make minor boundary adjustments to the Na-*
19 *tional Park Service land to be conveyed to the State*
20 *or the District of Columbia under subsection (a); and*

21 **(2)** *correct any minor errors in the Map referred*
22 *to in subsection (a).*

23 **(d) DEFINITIONS.**—*For purposes of this section:*

24 **(1) LONG BRIDGE PROJECT.**—*The term “Long*
25 *Bridge Project” means the rail project, as identified*

1 *NATIONAL HERITAGE AREAS AND CORRIDORS*

2 *SEC. 119. (a) Section 126 of Public Law 98–398, as*
3 *amended (98 Stat. 1456; 120 Stat. 1853), is further amend-*
4 *ed by striking “the date that is 15 years after the date of*
5 *enactment of this section” and inserting “2023”.*

6 *(b) Section 10 of Public Law 99–647, as amended (100*
7 *Stat. 3630; 104 Stat. 1018; 120 Stat. 1858; 128 Stat. 3804),*
8 *is further amended by striking “2021” and inserting*
9 *“2023”.*

10 *(c) Section 12 of Public Law 100–692, as amended*
11 *(102 Stat. 4558; 112 Stat. 3258; 123 Stat. 1292; 127 Stat.*
12 *420; 128 Stat. 314; 128 Stat. 3801), is further amended—*

13 *(1) in subsection (c)(1), by striking “2021” and*
14 *inserting “2023”; and*

15 *(2) in subsection (d), by striking “2021” and in-*
16 *serting “2023”.*

17 *(d) Section 106(b) of Public Law 103–449, as amended*
18 *(108 Stat. 4755; 113 Stat. 1726; 123 Stat. 1291; 128 Stat.*
19 *3802), is further amended by striking “2021” and inserting*
20 *“2023”.*

21 *(e) Division II of Public Law 104–333 (54 U.S.C.*
22 *320101 note), as amended, is further amended by striking*
23 *“2021” each place it appears in the following sections and*
24 *inserting “2023”—*

1 (1) in section 107 (110 Stat. 4244; 127 Stat.
2 420; 128 Stat. 314; 128 Stat. 3801);

3 (2) in section 408 (110 Stat. 4256; 127 Stat.
4 420; 128 Stat. 314; 128 Stat. 3801);

5 (3) in section 507 (110 Stat. 4260; 127 Stat.
6 420; 128 Stat. 314; 128 Stat. 3801);

7 (4) in section 707 (110 Stat. 4267; 127 Stat.
8 420; 128 Stat. 314; 128 Stat. 3801);

9 (5) in section 809 (110 Stat. 4275; 122 Stat.
10 826; 127 Stat. 420; 128 Stat. 314; 128 Stat. 3801);

11 (6) in section 910 (110 Stat. 4281; 127 Stat.
12 420; 128 Stat. 314; 128 Stat. 3801);

13 (7) in section 310 (110 Stat. 4252; 127 Stat.
14 420; 128 Stat. 314; 129 Stat. 2551; 132 Stat. 661;
15 133 Stat. 778);

16 (8) in section 607 (110 Stat. 4264; 127 Stat.
17 420; 128 Stat. 314; 129 Stat. 2551; 132 Stat. 661;
18 133 Stat. 778-779); and

19 (9) in section 208 (110 Stat. 4248; 127 Stat.
20 420; 128 Stat. 314; 129 Stat. 2551; 132 Stat. 661;
21 133 Stat. 778).

22 (f) Section 109 of Public Law 105–355, as amended
23 (112 Stat. 3252; 128 Stat. 3802), is further amended by
24 striking “2021” and inserting “2023”.

1 (g) *Public Law 106–278 (54 U.S.C. 320101 note), as*
2 *amended, is further amended—*

3 (1) *in section 108 (114 Stat. 818; 127 Stat. 420;*
4 *128 Stat. 314; 128 Stat. 3802) by striking “2021”*
5 *and inserting “2023”.*

6 (2) *in section 209 (114 Stat. 824; 128 Stat.*
7 *3802) by striking “2021” and inserting “2023”.*

8 (h) *Section 157(i) of Public Law 106–291, as amended*
9 *(114 Stat. 967; 128 Stat. 3802), is further amended by*
10 *striking “2021” and inserting “2023”.*

11 (i) *Section 7 of Public Law 106–319, as amended (114*
12 *Stat. 1284; 128 Stat. 3802), is further amended by striking*
13 *“2021” and inserting “2023”.*

14 (j) *Section 811 of title VIII of appendix D of Public*
15 *Law 106–554, as amended (114 Stat. 2763, 2763A–295;*
16 *128 Stat. 3802), is further amended by striking “2021” and*
17 *inserting “2023”.*

18 (k) *Section 140(j) of Public Law 108–108, as amended*
19 *(117 Stat. 1274; 131 Stat. 461; 132 Stat. 661; 133 Stat.*
20 *778), is further amended by striking “2021” and inserting*
21 *“2023”.*

22 (l) *Title II of Public Law 109–338 (54 U.S.C. 320101*
23 *note; 120 Stat. 1787–1845), as amended, is further amend-*
24 *ed—*

1 (1) in each of sections 208, 221, 240, 260, 269,
2 289, 291J, 295L and 297H by striking “the date that
3 is 15 years after the date of enactment of this Act”
4 and inserting “September 30, 2023”; and

5 (2) in section 280B by striking “the day occur-
6 ring 15 years after the date of the enactment of this
7 subtitle” and inserting “September 30, 2023”.

8 (m) Section 810(a)(1) of title VIII of division B of
9 appendix D of Public Law 106–554, as amended (114 Stat.
10 2763; 123 Stat. 1295; 131 Stat. 461; 133 Stat. 2714), is
11 further amended by striking “\$14,000,000” and inserting
12 “\$16,000,000”.

13 (n) Section 125(a) of title IV of Public Law 109–338
14 (120 Stat. 1853) is amended by striking “\$10,000,000” and
15 inserting “\$12,000,000”.

16 (o) Section 210(a) of title II of Public Law 106–278
17 (114 Stat. 824) is amended by striking “\$10,000,000” and
18 inserting “\$12,000,000”.

19 (p) Section 804(j) of division B of H.R. 5666 (Appen-
20 dix D) as enacted into law by section 1(a)(4) of Public Law
21 106–554, as amended (54 U.S.C. 320101 note; 114 Stat.
22 2763, 2763A–295; 123 Stat. 1294; 128 Stat. 3802; 131 Stat.
23 461; 133 Stat. 2714), is further amended by striking “Sep-
24 tember 30, 2021” and inserting “September 30, 2037”.

1 (c) *LAND ACQUISITION.*—*The Secretary is authorized,*
2 *subject to the availability of appropriations and at her dis-*
3 *cretion, to acquire property or interests therein located in*
4 *the city of Selma, Alabama and generally depicted on the*
5 *map entitled, “Selma to Montgomery NHT Proposed Addi-*
6 *tion,” numbered 628/177376 and dated September 14, 2021,*
7 *with the consent of the owner, for the benefit of the Selma*
8 *to Montgomery National Historic Trail and to further the*
9 *purpose for which the trail has been established.*

10 *EXHAUSTION OF ADMINISTRATIVE REVIEW*

11 *SEC. 121. Paragraph (1) of section 122(a) of division*
12 *E of Public Law 112–74 (125 Stat. 1013) is amended by*
13 *striking “through 2022,” in the first sentence and inserting*
14 *“through 2024.”.*

15 *APPRAISER PAY AUTHORITY*

16 *SEC. 122. For fiscal year 2022, funds made available*
17 *in this or any other Act or otherwise made available to the*
18 *Department of the Interior for the Appraisal and Valuation*
19 *Services Office may be used by the Secretary of the Interior*
20 *to establish higher minimum rates of basic pay for employ-*
21 *ees of the Department of the Interior in the Appraiser (GS–*
22 *1171) job series at grades 11 through 15 carrying out ap-*
23 *praisals of real property and appraisal reviews conducted*
24 *in support of the Department’s realty programs at rates*
25 *no greater than 15 percent above the minimum rates of*

1 *basic pay normally scheduled, and such higher rates shall*
2 *be consistent with subsections (e) through (h) of section 5305*
3 *of title 5, United States Code.*

4 *SAGE-GROUSE*

5 *SEC. 123. None of the funds made available by this*
6 *or any other Act may be used by the Secretary of the Inte-*
7 *rior to write or issue pursuant to section 4 of the Endan-*
8 *gered Species Act of 1973 (16 U.S.C. 1533)—*

9 *(1) a proposed rule for greater sage-grouse*
10 *(Centrocercus urophasianus);*

11 *(2) a proposed rule for the Columbia basin dis-*
12 *tinct population segment of greater sage-grouse.*

1 *ENVIRONMENTAL PROGRAMS AND MANAGEMENT*

2 *For environmental programs and management, in-*
3 *cluding necessary expenses not otherwise provided for, for*
4 *personnel and related costs and travel expenses; hire of pas-*
5 *senger motor vehicles; hire, maintenance, and operation of*
6 *aircraft; purchase of reprints; library memberships in soci-*
7 *eties or associations which issue publications to members*
8 *only or at a price to members lower than to subscribers*
9 *who are not members; administrative costs of the*
10 *brownfields program under the Small Business Liability*
11 *Relief and Brownfields Revitalization Act of 2002; imple-*
12 *mentation of a coal combustion residual permit program*
13 *under section 2301 of the Water and Waste Act of 2016;*
14 *and not to exceed \$9,000 for official reception and represen-*
15 *tation expenses, \$2,964,025,000, to remain available until*
16 *September 30, 2023: Provided, That of the funds included*
17 *under this heading, \$25,700,000 shall be for Environmental*
18 *Protection: National Priorities as specified in the explana-*
19 *tory statement described in section 4 (in the matter pre-*
20 *ceding division A of this consolidated Act): Provided fur-*
21 *ther, That of the funds included under this heading,*
22 *\$587,192,000 shall be for Geographic Programs specified in*
23 *the explanatory statement described in section 4 (in the*
24 *matter preceding division A of this consolidated Act): Pro-*
25 *vided further, That funds included under this heading may*

1 *be used for environmental justice implementation and*
2 *training grants, and associated program support costs.*

3 *In addition, \$9,000,000 to remain available until ex-*
4 *pended, for necessary expenses of activities described in sec-*
5 *tion 26(b)(1) of the Toxic Substances Control Act (15*
6 *U.S.C. 2625(b)(1)): Provided, That fees collected pursuant*
7 *to that section of that Act and deposited in the “TSCA Serv-*
8 *ice Fee Fund” as discretionary offsetting receipts in fiscal*
9 *year 2022 shall be retained and used for necessary salaries*
10 *and expenses in this appropriation and shall remain avail-*
11 *able until expended: Provided further, That the sum herein*
12 *appropriated in this paragraph from the general fund for*
13 *fiscal year 2022 shall be reduced by the amount of discre-*
14 *tionary offsetting receipts received during fiscal year 2022,*
15 *so as to result in a final fiscal year 2022 appropriation*
16 *from the general fund estimated at not more than \$0: Pro-*
17 *vided further, That to the extent that amounts realized from*
18 *such receipts exceed \$9,000,000, those amount in excess of*
19 *\$9,000,000 shall be deposited in the “TSCA Service Fee*
20 *Fund” as discretionary offsetting receipts in fiscal year*
21 *2022, shall be retained and used for necessary salaries and*
22 *expenses in this account, and shall remain available until*
23 *expended: Provided further, That of the funds included in*
24 *the first paragraph under this heading, the Chemical Risk*
25 *Review and Reduction program project shall be allocated*

1 *for this fiscal year, excluding the amount of any fees appro-*
2 *priated, not less than the amount of appropriations for that*
3 *program project for fiscal year 2014.*

4 *OFFICE OF INSPECTOR GENERAL*

5 *For necessary expenses of the Office of Inspector Gen-*
6 *eral in carrying out the provisions of the Inspector General*
7 *Act of 1978, \$44,030,000, to remain available until Sep-*
8 *tember 30, 2023.*

9 *BUILDINGS AND FACILITIES*

10 *For construction, repair, improvement, extension, al-*
11 *teration, and purchase of fixed equipment or facilities of,*
12 *or for use by, the Environmental Protection Agency,*
13 *\$34,752,000, to remain available until expended.*

14 *HAZARDOUS SUBSTANCE SUPERFUND*

15 *(INCLUDING TRANSFERS OF FUNDS)*

16 *For necessary expenses to carry out the Comprehensive*
17 *Environmental Response, Compensation, and Liability Act*
18 *of 1980 (CERCLA), including sections 111(c)(3), (c)(5),*
19 *(c)(6), and (e)(4) (42 U.S.C. 9611), and hire, maintenance,*
20 *and operation of aircraft, \$1,232,850,000, to remain avail-*
21 *able until expended, consisting of such sums as are available*
22 *in the Trust Fund on September 30, 2021, and not other-*
23 *wise appropriated from the Trust Fund, as authorized by*
24 *section 517(a) of the Superfund Amendments and Reau-*
25 *thorization Act of 1986 (SARA) and up to \$1,232,850,000*

1 *as a payment from general revenues to the Hazardous Sub-*
2 *stance Superfund for purposes as authorized by section*
3 *517(b) of SARA: Provided, That funds appropriated under*
4 *this heading may be allocated to other Federal agencies in*
5 *accordance with section 111(a) of CERCLA: Provided fur-*
6 *ther, That of the funds appropriated under this heading,*
7 *\$11,800,000 shall be paid to the “Office of Inspector Gen-*
8 *eral” appropriation to remain available until September*
9 *30, 2023, and \$30,985,000 shall be paid to the “Science*
10 *and Technology” appropriation to remain available until*
11 *September 30, 2023.*

12 *LEAKING UNDERGROUND STORAGE TANK TRUST FUND*

13 *PROGRAM*

14 *For necessary expenses to carry out leaking under-*
15 *ground storage tank cleanup activities authorized by sub-*
16 *title I of the Solid Waste Disposal Act, \$92,293,000, to re-*
17 *main available until expended, of which \$66,924,000 shall*
18 *be for carrying out leaking underground storage tank clean-*
19 *up activities authorized by section 9003(h) of the Solid*
20 *Waste Disposal Act; \$25,369,000 shall be for carrying out*
21 *the other provisions of the Solid Waste Disposal Act speci-*
22 *fied in section 9508(c) of the Internal Revenue Code: Pro-*
23 *vided, That the Administrator is authorized to use appro-*
24 *priations made available under this heading to implement*
25 *section 9013 of the Solid Waste Disposal Act to provide fi-*

1 *nancial assistance to federally recognized Indian tribes for*
2 *the development and implementation of programs to man-*
3 *age underground storage tanks.*

4 *INLAND OIL SPILL PROGRAMS*

5 *For expenses necessary to carry out the Environmental*
6 *Protection Agency's responsibilities under the Oil Pollution*
7 *Act of 1990, including hire, maintenance, and operation*
8 *of aircraft, \$20,262,000, to be derived from the Oil Spill*
9 *Liability trust fund, to remain available until expended.*

10 *STATE AND TRIBAL ASSISTANCE GRANTS*

11 *For environmental programs and infrastructure as-*
12 *sistance, including capitalization grants for State revolving*
13 *funds and performance partnership grants, \$4,351,573,000,*
14 *to remain available until expended, of which—*

15 *(1) \$1,638,826,000 shall be for making capital-*
16 *ization grants for the Clean Water State Revolving*
17 *Funds under title VI of the Federal Water Pollution*
18 *Control Act; and of which \$1,126,088,000 shall be for*
19 *making capitalization grants for the Drinking Water*
20 *State Revolving Funds under section 1452 of the Safe*
21 *Drinking Water Act: Provided, That \$443,639,051 of*
22 *the funds made available for capitalization grants for*
23 *the Clean Water State Revolving Funds and*
24 *\$397,766,044 of the funds made available for capital-*
25 *ization grants for the Drinking Water State Revolv-*

1 *ing Funds shall be for the construction of drinking*
2 *water, wastewater, and storm water infrastructure*
3 *and for water quality protection in accordance with*
4 *the terms and conditions specified for such grants in*
5 *the explanatory statement described in section 4 (in*
6 *the matter preceding division A of this consolidated*
7 *Act) for projects specified for “STAG—Drinking*
8 *Water SRF”, “STAG—Clean Water SRF”, and*
9 *“STAG—Drinking Water SRF; Clean Water SRF”*
10 *in the table titled “Interior and Environment Incorporation of Community Project Funding Items/Congressionally Directed Spending Items” included for*
11 *this division in the explanatory statement described*
12 *in section 4 (in the matter preceding division A of*
13 *this consolidated Act), and, for purposes of these*
14 *grants, each grantee shall contribute not less than 20*
15 *percent of the cost of the project unless the grantee is*
16 *approved for a waiver by the Agency: Provided further,*
17 *That for fiscal year 2022, to the extent there are*
18 *sufficient eligible project applications and projects are*
19 *consistent with State Intended Use Plans, not less*
20 *than 10 percent of the funds made available under*
21 *this title to each State for Clean Water State Revolving*
22 *Fund capitalization grants shall be used by the*
23 *State for projects to address green infrastructure,*
24
25

1 *water or energy efficiency improvements, or other en-*
2 *vironmentally innovative activities: Provided further,*
3 *That for fiscal year 2022, funds made available under*
4 *this title to each State for Drinking Water State Re-*
5 *volving Fund capitalization grants may, at the dis-*
6 *cretion of each State, be used for projects to address*
7 *green infrastructure, water or energy efficiency im-*
8 *provements, or other environmentally innovative ac-*
9 *tivities: Provided further, That the Administrator is*
10 *authorized to use up to \$1,500,000 of funds made*
11 *available for the Clean Water State Revolving Funds*
12 *under this heading under Title VI of the Federal*
13 *Water Pollution Control Act (33 U.S.C. 1381) to con-*
14 *duct the Clean Watersheds Needs Survey: Provided*
15 *further, That notwithstanding section 603(d)(7) of the*
16 *Federal Water Pollution Control Act, the limitation*
17 *on the amounts in a State water pollution control re-*
18 *volving fund that may be used by a State to admin-*
19 *ister the fund shall not apply to amounts included as*
20 *principal in loans made by such fund in fiscal year*
21 *2022 and prior years where such amounts represent*
22 *costs of administering the fund to the extent that such*
23 *amounts are or were deemed reasonable by the Ad-*
24 *ministrator, accounted for separately from other as-*
25 *sets in the fund, and used for eligible purposes of the*

1 *fund, including administration: Provided further,*
2 *That for fiscal year 2022, notwithstanding the provi-*
3 *sions of subsections (g)(1), (h), and (l) of section 201*
4 *of the Federal Water Pollution Control Act, grants*
5 *made under title II of such Act for American Samoa,*
6 *Guam, the Commonwealth of the Northern Marianas,*
7 *the United States Virgin Islands, and the District of*
8 *Columbia may also be made for the purpose of pro-*
9 *viding assistance: (1) solely for facility plans, design*
10 *activities, or plans, specifications, and estimates for*
11 *any proposed project for the construction of treatment*
12 *works; and (2) for the construction, repair, or replace-*
13 *ment of privately owned treatment works serving one*
14 *or more principal residences or small commercial es-*
15 *tablishments: Provided further, That for fiscal year*
16 *2022, notwithstanding the provisions of such sub-*
17 *sections (g)(1), (h), and (l) of section 201 and section*
18 *518(c) of the Federal Water Pollution Control Act,*
19 *funds reserved by the Administrator for grants under*
20 *section 518(c) of the Federal Water Pollution Control*
21 *Act may also be used to provide assistance: (1) solely*
22 *for facility plans, design activities, or plans, speci-*
23 *fications, and estimates for any proposed project for*
24 *the construction of treatment works; and (2) for the*
25 *construction, repair, or replacement of privately*

1 *owned treatment works serving one or more principal*
2 *residences or small commercial establishments: Pro-*
3 *vided further, That for fiscal year 2022, notwith-*
4 *standing any provision of the Federal Water Pollu-*
5 *tion Control Act and regulations issued pursuant*
6 *thereof, up to a total of \$2,000,000 of the funds re-*
7 *served by the Administrator for grants under section*
8 *518(c) of such Act may also be used for grants for*
9 *training, technical assistance, and educational pro-*
10 *grams relating to the operation and management of*
11 *the treatment works specified in section 518(c) of such*
12 *Act: Provided further, That for fiscal year 2022, funds*
13 *reserved under section 518(c) of such Act shall be*
14 *available for grants only to Indian tribes, as defined*
15 *in section 518(h) of such Act and former Indian res-*
16 *ervations in Oklahoma (as determined by the Sec-*
17 *retary of the Interior) and Native Villages as defined*
18 *in Public Law 92–203: Provided further, That for fis-*
19 *cal year 2022, notwithstanding the limitation on*
20 *amounts in section 518(c) of the Federal Water Pollu-*
21 *tion Control Act, up to a total of 2 percent of the*
22 *funds appropriated, or \$30,000,000, whichever is*
23 *greater, and notwithstanding the limitation on*
24 *amounts in section 1452(i) of the Safe Drinking*
25 *Water Act, up to a total of 2 percent of the funds ap-*

1 *appropriated, or \$20,000,000, whichever is greater, for*
2 *State Revolving Funds under such Acts may be re-*
3 *served by the Administrator for grants under section*
4 *518(c) and section 1452(i) of such Acts: Provided fur-*
5 *ther, That for fiscal year 2022, notwithstanding the*
6 *amounts specified in section 205(c) of the Federal*
7 *Water Pollution Control Act, up to 1.5 percent of the*
8 *aggregate funds appropriated for the Clean Water*
9 *State Revolving Fund program under the Act less any*
10 *sums reserved under section 518(c) of the Act, may be*
11 *reserved by the Administrator for grants made under*
12 *title II of the Federal Water Pollution Control Act for*
13 *American Samoa, Guam, the Commonwealth of the*
14 *Northern Marianas, and United States Virgin Is-*
15 *lands: Provided further, That for fiscal year 2022,*
16 *notwithstanding the limitations on amounts specified*
17 *in section 1452(j) of the Safe Drinking Water Act, up*
18 *to 1.5 percent of the funds appropriated for the*
19 *Drinking Water State Revolving Fund programs*
20 *under the Safe Drinking Water Act may be reserved*
21 *by the Administrator for grants made under section*
22 *1452(j) of the Safe Drinking Water Act: Provided fur-*
23 *ther, That 10 percent of the funds made available*
24 *under this title to each State for Clean Water State*
25 *Revolving Fund capitalization grants and 14 percent*

1 *of the funds made available under this title to each*
2 *State for Drinking Water State Revolving Fund cap-*
3 *italization grants shall be used by the State to pro-*
4 *vide additional subsidy to eligible recipients in the*
5 *form of forgiveness of principal, negative interest*
6 *loans, or grants (or any combination of these), and*
7 *shall be so used by the State only where such funds*
8 *are provided as initial financing for an eligible re-*
9 *recipient or to buy, refinance, or restructure the debt*
10 *obligations of eligible recipients only where such debt*
11 *was incurred on or after the date of enactment of this*
12 *Act, or where such debt was incurred prior to the date*
13 *of enactment of this Act if the State, with concurrence*
14 *from the Administrator, determines that such funds*
15 *could be used to help address a threat to public health*
16 *from heightened exposure to lead in drinking water or*
17 *if a Federal or State emergency declaration has been*
18 *issued due to a threat to public health from height-*
19 *ened exposure to lead in a municipal drinking water*
20 *supply before the date of enactment of this Act: Pro-*
21 *vided further, That in a State in which such an emer-*
22 *gency declaration has been issued, the State may use*
23 *more than 14 percent of the funds made available*
24 *under this title to the State for Drinking Water State*
25 *Revolving Fund capitalization grants to provide ad-*

1 *ditional subsidy to eligible recipients: Provided fur-*
2 *ther, That notwithstanding section 1452(o) of the Safe*
3 *Drinking Water Act (42 U.S.C. 300j-12(o)), the Ad-*
4 *ministrator shall reserve \$12,000,000 of the amounts*
5 *made available for fiscal year 2022 for making cap-*
6 *italization grants for the Drinking Water State Re-*
7 *volving Funds to pay the costs of monitoring for un-*
8 *regulated contaminants under section 1445(a)(2)(C)*
9 *of such Act;*

10 (2) *\$32,000,000 shall be for architectural, engi-*
11 *neering, planning, design, construction and related*
12 *activities in connection with the construction of high*
13 *priority water and wastewater facilities in the area*
14 *of the United States-Mexico Border, after consultation*
15 *with the appropriate border commission: Provided,*
16 *That no funds provided by this appropriations Act to*
17 *address the water, wastewater and other critical in-*
18 *frastructure needs of the colonias in the United States*
19 *along the United States-Mexico border shall be made*
20 *available to a county or municipal government unless*
21 *that government has established an enforceable local*
22 *ordinance, or other zoning rule, which prevents in*
23 *that jurisdiction the development or construction of*
24 *any additional colonia areas, or the development*
25 *within an existing colonia the construction of any*

1 *new home, business, or other structure which lacks*
2 *water, wastewater, or other necessary infrastructure;*

3 (3) \$39,186,000 shall be for grants to the State
4 *of Alaska to address drinking water and wastewater*
5 *infrastructure needs of rural and Alaska Native Vil-*
6 *lages: Provided, That of these funds: (A) the State of*
7 *Alaska shall provide a match of 25 percent; (B) no*
8 *more than 5 percent of the funds may be used for ad-*
9 *ministrative and overhead expenses; and (C) the State*
10 *of Alaska shall make awards consistent with the*
11 *Statewide priority list established in conjunction with*
12 *the Agency and the U.S. Department of Agriculture*
13 *for all water, sewer, waste disposal, and similar*
14 *projects carried out by the State of Alaska that are*
15 *funded under section 221 of the Federal Water Pollu-*
16 *tion Control Act (33 U.S.C. 1301) or the Consolidated*
17 *Farm and Rural Development Act (7 U.S.C. 1921 et*
18 *seq.) which shall allocate not less than 25 percent of*
19 *the funds provided for projects in regional hub com-*
20 *munities;*

21 (4) \$91,987,000 shall be to carry out section
22 *104(k) of the Comprehensive Environmental Re-*
23 *sponse, Compensation, and Liability Act of 1980*
24 *(CERCLA), including grants, interagency agree-*
25 *ments, and associated program support costs: Pro-*

1 *vided, That at least 10 percent shall be allocated for*
2 *assistance in persistent poverty counties: Provided*
3 *further, That for purposes of this section, the term*
4 *“persistent poverty counties” means any county that*
5 *has had 20 percent or more of its population living*
6 *in poverty over the past 30 years, as measured by the*
7 *1993 Small Area Income and Poverty Estimates, the*
8 *2000 decennial census, and the most recent Small*
9 *Area Income and Poverty Estimates, or any territory*
10 *or possession of the United States;*

11 *(5) \$92,000,000 shall be for grants under title*
12 *VII, subtitle G of the Energy Policy Act of 2005;*

13 *(6) \$61,927,000 shall be for targeted airshed*
14 *grants in accordance with the terms and conditions*
15 *in the explanatory statement described in section 4*
16 *(in the matter preceding division A of this consoli-*
17 *dated Act);*

18 *(7) \$27,158,000 shall be for grants under sub-*
19 *sections (a) through (j) of section 1459A of the Safe*
20 *Drinking Water Act (42 U.S.C. 300j–19a);*

21 *(8) \$27,500,000 shall be for grants under section*
22 *1464(d) of the Safe Drinking Water Act (42 U.S.C.*
23 *300j–24(d));*

1 (9) \$22,011,000 shall be for grants under section
2 1459B of the Safe Drinking Water Act (42 U.S.C.
3 300j-19b);

4 (10) \$5,000,000 shall be for grants under section
5 1459A(l) of the Safe Drinking Water Act (42 U.S.C.
6 300j-19a(l));

7 (11) \$20,000,000 shall be for grants under sec-
8 tion 104(b)(8) of the Federal Water Pollution Control
9 Act (33 U.S.C. 1254(b)(8));

10 (12) \$43,000,000 shall be for grants under sec-
11 tion 221 of the Federal Water Pollution Control Act
12 (33 U.S.C. 1301);

13 (13) \$4,000,000 shall be for grants under section
14 4304(b) of the America's Water Infrastructure Act of
15 2018 (Public Law 115-270);

16 (14) \$2,500,000 shall be for carrying out section
17 302(a) of the Save Our Seas 2.0 Act (33 U.S.C.
18 4283(a)), of which not more than 2 percent shall be
19 for administrative costs to carry out such section:
20 Provided, That notwithstanding section 302(a) of
21 such Act, the Administrator may also provide grants
22 pursuant to such authority to intertribal consortia
23 consistent with the requirements in 40 CFR
24 35.504(a), to former Indian reservations in Oklahoma
25 (as determined by the Secretary of the Interior), and

1 *Alaska Native Villages as defined in Public Law 92–*
2 *203;*

3 (15) *\$4,000,000 shall be for grants under section*
4 *103(b)(3) of the Clean Air Act for wildfire smoke pre-*
5 *paredness grants in accordance with the terms and*
6 *conditions in the explanatory statement described in*
7 *section 4 (in the matter preceding division A of this*
8 *consolidated Act): Provided, not more than 3 percent*
9 *shall be for administrative costs to carry out such sec-*
10 *tion;*

11 (16) *\$1,099,384,000 shall be for grants, includ-*
12 *ing associated program support costs, to States, feder-*
13 *ally recognized Tribes, interstate agencies, tribal con-*
14 *sortia, and air pollution control agencies for multi-*
15 *media or single media pollution prevention, control*
16 *and abatement, and related activities, including ac-*
17 *tivities pursuant to the provisions set forth under this*
18 *heading in Public Law 104–134, and for making*
19 *grants under section 103 of the Clean Air Act for par-*
20 *ticulate matter monitoring and data collection activi-*
21 *ties subject to terms and conditions specified by the*
22 *Administrator, and under section 2301 of the Water*
23 *and Waste Act of 2016 to assist States in developing*
24 *and implementing programs for control of coal com-*
25 *bustion residuals, of which: \$46,195,000 shall be for*

1 carrying out section 128 of CERCLA; \$9,336,000
2 shall be for Environmental Information Exchange
3 Network grants, including associated program sup-
4 port costs; \$1,475,000 shall be for grants to States
5 under section 2007(f)(2) of the Solid Waste Disposal
6 Act, which shall be in addition to funds appropriated
7 under the heading “Leaking Underground Storage
8 Tank Trust Fund Program” to carry out the provi-
9 sions of the Solid Waste Disposal Act specified in sec-
10 tion 9508(c) of the Internal Revenue Code other than
11 section 9003(h) of the Solid Waste Disposal Act;
12 \$18,000,000 of the funds available for grants under
13 section 106 of the Federal Water Pollution Control
14 Act shall be for State participation in national- and
15 State-level statistical surveys of water resources and
16 enhancements to State monitoring programs; and

17 (17) \$15,006,000 shall be for State and Tribal
18 Assistance Grants to be allocated in the amounts spec-
19 ified for those projects and for the purposes delineated
20 in the table titled “Interior and Environment Incor-
21 poration of Community Project Funding Items/Cong-
22 gressionally Directed Spending Items” included for
23 this division in the explanatory statement described
24 in section 4 (in the matter preceding division A of
25 this consolidated Act) for remediation, construction,

1 *and related environmental management activities in*
2 *accordance with the terms and conditions specified for*
3 *such grants in the explanatory statement described in*
4 *section 4 (in the matter preceding division A of this*
5 *consolidated Act).*

6 *WATER INFRASTRUCTURE FINANCE AND INNOVATION*

7 *PROGRAM ACCOUNT*

8 *For the cost of direct loans and for the cost of guaran-*
9 *teed loans, as authorized by the Water Infrastructure Fi-*
10 *nance and Innovation Act of 2014, \$63,500,000, to remain*
11 *available until expended: Provided, That such costs, includ-*
12 *ing the cost of modifying such loans, shall be as defined*
13 *in section 502 of the Congressional Budget Act of 1974: Pro-*
14 *vided further, That these funds are available to subsidize*
15 *gross obligations for the principal amount of direct loans,*
16 *including capitalized interest, and total loan principal, in-*
17 *cluding capitalized interest, any part of which is to be*
18 *guaranteed, not to exceed \$12,500,000,000: Provided fur-*
19 *ther, That of the funds made available under this heading,*
20 *\$5,000,000 shall be used solely for the cost of direct loans*
21 *and for the cost of guaranteed loans for projects described*
22 *in section 5026(9) of the Water Infrastructure Finance and*
23 *Innovation Act of 2014 to State infrastructure financing*
24 *authorities, as authorized by section 5033(e) of such Act:*
25 *Provided further, That the use of direct loans or loan guar-*

1 *antee authority under this heading for direct loans or com-*
2 *mitments to guarantee loans for any project shall be in ac-*
3 *cordance with the criteria published in the Federal Register*
4 *on June 30, 2020 (85 FR 39189) pursuant to the fourth*
5 *proviso under the heading “Water Infrastructure Finance*
6 *and Innovation Program Account” in division D of the*
7 *Further Consolidated Appropriations Act, 2020 (Public*
8 *Law 116–94): Provided further, That none of the direct*
9 *loans or loan guarantee authority made available under*
10 *this heading shall be available for any project unless the*
11 *Administrator and the Director of the Office of Management*
12 *and Budget have certified in advance in writing that the*
13 *direct loan or loan guarantee, as applicable, and the project*
14 *comply with the criteria referenced in the previous proviso:*
15 *Provided further, That, for the purposes of carrying out the*
16 *Congressional Budget Act of 1974, the Director of the Con-*
17 *gressional Budget Office may request, and the Adminis-*
18 *trator shall promptly provide, documentation and informa-*
19 *tion relating to a project identified in a Letter of Interest*
20 *submitted to the Administrator pursuant to a Notice of*
21 *Funding Availability for applications for credit assistance*
22 *under the Water Infrastructure Finance and Innovation*
23 *Act Program, including with respect to a project that was*
24 *initiated or completed before the date of enactment of this*
25 *Act.*

1 *The Administrator of the Environmental Protection*
2 *Agency is authorized to collect and obligate pesticide reg-*
3 *istration service fees in accordance with section 33 of the*
4 *Federal Insecticide, Fungicide, and Rodenticide Act (7*
5 *U.S.C. 136w-8), to remain available until expended.*

6 *Notwithstanding section 33(d)(2) of the Federal Insec-*
7 *ticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C.*
8 *136w-8(d)(2)), the Administrator of the Environmental*
9 *Protection Agency may assess fees under section 33 of*
10 *FIFRA (7 U.S.C. 136w-8) for fiscal year 2022.*

11 *The Administrator of the Environmental Protection*
12 *Agency is authorized to collect and obligate fees in accord-*
13 *ance with section 3024 of the Solid Waste Disposal Act (42*
14 *U.S.C. 6939g) for fiscal year 2022, to remain available*
15 *until expended.*

16 *The Administrator is authorized to transfer up to*
17 *\$348,000,000 of the funds appropriated for the Great Lakes*
18 *Restoration Initiative under the heading “Environmental*
19 *Programs and Management” to the head of any Federal de-*
20 *partment or agency, with the concurrence of such head, to*
21 *carry out activities that would support the Great Lakes*
22 *Restoration Initiative and Great Lakes Water Quality*
23 *Agreement programs, projects, or activities; to enter into*
24 *an interagency agreement with the head of such Federal de-*
25 *partment or agency to carry out these activities; and to*

1 *make grants to governmental entities, nonprofit organiza-*
2 *tions, institutions, and individuals for planning, research,*
3 *monitoring, outreach, and implementation in furtherance*
4 *of the Great Lakes Restoration Initiative and the Great*
5 *Lakes Water Quality Agreement.*

6 *The Science and Technology, Environmental Programs*
7 *and Management, Office of Inspector General, Hazardous*
8 *Substance Superfund, and Leaking Underground Storage*
9 *Tank Trust Fund Program Accounts, are available for the*
10 *construction, alteration, repair, rehabilitation, and renova-*
11 *tion of facilities, provided that the cost does not exceed*
12 *\$150,000 per project.*

13 *For fiscal year 2022, and notwithstanding section*
14 *518(f) of the Federal Water Pollution Control Act (33*
15 *U.S.C. 1377(f)), the Administrator is authorized to use the*
16 *amounts appropriated for any fiscal year under section 319*
17 *of the Act to make grants to Indian tribes pursuant to sec-*
18 *tions 319(h) and 518(e) of that Act.*

19 *The Administrator is authorized to use the amounts*
20 *appropriated under the heading “Environmental Programs*
21 *and Management” for fiscal year 2022 to provide grants*
22 *to implement the Southeastern New England Watershed*
23 *Restoration Program.*

24 *Notwithstanding the limitations on amounts in section*
25 *320(i)(2)(B) of the Federal Water Pollution Control Act,*

1 *not less than \$2,000,000 of the funds made available under*
2 *this title for the National Estuary Program shall be for*
3 *making competitive awards described in section 320(g)(4).*

4 *Section 122(b)(3) of the Comprehensive Environmental*
5 *Response, Compensation, and Liability Act of 1980 (42*
6 *U.S.C. 9622(b)(3)), shall be applied by inserting before the*
7 *period: “, including for the hire, maintenance, and oper-*
8 *ation of aircraft.”.*

9 *The Environmental Protection Agency Working Cap-*
10 *ital Fund, established by Public Law 104–204 (42 U.S.C.*
11 *4370e), is available for expenses and equipment necessary*
12 *for modernization and development of information tech-*
13 *nology of, or for use by, the Environmental Protection*
14 *Agency.*

15 *For fiscal year 2022, the Office of Chemical Safety and*
16 *Pollution Prevention and the Office of Water may, using*
17 *funds appropriated under the headings “Environmental*
18 *Programs and Management” and “Science and Tech-*
19 *nology”, contract directly with individuals or indirectly*
20 *with institutions or nonprofit organizations, without re-*
21 *gard to 41 U.S.C. 5, for the temporary or intermittent per-*
22 *sonal services of students or recent graduates, who shall be*
23 *considered employees for the purposes of chapters 57 and*
24 *81 of title 5, United States Code, relating to compensation*
25 *for travel and work injuries, and chapter 171 of title 28,*

1 *United States Code, relating to tort claims, but shall not*
2 *be considered to be Federal employees for any other purpose:*
3 *Provided, That amounts used for this purpose by the Office*
4 *of Chemical Safety and Pollution Prevention and the Office*
5 *of Water collectively may not exceed \$2,000,000.*

6 *During each of fiscal years 2022 through 2025, the Ad-*
7 *ministrator may, after consultation with the Office of Per-*
8 *sonnel Management, employ up to seventy-five persons at*
9 *any one time in the Office of Research and Development*
10 *and twenty-five persons at any one time in the Office of*
11 *Chemical Safety and Pollution Prevention under the au-*
12 *thority provided in 42 U.S.C. 209.*

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TITLE III

RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

*OFFICE OF THE UNDER SECRETARY FOR NATURAL
RESOURCES AND ENVIRONMENT*

For necessary expenses of the Office of the Under Secretary for Natural Resources and Environment, \$1,000,000: Provided, That funds made available by this Act to any agency in the Natural Resources and Environment mission area for salaries and expenses are available to fund up to one administrative support staff for the office.

FOREST SERVICE

FOREST SERVICE OPERATIONS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Forest Service, not otherwise provided for, \$1,069,086,000, to remain available through September 30, 2025: Provided, That a portion of the funds made available under this heading shall be for the base salary and expenses of employees in the Chief's Office, the Work Environment and Performance Office, the Business Operations Deputy Area, and the Chief Financial Officer's Office to carry out administrative and general management support functions: Provided further, That funds provided under this heading shall be available for the costs of facility maintenance, repairs, and leases for build-

1 *ings and sites where these administrative, general manage-*
2 *ment and other Forest Service support functions take place;*
3 *the costs of all utility and telecommunication expenses of*
4 *the Forest Service, as well as business services; and, for in-*
5 *formation technology, including cyber security require-*
6 *ments: Provided further, That funds provided under this*
7 *heading may be used for necessary expenses to carry out*
8 *administrative and general management support functions*
9 *of the Forest Service not otherwise provided for and nec-*
10 *essary for its operation.*

11 *FOREST AND RANGELAND RESEARCH*

12 *For necessary expenses of forest and rangeland re-*
13 *search as authorized by law, \$296,616,000, to remain avail-*
14 *able through September 30, 2025: Provided, That of the*
15 *funds provided, \$22,197,000 is for the forest inventory and*
16 *analysis program: Provided further, That all authorities for*
17 *the use of funds, including the use of contracts, grants, and*
18 *cooperative agreements, available to execute the Forest and*
19 *Rangeland Research appropriation, are also available in*
20 *the utilization of these funds for Fire Science Research.*

21 *STATE AND PRIVATE FORESTRY*

22 *For necessary expenses of cooperating with and pro-*
23 *viding technical and financial assistance to States, terri-*
24 *ories, possessions, and others, and for forest health manage-*
25 *ment, and conducting an international program and trade*

1 compliance activities as authorized, \$315,198,000, to re-
2 main available through September 30, 2025, as authorized
3 by law, of which \$29,955,500 shall be for projects specified
4 for Forest Resource Information and Analysis in the table
5 titled “Interior and Environment Incorporation of Commu-
6 nity Project Funding Items/Congressionally Directed
7 Spending Items” included for this division in the explana-
8 tory statement described in section 4 (in the matter pre-
9 ceding division A of this consolidated Act).

10 *NATIONAL FOREST SYSTEM*

11 *For necessary expenses of the Forest Service, not other-*
12 *wise provided for, for management, protection, improve-*
13 *ment, and utilization of the National Forest System, and*
14 *for hazardous fuels management on or adjacent to such*
15 *lands, \$1,866,545,000, to remain available through Sep-*
16 *tember 30, 2025: Provided, That of the funds provided,*
17 *\$28,000,000 shall be deposited in the Collaborative Forest*
18 *Landscape Restoration Fund for ecological restoration*
19 *treatments as authorized by 16 U.S.C. 7303(f): Provided*
20 *further, That for the funds provided in the preceding pro-*
21 *viso, section 4003(d)(3)(A) of the Omnibus Public Land*
22 *Management Act of 2009 (16 U.S.C. 7303(d)(3)(A)) shall*
23 *be applied by substituting “20” for “10” and section*
24 *4003(d)(3)(B) of the Omnibus Public Land Management*
25 *Act of 2009 (16 U.S.C. 7303(d)(3)(B)) shall be applied by*

1 *substituting “4” for “2”: Provided further, That of the funds*
2 *provided, \$38,000,000 shall be for forest products: Provided*
3 *further, That of the funds provided, \$187,388,000 shall be*
4 *for hazardous fuels management activities, of which not to*
5 *exceed \$20,000,000 may be used to make grants, using any*
6 *authorities available to the Forest Service under the “State*
7 *and Private Forestry” appropriation, for the purpose of*
8 *creating incentives for increased use of biomass from Na-*
9 *tional Forest System lands: Provided further, That*
10 *\$20,000,000 may be used by the Secretary of Agriculture*
11 *to enter into procurement contracts or cooperative agree-*
12 *ments or to issue grants for hazardous fuels management*
13 *activities, and for training or monitoring associated with*
14 *such hazardous fuels management activities on Federal*
15 *land, or on non-Federal land if the Secretary determines*
16 *such activities benefit resources on Federal land: Provided*
17 *further, That funds made available to implement the Com-*
18 *munity Forest Restoration Act, Public Law 106–393, title*
19 *VI, shall be available for use on non-Federal lands in ac-*
20 *cordance with authorities made available to the Forest*
21 *Service under the “State and Private Forestry” appropria-*
22 *tion: Provided further, That notwithstanding section 33 of*
23 *the Bankhead Jones Farm Tenant Act (7 U.S.C. 1012), the*
24 *Secretary of Agriculture, in calculating a fee for grazing*
25 *on a National Grassland, may provide a credit of up to*

1 50 percent of the calculated fee to a Grazing Association
2 or direct permittee for a conservation practice approved by
3 the Secretary in advance of the fiscal year in which the
4 cost of the conservation practice is incurred, and that the
5 amount credited shall remain available to the Grazing Asso-
6 ciation or the direct permittee, as appropriate, in the fiscal
7 year in which the credit is made and each fiscal year there-
8 after for use on the project for conservation practices ap-
9 proved by the Secretary: Provided further, That funds ap-
10 propriated to this account shall be available for the base
11 salary and expenses of employees that carry out the func-
12 tions funded by the “Capital Improvement and Mainte-
13 nance” account, the “Range Betterment Fund” account,
14 and the “Management of National Forest Lands for Subsist-
15 ence Uses” account.

16 *CAPITAL IMPROVEMENT AND MAINTENANCE*

17 *(INCLUDING TRANSFER OF FUNDS)*

18 *For necessary expenses of the Forest Service, not other-*
19 *wise provided for, \$159,049,000, to remain available*
20 *through September 30, 2025, for construction, capital im-*
21 *provement, maintenance, and acquisition of buildings and*
22 *other facilities and infrastructure; and for construction, re-*
23 *construction, decommissioning of roads that are no longer*
24 *needed, including unauthorized roads that are not part of*
25 *the transportation system, and maintenance of forest roads*

1 *and trails by the Forest Service as authorized by 16 U.S.C.*
2 *532–538 and 23 U.S.C. 101 and 205: Provided, That*
3 *\$5,000,000 shall be for activities authorized by 16 U.S.C.*
4 *538(a): Provided further, That \$10,867,000 shall be for*
5 *projects specified for Construction Projects in the table ti-*
6 *tled “Interior and Environment Incorporation of Commu-*
7 *nity Project Funding Items/Congressionally Directed*
8 *Spending Items” included for this division in the explana-*
9 *tory statement described in section 4 (in the matter pre-*
10 *ceding division A of this consolidated Act): Provided fur-*
11 *ther, That funds becoming available in fiscal year 2022*
12 *under the Act of March 4, 1913 (16 U.S.C. 501) shall be*
13 *transferred to the General Fund of the Treasury and shall*
14 *not be available for transfer or obligation for any other pur-*
15 *pose unless the funds are appropriated.*

16 *ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL*
17 *ACTS*

18 *For acquisition of lands within the exterior boundaries*
19 *of the Cache, Uinta, and Wasatch National Forests, Utah;*
20 *the Toiyabe National Forest, Nevada; and the Angeles, San*
21 *Bernardino, Sequoia, and Cleveland National Forests, Cali-*
22 *fornia; and the Ozark-St. Francis and Ouachita National*
23 *Forests, Arkansas; as authorized by law, \$664,000, to be*
24 *derived from forest receipts.*

1 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

2 For acquisition of lands, such sums, to be derived from
3 funds deposited by State, county, or municipal govern-
4 ments, public school districts, or other public school authori-
5 ties, and for authorized expenditures from funds deposited
6 by non-Federal parties pursuant to Land Sale and Ex-
7 change Acts, pursuant to the Act of December 4, 1967 (16
8 U.S.C. 484a), to remain available through September 30,
9 2025, (16 U.S.C. 516–617a, 555a; Public Law 96–586; Pub-
10 lic Law 76–589, Public Law 76–591; and Public Law 78–
11 310).

12 RANGE BETTERMENT FUND

13 For necessary expenses of range rehabilitation, protec-
14 tion, and improvement, 50 percent of all moneys received
15 during the prior fiscal year, as fees for grazing domestic
16 livestock on lands in National Forests in the 16 Western
17 States, pursuant to section 401(b)(1) of Public Law 94–
18 579, to remain available through September 30, 2025, of
19 which not to exceed 6 percent shall be available for adminis-
20 trative expenses associated with on-the-ground range reha-
21 bilitation, protection, and improvements.

22 GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND

23 RANGELAND RESEARCH

24 For expenses authorized by 16 U.S.C. 1643(b),
25 \$45,000, to remain available through September 30, 2025,

1 *cooperating entities for services provided in response to*
2 *wildfire and other emergencies or disasters to the extent*
3 *such reimbursements by the Forest Service for non-fire*
4 *emergencies are fully repaid by the responsible emergency*
5 *management agency: Provided further, That funds provided*
6 *shall be available for support to Federal emergency re-*
7 *sponse: Provided further, That the costs of implementing*
8 *any cooperative agreement between the Federal Government*
9 *and any non-Federal entity may be shared, as mutually*
10 *agreed on by the affected parties: Provided further, That*
11 *of the funds provided under this heading, \$1,011,000,000*
12 *shall be available for wildfire suppression operations, and*
13 *is provided to meet the terms of section 4004(b)(5)(B) and*
14 *section 4005(e)(2)(A) of S. Con. Res. 14 (117th Congress),*
15 *the concurrent resolution on the budget for fiscal year 2022.*

16 *WILDFIRE SUPPRESSION OPERATIONS RESERVE FUND*
17 *(INCLUDING TRANSFERS OF FUNDS)*

18 *In addition to the amounts provided under the heading*
19 *“Department of Agriculture—Forest Service—Wildland*
20 *Fire Management” for wildfire suppression operations,*
21 *\$2,120,000,000, to remain available until transferred, is ad-*
22 *ditional new budget authority as specified for purposes of*
23 *section 4004(b)(5) and section 4005(e) of S. Con. Res. 14*
24 *(117th Congress), the concurrent resolution on the budget*
25 *for fiscal year 2022: Provided, That such amounts may be*

1 transferred to and merged with amounts made available
2 under the headings “Department of the Interior—Depart-
3 ment-Wide Programs—Wildland Fire Management” and
4 “Department of Agriculture—Forest Service—Wildland
5 Fire Management” for wildfire suppression operations in
6 the fiscal year in which such amounts are transferred: Pro-
7 vided further, That amounts may be transferred to the
8 “Wildland Fire Management” accounts in the Department
9 of the Interior or the Department of Agriculture only upon
10 the notification of the House and Senate Committees on Ap-
11 propriations that all wildfire suppression operations funds
12 appropriated under that heading in this and prior appro-
13 priations Acts to the agency to which the funds will be
14 transferred will be obligated within 30 days: Provided fur-
15 ther, That the transfer authority provided under this head-
16 ing is in addition to any other transfer authority provided
17 by law: Provided further, That, in determining whether all
18 wildfire suppression operations funds appropriated under
19 the heading “Wildland Fire Management” in this and prior
20 appropriations Acts to either the Department of Agriculture
21 or the Department of the Interior will be obligated within
22 30 days pursuant to the previous proviso, any funds trans-
23 ferred or permitted to be transferred pursuant to any other
24 transfer authority provided by law shall be excluded.

1 COMMUNICATIONS SITE ADMINISTRATION

2 (INCLUDING TRANSFER OF FUNDS)

3 *Amounts collected in this fiscal year pursuant to sec-*
4 *tion 8705(f)(2) of the Agriculture Improvement Act of 2018*
5 *(Public Law 115–334), shall be deposited in the special ac-*
6 *count established by section 8705(f)(1) of such Act, shall be*
7 *available to cover the costs described in subsection (c)(3)*
8 *of such section of such Act, and shall remain available until*
9 *expended: Provided, That such amounts shall be transferred*
10 *to the “National Forest System” account.*

11 ADMINISTRATIVE PROVISIONS—FOREST SERVICE

12 (INCLUDING TRANSFERS OF FUNDS)

13 *Appropriations to the Forest Service for the current*
14 *fiscal year shall be available for: (1) purchase of passenger*
15 *motor vehicles; acquisition of passenger motor vehicles from*
16 *excess sources, and hire of such vehicles; purchase, lease, op-*
17 *eration, maintenance, and acquisition of aircraft to main-*
18 *tain the operable fleet for use in Forest Service wildland*
19 *fire programs and other Forest Service programs; notwith-*
20 *standing other provisions of law, existing aircraft being re-*
21 *placed may be sold, with proceeds derived or trade-in value*
22 *used to offset the purchase price for the replacement air-*
23 *craft; (2) services pursuant to 7 U.S.C. 2225, and not to*
24 *exceed \$100,000 for employment under 5 U.S.C. 3109; (3)*
25 *purchase, erection, and alteration of buildings and other*

1 *public improvements (7 U.S.C. 2250); (4) acquisition of*
2 *land, waters, and interests therein pursuant to 7 U.S.C.*
3 *428a; (5) for expenses pursuant to the Volunteers in the Na-*
4 *tional Forest Act of 1972 (16 U.S.C. 558a, 558d, and 558a*
5 *note); (6) the cost of uniforms as authorized by 5 U.S.C.*
6 *5901–5902; and (7) for debt collection contracts in accord-*
7 *ance with 31 U.S.C. 3718(c).*

8 *Funds made available to the Forest Service in this Act*
9 *may be transferred between accounts affected by the Forest*
10 *Service budget restructure outlined in section 435 of divi-*
11 *sion D of the Further Consolidated Appropriations Act,*
12 *2020 (Public Law 116–94): Provided, That any transfer of*
13 *funds pursuant to this paragraph shall not increase or de-*
14 *crease the funds appropriated to any account in this fiscal*
15 *year by more than ten percent: Provided further, That such*
16 *transfer authority is in addition to any other transfer au-*
17 *thority provided by law.*

18 *Any appropriations or funds available to the Forest*
19 *Service may be transferred to the Wildland Fire Manage-*
20 *ment appropriation for forest firefighting, emergency reha-*
21 *bilitation of burned-over or damaged lands or waters under*
22 *its jurisdiction, and fire preparedness due to severe burning*
23 *conditions upon the Secretary of Agriculture’s notification*
24 *of the House and Senate Committees on Appropriations*
25 *that all fire suppression funds appropriated under the head-*

1 *ing “Wildland Fire Management” will be obligated within*
2 *30 days: Provided, That all funds used pursuant to this*
3 *paragraph must be replenished by a supplemental appro-*
4 *priation which must be requested as promptly as possible.*

5 *Not more than \$50,000,000 of funds appropriated to*
6 *the Forest Service shall be available for expenditure or*
7 *transfer to the Department of the Interior for wildland fire*
8 *management, hazardous fuels management, and State fire*
9 *assistance when such transfers would facilitate and expedite*
10 *wildland fire management programs and projects.*

11 *Notwithstanding any other provision of this Act, the*
12 *Forest Service may transfer unobligated balances of discre-*
13 *tionary funds appropriated to the Forest Service by this*
14 *Act to or within the National Forest System Account, or*
15 *reprogram funds to be used for the purposes of hazardous*
16 *fuels management and urgent rehabilitation of burned-over*
17 *National Forest System lands and water: Provided, That*
18 *such transferred funds shall remain available through Sep-*
19 *tember 30, 2025: Provided further, That none of the funds*
20 *transferred pursuant to this section shall be available for*
21 *obligation without written notification to and the prior ap-*
22 *proval of the Committees on Appropriations of both Houses*
23 *of Congress.*

24 *Funds appropriated to the Forest Service shall be*
25 *available for assistance to or through the Agency for Inter-*

1 *national Development in connection with forest and range-*
2 *land research, technical information, and assistance in for-*
3 *foreign countries, and shall be available to support forestry*
4 *and related natural resource activities outside the United*
5 *States and its territories and possessions, including tech-*
6 *nical assistance, education and training, and cooperation*
7 *with United States government, private sector, and inter-*
8 *national organizations. The Forest Service, acting for the*
9 *International Program, may sign direct funding agree-*
10 *ments with foreign governments and institutions as well as*
11 *other domestic agencies (including the U.S. Agency for*
12 *International Development, the Department of State, and*
13 *the Millennium Challenge Corporation), United States pri-*
14 *vate sector firms, institutions and organizations to provide*
15 *technical assistance and training programs on forestry and*
16 *rangeland management: Provided, That to maximize effec-*
17 *tiveness of domestic and international research and co-*
18 *operation, the International Program may utilize all au-*
19 *thorities related to forestry, research, and cooperative assist-*
20 *ance regardless of program designations.*

21 *Funds appropriated to the Forest Service shall be*
22 *available for expenditure or transfer to the Department of*
23 *the Interior, Bureau of Land Management, for removal,*
24 *preparation, and adoption of excess wild horses and burros*
25 *from National Forest System lands, and for the perform-*

1 *ance of cadastral surveys to designate the boundaries of such*
2 *lands.*

3 *None of the funds made available to the Forest Service*
4 *in this Act or any other Act with respect to any fiscal year*
5 *shall be subject to transfer under the provisions of section*
6 *702(b) of the Department of Agriculture Organic Act of*
7 *1944 (7 U.S.C. 2257), section 442 of Public Law 106–224*
8 *(7 U.S.C. 7772), or section 10417(b) of Public Law 107–*
9 *171 (7 U.S.C. 8316(b)).*

10 *Not more than \$82,000,000 of funds available to the*
11 *Forest Service shall be transferred to the Working Capital*
12 *Fund of the Department of Agriculture and not more than*
13 *\$14,500,000 of funds available to the Forest Service shall*
14 *be transferred to the Department of Agriculture for Depart-*
15 *ment Reimbursable Programs, commonly referred to as*
16 *Greenbook charges. Nothing in this paragraph shall pro-*
17 *hibit or limit the use of reimbursable agreements requested*
18 *by the Forest Service in order to obtain information tech-*
19 *nology services, including telecommunications and system*
20 *modifications or enhancements, from the Working Capital*
21 *Fund of the Department of Agriculture.*

22 *Of the funds available to the Forest Service, up to*
23 *\$5,000,000 shall be available for priority projects within*
24 *the scope of the approved budget, which shall be carried out*
25 *by the Youth Conservation Corps and shall be carried out*

1 *under the authority of the Public Lands Corps Act of 1993*
2 *(16 U.S.C. 1721 et seq.).*

3 *Of the funds available to the Forest Service, \$4,000 is*
4 *available to the Chief of the Forest Service for official recep-*
5 *tion and representation expenses.*

6 *Pursuant to sections 405(b) and 410(b) of Public Law*
7 *101–593, of the funds available to the Forest Service, up*
8 *to \$3,000,000 may be advanced in a lump sum to the Na-*
9 *tional Forest Foundation to aid conservation partnership*
10 *projects in support of the Forest Service mission, without*
11 *regard to when the Foundation incurs expenses, for projects*
12 *on or benefitting National Forest System lands or related*
13 *to Forest Service programs: Provided, That of the Federal*
14 *funds made available to the Foundation, no more than*
15 *\$300,000 shall be available for administrative expenses:*
16 *Provided further, That the Foundation shall obtain, by the*
17 *end of the period of Federal financial assistance, private*
18 *contributions to match funds made available by the Forest*
19 *Service on at least a one-for-one basis: Provided further,*
20 *That the Foundation may transfer Federal funds to a Fed-*
21 *eral or a non-Federal recipient for a project at the same*
22 *rate that the recipient has obtained the non-Federal match-*
23 *ing funds.*

24 *Pursuant to section 2(b)(2) of Public Law 98–244, up*
25 *to \$3,000,000 of the funds available to the Forest Service*

1 *may be advanced to the National Fish and Wildlife Foun-*
2 *ation in a lump sum to aid cost-share conservation*
3 *projects, without regard to when expenses are incurred, on*
4 *or benefitting National Forest System lands or related to*
5 *Forest Service programs: Provided, That such funds shall*
6 *be matched on at least a one-for-one basis by the Founda-*
7 *tion or its sub-recipients: Provided further, That the Foun-*
8 *ation may transfer Federal funds to a Federal or non-*
9 *Federal recipient for a project at the same rate that the*
10 *recipient has obtained the non-Federal matching funds.*

11 *Funds appropriated to the Forest Service shall be*
12 *available for interactions with and providing technical as-*
13 *sistance to rural communities and natural resource-based*
14 *businesses for sustainable rural development purposes.*

15 *Funds appropriated to the Forest Service shall be*
16 *available for payments to counties within the Columbia*
17 *River Gorge National Scenic Area, pursuant to section*
18 *14(c)(1) and (2), and section 16(a)(2) of Public Law 99-*
19 *663.*

20 *Any funds appropriated to the Forest Service may be*
21 *used to meet the non-Federal share requirement in section*
22 *502(c) of the Older Americans Act of 1965 (42 U.S.C.*
23 *3056(c)(2)).*

1 *The Forest Service shall not assess funds for the pur-*
2 *pose of performing fire, administrative, and other facilities*
3 *maintenance and decommissioning.*

4 *Notwithstanding any other provision of law, of any*
5 *appropriations or funds available to the Forest Service, not*
6 *to exceed \$500,000 may be used to reimburse the Office of*
7 *the General Counsel (OGC), Department of Agriculture, for*
8 *travel and related expenses incurred as a result of OGC as-*
9 *sistance or participation requested by the Forest Service at*
10 *meetings, training sessions, management reviews, land pur-*
11 *chase negotiations, and similar matters unrelated to civil*
12 *litigation. Future budget justifications for both the Forest*
13 *Service and the Department of Agriculture should clearly*
14 *display the sums previously transferred and the sums re-*
15 *quested for transfer.*

16 *An eligible individual who is employed in any project*
17 *funded under title V of the Older Americans Act of 1965*
18 *(42 U.S.C. 3056 et seq.) and administered by the Forest*
19 *Service shall be considered to be a Federal employee for pur-*
20 *poses of chapter 171 of title 28, United States Code.*

21 *Funds appropriated to the Forest Service shall be*
22 *available to pay, from a single account, the base salary and*
23 *expenses of employees who carry out functions funded by*
24 *other accounts for Enterprise Program, Geospatial Tech-*
25 *nology and Applications Center, remnant Natural Resource*

1 *Manager, and National Technology and Development Pro-*
2 *gram.*

3 *DEPARTMENT OF HEALTH AND HUMAN*
4 *SERVICES*

5 *INDIAN HEALTH SERVICE*

6 *INDIAN HEALTH SERVICES*

7 *For expenses necessary to carry out the Act of August*
8 *5, 1954 (68 Stat. 674), the Indian Self-Determination and*
9 *Education Assistance Act, the Indian Health Care Improve-*
10 *ment Act, and titles II and III of the Public Health Service*
11 *Act with respect to the Indian Health Service,*
12 *\$4,660,658,000, to remain available until September 30,*
13 *2023, except as otherwise provided herein, together with*
14 *payments received during the fiscal year pursuant to sec-*
15 *tions 231(b) and 233 of the Public Health Service Act (42*
16 *U.S.C. 238(b) and 238b), for services furnished by the In-*
17 *dian Health Service: Provided, That funds made available*
18 *to tribes and tribal organizations through contracts, grant*
19 *agreements, or any other agreements or compacts authorized*
20 *by the Indian Self-Determination and Education Assist-*
21 *ance Act of 1975 (25 U.S.C. 450), shall be deemed to be*
22 *obligated at the time of the grant or contract award and*
23 *thereafter shall remain available to the tribe or tribal orga-*
24 *nization without fiscal year limitation: Provided further,*
25 *That \$2,500,000 shall be available for grants or contracts*

1 *with public or private institutions to provide alcohol or*
2 *drug treatment services to Indians, including alcohol de-*
3 *toxification services: Provided further, That \$984,887,000*
4 *for Purchased/Referred Care, including \$53,000,000 for the*
5 *Indian Catastrophic Health Emergency Fund, shall remain*
6 *available until expended: Provided further, That of the*
7 *funds provided, up to \$46,000,000 shall remain available*
8 *until expended for implementation of the loan repayment*
9 *program under section 108 of the Indian Health Care Im-*
10 *provement Act: Provided further, That of the funds pro-*
11 *vided, \$58,000,000 shall be for costs related to or resulting*
12 *from accreditation emergencies, including supplementing*
13 *activities funded under the heading “Indian Health Facili-*
14 *ties,” of which up to \$4,000,000 may be used to supplement*
15 *amounts otherwise available for Purchased/Referred Care:*
16 *Provided further, That the amounts collected by the Federal*
17 *Government as authorized by sections 104 and 108 of the*
18 *Indian Health Care Improvement Act (25 U.S.C. 1613a*
19 *and 1616a) during the preceding fiscal year for breach of*
20 *contracts shall be deposited in the Fund authorized by sec-*
21 *tion 108A of that Act (25 U.S.C. 1616a–1) and shall re-*
22 *main available until expended and, notwithstanding section*
23 *108A(c) of that Act (25 U.S.C. 1616a–1(c)), funds shall be*
24 *available to make new awards under the loan repayment*
25 *and scholarship programs under sections 104 and 108 of*

1 *that Act (25 U.S.C. 1613a and 1616a): Provided further,*
2 *That the amounts made available within this account for*
3 *the Substance Abuse and Suicide Prevention Program, for*
4 *Opioid Prevention, Treatment and Recovery Services, for*
5 *the Domestic Violence Prevention Program, for the Zero*
6 *Suicide Initiative, for the housing subsidy authority for ci-*
7 *vilian employees, for Aftercare Pilot Programs at Youth Re-*
8 *gional Treatment Centers, for transformation and mod-*
9 *ernization costs of the Indian Health Service Electronic*
10 *Health Record system, for national quality and oversight*
11 *activities, to improve collections from public and private*
12 *insurance at Indian Health Service and tribally operated*
13 *facilities, for an initiative to treat or reduce the trans-*
14 *mission of HIV and HCV, for a maternal health initiative,*
15 *for the Telebehaviorial Health Center of Excellence, for Alz-*
16 *heimer's grants, for Village Built Clinics, for a produce pre-*
17 *scription pilot, and for accreditation emergencies shall be*
18 *allocated at the discretion of the Director of the Indian*
19 *Health Service and shall remain available until expended:*
20 *Provided further, That funds provided in this Act may be*
21 *used for annual contracts and grants that fall within 2 fis-*
22 *cal years, provided the total obligation is recorded in the*
23 *year the funds are appropriated: Provided further, That the*
24 *amounts collected by the Secretary of Health and Human*
25 *Services under the authority of title IV of the Indian Health*

1 *Care Improvement Act (25 U.S.C. 1613) shall remain*
2 *available until expended for the purpose of achieving com-*
3 *pliance with the applicable conditions and requirements of*
4 *titles XVIII and XIX of the Social Security Act, except for*
5 *those related to the planning, design, or construction of new*
6 *facilities: Provided further, That funding contained herein*
7 *for scholarship programs under the Indian Health Care Im-*
8 *provement Act (25 U.S.C. 1613) shall remain available*
9 *until expended: Provided further, That amounts received by*
10 *tribes and tribal organizations under title IV of the Indian*
11 *Health Care Improvement Act shall be reported and ac-*
12 *counted for and available to the receiving tribes and tribal*
13 *organizations until expended: Provided further, That the*
14 *Bureau of Indian Affairs may collect from the Indian*
15 *Health Service, and from tribes and tribal organizations*
16 *operating health facilities pursuant to Public Law 93-638,*
17 *such individually identifiable health information relating*
18 *to disabled children as may be necessary for the purpose*
19 *of carrying out its functions under the Individuals with*
20 *Disabilities Education Act (20 U.S.C. 1400 et seq.): Pro-*
21 *vided further, That of the funds provided, \$74,138,000 is*
22 *for the Indian Health Care Improvement Fund and may*
23 *be used, as needed, to carry out activities typically funded*
24 *under the Indian Health Facilities account: Provided fur-*
25 *ther, That none of the funds appropriated by this Act, or*

1 *any other Act, to the Indian Health Service for the Elec-*
2 *tronic Health Record system shall be available for obliga-*
3 *tion or expenditure for the selection or implementation of*
4 *a new Information Technology infrastructure system, unless*
5 *the Committees on Appropriations of the House of Rep-*
6 *resentatives and the Senate are consulted 90 days in ad-*
7 *vance of such obligation.*

8 *CONTRACT SUPPORT COSTS*

9 *For payments to tribes and tribal organizations for*
10 *contract support costs associated with Indian Self-Deter-*
11 *mination and Education Assistance Act agreements with*
12 *the Indian Health Service for fiscal year 2022, such sums*
13 *as may be necessary: Provided, That notwithstanding any*
14 *other provision of law, no amounts made available under*
15 *this heading shall be available for transfer to another budget*
16 *account: Provided further, That amounts obligated but not*
17 *expended by a tribe or tribal organization for contract sup-*
18 *port costs for such agreements for the current fiscal year*
19 *shall be applied to contract support costs due for such agree-*
20 *ments for subsequent fiscal years.*

21 *PAYMENTS FOR TRIBAL LEASES*

22 *For payments to tribes and tribal organizations for*
23 *leases pursuant to section 105(l) of the Indian Self-Deter-*
24 *mination and Education Assistance Act (25 U.S.C. 5324(l))*
25 *for fiscal year 2022, such sums as may be necessary, which*

1 *shall be available for obligation through September 30,*
2 *2023: Provided, That notwithstanding any other provision*
3 *of law, no amounts made available under this heading shall*
4 *be available for transfer to another budget account.*

5 *INDIAN HEALTH FACILITIES*

6 *For construction, repair, maintenance, demolition, im-*
7 *provement, and equipment of health and related auxiliary*
8 *facilities, including quarters for personnel; preparation of*
9 *plans, specifications, and drawings; acquisition of sites,*
10 *purchase and erection of modular buildings, and purchases*
11 *of trailers; and for provision of domestic and community*
12 *sanitation facilities for Indians, as authorized by section*
13 *7 of the Act of August 5, 1954 (42 U.S.C. 2004a), the In-*
14 *dian Self-Determination Act, and the Indian Health Care*
15 *Improvement Act, and for expenses necessary to carry out*
16 *such Acts and titles II and III of the Public Health Service*
17 *Act with respect to environmental health and facilities sup-*
18 *port activities of the Indian Health Service, \$940,328,000,*
19 *to remain available until expended: Provided, That not-*
20 *withstanding any other provision of law, funds appro-*
21 *priated for the planning, design, construction, renovation,*
22 *or expansion of health facilities for the benefit of an Indian*
23 *tribe or tribes may be used to purchase land on which such*
24 *facilities will be located: Provided further, That not to ex-*
25 *ceed \$500,000 may be used by the Indian Health Service*

1 to purchase TRANSAM equipment from the Department of
2 Defense for distribution to the Indian Health Service and
3 tribal facilities: Provided further, That of the amount ap-
4 propriated under this heading for fiscal year 2022 for Sani-
5 tation Facilities Construction, \$40,171,000 shall be for
6 projects specified for Sanitation Facilities Construction
7 (CDS) in the table titled “Interior and Environment Incor-
8 poration of Community Project Funding Items/Congres-
9 sionally Directed Spending Items” included for this divi-
10 sion in the explanatory statement described in section 4 (in
11 the matter preceding division A of this consolidated Act):
12 Provided further, That none of the funds appropriated to
13 the Indian Health Service may be used for sanitation facili-
14 ties construction for new homes funded with grants by the
15 housing programs of the United States Department of
16 Housing and Urban Development.

17 ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE

18 Appropriations provided in this Act to the Indian
19 Health Service shall be available for services as authorized
20 by 5 U.S.C. 3109 at rates not to exceed the per diem rate
21 equivalent to the maximum rate payable for senior-level po-
22 sitions under 5 U.S.C. 5376; hire of passenger motor vehi-
23 cles and aircraft; purchase of medical equipment; purchase
24 of reprints; purchase, renovation, and erection of modular
25 buildings and renovation of existing facilities; payments for

1 telephone service in private residences in the field, when au-
2 thorized under regulations approved by the Secretary of
3 Health and Human Services; uniforms, or allowances there-
4 for as authorized by 5 U.S.C. 5901–5902; and for expenses
5 of attendance at meetings that relate to the functions or ac-
6 tivities of the Indian Health Service: Provided, That in ac-
7 cordance with the provisions of the Indian Health Care Im-
8 provement Act, non-Indian patients may be extended health
9 care at all tribally administered or Indian Health Service
10 facilities, subject to charges, and the proceeds along with
11 funds recovered under the Federal Medical Care Recovery
12 Act (42 U.S.C. 2651–2653) shall be credited to the account
13 of the facility providing the service and shall be available
14 without fiscal year limitation: Provided further, That not-
15 withstanding any other law or regulation, funds transferred
16 from the Department of Housing and Urban Development
17 to the Indian Health Service shall be administered under
18 Public Law 86–121, the Indian Sanitation Facilities Act
19 and Public Law 93–638: Provided further, That funds ap-
20 propriated to the Indian Health Service in this Act, except
21 those used for administrative and program direction pur-
22 poses, shall not be subject to limitations directed at cur-
23 tailing Federal travel and transportation: Provided further,
24 That none of the funds made available to the Indian Health
25 Service in this Act shall be used for any assessments or

1 *charges by the Department of Health and Human Services*
2 *unless identified in the budget justification and provided*
3 *in this Act, or approved by the House and Senate Commit-*
4 *tees on Appropriations through the reprogramming process:*
5 *Provided further, That notwithstanding any other provision*
6 *of law, funds previously or herein made available to a tribe*
7 *or tribal organization through a contract, grant, or agree-*
8 *ment authorized by title I or title V of the Indian Self-*
9 *Determination and Education Assistance Act of 1975 (25*
10 *U.S.C. 450 et seq.), may be deobligated and reobligated to*
11 *a self-determination contract under title I, or a self-govern-*
12 *ance agreement under title V of such Act and thereafter*
13 *shall remain available to the tribe or tribal organization*
14 *without fiscal year limitation: Provided further, That none*
15 *of the funds made available to the Indian Health Service*
16 *in this Act shall be used to implement the final rule pub-*
17 *lished in the Federal Register on September 16, 1987, by*
18 *the Department of Health and Human Services, relating*
19 *to the eligibility for the health care services of the Indian*
20 *Health Service until the Indian Health Service has sub-*
21 *mitted a budget request reflecting the increased costs associ-*
22 *ated with the proposed final rule, and such request has been*
23 *included in an appropriations Act and enacted into law:*
24 *Provided further, That with respect to functions transferred*
25 *by the Indian Health Service to tribes or tribal organiza-*

1 tions, the Indian Health Service is authorized to provide
2 goods and services to those entities on a reimbursable basis,
3 including payments in advance with subsequent adjust-
4 ment, and the reimbursements received therefrom, along
5 with the funds received from those entities pursuant to the
6 Indian Self-Determination Act, may be credited to the same
7 or subsequent appropriation account from which the funds
8 were originally derived, with such amounts to remain
9 available until expended: Provided further, That reimburse-
10 ments for training, technical assistance, or services pro-
11 vided by the Indian Health Service will contain total costs,
12 including direct, administrative, and overhead costs associ-
13 ated with the provision of goods, services, or technical as-
14 sistance: Provided further, That the Indian Health Service
15 may provide to civilian medical personnel serving in hos-
16 pitals operated by the Indian Health Service housing allow-
17 ances equivalent to those that would be provided to members
18 of the Commissioned Corps of the United States Public
19 Health Service serving in similar positions at such hos-
20 pitals: Provided further, That the appropriation structure
21 for the Indian Health Service may not be altered without
22 advance notification to the House and Senate Committees
23 on Appropriations.

1 *NATIONAL INSTITUTES OF HEALTH*
2 *NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH*
3 *SCIENCES*

4 *For necessary expenses for the National Institute of*
5 *Environmental Health Sciences in carrying out activities*
6 *set forth in section 311(a) of the Comprehensive Environ-*
7 *mental Response, Compensation, and Liability Act of 1980*
8 *(42 U.S.C. 9660(a)) and section 126(g) of the Superfund*
9 *Amendments and Reauthorization Act of 1986,*
10 *\$82,540,000.*

11 *AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY*
12 *TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH*

13 *For necessary expenses for the Agency for Toxic Sub-*
14 *stances and Disease Registry (ATSDR) in carrying out ac-*
15 *tivities set forth in sections 104(i) and 111(c)(4) of the*
16 *Comprehensive Environmental Response, Compensation,*
17 *and Liability Act of 1980 (CERCLA) and section 3019 of*
18 *the Solid Waste Disposal Act, \$80,500,000: Provided, That*
19 *notwithstanding any other provision of law, in lieu of per-*
20 *forming a health assessment under section 104(i)(6) of*
21 *CERCLA, the Administrator of ATSDR may conduct other*
22 *appropriate health studies, evaluations, or activities, in-*
23 *cluding, without limitation, biomedical testing, clinical*
24 *evaluations, medical monitoring, and referral to accredited*
25 *healthcare providers: Provided further, That in performing*

1 *any such health assessment or health study, evaluation, or*
2 *activity, the Administrator of ATSDR shall not be bound*
3 *by the deadlines in section 104(i)(6)(A) of CERCLA: Pro-*
4 *vided further, That none of the funds appropriated under*
5 *this heading shall be available for ATSDR to issue in excess*
6 *of 40 toxicological profiles pursuant to section 104(i) of*
7 *CERCLA during fiscal year 2022, and existing profiles*
8 *may be updated as necessary.*

9 *OTHER RELATED AGENCIES*

10 *EXECUTIVE OFFICE OF THE PRESIDENT*

11 *COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF*

12 *ENVIRONMENTAL QUALITY*

13 *For necessary expenses to continue functions assigned*
14 *to the Council on Environmental Quality and Office of En-*
15 *vironmental Quality pursuant to the National Environ-*
16 *mental Policy Act of 1969, the Environmental Quality Im-*
17 *provement Act of 1970, and Reorganization Plan No. 1 of*
18 *1977, and not to exceed \$750 for official reception and rep-*
19 *resentation expenses, \$4,200,000: Provided, That notwith-*
20 *standing section 202 of the National Environmental Policy*
21 *Act of 1970, the Council shall consist of one member, ap-*
22 *pointed by the President, by and with the advice and con-*
23 *sent of the Senate, serving as chairman and exercising all*
24 *powers, functions, and duties of the Council.*

1 *CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD*
2 *SALARIES AND EXPENSES*

3 *For necessary expenses in carrying out activities pur-*
4 *suant to section 112(r)(6) of the Clean Air Act, including*
5 *hire of passenger vehicles, uniforms or allowances therefor,*
6 *as authorized by 5 U.S.C. 5901–5902, and for services au-*
7 *thorized by 5 U.S.C. 3109 but at rates for individuals not*
8 *to exceed the per diem equivalent to the maximum rate pay-*
9 *able for senior level positions under 5 U.S.C. 5376,*
10 *\$13,400,000: Provided, That the Chemical Safety and Haz-*
11 *ard Investigation Board (Board) shall have not more than*
12 *three career Senior Executive Service positions: Provided*
13 *further, That notwithstanding any other provision of law,*
14 *the individual appointed to the position of Inspector Gen-*
15 *eral of the Environmental Protection Agency (EPA) shall,*
16 *by virtue of such appointment, also hold the position of In-*
17 *spector General of the Board: Provided further, That not-*
18 *withstanding any other provision of law, the Inspector Gen-*
19 *eral of the Board shall utilize personnel of the Office of In-*
20 *spector General of EPA in performing the duties of the In-*
21 *spector General of the Board, and shall not appoint any*
22 *individuals to positions within the Board.*

1 *OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION*2 *SALARIES AND EXPENSES*

3 *For necessary expenses of the Office of Navajo and*
4 *Hopi Indian Relocation as authorized by Public Law 93-*
5 *531, \$3,150,000, to remain available until expended, which*
6 *shall be derived from unobligated balances from prior year*
7 *appropriations available under this heading: Provided,*
8 *That funds provided in this or any other appropriations*
9 *Act are to be used to relocate eligible individuals and groups*
10 *including evictees from District 6, Hopi-partitioned lands*
11 *residents, those in significantly substandard housing, and*
12 *all others certified as eligible and not included in the pre-*
13 *ceding categories: Provided further, That none of the funds*
14 *contained in this or any other Act may be used by the Office*
15 *of Navajo and Hopi Indian Relocation to evict any single*
16 *Navajo or Navajo family who, as of November 30, 1985,*
17 *was physically domiciled on the lands partitioned to the*
18 *Hopi Tribe unless a new or replacement home is provided*
19 *for such household: Provided further, That no relocatee will*
20 *be provided with more than one new or replacement home:*
21 *Provided further, That the Office shall relocate any certified*
22 *eligible relocatees who have selected and received an ap-*
23 *proved homesite on the Navajo reservation or selected a re-*
24 *placement residence off the Navajo reservation or on the*

1 *land acquired pursuant to section 11 of Public Law 93–*
2 *531 (88 Stat. 1716).*

3 *INSTITUTE OF AMERICAN INDIAN AND ALASKA*
4 *NATIVE CULTURE AND ARTS DEVELOPMENT*
5 *PAYMENT TO THE INSTITUTE*

6 *For payment to the Institute of American Indian and*
7 *Alaska Native Culture and Arts Development, as authorized*
8 *by part A of title XV of Public Law 99–498 (20 U.S.C.*
9 *4411 et seq.), \$11,741,000, which shall become available on*
10 *July 1, 2022, and shall remain available until September*
11 *30, 2023.*

12 *SMITHSONIAN INSTITUTION*
13 *SALARIES AND EXPENSES*

14 *For necessary expenses of the Smithsonian Institution,*
15 *as authorized by law, including research in the fields of art,*
16 *science, and history; development, preservation, and docu-*
17 *mentation of the National Collections; presentation of pub-*
18 *lic exhibits and performances; collection, preparation, dis-*
19 *semination, and exchange of information and publications;*
20 *conduct of education, training, and museum assistance pro-*
21 *grams; maintenance, alteration, operation, lease agreements*
22 *of no more than 30 years, and protection of buildings, fa-*
23 *cilities, and approaches; not to exceed \$100,000 for services*
24 *as authorized by 5 U.S.C. 3109; and purchase, rental, re-*
25 *pair, and cleaning of uniforms for employees, \$852,215,000,*

1 *to remain available until September 30, 2023, except as oth-*
2 *erwise provided herein; of which not to exceed \$12,798,000*
3 *for the instrumentation program, collections acquisition,*
4 *exhibition reinstallation, Smithsonian American Women’s*
5 *History Museum, National Museum of the American*
6 *Latino, and the repatriation of skeletal remains program*
7 *shall remain available until expended; and including such*
8 *funds as may be necessary to support American overseas*
9 *research centers: Provided, That funds appropriated herein*
10 *are available for advance payments to independent contrac-*
11 *tors performing research services or participating in official*
12 *Smithsonian presentations: Provided further, That the*
13 *Smithsonian Institution may expend Federal appropria-*
14 *tions designated in this Act for lease or rent payments, as*
15 *rent payable to the Smithsonian Institution, and such rent*
16 *payments may be deposited into the general trust funds of*
17 *the Institution to be available as trust funds for expenses*
18 *associated with the purchase of a portion of the building*
19 *at 600 Maryland Avenue, SW, Washington, DC, to the ex-*
20 *tent that federally supported activities will be housed there:*
21 *Provided further, That the use of such amounts in the gen-*
22 *eral trust funds of the Institution for such purpose shall*
23 *not be construed as Federal debt service for, a Federal guar-*
24 *antee of, a transfer of risk to, or an obligation of the Federal*
25 *Government: Provided further, That no appropriated funds*

1 *may be used directly to service debt which is incurred to*
2 *finance the costs of acquiring a portion of the building at*
3 *600 Maryland Avenue, SW, Washington, DC, or of plan-*
4 *ning, designing, and constructing improvements to such*
5 *building: Provided further, That any agreement entered*
6 *into by the Smithsonian Institution for the sale of its own-*
7 *ership interest, or any portion thereof, in such building so*
8 *acquired may not take effect until the expiration of a 30*
9 *day period which begins on the date on which the Secretary*
10 *of the Smithsonian submits to the Committees on Appro-*
11 *priations of the House of Representatives and Senate, the*
12 *Committees on House Administration and Transportation*
13 *and Infrastructure of the House of Representatives, and the*
14 *Committee on Rules and Administration of the Senate a*
15 *report, as outlined in the explanatory statement described*
16 *in section 4 of the Further Consolidated Appropriations*
17 *Act, 2020 (Public Law 116–94; 133 Stat. 2536) on the in-*
18 *tended sale.*

19 *FACILITIES CAPITAL*

20 *For necessary expenses of repair, revitalization, and*
21 *alteration of facilities owned or occupied by the Smithso-*
22 *nian Institution, by contract or otherwise, as authorized by*
23 *section 2 of the Act of August 22, 1949 (63 Stat. 623), and*
24 *for construction, including necessary personnel,*
25 *\$210,000,000, to remain available until expended, of which*

1 *not to exceed \$10,000 shall be for services as authorized by*
2 *5 U.S.C. 3109.*

3 *NATIONAL GALLERY OF ART*

4 *SALARIES AND EXPENSES*

5 *For the upkeep and operations of the National Gallery*
6 *of Art, the protection and care of the works of art therein,*
7 *and administrative expenses incident thereto, as authorized*
8 *by the Act of March 24, 1937 (50 Stat. 51), as amended*
9 *by the public resolution of April 13, 1939 (Public Resolu-*
10 *tion 9, 76th Congress), including services as authorized by*
11 *5 U.S.C. 3109; payment in advance when authorized by*
12 *the treasurer of the Gallery for membership in library, mu-*
13 *seum, and art associations or societies whose publications*
14 *or services are available to members only, or to members*
15 *at a price lower than to the general public; purchase, re-*
16 *pair, and cleaning of uniforms for guards, and uniforms,*
17 *or allowances therefor, for other employees as authorized by*
18 *law (5 U.S.C. 5901–5902); purchase or rental of devices and*
19 *services for protecting buildings and contents thereof, and*
20 *maintenance, alteration, improvement, and repair of build-*
21 *ings, approaches, and grounds; and purchase of services for*
22 *restoration and repair of works of art for the National Gal-*
23 *lery of Art by contracts made, without advertising, with*
24 *individuals, firms, or organizations at such rates or prices*
25 *and under such terms and conditions as the Gallery may*

1 *deem proper, \$156,419,000, to remain available until Sep-*
2 *tember 30, 2023, of which not to exceed \$3,775,000 for the*
3 *special exhibition program shall remain available until ex-*
4 *pended.*

5 *REPAIR, RESTORATION AND RENOVATION OF BUILDINGS*
6 *(INCLUDING TRANSFER OF FUNDS)*

7 *For necessary expenses of repair, restoration, and ren-*
8 *ovation of buildings, grounds and facilities owned or occu-*
9 *pied by the National Gallery of Art, by contract or other-*
10 *wise, for operating lease agreements of no more than 10*
11 *years, with no extensions or renewals beyond the 10 years,*
12 *that address space needs created by the ongoing renovations*
13 *in the Master Facilities Plan, as authorized, \$24,081,000,*
14 *to remain available until expended: Provided, That of this*
15 *amount, \$11,458,000 shall be available for design and con-*
16 *struction of an off-site art storage facility in partnership*
17 *with the Smithsonian Institution and may be transferred*
18 *to the Smithsonian Institution for such purposes: Provided*
19 *further, That contracts awarded for environmental systems,*
20 *protection systems, and exterior repair or renovation of*
21 *buildings of the National Gallery of Art may be negotiated*
22 *with selected contractors and awarded on the basis of con-*
23 *tractor qualifications as well as price.*

1 *JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS*
2 *OPERATIONS AND MAINTENANCE*

3 *For necessary expenses for the operation, maintenance,*
4 *and security of the John F. Kennedy Center for the Per-*
5 *forming Arts, \$27,000,000, to remain available until Sep-*
6 *tember, 30, 2023.*

7 *CAPITAL REPAIR AND RESTORATION*

8 *For necessary expenses for capital repair and restora-*
9 *tion of the existing features of the building and site of the*
10 *John F. Kennedy Center for the Performing Arts,*
11 *\$13,440,000, to remain available until expended.*

12 *WOODROW WILSON INTERNATIONAL CENTER FOR*
13 *SCHOLARS*

14 *SALARIES AND EXPENSES*

15 *For expenses necessary in carrying out the provisions*
16 *of the Woodrow Wilson Memorial Act of 1968 (82 Stat.*
17 *1356) including hire of passenger vehicles and services as*
18 *authorized by 5 U.S.C. 3109, \$15,000,000, to remain avail-*
19 *able until September 30, 2023.*

20 *NATIONAL FOUNDATION ON THE ARTS AND THE*
21 *HUMANITIES*

22 *NATIONAL ENDOWMENT FOR THE ARTS*
23 *GRANTS AND ADMINISTRATION*

24 *For necessary expenses to carry out the National Foun-*
25 *dition on the Arts and the Humanities Act of 1965,*

1 \$180,000,000 shall be available to the National Endowment
2 for the Arts for the support of projects and productions in
3 the arts, including arts education and public outreach ac-
4 tivities, through assistance to organizations and individuals
5 pursuant to section 5 of the Act, for program support, and
6 for administering the functions of the Act, to remain avail-
7 able until expended.

8 NATIONAL ENDOWMENT FOR THE HUMANITIES

9 GRANTS AND ADMINISTRATION

10 For necessary expenses to carry out the National Foun-
11 dation on the Arts and the Humanities Act of 1965,
12 \$180,000,000 to remain available until expended, of which
13 \$164,400,000 shall be available for support of activities in
14 the humanities, pursuant to section 7(c) of the Act and for
15 administering the functions of the Act; and \$15,600,000
16 shall be available to carry out the matching grants program
17 pursuant to section 10(a)(2) of the Act, including
18 \$13,600,000 for the purposes of section 7(h): Provided, That
19 appropriations for carrying out section 10(a)(2) shall be
20 available for obligation only in such amounts as may be
21 equal to the total amounts of gifts, bequests, devises of
22 money, and other property accepted by the chairman or by
23 grantees of the National Endowment for the Humanities
24 under the provisions of sections 11(a)(2)(B) and
25 11(a)(3)(B) during the current and preceding fiscal years

1 *for which equal amounts have not previously been appro-*
2 *riated.*

3 *ADMINISTRATIVE PROVISIONS*

4 *None of the funds appropriated to the National Foun-*
5 *ation on the Arts and the Humanities may be used to*
6 *process any grant or contract documents which do not in-*
7 *clude the text of 18 U.S.C. 1913: Provided, That none of*
8 *the funds appropriated to the National Foundation on the*
9 *Arts and the Humanities may be used for official reception*
10 *and representation expenses: Provided further, That funds*
11 *from nonappropriated sources may be used as necessary for*
12 *official reception and representation expenses: Provided fur-*
13 *ther, That the Chairperson of the National Endowment for*
14 *the Arts may approve grants of up to \$10,000, if in the*
15 *aggregate the amount of such grants does not exceed 5 per-*
16 *cent of the sums appropriated for grantmaking purposes per*
17 *year: Provided further, That such small grant actions are*
18 *taken pursuant to the terms of an expressed and direct dele-*
19 *gation of authority from the National Council on the Arts*
20 *to the Chairperson.*

21 *COMMISSION OF FINE ARTS*

22 *SALARIES AND EXPENSES*

23 *For expenses of the Commission of Fine Arts under*
24 *chapter 91 of title 40, United States Code, \$3,328,000: Pro-*
25 *vided, That the Commission is authorized to charge fees to*

1 *cover the full costs of its publications, and such fees shall*
2 *be credited to this account as an offsetting collection, to re-*
3 *main available until expended without further appropria-*
4 *tion: Provided further, That the Commission is authorized*
5 *to accept gifts, including objects, papers, artwork, drawings*
6 *and artifacts, that pertain to the history and design of the*
7 *Nation’s Capital or the history and activities of the Com-*
8 *mission of Fine Arts, for the purpose of artistic display,*
9 *study, or education: Provided further, That one-tenth of one*
10 *percent of the funds provided under this heading may be*
11 *used for official reception and representation expenses.*

12 *NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS*

13 *For necessary expenses as authorized by Public Law*
14 *99–190 (20 U.S.C. 956a), \$5,000,000: Provided, That the*
15 *item relating to “National Capital Arts and Cultural Af-*
16 *fairs” in the Department of the Interior and Related Agen-*
17 *cies Appropriations Act, 1986, as enacted into law by sec-*
18 *tion 101(d) of Public Law 99–190 (20 U.S.C. 956a), shall*
19 *be applied in fiscal year 2022 in the second paragraph by*
20 *inserting “, calendar year 2020 excluded” before the first*
21 *period: Provided further, That in determining an eligible*
22 *organization’s annual income for calendar years 2021 and*
23 *2022, funds or grants received by the eligible organization*
24 *from any supplemental appropriations Act related to*
25 *coronavirus or any other law providing appropriations for*

1 *the purpose of preventing, preparing for, or responding to*
2 *coronavirus shall be counted as part of the eligible organiza-*
3 *tion's annual income.*

4 *ADVISORY COUNCIL ON HISTORIC PRESERVATION*
5 *SALARIES AND EXPENSES*

6 *For necessary expenses of the Advisory Council on His-*
7 *toric Preservation (Public Law 89–665), \$8,255,000.*

8 *NATIONAL CAPITAL PLANNING COMMISSION*
9 *SALARIES AND EXPENSES*

10 *For necessary expenses of the National Capital Plan-*
11 *ning Commission under chapter 87 of title 40, United*
12 *States Code, including services as authorized by 5 U.S.C.*
13 *3109, \$8,750,000: Provided, That one-quarter of 1 percent*
14 *of the funds provided under this heading may be used for*
15 *official reception and representational expenses associated*
16 *with hosting international visitors engaged in the planning*
17 *and physical development of world capitals.*

18 *UNITED STATES HOLOCAUST MEMORIAL MUSEUM*
19 *HOLOCAUST MEMORIAL MUSEUM*

20 *For expenses of the Holocaust Memorial Museum, as*
21 *authorized by Public Law 106–292 (36 U.S.C. 2301–2310),*
22 *\$62,616,000, of which \$715,000 shall remain available until*
23 *September 30, 2024, for the Museum's equipment replace-*
24 *ment program; and of which \$3,000,000 for the Museum's*
25 *repair and rehabilitation program and \$1,264,000 for the*

1 *Museum's outreach initiatives program shall remain avail-*
2 *able until expended.*

3 *PRESIDIO TRUST*

4 *The Presidio Trust is authorized to issue obligations*
5 *to the Secretary of the Treasury pursuant to section*
6 *104(d)(3) of the Omnibus Parks and Public Lands Manage-*
7 *ment Act of 1996 (Public Law 104–333), in an amount*
8 *not to exceed \$40,000,000.*

9 *WORLD WAR I CENTENNIAL COMMISSION*

10 *SALARIES AND EXPENSES*

11 *Notwithstanding section 9 of the World War I Centen-*
12 *ennial Commission Act, as authorized by the World War I*
13 *Centennial Commission Act (Public Law 112–272) and the*
14 *Carl Levin and Howard P. “Buck” McKeon National De-*
15 *fense Authorization Act for Fiscal Year 2015 (Public Law*
16 *113–291), for necessary expenses of the World War I Cen-*
17 *ennial Commission, \$1,000,000, to remain available until*
18 *September 30, 2023: Provided, That in addition to the au-*
19 *thority provided by section 6(g) of such Act, the World War*
20 *I Commission may accept money, in-kind personnel serv-*
21 *ices, contractual support, or any appropriate support from*
22 *any executive branch agency for activities of the Commis-*
23 *sion.*

1 *UNITED STATES SEMIQUINCENTENNIAL COMMISSION*2 *SALARIES AND EXPENSES*

3 *For necessary expenses of the United States*
4 *Semiquincentennial Commission to plan and coordinate ob-*
5 *servances and activities associated with the 250th anniver-*
6 *sary of the founding of the United States, as authorized by*
7 *Public Law 116–282, the technical amendments to Public*
8 *Law 114–196, \$8,000,000, to remain available until ex-*
9 *pended.*

10 *ALYCE SPOTTED BEAR AND WALTER SOBOLEFF*11 *COMMISSION ON NATIVE CHILDREN*

12 *For necessary expenses of the Alyce Spotted Bear and*
13 *Walter Soboleff Commission on Native Children (referred*
14 *to in this paragraph as the “Commission”), \$200,000 to*
15 *remain available until September 30, 2023: Provided, That*
16 *in addition to the authority provided by section 3(g)(5) and*
17 *3(h) of Public Law 114–244, the Commission may hereafter*
18 *accept in-kind personnel services, contractual support, or*
19 *any appropriate support from any executive branch agency*
20 *for activities of the Commission.*

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TITLE IV

GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

RESTRICTION ON USE OF FUNDS

SEC. 401. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which Congressional action is not complete other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

OBLIGATION OF APPROPRIATIONS

SEC. 402. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

DISCLOSURE OF ADMINISTRATIVE EXPENSES

SEC. 403. The amount and basis of estimated overhead charges, deductions, reserves, or holdbacks, including working capital fund and cost pool charges, from programs, projects, activities and subactivities to support government-wide, departmental, agency, or bureau administrative functions or headquarters, regional, or central operations shall be presented in annual budget justifications and subject to approval by the Committees on Appropriations of the House of Representatives and the Senate. Changes to such esti-

1 *mates shall be presented to the Committees on Appropria-*
2 *tions for approval.*

3 *MINING APPLICATIONS*

4 *SEC. 404. (a) LIMITATION OF FUNDS.—None of the*
5 *funds appropriated or otherwise made available pursuant*
6 *to this Act shall be obligated or expended to accept or proc-*
7 *ess applications for a patent for any mining or mill site*
8 *claim located under the general mining laws.*

9 *(b) EXCEPTIONS.—Subsection (a) shall not apply if*
10 *the Secretary of the Interior determines that, for the claim*
11 *concerned: (1) a patent application was filed with the Sec-*
12 *retary on or before September 30, 1994; and (2) all require-*
13 *ments established under sections 2325 and 2326 of the Re-*
14 *vised Statutes (30 U.S.C. 29 and 30) for vein or lode*
15 *claims, sections 2329, 2330, 2331, and 2333 of the Revised*
16 *Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and*
17 *section 2337 of the Revised Statutes (30 U.S.C. 42) for mill*
18 *site claims, as the case may be, were fully complied with*
19 *by the applicant by that date.*

20 *(c) REPORT.—On September 30, 2023, the Secretary*
21 *of the Interior shall file with the House and Senate Com-*
22 *mittees on Appropriations and the Committee on Natural*
23 *Resources of the House and the Committee on Energy and*
24 *Natural Resources of the Senate a report on actions taken*
25 *by the Department under the plan submitted pursuant to*

1 *section 314(c) of the Department of the Interior and Related*
2 *Agencies Appropriations Act, 1997 (Public Law 104–208).*

3 (d) *MINERAL EXAMINATIONS.—In order to process*
4 *patent applications in a timely and responsible manner,*
5 *upon the request of a patent applicant, the Secretary of the*
6 *Interior shall allow the applicant to fund a qualified third-*
7 *party contractor to be selected by the Director of the Bureau*
8 *of Land Management to conduct a mineral examination of*
9 *the mining claims or mill sites contained in a patent appli-*
10 *cation as set forth in subsection (b). The Bureau of Land*
11 *Management shall have the sole responsibility to choose and*
12 *pay the third-party contractor in accordance with the*
13 *standard procedures employed by the Bureau of Land Man-*
14 *agement in the retention of third-party contractors.*

15 *CONTRACT SUPPORT COSTS, PRIOR YEAR LIMITATION*

16 *SEC. 405. Sections 405 and 406 of division F of the*
17 *Consolidated and Further Continuing Appropriations Act,*
18 *2015 (Public Law 113–235) shall continue in effect in fiscal*
19 *year 2022.*

20 *CONTRACT SUPPORT COSTS, FISCAL YEAR 2022 LIMITATION*

21 *SEC. 406. Amounts provided by this Act for fiscal year*
22 *2022 under the headings “Department of Health and*
23 *Human Services, Indian Health Service, Contract Support*
24 *Costs” and “Department of the Interior, Bureau of Indian*
25 *Affairs and Bureau of Indian Education, Contract Support*

1 *Costs” are the only amounts available for contract support*
2 *costs arising out of self-determination or self-governance*
3 *contracts, grants, compacts, or annual funding agreements*
4 *for fiscal year 2022 with the Bureau of Indian Affairs, Bu-*
5 *reau of Indian Education, and the Indian Health Service:*
6 *Provided, That such amounts provided by this Act are not*
7 *available for payment of claims for contract support costs*
8 *for prior years, or for repayments of payments for settle-*
9 *ments or judgments awarding contract support costs for*
10 *prior years.*

11 *FOREST MANAGEMENT PLANS*

12 *SEC. 407. The Secretary of Agriculture shall not be*
13 *considered to be in violation of subparagraph 6(f)(5)(A) of*
14 *the Forest and Rangeland Renewable Resources Planning*
15 *Act of 1974 (16 U.S.C. 1604(f)(5)(A)) solely because more*
16 *than 15 years have passed without revision of the plan for*
17 *a unit of the National Forest System. Nothing in this sec-*
18 *tion exempts the Secretary from any other requirement of*
19 *the Forest and Rangeland Renewable Resources Planning*
20 *Act (16 U.S.C. 1600 et seq.) or any other law: Provided,*
21 *That if the Secretary is not acting expeditiously and in*
22 *good faith, within the funding available, to revise a plan*
23 *for a unit of the National Forest System, this section shall*
24 *be void with respect to such plan and a court of proper*

1 *jurisdiction may order completion of the plan on an acceler-*
2 *ated basis.*

3 *PROHIBITION WITHIN NATIONAL MONUMENTS*

4 *SEC. 408. No funds provided in this Act may be ex-*
5 *pended to conduct preleasing, leasing and related activities*
6 *under either the Mineral Leasing Act (30 U.S.C. 181 et seq.)*
7 *or the Outer Continental Shelf Lands Act (43 U.S.C. 1331*
8 *et seq.) within the boundaries of a National Monument es-*
9 *tablished pursuant to the Act of June 8, 1906 (16 U.S.C.*
10 *431 et seq.) as such boundary existed on January 20, 2001,*
11 *except where such activities are allowed under the Presi-*
12 *dential proclamation establishing such monument.*

13 *LIMITATION ON TAKINGS*

14 *SEC. 409. Unless otherwise provided herein, no funds*
15 *appropriated in this Act for the acquisition of lands or in-*
16 *terests in lands may be expended for the filing of declara-*
17 *tions of taking or complaints in condemnation without the*
18 *approval of the House and Senate Committees on Appro-*
19 *priations: Provided, That this provision shall not apply to*
20 *funds appropriated to implement the Everglades National*
21 *Park Protection and Expansion Act of 1989, or to funds*
22 *appropriated for Federal assistance to the State of Florida*
23 *to acquire lands for Everglades restoration purposes.*

1 *Act, upon the determination by the head of the agency that*
2 *it shall serve the national interest.*

3 *(b) Subsection (a) shall not apply to a report if—*

4 *(1) the public posting of the report compromises*
5 *national security; or*

6 *(2) the report contains proprietary information.*

7 *(c) The head of the agency posting such report shall*
8 *do so only after such report has been made available to the*
9 *requesting Committee or Committees of Congress for no less*
10 *than 45 days.*

11 *NATIONAL ENDOWMENT FOR THE ARTS GRANT GUIDELINES*

12 *SEC. 412. Of the funds provided to the National En-*
13 *dowment for the Arts—*

14 *(1) The Chairperson shall only award a grant to*
15 *an individual if such grant is awarded to such indi-*
16 *vidual for a literature fellowship, National Heritage*
17 *Fellowship, or American Jazz Masters Fellowship.*

18 *(2) The Chairperson shall establish procedures to*
19 *ensure that no funding provided through a grant, ex-*
20 *cept a grant made to a State or local arts agency, or*
21 *regional group, may be used to make a grant to any*
22 *other organization or individual to conduct activity*
23 *independent of the direct grant recipient. Nothing in*
24 *this subsection shall prohibit payments made in ex-*
25 *change for goods and services.*

1 *Act (42 U.S.C. 9902(2))) applicable to a family of the*
2 *size involved.*

3 *(c) In providing services and awarding financial as-*
4 *sistance under the National Foundation on the Arts and*
5 *Humanities Act of 1965 with funds appropriated by this*
6 *Act, the Chairperson of the National Endowment for the*
7 *Arts shall ensure that priority is given to providing services*
8 *or awarding financial assistance for projects, productions,*
9 *workshops, or programs that will encourage public knowl-*
10 *edge, education, understanding, and appreciation of the*
11 *arts.*

12 *(d) With funds appropriated by this Act to carry out*
13 *section 5 of the National Foundation on the Arts and Hu-*
14 *manities Act of 1965—*

15 *(1) the Chairperson shall establish a grant cat-*
16 *egory for projects, productions, workshops, or pro-*
17 *grams that are of national impact or availability or*
18 *are able to tour several States;*

19 *(2) the Chairperson shall not make grants ex-*
20 *ceeding 15 percent, in the aggregate, of such funds to*
21 *any single State, excluding grants made under the*
22 *authority of paragraph (1);*

23 *(3) the Chairperson shall report to the Congress*
24 *annually and by State, on grants awarded by the*

1 *Chairperson in each grant category under section 5 of*
2 *such Act; and*

3 *(4) the Chairperson shall encourage the use of*
4 *grants to improve and support community-based*
5 *music performance and education.*

6 *STATUS OF BALANCES OF APPROPRIATIONS*

7 *SEC. 414. The Department of the Interior, the Envi-*
8 *ronmental Protection Agency, the Forest Service, and the*
9 *Indian Health Service shall provide the Committees on Ap-*
10 *propriations of the House of Representatives and Senate*
11 *quarterly reports on the status of balances of appropriations*
12 *including all uncommitted, committed, and unobligated*
13 *funds in each program and activity within 60 days of en-*
14 *actment of this Act.*

15 *EXTENSION OF GRAZING PERMITS*

16 *SEC. 415. The terms and conditions of section 325 of*
17 *Public Law 108–108 (117 Stat. 1307), regarding grazing*
18 *permits issued by the Forest Service on any lands not sub-*
19 *ject to administration under section 402 of the Federal*
20 *Lands Policy and Management Act (43 U.S.C. 1752), shall*
21 *remain in effect for fiscal year 2022.*

22 *FUNDING PROHIBITION*

23 *SEC. 416. (a) None of the funds made available in this*
24 *Act may be used to maintain or establish a computer net-*

1 *work unless such network is designed to block access to por-*
2 *nography websites.*

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

7 *HUMANE TRANSFER AND TREATMENT OF ANIMALS*

8 *SEC. 417. (a) Notwithstanding any other provision of*
9 *law, the Secretary of the Interior, with respect to land ad-*
10 *ministered by the Bureau of Land Management, or the Sec-*
11 *retary of Agriculture, with respect to land administered by*
12 *the Forest Service (referred to in this section as the “Sec-*
13 *retary concerned”), may transfer excess wild horses and*
14 *burros that have been removed from land administered by*
15 *the Secretary concerned to other Federal, State, and local*
16 *government agencies for use as work animals.*

17 *(b) The Secretary concerned may make a transfer*
18 *under subsection (a) immediately on the request of a Fed-*
19 *eral, State, or local government agency.*

20 *(c) An excess wild horse or burro transferred under*
21 *subsection (a) shall lose status as a wild free-roaming horse*
22 *or burro (as defined in section 2 of Public Law 92–195*
23 *(commonly known as the “Wild Free-Roaming Horses and*
24 *Burros Act”)) (16 U.S.C. 1332)).*

1 (d) A Federal, State, or local government agency re-
2 ceiving an excess wild horse or burro pursuant to subsection

3 (a) shall not—

4 (1) destroy the horse or burro in a manner that
5 results in the destruction of the horse or burro into a
6 commercial product;

7 (2) sell or otherwise transfer the horse or burro
8 in a manner that results in the destruction of the
9 horse or burro for processing into a commercial prod-
10 uct; or

11 (3) euthanize the horse or burro, except on the
12 recommendation of a licensed veterinarian in a case
13 of severe injury, illness, or advanced age.

14 (e) Amounts appropriated by this Act shall not be
15 available for—

16 (1) the destruction of any healthy, unadopted,
17 and wild horse or burro under the jurisdiction of the
18 Secretary concerned (including a contractor); or

19 (2) the sale of a wild horse or burro that results
20 in the destruction of the wild horse or burro for proc-
21 essing into a commercial product.

1 *FOREST SERVICE FACILITY REALIGNMENT AND*
2 *ENHANCEMENT AUTHORIZATION EXTENSION*

3 *SEC. 418. Section 503(f) of Public Law 109–54 (16*
4 *U.S.C. 580d note) shall be applied by substituting “Sep-*
5 *tember 30, 2022” for “September 30, 2019”.*

6 *USE OF AMERICAN IRON AND STEEL*

7 *SEC. 419. (a)(1) None of the funds made available by*
8 *a State water pollution control revolving fund as authorized*
9 *by section 1452 of the Safe Drinking Water Act (42 U.S.C.*
10 *300j–12) shall be used for a project for the construction,*
11 *alteration, maintenance, or repair of a public water system*
12 *or treatment works unless all of the iron and steel products*
13 *used in the project are produced in the United States.*

14 *(2) In this section, the term “iron and steel” products*
15 *means the following products made primarily of iron or*
16 *steel: lined or unlined pipes and fittings, manhole covers*
17 *and other municipal castings, hydrants, tanks, flanges, pipe*
18 *clamps and restraints, valves, structural steel, reinforced*
19 *precast concrete, and construction materials.*

20 *(b) Subsection (a) shall not apply in any case or cat-*
21 *egory of cases in which the Administrator of the Environ-*
22 *mental Protection Agency (in this section referred to as the*
23 *“Administrator”) finds that—*

24 *(1) applying subsection (a) would be inconsistent*
25 *with the public interest;*

1 (2) *iron and steel products are not produced in*
2 *the United States in sufficient and reasonably avail-*
3 *able quantities and of a satisfactory quality; or*

4 (3) *inclusion of iron and steel products produced*
5 *in the United States will increase the cost of the over-*
6 *all project by more than 25 percent.*

7 (c) *If the Administrator receives a request for a waiver*
8 *under this section, the Administrator shall make available*
9 *to the public on an informal basis a copy of the request*
10 *and information available to the Administrator concerning*
11 *the request, and shall allow for informal public input on*
12 *the request for at least 15 days prior to making a finding*
13 *based on the request. The Administrator shall make the re-*
14 *quest and accompanying information available by elec-*
15 *tronic means, including on the official public Internet Web*
16 *site of the Environmental Protection Agency.*

17 (d) *This section shall be applied in a manner con-*
18 *sistent with United States obligations under international*
19 *agreements.*

20 (e) *The Administrator may retain up to 0.25 percent*
21 *of the funds appropriated in this Act for the Clean and*
22 *Drinking Water State Revolving Funds for carrying out the*
23 *provisions described in subsection (a)(1) for management*
24 *and oversight of the requirements of this section.*

1 LOCAL COOPERATOR TRAINING AGREEMENTS AND TRANS-
2 FERS OF EXCESS EQUIPMENT AND SUPPLIES FOR
3 WILDFIRES

4 SEC. 420. *The Secretary of the Interior is authorized*
5 *to enter into grants and cooperative agreements with volun-*
6 *teer fire departments, rural fire departments, rangeland fire*
7 *protection associations, and similar organizations to pro-*
8 *vide for wildland fire training and equipment, including*
9 *supplies and communication devices. Notwithstanding sec-*
10 *tion 121(c) of title 40, United States Code, or section 521*
11 *of title 40, United States Code, the Secretary is further au-*
12 *thorized to transfer title to excess Department of the Interior*
13 *firefighting equipment no longer needed to carry out the*
14 *functions of the Department's wildland fire management*
15 *program to such organizations.*

16 RECREATION FEES

17 SEC. 421. *Section 810 of the Federal Lands Recreation*
18 *Enhancement Act (16 U.S.C. 6809) shall be applied by sub-*
19 *stituting "October 1, 2023" for "September 30, 2019".*

20 REPROGRAMMING GUIDELINES

21 SEC. 422. *None of the funds made available in this*
22 *Act, in this and prior fiscal years, may be reprogrammed*
23 *without the advance approval of the House and Senate*
24 *Committees on Appropriations in accordance with the re-*
25 *programming procedures contained in the explanatory*

1 *statement described in section 4 (in the matter preceding*
 2 *division A of this consolidated Act).*

3 *LOCAL CONTRACTORS*

4 *SEC. 423. Section 412 of division E of Public Law*
 5 *112–74 shall be applied by substituting “fiscal year 2022”*
 6 *for “fiscal year 2019”.*

7 *SHASTA-TRINITY MARINA FEE AUTHORITY AUTHORIZATION*

8 *EXTENSION*

9 *SEC. 424. Section 422 of division F of Public Law*
 10 *110–161 (121 Stat 1844), as amended, shall be applied by*
 11 *substituting “fiscal year 2022” for “fiscal year 2019”.*

12 *INTERPRETIVE ASSOCIATION AUTHORIZATION EXTENSION*

13 *SEC. 425. Section 426 of division G of Public Law*
 14 *113–76 (16 U.S.C. 565a–1 note) shall be applied by sub-*
 15 *stituting “September 30, 2022” for “September 30, 2019”.*

16 *PUERTO RICO SCHOOLING AUTHORIZATION EXTENSION*

17 *SEC. 426. The authority provided by the 19th unnum-*
 18 *bered paragraph under heading “Administrative Provi-*
 19 *sions, Forest Service” in title III of Public Law 109–54,*
 20 *as amended, shall be applied by substituting “fiscal year*
 21 *2022” for “fiscal year 2019”.*

22 *FOREST BOTANICAL PRODUCTS FEE COLLECTION*

23 *AUTHORIZATION EXTENSION*

24 *SEC. 427. Section 339 of the Department of the Inte-*
 25 *rior and Related Agencies Appropriations Act, 2000 (as en-*

1 *acted into law by Public Law 106–113; 16 U.S.C. 528*
2 *note), as amended by section 335(6) of Public Law 108–*
3 *108 and section 432 of Public Law 113–76, shall be applied*
4 *by substituting “fiscal year 2022” for “fiscal year 2019”.*

5 *CHACO CANYON*

6 *SEC. 428. None of the funds made available by this*
7 *Act may be used to accept a nomination for oil and gas*
8 *leasing under 43 CFR 3120.3 et seq., or to offer for oil and*
9 *gas leasing, any Federal lands within the withdrawal area*
10 *identified on the map of the Chaco Culture National Histor-*
11 *ical Park prepared by the Bureau of Land Management*
12 *and dated April 2, 2019, prior to the completion of the cul-*
13 *tural resources investigation identified in the explanatory*
14 *statement described in section 4 in the matter preceding di-*
15 *vision A of the Consolidated Appropriations Act, 2021*
16 *(Public Law 116–260).*

17 *TRIBAL LEASES*

18 *SEC. 429. (a) Notwithstanding any other provision of*
19 *law, in the case of any lease under section 105(l) of the*
20 *Indian Self-Determination and Education Assistance Act*
21 *(25 U.S.C. 5324(l)), the initial lease term shall commence*
22 *no earlier than the date of receipt of the lease proposal.*

23 *(b) The Secretaries of the Interior and Health and*
24 *Human Services shall, jointly or separately, during fiscal*
25 *year 2022 consult with tribes and tribal organizations*

1 *through public solicitation and other means regarding the*
2 *requirements for leases under section 105(l) of the Indian*
3 *Self-Determination and Education Assistance Act (25*
4 *U.S.C. 5324(l)) on how to implement a consistent and*
5 *transparent process for the payment of such leases.*

6 *FOREST ECOSYSTEM HEALTH AND RECOVERY FUND*

7 *SEC. 430. The authority provided under the heading*
8 *“Forest Ecosystem Health and Recovery Fund” in title I*
9 *of Public Law 111–88, as amended by section 117 of divi-*
10 *sion F of Public Law 113–235, shall be applied by sub-*
11 *stituting “fiscal year 2022” for “fiscal year 2020” each*
12 *place it appears.*

13 *ALLOCATION OF PROJECTS, NATIONAL PARKS AND PUBLIC*

14 *LAND LEGACY RESTORATION FUND AND LAND AND*

15 *WATER CONSERVATION FUND*

16 *SEC. 431. (a)(1) Within 45 days of enactment of this*
17 *Act, the Secretary of the Interior shall allocate amounts*
18 *made available from the National Parks and Public Land*
19 *Legacy Restoration Fund for fiscal year 2022 pursuant to*
20 *subsection (c) of section 200402 of title 54, United States*
21 *Code, and as provided in subsection (e) of such section of*
22 *such title, to the agencies of the Department of the Interior*
23 *and the Department of Agriculture specified, in the*
24 *amounts specified, for the stations and unit names speci-*
25 *fied, and for the projects and activities specified in the table*

1 *titled “Allocation of Funds: National Parks and Public*
2 *Land Legacy Restoration Fund Fiscal Year 2022” in the*
3 *explanatory statement described in section 4 (in the matter*
4 *preceding division A of this consolidated Act).*

5 (2) *Within 45 days of enactment of this Act, the*
6 *Secretary of the Interior and the Secretary of Agri-*
7 *culture, as appropriate, shall allocate amounts made*
8 *available for expenditure from the Land and Water*
9 *Conservation Fund for fiscal year 2022 pursuant to*
10 *subsection (a) of section 200303 of title 54, United*
11 *States Code, to the agencies and accounts specified, in*
12 *the amounts specified, and for the projects and activi-*
13 *ties specified in the table titled “Allocation of Funds:*
14 *Land and Water Conservation Fund Fiscal Year*
15 *2022” in the explanatory statement described in sec-*
16 *tion 4 (in the matter preceding division A of this con-*
17 *solidated Act).*

18 (b) *Except as otherwise provided by subsection (c) of*
19 *this section, neither the President nor his designee may allo-*
20 *cate any amounts that are made available for any fiscal*
21 *year under subsection (c) of section 200402 of title 54,*
22 *United States Code, or subsection (a) of section 200303 of*
23 *title 54, United States Code, other than in amounts and*
24 *for projects and activities that are allocated by subsections*
25 *(a)(1) and (a)(2) of this section: Provided, That in any fis-*

1 *cal year, the matter preceding this proviso shall not apply*
2 *to the allocation of amounts for continuing administration*
3 *of programs allocated funds from the National Parks and*
4 *Public Land Legacy Restoration Fund or the Land and*
5 *Water Conservation Fund, which may be allocated only in*
6 *amounts that are no more than the allocation for such pur-*
7 *poses in subsections (a)(1) and (a)(2) of this section.*

8 *(c) The Secretary of the Interior and the Secretary of*
9 *Agriculture may reallocate amounts from each agency's*
10 *"Contingency Fund" line in the table titled "Allocation of*
11 *Funds: National Parks and Public Land Legacy Restora-*
12 *tion Fund Fiscal Year 2022" to any project funded by the*
13 *National Parks and Public Land Legacy Restoration Fund*
14 *within the same agency, from any fiscal year, that experi-*
15 *enced a funding deficiency due to unforeseen cost overruns,*
16 *in accordance with the following requirements:*

17 *(1) "Contingency Fund" amounts may only be*
18 *reallocated if there is a risk to project completion re-*
19 *sulting from unforeseen cost overruns;*

20 *(2) "Contingency Fund" amounts may only be*
21 *reallocated for cost of adjustments and changes within*
22 *the original scope of effort for projects funded by the*
23 *National Parks and Public Land Legacy Restoration*
24 *Fund; and*

1 (3) *The Secretary of the Interior or the Secretary*
2 *of Agriculture must provide written notification to*
3 *the Committees on Appropriations 30 days before tak-*
4 *ing any actions authorized by this subsection if the*
5 *amount reallocated from the “Contingency Fund” line*
6 *for a project is projected to be 10 percent or greater*
7 *than the following, as applicable:*

8 (A) *The amount allocated to that project in*
9 *the table titled “Allocation of Funds: National*
10 *Parks and Public Land Legacy Restoration*
11 *Fund Fiscal Year 2022” in the explanatory*
12 *statement described in section 4 (in the matter*
13 *preceding division A of this consolidated Act); or*

14 (B) *The initial estimate in the most recent*
15 *report submitted, prior to enactment of this Act,*
16 *to the Committees on Appropriations pursuant*
17 *to section 434(e) of Division G of the Consoli-*
18 *dated Appropriations Act, 2021 (Public Law*
19 *116-260).*

20 (d)(1) *Concurrent with the annual budget submission*
21 *of the President for fiscal year 2023, the Secretary of the*
22 *Interior and the Secretary of Agriculture shall each submit*
23 *to the Committees on Appropriations of the House of Rep-*
24 *resentatives and the Senate project data sheets for the*
25 *projects in the “Submission of Annual List of Projects to*

1 Congress” required by section 200402(h) of title 54, United
2 States Code: Provided, That the “Submission of Annual
3 List of Projects to Congress” must include a “Contingency
4 Fund” line for each agency within the allocations defined
5 in subsection (e) of section 200402 of title 54, United States
6 Code: Provided further, That in the event amounts allocated
7 by this Act or any prior Act for the National Parks and
8 Public Land Legacy Restoration Fund are no longer needed
9 to complete a specified project, such amounts may be reallo-
10 cated in such submission to that agency’s “Contingency
11 Fund” line: Provided further, That any proposals to change
12 the scope of or terminate a previously approved project
13 must be clearly identified in such submission.

14 (2)(A) Concurrent with the annual budget sub-
15 mission of the President for fiscal year 2023, the Sec-
16 retary of the Interior and the Secretary of Agriculture
17 shall each submit to the Committees on Appropria-
18 tions of the House of Representatives and the Senate
19 a list of supplementary allocations for Federal land
20 acquisition and Forest Legacy Projects at the Na-
21 tional Park Service, the U.S. Fish and Wildlife Serv-
22 ice, the Bureau of Land Management, and the U.S.
23 Forest Service that are in addition to the “Submis-
24 sion of Cost Estimates” required by section
25 200303(c)(1) of title 54, United States Code, that are

1 *prioritized and detailed by account, program, and*
2 *project, and that total no less than half the full*
3 *amount allocated to each account for that land man-*
4 *agement Agency under the allocations submitted*
5 *under section 200303(c)(1) of title 54, United States*
6 *Code: Provided, That in the event amounts allocated*
7 *by this Act or any prior Act pursuant to subsection*
8 *(a) of section 200303 of title 54, United States Code*
9 *are no longer needed because a project has been com-*
10 *pleted or can no longer be executed, such amounts*
11 *must be clearly identified if proposed for reallocation*
12 *in the annual budget submission.*

13 *(B) The Federal land acquisition and For-*
14 *est Legacy projects in the “Submission of Cost*
15 *Estimates” required by section 200303(c)(1) of*
16 *title 54, United States Code, and on the list of*
17 *supplementary allocations required by subpara-*
18 *graph (A) shall be comprised only of projects for*
19 *which a willing seller has been identified and for*
20 *which an appraisal or market research has been*
21 *initiated.*

22 *(C) Concurrent with the annual budget sub-*
23 *mission of the President for fiscal year 2023, the*
24 *Secretary of the Interior and the Secretary of*
25 *Agriculture shall each submit to the Committees*

1 *on Appropriations of the House of Representa-*
2 *tives and the Senate project data sheets in the*
3 *same format and containing the same level of de-*
4 *tailed information that is found on such sheets*
5 *in the Budget Justifications annually submitted*
6 *by the Department of the Interior with the Presi-*
7 *dent’s Budget for the projects in the “Submission*
8 *of Cost Estimates” required by section*
9 *200303(c)(1) of title 54, United States Code, and*
10 *in the same format and containing the same*
11 *level of detailed information that is found on*
12 *such sheets submitted to the Committees pursu-*
13 *ant to section 427 of division D of the Further*
14 *Consolidated Appropriations Act, 2020 (Public*
15 *Law 116–94) for the list of supplementary allo-*
16 *cations required by subparagraph (A).*

17 *(e) The Department of the Interior and the Depart-*
18 *ment of Agriculture shall provide the Committees on Appro-*
19 *priations of the House of Representatives and Senate quar-*
20 *terly reports on the status of balances of projects and activi-*
21 *ties funded by the National Parks and Public Land Legacy*
22 *Restoration Fund for amounts allocated pursuant to sub-*
23 *section (a)(1) of this section and the status of balances of*
24 *projects and activities funded by the Land and Water Con-*
25 *servation Fund for amounts allocated pursuant to sub-*

1 *section (a)(2) of this section, including all uncommitted,*
2 *committed, and unobligated funds, and, for amounts allo-*
3 *cated pursuant to subsection (a)(1) of this section, National*
4 *Parks and Public Land Legacy Restoration Fund amounts*
5 *reallocated pursuant to subsection (c) of this section.*

6 *POLICIES RELATING TO BIOMASS ENERGY*

7 *SEC. 432. To support the key role that forests in the*
8 *United States can play in addressing the energy needs of*
9 *the United States, the Secretary of Energy, the Secretary*
10 *of Agriculture, and the Administrator of the Environmental*
11 *Protection Agency shall, consistent with their missions,*
12 *jointly—*

13 *(1) ensure that Federal policy relating to forest*
14 *bioenergy—*

15 *(A) is consistent across all Federal depart-*
16 *ments and agencies; and*

17 *(B) recognizes the full benefits of the use of*
18 *forest biomass for energy, conservation, and re-*
19 *sponsible forest management; and*

20 *(2) establish clear and simple policies for the use*
21 *of forest biomass as an energy solution, including*
22 *policies that—*

23 *(A) reflect the carbon neutrality of forest*
24 *bioenergy and recognize biomass as a renewable*
25 *energy source, provided the use of forest biomass*

1 *for energy production does not cause conversion*
2 *of forests to non-forest use;*

3 *(B) encourage private investment through-*
4 *out the forest biomass supply chain, including*
5 *in—*

6 *(i) working forests;*

7 *(ii) harvesting operations;*

8 *(iii) forest improvement operations;*

9 *(iv) forest bioenergy production;*

10 *(v) wood products manufacturing; or*

11 *(vi) paper manufacturing;*

12 *(C) encourage forest management to im-*
13 *prove forest health; and*

14 *(D) recognize State initiatives to produce*
15 *and use forest biomass.*

16 *SMALL REMOTE INCINERATORS*

17 *SEC. 433. None of the funds made available in this*
18 *Act may be used to implement or enforce the regulation*
19 *issued on March 21, 2011 at 40 CFR part 60 subparts*
20 *CCCC and DDDD with respect to units in the State of Alas-*
21 *ka that are defined as “small, remote incinerator” units*
22 *in those regulations and, until a subsequent regulation is*
23 *issued, the Administrator shall implement the law and reg-*
24 *ulations in effect prior to such date.*

1 *TIMBER SALE REQUIREMENTS*

2 *SEC. 434. No timber sale in Alaska's Region 10 shall*
3 *be advertised if the indicated rate is deficit (defined as the*
4 *value of the timber is not sufficient to cover all logging and*
5 *stumpage costs and provide a normal profit and risk allow-*
6 *ance under the Forest Service's appraisal process) when ap-*
7 *praised using a residual value appraisal. The western red*
8 *cedar timber from those sales which is surplus to the needs*
9 *of the domestic processors in Alaska, shall be made available*
10 *to domestic processors in the contiguous 48 United States*
11 *at prevailing domestic prices. All additional western red*
12 *cedar volume not sold to Alaska or contiguous 48 United*
13 *States domestic processors may be exported to foreign mar-*
14 *kets at the election of the timber sale holder. All Alaska yel-*
15 *low cedar may be sold at prevailing export prices at the*
16 *election of the timber sale holder.*

17 *TRANSFER AUTHORITY TO FEDERAL HIGHWAY ADMINIS-*
18 *TRATION FOR THE NATIONAL PARKS AND PUBLIC*
19 *LAND LEGACY RESTORATION FUND*

20 *SEC. 435. Funds made available or allocated in this*
21 *Act or the Consolidated Appropriations Act, 2021 (Public*
22 *Law 116-260) to the Department of the Interior or the De-*
23 *partment of Agriculture that are subject to the allocations*
24 *and limitations in 54 U.S.C. 200402(e) and prohibitions*
25 *in 54 U.S.C. 200402(f) may be further allocated or reallo-*

1 cated to the Federal Highway Administration for transpor-
2 tation projects of the covered agencies defined in 54 U.S.C.
3 200401(2).

4 *PROHIBITION ON USE OF FUNDS*

5 *SEC. 436. Notwithstanding any other provision of law,*
6 *none of the funds made available in this Act or any other*
7 *Act may be used to promulgate or implement any regula-*
8 *tion requiring the issuance of permits under title V of the*
9 *Clean Air Act (42 U.S.C. 7661 et seq.) for carbon dioxide,*
10 *nitrous oxide, water vapor, or methane emissions resulting*
11 *from biological processes associated with livestock produc-*
12 *tion.*

13 *GREENHOUSE GAS REPORTING RESTRICTIONS*

14 *SEC. 437. Notwithstanding any other provision of law,*
15 *none of the funds made available in this or any other Act*
16 *may be used to implement any provision in a rule, if that*
17 *provision requires mandatory reporting of greenhouse gas*
18 *emissions from manure management systems.*

19 *FUNDING PROHIBITION*

20 *SEC. 438. None of the funds made available by this*
21 *or any other Act may be used to regulate the lead content*
22 *of ammunition, ammunition components, or fishing tackle*
23 *under the Toxic Substances Control Act (15 U.S.C. 2601*
24 *et seq.) or any other law.*

1 *be available for the period October 1, 2022*
2 *through June 30, 2023;*

3 *(B) \$933,130,000 for youth activities, which*
4 *shall be available for the period April 1, 2022*
5 *through June 30, 2023; and*

6 *(C) \$1,075,553,000 for dislocated worker*
7 *employment and training activities, of which*
8 *\$215,553,000 shall be available for the period*
9 *July 1, 2022 through June 30, 2023, and of*
10 *which \$860,000,000 shall be available for the pe-*
11 *riod October 1, 2022 through June 30, 2023:*

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

16 *(2) for national programs, \$1,033,006,000 as fol-*
17 *lows:*

18 *(A) \$300,859,000 for the dislocated workers*
19 *assistance national reserve, of which*
20 *\$100,859,000 shall be available for the period*
21 *July 1, 2022 through September 30, 2023, and*
22 *of which \$200,000,000 shall be available for the*
23 *period October 1, 2022 through September 30,*
24 *2023: Provided, That funds provided to carry*
25 *out section 132(a)(2)(A) of the WIOA may be*

1 *used to provide assistance to a State for state-*
2 *wide or local use in order to address cases where*
3 *there have been worker dislocations across mul-*
4 *multiple sectors or across multiple local areas and*
5 *such workers remain dislocated; coordinate the*
6 *State workforce development plan with emerging*
7 *economic development needs; and train such eli-*
8 *gible dislocated workers: Provided further, That*
9 *funds provided to carry out sections 168(b) and*
10 *169(c) of the WIOA may be used for technical as-*
11 *istance and demonstration projects, respectively,*
12 *that provide assistance to new entrants in the*
13 *workforce and incumbent workers: Provided fur-*
14 *ther, That notwithstanding section 168(b) of the*
15 *WIOA, of the funds provided under this subpara-*
16 *graph, the Secretary of Labor (referred to in this*
17 *title as “Secretary”) may reserve not more than*
18 *10 percent of such funds to provide technical as-*
19 *istance and carry out additional activities re-*
20 *lated to the transition to the WIOA: Provided*
21 *further, That of the funds provided under this*
22 *subparagraph, \$95,000,000 shall be for training*
23 *and employment assistance under sections*
24 *168(b), 169(c) (notwithstanding the 10 percent*

1 *limitation in such section) and 170 of the WIOA*
2 *as follows:*

3 *(i) \$45,000,000 shall be for workers in*
4 *the Appalachian region, as defined by 40*
5 *U.S.C. 14102(a)(1), workers in the Lower*
6 *Mississippi, as defined in section 4(2) of the*
7 *Delta Development Act (Public Law 100–*
8 *460, 102 Stat. 2246; 7 U.S.C. 2009aa(2)),*
9 *and workers in the region served by the*
10 *Northern Border Regional Commission, as*
11 *defined by 40 U.S.C. 15733; and*

12 *(ii) \$50,000,000 shall be for the pur-*
13 *pose of developing, offering, or improving*
14 *educational or career training programs at*
15 *community colleges, defined as public insti-*
16 *tutions of higher education, as described in*
17 *section 101(a) of the Higher Education Act*
18 *of 1965 and at which the associate’s degree*
19 *is primarily the highest degree awarded,*
20 *with other eligible institutions of higher*
21 *education, as defined in section 101(a) of*
22 *the Higher Education Act of 1965, eligible*
23 *to participate through consortia, with com-*
24 *munity colleges as the lead grantee: Pro-*
25 *vided, That the Secretary shall follow the*

1 *requirements for the program in House Re-*
2 *port 116–62: Provided further, That any*
3 *grant funds used for apprenticeships shall*
4 *be used to support only apprenticeship pro-*
5 *grams registered under the National Ap-*
6 *prenticeship Act and as referred to in sec-*
7 *tion 3(7)(B) of the WIOA;*

8 *(B) \$57,000,000 for Native American pro-*
9 *grams under section 166 of the WIOA, which*
10 *shall be available for the period July 1, 2022*
11 *through June 30, 2023;*

12 *(C) \$95,396,000 for migrant and seasonal*
13 *farmworker programs under section 167 of the*
14 *WIOA, including \$88,283,000 for formula grants*
15 *(of which not less than 70 percent shall be for*
16 *employment and training services), \$6,456,000*
17 *for migrant and seasonal housing (of which not*
18 *less than 70 percent shall be for permanent hous-*
19 *ing), and \$657,000 for other discretionary pur-*
20 *poses, which shall be available for the period*
21 *April 1, 2022 through June 30, 2023: Provided,*
22 *That notwithstanding any other provision of law*
23 *or related regulation, the Department of Labor*
24 *shall take no action limiting the number or pro-*
25 *portion of eligible participants receiving related*

1 *assistance services or discouraging grantees from*
2 *providing such services: Provided further, That*
3 *notwithstanding the definition of “eligible sea-*
4 *sonal farmworker” in section 167(i)(3)(A) of the*
5 *WIOA relating to an individual being “low-in-*
6 *come”, an individual is eligible for migrant and*
7 *seasonal farmworker programs under section 167*
8 *of the WIOA under that definition if, in addi-*
9 *tion to meeting the requirements of clauses (i)*
10 *and (ii) of section 167(i)(3)(A), such individual*
11 *is a member of a family with a total family in-*
12 *come equal to or less than 150 percent of the pov-*
13 *erty line;*

14 *(D) \$99,034,000 for YouthBuild activities*
15 *as described in section 171 of the WIOA, which*
16 *shall be available for the period April 1, 2022*
17 *through June 30, 2023;*

18 *(E) \$102,079,000 for ex-offender activities,*
19 *under the authority of section 169 of the WIOA,*
20 *which shall be available for the period April 1,*
21 *2022 through June 30, 2023: Provided, That of*
22 *this amount, \$25,000,000 shall be for competitive*
23 *grants to national and regional intermediaries*
24 *for activities that prepare for employment young*
25 *adults with criminal legal histories, young*

1 *adults who have been justice system-involved, or*
2 *young adults who have dropped out of school or*
3 *other educational programs, with a priority for*
4 *projects serving high-crime, high-poverty areas;*

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

9 *(G) \$235,000,000 to expand opportunities*
10 *through apprenticeships only registered under*
11 *the National Apprenticeship Act and as referred*
12 *to in section 3(7)(B) of the WIOA, to be avail-*
13 *able to the Secretary to carry out activities*
14 *through grants, cooperative agreements, contracts*
15 *and other arrangements, with States and other*
16 *appropriate entities, including equity inter-*
17 *mediaries and business and labor industry part-*
18 *ner intermediaries, which shall be available for*
19 *the period July 1, 2022 through June 30, 2023;*
20 *and*

21 *(H) \$137,638,000 for carrying out Dem-*
22 *onstration and Pilot projects under section*
23 *169(c) of the WIOA, which shall be available for*
24 *the period April 1, 2022 through June 30, 2023,*
25 *in addition to funds available for such activities*

1 (1) \$1,603,325,000 for Job Corps Operations,
2 which shall be available for the period July 1, 2022
3 through June 30, 2023;

4 (2) \$113,000,000 for construction, rehabilitation
5 and acquisition of Job Corps Centers, which shall be
6 available for the period July 1, 2022 through June
7 30, 2025, and which may include the acquisition,
8 maintenance, and repair of major items of equip-
9 ment: Provided, That the Secretary may transfer up
10 to 15 percent of such funds to meet the operational
11 needs of such centers or to achieve administrative effi-
12 ciencies: Provided further, That any funds transferred
13 pursuant to the preceding provision shall not be
14 available for obligation after June 30, 2022: Provided
15 further, That the Committees on Appropriations of
16 the House of Representatives and the Senate are noti-
17 fied at least 15 days in advance of any transfer; and

18 (3) \$32,330,000 for necessary expenses of Job
19 Corps, which shall be available for obligation for the
20 period October 1, 2021 through September 30, 2022:

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

1 *COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS*

2 *To carry out title V of the Older Americans Act of 1965*
3 *(referred to in this Act as “OAA”), \$405,000,000, which*
4 *shall be available for the period April 1, 2022 through June*
5 *30, 2023, and may be recaptured and reobligated in accord-*
6 *ance with section 517(c) of the OAA.*

7 *FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES*

8 *For payments during fiscal year 2022 of trade adjust-*
9 *ment benefit payments and allowances under part I of sub-*
10 *chapter B of chapter 2 of title II of the Trade Act of 1974,*
11 *and section 246 of that Act; and for training, employment*
12 *and case management services, allowances for job search*
13 *and relocation, and related State administrative expenses*
14 *under part II of subchapter B of chapter 2 of title II of*
15 *the Trade Act of 1974, and including benefit payments, al-*
16 *lowances, training, employment and case management serv-*
17 *ices, and related State administration provided pursuant*
18 *to section 231(a) of the Trade Adjustment Assistance Exten-*
19 *sion Act of 2011, sections 405(a) and 406 of the Trade Pref-*
20 *erences Extension Act of 2015, and section 285(a)(2) of the*
21 *Trade Act of 1974 (as amended by section 406(a)(7) of the*
22 *Trade Preferences Extension Act of 2015), \$540,000,000 to-*
23 *gether with such amounts as may be necessary to be charged*
24 *to the subsequent appropriation for payments for any pe-*
25 *riod subsequent to September 15, 2022: Provided, That not-*

1 *withstanding section 502 of this Act, any part of the appro-*
2 *priation provided under this heading may remain available*
3 *for obligation beyond the current fiscal year pursuant to*
4 *the authorities of section 245(c) of the Trade Act of 1974*
5 *(19 U.S.C. 2317(c)).*

6 *STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT*

7 *SERVICE OPERATIONS*

8 *(INCLUDING TRANSFER OF FUNDS)*

9 *For authorized administrative expenses, \$84,066,000,*
10 *together with not to exceed \$3,627,265,000 which may be*
11 *expended from the Employment Security Administration*
12 *Account in the Unemployment Trust Fund (“the Trust*
13 *Fund”), of which—*

14 *(1) \$2,850,816,000 from the Trust Fund is for*
15 *grants to States for the administration of State un-*
16 *employment insurance laws as authorized under title*
17 *III of the Social Security Act (including not less than*
18 *\$250,000,000 to carry out reemployment services and*
19 *eligibility assessments under section 306 of such Act,*
20 *any claimants of regular compensation, as defined in*
21 *such section, including those who are profiled as most*
22 *likely to exhaust their benefits, may be eligible for*
23 *such services and assessments: Provided, That of such*
24 *amount, \$117,000,000 is specified for grants under*
25 *section 306 of the Social Security Act and is provided*

1 *to meet the terms of section 4004(b)(4)(B) and section*
2 *4005(d)(2) of S. Con. Res. 14 (117th Congress), the*
3 *concurrent resolution on the budget for fiscal year*
4 *2022, and \$133,000,000 is additional new budget au-*
5 *thority specified for purposes of section 4004(b)(4)*
6 *and section 4005(d) of such resolution; and*
7 *\$9,000,000 for continued support of the Unemploy-*
8 *ment Insurance Integrity Center of Excellence), the*
9 *administration of unemployment insurance for Fed-*
10 *eral employees and for ex-service members as author-*
11 *ized under 5 U.S.C. 8501–8523, and the administra-*
12 *tion of trade readjustment allowances, reemployment*
13 *trade adjustment assistance, and alternative trade ad-*
14 *justment assistance under the Trade Act of 1974 and*
15 *under section 231(a) of the Trade Adjustment Assist-*
16 *ance Extension Act of 2011, sections 405(a) and 406*
17 *of the Trade Preferences Extension Act of 2015, and*
18 *section 285(a)(2) of the Trade Act of 1974 (as amend-*
19 *ed by section 406(a)(7) of the Trade Preferences Ex-*
20 *tension Act of 2015), and shall be available for obliga-*
21 *tion by the States through December 31, 2022, except*
22 *that funds used for automation shall be available for*
23 *Federal obligation through December 31, 2022, and*
24 *for State obligation through September 30, 2024, or,*
25 *if the automation is being carried out through con-*

1 *sortia of States, for State obligation through Sep-*
2 *tember 30, 2028, and for expenditure through Sep-*
3 *tember 30, 2029, and funds for competitive grants*
4 *awarded to States for improved operations and to*
5 *conduct in-person reemployment and eligibility as-*
6 *sessments and unemployment insurance improper*
7 *payment reviews and provide reemployment services*
8 *and referrals to training, as appropriate, shall be*
9 *available for Federal obligation through December 31,*
10 *2022 (except that funds for outcome payments pursu-*
11 *ant to section 306(f)(2) of the Social Security Act*
12 *shall be available for Federal obligation through*
13 *March 31, 2023), and for obligation by the States*
14 *through September 30, 2024, and funds for the Unem-*
15 *ployment Insurance Integrity Center of Excellence*
16 *shall be available for obligation by the State through*
17 *September 30, 2023, and funds used for unemploy-*
18 *ment insurance workloads experienced through Sep-*
19 *tember 30, 2022 shall be available for Federal obliga-*
20 *tion through December 31, 2022;*

21 *(2) \$18,000,000 from the Trust Fund is for na-*
22 *tional activities necessary to support the administra-*
23 *tion of the Federal-State unemployment insurance*
24 *system;*

1 (3) \$653,639,000 from the Trust Fund, together
2 with \$21,413,000 from the General Fund of the Treas-
3 ury, is for grants to States in accordance with section
4 6 of the Wagner-Peyser Act, and shall be available for
5 Federal obligation for the period July 1, 2022 through
6 June 30, 2023;

7 (4) \$25,000,000 from the Trust Fund is for na-
8 tional activities of the Employment Service, including
9 administration of the work opportunity tax credit
10 under section 51 of the Internal Revenue Code of 1986
11 (including assisting States in adopting or modern-
12 izing information technology for use in the processing
13 of certification requests), and the provision of tech-
14 nical assistance and staff training under the Wagner-
15 Peyser Act;

16 (5) \$79,810,000 from the Trust Fund is for the
17 administration of foreign labor certifications and re-
18 lated activities under the Immigration and Nation-
19 ality Act and related laws, of which \$58,528,000 shall
20 be available for the Federal administration of such
21 activities, and \$21,282,000 shall be available for
22 grants to States for the administration of such activi-
23 ties; and

24 (6) \$62,653,000 from the General Fund is to
25 provide workforce information, national electronic

1 *tools, and one-stop system building under the Wagner-*
2 *Peysner Act and shall be available for Federal obliga-*
3 *tion for the period July 1, 2022 through June 30,*
4 *2023, of which up to \$9,800,000 may be used to carry*
5 *out research and demonstration projects related to*
6 *testing effective ways to promote greater labor force*
7 *participation of people with disabilities: Provided,*
8 *That the Secretary may transfer amounts made avail-*
9 *able for research and demonstration projects under*
10 *this paragraph to the “Office of Disability Employ-*
11 *ment Policy” account for such purposes:*

12 *Provided, That to the extent that the Average Weekly In-*
13 *sured Unemployment (“AWIU”) for fiscal year 2022 is pro-*
14 *jected by the Department of Labor to exceed 2,208,000, an*
15 *additional \$28,600,000 from the Trust Fund shall be avail-*
16 *able for obligation for every 100,000 increase in the AWIU*
17 *level (including a pro rata amount for any increment less*
18 *than 100,000) to carry out title III of the Social Security*
19 *Act: Provided further, That funds appropriated in this Act*
20 *that are allotted to a State to carry out activities under*
21 *title III of the Social Security Act may be used by such*
22 *State to assist other States in carrying out activities under*
23 *such title III if the other States include areas that have*
24 *suffered a major disaster declared by the President under*
25 *the Robert T. Stafford Disaster Relief and Emergency As-*

1 *sistance Act: Provided further, That the Secretary may use*
2 *funds appropriated for grants to States under title III of*
3 *the Social Security Act to make payments on behalf of*
4 *States for the use of the National Directory of New Hires*
5 *under section 453(j)(8) of such Act: Provided further, That*
6 *the Secretary may use funds appropriated for grants to*
7 *States under title III of the Social Security Act to make*
8 *payments on behalf of States to the entity operating the*
9 *State Information Data Exchange System: Provided fur-*
10 *ther, That funds appropriated in this Act which are used*
11 *to establish a national one-stop career center system, or*
12 *which are used to support the national activities of the Fed-*
13 *eral-State unemployment insurance, employment service, or*
14 *immigration programs, may be obligated in contracts,*
15 *grants, or agreements with States and non-State entities:*
16 *Provided further, That States awarded competitive grants*
17 *for improved operations under title III of the Social Secu-*
18 *rity Act, or awarded grants to support the national activi-*
19 *ties of the Federal-State unemployment insurance system,*
20 *may award subgrants to other States and non-State entities*
21 *under such grants, subject to the conditions applicable to*
22 *the grants: Provided further, That funds appropriated*
23 *under this Act for activities authorized under title III of*
24 *the Social Security Act and the Wagner-Peyser Act may*
25 *be used by States to fund integrated Unemployment Insur-*

1 *ance and Employment Service automation efforts, notwith-*
2 *standing cost allocation principles prescribed under the*
3 *final rule entitled “Uniform Administrative Requirements,*
4 *Cost Principles, and Audit Requirements for Federal*
5 *Awards” at part 200 of title 2, Code of Federal Regulations:*
6 *Provided further, That the Secretary, at the request of a*
7 *State participating in a consortium with other States, may*
8 *reallot funds allotted to such State under title III of the*
9 *Social Security Act to other States participating in the con-*
10 *sortium or to the entity operating the Unemployment In-*
11 *surance Information Technology Support Center in order*
12 *to carry out activities that benefit the administration of*
13 *the unemployment compensation law of the State making*
14 *the request: Provided further, That the Secretary may col-*
15 *lect fees for the costs associated with additional data collec-*
16 *tion, analyses, and reporting services relating to the Na-*
17 *tional Agricultural Workers Survey requested by State and*
18 *local governments, public and private institutions of higher*
19 *education, and nonprofit organizations and may utilize*
20 *such sums, in accordance with the provisions of 29 U.S.C.*
21 *9a, for the National Agricultural Workers Survey infra-*
22 *structure, methodology, and data to meet the information*
23 *collection and reporting needs of such entities, which shall*
24 *be credited to this appropriation and shall remain available*
25 *until September 30, 2023, for such purposes.*

1 *ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND*
2 *OTHER FUNDS*

3 *For repayable advances to the Unemployment Trust*
4 *Fund as authorized by sections 905(d) and 1203 of the So-*
5 *cial Security Act, and to the Black Lung Disability Trust*
6 *Fund as authorized by section 9501(c)(1) of the Internal*
7 *Revenue Code of 1986; and for nonrepayable advances to*
8 *the revolving fund established by section 901(e) of the Social*
9 *Security Act, to the Unemployment Trust Fund as author-*
10 *ized by 5 U.S.C. 8509, and to the “Federal Unemployment*
11 *Benefits and Allowances” account, such sums as may be*
12 *necessary, which shall be available for obligation through*
13 *September 30, 2023.*

14 *PROGRAM ADMINISTRATION*

15 *For expenses of administering employment and train-*
16 *ing programs, \$112,934,000, together with not to exceed*
17 *\$51,481,000 which may be expended from the Employment*
18 *Security Administration Account in the Unemployment*
19 *Trust Fund.*

20 *EMPLOYEE BENEFITS SECURITY ADMINISTRATION*

21 *SALARIES AND EXPENSES*

22 *For necessary expenses for the Employee Benefits Secu-*
23 *rity Administration, \$185,500,000, of which up to*
24 *\$3,000,000 shall be made available through September 30,*

1 2023, for the procurement of expert witnesses for enforce-
2 ment litigation.

3 *PENSION BENEFIT GUARANTY CORPORATION*

4 *PENSION BENEFIT GUARANTY CORPORATION FUND*

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

1 *in this paragraph may be incurred and shall be available*
2 *through September 30, 2026 for obligation for unforeseen*
3 *and extraordinary pre-termination or termination expenses*
4 *or extraordinary multiemployer program related expenses*
5 *after approval by the Office of Management and Budget and*
6 *notification of the Committees on Appropriations of the*
7 *House of Representatives and the Senate: Provided further,*
8 *That an additional amount shall be available for obligation*
9 *through September 30, 2026 to the extent the Corporation's*
10 *costs exceed \$250,000 for the provision of credit or identity*
11 *monitoring to affected individuals upon suffering a security*
12 *incident or privacy breach, not to exceed an additional*
13 *\$100 per affected individual.*

14 *WAGE AND HOUR DIVISION*

15 *SALARIES AND EXPENSES*

16 *For necessary expenses for the Wage and Hour Divi-*
17 *sion, including reimbursement to State, Federal, and local*
18 *agencies and their employees for inspection services ren-*
19 *dered, \$251,000,000.*

20 *OFFICE OF LABOR-MANAGEMENT STANDARDS*

21 *SALARIES AND EXPENSES*

22 *For necessary expenses for the Office of Labor-Manage-*
23 *ment Standards, \$45,937,000.*

1 *OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS*2 *SALARIES AND EXPENSES*

3 *For necessary expenses for the Office of Federal Con-*
4 *tract Compliance Programs, \$108,476,000.*

5 *OFFICE OF WORKERS' COMPENSATION PROGRAMS*6 *SALARIES AND EXPENSES*

7 *For necessary expenses for the Office of Workers' Com-*
8 *ensation Programs, \$117,924,000, together with*
9 *\$2,205,000 which may be expended from the Special Fund*
10 *in accordance with sections 39(c), 44(d), and 44(j) of the*
11 *Longshore and Harbor Workers' Compensation Act.*

12 *SPECIAL BENEFITS*13 *(INCLUDING TRANSFER OF FUNDS)*

14 *For the payment of compensation, benefits, and ex-*
15 *penses (except administrative expenses not otherwise au-*
16 *thorized) accruing during the current or any prior fiscal*
17 *year authorized by 5 U.S.C. 81; continuation of benefits*
18 *as provided for under the heading "Civilian War Benefits"*
19 *in the Federal Security Agency Appropriation Act, 1947;*
20 *the Employees' Compensation Commission Appropriation*
21 *Act, 1944; section 5(f) of the War Claims Act (50 U.S.C.*
22 *App. 2012); obligations incurred under the War Hazards*
23 *Compensation Act (42 U.S.C. 1701 et seq.); and 50 percent*
24 *of the additional compensation and benefits required by sec-*
25 *tion 10(h) of the Longshore and Harbor Workers' Com-*

1 *ensation Act, \$244,000,000, together with such amounts*
2 *as may be necessary to be charged to the subsequent year*
3 *appropriation for the payment of compensation and other*
4 *benefits for any period subsequent to August 15 of the cur-*
5 *rent year, for deposit into and to assume the attributes of*
6 *the Employees' Compensation Fund established under 5*
7 *U.S.C. 8147(a): Provided, That amounts appropriated may*
8 *be used under 5 U.S.C. 8104 by the Secretary to reimburse*
9 *an employer, who is not the employer at the time of injury,*
10 *for portions of the salary of a re-employed, disabled bene-*
11 *ficiary: Provided further, That balances of reimbursements*
12 *unobligated on September 30, 2021, shall remain available*
13 *until expended for the payment of compensation, benefits,*
14 *and expenses: Provided further, That in addition there shall*
15 *be transferred to this appropriation from the Postal Service*
16 *and from any other corporation or instrumentality required*
17 *under 5 U.S.C. 8147(c) to pay an amount for its fair share*
18 *of the cost of administration, such sums as the Secretary*
19 *determines to be the cost of administration for employees*
20 *of such fair share entities through September 30, 2022: Pro-*
21 *vided further, That of those funds transferred to this ac-*
22 *count from the fair share entities to pay the cost of adminis-*
23 *tration of the Federal Employees' Compensation Act,*
24 *\$80,920,000 shall be made available to the Secretary as fol-*
25 *lows:*

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

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

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

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

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

12 *Provided further, That the Secretary may require that any*
13 *person filing a notice of injury or a claim for benefits under*
14 *5 U.S.C. 81, or the Longshore and Harbor Workers' Com-*
15 *pensation Act, provide as part of such notice and claim,*
16 *such identifying information (including Social Security ac-*
17 *count number) as such regulations may prescribe.*

18 *SPECIAL BENEFITS FOR DISABLED COAL MINERS*

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

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

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

4 *ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES*
5 *OCCUPATIONAL ILLNESS COMPENSATION FUND*

6 *For necessary expenses to administer the Energy Em-*
7 *ployees Occupational Illness Compensation Program Act,*
8 *\$63,428,000, to remain available until expended: Provided,*
9 *That the Secretary may require that any person filing a*
10 *claim for benefits under the Act provide as part of such*
11 *claim such identifying information (including Social Secu-*
12 *rity account number) as may be prescribed.*

13 *BLACK LUNG DISABILITY TRUST FUND*
14 *(INCLUDING TRANSFER OF FUNDS)*

15 *Such sums as may be necessary from the Black Lung*
16 *Disability Trust Fund (the “Fund”), to remain available*
17 *until expended, for payment of all benefits authorized by*
18 *section 9501(d)(1), (2), (6), and (7) of the Internal Revenue*
19 *Code of 1986; and repayment of, and payment of interest*
20 *on advances, as authorized by section 9501(d)(4) of that*
21 *Act. In addition, the following amounts may be expended*
22 *from the Fund for fiscal year 2022 for expenses of operation*
23 *and administration of the Black Lung Benefits program,*
24 *as authorized by section 9501(d)(5): not to exceed*
25 *\$41,464,000 for transfer to the Office of Workers’ Compensa-*

1 *tion Programs, “Salaries and Expenses”; not to exceed*
 2 *\$37,598,000 for transfer to Departmental Management,*
 3 *“Salaries and Expenses”; not to exceed \$342,000 for trans-*
 4 *fer to Departmental Management, “Office of Inspector Gen-*
 5 *eral”; and not to exceed \$356,000 for payments into mis-*
 6 *cellaneous receipts for the expenses of the Department of the*
 7 *Treasury.*

8 *OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION*
 9 *SALARIES AND EXPENSES*

10 *For necessary expenses for the Occupational Safety*
 11 *and Health Administration, \$612,015,000, including not to*
 12 *exceed \$113,000,000 which shall be the maximum amount*
 13 *available for grants to States under section 23(g) of the Oc-*
 14 *cupational Safety and Health Act (the “Act”), which grants*
 15 *shall be no less than 50 percent of the costs of State occupa-*
 16 *tional safety and health programs required to be incurred*
 17 *under plans approved by the Secretary under section 18*
 18 *of the Act; and, in addition, notwithstanding 31 U.S.C.*
 19 *3302, the Occupational Safety and Health Administration*
 20 *may retain up to \$499,000 per fiscal year of training insti-*
 21 *tute course tuition and fees, otherwise authorized by law*
 22 *to be collected, and may utilize such sums for occupational*
 23 *safety and health training and education: Provided, That*
 24 *notwithstanding 31 U.S.C. 3302, the Secretary is author-*
 25 *ized, during the fiscal year ending September 30, 2022, to*

1 *collect and retain fees for services provided to Nationally*
2 *Recognized Testing Laboratories, and may utilize such*
3 *sums, in accordance with the provisions of 29 U.S.C. 9a,*
4 *to administer national and international laboratory rec-*
5 *ognition programs that ensure the safety of equipment and*
6 *products used by workers in the workplace: Provided fur-*
7 *ther, That none of the funds appropriated under this para-*
8 *graph shall be obligated or expended to prescribe, issue, ad-*
9 *minister, or enforce any standard, rule, regulation, or order*
10 *under the Act which is applicable to any person who is en-*
11 *gaged in a farming operation which does not maintain a*
12 *temporary labor camp and employs 10 or fewer employees:*
13 *Provided further, That no funds appropriated under this*
14 *paragraph shall be obligated or expended to administer or*
15 *enforce any standard, rule, regulation, or order under the*
16 *Act with respect to any employer of 10 or fewer employees*
17 *who is included within a category having a Days Away,*
18 *Restricted, or Transferred (“DART”) occupational injury*
19 *and illness rate, at the most precise industrial classification*
20 *code for which such data are published, less than the na-*
21 *tional average rate as such rates are most recently published*
22 *by the Secretary, acting through the Bureau of Labor Sta-*
23 *tistics, in accordance with section 24 of the Act, except—*

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

4 (2) to conduct an inspection or investigation in
5 response to an employee complaint, to issue a citation
6 for violations found during such inspection, and to
7 assess a penalty for violations which are not corrected
8 within a reasonable abatement period and for any
9 willful violations found;

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

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

14 (5) to take any action authorized by the Act with
15 respect to a report of an employment accident which
16 is fatal to one or more employees or which results in
17 hospitalization of two or more employees, and to take
18 any action pursuant to such investigation authorized
19 by the Act; and

20 (6) to take any action authorized by the Act with
21 respect to complaints of discrimination against em-
22 ployees for exercising rights under the Act:

23 *Provided further, That the foregoing proviso shall not apply*
24 *to any person who is engaged in a farming operation which*
25 *does not maintain a temporary labor camp and employs*

1 10 or fewer employees: Provided further, That \$11,787,000
2 shall be available for Susan Harwood training grants, of
3 which not more than \$6,500,000 is for Susan Harwood
4 Training Capacity Building Developmental grants, for pro-
5 gram activities starting not later than September 30, 2022
6 and lasting for a period of 12 months: Provided further,
7 That not less than \$3,500,000 shall be for Voluntary Protec-
8 tion Programs.

9 MINE SAFETY AND HEALTH ADMINISTRATION

10 SALARIES AND EXPENSES

11 For necessary expenses for the Mine Safety and Health
12 Administration, \$383,816,000, including purchase and be-
13 stowal of certificates and trophies in connection with mine
14 rescue and first-aid work, and the hire of passenger motor
15 vehicles, including up to \$2,000,000 for mine rescue and
16 recovery activities and not less than \$10,537,000 for State
17 assistance grants: Provided, That notwithstanding 31
18 U.S.C. 3302, not to exceed \$750,000 may be collected by
19 the National Mine Health and Safety Academy for room,
20 board, tuition, and the sale of training materials, otherwise
21 authorized by law to be collected, to be available for mine
22 safety and health education and training activities: Pro-
23 vided further, That notwithstanding 31 U.S.C. 3302, the
24 Mine Safety and Health Administration is authorized to
25 collect and retain up to \$2,499,000 from fees collected for

1 *the approval and certification of equipment, materials, and*
2 *explosives for use in mines, and may utilize such sums for*
3 *such activities: Provided further, That the Secretary is au-*
4 *thorized to accept lands, buildings, equipment, and other*
5 *contributions from public and private sources and to pros-*
6 *ecute projects in cooperation with other agencies, Federal,*
7 *State, or private: Provided further, That the Mine Safety*
8 *and Health Administration is authorized to promote health*
9 *and safety education and training in the mining commu-*
10 *nity through cooperative programs with States, industry,*
11 *and safety associations: Provided further, That the Sec-*
12 *retary is authorized to recognize the Joseph A. Holmes Safe-*
13 *ty Association as a principal safety association and, not-*
14 *withstanding any other provision of law, may provide*
15 *funds and, with or without reimbursement, personnel, in-*
16 *cluding service of Mine Safety and Health Administration*
17 *officials as officers in local chapters or in the national orga-*
18 *nization: Provided further, That any funds available to the*
19 *Department of Labor may be used, with the approval of*
20 *the Secretary, to provide for the costs of mine rescue and*
21 *survival operations in the event of a major disaster.*

22 *BUREAU OF LABOR STATISTICS*

23 *SALARIES AND EXPENSES*

24 *For necessary expenses for the Bureau of Labor Statis-*
25 *tics, including advances or reimbursements to State, Fed-*

1 eral, and local agencies and their employees for services ren-
2 dered, \$619,952,000, together with not to exceed \$68,000,000
3 which may be expended from the Employment Security Ad-
4 ministration account in the Unemployment Trust Fund.

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

10 OFFICE OF DISABILITY EMPLOYMENT POLICY

11 SALARIES AND EXPENSES

12 (INCLUDING TRANSFER OF FUNDS)

13 For necessary expenses for the Office of Disability Em-
14 ployment Policy to provide leadership, develop policy and
15 initiatives, and award grants furthering the objective of
16 eliminating barriers to the training and employment of
17 people with disabilities, \$40,500,000, of which not less than
18 \$9,000,000 shall be for research and demonstration projects
19 related to testing effective ways to promote greater labor
20 force participation of people with disabilities: Provided,
21 That the Secretary may transfer amounts made available
22 under this heading for research and demonstration projects
23 to the "State Unemployment Insurance and Employment
24 Service Operations" account for such purposes.

*DEPARTMENTAL MANAGEMENT**SALARIES AND EXPENSES**(INCLUDING TRANSFER OF FUNDS)*

1 *For necessary expenses for Departmental Management,*
2 *including the hire of three passenger motor vehicles,*
3 *\$367,389,000, together with not to exceed \$308,000, which*
4 *may be expended from the Employment Security Adminis-*
5 *tration account in the Unemployment Trust Fund: Pro-*
6 *vided, That \$74,525,000 for the Bureau of International*
7 *Labor Affairs shall be available for obligation through De-*
8 *cember 31, 2022: Provided further, That funds available to*
9 *the Bureau of International Labor Affairs may be used to*
10 *administer or operate international labor activities, bilat-*
11 *eral and multilateral technical assistance, and micro-*
12 *finance programs, by or through contracts, grants, sub-*
13 *grants and other arrangements: Provided further, That not*
14 *less than \$30,175,000 shall be for programs to combat ex-*
15 *ploitative child labor internationally and not less than*
16 *\$30,175,000 shall be used to implement model programs*
17 *that address worker rights issues through technical assist-*
18 *ance in countries with which the United States has free*
19 *trade agreements or trade preference programs: Provided*
20 *further, That \$8,281,000 shall be used for program evalua-*
21 *tion and shall be available for obligation through September*
22 *30, 2023: Provided further, That funds available for pro-*

1 *gram evaluation may be used to administer grants for the*
2 *purpose of evaluation: Provided further, That grants made*
3 *for the purpose of evaluation shall be awarded through fair*
4 *and open competition: Provided further, That funds avail-*
5 *able for program evaluation may be transferred to any*
6 *other appropriate account in the Department for such pur-*
7 *pose: Provided further, That the Committees on Appropria-*
8 *tions of the House of Representatives and the Senate are*
9 *notified at least 15 days in advance of any transfer: Pro-*
10 *vided further, That the funds available to the Women's Bu-*
11 *reau may be used for grants to serve and promote the inter-*
12 *ests of women in the workforce: Provided further, That of*
13 *the amounts made available to the Women's Bureau, not*
14 *less than \$2,500,000 shall be used for grants authorized by*
15 *the Women in Apprenticeship and Nontraditional Occupa-*
16 *tions Act.*

17 *VETERANS' EMPLOYMENT AND TRAINING*

18 *Not to exceed \$264,841,000 may be derived from the*
19 *Employment Security Administration account in the Un-*
20 *employment Trust Fund to carry out the provisions of*
21 *chapters 41, 42, and 43 of title 38, United States Code, of*
22 *which—*

23 *(1) \$183,000,000 is for Jobs for Veterans State*
24 *grants under 38 U.S.C. 4102A(b)(5) to support dis-*
25 *abled veterans' outreach program specialists under*

1 *section 4103A of such title and local veterans' employ-*
2 *ment representatives under section 4104(b) of such*
3 *title, and for the expenses described in section*
4 *4102A(b)(5)(C), which shall be available for expendi-*
5 *ture by the States through September 30, 2024, and*
6 *not to exceed 3 percent for the necessary Federal ex-*
7 *penditures for data systems and contract support to*
8 *allow for the tracking of participant and performance*
9 *information: Provided, That, in addition, such funds*
10 *may be used to support such specialists and rep-*
11 *resentatives in the provision of services to*
12 *transitioning members of the Armed Forces who have*
13 *participated in the Transition Assistance Program*
14 *and have been identified as in need of intensive serv-*
15 *ices, to members of the Armed Forces who are wound-*
16 *ed, ill, or injured and receiving treatment in military*
17 *treatment facilities or warrior transition units, and*
18 *to the spouses or other family caregivers of such*
19 *wounded, ill, or injured members;*

20 (2) *\$32,379,000 is for carrying out the Transi-*
21 *tion Assistance Program under 38 U.S.C. 4113 and*
22 *10 U.S.C. 1144;*

23 (3) *\$46,048,000 is for Federal administration of*
24 *chapters 41, 42, and 43 of title 38, and sections 2021,*
25 *2021A and 2023 of title 38, United States Code: Pro-*

1 *vided, That, up to \$500,000 may be used to carry out*
2 *the Hire VETS Act (division O of Public Law 115–*
3 *31); and*

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

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

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

1 *the individuals described in subsection (e) of such section,*
2 *services to veterans recently released from incarceration who*
3 *are at risk of homelessness: Provided further, That notwith-*
4 *standing paragraph (3) under this heading, funds appro-*
5 *priated in this paragraph may be used for data systems*
6 *and contract support to allow for the tracking of partici-*
7 *part and performance information: Provided further, That*
8 *notwithstanding sections 2021(e)(2) and 2021A(f)(2) of title*
9 *38, United States Code, such funds shall be available for*
10 *expenditure pursuant to 31 U.S.C. 1553.*

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

22 *IT MODERNIZATION*

23 *For necessary expenses for Department of Labor cen-*
24 *tralized infrastructure technology investment activities re-*

1 *lated to support systems and modernization, \$28,269,000,*
2 *which shall be available through September 30, 2023.*

3 *OFFICE OF INSPECTOR GENERAL*

4 *For salaries and expenses of the Office of Inspector*
5 *General in carrying out the provisions of the Inspector Gen-*
6 *eral Act of 1978, \$85,187,000, together with not to exceed*
7 *\$5,660,000 which may be expended from the Employment*
8 *Security Administration account in the Unemployment*
9 *Trust Fund.*

10 *GENERAL PROVISIONS*

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

16 *(TRANSFER OF FUNDS)*

17 *SEC. 102. Not to exceed 1 percent of any discretionary*
18 *funds (pursuant to the Balanced Budget and Emergency*
19 *Deficit Control Act of 1985) which are appropriated for the*
20 *current fiscal year for the Department of Labor in this Act*
21 *may be transferred between a program, project, or activity,*
22 *but no such program, project, or activity shall be increased*
23 *by more than 3 percent by any such transfer: Provided,*
24 *That the transfer authority granted by this section shall not*
25 *be used to create any new program or to fund any project*

1 *or activity for which no funds are provided in this Act:*
2 *Provided further, That the Committees on Appropriations*
3 *of the House of Representatives and the Senate are notified*
4 *at least 15 days in advance of any transfer.*

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

13 *SEC. 104. Except as otherwise provided in this section,*
14 *none of the funds made available to the Department of*
15 *Labor for grants under section 414(c) of the American Com-*
16 *petitiveness and Workforce Improvement Act of 1998 (29*
17 *U.S.C. 2916a) may be used for any purpose other than com-*
18 *petitive grants for training individuals who are older than*
19 *16 years of age and are not currently enrolled in school*
20 *within a local educational agency in the occupations and*
21 *industries for which employers are using H-1B visas to*
22 *hire foreign workers, and the related activities necessary to*
23 *support such training.*

24 *SEC. 105. None of the funds made available by this*
25 *Act under the heading “Employment and Training Admin-*

1 *istration” shall be used by a recipient or subrecipient of*
2 *such funds to pay the salary and bonuses of an individual,*
3 *either as direct costs or indirect costs, at a rate in excess*
4 *of Executive Level II. This limitation shall not apply to*
5 *vendors providing goods and services as defined in Office*
6 *of Management and Budget Circular A–133. Where States*
7 *are recipients of such funds, States may establish a lower*
8 *limit for salaries and bonuses of those receiving salaries and*
9 *bonuses from subrecipients of such funds, taking into ac-*
10 *count factors including the relative cost-of-living in the*
11 *State, the compensation levels for comparable State or local*
12 *government employees, and the size of the organizations*
13 *that administer Federal programs involved including Em-*
14 *ployment and Training Administration programs.*

15 *(TRANSFER OF FUNDS)*

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

24 *(b) Notwithstanding section 102, the Secretary may*
25 *transfer not more than 0.5 percent of each discretionary ap-*

1 *proprietion made available to the Employment and Train-*
2 *ing Administration by this Act to “Program Administra-*
3 *tion” in order to carry out program integrity activities re-*
4 *lating to any of the programs or activities that are funded*
5 *under any such discretionary appropriations: Provided,*
6 *That notwithstanding section 102 and the preceding pro-*
7 *viso, the Secretary may transfer not more than 0.5 percent*
8 *of funds made available in paragraphs (1) and (2) of the*
9 *“Office of Job Corps” account to paragraph (3) of such ac-*
10 *count to carry out program integrity activities related to*
11 *the Job Corps program: Provided further, That funds trans-*
12 *ferred under this subsection shall be available to the Sec-*
13 *retary to carry out program integrity activities directly or*
14 *through grants, cooperative agreements, contracts and other*
15 *arrangements with States and other appropriate entities:*
16 *Provided further, That funds transferred under the author-*
17 *ity provided by this subsection shall be available for obliga-*
18 *tion through September 30, 2023.*

19 *(TRANSFER OF FUNDS)*

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

1 ment” for use by the Office of the Chief Evaluation Officer
2 within the Department of Labor, and shall be available for
3 obligation through September 30, 2023: Provided, That such
4 funds shall only be available if the Chief Evaluation Officer
5 of the Department of Labor submits a plan to the Commit-
6 tees on Appropriations of the House of Representatives and
7 the Senate describing the evaluations to be carried out 15
8 days in advance of any transfer.

9 (b) The accounts referred to in subsection (a) are:
10 “Training and Employment Services”, “Job Corps”, “Com-
11 munity Service Employment for Older Americans”, “State
12 Unemployment Insurance and Employment Service Oper-
13 ations”, “Employee Benefits Security Administration”,
14 “Office of Workers’ Compensation Programs”, “Wage and
15 Hour Division”, “Office of Federal Contract Compliance
16 Programs”, “Office of Labor Management Standards”, “Oc-
17 cupational Safety and Health Administration”, “Mine
18 Safety and Health Administration”, “Office of Disability
19 Employment Policy”, funding made available to the “Bu-
20 reau of International Labor Affairs” and “Women’s Bu-
21 reau” within the “Departmental Management, Salaries and
22 Expenses” account, and “Veterans’ Employment and
23 Training”.

1 *SEC. 108. (a) Section 7 of the Fair Labor Standards*
2 *Act of 1938 (29 U.S.C. 207) shall be applied as if the fol-*
3 *lowing text is part of such section:*

4 *“(s)(1) The provisions of this section shall not apply*
5 *for a period of 2 years after the occurrence of a major dis-*
6 *aster to any employee—*

7 *“(A) employed to adjust or evaluate claims*
8 *resulting from or relating to such major disaster,*
9 *by an employer not engaged, directly or through*
10 *an affiliate, in underwriting, selling, or mar-*
11 *keting property, casualty, or liability insurance*
12 *policies or contracts;*

13 *“(B) who receives from such employer on*
14 *average weekly compensation of not less than*
15 *\$591.00 per week or any minimum weekly*
16 *amount established by the Secretary, whichever*
17 *is greater, for the number of weeks such employee*
18 *is engaged in any of the activities described in*
19 *subparagraph (C); and*

20 *“(C) whose duties include any of the fol-*
21 *lowing:*

22 *“(i) interviewing insured individuals,*
23 *individuals who suffered injuries or other*
24 *damages or losses arising from or relating*
25 *to a disaster, witnesses, or physicians;*

1 “(ii) inspecting property damage or re-
2 viewing factual information to prepare
3 damage estimates;

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

8 “(iv) negotiating settlements; or

9 “(v) making recommendations regard-
10 ing litigation.

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

13 “(3) For purposes of this subsection—

14 “(A) the term ‘major disaster’ means any
15 disaster or catastrophe declared or designated by
16 any State or Federal agency or department;

17 “(B) the term ‘employee employed to adjust
18 or evaluate claims resulting from or relating to
19 such major disaster’ means an individual who
20 timely secured or secures a license required by
21 applicable law to engage in and perform the ac-
22 tivities described in clauses (i) through (v) of
23 paragraph (1)(C) relating to a major disaster,
24 and is employed by an employer that maintains
25 worker compensation insurance coverage or pro-

1 *tection for its employees, if required by applica-*
2 *ble law, and withholds applicable Federal, State,*
3 *and local income and payroll taxes from the*
4 *wages, salaries and any benefits of such employ-*
5 *ees; and*

6 *“(C) the term ‘affiliate’ means a company*
7 *that, by reason of ownership or control of 25 per-*
8 *cent or more of the outstanding shares of any*
9 *class of voting securities of one or more compa-*
10 *nies, directly or indirectly, controls, is controlled*
11 *by, or is under common control with, another*
12 *company.”.*

13 *(b) This section shall be effective on the date of enact-*
14 *ment of this Act.*

15 *SEC. 109. (a) FLEXIBILITY WITH RESPECT TO THE*
16 *CROSSING OF H-2B NONIMMIGRANTS WORKING IN THE*
17 *SEAFOOD INDUSTRY.—*

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

1 (2) *REQUIREMENTS FOR CROSSINGS AFTER 90TH*
2 *DAY.*—*An employer in the seafood industry may not*
3 *bring H-2B nonimmigrants into the United States*
4 *after the date that is 90 days after the start date for*
5 *which the employer is seeking the services of the non-*
6 *immigrants unless the employer—*

7 (A) *completes a new assessment of the local*
8 *labor market by—*

9 (i) *listing job orders in local news-*
10 *papers on 2 separate Sundays; and*

11 (ii) *posting the job opportunity on the*
12 *appropriate Department of Labor Elec-*
13 *tronic Job Registry and at the employer's*
14 *place of employment; and*

15 (B) *offers the job to an equally or better*
16 *qualified United States worker who—*

17 (i) *applies for the job; and*

18 (ii) *will be available at the time and*
19 *place of need.*

20 (3) *EXEMPTION FROM RULES WITH RESPECT TO*
21 *STAGGERING.*—*The Secretary of Labor shall not con-*
22 *sider an employer in the seafood industry who brings*
23 *H-2B nonimmigrants into the United States during*
24 *the 120-day period specified in paragraph (1) to be*
25 *staggering the date of need in violation of section*

1 655.20(d) of title 20, Code of Federal Regulations, or
2 any other applicable provision of law.

3 (b) *H-2B NONIMMIGRANTS DEFINED.*—In this section,
4 the term “*H-2B nonimmigrants*” means aliens admitted
5 to the United States pursuant to section
6 101(a)(15)(H)(ii)(B) of the Immigration and Nationality
7 Act (8 U.S.C. 1101(a)(15)(H)(ii)(B)).

8 *SEC. 110. The determination of prevailing wage for*
9 *the purposes of the H-2B program shall be the greater of—*
10 *(1) the actual wage level paid by the employer to other em-*
11 *ployees with similar experience and qualifications for such*
12 *position in the same location; or (2) the prevailing wage*
13 *level for the occupational classification of the position in*
14 *the geographic area in which the H-2B nonimmigrant will*
15 *be employed, based on the best information available at the*
16 *time of filing the petition. In the determination of pre-*
17 *vailing wage for the purposes of the H-2B program, the*
18 *Secretary shall accept private wage surveys even in in-*
19 *stances where Occupational Employment Statistics survey*
20 *data are available unless the Secretary determines that the*
21 *methodology and data in the provided survey are not statis-*
22 *tically supported.*

23 *SEC. 111. None of the funds in this Act shall be used*
24 *to enforce the definition of corresponding employment found*
25 *in 20 CFR 655.5 or the three-fourths guarantee rule defini-*

1 *tion found in 20 CFR 655.20, or any references thereto.*
2 *Further, for the purpose of regulating admission of tem-*
3 *porary workers under the H-2B program, the definition of*
4 *temporary need shall be that provided in 8 CFR*
5 *214.2(h)(6)(ii)(B).*

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

12 *SEC. 113. (a) The Act entitled “An Act to create a*
13 *Department of Labor”, approved March 4, 1913 (37 Stat.*
14 *736, chapter 141) shall be applied as if the following text*
15 *is part of such Act:*

16 **“SEC. 12. SECURITY DETAIL.**

17 *“(a) IN GENERAL.—The Secretary of Labor is author-*
18 *ized to employ law enforcement officers or special agents*
19 *to—*

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

24 *“(2) provide protection, incidental to the protec-*
25 *tion provided to the Secretary, to a member of the im-*

1 mediate family of the Secretary who is participating
2 in an activity or event relating to the official duties
3 of the Secretary;

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

10 “(4) provide protection to the Deputy Secretary
11 of Labor or another senior officer representing the
12 Secretary of Labor at a public event if there is a
13 unique and articulable threat of physical harm, in
14 accordance with guidelines established by the Sec-
15 retary.

16 “(b) *AUTHORITIES.*—The Secretary of Labor may au-
17 thorize a law enforcement officer or special agent employed
18 under subsection (a), for the purpose of performing the du-
19 ties 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, includ-
25 ing identifying and mitigating potential threats and

1 *conducting advance work to review security matters*
2 *relating to sites and events;*

3 “(4) *coordinate with local law enforcement agen-*
4 *cies; and*

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

9 “(c) *COMPLIANCE WITH GUIDELINES.—A law enforce-*
10 *ment officer or special agent employed under subsection (a)*
11 *shall exercise any authority provided under this section in*
12 *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 enact-*
18 *ment of this Act.*

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

1 *disposition of Federal real property, including but not lim-*
2 *ited to subchapter III of chapter 5 of title 40 of the United*
3 *States Code and subchapter V of chapter 119 of title 42*
4 *of the United States Code. The net proceeds of such a sale*
5 *shall be transferred to the Secretary, which shall be avail-*
6 *able until expended to carry out the Job Corps Program*
7 *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 Agreement*
11 *between the United States Department of Labor and*
12 *the United States Department of Agriculture; or*

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

18 *SEC. 116. The paragraph under the heading “Working*
19 *Capital Fund” in the Department of Labor Appropriations*
20 *Act, 1958, Public Law 85–67, 71 Stat. 210, as amended,*
21 *is further amended by striking the third proviso and insert-*
22 *ing in lieu thereof “That the Secretary of Labor may trans-*
23 *fer to the Working Capital Fund, to remain available for*
24 *obligation for five fiscal years after the fiscal year of such*
25 *transfer, annually an amount not to exceed \$9,000,000 from*

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

24 *SEC. 117. Of the unobligated funds available under*
25 *section 286(s)(2) of the Immigration and Nationality Act*

1 *(8 U.S.C. 1356(s)(2)), \$72,000,000 are hereby permanently*
2 *rescinded.*

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

1 *able under this heading: Provided further, That for any pro-*
2 *gram operating under section 751 of the PHS Act on or*
3 *before January 1, 2009, the Secretary of Health and*
4 *Human Services (referred to in this title as the “Sec-*
5 *retary”)* may hereafter waive any of the requirements con-
6 *tained in sections 751(d)(2)(A) and 751(d)(2)(B) of such*
7 *Act for the full project period of a grant under such section:*
8 *Provided further, That no funds shall be available for sec-*
9 *tion 340G–1 of the PHS Act: Provided further, That fees*
10 *collected for the disclosure of information under section*
11 *427(b) of the Health Care Quality Improvement Act of 1986*
12 *and sections 1128E(d)(2) and 1921 of the Social Security*
13 *Act shall be sufficient to recover the full costs of operating*
14 *the programs authorized by such sections and shall remain*
15 *available until expended for the National Practitioner Data*
16 *Bank: Provided further, That funds transferred to this ac-*
17 *count to carry out section 846 and subpart 3 of part D*
18 *of title III of the PHS Act may be used to make prior year*
19 *adjustments to awards made under such section and sub-*
20 *part: Provided further, That \$121,600,000 shall remain*
21 *available until expended for the purposes of providing pri-*
22 *mary health services, assigning National Health Service*
23 *Corps (“NHSC”) members to expand the delivery of sub-*
24 *stance use disorder treatment services, notwithstanding the*
25 *assignment priorities and limitations under sections*

1 333(a)(1)(D), 333(b), and 333A(a)(1)(B)(ii) of the PHS
2 Act, and making payments under the NHSC Loan Repay-
3 ment Program under section 338B of such Act: Provided
4 further, That, within the amount made available in the pre-
5 vious proviso, \$15,600,000 shall remain available until ex-
6 pended for the purposes of making payments under the
7 NHSC Loan Repayment Program under section 338B of
8 the PHS Act to individuals participating in such program
9 who provide primary health services in Indian Health
10 Service facilities, Tribally-Operated 638 Health Programs,
11 and Urban Indian Health Programs (as those terms are
12 defined by the Secretary), notwithstanding the assignment
13 priorities and limitations under section 333(b) of such Act:
14 Provided further, That for purposes of the previous two pro-
15 visos, section 331(a)(3)(D) of the PHS Act shall be applied
16 as if the term “primary health services” includes clinical
17 substance use disorder treatment services, including those
18 provided by masters level, licensed substance use disorder
19 treatment counselors: Provided further, That of the funds
20 made available under this heading, \$6,000,000 shall be
21 available to make grants to establish, expand, or maintain
22 optional community-based nurse practitioner fellowship
23 programs that are accredited or in the accreditation proc-
24 ess, with a preference for those in Federally Qualified
25 Health Centers, for practicing postgraduate nurse practi-

1 *tioners in primary care or behavioral health: Provided fur-*
2 *ther, That of the funds made available under this heading,*
3 *\$5,000,000 shall remain available until expended for activi-*
4 *ties under section 775 of the PHS Act: Provided further,*
5 *That the United States may recover liquidated damages in*
6 *an amount determined by the formula under section*
7 *338E(c)(1) of the PHS Act if an individual either fails to*
8 *begin or complete the service obligated by a contract under*
9 *section 775(b) of the PHS Act: Provided further, That for*
10 *purposes of section 775(c)(1) of the PHS Act, the Secretary*
11 *may include other mental and behavioral health disciplines*
12 *as the Secretary deems appropriate: Provided further, That*
13 *the Secretary may terminate a contract entered into under*
14 *section 775 of the PHS Act in the same manner articulated*
15 *in Section 206 of this title for fiscal year 2022 contracts*
16 *entered into under section 338B of the PHS Act.*

17 *Of the funds made available under this heading,*
18 *\$55,000,000 shall remain available until expended for*
19 *grants to public institutions of higher education to expand*
20 *or support graduate education for physicians provided by*
21 *such institutions, including funding for infrastructure de-*
22 *velopment, maintenance, equipment, and minor renova-*
23 *tions or alterations: Provided, That, in awarding such*
24 *grants, the Secretary shall give priority to public institu-*
25 *tions of higher education located in States with a projected*

1 *primary care provider shortage in 2025, as determined by*
2 *the Secretary: Provided further, That grants so awarded are*
3 *limited to such public institutions of higher education in*
4 *States in the top quintile of States with a projected primary*
5 *care provider shortage in 2025, as determined by the Sec-*
6 *retary: Provided further, That the minimum amount of a*
7 *grant so awarded to such an institution shall be not less*
8 *than \$1,000,000 per year: Provided further, That such a*
9 *grant may be awarded for a period not to exceed 5 years:*
10 *Provided further, That such a grant awarded with respect*
11 *to a year to such an institution shall be subject to a match-*
12 *ing requirement of non-Federal funds in an amount that*
13 *is not less than 10 percent of the total amount of Federal*
14 *funds provided in the grant to such institution with respect*
15 *to such year.*

16 *MATERNAL AND CHILD HEALTH*

17 *For carrying out titles III, XI, XII, and XIX of the*
18 *PHS Act with respect to maternal and child health and*
19 *title V of the Social Security Act, \$1,018,624,000: Provided,*
20 *That notwithstanding sections 502(a)(1) and 502(b)(1) of*
21 *the Social Security Act, not more than \$169,116,000 shall*
22 *be available for carrying out special projects of regional and*
23 *national significance pursuant to section 501(a)(2) of such*
24 *Act and \$10,276,000 shall be available for projects described*

1 *in subparagraphs (A) through (F) of section 501(a)(3) of*
2 *such Act.*

3 *RYAN WHITE HIV/AIDS PROGRAM*

4 *For carrying out title XXVI of the PHS Act with re-*
5 *spect to the Ryan White HIV/AIDS program,*
6 *\$2,494,776,000, of which \$2,014,698,000 shall remain*
7 *available to the Secretary through September 30, 2024, for*
8 *parts A and B of title XXVI of the PHS Act, and of which*
9 *not less than \$900,313,000 shall be for State AIDS Drug*
10 *Assistance Programs under the authority of section 2616*
11 *or 311(c) of such Act; and of which \$125,000,000, to remain*
12 *available until expended, shall be available to the Secretary*
13 *for carrying out a program of grants and contracts under*
14 *title XXVI or section 311(c) of such Act focused on ending*
15 *the nationwide HIV/AIDS epidemic, with any grants*
16 *issued under such section 311(c) administered in conjunc-*
17 *tion with title XXVI of the PHS Act, including the limita-*
18 *tion on administrative expenses.*

19 *HEALTH CARE SYSTEMS*

20 *For carrying out titles III and XII of the PHS Act*
21 *with respect to health care systems, and the Stem Cell*
22 *Therapeutic and Research Act of 2005, \$133,093,000, of*
23 *which \$122,000 shall be available until expended for facili-*
24 *ties-related expenses of the National Hansen's Disease Pro-*
25 *gram.*

RURAL HEALTH

1
2 *For carrying out titles III and IV of the PHS Act with*
3 *respect to rural health, section 427(a) of the Federal Coal*
4 *Mine Health and Safety Act of 1969, and sections 711 and*
5 *1820 of the Social Security Act, \$366,112,000, of which*
6 *\$62,277,000 from general revenues, notwithstanding section*
7 *1820(j) of the Social Security Act, shall be available for*
8 *carrying out the Medicare rural hospital flexibility grants*
9 *program: Provided, That of the funds made available under*
10 *this heading for Medicare rural hospital flexibility grants,*
11 *\$20,942,000 shall be available for the Small Rural Hospital*
12 *Improvement Grant Program for quality improvement and*
13 *adoption of health information technology, up to \$5,000,000*
14 *shall be available to establish by grant to public or non-*
15 *profit private entities the Rural Emergency Hospital Tech-*
16 *nical Assistance Program, and up to \$1,000,000 shall be*
17 *to carry out section 1820(g)(6) of the Social Security Act,*
18 *with funds provided for grants under section 1820(g)(6)*
19 *available for the purchase and implementation of telehealth*
20 *services, including pilots and demonstrations on the use of*
21 *electronic health records to coordinate rural veterans care*
22 *between rural providers and the Department of Veterans Af-*
23 *fairs electronic health record system: Provided further, That*
24 *notwithstanding section 338J(k) of the PHS Act,*
25 *\$12,500,000 shall be available for State Offices of Rural*

1 *Health: Provided further, That \$10,500,000 shall remain*
2 *available through September 30, 2024, to support the Rural*
3 *Residency Development Program: Provided further, That*
4 *\$135,000,000 shall be for the Rural Communities Opioids*
5 *Response Program.*

6 *FAMILY PLANNING*

7 *For carrying out the program under title X of the PHS*
8 *Act to provide for voluntary family planning projects,*
9 *\$286,479,000: Provided, That amounts provided to said*
10 *projects under such title shall not be expended for abortions,*
11 *that all pregnancy counseling shall be nondirective, and*
12 *that such amounts shall not be expended for any activity*
13 *(including the publication or distribution of literature) that*
14 *in any way tends to promote public support or opposition*
15 *to any legislative proposal or candidate for public office.*

16 *PROGRAM MANAGEMENT*

17 *For program support in the Health Resources and*
18 *Services Administration, \$1,213,196,000: Provided, That*
19 *funds made available under this heading may be used to*
20 *supplement program support funding provided under the*
21 *headings “Primary Health Care”, “Health Workforce”,*
22 *“Maternal and Child Health”, “Ryan White HIV/AIDS*
23 *Program”, “Health Care Systems”, and “Rural Health”:*
24 *Provided further, That of the amount made available under*
25 *this heading, \$1,057,896,000 shall be used for the projects*

1 *financing the construction and renovation (including*
2 *equipment) of health care and other facilities, and for the*
3 *projects financing one-time grants that support health-re-*
4 *lated activities, including training and information tech-*
5 *nology, and in the amounts specified in the table titled*
6 *“Community Project Funding/Congressionally Directed*
7 *Spending” included for this division in the explanatory*
8 *statement described in section 4 (in the matter preceding*
9 *division A of this consolidated Act): Provided further, That*
10 *of the funds made available in the preceding proviso, up*
11 *to \$4,000,000 may be used for related agency administra-*
12 *tive expenses: Provided further, That none of the funds*
13 *made available for projects described in the two preceding*
14 *provisos shall be subject to section 241 of the PHS Act or*
15 *section 205 of this Act.*

16 *VACCINE INJURY COMPENSATION PROGRAM TRUST FUND*

17 *For payments from the Vaccine Injury Compensation*
18 *Program Trust Fund (the “Trust Fund”), such sums as*
19 *may be necessary for claims associated with vaccine-related*
20 *injury or death with respect to vaccines administered after*
21 *September 30, 1988, pursuant to subtitle 2 of title XXI of*
22 *the PHS Act, to remain available until expended: Provided,*
23 *That for necessary administrative expenses, not to exceed*
24 *\$13,200,000 shall be available from the Trust Fund to the*
25 *Secretary.*

1 *COVERED COUNTERMEASURES PROCESS FUND*

2 *For carrying out section 319F-4 of the PHS Act,*
3 *\$5,000,000, to remain available until expended.*

4 *CENTERS FOR DISEASE CONTROL AND PREVENTION*

5 *IMMUNIZATION AND RESPIRATORY DISEASES*

6 *For carrying out titles II, III, XVII, and XXI, and*
7 *section 2821 of the PHS Act, titles II and IV of the Immi-*
8 *gration and Nationality Act, and section 501 of the Refugee*
9 *Education Assistance Act, with respect to immunization*
10 *and respiratory diseases, \$448,805,000.*

11 *HIV/AIDS, VIRAL HEPATITIS, SEXUALLY TRANSMITTED*

12 *DISEASES, AND TUBERCULOSIS PREVENTION*

13 *For carrying out titles II, III, XVII, and XXIII of the*
14 *PHS Act with respect to HIV/AIDS, viral hepatitis, sexu-*
15 *ally transmitted diseases, and tuberculosis prevention,*
16 *\$1,345,056,000.*

17 *EMERGING AND ZOOONOTIC INFECTIOUS DISEASES*

18 *For carrying out titles II, III, and XVII, and section*
19 *2821 of the PHS Act, titles II and IV of the Immigration*
20 *and Nationality Act, and section 501 of the Refugee Edu-*
21 *cation Assistance Act, with respect to emerging and zoonotic*
22 *infectious diseases, \$641,272,000: Provided, That of the*
23 *amounts made available under this heading, up to*
24 *\$1,000,000 shall remain available until expended to pay for*
25 *the transportation, medical care, treatment, and other re-*

1 *lated costs of persons quarantined or isolated under Federal*
2 *or State quarantine law.*

3 *CHRONIC DISEASE PREVENTION AND HEALTH PROMOTION*

4 *For carrying out titles II, III, XI, XV, XVII, and XIX*
5 *of the PHS Act with respect to chronic disease prevention*
6 *and health promotion, \$1,083,714,000: Provided, That*
7 *funds made available under this heading may be available*
8 *for making grants under section 1509 of the PHS Act for*
9 *not less than 21 States, tribes, or tribal organizations: Pro-*
10 *vided further, That of the funds made available under this*
11 *heading, \$15,000,000 shall be available to continue and ex-*
12 *pand community specific extension and outreach programs*
13 *to combat obesity in counties with the highest levels of obe-*
14 *sity: Provided further, That the proportional funding re-*
15 *quirements under section 1503(a) of the PHS Act shall not*
16 *apply to funds made available under this heading.*

17 *BIRTH DEFECTS, DEVELOPMENTAL DISABILITIES,*
18 *DISABILITIES AND HEALTH*

19 *For carrying out titles II, III, XI, and XVII of the*
20 *PHS Act with respect to birth defects, developmental dis-*
21 *abilities, disabilities and health, \$177,060,000.*

22 *PUBLIC HEALTH SCIENTIFIC SERVICES*

23 *For carrying out titles II, III, and XVII of the PHS*
24 *Act with respect to health statistics, surveillance, health*
25 *informatics, and workforce development, \$651,997,000.*

1 ENVIRONMENTAL HEALTH

2 *For carrying out titles II, III, and XVII of the PHS*
3 *Act with respect to environmental health, \$209,850,000.*

4 INJURY PREVENTION AND CONTROL

5 *For carrying out titles II, III, and XVII of the PHS*
6 *Act with respect to injury prevention and control,*
7 *\$714,879,000.*

8 NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND
9 HEALTH

10 *For carrying out titles II, III, and XVII of the PHS*
11 *Act, sections 101, 102, 103, 201, 202, 203, 301, and 501*
12 *of the Federal Mine Safety and Health Act, section 13 of*
13 *the Mine Improvement and New Emergency Response Act,*
14 *and sections 20, 21, and 22 of the Occupational Safety and*
15 *Health Act, with respect to occupational safety and health,*
16 *\$351,800,000.*

17 ENERGY EMPLOYEES OCCUPATIONAL ILLNESS

18 COMPENSATION PROGRAM

19 *For necessary expenses to administer the Energy Em-*
20 *ployees Occupational Illness Compensation Program Act,*
21 *\$55,358,000, to remain available until expended: Provided,*
22 *That this amount shall be available consistent with the pro-*
23 *vision regarding administrative expenses in section 151(b)*
24 *of division B, title I of Public Law 106–554.*

1 GLOBAL HEALTH

2 *For carrying out titles II, III, and XVII of the PHS*
3 *Act with respect to global health, \$646,843,000, of which:*
4 *(1) \$128,921,000 shall remain available through September*
5 *30, 2023 for international HIV/AIDS; and (2)*
6 *\$253,200,000 shall remain available through September 30,*
7 *2024 for global public health protection: Provided, That*
8 *funds may be used for purchase and insurance of official*
9 *motor vehicles in foreign countries.*

10 PUBLIC HEALTH PREPAREDNESS AND RESPONSE

11 *For carrying out titles II, III, and XVII of the PHS*
12 *Act with respect to public health preparedness and response,*
13 *and for expenses necessary to support activities related to*
14 *countering potential biological, nuclear, radiological, and*
15 *chemical threats to civilian populations, \$862,200,000: Pro-*
16 *vided, That the Director of the Centers for Disease Control*
17 *and Prevention (referred to in this title as “CDC”) or the*
18 *Administrator of the Agency for Toxic Substances and Dis-*
19 *ease Registry may detail staff without reimbursement to*
20 *support an activation of the CDC Emergency Operations*
21 *Center, so long as the Director or Administrator, as appli-*
22 *cable, provides a notice to the Committees on Appropria-*
23 *tions of the House of Representatives and the Senate within*
24 *15 days of the use of this authority, a full report within*
25 *30 days after use of this authority which includes the num-*

1 ber of staff and funding level broken down by the origi-
2 nating center and number of days detailed, and an update
3 of such report every 180 days until staff are no longer on
4 detail without reimbursement to the CDC Emergency Oper-
5 ations Center.

6 *BUILDINGS AND FACILITIES*

7 *(INCLUDING TRANSFER OF FUNDS)*

8 *For acquisition of real property, equipment, construc-*
9 *tion, installation, demolition, and renovation of facilities,*
10 *\$30,000,000, which shall remain available until September*
11 *30, 2026: Provided, That funds made available to this ac-*
12 *count in this or any prior Act that are available for the*
13 *acquisition of real property or for construction or improve-*
14 *ment of facilities shall be available to make improvements*
15 *on non-federally owned property, provided that any im-*
16 *provements that are not adjacent to federally owned prop-*
17 *erty do not exceed \$2,500,000, and that the primary benefit*
18 *of such improvements accrues to CDC: Provided further,*
19 *That funds previously set-aside by CDC for repair and up-*
20 *grade of the Lake Lynn Experimental Mine and Laboratory*
21 *shall be used to acquire a replacement mine safety research*
22 *facility: Provided further, That funds made available to this*
23 *account in this or any prior Act that are available for the*
24 *acquisition of real property or for construction or improve-*
25 *ment of facilities in conjunction with the new replacement*

1 *mine safety research facility shall be available to make im-*
2 *provements on non-federally owned property, provided that*
3 *any improvements that are not adjacent to federally owned*
4 *property do not exceed \$5,000,000: Provided further, That*
5 *in addition, the prior year unobligated balance of any*
6 *amounts assigned to former employees in accounts of CDC*
7 *made available for Individual Learning Accounts shall be*
8 *credited to and merged with the amounts made available*
9 *under this heading to support the replacement of the mine*
10 *safety research facility.*

11 *CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT*

12 *(INCLUDING TRANSFER OF FUNDS)*

13 *For carrying out titles II, III, XVII and XIX, and*
14 *section 2821 of the PHS Act and for cross-cutting activities*
15 *and program support for activities funded in other appro-*
16 *priations included in this Act for the Centers for Disease*
17 *Control and Prevention, \$333,570,000, of which*
18 *\$200,000,000 shall remain available through September 30,*
19 *2024, for public health infrastructure and capacity: Pro-*
20 *vided, That paragraphs (1) through (3) of subsection (b)*
21 *of section 2821 of the PHS Act shall not apply to funds*
22 *appropriated under this heading and in all other accounts*
23 *of the CDC: Provided further, That of the amounts made*
24 *available under this heading, \$20,000,000, to remain avail-*
25 *able until expended, shall be available to the Director of*

1 *the CDC for deposit in the Infectious Diseases Rapid Re-*
2 *sponse Reserve Fund established by section 231 of division*
3 *B of Public Law 115–245: Provided further, That funds ap-*
4 *propriated under this heading may be used to support a*
5 *contract for the operation and maintenance of an aircraft*
6 *in direct support of activities throughout CDC to ensure*
7 *the agency is prepared to address public health prepared-*
8 *ness emergencies: Provided further, That employees of CDC*
9 *or the Public Health Service, both civilian and commis-*
10 *sioned officers, detailed to States, municipalities, or other*
11 *organizations under authority of section 214 of the PHS*
12 *Act, or in overseas assignments, shall be treated as non-*
13 *Federal employees for reporting purposes only and shall not*
14 *be included within any personnel ceiling applicable to the*
15 *Agency, Service, or HHS during the period of detail or as-*
16 *signment: Provided further, That CDC may use up to*
17 *\$10,000 from amounts appropriated to CDC in this Act for*
18 *official reception and representation expenses when specifi-*
19 *cally approved by the Director of CDC: Provided further,*
20 *That in addition, such sums as may be derived from au-*
21 *thorized user fees, which shall be credited to the appropria-*
22 *tion charged with the cost thereof: Provided further, That*
23 *with respect to the previous proviso, authorized user fees*
24 *from the Vessel Sanitation Program and the Respirator*

1 *Certification Program shall be available through September*
2 *30, 2023.*

3 *NATIONAL INSTITUTES OF HEALTH*

4 *NATIONAL CANCER INSTITUTE*

5 *For carrying out section 301 and title IV of the PHS*
6 *Act with respect to cancer, \$6,718,522,000, of which up to*
7 *\$30,000,000 may be used for facilities repairs and improve-*
8 *ments at the National Cancer Institute—Frederick Feder-*
9 *ally Funded Research and Development Center in Fred-*
10 *erick, Maryland.*

11 *NATIONAL HEART, LUNG, AND BLOOD INSTITUTE*

12 *For carrying out section 301 and title IV of the PHS*
13 *Act with respect to cardiovascular, lung, and blood diseases,*
14 *and blood and blood products, \$3,808,494,000.*

15 *NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL*

16 *RESEARCH*

17 *For carrying out section 301 and title IV of the PHS*
18 *Act with respect to dental and craniofacial diseases,*
19 *\$501,231,000.*

20 *NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND*

21 *KIDNEY DISEASES*

22 *For carrying out section 301 and title IV of the PHS*
23 *Act with respect to diabetes and digestive and kidney dis-*
24 *ease, \$2,203,926,000.*

1 NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND
2 STROKE

3 *For carrying out section 301 and title IV of the PHS*
4 *Act with respect to neurological disorders and stroke,*
5 *\$2,535,370,000.*

6 NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS
7 DISEASES

8 *For carrying out section 301 and title IV of the PHS*
9 *Act with respect to allergy and infectious diseases,*
10 *\$6,322,728,000.*

11 NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

12 *For carrying out section 301 and title IV of the PHS*
13 *Act with respect to general medical sciences,*
14 *\$3,092,373,000, of which \$1,309,313,000 shall be from funds*
15 *available under section 241 of the PHS Act: Provided, That*
16 *not less than \$409,957,000 is provided for the Institutional*
17 *Development Awards program.*

18 EUNICE KENNEDY SHRIVER NATIONAL INSTITUTE OF CHILD
19 HEALTH AND HUMAN DEVELOPMENT

20 *For carrying out section 301 and title IV of the PHS*
21 *Act with respect to child health and human development,*
22 *\$1,683,009,000.*

1 *NATIONAL INSTITUTE ON MINORITY HEALTH AND HEALTH*
2 *DISPARITIES*

3 *For carrying out section 301 and title IV of the PHS*
4 *Act with respect to minority health and health disparities*
5 *research, \$459,056,000.*

6 *JOHN E. FOGARTY INTERNATIONAL CENTER*

7 *For carrying out the activities of the John E. Fogarty*
8 *International Center (described in subpart 2 of part E of*
9 *title IV of the PHS Act), \$86,880,000.*

10 *NATIONAL LIBRARY OF MEDICINE*

11 *For carrying out section 301 and title IV of the PHS*
12 *Act with respect to health information communications,*
13 *\$479,439,000: Provided, That of the amounts available for*
14 *improvement of information systems, \$4,000,000 shall be*
15 *available until September 30, 2023: Provided further, That*
16 *in fiscal year 2022, the National Library of Medicine may*
17 *enter into personal services contracts for the provision of*
18 *services in facilities owned, operated, or constructed under*
19 *the jurisdiction of the National Institutes of Health (re-*
20 *ferred to in this title as “NIH”).*

21 *NATIONAL CENTER FOR ADVANCING TRANSLATIONAL*
22 *SCIENCES*

23 *For carrying out section 301 and title IV of the PHS*
24 *Act with respect to translational sciences, \$882,265,000:*
25 *Provided, That up to \$60,000,000 shall be available to im-*

1 *plement section 480 of the PHS Act, relating to the Cures*
2 *Acceleration Network: Provided further, That at least*
3 *\$606,646,000 is provided to the Clinical and Translational*
4 *Sciences Awards program.*

5 *OFFICE OF THE DIRECTOR*
6 *(INCLUDING TRANSFER OF FUNDS)*

7 *For carrying out the responsibilities of the Office of*
8 *the Director, NIH, \$2,616,520,000: Provided, That funding*
9 *shall be available for the purchase of not to exceed 29 pas-*
10 *senger motor vehicles for replacement only: Provided fur-*
11 *ther, That all funds credited to the NIH Management Fund*
12 *shall remain available for one fiscal year after the fiscal*
13 *year in which they are deposited: Provided further, That*
14 *\$180,000,000 shall be for the Environmental Influences on*
15 *Child Health Outcomes study: Provided further, That*
16 *\$657,401,000 shall be available for the Common Fund es-*
17 *tablished under section 402A(c)(1) of the PHS Act: Pro-*
18 *vided further, That of the funds provided, \$10,000 shall be*
19 *for official reception and representation expenses when spe-*
20 *cifically approved by the Director of the NIH: Provided fur-*
21 *ther, That the Office of AIDS Research within the Office*
22 *of the Director of the NIH may spend up to \$8,000,000*
23 *to make grants for construction or renovation of facilities*
24 *as provided for in section 2354(a)(5)(B) of the PHS Act:*
25 *Provided further, That \$70,000,000 shall be used to carry*

1 out section 404I of the PHS Act (42 U.S.C. 283K), relating
2 to biomedical and behavioral research facilities: Provided
3 further, That \$5,000,000 shall be transferred to and merged
4 with the appropriation for the “Office of Inspector General”
5 for oversight of grant programs and operations of the NIH,
6 including agency efforts to ensure the integrity of its grant
7 application evaluation and selection processes, and shall be
8 in addition to funds otherwise made available for oversight
9 of the NIH: Provided further, That the funds provided in
10 the previous proviso may be transferred from one specified
11 activity to another with 15 days prior approval of the Com-
12 mittees on Appropriations of the House of Representatives
13 and the Senate: Provided further, That the Inspector Gen-
14 eral shall consult with the Committees on Appropriations
15 of the House of Representatives and the Senate before sub-
16 mitting to the Committees an audit plan for fiscal years
17 2022 and 2023 no later than 30 days after the date of enact-
18 ment of this Act: Provided further, That amounts made
19 available under this heading are also available to establish,
20 operate, and support the Research Policy Board authorized
21 by section 2034(f) of the 21st Century Cures Act: Provided
22 further, That the funds made available under this heading
23 for the Office of Research on Women’s Health shall also be
24 available for making grants to serve and promote the inter-
25 ests of women in research, and the Director of such Office

1 *may, in making such grants, use the authorities available*
2 *to NIH Institutes and Centers.*

3 *In addition to other funds appropriated for the Com-*
4 *mon Fund established under section 402A(c) of the PHS*
5 *Act, \$12,600,000 is appropriated to the Common Fund for*
6 *the purpose of carrying out section 402(b)(7)(B)(ii) of the*
7 *PHS Act (relating to pediatric research), as authorized in*
8 *the Gabriella Miller Kids First Research Act, of which*
9 *\$3,000,000 shall be derived from the 10-year Pediatric Re-*
10 *search Initiative Fund described in section 9008 of the In-*
11 *ternal Revenue Code of 1986 (26 U.S.C. 9008).*

12 *BUILDINGS AND FACILITIES*

13 *For the study of, construction of, demolition of, renova-*
14 *tion of, and acquisition of equipment for, facilities of or*
15 *used by NIH, including the acquisition of real property,*
16 *\$250,000,000, to remain available through September 30,*
17 *2026.*

18 *NIH INNOVATION ACCOUNT, CURES ACT*

19 *(INCLUDING TRANSFER OF FUNDS)*

20 *For necessary expenses to carry out the purposes de-*
21 *scribed in section 1001(b)(4) of the 21st Century Cures Act,*
22 *in addition to amounts available for such purposes in the*
23 *appropriations provided to the NIH in this Act,*
24 *\$496,000,000, to remain available until expended: Pro-*
25 *vided, That such amounts are appropriated pursuant to*

1 *section 1001(b)(3) of such Act, are to be derived from*
2 *amounts transferred under section 1001(b)(2)(A) of such*
3 *Act, and may be transferred by the Director of the National*
4 *Institutes of Health to other accounts of the National Insti-*
5 *tutes of Health solely for the purposes provided in such Act:*
6 *Provided further, That upon a determination by the Direc-*
7 *tor that funds transferred pursuant to the previous proviso*
8 *are not necessary for the purposes provided, such amounts*
9 *may be transferred back to the Account: Provided further,*
10 *That the transfer authority provided under this heading is*
11 *in addition to any other transfer authority provided by*
12 *law.*

13 *SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES*

14 *ADMINISTRATION*

15 *MENTAL HEALTH*

16 *For carrying out titles III, V, and XIX of the PHS*
17 *Act with respect to mental health, the Protection and Advo-*
18 *cacy for Individuals with Mental Illness Act, and the SUP-*
19 *PORT for Patients and Communities Act, \$2,048,090,000:*
20 *Provided, That of the funds made available under this head-*
21 *ing, \$81,887,000 shall be for the National Child Traumatic*
22 *Stress Initiative: Provided further, That notwithstanding*
23 *section 520A(f)(2) of the PHS Act, no funds appropriated*
24 *for carrying out section 520A shall be available for carrying*
25 *out section 1971 of the PHS Act: Provided further, That*

1 *in addition to amounts provided herein, \$21,039,000 shall*
2 *be available under section 241 of the PHS Act to carry out*
3 *subpart I of part B of title XIX of the PHS Act to fund*
4 *section 1920(b) technical assistance, national data, data*
5 *collection and evaluation activities, and further that the*
6 *total available under this Act for section 1920(b) activities*
7 *shall not exceed 5 percent of the amounts appropriated for*
8 *subpart I of part B of title XIX: Provided further, That*
9 *of the funds made available under this heading for subpart*
10 *I of part B of title XIX of the PHS Act, at least 5 percent*
11 *shall be available to support evidence-based crisis systems:*
12 *Provided further, That up to 10 percent of the amounts*
13 *made available to carry out the Children's Mental Health*
14 *Services program may be used to carry out demonstration*
15 *grants or contracts for early interventions with persons not*
16 *more than 25 years of age at clinical high risk of developing*
17 *a first episode of psychosis: Provided further, That section*
18 *520E(b)(2) of the PHS Act shall not apply to funds appro-*
19 *priated in this Act for fiscal year 2022: Provided further,*
20 *That States shall expend at least 10 percent of the amount*
21 *each receives for carrying out section 1911 of the PHS Act*
22 *to support evidence-based programs that address the needs*
23 *of individuals with early serious mental illness, including*
24 *psychotic disorders, regardless of the age of the individual*
25 *at onset: Provided further, That \$315,000,000 shall be*

1 available until September 30, 2024 for grants to commu-
2 nities and community organizations who meet criteria for
3 Certified Community Behavioral Health Clinics pursuant
4 to section 223(a) of Public Law 113–93: Provided further,
5 That none of the funds provided for section 1911 of the PHS
6 Act shall be subject to section 241 of such Act: Provided
7 further, That of the funds made available under this head-
8 ing, \$21,420,000 shall be to carry out section 224 of the
9 Protecting Access to Medicare Act of 2014 (Public Law
10 113–93; 42 U.S.C. 290aa 22 note).

11 *SUBSTANCE ABUSE TREATMENT*

12 *For carrying out titles III and V of the PHS Act with*
13 *respect to substance abuse treatment and title XIX of such*
14 *Act with respect to substance abuse treatment and preven-*
15 *tion, and the SUPPORT for Patients and Communities*
16 *Act, \$3,873,396,000: Provided, That \$1,525,000,000 shall be*
17 *for State Opioid Response Grants for carrying out activi-*
18 *ties pertaining to opioids and stimulants undertaken by the*
19 *State agency responsible for administering the substance*
20 *abuse prevention and treatment block grant under subpart*
21 *II of part B of title XIX of the PHS Act (42 U.S.C. 300x–*
22 *21 et seq.): Provided further, That of such amount*
23 *\$55,000,000 shall be made available to Indian Tribes or*
24 *tribal organizations: Provided further, That 15 percent of*
25 *the remaining amount shall be for the States with the high-*

1 *est mortality rate related to opioid use disorders: Provided*
2 *further, That of the amounts provided for State Opioid Re-*
3 *sponse Grants not more than 2 percent shall be available*
4 *for Federal administrative expenses, training, technical as-*
5 *sistance, and evaluation: Provided further, That of the*
6 *amount not reserved by the previous three provisos, the Sec-*
7 *retary shall make allocations to States, territories, and the*
8 *District of Columbia according to a formula using national*
9 *survey results that the Secretary determines are the most*
10 *objective and reliable measure of drug use and drug-related*
11 *deaths: Provided further, That the Secretary shall submit*
12 *the formula methodology to the Committees on Appropria-*
13 *tions of the House of Representatives and the Senate not*
14 *less than 21 days prior to publishing a Funding Oppor-*
15 *tunity Announcement: Provided further, That prevention*
16 *and treatment activities funded through such grants may*
17 *include education, treatment (including the provision of*
18 *medication), behavioral health services for individuals in*
19 *treatment programs, referral to treatment services, recovery*
20 *support, and medical screening associated with such treat-*
21 *ment: Provided further, That each State, as well as the Dis-*
22 *trict of Columbia, shall receive not less than \$4,000,000:*
23 *Provided further, That in addition to amounts provided*
24 *herein, the following amounts shall be available under sec-*
25 *tion 241 of the PHS Act: (1) \$79,200,000 to carry out sub-*

1 *part II of part B of title XIX of the PHS Act to fund section*
2 *1935(b) technical assistance, national data, data collection*
3 *and evaluation activities, and further that the total avail-*
4 *able under this Act for section 1935(b) activities shall not*
5 *exceed 5 percent of the amounts appropriated for subpart*
6 *II of part B of title XIX; and (2) \$2,000,000 to evaluate*
7 *substance abuse treatment programs: Provided further, That*
8 *none of the funds provided for section 1921 of the PHS Act*
9 *or State Opioid Response Grants shall be subject to section*
10 *241 of such Act.*

11 *SUBSTANCE ABUSE PREVENTION*

12 *For carrying out titles III and V of the PHS Act with*
13 *respect to substance abuse prevention, \$218,219,000.*

14 *HEALTH SURVEILLANCE AND PROGRAM SUPPORT*

15 *For program support and cross-cutting activities that*
16 *supplement activities funded under the headings “Mental*
17 *Health”, “Substance Abuse Treatment”, and “Substance*
18 *Abuse Prevention” in carrying out titles III, V, and XIX*
19 *of the PHS Act and the Protection and Advocacy for Indi-*
20 *viduals with Mental Illness Act in the Substance Abuse and*
21 *Mental Health Services Administration, \$260,230,000: Pro-*
22 *vided, That of the amount made available under this head-*
23 *ing, \$127,535,000 shall be used for the projects, and in the*
24 *amounts, specified in the table titled “Community Project*
25 *Funding/Congressionally Directed Spending” included for*

1 *this division in the explanatory statement described in sec-*
2 *tion 4 (in the matter preceding division A of this consoli-*
3 *dated Act): Provided further, That none of the funds made*
4 *available for projects described in the preceding proviso*
5 *shall be subject to section 241 of the PHS Act or section*
6 *205 of this Act: Provided further, That in addition to*
7 *amounts provided herein, \$31,428,000 shall be available*
8 *under section 241 of the PHS Act to supplement funds*
9 *available to carry out national surveys on drug abuse and*
10 *mental health, to collect and analyze program data, and*
11 *to conduct public awareness and technical assistance activi-*
12 *ties: Provided further, That, in addition, fees may be col-*
13 *lected for the costs of publications, data, data tabulations,*
14 *and data analysis completed under title V of the PHS Act*
15 *and provided to a public or private entity upon request,*
16 *which shall be credited to this appropriation and shall re-*
17 *main available until expended for such purposes: Provided*
18 *further, That amounts made available in this Act for car-*
19 *rying out section 501(o) of the PHS Act shall remain avail-*
20 *able through September 30, 2023: Provided further, That*
21 *funds made available under this heading (other than*
22 *amounts specified in the first proviso under this heading)*
23 *may be used to supplement program support funding pro-*
24 *vided under the headings “Mental Health”, “Substance*
25 *Abuse Treatment”, 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, and*
6 *Modernization Act of 2003, \$350,400,000: Provided, That*
7 *section 947(c) of the PHS Act shall not apply in fiscal year*
8 *2022: Provided further, That in addition, amounts received*
9 *from Freedom of Information Act fees, reimbursable and*
10 *interagency agreements, and the sale of data shall be cred-*
11 *ited to this appropriation and shall remain available until*
12 *September 30, 2023.*

13 *CENTERS FOR MEDICARE & MEDICAID SERVICES*14 *GRANTS TO STATES FOR MEDICAID*

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

18 *In addition, for carrying out such titles after May 31,*
19 *2022, for the last quarter of fiscal year 2022 for unantici-*
20 *pated costs incurred for the current fiscal year, such sums*
21 *as may be necessary, to remain available until expended.*

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

1 *Payment under such title XIX may be made for any*
2 *quarter with respect to a State plan or plan amendment*
3 *in effect during such quarter, if submitted in or prior to*
4 *such quarter and approved in that or any subsequent quar-*
5 *ter.*

6 *PAYMENTS TO THE HEALTH CARE TRUST FUNDS*

7 *For payment to the Federal Hospital Insurance Trust*
8 *Fund and the Federal Supplementary Medical Insurance*
9 *Trust Fund, as provided under sections 217(g), 1844, and*
10 *1860D–16 of the Social Security Act, sections 103(c) and*
11 *111(d) of the Social Security Amendments of 1965, section*
12 *278(d)(3) of Public Law 97–248, and for administrative*
13 *expenses incurred pursuant to section 201(g) of the Social*
14 *Security Act, \$487,862,000,000.*

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

19 *PROGRAM MANAGEMENT*

20 *For carrying out, except as otherwise provided, titles*
21 *XI, XVIII, XIX, and XXI of the Social Security Act, titles*
22 *XIII and XXVII of the PHS Act, the Clinical Laboratory*
23 *Improvement Amendments of 1988, and other responsibil-*
24 *ities of the Centers for Medicare & Medicaid Services, not*
25 *to exceed \$3,669,744,000 to be transferred from the Federal*

1 *Hospital Insurance Trust Fund and the Federal Supple-*
2 *mentary Medical Insurance Trust Fund, as authorized by*
3 *section 201(g) of the Social Security Act; together with all*
4 *funds collected in accordance with section 353 of the PHS*
5 *Act and section 1857(e)(2) of the Social Security Act, funds*
6 *retained by the Secretary pursuant to section 1893(h) of*
7 *the Social Security Act, and such sums as may be collected*
8 *from authorized user fees and the sale of data, which shall*
9 *be credited to this account and remain available until ex-*
10 *pended: Provided, That all funds derived in accordance*
11 *with 31 U.S.C. 9701 from organizations established under*
12 *title XIII of the PHS Act shall be credited to and available*
13 *for carrying out the purposes of this appropriation: Pro-*
14 *vided further, That the Secretary is directed to collect fees*
15 *in fiscal year 2022 from Medicare Advantage organizations*
16 *pursuant to section 1857(e)(2) of the Social Security Act*
17 *and from eligible organizations with risk-sharing contracts*
18 *under section 1876 of that Act pursuant to section*
19 *1876(k)(4)(D) of that Act: Provided further, That of the*
20 *amount made available under this heading, \$397,334,000*
21 *shall remain available until September 30, 2023, and shall*
22 *be available for the Survey and Certification Program: Pro-*
23 *vided further, That amounts available under this heading*
24 *to support quality improvement organizations (as defined*
25 *in section 1152 of the Social Security Act) shall not exceed*

1 *the amount specifically provided for such purpose under*
2 *this heading in division H of the Consolidated Appropria-*
3 *tions Act, 2018 (Public Law 115–141).*

4 *HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT*

5 *In addition to amounts otherwise available for pro-*
6 *gram integrity and program management, \$873,000,000, to*
7 *remain available through September 30, 2023, to be trans-*
8 *ferred from the Federal Hospital Insurance Trust Fund and*
9 *the Federal Supplementary Medical Insurance Trust Fund,*
10 *as authorized by section 201(g) of the Social Security Act,*
11 *of which \$658,648,000 shall be for the Centers for Medicare*
12 *& Medicaid Services program integrity activities, of which*
13 *\$102,145,000 shall be for the Department of Health and*
14 *Human Services Office of Inspector General to carry out*
15 *fraud and abuse activities authorized by section 1817(k)(3)*
16 *of such Act, and of which \$112,207,000 shall be for the De-*
17 *partment of Justice to carry out fraud and abuse activities*
18 *authorized by section 1817(k)(3) of such Act: Provided,*
19 *That the report required by section 1817(k)(5) of the Social*
20 *Security Act for fiscal year 2022 shall include measures of*
21 *the operational efficiency and impact on fraud, waste, and*
22 *abuse in the Medicare, Medicaid, and CHIP programs for*
23 *the funds provided by this appropriation: Provided further,*
24 *That of the amount provided under this heading,*
25 *\$317,000,000 is provided to meet the terms of section*

1 4004(b)(3)(B) and section 4005(c)(2) of S. Con. Res. 14
2 (117th Congress), the concurrent resolution on the budget
3 for fiscal year 2022, and \$556,000,000 is additional new
4 budget authority specified for purposes of section 4004(b)(3)
5 and section 4005(c) of such resolution: Provided further,
6 That the Secretary shall provide not less than \$30,000,000
7 from amounts made available under this heading and
8 amounts made available for fiscal year 2022 under section
9 1817(k)(3)(A) of the Social Security Act for the Senior
10 Medicare Patrol program to combat health care fraud and
11 abuse.

12 *ADMINISTRATION FOR CHILDREN AND FAMILIES*
13 *PAYMENTS TO STATES FOR CHILD SUPPORT ENFORCEMENT*
14 *AND FAMILY SUPPORT PROGRAMS*

15 *For carrying out, except as otherwise provided, titles*
16 *I, IV–D, X, XI, XIV, and XVI of the Social Security Act*
17 *and the Act of July 5, 1960, \$2,795,000,000, to remain*
18 *available until expended; and for such purposes for the first*
19 *quarter of fiscal year 2023, \$1,300,000,000, to remain*
20 *available until expended.*

21 *For carrying out, after May 31 of the current fiscal*
22 *year, except as otherwise provided, titles I, IV–D, X, XI,*
23 *XIV, and XVI of the Social Security Act and the Act of*
24 *July 5, 1960, for the last 3 months of the current fiscal*

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

3 *LOW INCOME HOME ENERGY ASSISTANCE*

4 *For making payments under subsections (b) and (d)*
5 *of section 2602 of the Low-Income Home Energy Assistance*
6 *Act of 1981 (42 U.S.C. 8621 et seq.), \$3,800,304,000: Pro-*
7 *vided, That notwithstanding section 2609A(a) of such Act,*
8 *not more than \$4,600,000 may be reserved by the Secretary*
9 *for technical assistance, training, and monitoring of pro-*
10 *gram activities for compliance with internal controls, poli-*
11 *cies and procedures, and to supplement funding otherwise*
12 *available for necessary administrative expenses to carry out*
13 *such Act, and the Secretary may, in addition to the au-*
14 *thorities provided in section 2609A(a)(1), use such funds*
15 *through contracts with private entities that do not qualify*
16 *as nonprofit organizations: Provided further, That all but*
17 *\$785,000,000 of the amount appropriated under this head-*
18 *ing shall be allocated as though the total appropriation for*
19 *such payments for fiscal year 2022 was less than*
20 *\$1,975,000,000: Provided further, That, after applying all*
21 *applicable provisions of section 2604 of such Act and the*
22 *previous proviso, each State or territory that would other-*
23 *wise receive an allocation that is less than 97 percent of*
24 *the amount that it received under this heading for fiscal*
25 *year 2021 from amounts appropriated in Public Law 116-*

1 260 shall have its allocation increased to that 97 percent
2 level, with the portions of other States' and territories' allo-
3 cations that would exceed 100 percent of the amounts they
4 respectively received in such fashion for fiscal year 2021
5 being ratably reduced.

6 REFUGEE AND ENTRANT ASSISTANCE

7 (INCLUDING TRANSFER OF FUNDS)

8 For necessary expenses for refugee and entrant assist-
9 ance activities authorized by section 414 of the Immigration
10 and Nationality Act and section 501 of the Refugee Edu-
11 cation Assistance Act of 1980, and for carrying out section
12 462 of the Homeland Security Act of 2002, section 235 of
13 the William Wilberforce Trafficking Victims Protection Re-
14 authorization Act of 2008, the Trafficking Victims Protec-
15 tion Act of 2000 (“TVPA”), and the Torture Victims Relief
16 Act of 1998, \$4,825,214,000, of which \$4,777,459,000 shall
17 remain available through September 30, 2024 for carrying
18 out such sections 414, 501, 462, and 235: Provided, That
19 amounts available under this heading to carry out the
20 TVPA shall also be available for research and evaluation
21 with respect to activities under such Act: Provided further,
22 That the limitation in section 205 of this Act regarding
23 transfers increasing any appropriation shall apply to
24 transfers to appropriations under this heading by sub-
25 stituting “15 percent” for “3 percent”: Provided further,

1 *That the contribution of funds requirement under section*
2 *235(c)(6)(C)(iii) of the William Wilberforce Trafficking*
3 *Victims Protection Reauthorization Act of 2008 shall not*
4 *apply to funds made available under this heading.*

5 *PAYMENTS TO STATES FOR THE CHILD CARE AND*
6 *DEVELOPMENT BLOCK GRANT*

7 *For carrying out the Child Care and Development*
8 *Block Grant Act of 1990 (“CCDBG Act”), \$6,165,330,000*
9 *shall be used to supplement, not supplant State general rev-*
10 *enue funds for child care assistance for low-income families:*
11 *Provided, That technical assistance under section*
12 *658I(a)(3) of such Act may be provided directly, or through*
13 *the use of contracts, grants, cooperative agreements, or*
14 *interagency agreements: Provided further, That all funds*
15 *made available to carry out section 418 of the Social Secu-*
16 *rity Act (42 U.S.C. 618), including funds appropriated for*
17 *that purpose in such section 418 or any other provision*
18 *of law, shall be subject to the reservation of funds authority*
19 *in paragraphs (4) and (5) of section 658O(a) of the CCDBG*
20 *Act: Provided further, That in addition to the amounts re-*
21 *quired to be reserved by the Secretary under section*
22 *658O(a)(2)(A) of such Act, \$184,960,000 shall be for Indian*
23 *tribes and tribal organizations.*

1 *for adoption and legal guardianship incentive payments,*
2 *as defined by section 473A of the Social Security Act and*
3 *may be made for adoptions and legal guardianships com-*
4 *pleted before September 30, 2022: Provided, That*
5 *\$11,036,820,000 shall be for making payments under the*
6 *Head Start Act, including for Early Head Start–Child*
7 *Care Partnerships, and, of which, notwithstanding section*
8 *640 of such Act:*

9 (1) *\$234,000,000 shall be available for a cost of*
10 *living adjustment, and with respect to any continuing*
11 *appropriations act, funding available for a cost of liv-*
12 *ing adjustment shall not be construed as an authority*
13 *or condition under this Act;*

14 (2) *\$25,000,000 shall be available for allocation*
15 *by the Secretary to supplement activities described in*
16 *paragraphs (7)(B) and (9) of section 641(c) of the*
17 *Head Start Act under the Designation Renewal Sys-*
18 *tem, established under the authority of sections*
19 *641(c)(7), 645A(b)(12), and 645A(d) of such Act, and*
20 *such funds shall not be included in the calculation of*
21 *“base grant” in subsequent fiscal years, as such term*
22 *is used in section 640(a)(7)(A) of such Act;*

23 (3) *\$52,000,000 shall be available for quality im-*
24 *provement consistent with section 640(a)(5) of such*
25 *Act except that any amount of the funds may be used*

1 *on any of the activities in such section, of which not*
2 *less than \$2,600,000 shall be available to migrant and*
3 *seasonal Head Start programs for such activities, in*
4 *addition to funds made available for migrant and*
5 *seasonal Head Start programs under any other provi-*
6 *sion of section 640(a) of such Act;*

7 *(4) \$6,000,000 shall be available for the Tribal*
8 *Colleges and Universities Head Start Partnership*
9 *Program consistent with section 648(g) of such Act;*
10 *and*

11 *(5) \$21,000,000 shall be available to supplement*
12 *funding otherwise available for research, evaluation,*
13 *and Federal administrative costs:*

14 *Provided further, That the Secretary may reduce the res-*
15 *ervation of funds under section 640(a)(2)(C) of such Act*
16 *in lieu of reducing the reservation of funds under sections*
17 *640(a)(2)(B), 640(a)(2)(D), and 640(a)(2)(E) of such Act:*

18 *Provided further, That \$290,000,000 shall be available until*
19 *December 31, 2022 for carrying out sections 9212 and 9213*
20 *of the Every Student Succeeds Act: Provided further, That*
21 *up to 3 percent of the funds in the preceding proviso shall*
22 *be available for technical assistance and evaluation related*
23 *to grants awarded under such section 9212: Provided fur-*
24 *ther, That \$787,383,000 shall be for making payments*
25 *under the CSBG Act: Provided further, That for services*

1 *furnished under the CSBG Act with funds made available*
2 *for such purpose in this fiscal year and in fiscal year 2021,*
3 *States may apply the last sentence of section 673(2) of the*
4 *CSBG Act by substituting “200 percent” for “125 percent”:*
5 *Provided further, That \$32,383,000 shall be for section 680*
6 *of the CSBG Act, of which not less than \$21,383,000 shall*
7 *be for section 680(a)(2) and not less than \$11,000,000 shall*
8 *be for section 680(a)(3)(B) of such Act: Provided further,*
9 *That, notwithstanding section 675C(a)(3) of the CSBG Act,*
10 *to the extent Community Services Block Grant funds are*
11 *distributed as grant funds by a State to an eligible entity*
12 *as provided under such Act, and have not been expended*
13 *by such entity, they shall remain with such entity for carry-*
14 *over into the next fiscal year for expenditure by such entity*
15 *consistent with program purposes: Provided further, That*
16 *the Secretary shall establish procedures regarding the dis-*
17 *position of intangible assets and program income that per-*
18 *mit such assets acquired with, and program income derived*
19 *from, grant funds authorized under section 680 of the*
20 *CSBG Act to become the sole property of such grantees after*
21 *a period of not more than 12 years after the end of the*
22 *grant period for any activity consistent with section*
23 *680(a)(2)(A) of the CSBG Act: Provided further, That in-*
24 *tangible assets in the form of loans, equity investments and*
25 *other debt instruments, and program income may be used*

1 *by grantees for any eligible purpose consistent with section*
2 *680(a)(2)(A) of the CSBG Act: Provided further, That these*
3 *procedures shall apply to such grant funds made available*
4 *after November 29, 1999: Provided further, That funds ap-*
5 *propriated for section 680(a)(2) of the CSBG Act shall be*
6 *available for financing construction and rehabilitation and*
7 *loans or investments in private business enterprises owned*
8 *by community development corporations: Provided further,*
9 *That \$200,000,000 shall be for carrying out section 303(a)*
10 *of the Family Violence Prevention and Services Act, of*
11 *which \$7,000,000 shall be allocated notwithstanding section*
12 *303(a)(2) of such Act for carrying out section 309 of such*
13 *Act: Provided further, That the percentages specified in sec-*
14 *tion 112(a)(2) of the Child Abuse Prevention and Treat-*
15 *ment Act shall not apply to funds appropriated under this*
16 *heading: Provided further, That \$1,864,000 shall be for a*
17 *human services case management system for federally de-*
18 *clared disasters, to include a comprehensive national case*
19 *management contract and Federal costs of administering*
20 *the system: Provided further, That up to \$2,000,000 shall*
21 *be for improving the Public Assistance Reporting Informa-*
22 *tion System, including grants to States to support data col-*
23 *lection for a study of the system's effectiveness: Provided*
24 *further, That \$26,992,000 shall be used for the projects, and*
25 *in the amounts, specified in the table titled "Community*

1 *Project Funding/Congressionally Directed Spending” in-*
2 *cluded for this division in the explanatory statement de-*
3 *scribed in section 4 (in the matter preceding division A of*
4 *this consolidated Act): Provided further, That none of the*
5 *funds made available for projects described in the preceding*
6 *proviso shall be subject to section 241 of the PHS Act or*
7 *section 205 of this Act.*

8 *PROMOTING SAFE AND STABLE FAMILIES*

9 *For carrying out, except as otherwise provided, section*
10 *436 of the Social Security Act, \$345,000,000 and, for car-*
11 *rying out, except as otherwise provided, section 437 of such*
12 *Act, \$82,515,000: Provided, That of the funds available to*
13 *carry out section 437, \$59,765,000 shall be allocated con-*
14 *sistent with subsections (b) through (d) of such section: Pro-*
15 *vided further, That of the funds available to carry out sec-*
16 *tion 437, to assist in meeting the requirements described*
17 *in section 471(e)(4)(C), \$20,000,000 shall be for grants to*
18 *each State, territory, and Indian tribe operating title IV-*
19 *E plans for developing, enhancing, or evaluating kinship*
20 *navigator programs, as described in section 427(a)(1) of*
21 *such Act and \$2,750,000, in addition to funds otherwise*
22 *appropriated in section 476 for such purposes, shall be for*
23 *the Family First Clearinghouse and to support evaluation*
24 *and technical assistance relating to the evaluation of child*
25 *and family services: Provided further, That section*

1 437(b)(1) shall be applied to amounts in the previous pro-
2 viso by substituting “5 percent” for “3.3 percent”, and not-
3 withstanding section 436(b)(1), such reserved amounts may
4 be used for identifying, establishing, and disseminating
5 practices to meet the criteria specified in section
6 471(e)(4)(C): Provided further, That the reservation in sec-
7 tion 437(b)(2) and the limitations in section 437(d) shall
8 not apply to funds specified in the second proviso: Provided
9 further, That the minimum grant award for kinship navi-
10 gator programs in the case of States and territories shall
11 be \$200,000, and, in the case of tribes, shall be \$25,000.

12 *PAYMENTS FOR FOSTER CARE AND PERMANENCY*

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

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

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

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

4 *For carrying out, to the extent not otherwise provided,*
5 *the Older Americans Act of 1965 (“OAA”), the RAISE*
6 *Family Caregivers Act, the Supporting Grandparents Rais-*
7 *ing Grandchildren Act, titles III and XXIX of the PHS*
8 *Act, sections 1252 and 1253 of the PHS Act, section 119*
9 *of the Medicare Improvements for Patients and Providers*
10 *Act of 2008, title XX-B of the Social Security Act, the De-*
11 *velopmental Disabilities Assistance and Bill of Rights Act,*
12 *parts 2 and 5 of subtitle D of title II of the Help America*
13 *Vote Act of 2002, the Assistive Technology Act of 1998, titles*
14 *II and VII (and section 14 with respect to such titles) of*
15 *the Rehabilitation Act of 1973, and for Department-wide*
16 *coordination of policy and program activities that assist*
17 *individuals with disabilities, \$2,264,927,000, together with*
18 *\$53,115,000 to be transferred from the Federal Hospital In-*
19 *surance Trust Fund and the Federal Supplementary Med-*
20 *ical Insurance Trust Fund to carry out section 4360 of the*
21 *Omnibus Budget Reconciliation Act of 1990: Provided,*
22 *That amounts appropriated under this heading may be*
23 *used for grants to States under section 361 of the OAA only*
24 *for disease prevention and health promotion programs and*
25 *activities which have been demonstrated through rigorous*

1 *evaluation to be evidence-based and effective: Provided fur-*
2 *ther, That of amounts made available under this heading*
3 *to carry out sections 311, 331, and 336 of the OAA, up*
4 *to one percent of such amounts shall be available for devel-*
5 *oping and implementing evidence-based practices for en-*
6 *hancing senior nutrition, including medically-tailored*
7 *meals: Provided further, That notwithstanding any other*
8 *provision of this Act, funds made available under this head-*
9 *ing to carry out section 311 of the OAA may be transferred*
10 *to the Secretary of Agriculture in accordance with such sec-*
11 *tion: Provided further, That \$2,000,000 shall be for com-*
12 *petitive grants to support alternative financing programs*
13 *that provide for the purchase of assistive technology devices,*
14 *such as a low-interest loan fund; an interest buy-down pro-*
15 *gram; a revolving loan fund; a loan guarantee; or an insur-*
16 *ance program: Provided further, That applicants shall pro-*
17 *vide an assurance that, and information describing the*
18 *manner in which, the alternative financing program will*
19 *expand and emphasize consumer choice and control: Pro-*
20 *vided further, That State agencies and community-based*
21 *disability organizations that are directed by and operated*
22 *for individuals with disabilities shall be eligible to compete:*
23 *Provided further, That none of the funds made available*
24 *under this heading may be used by an eligible system (as*
25 *defined in section 102 of the Protection and Advocacy for*

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

1 *made available under this heading, \$13,871,000 shall be*
2 *used for the projects, and in the amounts, specified in the*
3 *table titled “Community Project Funding/Congressionally*
4 *Directed Spending” included for this division in the ex-*
5 *planatory statement described in section 4 (in the matter*
6 *preceding division A of this consolidated Act): Provided fur-*
7 *ther, That none of the funds made available for projects de-*
8 *scribed in the preceding proviso shall be subject to section*
9 *241 of the PHS Act or section 205 of this Act.*

10 *OFFICE OF THE SECRETARY*

11 *GENERAL DEPARTMENTAL MANAGEMENT*

12 *For necessary expenses, not otherwise provided, for*
13 *general departmental management, including hire of six*
14 *passenger motor vehicles, and for carrying out titles III,*
15 *XVII, XXI, and section 229 of the PHS Act, the United*
16 *States-Mexico Border Health Commission Act, and research*
17 *studies under section 1110 of the Social Security Act,*
18 *\$506,294,000, together with \$64,828,000 from the amounts*
19 *available under section 241 of the PHS Act to carry out*
20 *national health or human services research and evaluation*
21 *activities: Provided, That of this amount, \$56,900,000 shall*
22 *be for minority AIDS prevention and treatment activities:*
23 *Provided further, That of the funds made available under*
24 *this heading, \$101,000,000 shall be for making competitive*
25 *contracts and grants to public and private entities to fund*

1 *medically accurate and age appropriate programs that re-*
2 *duce teen pregnancy and for the Federal costs associated*
3 *with administering and evaluating such contracts and*
4 *grants, of which not more than 10 percent of the available*
5 *funds shall be for training and technical assistance, evalua-*
6 *tion, outreach, and additional program support activities,*
7 *and of the remaining amount 75 percent shall be for repli-*
8 *cating programs that have been proven effective through rig-*
9 *orous evaluation to reduce teenage pregnancy, behavioral*
10 *risk factors underlying teenage pregnancy, or other associ-*
11 *ated risk factors, and 25 percent shall be available for re-*
12 *search and demonstration grants to develop, replicate, re-*
13 *fine, and test additional models and innovative strategies*
14 *for preventing teenage pregnancy: Provided further, That*
15 *of the amounts provided under this heading from amounts*
16 *available under section 241 of the PHS Act, \$6,800,000*
17 *shall be available to carry out evaluations (including longi-*
18 *tudinal evaluations) of teenage pregnancy prevention ap-*
19 *proaches: Provided further, That of the funds made avail-*
20 *able under this heading, \$35,000,000 shall be for making*
21 *competitive grants which exclusively implement education*
22 *in sexual risk avoidance (defined as voluntarily refraining*
23 *from non-marital sexual activity): Provided further, That*
24 *funding for such competitive grants for sexual risk avoid-*
25 *ance shall use medically accurate information referenced to*

1 *peer-reviewed publications by educational, scientific, gov-*
2 *ernmental, or health organizations; implement an evidence-*
3 *based approach integrating research findings with practical*
4 *implementation that aligns with the needs and desired out-*
5 *comes for the intended audience; and teach the benefits asso-*
6 *ciated with self-regulation, success sequencing for poverty*
7 *prevention, healthy relationships, goal setting, and resisting*
8 *sexual coercion, dating violence, and other youth risk behav-*
9 *iors such as underage drinking or illicit drug use without*
10 *normalizing teen sexual activity: Provided further, That no*
11 *more than 10 percent of the funding for such competitive*
12 *grants for sexual risk avoidance shall be available for tech-*
13 *nical assistance and administrative costs of such programs:*
14 *Provided further, That funds provided in this Act for em-*
15 *bryo adoption activities may be used to provide to individ-*
16 *uals adopting embryos, through grants and other mecha-*
17 *nisms, medical and administrative services deemed nec-*
18 *essary for such adoptions: Provided further, That such serv-*
19 *ices shall be provided consistent with 42 CFR 59.5(a)(4):*
20 *Provided further, That of the funds made available under*
21 *this heading, \$5,000,000 shall be for carrying out prize*
22 *competitions sponsored by the Office of the Secretary to ac-*
23 *celerate innovation in the prevention, diagnosis, and treat-*
24 *ment of kidney diseases (as authorized by section 24 of the*

1 *Stevenson-Wydler Technology Innovation Act of 1980 (15*
2 *U.S.C. 3719)).*

3 *MEDICARE HEARINGS AND APPEALS*

4 *For expenses necessary for Medicare hearings and ap-*
5 *peals in the Office of the Secretary, \$196,000,000 shall re-*
6 *main available until September 30, 2023, to be transferred*
7 *in appropriate part from the Federal Hospital Insurance*
8 *Trust Fund and the Federal Supplementary Medical Insur-*
9 *ance 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 devel-*
15 *opment and advancement of interoperable health informa-*
16 *tion technology, \$64,238,000 shall be from amounts made*
17 *available under section 241 of the PHS Act.*

18 *OFFICE OF INSPECTOR GENERAL*

19 *For expenses necessary for the Office of Inspector Gen-*
20 *eral, including the hire of passenger motor vehicles for in-*
21 *vestigations, in carrying out the provisions of the Inspector*
22 *General Act of 1978, \$82,400,000: Provided, That of such*
23 *amount, necessary sums shall be available for providing*
24 *protective services to the Secretary and investigating non-*
25 *payment of child support cases for which non-payment is*

1 *a Federal offense under 18 U.S.C. 228: Provided further,*
2 *That of the amount appropriated under this heading, nec-*
3 *essary sums shall be available for carrying out activities*
4 *authorized under section 3022 of the PHS Act (42 U.S.C.*
5 *300jj–52).*

6 *OFFICE FOR CIVIL RIGHTS*

7 *For expenses necessary for the Office for Civil Rights,*
8 *\$39,798,000.*

9 *RETIREMENT PAY AND MEDICAL BENEFITS FOR*
10 *COMMISSIONED OFFICERS*

11 *For retirement pay and medical benefits of Public*
12 *Health Service Commissioned Officers as authorized by law,*
13 *for payments under the Retired Serviceman’s Family Pro-*
14 *tection Plan and Survivor Benefit Plan, and for medical*
15 *care of dependents and retired personnel under the Depend-*
16 *ents’ Medical Care Act, such amounts as may be required*
17 *during the current fiscal year.*

18 *PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND*

19 *For expenses necessary to support activities related to*
20 *countering potential biological, nuclear, radiological, chem-*
21 *ical, and cybersecurity threats to civilian populations, and*
22 *for other public health emergencies, \$1,274,678,000, of*
23 *which \$745,005,000 shall remain available through Sep-*
24 *tember 30, 2023, for expenses necessary to support advanced*
25 *research and development pursuant to section 319L of the*

1 *PHS Act and other administrative expenses of the Bio-*
2 *medical Advanced Research and Development Authority:*
3 *Provided, That funds provided under this heading for the*
4 *purpose of acquisition of security countermeasures shall be*
5 *in addition to any other funds available for such purpose:*
6 *Provided further, That products purchased with funds pro-*
7 *vided under this heading may, at the discretion of the Sec-*
8 *retary, be deposited in the Strategic National Stockpile pur-*
9 *suant to section 319F–2 of the PHS Act: Provided further,*
10 *That \$5,000,000 of the amounts made available to support*
11 *emergency operations shall remain available through Sep-*
12 *tember 30, 2024.*

13 *For expenses necessary for procuring security counter-*
14 *measures (as defined in section 319F–2(c)(1)(B) of the PHS*
15 *Act), \$780,000,000, to remain available until expended.*

16 *For expenses necessary to carry out section 319F–2(a)*
17 *of the PHS Act, \$845,000,000, to remain available until*
18 *expended.*

19 *For an additional amount for expenses necessary to*
20 *prepare for or respond to an influenza pandemic,*
21 *\$300,000,000; of which \$265,000,000 shall be available*
22 *until expended, for activities including the development and*
23 *purchase of vaccine, antivirals, necessary medical supplies,*
24 *diagnostics, and other surveillance tools: Provided, That*
25 *notwithstanding section 496(b) of the PHS Act, funds may*

1 *be used for the construction or renovation of privately*
2 *owned facilities for the production of pandemic influenza*
3 *vaccines and other biologics, if the Secretary finds such con-*
4 *struction or renovation necessary to secure sufficient sup-*
5 *plies of such vaccines or biologics.*

6 *ADVANCED RESEARCH PROJECTS AGENCY FOR HEALTH*

7 *(INCLUDING TRANSFER OF FUNDS)*

8 *For carrying out section 301 and title IV of the PHS*
9 *Act with respect to advanced research projects for health,*
10 *\$1,000,000,000, to remain available through September 30,*
11 *2024: Provided, That the President shall appoint in the De-*
12 *partment of Health and Human Services a director of ad-*
13 *vanced research projects for health (Director): Provided fur-*
14 *ther, That funds may be used to make or rescind appoint-*
15 *ments of scientific, medical, and professional personnel*
16 *without regard to any provision in title 5 governing ap-*
17 *pointments under the civil service laws: Provided further,*
18 *That funds may be used to fix the compensation of such*
19 *personnel at a rate to be determined by the Director, up*
20 *to the amount of annual compensation (excluding expenses)*
21 *specified in section 102 of title 3, United States Code: Pro-*
22 *vided further, That the Director may use funds made avail-*
23 *able under this heading to make awards in the form of*
24 *grants, contracts, cooperative agreements, and cash prizes,*
25 *and enter into other transactions (as defined in section*

1 *319L(a)(3) of the PHS Act): Provided further, That activi-*
2 *ties supported with funds provided under this heading shall*
3 *not be subject to the requirements of sections*
4 *406(a)(3)(A)(ii) or 492 of the PHS Act: Provided further,*
5 *That the Secretary may transfer the Advanced Research*
6 *Projects Agency for Health, including the functions, per-*
7 *sonnel, missions, activities, authorities, and funds, within*
8 *30 days of enactment of this Act to any agency or office*
9 *of the Department of Health and Human Services, includ-*
10 *ing the National Institutes of Health: Provided further,*
11 *That the Committees on Appropriations of the House of*
12 *Representatives and the Senate shall be notified at least 15*
13 *days in advance of any transfer pursuant to the preceding*
14 *proviso.*

15 *GENERAL PROVISIONS*

16 *SEC. 201. Funds appropriated in this title shall be*
17 *available for not to exceed \$50,000 for official reception and*
18 *representation expenses when specifically approved by the*
19 *Secretary.*

20 *SEC. 202. None of the funds appropriated in this title*
21 *shall be used to pay the salary of an individual, through*
22 *a grant or other extramural mechanism, at a rate in excess*
23 *of Executive Level II: Provided, That none of the funds ap-*
24 *propriated in this title shall be used to prevent the NIH*

1 *shall not be used to create any new program or to fund*
2 *any project or activity for which no funds are provided in*
3 *this Act: Provided further, That the Committees on Appro-*
4 *priations of the House of Representatives and the Senate*
5 *are notified at least 15 days in advance of any transfer.*

6 *SEC. 206. In lieu of the timeframe specified in section*
7 *338E(c)(2) of the PHS Act, terminations described in such*
8 *section may occur up to 60 days after the effective date of*
9 *a contract awarded in fiscal year 2022 under section 338B*
10 *of such Act, or at any time if the individual who has been*
11 *awarded such contract has not received funds due under the*
12 *contract.*

13 *SEC. 207. None of the funds appropriated in this Act*
14 *may be made available to any entity under title X of the*
15 *PHS Act unless the applicant for the award certifies to the*
16 *Secretary that it encourages family participation in the de-*
17 *cision of minors to seek family planning services and that*
18 *it provides counseling to minors on how to resist attempts*
19 *to coerce minors into engaging in sexual activities.*

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

1 *SEC. 209. None of the funds appropriated by this Act*
2 *(including funds appropriated to any trust fund) may be*
3 *used to carry out the Medicare Advantage program if the*
4 *Secretary denies participation in such program to an other-*
5 *wise eligible entity (including a Provider Sponsored Orga-*
6 *nization) because the entity informs the Secretary that it*
7 *will not provide, pay for, provide coverage of, or provide*
8 *referrals for abortions: Provided, That the Secretary shall*
9 *make appropriate prospective adjustments to the capitation*
10 *payment to such an entity (based on an actuarially sound*
11 *estimate of the expected costs of providing the service to such*
12 *entity's enrollees): Provided further, That nothing in this*
13 *section shall be construed to change the Medicare program's*
14 *coverage for such services and a Medicare Advantage orga-*
15 *nization described in this section shall be responsible for*
16 *informing enrollees where to obtain information about all*
17 *Medicare covered services.*

18 *SEC. 210. None of the funds made available in this*
19 *title may be used, in whole or in part, to advocate or pro-*
20 *mote gun control.*

21 *SEC. 211. The Secretary shall make available through*
22 *assignment not more than 60 employees of the Public*
23 *Health Service to assist in child survival activities and to*
24 *work in AIDS programs through and with funds provided*
25 *by the Agency for International Development, the United*

1 *Nations International Children's Emergency Fund or the*
2 *World Health Organization.*

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

7 *(1) The Secretary may exercise authority equiva-*
8 *lent to that available to the Secretary of State in sec-*
9 *tion 2(c) of the State Department Basic Authorities*
10 *Act of 1956. The Secretary shall consult with the Sec-*
11 *retary of State and relevant Chief of Mission to en-*
12 *sure that the authority provided in this section is ex-*
13 *ercised in a manner consistent with section 207 of the*
14 *Foreign Service Act of 1980 and other applicable stat-*
15 *utes administered by the Department of State.*

16 *(2) The Secretary is authorized to provide such*
17 *funds by advance or reimbursement to the Secretary*
18 *of State as may be necessary to pay the costs of ac-*
19 *quisition, lease, alteration, renovation, and manage-*
20 *ment of facilities outside of the United States for the*
21 *use of HHS. The Department of State shall cooperate*
22 *fully with the Secretary to ensure that HHS has se-*
23 *cure, safe, functional facilities that comply with ap-*
24 *plicable regulation governing location, setback, and*
25 *other facilities requirements and serve the purposes*

1 *established by this Act. The Secretary is authorized,*
2 *in consultation with the Secretary of State, through*
3 *grant or cooperative agreement, to make available to*
4 *public or nonprofit private institutions or agencies in*
5 *participating foreign countries, funds to acquire,*
6 *lease, alter, or renovate facilities in those countries as*
7 *necessary to conduct programs of assistance for inter-*
8 *national health activities, including activities relating*
9 *to HIV/AIDS and other infectious diseases, chronic*
10 *and environmental diseases, and other health activi-*
11 *ties abroad.*

12 *(3) The Secretary is authorized to provide to*
13 *personnel appointed or assigned by the Secretary to*
14 *serve abroad, allowances and benefits similar to those*
15 *provided under chapter 9 of title I of the Foreign*
16 *Service Act of 1980, and 22 U.S.C. 4081 through*
17 *4086 and subject to such regulations prescribed by the*
18 *Secretary. The Secretary is further authorized to pro-*
19 *vide locality-based comparability payments (stated as*
20 *a percentage) up to the amount of the locality-based*
21 *comparability payment (stated as a percentage) that*
22 *would be payable to such personnel under section*
23 *5304 of title 5, United States Code if such personnel's*
24 *official duty station were in the District of Columbia.*
25 *Leaves of absence for personnel under this subsection*

1 *istration to make NRSA awards for research in primary*
2 *medical care to individuals affiliated with entities who have*
3 *received grants or contracts under sections 736, 739, or 747*
4 *of the PHS Act, and 1 percent of the amount made avail-*
5 *able for NRSA shall be made available to the Director of*
6 *the Agency for Healthcare Research and Quality to make*
7 *NRSA awards for health service research.*

8 *SEC. 218. (a) The Biomedical Advanced Research and*
9 *Development Authority (“BARDA”) may enter into a con-*
10 *tract, for more than one but no more than 10 program*
11 *years, for purchase of research services or of security coun-*
12 *termeasures, as that term is defined in section 319F-*
13 *2(c)(1)(B) of the PHS Act (42 U.S.C. 247d-6b(c)(1)(B)),*
14 *if—*

15 *(1) funds are available and obligated—*

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

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

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

1 **(b)** *A contract entered into under this section—*

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

5 **(2)** *shall be subject to the congressional notice re-*
6 *quirement stated in subsection (d) of such section.*

7 **SEC. 219. (a)** *The Secretary shall publish in the fiscal*
8 *year 2023 budget justification and on Departmental Web*
9 *sites information concerning the employment of full-time*
10 *equivalent Federal employees or contractors for the purposes*
11 *of implementing, administering, enforcing, or otherwise*
12 *carrying out the provisions of the ACA, and the amend-*
13 *ments made by that Act, in the proposed fiscal year and*
14 *each fiscal year since the enactment of the ACA.*

15 **(b)** *With respect to employees or contractors supported*
16 *by all funds appropriated for purposes of carrying out the*
17 *ACA (and the amendments made by that Act), the Secretary*
18 *shall include, at a minimum, the following information:*

19 **(1)** *For each such fiscal year, the section of such*
20 *Act under which such funds were appropriated, a*
21 *statement indicating the program, project, or activity*
22 *receiving such funds, the Federal operating division*
23 *or office that administers such program, and the*
24 *amount of funding received in discretionary or man-*
25 *datory appropriations.*

1 (2) *For each such fiscal year, the number of full-*
2 *time equivalent employees or contracted employees as-*
3 *signed to each authorized and funded provision de-*
4 *tailed in accordance with paragraph (1).*

5 (c) *In carrying out this section, the Secretary may ex-*
6 *clude from the report employees or contractors who—*

7 (1) *are supported through appropriations en-*
8 *acted in laws other than the ACA and work on pro-*
9 *grams that existed prior to the passage of the ACA;*

10 (2) *spend less than 50 percent of their time on*
11 *activities funded by or newly authorized in the ACA;*

12 *or*

13 (3) *work on contracts for which FTE reporting*
14 *is not a requirement of their contract, such as fixed-*
15 *price contracts.*

16 *SEC. 220. The Secretary shall publish, as part of the*
17 *fiscal year 2023 budget of the President submitted under*
18 *section 1105(a) of title 31, United States Code, information*
19 *that details the uses of all funds used by the Centers for*
20 *Medicare & Medicaid Services specifically for Health Insur-*
21 *ance Exchanges for each fiscal year since the enactment of*
22 *the ACA and the proposed uses for such funds for fiscal year*
23 *2023. Such information shall include, for each such fiscal*
24 *year, the amount of funds used for each activity specified*
25 *under the heading “Health Insurance Exchange Trans-*

1 *parenity” in the explanatory statement described in section*
2 *4 (in the matter preceding division A of this consolidated*
3 *Act).*

4 *SEC. 221. None of the funds made available by this*
5 *Act from the Federal Hospital Insurance Trust Fund or*
6 *the Federal Supplemental Medical Insurance Trust Fund,*
7 *or transferred from other accounts funded by this Act to*
8 *the “Centers for Medicare & Medicaid Services—Program*
9 *Management” account, may be used for payments under*
10 *section 1342(b)(1) of Public Law 111–148 (relating to risk*
11 *corridors).*

12 *(TRANSFER OF FUNDS)*

13 *SEC. 222. (a) Within 45 days of enactment of this Act,*
14 *the Secretary shall transfer funds appropriated under sec-*
15 *tion 4002 of the ACA to the accounts specified, in the*
16 *amounts specified, and for the activities specified under the*
17 *heading “Prevention and Public Health Fund” in the ex-*
18 *planatory statement described in section 4 (in the matter*
19 *preceding division A of this consolidated Act).*

20 *(b) Notwithstanding section 4002(c) of the ACA, the*
21 *Secretary may not further transfer these amounts.*

22 *(c) Funds transferred for activities authorized under*
23 *section 2821 of the PHS Act shall be made available with-*
24 *out reference to section 2821(b) of such Act.*

1 *SEC. 223. Effective during the period beginning on No-*
2 *vember 1, 2015 and ending January 1, 2024, any provision*
3 *of law that refers (including through cross-reference to an-*
4 *other provision of law) to the current recommendations of*
5 *the United States Preventive Services Task Force with re-*
6 *spect to breast cancer screening, mammography, and pre-*
7 *vention shall be administered by the Secretary involved as*
8 *if—*

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

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

18 *SEC. 224. In making Federal financial assistance, the*
19 *provisions relating to indirect costs in part 75 of title 45,*
20 *Code of Federal Regulations, including with respect to the*
21 *approval of deviations from negotiated rates, shall continue*
22 *to apply to the National Institutes of Health to the same*
23 *extent and in the same manner as such provisions were ap-*
24 *plied in the third quarter of fiscal year 2017. None of the*
25 *funds appropriated in this or prior Acts or otherwise made*

1 *available to the Department of Health and Human Services*
2 *or to any department or agency may be used to develop*
3 *or implement a modified approach to such provisions, or*
4 *to intentionally or substantially expand the fiscal effect of*
5 *the approval of such deviations from negotiated rates be-*
6 *yond the proportional effect of such approvals in such quar-*
7 *ter.*

8 (TRANSFER OF FUNDS)

9 *SEC. 225. The NIH Director may transfer funds for*
10 *opioid addiction, opioid alternatives, stimulant misuse and*
11 *addiction, pain management, and addiction treatment to*
12 *other Institutes and Centers of the NIH to be used for the*
13 *same purpose 15 days after notifying the Committees on*
14 *Appropriations of the House of Representatives and the*
15 *Senate: Provided, That the transfer authority provided in*
16 *the previous proviso is in addition to any other transfer*
17 *authority provided by law.*

18 *SEC. 226. (a) The Secretary shall provide to the Com-*
19 *mittees on Appropriations of the House of Representatives*
20 *and the Senate:*

21 *(1) Detailed monthly enrollment figures from the*
22 *Exchanges established under the Patient Protection*
23 *and Affordable Care Act of 2010 pertaining to enroll-*
24 *ments during the open enrollment period; and*

1 (2) *Notification of any new or competitive grant*
2 *awards, including supplements, authorized under sec-*
3 *tion 330 of the Public Health Service Act.*

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

8 **SEC. 227.** *In addition to the amounts otherwise avail-*
9 *able for “Centers for Medicare & Medicaid Services, Pro-*
10 *gram Management”, the Secretary of Health and Human*
11 *Services may transfer up to \$355,000,000 to such account*
12 *from the Federal Hospital Insurance Trust Fund and the*
13 *Federal Supplementary Medical Insurance Trust Fund to*
14 *support program management activity related to the Medi-*
15 *care Program: Provided, That except for the foregoing pur-*
16 *pose, such funds may not be used to support any provision*
17 *of Public Law 111–148 or Public Law 111–152 (or any*
18 *amendment made by either such Public Law) or to supplant*
19 *any other amounts within such account.*

20 **SEC. 228.** *The Department of Health and Human*
21 *Services shall provide the Committees on Appropriations of*
22 *the House of Representatives and Senate a biannual report*
23 *30 days after enactment of this Act on staffing described*
24 *in the explanatory statement described in section 4 (in the*
25 *matter preceding division A of this consolidated Act).*

1 *SEC. 229. Funds appropriated in this Act that are*
2 *available for salaries and expenses of employees of the De-*
3 *partment of Health and Human Services shall also be*
4 *available to pay travel and related expenses of such an em-*
5 *ployee or of a member of his or her family, when such em-*
6 *ployee is assigned to duty, in the United States or in a*
7 *U.S. territory, during a period and in a location that are*
8 *the subject of a determination of a public health emergency*
9 *under section 319 of the Public Health Service Act and such*
10 *travel is necessary to obtain medical care for an illness,*
11 *injury, or medical condition that cannot be adequately ad-*
12 *dressed in that location at that time. For purposes of this*
13 *section, the term “U.S. territory” means Guam, the Com-*
14 *monwealth of Puerto Rico, the Northern Mariana Islands,*
15 *the Virgin Islands, American Samoa, or the Trust Territory*
16 *of the Pacific Islands.*

17 *SEC. 230. The Department of Health and Human*
18 *Services may accept donations from the private sector, non-*
19 *governmental organizations, and other groups independent*
20 *of the Federal Government for the care of unaccompanied*
21 *alien children (as defined in section 462(g)(2) of the Home-*
22 *land Security Act of 2002 (6 U.S.C. 279(g)(2))) in the care*
23 *of the Office of Refugee Resettlement of the Administration*
24 *for Children and Families, including medical goods and*
25 *services, which may include early childhood developmental*

1 screenings, school supplies, toys, clothing, and any other
2 items intended to promote the wellbeing of such children.

3 *SEC. 231. None of the funds made available in this*
4 *Act under the heading “Department of Health and Human*
5 *Services—Administration for Children and Families—Ref-*
6 *ugee and Entrant Assistance” may be obligated to a grantee*
7 *or contractor to house unaccompanied alien children (as*
8 *such term is defined in section 462(g)(2) of the Homeland*
9 *Security Act of 2002 (6 U.S.C. 279(g)(2))) in any facility*
10 *that is not State-licensed for the care of unaccompanied*
11 *alien children, except in the case that the Secretary deter-*
12 *mines that housing unaccompanied alien children in such*
13 *a facility is necessary on a temporary basis due to an influx*
14 *of such children or an emergency, provided that—*

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

19 *(A) the same requirements as licensed place-*
20 *ments, as listed in Exhibit 1 of the Flores Settle-*
21 *ment Agreement that the Secretary determines*
22 *are applicable to non-State licensed facilities;*
23 *and*

24 *(B) staffing ratios of one (1) on-duty Youth*
25 *Care Worker for every eight (8) children or youth*

1 *during waking hours, one (1) on-duty Youth*
2 *Care Worker for every sixteen (16) children or*
3 *youth during sleeping hours, and clinician ratios*
4 *to children (including mental health providers)*
5 *as required in grantee cooperative agreements;*

6 *(2) the Secretary may grant a 60-day waiver for*
7 *a contractor's or grantee's non-compliance with para-*
8 *graph (1) if the Secretary certifies and provides a re-*
9 *port to Congress on the contractor's or grantee's good-*
10 *faith efforts and progress towards compliance;*

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

14 *(4) ORR shall ensure full adherence to the moni-*
15 *toring requirements set forth in section 5.5 of its Poli-*
16 *cies and Procedures Guide as of May 15, 2019;*

17 *(5) for any such unlicensed facility in operation*
18 *for more than three consecutive months, ORR shall*
19 *conduct a minimum of one comprehensive monitoring*
20 *visit during the first three months of operation, with*
21 *quarterly monitoring visits thereafter; and*

22 *(6) not later than 60 days after the date of en-*
23 *actment of this Act, ORR shall brief the Committees*
24 *on Appropriations of the House of Representatives*
25 *and the Senate outlining the requirements of ORR for*

1 *influx facilities including any requirement listed in*
2 *paragraph (1)(A) that the Secretary has determined*
3 *are not applicable to non-State licensed facilities.*

4 *SEC. 232. In addition to the existing Congressional no-*
5 *tification for formal site assessments of potential influx fa-*
6 *cilities, the Secretary shall notify the Committees on Appro-*
7 *priations of the House of Representatives and the Senate*
8 *at least 15 days before operationalizing an unlicensed facil-*
9 *ity, and shall (1) specify whether the facility is hard-sided*
10 *or soft-sided, and (2) provide analysis that indicates that,*
11 *in the absence of the influx facility, the likely outcome is*
12 *that unaccompanied alien children will remain in the cus-*
13 *tody of the Department of Homeland Security for longer*
14 *than 72 hours or that unaccompanied alien children will*
15 *be otherwise placed in danger. Within 60 days of bringing*
16 *such a facility online, and monthly thereafter, the Secretary*
17 *shall provide to the Committees on Appropriations of the*
18 *House of Representatives and the Senate a report detailing*
19 *the total number of children in care at the facility, the aver-*
20 *age length of stay and average length of care of children*
21 *at the facility, and, for any child that has been at the facil-*
22 *ity for more than 60 days, their length of stay and reason*
23 *for delay in release.*

24 *SEC. 233. None of the funds made available in this*
25 *Act may be used to prevent a United States Senator or*

1 *Member of the House of Representatives from entering, for*
2 *the purpose of conducting oversight, any facility in the*
3 *United States used for the purpose of maintaining custody*
4 *of, or otherwise housing, unaccompanied alien children (as*
5 *defined in section 462(g)(2) of the Homeland Security Act*
6 *of 2002 (6 U.S.C. 279(g)(2))), provided that such Senator*
7 *or Member has coordinated the oversight visit with the Of-*
8 *fice of Refugee Resettlement not less than two business days*
9 *in advance to ensure that such visit would not interfere*
10 *with the operations (including child welfare and child safe-*
11 *ty operations) of such facility.*

12 *SEC. 234. Not later than 14 days after the date of en-*
13 *actment of this Act, and monthly thereafter, the Secretary*
14 *shall submit to the Committees on Appropriations of the*
15 *House of Representatives and the Senate, and make pub-*
16 *licly available online, a report with respect to children who*
17 *were separated from their parents or legal guardians by the*
18 *Department of Homeland Security (DHS) (regardless of*
19 *whether or not such separation was pursuant to an option*
20 *selected by the children, parents, or guardians), subse-*
21 *quently classified as unaccompanied alien children, and*
22 *transferred to the care and custody of ORR during the pre-*
23 *vious month. Each report shall contain the following infor-*
24 *mation:*

1 ovation of facilities, and installation expenses, including
2 moving expenses, related to such laboratory: Provided, That
3 not later than September 30, 2022, the remaining unobli-
4 gated balances of such funds are hereby rescinded, and an
5 amount of additional new budget authority equivalent to
6 the amount rescinded is hereby appropriated, to remain
7 available until expended, for the same purposes as such un-
8 obligated balances, in addition to any other amounts avail-
9 able for such purposes.

10 *SEC. 238. The Secretary of Health and Human Serv-*
11 *ices may waive penalties and administrative requirements*
12 *in title XXVI of the Public Health Service Act for awards*
13 *under such title from amounts provided under the heading*
14 *“Department of Health and Human Services—Health Re-*
15 *sources and Services Administration” in this or any other*
16 *appropriations Act for this fiscal year, including amounts*
17 *made available to such heading by transfer.*

18 *SEC. 239. The Director of the National Institutes of*
19 *Health shall hereafter require institutions that receive funds*
20 *through a grant or cooperative agreement during fiscal year*
21 *2022 and in future years to notify the Director when indi-*
22 *viduals identified as a principal investigator or as key per-*
23 *sonnel in an NIH notice of award are removed from their*
24 *position or are otherwise disciplined due to concerns about*
25 *harassment, bullying, retaliation, or hostile working condi-*

1 *tions. The Director may issue regulations consistent with*
2 *this section.*

3 *SEC. 240. The CDC Undergraduate Public Health*
4 *Scholars Program is hereby renamed as the John R. Lewis*
5 *CDC Undergraduate Public Health Scholars Program.*

6 *SEC. 241. The Center for Alzheimer’s Disease and Re-*
7 *lated Dementias Building (Building T-44) at the National*
8 *Institutes of Health is hereby renamed as the Roy Blunt*
9 *Center for Alzheimer’s Disease and Related Dementias Re-*
10 *search Building.*

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

TITLE III

DEPARTMENT OF EDUCATION

EDUCATION FOR THE DISADVANTAGED

1
2
3
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 in*
8 *this Act as “HEA”), \$18,229,790,000, of which*
9 *\$7,306,490,000 shall become available on July 1, 2022, and*
10 *shall remain available through September 30, 2023, and of*
11 *which \$10,841,177,000 shall become available on October 1,*
12 *2022, and shall remain available through September 30,*
13 *2023, for academic year 2022–2023: Provided, That*
14 *\$6,459,401,000 shall be for basic grants under section 1124*
15 *of the ESEA: Provided further, That up to \$5,000,000 of*
16 *these funds shall be available to the Secretary of Education*
17 *(referred to in this title as “Secretary”) on October 1, 2021,*
18 *to obtain annually updated local educational agency-level*
19 *census poverty data from the Bureau of the Census: Pro-*
20 *vided further, That \$1,362,301,000 shall be for concentra-*
21 *tion grants under section 1124A of the ESEA: Provided fur-*
22 *ther, That \$4,857,550,000 shall be for targeted grants under*
23 *section 1125 of the ESEA: Provided further, That*
24 *\$4,857,550,000 shall be for education finance incentive*
25 *grants under section 1125A of the ESEA: Provided further,*

1 *That \$221,000,000 shall be for carrying out subpart 2 of*
2 *part B of title II: Provided further, That \$48,123,000 shall*
3 *be for carrying out section 418A of the HEA.*

4 *IMPACT AID*

5 *For carrying out programs of financial assistance to*
6 *federally affected schools authorized by title VII of the*
7 *ESEA, \$1,557,112,000, of which \$1,409,242,000 shall be for*
8 *basic support payments under section 7003(b), \$48,316,000*
9 *shall be for payments for children with disabilities under*
10 *section 7003(d), \$17,406,000 shall be for construction under*
11 *section 7007(a), \$77,313,000 shall be for Federal property*
12 *payments under section 7002, and \$4,835,000, to remain*
13 *available until expended, shall be for facilities maintenance*
14 *under section 7008: Provided, That for purposes of com-*
15 *puting the amount of a payment for an eligible local edu-*
16 *cational agency under section 7003(a) for school year 2021–*
17 *2022, children enrolled in a school of such agency that*
18 *would otherwise be eligible for payment under section*
19 *7003(a)(1)(B) of such Act, but due to the deployment of both*
20 *parents or legal guardians, or a parent or legal guardian*
21 *having sole custody of such children, or due to the death*
22 *of a military parent or legal guardian while on active duty*
23 *(so long as such children reside on Federal property as de-*
24 *scribed in section 7003(a)(1)(B)), are no longer eligible*
25 *under such section, shall be considered as eligible students*

1 *under such section, provided such students remain in aver-*
2 *age daily attendance at a school in the same local edu-*
3 *cational agency they attended prior to their change in eligi-*
4 *bility status.*

5 *SCHOOL IMPROVEMENT PROGRAMS*

6 *For carrying out school improvement activities author-*
7 *ized by part B of title I, part A of title II, subpart 1 of*
8 *part A of title IV, part B of title IV, part B of title V,*
9 *and parts B and C of title VI of the ESEA; the McKinney-*
10 *Vento Homeless Assistance Act; section 203 of the Edu-*
11 *cational Technical Assistance Act of 2002; the Compact of*
12 *Free Association Amendments Act of 2003; and the Civil*
13 *Rights Act of 1964, \$5,595,835,000, of which*
14 *\$3,757,312,000 shall become available on July 1, 2022, and*
15 *remain available through September 30, 2023, and of which*
16 *\$1,681,441,000 shall become available on October 1, 2022,*
17 *and shall remain available through September 30, 2023, for*
18 *academic year 2022-2023: Provided, That \$390,000,000*
19 *shall be for part B of title I: Provided further, That*
20 *\$1,289,673,000 shall be for part B of title IV: Provided fur-*
21 *ther, That \$38,897,000 shall be for part B of title VI, which*
22 *may be used for construction, renovation, and moderniza-*
23 *tion of any public elementary school, secondary school, or*
24 *structure related to a public elementary school or secondary*
25 *school that serves a predominantly Native Hawaiian stu-*

1 dent body, and that the 5 percent limitation in section
2 6205(b) of the ESEA on the use of funds for administrative
3 purposes shall apply only to direct administrative costs:
4 Provided further, That \$37,953,000 shall be for part C of
5 title VI, which shall be awarded on a competitive basis, and
6 may be used for construction, and that the 5 percent limita-
7 tion in section 6305 of the ESEA on the use of funds for
8 administrative purposes shall apply only to direct adminis-
9 trative costs: Provided further, That \$54,000,000 shall be
10 available to carry out section 203 of the Educational Tech-
11 nical Assistance Act of 2002 and the Secretary shall make
12 such arrangements as determined to be necessary to ensure
13 that the Bureau of Indian Education has access to services
14 provided under this section: Provided further, That
15 \$19,657,000 shall be available to carry out the Supple-
16 mental Education Grants program for the Federated States
17 of Micronesia and the Republic of the Marshall Islands:
18 Provided further, That the Secretary may reserve up to 5
19 percent of the amount referred to in the previous proviso
20 to provide technical assistance in the implementation of
21 these grants: Provided further, That \$195,000,000 shall be
22 for part B of title V: Provided further, That \$1,280,000,000
23 shall be available for grants under subpart 1 of part A of
24 title IV.

1 *INDIAN EDUCATION*

2 *For expenses necessary to carry out, to the extent not*
3 *otherwise provided, title VI, part A of the ESEA,*
4 *\$189,246,000, of which \$70,000,000 shall be for subpart 2*
5 *of part A of title VI and \$9,365,000 shall be for subpart*
6 *3 of part A of title VI: Provided, That the 5 percent limita-*
7 *tion in sections 6115(d), 6121(e), and 6133(g) of the ESEA*
8 *on the use of funds for administrative purposes shall apply*
9 *only to direct administrative costs: Provided further, That*
10 *grants awarded under sections 6132 and 6133 of the ESEA*
11 *with funds provided under this heading may be for a period*
12 *of up to 5 years.*

13 *INNOVATION AND IMPROVEMENT*

14 *For carrying out activities authorized by subparts 1,*
15 *3 and 4 of part B of title II, and parts C, D, and E and*
16 *subparts 1 and 4 of part F of title IV of the ESEA,*
17 *\$1,160,250,000: Provided, That \$265,750,000 shall be for*
18 *subparts 1, 3 and 4 of part B of title II and shall be made*
19 *available without regard to sections 2201, 2231(b) and*
20 *2241: Provided further, That \$660,500,000 shall be for parts*
21 *C, D, and E and subpart 4 of part F of title IV, and shall*
22 *be made available without regard to sections 4311, 4409(a),*
23 *and 4601 of the ESEA: Provided further, That section*
24 *4303(d)(3)(A)(i) shall not apply to the funds available for*
25 *part C of title IV: Provided further, That of the funds avail-*

1 *able for part C of title IV, the Secretary shall use*
2 *\$60,000,000 to carry out section 4304, of which not more*
3 *than \$10,000,000 shall be available to carry out section*
4 *4304(k), \$140,000,000, to remain available through March*
5 *31, 2023, to carry out section 4305(b), and not more than*
6 *\$15,000,000 to carry out the activities in section*
7 *4305(a)(3): Provided further, That notwithstanding section*
8 *4601(b), \$234,000,000 shall be available through December*
9 *31, 2022 for subpart 1 of part F of title IV: Provided fur-*
10 *ther, That of the funds available for subpart 4 of part F*
11 *of title IV, \$6,000,000 shall be for an award to a national*
12 *nonprofit organization selected in the 2018 arts in edu-*
13 *cation national program competition for activities author-*
14 *ized under section 4642(a)(1)(C), including costs incurred*
15 *prior to the award date, and not less than \$8,000,000 shall*
16 *be used to carry out a separate competition for eligible na-*
17 *tional nonprofit organizations, as described in the Applica-*
18 *tions for New Awards; Assistance for Arts Education Pro-*
19 *gram—Arts in Education National Program published in*
20 *the Federal Register on May 7, 2018, for activities described*
21 *under section 4642(a)(1)(C).*

22 *SAFE SCHOOLS AND CITIZENSHIP EDUCATION*

23 *For carrying out activities authorized by subparts 2*
24 *and 3 of part F of title IV of the ESEA, \$361,000,000, to*
25 *remain available through December 31, 2022: Provided,*

1 *That \$201,000,000 shall be available for section 4631, of*
2 *which up to \$5,000,000, to remain available until expended,*
3 *shall be for the Project School Emergency Response to Vio-*
4 *lence (Project SERV) program: Provided further, That*
5 *\$75,000,000 shall be available for section 4625: Provided*
6 *further, That \$85,000,000 shall be for section 4624.*

7 *ENGLISH LANGUAGE ACQUISITION*

8 *For carrying out part A of title III of the ESEA,*
9 *\$831,400,000, which shall become available on July 1, 2022,*
10 *and shall remain available through September 30, 2023, ex-*
11 *cept that 6.5 percent of such amount shall be available on*
12 *October 1, 2021, and shall remain available through Sep-*
13 *tember 30, 2023, to carry out activities under section*
14 *3111(c)(1)(C).*

15 *SPECIAL EDUCATION*

16 *For carrying out the Individuals with Disabilities*
17 *Education Act (IDEA) and the Special Olympics Sport*
18 *and Empowerment Act of 2004, \$14,519,119,000, of which*
19 *\$4,966,176,000 shall become available on July 1, 2022, and*
20 *shall remain available through September 30, 2023, and of*
21 *which \$9,283,383,000 shall become available on October 1,*
22 *2022, and shall remain available through September 30,*
23 *2023, for academic year 2022–2023: Provided, That the*
24 *amount for section 611(b)(2) of the IDEA shall be equal*
25 *to the lesser of the amount available for that activity during*

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

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

1 *or seek to recover funds under section 452 of the General*
2 *Education Provisions Act (20 U.S.C. 1234a): Provided fur-*
3 *ther, That the funds reserved under 611(c) of the IDEA may*
4 *be used to provide technical assistance to States to improve*
5 *the capacity of the States to meet the data collection re-*
6 *quirements of sections 616 and 618 and to administer and*
7 *carry out other services and activities to improve data col-*
8 *lection, coordination, quality, and use under parts B and*
9 *C of the IDEA: Provided further, That the Secretary may*
10 *use funds made available for the State Personnel Develop-*
11 *ment Grants program under part D, subpart 1 of IDEA*
12 *to evaluate program performance under such subpart: Pro-*
13 *vided further, That States may use funds reserved for other*
14 *State-level activities under sections 611(e)(2) and 619(f) of*
15 *the IDEA to make subgrants to local educational agencies,*
16 *institutions of higher education, other public agencies, and*
17 *private non-profit organizations to carry out activities au-*
18 *thorized by those sections: Provided further, That, notwith-*
19 *standing section 643(e)(2)(A) of the IDEA, if 5 or fewer*
20 *States apply for grants pursuant to section 643(e) of such*
21 *Act, the Secretary shall provide a grant to each State in*
22 *an amount equal to the maximum amount described in sec-*
23 *tion 643(e)(2)(B) of such Act: Provided further, That if*
24 *more than 5 States apply for grants pursuant to section*
25 *643(e) of the IDEA, the Secretary shall award funds to*

1 *those States on the basis of the States' relative populations*
2 *of infants and toddlers except that no such State shall re-*
3 *ceive a grant in excess of the amount described in section*
4 *643(e)(2)(B) of such Act: Provided further, That States may*
5 *use funds allotted under section 643(c) of the IDEA to make*
6 *subgrants to local educational agencies, institutions of high-*
7 *er education, other public agencies, and private non-profit*
8 *organizations to carry out activities authorized by section*
9 *638 of IDEA: Provided further, That, notwithstanding sec-*
10 *tion 638 of the IDEA, a State may use funds it receives*
11 *under section 633 of the IDEA to offer continued early*
12 *intervention services to a child who previously received serv-*
13 *ices under part C of the IDEA from age 3 until the begin-*
14 *ning of the school year following the child's third birthday*
15 *with parental consent and without regard to the procedures*
16 *in section 635(c) of the IDEA.*

17 *REHABILITATION SERVICES*

18 *For carrying out, to the extent not otherwise provided,*
19 *the Rehabilitation Act of 1973 and the Helen Keller Na-*
20 *tional Center Act, \$3,862,645,000, of which \$3,719,121,000*
21 *shall be for grants for vocational rehabilitation services*
22 *under title I of the Rehabilitation Act: Provided, That the*
23 *Secretary may use amounts provided in this Act that re-*
24 *main available subsequent to the reallocation of funds to*
25 *States pursuant to section 110(b) of the Rehabilitation Act*

1 *for innovative activities aimed at increasing competitive*
2 *integrated employment as defined in section 7 of such Act*
3 *for youth and other individuals with disabilities: Provided*
4 *further, That up to 15 percent of the amounts available for*
5 *innovative activities described in the preceding proviso*
6 *from funds provided under this paragraph in this Act and*
7 *title III of the Departments of Labor, Health and Human*
8 *Services, and Education, and Related Agencies Appropria-*
9 *tions Act, 2021 (division H of Public Law 116–260), may*
10 *be used for evaluation and technical assistance related to*
11 *such activities: Provided further, That States may award*
12 *subgrants for a portion of the funds to other public and*
13 *private, nonprofit entities: Provided further, That any*
14 *funds provided in this Act and made available subsequent*
15 *to reallocation for innovative activities aimed at improving*
16 *the outcomes of individuals with disabilities shall remain*
17 *available until September 30, 2023: Provided further, That*
18 *of the amounts made available under this heading,*
19 *\$2,325,000 shall be used for the projects, and in the*
20 *amounts, specified in the table titled “Community Project*
21 *Funding/Congressionally Directed Spending” included for*
22 *this division in the explanatory statement described in sec-*
23 *tion 4 (in the matter preceding division A of this consoli-*
24 *dated Act): Provided further, That none of the funds made*

1 *available for projects described in the preceding proviso*
2 *shall be subject to section 302 of this Act.*

3 *SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES*

4 *AMERICAN PRINTING HOUSE FOR THE BLIND*

5 *For carrying out the Act to Promote the Education*
6 *of the Blind of March 3, 1879, \$40,431,000.*

7 *NATIONAL TECHNICAL INSTITUTE FOR THE DEAF*

8 *For the National Technical Institute for the Deaf*
9 *under titles I and II of the Education of the Deaf Act of*
10 *1986, \$88,500,000: Provided, That from the total amount*
11 *available, the Institute may at its discretion use funds for*
12 *the endowment program as authorized under section 207*
13 *of such Act.*

14 *GALLAUDET UNIVERSITY*

15 *For the Kendall Demonstration Elementary School,*
16 *the Model Secondary School for the Deaf, and the partial*
17 *support of Gallaudet University under titles I and II of*
18 *the Education of the Deaf Act of 1986, \$146,361,000: Pro-*
19 *vided, That from the total amount available, the University*
20 *may at its discretion use funds for the endowment program*
21 *as authorized under section 207 of such Act.*

22 *CAREER, TECHNICAL, AND ADULT EDUCATION*

23 *For carrying out, to the extent not otherwise provided,*
24 *the Carl D. Perkins Career and Technical Education Act*
25 *of 2006 (“Perkins Act”) and the Adult Education and Fam-*

1 *ily Literacy Act (“AEFLA”), \$2,091,436,000, of which*
2 *\$1,300,436,000 shall become available on July 1, 2022, and*
3 *shall remain available through September 30, 2023, and of*
4 *which \$791,000,000 shall become available on October 1,*
5 *2022, and shall remain available through September 30,*
6 *2023: Provided, That of the amounts made available for*
7 *AEFLA, \$13,712,000 shall be for national leadership activi-*
8 *ties under section 242.*

9 *STUDENT FINANCIAL ASSISTANCE*

10 *For carrying out subparts 1, 3, and 10 of part A, and*
11 *part C of title IV of the HEA, \$24,580,352,000 which shall*
12 *remain available through September 30, 2023.*

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

15 *STUDENT AID ADMINISTRATION*

16 *For Federal administrative expenses to carry out part*
17 *D of title I, and subparts 1, 3, 9, and 10 of part A, and*
18 *parts B, C, D, and E of title IV of the HEA, and subpart*
19 *1 of part A of title VII of the Public Health Service Act,*
20 *\$2,033,943,000, to remain available through September 30,*
21 *2023: Provided, That the Secretary shall allocate new stu-*
22 *dent loan borrower accounts to eligible student loan*
23 *servicers on the basis of their past performance compared*
24 *to all loan servicers utilizing established common metrics,*
25 *and on the basis of the capacity of each servicer to process*

1 *new and existing accounts: Provided further, That for stu-*
2 *dent loan contracts awarded prior to October 1, 2017, the*
3 *Secretary shall allow student loan borrowers who are con-*
4 *solidating Federal student loans to select from any student*
5 *loan servicer to service their new consolidated student loan:*
6 *Provided further, That in order to promote accountability*
7 *and high-quality service to borrowers, the Secretary shall*
8 *not award funding for any contract solicitation for a new*
9 *Federal student loan servicing environment, including the*
10 *solicitation for the Federal Student Aid (FSA) Next Gen-*
11 *eration Processing and Servicing Environment, unless such*
12 *an environment provides for the participation of multiple*
13 *student loan servicers that contract directly with the De-*
14 *partment of Education to manage a unique portfolio of bor-*
15 *rower accounts and the full life-cycle of loans from disburse-*
16 *ment to pay-off with certain limited exceptions, and allo-*
17 *cates student loan borrower accounts to eligible student loan*
18 *servicers based on performance: Provided further, That the*
19 *Department shall re-allocate accounts from servicers for re-*
20 *curing non-compliance with FSA guidelines, contractual*
21 *requirements, and applicable laws, including for failure to*
22 *sufficiently inform borrowers of available repayment op-*
23 *tions: Provided further, That such servicers shall be evalu-*
24 *ated based on their ability to meet contract requirements*
25 *(including an understanding of Federal and State law), fu-*

1 *ture performance on the contracts, and history of compli-*
2 *ance with applicable consumer protections laws: Provided*
3 *further, That to the extent FSA permits student loan serv-*
4 *icing subcontracting, FSA shall hold prime contractors ac-*
5 *countable for meeting the requirements of the contract, and*
6 *the performance and expectations of subcontractors shall be*
7 *accounted for in the prime contract and in the overall per-*
8 *formance of the prime contractor: Provided further, That*
9 *FSA shall ensure that the Next Generation Processing and*
10 *Servicing Environment, or any new Federal loan servicing*
11 *environment, incentivize more support to borrowers at risk*
12 *of delinquency or default: Provided further, That FSA shall*
13 *ensure that in such environment contractors have the capac-*
14 *ity to meet and are held accountable for performance on*
15 *service levels; are held accountable for and have a history*
16 *of compliance with applicable consumer protection laws;*
17 *and have relevant experience and demonstrated effective-*
18 *ness: Provided further, That the Secretary shall provide*
19 *quarterly briefings to the Committees on Appropriations*
20 *and Education and Labor of the House of Representatives*
21 *and the Committees on Appropriations and Health, Edu-*
22 *cation, Labor, and Pensions of the Senate on general*
23 *progress related to solicitations for Federal student loan*
24 *servicing contracts: Provided further, That FSA shall*
25 *strengthen transparency through expanded publication of*

1 *aggregate data on student loan and servicer performance:*
2 *Provided further, That not later than 60 days after enact-*
3 *ment of this Act, FSA shall provide to the Committees on*
4 *Appropriations of the House of Representatives and the*
5 *Senate a detailed spend plan of anticipated uses of funds*
6 *made available in this account for fiscal year 2022 and pro-*
7 *vide quarterly updates on this plan (including contracts*
8 *awarded, change orders, bonuses paid to staff, reorganiza-*
9 *tion costs, and any other activity carried out using*
10 *amounts provided under this heading for fiscal year 2022):*
11 *Provided further, That the FSA Next Generation Processing*
12 *and Servicing Environment, or any new Federal student*
13 *loan servicing environment, shall include accountability*
14 *measures that account for the performance of the portfolio*
15 *and contractor compliance with FSA guidelines.*

16 *HIGHER EDUCATION*

17 *For carrying out, to the extent not otherwise provided,*
18 *titles II, III, IV, V, VI, VII, and VIII of the HEA, the Mu-*
19 *tual Educational and Cultural Exchange Act of 1961, and*
20 *section 117 of the Perkins Act, \$2,994,111,000, of which*
21 *\$76,000,000 shall remain available through December 31,*
22 *2022: Provided, That notwithstanding any other provision*
23 *of law, funds made available in this Act to carry out title*
24 *VI of the HEA and section 102(b)(6) of the Mutual Edu-*
25 *cational and Cultural Exchange Act of 1961 may be used*

1 *to support visits and study in foreign countries by individ-*
2 *uals who are participating in advanced foreign language*
3 *training and international studies in areas that are vital*
4 *to United States national security and who plan to apply*
5 *their language skills and knowledge of these countries in*
6 *the fields of government, the professions, or international*
7 *development: Provided further, That of the funds referred*
8 *to in the preceding proviso up to 1 percent may be used*
9 *for program evaluation, national outreach, and informa-*
10 *tion dissemination activities: Provided further, That up to*
11 *1.5 percent of the funds made available under chapter 2*
12 *of subpart 2 of part A of title IV of the HEA may be used*
13 *for evaluation: Provided further, That section 313(d) of the*
14 *HEA shall not apply to an institution of higher education*
15 *that is eligible to receive funding under section 318 of the*
16 *HEA: Provided further, That amounts made available for*
17 *carrying out section 419N of the HEA may be awarded not-*
18 *withstanding the limitations in section 419N(b)(2) of the*
19 *HEA: Provided further, That of the amounts made avail-*
20 *able under this heading, \$249,400,000 shall be used for the*
21 *projects, and in the amounts, specified in the table titled*
22 *“Community Project Funding/Congressionally Directed*
23 *Spending” included for this division in the explanatory*
24 *statement described in section 4 (in the matter preceding*
25 *division A of this consolidated Act): Provided further, That*

1 *none of the funds made available for projects described in*
2 *the preceding proviso shall be subject to section 302 of this*
3 *Act.*

4 *HOWARD UNIVERSITY*

5 *For partial support of Howard University,*
6 *\$344,018,000, of which not less than \$3,405,000 shall be for*
7 *a matching endowment grant pursuant to the Howard Uni-*
8 *versity Endowment Act and shall remain available until*
9 *expended.*

10 *COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS*

11 *PROGRAM*

12 *For Federal administrative expenses to carry out ac-*
13 *tivities related to existing facility loans pursuant to section*
14 *121 of the HEA, \$435,000.*

15 *HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL*

16 *FINANCING PROGRAM ACCOUNT*

17 *For the cost of guaranteed loans, \$20,150,000, as au-*
18 *thorized pursuant to part D of title III of the HEA, which*
19 *shall remain available through September 30, 2023: Pro-*
20 *vided, That such costs, including the cost of modifying such*
21 *loans, shall be as defined in section 502 of the Congressional*
22 *Budget Act of 1974: Provided further, That these funds are*
23 *available to subsidize total loan principal, any part of*
24 *which is to be guaranteed, not to exceed \$274,149,000: Pro-*
25 *vided further, That these funds may be used to support*

1 *loans to public and private Historically Black Colleges and*
2 *Universities without regard to the limitations within sec-*
3 *tion 344(a) of the HEA.*

4 *In addition, for administrative expenses to carry out*
5 *the Historically Black College and University Capital Fi-*
6 *ancing Program entered into pursuant to part D of title*
7 *III of the HEA, \$334,000.*

8 *INSTITUTE OF EDUCATION SCIENCES*

9 *For necessary expenses for the Institute of Education*
10 *Sciences as authorized by section 208 of the Department*
11 *of Education Organization Act and carrying out activities*
12 *authorized by the National Assessment of Educational*
13 *Progress Authorization Act, section 208 of the Educational*
14 *Technical Assistance Act of 2002, and section 664 of the*
15 *Individuals with Disabilities Education Act, \$737,021,000,*
16 *which shall remain available through September 30, 2023:*
17 *Provided, That funds available to carry out section 208 of*
18 *the Educational Technical Assistance Act may be used to*
19 *link Statewide elementary and secondary data systems with*
20 *early childhood, postsecondary, and workforce data systems,*
21 *or to further develop such systems: Provided further, That*
22 *up to \$6,000,000 of the funds available to carry out section*
23 *208 of the Educational Technical Assistance Act may be*
24 *used for awards to public or private organizations or agen-*

1 *cies to support activities to improve data coordination,*
2 *quality, and use at the local, State, and national levels.*

3 *DEPARTMENTAL MANAGEMENT*

4 *PROGRAM ADMINISTRATION*

5 *For carrying out, to the extent not otherwise provided,*
6 *the Department of Education Organization Act, including*
7 *rental of conference rooms in the District of Columbia and*
8 *hire of three passenger motor vehicles, \$394,907,000, of*
9 *which up to \$7,000,000, to remain available until expended,*
10 *shall be available for relocation expenses, and for the ren-*
11 *ovation and repair of leased buildings: Provided, That, not-*
12 *withstanding any other provision of law, none of the funds*
13 *provided by this Act or provided by previous Appropria-*
14 *tions Acts to the Department of Education available for ob-*
15 *ligation or expenditure in the current fiscal year may be*
16 *used for any activity relating to implementing a reorga-*
17 *nization that decentralizes, reduces the staffing level, or al-*
18 *ters the responsibilities, structure, authority, or*
19 *functionality of the Budget Service of the Department of*
20 *Education, relative to the organization and operation of the*
21 *Budget Service as in effect on January 1, 2018.*

22 *OFFICE FOR CIVIL RIGHTS*

23 *For expenses necessary for the Office for Civil Rights,*
24 *as authorized by section 203 of the Department of Edu-*
25 *cation Organization Act, \$135,500,000.*

1 *ESEA shall be available from July 1, 2022, through Sep-*
2 *tember 30, 2023.*

3 *SEC. 304. (a) An institution of higher education that*
4 *maintains an endowment fund supported with funds appro-*
5 *priated for title III or V of the HEA for fiscal year 2022*
6 *may use the income from that fund to award scholarships*
7 *to students, subject to the limitation in section*
8 *331(c)(3)(B)(i) of the HEA. The use of such income for such*
9 *purposes, prior to the enactment of this Act, shall be consid-*
10 *ered to have been an allowable use of that income, subject*
11 *to that limitation.*

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

14 *SEC. 305. Section 114(f) of the HEA (20 U.S.C.*
15 *1011c(f)) shall be applied by substituting “2022” for*
16 *“2021”.*

17 *SEC. 306. Section 458(a)(4) of the HEA (20 U.S.C.*
18 *1087h(a)) shall be applied by substituting “2022” for*
19 *“2021”.*

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

1 (RESCISSION)

2 *SEC. 308. Of the unobligated balances available under*
3 *the heading “Student Financial Assistance” for carrying*
4 *out subpart 1 of part A of title IV of the HEA,*
5 *\$1,050,000,000 are hereby rescinded.*

6 (RESCISSION)

7 *SEC. 309. Of the amounts appropriated under section*
8 *401(b)(7)(A)(iv)(XI) of the Higher Education Act of 1965*
9 *(20 U.S.C. 1070a(b)(7)(A)(iv)(XI)) for fiscal year 2022,*
10 *\$85,000,000 are hereby rescinded.*

11 *SEC. 310. Of the amounts made available under this*
12 *title under the heading “Student Aid Administration”,*
13 *\$2,300,000 shall be used by the Secretary of Education to*
14 *conduct outreach to borrowers of loans made under part D*
15 *of title IV of the Higher Education Act of 1965 who may*
16 *intend to qualify for loan cancellation under section 455(m)*
17 *of such Act (20 U.S.C. 1087e(m)), to ensure that borrowers*
18 *are meeting the terms and conditions of such loan cancella-*
19 *tion: Provided, That the Secretary shall specifically conduct*
20 *outreach to assist borrowers who would qualify for loan can-*
21 *cellation under section 455(m) of such Act except that the*
22 *borrower has made some, or all, of the 120 required pay-*
23 *ments under a repayment plan that is not described under*
24 *section 455(m)(A) of such Act, to encourage borrowers to*
25 *enroll in a qualifying repayment plan: Provided further,*

1 *That the Secretary shall also communicate to all Direct*
2 *Loan borrowers the full requirements of section 455(m) of*
3 *such Act and improve the filing of employment certification*
4 *by providing improved outreach and information such as*
5 *outbound calls, electronic communications, ensuring promi-*
6 *nent access to program requirements and benefits on each*
7 *servicer’s website, and creating an option for all borrowers*
8 *to complete the entire payment certification process elec-*
9 *tronically and on a centralized website.*

10 *SEC. 311. For an additional amount for “Department*
11 *of Education—Federal Direct Student Loan Program Ac-*
12 *count”, \$25,000,000, to remain available until expended,*
13 *shall be for the cost, as defined under section 502 of the*
14 *Congressional Budget Act of 1974, of the Secretary of Edu-*
15 *cation providing loan cancellation in the same manner as*
16 *under section 455(m) of the Higher Education Act of 1965*
17 *(20 U.S.C. 1087e(m)), for borrowers of loans made under*
18 *part D of title IV of such Act who would qualify for loan*
19 *cancellation under section 455(m) except some, or all, of*
20 *the 120 required payments under section 455(m)(1)(A) do*
21 *not qualify for purposes of the program because they were*
22 *monthly payments made in accordance with graduated or*
23 *extended repayment plans as described under subparagraph*
24 *(B) or (C) of section 455(d)(1) or the corresponding repay-*
25 *ment plan for a consolidation loan made under section*

1 455(g) and that were less than the amount calculated under
2 section 455(d)(1)(A), based on a 10-year repayment period:
3 Provided, That the monthly payment made 12 months be-
4 fore the borrower applied for loan cancellation as described
5 in the matter preceding this proviso and the most recent
6 monthly payment made by the borrower at the time of such
7 application were each not less than the monthly amount
8 that would be calculated under, and for which the borrower
9 would otherwise qualify for, clause (i) or (iv) of section
10 455(m)(1)(A) regarding income-based or income-contingent
11 repayment plans, with exception for a borrower who would
12 have otherwise been eligible under this section but dem-
13 onstrates an unusual fluctuation of income over the past
14 5 years: Provided further, That the total loan volume, in-
15 cluding outstanding principal, fees, capitalized interest, or
16 accrued interest, at application that is eligible for such loan
17 cancellation by such borrowers shall not exceed \$75,000,000:
18 Provided further, That the Secretary shall develop and
19 make available a simple method for borrowers to apply for
20 loan cancellation under this section within 60 days of en-
21 actment of this Act: Provided further, That the Secretary
22 shall provide loan cancellation under this section to eligible
23 borrowers on a first-come, first-serve basis, based on the date
24 of application and subject to both the limitation on total
25 loan volume at application for such loan cancellation speci-

1 *fied in the second proviso and the availability of appropria-*
2 *tions under this section: Provided further, That no borrower*
3 *may, for the same service, receive a reduction of loan obliga-*
4 *tions under both this section and section 428J, 428K, 428L,*
5 *or 460 of such Act.*

6 *SEC. 312. The Secretary may reserve not more than*
7 *0.5 percent from any amount made available in this Act*
8 *for an HEA program, except for any amounts made avail-*
9 *able for subpart 1 of part A of title IV of the HEA, to carry*
10 *out rigorous and independent evaluations and to collect and*
11 *analyze outcome data for any program authorized by the*
12 *HEA: Provided, That no funds made available in this Act*
13 *for the “Student Aid Administration” account shall be sub-*
14 *ject to the reservation under this section: Provided further,*
15 *That any funds reserved under this section shall be avail-*
16 *able through September 30, 2024: Provided further, That*
17 *if, under any other provision of law, funds are authorized*
18 *to be reserved or used for evaluation activities with respect*
19 *to a program or project, the Secretary may also reserve*
20 *funds for such program or project for the purposes described*
21 *in this section so long as the total reservation of funds for*
22 *such program or project does not exceed any statutory lim-*
23 *its on such reservations: Provided further, That not later*
24 *than 30 days prior to the initial obligation of funds re-*
25 *served under this section, the Secretary shall submit to the*

1 *Committees on Appropriations of the Senate and the House*
2 *of Representatives, the Committee on Health, Education,*
3 *Labor and Pensions of the Senate, and the Committee on*
4 *Education and Labor of the House of Representatives a*
5 *plan that identifies the source and amount of funds reserved*
6 *under this section, the impact on program grantees if funds*
7 *are withheld for the purposes of this section, and the activi-*
8 *ties to be carried out with such funds.*

9 *SEC. 313. In addition to amounts otherwise appro-*
10 *priated by this Act under the heading “Innovation and Im-*
11 *provement” for purposes authorized by the Elementary and*
12 *Secondary Education Act of 1965, there are hereby appro-*
13 *priated an additional \$140,480,000 which shall be used for*
14 *the projects, and in the amounts, specified in the table titled*
15 *“Community Project Funding/Congressionally Directed*
16 *Spending” included for this division in the explanatory*
17 *statement described in section 4 (in the matter preceding*
18 *division A of this consolidated Act): Provided, That none*
19 *of the funds made available for such projects shall be subject*
20 *to section 302 of this Act.*

21 *SEC. 314. (a) IN GENERAL.—For the purpose of car-*
22 *rying out section 435(a)(2) of the HEA (20 U.S.C.*
23 *1085(a)(2)) or 34 CFR 668.206(a)(1), the Secretary of Edu-*
24 *cation may waive the requirements under sections*
25 *435(a)(5)(A)(i) and 435(a)(5)(A)(ii) of the HEA (20 U.S.C.*

1 1085(a)(5)(A)(i) and 20 U.S.C. 1085(a)(5)(A)(ii) or 34
2 CFR 668.213(b)(1) for an institution of higher education
3 that offers an associate degree, is a public institution, and
4 is located in an economically distressed county, defined as
5 a county with a poverty rate of at least 25 percent based
6 on the U.S. Census Bureau's Small Area Income and Pov-
7 erty Estimate program data for 2017 that was impacted
8 by Hurricane Matthew.

9 (b) *APPLICABILITY.*—Subsection (a) shall apply to an
10 institution of higher education that otherwise would be in-
11 eligible to participate in a program under part D of title
12 IV of the Higher Education Act of 1965 on or after the
13 date of enactment of this Act due to the application of sec-
14 tion 435(a)(2) of the HEA (20 U.S.C. 1085(a)(2)) or 34
15 CFR 668.206(a)(1).

16 (c) *COVERAGE.*—This section shall be in effect for the
17 period covered by this Act and for the succeeding fiscal year.

18 (RESCISSION)

19 *SEC. 315.* Any remaining unobligated balances from
20 amounts made available in the second and third para-
21 graphs under the heading “Historically Black College and
22 University Capital Financing Program Account” in title
23 III of division H of the Consolidated Appropriations Act,
24 2021 (Public Law 116–260) are hereby permanently re-
25 scinded.

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

1 *charge a fee under section 51–3.5 of title 41, Code of Federal*
2 *Regulations, prior to executing a written agreement with*
3 *the Committee: Provided further, That no less than*
4 *\$2,650,000 shall be available for the Office of Inspector Gen-*
5 *eral.*

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 to*
13 *in this title as “1990 Act”), \$865,409,000 , notwithstanding*
14 *sections 198B(b)(3), 198S(g), 501(a)(4)(C), and*
15 *501(a)(4)(F) of the 1990 Act: Provided, That of the amounts*
16 *provided under this heading: (1) up to 1 percent of program*
17 *grant funds may be used to defray the costs of conducting*
18 *grant application reviews, including the use of outside peer*
19 *reviewers and electronic management of the grants cycle;*
20 *(2) \$19,094,000 shall be available to provide assistance to*
21 *State commissions on national and community service,*
22 *under section 126(a) of the 1990 Act and notwithstanding*
23 *section 501(a)(5)(B) of the 1990 Act; (3) \$34,505,000 shall*
24 *be available to carry out subtitle E of the 1990 Act; and*
25 *(4) \$6,558,000 shall be available for expenses authorized*

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

7 *PAYMENT TO THE NATIONAL SERVICE TRUST*

8 *(INCLUDING TRANSFER OF FUNDS)*

9 *For payment to the National Service Trust established*
10 *under subtitle D of title I of the 1990 Act, \$190,550,000,*
11 *to remain available until expended: Provided, That CNCS*
12 *may transfer additional funds from the amount provided*
13 *within “Operating Expenses” allocated to grants under sub-*
14 *title C of title I of the 1990 Act to the National Service*
15 *Trust upon determination that such transfer is necessary*
16 *to support the activities of national service participants*
17 *and after notice is transmitted to the Committees on Appro-*
18 *priations of the House of Representatives and the Senate:*
19 *Provided further, That amounts appropriated for or trans-*
20 *ferred to the National Service Trust may be invested under*
21 *section 145(b) of the 1990 Act without regard to the require-*
22 *ment to apportion funds under 31 U.S.C. 1513(b).*

23 *SALARIES AND EXPENSES*

24 *For necessary expenses of administration as provided*
25 *under section 501(a)(5) of the 1990 Act and under section*

1 504(a) of the 1973 Act, including payment of salaries, au-
2 thorized travel, hire of passenger motor vehicles, the rental
3 of conference rooms in the District of Columbia, the employ-
4 ment of experts and consultants authorized under 5 U.S.C.
5 3109, and not to exceed \$2,500 for official reception and
6 representation expenses, \$88,082,000.

7 *OFFICE OF INSPECTOR GENERAL*

8 *For necessary expenses of the Office of Inspector Gen-
9 eral in carrying out the Inspector General Act of 1978,
10 \$6,595,000.*

11 *ADMINISTRATIVE PROVISIONS*

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

21 *SEC. 402. AmeriCorps programs receiving grants
22 under the National Service Trust program shall meet an
23 overall minimum share requirement of 24 percent for the
24 first 3 years that they receive AmeriCorps funding, and
25 thereafter shall meet the overall minimum share require-*

1 *ment as provided in section 2521.60 of title 45, Code of*
2 *Federal Regulations, without regard to the operating costs*
3 *match requirement in section 121(e) or the member support*
4 *Federal share limitations in section 140 of the 1990 Act,*
5 *and subject to partial waiver consistent with section*
6 *2521.70 of title 45, Code of Federal Regulations.*

7 *SEC. 403. Donations made to CNCS under section 196*
8 *of the 1990 Act for the purposes of financing programs and*
9 *operations under titles I and II of the 1973 Act or subtitle*
10 *B, C, D, or E of title I of the 1990 Act shall be used to*
11 *supplement and not supplant current programs and oper-*
12 *ations.*

13 *SEC. 404. In addition to the requirements in section*
14 *146(a) of the 1990 Act, use of an educational award for*
15 *the purpose described in section 148(a)(4) shall be limited*
16 *to individuals who are veterans as defined under section*
17 *101 of the Act.*

18 *SEC. 405. For the purpose of carrying out section*
19 *189D of the 1990 Act—*

20 *(1) entities described in paragraph (a) of such*
21 *section shall be considered “qualified entities” under*
22 *section 3 of the National Child Protection Act of 1993*
23 *(“NCPA”);*

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

1 (3) *State Commissions on National and Commu-*
2 *nity Service established pursuant to section 178 of the*
3 *1990 Act, are authorized to receive criminal history*
4 *record information, consistent with Public Law 92–*
5 *544.*

6 *SEC. 406. Notwithstanding sections 139(b), 146 and*
7 *147 of the 1990 Act, an individual who successfully com-*
8 *pletes a term of service of not less than 1,200 hours during*
9 *a period of not more than one year may receive a national*
10 *service education award having a value of 70 percent of*
11 *the value of a national service education award determined*
12 *under section 147(a) of the Act.*

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

17 *CORPORATION FOR PUBLIC BROADCASTING*

18 *For payment to the Corporation for Public Broad-*
19 *casting (“CPB”), as authorized by the Communications Act*
20 *of 1934, an amount which shall be available within limita-*
21 *tions specified by that Act, for the fiscal year 2024,*
22 *\$525,000,000: Provided, That none of the funds made avail-*
23 *able to CPB by this Act shall be used to pay for receptions,*
24 *parties, or similar forms of entertainment for Government*
25 *officials or employees: Provided further, That none of the*

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

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

15 *FEDERAL MEDIATION AND CONCILIATION SERVICE*

16 *SALARIES AND EXPENSES*

17 *For expenses necessary for the Federal Mediation and*
18 *Conciliation Service (“Service”) to carry out the functions*
19 *vested in it by the Labor-Management Relations Act, 1947,*
20 *including hire of passenger motor vehicles; for expenses nec-*
21 *essary for the Labor-Management Cooperation Act of 1978;*
22 *and for expenses necessary for the Service to carry out the*
23 *functions vested in it by the Civil Service Reform Act,*
24 *\$50,058,000: Provided, That notwithstanding 31 U.S.C.*
25 *3302, fees charged, up to full-cost recovery, for special train-*

1 *ing activities and other conflict resolution services and tech-*
2 *nical assistance, including those provided to foreign govern-*
3 *ments and international organizations, and for arbitration*
4 *services shall be credited to and merged with this account,*
5 *and shall remain available until expended: Provided fur-*
6 *ther, That fees for arbitration services shall be available*
7 *only for education, training, and professional development*
8 *of the agency workforce: Provided further, That the Director*
9 *of the Service is authorized to accept and use on behalf of*
10 *the United States gifts of services and real, personal, or*
11 *other property in the aid of any projects or functions within*
12 *the Director's jurisdiction.*

13 *FEDERAL MINE SAFETY AND HEALTH REVIEW*

14 *COMMISSION*

15 *SALARIES AND EXPENSES*

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

18 *INSTITUTE OF MUSEUM AND LIBRARY SERVICES*

19 *OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS AND*

20 *ADMINISTRATION*

21 *For carrying out the Museum and Library Services*
22 *Act of 1996 and the National Museum of African American*
23 *History and Culture Act, \$268,000,000.*

1 *MEDICAID AND CHIP PAYMENT AND ACCESS COMMISSION*2 *SALARIES AND EXPENSES*

3 *For expenses necessary to carry out section 1900 of the*
4 *Social Security Act, \$9,043,000.*

5 *MEDICARE PAYMENT ADVISORY COMMISSION*6 *SALARIES AND EXPENSES*

7 *For expenses necessary to carry out section 1805 of the*
8 *Social Security Act, \$13,292,000, to be transferred to this*
9 *appropriation from the Federal Hospital Insurance Trust*
10 *Fund and the Federal Supplementary Medical Insurance*
11 *Trust Fund.*

12 *NATIONAL COUNCIL ON DISABILITY*13 *SALARIES AND EXPENSES*

14 *For expenses necessary for the National Council on*
15 *Disability as authorized by title IV of the Rehabilitation*
16 *Act of 1973, \$3,500,000.*

17 *NATIONAL LABOR RELATIONS BOARD*18 *SALARIES AND EXPENSES*

19 *For expenses necessary for the National Labor Rela-*
20 *tions Board to carry out the functions vested in it by the*
21 *Labor-Management Relations Act, 1947, and other laws,*
22 *\$274,224,000: Provided, That no part of this appropriation*
23 *shall be available to organize or assist in organizing agri-*
24 *cultural laborers or used in connection with investigations,*
25 *hearings, directives, or orders concerning bargaining units*

1 *composed of agricultural laborers as referred to in section*
2 *2(3) of the Act of July 5, 1935, and as amended by the*
3 *Labor-Management Relations Act, 1947, and as defined in*
4 *section 3(f) of the Act of June 25, 1938, and including in*
5 *said definition employees engaged in the maintenance and*
6 *operation of ditches, canals, reservoirs, and waterways*
7 *when maintained or operated on a mutual, nonprofit basis*
8 *and at least 95 percent of the water stored or supplied there-*
9 *by is used for farming purposes.*

10 *ADMINISTRATIVE PROVISION*

11 *SEC. 408. None of the funds provided by this Act or*
12 *previous Acts making appropriations for the National*
13 *Labor Relations Board may be used to issue any new ad-*
14 *ministrative directive or regulation that would provide em-*
15 *ployees any means of voting through any electronic means*
16 *in an election to determine a representative for the purposes*
17 *of collective bargaining.*

18 *NATIONAL MEDIATION BOARD*

19 *SALARIES AND EXPENSES*

20 *For expenses necessary to carry out the provisions of*
21 *the Railway Labor Act, including emergency boards ap-*
22 *pointed by the President, \$14,729,000.*

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, \$13,622,000.*

6 RAILROAD RETIREMENT BOARD

7 DUAL BENEFITS PAYMENTS ACCOUNT

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

20 FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT

21 ACCOUNTS

22 *For payment to the accounts established in the Treas-*
23 *ury for the payment of benefits under the Railroad Retire-*
24 *ment Act for interest earned on unnegotiated checks,*
25 *\$150,000, to remain available through September 30, 2023,*

1 *which shall be the maximum amount available for payment*
2 *pursuant to section 417 of Public Law 98–76.*

3 *LIMITATION ON ADMINISTRATION*

4 *For necessary expenses for the Railroad Retirement*
5 *Board (“Board”) for administration of the Railroad Retire-*
6 *ment Act and the Railroad Unemployment Insurance Act,*
7 *\$124,000,000, to be derived in such amounts as determined*
8 *by the Board from the railroad retirement accounts and*
9 *from moneys credited to the railroad unemployment insur-*
10 *ance administration fund: Provided, That notwithstanding*
11 *section 7(b)(9) of the Railroad Retirement Act this limita-*
12 *tion may be used to hire attorneys only through the excepted*
13 *service: Provided further, That the previous proviso shall*
14 *not change the status under Federal employment laws of*
15 *any attorney hired by the Railroad Retirement Board prior*
16 *to January 1, 2013: Provided further, That notwith-*
17 *standing section 7(b)(9) of the Railroad Retirement Act,*
18 *this limitation may be used to hire students attending*
19 *qualifying educational institutions or individuals who have*
20 *recently completed qualifying educational programs using*
21 *current excepted hiring authorities established by the Office*
22 *of Personnel Management.*

23 *LIMITATION ON THE OFFICE OF INSPECTOR GENERAL*

24 *For expenses necessary for the Office of Inspector Gen-*
25 *eral for audit, investigatory and review activities, as au-*

1 *thorized by the Inspector General Act of 1978, not more*
2 *than \$12,650,000, to be derived from the railroad retire-*
3 *ment accounts and railroad unemployment insurance ac-*
4 *count.*

5 *SOCIAL SECURITY ADMINISTRATION*

6 *PAYMENTS TO SOCIAL SECURITY TRUST FUNDS*

7 *For payment to the Federal Old-Age and Survivors In-*
8 *surance Trust Fund and the Federal Disability Insurance*
9 *Trust Fund, as provided under sections 201(m) and*
10 *1131(b)(2) of the Social Security Act, \$11,000,000.*

11 *SUPPLEMENTAL SECURITY INCOME PROGRAM*

12 *For carrying out titles XI and XVI of the Social Secu-*
13 *rity Act, section 401 of Public Law 92–603, section 212*
14 *of Public Law 93–66, as amended, and section 405 of Public*
15 *Law 95–216, including payment to the Social Security*
16 *trust funds for administrative expenses incurred pursuant*
17 *to section 201(g)(1) of the Social Security Act,*
18 *\$45,913,823,000, to remain available until expended: Pro-*
19 *vided, That any portion of the funds provided to a State*
20 *in the current fiscal year and not obligated by the State*
21 *during that year shall be returned to the Treasury: Pro-*
22 *vided further, That not more than \$86,000,000 shall be*
23 *available for research and demonstrations under sections*
24 *1110, 1115, and 1144 of the Social Security Act, and re-*
25 *main available through September 30, 2024.*

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

5 *For making benefit payments under title XVI of the*
6 *Social Security Act for the first quarter of fiscal year 2023,*
7 *\$15,600,000,000, to remain available until expended.*

8 *LIMITATION ON ADMINISTRATIVE EXPENSES*

9 *For necessary expenses, including the hire and pur-*
10 *chase of two passenger motor vehicles, and not to exceed*
11 *\$20,000 for official reception and representation expenses,*
12 *not more than \$13,202,945,000 may be expended, as author-*
13 *ized by section 201(g)(1) of the Social Security Act, from*
14 *any one or all of the trust funds referred to in such section:*
15 *Provided, That not less than \$2,600,000 shall be for the So-*
16 *cial Security Advisory Board: Provided further, That*
17 *\$55,000,000 shall remain available through September 30,*
18 *2023, for activities to address the disability hearings back-*
19 *log within the Office of Hearings Operations: Provided fur-*
20 *ther, That unobligated balances of funds provided under*
21 *this paragraph at the end of fiscal year 2022 not needed*
22 *for fiscal year 2022 shall remain available until expended*
23 *to invest in the Social Security Administration information*
24 *technology and telecommunications hardware and software*
25 *infrastructure, including related equipment and non-pay-*

1 roll administrative expenses associated solely with this in-
2 formation technology and telecommunications infrastruc-
3 ture: Provided further, That the Commissioner of Social Se-
4 curity shall notify the Committees on Appropriations of the
5 House of Representatives and the Senate prior to making
6 unobligated balances available under the authority in the
7 previous proviso: Provided further, That reimbursement to
8 the trust funds under this heading for expenditures for offi-
9 cial time for employees of the Social Security Administra-
10 tion pursuant to 5 U.S.C. 7131, and for facilities or support
11 services for labor organizations pursuant to policies, regula-
12 tions, or procedures referred to in section 7135(b) of such
13 title shall be made by the Secretary of the Treasury, with
14 interest, from amounts in the general fund not otherwise
15 appropriated, as soon as possible after such expenditures
16 are made.

17 Of the total amount made available in the first para-
18 graph under this heading, not more than \$1,708,000,000,
19 to remain available through March 31, 2023, is for the costs
20 associated with continuing disability reviews under titles
21 II and XVI of the Social Security Act, including work-re-
22 lated continuing disability reviews to determine whether
23 earnings derived from services demonstrate an individual's
24 ability to engage in substantial gainful activity, for the cost
25 associated with conducting redeterminations of eligibility

1 *under title XVI of the Social Security Act, for the cost of*
2 *co-operative disability investigation units, and for the cost*
3 *associated with the prosecution of fraud in the programs*
4 *and operations of the Social Security Administration by*
5 *Special Assistant United States Attorneys: Provided, That,*
6 *of such amount, \$273,000,000 is provided to meet the terms*
7 *of section 4004(b)(1)(B)(i) and section 4005(a)(2)(A) of S.*
8 *Con. Res. 14 (117th Congress), the concurrent resolution on*
9 *the budget for fiscal year 2022, and \$1,435,000,000 is addi-*
10 *tional new budget authority specified for purposes of section*
11 *4004(b)(1) and section 4005(a) of such resolution: Provided*
12 *further, That, of the additional new budget authority de-*
13 *scribed in the preceding proviso, up to \$12,100,000 may*
14 *be transferred to the “Office of Inspector General”, Social*
15 *Security Administration, for the cost of jointly operated co-*
16 *operative disability investigation units: Provided further,*
17 *That such transfer authority is in addition to any other*
18 *transfer authority provided by law: Provided further, That*
19 *the Commissioner shall provide to the Congress (at the con-*
20 *clusion of the fiscal year) a report on the obligation and*
21 *expenditure of these funds, similar to the reports that were*
22 *required by section 103(d)(2) of Public Law 104–121 for*
23 *fiscal years 1996 through 2002.*

24 *In addition, \$138,000,000 to be derived from adminis-*
25 *tration fees in excess of \$5.00 per supplementary payment*

1 collected pursuant to section 1616(d) of the Social Security
2 Act or section 212(b)(3) of Public Law 93-66, which shall
3 remain available until expended: Provided, That to the ex-
4 tent that the amounts collected pursuant to such sections
5 in fiscal year 2022 exceed \$138,000,000, the amounts shall
6 be available in fiscal year 2023 only to the extent provided
7 in advance in appropriations Acts.

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

12 OFFICE OF INSPECTOR GENERAL

13 (INCLUDING TRANSFER OF FUNDS)

14 For expenses necessary for the Office of Inspector Gen-
15 eral in carrying out the provisions of the Inspector General
16 Act of 1978, \$30,900,000, together with not to exceed
17 \$77,765,000, to be transferred and expended as authorized
18 by section 201(g)(1) of the Social Security Act from the
19 Federal Old-Age and Survivors Insurance Trust Fund and
20 the Federal Disability Insurance Trust Fund: Provided,
21 That \$2,000,000 shall remain available until expended for
22 information technology modernization, including related
23 hardware and software infrastructure and equipment, and
24 for administrative expenses directly associated with infor-
25 mation technology modernization.

1 *In addition, an amount not to exceed 3 percent of the*
2 *total provided in this appropriation may be transferred*
3 *from the “Limitation on Administrative Expenses”, Social*
4 *Security Administration, to be merged with this account,*
5 *to be available for the time and purposes for which this*
6 *account is available: Provided, That notice of such transfers*
7 *shall be transmitted promptly to the Committees on Appro-*
8 *priations of the House of Representatives and the Senate*
9 *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 Public*
16 *Law 111–148 shall be used, other than for normal and rec-*
17 *ognized executive-legislative relationships, for publicity or*
18 *propaganda purposes, for the preparation, distribution, or*
19 *use of any kit, pamphlet, booklet, publication, electronic*
20 *communication, radio, television, or video presentation de-*
21 *signed to support or defeat the enactment of legislation be-*
22 *fore the Congress or any State or local legislature or legisla-*
23 *tive body, except in presentation to the Congress or any*
24 *State or local legislature itself, or designed to support or*
25 *defeat any proposed or pending regulation, administrative*

1 *action, or order issued by the executive branch of any State*
2 *or local government, except in presentation to the executive*
3 *branch of any State or local government itself.*

4 **(b)** *No part of any appropriation contained in this*
5 *Act or transferred pursuant to section 4002 of Public Law*
6 *111–148 shall be used to pay the salary or expenses of any*
7 *grant or contract recipient, or agent acting for such recipi-*
8 *ent, related to any activity designed to influence the enact-*
9 *ment of legislation, appropriations, regulation, administra-*
10 *tive action, or Executive order proposed or pending before*
11 *the Congress or any State government, State legislature or*
12 *local legislature or legislative body, other than for normal*
13 *and recognized executive-legislative relationships or partici-*
14 *pation by an agency or officer of a State, local or tribal*
15 *government in policymaking and administrative processes*
16 *within the executive branch of that government.*

17 **(c)** *The prohibitions in subsections (a) and (b) shall*
18 *include any activity to advocate or promote any proposed,*
19 *pending or future Federal, State or local tax increase, or*
20 *any proposed, pending, or future requirement or restriction*
21 *on any legal consumer product, including its sale or mar-*
22 *keting, including but not limited to the advocacy or pro-*
23 *motion of gun control.*

24 **SEC. 504.** *The Secretaries of Labor and Education are*
25 *authorized to make available not to exceed \$28,000 and*

1 \$20,000, respectively, from funds available for salaries and
2 expenses under titles I and III, respectively, for official re-
3 ception and representation expenses; the Director of the
4 Federal Mediation and Conciliation Service is authorized
5 to make available for official reception and representation
6 expenses not to exceed \$5,000 from the funds available for
7 “Federal Mediation and Conciliation Service, Salaries and
8 Expenses”; and the Chairman of the National Mediation
9 Board is authorized to make available for official reception
10 and representation expenses not to exceed \$5,000 from funds
11 available for “National Mediation Board, Salaries and Ex-
12 penses”.

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

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

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

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

4 SEC. 506. (a) None of the funds appropriated in this
5 Act, and none of the funds in any trust fund to which funds
6 are appropriated in this Act, shall be expended for any
7 abortion.

8 (b) None of the funds appropriated in this Act, and
9 none of the funds in any trust fund to which funds are
10 appropriated in this Act, shall be expended for health bene-
11 fits coverage that includes coverage of abortion.

12 (c) The term “health benefits coverage” means the
13 package of services covered by a managed care provider or
14 organization pursuant to a contract or other arrangement.

15 SEC. 507. (a) The limitations established in the pre-
16 ceding section shall not apply to an abortion—

17 (1) if the pregnancy is the result of an act of
18 rape or incest; or

19 (2) in the case where a woman suffers from a
20 physical disorder, physical injury, or physical illness,
21 including a life-endangering physical condition
22 caused by or arising from the pregnancy itself, that
23 would, as certified by a physician, place the woman
24 in danger of death unless an abortion is performed.

1 (b) *Nothing in the preceding section shall be construed*
2 *as prohibiting the expenditure by a State, locality, entity,*
3 *or private person of State, local, or private funds (other*
4 *than a State’s or locality’s contribution of Medicaid match-*
5 *ing funds).*

6 (c) *Nothing in the preceding section shall be construed*
7 *as restricting the ability of any managed care provider*
8 *from offering abortion coverage or the ability of a State or*
9 *locality to contract separately with such a provider for such*
10 *coverage with State funds (other than a State’s or locality’s*
11 *contribution of Medicaid matching funds).*

12 (d)(1) *None of the funds made available in this Act*
13 *may be made available to a Federal agency or program,*
14 *or to a State or local government, if such agency, program,*
15 *or government subjects any institutional or individual*
16 *health care entity to discrimination on the basis that the*
17 *health care entity does not provide, pay for, provide cov-*
18 *erage of, or refer for abortions.*

19 (2) *In this subsection, the term “health care enti-*
20 *ty” includes an individual physician or other health*
21 *care professional, a hospital, a provider-sponsored or-*
22 *ganization, a health maintenance organization, a*
23 *health insurance plan, or any other kind of health*
24 *care facility, organization, or plan.*

1 *SEC. 508. (a) None of the funds made available in this*
2 *Act may be used for—*

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

5 *(2) research in which a human embryo or em-*
6 *bryos are destroyed, discarded, or knowingly subjected*
7 *to risk of injury or death greater than that allowed*
8 *for research on fetuses in utero under 45 CFR*
9 *46.204(b) and section 498(b) of the Public Health*
10 *Service Act (42 U.S.C. 289g(b)).*

11 *(b) For purposes of this section, the term “human em-*
12 *bryo or embryos” includes any organism, not protected as*
13 *a human subject under 45 CFR 46 as of the date of the*
14 *enactment of this Act, that is derived by fertilization, par-*
15 *thenogenesis, cloning, or any other means from one or more*
16 *human gametes or human diploid cells.*

17 *SEC. 509. (a) None of the funds made available in this*
18 *Act may be used for any activity that promotes the legaliza-*
19 *tion of any drug or other substance included in schedule*
20 *I of the schedules of controlled substances established under*
21 *section 202 of the Controlled Substances Act except for nor-*
22 *mal and recognized executive-congressional communica-*
23 *tions.*

24 *(b) The limitation in subsection (a) shall not apply*
25 *when there is significant medical evidence of a therapeutic*

1 *advantage to the use of such drug or other substance or that*
2 *federally sponsored clinical trials are being conducted to de-*
3 *termine therapeutic advantage.*

4 *SEC. 510. None of the funds made available in this*
5 *Act may be used to promulgate or adopt any final standard*
6 *under section 1173(b) of the Social Security Act providing*
7 *for, or providing for the assignment of, a unique health*
8 *identifier for an individual (except in an individual's ca-*
9 *capacity as an employer or a health care provider), until leg-*
10 *islation is enacted specifically approving the standard.*

11 *SEC. 511. None of the funds made available in this*
12 *Act may be obligated or expended to enter into or renew*
13 *a contract with an entity if—*

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

19 *(2) such entity has not submitted a report as re-*
20 *quired by that section for the most recent year for*
21 *which such requirement was applicable to such entity.*

22 *SEC. 512. None of the funds made available in this*
23 *Act may be transferred to any department, agency, or in-*
24 *strumentality of the United States Government, except pur-*

1 *suant to a transfer made by, or transfer authority provided*
2 *in, this Act or any other appropriation Act.*

3 *SEC. 513. None of the funds made available by this*
4 *Act to carry out the Library Services and Technology Act*
5 *may be made available to any library covered by paragraph*
6 *(1) of section 224(f) of such Act, as amended by the Chil-*
7 *dren’s Internet Protection Act, unless such library has made*
8 *the certifications required by paragraph (4) of such section.*

9 *SEC. 514. (a) None of the funds provided under this*
10 *Act, or provided under previous appropriations Acts to the*
11 *agencies funded by this Act that remain available for obli-*
12 *gation or expenditure in fiscal year 2022, or provided from*
13 *any accounts in the Treasury of the United States derived*
14 *by the collection of fees available to the agencies funded by*
15 *this Act, shall be available for obligation or expenditure*
16 *through a reprogramming of funds that—*

17 *(1) creates new programs;*

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

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

22 *(4) relocates an office or employees;*

23 *(5) reorganizes or renames offices;*

24 *(6) reorganizes programs or activities; or*

1 (7) *contracts out or privatizes any functions or*
2 *activities presently performed by Federal employees;*
3 *unless the Committees on Appropriations of the House of*
4 *Representatives and the Senate are consulted 15 days in*
5 *advance of such reprogramming or of an announcement of*
6 *intent relating to such reprogramming, whichever occurs*
7 *earlier, and are notified in writing 10 days in advance of*
8 *such reprogramming.*

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

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

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

23 (3) *results from any general savings from a re-*
24 *duction in personnel which would result in a change*

1 *in existing programs, activities, or projects as ap-*
2 *proved by Congress;*
3 *unless the Committees on Appropriations of the House of*
4 *Representatives and the Senate are consulted 15 days in*
5 *advance of such reprogramming or of an announcement of*
6 *intent relating to such reprogramming, whichever occurs*
7 *earlier, and are notified in writing 10 days in advance of*
8 *such reprogramming.*

9 *SEC. 515. (a) None of the funds made available in this*
10 *Act may be used to request that a candidate for appoint-*
11 *ment to a Federal scientific advisory committee disclose the*
12 *political affiliation or voting history of the candidate or*
13 *the position that the candidate holds with respect to polit-*
14 *ical issues not directly related to and necessary for the work*
15 *of the committee involved.*

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

19 *SEC. 516. Within 45 days of enactment of this Act,*
20 *each department and related agency funded through this*
21 *Act shall submit an operating plan that details at the pro-*
22 *gram, project, and activity level any funding allocations*
23 *for fiscal year 2022 that are different than those specified*
24 *in this Act, the explanatory statement described in section*

1 4 (in the matter preceding division A of this consolidated
2 Act) or the fiscal year 2022 budget request.

3 SEC. 517. *The Secretaries of Labor, Health and*
4 *Human Services, and Education shall each prepare and*
5 *submit to the Committees on Appropriations of the House*
6 *of Representatives and the Senate a report on the number*
7 *and amount of contracts, grants, and cooperative agree-*
8 *ments exceeding \$500,000, individually or in total for a*
9 *particular project, activity, or programmatic initiative, in*
10 *value and awarded by the Department on a non-competitive*
11 *basis during each quarter of fiscal year 2022, but not to*
12 *include grants awarded on a formula basis or directed by*
13 *law. Such report shall include the name of the contractor*
14 *or grantee, the amount of funding, the governmental pur-*
15 *pose, including a justification for issuing the award on a*
16 *non-competitive basis. Such report shall be transmitted to*
17 *the Committees within 30 days after the end of the quarter*
18 *for which the report is submitted.*

19 SEC. 518. *None of the funds appropriated in this Act*
20 *shall be expended or obligated by the Commissioner of So-*
21 *cial Security, for purposes of administering Social Security*
22 *benefit payments under title II of the Social Security Act,*
23 *to process any claim for credit for a quarter of coverage*
24 *based on work performed under a social security account*
25 *number that is not the claimant's number and the perform-*

1 *ance of such work under such number has formed the basis*
2 *for a conviction of the claimant of a violation of section*
3 *208(a)(6) or (7) of the Social Security Act.*

4 *SEC. 519. None of the funds appropriated by this Act*
5 *may be used by the Commissioner of Social Security or the*
6 *Social Security Administration to pay the compensation of*
7 *employees of the Social Security Administration to admin-*
8 *ister Social Security benefit payments, under any agree-*
9 *ment between the United States and Mexico establishing to-*
10 *talization arrangements between the social security system*
11 *established by title II of the Social Security Act and the*
12 *social security system of Mexico, which would not otherwise*
13 *be payable but for such agreement.*

14 *SEC. 520. (a) None of the funds made available in this*
15 *Act may be used to maintain or establish a computer net-*
16 *work unless such network blocks the viewing, downloading,*
17 *and exchanging of pornography.*

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

22 *SEC. 521. For purposes of carrying out Executive*
23 *Order 13589, Office of Management and Budget Memo-*
24 *randum M-12-12 dated May 11, 2012, and requirements*

1 contained in the annual appropriations bills relating to
2 conference attendance and expenditures:

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

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

8 *SEC. 522. Federal agencies funded under this Act shall*
9 *clearly state within the text, audio, or video used for adver-*
10 *tising or educational purposes, including emails or Internet*
11 *postings, that the communication is printed, published, or*
12 *produced and disseminated at United States taxpayer ex-*
13 *pense. The funds used by a Federal agency to carry out*
14 *this requirement shall be derived from amounts made avail-*
15 *able to the agency for advertising or other communications*
16 *regarding the programs and activities of the agency.*

17 *SEC. 523. (a) Federal agencies may use Federal discre-*
18 *tionary funds that are made available in this Act to carry*
19 *out up to 10 Performance Partnership Pilots. Such Pilots*
20 *shall be governed by the provisions of section 526 of division*
21 *H of Public Law 113–76, except that in carrying out such*
22 *Pilots section 526 shall be applied by substituting “Fiscal*
23 *Year 2022” for “Fiscal Year 2014” in the title of subsection*
24 *(b) and by substituting “September 30, 2026” for “Sep-*
25 *tember 30, 2018” each place it appears: Provided, That*

1 *such pilots shall include communities that have experienced*
2 *civil unrest.*

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

13 **(c)** *Pilot sites selected under authorities in this Act and*
14 *prior appropriations Acts may be granted by relevant agen-*
15 *cies up to an additional 5 years to operate under such au-*
16 *thorities.*

17 **SEC. 524.** *Not later than 30 days after the end of each*
18 *calendar quarter, beginning with the first month of fiscal*
19 *year 2022 the Departments of Labor, Health and Human*
20 *Services and Education and the Social Security Adminis-*
21 *tration shall provide the Committees on Appropriations of*
22 *the House of Representatives and Senate a report on the*
23 *status of balances of appropriations: Provided, That for bal-*
24 *ances that are unobligated and uncommitted, committed,*
25 *and obligated but unexpended, the monthly reports shall*

1 *separately identify the amounts attributable to each source*
2 *year of appropriation (beginning with fiscal year 2012, or,*
3 *to the extent feasible, earlier fiscal years) from which bal-*
4 *ances were derived.*

5 *SEC. 525. The Departments of Labor, Health and*
6 *Human Services, and Education shall provide to the Com-*
7 *mittees on Appropriations of the House of Representatives*
8 *and the Senate a comprehensive list of any new or competi-*
9 *tive grant award notifications, including supplements,*
10 *issued at the discretion of such Departments not less than*
11 *3 full business days before any entity selected to receive a*
12 *grant award is announced by the Department or its offices*
13 *(other than emergency response grants at any time of the*
14 *year or for grant awards made during the last 10 business*
15 *days of the fiscal year, or if applicable, of the program*
16 *year).*

17 *SEC. 526. Notwithstanding any other provision of this*
18 *Act, no funds appropriated in this Act shall be used to pur-*
19 *chase sterile needles or syringes for the hypodermic injection*
20 *of any illegal drug: Provided, That such limitation does not*
21 *apply to the use of funds for elements of a program other*
22 *than making such purchases if the relevant State or local*
23 *health department, in consultation with the Centers for Dis-*
24 *ease Control and Prevention, determines that the State or*
25 *local jurisdiction, as applicable, is experiencing, or is at*

1 *risk for, a significant increase in hepatitis infections or an*
2 *HIV outbreak due to injection drug use, and such program*
3 *is operating in accordance with State and local law.*

4 *SEC. 527. Each department and related agency funded*
5 *through this Act shall provide answers to questions sub-*
6 *mitted for the record by members of the Committee within*
7 *45 business days after receipt.*

8 *SEC. 528. Of amounts deposited in the Child Enroll-*
9 *ment Contingency Fund under section 2104(n)(2) of the So-*
10 *cial Security Act and the income derived from investment*
11 *of those funds pursuant to section 2104(n)(2)(C) of that Act,*
12 *\$12,679,000,000 shall not be available for obligation in this*
13 *fiscal year.*

14 *SEC. 529. (a) This section applies to: (1) the Adminis-*
15 *tration for Children and Families in the Department of*
16 *Health and Human Services; and (2) The Chief Evaluation*
17 *Office and the statistical-related cooperative and inter-*
18 *agency agreements and contracting activities of the Bureau*
19 *of Labor Statistics in the Department of Labor.*

20 *(b) Amounts made available under this Act which are*
21 *either appropriated, allocated, advanced on a reimbursable*
22 *basis, or transferred to the functions and organizations*
23 *identified in subsection (a) for research, evaluation, or sta-*
24 *tistical purposes shall be available for obligation through*
25 *September 30, 2026: Provided, That when an office ref-*

1 *erenced in subsection (a) receives research and evaluation*
2 *funding from multiple appropriations, such offices may use*
3 *a single Treasury account for such activities, with funding*
4 *advanced on a reimbursable basis.*

5 *(c) Amounts referenced in subsection (b) that are unex-*
6 *pendent at the time of completion of a contract, grant, or*
7 *cooperative agreement may be deobligated and shall imme-*
8 *diately become available and may be reobligated in that fis-*
9 *cal year or the subsequent fiscal year for the research, eval-*
10 *uation, or statistical purposes for which such amounts are*
11 *available.*

12 *SEC. 530. (a) An institution of higher education that*
13 *received funds under paragraph (2) of section 18004(a) of*
14 *the CARES Act (20 U.S.C. 3401 note; 134 Stat. 567), para-*
15 *graph (2) of section 314(a) of the Coronavirus Response and*
16 *Relief Supplemental Appropriations Act, 2021 (division M*
17 *of Public Law 116–260; 134 Stat. 1932), or section 2003*
18 *of the American Rescue Plan Act of 2021 (Public Law 117–*
19 *2; 135 Stat. 23) to the extent such funds are allocated (in*
20 *accordance with such section) under paragraph (2) of sec-*
21 *tion 314(a) of the Coronavirus Response and Relief Supple-*
22 *mental Appropriations Act, 2021 (134 Stat. 1932) may use*
23 *such funds for the acquisition of real property or construc-*
24 *tion directly related to preventing, preparing for, and re-*
25 *sponding to coronavirus, provided that such use meets all*

1 *other applicable requirements and limitations specified in*
2 *such Acts appropriating such funds.*

3 *(b) Amounts repurposed pursuant to this section that*
4 *were previously designated by the Congress as an emergency*
5 *requirement pursuant to section 251(b)(2)(A)(i) of the Bal-*
6 *anced Budget and Emergency Deficit Control Act of 1985*
7 *are designated by the Congress as an emergency require-*
8 *ment pursuant to section 4001(a)(1) and section 4001(b)*
9 *of S. Con. Res. 14 (117th Congress), the concurrent resolu-*
10 *tion on the budget for fiscal year 2022.*

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

1 ***DIVISION I—LEGISLATIVE BRANCH***
2 ***APPROPRIATIONS ACT, 2022***

3 ***TITLE I***

4 ***LEGISLATIVE BRANCH***

5 ***SENATE***

6 ***EXPENSE ALLOWANCES***

7 *For expense allowances of the Vice President, \$20,000;*
8 *the President Pro Tempore of the Senate, \$40,000; Majority*
9 *Leader of the Senate, \$40,000; Minority Leader of the Sen-*
10 *ate, \$40,000; Majority Whip of the Senate, \$10,000; Minor-*
11 *ity Whip of the Senate, \$10,000; President Pro Tempore*
12 *Emeritus, \$15,000; Chairmen of the Majority and Minority*
13 *Conference Committees, \$5,000 for each Chairman; and*
14 *Chairmen of the Majority and Minority Policy Committees,*
15 *\$5,000 for each Chairman; in all, \$195,000.*

16 *For representation allowances of the Majority and Mi-*
17 *nority Leaders of the Senate, \$15,000 for each such Leader;*
18 *in all, \$30,000.*

19 ***SALARIES, OFFICERS AND EMPLOYEES***

20 *For compensation of officers, employees, and others as*
21 *authorized by law, including agency contributions,*
22 *\$239,404,000, which shall be paid from this appropriation*
23 *as follows:*

24 ***OFFICE OF THE VICE PRESIDENT***

25 *For the Office of the Vice President, \$2,641,000.*

1 *OFFICE OF THE PRESIDENT PRO TEMPORE*2 *For the Office of the President Pro Tempore, \$796,000.*3 *OFFICE OF THE PRESIDENT PRO TEMPORE EMERITUS*4 *For the Office of the President Pro Tempore Emeritus,*
5 *\$343,000.*6 *OFFICES OF THE MAJORITY AND MINORITY LEADERS*7 *For Offices of the Majority and Minority Leaders,*
8 *\$5,906,000.*9 *OFFICES OF THE MAJORITY AND MINORITY WHIPS*10 *For Offices of the Majority and Minority Whips,*
11 *\$3,774,000.*12 *COMMITTEE ON APPROPRIATIONS*13 *For salaries of the Committee on Appropriations,*
14 *\$16,900,000.*15 *CONFERENCE COMMITTEES*16 *For the Conference of the Majority and the Conference*
17 *of the Minority, at rates of compensation to be fixed by the*
18 *Chairman of each such committee, \$1,813,000 for each such*
19 *committee; in all, \$3,626,000.*20 *OFFICES OF THE SECRETARIES OF THE CONFERENCE OF*
21 *THE MAJORITY AND THE CONFERENCE OF THE MINORITY*22 *For Offices of the Secretaries of the Conference of the*
23 *Majority and the Conference of the Minority, \$900,000.*

1 *POLICY COMMITTEES*

2 *For salaries of the Majority Policy Committee and the*
3 *Minority Policy Committee, \$1,852,000 for each such com-*
4 *mittee; in all, \$3,704,000.*

5 *OFFICE OF THE CHAPLAIN*

6 *For Office of the Chaplain, \$562,000.*

7 *OFFICE OF THE SECRETARY*

8 *For Office of the Secretary, \$28,091,000.*

9 *OFFICE OF THE SERGEANT AT ARMS AND DOORKEEPER*

10 *For Office of the Sergeant at Arms and Doorkeeper,*
11 *\$98,563,000.*

12 *OFFICES OF THE SECRETARIES FOR THE MAJORITY AND*13 *MINORITY*

14 *For Offices of the Secretary for the Majority and the*
15 *Secretary for the Minority, \$2,038,000.*

16 *AGENCY CONTRIBUTIONS AND RELATED EXPENSES*

17 *For agency contributions for employee benefits, as au-*
18 *thorized by law, and related expenses, \$71,560,000.*

19 *OFFICE OF THE LEGISLATIVE COUNSEL OF THE SENATE*

20 *For salaries and expenses of the Office of the Legisla-*
21 *tive Counsel of the Senate, \$7,353,000.*

22 *OFFICE OF SENATE LEGAL COUNSEL*

23 *For salaries and expenses of the Office of Senate Legal*
24 *Counsel, \$1,299,000.*

1 *EXPENSE ALLOWANCES OF THE SECRETARY OF THE SEN-*
2 *ATE, SERGEANT AT ARMS AND DOORKEEPER OF THE*
3 *SENATE, AND SECRETARIES FOR THE MAJORITY AND*
4 *MINORITY OF THE SENATE*

5 *For expense allowances of the Secretary of the Senate,*
6 *\$7,500; Sergeant at Arms and Doorkeeper of the Senate,*
7 *\$7,500; Secretary for the Majority of the Senate, \$7,500;*
8 *Secretary for the Minority of the Senate, \$7,500; in all,*
9 *\$30,000.*

10 *CONTINGENT EXPENSES OF THE SENATE*

11 *INQUIRIES AND INVESTIGATIONS*

12 *For expenses of inquiries and investigations ordered*
13 *by the Senate, or conducted under paragraph 1 of rule*
14 *XXVI of the Standing Rules of the Senate, section 112 of*
15 *the Supplemental Appropriations and Rescission Act, 1980*
16 *(Public Law 96-304), and Senate Resolution 281, 96th*
17 *Congress, agreed to March 11, 1980, \$136,600,000, of which*
18 *\$13,660,000 shall remain available until September 30,*
19 *2024.*

20 *U.S. SENATE CAUCUS ON INTERNATIONAL NARCOTICS*

21 *CONTROL*

22 *For expenses of the United States Senate Caucus on*
23 *International Narcotics Control, \$530,000.*

1 *ance with that plan: Provided further, That if the Sergeant*
2 *at Arms submits to the Committee on Appropriations of*
3 *the Senate a request for emergency supplemental funding,*
4 *the Sergeant at Arms shall include with the request an up-*
5 *date to the latest spending plan submitted to the Committee*
6 *on Appropriations of the Senate: Provided further, That*
7 *any spending plan submitted pursuant to the preceding*
8 *three provisos shall include a presentation of the total*
9 *amount of obligated and unobligated amounts in the Fund.*

10 *MISCELLANEOUS ITEMS*

11 *For miscellaneous items, \$23,021,500 which shall re-*
12 *main available until September 30, 2024.*

13 *SENATORS' OFFICIAL PERSONNEL AND OFFICE EXPENSE*

14 *ACCOUNT*

15 *For Senators' Official Personnel and Office Expense*
16 *Account, \$486,274,200, of which \$20,128,950 shall remain*
17 *available until September 30, 2024, and of which*
18 *\$7,000,000 shall be allocated solely for the purpose of pro-*
19 *viding financial compensation to Senate interns.*

20 *OFFICIAL MAIL COSTS*

21 *For expenses necessary for official mail costs of the*
22 *Senate, \$300,000.*

1 *ADMINISTRATIVE PROVISIONS*
2 *REQUIRING AMOUNTS REMAINING IN SENATORS' OFFICIAL*
3 *PERSONNEL AND OFFICE EXPENSE ACCOUNT TO BE*
4 *USED FOR DEFICIT REDUCTION OR TO REDUCE THE*
5 *FEDERAL DEBT*

6 *SEC. 101. Notwithstanding any other provision of law,*
7 *any amounts appropriated under this Act under the head-*
8 *ing "SENATE" under the heading "CONTINGENT EX-*
9 *PENSES OF THE SENATE" under the heading "SENATORS'*
10 *OFFICIAL PERSONNEL AND OFFICE EXPENSE ACCOUNT"*
11 *shall be available for obligation only during the fiscal year*
12 *or fiscal years for which such amounts are made available.*
13 *Any unexpended balances under such allowances remaining*
14 *after the end of the period of availability shall be returned*
15 *to the Treasury in accordance with the undesignated para-*
16 *graph under the center heading "GENERAL PROVISION"*
17 *under chapter XI of the Third Supplemental Appropriation*
18 *Act, 1957 (2 U.S.C. 4107) and used for deficit reduction*
19 *(or, if there is no Federal budget deficit after all such pay-*
20 *ments have been made, for reducing the Federal debt, in*
21 *such manner as the Secretary of the Treasury considers ap-*
22 *propriate).*

1 *ADJUSTMENTS TO SENATORS' PERSONNEL AND OFFICE*
 2 *EXPENSE ACCOUNT ALLOWANCE*

3 *SEC. 102. Effective on and after October 1, 2021, each*
 4 *of the dollar amounts contained in the table under section*
 5 *105(d)(1)(A) of the Legislative Branch Appropriations Act,*
 6 *1968 (2 U.S.C. 4575(d)(1)(A)) shall be deemed to be the*
 7 *dollar amounts in that table, as adjusted by law and in*
 8 *effect on September 30, 2021, increased by an additional*
 9 *\$75,000 each.*

10 *SERGEANT AT ARMS BUSINESS CONTINUITY AND DISASTER*
 11 *RECOVERY FUND*

12 *SEC. 103. Section 5 of the Legislative Branch Appro-*
 13 *priations Act, 1991 (2 U.S.C. 6611) is amended—*

14 *(1) by striking all that precedes “is authorized,”*
 15 *and inserting the following:*

16 ***“SEC. 5. TRANSFER AUTHORITY AND SERGEANT AT ARMS***
 17 ***BUSINESS CONTINUITY AND DISASTER RE-***
 18 ***COVERY FUND.***

19 ***“(a) IN GENERAL.—The Sergeant at Arms and Door-***
 20 ***keeper of the Senate”;*** and

21 ***(2) by adding at the end the following:***

22 ***“(b) SERGEANT AT ARMS BUSINESS CONTINUITY AND***
 23 ***DISASTER RECOVERY FUND.—***

24 ***“(1) DEFINITIONS.—In this subsection—***

1 “(A) the term ‘Fund’ means the Sergeant at
2 Arms Business Continuity and Disaster Recov-
3 ery Fund established under paragraph (2); and

4 “(B) the term ‘Sergeant at Arms’ means the
5 Sergeant at Arms and Doorkeeper of the Senate.

6 “(2) ESTABLISHMENT.—There is established
7 under the heading ‘CONTINGENT EXPENSES OF THE
8 SENATE’ an account to be known as the ‘Sergeant at
9 Arms Business Continuity and Disaster Recovery
10 Fund’.

11 “(3) USE OF AMOUNTS.—Amounts in the Fund
12 shall be available to the Sergeant at Arms for pur-
13 poses of the business continuity and disaster recovery
14 needs of the Senate.

15 “(4) AUTHORITY TO TRANSFER.—

16 “(A) IN GENERAL.—Subject to subpara-
17 graph (C), prior to the date of the withdrawal of
18 amounts appropriated under the heading ‘CON-
19 TINGENT EXPENSES OF THE SENATE—SER-
20 GEANT AT ARMS AND DOORKEEPER OF THE SEN-
21 ATE’ in accordance with the matter under the
22 heading ‘GENERAL PROVISION’ under chap-
23 ter XI of the Third Supplemental Appropriation
24 Act, 1957 (2 U.S.C. 4107), any unobligated bal-
25 ances of expired discretionary appropriations of

1 *such amounts may be transferred by the Ser-*
2 *geant at Arms to the Fund.*

3 “(B) *PERIOD OF AVAILABILITY.*—*Amounts*
4 *transferred under subparagraph (A) shall re-*
5 *main available until expended.*

6 “(C) *NOTICE.*—*If the Sergeant at Arms in-*
7 *tends to transfer amounts under subparagraph*
8 *(A), the Sergeant at Arms shall submit to the*
9 *Committee on Appropriations of the Senate writ-*
10 *ten notice not later than 15 days before the date*
11 *of the withdrawal of such amounts in accordance*
12 *with the matter under the heading ‘GENERAL*
13 *PROVISION’ under chapter XI of the Third*
14 *Supplemental Appropriation Act, 1957 (2*
15 *U.S.C. 4107).*

16 “(D) *APPLICABILITY.*—*The authority to*
17 *transfer amounts under this paragraph shall*
18 *apply with respect to amounts appropriated for*
19 *fiscal year 2022, or any fiscal year thereafter.*

20 “(5) *AUTHORIZATION OF APPROPRIATIONS.*—
21 *There are authorized to be appropriated to the Fund*
22 *such sums as are necessary for fiscal year 2022 and*
23 *each fiscal year thereafter.”.*

1 *HOUSE OF REPRESENTATIVES*
2 *PAYMENT TO WIDOWS AND HEIRS OF DECEASED*
3 *MEMBERS OF CONGRESS*

4 *Notwithstanding any other provision of this Act, there*
5 *is hereby appropriated for fiscal year 2022 for payment to*
6 *Jennifer K. Carnahan, beneficiary of Jim Hagedorn, late*
7 *a Representative from the State of Minnesota, \$174,000.*

8 *SALARIES AND EXPENSES*

9 *For salaries and expenses of the House of Representa-*
10 *tives, \$1,714,996,045, as follows:*

11 *HOUSE LEADERSHIP OFFICES*

12 *For salaries and expenses, as authorized by law,*
13 *\$34,949,640, including: Office of the Speaker, \$10,036,950,*
14 *including \$35,000 for official expenses of the Speaker; Office*
15 *of the Majority Floor Leader, \$3,565,870, including \$15,000*
16 *for official expenses of the Majority Leader; Office of the*
17 *Minority Floor Leader, \$10,036,950, including \$17,500 for*
18 *official expenses of the Minority Leader; Office of the Major-*
19 *ity Whip, including the Chief Deputy Majority Whip,*
20 *\$2,962,080, including \$5,000 for official expenses of the Ma-*
21 *jority Whip; Office of the Minority Whip, including the*
22 *Chief Deputy Minority Whip, \$2,684,990, including \$5,000*
23 *for official expenses of the Minority Whip; Republican Con-*
24 *ference, \$2,831,400; Democratic Caucus, \$2,831,400: Pro-*
25 *vided, That such amount for salaries and expenses shall re-*

1 *main available from January 3, 2022 until January 2,*
2 *2023.*

3 *MEMBERS' REPRESENTATIONAL ALLOWANCES*
4 *INCLUDING MEMBERS' CLERK HIRE, OFFICIAL EXPENSES*
5 *OF MEMBERS, AND OFFICIAL MAIL*

6 *For Members' representational allowances, including*
7 *Members' clerk hire, official expenses, and official mail,*
8 *\$774,400,000.*

9 *ALLOWANCE FOR COMPENSATION OF INTERNS IN MEMBER*
10 *OFFICES*

11 *For the allowance established under section 120 of the*
12 *Legislative Branch Appropriations Act, 2019 (2 U.S.C.*
13 *5322a) for the compensation of interns who serve in the of-*
14 *fices of Members of the House of Representatives,*
15 *\$15,435,000, to remain available through January 2, 2023:*
16 *Provided, That notwithstanding section 120(b) of such Act,*
17 *an office of a Member of the House of Representatives may*
18 *use not more than \$35,000 of the allowance available under*
19 *this heading during legislative year 2022.*

20 *ALLOWANCE FOR COMPENSATION OF INTERNS IN HOUSE*
21 *LEADERSHIP OFFICES*

22 *For the allowance established under section 113 of the*
23 *Legislative Branch Appropriations Act, 2020 (2 U.S.C.*
24 *5106) for the compensation of interns who serve in House*
25 *leadership offices, \$438,000, to remain available through*

1 *January 2, 2023: Provided, That of the amount provided*
2 *under this heading, \$240,500 shall be available for the com-*
3 *penetration of interns who serve in offices of the majority,*
4 *to be allocated among such offices by the Speaker of the*
5 *House of Representatives, and \$197,500 shall be available*
6 *for the compensation of interns who serve in offices of the*
7 *minority, to be allocated among such offices by the Minority*
8 *Floor Leader.*

9 *ALLOWANCE FOR COMPENSATION OF INTERNS IN HOUSE*
10 *STANDING, SPECIAL AND SELECT COMMITTEE OFFICES*

11 *For the allowance established under section 113(a)(1)*
12 *of this Act for the compensation of interns who serve in*
13 *offices of standing, special, and select committees (other*
14 *than the Committee on Appropriations), \$1,943,910, to re-*
15 *main available through January 2, 2023: Provided, That*
16 *of the amount provided under this heading, \$971,955 shall*
17 *be available for the compensation of interns who serve in*
18 *offices of the majority, and \$971,955 shall be available for*
19 *the compensation of interns who serve in offices of the mi-*
20 *nority, to be allocated among such offices by the Chair, in*
21 *consultation with the ranking minority member, of the*
22 *Committee on House Administration.*

1 *ALLOWANCE FOR COMPENSATION OF INTERNS IN HOUSE*
2 *APPROPRIATIONS COMMITTEE OFFICES*

3 *For the allowance established under section 113(a)(2)*
4 *of this Act for the compensation of interns who serve in*
5 *offices of the Committee on Appropriations, \$345,584: Pro-*
6 *vided, That of the amount provided under this heading,*
7 *\$172,792 shall be available for the compensation of interns*
8 *who serve in offices of the majority, and \$172,792 shall be*
9 *available for the compensation of interns who serve in of-*
10 *fices of the minority, to be allocated among such offices by*
11 *the Chair, in consultation with the ranking minority mem-*
12 *ber, of the Committee on Appropriations.*

13 *COMMITTEE EMPLOYEES*

14 *STANDING COMMITTEES, SPECIAL AND SELECT*

15 *For salaries and expenses of standing committees, spe-*
16 *cial and select, authorized by House resolutions,*
17 *\$167,101,000: Provided, That such amount shall remain*
18 *available for such salaries and expenses until December 31,*
19 *2022, except that \$3,100,000 of such amount shall remain*
20 *available until expended for committee room upgrading.*

21 *COMMITTEE ON APPROPRIATIONS*

22 *For salaries and expenses of the Committee on Appro-*
23 *priations, \$29,917,250, including studies and examinations*
24 *of executive agencies and temporary personal services for*
25 *such committee, to be expended in accordance with section*

1 *202(b) of the Legislative Reorganization Act of 1946 and*
2 *to be available for reimbursement to agencies for services*
3 *performed: Provided, That such amount shall remain avail-*
4 *able for such salaries and expenses until December 31, 2022.*

5 *SALARIES, OFFICERS AND EMPLOYEES*

6 *For compensation and expenses of officers and employ-*
7 *ees, as authorized by law, \$288,480,800, including: for sala-*
8 *ries and expenses of the Office of the Clerk, including the*
9 *positions of the Chaplain and the Historian, and including*
10 *not more than \$25,000 for official representation and recep-*
11 *tion expenses, of which not more than \$20,000 is for the*
12 *Family Room and not more than \$2,000 is for the Office*
13 *of the Chaplain, \$36,500,000, of which \$9,000,000 shall re-*
14 *main available until expended; for salaries and expenses*
15 *of the Office of the Sergeant at Arms, including the position*
16 *of Superintendent of Garages and the Office of Emergency*
17 *Management, and including not more than \$3,000 for offi-*
18 *cial representation and reception expenses, \$27,695,000, of*
19 *which \$15,000,000 shall remain available until expended;*
20 *for salaries and expenses of the Office of the Chief Adminis-*
21 *trative Officer including not more than \$3,000 for official*
22 *representation and reception expenses, \$193,187,800, of*
23 *which \$30,000,000 shall remain available until expended;*
24 *for salaries and expenses of the Office of Diversity and In-*
25 *clusion, \$3,000,000, of which \$1,000,000 shall remain*

1 *available until expended; for salaries and expenses of the*
2 *Office of the Whistleblower Ombuds, \$1,250,000; for salaries*
3 *and expenses of the Office of the Inspector General,*
4 *\$5,019,000; for salaries and expenses of the Office of General*
5 *Counsel, \$1,912,000; for salaries and expenses of the Office*
6 *of the Parliamentarian, including the Parliamentarian,*
7 *\$2,000 for preparing the Digest of Rules, and not more than*
8 *\$1,000 for official representation and reception expenses,*
9 *\$2,134,000; for salaries and expenses of the Office of the*
10 *Law Revision Counsel of the House, \$3,600,000; for salaries*
11 *and expenses of the Office of the Legislative Counsel of the*
12 *House, \$12,625,000, of which \$2,000,000 shall remain*
13 *available until expended; for salaries and expenses of the*
14 *Office of Interparliamentary Affairs, \$934,000; for other*
15 *authorized employees, \$624,000.*

16 *ALLOWANCES AND EXPENSES*

17 *For allowances and expenses as authorized by House*
18 *resolution or law, \$399,984,861, including: supplies, mate-*
19 *rials, administrative costs and Federal tort claims,*
20 *\$1,555,000; official mail for committees, leadership offices,*
21 *and administrative offices of the House, \$190,000; Govern-*
22 *ment contributions for health, retirement, Social Security,*
23 *contractor support for actuarial projections, and other ap-*
24 *plicable employee benefits, \$356,000,000, to remain avail-*
25 *able until March 31, 2023, except that \$25,000,000 of such*

1 *amount shall remain available until expended; salaries and*
2 *expenses for Business Continuity and Disaster Recovery,*
3 *\$23,812,861, of which \$6,000,000 shall remain available*
4 *until expended; transition activities for new members and*
5 *staff, \$5,895,000, to remain available until expended; Green*
6 *and Gold Congressional Aide Program under section 114*
7 *of this Act, \$9,294,000, to remain available until expended;*
8 *Office of Congressional Ethics, \$1,738,000; and miscella-*
9 *neous items including purchase, exchange, maintenance, re-*
10 *pair and operation of House motor vehicles, inter-*
11 *parliamentary receptions, and gratuities to heirs of de-*
12 *ceased employees of the House, \$1,500,000.*

13 *HOUSE OF REPRESENTATIVES MODERNIZATION*

14 *INITIATIVES ACCOUNT*

15 *(INCLUDING TRANSFER OF FUNDS)*

16 *For the House of Representatives Modernization Ini-*
17 *tiatives Account established under section 115 of the Legis-*
18 *lative Branch Appropriations Act, 2021 (2 U.S.C. 5513),*
19 *\$2,000,000, to remain available until expended: Provided,*
20 *That disbursement from this account is subject to approval*
21 *of the Committee on Appropriations of the House of Rep-*
22 *resentatives: Provided further, That funds provided in this*
23 *account shall only be used for initiatives recommended by*
24 *the Select Committee on Modernization or approved by the*
25 *Committee on House Administration.*

1 *ADMINISTRATIVE PROVISIONS*
2 *REQUIRING AMOUNTS REMAINING IN MEMBERS' REPRESENTATIONAL ALLOWANCES TO BE USED FOR DEFICIT REDUCTION OR TO REDUCE THE FEDERAL DEBT*

3 *SEC. 110. (a) Notwithstanding any other provision of*
4 *law, any amounts appropriated under this Act for*
5 *“HOUSE OF REPRESENTATIVES—SALARIES AND EXPENSES—MEMBERS’ REPRESENTATIONAL ALLOWANCES”*
6 *shall be available only for fiscal year 2022. Any amount*
7 *remaining after all payments are made under such allow-*
8 *ances for fiscal year 2022 shall be deposited in the Treasury*
9 *and used for deficit reduction (or, if there is no Federal*
10 *budget deficit after all such payments have been made, for*
11 *reducing the Federal debt, in such manner as the Secretary*
12 *of the Treasury considers appropriate).*

13 *(b) The Committee on House Administration of the*
14 *House of Representatives shall have authority to prescribe*
15 *regulations to carry out this section.*

16 *(c) As used in this section, the term “Member of the*
17 *House of Representatives” means a Representative in, or*
18 *a Delegate or Resident Commissioner to, the Congress.*

19 *LIMITATION ON AMOUNT AVAILABLE TO LEASE VEHICLES*

20 *SEC. 111. None of the funds made available in this*
21 *Act may be used by the Chief Administrative Officer of the*
22 *House of Representatives to make any payments from any*

1 *Members' Representational Allowance for the leasing of a*
2 *vehicle, excluding mobile district offices, in an aggregate*
3 *amount that exceeds \$1,000 for the vehicle in any month.*

4 *CYBERSECURITY ASSISTANCE FOR HOUSE OF*
5 *REPRESENTATIVES*

6 *SEC. 112. The head of any Federal entity that provides*
7 *assistance to the House of Representatives in the House's*
8 *efforts to deter, prevent, mitigate, or remediate cybersecu-*
9 *rity risks to, and incidents involving, the information sys-*
10 *tems of the House shall take all necessary steps to ensure*
11 *the constitutional integrity of the separate branches of the*
12 *government at all stages of providing the assistance, includ-*
13 *ing applying minimization procedures to limit the spread*
14 *or sharing of privileged House and Member information.*

15 *ALLOWANCES FOR COMPENSATION OF INTERNS IN HOUSE*
16 *COMMITTEE OFFICES*

17 *SEC. 113. (a) ESTABLISHMENT OF ALLOWANCES.—*
18 *There are established for the House of Representatives the*
19 *following allowances:*

20 *(1) An allowance which shall be available for the*
21 *compensation of interns who serve in offices of a*
22 *standing, special, or select committee of the House*
23 *(other than the Committee on Appropriations).*

1 (2) *An allowance which shall be available for the*
2 *compensation of interns who serve in offices of the*
3 *Committee on Appropriations.*

4 (b) *BENEFIT EXCLUSION.—Section 104(b) of the*
5 *House of Representatives Administrative Reform Technical*
6 *Corrections Act (2 U.S.C. 5321(b)) shall apply with respect*
7 *to an intern who is compensated under an allowance under*
8 *this section in the same manner as such section applies with*
9 *respect to an intern who is compensated under the Members’*
10 *Representational Allowance.*

11 (c) *DEFINITIONS.—In this section, the term “intern”,*
12 *with respect to a committee of the House, has the meaning*
13 *given such term with respect to a Member of the House of*
14 *Representatives in section 104(c)(2) of the House of Rep-*
15 *resentatives Administrative Reform Technical Corrections*
16 *Act (2 U.S.C. 5321(c)(2)).*

17 (d) *CONFORMING AMENDMENT RELATING TO TRANS-*
18 *FER OF AMOUNTS.—Section 101(c)(2) of the Legislative*
19 *Branch Appropriations Act, 1993 (2 U.S.C. 5507(c)(2)) is*
20 *amended by inserting after “‘Allowance for Compensation*
21 *of Interns in Member Offices’,” the following: “‘Allowance*
22 *for Compensation of Interns in House Appropriations Com-*
23 *mittee Offices’, ‘Allowance for Compensation of Interns in*
24 *House Standing, Special and Select Committee Offices’,”.*

1 (e) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
2 *authorized to be appropriated to carry out this section such*
3 *sums as may be necessary for fiscal year 2022 and each*
4 *succeeding fiscal year.*

5 *GREEN AND GOLD CONGRESSIONAL AIDE PROGRAM*

6 *SEC. 114. (a) ESTABLISHMENT.*—*There is established*
7 *in the House of Representatives the Green and Gold Con-*
8 *gressional Aide Program (hereafter in this section referred*
9 *to as the “Program”) for veterans and Gold Star Families,*
10 *under the direction of the Chief Administrative Officer of*
11 *the House of Representatives, under which an eligible indi-*
12 *vidual may serve a 2-year fellowship in the office of a Mem-*
13 *ber of the House of Representatives (including a Delegate*
14 *or Resident Commissioner to the Congress) or House Offi-*
15 *cer.*

16 (i) *PLACEMENT.*—*An individual may serve a fellow-*
17 *ship under the Program at the Member’s office in the Dis-*
18 *trict of Columbia or the Member’s office in the congressional*
19 *district the Member represents. Fellows assigned to House*
20 *Officers may serve where assigned.*

21 (c) *EXCLUSION OF APPOINTEES FOR PURPOSES OF*
22 *LIMIT ON NUMBER OF EMPLOYEES IN MEMBER OFFICES.*—
23 *Any individual serving a fellowship under the Program in*
24 *the office of a Member shall not be included in the deter-*
25 *mination of the number of employees employed by the Mem-*

1 *ber under section 104(a) of the House of Representatives*
2 *Administrative Reform Technical Corrections Act (2 U.S.C.*
3 *5321(a)).*

4 *(d) REGULATIONS.—The Program shall be carried out*
5 *in accordance with regulations promulgated by the Com-*
6 *mittee on House Administration.*

7 *(e) AUTHORIZATION OF APPROPRIATIONS.—There are*
8 *authorized to be appropriated for fiscal year 2022 and each*
9 *succeeding fiscal year such sums as may be necessary to*
10 *carry out the Program.*

11 *(f) EFFECTIVE DATE.—This section shall apply with*
12 *respect to fiscal year 2022 and each succeeding fiscal year.*

13 *DAVID R. OBEY HEARING ROOM*

14 *SEC. 115. Hereafter, the hearing room of the Sub-*
15 *committee on Labor, Health and Human Services, Edu-*
16 *cation, and Related Agencies of the Committee on Appro-*
17 *priations of the House of Representatives (room 2358–C of*
18 *the Rayburn House Office Building) shall be known and*
19 *designated as the “David R. Obey Room”.*

20 *JOINT ITEMS*

21 *For Joint Committees, as follows:*

22 *JOINT ECONOMIC COMMITTEE*

23 *For salaries and expenses of the Joint Economic Com-*
24 *mittee, \$4,283,000, to be disbursed by the Secretary of the*
25 *Senate.*

1 *JOINT COMMITTEE ON TAXATION*

2 *For salaries and expenses of the Joint Committee on*
3 *Taxation, \$12,385,000, to be disbursed by the Chief Admin-*
4 *istrative Officer of the House of Representatives.*

5 *For other joint items, as follows:*

6 *OFFICE OF THE ATTENDING PHYSICIAN*

7 *For medical supplies, equipment, and contingent ex-*
8 *penses of the emergency rooms, and for the Attending Physi-*
9 *cian and his assistants, including:*

10 *(1) an allowance of \$3,500 per month to the At-*
11 *tending Physician;*

12 *(2) an allowance of \$2,500 per month to the Sen-*
13 *ior Medical Officer;*

14 *(3) an allowance of \$900 per month each to three*
15 *medical officers while on duty in the Office of the At-*
16 *tending Physician;*

17 *(4) an allowance of \$900 per month to 2 assist-*
18 *ants and \$900 per month each not to exceed 11 assist-*
19 *ants on the basis heretofore provided for such assist-*
20 *ants; and*

21 *(5) \$2,880,000 for reimbursement to the Depart-*
22 *ment of the Navy for expenses incurred for staff and*
23 *equipment assigned to the Office of the Attending*
24 *Physician, which shall be advanced and credited to*
25 *the applicable appropriation or appropriations from*

1 *which such salaries, allowances, and other expenses*
2 *are payable and shall be available for all the purposes*
3 *thereof, \$4,063,000, to be disbursed by the Chief Ad-*
4 *ministrative Officer of the House of Representatives.*

5 OFFICE OF CONGRESSIONAL ACCESSIBILITY SERVICES

6 SALARIES AND EXPENSES

7 *For salaries and expenses of the Office of Congressional*
8 *Accessibility Services, \$1,606,000, to be disbursed by the*
9 *Secretary of the Senate.*

10 CAPITOL POLICE

11 SALARIES

12 *For salaries of employees of the Capitol Police, includ-*
13 *ing overtime, hazardous duty pay, and Government con-*
14 *tributions for health, retirement, social security, profes-*
15 *sional liability insurance, and other applicable employee*
16 *benefits, \$468,861,000 of which overtime shall not exceed*
17 *\$71,289,224 unless the Committees on Appropriations of the*
18 *House and Senate are notified, to be disbursed by the Chief*
19 *of the Capitol Police or a duly authorized designee.*

20 GENERAL EXPENSES

21 *For necessary expenses of the Capitol Police, including*
22 *motor vehicles, communications and other equipment, secu-*
23 *rity equipment and installation, uniforms, weapons, sup-*
24 *plies, materials, training, medical services, forensic services,*
25 *stenographic services, personal and professional services, the*

1 *employee assistance program, the awards program, postage,*
2 *communication services, travel advances, relocation of in-*
3 *structor and liaison personnel for the Federal Law Enforce-*
4 *ment Training Centers, and not more than \$5,000 to be*
5 *expended on the certification of the Chief of the Capitol Po-*
6 *lice in connection with official representation and reception*
7 *expenses, \$133,648,000, to be disbursed by the Chief of the*
8 *Capitol Police or a duly authorized designee: Provided,*
9 *That, notwithstanding any other provision of law, the cost*
10 *of basic training for the Capitol Police at the Federal Law*
11 *Enforcement Training Centers for fiscal year 2022 shall be*
12 *paid by the Secretary of Homeland Security from funds*
13 *available to the Department of Homeland Security.*

14 *ADMINISTRATIVE PROVISION*

15 *NOTIFICATION OF OBLIGATION*

16 *SEC. 120. (a) Beginning on the date of enactment of*
17 *this Act, the Chief of the United States Capitol Police shall*
18 *provide written notice to the Committee on Appropriations*
19 *of the Senate and the Committee on Appropriations of the*
20 *House of Representatives before any obligation of funds*
21 *under section 2802(a)(2) of the Supplemental Appropria-*
22 *tions Act, 2001 (2 U.S.C. 1905(a)(2)) that equals or exceeds*
23 *\$100,000.*

24 *(b) This section shall apply with respect to fiscal year*
25 *2022 and each fiscal year thereafter.*

1 *OFFICE OF CONGRESSIONAL WORKPLACE*2 *RIGHTS*3 *SALARIES AND EXPENSES*

4 *For salaries and expenses necessary for the operation*
5 *of the Office of Congressional Workplace Rights, \$7,500,000,*
6 *of which \$2,000,000 shall remain available until September*
7 *30, 2023, and of which not more than \$1,000 may be ex-*
8 *pended on the certification of the Executive Director in con-*
9 *nection with official representation and reception expenses.*

10 *CONGRESSIONAL BUDGET OFFICE*11 *SALARIES AND EXPENSES*

12 *For salaries and expenses necessary for operation of*
13 *the Congressional Budget Office, including not more than*
14 *\$6,000 to be expended on the certification of the Director*
15 *of the Congressional Budget Office in connection with offi-*
16 *cial representation and reception expenses, \$60,953,000:*
17 *Provided, That the Director shall use not less than \$500,000*
18 *of the amount made available under this heading for (1)*
19 *improving technical systems, processes, and models for the*
20 *purpose of improving the transparency of estimates of budg-*
21 *etary effects to Members of Congress, employees of Members*
22 *of Congress, and the public, and (2) to increase the avail-*
23 *ability of models, economic assumptions, and data for Mem-*
24 *bers of Congress, employees of Members of Congress, and the*
25 *public.*

1 *ARCHITECT OF THE CAPITOL*2 *CAPITAL CONSTRUCTION AND OPERATIONS*

3 *For salaries for the Architect of the Capitol, and other*
4 *personal services, at rates of pay provided by law; for all*
5 *necessary expenses for surveys and studies, construction, op-*
6 *eration, and general and administrative support in connec-*
7 *tion with facilities and activities under the care of the Ar-*
8 *chitect of the Capitol including the Botanic Garden; elec-*
9 *trical substations of the Capitol, Senate and House office*
10 *buildings, and other facilities under the jurisdiction of the*
11 *Architect of the Capitol; including furnishings and office*
12 *equipment; including not more than \$5,000 for official re-*
13 *ception and representation expenses, to be expended as the*
14 *Architect of the Capitol may approve; for purchase or ex-*
15 *change, maintenance, and operation of a passenger motor*
16 *vehicle, \$139,116,500, of which \$5,000,000 shall remain*
17 *available until September 30, 2026.*

18 *CAPITOL BUILDING*

19 *For all necessary expenses for the maintenance, care*
20 *and operation of the Capitol, \$42,579,000, of which*
21 *\$12,899,000 shall remain available until September 30,*
22 *2026.*

23 *CAPITOL GROUNDS*

24 *For all necessary expenses for care and improvement*
25 *of grounds surrounding the Capitol, the Senate and House*

1 *office buildings, and the Capitol Power Plant, \$15,237,000,*
2 *of which \$2,000,000 shall remain available until September*
3 *30, 2026.*

4 *SENATE OFFICE BUILDINGS*

5 *For all necessary expenses for the maintenance, care*
6 *and operation of Senate office buildings; and furniture and*
7 *furnishings to be expended under the control and super-*
8 *vision of the Architect of the Capitol, \$81,977,000, of which*
9 *\$9,000,000 shall remain available until September 30,*
10 *2026, and of which \$2,000,000 shall remain available until*
11 *expended.*

12 *HOUSE OFFICE BUILDINGS*

13 *(INCLUDING TRANSFER OF FUNDS)*

14 *For all necessary expenses for the maintenance, care*
15 *and operation of the House office buildings, \$212,422,500,*
16 *of which \$12,000,000 shall remain available until Sep-*
17 *tember 30, 2026, and of which \$128,000,000 shall remain*
18 *available until expended for the restoration and renovation*
19 *of the Cannon House Office Building: Provided, That of the*
20 *amount made available under this heading, \$9,000,000*
21 *shall be derived by transfer from the House Office Building*
22 *Fund established under section 176(d) of the Continuing*
23 *Appropriations Act, 2017, as added by section 101(3) of*
24 *the Further Continuing Appropriation Act, 2017 (Public*
25 *Law 114–254; 2 U.S.C. 2001 note).*

CAPITOL POWER PLANT

1
2 *For all necessary expenses for the maintenance, care*
3 *and operation of the Capitol Power Plant; lighting, heating,*
4 *power (including the purchase of electrical energy) and*
5 *water and sewer services for the Capitol, Senate and House*
6 *office buildings, Library of Congress buildings, and the*
7 *grounds about the same, Botanic Garden, Senate garage,*
8 *and air conditioning refrigeration not supplied from plants*
9 *in any of such buildings; heating the Government Pub-*
10 *lishing Office and Washington City Post Office, and heating*
11 *and chilled water for air conditioning for the Supreme*
12 *Court Building, the Union Station complex, the Thurgood*
13 *Marshall Federal Judiciary Building and the Folger Shake-*
14 *speare Library, expenses for which shall be advanced or re-*
15 *imbursed upon request of the Architect of the Capitol and*
16 *amounts so received shall be deposited into the Treasury*
17 *to the credit of this appropriation, \$114,598,000, of which*
18 *\$24,575,000 shall remain available until September 30,*
19 *2026: Provided, That not more than \$10,000,000 of the*
20 *funds credited or to be reimbursed to this appropriation*
21 *as herein provided shall be available for obligation during*
22 *fiscal year 2022.*

LIBRARY BUILDINGS AND GROUNDS

23
24 *For all necessary expenses for the mechanical and*
25 *structural maintenance, care and operation of the Library*

1 *buildings and grounds, \$64,544,000, of which \$31,000,000*
2 *shall remain available until September 30, 2026.*

3 *CAPITOL POLICE BUILDINGS, GROUNDS AND SECURITY*

4 *For all necessary expenses for the maintenance, care*
5 *and operation of buildings, grounds and security enhance-*
6 *ments of the United States Capitol Police, wherever located,*
7 *the Alternate Computing Facility, and Architect of the Cap-*
8 *itol security operations, \$62,389,733, of which \$637,639*
9 *shall remain available until September 30, 2024, and be*
10 *used to make bulk purchases of, store, and distribute in co-*
11 *ordination with partnering agencies personal protective*
12 *equipment wherever needed, subject to prior notification to*
13 *the Senate Committee on Appropriations and the House*
14 *Committee on Appropriations, and \$30,000,000 shall re-*
15 *main available until September 30, 2026.*

16 *BOTANIC GARDEN*

17 *For all necessary expenses for the maintenance, care*
18 *and operation of the Botanic Garden and the nurseries,*
19 *buildings, grounds, and collections; and purchase and ex-*
20 *change, maintenance, repair, and operation of a passenger*
21 *motor vehicle; all under the direction of the Joint Com-*
22 *mittee on the Library, \$24,463,500, of which \$10,100,000*
23 *shall remain available until September 30, 2026: Provided,*
24 *That, of the amount made available under this heading, the*
25 *Architect of the Capitol may obligate and expend such sums*

1 *as may be necessary for the maintenance, care and oper-*
2 *ation of the National Garden established under section*
3 *307E of the Legislative Branch Appropriations Act, 1989*
4 *(2 U.S.C. 2146), upon vouchers approved by the Architect*
5 *of the Capitol or a duly authorized designee.*

6 *CAPITOL VISITOR CENTER*

7 *For all necessary expenses for the operation of the Cap-*
8 *itol Visitor Center, \$25,569,000.*

9 *ADMINISTRATIVE PROVISIONS*

10 *NO BONUSES FOR CONTRACTORS BEHIND SCHEDULE OR*
11 *OVER BUDGET*

12 *SEC. 130. None of the funds made available in this*
13 *Act for the Architect of the Capitol may be used to make*
14 *incentive or award payments to contractors for work on*
15 *contracts or programs for which the contractor is behind*
16 *schedule or over budget, unless the Architect of the Capitol,*
17 *or agency-employed designee, determines that any such de-*
18 *viations are due to unforeseeable events, government-driven*
19 *scope changes, or are not significant within the overall*
20 *scope of the project and/or program.*

21 *AVAILABILITY OF COINS COLLECTED FROM FOUNTAINS FOR*
22 *MAINTENANCE OPERATIONS*

23 *SEC. 131. Section 504 of Public Law 110–437 (as codi-*
24 *fied at 2 U.S.C. 2273) is amended in subsection (c) by add-*
25 *ing before the period at the end of the first sentence the*

1 following: “, and maintaining fountains under the jurisdic-
2 tion of the Architect of the Capitol”.

3 *LIBRARY OF CONGRESS*

4 *SALARIES AND EXPENSES*

5 *For all necessary expenses of the Library of Congress*
6 *not otherwise provided for, including development and*
7 *maintenance of the Library’s catalogs; custody and custo-*
8 *dial care of the Library buildings; information technology*
9 *services provided centrally; special clothing; cleaning, laun-*
10 *dering and repair of uniforms; preservation of motion pic-*
11 *tures in the custody of the Library; operation and mainte-*
12 *nance of the American Folklife Center in the Library; prep-*
13 *aration and distribution of catalog records and other publi-*
14 *cations of the Library; hire or purchase of one passenger*
15 *motor vehicle; and expenses of the Library of Congress Trust*
16 *Fund Board not properly chargeable to the income of any*
17 *trust fund held by the Board, \$550,620,874, and, in addi-*
18 *tion, amounts credited to this appropriation during fiscal*
19 *year 2022 under the Act of June 28, 1902 (chapter 1301;*
20 *32 Stat. 480; 2 U.S.C. 150), shall remain available until*
21 *expended: Provided, That the Library of Congress may not*
22 *obligate or expend any funds derived from collections under*
23 *the Act of June 28, 1902, in excess of the amount authorized*
24 *for obligation or expenditure in appropriations Acts: Pro-*
25 *vided further, That of the total amount appropriated, not*

1 more than \$18,000 may be expended, on the certification
2 of the Librarian of Congress, in connection with official
3 representation and reception expenses, including for the
4 Overseas Field Offices: Provided further, That of the total
5 amount appropriated, \$9,661,000 shall remain available
6 until expended for the Teaching with Primary Sources pro-
7 gram: Provided further, That of the total amount appro-
8 priated, \$1,419,000 shall remain available until expended
9 for upgrade of the Legislative Branch Financial Manage-
10 ment System: Provided further, That of the total amount
11 appropriated, \$250,000 shall remain available until ex-
12 pended for the Surplus Books Program to promote the pro-
13 gram and facilitate a greater number of donations to eligi-
14 ble entities across the United States: Provided further, That
15 of the total amount appropriated, \$3,831,000 shall remain
16 available until expended for the Veterans History Project
17 to continue digitization efforts of already collected mate-
18 rials, reach a greater number of veterans to record their
19 stories, and promote public access to the Project: Provided
20 further, That of the total amount appropriated, \$10,000,000
21 shall remain available until expended for the Library's Vis-
22 itor Experience project, and may be obligated and expended
23 only upon approval by the Subcommittee on the Legislative
24 Branch of the Committee on Appropriations of the House
25 of Representatives and by the Subcommittee on the Legisla-

1 *tive Branch of the Committee on Appropriations of the Sen-*
2 *ate.*

3 *COPYRIGHT OFFICE*

4 *SALARIES AND EXPENSES*

5 *For all necessary expenses of the Copyright Office,*
6 *\$98,038,000, of which not more than \$38,004,000, to re-*
7 *main available until expended, shall be derived from collec-*
8 *tions credited to this appropriation during fiscal year 2022*
9 *under sections 708(d) and 1316 of title 17, United States*
10 *Code: Provided, That the Copyright Office may not obligate*
11 *or expend any funds derived from collections under such*
12 *section in excess of the amount authorized for obligation*
13 *or expenditure in appropriations Acts: Provided further,*
14 *That not more than \$6,969,000 shall be derived from collec-*
15 *tions during fiscal year 2022 under sections 111(d)(2),*
16 *119(b)(3), 803(e), and 1005 of such title: Provided further,*
17 *That the total amount available for obligation shall be re-*
18 *duced by the amount by which collections are less than*
19 *\$44,973,000: Provided further, That of the funds provided*
20 *under this heading, not less than \$17,100,000 is for mod-*
21 *ernization initiatives, of which \$10,000,000 shall remain*
22 *available until September 30, 2023: Provided further, That*
23 *not more than \$100,000 of the amount appropriated is*
24 *available for the maintenance of an “International Copy-*
25 *right Institute” in the Copyright Office of the Library of*

1 *Congress for the purpose of training nationals of developing*
2 *countries in intellectual property laws and policies: Pro-*
3 *vided further, That not more than \$6,500 may be expended,*
4 *on the certification of the Librarian of Congress, in connec-*
5 *tion with official representation and reception expenses for*
6 *activities of the International Copyright Institute and for*
7 *copyright delegations, visitors, and seminars: Provided fur-*
8 *ther, That, notwithstanding any provision of chapter 8 of*
9 *title 17, United States Code, any amounts made available*
10 *under this heading which are attributable to royalty fees*
11 *and payments received by the Copyright Office pursuant*
12 *to sections 111, 119, and chapter 10 of such title may be*
13 *used for the costs incurred in the administration of the*
14 *Copyright Royalty Judges program, with the exception of*
15 *the costs of salaries and benefits for the Copyright Royalty*
16 *Judges and staff under section 802(e).*

17 *CONGRESSIONAL RESEARCH SERVICE*

18 *SALARIES AND EXPENSES*

19 *For all necessary expenses to carry out the provisions*
20 *of section 203 of the Legislative Reorganization Act of 1946*
21 *(2 U.S.C. 166) and to revise and extend the Annotated Con-*
22 *stitution of the United States of America, \$129,106,000:*
23 *Provided, That no part of such amount may be used to pay*
24 *any salary or expense in connection with any publication,*
25 *or preparation of material therefor (except the Digest of*

1 *Public General Bills*), to be issued by the Library of Con-
2 gress unless such publication has obtained prior approval
3 of either the Committee on House Administration of the
4 House of Representatives or the Committee on Rules and
5 Administration of the Senate: Provided further, That this
6 prohibition does not apply to publication of non-confiden-
7 tial Congressional Research Service (CRS) products: Pro-
8 vided further, That a non-confidential CRS product in-
9 cludes any written product containing research or analysis
10 that is currently available for general congressional access
11 on the CRS Congressional Intranet, or that would be made
12 available on the CRS Congressional Intranet in the normal
13 course of business and does not include material prepared
14 in response to Congressional requests for confidential anal-
15 ysis or research.

16 *NATIONAL LIBRARY SERVICE FOR THE BLIND AND PRINT*
17 *DISABLED*

18 *SALARIES AND EXPENSES*

19 *For all necessary expenses to carry out the Act of*
20 *March 3, 1931 (chapter 400; 46 Stat. 1487; 2 U.S.C. 135a),*
21 *\$61,227,000: Provided, That of the total amount appro-*
22 *priated, \$650,000 shall be available to contract to provide*
23 *newspapers to blind and print disabled residents at no cost*
24 *to the individual.*

ADMINISTRATIVE PROVISIONS

REIMBURSABLE AND REVOLVING FUND ACTIVITIES

1
2
3 *SEC. 140. (a) IN GENERAL.—For fiscal year 2022, the*
4 *obligational authority of the Library of Congress for the ac-*
5 *tivities described in subsection (b) may not exceed*
6 *\$292,430,000.*

7 *(b) ACTIVITIES.—The activities referred to in sub-*
8 *section (a) are reimbursable and revolving fund activities*
9 *that are funded from sources other than appropriations to*
10 *the Library in appropriations Acts for the legislative*
11 *branch.*

GIFTS

12
13 *SEC. 141. (a) REVISING AUTHORITIES OF LIBRARIAN*
14 *TO ACCEPT GIFTS.—The first undesignated paragraph of*
15 *section 4 of the Act entitled “An Act to create a Library*
16 *of Congress Trust Fund Board, and for other purposes”,*
17 *approved March 3, 1925 (2 U.S.C. 160), is amended—*

18 *(1) in the first sentence—*

19 *(A) by striking “and” before “(3) gifts or*
20 *bequests of money for immediate disbursement”;*
21 *and*

22 *(B) by striking the period at the end and*
23 *inserting the following: “; and (4) gifts or be-*
24 *quests of securities or other personal property.”;*

1 (2) *in the second sentence, by inserting “of*
2 *money” after “bequests”;*

3 (3) *in the third sentence, by striking “enter*
4 *them” and inserting “enter the gift, bequest, or pro-*
5 *ceeds”; and*

6 (4) *by inserting after the second sentence the fol-*
7 *lowing new sentence: “In the case of a gift of securi-*
8 *ties, the Librarian shall sell the gift and provide the*
9 *donor with such acknowledgment as needed for the*
10 *donor to substantiate the gift.”.*

11 (b) *EFFECTIVE DATE.—The amendments made by this*
12 *section shall apply with respect to fiscal year 2022 and each*
13 *succeeding fiscal year.*

14 *LIBRARY OF CONGRESS ORDERS UNDER TASK AND*
15 *DELIVERY ORDER CONTRACTS*

16 SEC. 142. (a) *CONTRACT MODIFICATIONS.—An order*
17 *issued under a task order contract or a delivery order con-*
18 *tract (as such terms are defined in section 4101 of title 41,*
19 *United States Code) entered into by the Librarian of Con-*
20 *gress may not increase the scope, period, or maximum value*
21 *of the contract under which the order is issued. The scope,*
22 *period, or maximum value of the contract may be increased*
23 *only by modification of the contract.*

1 (b) *EXCEPTIONS FROM ADVERTISING REQUIRE-*
2 *MENT.*—Section 6102 of title 41, United States Code, is
3 *amended by adding at the end the following:*

4 “(j) *LIBRARIAN OF CONGRESS.*—Section 6101 of this
5 *title does not apply to a procurement made against an*
6 *order placed under a task order contract or a delivery order*
7 *contract (as such terms are defined in section 4101 of this*
8 *title) entered into by the Librarian of Congress.”.*

9 (c) *PROTESTS.*—

10 (1) *PROTEST NOT AUTHORIZED.*—A protest to
11 *an order described in subsection (a) filed pursuant to*
12 *the procedures in subchapter V of chapter 35 of title*
13 *31, United States Code, is not authorized unless such*
14 *protest—*

15 (A) *is an objection on the basis that the*
16 *order is in violation of subsection (a); or*

17 (B) *concerns an order valued in excess of*
18 *\$10,000,000.*

19 (2) *JURISDICTION OVER PROTESTS.*—Notwith-
20 *standing section 3556 of title 31, United States Code,*
21 *the Comptroller General shall have exclusive jurisdic-*
22 *tion of a protest authorized under paragraph (1)(B).*

23 (d) *EFFECTIVE DATE.*—This section and the amend-
24 *ment made by this section shall apply with respect to fiscal*
25 *year 2022 and each succeeding fiscal year.*

1 *GOVERNMENT PUBLISHING OFFICE*
2 *CONGRESSIONAL PUBLISHING*
3 *(INCLUDING TRANSFER OF FUNDS)*

4 *For authorized publishing of congressional informa-*
5 *tion and the distribution of congressional information in*
6 *any format; publishing of Government publications author-*
7 *ized by law to be distributed to Members of Congress; and*
8 *publishing, and distribution of Government publications*
9 *authorized by law to be distributed without charge to the*
10 *recipient, \$78,872,161: Provided, That this appropriation*
11 *shall not be available for paper copies of the permanent edi-*
12 *tion of the Congressional Record for individual Representa-*
13 *tives, Resident Commissioners or Delegates authorized*
14 *under section 906 of title 44, United States Code: Provided*
15 *further, That this appropriation shall be available for the*
16 *payment of obligations incurred under the appropriations*
17 *for similar purposes for preceding fiscal years: Provided*
18 *further, That notwithstanding the 2-year limitation under*
19 *section 718 of title 44, United States Code, none of the funds*
20 *appropriated or made available under this Act or any other*
21 *Act for printing and binding and related services provided*
22 *to Congress under chapter 7 of title 44, United States Code,*
23 *may be expended to print a document, report, or publica-*
24 *tion after the 27-month period beginning on the date that*
25 *such document, report, or publication is authorized by Con-*

1 *gress to be printed, unless Congress reauthorizes such print-*
2 *ing in accordance with section 718 of title 44, United States*
3 *Code: Provided further, That unobligated or unexpended*
4 *balances of expired discretionary funds made available*
5 *under this heading in this Act for this fiscal year may be*
6 *transferred to, and merged with, funds under the heading*
7 *“GOVERNMENT PUBLISHING OFFICE BUSINESS OPER-*
8 *ATIONS REVOLVING FUND” no later than the end of the fifth*
9 *fiscal year after the last fiscal year for which such funds*
10 *are available for the purposes for which appropriated, to*
11 *be available for carrying out the purposes of this heading,*
12 *subject to the approval of the Committees on Appropriations*
13 *of the House of Representatives and the Senate: Provided*
14 *further, That notwithstanding sections 901, 902, and 906*
15 *of title 44, United States Code, this appropriation may be*
16 *used to prepare indexes to the Congressional Record on only*
17 *a monthly and session basis.*

18 *PUBLIC INFORMATION PROGRAMS OF THE*
19 *SUPERINTENDENT OF DOCUMENTS*
20 *SALARIES AND EXPENSES*
21 *(INCLUDING TRANSFER OF FUNDS)*

22 *For expenses of the public information programs of the*
23 *Office of Superintendent of Documents necessary to provide*
24 *for the cataloging and indexing of Government publications*
25 *in any format, and their distribution to the public, Mem-*

1 *bers of Congress, other Government agencies, and designated*
 2 *depository and international exchange libraries as author-*
 3 *ized by law, \$34,020,000: Provided, That amounts of not*
 4 *more than \$2,000,000 from current year appropriations are*
 5 *authorized for producing and disseminating Congressional*
 6 *serial sets and other related publications for the preceding*
 7 *two fiscal years to depository and other designated libraries:*
 8 *Provided further, That unobligated or unexpended balances*
 9 *of expired discretionary funds made available under this*
 10 *heading in this Act for this fiscal year may be transferred*
 11 *to, and merged with, funds under the heading “GOVERN-*
 12 *MENT PUBLISHING OFFICE BUSINESS OPERATIONS RE-*
 13 *VOLVING FUND” no later than the end of the fifth fiscal year*
 14 *after the last fiscal year for which such funds are available*
 15 *for the purposes for which appropriated, to be available for*
 16 *carrying out the purposes of this heading, subject to the ap-*
 17 *proval of the Committees on Appropriations of the House*
 18 *of Representatives and the Senate.*

19 *GOVERNMENT PUBLISHING OFFICE BUSINESS*
 20 *OPERATIONS REVOLVING FUND*

21 *For payment to the Government Publishing Office*
 22 *Business Operations Revolving Fund, \$11,345,000, to re-*
 23 *main available until expended, for information technology*
 24 *development and facilities repair: Provided, That the Gov-*
 25 *ernment Publishing Office is hereby authorized to make*

1 *such expenditures, within the limits of funds available and*
2 *in accordance with law, and to make such contracts and*
3 *commitments without regard to fiscal year limitations as*
4 *provided by section 9104 of title 31, United States Code,*
5 *as may be necessary in carrying out the programs and pur-*
6 *poses set forth in the budget for the current fiscal year for*
7 *the Government Publishing Office Business Operations Re-*
8 *volving Fund: Provided further, That not more than \$7,500*
9 *may be expended on the certification of the Director of the*
10 *Government Publishing Office in connection with official*
11 *representation and reception expenses: Provided further,*
12 *That the Business Operations Revolving Fund shall be*
13 *available for the hire or purchase of not more than 12 pas-*
14 *senger motor vehicles: Provided further, That expenditures*
15 *in connection with travel expenses of the advisory councils*
16 *to the Director of the Government Publishing Office shall*
17 *be deemed necessary to carry out the provisions of title 44,*
18 *United States Code: Provided further, That the Business*
19 *Operations Revolving Fund shall be available for tem-*
20 *porary or intermittent services under section 3109(b) of*
21 *title 5, United States Code, but at rates for individuals not*
22 *more than the daily equivalent of the annual rate of basic*
23 *pay for level V of the Executive Schedule under section 5316*
24 *of such title: Provided further, That activities financed*
25 *through the Business Operations Revolving Fund may pro-*

1 *vide information in any format: Provided further, That the*
2 *Business Operations Revolving Fund and the funds pro-*
3 *vided under the heading "PUBLIC INFORMATION PROGRAMS*
4 *OF THE SUPERINTENDENT OF DOCUMENTS" may not be*
5 *used for contracted security services at Government Pub-*
6 *lishing Office's passport facility in the District of Colum-*
7 *bia.*

8 *GOVERNMENT ACCOUNTABILITY OFFICE*

9 *SALARIES AND EXPENSES*

10 *For necessary expenses of the Government Account-*
11 *ability Office, including not more than \$12,500 to be ex-*
12 *pended on the certification of the Comptroller General of*
13 *the United States in connection with official representation*
14 *and reception expenses; temporary or intermittent services*
15 *under section 3109(b) of title 5, United States Code, but*
16 *at rates for individuals not more than the daily equivalent*
17 *of the annual rate of basic pay for level IV of the Executive*
18 *Schedule under section 5315 of such title; hire of one pas-*
19 *senger motor vehicle; advance payments in foreign countries*
20 *in accordance with section 3324 of title 31, United States*
21 *Code; benefits comparable to those payable under sections*
22 *901(5), (6), and (8) of the Foreign Service Act of 1980 (22*
23 *U.S.C. 4081(5), (6), and (8)); and under regulations pre-*
24 *scribed by the Comptroller General of the United States,*
25 *rental of living quarters in foreign countries, \$719,230,113:*

1 *Provided, That, in addition, \$38,900,000 of payments re-*
2 *ceived under sections 782, 791, 3521, and 9105 of title 31,*
3 *United States Code, shall be available without fiscal year*
4 *limitation: Provided further, That this appropriation and*
5 *appropriations for administrative expenses of any other de-*
6 *partment or agency which is a member of the National*
7 *Intergovernmental Audit Forum or a Regional Intergovern-*
8 *mental Audit Forum shall be available to finance an appro-*
9 *priate share of either Forum's costs as determined by the*
10 *respective Forum, including necessary travel expenses of*
11 *non-Federal participants: Provided further, That payments*
12 *hereunder to the Forum may be credited as reimbursements*
13 *to any appropriation from which costs involved are ini-*
14 *tially financed.*

15 **CONGRESSIONAL OFFICE FOR INTERNATIONAL**
16 **LEADERSHIP FUND**

17 *For a payment to the Congressional Office for Inter-*
18 *national Leadership Fund for financing activities of the*
19 *Congressional Office for International Leadership under*
20 *section 313 of the Legislative Branch Appropriations Act,*
21 *2001 (2 U.S.C. 1151), as amended by section 140 of this*
22 *Act, \$6,000,000: Provided, That funds made available to*
23 *support Russian participants shall only be used for those*
24 *engaging in free market development, humanitarian activi-*

1 *ties, and civic engagement, and shall not be used for offi-*
 2 *cial of the central government of Russia.*

3 *ADMINISTRATIVE PROVISION*

4 *CONVERSION OF OPEN WORLD LEADERSHIP CENTER TO*
 5 *CONGRESSIONAL OFFICE FOR INTERNATIONAL LEADERSHIP*

6 *SEC. 150. (a) CONVERSION.—*

7 *(1) ESTABLISHMENT OF OFFICE.—Section 313 of*
 8 *the Legislative Branch Appropriations Act, 2001 (2*
 9 *U.S.C. 1151) is amended—*

10 *(A) in the heading, by striking “OPEN*
 11 *WORLD LEADERSHIP CENTER” and insert-*
 12 *ing “CONGRESSIONAL OFFICE FOR*
 13 *INTERNATIONAL LEADERSHIP”;*

14 *(B) by amending paragraph (1) of sub-*
 15 *section (a) to read as follows:*

16 *“(1) IN GENERAL.—There is established in the*
 17 *legislative branch of the Government an office to be*
 18 *known as the ‘Congressional Office for International*
 19 *Leadership’ (the ‘Office’).”;* and

20 *(C) in paragraph (2) of subsection (a), by*
 21 *striking “The Center” and inserting “The Of-*
 22 *fice”.*

23 *(2) PURPOSE; GRANT PROGRAM; APPLICATION.—*
 24 *Section 313(b) of such Act (2 U.S.C. 1151(b)) is*
 25 *amended—*

1 (A) in paragraph (1), by striking “the Cen-
2 ter” and inserting “the Office”;

3 (B) in paragraph (2), by striking “the Cen-
4 ter” each place it appears and inserting “the Of-
5 fice”;

6 (C) in paragraph (3)(C)(iii), by striking
7 “the Center” and inserting “the Office”;

8 (D) in paragraph (4)(A), by striking “the
9 Center” each place it appears and inserting “the
10 Office”; and

11 (E) in paragraph (4)(B)(iv), by striking
12 “the Center” and inserting “the Office”.

13 (3) *TRUST FUND.*—Section 313(c) of such Act (2
14 U.S.C. 1151(c)) is amended—

15 (A) by amending paragraph (1) to read as
16 follows:

17 “(1) *IN GENERAL.*—There is established in the
18 Treasury of the United States a trust fund to be
19 known as the ‘Congressional Office for International
20 Leadership Fund’ (the ‘Fund’), which shall consist of
21 amounts which may be appropriated, credited, or
22 transferred to it under this section.”; and

23 (B) by striking “the Center” each place it
24 appears in paragraphs (2) and (3)(B) and in-
25 serting “the Office”.

1 (4) *EXECUTIVE DIRECTOR.*—Section 313(d) of
2 such Act (2 U.S.C. 1151(d)) is amended by striking
3 “the Center” each place it appears and inserting “the
4 Office”.

5 (5) *ADMINISTRATIVE PROVISIONS.*—Section
6 313(e) of such Act (2 U.S.C. 1151(e)) is amended by
7 striking “the Center” each place it appears and in-
8 serting “the Office”.

9 (b) *PARTICIPATION OF EMERGING CIVIC LEADERS OF*
10 *ELIGIBLE FOREIGN STATES.*—Section 313(b) of such Act
11 (2 U.S.C. 1151(b)) is amended by striking “political lead-
12 ers” each place it appears in paragraphs (1) and (2) and
13 inserting “political and civic leaders”.

14 (c) *REFERENCES IN LAW.*—Any reference in any law,
15 rule, or regulation—

16 (1) to the Open World Leadership Center shall be
17 deemed to refer to the Congressional Office for Inter-
18 national Leadership; and

19 (2) to the Open World Leadership Center Trust
20 Fund shall be deemed to refer to the Congressional Of-
21 fice for International Leadership Fund.

22 (d) *EFFECTIVE DATE; TRANSITION.*—

23 (1) *EFFECTIVE DATE.*—This section and the
24 amendments made by this section shall take effect on

1 or after the later of October 1, 2021, or the date of
2 the enactment of this Act.

3 (2) *SERVICE OF CURRENT EXECUTIVE DIREC-*
4 *TOR.—The individual serving as the Executive Direc-*
5 *tor of the Open World Leadership Center as of the*
6 *day before the date of the enactment of this Act shall*
7 *be deemed to have been appointed by the Librarian*
8 *of Congress to serve as the Executive Director of the*
9 *Congressional Office for International Leadership.*

10 *JOHN C. STENNIS CENTER FOR PUBLIC SERVICE*
11 *TRAINING AND DEVELOPMENT*

12 *For payment to the John C. Stennis Center for Public*
13 *Service Development Trust Fund established under section*
14 *116 of the John C. Stennis Center for Public Service Train-*
15 *ing and Development Act (2 U.S.C. 1105), \$430,000.*

16 *TITLE II*

17 *GENERAL PROVISIONS*

18 *MAINTENANCE AND CARE OF PRIVATE VEHICLES*

19 *SEC. 201. No part of the funds appropriated in this*
20 *Act shall be used for the maintenance or care of private*
21 *vehicles, except for emergency assistance and cleaning as*
22 *may be provided under regulations relating to parking fa-*
23 *cilities for the House of Representatives issued by the Com-*
24 *mittee on House Administration and for the Senate issued*
25 *by the Committee on Rules and Administration.*

1 *FISCAL YEAR LIMITATION*

2 *SEC. 202. No part of the funds appropriated in this*
3 *Act shall remain available for obligation beyond fiscal year*
4 *2022 unless expressly so provided in this Act.*

5 *RATES OF COMPENSATION AND DESIGNATION*

6 *SEC. 203. Whenever in this Act any office or position*
7 *not specifically established by the Legislative Pay Act of*
8 *1929 (46 Stat. 32 et seq.) is appropriated for or the rate*
9 *of compensation or designation of any office or position ap-*
10 *propriated for is different from that specifically established*
11 *by such Act, the rate of compensation and the designation*
12 *in this Act shall be the permanent law with respect thereto:*
13 *Provided, That the provisions in this Act for the various*
14 *items of official expenses of Members, officers, and commit-*
15 *tees of the Senate and House of Representatives, and clerk*
16 *hire for Senators and Members of the House of Representa-*
17 *tives shall be the permanent law with respect thereto.*

18 *CONSULTING SERVICES*

19 *SEC. 204. The expenditure of any appropriation under*
20 *this Act for any consulting service through procurement*
21 *contract, under section 3109 of title 5, United States Code,*
22 *shall be limited to those contracts where such expenditures*
23 *are a matter of public record and available for public in-*
24 *spection, except where otherwise provided under existing*

1 *law, or under existing Executive order issued under existing*
2 *law.*

3 *COSTS OF LEGISLATIVE BRANCH FINANCIAL MANAGERS*

4 *COUNCIL*

5 *SEC. 205. Amounts available for administrative ex-*
6 *penses of any legislative branch entity which participates*
7 *in the Legislative Branch Financial Managers Council*
8 *(LBFMC) established by charter on March 26, 1996, shall*
9 *be available to finance an appropriate share of LBFMC*
10 *costs as determined by the LBFMC, except that the total*
11 *LBFMC costs to be shared among all participating legisla-*
12 *tive branch entities (in such allocations among the entities*
13 *as the entities may determine) may not exceed \$2,000.*

14 *LIMITATION ON TRANSFERS*

15 *SEC. 206. None of the funds made available in this*
16 *Act may be transferred to any department, agency, or in-*
17 *strumentality of the United States Government, except pur-*
18 *suant to a transfer made by, or transfer authority provided*
19 *in, this Act or any other appropriation Act.*

20 *GUIDED TOURS OF THE CAPITOL*

21 *SEC. 207. (a) Except as provided in subsection (b),*
22 *none of the funds made available to the Architect of the Cap-*
23 *itol in this Act may be used to eliminate or restrict guided*
24 *tours of the United States Capitol which are led by employ-*
25 *ees and interns of offices of Members of Congress and other*

1 *offices of the House of Representatives and Senate, unless*
2 *through regulations as authorized by section 402(b)(8) of*
3 *the Capitol Visitor Center Act of 2008 (2 U.S.C.*
4 *2242(b)(8)).*

5 *(b) At the direction of the Capitol Police Board, or*
6 *at the direction of the Architect of the Capitol with the ap-*
7 *proval of the Capitol Police Board, guided tours of the*
8 *United States Capitol which are led by employees and in-*
9 *terns described in subsection (a) may be suspended tempo-*
10 *rarily or otherwise subject to restriction for security or re-*
11 *lated reasons to the same extent as guided tours of the*
12 *United States Capitol which are led by the Architect of the*
13 *Capitol.*

14 *LIMITATION ON TELECOMMUNICATIONS EQUIPMENT*

15 *PROCUREMENT*

16 *SEC. 208. (a) None of the funds appropriated or other-*
17 *wise made available under this Act may be used to acquire*
18 *telecommunications equipment produced by Huawei Tech-*
19 *nologies Company or ZTE Corporation for a high or mod-*
20 *erate impact information system, as defined for security*
21 *categorization in the National Institute of Standards and*
22 *Technology's (NIST) Federal Information Processing*
23 *Standard Publication 199, "Standards for Security Cat-*
24 *egorization of Federal Information and Information Sys-*

1 *tems” unless the agency, office, or other entity acquiring*
2 *the equipment or system has—*

3 (1) *reviewed the supply chain risk for the infor-*
4 *mation systems against criteria developed by NIST to*
5 *inform acquisition decisions for high or moderate im-*
6 *act information systems within the Federal Govern-*
7 *ment;*

8 (2) *reviewed the supply chain risk from the pre-*
9 *sumptive awardee against available and relevant*
10 *threat information provided by the Federal Bureau of*
11 *Investigation and other appropriate agencies; and*

12 (3) *in consultation with the Federal Bureau of*
13 *Investigation or other appropriate Federal entity,*
14 *conducted an assessment of any risk of cyber-espio-*
15 *nage or sabotage associated with the acquisition of*
16 *such telecommunications equipment for inclusion in a*
17 *high or moderate impact system, including any risk*
18 *associated with such system being produced, manufac-*
19 *tured, or assembled by one or more entities identified*
20 *by the United States Government as posing a cyber*
21 *threat, including but not limited to, those that may*
22 *be owned, directed, or subsidized by the People’s Re-*
23 *public of China, the Islamic Republic of Iran, the*
24 *Democratic People’s Republic of Korea, or the Rus-*
25 *sian Federation.*

1 (b) None of the funds appropriated or otherwise made
2 available under this Act may be used to acquire a high or
3 moderate impact information system reviewed and assessed
4 under subsection (a) unless the head of the assessing entity
5 described in subsection (a) has—

6 (1) developed, in consultation with NIST and
7 supply chain risk management experts, a mitigation
8 strategy for any identified risks;

9 (2) determined, in consultation with NIST and
10 the Federal Bureau of Investigation, that the acquisi-
11 tion of such telecommunications equipment for inclu-
12 sion in a high or moderate impact system is in the
13 vital national security interest of the United States;
14 and

15 (3) reported that determination to the Commit-
16 tees on Appropriations of the House of Representa-
17 tives and the Senate in a manner that identifies the
18 telecommunications equipment for inclusion in a high
19 or moderate impact system intended for acquisition
20 and a detailed description of the mitigation strategies
21 identified in paragraph (1), provided that such report
22 may include a classified annex as necessary.

23 PROHIBITION ON CERTAIN OPERATIONAL EXPENSES

24 SEC. 209. (a) None of the funds made available in this
25 Act may be used to maintain or establish a computer net-

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

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

8 *PLASTIC WASTE REDUCTION*

9 *SEC. 210. All agencies and offices funded by this Act*
10 *that contract with a food service provider or providers shall*
11 *confer and coordinate with such food service provider or*
12 *providers, in consultation with disability advocacy groups,*
13 *to eliminate or reduce plastic waste, including waste from*
14 *plastic straws, explore the use of biodegradable items, and*
15 *increase recycling and composting opportunities.*

16 *CAPITOL COMPLEX HEALTH AND SAFETY*

17 *SEC. 211. In addition to the amounts appropriated*
18 *under this Act under the heading “OFFICE OF THE ATTEND-*
19 *ING PHYSICIAN”, there is hereby appropriated to the Office*
20 *of the Attending Physician \$5,000,000, to remain available*
21 *until expended, for response to COVID–19, including test-*
22 *ing, subject to the same terms and conditions as the*
23 *amounts appropriated under such heading.*

1 *place it appears and inserting “the annual rate of*
2 *basic pay in effect for level II of the Executive Sched-*
3 *ule under section 5313 of title 5, United States Code”.*

4 (2) *ADJUSTMENTS.—*

5 (A) *IN GENERAL.—Section 4 of the Federal*
6 *Pay Comparability Act of 1970 (2 U.S.C. 4571)*
7 *is amended—*

8 (i) *in subsection (a), in the matter fol-*
9 *lowing paragraph (2), by striking “and ad-*
10 *just” and all that follows through “and Sen-*
11 *ators.” and inserting “, subject to section*
12 *105(f) of the Legislative Branch Appropria-*
13 *tion Act, 1968 (2 U.S.C. 4575(f)).”;*

14 (ii) *by striking subsection (d); and*

15 (iii) *by redesignating subsections (e)*
16 *and (f) as subsections (d) and (e), respec-*
17 *tively.*

18 (B) *OTHER ADJUSTMENTS.—Section 315(a)*
19 *of the Legislative Branch Appropriations Act,*
20 *1991 (2 U.S.C. 4573(a)) is amended by striking*
21 *“to the extent” and all that follows through*
22 *“Senators.” and inserting “, subject to section*
23 *105(f) of the Legislative Branch Appropriation*
24 *Act, 1968 (2 U.S.C. 4575(f)).”.*

1 (c) *COMPILATION AND CONFIRMATION OF LIST OF*
2 *NAMES.—*

3 (1) *LIST OF NAMES FOR PLAQUE.—The Chairs*
4 *and Ranking Members of the Committee on House*
5 *Administration of the House of Representatives, the*
6 *Committee on Rules and Administration of the Sen-*
7 *ate, and the Subcommittees on the Legislative Branch*
8 *of the Committees on Appropriations of the House of*
9 *Representatives and Senate shall jointly compile and*
10 *confirm a list of the officers of the United States Cap-*
11 *itol Police, the Metropolitan Police Department of the*
12 *District of Columbia, and other Federal, State, and*
13 *local law enforcement agencies and protective entities*
14 *whose names should be included on the plaque under*
15 *this section.*

16 (2) *INCLUSION OF NAMES OF SPECIFIC OFFI-*
17 *CERS.—In compiling the list under paragraph (1),*
18 *the Chairs and Ranking Members of the Committees*
19 *and Subcommittees described in such paragraph shall*
20 *include the names of the specific individuals described*
21 *in paragraph (2) of section 215(c) of H. R. 4346, One*
22 *Hundred Seventeenth Congress, as passed by the*
23 *House of Representatives on July 28, 2021.*

24 *This division may be cited as the “Legislative Branch*
25 *Appropriations Act, 2022”.*

1 ***DIVISION J—MILITARY CONSTRUCTION,***
2 ***VETERANS AFFAIRS, AND RELATED***
3 ***AGENCIES APPROPRIATIONS ACT, 2022***

4 ***TITLE I***

5 ***DEPARTMENT OF DEFENSE***

6 ***MILITARY CONSTRUCTION, ARMY***

7 *For acquisition, construction, installation, and equip-*
8 *ment of temporary or permanent public works, military in-*
9 *stallations, facilities, and real property for the Army as*
10 *currently authorized by law, including personnel in the*
11 *Army Corps of Engineers and other personal services nec-*
12 *essary for the purposes of this appropriation, and for con-*
13 *struction and operation of facilities in support of the func-*
14 *tions of the Commander in Chief, \$1,051,772,000, to remain*
15 *available until September 30, 2026: Provided, That, of this*
16 *amount, not to exceed \$190,619,000 shall be available for*
17 *study, planning, design, architect and engineer services,*
18 *and host nation support, as authorized by law, unless the*
19 *Secretary of the Army determines that additional obliga-*
20 *tions are necessary for such purposes and notifies the Com-*
21 *mittees on Appropriations of both Houses of Congress of the*
22 *determination and the reasons therefor: Provided further,*
23 *That of the amount made available under this heading,*
24 *\$182,080,000 shall be for the projects and activities, and*
25 *in the amounts, specified under the heading “Military Con-*

1 *struction, Army” in the explanatory statement described in*
2 *section 4 (in the matter preceding division A of this consoli-*
3 *dated Act), in addition to amounts otherwise available for*
4 *such purposes.*

5 *MILITARY CONSTRUCTION, NAVY AND MARINE CORPS*

6 *For acquisition, construction, installation, and equip-*
7 *ment of temporary or permanent public works, naval in-*
8 *stallations, facilities, and real property for the Navy and*
9 *Marine Corps as currently authorized by law, including*
10 *personnel in the Naval Facilities Engineering Command*
11 *and other personal services necessary for the purposes of this*
12 *appropriation, \$2,644,277,000, to remain available until*
13 *September 30, 2026: Provided, That, of this amount, not*
14 *to exceed \$453,652,000 shall be available for study, plan-*
15 *ning, design, and architect and engineer services, as author-*
16 *ized by law, unless the Secretary of the Navy determines*
17 *that additional obligations are necessary for such purposes*
18 *and notifies the Committees on Appropriations of both*
19 *Houses of Congress of the determination and the reasons*
20 *therefor: Provided further, That of the amount made avail-*
21 *able under this heading, \$476,145,000 shall be for the*
22 *projects and activities, and in the amounts, specified under*
23 *the heading “Military Construction, Navy and Marine*
24 *Corps” in the explanatory statement described in section*
25 *4 (in the matter preceding division A of this consolidated*

1 Act), in addition to amounts otherwise available for such
2 purposes.

3 *MILITARY CONSTRUCTION, AIR FORCE*

4 *For acquisition, construction, installation, and equip-*
5 *ment of temporary or permanent public works, military in-*
6 *stallations, facilities, and real property for the Air Force*
7 *as currently authorized by law, \$2,204,750,000, to remain*
8 *available until September 30, 2026: Provided, That, of this*
9 *amount, not to exceed \$287,175,000 shall be available for*
10 *study, planning, design, and architect and engineer serv-*
11 *ices, as authorized by law, unless the Secretary of the Air*
12 *Force determines that additional obligations are necessary*
13 *for such purposes and notifies the Committees on Appro-*
14 *priations of both Houses of Congress of the determination*
15 *and the reasons therefor: Provided further, That of the*
16 *amount made available under this heading, \$291,060,000*
17 *shall be for the projects and activities, and in the amounts,*
18 *specified under the heading “Military Construction, Air*
19 *Force” in the explanatory statement described in section 4*
20 *(in the matter preceding division A of this consolidated*
21 *Act), in addition to amounts otherwise available for such*
22 *purposes.*

1 *MILITARY CONSTRUCTION, DEFENSE-WIDE*2 *(INCLUDING TRANSFER OF FUNDS)*

3 *For acquisition, construction, installation, and equip-*
4 *ment of temporary or permanent public works, installa-*
5 *tions, facilities, and real property for activities and agen-*
6 *cies of the Department of Defense (other than the military*
7 *departments), as currently authorized by law,*
8 *\$2,206,051,000, to remain available until September 30,*
9 *2026: Provided, That such amounts of this appropriation*
10 *as may be determined by the Secretary of Defense may be*
11 *transferred to such appropriations of the Department of De-*
12 *fense available for military construction or family housing*
13 *as the Secretary may designate, to be merged with and to*
14 *be available for the same purposes, and for the same time*
15 *period, as the appropriation or fund to which transferred:*
16 *Provided further, That, of the amount, not to exceed*
17 *\$347,727,000 shall be available for study, planning, design,*
18 *and architect and engineer services, as authorized by law,*
19 *unless the Secretary of Defense determines that additional*
20 *obligations are necessary for such purposes and notifies the*
21 *Committees on Appropriations of both Houses of Congress*
22 *of the determination and the reasons therefor: Provided fur-*
23 *ther, That of the amount made available under this head-*
24 *ing, \$91,655,000 shall be for the projects and activities, and*
25 *in the amounts, specified under the heading “Military Con-*

1 *struction, Defense-Wide” in the explanatory statement de-*
2 *scribed in section 4 (in the matter preceding division A of*
3 *this consolidated Act), in addition to amounts otherwise*
4 *available for such purposes.*

5 *MILITARY CONSTRUCTION, ARMY NATIONAL GUARD*

6 *For construction, acquisition, expansion, rehabilita-*
7 *tion, and conversion of facilities for the training and ad-*
8 *ministration of the Army National Guard, and contribu-*
9 *tions therefor, as authorized by chapter 1803 of title 10,*
10 *United States Code, and Military Construction Authoriza-*
11 *tion Acts, \$337,893,000, to remain available until Sep-*
12 *tember 30, 2026: Provided, That, of the amount, not to ex-*
13 *ceed \$57,725,000 shall be available for study, planning, de-*
14 *sign, and architect and engineer services, as authorized by*
15 *law, unless the Director of the Army National Guard deter-*
16 *mines that additional obligations are necessary for such*
17 *purposes and notifies the Committees on Appropriations of*
18 *both Houses of Congress of the determination and the rea-*
19 *sons therefor: Provided further, That of the amount made*
20 *available under this heading, \$49,790,000 shall be for the*
21 *projects and activities, and in the amounts, specified under*
22 *the heading “Military Construction, Army National*
23 *Guard” in the explanatory statement described in section*
24 *4 (in the matter preceding division A of this consolidated*

1 Act), in addition to amounts otherwise available for such
2 purposes.

3 *MILITARY CONSTRUCTION, AIR NATIONAL GUARD*

4 *For construction, acquisition, expansion, rehabilita-*
5 *tion, and conversion of facilities for the training and ad-*
6 *ministration of the Air National Guard, and contributions*
7 *therefor, as authorized by chapter 1803 of title 10, United*
8 *States Code, and Military Construction Authorization Acts,*
9 *\$305,050,000, to remain available until September 30,*
10 *2026: Provided, That, of the amount, not to exceed*
11 *\$23,682,000 shall be available for study, planning, design,*
12 *and architect and engineer services, as authorized by law,*
13 *unless the Director of the Air National Guard determines*
14 *that additional obligations are necessary for such purposes*
15 *and notifies the Committees on Appropriations of both*
16 *Houses of Congress of the determination and the reasons*
17 *therefor: Provided further, That of the amount made avail-*
18 *able under this heading, \$104,280,000 shall be for the*
19 *projects and activities, and in the amounts, specified under*
20 *the heading “Military Construction, Air National Guard”*
21 *in the explanatory statement described in section 4 (in the*
22 *matter preceding division A of this consolidated Act), in*
23 *addition to amounts otherwise available for such purposes.*

1 *MILITARY CONSTRUCTION, ARMY RESERVE*

2 *For construction, acquisition, expansion, rehabilita-*
3 *tion, and conversion of facilities for the training and ad-*
4 *ministration of the Army Reserve as authorized by chapter*
5 *1803 of title 10, United States Code, and Military Con-*
6 *struction Authorization Acts, \$94,111,000, to remain avail-*
7 *able until September 30, 2026: Provided, That, of the*
8 *amount, not to exceed \$7,167,000 shall be available for*
9 *study, planning, design, and architect and engineer serv-*
10 *ices, as authorized by law, unless the Chief of the Army*
11 *Reserve determines that additional obligations are nec-*
12 *essary for such purposes and notifies the Committees on Ap-*
13 *propriations of both Houses of Congress of the determina-*
14 *tion and the reasons therefor: Provided further, That of the*
15 *amount made available under this heading, \$29,200,000*
16 *shall be for the projects and activities, and in the amounts,*
17 *specified under the heading “Military Construction, Army*
18 *Reserve” in the explanatory statement described in section*
19 *4 (in the matter preceding division A of this consolidated*
20 *Act), in addition to amounts otherwise available for such*
21 *purposes.*

22 *MILITARY CONSTRUCTION, NAVY RESERVE*

23 *For construction, acquisition, expansion, rehabilita-*
24 *tion, and conversion of facilities for the training and ad-*
25 *ministration of the reserve components of the Navy and Ma-*

1 *rine Corps as authorized by chapter 1803 of title 10, United*
2 *States Code, and Military Construction Authorization Acts,*
3 *\$71,804,000, to remain available until September 30, 2026:*
4 *Provided, That, of the amount, not to exceed \$6,005,000*
5 *shall be available for study, planning, design, and architect*
6 *and engineer services, as authorized by law, unless the Sec-*
7 *retary of the Navy determines that additional obligations*
8 *are necessary for such purposes and notifies the Committees*
9 *on Appropriations of both Houses of Congress of the deter-*
10 *mination and the reasons therefor.*

11 *MILITARY CONSTRUCTION, AIR FORCE RESERVE*

12 *For construction, acquisition, expansion, rehabilita-*
13 *tion, and conversion of facilities for the training and ad-*
14 *ministration of the Air Force Reserve as authorized by*
15 *chapter 1803 of title 10, United States Code, and Military*
16 *Construction Authorization Acts, \$120,074,000, to remain*
17 *available until September 30, 2026: Provided, That, of the*
18 *amount, not to exceed \$5,830,000 shall be available for*
19 *study, planning, design, and architect and engineer serv-*
20 *ices, as authorized by law, unless the Chief of the Air Force*
21 *Reserve determines that additional obligations are nec-*
22 *essary for such purposes and notifies the Committees on Ap-*
23 *propriations of both Houses of Congress of the determina-*
24 *tion and the reasons therefor: Provided further, That of the*
25 *amount made available under this heading, \$41,700,000*

1 *shall be for the projects and activities, and in the amounts,*
2 *specified under the heading “Military Construction, Air*
3 *Force Reserve” in the explanatory statement described in*
4 *section 4 (in the matter preceding division A of this consoli-*
5 *dated Act), in addition to amounts otherwise available for*
6 *such purposes.*

7 *NORTH ATLANTIC TREATY ORGANIZATION*

8 *SECURITY INVESTMENT PROGRAM*

9 *For the United States share of the cost of the North*
10 *Atlantic Treaty Organization Security Investment Pro-*
11 *gram for the acquisition and construction of military facili-*
12 *ties and installations (including international military*
13 *headquarters) and for related expenses for the collective de-*
14 *fense of the North Atlantic Treaty Area as authorized by*
15 *section 2806 of title 10, United States Code, and Military*
16 *Construction Authorization Acts, \$215,853,000, to remain*
17 *available until expended.*

18 *DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT*

19 *For deposit into the Department of Defense Base Clo-*
20 *sure Account, established by section 2906(a) of the Defense*
21 *Base Closure and Realignment Act of 1990 (10 U.S.C. 2687*
22 *note), \$529,639,000, to remain available until expended.*

23 *FAMILY HOUSING CONSTRUCTION, ARMY*

24 *For expenses of family housing for the Army for con-*
25 *struction, including acquisition, replacement, addition, ex-*

1 *pansion, extension, and alteration, as authorized by law,*
2 *\$99,849,000, to remain available until September 30, 2026.*

3 *FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY*

4 *For expenses of family housing for the Army for oper-*
5 *ation and maintenance, including debt payment, leasing,*
6 *minor construction, principal and interest charges, and in-*
7 *surance premiums, as authorized by law, \$391,227,000.*

8 *FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE*
9 *CORPS*

10 *For expenses of family housing for the Navy and Ma-*
11 *rine Corps for construction, including acquisition, replace-*
12 *ment, addition, expansion, extension, and alteration, as au-*
13 *thorized by law, \$77,616,000, to remain available until*
14 *September 30, 2026.*

15 *FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY*
16 *AND MARINE CORPS*

17 *For expenses of family housing for the Navy and Ma-*
18 *rine Corps for operation and maintenance, including debt*
19 *payment, leasing, minor construction, principal and inter-*
20 *est charges, and insurance premiums, as authorized by law,*
21 *\$357,341,000.*

22 *FAMILY HOUSING CONSTRUCTION, AIR FORCE*

23 *For expenses of family housing for the Air Force for*
24 *construction, including acquisition, replacement, addition,*
25 *expansion, extension, and alteration, as authorized by law,*

1 \$115,716,000, to remain available until September 30,
2 2026.

3 *FAMILY HOUSING OPERATION AND MAINTENANCE, AIR*
4 *FORCE*

5 *For expenses of family housing for the Air Force for*
6 *operation and maintenance, including debt payment, leas-*
7 *ing, minor construction, principal and interest charges,*
8 *and insurance premiums, as authorized by law,*
9 *\$325,445,000.*

10 *FAMILY HOUSING OPERATION AND MAINTENANCE,*
11 *DEFENSE-WIDE*

12 *For expenses of family housing for the activities and*
13 *agencies of the Department of Defense (other than the mili-*
14 *tary departments) for operation and maintenance, leasing,*
15 *and minor construction, as authorized by law, \$49,785,000.*

16 *DEPARTMENT OF DEFENSE*

17 *FAMILY HOUSING IMPROVEMENT FUND*

18 *For the Department of Defense Family Housing Im-*
19 *provement Fund, \$6,081,000, to remain available until ex-*
20 *pendent, for family housing initiatives undertaken pursuant*
21 *to section 2883 of title 10, United States Code, providing*
22 *alternative means of acquiring and improving military*
23 *family housing and supporting facilities.*

1 *DEPARTMENT OF DEFENSE*
2 *MILITARY UNACCOMPANIED HOUSING IMPROVEMENT*
3 *FUND*

4 *For the Department of Defense Military Unaccom-*
5 *panied Housing Improvement Fund, \$494,000, to remain*
6 *available until expended, for unaccompanied housing ini-*
7 *tiatives undertaken pursuant to section 2883 of title 10,*
8 *United States Code, providing alternative means of acquir-*
9 *ing and improving military unaccompanied housing and*
10 *supporting facilities.*

11 *ADMINISTRATIVE PROVISIONS*

12 *SEC. 101. None of the funds made available in this*
13 *title shall be expended for payments under a cost-plus-a-*
14 *fixed-fee contract for construction, where cost estimates ex-*
15 *ceed \$25,000, to be performed within the United States, ex-*
16 *cept Alaska, without the specific approval in writing of the*
17 *Secretary of Defense setting forth the reasons therefor.*

18 *SEC. 102. Funds made available in this title for con-*
19 *struction shall be available for hire of passenger motor vehi-*
20 *cles.*

21 *SEC. 103. Funds made available in this title for con-*
22 *struction may be used for advances to the Federal Highway*
23 *Administration, Department of Transportation, for the con-*
24 *struction of access roads as authorized by section 210 of*
25 *title 23, United States Code, when projects authorized there-*

1 *in are certified as important to the national defense by the*
2 *Secretary of Defense.*

3 *SEC. 104. None of the funds made available in this*
4 *title may be used to begin construction of new bases in the*
5 *United States for which specific appropriations have not*
6 *been made.*

7 *SEC. 105. None of the funds made available in this*
8 *title shall be used for purchase of land or land easements*
9 *in excess of 100 percent of the value as determined by the*
10 *Army Corps of Engineers or the Naval Facilities Engineer-*
11 *ing Command, except: (1) where there is a determination*
12 *of value by a Federal court; (2) purchases negotiated by*
13 *the Attorney General or the designee of the Attorney Gen-*
14 *eral; (3) where the estimated value is less than \$25,000; or*
15 *(4) as otherwise determined by the Secretary of Defense to*
16 *be in the public interest.*

17 *SEC. 106. None of the funds made available in this*
18 *title shall be used to: (1) acquire land; (2) provide for site*
19 *preparation; or (3) install utilities for any family housing,*
20 *except housing for which funds have been made available*
21 *in annual Acts making appropriations for military con-*
22 *struction.*

23 *SEC. 107. None of the funds made available in this*
24 *title for minor construction may be used to transfer or relo-*
25 *cate any activity from one base or installation to another,*

1 *without prior notification to the Committees on Appropria-*
2 *tions of both Houses of Congress.*

3 *SEC. 108. None of the funds made available in this*
4 *title may be used for the procurement of steel for any con-*
5 *struction project or activity for which American steel pro-*
6 *ducers, fabricators, and manufacturers have been denied the*
7 *opportunity to compete for such steel procurement.*

8 *SEC. 109. None of the funds available to the Depart-*
9 *ment of Defense for military construction or family housing*
10 *during the current fiscal year may be used to pay real prop-*
11 *erty taxes in any foreign nation.*

12 *SEC. 110. None of the funds made available in this*
13 *title may be used to initiate a new installation overseas*
14 *without prior notification to the Committees on Appropria-*
15 *tions of both Houses of Congress.*

16 *SEC. 111. None of the funds made available in this*
17 *title may be obligated for architect and engineer contracts*
18 *estimated by the Government to exceed \$500,000 for projects*
19 *to be accomplished in Japan, in any North Atlantic Treaty*
20 *Organization member country, or in countries bordering the*
21 *Arabian Gulf, unless such contracts are awarded to United*
22 *States firms or United States firms in joint venture with*
23 *host nation firms.*

24 *SEC. 112. None of the funds made available in this*
25 *title for military construction in the United States terri-*

1 *teries and possessions in the Pacific and on Kwajalein*
2 *Atoll, or in countries bordering the Arabian Gulf, may be*
3 *used to award any contract estimated by the Government*
4 *to exceed \$1,000,000 to a foreign contractor: Provided, That*
5 *this section shall not be applicable to contract awards for*
6 *which the lowest responsive and responsible bid of a United*
7 *States contractor exceeds the lowest responsive and respon-*
8 *sible bid of a foreign contractor by greater than 20 percent:*
9 *Provided further, That this section shall not apply to con-*
10 *tract awards for military construction on Kwajalein Atoll*
11 *for which the lowest responsive and responsible bid is sub-*
12 *mitted by a Marshallese contractor.*

13 *SEC. 113. The Secretary of Defense shall inform the*
14 *appropriate committees of both Houses of Congress, includ-*
15 *ing the Committees on Appropriations, of plans and scope*
16 *of any proposed military exercise involving United States*
17 *personnel 30 days prior to its occurring, if amounts ex-*
18 *pended for construction, either temporary or permanent,*
19 *are anticipated to exceed \$100,000.*

20 *SEC. 114. Funds appropriated to the Department of*
21 *Defense for construction in prior years shall be available*
22 *for construction authorized for each such military depart-*
23 *ment by the authorizations enacted into law during the cur-*
24 *rent session of Congress.*

1 *Department of Defense Family Housing Improvement Fund*
2 *from amounts appropriated for construction in “Family*
3 *Housing” accounts, to be merged with and to be available*
4 *for the same purposes and for the same period of time as*
5 *amounts appropriated directly to the Fund; or (2) the De-*
6 *partment of Defense Military Unaccompanied Housing Im-*
7 *provement Fund from amounts appropriated for construc-*
8 *tion of military unaccompanied housing in “Military Con-*
9 *struction” accounts, to be merged with and to be available*
10 *for the same purposes and for the same period of time as*
11 *amounts appropriated directly to the Fund: Provided, That*
12 *appropriations made available to the Funds shall be avail-*
13 *able to cover the costs, as defined in section 502(5) of the*
14 *Congressional Budget Act of 1974, of direct loans or loan*
15 *guarantees issued by the Department of Defense pursuant*
16 *to the provisions of subchapter IV of chapter 169 of title*
17 *10, United States Code, pertaining to alternative means of*
18 *acquiring and improving military family housing, military*
19 *unaccompanied housing, and supporting facilities.*

20 *(INCLUDING TRANSFER OF FUNDS)*

21 *SEC. 118. In addition to any other transfer authority*
22 *available to the Department of Defense, amounts may be*
23 *transferred from the Department of Defense Base Closure*
24 *Account to the fund established by section 1013(d) of the*
25 *Demonstration Cities and Metropolitan Development Act of*

1 1966 (42 U.S.C. 3374) to pay for expenses associated with
2 the Homeowners Assistance Program incurred under 42
3 U.S.C. 3374(a)(1)(A). Any amounts transferred shall be
4 merged with and be available for the same purposes and
5 for the same time period as the fund to which transferred.

6 SEC. 119. Notwithstanding any other provision of law,
7 funds made available in this title for operation and mainte-
8 nance of family housing shall be the exclusive source of
9 funds for repair and maintenance of all family housing
10 units, including general or flag officer quarters: Provided,
11 That not more than \$35,000 per unit may be spent annu-
12 ally for the maintenance and repair of any general or flag
13 officer quarters without 30 days prior notification, or 14
14 days for a notification provided in an electronic medium
15 pursuant to sections 480 and 2883 of title 10, United States
16 Code, to the Committees on Appropriations of both Houses
17 of Congress, except that an after-the-fact notification shall
18 be submitted if the limitation is exceeded solely due to costs
19 associated with environmental remediation that could not
20 be reasonably anticipated at the time of the budget submis-
21 sion: Provided further, That the Under Secretary of Defense
22 (Comptroller) is to report annually to the Committees on
23 Appropriations of both Houses of Congress all operation
24 and maintenance expenditures for each individual general
25 or flag officer quarters for the prior fiscal year.

1 *in the account in accordance with the reprogramming*
2 *guidelines for military construction and family housing*
3 *construction contained in Department of Defense Financial*
4 *Management Regulation 7000.14–R, Volume 3, Chapter 7,*
5 *of March 2011, as in effect on the date of enactment of this*
6 *Act.*

7 *SEC. 123. None of the funds made available in this*
8 *title may be obligated or expended for planning and design*
9 *and construction of projects at Arlington National Ceme-*
10 *tery.*

11 *SEC. 124. For an additional amount for the accounts*
12 *and in the amounts specified, to remain available until*
13 *September 30, 2026:*

14 *“Military Construction, Army”, \$636,100,000;*

15 *“Military Construction, Navy and Marine*
16 *Corps”, \$1,281,980,000;*

17 *“Military Construction, Air Force”,*
18 *\$237,450,000;*

19 *“Military Construction, Defense-Wide”,*
20 *\$93,000,000;*

21 *“Military Construction, Army National Guard”,*
22 *\$71,000,000;*

23 *“Military Construction, Air National Guard”,*
24 *\$86,620,000;*

1 “*Military Construction, Army Reserve*”,
2 \$29,200,000;

3 “*Military Construction, Air Force Reserve*”,
4 \$44,000,000; and

5 “*Family Housing Construction, Army*”,
6 \$88,064,000:

7 *Provided, That such funds may only be obligated to carry*
8 *out construction and cost to complete projects identified in*
9 *the respective military department’s unfunded priority list*
10 *for fiscal year 2022 submitted to Congress: Provided fur-*
11 *ther, That such projects are subject to authorization prior*
12 *to obligation and expenditure of funds to carry out con-*
13 *struction: Provided further, That not later than 30 days*
14 *after enactment of this Act, the Secretary of the military*
15 *department concerned, or his or her designee, shall submit*
16 *to the Committees on Appropriations of both Houses of Con-*
17 *gress an expenditure plan for funds provided under this sec-*
18 *tion.*

19 *SEC. 125. All amounts appropriated to the “Depart-*
20 *ment of Defense—Military Construction, Army”, “Depart-*
21 *ment of Defense—Military Construction, Navy and Marine*
22 *Corps”, “Department of Defense—Military Construction,*
23 *Air Force”, and “Department of Defense—Military Con-*
24 *struction, Defense-Wide” accounts pursuant to the author-*
25 *ization of appropriations in a National Defense Authoriza-*

1 *tion Act specified for fiscal year 2022 in the funding table*
2 *in section 4601 of that Act shall be immediately available*
3 *and allotted to contract for the full scope of authorized*
4 *projects.*

5 *SEC. 126. Notwithstanding section 116 of this Act,*
6 *funds made available in this Act or any available unobli-*
7 *gated balances from prior appropriations Acts may be obli-*
8 *gated before October 1, 2023 for fiscal year 2017 military*
9 *construction projects for which project authorization has*
10 *not lapsed or for which authorization is extended for fiscal*
11 *year 2022 by a National Defense Authorization Act: Pro-*
12 *vided, That no amounts may be obligated pursuant to this*
13 *section from amounts that were designated by the Congress*
14 *as an emergency requirement pursuant to a concurrent res-*
15 *olution on the budget or the Balanced Budget and Emer-*
16 *gency Deficit Control Act of 1985.*

17 *(RESCISSION OF FUNDS)*

18 *SEC. 127. Of the unobligated balances available to the*
19 *Department of Defense from prior appropriations Acts*
20 *under the heading “Military Construction, Defense-Wide”,*
21 *\$131,000,000 is hereby rescinded: Provided, That no*
22 *amounts may be rescinded from amounts that were des-*
23 *ignated by the Congress for Overseas Contingency Oper-*
24 *ations/Global War on Terrorism or as an emergency re-*
25 *quirement pursuant to a concurrent resolution on the budg-*

1 *et or the Balanced Budget and Emergency Deficit Control*
2 *Act of 1985.*

3 *SEC. 128. For the purposes of this Act, the term “con-*
4 *gressional defense committees” means the Committees on*
5 *Armed Services of the House of Representatives and the*
6 *Senate, the Subcommittee on Military Construction and*
7 *Veterans Affairs of the Committee on Appropriations of the*
8 *Senate, and the Subcommittee on Military Construction*
9 *and Veterans Affairs of the Committee on Appropriations*
10 *of the House of Representatives.*

11 *SEC. 129. For an additional amount for the accounts*
12 *and in the amounts specified for planning and design, un-*
13 *specified minor construction, and authorized major con-*
14 *struction projects, for construction improvements to Depart-*
15 *ment of Defense laboratory facilities, to remain available*
16 *until September 30, 2026:*

17 *“Military Construction, Army”, \$85,000,000;*

18 *“Military Construction, Navy and Marine*
19 *Corps”, \$15,000,000; and*

20 *“Military Construction, Air Force”, \$25,000,000:*

21 *Provided, That not later than 30 days after enactment of*
22 *this Act, the Secretary of the military department con-*
23 *cerned, or his or her designee, shall submit to the Commit-*
24 *tees on Appropriations of both Houses of Congress an ex-*
25 *penditure plan for funds provided under this section: Pro-*

1 *vided further, That the Secretary of the military depart-*
2 *ment concerned may not obligate or expend any funds prior*
3 *to approval by the Committees on Appropriations of both*
4 *Houses of Congress of the expenditure plan required by this*
5 *section.*

6 *SEC. 130. For an additional amount for “Military*
7 *Construction, Navy and Marine Corps”, \$275,000,000, to*
8 *remain available until September 30, 2026, for Shipyard*
9 *Infrastructure Optimization Plan unspecified worldwide*
10 *construction: Provided, That such funds may only be obli-*
11 *gated to carry out construction projects identified in the*
12 *Department of the Navy’s unfunded priority list for fiscal*
13 *year 2022 submitted to Congress or for planning and design*
14 *necessary to support the Shipyard Infrastructure Optimiza-*
15 *tion Plan: Provided further, That not later than 60 days*
16 *after enactment of this Act, the Secretary of the Navy, or*
17 *his or her designee, shall submit to the Committees on Ap-*
18 *propriations of both Houses of Congress an expenditure*
19 *plan for funds provided under this section.*

20 *SEC. 131. For an additional amount for “Military*
21 *Construction, Defense-Wide”, \$153,000,000, to remain*
22 *available until September 30, 2026: Provided, That such*
23 *funds may only be obligated to carry out construction*
24 *projects specified in a National Defense Authorization Act*
25 *for fiscal year 2022 in the funding table in section 4601*

1 *of that Act: Provided further, That not later than 30 days*
2 *after enactment of this Act, the Secretary of Defense, or his*
3 *or her designee, shall submit to the Committees on Appro-*
4 *priations of both Houses of Congress an expenditure plan*
5 *for funds provided under this section.*

6 *SEC. 132. For an additional amount for the accounts*
7 *and in the amounts specified for planning and design and*
8 *unspecified minor construction, for improving military in-*
9 *stallation resilience, to remain available until September*
10 *30, 2026:*

11 *“Military Construction, Army”, \$25,000,000;*

12 *“Military Construction, Navy and Marine*
13 *Corps”, \$40,000,000;*

14 *“Military Construction, Air Force”, \$40,000,000;*

15 *and*

16 *“Military Construction, Defense-Wide”,*
17 *\$15,000,000:*

18 *Provided, That not later than 60 days after enactment of*
19 *this Act, the Secretary of the military department con-*
20 *cerned, or his or her designee, shall submit to the Commit-*
21 *tees on Appropriations of both Houses of Congress an ex-*
22 *penditure plan for funds provided under this section: Pro-*
23 *vided further, That the Secretary of the military depart-*
24 *ment concerned may not obligate or expend any funds prior*
25 *to approval by the Committees on Appropriations of both*

1 *Houses of Congress of the expenditure plan required by this*
2 *section.*

3 *SEC. 133. For an additional amount for the accounts*
4 *and in the amounts specified for planning and design, for*
5 *child development centers, to remain available until Sep-*
6 *tember 30, 2026:*

7 *“Military Construction, Army”, \$11,000,000;*

8 *“Military Construction, Navy and Marine*
9 *Corps”, \$11,000,000; and*

10 *“Military Construction, Air Force”, \$11,000,000:*

11 *Provided, That not later than 60 days after the date of en-*
12 *actment of this Act, the Secretary of the military depart-*
13 *ment concerned, or his or her designee, shall submit to the*
14 *Committees on Appropriations of both Houses of Congress*
15 *an expenditure plan for funds provided under this section.*

16 *SEC. 134. For an additional amount for the accounts*
17 *and in the amounts specified for expenses incurred as a*
18 *result of natural disasters, to remain available until Sep-*
19 *tember 30, 2026:*

20 *“Military Construction, Navy and Marine*
21 *Corps”, \$20,000,000; and*

22 *“Military Construction, Air Force”,*
23 *\$130,000,000:*

24 *Provided, That not later than 60 days after the date of en-*
25 *actment of this Act, the Secretary of the military depart-*

1 *ment concerned, or his or her designee, shall submit to the*
2 *Committees on Appropriations of both Houses of Congress*
3 *an expenditure plan for funds provided under this section.*

4 *SEC. 135. For an additional amount for the accounts*
5 *and in the amounts specified, to remain available until*
6 *September 30, 2024:*

7 *“Military Construction, Army National Guard”,*
8 *\$86,536,000; and*

9 *“Military Construction, Air National Guard”,*
10 *\$35,371,000:*

11 *Provided, That such funds may only be obligated to carry*
12 *out construction projects identified in the respective mili-*
13 *tary department’s cost to complete projects list of previously*
14 *appropriated projects submitted to Congress: Provided fur-*
15 *ther, That such projects are subject to authorization prior*
16 *to obligation and expenditure of funds to carry out con-*
17 *struction: Provided further, That not later than 30 days*
18 *after the date of enactment of this Act, the Secretary of the*
19 *military department concerned, or his or her designee, shall*
20 *submit to the Committees on Appropriations of both Houses*
21 *of Congress an expenditure plan for funds provided under*
22 *this section.*

23 *SEC. 136. The Secretary concerned may waive the per-*
24 *centage or dollar cost limitations applicable to a military*
25 *construction project or a military family housing project*

1 *with a total authorized cost less than \$500,000,000 pursu-*
2 *ant to subsection (c) of section 2853 of title 10, United*
3 *States Code, with notice to the congressional defense com-*
4 *mittees, even if that waiver would increase the project cost*
5 *by more than 50 percent of the total authorized cost of the*
6 *project: Provided, That such authority to waive cost limita-*
7 *tions may only be used by the Secretary concerned with*
8 *respect to a military construction or military family hous-*
9 *ing project with a total authorized cost greater than*
10 *\$500,000,000 with notice to the congressional defense com-*
11 *mittees, if that waiver would not increase the project cost*
12 *by more than 50 percent of the total authorized cost of the*
13 *project: Provided further, That the authority provided by*
14 *this section shall remain available until enactment of a Na-*
15 *tional Defense Authorization Act for Fiscal Year 2023.*

16 *SEC. 137. For an additional amount for “Military*
17 *Construction, Navy and Marine Corps”, \$50,000,000, to re-*
18 *main available until September 30, 2026, for planning and*
19 *design of water treatment and distribution facilities con-*
20 *struction: Provided, That not later than 30 days after the*
21 *date of enactment of this Act, the Secretary of the Navy,*
22 *or his or her designee, shall submit to the Committees on*
23 *Appropriations of both Houses of Congress an expenditure*
24 *plan for funds provided under this section: Provided fur-*
25 *ther, That the Secretary of the Navy may not obligate or*

1 *expend any funds prior to approval by the Committees on*
2 *Appropriations of both Houses of Congress of the expendi-*
3 *ture plan required by this section.*

4 *SEC. 138. For an additional amount for the accounts*
5 *and in the amounts specified to address cost increases iden-*
6 *tified subsequent to the fiscal year 2022 budget request for*
7 *authorized major construction projects included in that re-*
8 *quest, to remain available until September 30, 2026:*

9 *“Military Construction, Army”, \$4,000,000;*

10 *“Military Construction, Navy and Marine*
11 *Corps”, \$11,000,000;*

12 *“Military Construction, Air Force”, \$25,000,000;*

13 *“Military Construction, Defense-Wide”,*
14 *\$30,000,000;*

15 *“Military Construction, Air National Guard”,*
16 *\$11,800,000;*

17 *“Military Construction, Army Reserve”,*
18 *\$5,800,000;*

19 *“Military Construction, Air Force Reserve”,*
20 *\$4,400,000; and*

21 *“Family Housing Construction, Navy and Ma-*
22 *rine Corps”, \$13,000,000:*

23 *Provided, That not later than 30 days after the date of en-*
24 *actment of this Act, the Secretary of the military depart-*
25 *ment concerned, or his or her designee, shall submit to the*

1 *Committees on Appropriations of both Houses of Congress*
2 *an expenditure plan for funds provided under this section:*
3 *Provided further, That the Secretary of the military depart-*
4 *ment concerned may not obligate or expend any funds prior*
5 *to approval by the Committees on Appropriations of both*
6 *Houses of Congress of the expenditure plan required by this*
7 *section.*

8 *SEC. 139. For an additional amount for the accounts*
9 *and in the amounts specified to address cost increases for*
10 *authorized major construction projects funded by this Act,*
11 *to remain available until September 30, 2026:*

12 *“Military Construction, Army”, \$20,800,000;*

13 *“Military Construction, Navy and Marine*
14 *Corps”, \$18,926,000;*

15 *“Military Construction, Air Force”, \$46,574,000;*

16 *“Military Construction, Defense-Wide”,*
17 *\$11,410,000;*

18 *“Military Construction, Army National Guard”,*
19 *\$9,961,000;*

20 *“Military Construction, Air National Guard”,*
21 *\$9,180,000;*

22 *“Military Construction, Army Reserve”,*
23 *\$7,000,000; and*

24 *“Military Construction, Air Force Reserve”,*
25 *\$2,000,000:*

1 *Provided, That not later than 30 days after the date of en-*
2 *actment of this Act, the Secretary of the military depart-*
3 *ment concerned, or his or her designee, shall submit to the*
4 *Committees on Appropriations of both Houses of Congress*
5 *an expenditure plan for funds provided under this section:*
6 *Provided further, That the Secretary of the military depart-*
7 *ment concerned may not obligate or expend any funds prior*
8 *to approval by the Committees on Appropriations of both*
9 *Houses of Congress of the expenditure plan required by this*
10 *section.*

11 *SEC. 140. None of the funds made available by this*
12 *Act may be used to carry out the closure or realignment*
13 *of the United States Naval Station, Guantánamo Bay,*
14 *Cuba.*

1 of the amount made available for fiscal year 2023 under
2 this heading shall be reimbursed to “General Operating Ex-
3 penses, Veterans Benefits Administration”, and “Informa-
4 tion Technology Systems” for necessary expenses in imple-
5 menting the provisions of chapters 51, 53, and 55 of title
6 38, United States Code, the funding source for which is spe-
7 cifically provided as the “Compensation and Pensions” ap-
8 propriation: Provided further, That such sums as may be
9 earned on an actual qualifying patient basis, shall be reim-
10 bursed to “Medical Care Collections Fund” to augment the
11 funding of individual medical facilities for nursing home
12 care provided to pensioners as authorized.

13 *READJUSTMENT BENEFITS*

14 *For the payment of readjustment and rehabilitation*
15 *benefits to or on behalf of veterans as authorized by chapters*
16 *21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and 61 of*
17 *title 38, United States Code, \$8,906,851,000, which shall*
18 *become available on October 1, 2022, to remain available*
19 *until expended: Provided, That expenses for rehabilitation*
20 *program services and assistance which the Secretary is au-*
21 *thorized to provide under subsection (a) of section 3104 of*
22 *title 38, United States Code, other than under paragraphs*
23 *(1), (2), (5), and (11) of that subsection, shall be charged*
24 *to this account.*

1 VETERANS INSURANCE AND INDEMNITIES

2 *For military and naval insurance, national service life*
3 *insurance, servicemen's indemnities, service-disabled vet-*
4 *erans insurance, and veterans mortgage life insurance as*
5 *authorized by chapters 19 and 21 of title 38, United States*
6 *Code, \$109,865,000, which shall become available on Octo-*
7 *ber 1, 2022, to remain available until expended.*

8 VETERANS HOUSING BENEFIT PROGRAM FUND

9 *For the cost of direct and guaranteed loans, such sums*
10 *as may be necessary to carry out the program, as authorized*
11 *by subchapters I through III of chapter 37 of title 38,*
12 *United States Code: Provided, That such costs, including*
13 *the cost of modifying such loans, shall be as defined in sec-*
14 *tion 502 of the Congressional Budget Act of 1974: Provided*
15 *further, That, during fiscal year 2022, within the resources*
16 *available, not to exceed \$500,000 in gross obligations for*
17 *direct loans are authorized for specially adapted housing*
18 *loans.*

19 *In addition, for administrative expenses to carry out*
20 *the direct and guaranteed loan programs, \$229,500,000.*

21 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

22 *For the cost of direct loans, \$2,838, as authorized by*
23 *chapter 31 of title 38, United States Code: Provided, That*
24 *such costs, including the cost of modifying such loans, shall*
25 *be as defined in section 502 of the Congressional Budget*

1 *Act of 1974: Provided further, That funds made available*
2 *under this heading are available to subsidize gross obliga-*
3 *tions for the principal amount of direct loans not to exceed*
4 *\$1,662,758.*

5 *In addition, for administrative expenses necessary to*
6 *carry out the direct loan program, \$429,467, which may*
7 *be paid to the appropriation for “General Operating Ex-*
8 *penses, Veterans Benefits Administration”.*

9 *NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM*

10 *ACCOUNT*

11 *For administrative expenses to carry out the direct*
12 *loan program authorized by subchapter V of chapter 37 of*
13 *title 38, United States Code, \$1,400,000.*

14 *GENERAL OPERATING EXPENSES, VETERANS BENEFITS*

15 *ADMINISTRATION*

16 *For necessary operating expenses of the Veterans Bene-*
17 *fits Administration, not otherwise provided for, including*
18 *hire of passenger motor vehicles, reimbursement of the Gen-*
19 *eral Services Administration for security guard services,*
20 *and reimbursement of the Department of Defense for the*
21 *cost of overseas employee mail, \$3,453,813,000: Provided,*
22 *That expenses for services and assistance authorized under*
23 *paragraphs (1), (2), (5), and (11) of section 3104(a) of title*
24 *38, United States Code, that the Secretary of Veterans Af-*
25 *airs determines are necessary to enable entitled veterans:*

1 *(1) to the maximum extent feasible, to become employable*
2 *and to obtain and maintain suitable employment; or (2)*
3 *to achieve maximum independence in daily living, shall be*
4 *charged to this account: Provided further, That, of the funds*
5 *made available under this heading, not to exceed 10 percent*
6 *shall remain available until September 30, 2023.*

7 *VETERANS HEALTH ADMINISTRATION*

8 *MEDICAL SERVICES*

9 *For necessary expenses for furnishing, as authorized*
10 *by law, inpatient and outpatient care and treatment to*
11 *beneficiaries of the Department of Veterans Affairs and vet-*
12 *erans described in section 1705(a) of title 38, United States*
13 *Code, including care and treatment in facilities not under*
14 *the jurisdiction of the Department, and including medical*
15 *supplies and equipment, bioengineering services, food serv-*
16 *ices, and salaries and expenses of healthcare employees*
17 *hired under title 38, United States Code, assistance and*
18 *support services for caregivers as authorized by section*
19 *1720G of title 38, United States Code, loan repayments au-*
20 *thorized by section 604 of the Caregivers and Veterans Om-*
21 *nibus Health Services Act of 2010 (Public Law 111–163;*
22 *124 Stat. 1174; 38 U.S.C. 7681 note), monthly assistance*
23 *allowances authorized by section 322(d) of title 38, United*
24 *States Code, grants authorized by section 521A of title 38,*
25 *United States Code, and administrative expenses necessary*

1 *to carry out sections 322(d) and 521A of title 38, United*
2 *States Code, and hospital care and medical services author-*
3 *ized by section 1787 of title 38, United States Code;*
4 *\$70,323,116,000, plus reimbursements, shall become avail-*
5 *able on October 1, 2022, and shall remain available until*
6 *September 30, 2023: Provided, That, of the amount made*
7 *available on October 1, 2022, under this heading,*
8 *\$1,500,000,000 shall remain available until September 30,*
9 *2024: Provided further, That, notwithstanding any other*
10 *provision of law, the Secretary of Veterans Affairs shall es-*
11 *tablish a priority for the provision of medical treatment*
12 *for veterans who have service-connected disabilities, lower*
13 *income, or have special needs: Provided further, That, not-*
14 *withstanding any other provision of law, the Secretary of*
15 *Veterans Affairs shall give priority funding for the provi-*
16 *sion of basic medical benefits to veterans in enrollment pri-*
17 *ority groups 1 through 6: Provided further, That, notwith-*
18 *standing any other provision of law, the Secretary of Vet-*
19 *erans Affairs may authorize the dispensing of prescription*
20 *drugs from Veterans Health Administration facilities to en-*
21 *rolled veterans with privately written prescriptions based*
22 *on requirements established by the Secretary: Provided fur-*
23 *ther, That the implementation of the program described in*
24 *the previous proviso shall incur no additional cost to the*
25 *Department of Veterans Affairs: Provided further, That the*

1 *Secretary of Veterans Affairs shall ensure that sufficient*
2 *amounts appropriated under this heading for medical sup-*
3 *plies and equipment are available for the acquisition of*
4 *prosthetics designed specifically for female veterans.*

5 *MEDICAL COMMUNITY CARE*

6 *For necessary expenses for furnishing health care to*
7 *individuals pursuant to chapter 17 of title 38, United*
8 *States Code, at non-Department facilities, \$3,269,000,000,*
9 *which shall be in addition to funds previously appropriated*
10 *under this heading that became available on October 1,*
11 *2021; and, in addition, \$24,156,659,000, plus reimburse-*
12 *ments, shall become available on October 1, 2022, and shall*
13 *remain available until September 30, 2023: Provided, That,*
14 *of the amount made available on October 1, 2022, under*
15 *this heading, \$2,000,000,000 shall remain available until*
16 *September 30, 2024.*

17 *MEDICAL SUPPORT AND COMPLIANCE*

18 *For necessary expenses in the administration of the*
19 *medical, hospital, nursing home, domiciliary, construction,*
20 *supply, and research activities, as authorized by law; ad-*
21 *ministrative expenses in support of capital policy activities;*
22 *and administrative and legal expenses of the Department*
23 *for collecting and recovering amounts owed the Department*
24 *as authorized under chapter 17 of title 38, United States*
25 *Code, and the Federal Medical Care Recovery Act (42*

1 *U.S.C. 2651 et seq.*), \$9,673,409,000, plus reimbursements,
2 shall become available on October 1, 2022, and shall remain
3 available until September 30, 2023: *Provided, That, of the*
4 *amount made available on October 1, 2022, under this*
5 *heading, \$200,000,000 shall remain available until Sep-*
6 *tember 30, 2024.*

7 *MEDICAL FACILITIES*

8 *For necessary expenses for the maintenance and oper-*
9 *ation of hospitals, nursing homes, domiciliary facilities,*
10 *and other necessary facilities of the Veterans Health Admin-*
11 *istration; for administrative expenses in support of plan-*
12 *ning, design, project management, real property acquisition*
13 *and disposition, construction, and renovation of any facil-*
14 *ity under the jurisdiction or for the use of the Department;*
15 *for oversight, engineering, and architectural activities not*
16 *charged to project costs; for repairing, altering, improving,*
17 *or providing facilities in the several hospitals and homes*
18 *under the jurisdiction of the Department, not otherwise pro-*
19 *vided for, either by contract or by the hire of temporary*
20 *employees and purchase of materials; for leases of facilities;*
21 *and for laundry services; \$7,133,816,000, plus reimburse-*
22 *ments, shall become available on October 1, 2022, and shall*
23 *remain available until September 30, 2023: *Provided, That,**
24 *of the amount made available on October 1, 2022, under*

1 *this heading, \$350,000,000 shall remain available until*
2 *September 30, 2024.*

3 *MEDICAL AND PROSTHETIC RESEARCH*

4 *For necessary expenses in carrying out programs of*
5 *medical and prosthetic research and development as author-*
6 *ized by chapter 73 of title 38, United States Code,*
7 *\$882,000,000, plus reimbursements, shall remain available*
8 *until September 30, 2023: Provided, That the Secretary of*
9 *Veterans Affairs shall ensure that sufficient amounts appro-*
10 *priated under this heading are available for prosthetic re-*
11 *search specifically for female veterans, and for toxic expo-*
12 *sure research.*

13 *NATIONAL CEMETERY ADMINISTRATION*

14 *For necessary expenses of the National Cemetery Ad-*
15 *ministration for operations and maintenance, not otherwise*
16 *provided for, including uniforms or allowances therefor;*
17 *cemeterial expenses as authorized by law; purchase of one*
18 *passenger motor vehicle for use in cemeterial operations;*
19 *hire of passenger motor vehicles; and repair, alteration or*
20 *improvement of facilities under the jurisdiction of the Na-*
21 *tional Cemetery Administration, \$394,000,000, of which*
22 *not to exceed 10 percent shall remain available until Sep-*
23 *tember 30, 2023.*

1 *DEPARTMENTAL ADMINISTRATION*2 *GENERAL ADMINISTRATION*3 *(INCLUDING TRANSFER OF FUNDS)*

4 *For necessary operating expenses of the Department of*
5 *Veterans Affairs, not otherwise provided for, including ad-*
6 *ministrative expenses in support of Department-wide cap-*
7 *ital planning, management and policy activities, uniforms,*
8 *or allowances therefor; not to exceed \$25,000 for official re-*
9 *ception and representation expenses; hire of passenger*
10 *motor vehicles; and reimbursement of the General Services*
11 *Administration for security guard services, \$401,200,000,*
12 *of which not to exceed 10 percent shall remain available*
13 *until September 30, 2023: Provided, That funds provided*
14 *under this heading may be transferred to “General Oper-*
15 *ating Expenses, Veterans Benefits Administration”.*

16 *BOARD OF VETERANS APPEALS*

17 *For necessary operating expenses of the Board of Vet-*
18 *erans Appeals, \$228,000,000, of which not to exceed 10 per-*
19 *cent shall remain available until September 30, 2023.*

20 *INFORMATION TECHNOLOGY SYSTEMS*21 *(INCLUDING TRANSFER OF FUNDS)*

22 *For necessary expenses for information technology sys-*
23 *tems and telecommunications support, including develop-*
24 *mental information systems and operational information*
25 *systems; for pay and associated costs; and for the capital*

1 *asset acquisition of information technology systems, includ-*
2 *ing management and related contractual costs of said ac-*
3 *quisitions, including contractual costs associated with oper-*
4 *ations authorized by section 3109 of title 5, United States*
5 *Code, \$4,842,800,000, plus reimbursements: Provided, That*
6 *\$1,414,215,000 shall be for pay and associated costs, of*
7 *which not to exceed 3 percent shall remain available until*
8 *September 30, 2023: Provided further, That \$3,131,585,000*
9 *shall be for operations and maintenance, of which not to*
10 *exceed 5 percent shall remain available until September 30,*
11 *2023: Provided further, That \$297,000,000 shall be for in-*
12 *formation technology systems development, and shall re-*
13 *main available until September 30, 2023: Provided further,*
14 *That amounts made available for salaries and expenses, op-*
15 *erations and maintenance, and information technology sys-*
16 *tems development may be transferred among the three sub-*
17 *accounts after the Secretary of Veterans Affairs requests*
18 *from the Committees on Appropriations of both Houses of*
19 *Congress the authority to make the transfer and an ap-*
20 *proval is issued: Provided further, That amounts made*
21 *available for the “Information Technology Systems” ac-*
22 *count for development may be transferred among projects*
23 *or to newly defined projects: Provided further, That no*
24 *project may be increased or decreased by more than*
25 *\$3,000,000 of cost prior to submitting a request to the Com-*

1 *mittees on Appropriations of both Houses of Congress to*
2 *make the transfer and an approval is issued, or absent a*
3 *response, a period of 30 days has elapsed: Provided further,*
4 *That the funds made available under this heading for infor-*
5 *mation technology systems development shall be for the*
6 *projects, and in the amounts, specified under this heading*
7 *in the explanatory statement described in section 4 (in the*
8 *matter preceding division A of this consolidated Act).*

9 *VETERANS ELECTRONIC HEALTH RECORD*

10 *For activities related to implementation, preparation,*
11 *development, interface, management, rollout, and mainte-*
12 *nance of a Veterans Electronic Health Record system, in-*
13 *cluding contractual costs associated with operations author-*
14 *ized by section 3109 of title 5, United States Code, and sala-*
15 *ries and expenses of employees hired under titles 5 and 38,*
16 *United States Code, \$2,500,000,000, to remain available*
17 *until September 30, 2024: Provided, That the Secretary of*
18 *Veterans Affairs shall submit to the Committees on Appro-*
19 *priations of both Houses of Congress quarterly reports de-*
20 *tailing obligations, expenditures, and deployment imple-*
21 *mentation by facility, including any changes from the de-*
22 *ployment plan or schedule: Provided further, That the funds*
23 *provided in this account shall only be available to the Office*
24 *of the Deputy Secretary, to be administered by that Office:*
25 *Provided further, That 25 percent of the funds made avail-*

1 *able under this heading shall not be available until July*
2 *1, 2022, and are contingent upon the Secretary of Veterans*
3 *Affairs providing a plan with benchmarks and measurable*
4 *metrics for deployment, and a plan for addressing all re-*
5 *quired infrastructure upgrades, no later than 30 days prior*
6 *to that date to the Committees on Appropriations.*

7 *OFFICE OF INSPECTOR GENERAL*

8 *For necessary expenses of the Office of Inspector Gen-*
9 *eral, to include information technology, in carrying out the*
10 *provisions of the Inspector General Act of 1978 (5 U.S.C.*
11 *App.), \$239,000,000, of which not to exceed 10 percent shall*
12 *remain available until September 30, 2023.*

13 *CONSTRUCTION, MAJOR PROJECTS*

14 *For constructing, altering, extending, and improving*
15 *any of the facilities, including parking projects, under the*
16 *jurisdiction or for the use of the Department of Veterans*
17 *Affairs, or for any of the purposes set forth in sections 316,*
18 *2404, 2406 and chapter 81 of title 38, United States Code,*
19 *not otherwise provided for, including planning, architec-*
20 *tural and engineering services, construction management*
21 *services, maintenance or guarantee period services costs as-*
22 *sociated with equipment guarantees provided under the*
23 *project, services of claims analysts, offsite utility and storm*
24 *drainage system construction costs, and site acquisition,*
25 *where the estimated cost of a project is more than the*

1 amount set forth in section 8104(a)(3)(A) of title 38, United
2 States Code, or where funds for a project were made avail-
3 able in a previous major project appropriation,
4 \$1,611,000,000, of which \$911,000,000 shall remain avail-
5 able until September 30, 2026, and of which \$700,000,000
6 shall remain available until expended, of which
7 \$100,000,000 shall be available for seismic improvement
8 projects and seismic program management activities, in-
9 cluding for projects that would otherwise be funded by the
10 Construction, Minor Projects, Medical Facilities or Na-
11 tional Cemetery Administration accounts: Provided, That
12 except for advance planning activities, including needs as-
13 sessments which may or may not lead to capital invest-
14 ments, and other capital asset management related activi-
15 ties, including portfolio development and management ac-
16 tivities, and planning, cost estimating, and design for
17 major medical facility projects and major medical facility
18 leases and investment strategy studies funded through the
19 advance planning fund and the planning and design activi-
20 ties funded through the design fund, staffing expenses, and
21 funds provided for the purchase, security, and maintenance
22 of land for the National Cemetery Administration through
23 the land acquisition line item, none of the funds made
24 available under this heading shall be used for any project
25 that has not been notified to Congress through the budgetary

1 *process or that has not been approved by the Congress*
2 *through statute, joint resolution, or in the explanatory*
3 *statement accompanying such Act and presented to the*
4 *President at the time of enrollment: Provided further, That*
5 *such sums as may be necessary shall be available to reim-*
6 *burse the “General Administration” account for payment*
7 *of salaries and expenses of all Office of Construction and*
8 *Facilities Management employees to support the full range*
9 *of capital infrastructure services provided, including minor*
10 *construction and leasing services: Provided further, That*
11 *funds made available under this heading for fiscal year*
12 *2022, for each approved project shall be obligated: (1) by*
13 *the awarding of a construction documents contract by Sep-*
14 *tember 30, 2022; and (2) by the awarding of a construction*
15 *contract by September 30, 2023: Provided further, That the*
16 *Secretary of Veterans Affairs shall promptly submit to the*
17 *Committees on Appropriations of both Houses of Congress*
18 *a written report on any approved major construction*
19 *project for which obligations are not incurred within the*
20 *time limitations established above: Provided further, That*
21 *notwithstanding the requirements of section 8104(a) of title*
22 *38, United States Code, amounts made available under this*
23 *heading for seismic improvement projects and seismic pro-*
24 *gram management activities shall be available for the com-*

1 *pletion of both new and existing seismic projects of the De-*
2 *partment.*

3 *CONSTRUCTION, MINOR PROJECTS*

4 *For constructing, altering, extending, and improving*
5 *any of the facilities, including parking projects, under the*
6 *jurisdiction or for the use of the Department of Veterans*
7 *Affairs, including planning and assessments of needs which*
8 *may lead to capital investments, architectural and engi-*
9 *neering services, maintenance or guarantee period services*
10 *costs associated with equipment guarantees provided under*
11 *the project, services of claims analysts, offsite utility and*
12 *storm drainage system construction costs, and site acquisi-*
13 *tion, or for any of the purposes set forth in sections 316,*
14 *2404, 2406 and chapter 81 of title 38, United States Code,*
15 *not otherwise provided for, where the estimated cost of a*
16 *project is equal to or less than the amount set forth in sec-*
17 *tion 8104(a)(3)(A) of title 38, United States Code,*
18 *\$553,000,000, of which \$497,700,000 shall remain available*
19 *until September 30, 2026, and of which \$55,300,000 shall*
20 *remain available until expended, along with unobligated*
21 *balances of previous “Construction, Minor Projects” appro-*
22 *priations which are hereby made available for any project*
23 *where the estimated cost is equal to or less than the amount*
24 *set forth in such section: Provided, That funds made avail-*
25 *able under this heading shall be for: (1) repairs to any of*

1 *the nonmedical facilities under the jurisdiction or for the*
2 *use of the Department which are necessary because of loss*
3 *or damage caused by any natural disaster or catastrophe;*
4 *and (2) temporary measures necessary to prevent or to min-*
5 *imize further loss by such causes.*

6 *GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE*
7 *FACILITIES*

8 *For grants to assist States to acquire or construct*
9 *State nursing home and domiciliary facilities and to re-*
10 *model, modify, or alter existing hospital, nursing home, and*
11 *domiciliary facilities in State homes, for furnishing care*
12 *to veterans as authorized by sections 8131 through 8137 of*
13 *title 38, United States Code, \$50,000,000, to remain avail-*
14 *able until expended.*

15 *GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES*

16 *For grants to assist States and tribal organizations*
17 *in establishing, expanding, or improving veterans ceme-*
18 *teries as authorized by section 2408 of title 38, United*
19 *States Code, \$48,500,000, to remain available until ex-*
20 *pended.*

21 *ASSET AND INFRASTRUCTURE REVIEW*

22 *For carrying out the VA Asset and Infrastructure Re-*
23 *view Act of 2018 (subtitle A of title II of Public Law 115-*
24 *182), \$5,000,000, to remain available until September 30,*
25 *2023.*

1 *ADMINISTRATIVE PROVISIONS*2 *(INCLUDING TRANSFER OF FUNDS)*

3 *SEC. 201. Any appropriation for fiscal year 2022 for*
4 *“Compensation and Pensions”, “Readjustment Benefits”,*
5 *and “Veterans Insurance and Indemnities” may be trans-*
6 *ferred as necessary to any other of the mentioned appro-*
7 *priations: Provided, That, before a transfer may take place,*
8 *the Secretary of Veterans Affairs shall request from the*
9 *Committees on Appropriations of both Houses of Congress*
10 *the authority to make the transfer and such Committees*
11 *issue an approval, or absent a response, a period of 30 days*
12 *has elapsed.*

13 *(INCLUDING TRANSFER OF FUNDS)*

14 *SEC. 202. Amounts made available for the Department*
15 *of Veterans Affairs for fiscal year 2022, in this or any other*
16 *Act, under the “Medical Services”, “Medical Community*
17 *Care”, “Medical Support and Compliance”, and “Medical*
18 *Facilities” accounts may be transferred among the ac-*
19 *counts: Provided, That any transfers among the “Medical*
20 *Services”, “Medical Community Care”, and “Medical Sup-*
21 *port and Compliance” accounts of 1 percent or less of the*
22 *total amount appropriated to the account in this or any*
23 *other Act may take place subject to notification from the*
24 *Secretary of Veterans Affairs to the Committees on Appro-*
25 *priations of both Houses of Congress of the amount and*

1 *purpose of the transfer: Provided further, That any trans-*
2 *fers among the “Medical Services”, “Medical Community*
3 *Care”, and “Medical Support and Compliance” accounts*
4 *in excess of 1 percent, or exceeding the cumulative 1 percent*
5 *for the fiscal year, may take place only after the Secretary*
6 *requests from the Committees on Appropriations of both*
7 *Houses of Congress the authority to make the transfer and*
8 *an approval is issued: Provided further, That any transfers*
9 *to or from the “Medical Facilities” account may take place*
10 *only after the Secretary requests from the Committees on*
11 *Appropriations of both Houses of Congress the authority to*
12 *make the transfer and an approval is issued.*

13 *SEC. 203. Appropriations available in this title for sal-*
14 *aries and expenses shall be available for services authorized*
15 *by section 3109 of title 5, United States Code; hire of pas-*
16 *senger motor vehicles; lease of a facility or land or both;*
17 *and uniforms or allowances therefore, as authorized by sec-*
18 *tions 5901 through 5902 of title 5, United States Code.*

19 *SEC. 204. No appropriations in this title (except the*
20 *appropriations for “Construction, Major Projects”, and*
21 *“Construction, Minor Projects”)* *shall be available for the*
22 *purchase of any site for or toward the construction of any*
23 *new hospital or home.*

24 *SEC. 205. No appropriations in this title shall be*
25 *available for hospitalization or examination of any persons*

1 *(except beneficiaries entitled to such hospitalization or ex-*
2 *amination under the laws providing such benefits to vet-*
3 *erans, and persons receiving such treatment under sections*
4 *7901 through 7904 of title 5, United States Code, or the*
5 *Robert T. Stafford Disaster Relief and Emergency Assist-*
6 *ance Act (42 U.S.C. 5121 et seq.)), unless reimbursement*
7 *of the cost of such hospitalization or examination is made*
8 *to the “Medical Services” account at such rates as may be*
9 *fixed by the Secretary of Veterans Affairs.*

10 *SEC. 206. Appropriations available in this title for*
11 *“Compensation and Pensions”, “Readjustment Benefits”,*
12 *and “Veterans Insurance and Indemnities” shall be avail-*
13 *able for payment of prior year accrued obligations required*
14 *to be recorded by law against the corresponding prior year*
15 *accounts within the last quarter of fiscal year 2021.*

16 *SEC. 207. Appropriations available in this title shall*
17 *be available to pay prior year obligations of corresponding*
18 *prior year appropriations accounts resulting from sections*
19 *3328(a), 3334, and 3712(a) of title 31, United States Code,*
20 *except that if such obligations are from trust fund accounts*
21 *they shall be payable only from “Compensation and Pen-*
22 *sions”.*

23 *(INCLUDING TRANSFER OF FUNDS)*

24 *SEC. 208. Notwithstanding any other provision of law,*
25 *during fiscal year 2022, the Secretary of Veterans Affairs*

1 *shall, from the National Service Life Insurance Fund under*
2 *section 1920 of title 38, United States Code, the Veterans’*
3 *Special Life Insurance Fund under section 1923 of title 38,*
4 *United States Code, and the United States Government Life*
5 *Insurance Fund under section 1955 of title 38, United*
6 *States Code, reimburse the “General Operating Expenses,*
7 *Veterans Benefits Administration” and “Information Tech-*
8 *nology Systems” accounts for the cost of administration of*
9 *the insurance programs financed through those accounts:*
10 *Provided, That reimbursement shall be made only from the*
11 *surplus earnings accumulated in such an insurance pro-*
12 *gram during fiscal year 2022 that are available for divi-*
13 *dends in that program after claims have been paid and ac-*
14 *tuarially determined reserves have been set aside: Provided*
15 *further, That if the cost of administration of such an insur-*
16 *ance program exceeds the amount of surplus earnings accu-*
17 *mulated in that program, reimbursement shall be made*
18 *only to the extent of such surplus earnings: Provided fur-*
19 *ther, That the Secretary shall determine the cost of adminis-*
20 *tration for fiscal year 2022 which is properly allocable to*
21 *the provision of each such insurance program and to the*
22 *provision of any total disability income insurance included*
23 *in that insurance program.*

24 *SEC. 209. Amounts deducted from enhanced-use lease*
25 *proceeds to reimburse an account for expenses incurred by*

1 *that account during a prior fiscal year for providing en-*
2 *hanced-use lease services shall be available until expended.*

3 *(INCLUDING TRANSFER OF FUNDS)*

4 *SEC. 210. Funds available in this title or funds for*
5 *salaries and other administrative expenses shall also be*
6 *available to reimburse the Office of Resolution Management,*
7 *Diversity and Inclusion, the Office of Employment Dis-*
8 *crimination Complaint Adjudication, and the Alternative*
9 *Dispute Resolution function within the Office of Human*
10 *Resources and Administration for all services provided at*
11 *rates which will recover actual costs but not to exceed*
12 *\$78,417,225 for the Office of Resolution Management, Di-*
13 *versity and Inclusion, \$6,609,000 for the Office of Employ-*
14 *ment Discrimination Complaint Adjudication, and*
15 *\$3,822,000 for the Alternative Dispute Resolution function*
16 *within the Office of Human Resources and Administration:*
17 *Provided, That payments may be made in advance for serv-*
18 *ices to be furnished based on estimated costs: Provided fur-*
19 *ther, That amounts received shall be credited to the “Gen-*
20 *eral Administration” and “Information Technology Sys-*
21 *tems” accounts for use by the office that provided the serv-*
22 *ice.*

23 *SEC. 211. No funds of the Department of Veterans Af-*
24 *fairs shall be available for hospital care, nursing home care,*
25 *or medical services provided to any person under chapter*

1 17 of title 38, United States Code, for a non-service-con-
2 nected disability described in section 1729(a)(2) of such
3 title, unless that person has disclosed to the Secretary of
4 Veterans Affairs, in such form as the Secretary may require,
5 current, accurate third-party reimbursement information
6 for purposes of section 1729 of such title: Provided, That
7 the Secretary may recover, in the same manner as any other
8 debt due the United States, the reasonable charges for such
9 care or services from any person who does not make such
10 disclosure as required: Provided further, That any amounts
11 so recovered for care or services provided in a prior fiscal
12 year may be obligated by the Secretary during the fiscal
13 year in which amounts are received.

14 (INCLUDING TRANSFER OF FUNDS)

15 SEC. 212. Notwithstanding any other provision of law,
16 proceeds or revenues derived from enhanced-use leasing ac-
17 tivities (including disposal) may be deposited into the
18 “Construction, Major Projects” and “Construction, Minor
19 Projects” accounts and be used for construction (including
20 site acquisition and disposition), alterations, and improve-
21 ments of any medical facility under the jurisdiction or for
22 the use of the Department of Veterans Affairs. Such sums
23 as realized are in addition to the amount provided for in
24 “Construction, Major Projects” and “Construction, Minor
25 Projects”.

1 *SEC. 213. Amounts made available under “Medical*
2 *Services” are available—*

3 *(1) for furnishing recreational facilities, sup-*
4 *plies, and equipment; and*

5 *(2) for funeral expenses, burial expenses, and*
6 *other expenses incidental to funerals and burials for*
7 *beneficiaries receiving care in the Department.*

8 *(INCLUDING TRANSFER OF FUNDS)*

9 *SEC. 214. Such sums as may be deposited into the*
10 *Medical Care Collections Fund pursuant to section 1729A*
11 *of title 38, United States Code, may be transferred to the*
12 *“Medical Services” and “Medical Community Care” ac-*
13 *counts to remain available until expended for the purposes*
14 *of these accounts.*

15 *SEC. 215. The Secretary of Veterans Affairs may enter*
16 *into agreements with Federally Qualified Health Centers in*
17 *the State of Alaska and Indian tribes and tribal organiza-*
18 *tions which are party to the Alaska Native Health Compact*
19 *with the Indian Health Service, to provide healthcare, in-*
20 *cluding behavioral health and dental care, to veterans in*
21 *rural Alaska. The Secretary shall require participating vet-*
22 *erans and facilities to comply with all appropriate rules*
23 *and regulations, as established by the Secretary. The term*
24 *“rural Alaska” shall mean those lands which are not within*

1 *the boundaries of the municipality of Anchorage or the*
2 *Fairbanks North Star Borough.*

3 *(INCLUDING TRANSFER OF FUNDS)*

4 *SEC. 216. Such sums as may be deposited into the De-*
5 *partment of Veterans Affairs Capital Asset Fund pursuant*
6 *to section 8118 of title 38, United States Code, may be*
7 *transferred to the “Construction, Major Projects” and “Con-*
8 *struction, Minor Projects” accounts, to remain available*
9 *until expended for the purposes of these accounts.*

10 *SEC. 217. Not later than 30 days after the end of each*
11 *fiscal quarter, the Secretary of Veterans Affairs shall submit*
12 *to the Committees on Appropriations of both Houses of Con-*
13 *gress a report on the financial status of the Department*
14 *of Veterans Affairs for the preceding quarter: Provided,*
15 *That, at a minimum, the report shall include the direction*
16 *contained in the paragraph entitled “Quarterly reporting”,*
17 *under the heading “General Administration” in the joint*
18 *explanatory statement accompanying Public Law 114–223.*

19 *(INCLUDING TRANSFER OF FUNDS)*

20 *SEC. 218. Amounts made available under the “Medical*
21 *Services”, “Medical Community Care”, “Medical Support*
22 *and Compliance”, “Medical Facilities”, “General Oper-*
23 *ating Expenses, Veterans Benefits Administration”, “Board*
24 *of Veterans Appeals”, “General Administration”, and “Na-*
25 *tional Cemetery Administration” accounts for fiscal year*

1 2022 may be transferred to or from the “Information Tech-
2 nology Systems” account: Provided, That such transfers
3 may not result in a more than 10 percent aggregate increase
4 in the total amount made available by this Act for the “In-
5 formation Technology Systems” account: Provided further,
6 That, before a transfer may take place, the Secretary of Vet-
7 erans Affairs shall request from the Committees on Appro-
8 priations of both Houses of Congress the authority to make
9 the transfer and an approval is issued.

10 (INCLUDING TRANSFER OF FUNDS)

11 SEC. 219. Of the amounts appropriated to the Depart-
12 ment of Veterans Affairs for fiscal year 2022 for “Medical
13 Services”, “Medical Community Care”, “Medical Support
14 and Compliance”, “Medical Facilities”, “Construction,
15 Minor Projects”, and “Information Technology Systems”,
16 up to \$379,009,000, plus reimbursements, may be trans-
17 ferred to the Joint Department of Defense—Department of
18 Veterans Affairs Medical Facility Demonstration Fund, es-
19 tablished by section 1704 of the National Defense Authoriza-
20 tion Act for Fiscal Year 2010 (Public Law 111–84; 123
21 Stat. 3571) and may be used for operation of the facilities
22 designated as combined Federal medical facilities as de-
23 scribed by section 706 of the Duncan Hunter National De-
24 fense Authorization Act for Fiscal Year 2009 (Public Law
25 110–417; 122 Stat. 4500): Provided, That additional funds

1 *may be transferred from accounts designated in this section*
2 *to the Joint Department of Defense—Department of Vet-*
3 *erans Affairs Medical Facility Demonstration Fund upon*
4 *written notification by the Secretary of Veterans Affairs to*
5 *the Committees on Appropriations of both Houses of Con-*
6 *gress: Provided further, That section 220 of title II of divi-*
7 *sion J of Public Law 116–260 is repealed.*

8 *(INCLUDING TRANSFER OF FUNDS)*

9 *SEC. 220. Of the amounts appropriated to the Depart-*
10 *ment of Veterans Affairs which become available on October*
11 *1, 2022, for “Medical Services”, “Medical Community*
12 *Care”, “Medical Support and Compliance”, and “Medical*
13 *Facilities”, up to \$323,242,000, plus reimbursements, may*
14 *be transferred to the Joint Department of Defense—Depart-*
15 *ment of Veterans Affairs Medical Facility Demonstration*
16 *Fund, established by section 1704 of the National Defense*
17 *Authorization Act for Fiscal Year 2010 (Public Law 111–*
18 *84; 123 Stat. 3571) and may be used for operation of the*
19 *facilities designated as combined Federal medical facilities*
20 *as described by section 706 of the Duncan Hunter National*
21 *Defense Authorization Act for Fiscal Year 2009 (Public*
22 *Law 110–417; 122 Stat. 4500): Provided, That additional*
23 *funds may be transferred from accounts designated in this*
24 *section to the Joint Department of Defense—Department*
25 *of Veterans Affairs Medical Facility Demonstration Fund*

1 *upon written notification by the Secretary of Veterans Af-*
2 *fairs to the Committees on Appropriations of both Houses*
3 *of Congress.*

4 *(INCLUDING TRANSFER OF FUNDS)*

5 *SEC. 221. Such sums as may be deposited into the*
6 *Medical Care Collections Fund pursuant to section 1729A*
7 *of title 38, United States Code, for healthcare provided at*
8 *facilities designated as combined Federal medical facilities*
9 *as described by section 706 of the Duncan Hunter National*
10 *Defense Authorization Act for Fiscal Year 2009 (Public*
11 *Law 110–417; 122 Stat. 4500) shall also be available: (1)*
12 *for transfer to the Joint Department of Defense—Depart-*
13 *ment of Veterans Affairs Medical Facility Demonstration*
14 *Fund, established by section 1704 of the National Defense*
15 *Authorization Act for Fiscal Year 2010 (Public Law 111–*
16 *84; 123 Stat. 3571); and (2) for operations of the facilities*
17 *designated as combined Federal medical facilities as de-*
18 *scribed by section 706 of the Duncan Hunter National De-*
19 *fense Authorization Act for Fiscal Year 2009 (Public Law*
20 *110–417; 122 Stat. 4500): Provided, That, notwithstanding*
21 *section 1704(b)(3) of the National Defense Authorization*
22 *Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat.*
23 *2573), amounts transferred to the Joint Department of De-*
24 *fense—Department of Veterans Affairs Medical Facility*
25 *Demonstration Fund shall remain available until expended.*

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 222. Of the amounts available in this title for
3 “Medical Services”, “Medical Community Care”, “Medical
4 Support and Compliance”, and “Medical Facilities”, a
5 minimum of \$15,000,000 shall be transferred to the DOD–
6 VA Health Care Sharing Incentive Fund, as authorized by
7 section 8111(d) of title 38, United States Code, to remain
8 available until expended, for any purpose authorized by sec-
9 tion 8111 of title 38, United States Code.

10 SEC. 223. None of the funds available to the Depart-
11 ment of Veterans Affairs, in this or any other Act, may
12 be used to replace the current system by which the Veterans
13 Integrated Service Networks select and contract for diabetes
14 monitoring supplies and equipment.

15 SEC. 224. The Secretary of Veterans Affairs shall no-
16 tify the Committees on Appropriations of both Houses of
17 Congress of all bid savings in a major construction project
18 that total at least \$5,000,000, or 5 percent of the pro-
19 grammed amount of the project, whichever is less: Provided,
20 That such notification shall occur within 14 days of a con-
21 tract identifying the programmed amount: Provided fur-
22 ther, That the Secretary shall notify the Committees on Ap-
23 propriations of both Houses of Congress 14 days prior to
24 the obligation of such bid savings and shall describe the an-
25 ticipated use of such savings.

1 *SEC. 225. None of the funds made available for “Con-*
2 *struction, Major Projects” may be used for a project in ex-*
3 *cess of the scope specified for that project in the original*
4 *justification data provided to the Congress as part of the*
5 *request for appropriations unless the Secretary of Veterans*
6 *Affairs receives approval from the Committees on Appro-*
7 *priations of both Houses of Congress.*

8 *SEC. 226. Not later than 30 days after the end of each*
9 *fiscal quarter, the Secretary of Veterans Affairs shall submit*
10 *to the Committees on Appropriations of both Houses of Con-*
11 *gress a quarterly report containing performance measures*
12 *and data from each Veterans Benefits Administration Re-*
13 *gional Office: Provided, That, at a minimum, the report*
14 *shall include the direction contained in the section entitled*
15 *“Disability claims backlog”, under the heading “General*
16 *Operating Expenses, Veterans Benefits Administration” in*
17 *the joint explanatory statement accompanying Public Law*
18 *114–223: Provided further, That the report shall also in-*
19 *clude information on the number of appeals pending at the*
20 *Veterans Benefits Administration as well as the Board of*
21 *Veterans Appeals on a quarterly basis.*

22 *SEC. 227. The Secretary of Veterans Affairs shall pro-*
23 *vide written notification to the Committees on Appropria-*
24 *tions of both Houses of Congress 15 days prior to organiza-*
25 *tional changes which result in the transfer of 25 or more*

1 *full-time equivalents from one organizational unit of the*
2 *Department of Veterans Affairs to another.*

3 *SEC. 228. The Secretary of Veterans Affairs shall pro-*
4 *vide on a quarterly basis to the Committees on Appropria-*
5 *tions of both Houses of Congress notification of any single*
6 *national outreach and awareness marketing campaign in*
7 *which obligations exceed \$1,000,000.*

8 *(INCLUDING TRANSFER OF FUNDS)*

9 *SEC. 229. The Secretary of Veterans Affairs, upon de-*
10 *termination that such action is necessary to address needs*
11 *of the Veterans Health Administration, may transfer to the*
12 *“Medical Services” account any discretionary appropria-*
13 *tions made available for fiscal year 2022 in this title (except*
14 *appropriations made to the “General Operating Expenses,*
15 *Veterans Benefits Administration” account) or any discre-*
16 *tionary unobligated balances within the Department of Vet-*
17 *erans Affairs, including those appropriated for fiscal year*
18 *2022, that were provided in advance by appropriations*
19 *Acts: Provided, That transfers shall be made only with the*
20 *approval of the Office of Management and Budget: Provided*
21 *further, That the transfer authority provided in this section*
22 *is in addition to any other transfer authority provided by*
23 *law: Provided further, That no amounts may be transferred*
24 *from amounts that were designated by Congress as an emer-*
25 *gency requirement pursuant to a concurrent resolution on*

1 *the budget or the Balanced Budget and Emergency Deficit*
2 *Control Act of 1985: Provided further, That such authority*
3 *to transfer may not be used unless for higher priority items,*
4 *based on emergent healthcare requirements, than those for*
5 *which originally appropriated and in no case where the*
6 *item for which funds are requested has been denied by Con-*
7 *gress: Provided further, That, upon determination that all*
8 *or part of the funds transferred from an appropriation are*
9 *not necessary, such amounts may be transferred back to that*
10 *appropriation and shall be available for the same purposes*
11 *as originally appropriated: Provided further, That before*
12 *a transfer may take place, the Secretary of Veterans Affairs*
13 *shall request from the Committees on Appropriations of*
14 *both Houses of Congress the authority to make the transfer*
15 *and receive approval of that request.*

16 *(INCLUDING TRANSFER OF FUNDS)*

17 *SEC. 230. Amounts made available for the Department*
18 *of Veterans Affairs for fiscal year 2022, under the “Board*
19 *of Veterans Appeals” and the “General Operating Expenses,*
20 *Veterans Benefits Administration” accounts may be trans-*
21 *ferred between such accounts: Provided, That before a trans-*
22 *fer may take place, the Secretary of Veterans Affairs shall*
23 *request from the Committees on Appropriations of both*
24 *Houses of Congress the authority to make the transfer and*
25 *receive approval of that request.*

1 *SEC. 231. The Secretary of Veterans Affairs may not*
2 *reprogram funds among major construction projects or pro-*
3 *grams if such instance of reprogramming will exceed*
4 *\$7,000,000, unless such reprogramming is approved by the*
5 *Committees on Appropriations of both Houses of Congress.*

6 *SEC. 232. (a) The Secretary of Veterans Affairs shall*
7 *ensure that the toll-free suicide hotline under section*
8 *1720F(h) of title 38, United States Code—*

9 *(1) provides to individuals who contact the hot-*
10 *line immediate assistance from a trained professional;*
11 *and*

12 *(2) adheres to all requirements of the American*
13 *Association of Suicidology.*

14 *(b)(1) None of the funds made available by this Act*
15 *may be used to enforce or otherwise carry out any Executive*
16 *action that prohibits the Secretary of Veterans Affairs from*
17 *appointing an individual to occupy a vacant civil service*
18 *position, or establishing a new civil service position, at the*
19 *Department of Veterans Affairs with respect to such a posi-*
20 *tion relating to the hotline specified in subsection (a).*

21 *(2) In this subsection—*

22 *(A) the term “civil service” has the meaning*
23 *given such term in section 2101(1) of title 5, United*
24 *States Code; and*

25 *(B) the term “Executive action” includes—*

1 (i) any *Executive order, Presidential memo-*
2 *randum, or other action by the President; and*

3 (ii) any *agency policy, order, or other direc-*
4 *tive.*

5 (c)(1) *The Secretary of Veterans Affairs shall conduct*
6 *a study on the effectiveness of the hotline specified in sub-*
7 *section (a) during the 5-year period beginning on January*
8 *1, 2016, based on an analysis of national suicide data and*
9 *data collected from such hotline.*

10 (2) *At a minimum, the study required by paragraph*
11 *(1) shall—*

12 (A) *determine the number of veterans who con-*
13 *tact the hotline specified in subsection (a) and who*
14 *receive follow up services from the hotline or mental*
15 *health services from the Department of Veterans Af-*
16 *fairs thereafter;*

17 (B) *determine the number of veterans who con-*
18 *tact the hotline who are not referred to, or do not con-*
19 *tinue receiving, mental health care who commit sui-*
20 *cide; and*

21 (C) *determine the number of veterans described*
22 *in subparagraph (A) who commit or attempt suicide.*

23 *SEC. 233. Effective during the period beginning on Oc-*
24 *tober 1, 2018, and ending on January 1, 2024, none of the*
25 *funds made available to the Secretary of Veterans Affairs*

1 *by this or any other Act may be obligated or expended in*
2 *contravention of the “Veterans Health Administration Clin-*
3 *ical Preventive Services Guidance Statement on the Vet-*
4 *erans Health Administration’s Screening for Breast Cancer*
5 *Guidance” published on May 10, 2017, as issued by the Vet-*
6 *erans Health Administration National Center for Health*
7 *Promotion and Disease Prevention.*

8 *SEC. 234. (a) Notwithstanding any other provision of*
9 *law, the amounts appropriated or otherwise made available*
10 *to the Department of Veterans Affairs for the “Medical*
11 *Services” account may be used to provide—*

12 *(1) fertility counseling and treatment using as-*
13 *sisted reproductive technology to a covered veteran or*
14 *the spouse of a covered veteran; or*

15 *(2) adoption reimbursement to a covered veteran.*

16 *(b) In this section:*

17 *(1) The term “service-connected” has the mean-*
18 *ing given such term in section 101 of title 38, United*
19 *States Code.*

20 *(2) The term “covered veteran” means a veteran,*
21 *as such term is defined in section 101 of title 38,*
22 *United States Code, who has a service-connected dis-*
23 *ability that results in the inability of the veteran to*
24 *procreate without the use of fertility treatment.*

1 (3) *The term “assisted reproductive technology”*
2 *means benefits relating to reproductive assistance pro-*
3 *vided to a member of the Armed Forces who incurs*
4 *a serious injury or illness on active duty pursuant to*
5 *section 1074(c)(4)(A) of title 10, United States Code,*
6 *as described in the memorandum on the subject of*
7 *“Policy for Assisted Reproductive Services for the*
8 *Benefit of Seriously or Severely Ill/Injured (Category*
9 *II or III) Active Duty Service Members” issued by the*
10 *Assistant Secretary of Defense for Health Affairs on*
11 *April 3, 2012, and the guidance issued to implement*
12 *such policy, including any limitations on the amount*
13 *of such benefits available to such a member except*
14 *that—*

15 (A) *the time periods regarding embryo*
16 *cryopreservation and storage set forth in part*
17 *III(G) and in part IV(H) of such memorandum*
18 *shall not apply; and*

19 (B) *such term includes embryo*
20 *cryopreservation and storage without limitation*
21 *on the duration of such cryopreservation and*
22 *storage.*

23 (4) *The term “adoption reimbursement” means*
24 *reimbursement for the adoption-related expenses for*
25 *an adoption that is finalized after the date of the en-*

1 *actment of this Act under the same terms as apply*
2 *under the adoption reimbursement program of the De-*
3 *partment of Defense, as authorized in Department of*
4 *Defense Instruction 1341.09, including the reimburse-*
5 *ment limits and requirements set forth in such in-*
6 *struction.*

7 *(c) Amounts made available for the purposes specified*
8 *in subsection (a) of this section are subject to the require-*
9 *ments for funds contained in section 508 of division H of*
10 *the Consolidated Appropriations Act, 2018 (Public Law*
11 *115–141).*

12 *SEC. 235. None of the funds appropriated or otherwise*
13 *made available by this Act or any other Act for the Depart-*
14 *ment of Veterans Affairs may be used in a manner that*
15 *is inconsistent with: (1) section 842 of the Transportation,*
16 *Treasury, Housing and Urban Development, the Judiciary,*
17 *the District of Columbia, and Independent Agencies Appro-*
18 *priations Act, 2006 (Public Law 109–115; 119 Stat. 2506);*
19 *or (2) section 8110(a)(5) of title 38, United States Code.*

20 *SEC. 236. Section 842 of Public Law 109–115 shall*
21 *not apply to conversion of an activity or function of the*
22 *Veterans Health Administration, Veterans Benefits Admin-*
23 *istration, or National Cemetery Administration to con-*
24 *tractor performance by a business concern that is at least*
25 *51 percent owned by one or more Indian tribes as defined*

1 *in section 5304(e) of title 25, United States Code, or one*
2 *or more Native Hawaiian Organizations as defined in sec-*
3 *tion 637(a)(15) of title 15, United States Code.*

4 *SEC. 237. (a) Except as provided in subsection (b), the*
5 *Secretary of Veterans Affairs, in consultation with the Sec-*
6 *retary of Defense and the Secretary of Labor, shall dis-*
7 *continue using Social Security account numbers to identify*
8 *individuals in all information systems of the Department*
9 *of Veterans Affairs as follows:*

10 *(1) For all veterans submitting to the Secretary*
11 *of Veterans Affairs new claims for benefits under laws*
12 *administered by the Secretary, not later than March*
13 *23, 2023.*

14 *(2) For all individuals not described in para-*
15 *graph (1), not later than March 23, 2026.*

16 *(b) The Secretary of Veterans Affairs may use a Social*
17 *Security account number to identify an individual in an*
18 *information system of the Department of Veterans Affairs*
19 *if and only if the use of such number is required to obtain*
20 *information the Secretary requires from an information*
21 *system that is not under the jurisdiction of the Secretary.*

22 *(c) The matter in subsections (a) and (b) shall super-*
23 *sede section 238 of Public Law 116–94.*

24 *SEC. 238. For funds provided to the Department of*
25 *Veterans Affairs for each of fiscal year 2022 and 2023 for*

1 *“Medical Services”, section 239 of division A of Public Law*
2 *114–223 shall apply.*

3 *SEC. 239. None of the funds appropriated in this or*
4 *prior appropriations Acts or otherwise made available to*
5 *the Department of Veterans Affairs may be used to transfer*
6 *any amounts from the Filipino Veterans Equity Compensa-*
7 *tion Fund to any other account within the Department of*
8 *Veterans Affairs.*

9 *SEC. 240. Of the funds provided to the Department of*
10 *Veterans Affairs for each of fiscal year 2022 and fiscal year*
11 *2023 for “Medical Services”, funds may be used in each*
12 *year to carry out and expand the child care program au-*
13 *thorized by section 205 of Public Law 111–163, notwith-*
14 *standing subsection (e) of such section.*

15 *SEC. 241. None of the funds appropriated or otherwise*
16 *made available in this title may be used by the Secretary*
17 *of Veterans Affairs to enter into an agreement related to*
18 *resolving a dispute or claim with an individual that would*
19 *restrict in any way the individual from speaking to mem-*
20 *bers of Congress or their staff on any topic not otherwise*
21 *prohibited from disclosure by Federal law or required by*
22 *Executive order to be kept secret in the interest of national*
23 *defense or the conduct of foreign affairs.*

1 *SEC. 242. For funds provided to the Department of*
2 *Veterans Affairs for each of fiscal year 2022 and 2023, sec-*
3 *tion 258 of division A of Public Law 114–223 shall apply.*

4 *SEC. 243. (a) None of the funds appropriated or other-*
5 *wise made available by this Act may be used to deny an*
6 *Inspector General funded under this Act timely access to*
7 *any records, documents, or other materials available to the*
8 *department or agency over which that Inspector General*
9 *has responsibilities under the Inspector General Act of 1978*
10 *(5 U.S.C. App.), or to prevent or impede the access of the*
11 *Inspector General to such records, documents, or other ma-*
12 *terials, under any provision of law, except a provision of*
13 *law that expressly refers to such Inspector General and ex-*
14 *pressly limits the right of access.*

15 *(b) A department or agency covered by this section*
16 *shall provide its Inspector General access to all records, doc-*
17 *uments, and other materials in a timely manner.*

18 *(c) Each Inspector General shall ensure compliance*
19 *with statutory limitations on disclosure relevant to the in-*
20 *formation provided by the establishment over which that In-*
21 *spector General has responsibilities under the Inspector*
22 *General Act of 1978 (5 U.S.C. App.).*

23 *(d) Each Inspector General covered by this section*
24 *shall report to the Committee on Appropriations of the Sen-*
25 *ate and the Committee on Appropriations of the House of*

1 *Representatives within 5 calendar days of any failure by*
2 *any department or agency covered by this section to comply*
3 *with this requirement.*

4 *SEC. 244. None of the funds made available in this*
5 *Act may be used in a manner that would increase wait*
6 *times for veterans who seek care at medical facilities of the*
7 *Department of Veterans Affairs.*

8 *SEC. 245. None of the funds appropriated or otherwise*
9 *made available by this Act to the Veterans Health Adminis-*
10 *tration may be used in fiscal year 2022 to convert any pro-*
11 *gram which received specific purpose funds in fiscal year*
12 *2021 to a general purpose funded program unless the Sec-*
13 *retary of Veterans Affairs submits written notification of*
14 *any such proposal to the Committees on Appropriations of*
15 *both Houses of Congress at least 30 days prior to any such*
16 *action and an approval is issued by the Committees.*

17 *SEC. 246. For funds provided to the Department of*
18 *Veterans Affairs for each of fiscal year 2022 and 2023, sec-*
19 *tion 248 of division A of Public Law 114–223 shall apply.*

20 *SEC. 247. (a) None of the funds appropriated or other-*
21 *wise made available by this Act may be used to conduct*
22 *research commencing on or after October 1, 2019, that uses*
23 *any canine, feline, or non-human primate unless the Sec-*
24 *retary of Veterans Affairs approves such research specifi-*
25 *cally and in writing pursuant to subsection (b).*

1 **(b)(1)** *The Secretary of Veterans Affairs may approve*
2 *the conduct of research commencing on or after October 1,*
3 *2019, using canines, felines, or non-human primates if the*
4 *Secretary determines that—*

5 **(A)** *the scientific objectives of the research can*
6 *only be met by using such canines, felines, or non-*
7 *human primates;*

8 **(B)** *such scientific objectives are directly related*
9 *to an illness or injury that is combat-related; and*

10 **(C)** *the research is consistent with the revised*
11 *Department of Veterans Affairs canine research policy*
12 *document dated December 15, 2017, including any*
13 *subsequent revisions to such document.*

14 **(2)** *The Secretary may not delegate the authority*
15 *under this subsection.*

16 **(c)** *If the Secretary approves any new research pursu-*
17 *ant to subsection (b), not later than 30 days before the com-*
18 *mencement of such research, the Secretary shall submit to*
19 *the Committees on Appropriations of the Senate and House*
20 *of Representatives a report describing—*

21 **(1)** *the nature of the research to be conducted*
22 *using canines, felines, or non-human primates;*

23 **(2)** *the date on which the Secretary approved the*
24 *research;*

1 (3) *the justification for the determination of the*
2 *Secretary that the scientific objectives of such research*
3 *could only be met using canines, felines, or non-*
4 *human primates;*

5 (4) *the frequency and duration of such research;*
6 *and*

7 (5) *the protocols in place to ensure the necessity,*
8 *safety, and efficacy of the research.*

9 (d) *Not later than 180 days after the date of the enact-*
10 *ment of this Act, and biannually thereafter, the Secretary*
11 *shall submit to such Committees a report describing—*

12 (1) *any research being conducted by the Depart-*
13 *ment of Veterans Affairs using canines, felines, or*
14 *non-human primates as of the date of the submittal*
15 *of the report;*

16 (2) *the circumstances under which such research*
17 *was conducted using canines, felines, or non-human*
18 *primates;*

19 (3) *the justification for using canines, felines, or*
20 *non-human primates to conduct such research; and*

21 (4) *the protocols in place to ensure the necessity,*
22 *safety, and efficacy of such research.*

23 (e) *The Department shall implement a plan under*
24 *which the Secretary will eliminate or reduce the research*
25 *conducted using canines, felines, or non-human primates*

1 *by not later than 5 years after the date of enactment of*
2 *Public Law 116–94.*

3 *SEC. 248. (a) The Secretary of Veterans Affairs may*
4 *use amounts appropriated or otherwise made available in*
5 *this title to ensure that the ratio of veterans to full-time*
6 *employment equivalents within any program of rehabilita-*
7 *tion conducted under chapter 31 of title 38, United States*
8 *Code, does not exceed 125 veterans to one full-time employ-*
9 *ment equivalent.*

10 *(b) Not later than 180 days after the date of the enact-*
11 *ment of this Act, the Secretary shall submit to Congress a*
12 *report on the programs of rehabilitation conducted under*
13 *chapter 31 of title 38, United States Code, including—*

14 *(1) an assessment of the veteran-to-staff ratio for*
15 *each such program; and*

16 *(2) recommendations for such action as the Sec-*
17 *retary considers necessary to reduce the veteran-to-*
18 *staff ratio for each such program.*

19 *SEC. 249. Amounts made available for the “Veterans*
20 *Health Administration, Medical Community Care” account*
21 *in this or any other Act for fiscal years 2022 and 2023*
22 *may be used for expenses that would otherwise be payable*
23 *from the Veterans Choice Fund established by section 802*
24 *of the Veterans Access, Choice, and Accountability Act, as*
25 *amended (38 U.S.C. 1701 note).*

1 *than \$2,000,000: Provided further, That in advance of any*
2 *such transfer, the Secretary of Veterans Affairs shall request*
3 *from the Committees on Appropriations of both Houses of*
4 *Congress the authority to make the transfer and such Com-*
5 *mittees issue an approval, or absent a response, a period*
6 *of 30 days has elapsed.*

7 *(RESCISSION OF FUNDS)*

8 *SEC. 253. (a) Of the unobligated balances in the “Re-*
9 *curing Expenses Transformational Fund” established in*
10 *section 243 of division J of Public Law 114–113,*
11 *\$820,000,000 is hereby rescinded immediately upon enact-*
12 *ment of this Act.*

13 *(b) For an additional amount for the accounts and*
14 *in the amounts specified, to remain available until ex-*
15 *pended, in addition to such other funds as may be available*
16 *for such purposes, as follows:*

17 *(1) “Departmental Administration—Informa-*
18 *tion Technology Systems”, \$670,000,000, for informa-*
19 *tion technology systems improvements and*
20 *sustainment; and*

21 *(2) “Veterans Health Administration—Medical*
22 *Facilities”, \$150,000,000, for facilities infrastructure*
23 *improvements, including non-recurring maintenance,*
24 *at existing hospitals and clinics of the Veterans*
25 *Health Administration:*

1 *Provided, That prior to obligation of any of the funds pro-*
2 *vided in this subsection, the Secretary of Veterans Affairs*
3 *must provide a plan for the execution of the funds appro-*
4 *priated in this subsection to the Committees on Appropria-*
5 *tions of both Houses of Congress and such Committees issue*
6 *an approval, or absent a response, a period of 30 days has*
7 *elapsed.*

8 *SEC. 254. Not later than 30 days after the end of each*
9 *fiscal quarter, the Secretary of Veterans Affairs shall submit*
10 *to the Committees on Appropriations of both Houses of Con-*
11 *gress a quarterly report on the status of the “Veterans Med-*
12 *ical Care and Health Fund”, established to execute section*
13 *8002 of the American Rescue Plan Act of 2021 (Public Law*
14 *117–2): Provided, That, at a minimum, the report shall in-*
15 *clude an update on obligations by program, project or activ-*
16 *ity and a plan for expending the remaining funds: Provided*
17 *further, That the Secretary of Veterans Affairs must submit*
18 *notification of any plans to reallocate funds from the cur-*
19 *rent apportionment categories of “Medical Services”, “Med-*
20 *ical Support and Compliance”, “Medical Facilities”, “Med-*
21 *ical Community Care”, or “Medical and Prosthetic Re-*
22 *search”, including the amount and purpose of each realloca-*
23 *tion to the Committees on Appropriations of both Houses*
24 *of Congress and such Committees issue an approval, or ab-*
25 *sent a response, a period of 30 days has elapsed.*

(RESCISSIONS OF FUNDS)

1
2 *SEC. 255. Of the unobligated balances available to the*
3 *Department of Veterans Affairs from prior appropriations*
4 *Acts, the following funds are hereby rescinded from the fol-*
5 *lowing accounts in the amounts specified:*

6 *“Veterans Health Administration—Medical*
7 *Services”, \$200,000,000;*

8 *“Veterans Health Administration—Medical*
9 *Community Care”, \$200,000,000; and*

10 *“Departmental Administration—Veterans Elec-*
11 *tronic Health Record”, \$200,000,000:*

12 *Provided, That no amounts may be rescinded from amounts*
13 *that were designated by the Congress as an emergency re-*
14 *quirement pursuant to a concurrent resolution on the budg-*
15 *et or the Balanced Budget and Emergency Deficit Control*
16 *Act of 1985.*

(RESCISSION OF FUNDS)

17
18 *SEC. 256. Immediately upon enactment of this Act, of*
19 *the unobligated balances of funds made available by section*
20 *8003 of the American Rescue Plan Act of 2021 (Public Law*
21 *117–2) to the Department of Veterans Affairs for the supply*
22 *chain modernization initiative, \$76,105,000 is hereby re-*
23 *scinded.*

24 *SEC. 257. Any amounts transferred to the Secretary*
25 *and administered by a corporation referred to in section*

1 7364(b) of title 38, United States Code, between October 1,
2 2016 and September 30, 2017 for purposes of carrying out
3 an order placed with the Department of Veterans Affairs
4 pursuant to section 1535 of title 31, United States Code,
5 that are available for obligation pursuant to section
6 7364(b)(1) of title 38, United States Code, are to remain
7 available for the liquidation of valid obligations incurred
8 by such corporation during the period of performance of
9 such order, provided that the Secretary of Veterans Affairs
10 determines that such amounts need to remain available for
11 such liquidation.

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TITLE III

RELATED AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement basis only) and hire of passenger motor vehicles; not to exceed \$15,000 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, \$87,500,000, to remain available until expended.

FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, such sums as may be necessary, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

1 *ment of Defense Real Property for Defense Agencies” ac-*
2 *count.*

3 *CONSTRUCTION*

4 *For necessary expenses for planning and design and*
5 *construction at Arlington National Cemetery and Soldiers’*
6 *and Airmen’s Home National Cemetery, \$141,000,000, to*
7 *remain available until expended, for planning and design*
8 *and construction associated with the Southern Expansion*
9 *project at Arlington National Cemetery.*

10 *ARMED FORCES RETIREMENT HOME*

11 *TRUST FUND*

12 *For expenses necessary for the Armed Forces Retire-*
13 *ment Home to operate and maintain the Armed Forces Re-*
14 *tirement Home—Washington, District of Columbia, and the*
15 *Armed Forces Retirement Home—Gulfport, Mississippi, to*
16 *be paid from funds available in the Armed Forces Retire-*
17 *ment Home Trust Fund, \$77,000,000, to remain available*
18 *until September 30, 2023, of which \$9,000,000 shall remain*
19 *available until expended for construction and renovation of*
20 *the physical plants at the Armed Forces Retirement*
21 *Home—Washington, District of Columbia, and the Armed*
22 *Forces Retirement Home—Gulfport, Mississippi: Provided,*
23 *That of the amounts made available under this heading*
24 *from funds available in the Armed Forces Retirement Home*

1 *Trust Fund, \$25,000,000 shall be paid from the general*
2 *fund of the Treasury to the Trust Fund.*

3 *ADMINISTRATIVE PROVISION*

4 *SEC. 301. Amounts deposited into the special account*
5 *established under 10 U.S.C. 7727 are appropriated and*
6 *shall be available until expended to support activities at*
7 *the Army National Military Cemeteries.*

TITLE IV

GENERAL PROVISIONS

1
2
3 *SEC. 401. No part of any appropriation contained in*
4 *this Act shall remain available for obligation beyond the*
5 *current fiscal year unless expressly so provided herein.*

6 *SEC. 402. None of the funds made available in this*
7 *Act may be used for any program, project, or activity, when*
8 *it is made known to the Federal entity or official to which*
9 *the funds are made available that the program, project, or*
10 *activity is not in compliance with any Federal law relating*
11 *to risk assessment, the protection of private property rights,*
12 *or unfunded mandates.*

13 *SEC. 403. All departments and agencies funded under*
14 *this Act are encouraged, within the limits of the existing*
15 *statutory authorities and funding, to expand their use of*
16 *“E-Commerce” technologies and procedures in the conduct*
17 *of their business practices and public service activities.*

18 *SEC. 404. Unless stated otherwise, all reports and noti-*
19 *fications required by this Act shall be submitted to the Sub-*
20 *committee on Military Construction and Veterans Affairs,*
21 *and Related Agencies of the Committee on Appropriations*
22 *of the House of Representatives and the Subcommittee on*
23 *Military Construction and Veterans Affairs, and Related*
24 *Agencies of the Committee on Appropriations of the Senate.*

1 *SEC. 405. None of the funds made available in this*
2 *Act may be transferred to any department, agency, or in-*
3 *strumentality of the United States Government except pur-*
4 *suant to a transfer made by, or transfer authority provided*
5 *in, this or any other appropriations Act.*

6 *SEC. 406. None of the funds made available in this*
7 *Act may be used for a project or program named for an*
8 *individual serving as a Member, Delegate, or Resident Com-*
9 *missioner of the United States House of Representatives.*

10 *SEC. 407. (a) Any agency receiving funds made avail-*
11 *able in this Act, shall, subject to subsections (b) and (c),*
12 *post on the public Web site of that agency any report re-*
13 *quired to be submitted by the Congress in this or any other*
14 *Act, upon the determination by the head of the agency that*
15 *it shall serve the national interest.*

16 *(b) Subsection (a) shall not apply to a report if—*

17 *(1) the public posting of the report compromises*
18 *national security; or*

19 *(2) the report contains confidential or propri-*
20 *etary information.*

21 *(c) The head of the agency posting such report shall*
22 *do so only after such report has been made available to the*
23 *requesting Committee or Committees of Congress for no less*
24 *than 45 days.*

1 *SEC. 408. (a) None of the funds made available in this*
2 *Act may be used to maintain or establish a computer net-*
3 *work unless such network blocks the viewing, downloading,*
4 *and exchanging of pornography.*

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

9 *SEC. 409. None of the funds made available in this*
10 *Act may be used by an agency of the executive branch to*
11 *pay for first-class travel by an employee of the agency in*
12 *contravention of sections 301–10.122 through 301–10.124 of*
13 *title 41, Code of Federal Regulations.*

14 *SEC. 410. None of the funds made available in this*
15 *Act may be used to execute a contract for goods or services,*
16 *including construction services, where the contractor has*
17 *not complied with Executive Order No. 12989.*

18 *SEC. 411. None of the funds made available by this*
19 *Act may be used in contravention of section 101(e)(8) of*
20 *title 10, United States Code.*

21 *SEC. 412. (a) IN GENERAL.—None of the funds appro-*
22 *priated or otherwise made available to the Department of*
23 *Defense in this Act may be used to construct, renovate, or*
24 *expand any facility in the United States, its territories, or*
25 *possessions to house any individual detained at United*

1 *States Naval Station, Guantánamo Bay, Cuba, for the pur-*
2 *poses of detention or imprisonment in the custody or under*
3 *the control of the Department of Defense.*

4 *(b) The prohibition in subsection (a) shall not apply*
5 *to any modification of facilities at United States Naval*
6 *Station, Guantánamo Bay, Cuba.*

7 *(c) An individual described in this subsection is any*
8 *individual who, as of June 24, 2009, is located at United*
9 *States Naval Station, Guantánamo Bay, Cuba, and who—*

10 *(1) is not a citizen of the United States or a*
11 *member of the Armed Forces of the United States; and*

12 *(2) is—*

13 *(A) in the custody or under the effective*
14 *control of the Department of Defense; or*

15 *(B) otherwise under detention at United*
16 *States Naval Station, Guantánamo Bay, Cuba.*

17 *This division may be cited as the “Military Construc-*
18 *tion, Veterans Affairs, and Related Agencies Appropria-*
19 *tions Act, 2022”.*

1 ***DIVISION K—DEPARTMENT OF STATE,***
2 ***FOREIGN OPERATIONS, AND RELATED***
3 ***PROGRAMS APPROPRIATIONS ACT,***
4 ***2022***

5 *TITLE I*

6 *DEPARTMENT OF STATE AND RELATED AGENCY*

7 *DEPARTMENT OF STATE*

8 *ADMINISTRATION OF FOREIGN AFFAIRS*

9 *DIPLOMATIC PROGRAMS*

10 *For necessary expenses of the Department of State and*
11 *the Foreign Service not otherwise provided for,*
12 *\$9,178,789,000, of which \$808,589,000 may remain avail-*
13 *able until September 30, 2023, and of which up to*
14 *\$3,788,199,000 may remain available until expended for*
15 *Worldwide Security Protection: Provided, That funds made*
16 *available under this heading shall be allocated in accord-*
17 *ance with paragraphs (1) through (4) as follows:*

18 *(1) HUMAN RESOURCES.—For necessary ex-*
19 *penses for training, human resources management,*
20 *and salaries, including employment without regard to*
21 *civil service and classification laws of persons on a*
22 *temporary basis (not to exceed \$700,000), as author-*
23 *ized by section 801 of the United States Information*
24 *and Educational Exchange Act of 1948 (62 Stat. 11;*

1 Chapter 36), \$3,216,871,000, of which up to
2 \$661,240,000 is for *Worldwide Security Protection*.

3 (2) *OVERSEAS PROGRAMS*.—For necessary ex-
4 penses for the regional bureaus of the Department of
5 State and overseas activities as authorized by law,
6 \$1,791,425,000.

7 (3) *DIPLOMATIC POLICY AND SUPPORT*.—For
8 necessary expenses for the functional bureaus of the
9 Department of State, including representation to cer-
10 tain international organizations in which the United
11 States participates pursuant to treaties ratified pur-
12 suant to the advice and consent of the Senate or spe-
13 cific Acts of Congress, general administration, and
14 arms control, nonproliferation, and disarmament ac-
15 tivities as authorized, \$994,768,000.

16 (4) *SECURITY PROGRAMS*.—For necessary ex-
17 penses for security activities, \$3,175,725,000, of which
18 up to \$3,126,959,000 is for *Worldwide Security Pro-*
19 *tection*.

20 (5) *FEEES AND PAYMENTS COLLECTED*.—In addi-
21 tion to amounts otherwise made available under this
22 heading—

23 (A) as authorized by section 810 of the
24 *United States Information and Educational Ex-*
25 *change Act*, not to exceed \$5,000,000, to remain

1 *available until expended, may be credited to this*
2 *appropriation from fees or other payments re-*
3 *ceived from English teaching, library, motion*
4 *pictures, and publication programs and from*
5 *fees from educational advising and counseling*
6 *and exchange visitor programs; and*

7 *(B) not to exceed \$15,000, which shall be*
8 *derived from reimbursements, surcharges, and*
9 *fees for use of Blair House facilities.*

10 (6) *TRANSFER OF FUNDS, REPROGRAMMING, AND*
11 *OTHER MATTERS.—*

12 *(A) Notwithstanding any other provision of*
13 *this Act, funds may be reprogrammed within*
14 *and between paragraphs (1) through (4) under*
15 *this heading subject to section 7015 of this Act.*

16 *(B) Of the amount made available under*
17 *this heading for Worldwide Security Protection,*
18 *not to exceed \$50,000,000 may be transferred to,*
19 *and merged with, funds made available by this*
20 *Act under the heading “Emergencies in the Dip-*
21 *lomatic and Consular Service”, to be available*
22 *only for emergency evacuations and rewards, as*
23 *authorized: Provided, That the exercise of the au-*
24 *thority provided by this subparagraph shall be*

1 *subject to prior consultation with the Committees*
2 *on Appropriations.*

3 *(C) Funds appropriated under this heading*
4 *are available for acquisition by exchange or pur-*
5 *chase of passenger motor vehicles as authorized*
6 *by law and, pursuant to section 1108(g) of title*
7 *31, United States Code, for the field examination*
8 *of programs and activities in the United States*
9 *funded from any account contained in this title.*

10 *(D) Funds appropriated under this heading*
11 *shall be made available for the following pur-*
12 *poses and as specified under this heading in the*
13 *explanatory statement described in section 4 (in*
14 *the matter preceding division A of this consoli-*
15 *dated Act) to—*

16 *(i) support the activities of an Amba-*
17 *sador-at-Large for the Arctic Region; and*

18 *(ii) implement an Arctic Indigenous*
19 *Exchange Program.*

20 *(E) Of the amount made available under*
21 *this heading, up to \$100,000,000 may be trans-*
22 *ferred to, and merged with, funds made available*
23 *in title I of this Act under the heading “Capital*
24 *Investment Fund”: Provided, That the exercise of*
25 *the authority provided by this subparagraph*

1 *shall be subject to prior consultation with the*
2 *Committees on Appropriations.*

3 *CAPITAL INVESTMENT FUND*

4 *For necessary expenses of the Capital Investment*
5 *Fund, as authorized, \$300,000,000, to remain available*
6 *until expended.*

7 *OFFICE OF INSPECTOR GENERAL*

8 *For necessary expenses of the Office of Inspector Gen-*
9 *eral, \$91,458,000, of which \$13,718,000 may remain avail-*
10 *able until September 30, 2023: Provided, That funds appro-*
11 *riated under this heading are made available notwith-*
12 *standing section 209(a)(1) of the Foreign Service Act of*
13 *1980 (22 U.S.C. 3929(a)(1)), as it relates to post inspec-*
14 *tions.*

15 *In addition, for the Special Inspector General for Af-*
16 *ghanistan Reconstruction (SIGAR) for reconstruction over-*
17 *sight, \$40,000,000, to remain available until September 30,*
18 *2023: Provided, That funds appropriated under this head-*
19 *ing that are made available for the printing and reproduc-*
20 *tion costs of SIGAR shall not exceed amounts for such costs*
21 *during the prior fiscal year.*

22 *EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS*

23 *For necessary expenses of educational and cultural ex-*
24 *change programs, as authorized, \$753,000,000, to remain*
25 *available until expended, of which not less than*

1 \$275,000,000 shall be for the Fulbright Program and not
2 less than \$113,860,000 shall be for Citizen Exchange Pro-
3 gram: Provided, That fees or other payments received from,
4 or in connection with, English teaching, educational advis-
5 ing and counseling programs, and exchange visitor pro-
6 grams as authorized may be credited to this account, to re-
7 main available until expended: Provided further, That a
8 portion of the Fulbright awards from the Eurasia and Cen-
9 tral Asia regions shall be designated as Edmund S. Muskie
10 Fellowships, following consultation with the Committees on
11 Appropriations: Provided further, That funds appropriated
12 under this heading that are made available for the Ben-
13 jamin Gilman International Scholarships Program shall
14 also be made available for the John S. McCain Scholars
15 Program, pursuant to section 7075 of the Department of
16 State, Foreign Operations, and Related Programs Appro-
17 priations Act, 2019 (division F of Public Law 116–6): Pro-
18 vided further, That funds appropriated under this heading
19 shall be made available for the Community Engagement
20 Exchange Program as described under the heading “Civil
21 Society Exchange Program” in Senate Report 116–126:
22 Provided further, That any substantive modifications from
23 the prior fiscal year to programs funded by this Act under
24 this heading shall be subject to prior consultation with, and

1 *the regular notification procedures of, the Committees on*
2 *Appropriations.*

3 *REPRESENTATION EXPENSES*

4 *For representation expenses as authorized, \$7,415,000.*

5 *PROTECTION OF FOREIGN MISSIONS AND OFFICIALS*

6 *For necessary expenses, not otherwise provided, to en-*
7 *able the Secretary of State to provide for extraordinary pro-*
8 *tective services, as authorized, \$30,890,000, to remain avail-*
9 *able until September 30, 2023.*

10 *EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE*

11 *For necessary expenses for carrying out the Foreign*
12 *Service Buildings Act of 1926 (22 U.S.C. 292 et seq.), pre-*
13 *servicing, maintaining, repairing, and planning for real*
14 *property that are owned or leased by the Department of*
15 *State, and renovating, in addition to funds otherwise avail-*
16 *able, the Harry S Truman Building, \$850,722,000, to re-*
17 *main available until September 30, 2026, of which not to*
18 *exceed \$25,000 may be used for overseas representation ex-*
19 *penses as authorized: Provided, That none of the funds ap-*
20 *propriated in this paragraph shall be available for acquisi-*
21 *tion of furniture, furnishings, or generators for other de-*
22 *partments and agencies of the United States Government.*

23 *In addition, for the costs of worldwide security up-*
24 *grades, acquisition, and construction as authorized,*
25 *\$1,132,427,000, to remain available until expended.*

1 *and, in addition, as authorized by section 5 of such Act,*
2 *\$743,000, to be derived from the reserve authorized by such*
3 *section, to be used for the purposes set out in that section.*

4 *PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND*
5 *DISABILITY FUND*

6 *For payment to the Foreign Service Retirement and*
7 *Disability Fund, as authorized, \$158,900,000.*

8 *INTERNATIONAL ORGANIZATIONS*

9 *CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS*

10 *For necessary expenses, not otherwise provided for, to*
11 *meet annual obligations of membership in international*
12 *multilateral organizations, pursuant to treaties ratified*
13 *pursuant to the advice and consent of the Senate, conven-*
14 *tions, or specific Acts of Congress, \$1,662,928,000, of which*
15 *\$96,240,000 may remain available until September 30,*
16 *2023: Provided, That the Secretary of State shall, at the*
17 *time of the submission of the President's budget to Congress*
18 *under section 1105(a) of title 31, United States Code, trans-*
19 *mit to the Committees on Appropriations the most recent*
20 *biennial budget prepared by the United Nations for the op-*
21 *erations of the United Nations: Provided further, That the*
22 *Secretary of State shall notify the Committees on Appro-*
23 *priations at least 15 days in advance (or in an emergency,*
24 *as far in advance as is practicable) of any United Nations*
25 *action to increase funding for any United Nations program*

1 *without identifying an offsetting decrease elsewhere in the*
2 *United Nations budget: Provided further, That any pay-*
3 *ment of arrearages under this heading shall be directed to*
4 *activities that are mutually agreed upon by the United*
5 *States and the respective international organization and*
6 *shall be subject to the regular notification procedures of the*
7 *Committees on Appropriations: Provided further, That*
8 *none of the funds appropriated under this heading shall be*
9 *available for a United States contribution to an inter-*
10 *national organization for the United States share of interest*
11 *costs made known to the United States Government by such*
12 *organization for loans incurred on or after October 1, 1984,*
13 *through external borrowings.*

14 *CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING*

15 *ACTIVITIES*

16 *For necessary expenses to pay assessed and other ex-*
17 *penses of international peacekeeping activities directed to*
18 *the maintenance or restoration of international peace and*
19 *security, \$1,498,614,000, of which \$749,307,000 may re-*
20 *main available until September 30, 2023: Provided, That*
21 *none of the funds made available by this Act shall be obli-*
22 *gated or expended for any new or expanded United Nations*
23 *peacekeeping mission unless, at least 15 days in advance*
24 *of voting for such mission in the United Nations Security*
25 *Council (or in an emergency as far in advance as is prac-*

1 ticable), the Committees on Appropriations are notified of:
2 (1) the estimated cost and duration of the mission, the objec-
3 tives of the mission, the national interest that will be served,
4 and the exit strategy; and (2) the sources of funds, including
5 any reprogrammings or transfers, that will be used to pay
6 the cost of the new or expanded mission, and the estimated
7 cost in future fiscal years: Provided further, That none of
8 the funds appropriated under this heading may be made
9 available for obligation unless the Secretary of State cer-
10 tifies and reports to the Committees on Appropriations on
11 a peacekeeping mission-by-mission basis that the United
12 Nations is implementing effective policies and procedures
13 to prevent United Nations employees, contractor personnel,
14 and peacekeeping troops serving in such mission from traf-
15 ficking in persons, exploiting victims of trafficking, or com-
16 mitting acts of sexual exploitation and abuse or other viola-
17 tions of human rights, and to hold accountable individuals
18 who engage in such acts while participating in such mis-
19 sion, including prosecution in their home countries and
20 making information about such prosecutions publicly avail-
21 able on the website of the United Nations: Provided further,
22 That the Secretary of State shall work with the United Na-
23 tions and foreign governments contributing peacekeeping
24 troops to implement effective vetting procedures to ensure
25 that such troops have not violated human rights: Provided

1 *further, That funds shall be available for peacekeeping ex-*
2 *penses unless the Secretary of State determines that United*
3 *States manufacturers and suppliers are not being given op-*
4 *portunities to provide equipment, services, and material for*
5 *United Nations peacekeeping activities equal to those being*
6 *given to foreign manufacturers and suppliers: Provided fur-*
7 *ther, That none of the funds appropriated or otherwise*
8 *made available under this heading may be used for any*
9 *United Nations peacekeeping mission that will involve*
10 *United States Armed Forces under the command or oper-*
11 *ational control of a foreign national, unless the President's*
12 *military advisors have submitted to the President a rec-*
13 *ommendation that such involvement is in the national in-*
14 *terest of the United States and the President has submitted*
15 *to Congress such a recommendation: Provided further, That*
16 *any payment of arrearages with funds appropriated by this*
17 *Act shall be subject to the regular notification procedures*
18 *of the Committees on Appropriations.*

19 *INTERNATIONAL COMMISSIONS*

20 *For necessary expenses, not otherwise provided for, to*
21 *meet obligations of the United States arising under treaties,*
22 *or specific Acts of Congress, as follows:*

1 *consultation with, and the regular notification procedures*
2 *of, the Committees on Appropriations: Provided further,*
3 *That such transfer authority is in addition to any other*
4 *transfer authority provided in this Act.*

5 *AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS*

6 *For necessary expenses, not otherwise provided, for the*
7 *International Joint Commission and the International*
8 *Boundary Commission, United States and Canada, as au-*
9 *thorized by treaties between the United States and Canada*
10 *or Great Britain, and for technical assistance grants and*
11 *the Community Assistance Program of the North American*
12 *Development Bank, \$15,008,000: Provided, That of the*
13 *amount provided under this heading for the International*
14 *Joint Commission, up to \$1,250,000 may remain available*
15 *until September 30, 2023, and up to \$9,000 may be made*
16 *available for representation expenses: Provided further,*
17 *That of the amount provided under this heading for the*
18 *International Boundary Commission, up to \$1,000 may be*
19 *made available for representation expenses.*

20 *INTERNATIONAL FISHERIES COMMISSIONS*

21 *For necessary expenses for international fisheries com-*
22 *missions, not otherwise provided for, as authorized by law,*
23 *\$62,846,000: Provided, That the United States share of such*
24 *expenses may be advanced to the respective commissions*
25 *pursuant to section 3324 of title 31, United States Code.*

*RELATED AGENCY**UNITED STATES AGENCY FOR GLOBAL MEDIA**INTERNATIONAL BROADCASTING OPERATIONS*

For necessary expenses to enable the United States Agency for Global Media (USAGM), as authorized, to carry out international communication activities, and to make and supervise grants for radio, Internet, and television broadcasting to the Middle East, \$850,300,000: Provided, That in addition to amounts otherwise available for such purposes, up to \$47,708,000 of the amount appropriated under this heading may remain available until expended for satellite transmissions and Internet freedom programs, of which not less than \$27,000,000 shall be for Internet freedom programs: Provided further, That of the total amount appropriated under this heading, not to exceed \$35,000 may be used for representation expenses, of which \$10,000 may be used for such expenses within the United States as authorized, and not to exceed \$30,000 may be used for representation expenses of Radio Free Europe/Radio Liberty: Provided further, That funds appropriated under this heading shall be allocated in accordance with the table included under this heading in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act): Provided further, That notwithstanding the previous proviso, funds may be reprogrammed within and

1 *between amounts designated in such table, subject to the reg-*
2 *ular notification procedures of the Committees on Appro-*
3 *priations, except that no such reprogramming may reduce*
4 *a designated amount by more than 5 percent: Provided fur-*
5 *ther, That funds appropriated under this heading shall be*
6 *made available in accordance with the principles and*
7 *standards set forth in section 303(a) and (b) of the United*
8 *States International Broadcasting Act of 1994 (22 U.S.C.*
9 *6202) and section 305(b) of such Act (22 U.S.C. 6204): Pro-*
10 *vided further, That the USAGM Chief Executive Officer*
11 *shall notify the Committees on Appropriations within 15*
12 *days of any determination by the USAGM that any of its*
13 *broadcast entities, including its grantee organizations, pro-*
14 *vides an open platform for international terrorists or those*
15 *who support international terrorism, or is in violation of*
16 *the principles and standards set forth in section 303(a) and*
17 *(b) of such Act or the entity's journalistic code of ethics:*
18 *Provided further, That in addition to funds made available*
19 *under this heading, and notwithstanding any other provi-*
20 *sion of law, up to \$5,000,000 in receipts from advertising*
21 *and revenue from business ventures, up to \$500,000 in re-*
22 *ceipts from cooperating international organizations, and*
23 *up to \$1,000,000 in receipts from privatization efforts of*
24 *the Voice of America and the International Broadcasting*
25 *Bureau, shall remain available until expended for carrying*

1 out authorized purposes: Provided further, That significant
2 modifications to USAGM broadcast hours previously justi-
3 fied to Congress, including changes to transmission plat-
4 forms (shortwave, medium wave, satellite, Internet, and tel-
5 evision), for all USAGM language services shall be subject
6 to the regular notification procedures of the Committees on
7 Appropriations: Provided further, That up to \$5,000,000
8 from the USAGM Buying Power Maintenance account may
9 be transferred to, and merged with, funds appropriated by
10 this Act under the heading “International Broadcasting
11 Operations”, which shall remain available until expended:
12 Provided further, That such transfer authority is in addi-
13 tion to any transfer authority otherwise available under
14 any other provision of law and shall be subject to prior con-
15 sultation with, and the regular notification procedures of,
16 the Committees on Appropriations.

17 *BROADCASTING CAPITAL IMPROVEMENTS*

18 *For the purchase, rent, construction, repair, preserva-*
19 *tion, and improvement of facilities for radio, television, and*
20 *digital transmission and reception; the purchase, rent, and*
21 *installation of necessary equipment for radio, television,*
22 *and digital transmission and reception, including to Cuba,*
23 *as authorized; and physical security worldwide, in addition*
24 *to amounts otherwise available for such purposes,*

1 \$9,700,000, to remain available until expended, as author-
2 ized.

3 *RELATED PROGRAMS*

4 *THE ASIA FOUNDATION*

5 *For a grant to The Asia Foundation, as authorized*
6 *by The Asia Foundation Act (22 U.S.C. 4402), \$21,500,000,*
7 *to remain available until expended.*

8 *UNITED STATES INSTITUTE OF PEACE*

9 *For necessary expenses of the United States Institute*
10 *of Peace, as authorized by the United States Institute of*
11 *Peace Act (22 U.S.C. 4601 et seq.), \$54,000,000, to remain*
12 *available until September 30, 2023, which shall not be used*
13 *for construction activities.*

14 *CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE*

15 *TRUST FUND*

16 *For necessary expenses of the Center for Middle East-*
17 *ern-Western Dialogue Trust Fund, as authorized by section*
18 *633 of the Departments of Commerce, Justice, and State,*
19 *the Judiciary, and Related Agencies Appropriations Act,*
20 *2004 (22 U.S.C. 2078), the total amount of the interest and*
21 *earnings accruing to such Fund on or before September 30,*
22 *2022, to remain available until expended.*

23 *EISENHOWER EXCHANGE FELLOWSHIP PROGRAM*

24 *For necessary expenses of Eisenhower Exchange Fel-*
25 *lowships, Incorporated, as authorized by sections 4 and 5*

1 *of the Eisenhower Exchange Fellowship Act of 1990 (20*
2 *U.S.C. 5204–5205), all interest and earnings accruing to*
3 *the Eisenhower Exchange Fellowship Program Trust Fund*
4 *on or before September 30, 2022, to remain available until*
5 *expended: Provided, That none of the funds appropriated*
6 *herein shall be used to pay any salary or other compensa-*
7 *tion, or to enter into any contract providing for the pay-*
8 *ment thereof, in excess of the rate authorized by section 5376*
9 *of title 5, United States Code; or for purposes which are*
10 *not in accordance with section 200 of title 2 of the Code*
11 *of Federal Regulations, including the restrictions on com-*
12 *ensation for personal services.*

13 *ISRAELI ARAB SCHOLARSHIP PROGRAM*

14 *For necessary expenses of the Israeli Arab Scholarship*
15 *Program, as authorized by section 214 of the Foreign Rela-*
16 *tions Authorization Act, Fiscal Years 1992 and 1993 (22*
17 *U.S.C. 2452 note), all interest and earnings accruing to the*
18 *Israeli Arab Scholarship Fund on or before September 30,*
19 *2022, to remain available until expended.*

20 *EAST-WEST CENTER*

21 *To enable the Secretary of State to provide for car-*
22 *rying out the provisions of the Center for Cultural and*
23 *Technical Interchange Between East and West Act of 1960,*
24 *by grant to the Center for Cultural and Technical Inter-*

1 *change Between East and West in the State of Hawaii,*
2 *\$19,700,000.*

3 *NATIONAL ENDOWMENT FOR DEMOCRACY*

4 *For grants made by the Department of State to the*
5 *National Endowment for Democracy, as authorized by the*
6 *National Endowment for Democracy Act (22 U.S.C. 4412),*
7 *\$315,000,000, to remain available until expended, of which*
8 *\$195,840,000 shall be allocated in the traditional and cus-*
9 *tomary manner, including for the core institutes, and*
10 *\$104,160,000 shall be for democracy programs: Provided,*
11 *That the requirements of section 7062(a) of this Act shall*
12 *not apply to funds made available under this heading.*

13 *OTHER COMMISSIONS*

14 *COMMISSION FOR THE PRESERVATION OF AMERICA'S*

15 *HERITAGE ABROAD*

16 *SALARIES AND EXPENSES*

17 *For necessary expenses for the Commission for the*
18 *Preservation of America's Heritage Abroad, \$642,000, as*
19 *authorized by chapter 3123 of title 54, United States Code:*
20 *Provided, That the Commission may procure temporary,*
21 *intermittent, and other services notwithstanding paragraph*
22 *(3) of section 312304(b) of such chapter: Provided further,*
23 *That such authority shall terminate on October 1, 2022:*
24 *Provided further, That the Commission shall notify the*

1 *Committees on Appropriations prior to exercising such au-*
2 *thority.*

3 *UNITED STATES COMMISSION ON INTERNATIONAL*
4 *RELIGIOUS FREEDOM*
5 *SALARIES AND EXPENSES*

6 *For necessary expenses for the United States Commis-*
7 *sion on International Religious Freedom, as authorized by*
8 *title II of the International Religious Freedom Act of 1998*
9 *(22 U.S.C. 6431 et seq.), \$4,500,000, to remain available*
10 *until September 30, 2023, including not more than \$4,000*
11 *for representation expenses: Provided, That of the funds ap-*
12 *propriated under this heading, \$1,000,000 shall be subject*
13 *to prior consultation with the Committees on Appropria-*
14 *tions: Provided further, That the United States Commission*
15 *on International Religious Freedom shall, on a regular*
16 *basis, monitor, report on, and advocate against laws and*
17 *policies of, foreign governments that permit or condone dis-*
18 *crimination against, or violations of human rights of, mi-*
19 *nority groups and other vulnerable communities on the*
20 *basis of religion.*

21 *COMMISSION ON SECURITY AND COOPERATION IN EUROPE*
22 *SALARIES AND EXPENSES*

23 *For necessary expenses of the Commission on Security*
24 *and Cooperation in Europe, as authorized by Public Law*
25 *94–304 (22 U.S.C. 3001 et seq.), \$2,908,000, including not*

1 *more than \$5,000 for representation expenses, to remain*
2 *available until September 30, 2023.*

3 *CONGRESSIONAL-EXECUTIVE COMMISSION ON THE*
4 *PEOPLE’S REPUBLIC OF CHINA*
5 *SALARIES AND EXPENSES*

6 *For necessary expenses of the Congressional-Executive*
7 *Commission on the People’s Republic of China, as author-*
8 *ized by title III of the U.S.-China Relations Act of 2000*
9 *(22 U.S.C. 6911 et seq.), \$2,250,000, including not more*
10 *than \$3,000 for representation expenses, to remain avail-*
11 *able until September 30, 2023.*

12 *UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW*
13 *COMMISSION*
14 *SALARIES AND EXPENSES*

15 *For necessary expenses of the United States-China*
16 *Economic and Security Review Commission, as authorized*
17 *by section 1238 of the Floyd D. Spence National Defense*
18 *Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002),*
19 *\$4,000,000, including not more than \$4,000 for representa-*
20 *tion expenses, to remain available until September 30,*
21 *2023: Provided, That the authorities, requirements, limita-*
22 *tions, and conditions contained in the second through fifth*
23 *provisos under this heading in the Department of State,*
24 *Foreign Operations, and Related Programs Appropriations*
25 *Act, 2010 (division F of Public Law 111–117) shall con-*

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- 1 *tinue in effect during fiscal year 2022 and shall apply to*
- 2 *funds appropriated under this heading.*

1 *Act to “Operating Expenses” in accordance with the provi-*
2 *sions of those sections: Provided further, That of the funds*
3 *appropriated or made available under this heading, not to*
4 *exceed \$250,000 may be available for representation and*
5 *entertainment expenses, of which not to exceed \$5,000 may*
6 *be available for entertainment expenses, and not to exceed*
7 *\$100,500 shall be for official residence expenses, for USAID*
8 *during the current fiscal year.*

9 *CAPITAL INVESTMENT FUND*

10 *For necessary expenses for overseas construction and*
11 *related costs, and for the procurement and enhancement of*
12 *information technology and related capital investments,*
13 *pursuant to section 667 of the Foreign Assistance Act of*
14 *1961, \$258,200,000, to remain available until expended:*
15 *Provided, That this amount is in addition to funds other-*
16 *wise available for such purposes: Provided further, That*
17 *funds appropriated under this heading shall be available*
18 *subject to the regular notification procedures of the Commit-*
19 *tees on Appropriations.*

20 *OFFICE OF INSPECTOR GENERAL*

21 *For necessary expenses to carry out the provisions of*
22 *section 667 of the Foreign Assistance Act of 1961,*
23 *\$80,000,000, of which up to \$12,000,000 may remain avail-*
24 *able until September 30, 2023, for the Office of Inspector*

- 1 *General of the United States Agency for International De-*
- 2 *velopment.*

1 *TITLE III*
2 *BILATERAL ECONOMIC ASSISTANCE*
3 *FUNDS APPROPRIATED TO THE PRESIDENT*

4 *For necessary expenses to enable the President to carry*
5 *out the provisions of the Foreign Assistance Act of 1961,*
6 *and for other purposes, as follows:*

7 *GLOBAL HEALTH PROGRAMS*

8 *For necessary expenses to carry out the provisions of*
9 *chapters 1 and 10 of part I of the Foreign Assistance Act*
10 *of 1961, for global health activities, in addition to funds*
11 *otherwise available for such purposes, \$3,880,000,000, to re-*
12 *main available until September 30, 2023, and which shall*
13 *be apportioned directly to the United States Agency for*
14 *International Development: Provided, That this amount*
15 *shall be made available for training, equipment, and tech-*
16 *nical assistance to build the capacity of public health insti-*
17 *tutions and organizations in developing countries, and for*
18 *such activities as: (1) child survival and maternal health*
19 *programs; (2) immunization and oral rehydration pro-*
20 *grams; (3) other health, nutrition, water and sanitation*
21 *programs which directly address the needs of mothers and*
22 *children, and related education programs; (4) assistance for*
23 *children displaced or orphaned by causes other than AIDS;*
24 *(5) programs for the prevention, treatment, control of, and*
25 *research on HIV/AIDS, tuberculosis, polio, malaria, and*

1 *other infectious diseases including neglected tropical dis-*
2 *eases, and for assistance to communities severely affected*
3 *by HIV/AIDS, including children infected or affected by*
4 *AIDS; (6) disaster preparedness training for health crises;*
5 *(7) programs to prevent, prepare for, and respond to unan-*
6 *ticipated and emerging global health threats, including*
7 *zoonotic diseases; and (8) family planning/reproductive*
8 *health: Provided further, That funds appropriated under*
9 *this paragraph may be made available for United States*
10 *contributions to The GAVI Alliance and to a multilateral*
11 *vaccine development partnership to support epidemic pre-*
12 *paredness: Provided further, That none of the funds made*
13 *available in this Act nor any unobligated balances from*
14 *prior appropriations Acts may be made available to any*
15 *organization or program which, as determined by the Presi-*
16 *dent of the United States, supports or participates in the*
17 *management of a program of coercive abortion or involun-*
18 *tary sterilization: Provided further, That any determina-*
19 *tion made under the previous proviso must be made not*
20 *later than 6 months after the date of enactment of this Act,*
21 *and must be accompanied by the evidence and criteria uti-*
22 *lized to make the determination: Provided further, That*
23 *none of the funds made available under this Act may be*
24 *used to pay for the performance of abortion as a method*
25 *of family planning or to motivate or coerce any person to*

1 *practice abortions: Provided further, That nothing in this*
2 *paragraph shall be construed to alter any existing statutory*
3 *prohibitions against abortion under section 104 of the For-*
4 *ign Assistance Act of 1961: Provided further, That none*
5 *of the funds made available under this Act may be used*
6 *to lobby for or against abortion: Provided further, That in*
7 *order to reduce reliance on abortion in developing nations,*
8 *funds shall be available only to voluntary family planning*
9 *projects which offer, either directly or through referral to,*
10 *or information about access to, a broad range of family*
11 *planning methods and services, and that any such vol-*
12 *untary family planning project shall meet the following re-*
13 *quirements: (1) service providers or referral agents in the*
14 *project shall not implement or be subject to quotas, or other*
15 *numerical targets, of total number of births, number of fam-*
16 *ily planning acceptors, or acceptors of a particular method*
17 *of family planning (this provision shall not be construed*
18 *to include the use of quantitative estimates or indicators*
19 *for budgeting and planning purposes); (2) the project shall*
20 *not include payment of incentives, bribes, gratuities, or fi-*
21 *nancial reward to: (A) an individual in exchange for be-*
22 *coming a family planning acceptor; or (B) program per-*
23 *sonnel for achieving a numerical target or quota of total*
24 *number of births, number of family planning acceptors, or*
25 *acceptors of a particular method of family planning; (3)*

1 *the project shall not deny any right or benefit, including*
2 *the right of access to participate in any program of general*
3 *welfare or the right of access to health care, as a consequence*
4 *of any individual's decision not to accept family planning*
5 *services; (4) the project shall provide family planning ac-*
6 *ceptors comprehensible information on the health benefits*
7 *and risks of the method chosen, including those conditions*
8 *that might render the use of the method inadvisable and*
9 *those adverse side effects known to be consequent to the use*
10 *of the method; and (5) the project shall ensure that experi-*
11 *mental contraceptive drugs and devices and medical proce-*
12 *dures are provided only in the context of a scientific study*
13 *in which participants are advised of potential risks and*
14 *benefits; and, not less than 60 days after the date on which*
15 *the USAID Administrator determines that there has been*
16 *a violation of the requirements contained in paragraph (1),*
17 *(2), (3), or (5) of this proviso, or a pattern or practice of*
18 *violations of the requirements contained in paragraph (4)*
19 *of this proviso, the Administrator shall submit to the Com-*
20 *mittees on Appropriations a report containing a descrip-*
21 *tion of such violation and the corrective action taken by*
22 *the Agency: Provided further, That in awarding grants for*
23 *national family planning under section 104 of the Foreign*
24 *Assistance Act of 1961 no applicant shall be discriminated*
25 *against because of such applicant's religious or conscien-*

1 *tious commitment to offer only natural family planning;*
2 *and, additionally, all such applicants shall comply with the*
3 *requirements of the previous proviso: Provided further, That*
4 *for purposes of this or any other Act authorizing or appro-*
5 *priating funds for the Department of State, foreign oper-*
6 *ations, and related programs, the term “motivate”, as it*
7 *relates to family planning assistance, shall not be construed*
8 *to prohibit the provision, consistent with local law, of infor-*
9 *mation or counseling about all pregnancy options: Provided*
10 *further, That information provided about the use of*
11 *condoms as part of projects or activities that are funded*
12 *from amounts appropriated by this Act shall be medically*
13 *accurate and shall include the public health benefits and*
14 *failure rates of such use.*

15 *In addition, for necessary expenses to carry out the*
16 *provisions of the Foreign Assistance Act of 1961 for the pre-*
17 *vention, treatment, and control of, and research on, HIV/*
18 *AIDS, \$5,950,000,000, to remain available until September*
19 *30, 2026, which shall be apportioned directly to the Depart-*
20 *ment of State: Provided, That funds appropriated under*
21 *this paragraph may be made available, notwithstanding*
22 *any other provision of law, except for the United States*
23 *Leadership Against HIV/AIDS, Tuberculosis, and Malaria*
24 *Act of 2003 (Public Law 108–25), for a United States con-*
25 *tribution to the Global Fund to Fight AIDS, Tuberculosis*

1 *and Malaria (Global Fund): Provided further, That the*
2 *amount of such contribution shall be \$1,560,000,000: Pro-*
3 *vided further, That up to 5 percent of the aggregate amount*
4 *of funds made available to the Global Fund in fiscal year*
5 *2022 may be made available to USAID for technical assist-*
6 *ance related to the activities of the Global Fund, subject*
7 *to the regular notification procedures of the Committees on*
8 *Appropriations: Provided further, That of the funds appro-*
9 *priated under this paragraph, up to \$17,000,000 may be*
10 *made available, in addition to amounts otherwise available*
11 *for such purposes, for administrative expenses of the Office*
12 *of the United States Global AIDS Coordinator.*

13 *DEVELOPMENT ASSISTANCE*

14 *For necessary expenses to carry out the provisions of*
15 *sections 103, 105, 106, 214, and sections 251 through 255,*
16 *and chapter 10 of part I of the Foreign Assistance Act of*
17 *1961, \$4,140,494,000, to remain available until September*
18 *30, 2023: Provided, That funds made available under this*
19 *heading shall be apportioned to the United States Agency*
20 *for International Development.*

21 *INTERNATIONAL DISASTER ASSISTANCE*

22 *For necessary expenses to carry out the provisions of*
23 *section 491 of the Foreign Assistance Act of 1961 for inter-*
24 *national disaster relief, rehabilitation, and reconstruction*
25 *assistance, \$3,905,460,000, to remain available until ex-*

1 *pending: Provided, That funds made available under this*
2 *heading shall be apportioned to the United States Agency*
3 *for International Development not later than 60 days after*
4 *enactment of this Act.*

5 *TRANSITION INITIATIVES*

6 *For necessary expenses for international disaster reha-*
7 *bilitation and reconstruction assistance administered by the*
8 *Office of Transition Initiatives, United States Agency for*
9 *International Development, pursuant to section 491 of the*
10 *Foreign Assistance Act of 1961, and to support transition*
11 *to democracy and long-term development of countries in cri-*
12 *sis, \$80,000,000, to remain available until expended: Pro-*
13 *vided, That such support may include assistance to develop,*
14 *strengthen, or preserve democratic institutions and proc-*
15 *esses, revitalize basic infrastructure, and foster the peaceful*
16 *resolution of conflict: Provided further, That the USAID*
17 *Administrator shall submit a report to the Committees on*
18 *Appropriations at least 5 days prior to beginning a new,*
19 *or terminating a, program of assistance: Provided further,*
20 *That if the Secretary of State determines that it is impor-*
21 *tant to the national interest of the United States to provide*
22 *transition assistance in excess of the amount appropriated*
23 *under this heading, up to \$15,000,000 of the funds appro-*
24 *priated by this Act to carry out the provisions of part I*
25 *of the Foreign Assistance Act of 1961 may be used for pur-*

1 *poses of this heading and under the authorities applicable*
2 *to funds appropriated under this heading: Provided further,*
3 *That funds made available pursuant to the previous proviso*
4 *shall be made available subject to prior consultation with*
5 *the Committees on Appropriations.*

6 *COMPLEX CRISES FUND*

7 *For necessary expenses to carry out the provisions of*
8 *section 509(b) of the Global Fragility Act of 2019 (title V*
9 *of division J of Public Law 116–94), \$60,000,000, to re-*
10 *main available until expended: Provided, That funds ap-*
11 *propriated under this heading may be made available not-*
12 *withstanding any other provision of law, except sections*
13 *7007, 7008, and 7018 of this Act and section 620M of the*
14 *Foreign Assistance Act of 1961: Provided further, That*
15 *funds appropriated under this heading shall be apportioned*
16 *to the United States Agency for International Development.*

17 *ECONOMIC SUPPORT FUND*

18 *For necessary expenses to carry out the provisions of*
19 *chapter 4 of part II of the Foreign Assistance Act of 1961,*
20 *\$4,099,000,000, to remain available until September 30,*
21 *2023.*

22 *DEMOCRACY FUND*

23 *For necessary expenses to carry out the provisions of*
24 *the Foreign Assistance Act of 1961 for the promotion of de-*
25 *mocracy globally, including to carry out the purposes of sec-*

1 *tion 502(b)(3) and (5) of Public Law 98–164 (22 U.S.C.*
2 *4411), \$215,450,000, to remain available until September*
3 *30, 2023, which shall be made available for the Human*
4 *Rights and Democracy Fund of the Bureau of Democracy,*
5 *Human Rights, and Labor, Department of State: Provided,*
6 *That funds appropriated under this heading that are made*
7 *available to the National Endowment for Democracy and*
8 *its core institutes are in addition to amounts otherwise*
9 *available by this Act for such purposes: Provided further,*
10 *That the Assistant Secretary for Democracy, Human*
11 *Rights, and Labor, Department of State, shall consult with*
12 *the Committees on Appropriations prior to the initial obli-*
13 *gation of funds appropriated under this paragraph.*

14 *For an additional amount for such purposes,*
15 *\$125,250,000, to remain available until September 30,*
16 *2023, which shall be made available for the Bureau for De-*
17 *velopment, Democracy, and Innovation, United States*
18 *Agency for International Development.*

19 *ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA*

20 *For necessary expenses to carry out the provisions of*
21 *the Foreign Assistance Act of 1961, the FREEDOM Sup-*
22 *port Act (Public Law 102–511), and the Support for East-*
23 *ern European Democracy (SEED) Act of 1989 (Public Law*
24 *101–179), \$500,000,000, to remain available until Sep-*
25 *tember 30, 2023, which shall be available, notwithstanding*

1 *any other provision of law, except section 7047 of this Act,*
2 *for assistance and related programs for countries identified*
3 *in section 3 of the FREEDOM Support Act (22 U.S.C.*
4 *5801) and section 3(c) of the SEED Act of 1989 (22 U.S.C.*
5 *5402), in addition to funds otherwise available for such*
6 *purposes: Provided, That funds appropriated by this Act*
7 *under the headings “Global Health Programs”, “Economic*
8 *Support Fund”, and “International Narcotics Control and*
9 *Law Enforcement” that are made available for assistance*
10 *for such countries shall be administered in accordance with*
11 *the responsibilities of the coordinator designated pursuant*
12 *to section 102 of the FREEDOM Support Act and section*
13 *601 of the SEED Act of 1989: Provided further, That funds*
14 *appropriated under this heading shall be considered to be*
15 *economic assistance under the Foreign Assistance Act of*
16 *1961 for purposes of making available the administrative*
17 *authorities contained in that Act for the use of economic*
18 *assistance: Provided further, That funds appropriated*
19 *under this heading may be made available for contributions*
20 *to multilateral initiatives to counter hybrid threats.*

21 *DEPARTMENT OF STATE*

22 *MIGRATION AND REFUGEE ASSISTANCE*

23 *For necessary expenses not otherwise provided for, to*
24 *enable the Secretary of State to carry out the provisions*
25 *of section 2(a) and (b) of the Migration and Refugee Assist-*

1 *ance Act of 1962 (22 U.S.C. 2601), and other activities to*
2 *meet refugee and migration needs; salaries and expenses of*
3 *personnel and dependents as authorized by the Foreign*
4 *Service Act of 1980 (22 U.S.C. 3901 et seq.); allowances*
5 *as authorized by sections 5921 through 5925 of title 5,*
6 *United States Code; purchase and hire of passenger motor*
7 *vehicles; and services as authorized by section 3109 of title*
8 *5, United States Code, \$2,912,188,000, to remain available*
9 *until expended, of which \$5,000,000 shall be made available*
10 *for refugees resettling in Israel.*

11 *UNITED STATES EMERGENCY REFUGEE AND MIGRATION*

12 *ASSISTANCE FUND*

13 *For necessary expenses to carry out the provisions of*
14 *section 2(c) of the Migration and Refugee Assistance Act*
15 *of 1962 (22 U.S.C. 2601(c)), \$100,000, to remain available*
16 *until expended: Provided, That amounts in excess of the*
17 *limitation contained in paragraph (2) of such section shall*
18 *be transferred to, and merged with, funds made available*
19 *by this Act under the heading "Migration and Refugee As-*
20 *sistance".*

21 *INDEPENDENT AGENCIES*

22 *PEACE CORPS*

23 *(INCLUDING TRANSFER OF FUNDS)*

24 *For necessary expenses to carry out the provisions of*
25 *the Peace Corps Act (22 U.S.C. 2501 et seq.), including the*

1 purchase of not to exceed five passenger motor vehicles for
2 administrative purposes for use outside of the United
3 States, \$410,500,000, of which \$6,330,000 is for the Office
4 of Inspector General, to remain available until September
5 30, 2023: Provided, That the Director of the Peace Corps
6 may transfer to the Foreign Currency Fluctuations Ac-
7 count, as authorized by section 16 of the Peace Corps Act
8 (22 U.S.C. 2515), an amount not to exceed \$5,000,000: Pro-
9 vided further, That funds transferred pursuant to the pre-
10 vious proviso may not be derived from amounts made avail-
11 able for Peace Corps overseas operations: Provided further,
12 That of the funds appropriated under this heading, not to
13 exceed \$104,000 may be available for representation ex-
14 penses, of which not to exceed \$4,000 may be made available
15 for entertainment expenses: Provided further, That in addi-
16 tion to the requirements under section 7015(a) of this Act,
17 the Peace Corps shall consult with the Committees on Ap-
18 propriations prior to any decision to open, close, or suspend
19 a domestic or overseas office or a country program unless
20 there is a substantial risk to volunteers or other Peace Corps
21 personnel: Provided further, That none of the funds appro-
22 priated under this heading shall be used to pay for abor-
23 tions: Provided further, That notwithstanding the previous
24 proviso, section 614 of division E of Public Law 113-76
25 shall apply to funds appropriated under this heading.

1 MILLENNIUM CHALLENGE CORPORATION

2 *For necessary expenses to carry out the provisions of*
3 *the Millennium Challenge Act of 2003 (22 U.S.C. 7701 et*
4 *seq.) (MCA), \$912,000,000, to remain available until ex-*
5 *pended: Provided, That of the funds appropriated under*
6 *this heading, up to \$115,000,000 may be available for ad-*
7 *ministrative expenses of the Millennium Challenge Corpora-*
8 *tion: Provided further, That section 605(e) of the MCA (22*
9 *U.S.C. 7704(e)) shall apply to funds appropriated under*
10 *this heading: Provided further, That funds appropriated*
11 *under this heading may be made available for a Millen-*
12 *nium Challenge Compact entered into pursuant to section*
13 *609 of the MCA (22 U.S.C. 7708) only if such Compact*
14 *obligates, or contains a commitment to obligate subject to*
15 *the availability of funds and the mutual agreement of the*
16 *parties to the Compact to proceed, the entire amount of the*
17 *United States Government funding anticipated for the du-*
18 *ration of the Compact: Provided further, That no country*
19 *should be eligible for a threshold program after such country*
20 *has completed a country compact: Provided further, That*
21 *of the funds appropriated under this heading, not to exceed*
22 *\$100,000 may be available for representation and enter-*
23 *tainment expenses, of which not to exceed \$5,000 may be*
24 *available for entertainment expenses.*

1 *INTER-AMERICAN FOUNDATION*

2 *For necessary expenses to carry out the functions of*
3 *the Inter-American Foundation in accordance with the pro-*
4 *visions of section 401 of the Foreign Assistance Act of 1969,*
5 *\$42,000,000, to remain available until September 30, 2023:*
6 *Provided, That of the funds appropriated under this head-*
7 *ing, not to exceed \$2,000 may be available for representa-*
8 *tion expenses.*

9 *UNITED STATES AFRICAN DEVELOPMENT FOUNDATION*

10 *For necessary expenses to carry out the African Devel-*
11 *opment Foundation Act (title V of Public Law 96–533; 22*
12 *U.S.C. 290h et seq.), \$40,000,000, to remain available until*
13 *September 30, 2023, of which not to exceed \$2,000 may be*
14 *available for representation expenses: Provided, That funds*
15 *made available to grantees may be invested pending expend-*
16 *iture for project purposes when authorized by the Board of*
17 *Directors of the United States African Development Foun-*
18 *dation (USADF): Provided further, That interest earned*
19 *shall be used only for the purposes for which the grant was*
20 *made: Provided further, That notwithstanding section*
21 *505(a)(2) of the African Development Foundation Act (22*
22 *U.S.C. 290h–3(a)(2)), in exceptional circumstances the*
23 *Board of Directors of the USADF may waive the \$250,000*
24 *limitation contained in that section with respect to a*
25 *project and a project may exceed the limitation by up to*

1 10 percent if the increase is due solely to foreign currency
2 fluctuation: Provided further, That the USADF shall sub-
3 mit a report to the appropriate congressional committees
4 after each time such waiver authority is exercised: Provided
5 further, That the USADF may make rent or lease payments
6 in advance from appropriations available for such purpose
7 for offices, buildings, grounds, and quarters in Africa as
8 may be necessary to carry out its functions: Provided fur-
9 ther, That the USADF may maintain bank accounts out-
10 side the United States Treasury and retain any interest
11 earned on such accounts, in furtherance of the purposes of
12 the African Development Foundation Act: Provided further,
13 That the USADF may not withdraw any appropriation
14 from the Treasury prior to the need of spending such funds
15 for program purposes.

16 *DEPARTMENT OF THE TREASURY*

17 *INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE*

18 *For necessary expenses to carry out the provisions of*
19 *section 129 of the Foreign Assistance Act of 1961,*
20 *\$38,000,000, to remain available until expended, of which*
21 *not more than \$9,500,000 may be used for administrative*
22 *expenses: Provided, That amounts made available under*
23 *this heading may be made available to contract for services*
24 *as described in section 129(d)(3)(A) of the Foreign Assist-*

1 *ance Act of 1961, without regard to the location in which*
2 *such services are performed.*

3 *DEBT RESTRUCTURING*

4 *For “Bilateral Economic Assistance—Department of*
5 *the Treasury—Debt Restructuring” there is appropriated*
6 *\$52,000,000, to remain available until September 30, 2023,*
7 *for the costs, as defined in section 502 of the Congressional*
8 *Budget Act of 1974, of modifying loans and loan guarantees*
9 *for, or credits extended to, such countries as the President*
10 *may determine, including the costs of selling, reducing, or*
11 *canceling amounts owed to the United States pursuant to*
12 *the “Common Framework for Debt Treatments beyond the*
13 *Debt Service Suspension Initiative (DSSI)”, and for reduc-*
14 *ing interest rates paid by any country eligible for the DSSI:*
15 *Provided, That such amounts may be used notwithstanding*
16 *any other provision of law.*

17 *TROPICAL FOREST AND CORAL REEF CONSERVATION*

18 *For the costs, as defined in section 502 of the Congres-*
19 *sional Budget Act of 1974, of modifying loans and loan*
20 *guarantees, as the President may determine, for which*
21 *funds have been appropriated or otherwise made available*
22 *for programs within the International Affairs Budget Func-*
23 *tion 150, including the costs of selling, reducing, or can-*
24 *celing amounts owed to the United States as a result of*
25 *concessional loans made to eligible countries pursuant to*

- 1 *part V of the Foreign Assistance Act of 1961, \$15,000,000,*
- 2 *to remain available until September 30, 2025.*

1 *appropriated under this heading, not less than \$9,000,000*
2 *shall be made available, on a competitive basis, for rule of*
3 *law programs for transitional and post-conflict states, and*
4 *for activities to coordinate rule of law programs among for-*
5 *ign governments, international and nongovernmental or-*
6 *ganizations, and other United States Government agencies:*
7 *Provided further, That funds made available under this*
8 *heading that are transferred to another department, agency,*
9 *or instrumentality of the United States Government pursu-*
10 *ant to section 632(b) of the Foreign Assistance Act of 1961*
11 *valued in excess of \$5,000,000, and any agreement made*
12 *pursuant to section 632(a) of such Act, shall be subject to*
13 *the regular notification procedures of the Committees on*
14 *Appropriations: Provided further, That funds made avail-*
15 *able under this heading for Program Development and Sup-*
16 *port may be made available notwithstanding pre-obligation*
17 *requirements contained in this Act, except for the notifica-*
18 *tion requirements of section 7015.*

19 *NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND*
20 *RELATED PROGRAMS*

21 *For necessary expenses for nonproliferation, anti-ter-*
22 *rorism, demining and related programs and activities,*
23 *\$900,000,000, to remain available until September 30,*
24 *2023, to carry out the provisions of chapter 8 of part II*
25 *of the Foreign Assistance Act of 1961 for anti-terrorism as-*

1 *sistance, chapter 9 of part II of the Foreign Assistance Act*
2 *of 1961, section 504 of the FREEDOM Support Act (22*
3 *U.S.C. 5854), section 23 of the Arms Export Control Act*
4 *(22 U.S.C. 2763), or the Foreign Assistance Act of 1961*
5 *for demining activities, the clearance of unexploded ord-*
6 *nance, the destruction of small arms, and related activities,*
7 *notwithstanding any other provision of law, including ac-*
8 *tivities implemented through nongovernmental and inter-*
9 *national organizations, and section 301 of the Foreign As-*
10 *sistance Act of 1961 for a United States contribution to*
11 *the Comprehensive Nuclear Test Ban Treaty Preparatory*
12 *Commission, and for a voluntary contribution to the Inter-*
13 *national Atomic Energy Agency (IAEA): Provided, That*
14 *funds made available under this heading for the Non-*
15 *proliferation and Disarmament Fund shall be made avail-*
16 *able, notwithstanding any other provision of law and sub-*
17 *ject to prior consultation with, and the regular notification*
18 *procedures of, the Committees on Appropriations, to pro-*
19 *mote bilateral and multilateral activities relating to non-*
20 *proliferation, disarmament, and weapons destruction, and*
21 *shall remain available until expended: Provided further,*
22 *That such funds may also be used for such countries other*
23 *than the Independent States of the former Soviet Union and*
24 *international organizations when it is in the national secu-*
25 *rity interest of the United States to do so: Provided further,*

1 *That funds appropriated under this heading may be made*
2 *available for the IAEA unless the Secretary of State deter-*
3 *mines that Israel is being denied its right to participate*
4 *in the activities of that Agency: Provided further, That*
5 *funds made available for conventional weapons destruction*
6 *programs, including demining and related activities, in ad-*
7 *dition to funds otherwise available for such purposes, may*
8 *be used for administrative expenses related to the operation*
9 *and management of such programs and activities, subject*
10 *to the regular notification procedures of the Committees on*
11 *Appropriations.*

12 *PEACEKEEPING OPERATIONS*

13 *For necessary expenses to carry out the provisions of*
14 *section 551 of the Foreign Assistance Act of 1961,*
15 *\$455,000,000, of which \$227,500,000 may remain available*
16 *until September 30, 2023: Provided, That funds appro-*
17 *priated under this heading may be used, notwithstanding*
18 *section 660 of the Foreign Assistance Act of 1961, to provide*
19 *assistance to enhance the capacity of foreign civilian secu-*
20 *rity forces, including gendarmes, to participate in peace-*
21 *keeping operations: Provided further, That of the funds ap-*
22 *propriated under this heading, not less than \$24,000,000*
23 *shall be made available for a United States contribution*
24 *to the Multinational Force and Observers mission in the*
25 *Sinai: Provided further, That funds appropriated under*

1 *this heading may be made available to pay assessed ex-*
2 *penses of international peacekeeping activities in Somalia*
3 *under the same terms and conditions, as applicable, as*
4 *funds appropriated by this Act under the heading “Con-*
5 *tributions for International Peacekeeping Activities”:* Pro-
6 *vided further, That funds appropriated under this heading*
7 *shall be subject to the regular notification procedures of the*
8 *Committees on Appropriations.*

9 *FUNDS APPROPRIATED TO THE PRESIDENT*

10 *INTERNATIONAL MILITARY EDUCATION AND TRAINING*

11 *For necessary expenses to carry out the provisions of*
12 *section 541 of the Foreign Assistance Act of 1961,*
13 *\$112,925,000, of which up to \$56,463,000 may remain*
14 *available until September 30, 2023: Provided, That the ci-*
15 *vilian personnel for whom military education and training*
16 *may be provided under this heading may include civilians*
17 *who are not members of a government whose participation*
18 *would contribute to improved civil-military relations, civil-*
19 *ian control of the military, or respect for human rights:*
20 *Provided further, That of the funds appropriated under this*
21 *heading, \$3,000,000 shall remain available until expended*
22 *to increase the participation of women in programs and*
23 *activities funded under this heading, following consultation*
24 *with, and the regular notification procedures of, the Com-*
25 *mittees on Appropriations: Provided further, That of the*

1 *funds appropriated under this heading, not to exceed*
2 *\$50,000 may be available for entertainment expenses.*

3 *FOREIGN MILITARY FINANCING PROGRAM*

4 *For necessary expenses for grants to enable the Presi-*
5 *dent to carry out the provisions of section 23 of the Arms*
6 *Export Control Act (22 U.S.C. 2763), \$6,040,424,000: Pro-*
7 *vided, That to expedite the provision of assistance to foreign*
8 *countries and international organizations, the Secretary of*
9 *State, following consultation with the Committees on Ap-*
10 *propriations and subject to the regular notification proce-*
11 *dures of such Committees, may use the funds appropriated*
12 *under this heading to procure defense articles and services*
13 *to enhance the capacity of foreign security forces: Provided*
14 *further, That funds appropriated or otherwise made avail-*
15 *able under this heading shall be nonrepayable notwith-*
16 *standing any requirement in section 23 of the Arms Export*
17 *Control Act: Provided further, That funds made available*
18 *under this heading shall be obligated upon apportionment*
19 *in accordance with paragraph (5)(C) of section 1501(a) of*
20 *title 31, United States Code.*

21 *None of the funds made available under this heading*
22 *shall be available to finance the procurement of defense arti-*
23 *cles, defense services, or design and construction services*
24 *that are not sold by the United States Government under*
25 *the Arms Export Control Act unless the foreign country pro-*

1 *posing to make such procurement has first signed an agree-*
2 *ment with the United States Government specifying the*
3 *conditions under which such procurement may be financed*
4 *with such funds: Provided, That all country and funding*
5 *level increases in allocations shall be submitted through the*
6 *regular notification procedures of section 7015 of this Act:*
7 *Provided further, That funds made available under this*
8 *heading may be used, notwithstanding any other provision*
9 *of law, for demining, the clearance of unexploded ordnance,*
10 *and related activities, and may include activities imple-*
11 *mented through nongovernmental and international organi-*
12 *zations: Provided further, That only those countries for*
13 *which assistance was justified for the “Foreign Military*
14 *Sales Financing Program” in the fiscal year 1989 congres-*
15 *sional presentation for security assistance programs may*
16 *utilize funds made available under this heading for procure-*
17 *ment of defense articles, defense services, or design and con-*
18 *struction services that are not sold by the United States*
19 *Government under the Arms Export Control Act: Provided*
20 *further, That funds appropriated under this heading shall*
21 *be expended at the minimum rate necessary to make timely*
22 *payment for defense articles and services: Provided further,*
23 *That not more than \$70,000,000 of the funds appropriated*
24 *under this heading may be obligated for necessary expenses,*
25 *including the purchase of passenger motor vehicles for re-*

1 *placement only for use outside of the United States, for the*
2 *general costs of administering military assistance and sales,*
3 *except that this limitation may be exceeded only through*
4 *the regular notification procedures of the Committees on*
5 *Appropriations: Provided further, That of the funds made*
6 *available under this heading for general costs of admin-*
7 *istering military assistance and sales, not to exceed \$4,000*
8 *may be available for entertainment expenses and not to ex-*
9 *ceed \$130,000 may be available for representation expenses:*
10 *Provided further, That not more than \$1,186,853,000 of*
11 *funds realized pursuant to section 21(e)(1)(A) of the Arms*
12 *Export Control Act (22 U.S.C. 2761(e)(1)(A)) may be obli-*
13 *gated for expenses incurred by the Department of Defense*
14 *during fiscal year 2022 pursuant to section 43(b) of the*
15 *Arms Export Control Act (22 U.S.C. 2792(b)), except that*
16 *this limitation may be exceeded only through the regular*
17 *notification procedures of the Committees on Appropria-*
18 *tions.*

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TITLE V

MULTILATERAL ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

For necessary expenses to carry out the provisions of section 301 of the Foreign Assistance Act of 1961, \$423,000,000: Provided, That section 307(a) of the Foreign Assistance Act of 1961 shall not apply to contributions to the United Nations Democracy Fund: Provided further, That not later than 60 days after enactment of this Act, such funds shall be made available for core contributions for each entity listed in the table under this heading in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act) unless otherwise provided for in this Act, or if the Secretary of State has justified to the Committees on Appropriations the proposed uses of funds other than for core contributions following prior consultation with, and subject to the regular notification procedures of, such Committees.

INTERNATIONAL FINANCIAL INSTITUTIONS

GLOBAL ENVIRONMENT FACILITY

For payment to the International Bank for Reconstruction and Development as trustee for the Global Environment Facility by the Secretary of the Treasury, \$149,288,000, to remain available until expended.

1 *CONTRIBUTION TO THE CLEAN TECHNOLOGY FUND*

2 *For contribution to the Clean Technology Fund,*
3 *\$125,000,000, to remain available until expended: Pro-*
4 *vided, That up to \$125,000,000 of such amount shall be*
5 *available to cover costs, as defined in section 502 of the Con-*
6 *gressional Budget Act of 1974, of direct loans issued to the*
7 *Clean Technology Fund: Provided further, That such funds*
8 *are available to subsidize gross obligations for the principal*
9 *amount of direct loans without limitation.*

10 *CONTRIBUTION TO THE INTERNATIONAL BANK FOR*11 *RECONSTRUCTION AND DEVELOPMENT*

12 *For payment to the International Bank for Recon-*
13 *struction and Development by the Secretary of the Treasury*
14 *for the United States share of the paid-in portion of the*
15 *increases in capital stock, \$206,500,000, to remain avail-*
16 *able until expended.*

17 *LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS*

18 *The United States Governor of the International Bank*
19 *for Reconstruction and Development may subscribe without*
20 *fiscal year limitation to the callable capital portion of the*
21 *United States share of increases in capital stock in an*
22 *amount not to exceed \$1,421,275,728.70.*

1 *CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT*
2 *ASSOCIATION*

3 *For payment to the International Development Asso-*
4 *ciation by the Secretary of the Treasury, \$1,001,400,000,*
5 *to remain available until expended.*

6 *CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND*

7 *For payment to the Asian Development Bank's Asian*
8 *Development Fund by the Secretary of the Treasury,*
9 *\$53,323,000, to remain available until expended.*

10 *CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK*

11 *For payment to the African Development Bank by the*
12 *Secretary of the Treasury for the United States share of*
13 *the paid-in portion of the increases in capital stock,*
14 *\$54,648,752, to remain available until expended.*

15 *LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS*

16 *The United States Governor of the African Develop-*
17 *ment Bank may subscribe without fiscal year limitation to*
18 *the callable capital portion of the United States share of*
19 *increases in capital stock in an amount not to exceed*
20 *\$856,174,624.*

21 *CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND*

22 *For payment to the African Development Fund by the*
23 *Secretary of the Treasury, \$211,300,000, to remain avail-*
24 *able until expended.*

1 *CONTRIBUTION TO THE INTERNATIONAL FUND FOR*
2 *AGRICULTURAL DEVELOPMENT*

3 *For payment to the International Fund for Agricul-*
4 *tural Development by the Secretary of the Treasury,*
5 *\$43,000,000, to remain available until expended.*

6 *GLOBAL AGRICULTURE AND FOOD SECURITY PROGRAM*

7 *For payment to the Global Agriculture and Food Secu-*
8 *rity Program by the Secretary of the Treasury, \$5,000,000,*
9 *to remain available until expended.*

10 *CONTRIBUTIONS TO THE INTERNATIONAL MONETARY FUND*

11 *FACILITIES AND TRUST FUNDS*

12 *For contribution by the Secretary of the Treasury to*
13 *the Poverty Reduction and Growth Trust or other special*
14 *purpose vehicle of the International Monetary Fund,*
15 *\$102,000,000, to remain available until December 31, 2031.*

1 nated a nuclear explosive after the date of enactment of this
2 Act.

3 ADMINISTRATIVE EXPENSES

4 For administrative expenses to carry out the direct
5 and guaranteed loan and insurance programs, including
6 hire of passenger motor vehicles and services as authorized
7 by section 3109 of title 5, United States Code, and not to
8 exceed \$30,000 for official reception and representation ex-
9 penses for members of the Board of Directors, not to exceed
10 \$114,000,000, of which up to \$17,100,000 may remain
11 available until September 30, 2023: Provided, That the Ex-
12 port-Import Bank (the Bank) may accept, and use, pay-
13 ment or services provided by transaction participants for
14 legal, financial, or technical services in connection with any
15 transaction for which an application for a loan, guarantee
16 or insurance commitment has been made: Provided further,
17 That notwithstanding subsection (b) of section 117 of the
18 Export Enhancement Act of 1992, subsection (a) of such
19 section shall remain in effect until September 30, 2022:
20 Provided further, That the Bank shall charge fees for nec-
21 essary expenses (including special services performed on a
22 contract or fee basis, but not including other personal serv-
23 ices) in connection with the collection of moneys owed the
24 Bank, repossession or sale of pledged collateral or other as-
25 sets acquired by the Bank in satisfaction of moneys owed

1 *the Bank, or the investigation or appraisal of any property,*
2 *or the evaluation of the legal, financial, or technical aspects*
3 *of any transaction for which an application for a loan,*
4 *guarantee or insurance commitment has been made, or sys-*
5 *tems infrastructure directly supporting transactions: Pro-*
6 *vided further, That in addition to other funds appropriated*
7 *for administrative expenses, such fees shall be credited to*
8 *this account for such purposes, to remain available until*
9 *expended.*

10 *PROGRAM BUDGET APPROPRIATIONS*

11 *For the cost of direct loans, loan guarantees, insurance,*
12 *and tied-aid grants as authorized by section 10 of the Ex-*
13 *port-Import Bank Act of 1945, as amended, not to exceed*
14 *\$5,000,000, to remain available until September 30, 2025:*
15 *Provided, That such costs, including the cost of modifying*
16 *such loans, shall be as defined in section 502 of the Congres-*
17 *sional Budget Act of 1974: Provided further, That such*
18 *funds shall remain available until September 30, 2037, for*
19 *the disbursement of direct loans, loan guarantees, insurance*
20 *and tied-aid grants obligated in fiscal years 2022, 2023,*
21 *2024, and 2025.*

22 *RECEIPTS COLLECTED*

23 *Receipts collected pursuant to the Export-Import Bank*
24 *Act of 1945 (Public Law 79–173) and the Federal Credit*
25 *Reform Act of 1990, in an amount not to exceed the amount*

1 *appropriated herein, shall be credited as offsetting collec-*
2 *tions to this account: Provided, That the sums herein appro-*
3 *priated from the General Fund shall be reduced on a dollar-*
4 *for-dollar basis by such offsetting collections so as to result*
5 *in a final fiscal year appropriation from the General Fund*
6 *estimated at \$0.*

7 *UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE*

8 *CORPORATION*

9 *INSPECTOR GENERAL*

10 *For necessary expenses of the Office of Inspector Gen-*
11 *eral in carrying out the provisions of the Inspector General*
12 *Act of 1978 (5 U.S.C. App.), \$2,800,000, to remain avail-*
13 *able until September 30, 2023.*

14 *CORPORATE CAPITAL ACCOUNT*

15 *The United States International Development Finance*
16 *Corporation (the Corporation) is authorized to make such*
17 *expenditures and commitments within the limits of funds*
18 *and borrowing authority available to the Corporation, and*
19 *in accordance with the law, and to make such expenditures*
20 *and commitments without regard to fiscal year limitations,*
21 *as provided by section 9104 of title 31, United States Code,*
22 *as may be necessary in carrying out the programs for the*
23 *current fiscal year for the Corporation: Provided, That for*
24 *necessary expenses of the activities described in subsections*
25 *(b), (c), (e), (f), and (g) of section 1421 of the BUILD Act*

1 of 2018 (division F of Public Law 115–254) and for admin-
2 istrative expenses to carry out authorized activities and
3 project-specific transaction costs described in section
4 1434(d) of such Act, \$698,000,000: Provided further, That
5 of the amount provided—

6 (1) \$198,000,000 shall remain available until
7 September 30, 2024, for administrative expenses to
8 carry out authorized activities (including an amount
9 for official reception and representation expenses
10 which shall not exceed \$25,000) and project-specific
11 transaction costs as described in section 1434(k) of
12 such Act, of which \$1,000,000 shall remain available
13 until September 30, 2026;

14 (2) \$500,000,000 shall remain available until
15 September 30, 2024, for the activities described in
16 subsections (b), (c), (e), (f), and (g) of section 1421
17 of the BUILD Act of 2018, except such amounts obli-
18 gated in a fiscal year for activities described in sec-
19 tion 1421(c) of such Act shall remain available for
20 disbursement for the term of the underlying project:
21 Provided further, That if the term of the project ex-
22 tends longer than 10 fiscal years, the Chief Executive
23 Officer of the Corporation shall inform the appro-
24 priate congressional committees prior to the obliga-
25 tion or disbursement of funds, as applicable: Provided

1 *further, That amounts made available under this*
2 *paragraph may be paid to the “United States Inter-*
3 *national Development Finance Corporation—Pro-*
4 *gram Account” for programs authorized by sub-*
5 *sections (b), (e), (f), and (g) of section 1421 of the*
6 *BUILD Act of 2018:*

7 *Provided further, That funds may only be obligated pursu-*
8 *ant to section 1421(g) of the BUILD Act of 2018 subject*
9 *to prior consultation with the appropriate congressional*
10 *committees and the regular notification procedures of the*
11 *Committees on Appropriations: Provided further, That in*
12 *fiscal year 2022 collections of amounts described in section*
13 *1434(h) of the BUILD Act of 2018 shall be credited as off-*
14 *setting collections to this appropriation: Provided further,*
15 *That such collections collected in fiscal year 2022 in excess*
16 *of \$698,000,000 shall be credited to this account and shall*
17 *be available in future fiscal years only to the extent pro-*
18 *vided in advance in appropriations Acts: Provided further,*
19 *That in fiscal year 2022, if such collections are less than*
20 *\$698,000,000, receipts collected pursuant to the BUILD Act*
21 *of 2018 and the Federal Credit Reform Act of 1990, in an*
22 *amount equal to such shortfall, shall be credited as offsetting*
23 *collections to this appropriation: Provided further, That*
24 *funds appropriated or otherwise made available under this*
25 *heading may not be used to provide any type of assistance*

1 *that is otherwise prohibited by any other provision of law*
2 *or to provide assistance to any foreign country that is other-*
3 *wise prohibited by any other provision of law: Provided fur-*
4 *ther, That the sums herein appropriated from the General*
5 *Fund shall be reduced on a dollar-for-dollar basis by the*
6 *offsetting collections described under this heading so as to*
7 *result in a final fiscal year appropriation from the General*
8 *Fund estimated at \$316,000,000.*

9 *PROGRAM ACCOUNT*

10 *Amounts paid from “United States International De-*
11 *velopment Finance Corporation—Corporate Capital Ac-*
12 *count” (CCA) shall remain available until September 30,*
13 *2024: Provided, That up to \$550,000,000 of amounts paid*
14 *to this account from CCA or transferred to this account pur-*
15 *suant to section 1434(j) of the BUILD Act of 2018 (division*
16 *F of Public Law 115–254) shall be available for the costs*
17 *of direct and guaranteed loans provided by the Corporation*
18 *pursuant to section 1421(b) of such Act and the costs of*
19 *modifying loans and loan guarantees transferred to the Cor-*
20 *poration pursuant to section 1463 of such Act: Provided*
21 *further, That such costs, including the cost of modifying*
22 *such loans, shall be as defined in section 502 of the Congres-*
23 *sional Budget Act of 1974: Provided further, That such*
24 *amounts obligated in a fiscal year shall remain available*
25 *for disbursement for the following 8 fiscal years: Provided*

1 *further, That funds made available in this Act and trans-*
2 *ferred to carry out the Foreign Assistance Act of 1961 pur-*
3 *suant to section 1434(j) of the BUILD Act of 2018 may*
4 *remain available for obligation for 1 additional fiscal year:*
5 *Provided further, That the total loan principal or guaran-*
6 *teed principal amount shall not exceed \$8,000,000,000.*

7 *TRADE AND DEVELOPMENT AGENCY*

8 *For necessary expenses to carry out the provisions of*
9 *section 661 of the Foreign Assistance Act of 1961,*
10 *\$79,500,000, to remain available until September 30, 2023,*
11 *of which no more than \$19,000,000 may be used for admin-*
12 *istrative expenses: Provided, That of the funds appropriated*
13 *under this heading, not more than \$5,000 may be available*
14 *for representation and entertainment expenses.*

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TITLE VII

GENERAL PROVISIONS

ALLOWANCES AND DIFFERENTIALS

SEC. 7001. Funds appropriated under title I of this Act shall be available, except as otherwise provided, for allowances and differentials as authorized by subchapter 59 of title 5, United States Code; for services as authorized by section 3109 of such title and for hire of passenger transportation pursuant to section 1343(b) of title 31, United States Code.

UNOBLIGATED BALANCES REPORT

SEC. 7002. Any department or agency of the United States Government to which funds are appropriated or otherwise made available by this Act shall provide to the Committees on Appropriations a quarterly accounting of cumulative unobligated balances and obligated, but unexpended, balances by program, project, and activity, and Treasury Account Fund Symbol of all funds received by such department or agency in fiscal year 2022 or any previous fiscal year, disaggregated by fiscal year: Provided, That the report required by this section shall be submitted not later than 30 days after the end of each fiscal quarter and should specify by account the amount of funds obligated pursuant to bilateral agreements which have not been further sub-obligated.

1 *Counterterrorism Act of 1999 (22 U.S.C. 4865 note), the*
2 *Secretary of State, in consultation with the Director of the*
3 *Office of Management and Budget, shall determine the an-*
4 *nual program level and agency shares in a manner that*
5 *is proportional to the contribution of the Department of*
6 *State for this purpose.*

7 (c) *CONSULTATION AND NOTIFICATION.—Funds ap-*
8 *propriated by this Act and prior Acts making appropria-*
9 *tions for the Department of State, foreign operations, and*
10 *related programs, which may be made available for the ac-*
11 *quisition of property or award of construction contracts for*
12 *overseas United States diplomatic facilities during fiscal*
13 *year 2022, shall be subject to prior consultation with, and*
14 *the regular notification procedures of, the Committees on*
15 *Appropriations: Provided, That notifications pursuant to*
16 *this subsection shall include the information enumerated*
17 *under the heading “Embassy Security, Construction, and*
18 *Maintenance” in House Report 117–84.*

19 (d) *INTERIM AND TEMPORARY FACILITIES ABROAD.—*
20 (1) *SECURITY VULNERABILITIES.—Funds appro-*
21 *priated by this Act under the heading “Embassy Se-*
22 *curity, Construction, and Maintenance” may be made*
23 *available, following consultation with the appropriate*
24 *congressional committees, to address security*
25 *vulnerabilities at interim and temporary United*

1 *States diplomatic facilities abroad, including physical*
2 *security upgrades and local guard staffing.*

3 (2) *CONSULTATION.*—*Notwithstanding any other*
4 *provision of law, the opening, closure, or any signifi-*
5 *cant modification to an interim or temporary United*
6 *States diplomatic facility shall be subject to prior*
7 *consultation with the appropriate congressional com-*
8 *mittees and the regular notification procedures of the*
9 *Committees on Appropriations, except that such con-*
10 *sultation and notification may be waived if there is*
11 *a security risk to personnel.*

12 (e) *SOFT TARGETS.*—*Funds appropriated by this Act*
13 *under the heading “Embassy Security, Construction, and*
14 *Maintenance” may be made available for security upgrades*
15 *to soft targets, including schools, recreational facilities, and*
16 *residences used by United States diplomatic personnel and*
17 *their dependents.*

18 *PERSONNEL ACTIONS*

19 *SEC. 7005. Any costs incurred by a department or*
20 *agency funded under title I of this Act resulting from per-*
21 *sonnel actions taken in response to funding reductions in-*
22 *cluded in this Act shall be absorbed within the total budg-*
23 *etary resources available under title I to such department*
24 *or agency: Provided, That the authority to transfer funds*
25 *between appropriations accounts as may be necessary to*

1 *carry out this section is provided in addition to authorities*
2 *included elsewhere in this Act: Provided further, That use*
3 *of funds to carry out this section shall be treated as a re-*
4 *programming of funds under section 7015 of this Act.*

5 *PROHIBITION ON PUBLICITY OR PROPAGANDA*

6 *SEC. 7006. No part of any appropriation contained*
7 *in this Act shall be used for publicity or propaganda pur-*
8 *poses within the United States not authorized before enact-*
9 *ment of this Act by Congress: Provided, That up to \$25,000*
10 *may be made available to carry out the provisions of section*
11 *316 of the International Security and Development Co-*
12 *operation Act of 1980 (Public Law 96-533; 22 U.S.C.*
13 *2151a note).*

14 *PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN*
15 *COUNTRIES*

16 *SEC. 7007. None of the funds appropriated or other-*
17 *wise made available pursuant to titles III through VI of*
18 *this Act shall be obligated or expended to finance directly*
19 *any assistance or reparations for the governments of Cuba,*
20 *North Korea, Iran, or Syria: Provided, That for purposes*
21 *of this section, the prohibition on obligations or expendi-*
22 *tures shall include direct loans, credits, insurance, and*
23 *guarantees of the Export-Import Bank or its agents.*

COUPS D'ÉTAT

1
2 *SEC. 7008. None of the funds appropriated or other-*
3 *wise made available pursuant to titles III through VI of*
4 *this Act shall be obligated or expended to finance directly*
5 *any assistance to the government of any country whose duly*
6 *elected head of government is deposed by military coup*
7 *d'état or decree or, after the date of enactment of this Act,*
8 *a coup d'état or decree in which the military plays a deci-*
9 *sive role: Provided, That assistance may be resumed to such*
10 *government if the Secretary of State certifies and reports*
11 *to the appropriate congressional committees that subsequent*
12 *to the termination of assistance a democratically elected*
13 *government has taken office: Provided further, That the pro-*
14 *visions of this section shall not apply to assistance to pro-*
15 *mote democratic elections or public participation in demo-*
16 *cratic processes: Provided further, That funds made avail-*
17 *able pursuant to the previous provisos shall be subject to*
18 *the regular notification procedures of the Committees on*
19 *Appropriations.*

TRANSFER OF FUNDS AUTHORITY

20
21 *SEC. 7009. (a) DEPARTMENT OF STATE AND UNITED*
22 *STATES AGENCY FOR GLOBAL MEDIA.—*

23 *(1) DEPARTMENT OF STATE.—*

24 *(A) IN GENERAL.—Not to exceed 5 percent*
25 *of any appropriation made available for the cur-*

1 *rent fiscal year for the Department of State*
2 *under title I of this Act may be transferred be-*
3 *tween, and merged with, such appropriations,*
4 *but no such appropriation, except as otherwise*
5 *specifically provided, shall be increased by more*
6 *than 10 percent by any such transfers, and no*
7 *such transfer may be made to increase the ap-*
8 *propriation under the heading “Representation*
9 *Expenses”.*

10 (B) *EMBASSY SECURITY.—Funds appro-*
11 *priated under the headings “Diplomatic Pro-*
12 *grams”, including for Worldwide Security Pro-*
13 *tection, “Embassy Security, Construction, and*
14 *Maintenance”, and “Emergencies in the Diplo-*
15 *matic and Consular Service” in this Act may be*
16 *transferred to, and merged with, funds appro-*
17 *priated under such headings if the Secretary of*
18 *State determines and reports to the Committees*
19 *on Appropriations that to do so is necessary to*
20 *implement the recommendations of the Benghazi*
21 *Accountability Review Board, for emergency*
22 *evacuations, or to prevent or respond to security*
23 *situations and requirements, following consulta-*
24 *tion with, and subject to the regular notification*
25 *procedures of, such Committees: Provided, That*

1 *such transfer authority is in addition to any*
2 *transfer authority otherwise available in this Act*
3 *and under any other provision of law.*

4 (2) *UNITED STATES AGENCY FOR GLOBAL*
5 *MEDIA.—Not to exceed 5 percent of any appropria-*
6 *tion made available for the current fiscal year for the*
7 *United States Agency for Global Media under title I*
8 *of this Act may be transferred between, and merged*
9 *with, such appropriations, but no such appropriation,*
10 *except as otherwise specifically provided, shall be in-*
11 *creased by more than 10 percent by any such trans-*
12 *fers.*

13 (3) *TREATMENT AS REPROGRAMMING.—Any*
14 *transfer pursuant to this subsection shall be treated as*
15 *a reprogramming of funds under section 7015 of this*
16 *Act and shall not be available for obligation or ex-*
17 *penditure except in compliance with the procedures*
18 *set forth in that section.*

19 (b) *LIMITATION ON TRANSFERS OF FUNDS BETWEEN*
20 *AGENCIES.—*

21 (1) *IN GENERAL.—None of the funds made avail-*
22 *able under titles II through V of this Act may be*
23 *transferred to any department, agency, or instrumen-*
24 *tality of the United States Government, except pursu-*

1 *ant to a transfer made by, or transfer authority pro-*
2 *vided in, this Act or any other appropriations Act.*

3 (2) *ALLOCATION AND TRANSFERS.*—*Notwith-*
4 *standing paragraph (1), in addition to transfers*
5 *made by, or authorized elsewhere in, this Act, funds*
6 *appropriated by this Act to carry out the purposes of*
7 *the Foreign Assistance Act of 1961 may be allocated*
8 *or transferred to agencies of the United States Gov-*
9 *ernment pursuant to the provisions of sections 109,*
10 *610, and 632 of the Foreign Assistance Act of 1961,*
11 *and section 1434(j) of the BUILD Act of 2018 (divi-*
12 *sion F of Public Law 115–254).*

13 (3) *NOTIFICATION.*—*Any agreement entered into*
14 *by the United States Agency for International Devel-*
15 *opment or the Department of State with any depart-*
16 *ment, agency, or instrumentality of the United States*
17 *Government pursuant to section 632(b) of the Foreign*
18 *Assistance Act of 1961 valued in excess of \$1,000,000*
19 *and any agreement made pursuant to section 632(a)*
20 *of such Act, with funds appropriated by this Act or*
21 *prior Acts making appropriations for the Department*
22 *of State, foreign operations, and related programs*
23 *under the headings “Global Health Programs”, “De-*
24 *velopment Assistance”, “Economic Support Fund”,*
25 *and “Assistance for Europe, Eurasia and Central*

1 *Asia” shall be subject to the regular notification pro-*
2 *cedures of the Committees on Appropriations: Pro-*
3 *vided, That the requirement in the previous sentence*
4 *shall not apply to agreements entered into between*
5 *USAID and the Department of State.*

6 *(c) UNITED STATES INTERNATIONAL DEVELOPMENT*
7 *FINANCE CORPORATION.—*

8 *(1) LIMITATION.—Amounts transferred pursuant*
9 *to section 1434(j) of the BUILD Act of 2018 (division*
10 *F of Public Law 115–254) may only be transferred*
11 *from funds made available under title III of this Act,*
12 *and such amounts shall not exceed \$50,000,000: Pro-*
13 *vided, That any such transfers shall be subject to*
14 *prior consultation with, and the regular notification*
15 *procedures of, the Committees on Appropriations:*
16 *Provided further, That the Secretary of State, the Ad-*
17 *ministrator of the United States Agency for Inter-*
18 *national Development, and the Chief Executive Offi-*
19 *cer of the United States International Development*
20 *Finance Corporation (the Corporation), as appro-*
21 *priate, shall ensure that the programs funded by such*
22 *transfers are coordinated with, and complement, for-*
23 *oreign assistance programs implemented by the Depart-*
24 *ment of State and USAID: Provided further, That no*
25 *funds transferred pursuant to such authority may be*

1 *used by the Corporation to post personnel abroad or*
2 *for activities described in section 1421(c) of the*
3 *BUILD Act of 2018: Provided further, That funds ap-*
4 *propriated by this Act or prior Acts making appro-*
5 *priations for the Department of State, foreign oper-*
6 *ations, and related programs to implement the Nita*
7 *M. Lowey Middle East Partnership for Peace Act*
8 *shall be excluded from the limitation contained in*
9 *this paragraph and in section 7009(c) of the Depart-*
10 *ment of State, Foreign Operations, and Related Pro-*
11 *grams Appropriations Act, 2021 (division K of Public*
12 *Law 116–260).*

13 (2) *TRANSFER OF FUNDS FROM MILLENNIUM*
14 *CHALLENGE CORPORATION.—Funds appropriated*
15 *under the heading “Millennium Challenge Corpora-*
16 *tion” in this Act or prior Acts making appropria-*
17 *tions for the Department of State, foreign operations,*
18 *and related programs may be transferred to accounts*
19 *under the heading “United States International De-*
20 *velopment Finance Corporation” and, when so trans-*
21 *ferred, may be used for the costs of activities described*
22 *in subsections (b) and (c) of section 1421 of the*
23 *BUILD Act of 2018: Provided, That such funds shall*
24 *be subject to the limitations provided in the second,*
25 *third, and fifth provisos under the heading “United*

1 *States International Development Finance Corpora-*
2 *tion—Program Account” in this Act: Provided fur-*
3 *ther, That any transfer executed pursuant to the*
4 *transfer authority provided in this paragraph shall*
5 *not exceed 10 percent of an individual Compact*
6 *awarded pursuant to section 609(a) of the Millen-*
7 *ium Challenge Act of 2003 (Title VI of Public Law*
8 *108–199): Provided further, That such funds shall not*
9 *be available for administrative expenses of the United*
10 *States International Development Finance Corpora-*
11 *tion: Provided further, That such authority shall be*
12 *subject to prior consultation with, and the regular no-*
13 *tification procedures of, the Committees on Appro-*
14 *propriations: Provided further, That such transfers shall*
15 *be excluded from the limitation under paragraph (1):*
16 *Provided further, That the transfer authority pro-*
17 *vided in this section is in addition to any other*
18 *transfer authority provided by law: Provided further,*
19 *That within 60 days of the termination in whole or*
20 *in part of the Compact from which funds were trans-*
21 *ferred under this authority to the United States Inter-*
22 *national Development Finance Corporation, any un-*
23 *obligated balances shall be transferred back to the Mil-*
24 *lennium Challenge Corporation, subject to the regular*

1 *notification procedures of the Committees on Appro-*
2 *priations.*

3 *(d) TRANSFER OF FUNDS BETWEEN ACCOUNTS.—*

4 *None of the funds made available under titles II through*
5 *V of this Act may be obligated under an appropriations*
6 *account to which such funds were not appropriated, except*
7 *for transfers specifically provided for in this Act, unless the*
8 *President, not less than 5 days prior to the exercise of any*
9 *authority contained in the Foreign Assistance Act of 1961*
10 *to transfer funds, consults with and provides a written pol-*
11 *icy justification to the Committees on Appropriations.*

12 *(e) AUDIT OF INTER-AGENCY TRANSFERS OF*
13 *FUNDS.—Any agreement for the transfer or allocation of*
14 *funds appropriated by this Act or prior Acts making appro-*
15 *priations for the Department of State, foreign operations,*
16 *and related programs entered into between the Department*
17 *of State or USAID and another agency of the United States*
18 *Government under the authority of section 632(a) of the*
19 *Foreign Assistance Act of 1961, or any comparable provi-*
20 *sion of law, shall expressly provide that the Inspector Gen-*
21 *eral (IG) for the agency receiving the transfer or allocation*
22 *of such funds, or other entity with audit responsibility if*
23 *the receiving agency does not have an IG, shall perform*
24 *periodic program and financial audits of the use of such*
25 *funds and report to the Department of State or USAID,*

1 *as appropriate, upon completion of such audits: Provided,*
2 *That such audits shall be transmitted to the Committees*
3 *on Appropriations by the Department of State or USAID,*
4 *as appropriate: Provided further, That funds transferred*
5 *under such authority may be made available for the cost*
6 *of such audits.*

7 *PROHIBITION AND LIMITATION ON CERTAIN EXPENSES*

8 *SEC. 7010. (a) FIRST-CLASS TRAVEL.—None of the*
9 *funds made available by this Act may be used for first-class*
10 *travel by employees of United States Government depart-*
11 *ments and agencies funded by this Act in contravention of*
12 *section 301–10.122 through 301–10.124 of title 41, Code of*
13 *Federal Regulations.*

14 *(b) COMPUTER NETWORKS.—None of the funds made*
15 *available by this Act for the operating expenses of any*
16 *United States Government department or agency may be*
17 *used to establish or maintain a computer network for use*
18 *by such department or agency unless such network has fil-*
19 *ters designed to block access to sexually explicit websites:*
20 *Provided, That nothing in this subsection shall limit the*
21 *use of funds necessary for any Federal, State, tribal, or local*
22 *law enforcement agency, or any other entity carrying out*
23 *the following activities: criminal investigations, prosecu-*
24 *tions, and adjudications; administrative discipline; and the*

1 *monitoring of such websites undertaken as part of official*
2 *business.*

3 (c) *PROHIBITION ON PROMOTION OF TOBACCO.*—None
4 *of the funds made available by this Act shall be available*
5 *to promote the sale or export of tobacco or tobacco products*
6 *(including electronic nicotine delivery systems), or to seek*
7 *the reduction or removal by any foreign country of restric-*
8 *tions on the marketing of tobacco or tobacco products (in-*
9 *cluding electronic nicotine delivery systems), except for re-*
10 *strictions which are not applied equally to all tobacco or*
11 *tobacco products (including electronic nicotine delivery sys-*
12 *tems) of the same type.*

13 (d) *EMAIL SERVERS OUTSIDE THE .GOV DOMAIN.*—
14 *None of the funds appropriated by this Act under the head-*
15 *ings “Diplomatic Programs” and “Capital Investment*
16 *Fund” in title I, and “Operating Expenses” and “Capital*
17 *Investment Fund” in title II that are made available to*
18 *the Department of State and the United States Agency for*
19 *International Development may be made available to sup-*
20 *port the use or establishment of email accounts or email*
21 *servers created outside the .gov domain or not fitted for*
22 *automated records management as part of a Federal gov-*
23 *ernment records management program in contravention of*
24 *the Presidential and Federal Records Act Amendments of*
25 *2014 (Public Law 113–187).*

1 (e) *REPRESENTATION AND ENTERTAINMENT EX-*
2 *PENSES.—Each Federal department, agency, or entity*
3 *funded in titles I or II of this Act, and the Department*
4 *of the Treasury and independent agencies funded in titles*
5 *III or VI of this Act, shall take steps to ensure that domestic*
6 *and overseas representation and entertainment expenses*
7 *further official agency business and United States foreign*
8 *policy interests, and—*

9 (1) *are primarily for fostering relations outside*
10 *of the Executive Branch;*

11 (2) *are principally for meals and events of a*
12 *protocol nature;*

13 (3) *are not for employee-only events; and*

14 (4) *do not include activities that are substan-*
15 *tially of a recreational character.*

16 (f) *LIMITATIONS ON ENTERTAINMENT EXPENSES.—*
17 *None of the funds appropriated or otherwise made available*
18 *by this Act under the headings “International Military*
19 *Education and Training” or “Foreign Military Financing*
20 *Program” for Informational Program activities or under*
21 *the headings “Global Health Programs”, “Development As-*
22 *sistance”, “Economic Support Fund”, and “Assistance for*
23 *Europe, Eurasia and Central Asia” may be obligated or*
24 *expended to pay for—*

25 (1) *alcoholic beverages; or*

1 *economic policy reform objectives, shall remain available for*
2 *an additional 4 years from the date on which the avail-*
3 *ability of such funds would otherwise have expired, if such*
4 *funds are initially allocated or obligated before the expira-*
5 *tion of their respective periods of availability contained in*
6 *this Act: Provided further, That the Secretary of State and*
7 *the Administrator of the United States Agency for Inter-*
8 *national Development shall provide a report to the Commit-*
9 *tees on Appropriations not later than October 31, 2022, de-*
10 *tailing by account and source year, the use of this authority*
11 *during the previous fiscal year.*

12 *LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT*

13 *SEC. 7012. No part of any appropriation provided*
14 *under titles III through VI in this Act shall be used to fur-*
15 *nish assistance to the government of any country which is*
16 *in default during a period in excess of 1 calendar year in*
17 *payment to the United States of principal or interest on*
18 *any loan made to the government of such country by the*
19 *United States pursuant to a program for which funds are*
20 *appropriated under this Act unless the President deter-*
21 *mines, following consultation with the Committees on Ap-*
22 *propriations, that assistance for such country is in the na-*
23 *tional interest of the United States.*

1 *for the central government of such country or for the West*
2 *Bank and Gaza program, as applicable, if, not later than*
3 *September 30, 2023, such taxes have not been reimbursed.*

4 *(c) DE MINIMIS EXCEPTION.—Foreign taxes of a de*
5 *minimis nature shall not be subject to the provisions of sub-*
6 *section (b).*

7 *(d) REPROGRAMMING OF FUNDS.—Funds withheld*
8 *from obligation for each foreign government or entity pur-*
9 *suant to subsection (b) shall be reprogrammed for assistance*
10 *for countries which do not assess taxes on United States*
11 *assistance or which have an effective arrangement that is*
12 *providing substantial reimbursement of such taxes, and that*
13 *can reasonably accommodate such assistance in a program-*
14 *matically responsible manner.*

15 *(e) DETERMINATIONS.—*

16 *(1) IN GENERAL.—The provisions of this section*
17 *shall not apply to any foreign government or entity*
18 *that assesses such taxes if the Secretary of State re-*
19 *ports to the Committees on Appropriations that—*

20 *(A) such foreign government or entity has*
21 *an effective arrangement that is providing sub-*
22 *stantial reimbursement of such taxes; or*

23 *(B) the foreign policy interests of the United*
24 *States outweigh the purpose of this section to en-*

1 *sure that United States assistance is not subject*
2 *to taxation.*

3 (2) *CONSULTATION.*—*The Secretary of State*
4 *shall consult with the Committees on Appropriations*
5 *at least 15 days prior to exercising the authority of*
6 *this subsection with regard to any foreign government*
7 *or entity.*

8 (f) *IMPLEMENTATION.*—*The Secretary of State shall*
9 *issue and update rules, regulations, or policy guidance, as*
10 *appropriate, to implement the prohibition against the tax-*
11 *ation of assistance contained in this section.*

12 (g) *DEFINITIONS.*—*As used in this section:*

13 (1) *BILATERAL AGREEMENT.*—*The term “bilat-*
14 *eral agreement” refers to a framework bilateral agree-*
15 *ment between the Government of the United States*
16 *and the government of the country receiving assist-*
17 *ance that describes the privileges and immunities ap-*
18 *plicable to United States foreign assistance for such*
19 *country generally, or an individual agreement be-*
20 *tween the Government of the United States and such*
21 *government that describes, among other things, the*
22 *treatment for tax purposes that will be accorded the*
23 *United States assistance provided under that agree-*
24 *ment.*

1 *or provided from any accounts in the Treasury of the*
2 *United States derived by the collection of fees or of currency*
3 *reflows or other offsetting collections, or made available by*
4 *transfer, to the departments and agencies funded by this*
5 *Act, shall be available for obligation to—*

6 (1) *create new programs;*

7 (2) *suspend or eliminate a program, project, or*
8 *activity;*

9 (3) *close, suspend, open, or reopen a mission or*
10 *post;*

11 (4) *create, close, reorganize, downsize, or rename*
12 *bureaus, centers, or offices; or*

13 (5) *contract out or privatize any functions or ac-*
14 *tivities presently performed by Federal employees;*

15 *unless previously justified to the Committees on Appropria-*
16 *tions or such Committees are notified 15 days in advance*
17 *of such obligation.*

18 (b) *NOTIFICATION OF REPROGRAMMING OF FUNDS.—*

19 *None of the funds provided under titles I, II, and VI of*
20 *this Act or prior Acts making appropriations for the De-*
21 *partment of State, foreign operations, and related pro-*
22 *grams, to the departments and agencies funded under such*
23 *titles that remain available for obligation in fiscal year*
24 *2022, or provided from any accounts in the Treasury of*
25 *the United States derived by the collection of fees available*

1 *to the department and agency funded under title I of this*
2 *Act, shall be available for obligation or expenditure for pro-*
3 *grams, projects, or activities through a reprogramming of*
4 *funds in excess of \$1,000,000 or 10 percent, whichever is*
5 *less, that—*

6 (1) *augments or changes existing programs,*
7 *projects, or activities;*

8 (2) *relocates an existing office or employees;*

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

12 (4) *results from any general savings, including*
13 *savings from a reduction in personnel, which would*
14 *result in a change in existing programs, projects, or*
15 *activities as approved by Congress;*

16 *unless the Committees on Appropriations are notified 15*
17 *days in advance of such reprogramming of funds.*

18 (c) **NOTIFICATION REQUIREMENT.**—*None of the funds*
19 *made available by this Act under the headings “Global*
20 *Health Programs”, “Development Assistance”, “Economic*
21 *Support Fund”, “Democracy Fund”, “Assistance for Eu-*
22 *rope, Eurasia and Central Asia”, “Peace Corps”, “Millen-*
23 *nium Challenge Corporation”, “International Narcotics*
24 *Control and Law Enforcement”, “Nonproliferation, Anti-*
25 *terrorism, Demining and Related Programs”, “Peace-*

1 *keeping Operations*”, “*International Military Education*
2 *and Training*”, “*Foreign Military Financing Program*”,
3 “*International Organizations and Programs*”, “*United*
4 *States International Development Finance Corporation*”,
5 *and “Trade and Development Agency” shall be available*
6 *for obligation for programs, projects, activities, type of ma-*
7 *teriel assistance, countries, or other operations not justified*
8 *or in excess of the amount justified to the Committees on*
9 *Appropriations for obligation under any of these specific*
10 *headings unless the Committees on Appropriations are noti-*
11 *fied 15 days in advance of such obligation: Provided, That*
12 *the President shall not enter into any commitment of funds*
13 *appropriated for the purposes of section 23 of the Arms Ex-*
14 *port Control Act for the provision of major defense equip-*
15 *ment, other than conventional ammunition, or other major*
16 *defense items defined to be aircraft, ships, missiles, or com-*
17 *bat vehicles, not previously justified to Congress or 20 per-*
18 *cent in excess of the quantities justified to Congress unless*
19 *the Committees on Appropriations are notified 15 days in*
20 *advance of such commitment: Provided further, That re-*
21 *quirements of this subsection or any similar provision of*
22 *this or any other Act shall not apply to any reprogramming*
23 *for a program, project, or activity for which funds are ap-*
24 *propriated under titles III through VI of this Act of less*
25 *than 10 percent of the amount previously justified to Con-*

1 *gress for obligation for such program, project, or activity*
2 *for the current fiscal year: Provided further, That any noti-*
3 *fication submitted pursuant to subsection (f) of this section*
4 *shall include information (if known on the date of trans-*
5 *mittal of such notification) on the use of notwithstanding*
6 *authority.*

7 *(d) DEPARTMENT OF DEFENSE PROGRAMS AND FUND-*
8 *ING NOTIFICATIONS.—*

9 *(1) PROGRAMS.—None of the funds appropriated*
10 *by this Act or prior Acts making appropriations for*
11 *the Department of State, foreign operations, and re-*
12 *lated programs may be made available to support or*
13 *continue any program initially funded under any au-*
14 *thority of title 10, United States Code, or any Act*
15 *making or authorizing appropriations for the Depart-*
16 *ment of Defense, unless the Secretary of State, in con-*
17 *sultation with the Secretary of Defense and in accord-*
18 *ance with the regular notification procedures of the*
19 *Committees on Appropriations, submits a justifica-*
20 *tion to such Committees that includes a description*
21 *of, and the estimated costs associated with, the sup-*
22 *port or continuation of such program.*

23 *(2) FUNDING.—Notwithstanding any other pro-*
24 *vision of law, funds transferred by the Department of*
25 *Defense to the Department of State and the United*

1 *States Agency for International Development for as-*
2 *istance for foreign countries and international orga-*
3 *nizations shall be subject to the regular notification*
4 *procedures of the Committees on Appropriations.*

5 (3) *NOTIFICATION ON EXCESS DEFENSE ARTI-*
6 *CLES.—Prior to providing excess Department of De-*
7 *fense articles in accordance with section 516(a) of the*
8 *Foreign Assistance Act of 1961, the Department of*
9 *Defense shall notify the Committees on Appropria-*
10 *tions to the same extent and under the same condi-*
11 *tions as other committees pursuant to subsection (f)*
12 *of that section: Provided, That before issuing a letter*
13 *of offer to sell excess defense articles under the Arms*
14 *Export Control Act, the Department of Defense shall*
15 *notify the Committees on Appropriations in accord-*
16 *ance with the regular notification procedures of such*
17 *Committees if such defense articles are significant*
18 *military equipment (as defined in section 47(9) of the*
19 *Arms Export Control Act) or are valued (in terms of*
20 *original acquisition cost) at \$7,000,000 or more, or if*
21 *notification is required elsewhere in this Act for the*
22 *use of appropriated funds for specific countries that*
23 *would receive such excess defense articles: Provided*
24 *further, That such Committees shall also be informed*
25 *of the original acquisition cost of such defense articles.*

1 (e) *WAIVER.*—*The requirements of this section or any*
2 *similar provision of this Act or any other Act, including*
3 *any prior Act requiring notification in accordance with the*
4 *regular notification procedures of the Committees on Appro-*
5 *priations, may be waived if failure to do so would pose a*
6 *substantial risk to human health or welfare: Provided, That*
7 *in case of any such waiver, notification to the Committees*
8 *on Appropriations shall be provided as early as practicable,*
9 *but in no event later than 3 days after taking the action*
10 *to which such notification requirement was applicable, in*
11 *the context of the circumstances necessitating such waiver:*
12 *Provided further, That any notification provided pursuant*
13 *to such a waiver shall contain an explanation of the emer-*
14 *gency circumstances.*

15 (f) *COUNTRY NOTIFICATION REQUIREMENTS.*—*None of*
16 *the funds appropriated under titles III through VI of this*
17 *Act may be obligated or expended for assistance for Afghan-*
18 *istan, Bahrain, Burma, Cambodia, Colombia, Cuba, Egypt,*
19 *El Salvador, Ethiopia, Guatemala, Haiti, Honduras, Iran,*
20 *Iraq, Lebanon, Libya, Mexico, Nicaragua, Pakistan, Phil-*
21 *ippines, the Russian Federation, Rwanda, Somalia, South*
22 *Sudan, Sri Lanka, Sudan, Syria, Uzbekistan, Venezuela,*
23 *Yemen, and Zimbabwe except as provided through the reg-*
24 *ular notification procedures of the Committees on Appro-*
25 *priations.*

1 (g) *TRUST FUNDS.*—*Funds appropriated or otherwise*
2 *made available in title III of this Act and prior Acts mak-*
3 *ing funds available for the Department of State, foreign op-*
4 *erations, and related programs that are made available for*
5 *a trust fund held by an international financial institution*
6 *shall be subject to the regular notification procedures of the*
7 *Committees on Appropriations, and such notification shall*
8 *include the information specified under this section in*
9 *House Report 117–84.*

10 (h) *OTHER PROGRAM NOTIFICATION REQUIREMENT.*—

11 (1) *DIPLOMATIC PROGRAMS.*—*Funds appro-*
12 *priated under title I of this Act under the heading*
13 *“Diplomatic Programs” that are made available for*
14 *lateral entry into the Foreign Service shall be subject*
15 *to prior consultation with, and the regular notifica-*
16 *tion procedures of, the Committees on Appropriations.*

17 (2) *OTHER PROGRAMS.*—*Funds appropriated by*
18 *this Act that are made available for the following pro-*
19 *grams and activities shall be subject to the regular no-*
20 *tification procedures of the Committees on Appropria-*
21 *tions:*

22 (A) *the Global Engagement Center;*

23 (B) *the Power Africa and Prosper Africa*
24 *initiatives;*

1 (C) *community-based police assistance con-*
2 *ducted pursuant to the authority of section*
3 *7035(a)(1) of this Act;*

4 (D) *the Prevention and Stabilization Fund*
5 *and the Multi-Donor Global Fragility Fund;*

6 (E) *the Indo-Pacific Strategy;*

7 (F) *the Countering PRC Influence Fund*
8 *and the Countering Russian Influence Fund;*
9 *and*

10 (G) *the Gender Equity and Equality Action*
11 *Fund.*

12 (3) *DEMOCRACY PROGRAM POLICY AND PROCE-*
13 *DURES.—Modifications to democracy program policy*
14 *and procedures, including relating to the use of con-*
15 *sortia, by the Department of State and USAID shall*
16 *be subject to prior consultation with, and the regular*
17 *notification procedures of, the Committees on Appro-*
18 *priations.*

19 (4) *ARMS SALES.—The reports, notifications,*
20 *and certifications, and any other documents, required*
21 *to be submitted pursuant to section 36(a) of the Arms*
22 *Export Control Act (22 U.S.C. 2776), and such docu-*
23 *ments submitted pursuant to section 36(b) through*
24 *(d) of such Act with respect to countries that have re-*
25 *ceived assistance provided with funds appropriated by*

1 *this Act or prior Acts making appropriations for the*
2 *Department of State, foreign operations, and related*
3 *programs, shall be concurrently submitted to the Com-*
4 *mittees on Appropriations and shall include informa-*
5 *tion about the source of funds for any sale or transfer,*
6 *as applicable, if known at the time of submission.*

7 (i) *WITHHOLDING OF FUNDS.—Funds appropriated*
8 *by this Act under titles III and IV that are withheld from*
9 *obligation or otherwise not programmed as a result of ap-*
10 *plication of a provision of law in this or any other Act*
11 *shall, if reprogrammed, be subject to the regular notification*
12 *procedures of the Committees on Appropriations.*

13 (j) *PRIOR CONSULTATION REQUIREMENT.—The Sec-*
14 *retary of State, the Administrator of the United States*
15 *Agency for International Development, the Chief Executive*
16 *Officer of the United States International Development Fi-*
17 *nance Corporation, and the Chief Executive Officer of the*
18 *Millennium Challenge Corporation shall consult with the*
19 *Committees on Appropriations at least 7 days prior to in-*
20 *forming a government of, or publically announcing a deci-*
21 *sion on, the suspension or early termination of assistance*
22 *to a country or a territory, including as a result of an inter-*
23 *agency review of such assistance, from funds appropriated*
24 *by this Act or prior Acts making appropriations for the*
25 *Department of State, foreign operations, and related pro-*

1 *grams: Provided, That such consultation shall include a de-*
2 *tailed justification for such suspension, including a descrip-*
3 *tion of the assistance being suspended.*

4 *DOCUMENTS, REPORT POSTING, RECORDS MANAGEMENT,*
5 *AND RELATED CYBERSECURITY PROTECTIONS*

6 *SEC. 7016. (a) DOCUMENT REQUESTS.—None of the*
7 *funds appropriated or made available pursuant to titles III*
8 *through VI of this Act shall be available to a nongovern-*
9 *mental organization, including any contractor, which fails*
10 *to provide upon timely request any document, file, or record*
11 *necessary to the auditing requirements of the Department*
12 *of State and the United States Agency for International*
13 *Development.*

14 *(b) PUBLIC POSTING OF REPORTS.—*

15 *(1) Except as provided in paragraphs (2) and*
16 *(3), any report required by this Act to be submitted*
17 *to Congress by any Federal agency receiving funds*
18 *made available by this Act shall be posted on the pub-*
19 *lic Web site of such agency not later than 45 days fol-*
20 *lowing the receipt of such report by Congress.*

21 *(2) Paragraph (1) shall not apply to a report*
22 *if—*

23 *(A) the public posting of the report would*
24 *compromise national security, including the con-*
25 *duct of diplomacy;*

1 (B) the report contains proprietary or other
2 privileged information; or

3 (C) the public posting of the report is spe-
4 cifically exempted in the explanatory statement
5 described in section 4 (in the matter preceding
6 division A of this consolidated Act).

7 (3) The agency posting such report shall do so
8 only after the report has been made available to the
9 Committees on Appropriations.

10 (c) *RECORDS MANAGEMENT AND RELATED CYBERSE-*
11 *CURITY PROTECTIONS.—The Secretary of State and USAID*
12 *Administrator shall—*

13 (1) regularly review and update the policies, di-
14 rectives, and oversight necessary to comply with Fed-
15 eral statutes, regulations, and presidential executive
16 orders and memoranda concerning the preservation of
17 all records made or received in the conduct of official
18 business, including record emails, instant messaging,
19 and other online tools;

20 (2) use funds appropriated by this Act under the
21 headings “Diplomatic Programs” and “Capital In-
22 vestment Fund” in title I, and “Operating Expenses”
23 and “Capital Investment Fund” in title II, as appro-
24 priate, to improve Federal records management pur-
25 suant to the Federal Records Act (44 U.S.C. Chapters

1 21, 29, 31, and 33) and other applicable Federal
2 records management statutes, regulations, or policies
3 for the Department of State and USAID;

4 (3) direct departing employees, including senior
5 officials, that all Federal records generated by such
6 employees belong to the Federal Government;

7 (4) substantially reduce, compared to the pre-
8 vious fiscal year, the response time for identifying
9 and retrieving Federal records, including requests
10 made pursuant to section 552 of title 5, United States
11 Code (commonly known as the “Freedom of Informa-
12 tion Act”); and

13 (5) strengthen cybersecurity measures to mitigate
14 vulnerabilities, including those resulting from the use
15 of personal email accounts or servers outside the .gov
16 domain, improve the process to identify and remove
17 inactive user accounts, update and enforce guidance
18 related to the control of national security informa-
19 tion, and implement the recommendations of the ap-
20 plicable reports of the cognizant Office of Inspector
21 General.

22 *USE OF FUNDS IN CONTRAVENTION OF THIS ACT*

23 *SEC. 7017. If the President makes a determination not*
24 *to comply with any provision of this Act on constitutional*
25 *grounds, the head of the relevant Federal agency shall notify*

1 *the Committees on Appropriations in writing within 5 days*
2 *of such determination, the basis for such determination and*
3 *any resulting changes to program or policy.*

4 *PROHIBITION ON FUNDING FOR ABORTIONS AND*
5 *INVOLUNTARY STERILIZATION*

6 *SEC. 7018. None of the funds made available to carry*
7 *out part I of the Foreign Assistance Act of 1961, as amend-*
8 *ed, may be used to pay for the performance of abortions*
9 *as a method of family planning or to motivate or coerce*
10 *any person to practice abortions. None of the funds made*
11 *available to carry out part I of the Foreign Assistance Act*
12 *of 1961, as amended, may be used to pay for the perform-*
13 *ance of involuntary sterilization as a method of family*
14 *planning or to coerce or provide any financial incentive*
15 *to any person to undergo sterilizations. None of the funds*
16 *made available to carry out part I of the Foreign Assistance*
17 *Act of 1961, as amended, may be used to pay for any bio-*
18 *medical research which relates in whole or in part, to meth-*
19 *ods of, or the performance of, abortions or involuntary steri-*
20 *lization as a means of family planning. None of the funds*
21 *made available to carry out part I of the Foreign Assistance*
22 *Act of 1961, as amended, may be obligated or expended for*
23 *any country or organization if the President certifies that*
24 *the use of these funds by any such country or organization*

1 *would violate any of the above provisions related to abor-*
2 *tions and involuntary sterilizations.*

3 *ALLOCATIONS AND REPORTS*

4 *SEC. 7019. (a) ALLOCATION TABLES.—Subject to sub-*
5 *section (b), funds appropriated by this Act under titles III*
6 *through V shall be made available in the amounts specifi-*
7 *cally designated in the respective tables included in the ex-*
8 *planatory statement described in section 4 (in the matter*
9 *preceding division A of this consolidated Act): Provided,*
10 *That such designated amounts for foreign countries and*
11 *international organizations shall serve as the amounts for*
12 *such countries and international organizations transmitted*
13 *to Congress in the report required by section 653(a) of the*
14 *Foreign Assistance Act of 1961, and shall be made available*
15 *for such foreign countries and international organizations*
16 *notwithstanding the date of the transmission of such report.*

17 *(b) AUTHORIZED DEVIATIONS.—Unless otherwise pro-*
18 *vided for by this Act, the Secretary of State and the Admin-*
19 *istrator of the United States Agency for International De-*
20 *velopment, as applicable, may only deviate up to 10 percent*
21 *from the amounts specifically designated in the respective*
22 *tables included in the explanatory statement described in*
23 *section 4 (in the matter preceding division A of this consoli-*
24 *dated Act): Provided, That such percentage may be exceeded*
25 *only if the Secretary of State or USAID Administrator, as*

1 *applicable, determines and reports in writing to the Com-*
2 *mittees on Appropriations on a case-by-case basis that such*
3 *deviation is necessary to respond to significant, exigent, or*
4 *unforeseen events, or to address other exceptional cir-*
5 *cumstances directly related to the national security interest*
6 *of the United States, including a description of such events*
7 *or circumstances: Provided further, That deviations pursu-*
8 *ant to the preceding proviso shall be subject to prior con-*
9 *sultation with, and the regular notification procedures of,*
10 *the Committees on Appropriations.*

11 *(c) LIMITATION.—For specifically designated amounts*
12 *that are included, pursuant to subsection (a), in the report*
13 *required by section 653(a) of the Foreign Assistance Act of*
14 *1961, deviations authorized by subsection (b) may only take*
15 *place after submission of such report.*

16 *(d) EXCEPTIONS.—*

17 *(1) Subsections (a) and (b) shall not apply to—*

18 *(A) amounts designated for “International*
19 *Military Education and Training” in the respec-*
20 *tive tables included in the explanatory statement*
21 *described in section 4 (in the matter preceding*
22 *division A of this consolidated Act);*

23 *(B) funds for which the initial period of*
24 *availability has expired; and*

1 (C) amounts designated by this Act as min-
2 imum funding requirements.

3 (2) The authority of subsection (b) to deviate
4 from amounts designated in the respective tables in-
5 cluded in the explanatory statement described in sec-
6 tion 4 (in the matter preceding division A of this con-
7 solidated Act) shall not apply to the table included
8 under the heading “Global Health Programs” in such
9 statement.

10 (3) With respect to the amounts designated for
11 “Global Programs” in the table under the heading
12 “Economic Support Fund” included in the explana-
13 tory statement described in section 4 (in the matter
14 preceding division A of this consolidated Act), the
15 matter preceding the first proviso in subsection (b) of
16 this section shall be applied by substituting “5 per-
17 cent” for “10 percent”, and the provisos in such sub-
18 section (b) shall not apply.

19 (e) *REPORTS.*—The Secretary of State, USAID Ad-
20 ministrators, and other designated officials, as appropriate,
21 shall submit the reports required, in the manner described,
22 in House Report 117–84 and the explanatory statement de-
23 scribed in section 4 (in the matter preceding division A of
24 this consolidated Act), unless directed otherwise in such ex-
25 planatory statement.

1 *PROHIBITION ON ASSISTANCE TO GOVERNMENTS*2 *SUPPORTING INTERNATIONAL TERRORISM*3 *SEC. 7021. (a) LETHAL MILITARY EQUIPMENT EX-*4 *PORTS.—*

5 (1) *PROHIBITION.—None of the funds appro-*
6 *propriated or otherwise made available under titles III*
7 *through VI of this Act may be made available to any*
8 *foreign government which provides lethal military*
9 *equipment to a country the government of which the*
10 *Secretary of State has determined supports inter-*
11 *national terrorism for purposes of section 1754(c) of*
12 *the Export Reform Control Act of 2018 (50 U.S.C.*
13 *4813(c)): Provided, That the prohibition under this*
14 *section with respect to a foreign government shall ter-*
15 *minate 12 months after that government ceases to*
16 *provide such military equipment: Provided further,*
17 *That this section applies with respect to lethal mili-*
18 *tary equipment provided under a contract entered*
19 *into after October 1, 1997.*

20 (2) *DETERMINATION.—Assistance restricted by*
21 *paragraph (1) or any other similar provision of law,*
22 *may be furnished if the President determines that to*
23 *do so is important to the national interest of the*
24 *United States.*

1 (3) *REPORT.*—Whenever the President makes a
2 determination pursuant to paragraph (2), the Presi-
3 dent shall submit to the Committees on Appropria-
4 tions a report with respect to the furnishing of such
5 assistance, including a detailed explanation of the as-
6 sistance to be provided, the estimated dollar amount
7 of such assistance, and an explanation of how the as-
8 sistance furthers the United States national interest.

9 (b) *BILATERAL ASSISTANCE.*—

10 (1) *LIMITATIONS.*—Funds appropriated for bi-
11 lateral assistance in titles III through VI of this Act
12 and funds appropriated under any such title in prior
13 Acts making appropriations for the Department of
14 State, foreign operations, and related programs, shall
15 not be made available to any foreign government
16 which the President determines—

17 (A) grants sanctuary from prosecution to
18 any individual or group which has committed
19 an act of international terrorism;

20 (B) otherwise supports international ter-
21 rorism; or

22 (C) is controlled by an organization des-
23 ignated as a terrorist organization under section
24 219 of the Immigration and Nationality Act (8
25 U.S.C. 1189).

1 (2) *WAIVER.*—*The President may waive the ap-*
2 *plication of paragraph (1) to a government if the*
3 *President determines that national security or hu-*
4 *manitarian reasons justify such waiver: Provided,*
5 *That the President shall publish each such waiver in*
6 *the Federal Register and, at least 15 days before the*
7 *waiver takes effect, shall notify the Committees on Ap-*
8 *propriations of the waiver (including the justification*
9 *for the waiver) in accordance with the regular notifi-*
10 *cation procedures of the Committees on Appropria-*
11 *tions.*

12 *AUTHORIZATION REQUIREMENTS*

13 *SEC. 7022. Funds appropriated by this Act, except*
14 *funds appropriated under the heading “Trade and Develop-*
15 *ment Agency”, may be obligated and expended notwith-*
16 *standing section 10 of Public Law 91–672 (22 U.S.C.*
17 *2412), section 15 of the State Department Basic Authorities*
18 *Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign*
19 *Relations Authorization Act, Fiscal Years 1994 and 1995*
20 *(22 U.S.C. 6212), and section 504(a)(1) of the National Se-*
21 *curity Act of 1947 (50 U.S.C. 3094(a)(1)).*

22 *DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY*

23 *SEC. 7023. For the purpose of titles II through VI of*
24 *this Act “program, project, and activity” shall be defined*
25 *at the appropriations Act account level and shall include*

1 *all appropriations and authorizations Acts funding direc-*
2 *tives, ceilings, and limitations with the exception that for*
3 *the “Economic Support Fund”, “Assistance for Europe,*
4 *Eurasia and Central Asia”, and “Foreign Military Financ-*
5 *ing Program” accounts, “program, project, and activity”*
6 *shall also be considered to include country, regional, and*
7 *central program level funding within each such account,*
8 *and for the development assistance accounts of the United*
9 *States Agency for International Development, “program,*
10 *project, and activity” shall also be considered to include*
11 *central, country, regional, and program level funding, ei-*
12 *ther as—*

13 (1) *justified to Congress; or*

14 (2) *allocated by the Executive Branch in accord-*
15 *ance with the report required by section 653(a) of the*
16 *Foreign Assistance Act of 1961 or as modified pursu-*
17 *ant to section 7019 of this Act.*

18 *AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN*
19 *FOUNDATION, AND UNITED STATES AFRICAN DEVELOP-*
20 *MENT FOUNDATION*

21 *SEC. 7024. Unless expressly provided to the contrary,*
22 *provisions of this or any other Act, including provisions*
23 *contained in prior Acts authorizing or making appropria-*
24 *tions for the Department of State, foreign operations, and*
25 *related programs, shall not be construed to prohibit activi-*

1 *ties authorized by or conducted under the Peace Corps Act,*
2 *the Inter-American Foundation Act, or the African Devel-*
3 *opment Foundation Act: Provided, That prior to con-*
4 *ducting activities in a country for which assistance is pro-*
5 *hibited, the agency shall consult with the Committees on*
6 *Appropriations and report to such Committees within 15*
7 *days of taking such action.*

1 *COMMERCE, TRADE AND SURPLUS COMMODITIES*

2 *SEC. 7025. (a) WORLD MARKETS.—None of the funds*
3 *appropriated or made available pursuant to titles III*
4 *through VI of this Act for direct assistance and none of the*
5 *funds otherwise made available to the Export-Import Bank*
6 *and the United States International Development Finance*
7 *Corporation shall be obligated or expended to finance any*
8 *loan, any assistance, or any other financial commitments*
9 *for establishing or expanding production of any commodity*
10 *for export by any country other than the United States,*
11 *if the commodity is likely to be in surplus on world markets*
12 *at the time the resulting productive capacity is expected to*
13 *become operative and if the assistance will cause substantial*
14 *injury to United States producers of the same, similar, or*
15 *competing commodity: Provided, That such prohibition*
16 *shall not apply to the Export-Import Bank if in the judg-*
17 *ment of its Board of Directors the benefits to industry and*
18 *employment in the United States are likely to outweigh the*
19 *injury to United States producers of the same, similar, or*
20 *competing commodity, and the Chairman of the Board so*
21 *notifies the Committees on Appropriations: Provided fur-*
22 *ther, That this subsection shall not prohibit—*

23 *(1) activities in a country that is eligible for as-*
24 *istance from the International Development Associa-*
25 *tion, is not eligible for assistance from the Inter-*

1 *national Bank for Reconstruction and Development,*
2 *and does not export on a consistent basis the agricul-*
3 *tural commodity with respect to which assistance is*
4 *furnished; or*

5 *(2) activities in a country the President deter-*
6 *mines is recovering from widespread conflict, a hu-*
7 *manitarian crisis, or a complex emergency.*

8 *(b) EXPORTS.—None of the funds appropriated by this*
9 *or any other Act to carry out chapter 1 of part I of the*
10 *Foreign Assistance Act of 1961 shall be available for any*
11 *testing or breeding feasibility study, variety improvement*
12 *or introduction, consultancy, publication, conference, or*
13 *training in connection with the growth or production in*
14 *a foreign country of an agricultural commodity for export*
15 *which would compete with a similar commodity grown or*
16 *produced in the United States: Provided, That this sub-*
17 *section shall not prohibit—*

18 *(1) activities designed to increase food security*
19 *in developing countries where such activities will not*
20 *have a significant impact on the export of agricul-*
21 *tural commodities of the United States;*

22 *(2) research activities intended primarily to ben-*
23 *efit United States producers;*

24 *(3) activities in a country that is eligible for as-*
25 *sistance from the International Development Associa-*

1 *tion, is not eligible for assistance from the Inter-*
 2 *national Bank for Reconstruction and Development,*
 3 *and does not export on a consistent basis the agricul-*
 4 *tural commodity with respect to which assistance is*
 5 *furnished; or*

6 *(4) activities in a country the President deter-*
 7 *mines is recovering from widespread conflict, a hu-*
 8 *manitarian crisis, or a complex emergency.*

9 *(c) INTERNATIONAL FINANCIAL INSTITUTIONS.—The*
 10 *Secretary of the Treasury shall instruct the United States*
 11 *executive director of each international financial institu-*
 12 *tion to use the voice and vote of the United States to oppose*
 13 *any assistance by such institution, using funds appro-*
 14 *priated or otherwise made available by this Act, for the pro-*
 15 *duction or extraction of any commodity or mineral for ex-*
 16 *port, if it is in surplus on world markets and if the assist-*
 17 *ance will cause substantial injury to United States pro-*
 18 *ducers of the same, similar, or competing commodity.*

19 *SEPARATE ACCOUNTS*

20 *SEC. 7026. (a) SEPARATE ACCOUNTS FOR LOCAL CUR-*
 21 *RENCIES.—*

22 *(1) AGREEMENTS.—If assistance is furnished to*
 23 *the government of a foreign country under chapters 1*
 24 *and 10 of part I or chapter 4 of part II of the For-*
 25 *oreign Assistance Act of 1961 under agreements which*

1 *result in the generation of local currencies of that*
2 *country, the Administrator of the United States Agen-*
3 *cy for International Development shall—*

4 *(A) require that local currencies be depos-*
5 *ited in a separate account established by that*
6 *government;*

7 *(B) enter into an agreement with that gov-*
8 *ernment which sets forth—*

9 *(i) the amount of the local currencies*
10 *to be generated; and*

11 *(ii) the terms and conditions under*
12 *which the currencies so deposited may be*
13 *utilized, consistent with this section; and*

14 *(C) establish by agreement with that gov-*
15 *ernment the responsibilities of USAID and that*
16 *government to monitor and account for deposits*
17 *into and disbursements from the separate ac-*
18 *count.*

19 *(2) USES OF LOCAL CURRENCIES.—As may be*
20 *agreed upon with the foreign government, local cur-*
21 *rencies deposited in a separate account pursuant to*
22 *subsection (a), or an equivalent amount of local cur-*
23 *rencies, shall be used only—*

24 *(A) to carry out chapter 1 or 10 of part I*
25 *or chapter 4 of part II of the Foreign Assistance*

1 *Act of 1961 (as the case may be), for such pur-*
2 *poses as—*

3 *(i) project and sector assistance activi-*
4 *ties; or*

5 *(ii) debt and deficit financing; or*

6 *(B) for the administrative requirements of*
7 *the United States Government.*

8 (3) *PROGRAMMING ACCOUNTABILITY.—USAID*
9 *shall take all necessary steps to ensure that the equiv-*
10 *alent of the local currencies disbursed pursuant to*
11 *subsection (a)(2)(A) from the separate account estab-*
12 *lished pursuant to subsection (a)(1) are used for the*
13 *purposes agreed upon pursuant to subsection (a)(2).*

14 (4) *TERMINATION OF ASSISTANCE PROGRAMS.—*
15 *Upon termination of assistance to a country under*
16 *chapter 1 or 10 of part I or chapter 4 of part II of*
17 *the Foreign Assistance Act of 1961 (as the case may*
18 *be), any unencumbered balances of funds which re-*
19 *main in a separate account established pursuant to*
20 *subsection (a) shall be disposed of for such purposes*
21 *as may be agreed to by the government of that coun-*
22 *try and the United States Government.*

23 (b) *SEPARATE ACCOUNTS FOR CASH TRANSFERS.—*

24 (1) *IN GENERAL.—If assistance is made avail-*
25 *able to the government of a foreign country, under*

1 *chapter 1 or 10 of part I or chapter 4 of part II of*
2 *the Foreign Assistance Act of 1961, as cash transfer*
3 *assistance or as nonproject sector assistance, that*
4 *country shall be required to maintain such funds in*
5 *a separate account and not commingle with any other*
6 *funds.*

7 (2) *APPLICABILITY OF OTHER PROVISIONS OF*
8 *LAW.—Such funds may be obligated and expended*
9 *notwithstanding provisions of law which are incon-*
10 *sistent with the nature of this assistance, including*
11 *provisions which are referenced in the Joint Explana-*
12 *tory Statement of the Committee of Conference accom-*
13 *ppanying House Joint Resolution 648 (House Report*
14 *No. 98–1159).*

15 (3) *NOTIFICATION.—At least 15 days prior to ob-*
16 *ligating any such cash transfer or nonproject sector*
17 *assistance, the President shall submit a notification*
18 *through the regular notification procedures of the*
19 *Committees on Appropriations, which shall include a*
20 *detailed description of how the funds proposed to be*
21 *made available will be used, with a discussion of the*
22 *United States interests that will be served by such as-*
23 *sistance (including, as appropriate, a description of*
24 *the economic policy reforms that will be promoted by*
25 *such assistance).*

1 *needs and protect and promote the rights of people with*
2 *disabilities in developing countries, including initiatives*
3 *that focus on independent living, economic self-sufficiency,*
4 *advocacy, education, employment, transportation, sports,*
5 *political and electoral participation, and integration of in-*
6 *dividuals with disabilities, including for the cost of trans-*
7 *lation: Provided, That funds shall be made available to sup-*
8 *port disability rights advocacy organizations in developing*
9 *countries.*

10 *(b) MANAGEMENT, OVERSIGHT, AND TECHNICAL SUP-*
11 *PORT.—Of the funds made available pursuant to this sec-*
12 *tion, 5 percent may be used by USAID for management,*
13 *oversight, and technical support.*

14 *INTERNATIONAL FINANCIAL INSTITUTIONS*

15 *SEC. 7029. (a) EVALUATIONS.—The Secretary of the*
16 *Treasury shall instruct the United States executive director*
17 *of each international financial institution to use the voice*
18 *of the United States to encourage such institution to adopt*
19 *and implement a publicly available policy, including the*
20 *strategic use of peer reviews and external experts, to conduct*
21 *independent, in-depth evaluations of the effectiveness of at*
22 *least 35 percent of all loans, grants, programs, and signifi-*
23 *cant analytical non-lending activities in advancing the in-*
24 *stitution's goals of reducing poverty and promoting equi-*
25 *table economic growth, consistent with relevant safeguards,*

1 *to ensure that decisions to support such loans, grants, pro-*
2 *grams, and activities are based on accurate data and objec-*
3 *tive analysis.*

4 *(b) SAFEGUARDS.—*

5 *(1) STANDARD.—The Secretary of the Treasury*
6 *shall instruct the United States Executive Director of*
7 *the International Bank for Reconstruction and Devel-*
8 *opment and the International Development Associa-*
9 *tion to use the voice and vote of the United States to*
10 *oppose any loan, grant, policy, or strategy if such in-*
11 *stitution has adopted and is implementing any social*
12 *or environmental safeguard relevant to such loan,*
13 *grant, policy, or strategy that provides less protection*
14 *than World Bank safeguards in effect on September*
15 *30, 2015.*

16 *(2) ACCOUNTABILITY, STANDARDS, AND BEST*
17 *PRACTICES.—The Secretary of the Treasury shall in-*
18 *struct the United States executive director of each*
19 *international financial institution to use the voice*
20 *and vote of the United States to oppose loans or other*
21 *financing for projects unless such projects—*

22 *(A) provide for accountability and trans-*
23 *parency, including the collection, verification,*
24 *and publication of beneficial ownership informa-*

1 *tion related to extractive industries and on-site*
2 *monitoring during the life of the project;*

3 *(B) will be developed and carried out in ac-*
4 *cordance with best practices regarding environ-*
5 *mental conservation, cultural protection, and*
6 *empowerment of local populations, including*
7 *free, prior and informed consent of affected In-*
8 *digenuous communities;*

9 *(C) do not provide incentives for, or facili-*
10 *tate, forced displacement or other violations of*
11 *human rights; and*

12 *(D) do not partner with or otherwise in-*
13 *volve enterprises owned or controlled by the*
14 *armed forces.*

15 *(c) COMPENSATION.—None of the funds appropriated*
16 *under title V of this Act may be made as payment to any*
17 *international financial institution while the United States*
18 *executive director to such institution is compensated by the*
19 *institution at a rate which, together with whatever com-*
20 *pensation such executive director receives from the United*
21 *States, is in excess of the rate provided for an individual*
22 *occupying a position at level IV of the Executive Schedule*
23 *under section 5315 of title 5, United States Code, or while*
24 *any alternate United States executive director to such insti-*
25 *tution is compensated by the institution at a rate in excess*

1 *of the rate provided for an individual occupying a position*
2 *at level V of the Executive Schedule under section 5316 of*
3 *title 5, United States Code.*

4 (d) *HUMAN RIGHTS.*—*The Secretary of the Treasury*
5 *shall instruct the United States executive director of each*
6 *international financial institution to use the voice and vote*
7 *of the United States to promote human rights due diligence*
8 *and risk management, as appropriate, in connection with*
9 *any loan, grant, policy, or strategy of such institution in*
10 *accordance with the requirements specified under this sub-*
11 *section in House Report 117–84: Provided, That prior to*
12 *voting on any such loan, grant, policy, or strategy the exec-*
13 *utive director shall consult with the Assistant Secretary for*
14 *Democracy, Human Rights, and Labor, Department of*
15 *State, if the executive director has reason to believe that*
16 *such loan, grant, policy, or strategy could result in forced*
17 *displacement or other violations of human rights.*

18 (e) *FRAUD AND CORRUPTION.*—*The Secretary of the*
19 *Treasury shall instruct the United States executive director*
20 *of each international financial institution to use the voice*
21 *of the United States to include in loan, grant, and other*
22 *financing agreements improvements in borrowing countries’*
23 *financial management and judicial capacity to investigate,*
24 *prosecute, and punish fraud and corruption.*

1 (f) *BENEFICIAL OWNERSHIP INFORMATION.*—*The Sec-*
2 *retary of the Treasury shall instruct the United States exec-*
3 *utive director of each international financial institution to*
4 *use the voice of the United States to encourage such institu-*
5 *tion to collect, verify, and publish, to the maximum extent*
6 *practicable, beneficial ownership information (excluding*
7 *proprietary information) for any corporation or limited li-*
8 *ability company, other than a publicly listed company, that*
9 *receives funds from any such financial institution.*

10 (g) *WHISTLEBLOWER PROTECTIONS.*—*The Secretary*
11 *of the Treasury shall instruct the United States executive*
12 *director of each international financial institution to use*
13 *the voice of the United States to encourage such institution*
14 *to effectively implement and enforce policies and procedures*
15 *which meet or exceed best practices in the United States*
16 *for the protection of whistleblowers from retaliation, includ-*
17 *ing—*

18 (1) *protection against retaliation for internal*
19 *and lawful public disclosure;*

20 (2) *legal burdens of proof;*

21 (3) *statutes of limitation for reporting retalia-*
22 *tion;*

23 (4) *access to binding independent adjudicative*
24 *bodies, including shared cost and selection external*
25 *arbitration; and*

1 (5) results that eliminate the effects of proven re-
2 taliation, including provision for the restoration of
3 prior employment.

4 (h) *GRIEVANCE MECHANISMS AND PROCEDURES.*—
5 *The Secretary of the Treasury shall instruct the United*
6 *States executive director of each international financial in-*
7 *stitution to use the voice and vote of the United States to*
8 *support independent investigative and adjudicative mecha-*
9 *nisms and procedures that meet or exceed best practices in*
10 *the United States to provide due process and fair compensa-*
11 *tion, including the right to reinstatement, for employees*
12 *who are subjected to harassment, discrimination, retali-*
13 *ation, false allegations, or other misconduct.*

14 (i) *CAPITAL INCREASES.*—None of the funds appro-
15 priated by this Act or prior Acts making appropriations
16 for the Department of State, foreign operations, and related
17 programs should be made available to support a capital in-
18 crease for an international financial institution until the
19 President submits a budget request for such increase to Con-
20 gress and determines and reports to the Committees on Ap-
21 propriations that—

22 (1) *the institution has completed a thorough*
23 *analysis of the development challenges facing the rel-*
24 *evant geographical region, the role of the institution*
25 *in addressing such challenges and its role relative to*

1 *other financing partners, and the steps to be taken to*
2 *enhance the efficiency and effectiveness of the institu-*
3 *tion; and*

4 *(2) the governors of such institution have ap-*
5 *proved the capital increase.*

6 *INSECURE COMMUNICATIONS NETWORKS*

7 *SEC. 7030. Funds appropriated by this Act shall be*
8 *made available for programs, including through the Digital*
9 *Connectivity and Cybersecurity Partnership, to—*

10 *(1) advance the adoption of secure, next-genera-*
11 *tion communications networks and services, including*
12 *5G, and cybersecurity policies, in countries receiving*
13 *assistance under this Act and prior Acts making ap-*
14 *propriations for the Department of State, foreign op-*
15 *erations, and related programs;*

16 *(2) counter the establishment of insecure commu-*
17 *nications networks and services, including 5G, pro-*
18 *moted by the People’s Republic of China and other*
19 *state-backed enterprises that are subject to undue or*
20 *extrajudicial control by their country of origin; and*

21 *(3) provide policy and technical training on de-*
22 *ploying open, interoperable, reliable, and secure net-*
23 *works to information communication technology pro-*
24 *fessionals in countries receiving assistance under this*
25 *Act, as appropriate:*

1 *Provided, That such funds may be used to support the par-*
2 *ticipation of foreign military officials in programs designed*
3 *to strengthen civilian cybersecurity capacity, following con-*
4 *sultation with the Committees on Appropriations.*

5 *FINANCIAL MANAGEMENT AND BUDGET TRANSPARENCY*

6 *SEC. 7031. (a) LIMITATION ON DIRECT GOVERNMENT-*
7 *TO-GOVERNMENT ASSISTANCE.—*

8 *(1) REQUIREMENTS.—Funds appropriated by*
9 *this Act may be made available for direct govern-*
10 *ment-to-government assistance only if the require-*
11 *ments included in section 7031(a)(1)(A) through (E)*
12 *of the Department of State, Foreign Operations, and*
13 *Related Programs Appropriations Act, 2019 (division*
14 *F of Public Law 116–6) are fully met.*

15 *(2) CONSULTATION AND NOTIFICATION.—In ad-*
16 *dition to the requirements in paragraph (1), funds*
17 *may only be made available for direct government-to-*
18 *government assistance subject to prior consultation*
19 *with, and the regular notification procedures of, the*
20 *Committees on Appropriations: Provided, That such*
21 *notification shall contain an explanation of how the*
22 *proposed activity meets the requirements of para-*
23 *graph (1): Provided further, That the requirements of*
24 *this paragraph shall only apply to direct government-*
25 *to-government assistance in excess of \$10,000,000 and*

1 *all funds available for cash transfer, budget support,*
2 *and cash payments to individuals.*

3 (3) *SUSPENSION OF ASSISTANCE.*—*The Adminis-*
4 *trator of the United States Agency for International*
5 *Development or the Secretary of State, as appro-*
6 *priate, shall suspend any direct government-to-gov-*
7 *ernment assistance if the Administrator or the Sec-*
8 *retary has credible information of material misuse of*
9 *such assistance, unless the Administrator or the Sec-*
10 *retary reports to the Committees on Appropriations*
11 *that it is in the national interest of the United States*
12 *to continue such assistance, including a justification,*
13 *or that such misuse has been appropriately addressed.*

14 (4) *SUBMISSION OF INFORMATION.*—*The Sec-*
15 *retary of State shall submit to the Committees on Ap-*
16 *propriations, concurrent with the fiscal year 2023*
17 *congressional budget justification materials, amounts*
18 *planned for assistance described in paragraph (1) by*
19 *country, proposed funding amount, source of funds,*
20 *and type of assistance.*

21 (5) *DEBT SERVICE PAYMENT PROHIBITION.*—
22 *None of the funds made available by this Act may be*
23 *used by the government of any foreign country for*
24 *debt service payments owed by any country to any*
25 *international financial institution.*

1 (b) NATIONAL BUDGET AND CONTRACT TRANS-
2 PARENCY.—

3 (1) MINIMUM REQUIREMENTS OF FISCAL TRANS-
4 PARENCY.—*The Secretary of State shall continue to*
5 *update and strengthen the “minimum requirements of*
6 *fiscal transparency” for each government receiving*
7 *assistance appropriated by this Act, as identified in*
8 *the report required by section 7031(b) of the Depart-*
9 *ment of State, Foreign Operations, and Related Pro-*
10 *grams Appropriations Act, 2014 (division K of Public*
11 *Law 113–76).*

12 (2) DETERMINATION AND REPORT.—*For each*
13 *government identified pursuant to paragraph (1), the*
14 *Secretary of State, not later than 180 days after en-*
15 *actment of this Act, shall make or update any deter-*
16 *mination of “significant progress” or “no significant*
17 *progress” in meeting the minimum requirements of*
18 *fiscal transparency, and make such determinations*
19 *publicly available in an annual “Fiscal Trans-*
20 *parency Report” to be posted on the Department of*
21 *State website: Provided, That such report shall in-*
22 *clude the elements included under this section in*
23 *House Report 117–84.*

24 (3) ASSISTANCE.—*Not less than \$7,000,000 of*
25 *the funds appropriated by this Act under the heading*

1 *“Economic Support Fund” shall be made available*
2 *for programs and activities to assist governments*
3 *identified pursuant to paragraph (1) to improve*
4 *budget transparency and to support civil society or-*
5 *ganizations in such countries that promote budget*
6 *transparency.*

7 *(c) ANTI-KLEPTOCRACY AND HUMAN RIGHTS.—*

8 *(1) INELIGIBILITY.—*

9 *(A) Officials of foreign governments and*
10 *their immediate family members about whom the*
11 *Secretary of State has credible information have*
12 *been involved, directly or indirectly, in signifi-*
13 *cant corruption, including corruption related to*
14 *the extraction of natural resources, or a gross*
15 *violation of human rights, including the wrong-*
16 *ful detention of locally employed staff of a*
17 *United States diplomatic mission or a United*
18 *States citizen or national, shall be ineligible for*
19 *entry into the United States.*

20 *(B) Concurrent with the application of sub-*
21 *paragraph (A), the Secretary should, as appro-*
22 *priate, refer the matter to the Office of Foreign*
23 *Assets Control, Department of the Treasury, to*
24 *determine whether to apply sanctions authorities*
25 *in accordance with United States law to block*

1 *the transfer of property and interests in prop-*
2 *erty, and all financial transactions, in the*
3 *United States involving any person described in*
4 *such subparagraph.*

5 *(C) The Secretary shall also publicly or pri-*
6 *vately designate or identify the officials of for-*
7 *ign governments and their immediate family*
8 *members about whom the Secretary has such*
9 *credible information without regard to whether*
10 *the individual has applied for a visa.*

11 *(2) EXCEPTION.—Individuals shall not be ineli-*
12 *gible for entry into the United States pursuant to*
13 *paragraph (1) if such entry would further important*
14 *United States law enforcement objectives or is nec-*
15 *essary to permit the United States to fulfill its obliga-*
16 *tions under the United Nations Headquarters Agree-*
17 *ment: Provided, That nothing in paragraph (1) shall*
18 *be construed to derogate from United States Govern-*
19 *ment obligations under applicable international*
20 *agreements.*

21 *(3) WAIVER.—The Secretary may waive the ap-*
22 *plication of paragraph (1) if the Secretary determines*
23 *that the waiver would serve a compelling national in-*
24 *terest or that the circumstances which caused the in-*
25 *dividual to be ineligible have changed sufficiently.*

1 (4) *REPORT.*—Not later than 30 days after en-
2 actment of this Act, and every 90 days thereafter
3 until September 30, 2023, the Secretary of State shall
4 submit a report, including a classified annex if nec-
5 essary, to the appropriate congressional committees
6 and the Committees on the Judiciary describing the
7 information related to corruption or violation of
8 human rights concerning each of the individuals
9 found ineligible in the previous 12 months pursuant
10 to paragraph (1)(A) as well as the individuals who
11 the Secretary designated or identified pursuant to
12 paragraph (1)(B), or who would be ineligible but for
13 the application of paragraph (2), a list of any waiv-
14 ers provided under paragraph (3), and the justifica-
15 tion for each waiver.

16 (5) *POSTING OF REPORT.*—Any unclassified por-
17 tion of the report required under paragraph (4) shall
18 be posted on the Department of State website.

19 (6) *CLARIFICATION.*—For purposes of para-
20 graphs (1), (4), and (5), the records of the Depart-
21 ment of State and of diplomatic and consular offices
22 of the United States pertaining to the issuance or re-
23 fusal of visas or permits to enter the United States
24 shall not be considered confidential.

25 (d) *EXTRACTION OF NATURAL RESOURCES.*—

1 (1) *ASSISTANCE.*—*Funds appropriated by this*
2 *Act shall be made available to promote and support*
3 *transparency and accountability of expenditures and*
4 *revenues related to the extraction of natural resources,*
5 *including by strengthening implementation and mon-*
6 *itoring of the Extractive Industries Transparency*
7 *Initiative, implementing and enforcing section 8204*
8 *of the Food, Conservation, and Energy Act of 2008*
9 *(Public Law 110–246; 122 Stat. 2052) and the*
10 *amendments made by such section, and to prevent the*
11 *sale of conflict diamonds, and for technical assistance*
12 *to promote independent audit mechanisms and sup-*
13 *port civil society participation in natural resource*
14 *management.*

15 (2) *PUBLIC DISCLOSURE AND INDEPENDENT AU-*
16 *DITS.*—*(A) The Secretary of the Treasury shall in-*
17 *struct the executive director of each international fi-*
18 *nancial institution to use the voice and vote of the*
19 *United States to oppose any assistance by such insti-*
20 *tutions (including any loan, credit, grant, or guar-*
21 *antee) to any country for the extraction and export*
22 *of a natural resource if the government of such coun-*
23 *try has in place laws, regulations, or procedures to*
24 *prevent or limit the public disclosure of company*
25 *payments as required by United States law, and un-*

1 (1) *IN GENERAL.*—*Of the funds appropriated by*
2 *this Act under the headings “Development Assist-*
3 *ance”, “Economic Support Fund”, “Democracy*
4 *Fund”, “Assistance for Europe, Eurasia and Central*
5 *Asia”, and “International Narcotics Control and Law*
6 *Enforcement”, not less than \$2,600,000,000 should be*
7 *made available for democracy programs.*

8 (2) *PROGRAMS.*—*Of the funds made available for*
9 *democracy programs under the headings “Economic*
10 *Support Fund” and “Assistance for Europe, Eurasia*
11 *and Central Asia” pursuant to paragraph (1), not*
12 *less than \$102,040,000 shall be made available to the*
13 *Bureau of Democracy, Human Rights, and Labor,*
14 *Department of State.*

15 (b) *AUTHORITIES.*—

16 (1) *AVAILABILITY.*—*Funds made available by*
17 *this Act for democracy programs pursuant to sub-*
18 *section (a) and under the heading “National Endow-*
19 *ment for Democracy” may be made available notwith-*
20 *standing any other provision of law, and with regard*
21 *to the National Endowment for Democracy (NED),*
22 *any regulation.*

23 (2) *BENEFICIARIES.*—*Funds made available by*
24 *this Act for the NED are made available pursuant to*
25 *the authority of the National Endowment for Democ-*

1 *racy Act (title V of Public Law 98–164), including*
2 *all decisions regarding the selection of beneficiaries.*

3 (c) *DEFINITION OF DEMOCRACY PROGRAMS.—For*
4 *purposes of funds appropriated by this Act, the term “de-*
5 *mocracy programs” means programs that support good gov-*
6 *ernance, credible and competitive elections, freedom of ex-*
7 *pression, association, assembly, and religion, human rights,*
8 *labor rights, independent media, and the rule of law, and*
9 *that otherwise strengthen the capacity of democratic polit-*
10 *ical parties, governments, nongovernmental organizations*
11 *and institutions, and citizens to support the development*
12 *of democratic states and institutions that are responsive*
13 *and accountable to citizens.*

14 (d) *PROGRAM PRIORITIZATION.—Funds made avail-*
15 *able pursuant to this section that are made available for*
16 *programs to strengthen government institutions shall be*
17 *prioritized for those institutions that demonstrate a com-*
18 *mitment to democracy and the rule of law.*

19 (e) *RESTRICTIONS ON FOREIGN GOVERNMENT INTER-*
20 *FERENCE.—*

21 (1) *PRIOR APPROVAL.—With respect to the pro-*
22 *vision of assistance for democracy programs in this*
23 *Act, the organizations implementing such assistance,*
24 *the specific nature of the assistance, and the partici-*

1 *pants in such programs shall not be subject to prior*
2 *approval by the government of any foreign country.*

3 (2) *DISCLOSURE OF IMPLEMENTING PARTNER IN-*
4 *FORMATION.—If the Secretary of State, in consulta-*
5 *tion with the Administrator of the United States*
6 *Agency for International Development, determines*
7 *that the government of the country is undemocratic or*
8 *has engaged in or condoned harassment, threats, or*
9 *attacks against organizations implementing democ-*
10 *racy programs, any new bilateral agreement gov-*
11 *erning the terms and conditions under which assist-*
12 *ance is provided to such country shall not require the*
13 *disclosure of the names of implementing partners of*
14 *democracy programs, and the Secretary of State and*
15 *the USAID Administrator shall expeditiously seek to*
16 *negotiate amendments to existing bilateral agree-*
17 *ments, as necessary, to conform to this requirement.*

18 (3) *REPORTING REQUIREMENT.—The Secretary*
19 *of State, in coordination with the USAID Adminis-*
20 *trator, shall submit a report to the appropriate con-*
21 *gressional committees, not later than 90 days after*
22 *enactment of this Act and every 90 days thereafter*
23 *until September 30, 2023, detailing steps taken by the*
24 *Department of State and USAID to comply with the*
25 *requirements of this subsection.*

1 (f) *CONTINUATION OF CURRENT PRACTICES.—USAID*
2 *shall continue to implement civil society and political com-*
3 *petition and consensus building programs abroad with*
4 *funds appropriated by this Act in a manner that recognizes*
5 *the unique benefits of grants and cooperative agreements in*
6 *implementing such programs.*

7 (g) *DIGITAL SECURITY AND COUNTERING*
8 *DISINFORMATION.—Democracy programs supported with*
9 *funds appropriated by this Act under subsection (a)(1)*
10 *should, as appropriate—*

11 (1) *include—*

12 (A) *a component on digital security to en-*
13 *hance the safety of implementers and bene-*
14 *ficiaries;*

15 (B) *assistance for civil society organizations*
16 *to counter government surveillance, censorship,*
17 *and repression by digital means;*

18 (C) *efforts to combat weaponized technology,*
19 *including the misuse of social media to spread*
20 *disinformation or incite hate; and*

21 (D) *measures to prevent the digital manip-*
22 *ulation of elections, electoral data, and critical*
23 *infrastructure; and*

24 (2) *incorporate activities to counter*
25 *disinformation propagated by malign actors, includ-*

1 *ing the People’s Republic of China and the Russian*
2 *Federation.*

3 *(h) INFORMING THE NATIONAL ENDOWMENT FOR DE-*
4 *MOCRACY.—The Assistant Secretary for Democracy,*
5 *Human Rights, and Labor, Department of State, and the*
6 *Assistant Administrator for Democracy, Conflict, and Hu-*
7 *manitarian Assistance, USAID, shall regularly inform the*
8 *NED of democracy programs that are planned and sup-*
9 *ported with funds made available by this Act and prior*
10 *Acts making appropriations for the Department of State,*
11 *foreign operations, and related programs.*

12 *(i) PROTECTION OF CIVIL SOCIETY ACTIVISTS AND*
13 *JOURNALISTS.—*

14 *(1) Of the funds appropriated by this Act under*
15 *the headings “Economic Support Fund” and “Democ-*
16 *racy Fund”, not less than \$30,000,000 shall be made*
17 *available to support and protect civil society activists*
18 *and journalists who have been threatened, harassed,*
19 *or attacked, including journalists affiliated with the*
20 *United States Agency for Global Media.*

21 *(j) INTERNATIONAL FREEDOM OF EXPRESSION AND*
22 *INDEPENDENT MEDIA.—Of the funds appropriated by this*
23 *Act under the heading “Economic Support Fund”, not less*
24 *than \$20,000,000 shall be made available for programs to*
25 *protect international freedom of expression and inde-*

1 *pendent media, including to implement the updated action*
2 *plan required under section 7032(h) of the Department of*
3 *State, Foreign Operations, and Related Programs Appro-*
4 *priations Act, 2021 (division K of Public Law 116–260):*
5 *Provided, That funds appropriated by this Act under the*
6 *heading “Diplomatic Programs” shall be made available to*
7 *the Bureau of Democracy, Human Rights, and Labor, De-*
8 *partment of State, and funds appropriated by this Act*
9 *under the heading “Operating Expenses” shall be made*
10 *available to the Bureau for Development, Democracy, and*
11 *Innovation, USAID, for the costs of administering such*
12 *programs.*

13 *(k) LABOR PROGRAMS REPORT AND CONSULTATION.—*

14 *(1) REPORT.—Not later than 90 days after en-*
15 *actment of this Act, the USAID Administrator shall*
16 *submit a report to the appropriate congressional com-*
17 *mittees detailing steps taken, or planned to be taken,*
18 *by USAID to build expertise and capacity within the*
19 *agency on implementing labor programs, in addition*
20 *to providing a description of current implementation*
21 *efforts.*

22 *(2) CONSULTATION.—Funds appropriated by*
23 *this Act that are made available for labor programs*
24 *administered by USAID shall be subject to prior con-*

1 *sultation with, and the regular notification proce-*
2 *dures of, the Committees on Appropriations.*

3 *INTERNATIONAL RELIGIOUS FREEDOM*

4 *SEC. 7033. (a) INTERNATIONAL RELIGIOUS FREEDOM*
5 *OFFICE.—Funds appropriated by this Act under the head-*
6 *ing “Diplomatic Programs” shall be made available for the*
7 *Office of International Religious Freedom, Department of*
8 *State.*

9 *(b) ASSISTANCE.—Funds appropriated by this Act*
10 *under the headings “Economic Support Fund”, “Democ-*
11 *racy Fund”, and “International Broadcasting Operations”*
12 *shall be made available for international religious freedom*
13 *programs and funds appropriated by this Act under the*
14 *headings “International Disaster Assistance” and “Migra-*
15 *tion and Refugee Assistance” shall be made available for*
16 *humanitarian assistance for vulnerable and persecuted eth-*
17 *nic and religious minorities: Provided, That funds made*
18 *available by this Act under the headings “Economic Sup-*
19 *port Fund” and “Democracy Fund” pursuant to this sec-*
20 *tion shall be the responsibility of the Ambassador-at-Large*
21 *for International Religious Freedom, in consultation with*
22 *other relevant United States Government officials, and shall*
23 *be subject to prior consultation with the Committees on Ap-*
24 *propriations.*

1 *against humanity, and genocide, which shall be ad-*
2 *ministered by the Assistant Secretary for Democracy,*
3 *Human Rights, and Labor, Department of State:*
4 *Provided, That such funds shall be in addition to*
5 *funds made available by this Act and prior Acts mak-*
6 *ing appropriations for the Department of State, for-*
7 *foreign operations, and related programs for assistance*
8 *for countries.*

9 *(2) Of the funds appropriated by this Act under*
10 *the heading “International Narcotics Control and*
11 *Law Enforcement”, not less than \$10,000,000 shall be*
12 *made available for DNA forensic technology programs*
13 *to combat human trafficking in Central America and*
14 *Mexico.*

15 *(c) ATROCITIES PREVENTION.—Of the funds appro-*
16 *priated by this Act under the headings “Economic Support*
17 *Fund” and “International Narcotics Control and Law En-*
18 *forcement”, not less than \$5,000,000 shall be made available*
19 *for programs to prevent atrocities: Provided, That funds*
20 *made available pursuant to this subsection are in addition*
21 *to amounts otherwise made available for such purposes:*
22 *Provided further, That such funds shall be subject to the*
23 *regular notification procedures of the Committees on Appro-*
24 *priations.*

1 (d) *WORLD FOOD PROGRAMME.*—Funds managed by
2 *the Bureau for Humanitarian Assistance, United States*
3 *Agency for International Development, from this or any*
4 *other Act, may be made available as a general contribution*
5 *to the World Food Programme, notwithstanding any other*
6 *provision of law.*

7 (e) *DIRECTIVES AND AUTHORITIES.*—

8 (1) *RESEARCH AND TRAINING.*—Funds appro-
9 *priated by this Act under the heading “Assistance for*
10 *Europe, Eurasia and Central Asia” shall be made*
11 *available to carry out the Program for Research and*
12 *Training on Eastern Europe and the Independent*
13 *States of the Former Soviet Union as authorized by*
14 *the Soviet-Eastern European Research and Training*
15 *Act of 1983 (22 U.S.C. 4501 et seq.).*

16 (2) *GENOCIDE VICTIMS MEMORIAL SITES.*—
17 *Funds appropriated by this Act and prior Acts mak-*
18 *ing appropriations for the Department of State, for-*
19 *oreign operations, and related programs under the*
20 *headings “Economic Support Fund” and “Assistance*
21 *for Europe, Eurasia and Central Asia” may be made*
22 *available as contributions to establish and maintain*
23 *memorial sites of genocide, subject to the regular noti-*
24 *fication procedures of the Committees on Appropria-*
25 *tions.*

1 (3) *PRIVATE SECTOR PARTNERSHIPS.*—Of the
2 funds appropriated by this Act under the headings
3 “Development Assistance” and “Economic Support
4 Fund” that are made available for private sector
5 partnerships, including partnerships with philan-
6 thropic foundations, up to \$50,000,000 may remain
7 available until September 30, 2024: Provided, That
8 funds made available pursuant to this paragraph
9 may only be made available following prior consulta-
10 tion with, and the regular notification procedures of,
11 the Committees on Appropriations.

12 (4) *ADDITIONAL AUTHORITIES.*—Of the amounts
13 made available by this Act under the heading “Diplo-
14 matic Programs”, up to \$500,000 may be made avail-
15 able for grants pursuant to section 504 of the Foreign
16 Relations Authorization Act, Fiscal Year 1979 (22
17 U.S.C. 2656d), including to facilitate collaboration
18 with Indigenous communities, and under the heading
19 “Educational and Cultural Exchange Programs”, up
20 to \$1,000,000 may be made available for grants to
21 carry out the activities of the Cultural Antiquities
22 Task Force.

23 (5) *INNOVATION.*—The USAID Administrator
24 may use funds appropriated by this Act under title
25 III to make innovation incentive awards in accord-

1 *ance with the terms and conditions of section*
2 *7034(e)(4) of the Department of State, Foreign Oper-*
3 *ations, and Related Programs Appropriations Act,*
4 *2019 (division F of Public Law 116–6): Provided,*
5 *That each individual award may not exceed*
6 *\$100,000: Provided further, That no more than 15*
7 *such awards may be made during fiscal year 2022.*

8 (6) *DEVELOPMENT INNOVATION VENTURES.—*
9 *Funds appropriated by this Act under the heading*
10 *“Development Assistance” and made available for the*
11 *Development Innovation Ventures program may be*
12 *made available for the purposes of chapter I of part*
13 *I of the Foreign Assistance Act of 1961.*

14 (7) *EXCHANGE VISITOR PROGRAM.—None of the*
15 *funds made available by this Act may be used to mod-*
16 *ify the Exchange Visitor Program administered by*
17 *the Department of State to implement the Mutual*
18 *Educational and Cultural Exchange Act of 1961*
19 *(Public Law 87–256; 22 U.S.C. 2451 et seq.), except*
20 *through the formal rulemaking process pursuant to*
21 *the Administrative Procedure Act (5 U.S.C. 551 et*
22 *seq.) and notwithstanding the exceptions to such rule-*
23 *making process in such Act: Provided, That funds*
24 *made available for such purpose shall only be made*
25 *available after consultation with, and subject to the*

1 *regular notification procedures of, the Committees on*
2 *Appropriations, regarding how any proposed modi-*
3 *fication would affect the public diplomacy goals of,*
4 *and the estimated economic impact on, the United*
5 *States: Provided further, That such consultation shall*
6 *take place not later than 30 days prior to the publica-*
7 *tion in the Federal Register of any regulatory action*
8 *modifying the Exchange Visitor Program.*

9 (8) *PAYMENTS.—Funds appropriated by this Act*
10 *and prior Acts making appropriations for the De-*
11 *partment of State, foreign operations, and related*
12 *programs under the heading “Diplomatic Programs”,*
13 *except for funds designated by Congress as an emer-*
14 *gency requirement pursuant to a concurrent resolu-*
15 *tion on the budget or the Balanced Budget and Emer-*
16 *gency Deficit Control Act of 1985, are available to*
17 *provide payments pursuant to section 901(i)(2) of*
18 *title IX of division J of the Further Consolidated Ap-*
19 *propriations Act, 2020 (22 U.S.C. 2680b(i)(2)): Pro-*
20 *vided, That funds made available pursuant to this*
21 *paragraph shall be subject to prior consultation with*
22 *the Committees on Appropriations.*

23 (9) *TRANSATLANTIC ENGAGEMENT.—Funds ap-*
24 *propriated by this Act under the heading “Diplomatic*
25 *Programs” are available for support of an institute*

1 *for transatlantic engagement if legislation estab-*
2 *lishing such institute is enacted into law by Sep-*
3 *tember 30, 2022: Provided, That in the event that*
4 *such legislation is not enacted into law by such date,*
5 *the amounts described in this paragraph shall be*
6 *available under the heading “Diplomatic Programs”*
7 *for the purposes provided therein.*

8 *(f) PARTNER VETTING.—Prior to initiating a partner*
9 *vetting program, providing a direct vetting option, or mak-*
10 *ing a significant change to the scope of an existing partner*
11 *vetting program, the Secretary of State and USAID Ad-*
12 *ministrator, as appropriate, shall consult with the Commit-*
13 *tees on Appropriations: Provided, That the Secretary and*
14 *the Administrator shall provide a direct vetting option for*
15 *prime awardees in any partner vetting program initiated*
16 *or significantly modified after the date of enactment of this*
17 *Act, unless the Secretary of State or USAID Administrator,*
18 *as applicable, informs the Committees on Appropriations*
19 *on a case-by-case basis that a direct vetting option is not*
20 *feasible for such program.*

21 *(g) CONTINGENCIES.—During fiscal year 2022, the*
22 *President may use up to \$145,000,000 under the authority*
23 *of section 451 of the Foreign Assistance Act of 1961, not-*
24 *withstanding any other provision of law.*

1 (h) *INTERNATIONAL CHILD ABDUCTIONS.*—*The Sec-*
2 *retary of State should withhold funds appropriated under*
3 *title III of this Act for assistance for the central government*
4 *of any country that is not taking appropriate steps to com-*
5 *ply with the Convention on the Civil Aspects of Inter-*
6 *national Child Abductions, done at the Hague on October*
7 *25, 1980: Provided, That the Secretary shall report to the*
8 *Committees on Appropriations within 15 days of with-*
9 *holding funds under this subsection.*

10 (i) *TRANSFER OF FUNDS FOR EXTRAORDINARY PRO-*
11 *TECTION.*—*The Secretary of State may transfer to, and*
12 *merge with, funds under the heading “Protection of Foreign*
13 *Missions and Officials” unobligated balances of expired*
14 *funds appropriated under the heading “Diplomatic Pro-*
15 *grams” for fiscal year 2022, at no later than the end of*
16 *the fifth fiscal year after the last fiscal year for which such*
17 *funds are available for the purposes for which appropriated:*
18 *Provided, That not more than \$50,000,000 may be trans-*
19 *ferred.*

20 (j) *AUTHORITY.*—*Funds made available by this Act*
21 *under the heading “Economic Support Fund” to counter*
22 *extremism may be made available notwithstanding any*
23 *other provision of law restricting assistance to foreign coun-*
24 *tries, except sections 502B, 620A, and 620M of the Foreign*
25 *Assistance Act of 1961: Provided, That the use of the author-*

1 *ity of this subsection shall be subject to prior consultation*
2 *with the appropriate congressional committees and the reg-*
3 *ular notification procedures of the Committees on Appro-*
4 *priations.*

5 *(k) PROTECTIONS AND REMEDIES FOR EMPLOYEES OF*
6 *DIPLOMATIC MISSIONS AND INTERNATIONAL ORGANIZA-*
7 *TIONS.—The terms and conditions of section 7034(k) of the*
8 *Department of State, Foreign Operations, and Related Pro-*
9 *grams Appropriations Act, 2020 (division G of Public Law*
10 *116–94) shall continue in effect during fiscal year 2022.*

11 *(l) EXTENSION OF AUTHORITIES.—*

12 *(1) PASSPORT FEES.—Section 1(b)(2) of the*
13 *Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2))*
14 *shall be applied by substituting “September 30, 2022”*
15 *for “September 30, 2010”.*

16 *(2) INCENTIVES FOR CRITICAL POSTS.—The au-*
17 *thority contained in section 1115(d) of the Supple-*
18 *mental Appropriations Act, 2009 (Public Law 111–*
19 *32) shall remain in effect through September 30,*
20 *2022.*

21 *(3) USAID CIVIL SERVICE ANNUITANT WAIV-*
22 *ER.—Section 625(j)(1) of the Foreign Assistance Act*
23 *of 1961 (22 U.S.C. 2385(j)(1)) shall be applied by*
24 *substituting “September 30, 2022” for “October 1,*
25 *2010” in subparagraph (B).*

1 (4) *OVERSEAS PAY COMPARABILITY AND LIMITA-*
2 *TION.—(A) Subject to the limitation described in sub-*
3 *paragraph (B), the authority provided by section*
4 *1113 of the Supplemental Appropriations Act, 2009*
5 *(Public Law 111–32) shall remain in effect through*
6 *September 30, 2022.*

7 *(B) The authority described in subparagraph (A)*
8 *may not be used to pay an eligible member of the*
9 *Foreign Service (as defined in section 1113(b) of the*
10 *Supplemental Appropriations Act, 2009 (Public Law*
11 *111–32)) a locality-based comparability payment*
12 *(stated as a percentage) that exceeds two-thirds of the*
13 *amount of the locality-based comparability payment*
14 *(stated as a percentage) that would be payable to such*
15 *member under section 5304 of title 5, United States*
16 *Code, if such member’s official duty station were in*
17 *the District of Columbia.*

18 (5) *CATEGORICAL ELIGIBILITY.—The Foreign*
19 *Operations, Export Financing, and Related Programs*
20 *Appropriations Act, 1990 (Public Law 101–167) is*
21 *amended—*

22 *(A) in section 599D (8 U.S.C. 1157 note)—*
23 *(i) in subsection (b)(3), by striking*
24 *“and 2021” and inserting “2021, and*
25 *2022”; and*

1 (ii) in subsection (e), by striking
2 “2021” each place it appears and inserting
3 “2022”; and

4 (B) in section 599E(b)(2) (8 U.S.C. 1255
5 note), by striking “2021” and inserting “2022”.

6 (6) *INSPECTOR GENERAL ANNUITANT WAIVER.*—
7 The authorities provided in section 1015(b) of the
8 Supplemental Appropriations Act, 2010 (Public Law
9 111–212) shall remain in effect through September
10 30, 2022, and may be used to facilitate the assign-
11 ment of persons for oversight of programs in Somalia,
12 South Sudan, Syria, Venezuela, and Yemen.

13 (7) *SPECIAL INSPECTOR GENERAL FOR AFGHANI-*
14 *STAN RECONSTRUCTION COMPETITIVE STATUS.*—Not-
15 withstanding any other provision of law, any em-
16 ployee of the Special Inspector General for Afghani-
17 stan Reconstruction (SIGAR) who completes at least
18 12 months of continuous service after enactment of
19 this Act or who is employed on the date on which
20 SIGAR terminates, whichever occurs first, shall ac-
21 quire competitive status for appointment to any posi-
22 tion in the competitive service for which the employee
23 possesses the required qualifications.

24 (8) *ACCOUNTABILITY REVIEW BOARDS.*—The au-
25 thority provided by section 301(a)(3) of the Omnibus

1 *Diplomatic Security and Antiterrorism Act of 1986*
2 *(22 U.S.C. 4831(a)(3)) shall remain in effect for fa-*
3 *cilities in Afghanistan through September 30, 2022,*
4 *except that the notification and reporting require-*
5 *ments contained in such section shall include the*
6 *Committees on Appropriations.*

7 (9) *TRANSFER OF BALANCES.—Section 7081(h)*
8 *of the Department of State, Foreign Operations, and*
9 *Related Programs Appropriations Act, 2017 (division*
10 *J of Public Law 115–31) shall continue in effect dur-*
11 *ing fiscal year 2022.*

12 (10) *DEPARTMENT OF STATE INSPECTOR GEN-*
13 *ERAL WAIVER AUTHORITY.—The Inspector General of*
14 *the Department of State may waive the provisions of*
15 *subsections (a) through (d) of section 824 of the For-*
16 *oreign Service Act of 1980 (22 U.S.C. 4064) on a case-*
17 *by-case basis for an annuitant reemployed by the In-*
18 *spector General on a temporary basis, subject to the*
19 *same constraints and in the same manner by which*
20 *the Secretary of State may exercise such waiver au-*
21 *thority pursuant to subsection (g) of such section.*

22 (m) *MONITORING AND EVALUATION.—*

23 (1) *BENEFICIARY FEEDBACK.—Funds appro-*
24 *priated by this Act that are made available for moni-*
25 *toring and evaluation of assistance under the head-*

1 *ings “Development Assistance”, “International Dis-*
2 *aster Assistance”, and “Migration and Refugee Assist-*
3 *ance” shall be made available for the regular and sys-*
4 *tematic collection of feedback obtained directly from*
5 *beneficiaries to enhance the quality and relevance of*
6 *such assistance: Provided, That not later than 180*
7 *days after enactment of this Act, the Department of*
8 *State and USAID shall post on their respective*
9 *websites updated procedures for implementing part-*
10 *ners that receive funds under such headings for regu-*
11 *larly and systematically collecting and responding to*
12 *such feedback, including guidelines for the reporting*
13 *on actions taken in response to the feedback received:*
14 *Provided further, That the Secretary of State and*
15 *USAID Administrator shall regularly conduct over-*
16 *sight to ensure that such feedback is regularly col-*
17 *lected and used by implementing partners to maxi-*
18 *mize the cost-effectiveness and utility of such assist-*
19 *ance.*

20 (2) *EX-POST EVALUATIONS.*—*Of the funds appro-*
21 *priated by this Act under titles III and IV, not less*
22 *than \$10,000,000 shall be made available for ex-post*
23 *evaluations of the effectiveness and sustainability of*
24 *United States Government-funded assistance pro-*
25 *grams.*

1 (n) *HIV/AIDS WORKING CAPITAL FUND.—Funds*
2 *available in the HIV/AIDS Working Capital Fund estab-*
3 *lished pursuant to section 525(b)(1) of the Foreign Oper-*
4 *ations, Export Financing, and Related Programs Appro-*
5 *priations Act, 2005 (Public Law 108–447) may be made*
6 *available for pharmaceuticals and other products for child*
7 *survival, malaria, tuberculosis, and emerging infectious*
8 *diseases to the same extent as HIV/AIDS pharmaceuticals*
9 *and other products, subject to the terms and conditions in*
10 *such section: Provided, That the authority in section*
11 *525(b)(5) of the Foreign Operations, Export Financing,*
12 *and Related Programs Appropriation Act, 2005 (Public*
13 *Law 108–447) shall be exercised by the Assistant Adminis-*
14 *trator for Global Health, USAID, with respect to funds de-*
15 *posited for such non-HIV/AIDS pharmaceuticals and other*
16 *products, and shall be subject to the regular notification*
17 *procedures of the Committees on Appropriations: Provided*
18 *further, That the Secretary of State shall include in the con-*
19 *gressional budget justification an accounting of budgetary*
20 *resources, disbursements, balances, and reimbursements re-*
21 *lated to such fund.*

22 (o) *LOANS, CONSULTATION, AND NOTIFICATION.—*

23 (1) *LOAN GUARANTEES.—Funds appropriated*
24 *under the headings “Economic Support Fund” and*
25 *“Assistance for Europe, Eurasia and Central Asia”*

1 *by this Act and prior Acts making appropriations for*
2 *the Department of State, foreign operations, and re-*
3 *lated programs may be made available for the costs,*
4 *as defined in section 502 of the Congressional Budget*
5 *Act of 1974, of loan guarantees for Egypt, Jordan,*
6 *Tunisia, and Ukraine, which are authorized to be*
7 *provided: Provided, That amounts made available*
8 *under this paragraph for the costs of such guarantees*
9 *shall not be considered assistance for the purposes of*
10 *provisions of law limiting assistance to a country.*

11 (2) *CONSULTATION AND NOTIFICATION.—Funds*
12 *made available pursuant to the authorities of this*
13 *subsection shall be subject to prior consultation with*
14 *the appropriate congressional committees and the reg-*
15 *ular notification procedures of the Committees on Ap-*
16 *propriations.*

17 (p) *LOCAL WORKS.—*

18 (1) *FUNDING.—Of the funds appropriated by*
19 *this Act under the headings “Development Assistance”*
20 *and “Economic Support Fund”, not less than*
21 *\$80,000,000 shall be made available for Local Works*
22 *pursuant to section 7080 of the Department of State,*
23 *Foreign Operations, and Related Programs Appro-*
24 *propriations Act, 2015 (division J of Public Law 113—*

1 235), which may remain available until September
2 30, 2026.

3 (2) *ELIGIBLE ENTITIES.*—For the purposes of
4 section 7080 of the Department of State, Foreign Op-
5 erations, and Related Programs Appropriations Act,
6 2015 (division J of Public Law 113–235), “eligible
7 entities” shall be defined as small local, international,
8 and United States-based nongovernmental organiza-
9 tions, educational institutions, and other small enti-
10 ties that have received less than a total of \$5,000,000
11 from USAID over the previous 5 fiscal years: Pro-
12 vided, That departments or centers of such edu-
13 cational institutions may be considered individually
14 in determining such eligibility.

15 (q) *EXTENSION OF PROCUREMENT AUTHORITY.*—Sec-
16 tion 7077 of the Department of State, Foreign Operations,
17 and Related Programs Appropriations Act, 2012 (division
18 I of Public Law 112–74) shall continue in effect during fis-
19 cal year 2022.

20 (r) *SECTION 889.*—For the purposes of obligations and
21 expenditures made with funds appropriated by this Act and
22 prior Acts making appropriations for the Department of
23 State, foreign operations, and related programs, the waiver
24 authority in section 889(d)(2) of the John S. McCain Na-
25 tional Defense Authorization Act for Fiscal Year 2019 (Pub-

1 *lic Law 115–232) may also be available to the Secretary*
2 *of State, following consultation with the Director of Na-*
3 *tional Intelligence: Provided, That not later than 60 days*
4 *after enactment of the Act, the Secretary of State shall sub-*
5 *mit to the appropriate congressional committees a report*
6 *detailing the use of the authority of this subsection since*
7 *enactment of the Act, which shall include the scope and du-*
8 *ration of any waiver granted, the entity covered by such*
9 *waiver, and a detailed description of the national security*
10 *interest served: Provided further, That such report shall be*
11 *updated every 60 days until September 30, 2023.*

12 *(s) IMPACT ON JOBS.—Section 7056 of the Department*
13 *of State, Foreign Operations, and Related Programs Appro-*
14 *priations Act, 2021 (division K of Public Law 116–260)*
15 *shall continue in effect during fiscal year 2022.*

16 *(t) DEFINITIONS.—*

17 *(1) APPROPRIATE CONGRESSIONAL COMMIT-*
18 *TEES.—Unless otherwise defined in this Act, for pur-*
19 *poses of this Act the term “appropriate congressional*
20 *committees” means the Committees on Appropriations*
21 *and Foreign Relations of the Senate and the Commit-*
22 *tees on Appropriations and Foreign Affairs of the*
23 *House of Representatives.*

24 *(2) FUNDS APPROPRIATED BY THIS ACT AND*
25 *PRIOR ACTS.—Unless otherwise defined in this Act,*

1 for purposes of this Act the term “funds appropriated
2 by this Act and prior Acts making appropriations for
3 the Department of State, foreign operations, and re-
4 lated programs” means funds that remain available
5 for obligation, and have not expired.

6 (3) *INTERNATIONAL FINANCIAL INSTITUTIONS.*—
7 In this Act “international financial institutions”
8 means the International Bank for Reconstruction and
9 Development, the International Development Associa-
10 tion, the International Finance Corporation, the
11 Inter-American Development Bank, the International
12 Monetary Fund, the International Fund for Agricul-
13 tural Development, the Asian Development Bank, the
14 Asian Development Fund, the Inter-American Invest-
15 ment Corporation, the North American Development
16 Bank, the European Bank for Reconstruction and De-
17 velopment, the African Development Bank, the Afri-
18 can Development Fund, and the Multilateral Invest-
19 ment Guarantee Agency.

20 (4) *SPEND PLAN.*—In this Act, the term “spend
21 plan” means a plan for the uses of funds appro-
22 priated for a particular entity, country, program,
23 purpose, or account and which shall include, at a
24 minimum, a description of—

1 (A) realistic and sustainable goals, criteria
2 for measuring progress, and a timeline for
3 achieving such goals;

4 (B) amounts and sources of funds by ac-
5 count;

6 (C) how such funds will complement other
7 ongoing or planned programs; and

8 (D) implementing partners, to the max-
9 imum extent practicable.

10 (5) *SUCCESSOR OPERATING UNIT.*—Any ref-
11 erence to a particular USAID operating unit or office
12 in this Act or prior Acts making appropriations for
13 the Department of State, foreign operations, and re-
14 lated programs shall be deemed to include any suc-
15 cessor operating unit or office performing the same or
16 similar functions.

17 (6) *USAID.*—In this Act, the term “USAID”
18 means the United States Agency for International De-
19 velopment.

20 *LAW ENFORCEMENT AND SECURITY*

21 *SEC. 7035. (a) ASSISTANCE.*—

22 (1) *COMMUNITY-BASED POLICE ASSISTANCE.*—
23 Funds made available under titles III and IV of this
24 Act to carry out the provisions of chapter 1 of part
25 I and chapters 4 and 6 of part II of the Foreign As-

1 *sistance Act of 1961, may be used, notwithstanding*
2 *section 660 of that Act, to enhance the effectiveness*
3 *and accountability of civilian police authority*
4 *through training and technical assistance in human*
5 *rights, the rule of law, anti-corruption, strategic plan-*
6 *ning, and through assistance to foster civilian police*
7 *roles that support democratic governance, including*
8 *assistance for programs to prevent conflict, respond to*
9 *disasters, address gender-based violence, and foster*
10 *improved police relations with the communities they*
11 *serve.*

12 (2) COUNTERTERRORISM PARTNERSHIPS
13 FUND.—*Funds appropriated by this Act under the*
14 *heading “Nonproliferation, Anti-terrorism, Demining*
15 *and Related Programs” shall be made available for*
16 *the Counterterrorism Partnerships Fund for programs*
17 *in areas liberated from, under the influence of, or ad-*
18 *versely affected by, the Islamic State of Iraq and*
19 *Syria or other terrorist organizations: Provided, That*
20 *such areas shall include the Kurdistan Region of*
21 *Iraq: Provided further, That prior to the obligation of*
22 *funds made available pursuant to this paragraph, the*
23 *Secretary of State shall take all practicable steps to*
24 *ensure that mechanisms are in place for monitoring,*
25 *oversight, and control of such funds: Provided further,*

1 *That funds made available pursuant to this para-*
2 *graph shall be subject to prior consultation with, and*
3 *the regular notification procedures of, the Committees*
4 *on Appropriations.*

5 (3) *COMBAT CASUALTY CARE.—*

6 (A) *Consistent with the objectives of the*
7 *Foreign Assistance Act of 1961 and the Arms*
8 *Export Control Act, funds appropriated by this*
9 *Act under the headings “Peacekeeping Oper-*
10 *ations” and “Foreign Military Financing Pro-*
11 *gram” shall be made available for combat cas-*
12 *ualty training and equipment in an amount*
13 *above the prior fiscal year.*

14 (B) *The Secretary of State shall offer com-*
15 *bat casualty care training and equipment as a*
16 *component of any package of lethal assistance*
17 *funded by this Act with funds appropriated*
18 *under the headings “Peacekeeping Operations”*
19 *and “Foreign Military Financing Program”:*
20 *Provided, That the requirement of this subpara-*
21 *graph shall apply to a country in conflict, unless*
22 *the Secretary determines that such country has*
23 *in place, to the maximum extent practicable,*
24 *functioning combat casualty care treatment and*
25 *equipment that meets or exceeds the standards*

1 *recommended by the Committee on Tactical*
2 *Combat Casualty Care: Provided further, That*
3 *any such training and equipment for combat*
4 *casualty care shall be made available through an*
5 *open and competitive process.*

6 (4) *TRAINING RELATED TO INTERNATIONAL HU-*
7 *MANITARIAN LAW.—The Secretary of State shall offer*
8 *training related to the requirements of international*
9 *humanitarian law as a component of any package of*
10 *lethal assistance funded by this Act with funds appro-*
11 *propriated under the headings “Peacekeeping Oper-*
12 *ations” and “Foreign Military Financing Program”:*
13 *Provided, That the requirement of this paragraph*
14 *shall not apply to a country that is a member of the*
15 *North Atlantic Treaty Organization (NATO), is a*
16 *major non-NATO ally designated by section 517(b) of*
17 *the Foreign Assistance Act of 1961, or is complying*
18 *with international humanitarian law: Provided fur-*
19 *ther, That any such training shall be made available*
20 *through an open and competitive process.*

21 (5) *INTERNATIONAL PRISON CONDITIONS.—*
22 *Funds appropriated by this Act under the headings*
23 *“Development Assistance”, “Economic Support*
24 *Fund”, and “International Narcotics Control and*
25 *Law Enforcement” shall be made available for assist-*

1 *ance to eliminate inhumane conditions in foreign*
2 *prisons and other detention facilities, notwithstanding*
3 *section 660 of the Foreign Assistance Act of 1961:*
4 *Provided, That the Secretary of State and the USAID*
5 *Administrator shall consult with the Committees on*
6 *Appropriations on the proposed uses of such funds*
7 *prior to obligation and not later than 60 days after*
8 *enactment of this Act: Provided further, That such*
9 *funds shall be in addition to funds otherwise made*
10 *available by this Act for such purpose.*

11 *(b) AUTHORITIES.—*

12 *(1) RECONSTITUTING CIVILIAN POLICE AUTHOR-*
13 *ITY.—In providing assistance with funds appro-*
14 *priated by this Act under section 660(b)(6) of the*
15 *Foreign Assistance Act of 1961, support for a nation*
16 *emerging from instability may be deemed to mean*
17 *support for regional, district, municipal, or other sub-*
18 *national entity emerging from instability, as well as*
19 *a nation emerging from instability.*

20 *(2) DISARMAMENT, DEMOBILIZATION, AND RE-*
21 *INTEGRATION.—Section 7034(d) of the Department of*
22 *State, Foreign Operations, and Related Programs Ap-*
23 *propriations Act, 2015 (division J of Public Law*
24 *113–235) shall continue in effect during fiscal year*
25 *2022.*

1 (3) *EXTENSION OF WAR RESERVES STOCKPILE*
2 *AUTHORITY.*—(A) *Section 12001(d) of the Department*
3 *of Defense Appropriations Act, 2005 (Public Law*
4 *108–287; 118 Stat. 1011) is amended by striking “of*
5 *this section” and all that follows through the period*
6 *at the end and inserting “of this section after Sep-*
7 *tember 30, 2025.”.*

8 (B) *Section 514(b)(2)(A) of the Foreign Assist-*
9 *ance Act of 1961 (22 U.S.C. 2321h(b)(2)(A) is*
10 *amended by striking “and 2023” and inserting*
11 *“2023, 2024, and 2025”.*

12 (4) *COMMERCIAL LEASING OF DEFENSE ARTI-*
13 *CLES.*—*Notwithstanding any other provision of law,*
14 *and subject to the regular notification procedures of*
15 *the Committees on Appropriations, the authority of*
16 *section 23(a) of the Arms Export Control Act (22*
17 *U.S.C. 2763) may be used to provide financing to*
18 *Israel, Egypt, the North Atlantic Treaty Organization*
19 *(NATO), and major non-NATO allies for the procure-*
20 *ment by leasing (including leasing with an option to*
21 *purchase) of defense articles from United States com-*
22 *mercial suppliers, not including Major Defense*
23 *Equipment (other than helicopters and other types of*
24 *aircraft having possible civilian application), if the*
25 *President determines that there are compelling foreign*

1 *policy or national security reasons for those defense*
2 *articles being provided by commercial lease rather*
3 *than by government-to-government sale under such*
4 *Act.*

5 (5) *SPECIAL DEFENSE ACQUISITION FUND.*—*Not*
6 *to exceed \$900,000,000 may be obligated pursuant to*
7 *section 51(c)(2) of the Arms Export Control Act (22*
8 *U.S.C. 2795(c)(2)) for the purposes of the Special De-*
9 *fense Acquisition Fund (the Fund), to remain avail-*
10 *able for obligation until September 30, 2024: Pro-*
11 *vided, That the provision of defense articles and de-*
12 *fense services to foreign countries or international or-*
13 *ganizations from the Fund shall be subject to the con-*
14 *currence of the Secretary of State.*

15 (6) *DUTY TO INFORM AND PUBLIC DISCLO-*
16 *SURE.*—*Section 620M of the Foreign Assistance Act of*
17 *1961 (Limitation on Assistance to Security Forces) is*
18 *amended as follows—*

19 (A) *In subsection (b), by striking “Com-*
20 *mittee on Foreign Relations” through “Appro-*
21 *priations” and inserting in lieu thereof “appro-*
22 *priate congressional committees”.*

23 (B) *In subsection (c), by striking everything*
24 *after “DUTY TO INFORM.—” and inserting—*

1 “(1) *If assistance to a foreign security force is*
2 *provided in a manner in which the recipient unit or*
3 *units cannot be identified prior to the transfer of as-*
4 *istance, the Secretary of State shall regularly provide*
5 *a list of units prohibited from receiving assistance*
6 *pursuant to this section to the recipient government*
7 *and the appropriate congressional committees and, ef-*
8 *fective December 31, 2022, such assistance shall only*
9 *be made available subject to a written agreement that*
10 *the recipient government will comply with such pro-*
11 *hibition.*”

12 “(2) *If the recipient government withholds assist-*
13 *ance from a unit pursuant to this section, the Sec-*
14 *retary shall inform the appropriate congressional*
15 *committees and shall, to the maximum extent prac-*
16 *ticable, assist the foreign government in bringing the*
17 *responsible members of the unit to justice.*”

18 (C) *After subsection (d), by inserting the*
19 *following new subsection:*

20 “(e) *DEFINITIONS.—*

21 “(1) *For the purposes of subsection (d)(7), the*
22 *term ‘to the maximum extent practicable’ means that*
23 *the identity of such units shall be made publicly*
24 *available unless the Secretary of State, on a case-by-*
25 *case basis, determines and reports to the appropriate*

1 congressional committees that public disclosure is not
2 in the national security interest of the United States
3 and provides a detailed justification for such deter-
4 mination, which may be submitted in classified form.

5 “(2) For the purposes of this section, ‘appro-
6 priate congressional committees’ means the Committee
7 on Foreign Relations and the Committee on Appro-
8 priations of the Senate, and the Committee on For-
9 eign Affairs and the Committee on Appropriations of
10 the House of Representatives.”.

11 (c) LIMITATIONS.—

12 (1) CHILD SOLDIERS.—Funds appropriated by
13 this Act should not be used to support any military
14 training or operations that include child soldiers.

15 (2) LANDMINES AND CLUSTER MUNITIONS.—

16 (A) LANDMINES.—Notwithstanding any
17 other provision of law, demining equipment
18 available to the United States Agency for Inter-
19 national Development and the Department of
20 State and used in support of the clearance of
21 landmines and unexploded ordnance for humani-
22 tarian purposes may be disposed of on a grant
23 basis in foreign countries, subject to such terms
24 and conditions as the Secretary of State may
25 prescribe.

1 (B) *CLUSTER MUNITIONS.*—No military as-
2 sistance shall be furnished for cluster munitions,
3 no defense export license for cluster munitions
4 may be issued, and no cluster munitions or clus-
5 ter munitions technology shall be sold or trans-
6 ferred, unless—

7 (i) the submunitions of the cluster mu-
8 nitions, after arming, do not result in more
9 than 1 percent unexploded ordnance across
10 the range of intended operational environ-
11 ments, and the agreement applicable to the
12 assistance, transfer, or sale of such cluster
13 munitions or cluster munitions technology
14 specifies that the cluster munitions will
15 only be used against clearly defined mili-
16 tary targets and will not be used where ci-
17 vilians are known to be present or in areas
18 normally inhabited by civilians; or

19 (ii) such assistance, license, sale, or
20 transfer is for the purpose of demilitarizing
21 or permanently disposing of such cluster
22 munitions.

23 (3) *CROWD CONTROL.*—If the Secretary of State
24 has information that a unit of a foreign security force
25 uses excessive force to repress peaceful expression or

1 *assembly concerning corruption, harm to the environ-*
2 *ment or human health, or the fairness of electoral*
3 *processes, or in countries that are undemocratic or*
4 *undergoing democratic transition, the Secretary shall*
5 *promptly determine if such information is credible:*
6 *Provided, That if the information is determined to be*
7 *credible, funds appropriated by this Act should not be*
8 *used for tear gas, small arms, light weapons, ammu-*
9 *nition, or other items for crowd control purposes for*
10 *such unit.*

11 *(d) REPORTS.—*

12 *(1) SECURITY ASSISTANCE REPORT.—Not later*
13 *than 120 days after enactment of this Act, the Sec-*
14 *retary of State shall submit to the Committees on Ap-*
15 *propriations a report on funds obligated and ex-*
16 *pende d during fiscal year 2021, by country and pur-*
17 *pose of assistance, under the headings “Peacekeeping*
18 *Operations”, “International Military Education and*
19 *Training”, and “Foreign Military Financing Pro-*
20 *gram”.*

21 *(2) ANNUAL FOREIGN MILITARY TRAINING RE-*
22 *PORT.—For the purposes of implementing section 656*
23 *of the Foreign Assistance Act of 1961, the term “mili-*
24 *tary training provided to foreign military personnel*
25 *by the Department of Defense and the Department of*

1 *State” shall be deemed to include all military train-*
2 *ing provided by foreign governments with funds ap-*
3 *propriated to the Department of Defense or the De-*
4 *partment of State, except for training provided by the*
5 *government of a country designated by section 517(b)*
6 *of such Act (22 U.S.C. 2321k(b)) as a major non-*
7 *North Atlantic Treaty Organization ally: Provided,*
8 *That such third-country training shall be clearly*
9 *identified in the report submitted pursuant to section*
10 *656 of such Act.*

11 *ARAB LEAGUE BOYCOTT OF ISRAEL*

12 *SEC. 7036. It is the sense of the Congress that—*

13 (1) *the Arab League boycott of Israel, and the*
14 *secondary boycott of American firms that have com-*
15 *mercial ties with Israel, is an impediment to peace*
16 *in the region and to United States investment and*
17 *trade in the Middle East and North Africa;*

18 (2) *the Arab League boycott, which was regret-*
19 *tably reinstated in 1997, should be immediately and*
20 *publicly terminated, and the Central Office for the*
21 *Boycott of Israel immediately disbanded;*

22 (3) *all Arab League states should normalize rela-*
23 *tions with their neighbor Israel;*

24 (4) *the President and the Secretary of State*
25 *should continue to vigorously oppose the Arab League*

1 *boycott of Israel and find concrete steps to dem-*
2 *onstrate that opposition by, for example, taking into*
3 *consideration the participation of any recipient coun-*
4 *try in the boycott when determining to sell weapons*
5 *to said country; and*

6 *(5) the President should report to Congress an-*
7 *nually on specific steps being taken by the United*
8 *States to encourage Arab League states to normalize*
9 *their relations with Israel to bring about the termi-*
10 *nation of the Arab League boycott of Israel, including*
11 *those to encourage allies and trading partners of the*
12 *United States to enact laws prohibiting businesses*
13 *from complying with the boycott and penalizing busi-*
14 *nesses that do comply.*

15 *PALESTINIAN STATEHOOD*

16 *SEC. 7037. (a) LIMITATION ON ASSISTANCE.—None of*
17 *the funds appropriated under titles III through VI of this*
18 *Act may be provided to support a Palestinian state unless*
19 *the Secretary of State determines and certifies to the appro-*
20 *priate congressional committees that—*

21 *(1) the governing entity of a new Palestinian*
22 *state—*

23 *(A) has demonstrated a firm commitment to*
24 *peaceful co-existence with the State of Israel; and*

1 (B) is taking appropriate measures to
2 counter terrorism and terrorist financing in the
3 West Bank and Gaza, including the dismantling
4 of terrorist infrastructures, and is cooperating
5 with appropriate Israeli and other appropriate
6 security organizations; and

7 (2) the Palestinian Authority (or the governing
8 entity of a new Palestinian state) is working with
9 other countries in the region to vigorously pursue ef-
10 forts to establish a just, lasting, and comprehensive
11 peace in the Middle East that will enable Israel and
12 an independent Palestinian state to exist within the
13 context of full and normal relationships, which should
14 include—

15 (A) termination of all claims or states of
16 belligerency;

17 (B) respect for and acknowledgment of the
18 sovereignty, territorial integrity, and political
19 independence of every state in the area through
20 measures including the establishment of demili-
21 tarized zones;

22 (C) their right to live in peace within secure
23 and recognized boundaries free from threats or
24 acts of force;

1 (D) freedom of navigation through inter-
2 national waterways in the area; and

3 (E) a framework for achieving a just settle-
4 ment of the refugee problem.

5 (b) *SENSE OF CONGRESS.*—It is the sense of Congress
6 that the governing entity should enact a constitution assur-
7 ing the rule of law, an independent judiciary, and respect
8 for human rights for its citizens, and should enact other
9 laws and regulations assuring transparent and accountable
10 governance.

11 (c) *WAIVER.*—The President may waive subsection (a)
12 if the President determines that it is important to the na-
13 tional security interest of the United States to do so.

14 (d) *EXEMPTION.*—The restriction in subsection (a)
15 shall not apply to assistance intended to help reform the
16 Palestinian Authority and affiliated institutions, or the
17 governing entity, in order to help meet the requirements of
18 subsection (a), consistent with the provisions of section 7040
19 of this Act (“Limitation on Assistance for the Palestinian
20 Authority”).

21 *PROHIBITION ON ASSISTANCE TO THE PALESTINIAN*

22 *BROADCASTING CORPORATION*

23 *SEC. 7038.* None of the funds appropriated or other-
24 wise made available by this Act may be used to provide
25 equipment, technical support, consulting services, or any

1 *other form of assistance to the Palestinian Broadcasting*
2 *Corporation.*

3 *ASSISTANCE FOR THE WEST BANK AND GAZA*

4 *SEC. 7039. (a) OVERSIGHT.—For fiscal year 2022, 30*
5 *days prior to the initial obligation of funds for the bilateral*
6 *West Bank and Gaza Program, the Secretary of State shall*
7 *certify to the Committees on Appropriations that proce-*
8 *dures have been established to assure the Comptroller Gen-*
9 *eral of the United States will have access to appropriate*
10 *United States financial information in order to review the*
11 *uses of United States assistance for the Program funded*
12 *under the heading “Economic Support Fund” for the West*
13 *Bank and Gaza.*

14 *(b) VETTING.—Prior to the obligation of funds appro-*
15 *priated by this Act under the heading “Economic Support*
16 *Fund” for assistance for the West Bank and Gaza, the Sec-*
17 *retary of State shall take all appropriate steps to ensure*
18 *that such assistance is not provided to or through any indi-*
19 *vidual, private or government entity, or educational insti-*
20 *tution that the Secretary knows or has reason to believe ad-*
21 *vocates, plans, sponsors, engages in, or has engaged in, ter-*
22 *rorist activity nor, with respect to private entities or edu-*
23 *cational institutions, those that have as a principal officer*
24 *of the entity’s governing board or governing board of trust-*
25 *ees any individual that has been determined to be involved*

1 *in, or advocating terrorist activity or determined to be a*
2 *member of a designated foreign terrorist organization: Pro-*
3 *vided, That the Secretary of State shall, as appropriate, es-*
4 *tablish procedures specifying the steps to be taken in car-*
5 *rying out this subsection and shall terminate assistance to*
6 *any individual, entity, or educational institution which the*
7 *Secretary has determined to be involved in or advocating*
8 *terrorist activity.*

9 *(c) PROHIBITION.—*

10 *(1) RECOGNITION OF ACTS OF TERRORISM.—*

11 *None of the funds appropriated under titles III*
12 *through VI of this Act for assistance under the West*
13 *Bank and Gaza Program may be made available*
14 *for—*

15 *(A) the purpose of recognizing or otherwise*
16 *honoring individuals who commit, or have com-*
17 *mitted acts of terrorism; and*

18 *(B) any educational institution located in*
19 *the West Bank or Gaza that is named after an*
20 *individual who the Secretary of State determines*
21 *has committed an act of terrorism.*

22 *(2) SECURITY ASSISTANCE AND REPORTING RE-*
23 *QUIREMENT.—Notwithstanding any other provision of*
24 *law, none of the funds made available by this or prior*
25 *appropriations Acts, including funds made available*

1 *by transfer, may be made available for obligation for*
2 *security assistance for the West Bank and Gaza until*
3 *the Secretary of State reports to the Committees on*
4 *Appropriations on—*

5 *(A) the benchmarks that have been estab-*
6 *lished for security assistance for the West Bank*
7 *and Gaza and on the extent of Palestinian com-*
8 *pliance with such benchmarks; and*

9 *(B) the steps being taken by the Palestinian*
10 *Authority to end torture and other cruel, inhu-*
11 *man, and degrading treatment of detainees, in-*
12 *cluding by bringing to justice members of Pales-*
13 *tinian security forces who commit such crimes.*

14 *(d) OVERSIGHT BY THE UNITED STATES AGENCY FOR*
15 *INTERNATIONAL DEVELOPMENT.—*

16 *(1) The Administrator of the United States*
17 *Agency for International Development shall ensure*
18 *that Federal or non-Federal audits of all contractors*
19 *and grantees, and significant subcontractors and sub-*
20 *grantees, under the West Bank and Gaza Program,*
21 *are conducted at least on an annual basis to ensure,*
22 *among other things, compliance with this section.*

23 *(2) Of the funds appropriated by this Act, up to*
24 *\$1,300,000 may be used by the Office of Inspector*
25 *General of the United States Agency for International*

1 *Development for audits, investigations, and other ac-*
2 *tivities in furtherance of the requirements of this sub-*
3 *section: Provided, That such funds are in addition to*
4 *funds otherwise available for such purposes.*

5 *(e) COMPTROLLER GENERAL OF THE UNITED STATES*
6 *AUDIT.—Subsequent to the certification specified in sub-*
7 *section (a), the Comptroller General of the United States*
8 *shall conduct an audit and an investigation of the treat-*
9 *ment, handling, and uses of all funds for the bilateral West*
10 *Bank and Gaza Program, including all funds provided as*
11 *cash transfer assistance, in fiscal year 2022 under the head-*
12 *ing “Economic Support Fund”, and such audit shall ad-*
13 *dress—*

14 *(1) the extent to which such Program complies*
15 *with the requirements of subsections (b) and (c); and*

16 *(2) an examination of all programs, projects,*
17 *and activities carried out under such Program, in-*
18 *cluding both obligations and expenditures.*

19 *(f) NOTIFICATION PROCEDURES.—Funds made avail-*
20 *able in this Act for West Bank and Gaza shall be subject*
21 *to the regular notification procedures of the Committees on*
22 *Appropriations.*

1 *Authority has taken to arrest terrorists, confiscate weapons*
2 *and dismantle the terrorist infrastructure.*

3 (e) *CERTIFICATION.—If the President exercises the*
4 *waiver authority under subsection (b), the Secretary of*
5 *State must certify and report to the Committees on Appro-*
6 *priations prior to the obligation of funds that the Pales-*
7 *tinian Authority has established a single treasury account*
8 *for all Palestinian Authority financing and all financing*
9 *mechanisms flow through this account, no parallel financ-*
10 *ing mechanisms exist outside of the Palestinian Authority*
11 *treasury account, and there is a single comprehensive civil*
12 *service roster and payroll, and the Palestinian Authority*
13 *is acting to counter incitement of violence against Israelis*
14 *and is supporting activities aimed at promoting peace, co-*
15 *existence, and security cooperation with Israel.*

16 (f) *PROHIBITION TO HAMAS AND THE PALESTINE LIB-*
17 *ERATION ORGANIZATION.—*

18 (1) *None of the funds appropriated in titles III*
19 *through VI of this Act may be obligated for salaries*
20 *of personnel of the Palestinian Authority located in*
21 *Gaza or may be obligated or expended for assistance*
22 *to Hamas or any entity effectively controlled by*
23 *Hamas, any power-sharing government of which*
24 *Hamas is a member, or that results from an agree-*

1 *ment with Hamas and over which Hamas exercises*
2 *undue influence.*

3 *(2) Notwithstanding the limitation of paragraph*
4 *(1), assistance may be provided to a power-sharing*
5 *government only if the President certifies and reports*
6 *to the Committees on Appropriations that such gov-*
7 *ernment, including all of its ministers or such equiva-*
8 *lent, has publicly accepted and is complying with the*
9 *principles contained in section 620K(b)(1) (A) and*
10 *(B) of the Foreign Assistance Act of 1961, as amend-*
11 *ed.*

12 *(3) The President may exercise the authority in*
13 *section 620K(e) of the Foreign Assistance Act of 1961,*
14 *as added by the Palestinian Anti-Terrorism Act of*
15 *2006 (Public Law 109–446) with respect to this sub-*
16 *section.*

17 *(4) Whenever the certification pursuant to para-*
18 *graph (2) is exercised, the Secretary of State shall*
19 *submit a report to the Committees on Appropriations*
20 *within 120 days of the certification and every quarter*
21 *thereafter on whether such government, including all*
22 *of its ministers or such equivalent are continuing to*
23 *comply with the principles contained in section*
24 *620K(b)(1) (A) and (B) of the Foreign Assistance Act*
25 *of 1961, as amended: Provided, That the report shall*

1 also detail the amount, purposes and delivery mecha-
2 nisms for any assistance provided pursuant to the
3 abovementioned certification and a full accounting of
4 any direct support of such government.

5 (5) None of the funds appropriated under titles
6 III through VI of this Act may be obligated for assist-
7 ance for the Palestine Liberation Organization.

8 MIDDLE EAST AND NORTH AFRICA

9 SEC. 7041. (a) EGYPT.—

10 (1) CERTIFICATION AND REPORT.—Funds appro-
11 priated by this Act that are available for assistance
12 for Egypt may be made available notwithstanding
13 any other provision of law restricting assistance for
14 Egypt, except for this subsection and section 620M of
15 the Foreign Assistance Act of 1961, and may only be
16 made available for assistance for the Government of
17 Egypt if the Secretary of State certifies and reports
18 to the Committees on Appropriations that such gov-
19 ernment is—

20 (A) sustaining the strategic relationship
21 with the United States; and

22 (B) meeting its obligations under the 1979
23 Egypt-Israel Peace Treaty.

24 (2) ECONOMIC SUPPORT FUND.—Of the funds
25 appropriated by this Act under the heading “Eco-

1 *conomic Support Fund*”, not less than \$125,000,000
2 shall be made available for assistance for Egypt, of
3 which not less than \$40,000,000 should be made
4 available for higher education programs, including
5 not less than \$15,000,000 for scholarships for Egypt-
6 tian students with high financial need to attend not-
7 for-profit institutions of higher education in Egypt
8 that are currently accredited by a regional accred-
9 iting agency recognized by the United States Depart-
10 ment of Education, or meets standards equivalent to
11 those required for United States institutional accredi-
12 tation by a regional accrediting agency recognized by
13 such Department: Provided, That such funds shall be
14 made available for democracy programs, and for de-
15 velopment programs in the Sinai.

16 (3) *FOREIGN MILITARY FINANCING PROGRAM.*—

17 (A) *CERTIFICATION.*—Of the funds appro-
18 priated by this Act under the heading “*Foreign*
19 *Military Financing Program*”, \$1,300,000,000,
20 to remain available until September 30, 2023,
21 should be made available for assistance for
22 Egypt: Provided, That such funds may be trans-
23 ferred to an interest bearing account in the Fed-
24 eral Reserve Bank of New York, following con-
25 sultation with the Committees on Appropria-

1 *tions, and the uses of any interest earned on*
2 *such funds shall be subject to the regular notifi-*
3 *cation procedures of the Committees on Appro-*
4 *priations: Provided further, That \$235,000,000*
5 *of such funds shall be withheld from obligation*
6 *until the Secretary of State certifies and reports*
7 *to the Committees on Appropriations that the*
8 *Government of Egypt is taking sustained and ef-*
9 *fective steps to—*

10 *(i) strengthen the rule of law, demo-*
11 *cratic institutions, and human rights in*
12 *Egypt, including to protect religious mi-*
13 *norities and the rights of women, which are*
14 *in addition to steps taken during the pre-*
15 *vious calendar year for such purposes;*

16 *(ii) implement reforms that protect*
17 *freedoms of expression, association, and*
18 *peaceful assembly, including the ability of*
19 *civil society organizations, human rights*
20 *defenders, and the media to function with-*
21 *out interference;*

22 *(iii) hold Egyptian security forces ac-*
23 *countable, including officers credibly alleged*
24 *to have violated human rights;*

1 (iv) investigate and prosecute cases of
2 extrajudicial killings and forced disappear-
3 ances; and

4 (v) provide regular access for United
5 States officials to monitor such assistance
6 in areas where the assistance is used:

7 *Provided further, That the certification require-*
8 *ment of this paragraph shall not apply to funds*
9 *appropriated by this Act under such heading for*
10 *counterterrorism, border security, and non-*
11 *proliferation programs for Egypt.*

12 (B) WAIVER.—*The Secretary of State may*
13 *waive the certification requirement in subpara-*
14 *graph (A) if the Secretary determines and re-*
15 *ports to the Committees on Appropriations that*
16 *to do so is important to the national security in-*
17 *terest of the United States, and submits a report*
18 *to such Committees containing a detailed jus-*
19 *tification for the use of such waiver and the rea-*
20 *sons why any of the requirements of subpara-*
21 *graph (A) cannot be met: Provided, That the re-*
22 *port required by this paragraph shall be sub-*
23 *mitted in unclassified form, but may be accom-*
24 *panied by a classified annex.*

1 (C) *In addition to the funds withheld pur-*
2 *suant to subparagraph (A), \$85,000,000 of the*
3 *funds made available pursuant to this para-*
4 *graph shall be withheld from obligation until the*
5 *Secretary of State determines and reports to the*
6 *Committees on Appropriations that the Govern-*
7 *ment of Egypt is making clear and consistent*
8 *progress in releasing political prisoners, pro-*
9 *viding detainees with due process of law, and*
10 *preventing the intimidation and harassment of*
11 *American citizens.*

12 (4) *PRE-OBLIGATION DETERMINATION.—Prior to*
13 *the initial obligation of funds made available by this*
14 *Act under the heading “Foreign Military Financing*
15 *Program” for assistance for Egypt, the Secretary of*
16 *State shall submit a report to the appropriate con-*
17 *gressional committees on known disputes involving*
18 *injuries to American citizens caused by the Egyptian*
19 *military, steps taken by the Government of Egypt to*
20 *resolve, or facilitate the just resolution of, such dis-*
21 *putes, and the remaining obstacles to such a resolu-*
22 *tion.*

23 (b) *IRAN.—*

24 (1) *FUNDING.—Funds appropriated by this Act*
25 *under the headings “Diplomatic Programs”, “Eco-*

1 *conomic Support Fund*”, and “*Nonproliferation, Anti-*
2 *terrorism, Demining and Related Programs*” shall be
3 *made available for the programs and activities de-*
4 *scribed under this section in House Report 117–84.*

5 (2) *REPORTS.—*

6 (A) *SEMI-ANNUAL REPORT.—The Secretary*
7 *of State shall submit to the Committees on Ap-*
8 *propriations the semi-annual report required by*
9 *section 135(d)(4) of the Atomic Energy Act of*
10 *1954 (42 U.S.C. 2160e(d)(4)), as added by sec-*
11 *tion 2 of the Iran Nuclear Agreement Review Act*
12 *of 2015 (Public Law 114–17).*

13 (B) *SANCTIONS REPORT.—Not later than*
14 *180 days after the date of enactment of this Act,*
15 *the Secretary of State, in consultation with the*
16 *Secretary of the Treasury, shall submit to the*
17 *appropriate congressional committees a report*
18 *on—*

19 (i) *the status of United States bilateral*
20 *sanctions on Iran;*

21 (ii) *the reimposition and renewed en-*
22 *forcement of secondary sanctions; and*

23 (iii) *the impact such sanctions have*
24 *had on Iran’s destabilizing activities*
25 *throughout the Middle East.*

1 (c) *IRAQ.*—

2 (1) *PURPOSES.*—*Funds appropriated under ti-*
3 *ties III and IV of this Act shall be made available for*
4 *assistance for Iraq for—*

5 (A) *bilateral economic assistance and inter-*
6 *national security assistance, including in the*
7 *Kurdistan Region of Iraq;*

8 (B) *stabilization assistance, including in*
9 *Anbar Province;*

10 (C) *programs to support government trans-*
11 *parency and accountability, judicial independ-*
12 *ence, protect the right of due process, and combat*
13 *corruption;*

14 (D) *humanitarian assistance, including in*
15 *the Kurdistan Region of Iraq; and*

16 (E) *programs to protect and assist religious*
17 *and ethnic minority populations in Iraq, includ-*
18 *ing as described under this section in House Re-*
19 *port 117–84.*

20 (2) *BASING RIGHTS.*—*None of the funds appro-*
21 *priated or otherwise made available by this Act may*
22 *be used by the Government of the United States to*
23 *enter into a permanent basing rights agreement be-*
24 *tween the United States and Iraq.*

1 (d) *ISRAEL.*—Of the funds appropriated by this Act
2 under the heading “Foreign Military Financing Program”,
3 not less than \$3,300,000,000 shall be available for grants
4 only for Israel which shall be disbursed within 30 days of
5 enactment of this Act: Provided, That to the extent that the
6 Government of Israel requests that funds be used for such
7 purposes, grants made available for Israel under this head-
8 ing shall, as agreed by the United States and Israel, be
9 available for advanced weapons systems, of which not less
10 than \$785,300,000 shall be available for the procurement
11 in Israel of defense articles and defense services, including
12 research and development.

13 (e) *JORDAN.*—Of the funds appropriated by this Act
14 under titles III and IV, not less than \$1,650,000,000 shall
15 be made available for assistance for Jordan, of which not
16 less than \$845,100,000 shall be made available for budget
17 support for the Government of Jordan and not less than
18 \$425,000,000 shall be made available under the heading
19 “Foreign Military Financing Program”.

20 (f) *LEBANON.*—

21 (1) *ASSISTANCE.*—Funds appropriated under ti-
22 tles III and IV of this Act shall be made available for
23 assistance for Lebanon: Provided, That such funds
24 made available under the heading “Economic Sup-
25 port Fund” may be made available notwithstanding

1 *section 1224 of the Foreign Relations Authorization*
2 *Act, Fiscal Year 2003 (Public Law 107–228; 22*
3 *U.S.C. 2346 note).*

4 (2) *SECURITY ASSISTANCE.—*

5 (A) *Funds appropriated by this Act under*
6 *the headings “International Narcotics Control*
7 *and Law Enforcement” and “Foreign Military*
8 *Financing Program” that are made available for*
9 *assistance for Lebanon may be made available*
10 *for programs and equipment for the Lebanese In-*
11 *ternal Security Forces (ISF) and the Lebanese*
12 *Armed Forces (LAF) to address security and sta-*
13 *bility requirements in areas affected by conflict*
14 *in Syria, following consultation with the appro-*
15 *priate congressional committees.*

16 (B) *Funds appropriated by this Act under*
17 *the heading “Foreign Military Financing Pro-*
18 *gram” that are made available for assistance for*
19 *Lebanon may only be made available for pro-*
20 *grams to—*

21 (i) *professionalize the LAF to mitigate*
22 *internal and external threats from non-state*
23 *actors, including Hizballah;*

24 (ii) *strengthen border security and*
25 *combat terrorism, including training and*

1 *equipping the LAF to secure the borders of*
2 *Lebanon and address security and stability*
3 *requirements in areas affected by conflict in*
4 *Syria, interdicting arms shipments, and*
5 *preventing the use of Lebanon as a safe*
6 *haven for terrorist groups; and*

7 *(iii) implement United Nations Secu-*
8 *rity Council Resolution 1701:*

9 *Provided, That prior to obligating funds made*
10 *available by this subparagraph for assistance for*
11 *the LAF, the Secretary of State shall submit to*
12 *the Committees on Appropriations a spend plan,*
13 *including actions to be taken to ensure equip-*
14 *ment provided to the LAF is used only for the*
15 *intended purposes, except such plan may not be*
16 *considered as meeting the notification require-*
17 *ments under section 7015 of this Act or under*
18 *section 634A of the Foreign Assistance Act of*
19 *1961: Provided further, That any notification*
20 *submitted pursuant to such section shall include*
21 *any funds specifically intended for lethal mili-*
22 *tary equipment.*

23 *(3) LIMITATION.—None of the funds appro-*
24 *priated by this Act may be made available for the*
25 *ISF or the LAF if the ISF or the LAF is controlled*

1 *by a foreign terrorist organization, as designated pur-*
2 *suant to section 219 of the Immigration and Nation-*
3 *ality Act (8 U.S.C. 1189).*

4 *(g) LIBYA.—Funds appropriated under titles III and*
5 *IV of this Act shall be made available for stabilization as-*
6 *sistance for Libya, including support for a United Nations-*
7 *facilitated political process and border security: Provided,*
8 *That the limitation on the uses of funds for certain infra-*
9 *structure projects in section 7041(f)(2) of the Department*
10 *of State, Foreign Operations, and Related Programs Appro-*
11 *priations Act, 2014 (division K of Public Law 113–76)*
12 *shall apply to such funds.*

13 *(h) MOROCCO.—Funds appropriated under titles III*
14 *and IV of this Act shall be made available for assistance*
15 *for Morocco.*

16 *(i) SAUDI ARABIA.—*

17 *(1) PROHIBITION.—None of the funds appro-*
18 *priated by this Act under the heading “International*
19 *Military Education and Training” may be made*
20 *available for assistance for the Government of Saudi*
21 *Arabia.*

22 *(2) EXPORT-IMPORT BANK.—None of the funds*
23 *appropriated or otherwise made available by this Act*
24 *and prior Acts making appropriations for the De-*
25 *partment of State, foreign operations, and related*

1 *programs should be obligated or expended by the Ex-*
2 *port-Import Bank of the United States to guarantee,*
3 *insure, or extend (or participate in the extension of)*
4 *credit in connection with the export of nuclear tech-*
5 *nology, equipment, fuel, materials, or other nuclear*
6 *technology-related goods or services to Saudi Arabia*
7 *unless the Government of Saudi Arabia—*

8 *(A) has in effect a nuclear cooperation*
9 *agreement pursuant to section 123 of the Atomic*
10 *Energy Act of 1954 (42 U.S.C. 2153);*

11 *(B) has committed to renounce uranium en-*
12 *richment and reprocessing on its territory under*
13 *that agreement; and*

14 *(C) has signed and implemented an Addi-*
15 *tional Protocol to its Comprehensive Safeguards*
16 *Agreement with the International Atomic Energy*
17 *Agency.*

18 *(j) SYRIA.—*

19 *(1) NON-LETHAL ASSISTANCE.—Funds appro-*
20 *priated by this Act under titles III and IV may be*
21 *made available, notwithstanding any other provision*
22 *of law, for non-lethal stabilization assistance for*
23 *Syria, including for emergency medical and rescue*
24 *response and chemical weapons investigations.*

1 (2) *LIMITATIONS.—Funds made available pursu-*
2 *ant to paragraph (1) of this subsection—*

3 (A) *may not be made available for a project*
4 *or activity that supports or otherwise legitimizes*
5 *the Government of Iran, foreign terrorist organi-*
6 *zations (as designated pursuant to section 219 of*
7 *the Immigration and Nationality Act (8 U.S.C.*
8 *1189)), or a proxy of Iran in Syria;*

9 (B) *may not be made available for activities*
10 *that further the strategic objectives of the Govern-*
11 *ment of the Russian Federation that the Sec-*
12 *retary of State determines may threaten or un-*
13 *dermine United States national security inter-*
14 *ests; and*

15 (C) *should not be used in areas of Syria*
16 *controlled by a government led by Bashar al-*
17 *Assad or associated forces.*

18 (3) *CONSULTATION AND NOTIFICATION.—Funds*
19 *made available pursuant to this subsection may only*
20 *be made available following consultation with the ap-*
21 *propriate congressional committees, and shall be sub-*
22 *ject to the regular notification procedures of the Com-*
23 *mittees on Appropriations.*

24 (k) *TUNISIA.—*

1 (1) *ASSISTANCE*.—*Funds appropriated under ti-*
2 *ties III and IV of this Act shall be made available for*
3 *assistance for Tunisia for programs to improve eco-*
4 *nomic growth and opportunity, support democratic*
5 *governance and civil society, protect due process of*
6 *law, and maintain regional stability and security,*
7 *following consultation with the Committees on Appro-*
8 *priations.*

9 (2) *SPEND PLAN*.—*Not later than 90 days after*
10 *enactment of this Act, the Secretary of State shall*
11 *submit a spend plan consistent with the requirements*
12 *in section 7062(b) of this Act.*

13 (3) *REPORT*.—*Not later than 90 days after en-*
14 *actment of this Act, the Secretary of State shall sub-*
15 *mit a report to the Committees on Appropriations on*
16 *the extent to which—*

17 (A) *the Government of Tunisia is imple-*
18 *menting economic reforms, countering corrup-*
19 *tion, and taking credible steps to restore con-*
20 *stitutional order and democratic governance, in-*
21 *cluding respecting freedoms of expression, asso-*
22 *ciation, and the press, and the rights of members*
23 *of political parties;*

24 (B) *the Government of Tunisia is maintain-*
25 *ing the independence of the judiciary and hold-*

1 *ing security forces who commit human rights*
2 *abuses accountable; and*

3 *(C) the Tunisian military has remained an*
4 *apolitical and professional institution.*

5 *(l) WEST BANK AND GAZA.—*

6 *(1) ASSISTANCE.—Funds appropriated by this*
7 *Act under the heading “Economic Support Fund”*
8 *shall be made available for programs in the West*
9 *Bank and Gaza, which may include water, sanita-*
10 *tion, and other infrastructure improvements.*

11 *(2) REPORT ON ASSISTANCE.—Prior to the ini-*
12 *tial obligation of funds made available by this Act*
13 *under the heading “Economic Support Fund” for as-*
14 *sistance for the West Bank and Gaza, the Secretary*
15 *of State shall report to the Committees on Appropria-*
16 *tions that the purpose of such assistance is to—*

17 *(A) advance Middle East peace;*

18 *(B) improve security in the region;*

19 *(C) continue support for transparent and*
20 *accountable government institutions;*

21 *(D) promote a private sector economy; or*

22 *(E) address urgent humanitarian needs.*

23 *(3) LIMITATIONS.—*

24 *(A)(i) None of the funds appropriated under*
25 *the heading “Economic Support Fund” in this*

1 *Act may be made available for assistance for the*
2 *Palestinian Authority, if after the date of enact-*
3 *ment of this Act—*

4 *(I) the Palestinians obtain the same*
5 *standing as member states or full member-*
6 *ship as a state in the United Nations or*
7 *any specialized agency thereof outside an*
8 *agreement negotiated between Israel and the*
9 *Palestinians; or*

10 *(II) the Palestinians initiate an Inter-*
11 *national Criminal Court (ICC) judicially*
12 *authorized investigation, or actively support*
13 *such an investigation, that subjects Israeli*
14 *nationals to an investigation for alleged*
15 *crimes against Palestinians.*

16 *(ii) The Secretary of State may waive the*
17 *restriction in clause (i) of this subparagraph re-*
18 *sulting from the application of subclause (I) of*
19 *such clause if the Secretary certifies to the Com-*
20 *mittees on Appropriations that to do so is in the*
21 *national security interest of the United States,*
22 *and submits a report to such Committees detail-*
23 *ing how the waiver and the continuation of as-*
24 *sistance would assist in furthering Middle East*
25 *peace.*

1 *(B)(i) The President may waive the provi-*
2 *sions of section 1003 of the Foreign Relations*
3 *Authorization Act, Fiscal Years 1988 and 1989*
4 *(Public Law 100–204) if the President deter-*
5 *mines and certifies in writing to the Speaker of*
6 *the House of Representatives, the President pro*
7 *tempore of the Senate, and the appropriate con-*
8 *gressional committees that the Palestinians have*
9 *not, after the date of enactment of this Act—*

10 *(I) obtained in the United Nations or*
11 *any specialized agency thereof the same*
12 *standing as member states or full member-*
13 *ship as a state outside an agreement nego-*
14 *tiated between Israel and the Palestinians;*
15 *and*

16 *(II) initiated or actively supported an*
17 *ICC investigation against Israeli nationals*
18 *for alleged crimes against Palestinians.*

19 *(ii) Not less than 90 days after the Presi-*
20 *dent is unable to make the certification pursuant*
21 *to clause (i) of this subparagraph, the President*
22 *may waive section 1003 of Public Law 100–204*
23 *if the President determines and certifies in writ-*
24 *ing to the Speaker of the House of Representa-*
25 *tives, the President pro tempore of the Senate,*

1 *and the Committees on Appropriations that the*
2 *Palestinians have entered into direct and mean-*
3 *ingful negotiations with Israel: Provided, That*
4 *any waiver of the provisions of section 1003 of*
5 *Public Law 100–204 under clause (i) of this sub-*
6 *paragraph or under previous provisions of law*
7 *must expire before the waiver under this clause*
8 *may be exercised.*

9 *(iii) Any waiver pursuant to this subpara-*
10 *graph shall be effective for no more than a period*
11 *of 6 months at a time and shall not apply be-*
12 *yond 12 months after the enactment of this Act.*

13 (4) *APPLICATION OF TAYLOR FORCE ACT.—*
14 *Funds appropriated by this Act under the heading*
15 *“Economic Support Fund” that are made available*
16 *for assistance for the West Bank and Gaza shall be*
17 *made available consistent with section 1004(a) of the*
18 *Taylor Force Act (title X of division S of Public Law*
19 *115–141).*

20 (5) *SECURITY REPORT.—The reporting require-*
21 *ments in section 1404 of the Supplemental Appro-*
22 *propriations Act, 2008 (Public Law 110–252) shall*
23 *apply to funds made available by this Act, including*
24 *a description of modifications, if any, to the security*
25 *strategy of the Palestinian Authority.*

1 (c) *COUNTER ILLICIT ARMED GROUPS.—Funds appro-*
2 *priated by this Act shall be made available for programs*
3 *and activities in areas affected by the Lord’s Resistance*
4 *Army (LRA) or other illicit armed groups in Eastern*
5 *Democratic Republic of the Congo and the Central African*
6 *Republic, including to improve physical access, tele-*
7 *communications infrastructure, and early-warning mecha-*
8 *nisms and to support the disarmament, demobilization, and*
9 *reintegration of former LRA combatants, especially child*
10 *soldiers.*

11 (d) *DEMOCRATIC REPUBLIC OF THE CONGO.—Of the*
12 *funds appropriated under titles III and IV of this Act, not*
13 *less than \$325,000,000 shall be made available for assist-*
14 *ance for the Democratic Republic of the Congo (DRC) for*
15 *stabilization, global health, and bilateral economic assist-*
16 *ance, including in areas affected by, and at risk from, the*
17 *Ebola virus disease: Provided, That such funds shall also*
18 *be made available to support security, stabilization, devel-*
19 *opment, and democracy in Eastern DRC: Provided further,*
20 *That funds appropriated by this Act under the headings*
21 *“Peacekeeping Operations” and “International Military*
22 *Education and Training” that are made available for such*
23 *purposes may be made available notwithstanding any other*
24 *provision of law, except section 620M of the Foreign Assist-*
25 *ance Act of 1961.*

1 (e) *ETHIOPIA.*—

2 (1) *ASSISTANCE.*—*Funds appropriated by this*
3 *Act that are made available for assistance for Ethi-*
4 *opia should be used to support—*

5 (A) *a political dialogue to end the conflict;*

6 (B) *civil society and protect human rights;*

7 (C) *efforts to provide unimpeded access to*
8 *humanitarian assistance; and*

9 (D) *investigations and prosecutions of gross*
10 *violations of human rights.*

11 (2) *SPEND PLAN.*—*Not later than 90 days after*
12 *enactment of this Act, the Secretary of State shall*
13 *submit a spend plan consistent with the requirements*
14 *in section 7062(b) of this Act.*

15 (3) *REPORT.*—*Not later than 90 days after en-*
16 *actment of this Act, the Secretary of State shall sub-*
17 *mit a report to the appropriate congressional commit-*
18 *tees on the extent to which the Government of Ethi-*
19 *opia and other parties to the conflict—*

20 (A) *have ceased offensive military oper-*
21 *ations;*

22 (B) *have taken credible steps toward a po-*
23 *litical dialogue to end the conflict;*

24 (C) *are providing unimpeded access to hu-*
25 *manitarian assistance;*

1 (D) are taking effective steps to protect
2 human rights and comply with international hu-
3 manitarian law and international refugee law;
4 and

5 (E) are cooperating with independent inves-
6 tigations of gross violations of human rights.

7 (f) MALAWI.—Funds appropriated by this Act and
8 prior Acts making appropriations for the Department of
9 State, foreign operations, and related programs that are
10 made available for higher education programs in Malawi
11 shall be made available for higher education and workforce
12 development programs in agriculture as described under
13 this section in House Report 117–84.

14 (g) MOZAMBIQUE.—Of the funds appropriated under
15 titles III and IV of this Act, not less than \$537,500,000
16 shall be made available for assistance for Mozambique, in-
17 cluding for stabilization, global health, and bilateral eco-
18 nomic assistance in areas affected by violent extremism.

19 (h) SOUTH SUDAN.—

20 (1) ASSISTANCE.—Funds appropriated under
21 title III of this Act that are made available for assist-
22 ance for South Sudan should be made available for
23 democracy programs, including programs to support
24 civil society, and for conflict mitigation and rec-

1 *conciliation programs, at levels above the prior fiscal*
2 *year.*

3 (2) *LIMITATION ON ASSISTANCE FOR THE CEN-*
4 *TRAL GOVERNMENT.—Funds appropriated by this Act*
5 *that are made available for assistance for the central*
6 *Government of South Sudan may only be made avail-*
7 *able, following consultation with the Committees on*
8 *Appropriations, for—*

9 (A) *humanitarian assistance;*

10 (B) *health programs, including to prevent,*
11 *detect, and respond to infectious diseases;*

12 (C) *assistance to support South Sudan*
13 *peace negotiations or to advance or implement a*
14 *peace agreement; and*

15 (D) *assistance to support implementation of*
16 *outstanding issues of the Comprehensive Peace*
17 *Agreement, and subsequent and mutual arrange-*
18 *ments related to such agreement, or any other*
19 *internationally recognized viable peace agree-*
20 *ment in South Sudan:*

21 *Provided, That prior to the initial obligation of funds*
22 *made available pursuant to subparagraphs (C) and*
23 *(D), the Secretary of State shall consult with the*
24 *Committees on Appropriations on the intended uses of*

1 *such funds and steps taken by such government to ad-*
2 *vance or implement a peace agreement.*

3 *(i) SUDAN.—*

4 *(1) ASSISTANCE.—Funds appropriated by this*
5 *Act under title III should be made available to sup-*
6 *port a civilian-led transition in Sudan: Provided,*
7 *That notwithstanding any other provision of law ex-*
8 *cept section 620M of the Foreign Assistance Act of*
9 *1961, the Trafficking Victims Protection Act of 2000,*
10 *and the Child Soldiers Prevention Act of 2008, such*
11 *funds may be made available for agriculture and eco-*
12 *nomical growth programs, and economic assistance for*
13 *marginalized areas in Sudan and Abyei: Provided*
14 *further, That funds should be prioritized for civil soci-*
15 *ety capacity building, political party and coalition*
16 *building, women and youth empowerment, protection*
17 *of human rights, and support for elections if the Sec-*
18 *retary of State reports to the appropriate congres-*
19 *sional committees that conditions exist for free and*
20 *fair elections.*

21 *(2) LIMITATION.—None of the funds appro-*
22 *priated by this Act under title IV may be made avail-*
23 *able for assistance for the central Government of*
24 *Sudan, except to support implementation of out-*
25 *standing issues of the Comprehensive Peace Agree-*

1 *ment, mutual arrangements related to post-ref-*
2 *erendum issues associated with such Agreement, or*
3 *any other viable peace agreement in Sudan.*

4 (3) *CONSULTATION AND NOTIFICATION.—Funds*
5 *appropriated by this Act and prior Acts making ap-*
6 *propriations for the Department of State, foreign op-*
7 *erations, and related programs that are made avail-*
8 *able for any new program, project, or activity in*
9 *Sudan shall be subject to prior consultation with the*
10 *appropriate congressional committees.*

11 (j) *ZIMBABWE.—*

12 (1) *INSTRUCTION.—The Secretary of the Treas-*
13 *ury shall instruct the United States executive director*
14 *of each international financial institution to vote*
15 *against any extension by the respective institution of*
16 *any loan or grant to the Government of Zimbabwe,*
17 *except to meet basic human needs or to promote de-*
18 *mocracy, unless the Secretary of State certifies and*
19 *reports to the Committees on Appropriations that the*
20 *rule of law has been restored, including respect for*
21 *ownership and title to property, and freedoms of ex-*
22 *pression, association, and assembly.*

23 (2) *LIMITATION.—None of the funds appro-*
24 *priated by this Act shall be made available for assist-*
25 *ance for the central Government of Zimbabwe, except*

1 *for health and education, unless the Secretary of State*
2 *certifies and reports as required in paragraph (1).*

3 *EAST ASIA AND THE PACIFIC*

4 *SEC. 7043. (a) BURMA.—*

5 *(1) USES OF FUNDS.—Of the funds appropriated*
6 *by this Act, not less than \$136,127,000 shall be made*
7 *available for assistance for Burma, which—*

8 *(A) may be made available notwithstanding*
9 *any other provision of law and following con-*
10 *sultation with the appropriate congressional*
11 *committees;*

12 *(B) may be made available for support for*
13 *the administrative operations and programs of*
14 *the entities listed under this subsection in the ex-*
15 *planatory statement described in section 4 (in*
16 *the matter preceding division A of this consoli-*
17 *dated Act) and other entities that support peace-*
18 *ful efforts to establish an inclusive and represent-*
19 *ative democracy in Burma and a federal union*
20 *to foster equality among Burma's diverse ethnic*
21 *groups, following consultation with the Commit-*
22 *tees on Appropriations;*

23 *(C) shall be made available for programs to*
24 *promote ethnic and religious tolerance, unity,*
25 *and accountability and to combat gender-based*

1 violence, including in Kachin, Chin, Mon,
2 Karen, Karenni, Rakhine, and Shan states;

3 (D) shall be made available for community-
4 based organizations with experience operating in
5 Thailand to provide food, medical, and other hu-
6 manitarian assistance to internally displaced
7 persons in eastern Burma, in addition to assist-
8 ance for Burmese refugees from funds appro-
9 priated by this Act under the heading “Migra-
10 tion and Refugee Assistance”; and

11 (E) shall be made available for programs
12 and activities to investigate and document viola-
13 tions of human rights in Burma committed by
14 the military junta.

15 (2) *INTERNATIONAL SECURITY ASSISTANCE.*—

16 None of the funds appropriated by this Act under the
17 headings “International Military Education and
18 Training” and “Foreign Military Financing Pro-
19 gram” may be made available for assistance for
20 Burma.

21 (3) *LIMITATIONS.*—None of the funds appro-
22 priated by this Act that are made available for assist-
23 ance for Burma may be made available to the State
24 Administration Council or any organization or entity
25 controlled by, or an affiliate of, the armed forces of

1 *Burma, or to any individual or organization that has*
2 *committed a gross violation of human rights or advo-*
3 *cates violence against ethnic or religious groups or in-*
4 *dividuals in Burma, as determined by the Secretary*
5 *of State for programs administered by the Depart-*
6 *ment of State and USAID or the President of the Na-*
7 *tional Endowment for Democracy (NED) for pro-*
8 *grams administered by NED.*

9 (4) *CONSULTATION.*—*Any new program or activ-*
10 *ity in Burma initiated in fiscal year 2022 shall be*
11 *subject to prior consultation with the appropriate*
12 *congressional committees.*

13 (b) *CAMBODIA.*—

14 (1) *ASSISTANCE.*—*Of the funds appropriated*
15 *under title III of this Act, not less than \$82,505,000*
16 *shall be made available for assistance for Cambodia.*

17 (2) *CERTIFICATION AND EXCEPTIONS.*—

18 (A) *CERTIFICATION.*—*None of the funds ap-*
19 *propriated by this Act that are made available*
20 *for assistance for the Government of Cambodia*
21 *may be obligated or expended unless the Sec-*
22 *retary of State certifies and reports to the Com-*
23 *mittees on Appropriations that such Government*
24 *is taking effective steps to—*

1 (i) *strengthen regional security and*
2 *stability, particularly regarding territorial*
3 *disputes in the South China Sea and the*
4 *enforcement of international sanctions with*
5 *respect to North Korea;*

6 (ii) *assert its sovereignty against inter-*
7 *ference by the People’s Republic of China,*
8 *including by verifiably maintaining the*
9 *neutrality of Ream Naval Base, other mili-*
10 *tary installations in Cambodia, and dual*
11 *use facilities such as the Dara Sakor devel-*
12 *opment project;*

13 (iii) *cease violence, threats, and har-*
14 *assment against civil society and the polit-*
15 *ical opposition in Cambodia, and dismiss*
16 *any politically motivated criminal charges*
17 *against critics of the government; and*

18 (iv) *respect the rights, freedoms, and*
19 *responsibilities enshrined in the Constitu-*
20 *tion of the Kingdom of Cambodia as en-*
21 *acted in 1993.*

22 (B) *EXCEPTIONS.—The certification re-*
23 *quired by subparagraph (A) shall not apply to*
24 *funds appropriated by this Act and made avail-*
25 *able for democracy, health, education, and envi-*

1 *ronment programs, programs to strengthen the*
2 *sovereignty of Cambodia, and programs to edu-*
3 *cate and inform the people of Cambodia of the*
4 *influence activities of the People’s Republic of*
5 *China in Cambodia.*

6 (3) *USES OF FUNDS.—Funds appropriated*
7 *under title III of this Act for assistance for Cambodia*
8 *shall be made available for—*

9 (A) *research, documentation, and education*
10 *programs associated with the Khmer Rouge in*
11 *Cambodia; and*

12 (B) *programs in the Khmer language to*
13 *monitor, map, and publicize the efforts by the*
14 *People’s Republic of China to expand its influ-*
15 *ence in Cambodia.*

16 (c) *INDO-PACIFIC STRATEGY AND THE ASIA REASSUR-*
17 *ANCE INITIATIVE ACT OF 2018.—*

18 (1) *ASSISTANCE.—Of the funds appropriated*
19 *under titles III and IV of this Act, not less than*
20 *\$1,605,105,000 shall be made available to support im-*
21 *plementation of the Indo-Pacific Strategy and the*
22 *Asia Reassurance Initiative Act of 2018 (Public Law*
23 *115–409).*

24 (2) *COUNTERING PRC INFLUENCE FUND.—Of the*
25 *funds appropriated by this Act under the headings*

1 *“Development Assistance”, “Economic Support*
2 *Fund”, “International Narcotics Control and Law*
3 *Enforcement”, “Nonproliferation, Anti-terrorism,*
4 *Demining and Related Programs”, and “Foreign*
5 *Military Financing Program”, not less than*
6 *\$300,000,000 shall be made available for a Coun-*
7 *tering PRC Influence Fund to counter the influence*
8 *of the Government of the People’s Republic of China*
9 *and the Chinese Communist Party and entities acting*
10 *on their behalf globally, which shall be subject to prior*
11 *consultation with the Committees on Appropriations:*
12 *Provided, That such funds are in addition to amounts*
13 *otherwise made available for such purposes: Provided*
14 *further, That up to 10 percent of such funds shall be*
15 *held in reserve to respond to unanticipated opportu-*
16 *nities to counter PRC influence: Provided further,*
17 *That the uses of such funds shall be the joint responsi-*
18 *bility of the Secretary of State and the USAID Ad-*
19 *ministrator, in accordance with the guidance con-*
20 *tained in the explanatory statement described in sec-*
21 *tion 4 (in the matter preceding division A of this con-*
22 *solidated Act): Provided further, That prior to the*
23 *initial obligation of such funds, the Secretary of State*
24 *and USAID Administrator shall consult with the*
25 *Committees on Appropriations: Provided further,*

1 *That funds appropriated by this Act for such Fund*
2 *under the headings “International Narcotics Control*
3 *and Law Enforcement”, “Nonproliferation, Anti-ter-*
4 *rorism, Demining and Related Programs”, and “For-*
5 *oreign Military Financing Program” may be trans-*
6 *ferred to, and merged with, funds appropriated under*
7 *such headings: Provided further, That such transfer*
8 *authority is in addition to any other transfer author-*
9 *ity provided by this Act or any other Act, and is sub-*
10 *ject to the regular notification procedures of the Com-*
11 *mittees on Appropriations.*

12 (3) *RESTRICTION ON USES OF FUNDS.—None of*
13 *the funds appropriated by this Act and prior Acts*
14 *making appropriations for the Department of State,*
15 *foreign operations, and related programs may be*
16 *made available for any project or activity that di-*
17 *rectly supports or promotes—*

18 (A) *the Belt and Road Initiative or any*
19 *dual-use infrastructure projects of the People’s*
20 *Republic of China; and*

21 (B) *the use of technology, including bio-*
22 *technology, digital, telecommunications, and*
23 *cyber, developed by the People’s Republic of*
24 *China unless the Secretary of State, in consulta-*
25 *tion with the USAID Administrator and the*

1 *heads of other Federal agencies, as appropriate,*
2 *determines that such use does not adversely im-*
3 *pect the national security of the United States.*

4 (4) *MAPS.*—None of the funds made available by
5 *this Act should be used to create, procure, or display*
6 *any map that inaccurately depicts the territory and*
7 *social and economic system of Taiwan and the is-*
8 *lands or island groups administered by Taiwan au-*
9 *thorities.*

10 (d) *LAOS.*—Of the funds appropriated by this Act
11 *under titles III and IV, not less than \$85,000,000 shall be*
12 *made available for assistance for Laos, of which not less*
13 *than \$1,500,000 should be made available for health and*
14 *disability programs to assist persons with severe physical*
15 *mobility, cognitive, or developmental disabilities that may*
16 *be related to the use of Agent Orange and exposure to*
17 *dioxin: Provided, That funds made available pursuant to*
18 *this subsection may be used for assessments to determine*
19 *the existence of dioxin contamination resulting from the use*
20 *of Agent Orange in Laos and the feasibility and cost of re-*
21 *mediation.*

22 (e) *NORTH KOREA.*—

23 (1) *CYBERSECURITY.*—None of the funds appro-
24 *priated by this Act or prior Acts making appropri-*
25 *ations for the Department of State, foreign operations,*

1 *and related programs may be made available for as-*
2 *stance for the central government of a country the*
3 *Secretary of State determines and reports to the ap-*
4 *propriate congressional committees engages in signifi-*
5 *cant transactions contributing materially to the mali-*
6 *cious cyber-intrusion capabilities of the Government*
7 *of North Korea: Provided, That the Secretary of State*
8 *shall submit the report required by section 209 of the*
9 *North Korea Sanctions and Policy Enhancement Act*
10 *of 2016 (Public Law 114–122; 22 U.S.C. 9229) to the*
11 *Committees on Appropriations: Provided further,*
12 *That the Secretary of State may waive the applica-*
13 *tion of the restriction in this paragraph with respect*
14 *to assistance for the central government of a country*
15 *if the Secretary determines and reports to the appro-*
16 *priate congressional committees that to do so is im-*
17 *portant to the national security interest of the United*
18 *States, including a description of such interest served.*

19 (2) *BROADCASTS.—Funds appropriated by this*
20 *Act under the heading “International Broadcasting*
21 *Operations” shall be made available to maintain*
22 *broadcasting hours into North Korea at levels not less*
23 *than the prior fiscal year.*

24 (3) *HUMAN RIGHTS.—Funds appropriated by*
25 *this Act under the headings “Economic Support*

1 *Fund*” and “*Democracy Fund*” shall be made avail-
2 able for the promotion of human rights in North
3 Korea: *Provided, That the authority of section*
4 7032(b)(1) of this Act shall apply to such funds.

5 (4) *LIMITATION ON USE OF FUNDS.—None of the*
6 *funds made available by this Act under the heading*
7 “*Economic Support Fund*” may be made available
8 for assistance for the Government of North Korea.

9 (f) *PEOPLE’S REPUBLIC OF CHINA.—*

10 (1) *LIMITATION ON USE OF FUNDS.—None of the*
11 *funds appropriated under the heading “Diplomatic*
12 *Programs” in this Act may be obligated or expended*
13 *for processing licenses for the export of satellites of*
14 *United States origin (including commercial satellites*
15 *and satellite components) to the People’s Republic of*
16 *China (PRC) unless, at least 15 days in advance, the*
17 *Committees on Appropriations are notified of such*
18 *proposed action.*

19 (2) *PEOPLE’S LIBERATION ARMY.—The terms*
20 *and requirements of section 620(h) of the Foreign As-*
21 *istance Act of 1961 shall apply to foreign assistance*
22 *projects or activities of the People’s Liberation Army*
23 *(PLA) of the PRC, to include such projects or activi-*
24 *ties by any entity that is owned or controlled by, or*
25 *an affiliate of, the PLA: Provided, That none of the*

1 *funds appropriated or otherwise made available pur-*
2 *suant to this Act may be used to finance any grant,*
3 *contract, or cooperative agreement with the PLA, or*
4 *any entity that the Secretary of State has reason to*
5 *believe is owned or controlled by, or an affiliate of,*
6 *the PLA.*

7 (3) *HONG KONG.—*

8 (A) *DEMOCRACY PROGRAMS.—Of the funds*
9 *appropriated by this Act under the first para-*
10 *graph under the heading “Democracy Fund”,*
11 *not less than \$4,000,000 shall be made available*
12 *for democracy and Internet freedom programs*
13 *for Hong Kong, including legal and other sup-*
14 *port for democracy activists.*

15 (B) *RESTRICTIONS ON ASSISTANCE.—None*
16 *of the funds appropriated by this Act or prior*
17 *Acts making appropriations for the Department*
18 *of State, foreign operations, and related pro-*
19 *grams that are made available for assistance for*
20 *Hong Kong should be obligated for assistance for*
21 *the Government of the People’s Republic of*
22 *China and the Chinese Communist Party or any*
23 *entity acting on their behalf in Hong Kong.*

24 (C) *REPORT.—The report required under*
25 *section 7043(f)(3)(C) of the Department of State,*

1 *Foreign Operations, and Related Programs Ap-*
2 *propriations Act, 2021 (division K of Public*
3 *Law 116–260) shall be updated and submitted to*
4 *the Congress in the manner described.*

5 *(g) PHILIPPINES.—None of the funds appropriated by*
6 *this Act may be made available for counternarcotics assist-*
7 *ance for the Philippines, except for drug demand reduction,*
8 *maritime law enforcement, or transnational interdiction:*
9 *Provided, That not later than 45 days after enactment of*
10 *this Act, the Secretary of State shall update the report re-*
11 *quired under this heading in Senate Report 116–126 and*
12 *indicate how the findings in such report are reflected in*
13 *United States assistance for the armed forces of the Phil-*
14 *ippines.*

15 *(h) TIBET.—*

16 *(1) FINANCING OF PROJECTS IN TIBET.—The*
17 *Secretary of the Treasury should instruct the United*
18 *States executive director of each international finan-*
19 *cial institution to use the voice and vote of the United*
20 *States to support financing of projects in Tibet if*
21 *such projects do not provide incentives for the migra-*
22 *tion and settlement of non-Tibetans into Tibet or fa-*
23 *cilitate the transfer of ownership of Tibetan land and*
24 *natural resources to non-Tibetans, are based on a*
25 *thorough needs-assessment, foster self-sufficiency of the*

1 *Tibetan people and respect Tibetan culture and tradi-*
2 *tions, and are subject to effective monitoring.*

3 (2) *PROGRAMS FOR TIBETAN COMMUNITIES.—*

4 (A) *Notwithstanding any other provision of*
5 *law, of the funds appropriated by this Act under*
6 *the heading “Economic Support Fund”, not less*
7 *than \$10,000,000 shall be made available to non-*
8 *governmental organizations with experience*
9 *working with Tibetan communities to support*
10 *activities which preserve cultural traditions and*
11 *promote sustainable development, education, and*
12 *environmental conservation in Tibetan commu-*
13 *nities in the Tibet Autonomous Region and in*
14 *other Tibetan communities in China.*

15 (B) *Of the funds appropriated by this Act*
16 *under the heading “Economic Support Fund”,*
17 *not less than \$8,000,000 shall be made available*
18 *for programs to promote and preserve Tibetan*
19 *culture and language in the refugee and diaspora*
20 *Tibetan communities, development, and the resil-*
21 *ience of Tibetan communities and the Central*
22 *Tibetan Administration in India and Nepal,*
23 *and to assist in the education and development*
24 *of the next generation of Tibetan leaders from*
25 *such communities: Provided, That such funds are*

1 *in addition to amounts made available in sub-*
2 *paragraph (A) for programs inside Tibet.*

3 *(C) Of the funds appropriated by this Act*
4 *under the heading “Economic Support Fund”,*
5 *not less than \$3,000,000 shall be made available*
6 *for programs to strengthen the capacity of the*
7 *Central Tibetan Administration: Provided, That*
8 *such funds shall be administered by the United*
9 *States Agency for International Development.*

10 *(3) TIBETAN INSTITUTES PROMOTING DEMOC-*
11 *RACY AND RELIGIOUS FREEDOM.—Funds appro-*
12 *priated by this Act that are made available for the*
13 *Countering PRC Influence Fund shall be made avail-*
14 *able, on a competitive basis, as grants for operations*
15 *and program expenses of one or more Tibetan insti-*
16 *tutes established by Tibetan nationals and located in*
17 *Asia, a purpose of which is to support democracy and*
18 *religious freedom in Tibet and the People’s Republic*
19 *of China: Provided, That such funds shall be the re-*
20 *sponsibility of the Assistant Secretary of State for De-*
21 *mocracy, Human Rights, and Labor in coordination*
22 *with the United States Special Coordinator for Ti-*
23 *betan Issues, and shall be in addition to funds other-*
24 *wise made available for such purposes.*

1 (i) *VIETNAM.*—*Of the funds appropriated under titles*
2 *III and IV of this Act, not less than \$181,000,000 shall be*
3 *made available for assistance for Vietnam, of which not less*
4 *than—*

5 (1) *\$15,000,000 shall be made available for*
6 *health and disability programs to assist persons with*
7 *severe physical mobility, cognitive, or developmental*
8 *disabilities that may be related to the use of Agent*
9 *Orange and exposure to dioxin;*

10 (2) *\$20,000,000 shall be made available, notwith-*
11 *standing any other provision of law, for activities re-*
12 *lated to the remediation of dioxin contaminated sites*
13 *in Vietnam and may be made available for assistance*
14 *for the Government of Vietnam, including the mili-*
15 *tary, for such purposes;*

16 (3) *\$2,000,000 shall be made available for a Rec-*
17 *onciliation/Vietnamese Wartime Accounting Initia-*
18 *tive; and*

19 (4) *\$15,000,000 shall be made available for high-*
20 *er education programs.*

21 *SOUTH AND CENTRAL ASIA*

22 *SEC. 7044. (a) AFGHANISTAN.*—

23 (1) *None of the funds appropriated by this Act*
24 *and prior Acts making appropriations for the De-*
25 *partment of State, foreign operations, and related*

1 *programs and made available for assistance for Af-*
2 *ghanistan may be made available for direct assistance*
3 *to the Taliban.*

4 (2) *AFGHAN SPECIAL IMMIGRANT VISAS.—Funds*
5 *appropriated or otherwise made available by this Act*
6 *under the heading “Administration for Foreign Af-*
7 *airs” shall be made available for additional Depart-*
8 *ment of State personnel necessary to eliminate proc-*
9 *essing backlogs and expedite adjudication of Afghan*
10 *Special Immigrant Visa cases.*

11 (3) *REPORT.—Not later than 45 days after en-*
12 *actment of the Act, the Secretary of State and the*
13 *USAID Administrator shall submit a report to the*
14 *appropriate congressional committees detailing plans,*
15 *consistent with the limitation contained in paragraph*
16 *(1), to—*

17 (A) *protect and strengthen the rights of Af-*
18 *ghan women and girls;*

19 (B) *support higher education programs, in-*
20 *cluding continued support for the American Uni-*
21 *versity of Afghanistan’s (AUAF) online pro-*
22 *grams and support for other higher education in-*
23 *stitutions in South Asia and the Middle East*
24 *that are hosting AUAF and other Afghan stu-*
25 *dents;*

1 (C) support Afghan civil society activists,
2 journalists, and independent media, including in
3 third countries; and

4 (D) support health, education, including
5 community-based education, and other programs
6 to address the basic needs of the people of Af-
7 ghanistan.

8 (b) *BANGLADESH*.—Of the funds appropriated under
9 titles III and IV of this Act that are made available for
10 assistance for Bangladesh—

11 (1) not less than \$23,500,000 shall be made
12 available to address the needs of communities im-
13 pacted by refugees from Burma;

14 (2) not less than \$10,000,000 shall be made
15 available for programs to protect freedom of expres-
16 sion and association, and the right of due process;
17 and

18 (3) not less than \$23,300,000 shall be made
19 available for democracy programs, of which not less
20 than \$2,000,000 shall be made available for such pro-
21 grams for the Rohingya community in Bangladesh.

22 (c) *NEPAL*.—Funds appropriated by this Act under the
23 heading “Foreign Military Financing Program” that are
24 made available for assistance for Nepal shall only be made
25 available for humanitarian and disaster relief and recon-

1 *struction activities, and in support of international peace-*
2 *keeping operations, military professionalization and train-*
3 *ing, and border security activities: Provided, That such*
4 *funds may only be made available for additional uses if*
5 *the Secretary of State certifies and reports to the Commit-*
6 *tees on Appropriations that the Government of Nepal is in-*
7 *vestigating and prosecuting violations of human rights and*
8 *the laws of war by the Nepal Army, and the Nepal Army*
9 *is cooperating fully with civilian judicial authorities in*
10 *such cases.*

11 *(d) PAKISTAN.—*

12 *(1) ASSISTANCE.—*

13 *(A) SECURITY ASSISTANCE.—Funds appro-*
14 *riated by this Act under the heading “Foreign*
15 *Military Financing Program” for assistance for*
16 *Pakistan may be made available only to support*
17 *counterterrorism and counterinsurgency capa-*
18 *bilities in Pakistan.*

19 *(B) BILATERAL ECONOMIC ASSISTANCE.—*
20 *Prior to the obligation of funds made available*
21 *by this Act under the heading “Economic Sup-*
22 *port Fund” for assistance for the central Govern-*
23 *ment of Pakistan, the Secretary of State shall*
24 *submit a report to the appropriate congressional*
25 *committees detailing—*

1 (i) the amount of financing and other
2 support, if any, provided by the Govern-
3 ment of Pakistan to schools supported by,
4 affiliated with, or run by the Taliban or
5 any domestic or foreign terrorist organiza-
6 tion in Pakistan;

7 (ii) the extent of cooperation by such
8 government in issuing visas in a timely
9 manner for United States visitors, includ-
10 ing officials and representatives of non-
11 governmental organizations, engaged in as-
12 sistance and security programs in Pakistan;

13 (iii) the extent to which such govern-
14 ment is providing humanitarian organiza-
15 tions access to detainees, internally dis-
16 placed persons, and other Pakistani civil-
17 ians affected by conflict in Pakistan and the
18 region; and

19 (iv) the extent to which such govern-
20 ment is strengthening democracy in Paki-
21 stan, including protecting freedom of ex-
22 pression, assembly, and religion.

23 (2) *AUTHORITY AND USES OF FUNDS.*—

24 (A) *Funds appropriated by this Act for as-*
25 *sistance for Pakistan may be made available*

1 *notwithstanding any other provision of law, ex-*
2 *cept for section 620M of the Foreign Assistance*
3 *Act of 1961.*

4 *(B) Funds appropriated by this Act under*
5 *the headings “Economic Support Fund” and*
6 *“Nonproliferation, Anti-terrorism, Demining*
7 *and Related Programs” that are made available*
8 *for assistance for Pakistan shall be made avail-*
9 *able to interdict precursor materials from Paki-*
10 *stan to Afghanistan that are used to manufac-*
11 *ture improvised explosive devices and for agri-*
12 *culture extension programs that encourage alter-*
13 *native fertilizer use among Pakistani farmers to*
14 *decrease the dual use of fertilizer in the manufac-*
15 *turing of improvised explosive devices.*

16 *(C) Funds appropriated by this Act under*
17 *the heading “International Narcotics Control*
18 *and Law Enforcement” shall be made available*
19 *for border security programs in Pakistan, fol-*
20 *lowing consultation with the Committees on Ap-*
21 *propriations.*

22 *(D) Funds appropriated by title III of this*
23 *Act shall be made available for programs to pro-*
24 *mote democracy and for gender programs in*
25 *Pakistan.*

1 (3) *WITHHOLDING.*—*Of the funds appropriated*
2 *under titles III and IV of this Act that are made*
3 *available for assistance for Pakistan, \$33,000,000*
4 *shall be withheld from obligation until the Secretary*
5 *of State reports to the Committees on Appropriations*
6 *that Dr. Shakil Afridi has been released from prison*
7 *and cleared of all charges relating to the assistance*
8 *provided to the United States in locating Osama bin*
9 *Laden.*

10 (4) *OVERSIGHT.*—*The Secretary of State shall*
11 *take all practicable steps to ensure that mechanisms*
12 *are in place for monitoring, oversight, and control of*
13 *funds made available by this subsection for assistance*
14 *for Pakistan: Provided, That the Secretary shall in-*
15 *form the Committees on Appropriations of such steps*
16 *in a timely manner.*

17 (e) *SRI LANKA.*—

18 (1) *ASSISTANCE.*—*Funds appropriated under*
19 *title III of this Act shall be made available for assist-*
20 *ance for Sri Lanka for democracy and economic de-*
21 *velopment programs, particularly in areas recovering*
22 *from ethnic and religious conflict.*

23 (2) *CERTIFICATION.*—*Funds appropriated by*
24 *this Act for assistance for the central Government of*
25 *Sri Lanka may be made available only if the Sec-*

1 *retary of State certifies and reports to the Committees*
2 *on Appropriations that such Government is taking ef-*
3 *fective and consistent steps to—*

4 *(A) protect the rights and freedoms of the*
5 *people of Sri Lanka regardless of ethnicity and*
6 *religious belief, including by investigating viola-*
7 *tions of human rights and the laws of war and*
8 *holding perpetrators of such violations account-*
9 *able;*

10 *(B) increase transparency and account-*
11 *ability in governance and reduce corruption;*

12 *(C) assert its sovereignty against influence*
13 *by the People’s Republic of China; and*

14 *(D) promote reconciliation between ethnic*
15 *and religious groups, particularly arising from*
16 *past conflict in Sri Lanka, including by—*

17 *(i) addressing land confiscation and*
18 *ownership issues;*

19 *(ii) resolving cases of missing persons,*
20 *including by maintaining a functioning of-*
21 *fice of missing persons;*

22 *(iii) reducing the presence of the armed*
23 *forces in former conflict zones and restruc-*
24 *turing the armed forces for a peacetime role*

1 *that contributes to post-conflict reconcili-*
2 *ation and regional security;*

3 *(iv) repealing or amending laws on ar-*
4 *rest and detention by security forces to com-*
5 *ply with international standards; and*

6 *(v) investigating allegations of arbi-*
7 *trary arrest and torture, and supporting a*
8 *credible justice mechanism for resolving*
9 *cases of war crimes:*

10 *Provided, That the limitations of this paragraph*
11 *shall not apply to funds made available for hu-*
12 *manitarian assistance and disaster relief; to pro-*
13 *tect human rights, locate and identify missing*
14 *persons, and assist victims of torture and trau-*
15 *ma; to promote justice, accountability, and rec-*
16 *onciliation; to enhance maritime security and*
17 *domain awareness; to promote fiscal trans-*
18 *parency and sovereignty; and for International*
19 *Military Education and Training.*

20 *(3) LIMITATION.—None of the funds appro-*
21 *priated by this Act may be made available for assist-*
22 *ance for the Sri Lankan armed forces, except for hu-*
23 *manitarian assistance, disaster relief, instruction in*
24 *human rights and related curricula development, and*
25 *maritime security and domain awareness, including*

1 *professionalization and training for the navy and*
2 *coast guard.*

3 (4) *CONSULTATION.*—*Funds made available for*
4 *assistance for Sri Lanka other than for the purposes*
5 *specified in paragraph (1) shall be subject to prior*
6 *consultation with the Committees on Appropriations.*

7 (f) *REGIONAL PROGRAMS.*—*Funds appropriated by*
8 *this Act shall be made available for assistance for countries*
9 *in South and Central Asia to significantly increase the re-*
10 *cruitment, training, and retention of women in the judici-*
11 *ary, police, and other security forces, and to train judicial*
12 *and security personnel in such countries to prevent and ad-*
13 *dress gender-based violence, human trafficking, and other*
14 *practices that disproportionately harm women and girls.*

15 *LATIN AMERICA AND THE CARIBBEAN*

16 *SEC. 7045. (a) CENTRAL AMERICA.*—

17 (1) *ASSISTANCE.*—*Funds appropriated by this*
18 *Act under titles III and IV shall be made available*
19 *for assistance for Belize, Costa Rica, El Salvador,*
20 *Guatemala, Honduras, Nicaragua, and Panama, in-*
21 *cluding through the Central America Regional Secu-*
22 *rity Initiative: Provided, That such assistance shall*
23 *be prioritized for programs that address the violence,*
24 *poverty, corruption, and other factors that contribute*
25 *to irregular migration, particularly of unaccom-*

1 *panied minors, to the United States, including for*
2 *programs to reduce violence against women and girls,*
3 *protect the rights of Indigenous people, support civil*
4 *society and other independent institutions, enhance*
5 *economic opportunity, combat corruption and impu-*
6 *nity, and dismantle illegal armed groups and drug*
7 *trafficking organizations.*

8 *(A) Of the funds made available pursuant*
9 *to paragraph (1)—*

10 *(i) Not less than \$61,500,000 shall be*
11 *made available to support entities and ac-*
12 *tivities to combat corruption and impunity*
13 *in such countries, including, as appro-*
14 *priate, offices of Attorneys General; and*

15 *(ii) Not less than \$70,000,000 shall be*
16 *made available for programs to reduce vio-*
17 *lence against women and girls: Provided,*
18 *That of such funds, up to \$15,000,000 shall*
19 *be made available to support bilateral com-*
20 *pacts with the governments of such coun-*
21 *tries for the specific purpose of strength-*
22 *ening their capacity to protect women and*
23 *children from domestic violence, sexual as-*
24 *sault, trafficking, and child abuse or ne-*

1 *glect, including by holding perpetrators ac-*
2 *countable.*

3 *(B) Within the funds made available pursu-*
4 *ant to paragraph (1) and made available for as-*
5 *istance for El Salvador, Guatemala, and Hon-*
6 *duras, not less than \$100,000,000 should be*
7 *made available for programs that support lo-*
8 *cally-led development in such countries: Pro-*
9 *vided, That up to 15 percent of the funds made*
10 *available to carry out this subparagraph may be*
11 *used by the Administrator of the United States*
12 *Agency for International Development for ad-*
13 *ministrative and oversight expenses related to the*
14 *purposes of this subparagraph: Provided further,*
15 *That the USAID Administrator shall consult*
16 *with the Committees on Appropriations on the*
17 *planned uses of funds to carry out this subpara-*
18 *graph prior to the initial obligation of funds:*
19 *Provided further, That such funds shall be sub-*
20 *ject to the regular notification procedures of the*
21 *Committees on Appropriations.*

22 *(C) Funds made available pursuant to*
23 *paragraph (1) shall be made available for a pro-*
24 *gram in El Salvador, Guatemala, and Honduras*
25 *which shall be referred to as the Central America*

1 *Youth Empowerment Program (CAYEP) and*
2 *shall be implemented in accordance with the*
3 *guidelines under this section in the explanatory*
4 *statement described in section 4 (in the matter*
5 *preceding division A of this consolidated Act):*
6 *Provided, That the goal of the CAYEP shall be*
7 *to create measurable reductions in migration*
8 *from targeted communities in such countries by*
9 *recruiting young people to engage in COVID–19*
10 *response, hurricane preparedness and recovery,*
11 *and other community projects, while having sec-*
12 *ondary impacts by channeling additional income*
13 *into local economies and providing needed skills*
14 *training for future employment in local busi-*
15 *nesses: Provided further, That funds made avail-*
16 *able to support the CAYEP should be matched*
17 *with contributions from private donors and local*
18 *governments: Provided further, That the spend*
19 *plan required by section 7062(b)(1)(A) of this*
20 *Act for countries in Central America shall in-*
21 *clude specific amounts planned for the CAYEP:*
22 *Provided further, That not later than 90 days*
23 *after enactment of this Act, the USAID Adminis-*
24 *trator shall consult with the Committees on Ap-*

1 *appropriations on the requirements of this sub-*
2 *paragraph.*

3 *(D) Of the funds made available pursuant*
4 *to paragraph (1), not more than the amount*
5 *specified in section 7045(a)(1) of the Department*
6 *of State, Foreign Operations, and Related Pro-*
7 *grams Appropriations Act, 2021 (division K of*
8 *Public Law 116–260) may be obligated until the*
9 *Secretary of State or the USAID Administrator,*
10 *as appropriate, submits to the Committees on*
11 *Appropriations the spend plan required by sec-*
12 *tion 7062(b)(1)(A) of this Act: Provided, That*
13 *not less than 15 days prior to the submission of*
14 *such plan the Secretary or USAID Adminis-*
15 *trator, as appropriate, shall consult with the*
16 *Committees on Appropriations concerning such*
17 *plan.*

18 (2) *LIMITATION ON ASSISTANCE TO CERTAIN*
19 *CENTRAL GOVERNMENTS.—*

20 *(A) Of the funds made available pursuant*
21 *to paragraph (1) under the heading “Economic*
22 *Support Fund” and under title IV of this Act*
23 *that are made available for assistance for each of*
24 *the central governments of El Salvador, Guate-*
25 *mala, and Honduras, 60 percent may only be*

1 *obligated after the Secretary of State certifies*
2 *and reports to the Committees on Appropriations*
3 *that such government is—*

4 *(i) combating corruption and impu-*
5 *nity, including investigating and pros-*
6 *ecuting government officials, military per-*
7 *sonnel, and police officers credibly alleged to*
8 *be corrupt;*

9 *(ii) implementing reforms, policies,*
10 *and programs to strengthen the rule of law,*
11 *including increasing the transparency of*
12 *public institutions, strengthening the inde-*
13 *pendence of judicial and electoral institu-*
14 *tions, and improving the transparency of*
15 *political campaign and political party fi-*
16 *nancing;*

17 *(iii) protecting the rights of human*
18 *rights defenders, trade unionists, journal-*
19 *ists, civil society groups, opposition polit-*
20 *ical parties, and the independence of the*
21 *media;*

22 *(iv) providing effective and accountable*
23 *law enforcement and security for its citi-*
24 *zens, curtailing the role of the military in*

1 *public security, and upholding due process*
2 *of law;*

3 *(v) implementing policies to reduce*
4 *poverty and promote economic growth and*
5 *opportunity, including the implementation*
6 *of reforms to strengthen educational sys-*
7 *tems, vocational training programs, and*
8 *programs for at-risk youth;*

9 *(vi) improving border security and*
10 *combating human smuggling and traf-*
11 *ficking and countering the activities of*
12 *criminal gangs, drug traffickers, and*
13 *transnational criminal organizations;*

14 *(vii) informing its citizens of the dan-*
15 *gers of the journey to the southwest border*
16 *of the United States; and*

17 *(viii) implementing policies that im-*
18 *prove the environment for foreign invest-*
19 *ment, including executing tax reform in a*
20 *transparent manner, ensuring effective legal*
21 *mechanisms for reimbursements of tax re-*
22 *funds owed to United States businesses, and*
23 *resolving disputes involving the confiscation*
24 *of real property of United States entities.*

1 (B) *REPROGRAMMING.*—*If the Secretary is*
2 *unable to make the certification required by sub-*
3 *paragraph (A) for one or more of the central gov-*
4 *ernments, such assistance shall be reprogrammed*
5 *for assistance for civil society organizations in*
6 *such country, or for other countries in Latin*
7 *America and the Caribbean, notwithstanding the*
8 *funding provisions in this subsection and the*
9 *limitations in section 7019 of this Act: Provided,*
10 *That any such reprogramming shall be subject to*
11 *the regular notification procedures of the Com-*
12 *mittees on Appropriations.*

13 (C) *EXCEPTIONS.*—*The limitation of sub-*
14 *paragraph (A) shall not apply to funds appro-*
15 *priated by this Act that are made available for—*

16 (i) *judicial entities and activities re-*
17 *lated to combating corruption and impu-*
18 *nity;*

19 (ii) *programs to combat gender-based*
20 *violence;*

21 (iii) *programs to promote and protect*
22 *human rights, including those of Indigenous*
23 *communities and Afro-descendants;*

24 (iv) *humanitarian assistance; and*

25 (v) *food security programs.*

1 (D) *FOREIGN MILITARY FINANCING PRO-*
2 *GRAM.—None of the funds appropriated by this*
3 *Act under the heading “Foreign Military Fi-*
4 *nancing Program” may be made available for*
5 *assistance for El Salvador, Guatemala, or Hon-*
6 *duras.*

7 (b) *COLOMBIA.—*

8 (1) *ASSISTANCE.—Of the funds appropriated by*
9 *this Act under titles III and IV, not less than*
10 *\$471,375,000 should be made available for assistance*
11 *for Colombia: Provided, That such funds shall be*
12 *made available for the programs and activities de-*
13 *scribed under this section in House Report 117–84:*
14 *Provided further, That of the funds appropriated by*
15 *this Act under the heading “International Narcotics*
16 *Control and Law Enforcement” and made available*
17 *for assistance pursuant to this paragraph, not less*
18 *than \$40,000,000 shall be made available to enhance*
19 *rural security in coca producing municipalities and*
20 *other municipalities with high levels of illicit activi-*
21 *ties: Provided further, That funds made available*
22 *pursuant to the preceding proviso shall be prioritized*
23 *in such municipalities that are also targeted for as-*
24 *sistance programs that provide viable economic alter-*
25 *natives and improve access to public services.*

1 (2) *WITHHOLDING OF FUNDS.*—

2 (A) *COUNTERNARCOTICS.*—*Of the funds ap-*
3 *propriated by this Act under the heading “Inter-*
4 *national Narcotics Control and Law Enforce-*
5 *ment” that are made available for assistance for*
6 *Colombia, 20 percent may be obligated only if*
7 *the Secretary of State certifies and reports to the*
8 *Committees on Appropriations that—*

9 (i) *the Government of Colombia is im-*
10 *plementing an effective whole-of-government*
11 *strategy to substantially and sustainably re-*
12 *duce coca cultivation and cocaine produc-*
13 *tion levels in Colombia, including by*
14 *prioritizing funding to enhance rural secu-*
15 *rity in coca producing municipalities;*

16 (ii) *such strategy is in accordance with*
17 *the 2016 peace accord between the Govern-*
18 *ment of Colombia and the Revolutionary*
19 *Armed Forces of Colombia; and*

20 (iii) *the Government of Colombia is*
21 *taking effective steps to dismantle drug traf-*
22 *ficking networks and to assist farmers in*
23 *eradicating and sustainably replacing coca.*

24 (B) *HUMAN RIGHTS.*—(i) *Of the funds ap-*
25 *propriated by this Act under the heading “For-*

1 *ign Military Financing Program” and made*
2 *available for assistance for Colombia, 20 percent*
3 *may be obligated only if the Secretary of State*
4 *certifies and reports to the Committees on Ap-*
5 *propriations that—*

6 *(I) the Special Jurisdiction for*
7 *Peace and other judicial authorities, as*
8 *appropriate, are sentencing perpetra-*
9 *tors of gross violations of human*
10 *rights, including those with command*
11 *responsibility, to deprivation of liberty;*

12 *(II) the Government of Colombia*
13 *is making consistent progress in reduc-*
14 *ing threats and attacks against human*
15 *rights defenders and other civil society*
16 *activists, and judicial authorities are*
17 *prosecuting and punishing those re-*
18 *sponsible for ordering and carrying out*
19 *such attacks;*

20 *(III) the Government of Colombia*
21 *is making consistent progress in pro-*
22 *tecting Afro-Colombian and Indigenous*
23 *communities and is respecting their*
24 *rights and territories; and*

1 *(IV) military officers credibly al-*
2 *leged, or whose units are credibly al-*
3 *leged, to be responsible for ordering,*
4 *committing, and covering up cases of*
5 *false positives and other extrajudicial*
6 *killings, or of committing other gross*
7 *violations of human rights, or of con-*
8 *ducting illegal communications inter-*
9 *cepts or other illicit surveillance, are*
10 *being held accountable, including re-*
11 *moval from active duty if found guilty*
12 *through criminal, administrative, or*
13 *disciplinary proceedings.*

14 *(ii) Of the funds appropriated by this*
15 *Act under the heading “International Nar-*
16 *cotics Control and Law Enforcement” and*
17 *made available for assistance for the Colom-*
18 *bian National Police, five percent may be*
19 *obligated only if the Secretary of State cer-*
20 *tifies and reports to the Committees on Ap-*
21 *propriations that the Government of Colom-*
22 *bia is bringing to justice the police per-*
23 *sonnel who ordered, directed, and used ex-*
24 *cessive force and engaged in other illegal*
25 *acts against protesters in 2020 and 2021.*

1 (3) *EXCEPTIONS.*—*The limitations of paragraph*
2 (2) *shall not apply to funds made available for avia-*
3 *tion instruction and maintenance, and maritime and*
4 *riverine security programs.*

5 (4) *AUTHORITY.*—*Aircraft supported by funds*
6 *appropriated by this Act and prior Acts making ap-*
7 *propriations for the Department of State, foreign op-*
8 *erations, and related programs and made available*
9 *for assistance for Colombia may be used to transport*
10 *personnel and supplies involved in drug eradication*
11 *and interdiction, including security for such activi-*
12 *ties, and to provide transport in support of alter-*
13 *native development programs and investigations by*
14 *civilian judicial authorities.*

15 (5) *LIMITATION.*—*None of the funds appro-*
16 *priated by this Act or prior Acts making appropria-*
17 *tions for the Department of State, foreign operations,*
18 *and related programs that are made available for as-*
19 *sistance for Colombia may be made available for pay-*
20 *ment of reparations to conflict victims or compensa-*
21 *tion to demobilized combatants associated with a*
22 *peace agreement between the Government of Colombia*
23 *and illegal armed groups.*

24 (c) *HAITI.*—

1 (1) *CERTIFICATION.*—*Funds appropriated by*
2 *this Act that are made available for assistance for*
3 *Haiti may only be made available for the central*
4 *Government of Haiti if the Secretary of State certifies*
5 *and reports to the appropriate congressional commit-*
6 *tees that a new President and Parliament have taken*
7 *office after free and fair elections, or the country is*
8 *being led by a transitional governing authority that*
9 *is broadly representative of Haitian society, and it is*
10 *in the national interest of the United States to pro-*
11 *vide such assistance.*

12 (2) *EXCEPTIONS.*—*Notwithstanding paragraph*
13 *(1), funds may be made available to support—*

14 (A) *free and fair elections;*

15 (B) *anti-gang police and administration of*
16 *justice programs, including to reduce pre-trial*
17 *detention and eliminate inhumane prison condi-*
18 *tions;*

19 (C) *public health, food security, water and*
20 *sanitation, education, and other programs to*
21 *meet basic human needs; and*

22 (D) *disaster relief and recovery.*

23 (3) *NOTIFICATION.*—*Funds appropriated by this*
24 *Act that are made available for assistance for Haiti*
25 *shall be subject to prior consultation with, and the*

1 *regular notification procedures of, the Committees on*
2 *Appropriations.*

3 (4) *PROHIBITION.—None of the funds appro-*
4 *priated or otherwise made available by this Act may*
5 *be used for assistance for the armed forces of Haiti.*

6 (5) *HAITIAN COAST GUARD.—The Government of*
7 *Haiti shall be eligible to purchase defense articles and*
8 *services under the Arms Export Control Act (22*
9 *U.S.C. 2751 et seq.) for the Coast Guard.*

10 (d) *NICARAGUA.—Of the funds appropriated by this*
11 *Act under the heading “Development Assistance”, not less*
12 *than \$15,000,000 shall be made available for democracy*
13 *programs for Nicaragua, including to support civil society.*

14 (e) *THE CARIBBEAN.—Of the funds appropriated by*
15 *this Act under titles III and IV, not less than \$80,000,000*
16 *shall be made available for the Caribbean Basin Security*
17 *Initiative.*

18 (f) *VENEZUELA.—(1) Of the funds appropriated by*
19 *this Act under the heading “Economic Support Fund”, not*
20 *less than \$40,000,000 shall be made available for democracy*
21 *programs for Venezuela.*

22 (2) *Funds appropriated under title III of this Act and*
23 *prior Acts making appropriations for the Department of*
24 *State, foreign operations, and related programs shall be*
25 *made available for assistance for communities in countries*

1 *supporting or otherwise impacted by refugees from Ven-*
2 *euela, including Colombia, Peru, Ecuador, Curacao, and*
3 *Trinidad and Tobago: Provided, That such amounts are in*
4 *addition to funds otherwise made available for assistance*
5 *for such countries, subject to prior consultation with, and*
6 *the regular notification procedures of, the Committees on*
7 *Appropriations.*

8 *EUROPE AND EURASIA*

9 *SEC. 7046. (a) GEORGIA.—Of the funds appropriated*
10 *by this Act under titles III and IV, not less than*
11 *\$132,025,000 shall be made available for assistance for*
12 *Georgia.*

13 *(b) TERRITORIAL INTEGRITY.—None of the funds ap-*
14 *propriated by this Act may be made available for assistance*
15 *for a government of an Independent State of the former So-*
16 *viet Union if such government directs any action in viola-*
17 *tion of the territorial integrity or national sovereignty of*
18 *any other Independent State of the former Soviet Union,*
19 *such as those violations included in the Helsinki Final Act:*
20 *Provided, That except as otherwise provided in section*
21 *7047(a) of this Act, funds may be made available without*
22 *regard to the restriction in this subsection if the President*
23 *determines that to do so is in the national security interest*
24 *of the United States: Provided further, That prior to exe-*
25 *cuting the authority contained in the previous proviso, the*

1 *Secretary of State shall consult with the Committees on Ap-*
2 *propriations on how such assistance supports the national*
3 *security interest of the United States.*

4 *(c) SECTION 907 OF THE FREEDOM SUPPORT ACT.—*
5 *Section 907 of the FREEDOM Support Act (22 U.S.C.*
6 *5812 note) shall not apply to—*

7 *(1) activities to support democracy or assistance*
8 *under title V of the FREEDOM Support Act (22*
9 *U.S.C. 5851 et seq.) and section 1424 of the Defense*
10 *Against Weapons of Mass Destruction Act of 1996 (50*
11 *U.S.C. 2333) or non-proliferation assistance;*

12 *(2) any assistance provided by the Trade and*
13 *Development Agency under section 661 of the Foreign*
14 *Assistance Act of 1961;*

15 *(3) any activity carried out by a member of the*
16 *United States and Foreign Commercial Service while*
17 *acting within his or her official capacity;*

18 *(4) any insurance, reinsurance, guarantee, or*
19 *other assistance provided by the United States Inter-*
20 *national Development Finance Corporation as au-*
21 *thorized by the BUILD Act of 2018 (division F of*
22 *Public Law 115–254);*

23 *(5) any financing provided under the Export-*
24 *Import Bank Act of 1945 (Public Law 79–173); or*

25 *(6) humanitarian assistance.*

1 (d) *TURKEY.*—None of the funds made available by
2 this Act may be used to facilitate or support the sale of
3 defense articles or defense services to the Turkish Presi-
4 dential Protection Directorate (TPPD) under Chapter 2 of
5 the Arms Export Control Act (22 U.S.C. 2761 et seq.) unless
6 the Secretary of State determines and reports to the appro-
7 priate congressional committees that members of the TPPD
8 who are named in the July 17, 2017, indictment by the
9 Superior Court of the District of Columbia, and against
10 whom there are pending charges, have returned to the
11 United States to stand trial in connection with the offenses
12 contained in such indictment or have otherwise been
13 brought to justice: Provided, That the limitation in this
14 paragraph shall not apply to the use of funds made avail-
15 able by this Act for border security purposes, for North At-
16 lantic Treaty Organization or coalition operations, or to
17 enhance the protection of United States officials and facili-
18 ties in Turkey.

19 COUNTERING RUSSIAN INFLUENCE AND AGGRESSION

20 SEC. 7047. (a) *PROHIBITION.*—None of the funds ap-
21 propriated by this Act may be made available for assistance
22 for the central Government of the Russian Federation.

23 (b) *ANNEXATION OF CRIMEA.*—

24 (1) *PROHIBITION.*—None of the funds appro-
25 priated by this Act may be made available for assist-

1 *ance for the central government of a country that the*
2 *Secretary of State determines and reports to the Com-*
3 *mittees on Appropriations has taken affirmative steps*
4 *intended to support or be supportive of the Russian*
5 *Federation annexation of Crimea or other territory in*
6 *Ukraine: Provided, That except as otherwise provided*
7 *in subsection (a), the Secretary may waive the re-*
8 *striction on assistance required by this paragraph if*
9 *the Secretary determines and reports to such Commit-*
10 *tees that to do so is in the national interest of the*
11 *United States, and includes a justification for such*
12 *interest.*

13 (2) *LIMITATION.—None of the funds appro-*
14 *priated by this Act may be made available for—*

15 (A) *the implementation of any action or*
16 *policy that recognizes the sovereignty of the Rus-*
17 *sian Federation over Crimea or other territory*
18 *in Ukraine;*

19 (B) *the facilitation, financing, or guarantee*
20 *of United States Government investments in Cri-*
21 *mea or other territory in Ukraine under the con-*
22 *trol of Russian-backed separatists, if such activ-*
23 *ity includes the participation of Russian Gov-*
24 *ernment officials, or other Russian owned or con-*
25 *trolled financial entities; or*

1 (C) assistance for Crimea or other territory
2 in Ukraine under the control of Russian-backed
3 separatists, if such assistance includes the par-
4 ticipation of Russian Government officials, or
5 other Russian owned or controlled financial enti-
6 ties.

7 (3) *INTERNATIONAL FINANCIAL INSTITUTIONS.*—
8 The Secretary of the Treasury shall instruct the
9 United States executive director of each international
10 financial institution to use the voice and vote of the
11 United States to oppose any assistance by such insti-
12 tution (including any loan, credit, grant, or guar-
13 antee) for any program that violates the sovereignty
14 or territorial integrity of Ukraine.

15 (4) *DURATION.*—The requirements and limita-
16 tions of this subsection shall cease to be in effect if the
17 Secretary of State determines and reports to the Com-
18 mittees on Appropriations that the Government of
19 Ukraine has reestablished sovereignty over Crimea
20 and other territory in Ukraine under the control of
21 Russian-backed separatists.

22 (c) *OCCUPATION OF THE GEORGIAN TERRITORIES OF*
23 *ABKHAZIA AND TSKHINVALI REGION/SOUTH OSSETIA.*—

24 (1) *PROHIBITION.*—None of the funds appro-
25 priated by this Act may be made available for assist-

1 *ance for the central government of a country that the*
2 *Secretary of State determines and reports to the Com-*
3 *mittees on Appropriations has recognized the inde-*
4 *pendence of, or has established diplomatic relations*
5 *with, the Russian Federation occupied Georgian terri-*
6 *tories of Abkhazia and Tskhinvali Region/South*
7 *Ossetia: Provided, That the Secretary shall publish on*
8 *the Department of State website a list of any such*
9 *central governments in a timely manner: Provided*
10 *further, That the Secretary may waive the restriction*
11 *on assistance required by this paragraph if the Sec-*
12 *retary determines and reports to the Committees on*
13 *Appropriations that to do so is in the national inter-*
14 *est of the United States, and includes a justification*
15 *for such interest.*

16 (2) *LIMITATION.—None of the funds appro-*
17 *priated by this Act may be made available to support*
18 *the Russian Federation occupation of the Georgian*
19 *territories of Abkhazia and Tskhinvali Region/South*
20 *Ossetia.*

21 (3) *INTERNATIONAL FINANCIAL INSTITUTIONS.—*
22 *The Secretary of the Treasury shall instruct the*
23 *United States executive director of each international*
24 *financial institution to use the voice and vote of the*
25 *United States to oppose any assistance by such insti-*

1 *tution (including any loan, credit, grant, or guar-*
2 *antee) for any program that violates the sovereignty*
3 *and territorial integrity of Georgia.*

4 *(d) COUNTERING RUSSIAN INFLUENCE FUND.—*

5 *(1) ASSISTANCE.—Of the funds appropriated by*
6 *this Act under the headings “Assistance for Europe,*
7 *Eurasia and Central Asia”, “International Narcotics*
8 *Control and Law Enforcement”, “International Mili-*
9 *tary Education and Training”, and “Foreign Mili-*
10 *tary Financing Program”, not less than \$295,000,000*
11 *shall be made available to carry out the purposes of*
12 *the Countering Russian Influence Fund, as author-*
13 *ized by section 254 of the Countering Russian Infl-*
14 *uence in Europe and Eurasia Act of 2017 (Public Law*
15 *115–44; 22 U.S.C. 9543) and notwithstanding the*
16 *country limitation in subsection (b) of such section,*
17 *and programs to enhance the capacity of law enforce-*
18 *ment and security forces in countries in Europe, Eur-*
19 *asia, and Central Asia and strengthen security co-*
20 *operation between such countries and the United*
21 *States and the North Atlantic Treaty Organization,*
22 *as appropriate.*

23 *(2) ECONOMICS AND TRADE.—Funds appro-*
24 *priated by this Act and made available for assistance*
25 *for the Eastern Partnership countries shall be made*

1 (1) is posting on a publicly available website,
2 consistent with privacy regulations and due process,
3 regular financial and programmatic audits of such
4 organization, department, or agency, and providing
5 the United States Government with necessary access
6 to such financial and performance audits;

7 (2) has submitted a report to the Department of
8 State, which shall be posted on the Department's
9 website in a timely manner, demonstrating that such
10 organization is effectively implementing and enforce-
11 ing policies and procedures which meet or exceed best
12 practices in the United States for the protection of
13 whistleblowers from retaliation, including—

14 (A) protection against retaliation for inter-
15 nal and lawful public disclosures;

16 (B) legal burdens of proof;

17 (C) statutes of limitation for reporting re-
18 taliation;

19 (D) access to binding independent adjudica-
20 tive bodies, including shared cost and selection of
21 external arbitration; and

22 (E) results that eliminate the effects of prov-
23 en retaliation, including provision for the res-
24 toration of prior employment; and

1 (3) *effectively implementing and enforcing poli-*
2 *cies and procedures on the appropriate use of travel*
3 *funds, including restrictions on first-class and busi-*
4 *ness-class travel.*

5 (b) *RESTRICTIONS ON UNITED NATIONS DELEGATIONS*
6 *AND ORGANIZATIONS.—*

7 (1) *RESTRICTIONS ON UNITED STATES DELEGA-*
8 *TIONS.—None of the funds made available by this Act*
9 *may be used to pay expenses for any United States*
10 *delegation to any specialized agency, body, or com-*
11 *mission of the United Nations if such agency, body,*
12 *or commission is chaired or presided over by a coun-*
13 *try, the government of which the Secretary of State*
14 *has determined, for purposes of section 1754(c) of the*
15 *Export Reform Control Act of 2018 (50 U.S.C.*
16 *4813(c)), supports international terrorism.*

17 (2) *RESTRICTIONS ON CONTRIBUTIONS.—None of*
18 *the funds made available by this Act may be used by*
19 *the Secretary of State as a contribution to any orga-*
20 *nization, agency, commission, or program within the*
21 *United Nations system if such organization, agency,*
22 *commission, or program is chaired or presided over*
23 *by a country the government of which the Secretary*
24 *of State has determined, for purposes of section 620A*
25 *of the Foreign Assistance Act of 1961, section 40 of*

1 *the Arms Export Control Act, section 1754(c) of the*
2 *Export Reform Control Act of 2018 (50 U.S.C.*
3 *4813(c)), or any other provision of law, is a govern-*
4 *ment that has repeatedly provided support for acts of*
5 *international terrorism.*

6 (3) *WAIVER.—The Secretary of State may waive*
7 *the restriction in this subsection if the Secretary de-*
8 *termines and reports to the Committees on Appro-*
9 *propriations that to do so is important to the national*
10 *interest of the United States, including a description*
11 *of the national interest served.*

12 (c) *UNITED NATIONS HUMAN RIGHTS COUNCIL.—*
13 *None of the funds appropriated by this Act may be made*
14 *available in support of the United Nations Human Rights*
15 *Council unless the Secretary of State determines and re-*
16 *ports to the Committees on Appropriations that participa-*
17 *tion in the Council is important to the national interest*
18 *of the United States and that such Council is taking signifi-*
19 *cant steps to remove Israel as a permanent agenda item*
20 *and ensure integrity in the election of members to such*
21 *Council: Provided, That such report shall include a descrip-*
22 *tion of the national interest served and the steps taken to*
23 *remove Israel as a permanent agenda item and ensure in-*
24 *tegrity in the election of members to such Council: Provided*
25 *further, That the Secretary of State shall report to the Com-*

1 *mittees on Appropriations not later than September 30,*
2 *2022, on the resolutions considered in the United Nations*
3 *Human Rights Council during the previous 12 months, and*
4 *on steps taken to remove Israel as a permanent agenda item*
5 *and ensure integrity in the election of members to such*
6 *council.*

7 (d) *UNITED NATIONS RELIEF AND WORKS AGENCY.—*
8 *Prior to the initial obligation of funds for the United Na-*
9 *tions Relief and Works Agency (UNRWA), the Secretary of*
10 *State shall report to the Committees on Appropriations, in*
11 *writing, on whether UNRWA is—*

12 (1) *utilizing Operations Support Officers in the*
13 *West Bank, Gaza, and other fields of operation to in-*
14 *spect UNRWA installations and reporting any inap-*
15 *propriate use;*

16 (2) *acting promptly to address any staff or bene-*
17 *ficiary violation of its own policies (including the*
18 *policies on neutrality and impartiality of employees)*
19 *and the legal requirements under section 301(c) of the*
20 *Foreign Assistance Act of 1961;*

21 (3) *implementing procedures to maintain the*
22 *neutrality of its facilities, including implementing a*
23 *no-weapons policy, and conducting regular inspec-*
24 *tions of its installations, to ensure they are only used*
25 *for humanitarian or other appropriate purposes;*

1 (4) *taking necessary and appropriate measures*
2 *to ensure it is operating in compliance with the con-*
3 *ditions of section 301(c) of the Foreign Assistance Act*
4 *of 1961 and continuing regular reporting to the De-*
5 *partment of State on actions it has taken to ensure*
6 *conformance with such conditions;*

7 (5) *taking steps to ensure the content of all edu-*
8 *cational materials currently taught in UNRWA-ad-*
9 *ministered schools and summer camps is consistent*
10 *with the values of human rights, dignity, and toler-*
11 *ance and does not induce incitement;*

12 (6) *not engaging in operations with financial in-*
13 *stitutions or related entities in violation of relevant*
14 *United States law, and is taking steps to improve the*
15 *financial transparency of the organization; and*

16 (7) *in compliance with the United Nations*
17 *Board of Auditors' biennial audit requirements and*
18 *is implementing in a timely fashion the Board's rec-*
19 *ommendations.*

20 (e) *PROHIBITION OF PAYMENTS TO UNITED NATIONS*
21 *MEMBERS.—None of the funds appropriated or made avail-*
22 *able pursuant to titles III through VI of this Act for car-*
23 *rying out the Foreign Assistance Act of 1961, may be used*
24 *to pay in whole or in part any assessments, arrearages,*
25 *or dues of any member of the United Nations or, from funds*

1 *appropriated by this Act to carry out chapter 1 of part*
2 *I of the Foreign Assistance Act of 1961, the costs for partici-*
3 *pation of another country's delegation at international con-*
4 *ferences held under the auspices of multilateral or inter-*
5 *national organizations.*

6 (f) *REPORT.—Not later than 45 days after enactment*
7 *of this Act, the Secretary of State shall submit a report to*
8 *the Committees on Appropriations detailing the amount of*
9 *funds available for obligation or expenditure in fiscal year*
10 *2022 for contributions to any organization, department,*
11 *agency, or program within the United Nations system or*
12 *any international program that are withheld from obliga-*
13 *tion or expenditure due to any provision of law: Provided,*
14 *That the Secretary shall update such report each time addi-*
15 *tional funds are withheld by operation of any provision of*
16 *law: Provided further, That the reprogramming of any*
17 *withheld funds identified in such report, including updates*
18 *thereof, shall be subject to prior consultation with, and the*
19 *regular notification procedures of, the Committees on Ap-*
20 *propriations.*

21 (g) *SEXUAL EXPLOITATION AND ABUSE IN PEACE-*
22 *KEEPING OPERATIONS.—The Secretary of State shall with-*
23 *hold assistance to any unit of the security forces of a foreign*
24 *country if the Secretary has credible information that such*
25 *unit has engaged in sexual exploitation or abuse, including*

1 *while serving in a United Nations peacekeeping operation,*
2 *until the Secretary determines that the government of such*
3 *country is taking effective steps to hold the responsible mem-*
4 *bers of such unit accountable and to prevent future inci-*
5 *dents: Provided, That the Secretary shall promptly notify*
6 *the government of each country subject to any withholding*
7 *of assistance pursuant to this paragraph, and shall notify*
8 *the appropriate congressional committees of such with-*
9 *holding not later than 10 days after a determination to*
10 *withhold such assistance is made: Provided further, That*
11 *the Secretary shall, to the maximum extent practicable, as-*
12 *sist such government in bringing the responsible members*
13 *of such unit to justice.*

14 *(h) ADDITIONAL AVAILABILITY.—Subject to the regular*
15 *notification procedures of the Committees on Appropria-*
16 *tions, funds appropriated by this Act which are returned*
17 *or not made available due to the second proviso under the*
18 *heading “Contributions for International Peacekeeping Ac-*
19 *tivities” in title I of this Act or section 307(a) of the For-*
20 *ign Assistance Act of 1961 (22 U.S.C. 2227(a)), shall re-*
21 *main available for obligation until September 30, 2023:*
22 *Provided, That the requirement to withhold funds for pro-*
23 *grams in Burma under section 307(a) of the Foreign Assist-*
24 *ance Act of 1961 shall not apply to funds appropriated by*
25 *this Act.*

WAR CRIMES TRIBUNALS

1
2 *SEC. 7049. (a) If the President determines that doing*
3 *so will contribute to a just resolution of charges regarding*
4 *genocide or other violations of international humanitarian*
5 *law, the President may direct a drawdown pursuant to sec-*
6 *tion 552(c) of the Foreign Assistance Act of 1961 of up to*
7 *\$30,000,000 of commodities and services for the United Na-*
8 *tions War Crimes Tribunal established with regard to the*
9 *former Yugoslavia by the United Nations Security Council*
10 *or such other tribunals or commissions as the Council may*
11 *establish or authorize to deal with such violations, without*
12 *regard to the ceiling limitation contained in paragraph (2)*
13 *thereof: Provided, That the determination required under*
14 *this section shall be in lieu of any determinations otherwise*
15 *required under section 552(c): Provided further, That funds*
16 *made available pursuant to this section shall be made avail-*
17 *able subject to the regular notification procedures of the*
18 *Committees on Appropriations.*

19 *(b) None of the funds appropriated by this Act may*
20 *be made available for a United States contribution to the*
21 *International Criminal Court: Provided, That funds may*
22 *be made available for technical assistance, training, assist-*
23 *ance for victims, protection of witnesses, and law enforce-*
24 *ment support related to international investigations, appre-*
25 *hensions, prosecutions, and adjudications of genocide,*

1 *crimes against humanity, and war crimes: Provided fur-*
2 *ther, That the previous proviso shall not apply to investiga-*
3 *tions, apprehensions, or prosecutions of American service*
4 *members and other United States citizens or nationals, or*
5 *nationals of the North Atlantic Treaty Organization*
6 *(NATO) or major non-NATO allies initially designated*
7 *pursuant to section 517(b) of the Foreign Assistance Act*
8 *of 1961.*

9 *GLOBAL INTERNET FREEDOM*

10 *SEC. 7050. (a) FUNDING.—Of the funds available for*
11 *obligation during fiscal year 2022 under the headings*
12 *“International Broadcasting Operations”, “Economic Sup-*
13 *port Fund”, “Democracy Fund”, and “Assistance for Eu-*
14 *rope, Eurasia and Central Asia”, not less than \$77,500,000*
15 *shall be made available for programs to promote Internet*
16 *freedom globally: Provided, That such programs shall be*
17 *prioritized for countries whose governments restrict freedom*
18 *of expression on the Internet, and that are important to*
19 *the national interest of the United States: Provided further,*
20 *That funds made available pursuant to this section shall*
21 *be matched, to the maximum extent practicable, by sources*
22 *other than the United States Government, including from*
23 *the private sector.*

24 *(b) REQUIREMENTS.—*

1 (1) *DEPARTMENT OF STATE AND UNITED STATES*
2 *AGENCY FOR INTERNATIONAL DEVELOPMENT.—Funds*
3 *appropriated by this Act under the headings “Eco-*
4 *nomic Support Fund”, “Democracy Fund”, and “As-*
5 *istance for Europe, Eurasia and Central Asia” that*
6 *are made available pursuant to subsection (a) shall*
7 *be—*

8 (A) *coordinated with other democracy pro-*
9 *grams funded by this Act under such headings,*
10 *and shall be incorporated into country assistance*
11 *and democracy promotion strategies, as appro-*
12 *priate;*

13 (B) *for programs to implement the May*
14 *2011, International Strategy for Cyberspace, the*
15 *Department of State International Cyberspace*
16 *Policy Strategy required by section 402 of the*
17 *Cybersecurity Act of 2015 (division N of Public*
18 *Law 114–113), and the comprehensive strategy*
19 *to promote Internet freedom and access to infor-*
20 *mation in Iran, as required by section 414 of the*
21 *Iran Threat Reduction and Syria Human*
22 *Rights Act of 2012 (22 U.S.C. 8754);*

23 (C) *made available for programs that sup-*
24 *port the efforts of civil society to counter the de-*
25 *velopment of repressive Internet-related laws and*

1 regulations, including countering threats to
2 Internet freedom at international organizations;
3 to combat violence against bloggers and other
4 users; and to enhance digital security training
5 and capacity building for democracy activists;

6 (D) made available for research of key
7 threats to Internet freedom; the continued devel-
8 opment of technologies that provide or enhance
9 access to the Internet, including circumvention
10 tools that bypass Internet blocking, filtering, and
11 other censorship techniques used by authori-
12 tarian governments; and maintenance of the
13 technological advantage of the United States
14 Government over such censorship techniques:
15 Provided, That the Secretary of State, in con-
16 sultation with the United States Agency for
17 Global Media Chief Executive Officer (USAGM
18 CEO) and the President of the Open Technology
19 Fund (OTF), shall coordinate any such research
20 and development programs with other relevant
21 United States Government departments and
22 agencies in order to share information, tech-
23 nologies, and best practices, and to assess the ef-
24 fectiveness of such technologies; and

1 *(E) made available only with the concur-*
2 *rence of the Assistant Secretary for Democracy,*
3 *Human Rights, and Labor, Department of State,*
4 *that such funds are allocated consistent with—*

5 *(i) the strategies referenced in subpara-*
6 *graph (B) of this paragraph;*

7 *(ii) best practices regarding security*
8 *for, and oversight of, Internet freedom pro-*
9 *grams; and*

10 *(iii) sufficient resources and support*
11 *for the development and maintenance of*
12 *anti-censorship technology and tools.*

13 (2) *UNITED STATES AGENCY FOR GLOBAL*
14 *MEDIA.—Funds appropriated by this Act under the*
15 *heading “International Broadcasting Operations”*
16 *that are made available pursuant to subsection (a)*
17 *shall be—*

18 *(A) made available only for open-source*
19 *tools and techniques to securely develop and dis-*
20 *tribute USAGM digital content, facilitate audi-*
21 *ence access to such content on websites that are*
22 *censored, coordinate the distribution of USAGM*
23 *digital content to targeted regional audiences,*
24 *and to promote and distribute such tools and*
25 *techniques, including digital security techniques;*

1 (B) coordinated by the USAGM CEO, in
2 consultation with the OTF President, with pro-
3 grams funded by this Act under the heading
4 “International Broadcasting Operations”, and
5 shall be incorporated into country broadcasting
6 strategies, as appropriate;

7 (C) coordinated by the USAGM CEO, in
8 consultation with the OTF President, to solicit
9 project proposals through an open, transparent,
10 and competitive process, seek input from tech-
11 nical and subject matter experts to select pro-
12 posals, and support Internet circumvention tools
13 and techniques for audiences in countries that
14 are strategic priorities for the OTF and in a
15 manner consistent with the United States Gov-
16 ernment Internet freedom strategy; and

17 (D) made available for the research and de-
18 velopment of new tools or techniques authorized
19 in subparagraph (A) only after the USAGM
20 CEO, in consultation with the Secretary of
21 State, the OTF President, and other relevant
22 United States Government departments and
23 agencies, evaluates the risks and benefits of such
24 new tools or techniques, and establishes safe-

1 *guards to minimize the use of such new tools or*
2 *techniques for illicit purposes.*

3 (c) *COORDINATION AND SPEND PLANS.*—*After con-*
4 *sultation among the relevant agency heads to coordinate*
5 *and de-conflict planned activities, but not later than 90*
6 *days after enactment of this Act, the Secretary of State and*
7 *the USAGM CEO, in consultation with the OTF President,*
8 *shall submit to the Committees on Appropriations spend*
9 *plans for funds made available by this Act for programs*
10 *to promote Internet freedom globally, which shall include*
11 *a description of safeguards established by relevant agencies*
12 *to ensure that such programs are not used for illicit pur-*
13 *poses: Provided, That the Department of State spend plan*
14 *shall include funding for all such programs for all relevant*
15 *Department of State and United States Agency for Inter-*
16 *national Development offices and bureaus.*

17 (d) *SECURITY AUDITS.*—*Funds made available pursu-*
18 *ant to this section to promote Internet freedom globally may*
19 *only be made available to support open-source technologies*
20 *that undergo comprehensive security audits consistent with*
21 *the requirements of the Bureau of Democracy, Human*
22 *Rights, and Labor, Department of State to ensure that such*
23 *technology is secure and has not been compromised in a*
24 *manner detrimental to the interest of the United States or*
25 *to individuals and organizations benefiting from programs*

1 supported by such funds: Provided, That the security audit-
2 ing procedures used by such Bureau shall be reviewed and
3 updated periodically to reflect current industry security
4 standards.

5 TORTURE AND OTHER CRUEL, INHUMAN, OR DEGRADING
6 TREATMENT OR PUNISHMENT

7 SEC. 7051. (a) PROHIBITION.—None of the funds made
8 available by this Act may be used to support or justify the
9 use of torture and other cruel, inhuman, or degrading treat-
10 ment or punishment by any official or contract employee
11 of the United States Government.

12 (b) ASSISTANCE.—Funds appropriated under titles III
13 and IV of this Act shall be made available, notwithstanding
14 section 660 of the Foreign Assistance Act of 1961 and fol-
15 lowing consultation with the Committees on Appropria-
16 tions, for assistance to eliminate torture and other cruel,
17 inhuman, or degrading treatment or punishment by foreign
18 police, military, or other security forces in countries receiv-
19 ing assistance from funds appropriated by this Act.

20 AIRCRAFT TRANSFER, COORDINATION, AND USE

21 SEC. 7052. (a) TRANSFER AUTHORITY.—Notwith-
22 standing any other provision of law or regulation, aircraft
23 procured with funds appropriated by this Act and prior
24 Acts making appropriations for the Department of State,
25 foreign operations, and related programs under the head-

1 ings “Diplomatic Programs”, “International Narcotics
2 Control and Law Enforcement”, “Andean Counterdrug Ini-
3 tiative”, and “Andean Counterdrug Programs” may be
4 used for any other program and in any region.

5 (b) *PROPERTY DISPOSAL.*—The authority provided in
6 subsection (a) shall apply only after the Secretary of State
7 determines and reports to the Committees on Appropria-
8 tions that the equipment is no longer required to meet pro-
9 grammatic purposes in the designated country or region:
10 Provided, That any such transfer shall be subject to prior
11 consultation with, and the regular notification procedures
12 of, the Committees on Appropriations.

13 (c) *AIRCRAFT COORDINATION.*—

14 (1) *AUTHORITY.*—The uses of aircraft purchased
15 or leased by the Department of State and the United
16 States Agency for International Development with
17 funds made available in this Act or prior Acts mak-
18 ing appropriations for the Department of State, for-
19 eign operations, and related programs shall be coordi-
20 nated under the authority of the appropriate Chief of
21 Mission: Provided, That such aircraft may be used to
22 transport, on a reimbursable or non-reimbursable
23 basis, Federal and non-Federal personnel supporting
24 Department of State and USAID programs and ac-
25 tivities: Provided further, That official travel for other

1 *agencies for other purposes may be supported on a re-*
2 *imbursable basis, or without reimbursement when*
3 *traveling on a space available basis: Provided further,*
4 *That funds received by the Department of State in*
5 *connection with the use of aircraft owned, leased, or*
6 *chartered by the Department of State may be credited*
7 *to the Working Capital Fund of the Department and*
8 *shall be available for expenses related to the purchase,*
9 *lease, maintenance, chartering, or operation of such*
10 *aircraft.*

11 *(2) SCOPE.—The requirement and authorities of*
12 *this subsection shall only apply to aircraft, the pri-*
13 *mary purpose of which is the transportation of per-*
14 *sonnel.*

15 *(d) AIRCRAFT OPERATIONS AND MAINTENANCE.—To*
16 *the maximum extent practicable, the costs of operations and*
17 *maintenance, including fuel, of aircraft funded by this Act*
18 *shall be borne by the recipient country.*

19 *PARKING FINES AND REAL PROPERTY TAXES OWED BY*
20 *FOREIGN GOVERNMENTS*

21 *SEC. 7053. The terms and conditions of section 7055*
22 *of the Department of State, Foreign Operations, and Re-*
23 *lated Programs Appropriations Act, 2010 (division F of*
24 *Public Law 111–117) shall apply to this Act: Provided,*

1 *That the date “September 30, 2009” in subsection (f)(2)(B)*
2 *of such section shall be deemed to be “September 30, 2021”.*

3 *INTERNATIONAL MONETARY FUND*

4 *SEC. 7054. (a) EXTENSIONS.—The terms and condi-*
5 *tions of sections 7086(b) (1) and (2) and 7090(a) of the*
6 *Department of State, Foreign Operations, and Related Pro-*
7 *grams Appropriations Act, 2010 (division F of Public Law*
8 *111–117) shall apply to this Act.*

9 *(b) REPAYMENT.—The Secretary of the Treasury shall*
10 *instruct the United States Executive Director of the Inter-*
11 *national Monetary Fund (IMF) to seek to ensure that any*
12 *loan will be repaid to the IMF before other private or multi-*
13 *lateral creditors.*

14 *EXTRADITION*

15 *SEC. 7055. (a) LIMITATION.—None of the funds appro-*
16 *priated in this Act may be used to provide assistance (other*
17 *than funds provided under the headings “Development As-*
18 *sistance”, “International Disaster Assistance”, “Complex*
19 *Crises Fund”, “International Narcotics Control and Law*
20 *Enforcement”, “Migration and Refugee Assistance”,*
21 *“United States Emergency Refugee and Migration Assist-*
22 *ance Fund”, and “Nonproliferation, Anti-terrorism,*
23 *Demining and Related Assistance”) for the central govern-*
24 *ment of a country which has notified the Department of*
25 *State of its refusal to extradite to the United States any*

1 *individual indicted for a criminal offense for which the*
2 *maximum penalty is life imprisonment without the possi-*
3 *bility of parole or for killing a law enforcement officer, as*
4 *specified in a United States extradition request.*

5 **(b) CLARIFICATION.**—*Subsection (a) shall only apply*
6 *to the central government of a country with which the*
7 *United States maintains diplomatic relations and with*
8 *which the United States has an extradition treaty and the*
9 *government of that country is in violation of the terms and*
10 *conditions of the treaty.*

11 **(c) WAIVER.**—*The Secretary of State may waive the*
12 *restriction in subsection (a) on a case-by-case basis if the*
13 *Secretary certifies to the Committees on Appropriations*
14 *that such waiver is important to the national interest of*
15 *the United States.*

16 **ASSISTANCE FOR INNOCENT VICTIMS OF CONFLICT**

17 **SEC. 7056.** *Not later than 90 days after enactment of*
18 *this Act, the Administrator of the United States Agency for*
19 *International Development shall establish a fund, which*
20 *shall be referred to as the “Marla Ruzicka Fund for Inno-*
21 *cent Victims of Conflict” (the “Marla Fund”), to provide*
22 *assistance to civilians harmed as a result of military oper-*
23 *ations in Iraq, Afghanistan, Syria, and Yemen: Provided,*
24 *That of the funds appropriated under title III of this Act,*
25 *not less than \$10,000,000 shall be made available for the*

1 *Marla Fund: Provided further, That the USAID Adminis-*
2 *trator shall consult with the Committees on Appropriations*
3 *not later than 60 days after enactment of this Act regarding*
4 *the establishment and implementation of the Marla Fund.*

5 *UNITED NATIONS POPULATION FUND*

6 *SEC. 7057. (a) CONTRIBUTION.—Of the funds made*
7 *available under the heading “International Organizations*
8 *and Programs” in this Act for fiscal year 2022, \$32,500,000*
9 *shall be made available for the United Nations Population*
10 *Fund (UNFPA).*

11 *(b) AVAILABILITY OF FUNDS.—Funds appropriated by*
12 *this Act for UNFPA, that are not made available for*
13 *UNFPA because of the operation of any provision of law,*
14 *shall be transferred to the “Global Health Programs” ac-*
15 *count and shall be made available for family planning, ma-*
16 *ternal, and reproductive health activities, subject to the reg-*
17 *ular notification procedures of the Committees on Appro-*
18 *priations.*

19 *(c) PROHIBITION ON USE OF FUNDS IN CHINA.—None*
20 *of the funds made available by this Act may be used by*
21 *UNFPA for a country program in the People’s Republic*
22 *of China.*

23 *(d) CONDITIONS ON AVAILABILITY OF FUNDS.—Funds*
24 *made available by this Act for UNFPA may not be made*
25 *available unless—*

1 *bilateral assistance for child survival activities or disease*
2 *programs including activities relating to research on, and*
3 *the prevention, treatment and control of, HIV/AIDS may*
4 *be made available notwithstanding any other provision of*
5 *law except for provisions under the heading “Global Health*
6 *Programs” and the United States Leadership Against HIV/*
7 *AIDS, Tuberculosis, and Malaria Act of 2003 (117 Stat.*
8 *711; 22 U.S.C. 7601 et seq.), as amended: Provided, That*
9 *of the funds appropriated under title III of this Act, not*
10 *less than \$575,000,000 should be made available for family*
11 *planning/reproductive health, including in areas where*
12 *population growth threatens biodiversity or endangered spe-*
13 *cies.*

14 (b) *PANDEMICS AND OTHER INFECTIOUS DISEASE*
15 *OUTBREAKS.—*

16 (1) *GLOBAL HEALTH SECURITY.—Funds appro-*
17 *priated by this Act under the heading “Global Health*
18 *Programs” shall be made available for global health*
19 *security programs to accelerate the capacity of coun-*
20 *tries to prevent, detect, and respond to infectious dis-*
21 *ease outbreaks by strengthening public health capacity*
22 *where there is a high risk of emerging zoonotic infec-*
23 *tious diseases, including as described in the explana-*
24 *tory statement described in section 4 (in the matter*
25 *preceding division A of this consolidated Act): Pro-*

1 *vided, That not later than 60 days after enactment of*
2 *this Act, the USAID Administrator and the Secretary*
3 *of State, as appropriate, shall consult with the Com-*
4 *mittees on Appropriations on the planned uses of such*
5 *funds.*

6 (2) *INTERNATIONAL FINANCING MECHANISM.—*
7 *Funds appropriated by this Act under the heading*
8 *“Global Health Programs” may be made available for*
9 *a contribution to an international financing mecha-*
10 *nism for pandemic preparedness.*

11 (3) *EXTRAORDINARY MEASURES.—If the Sec-*
12 *retary of State determines and reports to the Commit-*
13 *tees on Appropriations that an international infec-*
14 *tious disease outbreak is sustained, severe, and is*
15 *spreading internationally, or that it is in the na-*
16 *tional interest to respond to a Public Health Emer-*
17 *gency of International Concern, not to exceed an ag-*
18 *gregate total of \$200,000,000 of the funds appro-*
19 *priated by this Act under the headings “Global*
20 *Health Programs”, “Development Assistance”, “Inter-*
21 *national Disaster Assistance”, “Complex Crises*
22 *Fund”, “Economic Support Fund”, “Democracy*
23 *Fund”, “Assistance for Europe, Eurasia and Central*
24 *Asia”, “Migration and Refugee Assistance”, and*
25 *“Millennium Challenge Corporation” may be made*

1 *available to combat such infectious disease or public*
2 *health emergency, and may be transferred to, and*
3 *merged with, funds appropriated under such headings*
4 *for the purposes of this paragraph.*

5 (4) *EMERGENCY RESERVE FUND.—Up to*
6 *\$100,000,000 of the funds made available under the*
7 *heading “Global Health Programs” may be made*
8 *available for the Emergency Reserve Fund established*
9 *pursuant to section 7058(c)(1) of the Department of*
10 *State, Foreign Operations, and Related Programs Ap-*
11 *propriations Act, 2017 (division J of Public Law*
12 *115–31): Provided, That such funds shall be made*
13 *available under the same terms and conditions of such*
14 *section.*

15 (5) *CONSULTATION AND NOTIFICATION.—Funds*
16 *made available by this subsection shall be subject to*
17 *prior consultation with, and the regular notification*
18 *procedures of, the Committees on Appropriations.*

19 (c) *LIMITATION.—Notwithstanding any other provi-*
20 *sion of law, none of the funds made available by this Act*
21 *may be made available to the Wuhan Institute of Virology*
22 *located in the City of Wuhan in the People’s Republic of*
23 *China.*

24 *GENDER EQUALITY AND WOMEN’S EMPOWERMENT*

25 *SEC. 7059. (a) IN GENERAL.—*

1 (1) *GENDER EQUALITY.*—Funds appropriated by
2 this Act shall be made available to promote gender
3 equality in United States Government diplomatic and
4 development efforts by raising the status, increasing
5 the economic participation and opportunities for po-
6 litical leadership, and protecting the rights of women
7 and girls worldwide.

8 (2) *WOMEN’S ECONOMIC EMPOWERMENT.*—Funds
9 appropriated by this Act are available to implement
10 the Women’s Entrepreneurship and Economic Em-
11 powerment Act of 2018 (Public Law 115–428): Pro-
12 vided, That the Secretary of State and the Adminis-
13 trator of the United States Agency for International
14 Development, as appropriate, shall consult with the
15 Committees on Appropriations on the implementation
16 of such Act.

17 (3) *GENDER EQUITY AND EQUALITY ACTION*
18 *FUND.*—Of the funds appropriated under title III of
19 this Act, up to \$200,000,000 may be made available
20 for the Gender Equity and Equality Action Fund.

21 (b) *WOMEN’S LEADERSHIP.*—Of the funds appro-
22 priated under title III of this Act, not less than \$50,000,000
23 shall be made available for programs specifically designed
24 to increase leadership opportunities for women in countries
25 where women and girls suffer discrimination due to law,

1 *policy, or practice, by strengthening protections for wom-*
2 *en’s political status, expanding women’s participation in*
3 *political parties and elections, and increasing women’s op-*
4 *portunities for leadership positions in the public and pri-*
5 *vate sectors at the local, provincial, and national levels.*

6 (c) *GENDER-BASED VIOLENCE.*—

7 (1) *Of the funds appropriated under titles III*
8 *and IV of this Act, not less than \$175,000,000 shall*
9 *be made available to implement a multi-year strategy*
10 *to prevent and respond to gender-based violence in*
11 *countries where it is common in conflict and non-con-*
12 *flict settings.*

13 (2) *Funds appropriated under titles III and IV*
14 *of this Act that are available to train foreign police,*
15 *judicial, and military personnel, including for inter-*
16 *national peacekeeping operations, shall address, where*
17 *appropriate, prevention and response to gender-based*
18 *violence and trafficking in persons, and shall promote*
19 *the integration of women into the police and other se-*
20 *curity forces.*

21 (d) *WOMEN, PEACE, AND SECURITY.*—*Of the funds ap-*
22 *propriated by this Act under the headings “Development*
23 *Assistance”, “Economic Support Fund”, “Assistance for*
24 *Europe, Eurasia and Central Asia”, and “International*
25 *Narcotics Control and Law Enforcement”, not less than*

1 *\$135,000,000 should be made available to support a multi-*
2 *year strategy to expand, and improve coordination of,*
3 *United States Government efforts to empower women as*
4 *equal partners in conflict prevention, peace building, tran-*
5 *sitional processes, and reconstruction efforts in countries af-*
6 *ected by conflict or in political transition, and to ensure*
7 *the equitable provision of relief and recovery assistance to*
8 *women and girls.*

9 *SECTOR ALLOCATIONS*

10 *SEC. 7060. (a) BASIC EDUCATION AND HIGHER EDU-*
11 *CATION.—*

12 *(1) BASIC EDUCATION.—*

13 *(A) Of the funds appropriated under title*
14 *III of this Act, not less than \$950,000,000 shall*
15 *be made available for the Nita M. Lowey Basic*
16 *Education Fund, and such funds may be made*
17 *available notwithstanding any other provision of*
18 *law that restricts assistance to foreign countries:*
19 *Provided, That such funds shall also be used for*
20 *secondary education activities: Provided further,*
21 *That of the funds made available by this para-*
22 *graph, \$150,000,000 should be available for the*
23 *education of girls in areas of conflict: Provided*
24 *further, That section 7(a) of Public Law 115–56*
25 *shall be implemented by substituting “the thir-*

1 *tieth day of June following*” for “180 days
2 *after*”.

3 *(B) Of the funds appropriated under title*
4 *III of this Act for assistance for basic education*
5 *programs, not less than \$150,000,000 shall be*
6 *made available for contributions to multilateral*
7 *partnerships that support education.*

8 (2) *HIGHER EDUCATION.*—*Of the funds appro-*
9 *priated by title III of this Act, not less than*
10 *\$250,000,000 shall be made available for assistance*
11 *for higher education: Provided, That such funds may*
12 *be made available notwithstanding any other provi-*
13 *sion of law that restricts assistance to foreign coun-*
14 *tries, and shall be subject to the regular notification*
15 *procedures of the Committees on Appropriations: Pro-*
16 *vided further, That of such amount, not less than*
17 *\$35,000,000 shall be made available for new and on-*
18 *going partnerships between higher education institu-*
19 *tions in the United States and developing countries*
20 *focused on building the capacity of higher education*
21 *institutions and systems in developing countries: Pro-*
22 *vided further, That not later than 45 days after en-*
23 *actment of this Act, the USAID Administrator shall*
24 *consult with the Committees on Appropriations on the*
25 *proposed uses of funds for such partnerships.*

1 (b) *DEVELOPMENT PROGRAMS.*—Of the funds appro-
2 priated by this Act under the heading “Development Assist-
3 ance”, not less than \$18,500,000 shall be made available
4 for USAID cooperative development programs and not less
5 than \$31,500,000 shall be made available for the American
6 Schools and Hospitals Abroad program.

7 (c) *FOOD SECURITY AND AGRICULTURAL DEVELOP-*
8 *MENT.*—Of the funds appropriated by title III of this Act,
9 not less than \$1,010,600,000 shall be made available for
10 food security and agricultural development programs to
11 carry out the purposes of the Global Food Security Act of
12 2016 (Public Law 114–195): Provided, That funds may be
13 made available for a contribution as authorized by section
14 3202 of the Food, Conservation, and Energy Act of 2008
15 (Public Law 110–246), as amended by section 3310 of the
16 Agriculture Improvement Act of 2018 (Public Law 115–
17 334).

18 (d) *MICRO, SMALL, AND MEDIUM-SIZED ENTER-*
19 *PRISES.*—Of the funds appropriated by this Act, not less
20 than \$265,000,000 shall be made available to support the
21 development of, and access to financing for, micro, small,
22 and medium-sized enterprises that benefit the poor, espe-
23 cially women.

24 (e) *PROGRAMS TO COMBAT TRAFFICKING IN PER-*
25 *SONS.*—Of the funds appropriated by this Act under the

1 headings “Development Assistance”, “Economic Support
2 Fund”, “Assistance for Europe, Eurasia and Central Asia”,
3 and “International Narcotics Control and Law Enforce-
4 ment”, not less than \$106,400,000 shall be made available
5 for activities to combat trafficking in persons internation-
6 ally, including for the Program to End Modern Slavery,
7 of which not less than \$77,000,000 shall be from funds made
8 available under the heading “International Narcotics Con-
9 trol and Law Enforcement”: Provided, That funds made
10 available by this Act under the headings “Development As-
11 sistance”, “Economic Support Fund”, and “Assistance for
12 Europe, Eurasia and Central Asia” that are made avail-
13 able for activities to combat trafficking in persons should
14 be obligated and programmed consistent with the country-
15 specific recommendations included in the annual Traf-
16 ficking in Persons Report, and shall be coordinated with
17 the Office to Monitor and Combat Trafficking in Persons,
18 Department of State.

19 (f) RECONCILIATION PROGRAMS.—Of the funds appro-
20 priated by this Act under the heading “Development Assist-
21 ance”, not less than \$25,000,000 shall be made available
22 to support people-to-people reconciliation programs which
23 bring together individuals of different ethnic, racial, reli-
24 gious, and political backgrounds from areas of civil strife
25 and war: Provided, That the USAID Administrator shall

1 *consult with the Committees on Appropriations, prior to*
2 *the initial obligation of funds, on the uses of such funds,*
3 *and such funds shall be subject to the regular notification*
4 *procedures of the Committees on Appropriations: Provided*
5 *further, That to the maximum extent practicable, such*
6 *funds shall be matched by sources other than the United*
7 *States Government: Provided further, That such funds shall*
8 *be administered by the Center for Conflict and Violence Pre-*
9 *vention, USAID.*

10 *(g) WATER AND SANITATION.—Of the funds appro-*
11 *priated by this Act, not less than \$475,000,000 shall be*
12 *made available for water supply and sanitation projects*
13 *pursuant to section 136 of the Foreign Assistance Act of*
14 *1961, of which not less than \$237,000,000 shall be for pro-*
15 *grams in sub-Saharan Africa, and of which not less than*
16 *\$17,000,000 shall be made available to support initiatives*
17 *by local communities in developing countries to build and*
18 *maintain safe latrines.*

19 *(h) DEVIATION.—Unless otherwise provided for by this*
20 *Act, the Secretary of State and the Administrator of the*
21 *United States Agency for International Development, as*
22 *applicable, may deviate below the minimum funding re-*
23 *quirements designated in sections 7059, 7060, and 7061 of*
24 *this Act by up to 10 percent, notwithstanding such designa-*
25 *tion: Provided, That concurrent with the submission of the*

1 report required by section 653(a) of the Foreign Assistance
2 Act of 1961, the Secretary of State shall submit to the Com-
3 mittees on Appropriations in writing any proposed devi-
4 ations utilizing such authority that are planned at the time
5 of submission of such report: Provided further, That any
6 deviations proposed subsequent to the submission of such
7 report shall be subject to prior consultation with such Com-
8 mittees: Provided further, That not later than November 1,
9 2023, the Secretary of State shall submit a report to the
10 Committees on Appropriations on the use of the authority
11 of this subsection.

12 ENVIRONMENT PROGRAMS

13 SEC. 7061. (a) Funds appropriated by this Act to
14 carry out the provisions of sections 103 through 106, and
15 chapter 4 of part II, of the Foreign Assistance Act of 1961
16 may be used, notwithstanding any other provision of law,
17 except for the provisions of this section and only subject
18 to the reporting procedures of the Committees on Appro-
19 priations, to support environment programs.

20 (b)(1) Of the funds appropriated under title III of this
21 Act, not less than \$385,000,000 shall be made available for
22 biodiversity conservation programs.

23 (2) Not less than \$125,000,000 of the funds appro-
24 priated under titles III and IV of this Act shall be made

1 *available to combat the transnational threat of wildlife*
2 *poaching and trafficking.*

3 (3) *None of the funds appropriated under title IV of*
4 *this Act may be made available for training or other assist-*
5 *ance for any military unit or personnel that the Secretary*
6 *of State determines has been credibly alleged to have par-*
7 *ticipated in wildlife poaching or trafficking, unless the Sec-*
8 *retary reports to the appropriate congressional committees*
9 *that to do so is in the national security interest of the*
10 *United States.*

11 (4) *Funds appropriated by this Act for biodiversity*
12 *programs shall not be used to support the expansion of in-*
13 *dustrial scale logging, agriculture, livestock production,*
14 *mining, or any other industrial scale extractive activity*
15 *into areas that were primary/intact tropical forests as of*
16 *December 30, 2013, and the Secretary of the Treasury shall*
17 *instruct the United States executive directors of each inter-*
18 *national financial institution (IFI) to use the voice and*
19 *vote of the United States to oppose any financing of any*
20 *such activity.*

21 (c) *The Secretary of the Treasury shall instruct the*
22 *United States executive director of each IFI that it is the*
23 *policy of the United States to use the voice and vote of the*
24 *United States, in relation to any loan, grant, strategy, or*
25 *policy of such institution, regarding the construction of any*

1 *large dam consistent with the criteria set forth in Senate*
2 *Report 114–79, while also considering whether the project*
3 *involves important foreign policy objectives.*

4 *(d) Of the funds appropriated under title III of this*
5 *Act, not less than \$185,000,000 shall be made available for*
6 *sustainable landscapes programs.*

7 *(e) Of the funds appropriated under title III of this*
8 *Act, not less than \$270,000,000 shall be made available for*
9 *adaptation programs, including in support of the imple-*
10 *mentation of the Indo-Pacific Strategy.*

11 *(f) Of the funds appropriated under title III of this*
12 *Act, not less than \$260,000,000 shall be made available for*
13 *clean energy programs, including in support of carrying*
14 *out the purposes of the Electrify Africa Act (Public Law*
15 *114–121) and implementing the Power Africa initiative.*

16 *(g) Funds appropriated by this Act under title III*
17 *may be made available for United States contributions to*
18 *the Adaptation Fund and the Least Developed Countries*
19 *Fund.*

20 *(h) Of the funds appropriated under title III of this*
21 *Act, not less than \$50,000,000 shall be made available for*
22 *the purposes enumerated under section 7060(c)(7) of the De-*
23 *partment of State, Foreign Operations, and Related Pro-*
24 *grams Appropriations Act, 2021 (division K of Public Law*
25 *116–260): Provided, That such funds may only be made*

1 *available following consultation with the Committees on*
2 *Appropriations.*

3 *(i) Of the funds appropriated under title III of this*
4 *Act, not less than \$20,000,000 shall be made available to*
5 *support civil society advocacy organizations in developing*
6 *countries that are working to prevent toxic pollutants and*
7 *other harm to the environment, and to support such organi-*
8 *zations that are working to prevent the poaching and traf-*
9 *ficking of endangered species, as described under this section*
10 *in the explanatory statement described in section 4 (in the*
11 *matter preceding division A of this consolidated Act).*

12 *BUDGET DOCUMENTS*

13 *SEC. 7062. (a) OPERATING PLANS.—Not later than 45*
14 *days after enactment of this Act, each department, agency,*
15 *or organization funded in titles I, II, and VI of this Act,*
16 *and the Department of the Treasury and Independent Agen-*
17 *cies funded in title III of this Act, including the Inter-*
18 *American Foundation and the United States African Devel-*
19 *opment Foundation, shall submit to the Committees on Ap-*
20 *propriations an operating plan for funds appropriated to*
21 *such department, agency, or organization in such titles of*
22 *this Act, or funds otherwise available for obligation in fiscal*
23 *year 2022, that provides details of the uses of such funds*
24 *at the program, project, and activity level: Provided, That*
25 *such plans shall include, as applicable, a comparison be-*

1 *tween the congressional budget justification funding levels,*
2 *the most recent congressional directives or approved fund-*
3 *ing levels, and the funding levels proposed by the depart-*
4 *ment or agency; and a clear, concise, and informative de-*
5 *scription/justification: Provided further, That operating*
6 *plans that include changes in levels of funding for pro-*
7 *grams, projects, and activities specified in the congressional*
8 *budget justification, in this Act, or amounts specifically*
9 *designated in the respective tables included in the explana-*
10 *tory statement described in section 4 (in the matter pre-*
11 *ceding division A of this consolidated Act), as applicable,*
12 *shall be subject to the notification and reprogramming re-*
13 *quirements of section 7015 of this Act.*

14 (b) *SPEND PLANS.*—

15 (1) *Not later than 90 days after enactment of*
16 *this Act, the Secretary of State or Administrator of*
17 *the United States Agency for International Develop-*
18 *ment, as appropriate, shall submit to the Committees*
19 *on Appropriations a spend plan for funds made*
20 *available by this Act for—*

21 (A) *assistance for countries in Central*
22 *America;*

23 (B) *assistance made available pursuant to*
24 *section 7047(d) of this Act to counter Russian*

1 *influence, except that such plan shall be on a*
2 *country-by-country basis;*

3 *(C) assistance made available pursuant to*
4 *section 7059 of this Act;*

5 *(D) the Indo-Pacific Strategy and the*
6 *Countering PRC Influence Fund;*

7 *(E) democracy programs, the Power Africa*
8 *and Prosper Africa initiatives, and sectors enu-*
9 *merated in subsections (a), (c), (d), (e), (f), and*
10 *(g) of section 7060 of this Act;*

11 *(F) funds provided under the heading*
12 *“International Narcotics Control and Law En-*
13 *forcement” for International Organized Crime*
14 *and for Cybercrime and Intellectual Property*
15 *Rights: Provided, That the spend plans shall in-*
16 *clude bilateral and global programs funded*
17 *under such heading along with a brief descrip-*
18 *tion of the activities planned for each country;*

19 *(G) implementation of the Global Fragility*
20 *Act of 2019 (title V of division J of Public Law*
21 *116–94); and*

22 *(H) the Caribbean Basin Security Initia-*
23 *tive; the Central America Regional Security Ini-*
24 *tiative; the Trans-Saharan Counterterrorism*
25 *Partnership; the Partnership for Regional East*

1 appropriations for the Department of State, foreign oper-
2 ations, and related programs, or any other Act may not
3 be used to implement a reorganization, redesign, or other
4 plan described in subsection (b) by the Department of State,
5 the United States Agency for International Development,
6 or any other Federal department, agency, or organization
7 funded by this Act without prior consultation by the head
8 of such department, agency, or organization with the appro-
9 priate congressional committees: Provided, That such funds
10 shall be subject to the regular notification procedures of the
11 Committees on Appropriations: Provided further, That any
12 such notification submitted to such Committees shall in-
13 clude a detailed justification for any proposed action: Pro-
14 vided further, That congressional notifications submitted in
15 prior fiscal years pursuant to similar provisions of law in
16 prior Acts making appropriations for the Department of
17 State, foreign operations, and related programs may be
18 deemed to meet the notification requirements of this section.

19 (b) DESCRIPTION OF ACTIVITIES.—Pursuant to sub-
20 section (a), a reorganization, redesign, or other plan shall
21 include any action to—

22 (1) expand, eliminate, consolidate, or downsize
23 covered departments, agencies, or organizations, in-
24 cluding bureaus and offices within or between such
25 departments, agencies, or organizations, including the

1 *transfer to other agencies of the authorities and re-*
2 *responsibilities of such bureaus and offices;*

3 (2) *expand, eliminate, consolidate, or downsize*
4 *the United States official presence overseas, including*
5 *at bilateral, regional, and multilateral diplomatic fa-*
6 *cilities and other platforms; or*

7 (3) *expand or reduce the size of the permanent*
8 *Civil Service, Foreign Service, eligible family mem-*
9 *ber, and locally employed staff workforce of the De-*
10 *partment of State and USAID from the staffing levels*
11 *previously justified to the Committees on Appropria-*
12 *tions for fiscal year 2022.*

13 *DEPARTMENT OF STATE MANAGEMENT*

14 *SEC. 7064. (a) WORKING CAPITAL FUND.—Funds ap-*
15 *propriated by this Act or otherwise made available to the*
16 *Department of State for payments to the Working Capital*
17 *Fund that are made available for new service centers, shall*
18 *be subject to the regular notification procedures of the Com-*
19 *mittees on Appropriations.*

20 (2) *CERTIFICATION.—*

21 (1) *COMPLIANCE.—Not later than 45 days after*
22 *the initial obligation of funds appropriated under ti-*
23 *ties III and IV of this Act that are made available*
24 *to a Department of State bureau or office with re-*
25 *sponsibility for the management and oversight of such*

1 *funds, the Secretary of State shall certify and report*
2 *to the Committees on Appropriations, on an indi-*
3 *vidual bureau or office basis, that such bureau or of-*
4 *fice is in compliance with Department and Federal*
5 *financial and grants management policies, proce-*
6 *dures, and regulations, as applicable.*

7 (2) *CONSIDERATIONS.—When making a certifi-*
8 *cation required by paragraph (1), the Secretary of*
9 *State shall consider the capacity of a bureau or office*
10 *to—*

11 (A) *account for the obligated funds at the*
12 *country and program level, as appropriate;*

13 (B) *identify risks and develop mitigation*
14 *and monitoring plans;*

15 (C) *establish performance measures and in-*
16 *dicators;*

17 (D) *review activities and performance; and*

18 (E) *assess final results and reconcile fi-*
19 *nances.*

20 (3) *PLAN.—If the Secretary of State is unable to*
21 *make a certification required by paragraph (1), the*
22 *Secretary shall submit a plan and timeline detailing*
23 *the steps to be taken to bring such bureau or office*
24 *into compliance.*

1 (c) *INTERNSHIPS.*—*The Department of State may offer*
2 *compensated internships, and select, appoint, employ for*
3 *not more than 52 weeks, and remove any such compensated*
4 *intern without regard to the provisions of law governing*
5 *appointments in the competitive service.*

6 (d) *INFORMATION TECHNOLOGY PLATFORM.*—*None of*
7 *the funds appropriated in title I of this Act under the head-*
8 *ing “Administration of Foreign Affairs” may be made*
9 *available for a new major information technology (IT) in-*
10 *vestment without the concurrence of the Chief Information*
11 *Officer, Department of State.*

12 *UNITED STATES AGENCY FOR INTERNATIONAL*

13 *DEVELOPMENT MANAGEMENT*

14 *SEC. 7065. (a) AUTHORITY.*—*Up to \$170,000,000 of*
15 *the funds made available in title III of this Act pursuant*
16 *to or to carry out the provisions of part I of the Foreign*
17 *Assistance Act of 1961, including funds appropriated under*
18 *the heading “Assistance for Europe, Eurasia and Central*
19 *Asia”, may be used by the United States Agency for Inter-*
20 *national Development to hire and employ individuals in*
21 *the United States and overseas on a limited appointment*
22 *basis pursuant to the authority of sections 308 and 309 of*
23 *the Foreign Service Act of 1980 (22 U.S.C. 3948 and 3949).*

1 (b) *RESTRICTION.*—*The authority to hire individuals*
2 *contained in subsection (a) shall expire on September 30,*
3 *2023.*

4 (c) *PROGRAM ACCOUNT CHARGED.*—*The account*
5 *charged for the cost of an individual hired and employed*
6 *under the authority of this section shall be the account to*
7 *which the responsibilities of such individual primarily re-*
8 *late: Provided, That funds made available to carry out this*
9 *section may be transferred to, and merged with, funds ap-*
10 *propriated by this Act in title II under the heading “Oper-*
11 *ating Expenses”.*

12 (d) *FOREIGN SERVICE LIMITED EXTENSIONS.*—*Indi-*
13 *viduals hired and employed by USAID, with funds made*
14 *available in this Act or prior Acts making appropriations*
15 *for the Department of State, foreign operations, and related*
16 *programs, pursuant to the authority of section 309 of the*
17 *Foreign Service Act of 1980 (22 U.S.C. 3949), may be ex-*
18 *tended for a period of up to 4 years notwithstanding the*
19 *limitation set forth in such section.*

20 (e) *DISASTER SURGE CAPACITY.*—*Funds appropriated*
21 *under title III of this Act to carry out part I of the Foreign*
22 *Assistance Act of 1961, including funds appropriated under*
23 *the heading “Assistance for Europe, Eurasia and Central*
24 *Asia”, may be used, in addition to funds otherwise avail-*
25 *able for such purposes, for the cost (including the support*

1 *costs) of individuals detailed to or employed by USAID*
2 *whose primary responsibility is to carry out programs in*
3 *response to natural disasters, or man-made disasters subject*
4 *to the regular notification procedures of the Committees on*
5 *Appropriations.*

6 (f) *PERSONAL SERVICES CONTRACTORS.—Funds ap-*
7 *propriated by this Act to carry out chapter 1 of part I,*
8 *chapter 4 of part II, and section 667 of the Foreign Assist-*
9 *ance Act of 1961, and title II of the Food for Peace Act*
10 *(Public Law 83–480; 7 U.S.C. 1721 et seq.), may be used*
11 *by USAID to employ up to 40 personal services contractors*
12 *in the United States, notwithstanding any other provision*
13 *of law, for the purpose of providing direct, interim support*
14 *for new or expanded overseas programs and activities man-*
15 *aged by the agency until permanent direct hire personnel*
16 *are hired and trained: Provided, That not more than 15*
17 *of such contractors shall be assigned to any bureau or office:*
18 *Provided further, That such funds appropriated to carry*
19 *out title II of the Food for Peace Act (Public Law 83–480;*
20 *7 U.S.C. 1721 et seq.), may be made available only for per-*
21 *sonal services contractors assigned to the Bureau for Hu-*
22 *manitarian Assistance.*

23 (g) *SMALL BUSINESS.—In entering into multiple*
24 *award indefinite-quantity contracts with funds appro-*
25 *priated by this Act, USAID may provide an exception to*

1 *the fair opportunity process for placing task orders under*
2 *such contracts when the order is placed with any category*
3 *of small or small disadvantaged business.*

4 (h) *SENIOR FOREIGN SERVICE LIMITED APPOINT-*
5 *MENTS.—Individuals hired pursuant to the authority pro-*
6 *vided by section 7059(o) of the Department of State, For-*
7 *ign Operations, and Related Programs Appropriations*
8 *Act, 2010 (division F of Public Law 111–117) may be as-*
9 *signed to or support programs in Afghanistan or Pakistan*
10 *with funds made available in this Act and prior Acts mak-*
11 *ing appropriations for the Department of State, foreign op-*
12 *erations, and related programs.*

13 *STABILIZATION AND DEVELOPMENT IN REGIONS IMPACTED*
14 *BY EXTREMISM AND CONFLICT*

15 SEC. 7066. (a) *PREVENTION AND STABILIZATION*
16 *FUND.—*

17 (1) *FUNDS AND TRANSFER AUTHORITY.—Of the*
18 *funds appropriated by this Act under the headings*
19 *“Economic Support Fund”, “International Narcotics*
20 *Control and Law Enforcement”, “Nonproliferation,*
21 *Anti-terrorism, Demining and Related Programs”,*
22 *“Peacekeeping Operations”, and “Foreign Military*
23 *Financing Program”, not less than \$125,000,000*
24 *shall be made available for the purposes of the Pre-*
25 *vention and Stabilization Fund, as authorized by,*

1 *and for the purposes enumerated in, section 509(a) of*
2 *the Global Fragility Act of 2019 (title V of division*
3 *J of Public Law 116–94), of which \$25,000,000 may*
4 *be made available for the Multi-Donor Global Fra-*
5 *gility Fund authorized by section 510(c) of such Act:*
6 *Provided, That such funds appropriated under such*
7 *headings may be transferred to, and merged with,*
8 *funds appropriated under such headings: Provided*
9 *further, That such transfer authority is in addition to*
10 *any other transfer authority provided by this Act or*
11 *any other Act, and is subject to the regular notifica-*
12 *tion procedures of the Committees on Appropriations.*

13 (2) *TRANSITIONAL JUSTICE.—Of the funds ap-*
14 *propriated by this Act under the headings “Economic*
15 *Support Fund” and “International Narcotics Control*
16 *and Law Enforcement” that are made available for*
17 *the Prevention and Stabilization Fund, not less than*
18 *\$10,000,000 shall be made available for programs to*
19 *promote accountability for genocide, crimes against*
20 *humanity, and war crimes, which shall be in addi-*
21 *tion to any other funds made available by this Act for*
22 *such purposes: Provided, That such programs shall*
23 *include components to develop local investigative and*
24 *judicial skills, and to collect and preserve evidence*
25 *and maintain the chain of custody of evidence, in-*

1 *cluding for use in prosecutions, and may include the*
2 *establishment of, and assistance for, transitional jus-*
3 *tice mechanisms: Provided further, That such funds*
4 *shall be administered by the Special Coordinator for*
5 *the Office of Global Criminal Justice, Department of*
6 *State, and shall be subject to prior consultation with*
7 *the Committees on Appropriations: Provided further,*
8 *That funds made available by this paragraph shall be*
9 *made available on an open and competitive basis.*

10 *(b) GLOBAL COMMUNITY ENGAGEMENT AND RESIL-*
11 *IENCE FUND.—Funds appropriated by this Act and prior*
12 *Acts making appropriations for the Department of State,*
13 *foreign operations, and related programs under the heading*
14 *“Economic Support Fund” may be made available to the*
15 *Global Community Engagement and Resilience Fund*
16 *(GCERF), including as a contribution: Provided, That any*
17 *such funds made available for the GCERF shall be made*
18 *available on a cost-matching basis from sources other than*
19 *the United States Government, to the maximum extent*
20 *practicable, and shall be subject to the regular notification*
21 *procedures of the Committees on Appropriations.*

22 *(c) GLOBAL CONCESSIONAL FINANCING FACILITY.—*
23 *Funds appropriated by this Act under the heading “Eco-*
24 *nomics Support Fund” may be made available for the Global*
25 *Concessional Financing Facility of the World Bank to pro-*

1 *vide financing to support refugees and host communities:*
2 *Provided, That such funds should be in addition to funds*
3 *allocated for bilateral assistance in the report required by*
4 *section 653(a) of the Foreign Assistance Act of 1961, and*
5 *may only be made available subject to prior to consultation*
6 *with the Committees on Appropriations: Provided further,*
7 *That such funds may be transferred to the Department of*
8 *the Treasury.*

9 *DEBT-FOR-DEVELOPMENT*

10 *SEC. 7067. In order to enhance the continued partici-*
11 *pation of nongovernmental organizations in debt-for-devel-*
12 *opment and debt-for-nature exchanges, a nongovernmental*
13 *organization which is a grantee or contractor of the United*
14 *States Agency for International Development may place in*
15 *interest bearing accounts local currencies which accrue to*
16 *that organization as a result of economic assistance pro-*
17 *vided under title III of this Act and, subject to the regular*
18 *notification procedures of the Committees on Appropria-*
19 *tions, any interest earned on such investment shall be used*
20 *for the purpose for which the assistance was provided to*
21 *that organization.*

22 *ENTERPRISE FUNDS*

23 *SEC. 7068. (a) NOTIFICATION.—None of the funds*
24 *made available under titles III through VI of this Act may*
25 *be made available for Enterprise Funds unless the appro-*

1 *priate congressional committees are notified at least 15*
2 *days in advance.*

3 *(b) DISTRIBUTION OF ASSETS PLAN.—Prior to the dis-*
4 *tribution of any assets resulting from any liquidation, dis-*
5 *solution, or winding up of an Enterprise Fund, in whole*
6 *or in part, the President shall submit to the appropriate*
7 *congressional committees a plan for the distribution of the*
8 *assets of the Enterprise Fund.*

9 *(c) TRANSITION OR OPERATING PLAN.—Prior to a*
10 *transition to and operation of any private equity fund or*
11 *other parallel investment fund under an existing Enterprise*
12 *Fund, the President shall submit such transition or oper-*
13 *ating plan to the appropriate congressional committees.*

14 *EXTENSION OF CONSULAR FEES AND RELATED*
15 *AUTHORITIES*

16 *SEC. 7069. (a) Section 1(b)(1) of the Passport Act of*
17 *June 4, 1920 (22 U.S.C. 214(b)(1)) shall be applied through*
18 *fiscal year 2022 by substituting “the costs of providing con-*
19 *sular services” for “such costs”.*

20 *(b) Section 21009 of the Emergency Appropriations for*
21 *Coronavirus Health Response and Agency Operations (divi-*
22 *sion B of Public Law 116–136; 134 Stat. 592) shall be ap-*
23 *plied during fiscal year 2022 by substituting “2020, 2021,*
24 *and 2022” for “2020 and 2021”.*

1 (c) *Discretionary amounts made available to the De-*
2 *partment of State under the heading “Administration of*
3 *Foreign Affairs” of this Act, and discretionary unobligated*
4 *balances under such heading from prior Acts making ap-*
5 *propriations for the Department of State, foreign oper-*
6 *ations, and related programs, may be transferred to the*
7 *Consular and Border Security Programs account if the Sec-*
8 *retary of State determines and reports to the Committees*
9 *on Appropriations that to do so is necessary to sustain con-*
10 *sular operations, following consultation with such Commit-*
11 *tees: Provided, That such transfer authority is in addition*
12 *to any transfer authority otherwise available in this Act*
13 *and under any other provision of law: Provided further,*
14 *That no amounts may be transferred from amounts des-*
15 *ignated as an emergency requirement pursuant to a concur-*
16 *rent resolution on the budget or the Balanced Budget and*
17 *Emergency Deficit Control Act of 1985.*

18 (d) *In addition to the uses permitted pursuant to sec-*
19 *tion 286(v)(2)(A) of the Immigration and Nationality Act*
20 *(8 U.S.C. 1356(v)(2)(A)), for fiscal year 2022, the Secretary*
21 *of State may also use fees deposited into the Fraud Preven-*
22 *tion and Detection Account for the costs of providing con-*
23 *sular services.*

24 (e) *Beginning on October 1, 2021 and for each fiscal*
25 *year thereafter, fees collected pursuant to subsection (a) of*

1 *section 1 of the Passport Act of June 4, 1920 (22 U.S.C.*
2 *214(a)) shall, notwithstanding such subsection, be deposited*
3 *in the Consular and Border Security Programs account as*
4 *discretionary offsetting receipts: Provided, That amounts*
5 *deposited in fiscal year 2022 shall remain available until*
6 *expended for the purposes of such account: Provided further,*
7 *That the Secretary of State may by regulation authorize*
8 *State officials or the United States Postal Service to collect*
9 *and retain the execution fee for each application for a pass-*
10 *port accepted by such officials or by that Service.*

11 *(f) Amounts provided pursuant to subsections (a), (b),*
12 *and (d) are designated by the Congress as being for an*
13 *emergency requirement pursuant to section 4001(a)(1) and*
14 *section 4001(b) of S. Con. Res. 14 (117th Congress), the con-*
15 *current resolution on the budget for fiscal year 2022.*

16 *ORGANIZATION OF AMERICAN STATES*

17 *SEC. 7070. (a) The Secretary of State shall instruct*
18 *the United States Permanent Representative to the Organi-*
19 *zation of American States (OAS) to use the voice and vote*
20 *of the United States to: (1) implement budgetary reforms*
21 *and efficiencies within the Organization; (2) eliminate ar-*
22 *rears, increase other donor contributions, and impose pen-*
23 *alties for successive late payment of assessments; (3) prevent*
24 *programmatic and organizational redundancies and con-*
25 *solidate duplicative activities and functions; (4) prioritize*

1 *areas in which the OAS has expertise, such as strengthening*
2 *democracy, monitoring electoral processes, and protecting*
3 *human rights; and (5) implement reforms within the Office*
4 *of the Inspector General (OIG) to ensure the OIG has the*
5 *necessary integrity, professionalism, independence, policies,*
6 *and procedures to properly carry out its responsibilities in*
7 *a manner that meets or exceeds best practices in the United*
8 *States.*

9 *(b) Prior to the obligation of funds appropriated by*
10 *this Act and made available for an assessed contribution*
11 *to the Organization of American States, but not later than*
12 *90 days after enactment of this Act, the Secretary of State*
13 *shall submit a report to the Committees on Appropriations*
14 *on actions taken or planned to be taken pursuant to para-*
15 *graph (a).*

16 *PROTECTIVE SERVICES*

17 *SEC. 7071. Of the funds appropriated under the head-*
18 *ing "Diplomatic Programs" by this Act and prior Acts*
19 *making appropriations for the Department of State, foreign*
20 *operations, and related programs, except for funds des-*
21 *ignated by the Congress as an emergency requirement pur-*
22 *suant to a concurrent resolution on the budget or the Bal-*
23 *anced Budget and Emergency Deficit Control Act of 1985,*
24 *up to \$30,000,000 may be made available to provide protec-*
25 *tive services to former or retired senior Department of State*

1 officials or employees that the Secretary of State, in con-
2 sultation with the Director of National Intelligence, deter-
3 mines and reports to congressional leadership and the ap-
4 propriate congressional committees, face a serious and cred-
5 ible threat from a foreign power or the agent of a foreign
6 power arising from duties performed by such official or em-
7 ployee while employed by the Department: Provided, That
8 such determination shall include a justification for the pro-
9 vision of protective services by the Department, including
10 the identification of the specific nature of the threat and
11 the anticipated duration of such services provided, which
12 may be submitted in classified form, if necessary: Provided
13 further, That such protective services shall be consistent
14 with other such services performed by the Bureau of Diplo-
15 matic Security under 22 U.S.C. 2709 for Department offi-
16 cials, and shall be made available for an initial period of
17 not more than 180 days, which may be extended for addi-
18 tional consecutive periods of 60 days upon a subsequent de-
19 termination by the Secretary that the specific threat per-
20 sists: Provided further, That not later than 45 days after
21 enactment of this Act and quarterly thereafter, the Sec-
22 retary shall submit a report to congressional leadership and
23 the appropriate congressional committees detailing the
24 number of individuals receiving protective services and the
25 amount of funds expended for such services on a case-by-

1 *case basis, which may be submitted in classified form, if*
2 *necessary: Provided further, That for purposes of this sec-*
3 *tion a former or retired senior Department of State official*
4 *or employee means a person that served in the Department*
5 *at the Assistant Secretary, Special Representative, or Sen-*
6 *ior Advisor level, or in a comparable or more senior posi-*
7 *tion, and has separated from service at the Department:*
8 *Provided further, That funds made available pursuant to*
9 *this section are in addition to amounts otherwise made*
10 *available for such purposes.*

11

RESCISSIONS

12

(INCLUDING RESCISSIONS OF FUNDS)

13 *SEC. 7072. (a) ECONOMIC SUPPORT FUND.—Of the*
14 *unobligated and unexpended balances from amounts made*
15 *available under the heading “Economic Support Fund”*
16 *from prior Acts making appropriations for the Department*
17 *of State, foreign operations, and related programs and allo-*
18 *cated by the Executive Branch for Afghanistan in the an-*
19 *nual reports required by section 653(a) of the Foreign As-*
20 *sistance Act of 1961 (22 U.S.C. 2413(a)), \$855,644,000,*
21 *shall be deobligated, as appropriate, and shall be rescinded.*

22

(b) MILLENNIUM CHALLENGE CORPORATION.—Of the
23 *unobligated balances from amounts made available under*
24 *the heading “Millennium Challenge Corporation” from*
25 *prior Acts making appropriations for the Department of*

1 *State, foreign operations, and related programs,*
2 *\$515,000,000 are rescinded.*

3 (c) *INTERNATIONAL NARCOTICS CONTROL AND LAW*
4 *ENFORCEMENT.*—*Of the unobligated and unexpended bal-*
5 *ances from amounts made available under the heading*
6 *“International Narcotics Control and Law Enforcement”*
7 *from prior Acts making appropriations for the Department*
8 *of State, foreign operations, and related programs and allo-*
9 *cated by the Executive Branch for Afghanistan in the an-*
10 *nual reports required by section 653(a) of the Foreign As-*
11 *sistance Act of 1961 (22 U.S.C. 2413(a)), \$105,000,000,*
12 *shall be deobligated, as appropriate, and shall be rescinded.*

13 (d) *PEACE CORPS.*—*Of the unobligated balances from*
14 *amounts made available under the heading “Peace Corps”*
15 *from prior Acts making appropriations for the Department*
16 *of State, foreign operations, and related programs,*
17 *\$70,000,000 are rescinded.*

18 (e) *EMBASSY SECURITY, CONSTRUCTION, AND MAINTE-*
19 *NANCE.*—

20 (1) *Of the unobligated and unexpended balances*
21 *from amounts made available under the heading*
22 *“Embassy Security, Construction, and Maintenance”*
23 *in title II of the Security Assistance Appropriations*
24 *Act, 2017 (division B of Public Law 114–254),*
25 *\$41,000,000 are rescinded.*

1 (2) *Of the unobligated and unexpended balances*
2 *from amounts available under the heading “Embassy*
3 *Security, Construction, and Maintenance” from prior*
4 *Acts making appropriations for the Department of*
5 *State, foreign operations, and related programs for*
6 *Embassy Kabul construction projects, \$629,000,000*
7 *are rescinded.*

8 (f) *GLOBAL SECURITY CONTINGENCY FUND.—Of the*
9 *unobligated balances from amounts made available under*
10 *the heading “Global Security Contingency Fund” from*
11 *prior Acts making appropriations for the Department of*
12 *State, foreign operations, and related programs and identi-*
13 *fied by Treasury Appropriation Fund Symbol 11 X 1041,*
14 *\$28,135,000 are rescinded.*

15 (g) *RESTRICTION.—No amounts may be rescinded*
16 *from amounts that were previously designated by the Con-*
17 *gress as an emergency requirement pursuant to a concur-*
18 *rent resolution on the budget or the Balanced Budget and*
19 *Emergency Deficit Control Act of 1985.*

20 *This division may be cited as the “Department of*
21 *State, Foreign Operations, and Related Programs Appro-*
22 *priations Act, 2022”.*

1 ***DIVISION L—TRANSPORTATION, HOUSING***
2 ***AND URBAN DEVELOPMENT, AND RE-***
3 ***LATED AGENCIES APPROPRIATIONS***
4 ***ACT, 2022***

5 ***TITLE I***

6 ***DEPARTMENT OF TRANSPORTATION***

7 ***OFFICE OF THE SECRETARY***

8 ***SALARIES AND EXPENSES***

9 *For necessary expenses of the Office of the Secretary,*
10 *\$141,500,000, of which not to exceed \$3,515,000 shall be*
11 *available for the immediate Office of the Secretary; not to*
12 *exceed \$1,254,000 shall be available for the immediate Of-*
13 *fice of the Deputy Secretary; not to exceed \$25,352,000 shall*
14 *be available for the Office of the General Counsel; not to*
15 *exceed \$13,069,000 shall be available for the Office of the*
16 *Under Secretary of Transportation for Policy; not to exceed*
17 *\$18,291,000 shall be available for the Office of the Assistant*
18 *Secretary for Budget and Programs; not to exceed*
19 *\$3,341,000 shall be available for the Office of the Assistant*
20 *Secretary for Governmental Affairs; not to exceed*
21 *\$34,899,000 shall be available for the Office of the Assistant*
22 *Secretary for Administration; not to exceed \$3,645,000 shall*
23 *be available for the Office of Public Affairs and Public En-*
24 *gagement; not to exceed \$2,116,000 shall be available for*
25 *the Office of the Executive Secretariat; not to exceed*

1 \$14,821,000 shall be available for the Office of Intelligence,
2 Security, and Emergency Response; not to exceed
3 \$19,747,000 shall be available for the Office of the Chief
4 Information Officer; and not to exceed \$1,450,000 shall be
5 available for the Office of Tribal Government Affairs: Pro-
6 vided, That the Secretary of Transportation (referred to in
7 this title as the “Secretary”) is authorized to transfer funds
8 appropriated for any office of the Office of the Secretary
9 to any other office of the Office of the Secretary: Provided
10 further, That no appropriation for any office shall be in-
11 creased or decreased by more than 7 percent by all such
12 transfers: Provided further, That notice of any change in
13 funding greater than 7 percent shall be submitted for ap-
14 proval to the House and Senate Committees on Appropria-
15 tions: Provided further, That not to exceed \$70,000 shall
16 be for allocation within the Department for official recep-
17 tion and representation expenses as the Secretary may de-
18 termine: Provided further, That notwithstanding any other
19 provision of law, there may be credited to this appropria-
20 tion up to \$2,500,000 in funds received in user fees: Pro-
21 vided further, That none of the funds provided in this Act
22 shall be available for the position of Assistant Secretary for
23 Public Affairs.

1 *of persistent poverty as defined under section 6702(a)(1)*
2 *of title 49, United States Code: Provided further, That sec-*
3 *tion 6702(g) of title 49, United States Code, shall not apply*
4 *to amounts made available under this heading in this Act:*
5 *Provided further, That of the amounts made available*
6 *under this heading in this Act not less than 5 percent shall*
7 *be made available for the planning, preparation, or design*
8 *of eligible projects: Provided further, That grants awarded*
9 *under this heading in this Act for eligible projects for plan-*
10 *ning, preparation, or design shall not be subject to a min-*
11 *imum grant size: Provided further, That in distributing*
12 *amounts made available under this heading in this Act, the*
13 *Secretary shall take such measures so as to ensure an equi-*
14 *table geographic distribution of funds, an appropriate bal-*
15 *ance in addressing the needs of urban and rural areas, in-*
16 *cluding Tribal areas, and the investment in a variety of*
17 *transportation modes: Provided further, That a grant*
18 *award under this heading in this Act shall be not greater*
19 *than \$45,000,000: Provided further, That section 6702(c)(3)*
20 *of title 49, United States Code, shall not apply to amounts*
21 *made available under this heading in this Act: Provided*
22 *further, That not more than 15 percent of the amounts made*
23 *available under this heading in this Act may be awarded*
24 *to projects in a single state: Provided further, That for*
25 *amounts made available under this heading in this Act, the*

1 *Secretary shall give priority to projects that require a con-*
2 *tribution of Federal funds in order to complete an overall*
3 *financing package: Provided further, That section*
4 *6702(f)(1) of title 49, United States Code, shall not apply*
5 *to amounts made available under this heading in this Act:*
6 *Provided further, That of the amounts awarded under this*
7 *heading in this Act, not more than 50 percent shall be allo-*
8 *cated for eligible projects located in rural areas and not*
9 *more than 50 percent shall be allocated for eligible projects*
10 *located in urbanized areas: Provided further, That for the*
11 *purpose of determining if an award for planning, prepara-*
12 *tion, or design under this heading in this Act is an urban*
13 *award, the project location is the location of the project*
14 *being planned, prepared, or designed: Provided further,*
15 *That the Secretary may retain up to 2 percent of the*
16 *amounts made available under this heading in this Act, and*
17 *may transfer portions of such amounts to the Administra-*
18 *tors of the Federal Aviation Administration, the Federal*
19 *Highway Administration, the Federal Transit Administra-*
20 *tion, the Federal Railroad Administration and the Mari-*
21 *time Administration to fund the award and oversight of*
22 *grants and credit assistance made under the program au-*
23 *thorized under section 6702 of title 49, United States Code:*
24 *Provided further, That for amounts made available under*
25 *this heading in this Act, the Secretary shall consider and*

1 *award projects based solely on the selection criteria as iden-*
2 *tified under section 6702(d)(3) and (d)(4) of title 49,*
3 *United States Code.*

4 *THRIVING COMMUNITIES INITIATIVE*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *For necessary expenses for a thriving communities*
7 *program, \$25,000,000, to remain available until September*
8 *30, 2024: Provided, That the Secretary of Transportation*
9 *shall make such amounts available for technical assistance*
10 *and cooperative agreements to develop and implement tech-*
11 *nical assistance, planning, and capacity building to im-*
12 *prove and foster thriving communities through transpor-*
13 *tation improvements: Provided further, That the Secretary*
14 *may enter into cooperative agreements with philanthropic*
15 *entities, non-profit organizations, other Federal agencies,*
16 *state or local governments and their agencies, Indian*
17 *Tribes, or other technical assistance providers, to provide*
18 *such technical assistance, planning, and capacity building*
19 *to state, local, or Tribal governments, United States terri-*
20 *tories, metropolitan planning organizations, transit agen-*
21 *cies, or other political subdivisions of state or local govern-*
22 *ments: Provided further, That to be eligible for a cooperative*
23 *agreement under this heading, a recipient shall provide as-*
24 *sistance to entities described in the preceding proviso on*
25 *engaging in public planning processes with residents, local*

1 *businesses, non-profit organizations, and to the extent prac-*
2 *ticable, philanthropic organizations, educational institu-*
3 *tions, or other community stakeholders: Provided further,*
4 *That such cooperative agreements shall facilitate the plan-*
5 *ning and development of transportation and community re-*
6 *vitalization activities supported by the Department of*
7 *Transportation under titles 23, 46, and 49, United States*
8 *Code, that increase mobility, reduce pollution from trans-*
9 *portation sources, expand affordable transportation options,*
10 *facilitate efficient land use, preserve or expand jobs, im-*
11 *prove housing conditions, enhance connections to health*
12 *care, education, and food security, or improve health out-*
13 *comes: Provided further, That the Secretary may prioritize*
14 *assistance provided with amounts made available under*
15 *this heading to communities that have disproportionate*
16 *rates of pollution and poor air quality, communities experi-*
17 *encing disproportionate effects (as defined by Executive*
18 *Order No. 12898), areas of persistent poverty as defined in*
19 *section 6702(a)(1) of title 49, United States Code, or his-*
20 *torically disadvantaged communities: Provided further,*
21 *That the preceding proviso shall not prevent the Secretary*
22 *from providing assistance with amounts made available*
23 *under this heading to entities described in the second pro-*
24 *viso under this heading that request assistance through the*
25 *thriving communities program: Provided further, That*

1 *planning and technical assistance made available under*
2 *this heading may include pre-application assistance for*
3 *capital projects eligible under titles 23, 46, and 49, United*
4 *States Code: Provided further, That the Secretary may re-*
5 *tain amounts made available under this heading for the*
6 *necessary administrative expenses of (1) developing and*
7 *disseminating best practices, modeling, and cost-benefit*
8 *analysis methodologies to assist entities described in the sec-*
9 *ond proviso under this heading with applications for finan-*
10 *cial assistance programs under titles 23, 46, and 49, United*
11 *States Code, and (2) award, administration, and oversight*
12 *of cooperative agreements to carry out the provisions under*
13 *this heading: Provided further, That such amounts and*
14 *payments as may be necessary to carry out the thriving*
15 *communities program may be transferred to appropriate*
16 *accounts of other operating administrations within the De-*
17 *partment of Transportation.*

18 *NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE*

19 *FINANCE BUREAU*

20 *For necessary expenses of the National Surface Trans-*
21 *portation and Innovative Finance Bureau as authorized by*
22 *49 U.S.C. 116, \$3,800,000, to remain available until ex-*
23 *pendent: Provided, That the Secretary may collect and spend*
24 *fees, as authorized by title 23, United States Code, to cover*
25 *the costs of services of expert firms, including counsel, in*

1 *the field of municipal and project finance to assist in the*
2 *underwriting and servicing of Federal credit instruments*
3 *and all or a portion of the costs to the Federal Government*
4 *of servicing such credit instruments: Provided further, That*
5 *such fees are available until expended to pay for such costs:*
6 *Provided further, That such amounts are in addition to*
7 *other amounts made available for such purposes and are*
8 *not subject to any obligation limitation or the limitation*
9 *on administrative expenses under section 608 of title 23,*
10 *United States Code.*

11 *RAILROAD REHABILITATION AND IMPROVEMENT FINANCING*
12 *PROGRAM*

13 *The Secretary is authorized to issue direct loans and*
14 *loan guarantees pursuant to chapter 224 of title 49, United*
15 *States Code, and such authority shall exist as long as any*
16 *such direct loan or loan guarantee is outstanding.*

17 *FINANCIAL MANAGEMENT CAPITAL*

18 *For necessary expenses for upgrading and enhancing*
19 *the Department of Transportation's financial systems and*
20 *re-engineering business processes, \$5,000,000, to remain*
21 *available through September 30, 2023.*

22 *CYBER SECURITY INITIATIVES*

23 *For necessary expenses for cyber security initiatives,*
24 *including necessary upgrades to network and information*
25 *technology infrastructure, improvement of identity manage-*

1 *ment and authentication capabilities, securing and pro-*
2 *tecting data, implementation of Federal cyber security ini-*
3 *tiatives, and implementation of enhanced security controls*
4 *on agency computers and mobile devices, \$39,400,000, to*
5 *remain available until September 30, 2023.*

6 *OFFICE OF CIVIL RIGHTS*

7 *For necessary expenses of the Office of Civil Rights,*
8 *\$11,564,000.*

9 *TRANSPORTATION PLANNING, RESEARCH, AND*
10 *DEVELOPMENT*

11 *(INCLUDING TRANSFER OF FUNDS)*

12 *For necessary expenses for conducting transportation*
13 *planning, research, systems development, development ac-*
14 *tivities, and making grants, \$29,863,000, to remain avail-*
15 *able until expended: Provided, That of such amount,*
16 *\$2,000,000 shall be for necessary expenses of the Interagency*
17 *Infrastructure Permitting Improvement Center (IIPIC):*
18 *Provided further, That there may be transferred to this ap-*
19 *propriation, to remain available until expended, amounts*
20 *transferred from other Federal agencies for expenses in-*
21 *curred under this heading for IIPIC activities not related*
22 *to transportation infrastructure: Provided further, That the*
23 *tools and analysis developed by the IIPIC shall be available*
24 *to other Federal agencies for the permitting and review of*
25 *major infrastructure projects not related to transportation*

1 *only to the extent that other Federal agencies provide fund-*
2 *ing to the Department in accordance with the preceding*
3 *proviso: Provided further, That of the amounts made avail-*
4 *able under this heading, \$7,066,000 shall be made available*
5 *for the purposes, and in amounts, specified for Community*
6 *Project Funding/Congressionally Directed Spending in the*
7 *table entitled “Community Project Funding/Congression-*
8 *ally Directed Spending” included in the explanatory state-*
9 *ment described in section 4 (in the matter preceding divi-*
10 *sion A of this consolidated Act).*

11 *WORKING CAPITAL FUND*

12 *(INCLUDING TRANSFER OF FUNDS)*

13 *For necessary expenses for operating costs and capital*
14 *outlays of the Working Capital Fund, not to exceed*
15 *\$419,173,000, shall be paid from appropriations made*
16 *available to the Department of Transportation: Provided,*
17 *That such services shall be provided on a competitive basis*
18 *to entities within the Department of Transportation: Pro-*
19 *vided further, That the limitation in the preceding proviso*
20 *on operating expenses shall not apply to entities external*
21 *to the Department of Transportation or for funds provided*
22 *in Public Law 117–58: Provided further, That no funds*
23 *made available by this Act to an agency of the Department*
24 *shall be transferred to the Working Capital Fund without*
25 *majority approval of the Working Capital Fund Steering*

1 *Committee and approval of the Secretary: Provided further,*
2 *That no assessments may be levied against any program,*
3 *budget activity, subactivity, or project funded by this Act*
4 *unless notice of such assessments and the basis therefor are*
5 *presented to the House and Senate Committees on Appro-*
6 *priations and are approved by such Committees.*

7 *SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND*
8 *OUTREACH*

9 *For necessary expenses for small and disadvantaged*
10 *business utilization and outreach activities, \$4,977,000, to*
11 *remain available until September 30, 2023: Provided, That*
12 *notwithstanding section 332 of title 49, United States Code,*
13 *such amounts may be used for business opportunities re-*
14 *lated to any mode of transportation: Provided further, That*
15 *appropriations made available under this heading shall be*
16 *available for any purpose consistent with prior year appro-*
17 *priations that were made available under the heading “Of-*
18 *fice of the Secretary—Minority Business Resource Center*
19 *Program”.*

20 *PAYMENTS TO AIR CARRIERS*

21 *(AIRPORT AND AIRWAY TRUST FUND)*

22 *In addition to funds made available from any other*
23 *source to carry out the essential air service program under*
24 *sections 41731 through 41742 of title 49, United States*
25 *Code, \$350,000,000, to be derived from the Airport and Air-*

1 way Trust Fund, to remain available until expended: Pro-
2 vided, That in determining between or among carriers com-
3 peting to provide service to a community, the Secretary
4 may consider the relative subsidy requirements of the car-
5 riers: Provided further, That basic essential air service min-
6 imum requirements shall not include the 15-passenger ca-
7 pacity requirement under section 41732(b)(3) of title 49,
8 United States Code: Provided further, That amounts au-
9 thorized to be distributed for the essential air service pro-
10 gram under section 41742(b) of title 49, United States Code,
11 shall be made available immediately from amounts other-
12 wise provided to the Administrator of the Federal Aviation
13 Administration: Provided further, That the Administrator
14 may reimburse such amounts from fees credited to the ac-
15 count established under section 45303 of title 49, United
16 States Code: Provided further, That, notwithstanding sec-
17 tion 41733 of title 49, United States Code, for fiscal year
18 2022, the requirements established under subparagraphs
19 (B) and (C) of section 41731(a)(1) of title 49, United States
20 Code, and the subsidy cap established by section 332 of the
21 Department of Transportation and Related Agencies Ap-
22 propriations Act, 2000, shall not apply to maintain eligi-
23 bility under section 41731 of title 49, United States Code.

1 *ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY*
2 *OF TRANSPORTATION*

3 *SEC. 101. None of the funds made available by this*
4 *Act to the Department of Transportation may be obligated*
5 *for the Office of the Secretary of Transportation to approve*
6 *assessments or reimbursable agreements pertaining to funds*
7 *appropriated to the operating administrations in this Act,*
8 *except for activities underway on the date of enactment of*
9 *this Act, unless such assessments or agreements have com-*
10 *pleted the normal reprogramming process for congressional*
11 *notification.*

12 *SEC. 102. The Secretary shall post on the web site of*
13 *the Department of Transportation a schedule of all meetings*
14 *of the Council on Credit and Finance, including the agenda*
15 *for each meeting, and require the Council on Credit and*
16 *Finance to record the decisions and actions of each meeting.*

17 *SEC. 103. In addition to authority provided by section*
18 *327 of title 49, United States Code, the Department's Work-*
19 *ing Capital Fund is authorized to provide partial or full*
20 *payments in advance and accept subsequent reimburse-*
21 *ments from all Federal agencies from available funds for*
22 *transit benefit distribution services that are necessary to*
23 *carry out the Federal transit pass transportation fringe*
24 *benefit program under Executive Order No. 13150 and sec-*
25 *tion 3049 of SAFETEA-LU (5 U.S.C. 7905 note): Pro-*

1 *vided, That the Department shall maintain a reasonable*
2 *operating reserve in the Working Capital Fund, to be ex-*
3 *pended in advance to provide uninterrupted transit benefits*
4 *to Government employees: Provided further, That such re-*
5 *serve shall not exceed 1 month of benefits payable and may*
6 *be used only for the purpose of providing for the continu-*
7 *ation of transit benefits: Provided further, That the Working*
8 *Capital Fund shall be fully reimbursed by each customer*
9 *agency from available funds for the actual cost of the transit*
10 *benefit.*

11 *SEC. 104. Receipts collected in the Department's Work-*
12 *ing Capital Fund, as authorized by section 327 of title 49,*
13 *United States Code, for unused transit and van pool bene-*
14 *fits, in an amount not to exceed 10 percent of fiscal year*
15 *2022 collections, shall be available until expended in the*
16 *Department's Working Capital Fund to provide contractual*
17 *services in support of section 189 of this Act: Provided, That*
18 *obligations in fiscal year 2022 of such collections shall not*
19 *exceed \$1,000,000.*

20 *SEC. 105. Funds made available in division K of the*
21 *Consolidated and Further Continuing Appropriations Act,*
22 *2015 (Public Law 113-235) under the heading "Depart-*
23 *ment of Transportation—Office of the Secretary—National*
24 *Infrastructure Investments" for transit and highway*
25 *projects that were available for obligation through fiscal*

1 *year 2017 shall remain available through fiscal year 2023*
2 *for the liquidation of valid obligations incurred during fis-*
3 *cal years 2015 through 2017 of active grants awarded with*
4 *such funds.*

5 *SEC. 106. None of the funds in this title may be obli-*
6 *gated or expended for retention or senior executive bonuses*
7 *for an employee of the Department of Transportation with-*
8 *out the prior written approval of the Assistant Secretary*
9 *for Administration.*

10 *SEC. 107. In addition to authority provided by section*
11 *327 of title 49, United States Code, the Department's Ad-*
12 *ministrative Working Capital Fund is hereby authorized to*
13 *transfer information technology equipment, software, and*
14 *systems from Departmental sources or other entities and*
15 *collect and maintain a reserve at rates which will return*
16 *full cost of transferred assets.*

17 *SEC. 108. None of the funds provided in this Act to*
18 *the Department of Transportation may be used to provide*
19 *credit assistance unless not less than 3 days before any ap-*
20 *plication approval to provide credit assistance under sec-*
21 *tions 603 and 604 of title 23, United States Code, the Sec-*
22 *retary provides notification in writing to the following com-*
23 *mittees: the House and Senate Committees on Appropria-*
24 *tions; the Committee on Environment and Public Works*
25 *and the Committee on Banking, Housing and Urban Af-*

1 *fairs of the Senate; and the Committee on Transportation*
2 *and Infrastructure of the House of Representatives: Pro-*
3 *vided, That such notification shall include, but not be lim-*
4 *ited to, the name of the project sponsor; a description of*
5 *the project; whether credit assistance will be provided as*
6 *a direct loan, loan guarantee, or line of credit; and the*
7 *amount of credit assistance.*

8 *SEC. 109. For an additional amount for “Railroad Re-*
9 *habilitation and Improvement Financing Program” for the*
10 *cost of modifications, as defined by section 502 of the Fed-*
11 *eral Credit Reform Act of 1990, of direct loans issued pursu-*
12 *ant to sections 501 through 504 of the Railroad Revitaliza-*
13 *tion and Regulatory Reform Act of 1976 (Public Law 94-*
14 *210), as amended, and included in cohort 3, as defined by*
15 *the Department of Transportation’s memorandum to the*
16 *Office of Management and Budget dated November 5, 2018,*
17 *\$10,000,000, to remain available until expended: Provided,*
18 *That for a direct loan included in cohort 3, as defined in*
19 *the memorandum described in the preceding proviso, that*
20 *has satisfied all obligations attached to such loan, the Sec-*
21 *retary shall repay the credit risk premiums of such loan,*
22 *with interest accrued thereon, not later than 60 days after*
23 *the enactment of this Act or, for a direct loan included in*
24 *cohort 3 with obligations that have not yet been satisfied,*

1 *not later than 60 days after the date on which all obliga-*
2 *tions attached to such loan have been satisfied.*

3 *SEC. 109A. Section 312(a) of title 49 United States*
4 *Code, shall be amended by striking “land-based,” after “op-*
5 *eration of a”.*

6 *FEDERAL AVIATION ADMINISTRATION*

7 *OPERATIONS*

8 *(AIRPORT AND AIRWAY TRUST FUND)*

9 *For necessary expenses of the Federal Aviation Admin-*
10 *istration, not otherwise provided for, including operations*
11 *and research activities related to commercial space trans-*
12 *portation, administrative expenses for research and develop-*
13 *ment, establishment of air navigation facilities, the oper-*
14 *ation (including leasing) and maintenance of aircraft, sub-*
15 *sidizing the cost of aeronautical charts and maps sold to*
16 *the public, the lease or purchase of passenger motor vehicles*
17 *for replacement only, \$11,414,100,000, to remain available*
18 *until September 30, 2023, of which \$6,414,100,000 to be*
19 *derived from the Airport and Airway Trust Fund: Pro-*
20 *vided, That of the amounts made available under this head-*
21 *ing—*

22 *(1) not less than \$1,536,298,000 shall be avail-*
23 *able for aviation safety activities;*

24 *(2) \$8,472,585,000 shall be available for air traf-*
25 *fic organization activities;*

1 (3) \$32,470,000 shall be available for commercial
2 space transportation activities;

3 (4) \$889,216,000 shall be available for finance
4 and management activities;

5 (5) \$63,955,000 shall be available for NextGen
6 and operations planning activities;

7 (6) \$139,466,000 shall be available for security
8 and hazardous materials safety; and

9 (7) \$280,110,000 shall be available for staff of-
10 fices:

11 *Provided further, That not to exceed 5 percent of any budget*
12 *activity, except for aviation safety budget activity, may be*
13 *transferred to any budget activity under this heading: Pro-*
14 *vided further, That no transfer may increase or decrease*
15 *any appropriation under this heading by more than 5 per-*
16 *cent: Provided further, That any transfer in excess of 5 per-*
17 *cent shall be treated as a reprogramming of funds under*
18 *section 405 of this Act and shall not be available for obliga-*
19 *tion or expenditure except in compliance with the proce-*
20 *dures set forth in that section: Provided further, That not*
21 *later than 60 days after the submission of the budget re-*
22 *quest, the Administrator of the Federal Aviation Adminis-*
23 *tration shall transmit to Congress an annual update to the*
24 *report submitted to Congress in December 2004 pursuant*
25 *to section 221 of the Vision 100-Century of Aviation Reau-*

1 *thorization Act (49 U.S.C. 40101 note): Provided further,*
2 *That the amounts made available under this heading shall*
3 *be reduced by \$100,000 for each day after 60 days after*
4 *the submission of the budget request that such report has*
5 *not been transmitted to Congress: Provided further, That*
6 *not later than 60 days after the submission of the budget*
7 *request, the Administrator shall transmit to Congress a*
8 *companion report that describes a comprehensive strategy*
9 *for staffing, hiring, and training flight standards and air-*
10 *craft certification staff in a format similar to the one uti-*
11 *lized for the controller staffing plan, including stated attri-*
12 *tion estimates and numerical hiring goals by fiscal year:*
13 *Provided further, That the amounts made available under*
14 *this heading shall be reduced by \$100,000 for each day after*
15 *the date that is 60 days after the submission of the budget*
16 *request that such report has not been submitted to Congress:*
17 *Provided further, That funds may be used to enter into a*
18 *grant agreement with a nonprofit standard-setting organi-*
19 *zation to assist in the development of aviation safety stand-*
20 *ards: Provided further, That none of the funds made avail-*
21 *able by this Act shall be available for new applicants for*
22 *the second career training program: Provided further, That*
23 *none of the funds made available by this Act shall be avail-*
24 *able for the Federal Aviation Administration to finalize or*
25 *implement any regulation that would promulgate new avia-*

1 *tion user fees not specifically authorized by law after the*
2 *date of the enactment of this Act: Provided further, That*
3 *there may be credited to this appropriation, as offsetting*
4 *collections, funds received from States, counties, municipi-*
5 *palities, foreign authorities, other public authorities, and*
6 *private sources for expenses incurred in the provision of*
7 *agency services, including receipts for the maintenance and*
8 *operation of air navigation facilities, and for issuance, re-*
9 *newal or modification of certificates, including airman,*
10 *aircraft, and repair station certificates, or for tests related*
11 *thereto, or for processing major repair or alteration forms:*
12 *Provided further, That of the amounts made available*
13 *under this heading, not less than \$178,000,000 shall be used*
14 *to fund direct operations of the current air traffic control*
15 *towers in the contract tower program, including the con-*
16 *tract tower cost share program, and any airport that is*
17 *currently qualified or that will qualify for the program dur-*
18 *ing the fiscal year: Provided further, That none of the funds*
19 *made available by this Act for aeronautical charting and*
20 *cartography are available for activities conducted by, or co-*
21 *ordinated through, the Working Capital Fund: Provided*
22 *further, That none of the funds appropriated or otherwise*
23 *made available by this Act or any other Act may be used*
24 *to eliminate the Contract Weather Observers program at*
25 *any airport.*

1 *FACILITIES AND EQUIPMENT*2 *(AIRPORT AND AIRWAY TRUST FUND)*

3 *For necessary expenses, not otherwise provided for, for*
4 *acquisition, establishment, technical support services, im-*
5 *provement by contract or purchase, and hire of national*
6 *airspace systems and experimental facilities and equip-*
7 *ment, as authorized under part A of subtitle VII of title*
8 *49, United States Code, including initial acquisition of nec-*
9 *essary sites by lease or grant; engineering and service test-*
10 *ing, including construction of test facilities and acquisition*
11 *of necessary sites by lease or grant; construction and fur-*
12 *nishing of quarters and related accommodations for officers*
13 *and employees of the Federal Aviation Administration sta-*
14 *tioned at remote localities where such accommodations are*
15 *not available; and the purchase, lease, or transfer of aircraft*
16 *from funds made available under this heading, including*
17 *aircraft for aviation regulation and certification; to be de-*
18 *rived from the Airport and Airway Trust Fund,*
19 *\$2,892,887,500, of which \$550,000,000 is for personnel and*
20 *related expenses and shall remain available until September*
21 *30, 2023, \$1,980,722,500 shall remain available until Sep-*
22 *tember 30, 2024, and \$362,165,000 is for terminal facilities*
23 *and shall remain available until September 30, 2026: Pro-*
24 *vided, That there may be credited to this appropriation*
25 *funds received from States, counties, municipalities, other*

1 public authorities, and private sources, for expenses in-
2 curred in the establishment, improvement, and moderniza-
3 tion of national airspace systems: Provided further, That
4 not later than 60 days after submission of the budget re-
5 quest, the Secretary of Transportation shall transmit to the
6 Congress an investment plan for the Federal Aviation Ad-
7 ministration which includes funding for each budget line
8 item for fiscal years 2023 through 2027, with total funding
9 for each year of the plan constrained to the funding targets
10 for those years as estimated and approved by the Office of
11 Management and Budget: Provided further, That section
12 405 of this Act shall apply to amounts made available
13 under this heading in Title VIII of the Infrastructure In-
14 vestments and Jobs Appropriations Act (division J of Pub-
15 lic Law 117–58): Provided further, That the amounts in
16 the table entitled “Allocation of Funds for FAA Facilities
17 and Equipment from the Infrastructure Investment and
18 Jobs Act—Fiscal Year 2022” in the explanatory statement
19 described in section 4 (in the matter preceding division A
20 of this consolidated Act) shall be the baseline for application
21 of reprogramming and transfer authorities for the current
22 fiscal year pursuant to paragraph (7) of such section 405
23 for amounts referred to in the preceding proviso: Provided
24 further, That, notwithstanding paragraphs (5) and (6) of
25 such section 405, unless prior approval is received from the

1 *House and Senate Committees on Appropriations, not to*
2 *exceed 10 percent of any funding level specified for projects*
3 *and activities in the table referred to in the preceding pro-*
4 *viso may be transferred to any other funding level specified*
5 *for projects and activities in such table and no transfer of*
6 *such funding levels may increase or decrease any funding*
7 *level in such table by more than 10 percent.*

8 *RESEARCH, ENGINEERING, AND DEVELOPMENT*

9 *(AIRPORT AND AIRWAY TRUST FUND)*

10 *For necessary expenses, not otherwise provided for, for*
11 *research, engineering, and development, as authorized*
12 *under part A of subtitle VII of title 49, United States Code,*
13 *including construction of experimental facilities and acqui-*
14 *sition of necessary sites by lease or grant, \$248,500,000, to*
15 *be derived from the Airport and Airway Trust Fund and*
16 *to remain available until September 30, 2024: Provided,*
17 *That there may be credited to this appropriation as offset-*
18 *ting collections, funds received from States, counties, mu-*
19 *nicipalities, other public authorities, and private sources,*
20 *which shall be available for expenses incurred for research,*
21 *engineering, and development: Provided further, That*
22 *amounts made available under this heading shall be used*
23 *in accordance with the explanatory statement described in*
24 *section 4 (in the matter preceding division A of this consoli-*
25 *dated Act): Provided further, That not to exceed 10 percent*

1 *of any funding level specified under this heading in the ex-*
 2 *planatory statement described in section 4 (in the matter*
 3 *preceding division A of this consolidated Act) may be trans-*
 4 *ferred to any other funding level specified under this head-*
 5 *ing in the explanatory statement described in section 4 (in*
 6 *the matter preceding division A of this consolidated Act):*
 7 *Provided further, That no transfer may increase or decrease*
 8 *any funding level by more than 10 percent: Provided fur-*
 9 *ther, That any transfer in excess of 10 percent shall be treat-*
 10 *ed as a reprogramming of funds under section 405 of this*
 11 *Act and shall not be available for obligation or expenditure*
 12 *except in compliance with the procedures set forth in that*
 13 *section.*

14 *GRANTS-IN-AID FOR AIRPORTS*

15 *(LIQUIDATION OF CONTRACT AUTHORIZATION)*

16 *(LIMITATION ON OBLIGATIONS)*

17 *(AIRPORT AND AIRWAY TRUST FUND)*

18 *(INCLUDING TRANSFER OF FUNDS)*

19 *For liquidation of obligations incurred for grants-in-*
 20 *aid for airport planning and development, and noise com-*
 21 *patibility planning and programs as authorized under sub-*
 22 *chapter I of chapter 471 and subchapter I of chapter 475*
 23 *of title 49, United States Code, and under other law author-*
 24 *izing such obligations; for procurement, installation, and*
 25 *commissioning of runway incursion prevention devices and*

1 *systems at airports of such title; for grants authorized under*
2 *section 41743 of title 49, United States Code; and for in-*
3 *spection activities and administration of airport safety pro-*
4 *grams, including those related to airport operating certifi-*
5 *cates under section 44706 of title 49, United States Code,*
6 *\$3,350,000,000, to be derived from the Airport and Airway*
7 *Trust Fund and to remain available until expended: Pro-*
8 *vided, That none of the amounts made available under this*
9 *heading shall be available for the planning or execution of*
10 *programs the obligations for which are in excess of*
11 *\$3,350,000,000, in fiscal year 2022, notwithstanding sec-*
12 *tion 47117(g) of title 49, United States Code: Provided fur-*
13 *ther, That none of the amounts made available under this*
14 *heading shall be available for the replacement of baggage*
15 *conveyor systems, reconfiguration of terminal baggage*
16 *areas, or other airport improvements that are necessary to*
17 *install bulk explosive detection systems: Provided further,*
18 *That notwithstanding section 47109(a) of title 49, United*
19 *States Code, the Government's share of allowable project*
20 *costs under paragraph (2) of such section for subgrants or*
21 *paragraph (3) of such section shall be 95 percent for a*
22 *project at other than a large or medium hub airport that*
23 *is a successive phase of a multi-phased construction project*
24 *for which the project sponsor received a grant in fiscal year*
25 *2011 for the construction project: Provided further, That*

1 *notwithstanding any other provision of law, of amounts*
2 *limited under this heading, not more than \$127,165,000*
3 *shall be available for administration, not less than*
4 *\$15,000,000 shall be available for the Airport Cooperative*
5 *Research Program, not less than \$40,961,000 shall be avail-*
6 *able for Airport Technology Research, and \$10,000,000, to*
7 *remain available until expended, shall be available and*
8 *transferred to “Office of the Secretary, Salaries and Ex-*
9 *penses” to carry out the Small Community Air Service De-*
10 *velopment Program: Provided further, That in addition to*
11 *airports eligible under section 41743 of title 49, United*
12 *States Code, such program may include the participation*
13 *of an airport that serves a community or consortium that*
14 *is not larger than a small hub airport, according to FAA*
15 *hub classifications effective at the time the Office of the Sec-*
16 *retary issues a request for proposals.*

17 *GRANTS-IN-AID FOR AIRPORTS*

18 *For an additional amount for “Grants-In-Aid for Air-*
19 *ports”, to enable the Secretary of Transportation to make*
20 *grants for projects as authorized by subchapter 1 of chapter*
21 *471 and subchapter 1 of chapter 475 of title 49, United*
22 *States Code, \$554,180,000, to remain available through*
23 *September 30, 2024: Provided, That amounts made avail-*
24 *able under this heading shall be derived from the general*
25 *fund, and such funds shall not be subject to apportionment*

1 *formulas, special apportionment categories, or minimum*
2 *percentages under chapter 471 of title 49, United States*
3 *Code: Provided further, That of the amounts made available*
4 *under this heading, \$279,180,135 shall be made available*
5 *for the purposes, and in amounts, specified for Community*
6 *Project Funding/Congressionally Directed Spending in the*
7 *table entitled “Community Project Funding/Congression-*
8 *ally Directed Spending” included in the explanatory state-*
9 *ment described in section 4 (in the matter preceding divi-*
10 *sion A of this consolidated Act): Provided further, That any*
11 *funds made available under this heading in this Act that*
12 *remain available after the distribution of funds under the*
13 *preceding proviso shall be available to the Secretary to dis-*
14 *tribute as discretionary grants to airports: Provided fur-*
15 *ther, That the amounts made available under this heading*
16 *shall not be subject to any limitation on obligations for the*
17 *Grants-in-Aid for Airports program set forth in any Act:*
18 *Provided further, That the Administrator of the Federal*
19 *Aviation Administration may retain up to 0.5 percent of*
20 *the amounts made available under this heading to fund the*
21 *award and oversight by the Administrator of grants made*
22 *under this heading.*

1 *States Code, and any amount remaining in such account*
2 *at the close of any fiscal year may be made available to*
3 *satisfy section 41742(a)(1) of title 49, United States Code,*
4 *for the subsequent fiscal year.*

5 *SEC. 113. Amounts collected under section 40113(e) of*
6 *title 49, United States Code, shall be credited to the appro-*
7 *priation current at the time of collection, to be merged with*
8 *and available for the same purposes as such appropriation.*

9 *SEC. 114. None of the funds made available by this*
10 *Act shall be available for paying premium pay under sec-*
11 *tion 5546(a) of title 5, United States Code, to any Federal*
12 *Aviation Administration employee unless such employee ac-*
13 *tually performed work during the time corresponding to*
14 *such premium pay.*

15 *SEC. 115. None of the funds made available by this*
16 *Act may be obligated or expended for an employee of the*
17 *Federal Aviation Administration to purchase a store gift*
18 *card or gift certificate through use of a Government-issued*
19 *credit card.*

20 *SEC. 116. Notwithstanding any other provision of law,*
21 *none of the funds made available under this Act or any*
22 *prior Act may be used to implement or to continue to im-*
23 *plement any limitation on the ability of any owner or oper-*
24 *ator of a private aircraft to obtain, upon a request to the*
25 *Administrator of the Federal Aviation Administration, a*

1 *blocking of that owner's or operator's aircraft registration*
2 *number, Mode S transponder code, flight identification, call*
3 *sign, or similar identifying information from any ground*
4 *based display to the public that would allow the real-time*
5 *or near real-time flight tracking of that aircraft's move-*
6 *ments, except data made available to a Government agency,*
7 *for the noncommercial flights of that owner or operator.*

8 *SEC. 117. None of the funds made available by this*
9 *Act shall be available for salaries and expenses of more than*
10 *nine political and Presidential appointees in the Federal*
11 *Aviation Administration.*

12 *SEC. 118. None of the funds made available by this*
13 *Act may be used to increase fees pursuant to section 44721*
14 *of title 49, United States Code, until the Federal Aviation*
15 *Administration provides to the House and Senate Commit-*
16 *tees on Appropriations a report that justifies all fees related*
17 *to aeronautical navigation products and explains how such*
18 *fees are consistent with Executive Order No. 13642.*

19 *SEC. 119. None of the funds made available by this*
20 *Act may be used to close a regional operations center of*
21 *the Federal Aviation Administration or reduce its services*
22 *unless the Administrator notifies the House and Senate*
23 *Committees on Appropriations not less than 90 full business*
24 *days in advance.*

1 *SEC. 119A. None of the funds made available by or*
2 *limited by this Act may be used to change weight restric-*
3 *tions or prior permission rules at Teterboro airport in*
4 *Teterboro, New Jersey.*

5 *SEC. 119B. None of the funds made available by this*
6 *Act may be used by the Administrator of the Federal Avia-*
7 *tion Administration to withhold from consideration and*
8 *approval any new application for participation in the Con-*
9 *tract Tower Program, or for reevaluation of Cost-share Pro-*
10 *gram participants so long as the Federal Aviation Adminis-*
11 *tration has received an application from the airport, and*
12 *so long as the Administrator determines such tower is eligi-*
13 *ble using the factors set forth in Federal Aviation Adminis-*
14 *tration published establishment criteria.*

15 *SEC. 119C. None of the funds made available by this*
16 *Act may be used to open, close, redesignate as a lesser office,*
17 *or reorganize a regional office, the aeronautical center, or*
18 *the technical center unless the Administrator submits a re-*
19 *quest for the reprogramming of funds under section 405 of*
20 *this Act.*

21 *SEC. 119D. The Federal Aviation Administration Ad-*
22 *ministrative Services Franchise Fund may be reimbursed*
23 *after performance or paid in advance from funds available*
24 *to the Federal Aviation Administration and other Federal*
25 *agencies for which the Fund performs services.*

1 *SEC. 119E. Of the funds provided under the heading*
2 *“Grants-in-aid for Airports”, up to \$3,500,000 shall be for*
3 *necessary expenses, including an independent verification*
4 *regime, to provide reimbursement to airport sponsors that*
5 *do not provide gateway operations and providers of general*
6 *aviation ground support services, or other aviation tenants,*
7 *located at those airports closed during a temporary flight*
8 *restriction (TFR) for any residence of the President that*
9 *is designated or identified to be secured by the United States*
10 *Secret Service, and for direct and incremental financial*
11 *losses incurred while such airports are closed solely due to*
12 *the actions of the Federal Government: Provided, That no*
13 *funds shall be obligated or distributed to airport sponsors*
14 *that do not provide gateway operations and providers of*
15 *general aviation ground support services until an inde-*
16 *pendent audit is completed: Provided further, That losses*
17 *incurred as a result of violations of law, or through fault*
18 *or negligence, of such operators and service providers or of*
19 *third parties (including airports) are not eligible for reim-*
20 *bursements: Provided further, That obligation and expendi-*
21 *ture of funds are conditional upon full release of the United*
22 *States Government for all claims for financial losses result-*
23 *ing from such actions.*

24 *SEC. 119F. None of the funds appropriated or other-*
25 *wise made available to the FAA may be used to carry out*

1 *the FAA's obligations under section 44502(e) of title 49,*
 2 *United States Code, unless the eligible air traffic system*
 3 *or equipment to be transferred to the FAA under section*
 4 *44502(e) of title 49, United States Code, was purchased by*
 5 *the transferor airport—*

6 *(1) during the period of time beginning on Octo-*
 7 *ber 5, 2018 and ending on December 31, 2021; or*

8 *(2) on or after January 1, 2022 for transferor*
 9 *airports located in a non-contiguous states.*

10 *FEDERAL HIGHWAY ADMINISTRATION*

11 *LIMITATION ON ADMINISTRATIVE EXPENSES*

12 *(HIGHWAY TRUST FUND)*

13 *(INCLUDING TRANSFER OF FUNDS)*

14 *Not to exceed \$463,716,697 together with advances and*
 15 *reimbursements received by the Federal Highway Adminis-*
 16 *tration, shall be obligated for necessary expenses for admin-*
 17 *istration and operation of the Federal Highway Adminis-*
 18 *tration: Provided, That in addition, \$3,248,000 shall be*
 19 *transferred to the Appalachian Regional Commission in ac-*
 20 *cordance with section 104(a) of title 23, United States Code.*

21 *FEDERAL-AID HIGHWAYS*

22 *(LIMITATION ON OBLIGATIONS)*

23 *(HIGHWAY TRUST FUND)*

24 *Funds available for the implementation or execution*
 25 *of authorized Federal-aid highway and highway safety con-*

1 *struction programs shall not exceed total obligations of*
2 *\$57,473,430,072 for fiscal year 2022.*

3 *(LIQUIDATION OF CONTRACT AUTHORIZATION)*

4 *(HIGHWAY TRUST FUND)*

5 *For the payment of obligations incurred in carrying*
6 *out authorized Federal-aid highway and highway safety*
7 *construction programs authorized under title 23, United*
8 *States Code, \$58,212,430,072 derived from the Highway*
9 *Trust Fund (other than the Mass Transit Account), to re-*
10 *main available until expended.*

11 *HIGHWAY INFRASTRUCTURE PROGRAMS*

12 *(INCLUDING TRANSFER OF FUNDS)*

13 *There is hereby appropriated to the Secretary*
14 *\$2,444,927,823: Provided, That the funds made available*
15 *under this heading shall be derived from the general fund,*
16 *shall be in addition to any funds provided for fiscal year*
17 *2022 in this or any other Act for: (1) “Federal-aid High-*
18 *ways” under chapter 1 of title 23, United States Code; (2)*
19 *the Appalachian Development Highway System as author-*
20 *ized under section 1069(y) of Public Law 102–240; or (3)*
21 *the Northern Border Regional Commission (40 U.S.C.*
22 *15101 et seq.), and shall not affect the distribution or*
23 *amount of funds provided in any other Act: Provided fur-*
24 *ther, That, except for funds made available under this head-*
25 *ing for the Northern Border Regional Commission, section*

1 11101(e) of Public Law 117–58 shall apply to funds made
2 available under this heading: Provided further, That unless
3 otherwise specified, amounts made available under this
4 heading shall be available until September 30, 2025, and
5 shall not be subject to any limitation on obligations for Fed-
6 eral-aid highways or highway safety construction programs
7 set forth in any Act making annual appropriations: Pro-
8 vided further, That of the funds made available under this
9 heading—

10 (1) \$846,927,823 shall be made available for the
11 purposes, and in the amounts, specified for Commu-
12 nity Project Funding/Congressionally Directed
13 Spending in the table entitled “Community Project
14 Funding/Congressionally Directed Spending” in-
15 cluded in the explanatory statement described in sec-
16 tion 4 (in the matter preceding division A of this con-
17 solidated Act);

18 (2) \$100,000,000 shall be for necessary expenses
19 for construction of the Appalachian Development
20 Highway System as authorized under section 1069(y)
21 of Public Law 102–240;

22 (3) \$75,000,000 shall be for the nationally sig-
23 nificant Federal lands and Tribal projects program
24 under section 1123 of the FAST Act (23 U.S.C. 201
25 note);

1 (4) \$12,000,000 shall be for the regional infra-
2 structure accelerator demonstration program author-
3 ized under section 1441 of the FAST Act (23 U.S.C.
4 601 note);

5 (5) \$1,145,000,000 shall be for a bridge replace-
6 ment and rehabilitation program;

7 (6) \$6,000,000 shall be for the national scenic
8 byways program under section 162 of title 23, United
9 States Code;

10 (7) \$10,000,000 shall be transferred to the North-
11 ern Border Regional Commission (40 U.S.C. 15101 et
12 seq.) to make grants, in addition to amounts other-
13 wise made available to the Northern Border Regional
14 Commission for such purpose, to carry out pilot
15 projects that demonstrate the capabilities of wood-
16 based infrastructure projects; and

17 (8) \$200,000,000 shall be for competitive awards
18 for activities eligible under section 176(d)(4)(A) of
19 title 23, United States Code, and \$50,000,000 shall be
20 for competitive awards for activities eligible under
21 section 176(d)(4)(C) of title 23, United States Code:

22 *Provided further, That, except as otherwise provided under*
23 *this heading, the funds made available under this heading,*
24 *in paragraphs (1), (5), (6), and (8) of the fourth proviso,*
25 *shall be administered as if apportioned under chapter 1 of*

1 *title 23, United States Code: Provided further, That funds*
2 *made available under this heading, in paragraph (1) of the*
3 *fourth proviso, that are used for Tribal projects shall be ad-*
4 *ministered as if allocated under chapter 2 of title 23, United*
5 *States Code, except that the set-asides described in subpara-*
6 *graph (C) of section 202(b)(3) of title 23, United States*
7 *Code, and subsections (a)(6), (c), and (e) of section 202 of*
8 *such title, and section 1123(h)(1) of MAP-21 (as amended*
9 *by Public Law 117-58), shall not apply to such funds: Pro-*
10 *vided further, That not less than 50 percent of the funds*
11 *made available under this heading, in paragraph (3) of the*
12 *fourth proviso, for the nationally significant Federal lands*
13 *and tribal projects program under section 1123 of the FAST*
14 *Act shall be for competitive grants to tribal governments:*
15 *Provided further, That for funds made available under this*
16 *heading, in paragraph (4) of the fourth proviso, the Federal*
17 *share of the costs shall be, at the option of the recipient,*
18 *up to 100 percent: Provided further, That, for the purposes*
19 *of funds made available under this heading, in paragraph*
20 *(5) of the fourth proviso, for a bridge replacement and reha-*
21 *bilitation program, (1) the term “State” means any of the*
22 *50 States or the District of Columbia, and (2) the term*
23 *“qualifying State” means any State in which the percent-*
24 *age of total deck area of bridges classified as in poor condi-*
25 *tion in such State is at least 5 percent or in which the*

1 *percentage of total bridges classified as in poor condition*
2 *in such State is at least 5 percent: Provided further, That,*
3 *of the funds made available under this heading, in para-*
4 *graph (5) of the fourth proviso, for a bridge replacement*
5 *and rehabilitation program, the Secretary shall reserve*
6 *\$6,000,000 for each State that does not meet the definition*
7 *of a qualifying State: Provided further, That, after making*
8 *the reservations under the preceding proviso, the Secretary*
9 *shall distribute the remaining funds made available under*
10 *this heading, in paragraph (5) of the fourth proviso, for*
11 *a bridge replacement and rehabilitation program to each*
12 *qualifying State by the proportion that the percentage of*
13 *total deck area of bridges classified as in poor condition*
14 *in such qualifying State bears to the sum of the percentages*
15 *of total deck area of bridges classified as in poor condition*
16 *in all qualifying States: Provided further, That, of the funds*
17 *made available under this heading, in paragraph (5) of the*
18 *fourth proviso, for the bridge replacement and rehabilita-*
19 *tion program:*

20 (1) *no qualifying State shall receive more than*
21 *\$40,000,000;*

22 (2) *each State shall receive an amount not less*
23 *than \$6,000,000; and*

24 (3) *after calculating the distribution of funds*
25 *pursuant to the preceding proviso, any amount in ex-*

1 *cess of \$40,000,000 shall be redistributed equally*
2 *among each State that does not meet the definition of*
3 *a qualifying State:*

4 *Provided further, That the funds made available under this*
5 *heading, in paragraph (5) of the fourth proviso, for a bridge*
6 *replacement and rehabilitation program shall be used for*
7 *highway bridge replacement or rehabilitation projects on*
8 *public roads: Provided further, That for purposes of this*
9 *heading for the bridge replacement and rehabilitation pro-*
10 *gram, the Secretary shall calculate the percentages of total*
11 *deck area of bridges (including the percentages of total deck*
12 *area classified as in poor condition) and the percentages*
13 *of total bridge counts (including the percentages of total*
14 *bridges classified as in poor condition) based on the Na-*
15 *tional Bridge Inventory as of December 31, 2018: Provided*
16 *further, That for the purposes of funds made available*
17 *under this heading, in paragraph (2) of the fourth proviso,*
18 *for construction of the Appalachian Development Highway*
19 *System, the term “Appalachian State” means a State that*
20 *contains 1 or more counties (including any political sub-*
21 *division located within the area) in the Appalachian region*
22 *as defined in section 14102(a) of title 40, United States*
23 *Code: Provided further, That funds made available under*
24 *this heading for construction of the Appalachian Develop-*
25 *ment Highway System shall remain available until ex-*

1 *pending: Provided further, That, except as provided in the*
2 *following proviso, funds made available under this heading*
3 *for construction of the Appalachian Development Highway*
4 *System shall be administered as if apportioned under chap-*
5 *ter 1 of title 23, United States Code: Provided further, That*
6 *a project carried out with funds made available under this*
7 *heading for construction of the Appalachian Development*
8 *Highway System shall be carried out in the same manner*
9 *as a project under section 14501 of title 40, United States*
10 *Code: Provided further, That subject to the following pro-*
11 *viso, funds made available under this heading for construc-*
12 *tion of the Appalachian Development Highway System*
13 *shall be apportioned to Appalachian States according to the*
14 *percentages derived from the 2012 Appalachian Develop-*
15 *ment Highway System Cost-to-Complete Estimate, adopted*
16 *in Appalachian Regional Commission Resolution Number*
17 *736, and confirmed as each Appalachian State's relative*
18 *share of the estimated remaining need to complete the Ap-*
19 *palachian Development Highway System, adjusted to ex-*
20 *clude those corridors that such States have no current plans*
21 *to complete, as reported in the 2013 Appalachian Develop-*
22 *ment Highway System Completion Report, unless those*
23 *States have modified and assigned a higher priority for*
24 *completion of an Appalachian Development Highway Sys-*
25 *tem corridor, as reported in the 2020 Appalachian Develop-*

1 *ment Highway System Future Outlook: Provided further,*
2 *That the Secretary shall adjust apportionments made under*
3 *the preceding proviso so that no Appalachian State shall*
4 *be apportioned an amount in excess of 30 percent of the*
5 *amount made available for construction of the Appalachian*
6 *Development Highway System under this heading: Pro-*
7 *vided further, That the Secretary shall consult with the Ap-*
8 *palachian Regional Commission in making adjustments*
9 *under the preceding two provisos: Provided further, That*
10 *the Federal share of the costs for which an expenditure is*
11 *made for construction of the Appalachian Development*
12 *Highway System under this heading shall be up to 100 per-*
13 *cent: Provided further, That a grant made with funds made*
14 *available under this heading, in paragraph (7) of the fourth*
15 *proviso, shall be administered in the same manner as a*
16 *grant made under subtitle V of title 40, United States Code:*
17 *Provided further, That, except as otherwise provided under*
18 *this heading, funds made available under this heading, in*
19 *paragraph (8) of the fourth proviso, for competitive awards*
20 *for activities eligible under sections 176(d)(4)(A) and*
21 *176(d)(4)(C) of title 23, United States Code, shall be ad-*
22 *ministered as if made available to carry out section 176(d)*
23 *of such title: Provided further, That, for purposes of the cal-*
24 *culatation under section 176(d)(5)(G)(ii) of title 23, United*
25 *States Code, amounts made available under this heading*

1 *for competitive awards for activities eligible under sections*
2 *176(d)(4)(A) and 176(d)(4)(C) of such title shall be in-*
3 *cluded in the calculation of the total amount provided for*
4 *fiscal year 2022 under section 176(d) of such title: Provided*
5 *further, That for purposes of applying the set-asides under*
6 *section 176(d)(5)(H)(ii) and (iii) of title 23, United States*
7 *Code, amounts made available under this heading for com-*
8 *petitive awards for activities eligible under sections*
9 *176(d)(4)(A) and 176(d)(4)(C) of such title shall be in-*
10 *cluded in the calculation of the amounts made available to*
11 *carry out section 176(d) of such title for fiscal year 2022:*
12 *Provided further, That, the Secretary may retain not more*
13 *than a total of 5 percent of the amounts made available*
14 *under this heading for competitive awards for activities eli-*
15 *gible under sections 176(d)(4)(A) and 176(d)(4)(C) of such*
16 *title to carry out paragraph (8) of the fourth proviso and*
17 *to review applications for grants under paragraph (8) of*
18 *the fourth proviso, and may transfer portions of the funds*
19 *retained under this proviso to the relevant Administrators*
20 *to fund the award and oversight of grants provided under*
21 *paragraph (8) of the fourth proviso: Provided further, That*
22 *a project assisted with funds made available under this*
23 *heading for competitive awards for activities eligible under*
24 *sections 176(d)(4)(A) or 176(d)(4)(C) of title 23, United*

1 *States Code, shall be treated as a project on a Federal-aid*
2 *highway.*

3 *ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY*

4 *ADMINISTRATION*

5 *SEC. 120. (a) For fiscal year 2022, the Secretary of*
6 *Transportation shall—*

7 *(1) not distribute from the obligation limitation*
8 *for Federal-aid highways—*

9 *(A) amounts authorized for administrative*
10 *expenses and programs by section 104(a) of title*
11 *23, United States Code; and*

12 *(B) amounts authorized for the Bureau of*
13 *Transportation Statistics;*

14 *(2) not distribute an amount from the obligation*
15 *limitation for Federal-aid highways that is equal to*
16 *the unobligated balance of amounts—*

17 *(A) made available from the Highway Trust*
18 *Fund (other than the Mass Transit Account) for*
19 *Federal-aid highway and highway safety con-*
20 *struction programs for previous fiscal years the*
21 *funds for which are allocated by the Secretary*
22 *(or apportioned by the Secretary under sections*
23 *202 or 204 of title 23, United States Code); and*

24 *(B) for which obligation limitation was*
25 *provided in a previous fiscal year;*

1 (3) *determine the proportion that—*

2 (A) *the obligation limitation for Federal-aid*
3 *highways, less the aggregate of amounts not dis-*
4 *tributed under paragraphs (1) and (2) of this*
5 *subsection; bears to*

6 (B) *the total of the sums authorized to be*
7 *appropriated for the Federal-aid highway and*
8 *highway safety construction programs (other*
9 *than sums authorized to be appropriated for pro-*
10 *visions of law described in paragraphs (1)*
11 *through (11) of subsection (b) and sums author-*
12 *ized to be appropriated for section 119 of title*
13 *23, United States Code, equal to the amount re-*
14 *ferred to in subsection (b)(12) for such fiscal*
15 *year), less the aggregate of the amounts not dis-*
16 *tributed under paragraphs (1) and (2) of this*
17 *subsection;*

18 (4) *distribute the obligation limitation for Fed-*
19 *eral-aid highways, less the aggregate amounts not dis-*
20 *tributed under paragraphs (1) and (2), for each of the*
21 *programs (other than programs to which paragraph*
22 *(1) applies) that are allocated by the Secretary under*
23 *authorized Federal-aid highway and highway safety*
24 *construction programs, or apportioned by the Sec-*

1 *retary under sections 202 or 204 of title 23, United*
2 *States Code, by multiplying—*

3 *(A) the proportion determined under para-*
4 *graph (3); by*

5 *(B) the amounts authorized to be appro-*
6 *priated for each such program for such fiscal*
7 *year; and*

8 *(5) distribute the obligation limitation for Fed-*
9 *eral-aid highways, less the aggregate amounts not dis-*
10 *tributed under paragraphs (1) and (2) and the*
11 *amounts distributed under paragraph (4), for Fed-*
12 *eral-aid highway and highway safety construction*
13 *programs that are apportioned by the Secretary*
14 *under title 23, United States Code (other than the*
15 *amounts apportioned for the National Highway Per-*
16 *formance Program in section 119 of title 23, United*
17 *States Code, that are exempt from the limitation*
18 *under subsection (b)(12) and the amounts appor-*
19 *tioned under sections 202 and 204 of that title) in the*
20 *proportion that—*

21 *(A) amounts authorized to be appropriated*
22 *for the programs that are apportioned under title*
23 *23, United States Code, to each State for such*
24 *fiscal year; bears to*

1 (B) the total of the amounts authorized to
2 be appropriated for the programs that are ap-
3 portioned under title 23, United States Code, to
4 all States for such fiscal year.

5 (b) *EXCEPTIONS FROM OBLIGATION LIMITATION.*—
6 The obligation limitation for Federal-aid highways shall
7 not apply to obligations under or for—

8 (1) section 125 of title 23, United States Code;

9 (2) section 147 of the Surface Transportation As-
10 sistance Act of 1978 (23 U.S.C. 144 note; 92 Stat.
11 2714);

12 (3) section 9 of the Federal-Aid Highway Act of
13 1981 (95 Stat. 1701);

14 (4) subsections (b) and (j) of section 131 of the
15 Surface Transportation Assistance Act of 1982 (96
16 Stat. 2119);

17 (5) subsections (b) and (c) of section 149 of the
18 Surface Transportation and Uniform Relocation As-
19 sistance Act of 1987 (101 Stat. 198);

20 (6) sections 1103 through 1108 of the Intermodal
21 Surface Transportation Efficiency Act of 1991 (105
22 Stat. 2027);

23 (7) section 157 of title 23, United States Code
24 (as in effect on June 8, 1998);

1 (8) *section 105 of title 23, United States Code*
2 *(as in effect for fiscal years 1998 through 2004, but*
3 *only in an amount equal to \$639,000,000 for each of*
4 *those fiscal years);*

5 (9) *Federal-aid highway programs for which ob-*
6 *ligation authority was made available under the*
7 *Transportation Equity Act for the 21st Century (112*
8 *Stat. 107) or subsequent Acts for multiple years or to*
9 *remain available until expended, but only to the ex-*
10 *tent that the obligation authority has not lapsed or*
11 *been used;*

12 (10) *section 105 of title 23, United States Code*
13 *(as in effect for fiscal years 2005 through 2012, but*
14 *only in an amount equal to \$639,000,000 for each of*
15 *those fiscal years);*

16 (11) *section 1603 of SAFETEA-LU (23 U.S.C.*
17 *118 note; 119 Stat. 1248), to the extent that funds ob-*
18 *ligated in accordance with that section were not sub-*
19 *ject to a limitation on obligations at the time at*
20 *which the funds were initially made available for ob-*
21 *ligation; and*

22 (12) *section 119 of title 23, United States Code*
23 *(but, for each of fiscal years 2013 through 2022, only*
24 *in an amount equal to \$639,000,000).*

1 (c) *REDISTRIBUTION OF UNUSED OBLIGATION AU-*
2 *THORITY.*—*Notwithstanding subsection (a), the Secretary*
3 *shall, after August 1 of such fiscal year—*

4 (1) *revise a distribution of the obligation limita-*
5 *tion made available under subsection (a) if an*
6 *amount distributed cannot be obligated during that*
7 *fiscal year; and*

8 (2) *redistribute sufficient amounts to those States*
9 *able to obligate amounts in addition to those pre-*
10 *viously distributed during that fiscal year, giving pri-*
11 *ority to those States having large unobligated bal-*
12 *ances of funds apportioned under sections 144 (as in*
13 *effect on the day before the date of enactment of Pub-*
14 *lic Law 112–141) and 104 of title 23, United States*
15 *Code.*

16 (d) *APPLICABILITY OF OBLIGATION LIMITATIONS TO*
17 *TRANSPORTATION RESEARCH PROGRAMS.*—

18 (1) *IN GENERAL.*—*Except as provided in para-*
19 *graph (2), the obligation limitation for Federal-aid*
20 *highways shall apply to contract authority for trans-*
21 *portation research programs carried out under—*

22 (A) *chapter 5 of title 23, United States*
23 *Code;*

24 (B) *title VI of the Fixing America’s Surface*
25 *Transportation Act; and*

1 (C) title III of division A of the Infrastruc-
2 ture Investment and Jobs Act (Public Law 117-
3 58).

4 (2) *EXCEPTION.*—Obligation authority made
5 available under paragraph (1) shall—

6 (A) remain available for a period of 4 fiscal
7 years; and

8 (B) be in addition to the amount of any
9 limitation imposed on obligations for Federal-
10 aid highway and highway safety construction
11 programs for future fiscal years.

12 (e) *REDISTRIBUTION OF CERTAIN AUTHORIZED*
13 *FUNDS.*—

14 (1) *IN GENERAL.*—Not later than 30 days after
15 the date of distribution of obligation limitation under
16 subsection (a), the Secretary shall distribute to the
17 States any funds (excluding funds authorized for the
18 program under section 202 of title 23, United States
19 Code) that—

20 (A) are authorized to be appropriated for
21 such fiscal year for Federal-aid highway pro-
22 grams; and

23 (B) the Secretary determines will not be al-
24 located to the States (or will not be apportioned
25 to the States under section 204 of title 23,

1 *United States Code*), and will not be available
2 for obligation, for such fiscal year because of the
3 imposition of any obligation limitation for such
4 fiscal year.

5 (2) *RATIO*.—Funds shall be distributed under
6 paragraph (1) in the same proportion as the distribu-
7 tion of obligation authority under subsection (a)(5).

8 (3) *AVAILABILITY*.—Funds distributed to each
9 State under paragraph (1) shall be available for any
10 purpose described in section 133(b) of title 23, *United*
11 *States Code*.

12 *SEC. 121. Notwithstanding 31 U.S.C. 3302, funds re-*
13 *ceived by the Bureau of Transportation Statistics from the*
14 *sale of data products, for necessary expenses incurred pur-*
15 *suant to chapter 63 of title 49, United States Code, may*
16 *be credited to the Federal-aid highways account for the pur-*
17 *pose of reimbursing the Bureau for such expenses: Provided,*
18 *That such funds shall be subject to the obligation limitation*
19 *for Federal-aid highway and highway safety construction*
20 *programs.*

21 *SEC. 122. Not less than 15 days prior to waiving,*
22 *under his or her statutory authority, any Buy America re-*
23 *quirement for Federal-aid highways projects, the Secretary*
24 *of Transportation shall make an informal public notice and*
25 *comment opportunity on the intent to issue such waiver and*

1 *the reasons therefor: Provided, That the Secretary shall pro-*
2 *vide an annual report to the House and Senate Committees*
3 *on Appropriations on any waivers granted under the Buy*
4 *America requirements.*

5 *SEC. 123. None of the funds made available in this*
6 *Act may be used to make a grant for a project under section*
7 *117 of title 23, United States Code, unless the Secretary,*
8 *at least 60 days before making a grant under that section,*
9 *provides written notification to the House and Senate Com-*
10 *mittees on Appropriations of the proposed grant, including*
11 *an evaluation and justification for the project and the*
12 *amount of the proposed grant award: Provided, That the*
13 *written notification required in the preceding proviso shall*
14 *be made not later than 180 days after the date of enactment*
15 *of this Act.*

16 *SEC. 124. (a) A State or territory, as defined in section*
17 *165 of title 23, United States Code, may use for any project*
18 *eligible under section 133(b) of title 23 or section 165 of*
19 *title 23 and located within the boundary of the State or*
20 *territory any earmarked amount, and any associated obli-*
21 *gation limitation: Provided, That the Department of Trans-*
22 *portation for the State or territory for which the earmarked*
23 *amount was originally designated or directed notifies the*
24 *Secretary of its intent to use its authority under this section*
25 *and submits an annual report to the Secretary identifying*

1 *the projects to which the funding would be applied. Notwith-*
2 *standing the original period of availability of funds to be*
3 *obligated under this section, such funds and associated obli-*
4 *gation limitation shall remain available for obligation for*
5 *a period of 3 fiscal years after the fiscal year in which the*
6 *Secretary is notified. The Federal share of the cost of a*
7 *project carried out with funds made available under this*
8 *section shall be the same as associated with the earmark.*

9 *(b) In this section, the term “earmarked amount”*
10 *means—*

11 *(1) congressionally directed spending, as defined*
12 *in rule XLIV of the Standing Rules of the Senate,*
13 *identified in a prior law, report, or joint explanatory*
14 *statement, which was authorized to be appropriated*
15 *or appropriated more than 10 fiscal years prior to*
16 *the current fiscal year, and administered by the Fed-*
17 *eral Highway Administration; or*

18 *(2) a congressional earmark, as defined in rule*
19 *XXI of the Rules of the House of Representatives,*
20 *identified in a prior law, report, or joint explanatory*
21 *statement, which was authorized to be appropriated*
22 *or appropriated more than 10 fiscal years prior to*
23 *the current fiscal year, and administered by the Fed-*
24 *eral Highway Administration.*

1 (c) *The authority under subsection (a) may be exer-*
2 *cised only for those projects or activities that have obligated*
3 *less than 10 percent of the amount made available for obli-*
4 *gation as of October 1 of the current fiscal year, and shall*
5 *be applied to projects within the same general geographic*
6 *area within 25 miles for which the funding was designated,*
7 *except that a State or territory may apply such authority*
8 *to unexpended balances of funds from projects or activities*
9 *the State or territory certifies have been closed and for*
10 *which payments have been made under a final voucher.*

11 (d) *The Secretary shall submit consolidated reports of*
12 *the information provided by the States and territories an-*
13 *nually to the House and Senate Committees on Appropria-*
14 *tions.*

15 SEC. 125. *Until final guidance is published, the Ad-*
16 *ministrator of the Federal Highway Administration shall*
17 *adjudicate requests for Buy America waivers under the cri-*
18 *teria that were in effect prior to April 17, 2018.*

19 *FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION*

20 *MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS*

21 *(LIQUIDATION OF CONTRACT AUTHORIZATION)*

22 *(LIMITATION ON OBLIGATIONS)*

23 *(HIGHWAY TRUST FUND)*

24 *For payment of obligations incurred in the implemen-*
25 *tation, execution and administration of motor carrier safe-*

1 *ty operations and programs pursuant to section 31110 of*
2 *title 49, United States Code, as amended by the Infrastruc-*
3 *ture Investment and Jobs Act (Public Law 117–58),*
4 *\$360,000,000, to be derived from the Highway Trust Fund*
5 *(other than the Mass Transit Account), together with ad-*
6 *vances and reimbursements received by the Federal Motor*
7 *Carrier Safety Administration, the sum of which shall re-*
8 *main available until expended: Provided, That funds avail-*
9 *able for implementation, execution, or administration of*
10 *motor carrier safety operations and programs authorized*
11 *under title 49, United States Code, shall not exceed total*
12 *obligations of \$360,000,000, for “Motor Carrier Safety Op-*
13 *erations and Programs” for fiscal year 2022, of which*
14 *\$14,073,000, to remain available for obligation until Sep-*
15 *tember 30, 2024, is for the research and technology pro-*
16 *gram, and of which not less than \$41,277,000, to remain*
17 *available for obligation until September 30, 2024, is for de-*
18 *velopment, modernization, enhancement, continued oper-*
19 *ation, and maintenance of information technology and in-*
20 *formation management.*

1 *MOTOR CARRIER SAFETY GRANTS*
2 *(LIQUIDATION OF CONTRACT AUTHORIZATION)*
3 *(LIMITATION ON OBLIGATIONS)*
4 *(HIGHWAY TRUST FUND)*

5 *For payment of obligations incurred in carrying out*
6 *sections 31102, 31103, 31104, and 31313 of title 49, United*
7 *States Code, as amended by the Infrastructure Investment*
8 *and Jobs Act (Public Law 117–58), \$496,000,000, to be de-*
9 *rived from the Highway Trust Fund (other than the Mass*
10 *Transit Account) and to remain available until expended:*
11 *Provided, That funds available for the implementation or*
12 *execution of motor carrier safety programs shall not exceed*
13 *total obligations of \$496,000,000 in fiscal year 2022 for*
14 *“Motor Carrier Safety Grants”: Provided further, That of*
15 *the sums appropriated under this heading:*

16 *(1) \$390,500,000, to remain available for obliga-*
17 *tion until September 30, 2023, shall be available for*
18 *the motor carrier safety assistance program;*

19 *(2) \$41,800,000, to remain available for obliga-*
20 *tion until September 30, 2023, shall be available for*
21 *the commercial driver’s license program implementa-*
22 *tion program;*

23 *(3) \$57,600,000, to remain available for obliga-*
24 *tion until September 30, 2023, shall be available for*
25 *the high priority activities program (other than the*

1 *ment, administer, or enforce the requirements of section*
2 *31137 of title 49, United States Code, or any regulation*
3 *issued by the Secretary pursuant to such section, with re-*
4 *spect to the use of electronic logging devices by operators*
5 *of commercial motor vehicles, as defined in section 31132(1)*
6 *of such title, transporting livestock as defined in section 602*
7 *of the Emergency Livestock Feed Assistance Act of 1988 (7*
8 *U.S.C. 1471) or insects.*

9 *NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION*

10 *OPERATIONS AND RESEARCH*

11 *For expenses necessary to discharge the functions of the*
12 *Secretary, with respect to traffic and highway safety au-*
13 *thorized under chapter 301 and part C of subtitle VI of*
14 *title 49, United States Code, \$200,000,000, to remain avail-*
15 *able through September 30, 2023.*

16 *OPERATIONS AND RESEARCH*

17 *(LIQUIDATION OF CONTRACT AUTHORIZATION)*

18 *(LIMITATION ON OBLIGATIONS)*

19 *(HIGHWAY TRUST FUND)*

20 *For payment of obligations incurred in carrying out*
21 *the provisions of section 403 of title 23, United States Code,*
22 *including behavioral research on Automated Driving Sys-*
23 *tems and Advanced Driver Assistance Systems and improv-*
24 *ing consumer responses to safety recalls, section 25024 of*
25 *the Infrastructure Investment and Jobs Act (Public Law*

1 117–58), and chapter 303 of title 49, United States Code,
2 \$192,800,000, to be derived from the Highway Trust Fund
3 (other than the Mass Transit Account) and to remain avail-
4 able until expended: Provided, That none of the funds in
5 this Act shall be available for the planning or execution of
6 programs the total obligations for which, in fiscal year
7 2022, are in excess of \$192,800,000: Provided further, That
8 of the sums appropriated under this heading—

9 (1) \$186,000,000 shall be for programs author-
10 ized under section 403 of title 23, United States Code,
11 including behavioral research on Automated Driving
12 Systems and Advanced Driver Assistance Systems
13 and improving consumer responses to safety recalls,
14 and section 25024 of the Infrastructure Investment
15 and Jobs Act (Public Law 117–58); and

16 (2) \$6,800,000 shall be for the National Driver
17 Register authorized under chapter 303 of title 49,
18 United States Code:

19 Provided further, That within the \$192,800,000 obligation
20 limitation for operations and research, \$20,000,000 shall
21 remain available until September 30, 2023, and up to
22 \$7,000,000, for mobility research on older drivers, shall re-
23 main available until expended, and shall be in addition to
24 the amount of any limitation imposed on obligations for
25 future years: Provided further, That amounts for behavioral

1 *research on Automated Driving Systems and Advanced*
2 *Driver Assistance Systems and improving consumer re-*
3 *sponses to safety recalls are in addition to any other funds*
4 *provided for those purposes for fiscal year 2022 in this Act.*

5 *HIGHWAY TRAFFIC SAFETY GRANTS*
6 *(LIQUIDATION OF CONTRACT AUTHORIZATION)*
7 *(LIMITATION ON OBLIGATIONS)*
8 *(HIGHWAY TRUST FUND)*

9 *For payment of obligations incurred in carrying out*
10 *provisions of sections 402, 404, and 405 of title 23, United*
11 *States Code, and grant administration expenses under*
12 *chapter 4 of title 23, United States Code, to remain avail-*
13 *able until expended, \$774,300,000, to be derived from the*
14 *Highway Trust Fund (other than the Mass Transit Ac-*
15 *count): Provided, That none of the funds in this Act shall*
16 *be available for the planning or execution of programs for*
17 *which the total obligations in fiscal year 2022 are in excess*
18 *of \$774,300,000 for programs authorized under sections*
19 *402, 404, and 405 of title 23, United States Code, and grant*
20 *administration expenses under chapter 4 of title 23, United*
21 *States Code: Provided further, That of the sums appro-*
22 *priated under this heading—*

23 *(1) \$363,400,000 shall be for “Highway Safety*
24 *Programs” under section 402 of title 23, United*
25 *States Code;*

1 (2) \$336,500,000 shall be for “National Priority
2 *Safety Programs*” under section 405 of title 23,
3 *United States Code*;

4 (3) \$36,400,000 shall be for the “*High Visibility*
5 *Enforcement Program*” under section 404 of title 23,
6 *United States Code*; and

7 (4) \$38,000,000 shall be for grant administrative
8 *expenses under chapter 4 of title 23, United States*
9 *Code*:

10 *Provided further, That none of these funds shall be used for*
11 *construction, rehabilitation, or remodeling costs, or for of-*
12 *fice furnishings and fixtures for State, local or private*
13 *buildings or structures: Provided further, That not to exceed*
14 *\$500,000 of the funds made available for “National Priority*
15 *Safety Programs” under section 405 of title 23, United*
16 *States Code, for “Impaired Driving Countermeasures” (as*
17 *described in subsection (d) of that section) shall be available*
18 *for technical assistance to the States: Provided further, That*
19 *with respect to the “Transfers” provision under section*
20 *405(a)(8) of title 23, United States Code, any amounts*
21 *transferred to increase the amounts made available under*
22 *section 402 shall include the obligation authority for such*
23 *amounts: Provided further, That the Administrator shall*
24 *notify the House and Senate Committees on Appropriations*
25 *of any exercise of the authority granted under the preceding*

1 *proviso or under section 405(a)(8) of title 23, United States*
2 *Code, within 5 days.*

3 *ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY*

4 *TRAFFIC SAFETY ADMINISTRATION*

5 *SEC. 140. An additional \$130,000 shall be made avail-*
6 *able to the National Highway Traffic Safety Administra-*
7 *tion, out of the amount limited for section 402 of title 23,*
8 *United States Code, to pay for travel and related expenses*
9 *for State management reviews and to pay for core com-*
10 *petency development training and related expenses for high-*
11 *way safety staff.*

12 *SEC. 141. The limitations on obligations for the pro-*
13 *grams of the National Highway Traffic Safety Administra-*
14 *tion set in this Act shall not apply to obligations for which*
15 *obligation authority was made available in previous public*
16 *laws but only to the extent that the obligation authority*
17 *has not lapsed or been used.*

18 *SEC. 142. None of the funds in this Act or any other*
19 *Act shall be used to enforce the requirements of section*
20 *405(a)(9) of title 23, United States Code.*

21 *FEDERAL RAILROAD ADMINISTRATION*

22 *SAFETY AND OPERATIONS*

23 *For necessary expenses of the Federal Railroad Admin-*
24 *istration, not otherwise provided for, \$240,757,000, of which*
25 *\$25,000,000 shall remain available until expended.*

1 *vided, That of the amounts made available under this head-*
2 *ing in this Act—*

3 (1) *not less than \$150,000,000 shall be for*
4 *projects eligible under section 22907(c)(2) of title 49,*
5 *United States Code, that support the development of*
6 *new intercity passenger rail service routes including*
7 *alignments for existing routes;*

8 (2) *not less than \$25,000,000 shall be for projects*
9 *eligible under section 22907(c)(11) of title 49, United*
10 *States Code: Provided, That for amounts made avail-*
11 *able in this paragraph, the Secretary shall give pref-*
12 *erence to projects that are located in counties with the*
13 *most pedestrian trespasser casualties;*

14 (3) *\$120,860,000 shall be made available for the*
15 *purposes, and in amounts, specified for Community*
16 *Project Funding/Congressionally Directed Spending*
17 *in the table entitled “Community Project Funding/*
18 *Congressionally Directed Spending” included in the*
19 *explanatory statement described in section 4 (in the*
20 *matter preceding division A of this consolidated Act):*
21 *Provided, That any remaining funds available after*
22 *the distribution of the Community Project Funding/*
23 *Congressionally Directed Spending described in this*
24 *paragraph shall be available to the Secretary to dis-*
25 *tribute as discretionary grants under this heading:*

1 *Provided further, That requirements under subsections*
2 *(g) and (l) of section 22907 of title 49, United States*
3 *Code, shall not apply to this paragraph (3); and*

4 *(4) not more than \$5,000,000 shall be for*
5 *preconstruction planning activities and capital costs*
6 *related to the deployment of magnetic levitation*
7 *transportation projects:*

8 *Provided further, That section 22905(f) of title 49, United*
9 *States Code, shall not apply to amounts made available*
10 *under this heading in this Act for projects that implement*
11 *or sustain positive train control systems otherwise eligible*
12 *under section 22907(c)(1) of title 49, United States Code:*

13 *Provided further, That amounts made available under this*
14 *heading in this Act for projects selected for commuter rail*
15 *passenger transportation may be transferred by the Sec-*
16 *retary, after selection, to the appropriate agencies to be ad-*
17 *ministered in accordance with chapter 53 of title 49, United*
18 *States Code: Provided further, That for amounts made*
19 *available under this heading in this Act, eligible recipients*
20 *under section 22907(b)(7) of title 49, United States Code,*
21 *shall include any holding company of a Class II railroad*
22 *or Class III railroad (as those terms are defined in section*
23 *20102 of title 49, United States Code): Provided further,*
24 *That section 22907(e)(1)(A) of title 49, United States Code,*
25 *shall not apply to amounts made available under this head-*

1 *ing in this Act: Provided further, That section*
2 *22907(e)(1)(A) of title 49, United States Code, shall not*
3 *apply to amounts made available under this heading in*
4 *previous fiscal years if such funds are announced in a no-*
5 *tice of funding opportunity that includes funds made avail-*
6 *able under this heading in this Act: Provided further, That*
7 *the preceding proviso shall not apply to funds made avail-*
8 *able under this heading in the Infrastructure Investment*
9 *and Jobs Act (division J of Public Law 117–58): Provided*
10 *further, That unobligated balances remaining after 6 years*
11 *from the date of enactment of this Act may be used for any*
12 *eligible project under section 22907(c) of title 49, United*
13 *States Code: Provided further, That the Secretary may*
14 *withhold up to 2 percent of the amounts made available*
15 *under this heading in this Act for the costs of award and*
16 *project management oversight of grants carried out under*
17 *title 49, United States Code.*

18 *NORTHEAST CORRIDOR GRANTS TO THE NATIONAL*

19 *RAILROAD PASSENGER CORPORATION*

20 *To enable the Secretary of Transportation to make*
21 *grants to the National Railroad Passenger Corporation for*
22 *activities associated with the Northeast Corridor as author-*
23 *ized by section 22101(a) of the Infrastructure Investment*
24 *and Jobs Act (division B of Public Law 117–58),*
25 *\$874,501,000, to remain available until expended: Pro-*

1 *vided, That the Secretary may retain up to one-half of 1*
2 *percent of the funds provided under both this heading in*
3 *this Act and the “National Network Grants to the National*
4 *Railroad Passenger Corporation” heading in this Act to*
5 *fund the costs of project management and oversight of ac-*
6 *tivities authorized by section 22101(c) of the Infrastructure*
7 *Investment and Jobs Act (division B of Public Law 117–*
8 *58): Provided further, That in addition to the project man-*
9 *agement oversight funds authorized under section 22101(c)*
10 *of the Infrastructure Investment and Jobs Act (division B*
11 *of Public Law 117–58), the Secretary may retain up to an*
12 *additional \$1,000,000 of the funds provided under this*
13 *heading in this Act to fund expenses associated with the*
14 *Northeast Corridor Commission established under section*
15 *24905 of title 49, United States Code.*

16 *NATIONAL NETWORK GRANTS TO THE NATIONAL RAILROAD*
17 *PASSENGER CORPORATION*

18 *To enable the Secretary of Transportation to make*
19 *grants to the National Railroad Passenger Corporation for*
20 *activities associated with the National Network as author-*
21 *ized by section 22101(b) of the Infrastructure Investment*
22 *and Jobs Act (division B of Public Law 117–58),*
23 *\$1,456,870,000, to remain available until expended: Pro-*
24 *vided, That at least \$50,000,000 of the amount provided*
25 *under this heading in this Act shall be available for the*

1 *development, installation and operation of railroad safety*
2 *improvements, including the implementation of a positive*
3 *train control system, on State-supported routes as defined*
4 *under section 24102(13) of title 49, United States Code, on*
5 *which positive train control systems are not required by law*
6 *or regulation as identified on or before the date of enact-*
7 *ment of this Act: Provided further, That any unexpended*
8 *balances from amounts provided under this heading in this*
9 *Act and in prior fiscal years for the development, installa-*
10 *tion and operation of railroad safety technology on State-*
11 *supported routes on which positive train control systems are*
12 *not required by law or regulation shall also be available*
13 *for railroad safety improvements on State-supported routes*
14 *as identified on or before the date of enactment of this Act:*
15 *Provided further, That none of the funds provided under*
16 *this heading in this Act shall be used by Amtrak to give*
17 *notice under subsection (a) or (c) of section 24706 of title*
18 *49, United States Code, with respect to long-distance routes*
19 *(as defined in section 24102 of title 49, United States Code)*
20 *on which Amtrak is the sole operator on a host railroad's*
21 *line and a positive train control system is not required by*
22 *law or regulation, or, except in an emergency or during*
23 *maintenance or construction outages impacting such routes,*
24 *to otherwise discontinue, reduce the frequency of, suspend,*
25 *or substantially alter the route of rail service on any por-*

1 *tion of such route operated in fiscal year 2018, including*
2 *implementation of service permitted by section*
3 *24305(a)(3)(A) of title 49, United States Code, in lieu of*
4 *rail service.*

5 *ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD*

6 *ADMINISTRATION*

7 *(INCLUDING RESCISSIONS)*

8 *(INCLUDING TRANSFER OF FUNDS)*

9 *SEC. 150. None of the funds made available to the Na-*
10 *tional Railroad Passenger Corporation may be used to fund*
11 *any overtime costs in excess of \$35,000 for any individual*
12 *employee: Provided, That the President of Amtrak may*
13 *waive the cap set in the preceding proviso for specific em-*
14 *ployees when the President of Amtrak determines such a*
15 *cap poses a risk to the safety and operational efficiency of*
16 *the system: Provided further, That the President of Amtrak*
17 *shall report to the House and Senate Committees on Appro-*
18 *priations no later than 60 days after the date of enactment*
19 *of this Act, a summary of all overtime payments incurred*
20 *by Amtrak for 2021 and the 3 prior calendar years: Pro-*
21 *vided further, That such summary shall include the total*
22 *number of employees that received waivers and the total*
23 *overtime payments Amtrak paid to employees receiving*
24 *waivers for each month for 2021 and for the 3 prior cal-*
25 *endar years.*

1 *SEC. 151. None of the funds made available by this*
2 *Act may be used by the National Railroad Passenger Cor-*
3 *poration in contravention of the Worker Adjustment and*
4 *Retraining Notification Act (29 U.S.C. 2101 et seq.).*

5 *SEC. 152. The amounts made available to the Sec-*
6 *retary or to the Federal Railroad Administration for the*
7 *costs of award, administration, and project management*
8 *oversight of financial assistance which are administered by*
9 *the Federal Railroad Administration, in this and prior*
10 *Acts, may be transferred to the Federal Railroad Adminis-*
11 *tration's "Financial Assistance Oversight and Technical*
12 *Assistance" account for the necessary expenses to support*
13 *the award, administration, project management oversight,*
14 *and technical assistance of financial assistance adminis-*
15 *tered by the Federal Railroad Administration, in the same*
16 *manner as appropriated for in this and prior Acts: Pro-*
17 *vided, That this section shall not apply to amounts that*
18 *were previously designated by the Congress as an emergency*
19 *requirement pursuant to a concurrent resolution on the*
20 *budget or the Balanced Budget and Emergency Deficit Con-*
21 *trol Act of 1985.*

22 *SEC. 153. Of the unobligated balances of funds remain-*
23 *ing from—*

1 (1) “*Railroad Safety Grants*” accounts totaling
2 \$1,715,414.34 appropriated by the following public
3 laws are hereby permanently rescinded:

4 (A) *Public Law 105–277* a total of
5 \$7,052.79 under the heading “*Railroad Safety*”;

6 (B) *Public Law 113–235* a total of
7 \$190,265.91 from section 153 under the heading
8 “*Administrative Provisions—Federal Railroad*
9 *Administration*”; and

10 (C) *Public Law 114–113* a total of
11 \$1,518,095.64; and

12 (2) “*Capital Assistance for High Speed Rail*
13 *Corridors and Intercity Passenger Rail Service*” ac-
14 count totaling \$13,327,006.39 appropriated by *Public*
15 *Law 111–117* is hereby permanently rescinded.

16 *SEC. 154. None of the funds made available to the Na-*
17 *tional Railroad Passenger Corporation under the headings*
18 “*Northeast Corridor Grants to the National Railroad Pas-*
19 *senger Corporation*” and “*National Network Grants to the*
20 *National Railroad Passenger Corporation*” may be used to
21 reduce the total number of Amtrak Police Department uni-
22 formed officers patrolling on board passenger trains or at
23 stations, facilities or rights-of-way below the staffing level
24 on May 1, 2019.

25 *SEC. 155. It is the sense of Congress that—*

1 (1) *long-distance passenger rail routes provide*
 2 *much-needed transportation access for 4,700,000 rid-*
 3 *ers in 325 communities in 40 States and are particu-*
 4 *larly important in rural areas; and*

5 (2) *long-distance passenger rail routes and serv-*
 6 *ices should be sustained to ensure connectivity*
 7 *throughout the National Network (as defined in sec-*
 8 *tion 24102 of title 49, United States Code).*

9 *SEC. 156. Amounts made available under the heading*
 10 *“Department of Transportation—Federal Railroad Admin-*
 11 *istration—Restoration and Enhancement” in any prior fis-*
 12 *cal years are subject to the requirements of section 22908*
 13 *of title 49, United States Code, as in effect on the effective*
 14 *date of Public Law 117–58.*

15 *FEDERAL TRANSIT ADMINISTRATION*

16 *TRANSIT FORMULA GRANTS*

17 *(LIQUIDATION OF CONTRACT AUTHORIZATION)*

18 *(LIMITATION ON OBLIGATIONS)*

19 *(HIGHWAY TRUST FUND)*

20 *For payment of obligations incurred in the Federal*
 21 *Public Transportation Assistance Program in this account,*
 22 *and for payment of obligations incurred in carrying out*
 23 *the provisions of 49 U.S.C. 5305, 5307, 5310, 5311, 5312,*
 24 *5314, 5318, 5329(e)(6), 5334, 5335, 5337, 5339, and 5340,*
 25 *as amended by the Infrastructure Investment and Jobs Act,*

1 *section 20005(b) of Public Law 112–141, and section*
2 *3006(b) of the Fixing America’s Surface Transportation*
3 *Act, \$13,355,000,000, to be derived from the Mass Transit*
4 *Account of the Highway Trust Fund and to remain avail-*
5 *able until expended: Provided, That funds available for the*
6 *implementation or execution of programs authorized under*
7 *49 U.S.C. 5305, 5307, 5310, 5311, 5312, 5314, 5318,*
8 *5329(e)(6), 5334, 5335, 5337, 5339, and 5340, as amended*
9 *by the Infrastructure Investment and Jobs Act, section*
10 *20005(b) of Public Law 112–141, and section 3006(b) of*
11 *the Fixing America’s Surface Transportation Act, shall not*
12 *exceed total obligations of \$13,355,000,000 in fiscal year*
13 *2022.*

14 *TRANSIT INFRASTRUCTURE GRANTS*

15 *For an additional amount for buses and bus facilities*
16 *grants under section 5339(b) of title 49, United States Code,*
17 *low or no emission grants under section 5339(c) of such*
18 *title, ferry boats grants under section 5307(h) of such title,*
19 *bus testing facilities under section 5318 of such title, grants*
20 *to areas of persistent poverty, innovative mobility solutions*
21 *grants under section 5312 of such title, accelerating innova-*
22 *tive mobility initiative grants under section 5312 such title,*
23 *accelerating the adoption of zero emission buses under sec-*
24 *tion 5312 of such title, Community Project Funding/Con-*
25 *gressionally Directed Spending for projects and activities*

1 *eligible under chapter 53 of such title, and ferry service for*
2 *rural communities under section 71103 of division G of*
3 *Public Law 117–58, §504,263,267, to remain available*
4 *until expended: Provided, That of the sums provided under*
5 *this heading in this Act—*

6 (1) *\$175,000,000 shall be available for buses and*
7 *bus facilities competitive grants as authorized under*
8 *section 5339(b) of such title;*

9 (2) *\$75,000,000 shall be available for the low or*
10 *no emission grants as authorized under section*
11 *5339(c) of such title: Provided, That the minimum*
12 *grant award shall be not less than \$750,000;*

13 (3) *\$6,500,000 shall be available for ferry boat*
14 *grants as authorized under section 5307(h) of such*
15 *title: Provided, That of the amounts provided under*
16 *this paragraph, no less than \$3,250,000 shall be*
17 *available for low or zero-emission ferries or ferries*
18 *using electric battery or fuel cell components and the*
19 *infrastructure to support such ferries;*

20 (4) *\$2,000,000 shall be available for the oper-*
21 *ation and maintenance of the bus testing facilities se-*
22 *lected under section 5318 of such title;*

23 (5) *\$1,000,000 shall be available for the dem-*
24 *onstration and deployment of innovative mobility so-*
25 *lutions as authorized under section 5312 of title 49,*

1 *United States Code: Provided, That such amounts*
2 *shall be available for competitive grants or coopera-*
3 *tive agreements for the development of software to fa-*
4 *cilitate the provision of demand-response public*
5 *transportation service that dispatches public trans-*
6 *portation fleet vehicles through riders mobile devices*
7 *or other advanced means: Provided further, That the*
8 *Secretary shall evaluate the potential for software de-*
9 *veloped with grants or cooperative agreements to be*
10 *shared for use by public transportation agencies;*

11 *(6) \$1,000,000 shall be for the accelerating inno-*
12 *vative mobility initiative as authorized under section*
13 *5312 of title 49, United States Code: Provided, That*
14 *such amounts shall be available for competitive grants*
15 *to improve mobility and enhance the rider experience*
16 *with a focus on innovative service delivery models,*
17 *creative financing, novel partnerships, and integrated*
18 *payment solutions in order to help disseminate prov-*
19 *en innovation mobility practices throughout the pub-*
20 *lic transportation industry;*

21 *(7) \$20,000,000 shall be available for competitive*
22 *grants to eligible entities to assist areas of persistent*
23 *poverty as defined under section 6702(a)(1) of title*
24 *49, United States Code, or historically disadvantaged*
25 *communities: Provided, That grants shall be for plan-*

1 *ning, engineering, or development of technical or fi-*
2 *nancing plans for projects eligible under chapter 53*
3 *of title 49, United States Code: Provided further, That*
4 *eligible entities are those defined as eligible recipients*
5 *or subrecipients under sections 5307, 5310 or 5311 of*
6 *title 49, United States Code, and are in areas of per-*
7 *sistent poverty as defined under section 6702(a)(1) of*
8 *title 49, United States Code, or historically disadvan-*
9 *taged communities: Provided further, That State de-*
10 *partments of transportation may apply on behalf of*
11 *eligible entities within their States: Provided further,*
12 *That the Federal Transit Administration should en-*
13 *courage grantees to work with non-profits or other en-*
14 *tities of their choosing in order to develop planning,*
15 *technical, engineering, or financing plans: Provided*
16 *further, That the Federal Transit Administration*
17 *shall encourage grantees to partner with non-profits*
18 *that can assist with making projects low or no emis-*
19 *sions: Provided further, That projects funded under*
20 *this paragraph shall be for not less than 90 percent*
21 *of the net total project cost;*

22 (8) \$10,000,000 shall be available to support
23 *technical assistance, research, demonstration, or de-*
24 *ployment activities or projects to accelerate the adop-*
25 *tion of zero emission buses in public transit as au-*

1 *thorized under section 5312 of title 49, United States*
2 *Code;*

3 *(9) \$200,798,267 shall be made available for the*
4 *purposes, and in amounts, specified for Community*
5 *Project Funding/Congressionally Directed Spending*
6 *in the table entitled “Community Project Funding/*
7 *Congressionally Directed Spending” included in the*
8 *explanatory statement described in section 4 (in the*
9 *matter preceding division A of this consolidated Act);*
10 *and*

11 *(10) \$12,965,000 shall be available for ferry serv-*
12 *ice for rural communities under section 71103 of di-*
13 *vision G of Public Law 117–58: Provided, That for*
14 *amounts made available in this paragraph, notwith-*
15 *standing section 71103(a)(2)(B), eligible projects shall*
16 *include passenger ferry service that serves at least two*
17 *rural areas with a single segment over 20 miles be-*
18 *tween the two rural areas and is not otherwise eligible*
19 *under section 5307(h) of title 49, United States Code:*
20 *Provided further, That amounts made available under this*
21 *heading in this Act shall be derived from the general fund:*
22 *Provided further, That the amounts made available under*
23 *this heading in this Act shall not be subject to any limita-*
24 *tion on obligations for transit programs set forth in any*
25 *Act.*

1 *TECHNICAL ASSISTANCE AND TRAINING*

2 *For necessary expenses to carry out section 5314 of*
3 *title 49, United States Code, \$7,500,000, to remain avail-*
4 *able until September 30, 2023: Provided, That the assist-*
5 *ance provided under this heading does not duplicate the ac-*
6 *tivities of section 5311(b) or section 5312 of title 49, United*
7 *States Code.*

8 *CAPITAL INVESTMENT GRANTS*

9 *For necessary expenses to carry out fixed guideway*
10 *capital investment grants under section 5309 of title 49,*
11 *United States Code, and section 3005(b) of the Fixing*
12 *America's Surface Transportation Act (Public Law 114-*
13 *94), \$2,248,000,000, to remain available until expended:*
14 *Provided, That of the amounts made available under this*
15 *heading in this Act, \$1,459,020,000 shall be available for*
16 *projects authorized under section 5309(d) of title 49, United*
17 *States Code, \$345,000,000 shall be available for projects au-*
18 *thorized under section 5309(e) of title 49, United States*
19 *Code, \$321,500,000 shall be available for projects authorized*
20 *under section 5309(h) of title 49, United States Code, and*
21 *\$100,000,000 shall be available for projects authorized*
22 *under section 3005(b) of the Fixing America's Surface*
23 *Transportation Act: Provided further, That the Secretary*
24 *shall continue to administer the capital investment grants*
25 *program in accordance with the procedural and substantive*

1 *requirements of section 5309 of title 49, United States Code,*
2 *and of section 3005(b) of the Fixing America's Surface*
3 *Transportation Act: Provided further, That projects that re-*
4 *ceive a grant agreement under the Expedited Project Deliv-*
5 *ery for Capital Investment Grants Pilot Program under*
6 *section 3005(b) of the Fixing America's Surface Transpor-*
7 *tation Act shall be deemed eligible for funding provided for*
8 *projects under section 5309 of title 49, United States Code,*
9 *without further evaluation or rating under such section:*
10 *Provided further, That such funding shall not exceed the*
11 *Federal share under section 3005(b): Provided further, That*
12 *funds allocated pursuant to 49 U.S.C. 5309 to any project*
13 *during fiscal years 2015, 2016, and 2017 shall remain allo-*
14 *cated to that project through fiscal year 2023: Provided fur-*
15 *ther, That upon submission to the Congress of the fiscal year*
16 *2023 President's budget, the Secretary of Transportation*
17 *shall transmit to Congress the annual report on capital in-*
18 *vestment grants, including proposed allocations for fiscal*
19 *year 2023.*

20 *GRANTS TO THE WASHINGTON METROPOLITAN AREA*

21 *TRANSIT AUTHORITY*

22 *For grants to the Washington Metropolitan Area Tran-*
23 *sit Authority as authorized under section 601 of division*
24 *B of the Passenger Rail Investment and Improvement Act*
25 *of 2008 (Public Law 110-432), as amended by the Infra-*

1 *structure Investment and Jobs Act, \$150,000,000, to remain*
2 *available until expended: Provided, That the Secretary of*
3 *Transportation shall approve grants for capital and pre-*
4 *ventive maintenance expenditures for the Washington Met-*
5 *ropolitan Area Transit Authority only after receiving and*
6 *reviewing a request for each specific project: Provided fur-*
7 *ther, That the Secretary shall determine that the Wash-*
8 *ington Metropolitan Area Transit Authority has placed the*
9 *highest priority on those investments that will improve the*
10 *safety of the system before approving such grants.*

11 *ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT*

12 *ADMINISTRATION*

13 *(INCLUDING RESCISSIONS)*

14 *SEC. 160. The limitations on obligations for the pro-*
15 *grams of the Federal Transit Administration shall not*
16 *apply to any authority under 49 U.S.C. 5338, previously*
17 *made available for obligation, or to any other authority pre-*
18 *viously made available for obligation.*

19 *SEC. 161. Notwithstanding any other provision of law,*
20 *funds appropriated or limited by this Act under the heading*
21 *“Capital Investment Grants” of the Federal Transit Ad-*
22 *ministration for projects specified in this Act or identified*
23 *in the explanatory statement described in section 4 (in the*
24 *matter preceding division A of this consolidated Act) not*
25 *obligated by September 30, 2025, and other recoveries, shall*

1 *be directed to projects eligible to use the funds for the pur-*
2 *poses for which they were originally provided.*

3 *SEC. 162. Notwithstanding any other provision of law,*
4 *any funds appropriated before October 1, 2021, under any*
5 *section of chapter 53 of title 49, United States Code, that*
6 *remain available for expenditure, may be transferred to and*
7 *administered under the most recent appropriation heading*
8 *for any such section.*

9 *SEC. 163. None of the funds made available by this*
10 *Act or any other Act shall be used to adjust apportionments*
11 *or withhold funds from apportionments pursuant to section*
12 *9503(e)(4) of the Internal Revenue Code of 1986 (26 U.S.C.*
13 *9503(e)(4)).*

14 *SEC. 164. None of the funds made available by this*
15 *Act or any other Act shall be used to impede or hinder*
16 *project advancement or approval for any project seeking a*
17 *Federal contribution from the capital investment grant pro-*
18 *gram of greater than 40 percent of project costs as author-*
19 *ized under section 5309 of title 49, United States Code.*

20 *SEC. 165. Of the unobligated amounts made available*
21 *for prior fiscal years to Formula Grants in Treasury Ac-*
22 *count 69-X-1129, a total of \$6,734,356 are hereby perma-*
23 *nently rescinded: Provided, That no amounts may be re-*
24 *scinded from amounts that were designated by the Congress*
25 *as an emergency or disaster relief requirement pursuant to*

1 *title 31, United States Code, as may be necessary in car-*
2 *rying out the programs set forth in the Corporation's budget*
3 *for the current fiscal year.*

4 *OPERATIONS AND MAINTENANCE*

5 *(HARBOR MAINTENANCE TRUST FUND)*

6 *For necessary expenses to conduct the operations,*
7 *maintenance, and capital infrastructure activities on por-*
8 *tions of the St. Lawrence Seaway owned, operated, and*
9 *maintained by the Great Lakes St. Lawrence Seaway De-*
10 *velopment Corporation, \$38,000,000, to be derived from the*
11 *Harbor Maintenance Trust Fund, pursuant to section 210*
12 *of the Water Resources Development Act of 1986 (33 U.S.C.*
13 *2238): Provided, That of the amounts made available under*
14 *this heading, not less than \$14,500,000 shall be for the sea-*
15 *way infrastructure program: Provided further, That not*
16 *more than \$1,500,000 of the unobligated balances from the*
17 *amounts made available for capital asset renewal activities*
18 *under the heading "Saint Lawrence Seaway Development*
19 *Corporation—Operations and Maintenance" in any prior*
20 *Act shall be for activities pursuant to section 984(a)(12)*
21 *of title 33, United States Code.*

22 *MARITIME ADMINISTRATION*

23 *MARITIME SECURITY PROGRAM*

24 *For necessary expenses to maintain and preserve a*
25 *U.S.-flag merchant fleet as authorized under chapter 531*

1 *of title 46, United States Code, to serve the national security*
2 *needs of the United States, \$318,000,000, to remain avail-*
3 *able until expended.*

4 *CABLE SECURITY FLEET*

5 *For the cable security fleet program, as authorized*
6 *under chapter 532 of title 46, United States Code,*
7 *\$10,000,000, to remain available until expended.*

8 *TANKER SECURITY PROGRAM*

9 *For the tanker security fleet program, as authorized*
10 *under section 53406 of title 46, United States Code,*
11 *\$60,000,000, to remain available until expended.*

12 *OPERATIONS AND TRAINING*

13 *For necessary expenses of operations and training ac-*
14 *tivities authorized by law, \$172,204,000: Provided, That of*
15 *the amounts made available under this heading—*

16 *(1) \$85,032,000, to remain available until Sep-*
17 *tember 30, 2023, shall be for the operations of the*
18 *United States Merchant Marine Academy;*

19 *(2) \$5,500,000, to remain available until ex-*
20 *pended, shall be for facilities maintenance and repair,*
21 *and equipment, at the United States Merchant Ma-*
22 *rine Academy;*

23 *(3) \$6,000,000, to remain available until Sep-*
24 *tember 30, 2023, shall be for the Maritime Environ-*
25 *mental and Technical Assistance program authorized*

1 *under section 50307 of title 46, United States Code;*
2 *and*

3 *(4) \$14,819,000, to remain available until ex-*
4 *pended, shall be for the America's Marine Highways*
5 *Program to make grants for the purposes authorized*
6 *under paragraphs (1) and (3) of section 55601(b) of*
7 *title 46, United States Code:*

8 *Provided further, That the Administrator of the Maritime*
9 *Administration shall transmit to the House and Senate*
10 *Committees on Appropriations the annual report on sexual*
11 *assault and sexual harassment at the United States Mer-*
12 *chant Marine Academy as required pursuant to section*
13 *3510 of the National Defense Authorization Act for fiscal*
14 *year 2017 (46 U.S.C. 51318): Provided further, That avail-*
15 *able balances under this heading for the Short Sea Trans-*
16 *portation Program (now known as the America's Marine*
17 *Highway Program) from prior year recoveries shall be*
18 *available to carry out activities authorized under para-*
19 *graphs (1) and (3) of section 55601(b) of title 46, United*
20 *States Code.*

21 *STATE MARITIME ACADEMY OPERATIONS*

22 *For necessary expenses of operations, support, and*
23 *training activities for State Maritime Academies,*
24 *\$423,300,000: Provided, That of the amounts made avail-*
25 *able under this heading—*

1 (1) \$30,500,000, to remain available until ex-
2 *pended, shall be for maintenance, repair, life exten-*
3 *sion, insurance, and capacity improvement of Na-*
4 *tional Defense Reserve Fleet training ships, and for*
5 *support of training ship operations at the State Mar-*
6 *itime Academies, of which not more than \$8,000,000,*
7 *to remain available until expended, shall be for ex-*
8 *penditures related to training mariners; and for costs as-*
9 *sociated with training vessel sharing pursuant to sec-*
10 *tion 51504(g)(3) of title 46, United States Code, for*
11 *costs associated with mobilizing, operating and de-*
12 *mobilizing the vessel, including travel costs for stu-*
13 *dents, faculty and crew, the costs of the general agent,*
14 *crew costs, fuel, insurance, operational fees, and vessel*
15 *hire costs, as determined by the Secretary;*

16 (2) \$380,600,000, to remain available until ex-
17 *pended, shall be for the National Security Multi-Mis-*
18 *sion Vessel Program, including funds for construction,*
19 *planning, administration, and design of school ships;*

20 (3) \$2,400,000, to remain available until Sep-
21 *tember 30, 2026, shall be for the Student Incentive*
22 *Program;*

23 (4) \$3,800,000, to remain available until ex-
24 *pended, shall be for training ship fuel assistance; and*

1 (5) \$6,000,000, to remain available until Sep-
2 tember 30, 2023, shall be for direct payments for
3 State Maritime Academies.

4 ASSISTANCE TO SMALL SHIPYARDS

5 To make grants to qualified shipyards as authorized
6 under section 54101 of title 46, United States Code,
7 \$20,000,000, to remain available until expended.

8 SHIP DISPOSAL

9 For necessary expenses related to the disposal of obso-
10 lete vessels in the National Defense Reserve Fleet of the Mar-
11 itime Administration, \$10,000,000, to remain available
12 until expended.

13 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

14 ACCOUNT

15 (INCLUDING TRANSFER OF FUNDS)

16 For administrative expenses to carry out the guaran-
17 teed loan program, \$3,000,000, which shall be transferred
18 to and merged with the appropriations for “Maritime Ad-
19 ministration—Operations and Training”.

20 PORT INFRASTRUCTURE DEVELOPMENT PROGRAM

21 To make grants to improve port facilities as authorized
22 under section 54301 of title 46, United States Code,
23 \$234,310,000, to remain available until expended: Pro-
24 vided, That projects eligible for amounts made available
25 under this heading in this Act shall be projects for coastal

1 *seaports, inland river ports, or Great Lakes ports: Provided*
2 *further, That of the amounts made available under this*
3 *heading in this Act, not less than \$209,310,000 shall be for*
4 *coastal seaports or Great Lakes ports: Provided further,*
5 *That the requirements under section 3501(a)(12) of the Na-*
6 *tional Defense Authorization Act for Fiscal Year 2022 (Pub-*
7 *lic Law 117–81) shall apply to amounts made available*
8 *under this heading in this Act: Provided further, That for*
9 *grants awarded under this heading in this Act, the min-*
10 *imum grant size shall be \$1,000,000: Provided further, That*
11 *for amounts made available under this heading in this Act,*
12 *the requirement under section 54301(a)(6)(A)(ii) of title 46,*
13 *United States Code, shall not apply to projects located in*
14 *noncontiguous states or territories.*

15 *ADMINISTRATIVE PROVISION—MARITIME ADMINISTRATION*

16 *SEC. 170. Notwithstanding any other provision of this*
17 *Act, in addition to any existing authority, the Maritime*
18 *Administration is authorized to furnish utilities and serv-*
19 *ices and make necessary repairs in connection with any*
20 *lease, contract, or occupancy involving Government prop-*
21 *erty under control of the Maritime Administration: Pro-*
22 *vided, That payments received therefor shall be credited to*
23 *the appropriation charged with the cost thereof and shall*
24 *remain available until expended: Provided further, That*
25 *rental payments under any such lease, contract, or occu-*

1 *pancy for items other than such utilities, services, or repairs*
2 *shall be deposited into the Treasury as miscellaneous re-*
3 *ceipts.*

4 *PIPELINE AND HAZARDOUS MATERIALS SAFETY*

5 *ADMINISTRATION*

6 *OPERATIONAL EXPENSES*

7 *For necessary operational expenses of the Pipeline and*
8 *Hazardous Materials Safety Administration, \$29,100,000,*
9 *of which \$4,500,000 shall remain available until September*
10 *30, 2024: Provided, That the Secretary of Transportation*
11 *shall issue a final rule on automatic and remote-controlled*
12 *shut-off valves and hazardous liquid pipeline facilities leak*
13 *detection systems as required under section 4 and section*
14 *8 of the Pipeline Safety, Regulatory Certainty, and Job*
15 *Creation Act of 2011 (Public Law 112–90), respectively, not*
16 *later than 120 days after the date of enactment of this Act:*
17 *Provided further, That the amounts made available under*
18 *this heading shall be reduced by \$5,000 per day for each*
19 *day that such rule has not been issued following the expira-*
20 *tion of the deadline set forth in the preceding proviso.*

21 *HAZARDOUS MATERIALS SAFETY*

22 *For expenses necessary to discharge the hazardous ma-*
23 *terials safety functions of the Pipeline and Hazardous Ma-*
24 *terials Safety Administration, \$66,829,000, of which*
25 *\$12,070,000 shall remain available until September 30,*

1 2024, of which \$1,000,000 shall be made available for car-
2 rying out section 5107(i) of title 49, United States Code:
3 Provided, That up to \$800,000 in fees collected under sec-
4 tion 5108(g) of title 49, United States Code, shall be depos-
5 ited in the general fund of the Treasury as offsetting re-
6 ceipts: Provided further, That there may be credited to this
7 appropriation, to be available until expended, funds re-
8 ceived from States, counties, municipalities, other public
9 authorities, and private sources for expenses incurred for
10 training, for reports publication and dissemination, and for
11 travel expenses incurred in performance of hazardous mate-
12 rials exemptions and approvals functions.

13 *PIPELINE SAFETY*

14 *(PIPELINE SAFETY FUND)*

15 *(OIL SPILL LIABILITY TRUST FUND)*

16 *For expenses necessary to carry out a pipeline safety*
17 *program, as authorized by section 60107 of title 49, United*
18 *States Code, and to discharge the pipeline program respon-*
19 *sibilities of the Oil Pollution Act of 1990 (Public Law 101-*
20 *380), \$182,650,000, to remain available until September*
21 *30, 2024, of which \$27,650,000 shall be derived from the*
22 *Oil Spill Liability Trust Fund; of which \$146,600,000 shall*
23 *be derived from the Pipeline Safety Fund; of which*
24 *\$400,000 shall be derived from the fees collected under sec-*
25 *tion 60303 of title 49, United States Code, and deposited*

1 *in the Liquefied Natural Gas Siting Account for compliance*
2 *reviews of liquefied natural gas facilities; and of which*
3 *\$8,000,000 shall be derived from fees collected under section*
4 *60302 of title 49, United States Code, and deposited in the*
5 *Underground Natural Gas Storage Facility Safety Account*
6 *for the purpose of carrying out section 60141 of title 49,*
7 *United States Code: Provided, That not less than*
8 *\$1,058,000 of the amounts made available under this head-*
9 *ing shall be for the One-Call State grant program: Provided*
10 *further, That any amounts made available under this head-*
11 *ing in this Act or in prior Acts for research contracts,*
12 *grants, cooperative agreements or research other trans-*
13 *actions agreements (“OTAs”) shall require written notifica-*
14 *tion to the House and Senate Committees on Appropria-*
15 *tions not less than 3 full business days before such research*
16 *contracts, grants, cooperative agreements, or research OTAs*
17 *are announced by the Department of Transportation: Pro-*
18 *vided further, That the Secretary shall transmit to the*
19 *House and Senate Committees on Appropriations the report*
20 *on pipeline safety testing enhancement as required pursu-*
21 *ant to section 105 of the Protecting our Infrastructure of*
22 *Pipelines and Enhancing Safety Act of 2020 (division R*
23 *of Public Law 116–260): Provided further, That the Sec-*
24 *retary may obligate amounts made available under this*
25 *heading to engineer, erect, alter, and repair buildings or*

1 *make any other public improvements for research facilities*
2 *at the Transportation Technology Center after the Secretary*
3 *submits an updated research plan and the report in the pre-*
4 *ceding proviso to the House and Senate Committees on Ap-*
5 *propriations and after such plan and report in the pre-*
6 *ceding proviso are approved by the House and Senate Com-*
7 *mittees on Appropriations.*

8 *EMERGENCY PREPAREDNESS GRANTS*

9 *(LIMITATION ON OBLIGATIONS)*

10 *(EMERGENCY PREPAREDNESS FUND)*

11 *For expenses necessary to carry out the Emergency*
12 *Preparedness Grants program, not more than \$28,318,000*
13 *shall remain available until September 30, 2024, from*
14 *amounts made available by section 5116(h) and subsections*
15 *(b) and (c) of section 5128 of title 49, United States Code:*
16 *Provided, That notwithstanding section 5116(h)(4) of title*
17 *49, United States Code, not more than 4 percent of the*
18 *amounts made available from this account shall be avail-*
19 *able to pay the administrative costs of carrying out sections*
20 *5116, 5107(e), and 5108(g)(2) of title 49, United States*
21 *Code: Provided further, That notwithstanding subsections*
22 *(b) and (c) of section 5128 of title 49, United States Code,*
23 *and the limitation on obligations provided under this head-*
24 *ing, prior year recoveries recognized in the current year*
25 *shall be available to develop and deliver hazardous mate-*

1 *rials emergency response training for emergency responders,*
2 *including response activities for the transportation of crude*
3 *oil, ethanol, flammable liquids, and other hazardous com-*
4 *modities by rail, consistent with National Fire Protection*
5 *Association standards, and to make such training available*
6 *through an electronic format: Provided further, That the*
7 *prior year recoveries made available under this heading*
8 *shall also be available to carry out sections 5116(a)(1)(C),*
9 *5116(h), 5116(i), 5116(j), and 5107(e) of title 49, United*
10 *States Code.*

11 *OFFICE OF INSPECTOR GENERAL*

12 *SALARIES AND EXPENSES*

13 *For necessary expenses of the Office of Inspector Gen-*
14 *eral to carry out the provisions of the Inspector General*
15 *Act of 1978, as amended, \$103,150,000: Provided, That the*
16 *Inspector General shall have all necessary authority, in car-*
17 *rying out the duties specified in the Inspector General Act,*
18 *as amended (5 U.S.C. App. 3), to investigate allegations*
19 *of fraud, including false statements to the government (18*
20 *U.S.C. 1001), by any person or entity that is subject to*
21 *regulation by the Department of Transportation.*

22 *GENERAL PROVISIONS—DEPARTMENT OF*
23 *TRANSPORTATION*

24 *SEC. 180. (a) During the current fiscal year, applica-*
25 *ble appropriations to the Department of Transportation*

1 *shall be available for maintenance and operation of air-*
2 *craft; hire of passenger motor vehicles and aircraft; pur-*
3 *chase of liability insurance for motor vehicles operating in*
4 *foreign countries on official department business; and uni-*
5 *forms or allowances therefor, as authorized by sections 5901*
6 *and 5902 of title 5, United States Code.*

7 **(b)** *During the current fiscal year, applicable appro-*
8 *priations to the Department and its operating administra-*
9 *tions shall be available for the purchase, maintenance, oper-*
10 *ation, and deployment of unmanned aircraft systems that*
11 *advance the missions of the Department of Transportation*
12 *or an operating administration of the Department of*
13 *Transportation.*

14 **(c)** *Any unmanned aircraft system purchased, pro-*
15 *cured, or contracted for by the Department prior to the date*
16 *of enactment of this Act shall be deemed authorized by Con-*
17 *gress as if this provision was in effect when the system was*
18 *purchased, procured, or contracted for.*

19 **SEC. 181.** *Appropriations contained in this Act for the*
20 *Department of Transportation shall be available for services*
21 *as authorized by section 3109 of title 5, United States Code,*
22 *but at rates for individuals not to exceed the per diem rate*
23 *equivalent to the rate for an Executive Level IV.*

24 **SEC. 182. (a)** *No recipient of amounts made available*
25 *by this Act shall disseminate personal information (as de-*

1 *fined in section 2725(3) of title 18, United States Code)*
2 *obtained by a State department of motor vehicles in connec-*
3 *tion with a motor vehicle record as defined in section*
4 *2725(1) of title 18, United States Code, except as provided*
5 *in section 2721 of title 18, United States Code, for a use*
6 *permitted under section 2721 of title 18, United States*
7 *Code.*

8 *(b) Notwithstanding subsection (a), the Secretary shall*
9 *not withhold amounts made available by this Act for any*
10 *grantee if a State is in noncompliance with this provision.*

11 *SEC. 183. None of the funds made available by this*
12 *Act shall be available for salaries and expenses of more than*
13 *125 political and Presidential appointees in the Depart-*
14 *ment of Transportation: Provided, That none of the per-*
15 *sonnel covered by this provision may be assigned on tem-*
16 *porary detail outside the Department of Transportation.*

17 *SEC. 184. Funds received by the Federal Highway Ad-*
18 *ministration and Federal Railroad Administration from*
19 *States, counties, municipalities, other public authorities,*
20 *and private sources for expenses incurred for training may*
21 *be credited respectively to the Federal Highway Adminis-*
22 *tration's "Federal-Aid Highways" account and to the Fed-*
23 *eral Railroad Administration's "Safety and Operations"*
24 *account, except for State rail safety inspectors participating*

1 *in training pursuant to section 20105 of title 49, United*
2 *States Code.*

3 *SEC. 185. None of the funds made available by this*
4 *Act or in title VIII of division J of Public Law 117-58*
5 *to the Department of Transportation may be used to make*
6 *a loan, loan guarantee, line of credit, letter of intent, feder-*
7 *ally funded cooperative agreement, full funding grant agree-*
8 *ment, or discretionary grant unless the Secretary of Trans-*
9 *portation notifies the House and Senate Committees on Ap-*
10 *propriations not less than 3 full business days before any*
11 *project competitively selected to receive any discretionary*
12 *grant award, letter of intent, loan commitment, loan guar-*
13 *antee commitment, line of credit commitment, federally*
14 *funded cooperative agreement, or full funding grant agree-*
15 *ment is announced by the Department or its operating ad-*
16 *ministrations: Provided, That the Secretary of Transpor-*
17 *tation shall provide the House and Senate Committees on*
18 *Appropriations with a comprehensive list of all such loans,*
19 *loan guarantees, lines of credit, letters of intent, federally*
20 *funded cooperative agreements, full funding grant agree-*
21 *ments, and discretionary grants prior to the notification*
22 *required under the preceding proviso: Provided further,*
23 *That the Secretary gives concurrent notification to the*
24 *House and Senate Committees on Appropriations for any*
25 *“quick release” of funds from the emergency relief program:*

1 *Provided further, That no notification shall involve funds*
2 *that are not available for obligation.*

3 *SEC. 186. Rebates, refunds, incentive payments, minor*
4 *fees, and other funds received by the Department of Trans-*
5 *portation from travel management centers, charge card pro-*
6 *grams, the subleasing of building space, and miscellaneous*
7 *sources are to be credited to appropriations of the Depart-*
8 *ment of Transportation and allocated to organizational*
9 *units of the Department of Transportation using fair and*
10 *equitable criteria and such funds shall be available until*
11 *expended.*

12 *SEC. 187. Notwithstanding any other provision of law,*
13 *if any funds provided by or limited by this Act are subject*
14 *to a reprogramming action that requires notice to be pro-*
15 *vided to the House and Senate Committees on Appropria-*
16 *tions, transmission of such reprogramming notice shall be*
17 *provided solely to the House and Senate Committees on Ap-*
18 *propriations, and such reprogramming action shall be ap-*
19 *proved or denied solely by the House and Senate Commit-*
20 *tees on Appropriations: Provided, That the Secretary of*
21 *Transportation may provide notice to other congressional*
22 *committees of the action of the House and Senate Commit-*
23 *tees on Appropriations on such reprogramming but not*
24 *sooner than 30 days after the date on which the reprogram-*

1 *ming action has been approved or denied by the House and*
2 *Senate Committees on Appropriations.*

3 *SEC. 188. Funds appropriated by this Act to the oper-*
4 *ating administrations may be obligated for the Office of the*
5 *Secretary for the costs related to assessments or reimburs-*
6 *able agreements only when such amounts are for the costs*
7 *of goods and services that are purchased to provide a direct*
8 *benefit to the applicable operating administration or ad-*
9 *ministrations.*

10 *SEC. 189. The Secretary of Transportation is author-*
11 *ized to carry out a program that establishes uniform stand-*
12 *ards for developing and supporting agency transit pass and*
13 *transit benefits authorized under section 7905 of title 5,*
14 *United States Code, including distribution of transit bene-*
15 *fits by various paper and electronic media.*

16 *SEC. 190. The Department of Transportation may use*
17 *funds provided by this Act, or any other Act, to assist a*
18 *contract under title 49 or 23 of the United States Code uti-*
19 *lizing geographic, economic, or any other hiring preference*
20 *not otherwise authorized by law, or to amend a rule, regula-*
21 *tion, policy or other measure that forbids a recipient of a*
22 *Federal Highway Administration or Federal Transit Ad-*
23 *ministration grant from imposing such hiring preference*
24 *on a contract or construction project with which the De-*

1 *partment of Transportation is assisting, only if the grant*
2 *recipient certifies the following:*

3 (1) *that except with respect to apprentices or*
4 *trainees, a pool of readily available but unemployed*
5 *individuals possessing the knowledge, skill, and abil-*
6 *ity to perform the work that the contract requires re-*
7 *sides in the jurisdiction;*

8 (2) *that the grant recipient will include appro-*
9 *priate provisions in its bid document ensuring that*
10 *the contractor does not displace any of its existing*
11 *employees in order to satisfy such hiring preference;*
12 *and*

13 (3) *that any increase in the cost of labor, train-*
14 *ing, or delays resulting from the use of such hiring*
15 *preference does not delay or displace any transpor-*
16 *tation project in the applicable Statewide Transpor-*
17 *tation Improvement Program or Transportation Im-*
18 *provement Program.*

19 *SEC. 191. The Secretary of Transportation shall co-*
20 *ordinate with the Secretary of Homeland Security to ensure*
21 *that best practices for Industrial Control Systems Procure-*
22 *ment are up-to-date and shall ensure that systems procured*
23 *with funds provided under this title were procured using*
24 *such practices.*

1 *SEC. 192. Amounts made available by this Act or any*
2 *prior Act that the Secretary determines represent improper*
3 *payments by the Department of Transportation to a third-*
4 *party contractor under a financial assistance award, which*
5 *are recovered pursuant to law, shall be available—*

6 *(1) to reimburse the actual expenses incurred by*
7 *the Department of Transportation in recovering im-*
8 *proper payments: Provided, That amounts made*
9 *available by this Act shall be available until ex-*
10 *pended; and*

11 *(2) to pay contractors for services provided in re-*
12 *covering improper payments or contractor support in*
13 *the implementation of the Payment Integrity Infor-*
14 *mation Act of 2019 (Public Law 116–117): Provided,*
15 *That amounts in excess of that required for para-*
16 *graphs (1) and (2)—*

17 *(A) shall be credited to and merged with the*
18 *appropriation from which the improper pay-*
19 *ments were made, and shall be available for the*
20 *purposes and period for which such appropria-*
21 *tions are available: Provided further, That where*
22 *specific project or accounting information associ-*
23 *ated with the improper payment or payments is*
24 *not readily available, the Secretary may credit*
25 *the amounts to an appropriate account as offset-*

1 *ting collections and such amounts shall be avail-*
2 *able for the purposes and period associated with*
3 *the account so credited: Provided further, That*
4 *amounts credited to programs under this sub-*
5 *paragraph shall not be subject to any limitation*
6 *on obligations in this or any other Act; or*

7 *(B) if no such appropriation remains avail-*
8 *able, shall be deposited in the Treasury as mis-*
9 *cellaneous receipts: Provided further, That prior*
10 *to depositing such recovery in the Treasury, the*
11 *Secretary shall notify the House and Senate*
12 *Committees on Appropriations of the amount*
13 *and reasons for such transfer: Provided further,*
14 *That for purposes of this section, the term “im-*
15 *proper payment” has the same meaning as that*
16 *provided in section 3351(4) of title 31, United*
17 *States Code.*

18 *This title may be cited as the “Department of Trans-*
19 *portation Appropriations Act, 2022”.*

1 (2) \$114,000,000 shall be available for the Office
2 of the General Counsel, of which not less than
3 \$18,500,000 shall be for the Departmental Enforcement
4 Center;

5 (3) \$212,000,000 shall be available for the Office
6 of Administration, of which not more than \$5,000,000
7 may be for modernization and deferred maintenance
8 of the Weaver Building;

9 (4) \$46,200,000 shall be available for the Office
10 of the Chief Human Capital Officer;

11 (5) \$25,000,000 shall be available for the Office
12 of the Chief Procurement Officer;

13 (6) \$60,500,000 shall be available for the Office
14 of Field Policy and Management;

15 (7) \$4,300,000 shall be available for the Office of
16 Departmental Equal Employment Opportunity; and

17 (8) \$63,000,000 shall be available for the Office
18 of the Chief Information Officer:

19 *Provided further, That funds made available under this*
20 *heading may be used for necessary administrative and non-*
21 *administrative expenses of the Department, not otherwise*
22 *provided for, including purchase of uniforms, or allowances*
23 *therefor, as authorized by sections 5901 and 5902 of title*
24 *5, United States Code; hire of passenger motor vehicles; and*
25 *services as authorized by section 3109 of title 5, United*

1 *States Code: Provided further, That notwithstanding any*
2 *other provision of law, funds appropriated under this head-*
3 *ing may be used for advertising and promotional activities*
4 *that directly support program activities funded in this title:*
5 *Provided further, That the Secretary shall provide the*
6 *House and Senate Committees on Appropriations quarterly*
7 *written notification regarding the status of pending con-*
8 *gressional reports: Provided further, That the Secretary*
9 *shall provide in electronic form all signed reports required*
10 *by Congress.*

11 *PROGRAM OFFICES*

12 *For necessary salaries and expenses for Program Of-*
13 *fices, \$965,500,000, to remain available until September 30,*
14 *2023: Provided, That of the sums appropriated under this*
15 *heading—*

16 *(1) \$253,500,000 shall be available for the Office*
17 *of Public and Indian Housing;*

18 *(2) \$147,000,000 shall be available for the Office*
19 *of Community Planning and Development;*

20 *(3) \$431,000,000 shall be available for the Office*
21 *of Housing, of which not less than \$13,000,000 shall*
22 *be for the Office of Recapitalization;*

23 *(4) \$35,000,000 shall be available for the Office*
24 *of Policy Development and Research;*

1 (5) \$88,000,000 shall be available for the Office
2 of Fair Housing and Equal Opportunity; and

3 (6) \$11,000,000 shall be available for the Office
4 of Lead Hazard Control and Healthy Homes.

5 WORKING CAPITAL FUND

6 (INCLUDING TRANSFER OF FUNDS)

7 For the working capital fund for the Department of
8 Housing and Urban Development (referred to in this para-
9 graph as the “Fund”), pursuant, in part, to section 7(f)
10 of the Department of Housing and Urban Development Act
11 (42 U.S.C. 3535(f)), amounts transferred, including reim-
12 bursements pursuant to section 7(f), to the Fund under this
13 heading shall be available only for Federal shared services
14 used by offices and agencies of the Department, and for any
15 such portion of any office or agency’s printing, records
16 management, space renovation, furniture, or supply serv-
17 ices the Secretary has determined shall be provided through
18 the Fund, and the operational expenses of the Fund: Pro-
19 vided, That amounts within the Fund shall not be available
20 to provide services not specifically authorized under this
21 heading: Provided further, That upon a determination by
22 the Secretary that any other service (or portion thereof) au-
23 thorized under this heading shall be provided through the
24 Fund, amounts made available in this title for salaries and
25 expenses under the headings “Executive Offices”, “Adminis-

1 *trative Support Offices*”, “*Program Offices*”, and “*Govern-*
2 *ment National Mortgage Association*”, for such services
3 *shall be transferred to the Fund, to remain available until*
4 *expended: Provided further, That the Secretary shall notify*
5 *the House and Senate Committees on Appropriations of its*
6 *plans for executing such transfers at least 15 days in ad-*
7 *vance of such transfers.*

8 *PUBLIC AND INDIAN HOUSING*

9 *TENANT-BASED RENTAL ASSISTANCE*

10 *For activities and assistance for the provision of ten-*
11 *ant-based rental assistance authorized under the United*
12 *States Housing Act of 1937, as amended (42 U.S.C. 1437*
13 *et seq.) (in this title “the Act”), not otherwise provided for,*
14 *\$23,369,641,000, to remain available until expended, which*
15 *shall be available on October 1, 2021 (in addition to the*
16 *\$4,000,000,000 previously appropriated under this heading*
17 *that shall be available on October 1, 2021), and*
18 *\$4,000,000,000, to remain available until expended, which*
19 *shall be available on October 1, 2022: Provided, That the*
20 *amounts made available under this heading are provided*
21 *as follows:*

22 *(1) \$24,095,029,000 shall be available for renew-*
23 *als of expiring section 8 tenant-based annual con-*
24 *tributions contracts (including renewals of enhanced*
25 *vouchers under any provision of law authorizing such*

1 *assistance under section 8(t) of the Act) and includ-*
2 *ing renewal of other special purpose incremental*
3 *vouchers: Provided, That notwithstanding any other*
4 *provision of law, from amounts provided under this*
5 *paragraph and any carryover, the Secretary for the*
6 *calendar year 2022 funding cycle shall provide re-*
7 *newal funding for each public housing agency based*
8 *on validated voucher management system (VMS) leas-*
9 *ing and cost data for the prior calendar year and by*
10 *applying an inflation factor as established by the Sec-*
11 *retary, by notice published in the Federal Register,*
12 *and by making any necessary adjustments for the*
13 *costs associated with the first-time renewal of vouch-*
14 *ers under this paragraph including tenant protection*
15 *and Choice Neighborhoods vouchers: Provided further,*
16 *That none of the funds provided under this paragraph*
17 *may be used to fund a total number of unit months*
18 *under lease which exceeds a public housing agency's*
19 *authorized level of units under contract, except for*
20 *public housing agencies participating in the Moving*
21 *to Work (MTW) demonstration, which are instead*
22 *governed in accordance with the requirements of the*
23 *MTW demonstration program or their MTW agree-*
24 *ments, if any: Provided further, That the Secretary*
25 *shall, to the extent necessary to stay within the*

1 *amount specified under this paragraph (except as oth-*
2 *erwise modified under this paragraph), prorate each*
3 *public housing agency’s allocation otherwise estab-*
4 *lished pursuant to this paragraph: Provided further,*
5 *That except as provided in the following provisos, the*
6 *entire amount specified under this paragraph (except*
7 *as otherwise modified under this paragraph) shall be*
8 *obligated to the public housing agencies based on the*
9 *allocation and pro rata method described above, and*
10 *the Secretary shall notify public housing agencies of*
11 *their annual budget by the latter of 60 days after en-*
12 *actment of this Act or March 1, 2022: Provided fur-*
13 *ther, That the Secretary may extend the notification*
14 *period with the prior written approval of the House*
15 *and Senate Committees on Appropriations: Provided*
16 *further, That public housing agencies participating in*
17 *the MTW demonstration shall be funded in accord-*
18 *ance with the requirements of the MTW demonstra-*
19 *tion program or their MTW agreements, if any, and*
20 *shall be subject to the same pro rata adjustments*
21 *under the preceding provisos: Provided further, That*
22 *the Secretary may offset public housing agencies’ cal-*
23 *endar year 2022 allocations based on the excess*
24 *amounts of public housing agencies’ net restricted as-*
25 *sets accounts, including HUD-held programmatic re-*

1 serves (in accordance with VMS data in calendar
2 year 2021 that is verifiable and complete), as deter-
3 mined by the Secretary: Provided further, That public
4 housing agencies participating in the MTW dem-
5 onstration shall also be subject to the offset, as deter-
6 mined by the Secretary, excluding amounts subject to
7 the single fund budget authority provisions of their
8 MTW agreements, from the agencies' calendar year
9 2022 MTW funding allocation: Provided further, That
10 the Secretary shall use any offset referred to in the
11 preceding two provisos throughout the calendar year
12 to prevent the termination of rental assistance for
13 families as the result of insufficient funding, as deter-
14 mined by the Secretary, and to avoid or reduce the
15 proration of renewal funding allocations: Provided
16 further, That up to \$200,000,000 shall be available
17 only: (1) for adjustments in the allocations for public
18 housing agencies, after application for an adjustment
19 by a public housing agency that experienced a signifi-
20 cant increase, as determined by the Secretary, in re-
21 newal costs of vouchers resulting from unforeseen cir-
22 cumstances or from portability under section 8(r) of
23 the Act; (2) for vouchers that were not in use during
24 the previous 12-month period in order to be available
25 to meet a commitment pursuant to section 8(o)(13) of

1 *the Act, or an adjustment for a funding obligation not*
2 *yet expended in the previous calendar year for a*
3 *MTW-eligible activity to develop affordable housing*
4 *for an agency added to the MTW demonstration*
5 *under the expansion authority provided in section*
6 *239 of the Transportation, Housing and Urban De-*
7 *velopment, and Related Agencies Appropriations Act,*
8 *2016 (division L of Public Law 114–113); (3) for ad-*
9 *justments for costs associated with HUD–Veterans Af-*
10 *airs Supportive Housing (HUD–VASH) vouchers;*
11 *(4) for public housing agencies that despite taking*
12 *reasonable cost savings measures, as determined by*
13 *the Secretary, would otherwise be required to termi-*
14 *nate rental assistance for families as a result of insuf-*
15 *ficient funding; (5) for adjustments in the allocations*
16 *for public housing agencies that (i) are leasing a*
17 *lower-than-average percentage of their authorized*
18 *vouchers, (ii) have low amounts of budget authority*
19 *in their net restricted assets accounts and HUD-held*
20 *programmatic reserves, relative to other agencies, and*
21 *(iii) are not participating in the Moving to Work*
22 *demonstration, to enable such agencies to lease more*
23 *vouchers; (6) for withheld payments in accordance*
24 *with section 8(o)(8)(A)(ii) of the Act for months in*
25 *the previous calendar year that were subsequently*

1 *paid by the public housing agency after the agency's*
2 *actual costs were validated; and (7) for public hous-*
3 *ing agencies that have experienced increased costs or*
4 *loss of units in an area for which the President de-*
5 *clared a disaster under title IV of the Robert T. Staf-*
6 *ford Disaster Relief and Emergency Assistance Act*
7 *(42 U.S.C. 5170 et seq.): Provided further, That the*
8 *Secretary shall allocate amounts under the preceding*
9 *proviso based on need, as determined by the Sec-*
10 *retary;*

11 (2) \$100,000,000 shall be for section 8 rental as-
12 *sistance for relocation and replacement of housing*
13 *units that are demolished or disposed of pursuant to*
14 *section 18 of the Act, conversion of section 23 projects*
15 *to assistance under section 8, relocation of witnesses*
16 *(including victims of violent crimes) in connection*
17 *with efforts to combat crime in public and assisted*
18 *housing pursuant to a request from a law enforcement*
19 *or prosecution agency, enhanced vouchers under any*
20 *provision of law authorizing such assistance under*
21 *section 8(t) of the Act, Choice Neighborhood vouchers,*
22 *mandatory and voluntary conversions, and tenant*
23 *protection assistance including replacement and relo-*
24 *cation assistance or for project-based assistance to*
25 *prevent the displacement of unassisted elderly tenants*

1 *currently residing in section 202 properties financed*
2 *between 1959 and 1974 that are refinanced pursuant*
3 *to Public Law 106–569, as amended, or under the au-*
4 *thority as provided under this Act: Provided, That*
5 *when a public housing development is submitted for*
6 *demolition or disposition under section 18 of the Act,*
7 *the Secretary may provide section 8 rental assistance*
8 *when the units pose an imminent health and safety*
9 *risk to residents: Provided further, That the Secretary*
10 *may provide section 8 rental assistance from amounts*
11 *made available under this paragraph for units as-*
12 *sisted under a project-based subsidy contract funded*
13 *under the “Project-Based Rental Assistance” heading*
14 *under this title where the owner has received a Notice*
15 *of Default and the units pose an imminent health and*
16 *safety risk to residents: Provided further, That of the*
17 *amounts made available under this paragraph, no*
18 *less than \$5,000,000 may be available to provide ten-*
19 *ant protection assistance, not otherwise provided*
20 *under this paragraph, to residents residing in low va-*
21 *cancy areas and who may have to pay rents greater*
22 *than 30 percent of household income, as the result of:*
23 *(A) the maturity of a HUD-insured, HUD-held or*
24 *section 202 loan that requires the permission of the*
25 *Secretary prior to loan prepayment; (B) the expira-*

1 *tion of a rental assistance contract for which the ten-*
2 *ants are not eligible for enhanced voucher or tenant*
3 *protection assistance under existing law; or (C) the*
4 *expiration of affordability restrictions accompanying*
5 *a mortgage or preservation program administered by*
6 *the Secretary: Provided further, That such tenant pro-*
7 *tection assistance made available under the preceding*
8 *proviso may be provided under the authority of sec-*
9 *tion 8(t) or section 8(o)(13) of the United States*
10 *Housing Act of 1937 (42 U.S.C. 1437f(t)): Provided*
11 *further, That any tenant protection voucher made*
12 *available from amounts under this paragraph shall*
13 *not be reissued by any public housing agency, except*
14 *the replacement vouchers as defined by the Secretary*
15 *by notice, when the initial family that received any*
16 *such voucher no longer receives such voucher, and the*
17 *authority for any public housing agency to issue any*
18 *such voucher shall cease to exist: Provided further,*
19 *That the Secretary may only provide replacement*
20 *vouchers for units that were occupied within the pre-*
21 *vious 24 months that cease to be available as assisted*
22 *housing, subject only to the availability of funds;*
23 *(3) \$2,410,612,000 shall be for administrative*
24 *and other expenses of public housing agencies in ad-*
25 *ministering the section 8 tenant-based rental assist-*

1 *ance program, of which up to \$30,000,000 shall be*
2 *available to the Secretary to allocate to public hous-*
3 *ing agencies that need additional funds to administer*
4 *their section 8 programs, including fees associated*
5 *with section 8 tenant protection rental assistance, the*
6 *administration of disaster related vouchers, HUD-*
7 *VASH vouchers, and other special purpose incre-*
8 *mental vouchers: Provided, That no less than*
9 *\$2,380,612,000 of the amount provided in this para-*
10 *graph shall be allocated to public housing agencies for*
11 *the calendar year 2022 funding cycle based on section*
12 *8(q) of the Act (and related Appropriation Act provi-*
13 *sions) as in effect immediately before the enactment*
14 *of the Quality Housing and Work Responsibility Act*
15 *of 1998 (Public Law 105–276): Provided further,*
16 *That if the amounts made available under this para-*
17 *graph are insufficient to pay the amounts determined*
18 *under the preceding proviso, the Secretary may de-*
19 *crease the amounts allocated to agencies by a uniform*
20 *percentage applicable to all agencies receiving fund-*
21 *ing under this paragraph or may, to the extent nec-*
22 *essary to provide full payment of amounts determined*
23 *under the preceding proviso, utilize unobligated bal-*
24 *ances, including recaptures and carryover, remaining*
25 *from funds appropriated to the Department of Hous-*

1 *ing and Urban Development under this heading from*
2 *prior fiscal years, excluding special purpose vouchers,*
3 *notwithstanding the purposes for which such amounts*
4 *were appropriated: Provided further, That all public*
5 *housing agencies participating in the MTW dem-*
6 *onstration shall be funded in accordance with the re-*
7 *quirements of the MTW demonstration program or*
8 *their MTW agreements, if any, and shall be subject to*
9 *the same uniform percentage decrease as under the*
10 *preceding proviso: Provided further, That amounts*
11 *provided under this paragraph shall be only for ac-*
12 *tivities related to the provision of tenant-based rental*
13 *assistance authorized under section 8, including re-*
14 *lated development activities;*

15 *(4) \$459,000,000 for the renewal of tenant-based*
16 *assistance contracts under section 811 of the Cran-*
17 *ston-Gonzalez National Affordable Housing Act (42*
18 *U.S.C. 8013), including necessary administrative ex-*
19 *penses: Provided, That administrative and other ex-*
20 *penses of public housing agencies in administering*
21 *the special purpose vouchers in this paragraph shall*
22 *be funded under the same terms and be subject to the*
23 *same pro rata reduction as the percent decrease for*
24 *administrative and other expenses to public housing*
25 *agencies under paragraph (3) of this heading: Pro-*

1 *vided further, That up to \$10,000,000 shall be avail-*
2 *able only (1) for adjustments in the allocation for*
3 *public housing agencies, after applications for an ad-*
4 *justment by a public housing agency that experienced*
5 *a significant increase, as determined by the Sec-*
6 *retary, in Mainstream renewal costs resulting from*
7 *unforeseen circumstances, and (2) for public housing*
8 *agencies that despite taking reasonable cost savings*
9 *measures, as determined by the Secretary, would oth-*
10 *erwise be required to terminate the rental assistance*
11 *for Mainstream families as a result of insufficient*
12 *funding: Provided further, That the Secretary shall*
13 *allocate amounts under the preceding proviso based*
14 *on need, as determined by the Secretary: Provided*
15 *further, That upon turnover, section 811 special pur-*
16 *pose vouchers funded under this heading in this or*
17 *prior Acts, or under any other heading in prior Acts,*
18 *shall be provided to non-elderly persons with disabili-*
19 *ties;*

20 *(5) Of the amounts provided under paragraph*
21 *(1) up to \$5,000,000 shall be for rental assistance and*
22 *associated administrative fees for Tribal HUD-VASH*
23 *to serve Native American veterans that are homeless*
24 *or at-risk of homelessness living on or near a reserva-*
25 *tion or other Indian areas: Provided, That such*

1 *amount shall be made available for renewal grants to*
2 *recipients that received assistance under prior Acts*
3 *under the Tribal HUD–VASH program: Provided*
4 *further, That the Secretary shall be authorized to*
5 *specify criteria for renewal grants, including data on*
6 *the utilization of assistance reported by grant recipi-*
7 *ents: Provided further, That such assistance shall be*
8 *administered in accordance with program require-*
9 *ments under the Native American Housing Assistance*
10 *and Self-Determination Act of 1996 and modeled*
11 *after the HUD–VASH program: Provided further,*
12 *That the Secretary shall be authorized to waive, or*
13 *specify alternative requirements for any provision of*
14 *any statute or regulation that the Secretary admin-*
15 *isters in connection with the use of funds made avail-*
16 *able under this paragraph (except for requirements*
17 *related to fair housing, nondiscrimination, labor*
18 *standards, and the environment), upon a finding by*
19 *the Secretary that any such waivers or alternative re-*
20 *quirements are necessary for the effective delivery and*
21 *administration of such assistance: Provided further,*
22 *That grant recipients shall report to the Secretary on*
23 *utilization of such rental assistance and other pro-*
24 *gram data, as prescribed by the Secretary: Provided*
25 *further, That the Secretary may reallocate, as deter-*

1 *mined by the Secretary, amounts returned or recap-*
2 *tured from awards under the Tribal HUD–VASH*
3 *program under prior Acts to existing recipients under*
4 *the Tribal HUD–VASH program;*

5 *(6) \$50,000,000 for incremental rental voucher*
6 *assistance for use through a supported housing pro-*
7 *gram administered in conjunction with the Depart-*
8 *ment of Veterans Affairs as authorized under section*
9 *8(o)(19) of the United States Housing Act of 1937:*
10 *Provided, That the Secretary of Housing and Urban*
11 *Development shall make such funding available, not-*
12 *withstanding section 203 (competition provision) of*
13 *this title, to public housing agencies that partner with*
14 *eligible VA Medical Centers or other entities as des-*
15 *ignated by the Secretary of the Department of Vet-*
16 *erans Affairs, based on geographical need for such as-*
17 *sistance as identified by the Secretary of the Depart-*
18 *ment of Veterans Affairs, public housing agency ad-*
19 *ministrative performance, and other factors as speci-*
20 *fied by the Secretary of Housing and Urban Develop-*
21 *ment in consultation with the Secretary of the De-*
22 *partment of Veterans Affairs: Provided further, That*
23 *the Secretary of Housing and Urban Development*
24 *may waive, or specify alternative requirements for (in*
25 *consultation with the Secretary of the Department of*

1 *Veterans Affairs), any provision of any statute or reg-*
2 *ulation that the Secretary of Housing and Urban De-*
3 *velopment administers in connection with the use of*
4 *funds made available under this paragraph (except*
5 *for requirements related to fair housing, non-*
6 *discrimination, labor standards, and the environ-*
7 *ment), upon a finding by the Secretary that any such*
8 *waivers or alternative requirements are necessary for*
9 *the effective delivery and administration of such*
10 *voucher assistance: Provided further, That assistance*
11 *made available under this paragraph shall continue*
12 *to remain available for homeless veterans upon turn-*
13 *over;*

14 *(7) \$30,000,000 shall be made available for the*
15 *family unification program as authorized under sec-*
16 *tion 8(x) of the Act: Provided, That the amounts*
17 *made available under this paragraph are provided as*
18 *follows:*

19 *(A) \$5,000,000 shall be for new incremental*
20 *voucher assistance: Provided, That the assistance*
21 *made available under this subparagraph shall*
22 *continue to remain available for family unifica-*
23 *tion upon turnover; and*

24 *(B) \$25,000,000 shall be for new incre-*
25 *mental voucher assistance to assist eligible youth*

1 *as defined by such section 8(x)(2)(B): Provided,*
2 *That assistance made available under this sub-*
3 *paragraph shall continue to remain available for*
4 *such eligible youth upon turnover: Provided fur-*
5 *ther, That of the total amount made available*
6 *under this subparagraph, up to \$15,000,000*
7 *shall be available on a noncompetitive basis to*
8 *public housing agencies that partner with public*
9 *child welfare agencies to identify such eligible*
10 *youth, that request such assistance to timely as-*
11 *assist such eligible youth, and that meet any other*
12 *criteria as specified by the Secretary: Provided*
13 *further, That the Secretary shall review utiliza-*
14 *tion of the assistance made available under the*
15 *preceding proviso, at an interval to be deter-*
16 *mined by the Secretary, and unutilized voucher*
17 *assistance that is no longer needed shall be re-*
18 *captured by the Secretary and reallocated pursu-*
19 *ant to the preceding proviso:*

20 *Provided further, That for any public housing agency*
21 *administering voucher assistance appropriated in a*
22 *prior Act under the family unification program, or*
23 *made available and competitively selected under this*
24 *paragraph, that determines that it no longer has an*
25 *identified need for such assistance upon turnover,*

1 *such agency shall notify the Secretary, and the Sec-*
2 *retary shall recapture such assistance from the agency*
3 *and reallocate it to any other public housing agency*
4 *or agencies based on need for voucher assistance in*
5 *connection with such specified program or eligible*
6 *youth, as applicable;*

7 (8) *\$200,000,000 shall be made available for new*
8 *incremental voucher assistance under section 8(o) of*
9 *the United States Housing Act of 1937 to be allocated*
10 *pursuant to a method, as determined by the Sec-*
11 *retary, which may include a formula that may in-*
12 *clude such factors as severe cost burden, overcrowding,*
13 *substandard housing for very low-income renters,*
14 *homelessness, and administrative capacity, where*
15 *such allocation method shall include both rural and*
16 *urban areas: Provided, That the Secretary may speci-*
17 *fy additional terms and conditions to ensure that*
18 *public housing agencies provide vouchers for use by*
19 *survivors of domestic violence, or individuals and*
20 *families who are homeless, as defined in section*
21 *103(a) of the McKinney-Vento Homeless Assistance*
22 *Act (42 U.S.C. 11302(a)), or at risk of homelessness,*
23 *as defined in section 401(1) of such Act (42 U.S.C.*
24 *11360(1));*

1 *ing, the heading “Annual Contributions for Assisted Hous-*
2 *ing” and the heading “Project-Based Rental Assistance”,*
3 *for fiscal year 2022 and prior years may be used for re-*
4 *newal of or amendments to section 8 project-based contracts*
5 *and for performance-based contract administrators, not-*
6 *withstanding the purposes for which such funds were appro-*
7 *priated: Provided, That any obligated balances of contract*
8 *authority from fiscal year 1974 and prior fiscal years that*
9 *have been terminated shall be rescinded: Provided further,*
10 *That amounts heretofore recaptured, or recaptured during*
11 *the current fiscal year, from section 8 project-based con-*
12 *tracts from source years fiscal year 1975 through fiscal year*
13 *1987 are hereby rescinded, and an amount of additional*
14 *new budget authority, equivalent to the amount rescinded*
15 *is hereby appropriated, to remain available until expended,*
16 *for the purposes set forth under this heading, in addition*
17 *to amounts otherwise available.*

18 *PUBLIC HOUSING FUND*

19 *For 2022 payments to public housing agencies for the*
20 *operation and management of public housing, as authorized*
21 *by section 9(e) of the United States Housing Act of 1937*
22 *(42 U.S.C. 1437g(e)) (the “Act”), and to carry out capital*
23 *and management activities for public housing agencies, as*
24 *authorized under section 9(d) of the Act (42 U.S.C.*
25 *1437g(d)), \$8,451,500,000, to remain available until Sep-*

1 *tember 30, 2025: Provided, That the amounts made avail-*
2 *able under this heading are provided as follows:*

3 (1) *\$5,038,500,000 shall be available to the Sec-*
4 *retary to allocate pursuant to the Operating Fund*
5 *formula at part 990 of title 24, Code of Federal Regu-*
6 *lations, for 2022 payments;*

7 (2) *\$25,000,000 shall be available to the Sec-*
8 *retary to allocate pursuant to a need-based applica-*
9 *tion process notwithstanding section 203 of this title*
10 *and not subject to such Operating Fund formula to*
11 *public housing agencies that experience, or are at risk*
12 *of, financial shortfalls, as determined by the Sec-*
13 *retary: Provided, That after all such shortfall needs*
14 *are met, the Secretary may distribute any remaining*
15 *funds to all public housing agencies on a pro-rata*
16 *basis pursuant to such Operating Fund formula;*

17 (3) *\$3,200,000,000 shall be available to the Sec-*
18 *retary to allocate pursuant to the Capital Fund for-*
19 *mula at section 905.400 of title 24, Code of Federal*
20 *Regulations: Provided, That for funds provided under*
21 *this paragraph, the limitation in section 9(g)(1) of*
22 *the Act shall be 25 percent: Provided further, That the*
23 *Secretary may waive the limitation in the preceding*
24 *proviso to allow public housing agencies to fund ac-*
25 *tivities authorized under section 9(e)(1)(C) of the Act:*

1 *Provided further, That the Secretary shall notify pub-*
2 *lic housing agencies requesting waivers under the pre-*
3 *ceding proviso if the request is approved or denied*
4 *within 14 days of submitting the request: Provided*
5 *further, That from the funds made available under*
6 *this paragraph, the Secretary shall provide bonus*
7 *awards in fiscal year 2022 to public housing agencies*
8 *that are designated high performers: Provided further,*
9 *That the Department shall notify public housing*
10 *agencies of their formula allocation within 60 days of*
11 *enactment of this Act;*

12 (4) *\$75,000,000 shall be available for the Sec-*
13 *retary to make grants, notwithstanding section 203 of*
14 *this title, to public housing agencies for emergency*
15 *capital needs, including safety and security measures*
16 *necessary to address crime and drug-related activity,*
17 *as well as needs resulting from unforeseen or unpre-*
18 *ventable emergencies and natural disasters excluding*
19 *Presidentially declared emergencies and natural dis-*
20 *asters under the Robert T. Stafford Disaster Relief*
21 *and Emergency Act (42 U.S.C. 5121 et seq.) occur-*
22 *ring in fiscal year 2022, of which \$45,000,000 shall*
23 *be available for public housing agencies under admin-*
24 *istrative and judicial receiverships or under the con-*
25 *trol of a Federal monitor: Provided, That of the*

1 amount made available under this paragraph, not
2 less than \$10,000,000 shall be for safety and security
3 measures: Provided further, That in addition to the
4 amount in the preceding proviso for such safety and
5 security measures, any amounts that remain avail-
6 able, after all applications received on or before Sep-
7 tember 30, 2023, for emergency capital needs have
8 been processed, shall be allocated to public housing
9 agencies for such safety and security measures;

10 (5) \$65,000,000 shall be for competitive grants to
11 public housing agencies to evaluate and reduce resi-
12 dential health hazards in public housing, including
13 lead-based paint (by carrying out the activities of risk
14 assessments, abatement, and interim controls, as those
15 terms are defined in section 1004 of the Residential
16 Lead-Based Paint Hazard Reduction Act of 1992 (42
17 U.S.C. 4851b)), carbon monoxide, mold, radon, and
18 fire safety: Provided, That not less than \$25,000,000
19 of the amounts provided under this paragraph shall
20 be awarded for evaluating and reducing lead-based
21 paint hazards: Provided further, That for purposes of
22 environmental review, a grant under this paragraph
23 shall be considered funds for projects or activities
24 under title I of the United States Housing Act of
25 1937 (42 U.S.C. 1437 et seq.) for purposes of section

1 26 of such Act (42 U.S.C. 1437x) and shall be subject
2 to the regulations implementing such section: Pro-
3 vided further, That amounts made available under
4 this paragraph shall be combined with amounts made
5 available under the sixth paragraph under this head-
6 ing in the Consolidated Appropriations Act, 2021
7 (Public Law 116–260) and shall be used in accord-
8 ance with the purposes and requirements under this
9 paragraph;

10 (6) \$15,000,000 shall be to support the costs of
11 administrative and judicial receiverships and for
12 competitive grants to PHAs in receivership, des-
13 ignated troubled or substandard, or otherwise at risk,
14 as determined by the Secretary, for costs associated
15 with public housing asset improvement, in addition
16 to other amounts for that purpose provided under any
17 heading under this title; and

18 (7) \$33,000,000 shall be to support ongoing pub-
19 lic housing financial and physical assessment activi-
20 ties:

21 Provided further, That notwithstanding any other provision
22 of law or regulation, during fiscal year 2022, the Secretary
23 of Housing and Urban Development may not delegate to
24 any Department official other than the Deputy Secretary
25 and the Assistant Secretary for Public and Indian Housing

1 *any authority under paragraph (2) of section 9(j) of the*
2 *Act regarding the extension of the time periods under such*
3 *section: Provided further, That for purposes of such section*
4 *9(j), the term “obligate” means, with respect to amounts,*
5 *that the amounts are subject to a binding agreement that*
6 *will result in outlays, immediately or in the future.*

7 *CHOICE NEIGHBORHOODS INITIATIVE*

8 *For competitive grants under the Choice Neighborhoods*
9 *Initiative (subject to section 24 of the United States Hous-*
10 *ing Act of 1937 (42 U.S.C. 1437v) unless otherwise specified*
11 *under this heading), for transformation, rehabilitation, and*
12 *replacement housing needs of public and HUD-assisted*
13 *housing and to transform neighborhoods of poverty into*
14 *functioning, sustainable, mixed-income neighborhoods with*
15 *appropriate services, schools, public assets, transportation,*
16 *and access to jobs, \$350,000,000, to remain available until*
17 *September 30, 2026: Provided, That grant funds may be*
18 *used for resident and community services, community de-*
19 *velopment, and affordable housing needs in the community,*
20 *and for conversion of vacant or foreclosed properties to af-*
21 *fordable housing: Provided further, That not more than 20*
22 *percent of the amount of any grant made with amounts*
23 *made available under this heading may be used for nec-*
24 *essary supportive services notwithstanding subsection*
25 *(d)(1)(L) of such section 24: Provided further, That the use*

1 of amounts made available under this heading shall not be
2 deemed to be for public housing, notwithstanding section
3 3(b)(1) of such Act: Provided further, That grantees shall
4 commit to an additional period of affordability determined
5 by the Secretary of not fewer than 20 years: Provided fur-
6 ther, That grantees shall provide a match in State, local,
7 other Federal, or private funds: Provided further, That
8 grantees may include local governments, Tribal entities,
9 public housing agencies, and nonprofit organizations: Pro-
10 vided further, That for-profit developers may apply jointly
11 with a public entity: Provided further, That for purposes
12 of environmental review, a grantee shall be treated as a
13 public housing agency under section 26 of the United States
14 Housing Act of 1937 (42 U.S.C. 1437x), and grants made
15 with amounts available under this heading shall be subject
16 to the regulations issued by the Secretary to implement such
17 section: Provided further, That of the amounts made avail-
18 able under this heading, not less than \$175,000,000 shall
19 be awarded to public housing agencies: Provided further,
20 That such grantees shall create partnerships with other
21 local organizations, including assisted housing owners, serv-
22 ice agencies, and resident organizations: Provided further,
23 That the Secretary shall consult with the Secretaries of
24 Education, Labor, Transportation, Health and Human
25 Services, Agriculture, and Commerce, the Attorney General,

1 *and the Administrator of the Environmental Protection*
2 *Agency to coordinate and leverage other appropriate Fed-*
3 *eral resources: Provided further, That not more than*
4 *\$10,000,000 of the amounts made available under this head-*
5 *ing may be provided as grants to undertake comprehensive*
6 *local planning with input from residents and the commu-*
7 *nity: Provided further, That unobligated balances, includ-*
8 *ing recaptures, remaining from amounts made available*
9 *under the heading “Revitalization of Severely Distressed*
10 *Public Housing (HOPE VI)” in fiscal year 2011 and prior*
11 *fiscal years may be used for purposes under this heading,*
12 *notwithstanding the purposes for which such amounts were*
13 *appropriated: Provided further, That the Secretary shall*
14 *make grant awards not later than 1 year after the date*
15 *of enactment of this Act in such amounts that the Secretary*
16 *determines: Provided further, That notwithstanding section*
17 *24(o) of the United States Housing Act of 1937 (42 U.S.C.*
18 *1437v(o)), the Secretary may, until September 30, 2022,*
19 *obligate any available unobligated balances made available*
20 *under this heading in this or any prior Act.*

21 *SELF-SUFFICIENCY PROGRAMS*

22 *For activities and assistance related to Self-Sufficiency*
23 *Programs, to remain available until September 30, 2025,*
24 *\$159,000,000: Provided, That the amounts made available*
25 *under this heading are provided as follows:*

1 (1) \$109,000,000 shall be for the Family Self-
2 Sufficiency program to support family self-sufficiency
3 coordinators under section 23 of the United States
4 Housing Act of 1937 (42 U.S.C. 1437u), to promote
5 the development of local strategies to coordinate the
6 use of assistance under sections 8 and 9 of such Act
7 with public and private resources, and enable eligible
8 families to achieve economic independence and self-
9 sufficiency: Provided, That the Secretary may, by
10 Federal Register notice, waive or specify alternative
11 requirements under subsections (b)(3), (b)(4), (b)(5),
12 or (c)(1) of section 23 of such Act in order to facili-
13 tate the operation of a unified self-sufficiency pro-
14 gram for individuals receiving assistance under dif-
15 ferent provisions of such Act, as determined by the
16 Secretary: Provided further, That owners or sponsors
17 of a multifamily property receiving project-based
18 rental assistance under section 8 of such Act may vol-
19 untarily make a Family Self-Sufficiency program
20 available to the assisted tenants of such property in
21 accordance with procedures established by the Sec-
22 retary: Provided further, That such procedures estab-
23 lished pursuant to the preceding proviso shall permit
24 participating tenants to accrue escrow funds in ac-
25 cordance with section 23(d)(2) of such Act and shall

1 *allow owners to use funding from residual receipt ac-*
2 *counts to hire coordinators for their own Family Self-*
3 *Sufficiency program;*

4 (2) *\$35,000,000 shall be for the Resident Oppor-*
5 *tunity and Self-Sufficiency program to provide for*
6 *supportive services, service coordinators, and con-*
7 *gregate services as authorized by section 34 of the*
8 *United States Housing Act of 1937 (42 U.S.C. 1437z-*
9 *6) and the Native American Housing Assistance and*
10 *Self-Determination Act of 1996 (25 U.S.C. 4101 et*
11 *seq.); and*

12 (3) *\$15,000,000 shall be for a Jobs-Plus initia-*
13 *tive, modeled after the Jobs-Plus demonstration: Pro-*
14 *vided, That funding provided under this paragraph*
15 *shall be available for competitive grants to partner-*
16 *ships between public housing authorities, local work-*
17 *force investment boards established under section 107*
18 *of the Workforce Innovation and Opportunity Act of*
19 *2014 (29 U.S.C. 3122), and other agencies and orga-*
20 *nizations that provide support to help public housing*
21 *residents obtain employment and increase earnings:*
22 *Provided further, That applicants must demonstrate*
23 *the ability to provide services to residents, partner*
24 *with workforce investment boards, and leverage serv-*
25 *ice dollars: Provided further, That the Secretary may*

1 (1) \$772,000,000 shall be for the Native Amer-
2 ican Housing Block Grants program, as authorized
3 under title I of NAHASDA: Provided, That, notwith-
4 standing NAHASDA, to determine the amount of the
5 allocation under title I of such Act for each Indian
6 tribe, the Secretary shall apply the formula under sec-
7 tion 302 of such Act with the need component based
8 on single-race census data and with the need compo-
9 nent based on multi-race census data, and the amount
10 of the allocation for each Indian tribe shall be the
11 greater of the two resulting allocation amounts: Pro-
12 vided further, That the Secretary shall notify grantees
13 of their formula allocation not later than 60 days
14 after the date of enactment of this Act;

15 (2) \$150,000,000 shall be for competitive grants
16 under the Native American Housing Block Grants
17 program, as authorized under title I of NAHASDA:
18 Provided, That the Secretary shall obligate such
19 amount for competitive grants to eligible recipients
20 authorized under NAHASDA that apply for funds:
21 Provided further, That in awarding amounts made
22 available in this paragraph, the Secretary shall con-
23 sider need and administrative capacity, and shall
24 give priority to projects that will spur construction
25 and rehabilitation of housing: Provided further, That

1 *a grant funded pursuant to this paragraph shall be*
2 *in an amount not greater than \$7,500,000: Provided*
3 *further, That any amounts transferred for the nec-*
4 *essary costs of administering and overseeing the obli-*
5 *gation and expenditure of such additional amounts in*
6 *prior Acts may also be used for the necessary costs of*
7 *administering and overseeing such additional*
8 *amount;*

9 *(3) \$1,000,000 shall be for the cost of guaranteed*
10 *notes and other obligations, as authorized by title VI*
11 *of NAHASDA: Provided, That such costs, including*
12 *the costs of modifying such notes and other obliga-*
13 *tions, shall be as defined in section 502 of the Con-*
14 *gressional Budget Act of 1974 (2 U.S.C. 661a): Pro-*
15 *vided further, That for fiscal year 2022 amounts*
16 *made available in this Act for the cost of guaranteed*
17 *notes and other obligations and any unobligated bal-*
18 *ances, including recaptures and carryover, remaining*
19 *from amounts made available for this purpose under*
20 *this heading or under the heading “Native American*
21 *Housing Block Grants” in prior Acts shall be avail-*
22 *able to subsidize the total principal amount of any*
23 *notes and other obligations, any part of which is to*
24 *be guaranteed, not to exceed \$50,000,000;*

1 (4) \$72,086,000 shall be for grants to Indian
2 tribes for carrying out the Indian Community Devel-
3 opment Block Grant program under title I of the
4 Housing and Community Development Act of 1974,
5 notwithstanding section 106(a)(1) of such Act, of
6 which, notwithstanding any other provision of law
7 (including section 203 of this Act), not more than
8 \$5,000,000 may be used for emergencies that con-
9 stitute imminent threats to health and safety: Pro-
10 vided, That not to exceed 20 percent of any grant
11 made with amounts made available in this paragraph
12 shall be expended for planning and management de-
13 velopment and administration; and

14 (5) \$7,000,000 shall be for providing training
15 and technical assistance to Indian tribes, Indian
16 housing authorities, and tribally designated housing
17 entities, to support the inspection of Indian housing
18 units, for contract expertise, and for training and
19 technical assistance related to amounts made avail-
20 able under this heading and other headings in this
21 Act for the needs of Native American families and In-
22 dian country: Provided, That of the amounts made
23 available in this paragraph, not less than \$2,000,000
24 shall be for a national organization as authorized
25 under section 703 of NAHASDA (25 U.S.C. 4212):

1 *U.S.C. 661a): Provided further, That an additional*
2 *\$500,000, to remain available until expended, shall be for*
3 *administrative contract expenses, including management*
4 *processes to carry out the loan guarantee program: Provided*
5 *further, That for fiscal year 2022 amounts made available*
6 *in this and prior Acts for the cost of guaranteed loans, as*
7 *authorized by section 184 of the Housing and Community*
8 *Development Act of 1992 (12 U.S.C. 1715z–13a), that are*
9 *unobligated, including recaptures and carryover, shall be*
10 *available to subsidize total loan principal, any part of*
11 *which is to be guaranteed, not to exceed \$1,400,000,000, to*
12 *remain available until September 30, 2023.*

13 *NATIVE HAWAIIAN HOUSING BLOCK GRANT*
14 *For the Native Hawaiian Housing Block Grant pro-*
15 *gram, as authorized under title VIII of the Native American*
16 *Housing Assistance and Self-Determination Act of 1996 (25*
17 *U.S.C. 4221 et seq.), \$22,300,000, to remain available until*
18 *September 30, 2026: Provided, That notwithstanding sec-*
19 *tion 812(b) of such Act, the Department of Hawaiian Home*
20 *Lands may not invest grant amounts made available under*
21 *this heading in investment securities and other obligations:*
22 *Provided further, That amounts made available under this*
23 *heading in this and prior fiscal years may be used to pro-*
24 *vide rental assistance to eligible Native Hawaiian families*

1 *both on and off the Hawaiian Home Lands, notwith-*
2 *standing any other provision of law.*

3 *NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND*

4 *PROGRAM ACCOUNT*

5 *(INCLUDING RESCISSION)*

6 *New commitments to guarantee loans, as authorized*
7 *by section 184A of the Housing and Community Develop-*
8 *ment Act of 1992 (12 U.S.C. 1715z–13b), any part of which*
9 *is to be guaranteed, shall not exceed \$28,000,000 in total*
10 *loan principal: Provided, That the Secretary may enter into*
11 *commitments to guarantee loans used for refinancing: Pro-*
12 *vided further, That any unobligated balances, including re-*
13 *captures and carryover, remaining from amounts made*
14 *available under this heading in prior Acts and any remain-*
15 *ing total loan principal guarantee limitation associated*
16 *with such amounts in such prior Acts are hereby rescinded.*

17 *COMMUNITY PLANNING AND DEVELOPMENT*

18 *HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS*

19 *For carrying out the Housing Opportunities for Per-*
20 *sons with AIDS program, as authorized by the AIDS Hous-*
21 *ing Opportunity Act (42 U.S.C. 12901 et seq.),*
22 *\$450,000,000, to remain available until September 30,*
23 *2023, except that amounts allocated pursuant to section*
24 *854(c)(5) of such Act shall remain available until Sep-*
25 *tember 30, 2024: Provided, That the Secretary shall renew*

1 *or replace all expiring contracts for permanent supportive*
2 *housing that initially were funded under section 854(c)(5)*
3 *of such Act from funds made available under this heading*
4 *in fiscal year 2010 and prior fiscal years that meet all pro-*
5 *gram requirements before awarding funds for new contracts*
6 *under such section: Provided further, That the process for*
7 *submitting amendments and approving replacement con-*
8 *tracts shall be established by the Secretary in a notice: Pro-*
9 *vided further, That the Department shall notify grantees of*
10 *their formula allocation within 60 days of enactment of this*
11 *Act.*

12 *COMMUNITY DEVELOPMENT FUND*

13 *For assistance to States and units of general local gov-*
14 *ernment, and other entities, for economic and community*
15 *development activities, and other purposes, \$4,841,409,207,*
16 *to remain available until September 30, 2025, unless other-*
17 *wise specified: Provided, That of the total amount provided*
18 *under this heading, \$3,300,000,000 is for carrying out the*
19 *community development block grant program under title I*
20 *of the Housing and Community Development Act of 1974,*
21 *as amended (42 U.S.C. 5301 et seq.) (in this heading “the*
22 *Act”): Provided further, That unless explicitly provided for*
23 *under this heading, not to exceed 20 percent of any grant*
24 *made with funds made available under this heading shall*
25 *be expended for planning and management development*

1 *and administration: Provided further, That a metropolitan*
2 *city, urban county, unit of general local government, or in-*
3 *sular area that directly or indirectly receives funds under*
4 *this heading may not sell, trade, or otherwise transfer all*
5 *or any portion of such funds to another such entity in ex-*
6 *change for any other funds, credits, or non-Federal consid-*
7 *erations, but shall use such funds for activities eligible*
8 *under title I of the Act: Provided further, That notwith-*
9 *standing section 105(e)(1) of the Act, no funds made avail-*
10 *able under this heading may be provided to a for-profit en-*
11 *tity for an economic development project under section*
12 *105(a)(17) unless such project has been evaluated and se-*
13 *lected in accordance with guidelines required under sub-*
14 *section (e)(2) of section 105: Provided further, That of the*
15 *total amount provided under this heading, \$25,000,000*
16 *shall be for activities authorized under section 8071 of the*
17 *SUPPORT for Patients and Communities Act (Public Law*
18 *115–271): Provided further, That the funds allocated pursu-*
19 *ant to the preceding proviso shall not adversely affect the*
20 *amount of any formula assistance received by a State under*
21 *the first proviso: Provided further, That the Secretary shall*
22 *allocate the funds for such activities based on the notice es-*
23 *tablishing the funding formula published in 84 FR 16027*
24 *(April 17, 2019) except that the formula shall use age-ad-*
25 *justed rates of drug overdose deaths for 2019 based on data*

1 *from the Centers for Disease Control and Prevention: Pro-*
2 *vided further, That of the total amount made available*
3 *under this heading, \$1,516,409,207 shall be available for*
4 *grants for the Economic Development Initiative (EDI) for*
5 *the purposes, and in amounts, specified for Community*
6 *Project Funding/Congressionally Directed Spending in the*
7 *table entitled “Community Project Funding/Congression-*
8 *ally Directed Spending” included in the explanatory state-*
9 *ment described in section 4 (in the matter preceding divi-*
10 *sion A of this consolidated Act): Provided further, That*
11 *none of the amounts made available in the preceding pro-*
12 *viso shall be used for reimbursement of expenses incurred*
13 *prior to the obligation of funds: Provided further, That the*
14 *Department of Housing and Urban Development shall no-*
15 *tify grantees of their formula allocation within 60 days of*
16 *enactment of this Act.*

17 *COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM*

18 *ACCOUNT*

19 *Subject to section 502 of the Congressional Budget Act*
20 *of 1974 (2 U.S.C. 661a), during fiscal year 2022, commit-*
21 *ments to guarantee loans under section 108 of the Housing*
22 *and Community Development Act of 1974 (42 U.S.C.*
23 *5308), any part of which is guaranteed, shall not exceed*
24 *a total principal amount of \$300,000,000, notwithstanding*
25 *any aggregate limitation on outstanding obligations guar-*

1 *anted in subsection (k) of such section 108: Provided, That*
2 *the Secretary shall collect fees from borrowers, notwith-*
3 *standing subsection (m) of such section 108, to result in*
4 *a credit subsidy cost of zero for guaranteeing such loans,*
5 *and any such fees shall be collected in accordance with sec-*
6 *tion 502(7) of the Congressional Budget Act of 1974: Pro-*
7 *vided further, That such commitment authority funded by*
8 *fees may be used to guarantee, or make commitments to*
9 *guarantee, notes or other obligations issued by any State*
10 *on behalf of non-entitlement communities in the State in*
11 *accordance with the requirements of such section 108: Pro-*
12 *vided further, That any State receiving such a guarantee*
13 *or commitment under the preceding proviso shall distribute*
14 *all funds subject to such guarantee to the units of general*
15 *local government in non-entitlement areas that received the*
16 *commitment.*

17 *HOME INVESTMENT PARTNERSHIPS PROGRAM*

18 *For the HOME Investment Partnerships program, as*
19 *authorized under title II of the Cranston-Gonzalez National*
20 *Affordable Housing Act, as amended (42 U.S.C. 12721 et*
21 *seq.), \$1,500,000,000, to remain available until September*
22 *30, 2025: Provided, That notwithstanding section 231(b) of*
23 *such Act (42 U.S.C. 12771(b)), all unobligated balances re-*
24 *maining from amounts recaptured pursuant to such section*
25 *that remain available until expended shall be combined*

1 *with amounts made available under this heading and allo-*
2 *cated in accordance with the formula under section*
3 *217(b)(1)(A) of such Act (42 U.S.C. 12747(b)(1)(A)): Pro-*
4 *vided further, That the Department shall notify grantees of*
5 *their formula allocations within 60 days after enactment*
6 *of this Act: Provided further, That section 218(g) of such*
7 *Act (42 U.S.C. 12748(g)) shall not apply with respect to*
8 *the right of a jurisdiction to draw funds from its HOME*
9 *Investment Trust Fund that otherwise expired or would ex-*
10 *pire in any calendar year from 2016 through 2024 under*
11 *that section: Provided further, That section 231(b) of such*
12 *Act (42 U.S.C. 12771(b)) shall not apply to any uninvested*
13 *funds that otherwise were deducted or would be deducted*
14 *from the line of credit in the participating jurisdiction's*
15 *HOME Investment Trust Fund in any calendar year from*
16 *2018 through 2024 under that section.*

17 *SELF-HELP AND ASSISTED HOMEOWNERSHIP*

18 *OPPORTUNITY PROGRAM*

19 *For the Self-Help and Assisted Homeownership Op-*
20 *portunity Program, as authorized under section 11 of the*
21 *Housing Opportunity Program Extension Act of 1996 (42*
22 *U.S.C. 12805 note), and for related activities and assist-*
23 *ance, \$62,500,000, to remain available until September 30,*
24 *2024: Provided, That the amounts made available under*
25 *this heading are provided as follows:*

1 (1) \$12,500,000 shall be for the Self-Help Home-
2 ownership Opportunity Program as authorized under
3 such section 11;

4 (2) \$41,000,000 shall be for the second, third,
5 and fourth capacity building entities specified in sec-
6 tion 4(a) of the HUD Demonstration Act of 1993 (42
7 U.S.C. 9816 note), of which not less than \$5,000,000
8 shall be for rural capacity building activities: Pro-
9 vided, That for purposes of awarding grants from
10 amounts made available in this paragraph, the Sec-
11 retary may enter into multiyear agreements, as ap-
12 propriate, subject to the availability of annual appro-
13 priations;

14 (3) \$5,000,000 shall be for capacity building by
15 national rural housing organizations having experi-
16 ence assessing national rural conditions and pro-
17 viding financing, training, technical assistance, infor-
18 mation, and research to local nonprofit organizations,
19 local governments, and Indian Tribes serving high
20 need rural communities; and

21 (4) \$4,000,000, shall be for a program to reha-
22 bilitate and modify the homes of disabled or low-in-
23 come veterans, as authorized under section 1079 of the
24 Carl Levin and Howard P. “Buck” McKeon National
25 Defense Authorization Act for Fiscal Year 2015 (38

1 *U.S.C. 2101 note): Provided, That the issuance of a*
2 *Notice of Funding Opportunity for the amounts made*
3 *available in this paragraph shall be completed not*
4 *later than 120 days after enactment of this Act and*
5 *such amounts shall be awarded not later than 180*
6 *days after such issuance.*

7 *HOMELESS ASSISTANCE GRANTS*

8 *For assistance under title IV of the McKinney-Vento*
9 *Homeless Assistance Act (42 U.S.C. 11360 et seq.),*
10 *\$3,213,000,000, to remain available until September 30,*
11 *2024: Provided, That of the amounts made available under*
12 *this heading—*

13 *(1) \$290,000,000 shall be for the Emergency So-*
14 *lutions Grants program authorized under subtitle B*
15 *of such title IV (42 U.S.C. 11371 et seq.): Provided,*
16 *That the Department shall notify grantees of their*
17 *formula allocation from amounts allocated (which*
18 *may represent initial or final amounts allocated) for*
19 *the Emergency Solutions Grant program not later*
20 *than 60 days after enactment of this Act;*

21 *(2) \$2,809,000,000 shall be for the Continuum of*
22 *Care program authorized under subtitle C of such*
23 *title IV (42 U.S.C. 11381 et seq.) and the Rural*
24 *Housing Stability Assistance programs authorized*
25 *under subtitle D of such title IV (42 U.S.C. 11408):*

1 *Provided, That the Secretary shall prioritize funding*
2 *under the Continuum of Care program to continuums*
3 *of care that have demonstrated a capacity to reallo-*
4 *cate funding from lower performing projects to higher*
5 *performing projects: Provided further, That the Sec-*
6 *retary shall provide incentives to create projects that*
7 *coordinate with housing providers and healthcare or-*
8 *ganizations to provide permanent supportive housing*
9 *and rapid re-housing services: Provided further, That*
10 *of the amounts made available for the Continuum of*
11 *Care program under this paragraph, not less than*
12 *\$52,000,000 shall be for grants for new rapid re-hous-*
13 *ing projects and supportive service projects providing*
14 *coordinated entry, and for eligible activities that the*
15 *Secretary determines to be critical in order to assist*
16 *survivors of domestic violence, dating violence, sexual*
17 *assault, or stalking: Provided further, That amounts*
18 *made available for the Continuum of Care program*
19 *under this heading in this Act and any remaining*
20 *unobligated balances from prior Acts may be used to*
21 *competitively or non-competitively renew or replace*
22 *grants for youth homeless demonstration projects*
23 *under the Continuum of Care program, notwith-*
24 *standing any conflict with the requirements of the*
25 *Continuum of Care program;*

1 (3) \$7,000,000 shall be for the national homeless
2 data analysis project: Provided, That notwithstanding
3 the provisions of the Federal Grant and Cooperative
4 Agreements Act of 1977 (31 U.S.C. 6301–6308), the
5 amounts made available under this paragraph and
6 any remaining unobligated balances under this head-
7 ing for such purposes in prior Acts may be used by
8 the Secretary to enter into cooperative agreements
9 with such entities as may be determined by the Sec-
10 retary, including public and private organizations,
11 agencies, and institutions; and

12 (4) \$107,000,000 shall be to implement projects
13 to demonstrate how a comprehensive approach to
14 serving homeless youth, age 24 and under, in up to
15 25 communities with a priority for communities with
16 substantial rural populations in up to eight locations,
17 can dramatically reduce youth homelessness: Pro-
18 vided, That of the amount made available under this
19 paragraph, not less than \$25,000,000 shall be for
20 youth homelessness system improvement grants to
21 support communities, including but not limited to the
22 communities assisted under the matter preceding this
23 proviso, in establishing and implementing a response
24 system for youth homelessness, or for improving their
25 existing system: Provided further, That of the amount

1 *made available under this paragraph, up to*
2 *\$10,000,000 shall be to provide technical assistance to*
3 *communities, including but not limited to the commu-*
4 *nities assisted in the preceding proviso and the mat-*
5 *ter preceding such proviso, on improving system re-*
6 *sponses to youth homelessness, and collection, anal-*
7 *ysis, use, and reporting of data and performance*
8 *measures under the comprehensive approaches to serve*
9 *homeless youth, in addition to and in coordination*
10 *with other technical assistance funds provided under*
11 *this title: Provided further, That the Secretary may*
12 *use up to 10 percent of the amount made available*
13 *under the preceding proviso to build the capacity of*
14 *current technical assistance providers or to train new*
15 *technical assistance providers with verifiable prior ex-*
16 *perience with systems and programs for youth experi-*
17 *encing homelessness:*

18 *Provided further, That youth aged 24 and under seeking*
19 *assistance under this heading shall not be required to pro-*
20 *vide third party documentation to establish their eligibility*
21 *under subsection (a) or (b) of section 103 of the McKinney-*
22 *Vento Homeless Assistance Act (42 U.S.C. 11302) to receive*
23 *services: Provided further, That unaccompanied youth aged*
24 *24 and under or families headed by youth aged 24 and*
25 *under who are living in unsafe situations may be served*

1 *by youth-serving providers funded under this heading: Pro-*
2 *vided further, That persons eligible under section 103(a)(5)*
3 *of the McKinney-Vento Homeless Assistance Act may be*
4 *served by any project funded under this heading to provide*
5 *both transitional housing and rapid re-housing: Provided*
6 *further, That for all matching funds requirements applica-*
7 *ble to funds made available under this heading for this fis-*
8 *cal year and prior fiscal years, a grantee may use (or could*
9 *have used) as a source of match funds other funds adminis-*
10 *tered by the Secretary and other Federal agencies unless*
11 *there is (or was) a specific statutory prohibition on any*
12 *such use of any such funds: Provided further, That none*
13 *of the funds made available under this heading shall be*
14 *available to provide funding for new projects, except for*
15 *projects created through reallocation, unless the Secretary*
16 *determines that the continuum of care has demonstrated*
17 *that projects are evaluated and ranked based on the degree*
18 *to which they improve the continuum of care's system per-*
19 *formance: Provided further, That any unobligated amounts*
20 *remaining from funds made available under this heading*
21 *in fiscal year 2012 and prior years for project-based rental*
22 *assistance for rehabilitation projects with 10-year grant*
23 *terms may be used for purposes under this heading, not-*
24 *withstanding the purposes for which such funds were appro-*
25 *priated: Provided further, That unobligated balances, in-*

1 *cluding recaptures and carryover, remaining from funds*
2 *transferred to or appropriated under this heading in fiscal*
3 *year 2019 or prior years, except for rental assistance*
4 *amounts that were recaptured and made available until ex-*
5 *pended, shall be available for the current purposes author-*
6 *ized under this heading in addition to the purposes for*
7 *which such funds originally were appropriated.*

8 *HOUSING PROGRAMS*

9 *PROJECT-BASED RENTAL ASSISTANCE*

10 *For activities and assistance for the provision of*
11 *project-based subsidy contracts under the United States*
12 *Housing Act of 1937 (42 U.S.C. 1437 et seq.) (“the Act”),*
13 *not otherwise provided for, \$13,540,000,000, to remain*
14 *available until expended, shall be available on October 1,*
15 *2021 (in addition to the \$400,000,000 previously appro-*
16 *priated under this heading that became available October*
17 *1, 2021), and \$400,000,000, to remain available until ex-*
18 *pended, shall be available on October 1, 2022: Provided,*
19 *That the amounts made available under this heading shall*
20 *be available for expiring or terminating section 8 project-*
21 *based subsidy contracts (including section 8 moderate reha-*
22 *bilitation contracts), for amendments to section 8 project-*
23 *based subsidy contracts (including section 8 moderate reha-*
24 *bilitation contracts), for contracts entered into pursuant to*
25 *section 441 of the McKinney-Vento Homeless Assistance Act*

1 *(42 U.S.C. 11401), for renewal of section 8 contracts for*
2 *units in projects that are subject to approved plans of action*
3 *under the Emergency Low Income Housing Preservation*
4 *Act of 1987 or the Low-Income Housing Preservation and*
5 *Resident Homeownership Act of 1990, and for administra-*
6 *tive and other expenses associated with project-based activi-*
7 *ties and assistance funded under this heading: Provided fur-*
8 *ther, That of the total amounts provided under this heading,*
9 *not to exceed \$355,000,000 shall be available for perform-*
10 *ance-based contract administrators for section 8 project-*
11 *based assistance, for carrying out 42 U.S.C. 1437(f): Pro-*
12 *vided further, That the Secretary may also use such*
13 *amounts in the preceding proviso for performance-based*
14 *contract administrators for the administration of: interest*
15 *reduction payments pursuant to section 236(a) of the Na-*
16 *tional Housing Act (12 U.S.C. 1715z-1(a)); rent supple-*
17 *ment payments pursuant to section 101 of the Housing and*
18 *Urban Development Act of 1965 (12 U.S.C. 1701s); section*
19 *236(f)(2) rental assistance payments (12 U.S.C. 1715z-*
20 *1(f)(2)); project rental assistance contracts for the elderly*
21 *under section 202(c)(2) of the Housing Act of 1959 (12*
22 *U.S.C. 1701q); project rental assistance contracts for sup-*
23 *portive housing for persons with disabilities under section*
24 *811(d)(2) of the Cranston-Gonzalez National Affordable*
25 *Housing Act (42 U.S.C. 8013(d)(2)); project assistance con-*

1 tracts pursuant to section 202(h) of the Housing Act of 1959
2 (Public Law 86–372; 73 Stat. 667); and loans under section
3 202 of the Housing Act of 1959 (Public Law 86–372; 73
4 Stat. 667): Provided further, That amounts recaptured
5 under this heading, the heading “Annual Contributions for
6 Assisted Housing”, or the heading “Housing Certificate
7 Fund”, may be used for renewals of or amendments to sec-
8 tion 8 project-based contracts or for performance-based con-
9 tract administrators, notwithstanding the purposes for
10 which such amounts were appropriated: Provided further,
11 That, notwithstanding any other provision of law, upon the
12 request of the Secretary, project funds that are held in resid-
13 ual receipts accounts for any project subject to a section
14 8 project-based Housing Assistance Payments contract that
15 authorizes the Department or a housing finance agency to
16 require that surplus project funds be deposited in an inter-
17 est-bearing residual receipts account and that are in excess
18 of an amount to be determined by the Secretary, shall be
19 remitted to the Department and deposited in this account,
20 to be available until expended: Provided further, That
21 amounts deposited pursuant to the preceding proviso shall
22 be available in addition to the amount otherwise provided
23 by this heading for uses authorized under this heading.

1 conditions of project rental assistance, except that the ini-
2 tial contract term for such assistance shall not exceed 5
3 years in duration: Provided further, That upon request of
4 the Secretary, project funds that are held in residual re-
5 ceipts accounts for any project subject to a section 202
6 project rental assistance contract, and that upon termi-
7 nation of such contract are in excess of an amount to be
8 determined by the Secretary, shall be remitted to the De-
9 partment and deposited in this account, to remain available
10 until September 30, 2025: Provided further, That amounts
11 deposited in this account pursuant to the preceding proviso
12 shall be available, in addition to the amounts otherwise pro-
13 vided by this heading, for the purposes authorized under
14 this heading: Provided further, That unobligated balances,
15 including recaptures and carryover, remaining from funds
16 transferred to or appropriated under this heading shall be
17 available for the current purposes authorized under this
18 heading in addition to the purposes for which such funds
19 originally were appropriated: Provided further, That of the
20 total amount made available under this heading, up to
21 \$10,000,000 shall be used to expand the supply of intergen-
22 erational dwelling units (as such term is defined in section
23 202 of the Legacy Act of 2003 (12 U.S.C. 1701q note)) for
24 elderly caregivers raising children: Provided further, That
25 for the purposes of the preceding proviso the Secretary may

1 *waive, or specify alternative requirements for, any provi-*
2 *sion of section 202 of the Housing Act of 1959 (12 U.S.C.*
3 *1701q) in order to facilitate the development of such units,*
4 *except for requirements related to fair housing, non-*
5 *discrimination, labor standards, and the environment: Pro-*
6 *vided further, That of the total amount made available*
7 *under this heading, up to \$6,000,000 shall be used by the*
8 *Secretary to support preservation transactions of housing*
9 *for the elderly originally developed with a capital advance*
10 *and assisted by a project rental assistance contract under*
11 *the provisions of section 202(c) of the Housing Act of 1959.*

12 *HOUSING FOR PERSONS WITH DISABILITIES*

13 *For capital advances, including amendments to cap-*
14 *ital advance contracts, for supportive housing for persons*
15 *with disabilities, as authorized by section 811 of the Cran-*
16 *ston-Gonzalez National Affordable Housing Act (42 U.S.C.*
17 *8013), for project rental assistance for supportive housing*
18 *for persons with disabilities under section 811(d)(2) of such*
19 *Act, for project assistance contracts pursuant to subsection*
20 *(h) of section 202 of the Housing Act of 1959, as added*
21 *by section 205(a) of the Housing and Community Develop-*
22 *ment Amendments of 1978 (Public Law 95–557: 92 Stat.*
23 *2090), including amendments to contracts for such assist-*
24 *ance and renewal of expiring contracts for such assistance*
25 *for up to a 1-year term, for project rental assistance to*

1 *State housing finance agencies and other appropriate enti-*
2 *ties as authorized under section 811(b)(3) of the Cranston-*
3 *Gonzalez National Affordable Housing Act, and for sup-*
4 *portive services associated with the housing for persons with*
5 *disabilities as authorized by section 811(b)(1) of such Act,*
6 *\$352,000,000, to remain available until September 30,*
7 *2025: Provided, That amounts made available under this*
8 *heading shall be available for Real Estate Assessment Cen-*
9 *ter inspections and inspection-related activities associated*
10 *with section 811 projects: Provided further, That, upon the*
11 *request of the Secretary, project funds that are held in resid-*
12 *ual receipts accounts for any project subject to a section*
13 *811 project rental assistance contract, and that upon termi-*
14 *nation of such contract are in excess of an amount to be*
15 *determined by the Secretary, shall be remitted to the De-*
16 *partment and deposited in this account, to remain available*
17 *until September 30, 2025: Provided further, That amounts*
18 *deposited in this account pursuant to the preceding proviso*
19 *shall be available in addition to the amounts otherwise pro-*
20 *vided by this heading for the purposes authorized under this*
21 *heading: Provided further, That unobligated balances, in-*
22 *cluding recaptures and carryover, remaining from funds*
23 *transferred to or appropriated under this heading shall be*
24 *used for the current purposes authorized under this heading*

1 *in addition to the purposes for which such funds originally*
2 *were appropriated.*

3 *HOUSING COUNSELING ASSISTANCE*

4 *For contracts, grants, and other assistance excluding*
5 *loans, as authorized under section 106 of the Housing and*
6 *Urban Development Act of 1968, as amended, \$57,500,000,*
7 *to remain available until September 30, 2023, including*
8 *up to \$4,500,000 for administrative contract services: Pro-*
9 *vided, That funds shall be used for providing counseling*
10 *and advice to tenants and homeowners, both current and*
11 *prospective, with respect to property maintenance, finan-*
12 *cial management or literacy, and such other matters as*
13 *may be appropriate to assist them in improving their hous-*
14 *ing conditions, meeting their financial needs, and fulfilling*
15 *the responsibilities of tenancy or homeownership; for pro-*
16 *gram administration; and for housing counselor training:*
17 *Provided further, That for purposes of awarding grants*
18 *from amounts provided under this heading, the Secretary*
19 *may enter into multiyear agreements, as appropriate, sub-*
20 *ject to the availability of annual appropriations.*

21 *PAYMENT TO MANUFACTURED HOUSING FEES TRUST FUND*

22 *For necessary expenses as authorized by the National*
23 *Manufactured Housing Construction and Safety Standards*
24 *Act of 1974 (42 U.S.C. 5401 et seq.), up to \$14,000,000,*
25 *to remain available until expended, of which \$14,000,000*

1 *shall be derived from the Manufactured Housing Fees Trust*
2 *Fund (established under section 620(e) of such Act (42*
3 *U.S.C. 5419(e)): Provided, That not to exceed the total*
4 *amount appropriated under this heading shall be available*
5 *from the general fund of the Treasury to the extent nec-*
6 *essary to incur obligations and make expenditures pending*
7 *the receipt of collections to the Fund pursuant to section*
8 *620 of such Act: Provided further, That the amount made*
9 *available under this heading from the general fund shall*
10 *be reduced as such collections are received during fiscal year*
11 *2022 so as to result in a final fiscal year 2022 appropria-*
12 *tion from the general fund estimated at zero, and fees pur-*
13 *suant to such section 620 shall be modified as necessary*
14 *to ensure such a final fiscal year 2022 appropriation: Pro-*
15 *vided further, That for the dispute resolution and installa-*
16 *tion programs, the Secretary may assess and collect fees*
17 *from any program participant: Provided further, That such*
18 *collections shall be deposited into the Trust Fund, and the*
19 *Secretary, as provided herein, may use such collections, as*
20 *well as fees collected under section 620 of such Act, for nec-*
21 *essary expenses of such Act: Provided further, That, not-*
22 *withstanding the requirements of section 620 of such Act,*
23 *the Secretary may carry out responsibilities of the Sec-*
24 *retary under such Act through the use of approved service*

1 providers that are paid directly by the recipients of their
2 services.

3 *FEDERAL HOUSING ADMINISTRATION*

4 *MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT*

5 *New commitments to guarantee single family loans in-*
6 *ured under the Mutual Mortgage Insurance Fund shall not*
7 *exceed \$400,000,000,000, to remain available until Sep-*
8 *tember 30, 2023: Provided, That during fiscal year 2022,*
9 *obligations to make direct loans to carry out the purposes*
10 *of section 204(g) of the National Housing Act, as amended,*
11 *shall not exceed \$1,000,000: Provided further, That the fore-*
12 *going amount in the preceding proviso shall be for loans*
13 *to nonprofit and governmental entities in connection with*
14 *sales of single family real properties owned by the Secretary*
15 *and formerly insured under the Mutual Mortgage Insurance*
16 *Fund: Provided further, That for administrative contract*
17 *expenses of the Federal Housing Administration,*
18 *\$150,000,000, to remain available until September 30,*
19 *2023: Provided further, That to the extent guaranteed loan*
20 *commitments exceed \$200,000,000,000 on or before April 1,*
21 *2022, an additional \$1,400 for administrative contract ex-*
22 *penses shall be available for each \$1,000,000 in additional*
23 *guaranteed loan commitments (including a pro rata*
24 *amount for any amount below \$1,000,000), but in no case*
25 *shall funds made available by this proviso exceed*

1 \$30,000,000: *Provided further, That notwithstanding the*
2 *limitation in the first sentence of section 255(g) of the Na-*
3 *tional Housing Act (12 U.S.C. 1715z–20(g)), during fiscal*
4 *year 2022 the Secretary may insure and enter into new*
5 *commitments to insure mortgages under section 255 of the*
6 *National Housing Act only to the extent that the net credit*
7 *subsidy cost for such insurance does not exceed zero.*

8 *GENERAL AND SPECIAL RISK PROGRAM ACCOUNT*

9 *New commitments to guarantee loans insured under*
10 *the General and Special Risk Insurance Funds, as author-*
11 *ized by sections 238 and 519 of the National Housing Act*
12 *(12 U.S.C. 1715z–3 and 1735c), shall not exceed*
13 *\$30,000,000,000 in total loan principal, any part of which*
14 *is to be guaranteed, to remain available until September*
15 *30, 2023: Provided, That during fiscal year 2022, gross ob-*
16 *ligations for the principal amount of direct loans, as au-*
17 *thorized by sections 204(g), 207(l), 238, and 519(a) of the*
18 *National Housing Act, shall not exceed \$1,000,000, which*
19 *shall be for loans to nonprofit and governmental entities*
20 *in connection with the sale of single family real properties*
21 *owned by the Secretary and formerly insured under such*
22 *Act.*

1 *GOVERNMENT NATIONAL MORTGAGE ASSOCIATION*
2 *GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN*
3 *GUARANTEE PROGRAM ACCOUNT*

4 *New commitments to issue guarantees to carry out the*
5 *purposes of section 306 of the National Housing Act, as*
6 *amended (12 U.S.C. 1721(g)), shall not exceed*
7 *\$900,000,000,000, to remain available until September 30,*
8 *2023: Provided, That \$33,500,000, to remain available*
9 *until September 30, 2023, shall be for necessary salaries*
10 *and expenses of the Government National Mortgage Associa-*
11 *tion: Provided further, That to the extent that guaranteed*
12 *loan commitments exceed \$155,000,000,000 on or before*
13 *April 1, 2022, an additional \$100 for necessary salaries*
14 *and expenses shall be available until expended for each*
15 *\$1,000,000 in additional guaranteed loan commitments*
16 *(including a pro rata amount for any amount below*
17 *\$1,000,000), but in no case shall funds made available by*
18 *this proviso exceed \$3,000,000: Provided further, That re-*
19 *ceipts from Commitment and Multiclass fees collected pur-*
20 *suant to title III of the National Housing Act (12 U.S.C.*
21 *1716 et seq.) shall be credited as offsetting collections to this*
22 *account.*

1 *POLICY DEVELOPMENT AND RESEARCH*2 *RESEARCH AND TECHNOLOGY*

3 *For contracts, grants, and necessary expenses of pro-*
4 *grams of research and studies relating to housing and*
5 *urban problems, not otherwise provided for, as authorized*
6 *by title V of the Housing and Urban Development Act of*
7 *1970 (12 U.S.C. 1701z-1 et seq.), including carrying out*
8 *the functions of the Secretary of Housing and Urban Devel-*
9 *opment under section 1(a)(1)(i) of Reorganization Plan No.*
10 *2 of 1968, and for technical assistance, \$125,400,000, to re-*
11 *main available until September 30, 2023: Provided, That*
12 *with respect to amounts made available under this heading,*
13 *notwithstanding section 203 of this title, the Secretary may*
14 *enter into cooperative agreements with philanthropic enti-*
15 *ties, other Federal agencies, State or local governments and*
16 *their agencies, Indian Tribes, tribally designated housing*
17 *entities, or colleges or universities for research projects: Pro-*
18 *vided further, That with respect to the preceding proviso,*
19 *such partners to the cooperative agreements shall contribute*
20 *at least a 50 percent match toward the cost of the project:*
21 *Provided further, That for non-competitive agreements en-*
22 *tered into in accordance with the preceding two provisos,*
23 *the Secretary shall comply with section 2(b) of the Federal*
24 *Funding Accountability and Transparency Act of 2006*
25 *(Public Law 109-282, 31 U.S.C. note) in lieu of compliance*

1 *with section 102(a)(4)(C) of the Department of Housing*
2 *and Urban Development Reform Act of 1989 (42 U.S.C.*
3 *3545(a)(4)(C)) with respect to documentation of award de-*
4 *isions: Provided further, That prior to obligation of tech-*
5 *nical assistance funding, the Secretary shall submit a plan*
6 *to the House and Senate Committees on Appropriations on*
7 *how the Secretary will allocate funding for this activity at*
8 *least 30 days prior to obligation: Provided further, That*
9 *none of the funds provided under this heading may be avail-*
10 *able for the doctoral dissertation research grant program:*
11 *Provided further, That an additional \$20,000,000, to re-*
12 *main available until September 30, 2024, shall be for com-*
13 *petitive grants to nonprofit or governmental entities to pro-*
14 *vide legal assistance (including assistance related to pre-*
15 *trial activities, trial activities, post-trial activities and al-*
16 *ternative dispute resolution) at no cost to eligible low-in-*
17 *come tenants at risk of or subject to eviction: Provided fur-*
18 *ther, That in awarding grants under the preceding proviso,*
19 *the Secretary shall give preference to applicants that in-*
20 *clude a marketing strategy for residents of areas with high*
21 *rates of eviction, have experience providing no-cost legal as-*
22 *sistance to low-income individuals, including those with*
23 *limited English proficiency or disabilities, and have suffi-*
24 *cient capacity to administer such assistance, and may select*
25 *unfunded or partially funded eligible applicants identified*

1 *in the previous competition: Provided further, That the Sec-*
2 *retary shall ensure, to the extent practicable, that the pro-*
3 *portion of eligible tenants living in rural areas who will*
4 *receive legal assistance with grant funds made available*
5 *under this heading is not less than the overall proportion*
6 *of eligible tenants who live in rural areas.*

7 *FAIR HOUSING AND EQUAL OPPORTUNITY*

8 *FAIR HOUSING ACTIVITIES*

9 *For contracts, grants, and other assistance, not other-*
10 *wise provided for, as authorized by title VIII of the Civil*
11 *Rights Act of 1968 (42 U.S.C. 3601 et seq.), and section*
12 *561 of the Housing and Community Development Act of*
13 *1987 (42 U.S.C. 3616a), \$85,000,000, to remain available*
14 *until September 30, 2023: Provided, That notwithstanding*
15 *section 3302 of title 31, United States Code, the Secretary*
16 *may assess and collect fees to cover the costs of the Fair*
17 *Housing Training Academy, and may use such funds to*
18 *develop on-line courses and provide such training: Provided*
19 *further, That none of the funds made available under this*
20 *heading may be used to lobby the executive or legislative*
21 *branches of the Federal Government in connection with a*
22 *specific contract, grant, or loan: Provided further, That of*
23 *the funds made available under this heading, \$1,000,000*
24 *shall be available to the Secretary for the creation and pro-*
25 *motion of translated materials and other programs that*

1 *support the assistance of persons with limited English pro-*
2 *ficiency in utilizing the services provided by the Depart-*
3 *ment of Housing and Urban Development.*

4 *OFFICE OF LEAD HAZARD CONTROL AND HEALTHY*
5 *HOMES*

6 *LEAD HAZARD REDUCTION*

7 *(INCLUDING TRANSFER OF FUNDS)*

8 *For the Lead Hazard Reduction Program, as author-*
9 *ized by section 1011 of the Residential Lead-Based Paint*
10 *Hazard Reduction Act of 1992 (42 U.S.C. 4852), and for*
11 *related activities and assistance, \$415,000,000, to remain*
12 *available until September 30, 2024: Provided, That the*
13 *amounts made available under this heading are provided*
14 *as follows:*

15 *(1) \$290,000,000 shall be for the award of grants*
16 *pursuant to such section 1011, of which not less than*
17 *\$95,000,000 shall be provided to areas with the high-*
18 *est lead-based paint abatement needs;*

19 *(2) \$90,000,000 shall be for the Healthy Homes*
20 *Initiative, pursuant to sections 501 and 502 of the*
21 *Housing and Urban Development Act of 1970, which*
22 *shall include research, studies, testing, and dem-*
23 *onstration efforts, including education and outreach*
24 *concerning lead-based paint poisoning and other*
25 *housing-related diseases and hazards, and mitigating*

1 *housing-related health and safety hazards in housing*
2 *of low-income families, of which—*

3 (A) *\$5,000,000 of such amounts shall be for*
4 *the implementation of projects in up to five com-*
5 *munities that are served by both the Healthy*
6 *Homes Initiative and the Department of Energy*
7 *weatherization programs to demonstrate whether*
8 *the coordination of Healthy Homes remediation*
9 *activities with weatherization activities achieves*
10 *cost savings and better outcomes in improving*
11 *the safety and quality of homes; and*

12 (B) *\$15,000,000 of such amounts shall be*
13 *for grants to experienced non-profit organiza-*
14 *tions, States, local governments, or public hous-*
15 *ing agencies for safety and functional home*
16 *modification repairs and renovations to meet the*
17 *needs of low-income elderly homeowners to enable*
18 *them to remain in their primary residence: Pro-*
19 *vided, That of the total amount made available*
20 *under this subparagraph no less than \$5,000,000*
21 *shall be available to meet such needs in commu-*
22 *nities with substantial rural populations;*

23 (3) *\$5,000,000 shall be for the award of grants*
24 *and contracts for research pursuant to sections 1051*

1 *and 1052 of the Residential Lead-Based Paint Haz-*
2 *ard Reduction Act of 1992 (42 U.S.C. 4854, 4854a);*

3 *(4) Up to \$2,000,000 in total of the amounts*
4 *made available under paragraphs (2) and (3) may be*
5 *transferred to the heading “Research and Technology”*
6 *for the purposes of conducting research and studies*
7 *and for use in accordance with the provisos under*
8 *that heading for non-competitive agreements;*

9 *(5) \$25,000,000 shall be for a lead-risk assess-*
10 *ment demonstration for public housing agencies to*
11 *conduct lead hazard screenings or lead-risk assess-*
12 *ments during housing quality standards inspections*
13 *of units in which a family receiving assistance under*
14 *section 8(o) of the U.S. Housing Act of 1937 (42*
15 *U.S.C. 1437f(o)) resides or expects to reside, and has*
16 *or expects to have a child under age 6 residing in the*
17 *unit, while preserving rental housing availability and*
18 *affordability; and*

19 *(6) \$5,000,000 shall be for grants for a radon*
20 *testing and mitigation safety demonstration program*
21 *(the radon demonstration) in public housing: Pro-*
22 *vided, That the testing method, mitigation method, or*
23 *action level used under the radon demonstration shall*
24 *be as specified by applicable state or local law, if such*
25 *law is more protective of human health or the envi-*

1 *ronment than the method or level specified by the Sec-*
2 *retary:*

3 *Provided further, That for purposes of environmental re-*
4 *view, pursuant to the National Environmental Policy Act*
5 *of 1969 (42 U.S.C. 4321 et seq.) and other provisions of*
6 *law that further the purposes of such Act, a grant under*
7 *the Healthy Homes Initiative, or the Lead Technical Stud-*
8 *ies program, or other demonstrations or programs under*
9 *this heading or under prior appropriations Acts for such*
10 *purposes under this heading, or under the heading “Hous-*
11 *ing for the Elderly” under prior Appropriations Acts, shall*
12 *be considered to be funds for a special project for purposes*
13 *of section 305(c) of the Multifamily Housing Property Dis-*
14 *position Reform Act of 1994: Provided further, That each*
15 *applicant for a grant or cooperative agreement under this*
16 *heading shall certify adequate capacity that is acceptable*
17 *to the Secretary to carry out the proposed use of funds pur-*
18 *suant to a notice of funding opportunity: Provided further,*
19 *That amounts made available under this heading, except*
20 *for amounts in paragraphs (2)(B) for home modification*
21 *repairs and renovations, in this or prior appropriations*
22 *Acts, still remaining available, may be used for any pur-*
23 *pose under this heading notwithstanding the purpose for*
24 *which such amounts were appropriated if a program com-*

1 *petition is undersubscribed and there are other program*
2 *competitions under this heading that are oversubscribed.*

3 *INFORMATION TECHNOLOGY FUND*

4 *For Department-wide and program-specific informa-*
5 *tion technology systems and infrastructure, \$323,200,000,*
6 *to remain available until September 30, 2024, of which up*
7 *to \$40,000,000 shall be for development, modernization, and*
8 *enhancement projects, including planning for such projects:*
9 *Provided, That not more than 10 percent of the funds made*
10 *available under this heading for development, moderniza-*
11 *tion, and enhancement may be obligated until the Secretary*
12 *submits and the House and Senate Committees on Appro-*
13 *priations approve a plan that—*

14 *(1) identifies for each development, moderniza-*
15 *tion, and enhancement project to be funded from*
16 *available balances, including carryover—*

17 *(A) plain language summaries of the project*
18 *scope;*

19 *(B) the estimated total project cost; and*

20 *(C) key milestones to be met; and*

21 *(2) identifies for each major modernization*
22 *project—*

23 *(A) the functional and performance capa-*
24 *bilities to be delivered and the mission benefits*
25 *to be realized;*

1 (B) the estimated life-cycle cost;

2 (C) key milestones to be met through the
3 project end date, including any identified system
4 decommissioning;

5 (D) a description of the procurement strat-
6 egy and governance structure for the project and
7 the number of HUD staff and contractors sup-
8 porting the project; and

9 (E) certification from the Chief Information
10 Officer that each project is compliant with the
11 Department's enterprise architecture, life-cycle
12 management and capital planning and invest-
13 ment control requirements:

14 *Provided further, That not later than 30 days after*
15 *the end of each quarter, the Secretary shall submit an*
16 *updated report to the Committees on Appropriations*
17 *of the House of Representatives and the Senate sum-*
18 *marizing the status, cost and plan for all moderniza-*
19 *tion projects; and for each major modernization*
20 *project with an approved project plan, identifying—*

21 (1) results and actual expenditures of the prior
22 quarter;

23 (2) any variances in cost, schedule (including
24 procurement), or functionality from the previously

1 *approved project plan, reasons for such variances and*
2 *estimated impact on total life-cycle costs; and*
3 *(3) risks and mitigation strategies associated*
4 *with ongoing work.*

5 *OFFICE OF INSPECTOR GENERAL*

6 *For necessary salaries and expenses of the Office of In-*
7 *pector General in carrying out the Inspector General Act*
8 *of 1978, as amended, \$140,000,000: Provided, That the In-*
9 *pector General shall have independent authority over all*
10 *personnel issues within this office.*

11 *GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND*

12 *URBAN DEVELOPMENT*

13 *(INCLUDING TRANSFER OF FUNDS)*

14 *(INCLUDING RESCISSIONS)*

15 *SEC. 201. Fifty percent of the amounts of budget au-*
16 *thority, or in lieu thereof 50 percent of the cash amounts*
17 *associated with such budget authority, that are recaptured*
18 *from projects described in section 1012(a) of the Stewart*
19 *B. McKinney Homeless Assistance Amendments Act of 1988*
20 *(42 U.S.C. 1437f note) shall be rescinded or in the case of*
21 *cash, shall be remitted to the Treasury, and such amounts*
22 *of budget authority or cash recaptured and not rescinded*
23 *or remitted to the Treasury shall be used by State housing*
24 *finance agencies or local governments or local housing agen-*
25 *cies with projects approved by the Secretary of Housing and*

1 *Urban Development for which settlement occurred after*
2 *January 1, 1992, in accordance with such section. Notwith-*
3 *standing the previous sentence, the Secretary may award*
4 *up to 15 percent of the budget authority or cash recaptured*
5 *and not rescinded or remitted to the Treasury to provide*
6 *project owners with incentives to refinance their project at*
7 *a lower interest rate.*

8 *SEC. 202. None of the funds made available by this*
9 *Act may be used during fiscal year 2022 to investigate or*
10 *prosecute under the Fair Housing Act any otherwise lawful*
11 *activity engaged in by one or more persons, including the*
12 *filing or maintaining of a nonfrivolous legal action, that*
13 *is engaged in solely for the purpose of achieving or pre-*
14 *venting action by a Government official or entity, or a*
15 *court of competent jurisdiction.*

16 *SEC. 203. Except as explicitly provided in law, any*
17 *grant, cooperative agreement or other assistance made pur-*
18 *suant to title II of this Act shall be made on a competitive*
19 *basis and in accordance with section 102 of the Department*
20 *of Housing and Urban Development Reform Act of 1989*
21 *(42 U.S.C. 3545).*

22 *SEC. 204. Funds of the Department of Housing and*
23 *Urban Development subject to the Government Corporation*
24 *Control Act or section 402 of the Housing Act of 1950 shall*
25 *be available, without regard to the limitations on adminis-*

1 *trative expenses, for legal services on a contract or fee basis,*
2 *and for utilizing and making payment for services and fa-*
3 *cilities of the Federal National Mortgage Association, Gov-*
4 *ernment National Mortgage Association, Federal Home*
5 *Loan Mortgage Corporation, Federal Financing Bank, Fed-*
6 *eral Reserve banks or any member thereof, Federal Home*
7 *Loan banks, and any insured bank within the meaning of*
8 *the Federal Deposit Insurance Corporation Act, as amended*
9 *(12 U.S.C. 1811–1).*

10 *SEC. 205. Unless otherwise provided for in this Act*
11 *or through a reprogramming of funds, no part of any ap-*
12 *propriation for the Department of Housing and Urban De-*
13 *velopment shall be available for any program, project or*
14 *activity in excess of amounts set forth in the budget esti-*
15 *mates submitted to Congress.*

16 *SEC. 206. Corporations and agencies of the Depart-*
17 *ment of Housing and Urban Development which are subject*
18 *to the Government Corporation Control Act are hereby au-*
19 *thorized to make such expenditures, within the limits of*
20 *funds and borrowing authority available to each such cor-*
21 *poration or agency and in accordance with law, and to*
22 *make such contracts and commitments without regard to*
23 *fiscal year limitations as provided by section 104 of such*
24 *Act as may be necessary in carrying out the programs set*
25 *forth in the budget for 2022 for such corporation or agency*

1 *except as hereinafter provided: Provided, That collections*
2 *of these corporations and agencies may be used for new loan*
3 *or mortgage purchase commitments only to the extent ex-*
4 *pressly provided for in this Act (unless such loans are in*
5 *support of other forms of assistance provided for in this or*
6 *prior appropriations Acts), except that this proviso shall*
7 *not apply to the mortgage insurance or guaranty operations*
8 *of these corporations, or where loans or mortgage purchases*
9 *are necessary to protect the financial interest of the United*
10 *States Government.*

11 *SEC. 207. The Secretary shall provide quarterly re-*
12 *ports to the House and Senate Committees on Appropria-*
13 *tions regarding all uncommitted, unobligated, recaptured*
14 *and excess funds in each program and activity within the*
15 *jurisdiction of the Department and shall submit additional,*
16 *updated budget information to these Committees upon re-*
17 *quest.*

18 *SEC. 208. None of the funds made available by this*
19 *title may be used for an audit of the Government National*
20 *Mortgage Association that makes applicable requirements*
21 *under the Federal Credit Reform Act of 1990 (2 U.S.C. 661*
22 *et seq.).*

23 *SEC. 209. (a) Notwithstanding any other provision of*
24 *law, subject to the conditions listed under this section, for*
25 *fiscal years 2022 and 2023, the Secretary of Housing and*

1 *Urban Development may authorize the transfer of some or*
2 *all project-based assistance, debt held or insured by the Sec-*
3 *retary and statutorily required low-income and very low-*
4 *income use restrictions if any, associated with one or more*
5 *multifamily housing project or projects to another multi-*
6 *family housing project or projects.*

7 **(b) PHASED TRANSFERS.**—*Transfers of project-based*
8 *assistance under this section may be done in phases to ac-*
9 *commodate the financing and other requirements related to*
10 *rehabilitating or constructing the project or projects to*
11 *which the assistance is transferred, to ensure that such*
12 *project or projects meet the standards under subsection (c).*

13 **(c)** *The transfer authorized in subsection (a) is subject*
14 *to the following conditions:*

15 **(1) NUMBER AND BEDROOM SIZE OF UNITS.**—

16 **(A)** *For occupied units in the transferring*
17 *project: The number of low-income and very low-*
18 *income units and the configuration (i.e., bed-*
19 *room size) provided by the transferring project*
20 *shall be no less than when transferred to the re-*
21 *ceiving project or projects and the net dollar*
22 *amount of Federal assistance provided to the*
23 *transferring project shall remain the same in the*
24 *receiving project or projects.*

1 (B) *For unoccupied units in the transfer-*
2 *ring project: The Secretary may authorize a re-*
3 *duction in the number of dwelling units in the*
4 *receiving project or projects to allow for a recon-*
5 *figuration of bedroom sizes to meet current mar-*
6 *ket demands, as determined by the Secretary and*
7 *provided there is no increase in the project-based*
8 *assistance budget authority.*

9 (2) *The transferring project shall, as determined*
10 *by the Secretary, be either physically obsolete or eco-*
11 *nomically nonviable, or be reasonably expected to be-*
12 *come economically nonviable when complying with*
13 *state or Federal requirements for community integra-*
14 *tion and reduced concentration of individuals with*
15 *disabilities.*

16 (3) *The receiving project or projects shall meet or*
17 *exceed applicable physical standards established by*
18 *the Secretary.*

19 (4) *The owner or mortgagor of the transferring*
20 *project shall notify and consult with the tenants re-*
21 *siding in the transferring project and provide a cer-*
22 *tification of approval by all appropriate local govern-*
23 *mental officials.*

24 (5) *The tenants of the transferring project who*
25 *remain eligible for assistance to be provided by the re-*

1 *ceiving project or projects shall not be required to va-*
2 *cate their units in the transferring project or projects*
3 *until new units in the receiving project are available*
4 *for occupancy.*

5 *(6) The Secretary determines that this transfer is*
6 *in the best interest of the tenants.*

7 *(7) If either the transferring project or the re-*
8 *ceiving project or projects meets the condition speci-*
9 *fied in subsection (d)(2)(A), any lien on the receiving*
10 *project resulting from additional financing obtained*
11 *by the owner shall be subordinate to any FHA-in-*
12 *sured mortgage lien transferred to, or placed on, such*
13 *project by the Secretary, except that the Secretary*
14 *may waive this requirement upon determination that*
15 *such a waiver is necessary to facilitate the financing*
16 *of acquisition, construction, and/or rehabilitation of*
17 *the receiving project or projects.*

18 *(8) If the transferring project meets the require-*
19 *ments of subsection (d)(2), the owner or mortgagor of*
20 *the receiving project or projects shall execute and*
21 *record either a continuation of the existing use agree-*
22 *ment or a new use agreement for the project where,*
23 *in either case, any use restrictions in such agreement*
24 *are of no lesser duration than the existing use restric-*
25 *tions.*

1 (9) *The transfer does not increase the cost (as de-*
2 *fin ed in section 502 of the Congressional Budget Act*
3 *of 1974 (2 U.S.C. 661a)) of any FHA-insured mort-*
4 *gage, except to the extent that appropriations are pro-*
5 *vided in advance for the amount of any such in-*
6 *creased cost.*

7 (d) *For purposes of this section—*

8 (1) *the terms “low-income” and “very low-in-*
9 *come” shall have the meanings provided by the statute*
10 *and/or regulations governing the program under*
11 *which the project is insured or assisted;*

12 (2) *the term “multifamily housing project”*
13 *means housing that meets one of the following condi-*
14 *tions—*

15 (A) *housing that is subject to a mortgage*
16 *insured under the National Housing Act;*

17 (B) *housing that has project-based assist-*
18 *ance attached to the structure including projects*
19 *undergoing mark to market debt restructuring*
20 *under the Multifamily Assisted Housing Reform*
21 *and Affordability Housing Act;*

22 (C) *housing that is assisted under section*
23 *202 of the Housing Act of 1959 (12 U.S.C.*
24 *1701q);*

1 (D) housing that is assisted under section
2 202 of the Housing Act of 1959 (12 U.S.C.
3 1701q), as such section existed before the enact-
4 ment of the Cranston-Gonzales National Afford-
5 able Housing Act;

6 (E) housing that is assisted under section
7 811 of the Cranston-Gonzales National Afford-
8 able Housing Act (42 U.S.C. 8013); or

9 (F) housing or vacant land that is subject
10 to a use agreement;

11 (3) the term “project-based assistance” means—

12 (A) assistance provided under section 8(b)
13 of the United States Housing Act of 1937 (42
14 U.S.C. 1437f(b));

15 (B) assistance for housing constructed or
16 substantially rehabilitated pursuant to assistance
17 provided under section 8(b)(2) of such Act (as
18 such section existed immediately before October
19 1, 1983);

20 (C) rent supplement payments under sec-
21 tion 101 of the Housing and Urban Development
22 Act of 1965 (12 U.S.C. 1701s);

23 (D) interest reduction payments under sec-
24 tion 236 and/or additional assistance payments

1 *under section 236(f)(2) of the National Housing*
2 *Act (12 U.S.C. 1715z-1);*

3 *(E) assistance payments made under sec-*
4 *tion 202(c)(2) of the Housing Act of 1959 (12*
5 *U.S.C. 1701q(c)(2)); and*

6 *(F) assistance payments made under section*
7 *811(d)(2) of the Cranston-Gonzalez National Af-*
8 *fordable Housing Act (42 U.S.C. 8013(d)(2));*

9 *(4) the term “receiving project or projects”*
10 *means the multifamily housing project or projects to*
11 *which some or all of the project-based assistance, debt,*
12 *and statutorily required low-income and very low-in-*
13 *come use restrictions are to be transferred;*

14 *(5) the term “transferring project” means the*
15 *multifamily housing project which is transferring*
16 *some or all of the project-based assistance, debt, and*
17 *the statutorily required low-income and very low-in-*
18 *come use restrictions to the receiving project or*
19 *projects; and*

20 *(6) the term “Secretary” means the Secretary of*
21 *Housing and Urban Development.*

22 *(e) RESEARCH REPORT.—The Secretary shall conduct*
23 *an evaluation of the transfer authority under this section,*
24 *including the effect of such transfers on the operational effi-*

1 *ciency, contract rents, physical and financial conditions,*
2 *and long-term preservation of the affected properties.*

3 *SEC. 210. (a) No assistance shall be provided under*
4 *section 8 of the United States Housing Act of 1937 (42*
5 *U.S.C. 1437f) to any individual who—*

6 *(1) is enrolled as a student at an institution of*
7 *higher education (as defined under section 102 of the*
8 *Higher Education Act of 1965 (20 U.S.C. 1002));*

9 *(2) is under 24 years of age;*

10 *(3) is not a veteran;*

11 *(4) is unmarried;*

12 *(5) does not have a dependent child;*

13 *(6) is not a person with disabilities, as such*
14 *term is defined in section 3(b)(3)(E) of the United*
15 *States Housing Act of 1937 (42 U.S.C.*
16 *1437a(b)(3)(E)) and was not receiving assistance*
17 *under such section 8 as of November 30, 2005;*

18 *(7) is not a youth who left foster care at age 14*
19 *or older and is at risk of becoming homeless; and*

20 *(8) is not otherwise individually eligible, or has*
21 *parents who, individually or jointly, are not eligible,*
22 *to receive assistance under section 8 of the United*
23 *States Housing Act of 1937 (42 U.S.C. 1437f).*

24 *(b) For purposes of determining the eligibility of a per-*
25 *son to receive assistance under section 8 of the United States*

1 *Housing Act of 1937 (42 U.S.C. 1437f), any financial as-*
2 *sistance (in excess of amounts received for tuition and any*
3 *other required fees and charges) that an individual receives*
4 *under the Higher Education Act of 1965 (20 U.S.C. 1001*
5 *et seq.), from private sources, or from an institution of high-*
6 *er education (as defined under section 102 of the Higher*
7 *Education Act of 1965 (20 U.S.C. 1002)), shall be consid-*
8 *ered income to that individual, except for a person over the*
9 *age of 23 with dependent children.*

10 *SEC. 211. The funds made available for Native Alas-*
11 *kans under paragraph (1) under the heading “Native Amer-*
12 *ican Programs” in title II of this Act shall be allocated to*
13 *the same Native Alaskan housing block grant recipients that*
14 *received funds in fiscal year 2005, and only such recipients*
15 *shall be eligible to apply for funds made available under*
16 *paragraph (2) of such heading.*

17 *SEC. 212. Notwithstanding any other provision of law,*
18 *in fiscal year 2022, in managing and disposing of any mul-*
19 *tifamily property that is owned or has a mortgage held by*
20 *the Secretary of Housing and Urban Development, and dur-*
21 *ing the process of foreclosure on any property with a con-*
22 *tract for rental assistance payments under section 8 of the*
23 *United States Housing Act of 1937 (42 U.S.C. 1437f) or*
24 *any other Federal programs, the Secretary shall maintain*
25 *any rental assistance payments under section 8 of the*

1 *United States Housing Act of 1937 and other programs that*
2 *are attached to any dwelling units in the property. To the*
3 *extent the Secretary determines, in consultation with the*
4 *tenants and the local government that such a multifamily*
5 *property owned or having a mortgage held by the Secretary*
6 *is not feasible for continued rental assistance payments*
7 *under such section 8 or other programs, based on consider-*
8 *ation of (1) the costs of rehabilitating and operating the*
9 *property and all available Federal, State, and local re-*
10 *sources, including rent adjustments under section 524 of the*
11 *Multifamily Assisted Housing Reform and Affordability*
12 *Act of 1997 (in this section “MAHRAA”) (42 U.S.C. 1437f*
13 *note), and (2) environmental conditions that cannot be rem-*
14 *edied in a cost-effective fashion, the Secretary may, in con-*
15 *sultation with the tenants of that property, contract for*
16 *project-based rental assistance payments with an owner or*
17 *owners of other existing housing properties, or provide other*
18 *rental assistance. The Secretary shall also take appropriate*
19 *steps to ensure that project-based contracts remain in effect*
20 *prior to foreclosure, subject to the exercise of contractual*
21 *abatement remedies to assist relocation of tenants for immi-*
22 *nent major threats to health and safety after written notice*
23 *to and informed consent of the affected tenants and use of*
24 *other available remedies, such as partial abatements or re-*
25 *ceivership. After disposition of any multifamily property*

1 *described in this section, the contract and allowable rent*
2 *levels on such properties shall be subject to the requirements*
3 *under section 524 of MAHRAA.*

4 *SEC. 213. Public housing agencies that own and oper-*
5 *ate 400 or fewer public housing units may elect to be exempt*
6 *from any asset management requirement imposed by the*
7 *Secretary in connection with the operating fund rule: Pro-*
8 *vided, That an agency seeking a discontinuance of a reduc-*
9 *tion of subsidy under the operating fund formula shall not*
10 *be exempt from asset management requirements.*

11 *SEC. 214. With respect to the use of amounts provided*
12 *in this Act and in future Acts for the operation, capital*
13 *improvement, and management of public housing as au-*
14 *thorized by sections 9(d) and 9(e) of the United States*
15 *Housing Act of 1937 (42 U.S.C. 1437g(d),(e)), the Secretary*
16 *shall not impose any requirement or guideline relating to*
17 *asset management that restricts or limits in any way the*
18 *use of capital funds for central office costs pursuant to*
19 *paragraph (1) or (2) of section 9(g) of the United States*
20 *Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): Provided,*
21 *That a public housing agency may not use capital funds*
22 *authorized under section 9(d) for activities that are eligible*
23 *under section 9(e) for assistance with amounts from the op-*
24 *erating fund in excess of the amounts permitted under*
25 *paragraph (1) or (2) of section 9(g).*

1 *SEC. 215. No official or employee of the Department*
2 *of Housing and Urban Development shall be designated as*
3 *an allotment holder unless the Office of the Chief Financial*
4 *Officer has determined that such allotment holder has im-*
5 *plemented an adequate system of funds control and has re-*
6 *ceived training in funds control procedures and directives.*
7 *The Chief Financial Officer shall ensure that there is a*
8 *trained allotment holder for each HUD appropriation*
9 *under the accounts “Executive Offices”, “Administrative*
10 *Support Offices”, “Program Offices”, “Government Na-*
11 *tional Mortgage Association—Guarantees of Mortgage-*
12 *Backed Securities Loan Guarantee Program Account”, and*
13 *“Office of Inspector General” within the Department of*
14 *Housing and Urban Development.*

15 *SEC. 216. The Secretary shall, for fiscal year 2022,*
16 *notify the public through the Federal Register and other*
17 *means, as determined appropriate, of the issuance of a no-*
18 *tice of the availability of assistance or notice of funding*
19 *opportunity (NOFO) for any program or discretionary*
20 *fund administered by the Secretary that is to be competi-*
21 *tively awarded. Notwithstanding any other provision of*
22 *law, for fiscal year 2022, the Secretary may make the*
23 *NOFO available only on the Internet at the appropriate*
24 *Government website or through other electronic media, as*
25 *determined by the Secretary.*

1 *SEC. 217. Payment of attorney fees in program-related*
2 *litigation shall be paid from the individual program office*
3 *and Office of General Counsel salaries and expenses appro-*
4 *priations.*

5 *SEC. 218. The Secretary is authorized to transfer up*
6 *to 10 percent or \$5,000,000, whichever is less, of funds ap-*
7 *propriated for any office under the headings “Administra-*
8 *tive Support Offices” or “Program Offices” to any other*
9 *such office under such headings: Provided, That no appro-*
10 *priation for any such office under such headings shall be*
11 *increased or decreased by more than 10 percent or*
12 *\$5,000,000, whichever is less, without prior written ap-*
13 *proval of the House and Senate Committees on Appropria-*
14 *tions: Provided further, That the Secretary shall provide no-*
15 *tification to such Committees 3 business days in advance*
16 *of any such transfers under this section up to 10 percent*
17 *or \$5,000,000, whichever is less.*

18 *SEC. 219. (a) Any entity receiving housing assistance*
19 *payments shall maintain decent, safe, and sanitary condi-*
20 *tions, as determined by the Secretary, and comply with any*
21 *standards under applicable State or local laws, rules, ordi-*
22 *nances, or regulations relating to the physical condition of*
23 *any property covered under a housing assistance payment*
24 *contract.*

1 (b) *The Secretary shall take action under subsection*
2 *(c) when a multifamily housing project with a contract*
3 *under section 8 of the United States Housing Act of 1937*
4 *(42 U.S.C. 1437f) or a contract for similar project-based*
5 *assistance—*

6 (1) *receives a Uniform Physical Condition*
7 *Standards (UPCS) score of 60 or less; or*

8 (2) *fails to certify in writing to the Secretary*
9 *within 3 days that all Exigent Health and Safety de-*
10 *ficiencies identified by the inspector at the project*
11 *have been corrected.*

12 *Such requirements shall apply to insured and non-*
13 *insured projects with assistance attached to the units under*
14 *section 8 of the United States Housing Act of 1937 (42*
15 *U.S.C. 1437f), but shall not apply to such units assisted*
16 *under section 8(o)(13) of such Act (42 U.S.C. 1437f(o)(13))*
17 *or to public housing units assisted with capital or operating*
18 *funds under section 9 of the United States Housing Act of*
19 *1937 (42 U.S.C. 1437g).*

20 (c)(1) *Within 15 days of the issuance of the Real Es-*
21 *tate Assessment Center (“REAC”) inspection, the Secretary*
22 *shall provide the owner with a Notice of Default with a*
23 *specified timetable, determined by the Secretary, for cor-*
24 *recting all deficiencies. The Secretary shall provide a copy*
25 *of the Notice of Default to the tenants, the local government,*

1 *any mortgagees, and any contract administrator. If the*
2 *owner's appeal results in a UPCS score of 60 or above, the*
3 *Secretary may withdraw the Notice of Default.*

4 *(2) At the end of the time period for correcting all defi-*
5 *ciencies specified in the Notice of Default, if the owner fails*
6 *to fully correct such deficiencies, the Secretary may—*

7 *(A) require immediate replacement of project*
8 *management with a management agent approved by*
9 *the Secretary;*

10 *(B) impose civil money penalties, which shall be*
11 *used solely for the purpose of supporting safe and*
12 *sanitary conditions at applicable properties, as des-*
13 *ignated by the Secretary, with priority given to the*
14 *tenants of the property affected by the penalty;*

15 *(C) abate the section 8 contract, including par-*
16 *tial abatement, as determined by the Secretary, until*
17 *all deficiencies have been corrected;*

18 *(D) pursue transfer of the project to an owner,*
19 *approved by the Secretary under established proce-*
20 *dures, who will be obligated to promptly make all re-*
21 *quired repairs and to accept renewal of the assistance*
22 *contract if such renewal is offered;*

23 *(E) transfer the existing section 8 contract to an-*
24 *other project or projects and owner or owners;*

1 (F) pursue exclusionary sanctions, including
2 suspensions or debarments from Federal programs;

3 (G) seek judicial appointment of a receiver to
4 manage the property and cure all project deficiencies
5 or seek a judicial order of specific performance requir-
6 ing the owner to cure all project deficiencies;

7 (H) work with the owner, lender, or other related
8 party to stabilize the property in an attempt to pre-
9 serve the property through compliance, transfer of
10 ownership, or an infusion of capital provided by a
11 third-party that requires time to effectuate; or

12 (I) take any other regulatory or contractual rem-
13 edies available as deemed necessary and appropriate
14 by the Secretary.

15 (d) The Secretary shall take appropriate steps to en-
16 sure that project-based contracts remain in effect, subject
17 to the exercise of contractual abatement remedies to assist
18 relocation of tenants for major threats to health and safety
19 after written notice to the affected tenants. To the extent
20 the Secretary determines, in consultation with the tenants
21 and the local government, that the property is not feasible
22 for continued rental assistance payments under such section
23 8 or other programs, based on consideration of—

24 (1) the costs of rehabilitating and operating the
25 property and all available Federal, State, and local

1 *resources, including rent adjustments under section*
2 *524 of the Multifamily Assisted Housing Reform and*
3 *Affordability Act of 1997 (“MAHRAA”); and*

4 *(2) environmental conditions that cannot be*
5 *remedied in a cost-effective fashion, the Secretary*
6 *may contract for project-based rental assistance pay-*
7 *ments with an owner or owners of other existing hous-*
8 *ing properties, or provide other rental assistance.*

9 *(e) The Secretary shall report semi-annually on all*
10 *properties covered by this section that are assessed through*
11 *the Real Estate Assessment Center and have UPCS physical*
12 *inspection scores of less than 60 or have received an unsatis-*
13 *factory management and occupancy review within the past*
14 *36 months. The report shall include—*

15 *(1) identification of the enforcement actions*
16 *being taken to address such conditions, including im-*
17 *position of civil money penalties and termination of*
18 *subsidies, and identification of properties that have*
19 *such conditions multiple times;*

20 *(2) identification of actions that the Department*
21 *of Housing and Urban Development is taking to pro-*
22 *tect tenants of such identified properties; and*

23 *(3) any administrative or legislative rec-*
24 *ommendations to further improve the living condi-*

1 *tions at properties covered under a housing assistance*
2 *payment contract.*

3 *The first report shall be submitted to the Senate and*
4 *House Committees on Appropriations not later than 30*
5 *days after the enactment of this Act, and the second report*
6 *shall be submitted within 180 days of the transmittal of*
7 *the first report.*

8 *SEC. 220. None of the funds made available by this*
9 *Act, or any other Act, for purposes authorized under section*
10 *8 (only with respect to the tenant-based rental assistance*
11 *program) and section 9 of the United States Housing Act*
12 *of 1937 (42 U.S.C. 1437 et seq.), may be used by any public*
13 *housing agency for any amount of salary, including bo-*
14 *nuses, for the chief executive officer of which, or any other*
15 *official or employee of which, that exceeds the annual rate*
16 *of basic pay payable for a position at level IV of the Execu-*
17 *tive Schedule at any time during any public housing agen-*
18 *cy fiscal year 2022.*

19 *SEC. 221. None of the funds made available by this*
20 *Act and provided to the Department of Housing and Urban*
21 *Development may be used to make a grant award unless*
22 *the Secretary notifies the House and Senate Committees on*
23 *Appropriations not less than 3 full business days before any*
24 *project, State, locality, housing authority, Tribe, nonprofit*

1 organization, or other entity selected to receive a grant
2 award is announced by the Department or its offices.

3 *SEC. 222. None of the funds made available in this*
4 *Act shall be used by the Federal Housing Administration,*
5 *the Government National Mortgage Association, or the De-*
6 *partment of Housing and Urban Development to insure,*
7 *securitize, or establish a Federal guarantee of any mortgage*
8 *or mortgage backed security that refinances or otherwise re-*
9 *places a mortgage that has been subject to eminent domain*
10 *condemnation or seizure, by a State, municipality, or any*
11 *other political subdivision of a State.*

12 *SEC. 223. None of the funds made available by this*
13 *Act may be used to terminate the status of a unit of general*
14 *local government as a metropolitan city (as defined in sec-*
15 *tion 102 of the Housing and Community Development Act*
16 *of 1974 (42 U.S.C. 5302)) with respect to grants under sec-*
17 *tion 106 of such Act (42 U.S.C. 5306).*

18 *SEC. 224. Amounts made available by this Act that*
19 *are appropriated, allocated, advanced on a reimbursable*
20 *basis, or transferred to the Office of Policy Development and*
21 *Research of the Department of Housing and Urban Devel-*
22 *opment and functions thereof, for research, evaluation, or*
23 *statistical purposes, and that are unexpended at the time*
24 *of completion of a contract, grant, or cooperative agreement,*
25 *may be deobligated and shall immediately become available*

1 *and may be reobligated in that fiscal year or the subsequent*
2 *fiscal year for the research, evaluation, or statistical pur-*
3 *poses for which the amounts are made available to that Of-*
4 *fice subject to reprogramming requirements in section 405*
5 *of this Act.*

6 *SEC. 225. None of the funds provided in this Act or*
7 *any other Act may be used for awards, including perform-*
8 *ance, special act, or spot, for any employee of the Depart-*
9 *ment of Housing and Urban Development subject to admin-*
10 *istrative discipline (including suspension from work), in*
11 *this fiscal year, but this prohibition shall not be effective*
12 *prior to the effective date of any such administrative dis-*
13 *cipline or after any final decision over-turning such dis-*
14 *cipline.*

15 *SEC. 226. With respect to grant amounts awarded*
16 *under the heading “Homeless Assistance Grants” for fiscal*
17 *years 2015 through 2022 for the Continuum of Care (CoC)*
18 *program as authorized under subtitle C of title IV of the*
19 *McKinney-Vento Homeless Assistance Act, costs paid by*
20 *program income of grant recipients may count toward*
21 *meeting the recipient’s matching requirements, provided the*
22 *costs are eligible CoC costs that supplement the recipient’s*
23 *CoC program.*

24 *SEC. 227. (a) From amounts made available under*
25 *this title under the heading “Homeless Assistance Grants”,*

1 *the Secretary may award 1-year transition grants to recipi-*
2 *ents of funds for activities under subtitle C of the McKin-*
3 *ney-Vento Homeless Assistance Act (42 U.S.C. 11381 et*
4 *seq.) to transition from one Continuum of Care program*
5 *component to another.*

6 *(b) In order to be eligible to receive a transition grant,*
7 *the funding recipient must have the consent of the con-*
8 *tinuum of care and meet standards determined by the Sec-*
9 *retary.*

10 *SEC. 228. The Promise Zone designations and Promise*
11 *Zone Designation Agreements entered into pursuant to such*
12 *designations, made by the Secretary in prior fiscal years,*
13 *shall remain in effect in accordance with the terms and con-*
14 *ditions of such agreements.*

15 *SEC. 229. None of the funds made available by this*
16 *Act may be used to establish and apply review criteria, in-*
17 *cluding rating factors or preference points, for participa-*
18 *tion in or coordination with EnVision Centers, in the eval-*
19 *uation, selection, and award of any funds made available*
20 *and requiring competitive selection under this Act, except*
21 *with respect to any such funds otherwise authorized for En-*
22 *Vision Center purposes under this Act.*

23 *SEC. 230. None of the amounts made available in this*
24 *Act may be used to consider Family Self-Sufficiency per-*
25 *formance measures or performance scores in determining*

1 *funding awards for programs receiving Family Self-Suffi-*
2 *ciency program coordinator funding provided in this Act.*

3 *SEC. 231. Any public housing agency designated as a*
4 *Moving to Work agency pursuant to section 239 of division*
5 *L of Public Law 114–113 (42 U.S.C. 1437f note; 129 Stat.*
6 *2897) may, upon such designation, use funds (except for*
7 *special purpose funding, including special purpose vouch-*
8 *ers) previously allocated to any such public housing agency*
9 *under section 8 or 9 of the United States Housing Act of*
10 *1937, including any reserve funds held by the public hous-*
11 *ing agency or funds held by the Department of Housing*
12 *and Urban Development, pursuant to the authority for use*
13 *of section 8 or 9 funding provided under such section and*
14 *section 204 of title II of the Departments of Veterans Affairs*
15 *and Housing and Urban Development and Independent*
16 *Agencies Appropriations Act, 1996 (Public Law 104–134;*
17 *110 Stat. 1321–28), notwithstanding the purposes for which*
18 *such funds were appropriated.*

19 *SEC. 232. None of the amounts made available by this*
20 *Act may be used to prohibit any public housing agency*
21 *under receivership or the direction of a Federal monitor*
22 *from applying for, receiving, or using funds made available*
23 *under the heading “Public Housing Fund” for competitive*
24 *grants to evaluate and reduce lead-based paint hazards in*
25 *this Act or that remain available and not awarded from*

1 *prior Acts, or be used to prohibit a public housing agency*
2 *from using such funds to carry out any required work pur-*
3 *suant to a settlement agreement, consent decree, voluntary*
4 *agreement, or similar document for a violation of the Lead*
5 *Safe Housing or Lead Disclosure Rules.*

6 *SEC. 233. None of the funds made available by this*
7 *title may be used to issue rules or guidance in contravention*
8 *of section 1210 of Public Law 115–254 (132 Stat. 3442)*
9 *or section 312 of the Robert T. Stafford Disaster Relief and*
10 *Emergency Assistance Act (42 U.S.C. 5155).*

11 *SEC. 234. Funds made available in the Consolidated*
12 *and Further Continuing Appropriations Act, 2015 (Public*
13 *Law 113–235) for the “Choice Neighborhoods Initiative”*
14 *that were available for obligation through fiscal year 2017*
15 *are to remain available through fiscal year 2023 for the*
16 *liquidation of valid obligations incurred in fiscal years*
17 *2015 through 2017.*

18 *SEC. 235. None of the funds made available by this*
19 *Act may be used by the Department of Housing and Urban*
20 *Development to direct a grantee to undertake specific*
21 *changes to existing zoning laws as part of carrying out the*
22 *final rule entitled “Affirmatively Furthering Fair Hous-*
23 *ing” (80 Fed. Reg. 42272 (July 16, 2015)) or the notice*
24 *entitled “Affirmatively Furthering Fair Housing Assess-*
25 *ment Tool” (79 Fed. Reg. 57949 (September 26, 2014)).*

1 *SEC. 236. The language under the heading “Rental As-*
2 *sistance Demonstration” in the Department of Housing and*
3 *Urban Development Appropriations Act, 2012 (Public Law*
4 *112–55), as most recently amended by Public Law 115–*
5 *141, is further amended—*

6 (1) *after the seventeenth proviso, by inserting the*
7 *following new proviso: “Provided further, That con-*
8 *versions of assistance under the following provisos*
9 *herein shall be considered as the ‘Second Component’*
10 *and shall be authorized for fiscal year 2012 and*
11 *thereafter.”;*

12 (2) *by striking the nineteenth proviso, as reor-*
13 *dered above, and inserting the following four provisos:*
14 *“Provided further, That owners of properties assisted*
15 *under section 101 of the Housing and Urban Develop-*
16 *ment Act of 1965, section 236(f)(2) of the National*
17 *Housing Act, or section 8(e)(2) of the United States*
18 *Housing Act of 1937, for which an event after October*
19 *1, 2006 has caused or results in the termination of*
20 *rental assistance or affordability restrictions and the*
21 *issuance of tenant protection vouchers under section*
22 *8(o) of the Act shall be eligible, subject to require-*
23 *ments established by the Secretary, for conversion of*
24 *assistance available for such vouchers or assistance*
25 *contracts to assistance under a long term project-*

1 *based subsidy contract under section 8 of the Act:*
2 *Provided further, That owners of properties with a*
3 *project rental assistance contract under section*
4 *202(c)(2) of the Housing Act of 1959 shall be eligible,*
5 *subject to requirements established by the Secretary,*
6 *including but not limited to the subordination, re-*
7 *structuring, or both, of any capital advance docu-*
8 *mentation, including any note, mortgage, use agree-*
9 *ment or other agreements, evidencing or securing a*
10 *capital advance previously provided by the Secretary*
11 *under section 202(c)(1) of the Housing Act of 1959 as*
12 *necessary to facilitate the conversion of assistance*
13 *while maintaining the affordability period and the*
14 *designation of the property as serving elderly persons,*
15 *and tenant consultation procedures, for conversion of*
16 *assistance available for such assistance contracts to*
17 *assistance under a long term project-based subsidy*
18 *contract under section 8 of the Act: Provided further,*
19 *That owners of properties with a project rental assist-*
20 *ance contract under section 811(d)(2) of the Cran-*
21 *ston-Gonzalez National Affordable Housing Act, shall*
22 *be eligible, subject to requirements established by the*
23 *Secretary, including but not limited to the subordina-*
24 *tion, restructuring, or both, of any capital advance*
25 *documentation, including any note, mortgage, use*

1 *agreement or other agreements, evidencing or securing*
2 *a capital advance previously provided by the Sec-*
3 *retary under section 811(d)(2) of the Cranston-Gon-*
4 *zalez National Affordable Housing Act as necessary to*
5 *facilitate the conversion of assistance while maintain-*
6 *ing the affordability period and the designation of the*
7 *property as serving persons with disabilities, and ten-*
8 *ant consultation procedures, for conversion of assist-*
9 *ance contracts to assistance under a long term*
10 *project-based subsidy contract under section 8 of the*
11 *Act: Provided further, That long term project-based*
12 *subsidy contracts under section 8 of the Act which are*
13 *established under this Second Component shall have a*
14 *term of no less than 20 years, with rent adjustments*
15 *only by an operating cost factor established by the*
16 *Secretary, which shall be eligible for renewal under*
17 *section 524 of the Multifamily Assisted Housing Re-*
18 *form and Affordability Act of 1997 (42 U.S.C. 1437f*
19 *note), or, subject to agreement of the administering*
20 *public housing agency, to assistance under section*
21 *8(o)(13) of the Act, to which the limitation under sub-*
22 *section (B) of section 8(o)(13) of the Act shall not*
23 *apply and for which the Secretary may waive or alter*
24 *the provisions of subparagraphs (C) and (D) of sec-*
25 *tion 8(o)(13) of the Act.”;*

1 (3) *after the twenty-third proviso, as reordered*
2 *above, by inserting the following new proviso: “Pro-*
3 *vided further, That the Secretary may waive or alter*
4 *the requirements of section 8(c)(1)(A) of the Act for*
5 *contracts provided to properties converting assistance*
6 *from section 202(c)(2) of the Housing Act of 1959 or*
7 *section 811(d)(2) of the Cranston-Gonzalez National*
8 *Affordable Housing Act as necessary to ensure the on-*
9 *going provision and coordination of services or to*
10 *avoid a reduction in project subsidy.”; and*

11 (4) *in the twenty-ninth proviso, as reordered*
12 *above, by—*

13 (A) *striking “heading ‘Housing for the El-*
14 *derly’” and inserting “headings ‘Housing for the*
15 *Elderly’ and ‘Housing for Persons with Disabil-*
16 *ities’”;* and

17 (B) *inserting “or section 811 project rental*
18 *assistance contract” after “section 202 project*
19 *rental assistance contract”.*

20 *SEC. 237. For fiscal year 2022, if the Secretary deter-*
21 *mines or has determined, for any prior formula grant allo-*
22 *cation administered by the Secretary through the Offices of*
23 *Public and Indian Housing, Community Planning and De-*
24 *velopment, or Housing, that a recipient received an alloca-*
25 *tion greater than the amount such recipient should have*

1 received for a formula allocation cycle pursuant to applica-
2 ble statutes and regulations, the Secretary may adjust for
3 any such funding error in the next applicable formula allo-
4 cation cycle by (a) offsetting each such recipient's formula
5 allocation (if eligible for a formula allocation in the next
6 applicable formula allocation cycle) by the amount of any
7 such funding error, and (b) reallocating any available bal-
8 ances that are attributable to the offset to the recipient or
9 recipients that would have been allocated additional funds
10 in the formula allocation cycle in which any such error oc-
11 curred (if such recipient or recipients are eligible for a for-
12 mula allocation in the next applicable formula allocation
13 cycle) in an amount proportionate to such recipient's eligi-
14 bility under the next applicable formula allocation cycle:
15 Provided, That all offsets and reallocations from such avail-
16 able balances shall be recorded against funds available for
17 the next applicable formula allocation cycle: Provided fur-
18 ther, That the term "next applicable formula allocation
19 cycle" means the first formula allocation cycle for a pro-
20 gram that is reasonably available for correction following
21 such a Secretarial determination: Provided further, That
22 if, upon request by a recipient and giving consideration to
23 all Federal resources available to the recipient for the same
24 grant purposes, the Secretary determines that the offset in
25 the next applicable formula allocation cycle would critically

1 *impair the recipient’s ability to accomplish the purpose of*
2 *the formula grant, the Secretary may adjust for the funding*
3 *error across two or more formula allocation cycles.*

4 *SEC. 238. Of the unobligated balances available to the*
5 *Department of Housing and Urban Development from title*
6 *II of division L of the Consolidated Appropriations Act of*
7 *2021 (Public Law 116–260), the following funds are hereby*
8 *rescinded from the following accounts in the specified*
9 *amounts—*

10 (1) *“Management and Administration—Execu-*
11 *tive Offices”, \$4,000,000; and*

12 (2) *“Management and Administration—Admin-*
13 *istrative Support Offices”, \$25,000,000.*

14 *SEC. 239. The Secretary may, upon a finding that a*
15 *waiver or alternative requirement is necessary to facilitate*
16 *the use of funds made available in paragraph (8) under*
17 *the heading “Tenant-Based Rental Assistance” in the*
18 *Transportation, Housing and Urban Development, and Re-*
19 *lated Agencies Appropriations Act, 2021 (Public Law 116–*
20 *260), waive or specify alternative requirements, other than*
21 *requirements related to tenant rights and protections, rent*
22 *setting, fair housing, nondiscrimination, labor standards,*
23 *and the environment, for—*

24 (1) *section 214(d)(2) of the Housing and Com-*
25 *munity Development Act of 1980 (42 U.S.C.*

1 *1436a(d)(2)), and regulatory provisions related to the*
2 *timing of when documentation verifying eligibility*
3 *must be obtained;*

4 *(2) section 576(a), (b), and (c) of the Quality*
5 *Housing and Work Responsibility Act of 1998 (42*
6 *U.S.C. 13661(a), (b), and (c)), and regulatory provi-*
7 *sions related to the verification of eligibility, eligi-*
8 *bility requirements, and the admissions process;*

9 *(3) section 8(o)(6)(A) of the United States Hous-*
10 *ing Act of 1937 (42 U.S.C. 1437f(o)(6)(A)) and regu-*
11 *latory provisions related to the administration of*
12 *waiting lists, local preferences, and the initial term*
13 *and extensions of tenant-based vouchers;*

14 *(4) section 8(o)(7)(A) of the United States Hous-*
15 *ing Act of 1937 (42 U.S.C. 1437f(o)(7)(A)) and regu-*
16 *latory provisions related to the initial lease term;*

17 *(5) section 8(o)(8) of the United States Housing*
18 *Act of 1937 (42 U.S.C. 1437f(o)(8)) and regulatory*
19 *provisions related to related to the timing of the ini-*
20 *tial inspection of a unit to allow for pre-inspections;*

21 *(6) section 8(o)(13)(J) of the United States*
22 *Housing Act of 1937 (42 U.S.C. 1437f(o)(13)(J)) and*
23 *regulatory provisions related to the selection of ten-*
24 *ants for project-based assistance;*

1 (7) *section 8(r)(B)(i) of the United States Housing*
2 *Act of 1937 (42 U.S.C. 1437f(r)(B)(i)) and regula-*
3 *tory provisions related to portability moves by non-*
4 *resident applicants;*

5 (8) *section 16(b) of the United States Housing*
6 *Act of 1937 (42 U.S.C. 1437n(b)) and regulatory pro-*
7 *visions related to the eligibility and targeting of fami-*
8 *lies for tenant-based assistance; and*

9 (9) *regulatory provisions related to the establish-*
10 *ment of payment standards.*

11 *This title may be cited as the “Department of Housing*
12 *and Urban Development Appropriations Act, 2022”.*

1 *TITLE III*
2 *RELATED AGENCIES*
3 *ACCESS BOARD*
4 *SALARIES AND EXPENSES*

5 *For expenses necessary for the Access Board, as author-*
6 *ized by section 502 of the Rehabilitation Act of 1973 (29*
7 *U.S.C. 792), \$9,750,000: Provided, That, notwithstanding*
8 *any other provision of law, there may be credited to this*
9 *appropriation funds received for publications and training*
10 *expenses.*

11 *FEDERAL MARITIME COMMISSION*
12 *SALARIES AND EXPENSES*

13 *For necessary expenses of the Federal Maritime Com-*
14 *mission as authorized by section 201(d) of the Merchant*
15 *Marine Act, 1936, as amended (46 U.S.C. 46107), including*
16 *services as authorized by section 3109 of title 5, United*
17 *States Code; hire of passenger motor vehicles as authorized*
18 *by section 1343(b) of title 31, United States Code; and uni-*
19 *forms or allowances therefore, as authorized by sections*
20 *5901 and 5902 of title 5, United States Code, \$32,869,000:*
21 *Provided, That not to exceed \$3,500 shall be for official re-*
22 *ception and representation expenses.*

1 *NATIONAL RAILROAD PASSENGER CORPORATION*

2 *OFFICE OF INSPECTOR GENERAL*

3 *SALARIES AND EXPENSES*

4 *For necessary expenses of the Office of Inspector Gen-*
5 *eral for the National Railroad Passenger Corporation to*
6 *carry out the provisions of the Inspector General Act of*
7 *1978 (5 U.S.C. App. 3), \$26,248,000: Provided, That the*
8 *Inspector General shall have all necessary authority, in car-*
9 *rying out the duties specified in such Act, to investigate*
10 *allegations of fraud, including false statements to the Gov-*
11 *ernment under section 1001 of title 18, United States Code,*
12 *by any person or entity that is subject to regulation by the*
13 *National Railroad Passenger Corporation: Provided fur-*
14 *ther, That the Inspector General may enter into contracts*
15 *and other arrangements for audits, studies, analyses, and*
16 *other services with public agencies and with private per-*
17 *sons, subject to the applicable laws and regulations that*
18 *govern the obtaining of such services within the National*
19 *Railroad Passenger Corporation: Provided further, That the*
20 *Inspector General may select, appoint, and employ such of-*
21 *icers and employees as may be necessary for carrying out*
22 *the functions, powers, and duties of the Office of Inspector*
23 *General, subject to the applicable laws and regulations that*
24 *govern such selections, appointments, and employment*
25 *within the National Railroad Passenger Corporation: Pro-*

1 *vided further, That concurrent with the President's budget*
2 *request for fiscal year 2023, the Inspector General shall sub-*
3 *mit to the House and Senate Committees on Appropriations*
4 *a budget request for fiscal year 2023 in similar format and*
5 *substance to budget requests submitted by executive agencies*
6 *of the Federal Government.*

7 *NATIONAL TRANSPORTATION SAFETY BOARD*

8 *SALARIES AND EXPENSES*

9 *For necessary expenses of the National Transportation*
10 *Safety Board, including hire of passenger motor vehicles*
11 *and aircraft; services as authorized by section 3109 of title*
12 *5, United States Code, but at rates for individuals not to*
13 *exceed the per diem rate equivalent to the rate for a GS-*
14 *15; uniforms, or allowances therefor, as authorized by sec-*
15 *tions 5901 and 5902 of title 5, United States Code,*
16 *\$121,400,000, of which not to exceed \$2,000 may be used*
17 *for official reception and representation expenses: Provided,*
18 *That the amounts made available to the National Transpor-*
19 *tation Safety Board in this Act include amounts necessary*
20 *to make lease payments on an obligation incurred in fiscal*
21 *year 2001 for a capital lease.*

1 *UNITED STATES INTERAGENCY COUNCIL ON*
2 *HOMELESSNESS*
3 *OPERATING EXPENSES*

4 *For necessary expenses, including payment of salaries,*
5 *authorized travel, hire of passenger motor vehicles, the rent-*
6 *al of conference rooms, and the employment of experts and*
7 *consultants under section 3109 of title 5, United States*
8 *Code, of the United States Interagency Council on Home-*
9 *lessness in carrying out the functions pursuant to title II*
10 *of the McKinney-Vento Homeless Assistance Act, as amend-*
11 *ed, \$3,800,000.*

TITLE IV

GENERAL PROVISIONS—THIS ACT

1
2
3 *SEC. 401. None of the funds in this Act shall be used*
4 *for the planning or execution of any program to pay the*
5 *expenses of, or otherwise compensate, non-Federal parties*
6 *intervening in regulatory or adjudicatory proceedings fund-*
7 *ed in this Act.*

8 *SEC. 402. None of the funds appropriated in this Act*
9 *shall remain available for obligation beyond the current fis-*
10 *cal year, nor may any be transferred to other appropria-*
11 *tions, unless expressly so provided herein.*

12 *SEC. 403. The expenditure of any appropriation under*
13 *this Act for any consulting service through a procurement*
14 *contract pursuant to section 3109 of title 5, United States*
15 *Code, shall be limited to those contracts where such expendi-*
16 *tures are a matter of public record and available for public*
17 *inspection, except where otherwise provided under existing*
18 *law, or under existing Executive order issued pursuant to*
19 *existing law.*

20 *SEC. 404. (a) None of the funds made available in this*
21 *Act may be obligated or expended for any employee training*
22 *that—*

23 *(1) does not meet identified needs for knowledge,*
24 *skills, and abilities bearing directly upon the perform-*
25 *ance of official duties;*

1 (2) contains elements likely to induce high levels
2 of emotional response or psychological stress in some
3 participants;

4 (3) does not require prior employee notification
5 of the content and methods to be used in the training
6 and written end of course evaluation;

7 (4) contains any methods or content associated
8 with religious or quasi-religious belief systems or
9 “new age” belief systems as defined in Equal Employ-
10 ment Opportunity Commission Notice N-915.022,
11 dated September 2, 1988; or

12 (5) is offensive to, or designed to change, partici-
13 pants’ personal values or lifestyle outside the work-
14 place.

15 (b) Nothing in this section shall prohibit, restrict, or
16 otherwise preclude an agency from conducting training
17 bearing directly upon the performance of official duties.

18 SEC. 405. Except as otherwise provided in this Act,
19 none of the funds provided in this Act, provided by previous
20 appropriations Acts to the agencies or entities funded in
21 this Act that remain available for obligation or expenditure
22 in fiscal year 2022, or provided from any accounts in the
23 Treasury derived by the collection of fees and available to
24 the agencies funded by this Act, shall be available for obliga-

1 *tion or expenditure through a reprogramming of funds*
2 *that—*

3 *(1) creates a new program;*

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

5 *(3) increases funds or personnel for any pro-*
6 *gram, project, or activity for which funds have been*
7 *denied or restricted by the Congress;*

8 *(4) proposes to use funds directed for a specific*
9 *activity by either the House or Senate Committees on*
10 *Appropriations for a different purpose;*

11 *(5) augments existing programs, projects, or ac-*
12 *tivities in excess of \$5,000,000 or 10 percent, which-*
13 *ever is less;*

14 *(6) reduces existing programs, projects, or activi-*
15 *ties by \$5,000,000 or 10 percent, whichever is less; or*

16 *(7) creates, reorganizes, or restructures a branch,*
17 *division, office, bureau, board, commission, agency,*
18 *administration, or department different from the*
19 *budget justifications submitted to the Committees on*
20 *Appropriations or the table accompanying the explan-*
21 *atory statement described in section 4 (in the matter*
22 *preceding division A of this consolidated Act), which-*
23 *ever is more detailed, unless prior approval is re-*
24 *ceived from the House and Senate Committees on Ap-*
25 *propriations:*

1 *Provided, That not later than 60 days after the date of en-*
2 *actment of this Act, each agency funded by this Act shall*
3 *submit a report to the Committees on Appropriations of the*
4 *Senate and of the House of Representatives to establish the*
5 *baseline for application of reprogramming and transfer au-*
6 *thorities for the current fiscal year: Provided further, That*
7 *the report shall include—*

8

9 *(A) a table for each appropriation with a*
10 *separate column to display the prior year en-*
11 *acted level, the President's budget request, adjust-*
12 *ments made by Congress, adjustments due to en-*
13 *acted rescissions, if appropriate, and the fiscal*
14 *year enacted level;*

15 *(B) a delineation in the table for each ap-*
16 *propriation and its respective prior year enacted*
17 *level by object class and program, project, and*
18 *activity as detailed in this Act, the table accom-*
19 *panying the explanatory statement described in*
20 *section 4 (in the matter preceding division A of*
21 *this consolidated Act), accompanying reports of*
22 *the House and Senate Committee on Appropria-*
23 *tions, or in the budget appendix for the respec-*
24 *tive appropriations, whichever is more detailed,*
25 *and shall apply to all items for which a dollar*

1 *amount is specified and to all programs for*
2 *which new budget (obligational) authority is*
3 *provided, as well as to discretionary grants and*
4 *discretionary grant allocations; and*

5 *(C) an identification of items of special con-*
6 *gressional interest.*

7 *SEC. 406. Except as otherwise specifically provided by*
8 *law, not to exceed 50 percent of unobligated balances re-*
9 *maining available at the end of fiscal year 2022 from ap-*
10 *propriations made available for salaries and expenses for*
11 *fiscal year 2022 in this Act, shall remain available through*
12 *September 30, 2023, for each such account for the purposes*
13 *authorized: Provided, That a request shall be submitted to*
14 *the House and Senate Committees on Appropriations for*
15 *approval prior to the expenditure of such funds: Provided*
16 *further, That these requests shall be made in compliance*
17 *with reprogramming guidelines under section 405 of this*
18 *Act.*

19 *SEC. 407. No funds in this Act may be used to support*
20 *any Federal, State, or local projects that seek to use the*
21 *power of eminent domain, unless eminent domain is em-*
22 *ployed only for a public use: Provided, That for purposes*
23 *of this section, public use shall not be construed to include*
24 *economic development that primarily benefits private enti-*
25 *ties: Provided further, That any use of funds for mass tran-*

1 sit, railroad, airport, seaport or highway projects, as well
2 as utility projects which benefit or serve the general public
3 (including energy-related, communication-related, water-re-
4 lated and wastewater-related infrastructure), other struc-
5 tures designated for use by the general public or which have
6 other common-carrier or public-utility functions that serve
7 the general public and are subject to regulation and over-
8 sight by the government, and projects for the removal of an
9 immediate threat to public health and safety or brownfields
10 as defined in the Small Business Liability Relief and
11 Brownfields Revitalization Act (Public Law 107–118) shall
12 be considered a public use for purposes of eminent domain.

13 *SEC. 408. None of the funds made available in this*
14 *Act may be transferred to any department, agency, or in-*
15 *strumentality of the United States Government, except pur-*
16 *suant to a transfer made by, or transfer authority provided*
17 *in, this Act or any other appropriations Act.*

18 *SEC. 409. No funds appropriated pursuant to this Act*
19 *may be expended by an entity unless the entity agrees that*
20 *in expending the assistance the entity will comply with sec-*
21 *tions 2 through 4 of the Act of March 3, 1933 (41 U.S.C.*
22 *8301–8305, popularly known as the “Buy American Act”).*

23 *SEC. 410. No funds appropriated or otherwise made*
24 *available under this Act shall be made available to any per-*

1 *son or entity that has been convicted of violating the Buy*
2 *American Act (41 U.S.C. 8301–8305).*

3 *SEC. 411. None of the funds made available in this*
4 *Act may be used for first-class airline accommodations in*
5 *contravention of sections 301–10.122 and 301–10.123 of*
6 *title 41, Code of Federal Regulations.*

7 *SEC. 412. None of the funds made available in this*
8 *Act may be used to send or otherwise pay for the attendance*
9 *of more than 50 employees of a single agency or department*
10 *of the United States Government, who are stationed in the*
11 *United States, at any single international conference unless*
12 *the relevant Secretary reports to the House and Senate*
13 *Committees on Appropriations at least 5 days in advance*
14 *that such attendance is important to the national interest:*
15 *Provided, That for purposes of this section the term “inter-*
16 *national conference” shall mean a conference occurring out-*
17 *side of the United States attended by representatives of the*
18 *United States Government and of foreign governments,*
19 *international organizations, or nongovernmental organiza-*
20 *tions.*

21 *SEC. 413. None of the funds appropriated or otherwise*
22 *made available under this Act may be used by the Surface*
23 *Transportation Board to charge or collect any filing fee for*
24 *rate or practice complaints filed with the Board in an*
25 *amount in excess of the amount authorized for district court*

1 *civil suit filing fees under section 1914 of title 28, United*
2 *States Code.*

3 *SEC. 414. (a) None of the funds made available in this*
4 *Act may be used to maintain or establish a computer net-*
5 *work unless such network blocks the viewing, downloading,*
6 *and exchanging of pornography.*

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

11 *SEC. 415. (a) None of the funds made available in this*
12 *Act may be used to deny an Inspector General funded under*
13 *this Act timely access to any records, documents, or other*
14 *materials available to the department or agency over which*
15 *that Inspector General has responsibilities under the In-*
16 *spector General Act of 1978 (5 U.S.C. App.), or to prevent*
17 *or impede that Inspector General's access to such records,*
18 *documents, or other materials, under any provision of law,*
19 *except a provision of law that expressly refers to the Inspec-*
20 *tor General and expressly limits the Inspector General's*
21 *right of access.*

22 *(b) A department or agency covered by this section*
23 *shall provide its Inspector General with access to all such*
24 *records, documents, and other materials in a timely man-*
25 *ner.*

1 (c) *Each Inspector General shall ensure compliance*
2 *with statutory limitations on disclosure relevant to the in-*
3 *formation provided by the establishment over which that In-*
4 *pector General has responsibilities under the Inspector*
5 *General Act of 1978 (5 U.S.C. App.).*

6 (d) *Each Inspector General covered by this section*
7 *shall report to the Committees on Appropriations of the*
8 *House of Representatives and the Senate within 5 calendar*
9 *days any failures to comply with this requirement.*

10 *SEC. 416. None of the funds appropriated or otherwise*
11 *made available by this Act may be used to pay award or*
12 *incentive fees for contractors whose performance has been*
13 *judged to be below satisfactory, behind schedule, over budget,*
14 *or has failed to meet the basic requirements of a contract,*
15 *unless the Agency determines that any such deviations are*
16 *due to unforeseeable events, government-driven scope*
17 *changes, or are not significant within the overall scope of*
18 *the project and/or program unless such awards or incentive*
19 *fees are consistent with 16.401(e)(2) of the Federal Acquisi-*
20 *tion Regulations.*

21 *SEC. 417. Within the amounts appropriated in this*
22 *Act, funding shall be allocated in the amounts specified for*
23 *those projects and purposes delineated in the table titled*
24 *“Community Project Funding/Congressionally Directed*
25 *Spending” included in the explanatory statement described*

1 *in section 4 (in the matter preceding division A of this con-*
2 *solidated Act).*

3 *SEC. 418. None of the funds made available by this*
4 *Act to the Department of Transportation may be used in*
5 *contravention of section 306108 of title 54, United States*
6 *Code.*

7 *SEC. 419. No part of any appropriation contained in*
8 *this Act shall be available to pay the salary for any person*
9 *filling a position, other than a temporary position, formerly*
10 *held by an employee who has left to enter the Armed Forces*
11 *of the United States and has satisfactorily completed his*
12 *or her period of active military or naval service, and has*
13 *within 90 days after his or her release from such service*
14 *or from hospitalization continuing after discharge for a pe-*
15 *riod of not more than 1 year, made application for restora-*
16 *tion to his or her former position and has been certified*
17 *by the Office of Personnel Management as still qualified to*
18 *perform the duties of his or her former position and has*
19 *not been restored thereto.*

20 *SEC. 420. (a) None of the funds made available by this*
21 *Act may be used to approve a new foreign air carrier per-*
22 *mit under sections 41301 through 41305 of title 49, United*
23 *States Code, or exemption application under section 40109*
24 *of that title of an air carrier already holding an air opera-*
25 *tors certificate issued by a country that is party to the U.S.-*

1 *E.U.-Iceland-Norway Air Transport Agreement where such*
2 *approval would contravene United States law or Article 17*
3 *bis of the U.S.-E.U.-Iceland-Norway Air Transport Agree-*
4 *ment.*

5 *(b) Nothing in this section shall prohibit, restrict or*
6 *otherwise preclude the Secretary of Transportation from*
7 *granting a foreign air carrier permit or an exemption to*
8 *such an air carrier where such authorization is consistent*
9 *with the U.S.-E.U.-Iceland-Norway Air Transport Agree-*
10 *ment and United States law.*

11 *SEC. 421. Section 1105(e)(5)(A) of the Intermodal*
12 *Surface Transportation Efficiency Act of 1991 (Public Law*
13 *102–240; 105 Stat. 2032; 109 Stat. 597; 118 Stat. 293; 133*
14 *Stat. 3018) is amended, in the first sentence, by inserting*
15 *“clauses (i) and (iv) of subsection (c)(38)(A),” after “sub-*
16 *section (c)(37),”.*

17 *SEC. 422. The remaining unobligated balances, as of*
18 *September 30, 2022, from amounts made available to the*
19 *Department of Transportation under the heading “Federal*
20 *Transit Administration—Capital Investment Grants” in*
21 *division G of the Consolidated Appropriations Act, 2019*
22 *(Public Law 116–6) are hereby rescinded, and an amount*
23 *of additional new budget authority equivalent to the*
24 *amount rescinded is hereby appropriated on September 30,*
25 *2022, for an additional amount for fiscal year 2022, to re-*

1 *main available until September 30, 2023, and shall be*
2 *available for the same purposes and under the same au-*
3 *thorities for which such amounts were originally provided*
4 *in Public Law 116–6.*

5 *SEC. 423. The second proviso under the heading “De-*
6 *partment of Transportation—Office of the Secretary—Na-*
7 *tional Infrastructure Investments” in title VIII of division*
8 *J of Public Law 117–58 is amended—*

9 *(1) by striking “to remain until September” and*
10 *inserting “to remain available until September”; and*

11 *(2) by striking “to remain available September”*
12 *and inserting “to remain available until September”:*

13 *Provided, That amounts repurposed pursuant to this sec-*
14 *tion that were previously designated by the Congress as an*
15 *emergency requirement pursuant to section 4112(a) of H.*
16 *Con. Res. 71 (115th Congress), the concurrent resolution on*
17 *the budget for fiscal year 2018, and to section 251(b) of*
18 *the Balanced Budget and Emergency Deficit Control Act*
19 *of 1985 are designated by the Congress as an emergency*
20 *requirement pursuant to section 4001(a)(1) and section*
21 *4001(b) of S. Con. Res. 14 (117th Congress), the concurrent*
22 *resolution on the budget for fiscal year 2022.*

23 *SEC. 424. The matter preceding the first proviso under*
24 *the heading “Department of Transportation—Office of the*
25 *Secretary—National Culvert Removal, Replacement, and*

1 *Restoration Grants” in title VIII of division J of Public*
2 *Law 117–58 is amended by striking “section 6203” and*
3 *inserting “section 6703”: Provided, That amounts*
4 *repurposed pursuant to this section that were previously*
5 *designated by the Congress as an emergency requirement*
6 *pursuant to section 4112(a) of H. Con. Res. 71 (115th Con-*
7 *gress), the concurrent resolution on the budget for fiscal year*
8 *2018, and to section 251(b) of the Balanced Budget and*
9 *Emergency Deficit Control Act of 1985 are designated by*
10 *the Congress as an emergency requirement pursuant to sec-*
11 *tion 4001(a)(1) and section 4001(b) of S. Con. Res. 14*
12 *(117th Congress), the concurrent resolution on the budget*
13 *for fiscal year 2022.*

14 *SEC. 425. Section 801 of title VIII of division J of*
15 *Public Law 117–58 is amended—*

16 *(1) in subsection (a), by striking “the programs*
17 *administered by the Office of Multimodal Infrastruc-*
18 *ture and Freight may be transferred to an ‘Office of*
19 *Multimodal Infrastructure and Freight’ account, to*
20 *remain available until expended, for the necessary ex-*
21 *penses of award, administration, or oversight of any*
22 *discretionary financial assistance programs funded*
23 *under this title in this Act or division A of this Act:*
24 *Provided,” and inserting “the programs administered*
25 *by the Office of the Secretary may be transferred to*

1 *an ‘Operational Support’ account, to remain avail-*
2 *able until expended, for the necessary expenses of (1)*
3 *coordination of the implementation of any division of*
4 *this Act or (2) the award, administration, or over-*
5 *sight of any financial assistance programs funded*
6 *under this title in this Act or divisions A, B, C, or*
7 *G of this Act: Provided, That amounts transferred*
8 *pursuant to the authority in this section are available*
9 *in addition to amounts otherwise available for such*
10 *purposes: Provided further,”; and*

11 *(2) in subsection (b)—*

12 *(A) in the matter preceding paragraph (1)*
13 *and in paragraph (6), by striking “Office of*
14 *Multimodal Infrastructure and Freight” and in-*
15 *serting “Office of the Secretary”; and*

16 *(B) in paragraph (5), by striking “section*
17 *6203” and inserting “section 6703”:*

18 *Provided, That amounts repurposed pursuant to this sec-*
19 *tion that were previously designated by the Congress as an*
20 *emergency requirement pursuant to section 4112(a) of H.*
21 *Con. Res. 71 (115th Congress), the concurrent resolution on*
22 *the budget for fiscal year 2018, and to section 251(b) of*
23 *the Balanced Budget and Emergency Deficit Control Act*
24 *of 1985 are designated by the Congress as an emergency*
25 *requirement pursuant to section 4001(a)(1) and section*

1 4001(b) of S. Con. Res. 14 (117th Congress), the concurrent
2 resolution on the budget for fiscal year 2022.

3 SEC. 426. The heading “Department of Transpor-
4 tation—Federal Highway Administration—Highway In-
5 frastructure Program” in title VIII of division J of Public
6 Law 117–58 is amended by striking “Program” and insert-
7 ing “Programs”: Provided, That amounts repurposed pur-
8 suant to this section that were previously designated by the
9 Congress as an emergency requirement pursuant to section
10 4112(a) of H. Con. Res. 71 (115th Congress), the concurrent
11 resolution on the budget for fiscal year 2018, and to section
12 251(b) of the Balanced Budget and Emergency Deficit Con-
13 trol Act of 1985 are designated by the Congress as an emer-
14 gency requirement pursuant to section 4001(a)(1) and sec-
15 tion 4001(b) of S. Con. Res. 14 (117th Congress), the con-
16 current resolution on the budget for fiscal year 2022.

17 SEC. 427. The matter under the heading “Department
18 of Transportation—Federal Highway Administration—
19 Highway Infrastructure Program” in title VIII of division
20 J of Public Law 117–58 is amended—

21 (1) in the third proviso, by striking “adminis-
22 trations” and inserting “administration”;

23 (2) in the fourth proviso, by inserting “and shall
24 remain available until expended” after “in the same
25 account”;

1 (3) in paragraph (1), by striking “construction
2 program: Provided further,” and inserting “construc-
3 tion program: Provided,”;

4 (4) in the ninth proviso in paragraph (2)—

5 (A) by striking “withdrawn from a State
6 under the preceding proviso” and inserting
7 “withdrawn from a State under the sixth proviso
8 of this paragraph in this Act”;

9 (B) by striking “within the State under the
10 preceding proviso” and inserting “within the
11 State under such proviso”;

12 (C) by striking “withdrawn under the pre-
13 ceding proviso” and inserting “withdrawn under
14 such proviso”;

15 (D) by striking “under the second proviso
16 under this paragraph” and inserting “under the
17 second proviso of this paragraph”; and

18 (E) by striking “withheld or withdrawn
19 under the preceding proviso:” and inserting
20 “withheld or withdrawn under the sixth proviso
21 of this paragraph in this Act.”;

22 (5) in the sixteenth proviso in paragraph (2), by
23 striking “publically accessible” and inserting “pub-
24 licly accessible” each place it appears;

1 (6) in the twenty-first proviso in paragraph (2),
2 by striking “twenty-fourth proviso” and inserting
3 “twenty-sixth proviso”;

4 (7) in the twenty-fourth proviso in paragraph
5 (2), by striking “nineteenth proviso” and inserting
6 “twenty-first proviso”;

7 (8) in the thirtieth proviso in paragraph (2), by
8 striking “previous proviso” and inserting “preceding
9 proviso”;

10 (9) in the fourth proviso in paragraph (9)—

11 (A) by striking “third proviso in this” and
12 inserting “third proviso of this”; and

13 (B) by striking “under this heading:” and
14 inserting “under this paragraph in this Act.”;
15 and

16 (10) in the fifth proviso in paragraph (9), by
17 striking “in this paragraph in this Act” and insert-
18 ing “in this paragraph of this Act”:

19 *Provided, That amounts repurposed pursuant to this sec-*
20 *tion that were previously designated by the Congress as an*
21 *emergency requirement pursuant to section 4112(a) of H.*
22 *Con. Res. 71 (115th Congress), the concurrent resolution on*
23 *the budget for fiscal year 2018, and to section 251(b) of*
24 *the Balanced Budget and Emergency Deficit Control Act*
25 *of 1985 are designated by the Congress as an emergency*

1 requirement pursuant to section 4001(a)(1) and section
2 4001(b) of S. Con. Res. 14 (117th Congress), the concurrent
3 resolution on the budget for fiscal year 2022.

4 SEC. 428. The matter under the heading “Department
5 of Transportation—Federal Railroad Administration—
6 Northeast Corridor Grants to the National Railroad Pas-
7 senger Corporation” in title VIII of division J of Public
8 Law 117–58 is amended—

9 (1) in the third proviso, by striking “shall be
10 made available for” and inserting “shall be made
11 available for appropriate costs required for”; and

12 (2) in the seventh proviso, by striking “the cap-
13 ital costs of” and inserting “the costs of”:

14 Provided, That amounts repurposed pursuant to this sec-
15 tion that were previously designated by the Congress as an
16 emergency requirement pursuant to section 4112(a) of H.
17 Con. Res. 71 (115th Congress), the concurrent resolution on
18 the budget for fiscal year 2018, and to section 251(b) of
19 the Balanced Budget and Emergency Deficit Control Act
20 of 1985 are designated by the Congress as an emergency
21 requirement pursuant to section 4001(a)(1) and section
22 4001(b) of S. Con. Res. 14 (117th Congress), the concurrent
23 resolution on the budget for fiscal year 2022.

24 SEC. 429. The matter under the heading “Department
25 of Transportation—Federal Railroad Administration—Na-

1 *tional Network Grants to the National Railroad Passenger*
2 *Corporation” in title VIII of division J of Public Law 117–*
3 *58 is amended in the second proviso, by striking “under*
4 *this heading in this Act shall be made available for” and*
5 *inserting “under this heading in this Act shall be made*
6 *available for appropriate costs required for”: Provided,*
7 *That amounts repurposed pursuant to this section that were*
8 *previously designated by the Congress as an emergency re-*
9 *quirement pursuant to section 4112(a) of H. Con. Res. 71*
10 *(115th Congress), the concurrent resolution on the budget*
11 *for fiscal year 2018, and to section 251(b) of the Balanced*
12 *Budget and Emergency Deficit Control Act of 1985 are des-*
13 *ignated by the Congress as an emergency requirement pur-*
14 *suant to section 4001(a)(1) and section 4001(b) of S. Con.*
15 *Res. 14 (117th Congress), the concurrent resolution on the*
16 *budget for fiscal year 2022.*

17 *SEC. 430. The matter preceding the first proviso under*
18 *the heading “Department of Transportation—Federal Rail-*
19 *road Administration—Federal-State Partnership for Inter-*
20 *city Passenger Rail Grants” in title VIII of division J of*
21 *Public Law 117–58 is amended by inserting “in” before*
22 *“section 24911”: Provided, That amounts repurposed pur-*
23 *suant to this section that were previously designated by the*
24 *Congress as an emergency requirement pursuant to section*
25 *4112(a) of H. Con. Res. 71 (115th Congress), the concurrent*

1 resolution on the budget for fiscal year 2018, and to section
2 251(b) of the *Balanced Budget and Emergency Deficit Con-*
3 *trol Act of 1985* are designated by the Congress as an emer-
4 gency requirement pursuant to section 4001(a)(1) and sec-
5 tion 4001(b) of *S. Con. Res. 14 (117th Congress)*, the con-
6 current resolution on the budget for fiscal year 2022.

7 *SEC. 431. The eighth proviso under the heading “De-*
8 *partment of Transportation—Pipeline and Hazardous Ma-*
9 *terials Safety Administration—Natural Gas Distribution*
10 *Infrastructure Safety and Modernization Grant Program”*
11 *in title VIII of division J of Public Law 117–58 is amended*
12 *by striking “transferred pursuant to the authority in this*
13 *section in each of fiscal years 2022 through 2026” and in-*
14 *serting “in the preceding proviso”: Provided, That amounts*
15 *repurposed pursuant to this section that were previously*
16 *designated by the Congress as an emergency requirement*
17 *pursuant to section 4112(a) of H. Con. Res. 71 (115th Con-*
18 *gress), the concurrent resolution on the budget for fiscal year*
19 *2018, and to section 251(b) of the Balanced Budget and*
20 *Emergency Deficit Control Act of 1985 are designated by*
21 *the Congress as an emergency requirement pursuant to sec-*
22 *tion 4001(a)(1) and section 4001(b) of S. Con. Res. 14*
23 *(117th Congress), the concurrent resolution on the budget*
24 *for fiscal year 2022.*

1 *SEC. 432. (a) Funds previously made available in*
2 *chapter 9 of title X of the Disaster Relief Appropriations*
3 *Act, 2013 (Public Law 113–2, division A; 127 Stat. 36)*
4 *under the heading “Department of Housing and Urban De-*
5 *velopment—Community Planning and Development—*
6 *Community Development Fund” that were available for ob-*
7 *ligation through fiscal year 2017 are to remain available*
8 *through fiscal year 2025 for the liquidation of valid obliga-*
9 *tions incurred in fiscal years 2013 through 2017.*

10 *(b) EMERGENCY.—Amounts repurposed pursuant to*
11 *this section that were previously designated by the Congress*
12 *as an emergency requirement pursuant to the Balanced*
13 *Budget and Emergency Deficit Control Act of 1985 are des-*
14 *ignated by the Congress as an emergency requirement pur-*
15 *suant to section 4001(a)(1) and section 4001(b) of S. Con.*
16 *Res. 14 (117th Congress), the concurrent resolution on the*
17 *budget for fiscal year 2022.*

18 *SEC. 433. Any obligated balances from amounts made*
19 *available for project-based vouchers under the heading “Per-*
20 *manent Supportive Housing” in chapter 6 of title III of*
21 *Public Law 110–252 may be used for tenant-based rental*
22 *assistance under section 8(o) of the United States Housing*
23 *Act of 1937 (42 U.S.C. 1437f(o)).*

1 *This division may be cited as the “Transportation,*
2 *Housing and Urban Development, and Related Agencies*
3 *Appropriations Act, 2022”.*

1 ***DIVISION N—UKRAINE SUPPLEMENTAL***
2 ***APPROPRIATIONS ACT, 2022***

3 ***TITLE I***

4 ***DEPARTMENT OF AGRICULTURE***

5 ***FOREIGN AGRICULTURAL SERVICE***

6 ***FOOD FOR PEACE TITLE II GRANTS***

7 *For an additional amount for “Food for Peace Title*
8 *II Grants”, \$100,000,000, to remain available until ex-*
9 *pended.*

10 ***TITLE II***

11 ***DEPARTMENT OF COMMERCE***

12 ***BUREAU OF INDUSTRY AND SECURITY***

13 ***OPERATIONS AND ADMINISTRATION***

14 *For an additional amount for “Operations and Ad-*
15 *ministration”, \$22,100,000, to remain available until Sep-*
16 *tember 30, 2024, to respond to the situation in Ukraine and*
17 *for related expenses: Provided, That the Bureau of Industry*
18 *and Security shall submit a spending plan to the Commit-*
19 *tees on Appropriations of the House of Representatives and*
20 *the Senate within 45 days after the date of enactment of*
21 *this Act: Provided further, That amounts provided under*
22 *this heading in this Act may not be used to increase the*
23 *number of permanent positions: Provided further, That*
24 *amounts made available under this heading in this Act may*
25 *be used to appoint such temporary personnel as may be*

1 *necessary without regard to the provisions of title 5, United*
2 *States Code, governing appointments in the competitive*
3 *service: Provided further, That the Secretary of Commerce*
4 *is authorized to appoint such temporary personnel, after*
5 *serving continuously for one year, to positions in the Bu-*
6 *reau of Industry and Security in the same manner that*
7 *competitive service employees with competitive status are*
8 *considered for transfer, reassignment, or promotion to such*
9 *positions and an individual appointed under this provision*
10 *shall become a career-conditional employee, unless the em-*
11 *ployee has already completed the service requirements for*
12 *career tenure.*

13 *DEPARTMENT OF JUSTICE*

14 *LEGAL ACTIVITIES*

15 *SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES*

16 *For an additional amount for “Salaries and Expenses,*
17 *General Legal Activities”, \$9,700,000, to remain available*
18 *until September 30, 2023, to respond to the situation in*
19 *Ukraine and for related expenses: Provided, That amounts*
20 *provided under this heading in this Act may not be used*
21 *to increase the number of permanent positions.*

22 *SALARIES AND EXPENSES, UNITED STATES ATTORNEYS*

23 *For an additional amount for “Salaries and Expenses,*
24 *United States Attorneys”, \$5,000,000, to remain available*
25 *until September 30, 2023, to respond to the situation in*

1 *Ukraine and for related expenses: Provided, That amounts*
2 *provided under this heading in this Act may not be used*
3 *to increase the number of permanent positions.*

4 *NATIONAL SECURITY DIVISION*

5 *SALARIES AND EXPENSES*

6 *For an additional amount for “Salaries and Ex-*
7 *penses”, \$1,100,000, to remain available until September*
8 *30, 2023, to respond to the situation in Ukraine and for*
9 *related expenses: Provided, That amounts provided under*
10 *this heading in this Act may not be used to increase the*
11 *number of permanent positions.*

12 *FEDERAL BUREAU OF INVESTIGATION*

13 *SALARIES AND EXPENSES*

14 *For an additional amount for “Salaries and Ex-*
15 *penses”, \$43,600,000, to remain available until September*
16 *30, 2023, to respond to the situation in Ukraine and for*
17 *related expenses.*

18 *TITLE III*

19 *DEPARTMENT OF DEFENSE*

20 *MILITARY PERSONNEL*

21 *MILITARY PERSONNEL, ARMY*

22 *For an additional amount for “Military Personnel,*
23 *Army”, \$130,377,000, to remain available until September*
24 *30, 2022, to respond to the situation in Ukraine and for*
25 *related expenses.*

1 *MILITARY PERSONNEL, NAVY*

2 *For an additional amount for “Military Personnel,*
3 *Navy”, \$11,645,000, to remain available until September*
4 *30, 2022, to respond to the situation in Ukraine and for*
5 *related expenses.*

6 *MILITARY PERSONNEL, MARINE CORPS*

7 *For an additional amount for “Military Personnel,*
8 *Marine Corps”, \$3,079,000, to remain available until Sep-*
9 *tember 30, 2022, to respond to the situation in Ukraine and*
10 *for related expenses.*

11 *MILITARY PERSONNEL, AIR FORCE*

12 *For an additional amount for “Military Personnel,*
13 *Air Force”, \$50,396,000, to remain available until Sep-*
14 *tember 30, 2022, to respond to the situation in Ukraine and*
15 *for related expenses.*

16 *OPERATION AND MAINTENANCE*17 *OPERATION AND MAINTENANCE, ARMY*

18 *For an additional amount for “Operation and Mainte-*
19 *nance, Army”, \$1,113,234,000, to remain available until*
20 *September 30, 2022, to respond to the situation in Ukraine*
21 *and for related expenses.*

22 *OPERATION AND MAINTENANCE, NAVY*

23 *For an additional amount for “Operation and Mainte-*
24 *nance, Navy”, \$202,797,000, to remain available until Sep-*

1 *tember 30, 2022, to respond to the situation in Ukraine and*
2 *for related expenses.*

3 *OPERATION AND MAINTENANCE, MARINE CORPS*

4 *For an additional amount for “Operation and Mainte-*
5 *nance, Marine Corps”, \$21,440,000, to remain available*
6 *until September 30, 2022, to respond to the situation in*
7 *Ukraine and for related expenses.*

8 *OPERATION AND MAINTENANCE, AIR FORCE*

9 *For an additional amount for “Operation and Mainte-*
10 *nance, Air Force”, \$415,442,000, to remain available until*
11 *September 30, 2022, to respond to the situation in Ukraine*
12 *and for related expenses.*

13 *OPERATION AND MAINTENANCE, SPACE FORCE*

14 *For an additional amount for “Operation and Mainte-*
15 *nance, Space Force”, \$800,000, to remain available until*
16 *September 30, 2022, to respond to the situation in Ukraine*
17 *and for related expenses.*

18 *OPERATION AND MAINTENANCE, DEFENSE-WIDE*

19 *For an additional amount for “Operation and Mainte-*
20 *nance, Defense-Wide”, \$311,583,000, to remain available*
21 *until September 30, 2022, to respond to the situation in*
22 *Ukraine and for related expenses.*

1 *PROCUREMENT*2 *OTHER PROCUREMENT, AIR FORCE*

3 *For an additional amount for “Other Procurement,*
4 *Air Force”, \$213,693,000, to remain available until Sep-*
5 *tember 30, 2024, to respond to the situation in Ukraine and*
6 *for related expenses.*

7 *PROCUREMENT, DEFENSE-WIDE*

8 *For an additional amount for “Procurement, Defense-*
9 *Wide”, \$14,259,000, to remain available until September*
10 *30, 2024, to respond to the situation in Ukraine and for*
11 *related expenses.*

12 *RESEARCH, DEVELOPMENT, TEST AND*13 *EVALUATION*14 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY*

15 *For an additional amount for “Research, Develop-*
16 *ment, Test and Evaluation, Navy”, \$31,100,000, to remain*
17 *available until September 30, 2023, to respond to the situa-*
18 *tion in Ukraine and for related expenses.*

19 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR*20 *FORCE*

21 *For an additional amount for “Research, Develop-*
22 *ment, Test and Evaluation, Air Force”, \$47,500,000, to re-*
23 *main available until September 30, 2023, to respond to the*
24 *situation in Ukraine and for related expenses.*

1 *defense committees of the details of such transfers not less*
2 *than 30 days before any such transfer: Provided further,*
3 *That the funds transferred pursuant to this section shall*
4 *be merged with and available for the same purposes and*
5 *for the same time period as the appropriations to which*
6 *the funds are transferred: Provided further, That upon a*
7 *determination that all or part of the funds transferred from*
8 *this appropriation are not necessary for the purposes pro-*
9 *vided herein, such amounts may be transferred back and*
10 *merged with this appropriation: Provided further, That the*
11 *transfer authority provided in this section is in addition*
12 *to any other transfer authority provided by law.*

13 *SEC. 2302. The Inspector General of the Department*
14 *of Defense shall carry out reviews of the activities of the*
15 *Department of Defense to execute funds appropriated in*
16 *this Act, including assistance provided to Ukraine: Pro-*
17 *vided, That the Inspector General shall provide to the con-*
18 *gressional defense committees a written report not later*
19 *than 120 days after the date of enactment of this Act.*

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TITLE IV

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

DEPARTMENTAL ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Departmental Administration”, \$30,000,000, to remain available until expended, to respond to the situation in Ukraine and for related expenses: Provided, That funds appropriated under this heading in this Act may be transferred to, and merged with, other appropriation accounts of the Department of Energy, to respond to the situation in Ukraine and for related expenses: Provided further, That upon a determination that all or part of the funds transferred pursuant to the authority provided under this heading are not necessary for such purposes, such amounts may be transferred back to this appropriation.

TITLE V

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, \$17,000,000, to remain available until September 30, 2023, to respond to the situation in Ukraine and for related expenses.

1 *OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE*2 *SALARIES AND EXPENSES*

3 *For an additional amount for “Salaries and Ex-*
4 *penses”, \$25,000,000, to remain available until September*
5 *30, 2023, to respond to the situation in Ukraine and for*
6 *related expenses.*

7 *FINANCIAL CRIMES ENFORCEMENT NETWORK*8 *SALARIES AND EXPENSES*

9 *For an additional amount for “Salaries and Ex-*
10 *penses”, \$19,000,000, to remain available until September*
11 *30, 2023, to respond to the situation in Ukraine and for*
12 *related expenses.*

13 *TITLE VI*14 *DEPARTMENT OF STATE AND RELATED AGENCY*15 *DEPARTMENT OF STATE*16 *ADMINISTRATION OF FOREIGN AFFAIRS*17 *DIPLOMATIC PROGRAMS*18 *(INCLUDING TRANSFERS OF FUNDS)*

19 *For an additional amount for “Diplomatic Pro-*
20 *grams”, \$125,000,000, to remain available until September*
21 *30, 2024, to respond to the situation in Ukraine and in*
22 *countries impacted by the situation in Ukraine: Provided,*
23 *That up to \$15,000,000 may be transferred to, and merged*
24 *with, funds available under the heading “Emergencies in*
25 *the Diplomatic and Consular Service”: Provided further,*

1 *That up to \$50,000,000 may be transferred to, and merged*
2 *with, funds available under the heading “Capital Invest-*
3 *ment Fund” for cybersecurity and related information tech-*
4 *nology investments: Provided further, That funds appro-*
5 *riated under this heading in this Act shall be made avail-*
6 *able, as appropriate, to enhance the capacity of the Depart-*
7 *ment of State to identify the assets of Russian and other*
8 *oligarchs related to the situation in Ukraine, and to coordi-*
9 *nate with the Department of the Treasury in seizing or*
10 *freezing such assets.*

11 *OFFICE OF INSPECTOR GENERAL*

12 *For an additional amount for “Office of Inspector*
13 *General”, \$4,000,000, to remain available until September*
14 *30, 2024.*

15 *RELATED AGENCY*

16 *UNITED STATES AGENCY FOR GLOBAL MEDIA*

17 *INTERNATIONAL BROADCASTING OPERATIONS*

18 *For an additional amount for “International Broad-*
19 *casting Operations”, \$25,000,000, to remain available until*
20 *September 30, 2024, to respond to the situation in Ukraine*
21 *and in countries impacted by the situation in Ukraine, in-*
22 *cluding to enhance the capacity of Radio Free Europe/*
23 *Radio Liberty, Voice of America, and other United States*
24 *broadcasting entities and independent grantee organiza-*
25 *tions.*

1 *UNITED STATES AGENCY FOR INTERNATIONAL*
2 *DEVELOPMENT*

3 *FUNDS APPROPRIATED TO THE PRESIDENT*

4 *OPERATING EXPENSES*

5 *For an additional amount for “Operating Expenses”,*
6 *\$25,000,000, to remain available until September 30, 2024,*
7 *to respond to the situation in Ukraine and in countries im-*
8 *acted by the situation in Ukraine.*

9 *OFFICE OF INSPECTOR GENERAL*

10 *For an additional amount for “Office of Inspector*
11 *General”, \$4,000,000, to remain available until September*
12 *30, 2024.*

13 *BILATERAL ECONOMIC ASSISTANCE*

14 *FUNDS APPROPRIATED TO THE PRESIDENT*

15 *INTERNATIONAL DISASTER ASSISTANCE*

16 *For an additional amount for “International Disaster*
17 *Assistance”, \$2,650,000,000, to remain available until ex-*
18 *ended, to respond to humanitarian needs in Ukraine and*
19 *in countries impacted by the situation in Ukraine, includ-*
20 *ing the provision of emergency food and shelter, and for*
21 *assistance for other vulnerable populations and commu-*
22 *nities.*

23 *TRANSITION INITIATIVES*

24 *For an additional amount for “Transition Initia-*
25 *tives”, \$120,000,000, to remain available until expended,*

1 *for assistance for Ukraine and countries impacted by the*
2 *situation in Ukraine.*

3 *ECONOMIC SUPPORT FUND*

4 *(INCLUDING TRANSFERS OF FUNDS)*

5 *For an additional amount for “Economic Support*
6 *Fund”, \$647,000,000, to remain available until September*
7 *30, 2024, for assistance for Ukraine and countries impacted*
8 *by the situation in Ukraine, including direct financial sup-*
9 *port: Provided, That funds appropriated under this heading*
10 *in this Act may be made available notwithstanding any*
11 *other provision of law that restricts assistance to foreign*
12 *countries.*

13 *ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA*

14 *For an additional amount for “Assistance for Europe,*
15 *Eurasia and Central Asia”, \$1,120,000,000, to remain*
16 *available until September 30, 2024, for assistance and re-*
17 *lated programs for Ukraine and other countries identified*
18 *in section 3 of the FREEDOM Support Act (22 U.S.C.*
19 *5801) and section 3(c) of the Support for East European*
20 *Democracy (SEED) Act of 1989 (22 U.S.C. 5402(c)).*

21 *DEPARTMENT OF STATE*

22 *MIGRATION AND REFUGEE ASSISTANCE*

23 *For an additional amount for “Migration and Refugee*
24 *Assistance”, \$1,400,000,000, to remain available until ex-*

1 *pending, to assist refugees from Ukraine and for additional*
 2 *support for other vulnerable populations and communities.*

3 *INTERNATIONAL SECURITY ASSISTANCE*

4 *DEPARTMENT OF STATE*

5 *INTERNATIONAL NARCOTICS CONTROL AND LAW*

6 *ENFORCEMENT*

7 *For an additional amount for “International Nar-*
 8 *cotics Control and Law Enforcement”, \$30,000,000, to re-*
 9 *main available until September 30, 2024, for assistance for*
 10 *Ukraine and countries impacted by the situation in*
 11 *Ukraine.*

12 *FUNDS APPROPRIATED TO THE PRESIDENT*

13 *FOREIGN MILITARY FINANCING PROGRAM*

14 *For an additional amount for “Foreign Military Fi-*
 15 *ancing Program”, \$650,000,000, to remain available until*
 16 *September 30, 2024, for assistance for Ukraine and coun-*
 17 *tries impacted by the situation in Ukraine.*

18 *GENERAL PROVISIONS—THIS TITLE*

19 *(INCLUDING TRANSFERS OF FUNDS)*

20 *SEC. 2601. During fiscal year 2022, section 506(a)(1)*
 21 *of the Foreign Assistance Act of 1961 (22 U.S.C.*
 22 *2318(a)(1)) shall be applied by substituting*
 23 *“\$3,000,000,000” for “\$100,000,000”.*

24 *SEC. 2602. During fiscal year 2022, section*
 25 *614(a)(4)(A)(ii) of the Foreign Assistance Act of 1961 (22*

1 *U.S.C. 2364) shall be applied by substituting*
2 *“\$500,000,000” for “\$250,000,000” and section*
3 *614(a)(4)(C) shall be applied by substituting*
4 *“\$100,000,000” for “\$50,000,000”, by substituting*
5 *“\$500,000,000” for “\$250,000,000”, by substituting*
6 *“\$750,000,000” for “\$500,000,000”, and by substituting*
7 *“\$1,250,000,000” for “\$1,000,000,000”.*

8 *SEC. 2603. During fiscal year 2022, the President may*
9 *transfer excess defense articles to Ukraine and to allies and*
10 *partners in Europe pursuant to section 516 of the Foreign*
11 *Assistance Act of 1961 (22 U.S.C. 2321j) without regard*
12 *to the notification requirement in section 516(f)(1) of such*
13 *Act and the monetary limitation in section 516(g) of such*
14 *Act: Provided, That not later than 30 days after such a*
15 *transfer has occurred, the President shall report to the ap-*
16 *propriate congressional committees on the items trans-*
17 *ferred, pursuant to the specifications in section 516(f) of*
18 *such Act.*

19 *SEC. 2604. (a) Funds appropriated by this title under*
20 *the headings “International Disaster Assistance” and “Mi-*
21 *gration and Refugee Assistance” may be transferred to, and*
22 *merged with, funds appropriated by this title under such*
23 *headings to respond to humanitarian needs in Ukraine and*
24 *in countries impacted by the situation in Ukraine and for*

1 *other assistance for vulnerable populations and commu-*
2 *nities.*

3 **(b)** *Funds appropriated by this title under the head-*
4 *ings “Transition Initiatives”, “Economic Support Fund”,*
5 *“Assistance for Europe, Eurasia and Central Asia”, and*
6 *“International Narcotics Control and Law Enforcement”*
7 *may be transferred to, and merged with, funds available*
8 *under such headings and with funds available under the*
9 *headings “Complex Crises Fund” and “Nonproliferation,*
10 *Anti-terrorism, Demining and Related Programs” for as-*
11 *sistance for Ukraine and countries impacted by the situa-*
12 *tion in Ukraine and to respond to humanitarian needs.*

13 **(c)** *Funds appropriated by this title under the heading*
14 *“Economic Support Fund” may be transferred to, and*
15 *merged with, funds available under the heading “Diplo-*
16 *matic Programs” for activities related to public engage-*
17 *ment, messaging, and countering disinformation.*

18 **(d)** *The transfer authorities provided by this title are*
19 *in addition to any other transfer authority provided by*
20 *law.*

21 **(e)** *The exercise of the transfer authorities provided by*
22 *this title shall be subject to prior consultation with the Com-*
23 *mittees on Appropriations.*

24 **(f)** *Upon a determination that all or part of the funds*
25 *transferred pursuant to the authorities provided under this*

1 *title are not necessary for such purposes, such amounts may*
2 *be transferred back to such appropriations.*

3 *SEC. 2605. Funds appropriated by this title under the*
4 *headings “Diplomatic Programs”, “International Broad-*
5 *casting Operations”, “Operating Expenses”, “International*
6 *Disaster Assistance”, “Transition Initiatives”, “Economic*
7 *Support Fund”, “Assistance for Europe, Eurasia and Cen-*
8 *tral Asia”, “Migration and Refugee Assistance”, “Inter-*
9 *national Narcotics Control and Law Enforcement” and*
10 *“Foreign Military Financing Program” may be used to re-*
11 *imburse accounts administered by the Department of State,*
12 *United States Agency for Global Media, and the United*
13 *States Agency for International Development for obligations*
14 *incurred related to the situation in Ukraine and in coun-*
15 *tries impacted by the situation in Ukraine under such head-*
16 *ings prior to the date of enactment of this Act.*

17 *SEC. 2606. (a) During fiscal year 2022, direct loans*
18 *under section 23 of the Arms Export Control Act may be*
19 *made available for Ukraine and North Atlantic Treaty Or-*
20 *ganization (NATO) allies, notwithstanding section 23(c)(1)*
21 *of the Arms Export Control Act, gross obligations for the*
22 *principal amounts of which shall not exceed \$4,000,000,000:*
23 *Provided, That funds made available under the heading*
24 *“Foreign Military Financing Program” in this title and*
25 *unobligated balances of funds made available under such*

1 *heading in prior Acts making appropriations for the De-*
2 *partment of State, foreign operations, and related programs*
3 *may be made available for the costs, as defined in section*
4 *502 of the Congressional Budget Act of 1974, of such loans:*
5 *Provided further, That such costs, including the cost of*
6 *modifying such loans, shall be as defined in section 502 of*
7 *the Congressional Budget Act of 1974 and may include the*
8 *costs of selling, reducing, or cancelling any amounts owed*
9 *to the United States or any agency of the United States:*
10 *Provided further, That the Government of the United States*
11 *may charge fees for such loans, which shall be collected from*
12 *borrowers in accordance with section 502(7) of the Congres-*
13 *sional Budget Act of 1974: Provided further, That no funds*
14 *made available by this or any other appropriations Act for*
15 *this fiscal year or prior fiscal years may be used for pay-*
16 *ment of any fees associated with such loans: Provided fur-*
17 *ther, That such loans shall be repaid in not more than 12*
18 *years, including a grace period of up to one year on repay-*
19 *ment of principal: Provided further, That notwithstanding*
20 *section 23(c)(1) of the Arms Export Control Act, interest*
21 *for such loans may be charged at a rate determined by the*
22 *Secretary of State, except that such rate may not be less*
23 *than the prevailing interest rate on marketable Treasury*
24 *securities of similar maturity: Provided further, That*
25 *amounts made available under this subsection for such costs*

1 *shall not be considered assistance for the purposes of provi-*
2 *sions of law limiting assistance to a country.*

3 **(b)** *Funds made available under the heading “Foreign*
4 *Military Financing Program” in this title and unobligated*
5 *balances of funds made available under such heading in*
6 *prior Acts making appropriations for the Department of*
7 *State, foreign operations, and related programs may be*
8 *made available, notwithstanding the third proviso under*
9 *such heading, for the costs of loan guarantees under section*
10 *24 of the Arms Export Control Act for Ukraine and NATO*
11 *allies, which are authorized to be provided: Provided, That*
12 *such funds are available to subsidize gross obligations for*
13 *the principal amount of commercial loans, and total loan*
14 *principal, any part of which is to be guaranteed, not to*
15 *exceed \$4,000,000,000: Provided further, That no loan guar-*
16 *antee with respect to any one borrower may exceed 80 per-*
17 *cent of the loan principal: Provided further, That any loan*
18 *guaranteed under this subsection may not be subordinated*
19 *to another debt contracted by the borrower or to any other*
20 *claims against the borrower in the case of default: Provided*
21 *further, That repayment in United States dollars of any*
22 *loan guaranteed under this subsection shall be required*
23 *within a period not to exceed 12 years after the loan agree-*
24 *ment is signed: Provided further, That the Government of*
25 *the United States may charge fees for such loan guarantees,*

1 *as may be determined, notwithstanding section 24 of the*
2 *Arms Export Control Act, which shall be collected from bor-*
3 *rowers or third parties on behalf of such borrowers in ac-*
4 *cordance with section 502(7) of the Congressional Budget*
5 *Act of 1974: Provided further, That amounts made avail-*
6 *able under this subsection for the costs of such guarantees*
7 *shall not be considered assistance for the purposes of provi-*
8 *sions of law limiting assistance to a country.*

9 *(c) Funds made available pursuant to the authorities*
10 *of this section shall be subject to prior consultation with*
11 *the appropriate congressional committees, and the regular*
12 *notification procedures of the Committees on Appropria-*
13 *tions.*

14 *SEC. 2607. Not later than 30 days after the date of*
15 *enactment of this Act, the Secretary of State and Adminis-*
16 *trator of the United States Agency for International Devel-*
17 *opment shall jointly submit a report to the Committees on*
18 *Appropriations on the proposed uses of funds appropriated*
19 *by this title: Provided, That the United States Agency for*
20 *Global Media Chief Executive Officer shall submit a sepa-*
21 *rate report not later than 30 days after the date of enact-*
22 *ment of this Act for funds appropriated under the heading*
23 *“International Broadcasting Operations”: Provided fur-*
24 *ther, That such reports shall be updated and submitted to*
25 *the Committees on Appropriations every 60 days thereafter*

1 *until September 30, 2024, and every 120 days thereafter*
2 *until all funds have been expended.*

3 *TITLE VII*

4 *GENERAL PROVISIONS—THIS ACT*

5 *SEC. 2701. Each amount appropriated or made avail-*
6 *able by this Act is in addition to amounts otherwise appro-*
7 *priated for the fiscal year involved.*

8 *SEC. 2702. No part of any appropriation contained*
9 *in this Act shall remain available for obligation beyond the*
10 *current fiscal year unless expressly so provided herein.*

11 *SEC. 2703. Unless otherwise provided for by this Act,*
12 *the additional amounts appropriated by this Act to appro-*
13 *priations accounts shall be available under the authorities*
14 *and conditions applicable to such appropriations accounts*
15 *for fiscal year 2022.*

16 *SEC. 2704. (a) Not later than 90 days after the date*
17 *of the enactment of this Act, the Secretary of State and the*
18 *Secretary of Defense shall submit to the appropriate con-*
19 *gressional committees and congressional Leadership a re-*
20 *port that includes the following:*

21 *(1) a description of United States Government*
22 *assistance provided to the security forces of the Gov-*
23 *ernment of Ukraine for the purpose of supporting the*
24 *Ukrainian people as they defend their territorial in-*

1 *tegrity and sovereignty, and to counter ongoing Rus-*
2 *sian aggression, including:*

3 *(A) an assessment of Ukrainian security re-*
4 *quirements and capabilities gaps the assistance*
5 *seeks to fill; and*

6 *(B) formal requests from the Government of*
7 *Ukraine for specific defense articles and services*
8 *as of the date of enactment;*

9 *(2) a description, to the extent practicable, of*
10 *other assistance, including lethal assistance, Ukraine*
11 *has received since December 1, 2021, from foreign*
12 *governments;*

13 *(3) a description of United States Government*
14 *diplomatic efforts to end Russia's aggression against*
15 *Ukraine and to restore Ukraine's sovereignty;*

16 *(4) a detailed description of United States Gov-*
17 *ernment policies aimed at supporting North Atlantic*
18 *Treaty Organization (NATO) allies and other Euro-*
19 *pean partners threatened by the government of the*
20 *Russian Federation and its proxies and increased*
21 *strain from the humanitarian crisis; and*

22 *(5) a plan to replenish stocks of U.S. origin de-*
23 *fense articles transferred by NATO or its member*
24 *states to Ukraine.*

1 (b) *The report required by subsection (a) shall be sub-*
2 *mitted in unclassified form but may contain a classified*
3 *annex, if necessary.*

4 (c) *Every 90 days after the release of the first report*
5 *to the appropriate congressional committees, the Secretary*
6 *of State and the Secretary of Defense shall submit to the*
7 *appropriate congressional committees and congressional*
8 *Leadership a report that includes:*

9 (1) *a detailed description of defense articles*
10 *transferred or scheduled to be transferred by the*
11 *United States to the Government of Ukraine; and*

12 (2) *a detailed description of U.S. origin defense*
13 *articles transferred by NATO or its member states*
14 *under U.S. authorization to the Government of*
15 *Ukraine during the reporting period.*

16 (d) *For purposes of this section, the term “appropriate*
17 *congressional committees” means the House Committees on*
18 *Foreign Affairs, Armed Services, and Appropriations and*
19 *the Senate Committees on Foreign Relations, Armed Serv-*
20 *ices, and Appropriations.*

21 SEC. 2705. *Each amount provided by this division is*
22 *designated by the Congress as being for an emergency re-*
23 *quirement pursuant to section 4001(a)(1) and section*
24 *4001(b) of S. Con. Res. 14 (117th Congress), the concurrent*
25 *resolution on the budget for fiscal year 2022.*

1 *This division may be cited as the “Ukraine Supple-*
2 *mental Appropriations Act, 2022”.*

1 ***DIVISION O—EXTENSIONS AND***
2 ***TECHNICAL CORRECTIONS***
3 ***TITLE I—FLOOD INSURANCE***

4 ***SEC. 101. NATIONAL FLOOD INSURANCE PROGRAM EXTEN-***
5 ***SION.***

6 (a) *FINANCING.*—Section 1309(a) of the National
7 *Flood Insurance Act of 1968 (42 U.S.C. 4016(a)) is amend-*
8 *ed by striking “September 30, 2021” and inserting “Sep-*
9 *tember 30, 2022”.*

10 (b) *PROGRAM EXPIRATION.*—Section 1319 of the Na-
11 *tional Flood Insurance Act of 1968 (42 U.S.C. 4026) is*
12 *amended by striking “September 30, 2021” and inserting*
13 *“September 30, 2022”.*

14 ***TITLE II—IMMIGRATION***
15 ***EXTENSIONS***

16 ***SEC. 201. E-VERIFY.***

17 Section 401(b) of the *Illegal Immigration Reform and*
18 *Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a*
19 *note) shall be applied by substituting “September 30, 2022”*
20 *for “September 30, 2015”.*

21 ***SEC. 202. NON-MINISTER RELIGIOUS WORKERS.***

22 Subclauses (II) and (III) of section 101(a)(27)(C)(ii)
23 *of the Immigration and Nationality Act (8 U.S.C.*
24 *1101(a)(27)(C)(ii)) shall be applied by substituting “Sep-*
25 *tember 30, 2022” for “September 30, 2015”.*

1 **SEC. 203. RURAL HEALTHCARE WORKERS.**

2 *Subclauses 220(c) of the Immigration and Nationality*
3 *Technical Corrections Act of 1994 (8 U.S.C. 1182 note)*
4 *shall be applied by substituting “September 30, 2022” for*
5 *“September 30, 2015”.*

6 **SEC. 204. H-2B SUPPLEMENTAL VISAS EXEMPTION.**

7 *Notwithstanding the numerical limitation set forth in*
8 *section 214(g)(1)(B) of the Immigration and Nationality*
9 *Act (8 U.S.C. 1184(g)(1)(B)), the Secretary of Homeland*
10 *Security, after consultation with the Secretary of Labor,*
11 *and upon the determination that the needs of American*
12 *businesses cannot be satisfied in fiscal year 2022 with*
13 *United States workers who are willing, qualified, and able*
14 *to perform temporary nonagricultural labor, may increase*
15 *the total number of aliens who may receive a visa under*
16 *section 101(a)(15)(H)(ii)(b) of such Act (8 U.S.C.*
17 *1101(a)(15)(H)(ii)(b)) in such fiscal year above such limi-*
18 *tation by not more than the highest number of H-2B non-*
19 *immigrants who participated in the H-2B returning work-*
20 *er program in any fiscal year in which returning workers*
21 *were exempt from such numerical limitation.*

1 **TITLE III—LIVESTOCK**
2 **REPORTING EXTENSION**

3 **SEC. 301. LIVESTOCK MANDATORY REPORTING EXTENSION.**

4 (a) *IN GENERAL.*—Section 260 of the Agricultural
5 Marketing Act of 1946 (7 U.S.C. 1636i) is amended by
6 striking “2020” and inserting “2022”.

7 (b) *CONFORMING AMENDMENT.*—Section 942 of the
8 Livestock Mandatory Reporting Act of 1999 (7 U.S.C. 1635
9 note; Public Law 106–78) is amended by striking “2020”
10 and inserting “2022”.

11 **TITLE IV—TVPA EXTENSION**

12 **SEC. 401. EXTENSION OF ADDITIONAL SPECIAL ASSESS-**
13 **MENT.**

14 Section 3014(a) of title 18, United States Code, is
15 amended by striking “March 11, 2022” and inserting “Sep-
16 tember 11, 2022”.

17 **TITLE V—BUDGETARY EFFECTS**

18 **SEC. 501. BUDGETARY EFFECTS.**

19 (a) *STATUTORY PAYGO SCORECARDS.*—The budgetary
20 effects of this division and each succeeding division shall
21 not be entered on either PAYGO scorecard maintained pur-
22 suant to section 4(d) of the Statutory Pay-As-You-Go Act
23 of 2010.

24 (b) *SENATE PAYGO SCORECARDS.*—The budgetary ef-
25 fects of this division and each succeeding division shall not

1 *be entered on any PAYGO scorecard maintained for pur-*
2 *poses of section 4106 of H. Con. Res. 71 (115th Congress).*

3 (c) *CLASSIFICATION OF BUDGETARY EFFECTS.*—Not-
4 *withstanding Rule 3 of the Budget Scorekeeping Guidelines*
5 *set forth in the joint explanatory statement of the committee*
6 *of conference accompanying Conference Report 105–217*
7 *and section 250(c)(8) of the Balanced Budget and Emer-*
8 *gency Deficit Control Act of 1985, the budgetary effects of*
9 *this division and each succeeding division shall not be esti-*
10 *mated—*

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

12 (2) *for purposes of an allocation to the Com-*
13 *mittee on Appropriations pursuant to section 302(a)*
14 *of the Congressional Budget Act of 1974; and*

15 (3) *for purposes of paragraph (4)(C) of section*
16 *3 of the Statutory Pay-As-You-Go Act of 2010 as*
17 *being included in an appropriation Act.*

1 ***DIVISION P—HEALTH***
2 ***PROVISIONS***
3 ***TITLE I—PUBLIC HEALTH***
4 ***Subtitle A—National Disaster***
5 ***Medical System***

6 ***SEC. 101. EXTENSION OF AUTHORITY TO MAKE CERTAIN AP-***
7 ***POINTMENTS FOR NATIONAL DISASTER MED-***
8 ***ICAL SYSTEM.***

9 *Section 2812(c)(4)(B) of the Public Health Service Act*
10 *(42 U.S.C. 300hh–11(c)(4)(B)) is amended by striking*
11 *“March 11, 2022” and inserting “September 30, 2023”.*

12 ***Subtitle B—Synthetic Nicotine***

13 ***SEC. 111. FDA AUTHORITY OVER PRODUCTS CONTAINING***
14 ***NICOTINE.***

15 *(a) TOBACCO PRODUCT DEFINED.—Section 201(rr) of*
16 *the Federal Food, Drug, and Cosmetic Act (21 U.S.C.*
17 *321(rr)) is amended—*

18 *(1) in subparagraph (1), by inserting “, or con-*
19 *taining nicotine from any source,” after “from to-*
20 *bacco”; and*

21 *(2) by adding at the end the following:*

22 *“(5) The term ‘tobacco product’ does not mean an arti-*
23 *cle that is a food under paragraph (f), if such article con-*
24 *tains no nicotine, or no more than trace amounts of natu-*
25 *rally occurring nicotine.”.*

1 (b) *APPLICABILITY TO CERTAIN PRODUCTS.*—Section
2 901(b) of the Federal Food, Drug, and Cosmetic Act (21
3 U.S.C. 387a(b)) is amended by adding at the end the fol-
4 lowing: “This chapter shall also apply to any tobacco prod-
5 uct containing nicotine that is not made or derived from
6 tobacco.”.

7 (c) *EFFECTIVE DATE.*—The amendments made by sub-
8 sections (a) and (b) shall take effect 30 days after the date
9 of enactment of this Act.

10 (d) *SUBMISSION OF APPLICATIONS FOR PREVIOUSLY*
11 *MARKETED PRODUCTS.*—

12 (1) *TRANSITION PERIOD FOR ALL PRODUCTS.*—

13 With respect to a tobacco product that contains nico-
14 tine from any source other than tobacco and that was
15 being marketed in the United States within 30 days
16 after the date of enactment of this Act, such product
17 shall not be considered to be in violation of section
18 910 of the Federal Food, Drug, and Cosmetic Act (21
19 U.S.C. 387j) (relating to applications for review of
20 certain tobacco products) during the 60-day period
21 following the date of enactment of this Act.

22 (2) *SUBMISSION OF APPLICATIONS.*—

23 (A) *IN GENERAL.*—As a condition for con-
24 tinuing to market a product described in para-
25 graph (1) after the 60-day period specified in

1 *such paragraph, during the 30-day period begin-*
2 *ning on the effective date specified in subsection*
3 *(c), the manufacturer shall submit a new tobacco*
4 *product application under section 910(b) of the*
5 *Federal Food, Drug, and Cosmetic Act (21*
6 *U.S.C. 387j(b)) with respect to such product.*

7 *(B) TRANSITION PERIOD.—Except as pro-*
8 *vided in subparagraph (C), with respect to a to-*
9 *bacco product for which an application is sub-*
10 *mitted as described in subparagraph (A), the*
11 *manufacturer of such product may continue to*
12 *market such product during the 90-day period*
13 *beginning on the effective date specified in sub-*
14 *section (c).*

15 *(C) EXCEPTION.—If the Secretary of Health*
16 *and Human Services previously denied an ap-*
17 *plication under section 910(c)(2) of the Federal*
18 *Food, Drug, and Cosmetic Act (21 U.S.C.*
19 *387j(c)(2)), refused to file an application under*
20 *section 910(b) of such Act, or withdrew an order*
21 *under section 910(d) of such Act for a previous*
22 *version of a tobacco product that used nicotine*
23 *made or derived from tobacco, such product is*
24 *not eligible for continued marketing under sub-*
25 *paragraph (B).*

1 (3) *END OF TRANSITION PERIOD.*—Beginning on
2 the date that is 90 days after the effective date speci-
3 fied in subsection (c), a tobacco product described in
4 paragraph (1) (including such a tobacco product that
5 is the subject of a pending application under section
6 910 of the Federal Food, Drug, and Cosmetic Act (21
7 U.S.C. 387j)) is in violation of such section 910 if
8 such tobacco product does not have an order in effect
9 under subsection (c)(1)(A)(i) of such section.

10 (e) *APPLICABILITY OF EXISTING REQUIREMENTS FOR*
11 *TOBACCO PRODUCTS.*—Effective 30 days after the date of
12 enactment of this Act, with respect to any regulation pro-
13 mulgated or related guidance issued, in whole or part,
14 under the Federal Food, Drug, and Cosmetic Act (21 U.S.C.
15 301 et seq.) before the date that is 30 days after such date
16 of enactment, the term “tobacco product” shall have the
17 meaning of, and shall be deemed amended to reflect the
18 meaning of, such term as defined in section 201(rr) of the
19 Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(rr)),
20 as amended by subsection (a). Products that are tobacco
21 products under such section 201(rr), as so amended, shall
22 be subject to all requirements of regulations for tobacco
23 products. The Secretary of Health and Human Services
24 shall publish a notice in the Federal Register to update the

1 *Code of Federal Regulations to reflect such deemed amend-*
2 *ment to existing regulations and guidance.*

3 (f) *TECHNICAL ACHIEVABILITY.*—Section 907(b)(1) of
4 *the Federal Food, Drug, and Cosmetic Act (21 U.S.C.*
5 *387g(b)(1)) is amended by inserting before the period at*
6 *the end the following: “, including with regard to any dif-*
7 *ferences related to the technical achievability of compliance*
8 *with such standard for products in the same class con-*
9 *taining nicotine not made or derived from tobacco and*
10 *products containing nicotine made or derived from to-*
11 *bacco”.*

12 **SEC. 112. REPORTING ON TOBACCO REGULATION ACTIVI-**
13 **TIES.**

14 (a) *IN GENERAL.*—For fiscal year 2022 and each sub-
15 *sequent fiscal year for which fees are collected under section*
16 *919 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C.*
17 *387s), the Secretary of Health and Human Services shall,*
18 *not later than 180 days after the end of the fiscal year,*
19 *prepare and submit to the Committee on Energy and Com-*
20 *merce and the Committee on Appropriations of the House*
21 *of Representatives, and the Committee on Health, Edu-*
22 *cation, Labor, and Pensions and the Committee on Appro-*
23 *priations of the Senate, an annual report that contains the*
24 *information required under subsection (b).*

1 **(b) REQUIRED INFORMATION.**—*Each report submitted*
2 *under subsection (a) shall contain the following information*
3 *for the previous fiscal year:*

4 (1) *Total annual user fee collections.*

5 (2) *Total amount of fees obligated.*

6 (3) *The amount of unobligated carryover balance*
7 *from fees collected.*

8 (4) *The amount obligated by the Center for To-*
9 *bacco Products for each of the following activities:*

10 (A) *Compliance and enforcement.*

11 (B) *Public education campaigns.*

12 (C) *Scientific research and research infra-*
13 *structure.*

14 (D) *Communications.*

15 (E) *Leadership, management oversight, and*
16 *administrative services.*

17 (F) *Related overhead activities.*

18 (5) *The numbers of applications, categorized by*
19 *class of tobacco product and review pathway under*
20 *sections 905, 910, and 911 of the Federal Food, Drug,*
21 *and Cosmetic Act (21 U.S.C. 387e; 387j; 387k), that*
22 *were—*

23 (A) *submitted;*

24 (B) *pending;*

25 (C) *accepted;*

1 (D) refused to file;

2 (E) withdrawn;

3 (F) denied;

4 (G) authorized for marketing under an
5 order;

6 (H) issued a deficiency letter or environ-
7 mental information request letter; or

8 (I) referred to the Tobacco Products Sci-
9 entific Advisory Committee.

10 (6) The number and titles of draft and final
11 guidance documents and proposed and final regula-
12 tions issued on topics related to the process for the re-
13 view of tobacco product applications, whether such
14 regulations and guidance documents were issued as
15 required by statute or by other legal or regulatory re-
16 quirements, and whether the issuance met the dead-
17 lines set forth by the applicable statute or other re-
18 quirements.

19 (7) The number and titles of public meetings re-
20 lated to the review of tobacco product applications by
21 the Center for Tobacco Products or other offices or
22 centers within the Food and Drug Administration.

23 (8) The number of pre-submission meetings relat-
24 ing to applications under section 910 of the Federal
25 Food, Drug, and Cosmetic Act (21 U.S.C. 387j), in-

1 *cluding the number of meeting requests received, the*
2 *number of meetings held, and the median amount of*
3 *time between when such meeting requests were made*
4 *and when the requests were granted or denied.*

5 *(9) The number of full-time equivalent employees*
6 *funded pursuant to fees collected under section 919 of*
7 *the Federal Food, Drug, and Cosmetic Act (21 U.S.C.*
8 *387s), including identification of the centers and of-*
9 *fices within the Food and Drug Administration in*
10 *which such positions are located.*

11 *(10) The number of inspections and investiga-*
12 *tions conducted at domestic and foreign establish-*
13 *ments required to register under section 905 of the*
14 *Federal Food, Drug, and Cosmetic Act (21 U.S.C.*
15 *387e).*

16 *(11) The total number of compliance and en-*
17 *forcement actions issued or taken with respect to to-*
18 *bacco products, including warning letters, civil money*
19 *penalties, no-tobacco-sale orders, and other enforce-*
20 *ment actions (including seizures, injunctions, and*
21 *criminal prosecution).*

22 *(c) PUBLIC AVAILABILITY.—The Secretary of Health*
23 *and Human Services shall make the reports required under*
24 *this section available to the public on the website of the Food*
25 *and Drug Administration.*

1 (d) *LIMITATIONS.*—Reporting under this section shall
2 include best estimates for any reporting category for which
3 the Food and Drug Administration does not have precise
4 calculations. Such best estimates shall be accompanied with
5 an explanatory statement for why the Food and Drug Ad-
6 ministration does not have access to, or cannot calculate,
7 the exact figure and a date by which the Food and Drug
8 Administration will update its internal accounting proce-
9 dures to allow for such reporting. If a category is success-
10 fully reported by the Food and Drug Administration with
11 regard to another type of user fee but is provided a best
12 estimate by the Center for Tobacco Products, the explana-
13 tory statement shall include information regarding how the
14 Food and Drug Administration will align systems and
15 apply learning across the agency to allow for accurate re-
16 porting.

17 ***Subtitle C—Drug Discount Program***

18 ***SEC. 121. ELIGIBILITY EXCEPTION FOR THE DRUG DIS-***
19 ***COUNT PROGRAM DUE TO THE COVID-19 PUB-***
20 ***LIC HEALTH EMERGENCY.***

21 (a) *IN GENERAL.*—Notwithstanding any other provi-
22 sion of law, in the case of a hospital described in subsection
23 (b) that, with respect to cost reporting periods that begin
24 during fiscal year 2020 or a subsequent fiscal year, but do
25 not end after December 31, 2022, does not meet the applica-

1 *ble requirement for the disproportionate share adjustment*
2 *percentage described in subsection (c) by reason of the*
3 *COVID–19 public health emergency, but otherwise meets the*
4 *requirements for being a covered entity under subparagraph*
5 *(L), (M), or (O) of subsection (a)(4) of section 340B of the*
6 *Public Health Service Act (42 U.S.C. 256b) and is in com-*
7 *pliance with all other requirements of the program under*
8 *such section, shall be deemed a covered entity for purposes*
9 *of such section for the period—*

10 (1) *beginning on the date of the enactment of*
11 *this Act (or, if later, with the first of such cost report-*
12 *ing periods for which the hospital does not so meet*
13 *such applicable requirement for the disproportionate*
14 *share adjustment percentage, but otherwise meets all*
15 *other such requirements for being such a covered enti-*
16 *ty and of such program); and*

17 (2) *ending with the last of such cost reporting*
18 *periods (ending not later than December 31, 2022) for*
19 *which the hospital does not so meet such applicable*
20 *requirement for the disproportionate share adjustment*
21 *percentage, but otherwise meets all other such require-*
22 *ments for being such a covered entity and of such pro-*
23 *gram.*

24 (b) *HOSPITALS.—A hospital described in this sub-*
25 *section is an entity that, on the day before the first day*

1 *of the COVID–19 public health emergency, was a covered*
2 *entity described in subparagraph (L), (M), or (O) of sub-*
3 *section (a)(4) of section 340B of the Public Health Service*
4 *Act participating in the drug discount program under such*
5 *section.*

6 (c) *APPLICABLE REQUIREMENT FOR DISPROPOR-*
7 *TIONATE SHARE ADJUSTMENT PERCENTAGE.*—*The appli-*
8 *cable requirement for the disproportionate share adjustment*
9 *percentage described in this subsection is—*

10 (1) *in the case of a hospital described in sub-*
11 *section (a) that otherwise meets the requirements*
12 *under subparagraph (L) or (M) of section 340B(a)(4)*
13 *of the Public Health Service Act, the requirement*
14 *under subparagraph (L)(ii) of such section; and*

15 (2) *in the case of a hospital described in sub-*
16 *section (a) that otherwise meets the requirements*
17 *under subparagraph (O) of such section 340B(a)(4),*
18 *the requirement with respect to the disproportionate*
19 *share adjustment percentage described in such sub-*
20 *paragraph (O).*

21 (d) *SELF-ATTESTATION.*—

22 (1) *IN GENERAL.*—*A hospital described in sub-*
23 *section (a) that fails to meet the applicable require-*
24 *ment for the disproportionate share adjustment per-*
25 *centage described in subsection (c) shall, within 30*

1 *days of such failure, or in the case of a hospital where*
2 *such failure occurred prior to the date of enactment*
3 *of this Act but after the start of the COVID-19 public*
4 *health emergency, within 30 days of the date of enact-*
5 *ment, provide to the Secretary of Health and Human*
6 *Services an attestation that contains information on*
7 *any actions taken by or other impact on such hospital*
8 *in response to or as a result of the COVID-19 public*
9 *health emergency that may have impacted the ability*
10 *to meet the applicable requirement for the dispropor-*
11 *tionate share adjustment percentage described in sub-*
12 *section (c).*

13 (2) *PAPERWORK REDUCTION ACT.*—Chapter 35
14 *of title 44, United States Code, shall not apply to the*
15 *collection of information provided pursuant to this*
16 *subsection.*

17 (e) *DEFINITIONS.*—*In this section:*

18 (1) *COVERED ENTITY.*—*The term “covered enti-*
19 *ty” has the meaning given such term in section*
20 *340B(a)(4) of the Public Health Service Act (42*
21 *U.S.C. 256b(a)(4)).*

22 (2) *COVID–19 PUBLIC HEALTH EMERGENCY.*—
23 *The term “COVID–19 public health emergency”*
24 *means the public health emergency declared by the*
25 *Secretary of Health and Human Services under sec-*

1 *tion 319 of the Public Health Service Act (42 U.S.C.*
2 *247d) on January 31, 2020, with respect to COVID–*
3 *19 (or any renewal of such declaration).*

4 ***Subtitle D—Maternal Health***
5 ***Quality Improvement***

6 ***CHAPTER 1—IMPROVEMENTS TO***
7 ***MATERNAL HEALTH CARE***

8 ***SEC. 131. INNOVATION FOR MATERNAL HEALTH.***

9 *Title III of the Public Health Service Act (42 U.S.C.*
10 *241 et seq.) is amended by inserting after section 330N of*
11 *such Act, the following:*

12 ***“SEC. 3300. INNOVATION FOR MATERNAL HEALTH.***

13 *“(a) IN GENERAL.—The Secretary, in consultation*
14 *with experts representing a variety of clinical specialties,*
15 *State, Tribal, or local public health officials, researchers,*
16 *epidemiologists, statisticians, and community organiza-*
17 *tions, shall establish or continue a program to award com-*
18 *petitive grants to eligible entities for the purpose of—*

19 *“(1) identifying, developing, or disseminating*
20 *best practices to improve maternal health care quality*
21 *and outcomes, improve maternal and infant health,*
22 *and eliminate preventable maternal mortality and se-*
23 *vere maternal morbidity, which may include—*

24 *“(A) information on evidence-based prac-*
25 *tices to improve the quality and safety of mater-*

1 *nal health care in hospitals and other health care*
2 *settings of a State or health care system by ad-*
3 *dresssing topics commonly associated with health*
4 *complications or risks related to prenatal care,*
5 *labor care, birthing, and postpartum care;*

6 “(B) *best practices for improving maternal*
7 *health care based on data findings and reviews*
8 *conducted by a State maternal mortality review*
9 *committee that address topics of relevance to*
10 *common complications or health risks related to*
11 *prenatal care, labor care, birthing, and*
12 *postpartum care; and*

13 “(C) *information on addressing deter-*
14 *minants of health that impact maternal health*
15 *outcomes for women before, during, and after*
16 *pregnancy;*

17 “(2) *collaborating with State maternal mortality*
18 *review committees to identify issues for the develop-*
19 *ment and implementation of evidence-based practices*
20 *to improve maternal health outcomes and reduce pre-*
21 *ventable maternal mortality and severe maternal*
22 *morbidity, consistent with section 317K;*

23 “(3) *providing technical assistance and sup-*
24 *porting the implementation of best practices identi-*

1 *fied in paragraph (1) to entities providing health*
2 *care services to pregnant and postpartum women; and*

3 *“(4) identifying, developing, and evaluating new*
4 *models of care that improve maternal and infant*
5 *health outcomes, which may include the integration of*
6 *community-based services and clinical care.*

7 *“(b) ELIGIBLE ENTITIES.—To be eligible for a grant*
8 *under subsection (a), an entity shall—*

9 *“(1) submit to the Secretary an application at*
10 *such time, in such manner, and containing such in-*
11 *formation as the Secretary may require; and*

12 *“(2) demonstrate in such application that the*
13 *entity is capable of carrying out data-driven mater-*
14 *nal safety and quality improvement initiatives in the*
15 *areas of obstetrics and gynecology or maternal health.*

16 *“(c) REPORT.—Not later than September 30, 2025,*
17 *and every 2 years thereafter, the Secretary shall submit a*
18 *report to Congress on the practices described in paragraphs*
19 *(1) and (2) of subsection (a). Such report shall include a*
20 *description of the extent to which such practices reduced*
21 *preventable maternal mortality and severe maternal mor-*
22 *bidity, and whether such practices improved maternal and*
23 *infant health. The Secretary shall disseminate information*
24 *on such practices, as appropriate.*

1 “(d) *AUTHORIZATION OF APPROPRIATIONS.*—To carry
2 out this section, there are authorized to be appropriated
3 \$9,000,000 for each of fiscal years 2023 through 2027.”.

4 **SEC. 132. TRAINING FOR HEALTH CARE PROVIDERS.**

5 *Title VII of the Public Health Service Act is amended*
6 *by striking section 763 (42 U.S.C. 294p) and inserting the*
7 *following:*

8 **“SEC. 763. TRAINING FOR HEALTH CARE PROVIDERS.**

9 “(a) *GRANT PROGRAM.*—The Secretary shall establish
10 a program to award grants to accredited schools of
11 allopathic medicine, osteopathic medicine, and nursing,
12 and other health professional training programs for the
13 training of health care professionals to improve the provi-
14 sion of prenatal care, labor care, birthing, and postpartum
15 care for racial and ethnic minority populations, including
16 with respect to perceptions and biases that may affect the
17 approach to, and provision of, care.

18 “(b) *ELIGIBILITY.*—To be eligible for a grant under
19 subsection (a), an entity described in such subsection shall
20 submit to the Secretary an application at such time, in
21 such manner, and containing such information as the Sec-
22 retary may require.

23 “(c) *REPORTING REQUIREMENTS.*—

24 “(1) *PERIODIC GRANTEE REPORTS.*—Each entity
25 awarded a grant under this section shall periodically

1 *postpartum care for racial and ethnic minority popu-*
2 *lations, including with respect to perceptions and biases*
3 *that may affect the approach to, and provision of, care.*

4 **SEC. 134. INTEGRATED SERVICES FOR PREGNANT AND**
5 **POSTPARTUM WOMEN.**

6 (a) *GRANTS.—Title III of the Public Health Service*
7 *Act (42 U.S.C. 241 et seq.) is amended by inserting after*
8 *section 330O of such Act, as added by section 131, the fol-*
9 *lowing:*

10 **“SEC. 330P. INTEGRATED SERVICES FOR PREGNANT AND**
11 **POSTPARTUM WOMEN.**

12 “(a) *IN GENERAL.—The Secretary may award grants*
13 *for the purpose of establishing or operating evidence-based*
14 *or innovative, evidence-informed programs to deliver inte-*
15 *grated health care services to pregnant and postpartum*
16 *women to optimize the health of women and their infants,*
17 *including to reduce adverse maternal health outcomes, preg-*
18 *nancy-related deaths, and related health disparities (includ-*
19 *ing such disparities associated with racial and ethnic mi-*
20 *nority populations), and, as appropriate, by addressing*
21 *issues researched under subsection (b)(2) of section 317K.*

22 “(b) **INTEGRATED SERVICES FOR PREGNANT AND**
23 **POSTPARTUM WOMEN.—**

24 “(1) *ELIGIBILITY.—To be eligible to receive a*
25 *grant under subsection (a), a State, Indian Tribe, or*

1 *Tribal organization (as such terms are defined in sec-*
2 *tion 4 of the Indian Self-Determination and Edu-*
3 *cation Assistance Act) shall work with relevant stake-*
4 *holders that coordinate care to develop and carry out*
5 *the program, including—*

6 *“(A) State, Tribal, and local agencies re-*
7 *sponsible for Medicaid, public health, social serv-*
8 *ices, mental health, and substance use disorder*
9 *treatment and services;*

10 *“(B) health care providers who serve preg-*
11 *nant and postpartum women; and*

12 *“(C) community-based health organizations*
13 *and health workers, including providers of home*
14 *visiting services and individuals representing*
15 *communities with disproportionately high rates*
16 *of maternal mortality and severe maternal mor-*
17 *bidity, and including those representing racial*
18 *and ethnic minority populations.*

19 *“(2) TERMS.—*

20 *“(A) PERIOD.—A grant awarded under*
21 *subsection (a) shall be made for a period of 5*
22 *years. Any supplemental award made to a*
23 *grantee under subsection (a) may be made for a*
24 *period of less than 5 years.*

1 “(B) *PRIORITIES.*—*In awarding grants*
2 *under subsection (a), the Secretary shall—*

3 “(i) *give priority to States, Indian*
4 *Tribes, and Tribal organizations that have*
5 *the highest rates of maternal mortality and*
6 *severe maternal morbidity relative to other*
7 *such States, Indian Tribes, or Tribal orga-*
8 *nizations, respectively; and*

9 “(ii) *shall consider health disparities*
10 *related to maternal mortality and severe*
11 *maternal morbidity, including such dispari-*
12 *ties associated with racial and ethnic mi-*
13 *nority populations.*

14 “(C) *EVALUATION.*—*The Secretary shall re-*
15 *quire grantees to evaluate the outcomes of the*
16 *programs supported under the grant.*

17 “(c) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
18 *authorized to be appropriated to carry out this section*
19 *\$10,000,000 for each of fiscal years 2023 through 2027.”.*

20 “(b) *REPORT ON GRANT OUTCOMES AND DISSEMINA-*
21 *TION OF BEST PRACTICES.*—

22 “(1) *REPORT.*—*Not later than February 1, 2027,*
23 *the Secretary of Health and Human Services shall*
24 *submit to the Committee on Health, Education,*
25 *Labor, and Pensions of the Senate and the Committee*

1 *on Energy and Commerce of the House of Representa-*
2 *tives a report that describes—*

3 *(A) the outcomes of the activities supported*
4 *by the grants awarded under the amendments*
5 *made by this section on maternal and child*
6 *health;*

7 *(B) best practices and models of care used*
8 *by recipients of grants under such amendments;*
9 *and*

10 *(C) obstacles identified by recipients of*
11 *grants under such amendments, and strategies*
12 *used by such recipients to deliver care, improve*
13 *maternal and child health, and reduce health*
14 *disparities.*

15 *(2) DISSEMINATION OF BEST PRACTICES.—Not*
16 *later than August 1, 2027, the Secretary of Health*
17 *and Human Services shall disseminate information*
18 *on best practices and models of care used by recipi-*
19 *ents of grants under the amendments made by this*
20 *section (including best practices and models of care*
21 *relating to the reduction of health disparities, includ-*
22 *ing such disparities associated with racial and ethnic*
23 *minority populations, in rates of maternal mortality*
24 *and severe maternal morbidity) to relevant stake-*
25 *holders, which may include health providers, medical*

1 *schools, nursing schools, relevant State, Tribal, and*
2 *local agencies, and the general public.*

3 **SEC. 135. MATERNAL VACCINATION AWARENESS.**

4 *In carrying out the public awareness initiative related*
5 *to vaccinations pursuant to section 313 of the Public Health*
6 *Service Act (42 U.S.C. 245), the Secretary of Health and*
7 *Human Services shall take into consideration the impor-*
8 *tance of increasing awareness and knowledge of the safety*
9 *and effectiveness of vaccines to prevent disease in pregnant*
10 *and postpartum women and in infants and the need to im-*
11 *prove vaccination rates in communities and populations*
12 *with low rates of vaccination.*

13 **CHAPTER 2—RURAL MATERNAL AND OB-**
14 **STETRIC MODERNIZATION OF SERV-**
15 **ICES**

16 **SEC. 141. IMPROVING RURAL MATERNAL AND OBSTETRIC**
17 **CARE DATA.**

18 (a) *MATERNAL MORTALITY AND MORBIDITY ACTIVI-*
19 *TIES.*—Section 301(e) of the Public Health Service Act (42
20 U.S.C. 241) is amended by inserting “, preventable mater-
21 *nal mortality and severe maternal morbidity,”* after “deliv-
22 *ery”.*

23 (b) *OFFICE OF WOMEN’S HEALTH.*—Section
24 310A(b)(1) of the Public Health Service Act (42 U.S.C.
25 242s(b)(1)) is amended by striking “and sociocultural con-

1 *texts,” and inserting “sociocultural (including among*
2 *American Indians, Native Hawaiians, and Alaska Na-*
3 *tives), and geographical contexts,”.*

4 (c) *SAFE MOTHERHOOD.—Section 317K of the Public*
5 *Health Service Act (42 U.S.C. 247b–12) is amended—*

6 (1) *in subsection (a)(2)(A), by inserting “, in-*
7 *cluding improving disaggregation of data (in a man-*
8 *ner consistent with applicable State and Federal pri-*
9 *vacv laws)” before the period; and*

10 (2) *in subsection (b)(2)—*

11 (A) *in subparagraph (L), by striking “and”*
12 *at the end;*

13 (B) *by redesignating subparagraph (M) as*
14 *subparagraph (N); and*

15 (C) *by inserting after subparagraph (L) the*
16 *following:*

17 “(M) *an examination of the relationship be-*
18 *tween maternal health and obstetric services in*
19 *rural areas and outcomes in delivery and*
20 *postpartum care; and”.*

21 (d) *OFFICE OF RESEARCH ON WOMEN’S HEALTH.—*
22 *Section 486(d)(4)(A)(iv) of the Public Health Service Act*
23 *(42 U.S.C. 287d(d)(4)(A)(iv)) is amended by inserting “,*
24 *including preventable maternal mortality and severe mater-*
25 *nal morbidity” before the semicolon.*

1 **SEC. 142. RURAL OBSTETRIC NETWORK GRANTS.**

2 *The Public Health Service Act is amended by inserting*
3 *after section 330A–1 of such Act (42 U.S.C. 254c–1a) the*
4 *following:*

5 **“SEC. 330A–2. RURAL OBSTETRIC NETWORK GRANTS.**

6 “(a) *PROGRAM ESTABLISHED.*—*The Secretary shall*
7 *award grants or cooperative agreements to eligible entities*
8 *to establish collaborative improvement and innovation net-*
9 *works (referred to in this section as ‘rural obstetric net-*
10 *works’)* *to improve maternal and infant health outcomes*
11 *and reduce preventable maternal mortality and severe ma-*
12 *ternal morbidity by improving maternity care and access*
13 *to care in rural areas, frontier areas, maternity care health*
14 *professional target areas, or jurisdictions of Indian Tribes*
15 *and Tribal organizations.*

16 “(b) *USE OF FUNDS.*—*Grants or cooperative agree-*
17 *ments awarded pursuant to this section shall be used for*
18 *the establishment or continuation of collaborative improve-*
19 *ment and innovation networks to improve maternal and*
20 *infant health outcomes and reduce preventable maternal*
21 *mortality and severe maternal morbidity by improving pre-*
22 *natal care, labor care, birthing, and postpartum care serv-*
23 *ices in rural areas. Rural obstetric networks established in*
24 *accordance with this section may—*

25 “(1) *develop a network to improve coordination*
26 *and increase access to maternal health care and assist*

1 *pregnant women in the areas described in subsection*
2 *(a) with accessing and utilizing prenatal care, labor*
3 *care, birthing, and postpartum care services to im-*
4 *prove outcomes in birth and maternal mortality and*
5 *morbidity;*

6 *“(2) identify and implement evidence-based and*
7 *sustainable delivery models for providing prenatal*
8 *care, labor care, birthing, and postpartum care serv-*
9 *ices, including home visiting programs and culturally*
10 *appropriate care models that reduce health dispari-*
11 *ties;*

12 *“(3) develop a model for maternal health care*
13 *collaboration between health care settings to improve*
14 *access to care in areas described in subsection (a),*
15 *which may include the use of telehealth;*

16 *“(4) provide training for professionals in health*
17 *care settings that do not have specialty maternity*
18 *care;*

19 *“(5) collaborate with academic institutions that*
20 *can provide regional expertise and help identify bar-*
21 *riers to providing maternal health care, including*
22 *strategies for addressing such barriers; and*

23 *“(6) assess and address disparities in infant and*
24 *maternal health outcomes, including among racial*

1 *and ethnic minority populations and underserved*
2 *populations in such areas described in subsection (a).*

3 “(c) *DEFINITIONS.—In this section:*

4 “(1) *ELIGIBLE ENTITIES.—The term ‘eligible en-*
5 *tities’ means entities providing prenatal care, labor*
6 *care, birthing, and postpartum care services in rural*
7 *areas, frontier areas, or medically underserved areas,*
8 *or to medically underserved populations or Indian*
9 *Tribes or Tribal organizations.*

10 “(2) *FRONTIER AREA.—The term ‘frontier area’*
11 *means a frontier county, as defined in section*
12 *1886(d)(3)(E)(iii)(III) of the Social Security Act.*

13 “(3) *INDIAN TRIBES; TRIBAL ORGANIZATION.—*
14 *The terms ‘Indian Tribe’ and ‘Tribal organization’*
15 *have the meanings given the terms ‘Indian tribe’ and*
16 *‘tribal organization’ in section 4 of the Indian Self-*
17 *Determination and Education Assistance Act.*

18 “(4) *MATERNITY CARE HEALTH PROFESSIONAL*
19 *TARGET AREA.—The term ‘maternity care health pro-*
20 *fessional target area’ has the meaning described in*
21 *section 332(k)(2).*

22 “(d) *REPORT TO CONGRESS.—Not later than Sep-*
23 *tember 30, 2026, the Secretary shall submit to Congress a*
24 *report on activities supported by grants awarded under this*
25 *section, including—*

1 “(1) a description of activities conducted pursu-
2 ant to paragraphs (1) through (6) of subsection (b);
3 and

4 “(2) an analysis of the effects of rural obstetric
5 networks on improving maternal and infant health
6 outcomes.

7 “(e) *AUTHORIZATION OF APPROPRIATIONS.*—There are
8 authorized to be appropriated to carry out this section
9 \$3,000,000 for each of fiscal years 2023 through 2027.”.

10 **SEC. 143. TELEHEALTH NETWORK AND TELEHEALTH RE-**
11 **SOURCE CENTERS GRANT PROGRAMS.**

12 Section 330I of the Public Health Service Act (42
13 *U.S.C. 254c-14*) is amended—

14 (1) in subsection (f)(3), by adding at the end the
15 following:

16 “(M) Providers of prenatal, labor care,
17 birthing, and postpartum care services, includ-
18 ing hospitals that operate obstetric care units.”;
19 and

20 (2) in subsection (h)(1)(B), by striking “or pre-
21 natal care for high-risk pregnancies” and inserting
22 “prenatal care, labor care, birthing care, or
23 postpartum care”.

1 **SEC. 144. RURAL MATERNAL AND OBSTETRIC CARE TRAIN-**
2 **ING DEMONSTRATION.**

3 *Subpart 1 of part E of title VII of the Public Health*
4 *Service Act (42 U.S.C. 294n et seq.) is amended by adding*
5 *at the end the following:*

6 **“SEC. 764. RURAL MATERNAL AND OBSTETRIC CARE TRAIN-**
7 **ING DEMONSTRATION.**

8 *“(a) IN GENERAL.—The Secretary shall award grants*
9 *to accredited schools of allopathic medicine, osteopathic*
10 *medicine, and nursing, and other appropriate health profes-*
11 *sional training programs, to establish a training dem-*
12 *onstration program to support—*

13 *“(1) training for physicians, medical residents,*
14 *fellows, nurse practitioners, physician assistants,*
15 *nurses, certified nurse midwives, relevant home vis-*
16 *iting workforce professionals and paraprofessionals,*
17 *or other professionals who meet relevant State train-*
18 *ing and licensing requirements, as applicable, to re-*
19 *duce preventable maternal mortality and severe ma-*
20 *ternal morbidity by improving prenatal care, labor*
21 *care, birthing, and postpartum care in rural commu-*
22 *nity-based settings; and*

23 *“(2) developing recommendations for such train-*
24 *ing programs.*

25 *“(b) APPLICATION.—To be eligible to receive a grant*
26 *under subsection (a), an entity shall submit to the Secretary*

1 *an application at such time, in such manner, and con-*
2 *taining such information as the Secretary may require.*

3 “(c) *ACTIVITIES.*—

4 “(1) *TRAINING FOR HEALTH CARE PROFES-*
5 *SIONALS.*— *A recipient of a grant under subsection*
6 *(a)*—

7 “(A) *shall use the grant funds to plan, de-*
8 *velop, and operate a training program to pro-*
9 *vide prenatal care, labor care, birthing, and*
10 *postpartum care in rural areas; and*

11 “(B) *may use the grant funds to provide*
12 *additional support for the administration of the*
13 *program or to meet the costs of projects to estab-*
14 *lish, maintain, or improve faculty development,*
15 *or departments, divisions, or other units nec-*
16 *essary to implement such training.*

17 “(2) *TRAINING PROGRAM REQUIREMENTS.*—*The*
18 *recipient of a grant under subsection (a) shall ensure*
19 *that training programs carried out under the grant*
20 *are evidence-based and address improving prenatal*
21 *care, labor care, birthing, and postpartum care in*
22 *rural areas, and such programs may include training*
23 *on topics such as—*

24 “(A) *maternal mental health, including*
25 *perinatal depression and anxiety;*

1 “(B) *substance use disorders;*

2 “(C) *social determinants of health that af-*
3 *fect individuals living in rural areas; and*

4 “(D) *improving the provision of prenatal*
5 *care, labor care, birthing, and postpartum care*
6 *for racial and ethnic minority populations, in-*
7 *cluding with respect to perceptions and biases*
8 *that may affect the approach to, and provision*
9 *of, care.*

10 “(d) *EVALUATION AND REPORT.—*

11 “(1) *EVALUATION.—*

12 “(A) *IN GENERAL.—The Secretary shall*
13 *evaluate the outcomes of the demonstration pro-*
14 *gram under this section.*

15 “(B) *DATA SUBMISSION.—Recipients of a*
16 *grant under subsection (a) shall submit to the*
17 *Secretary performance metrics and other related*
18 *data in order to evaluate the program for the re-*
19 *port described in paragraph (2).*

20 “(2) *REPORT TO CONGRESS.—Not later than*
21 *January 1, 2026, the Secretary shall submit to Con-*
22 *gress a report that includes—*

23 “(A) *an analysis of the effects of the dem-*
24 *onstration program under this section on the*
25 *quality, quantity, and distribution of maternal*

1 *health care services, including prenatal care,*
2 *labor care, birthing, and postpartum care serv-*
3 *ices, and the demographics of the recipients of*
4 *those services;*

5 “(B) *an analysis of maternal and infant*
6 *health outcomes (including quality of care, mor-*
7 *bidity, and mortality) before and after imple-*
8 *mentation of the program in the communities*
9 *served by entities participating in the dem-*
10 *onstration; and*

11 “(C) *recommendations on whether the dem-*
12 *onstration program should be continued.*

13 “(e) *AUTHORIZATION OF APPROPRIATIONS.—There are*
14 *authorized to be appropriated to carry out this section*
15 *\$5,000,000 for each of fiscal years 2023 through 2027.”.*

16 ***Subtitle E—Fentanyl Scheduling***
17 ***Extension***

18 ***SEC. 151. EXTENSION OF TEMPORARY ORDER FOR***
19 ***FENTANYL-RELATED SUBSTANCES.***

20 *Effective as if included in the enactment of the Tem-*
21 *porary Reauthorization and Study of the Emergency*
22 *Scheduling of Fentanyl Analogues Act (Public Law 116–*
23 *114), section 2 of such Act is amended by striking “March*
24 *15, 2022” and inserting “December 31, 2022”.*

1 ***Subtitle F—Drug-Free Communities***

2 ***SEC. 161. WAIVER OF FEDERAL FUND LIMITATION FOR THE***
3 ***DRUG-FREE COMMUNITIES SUPPORT PRO-***
4 ***GRAM.***

5 *(a) IN GENERAL.—Subject to subsection (b), if the Ad-*
6 *ministrator of the Drug-Free Communities Support Pro-*
7 *gram determines that, as a result of the public health emer-*
8 *gency declared pursuant to section 319 of the Public Health*
9 *Service Act (42 U.S.C. 247d) with respect to COVID–19,*
10 *an eligible coalition is unable to raise the amount of non-*
11 *Federal funds, including in-kind contributions, agreed to*
12 *be raised by the coalition for fiscal year 2020, 2021, or 2022*
13 *under an agreement entered into with the Administrator*
14 *pursuant to paragraph (1)(A) or (3) of section 1032(b) of*
15 *the Anti-Drug Abuse Act of 1988 (21 U.S.C. 1532(b)), the*
16 *Administrator may, notwithstanding such paragraphs, pro-*
17 *vide to the eligible coalition the grant or renewal grant, as*
18 *applicable, for that fiscal year only in an amount—*

19 *(1) with respect to an initial grant or renewal*
20 *grant described under paragraph (1)(A) or (3)(A) of*
21 *such section, that exceeds the amount of non-Federal*
22 *funds raised by the eligible coalition, including in-*
23 *kind contributions, for that fiscal year;*

24 *(2) with respect to a renewal grant described*
25 *under paragraph (3)(D)(i) of such section, that ex-*

1 *ceeds 125 percent of the amount of non-Federal funds*
2 *raised by the eligible coalition, including in-kind con-*
3 *tributions, for that fiscal year; and*

4 *(3) with respect to a renewal grant described*
5 *under paragraph (3)(D)(ii) of such section, that ex-*
6 *ceeds 150 percent of the amount of non-Federal funds*
7 *raised by the eligible coalition, including in-kind con-*
8 *tributions, for that fiscal year.*

9 *(b) LIMITATION.—The Administrator may not provide*
10 *a grant or renewal grant to an eligible coalition in an*
11 *amount exceeding the amount of funds initially agreed to*
12 *be provided by the Administrator under the applicable*
13 *agreement.*

14 **TITLE II—MEDICAID**

15 **SEC. 201. CERTAIN MEDICAID EXTENSIONS FOR TERRI-** 16 **TORIES.**

17 *(a) EXTENDING INCREASED FMAP.—Section 1905(ff)*
18 *of the Social Security Act (42 U.S.C. 1396d(ff)) is amend-*
19 *ed—*

20 *(1) in paragraph (2), by inserting “and for the*
21 *period beginning January 1, 2022, and ending De-*
22 *cember 13, 2022” after “and ending December 3,*
23 *2021,” and*

24 *(2) in paragraph (3), by striking “March 11,*
25 *2022” and inserting “December 13, 2022”.*

1 (b) *EXTENDING ADDITIONAL INCREASE FOR PUERTO*
2 *RICO.—Section 1108(g) of the Social Security Act (42*
3 *U.S.C. 1308(g)) is amended by adding at the end the fol-*
4 *lowing new paragraph:*

5 “(10) *ADDITIONAL INCREASE FOR PUERTO RICO*
6 *FOR FISCAL YEAR 2022.—*

7 “(A) *IN GENERAL.—Notwithstanding the*
8 *preceding provisions of this subsection, the total*
9 *amount certified for Puerto Rico for fiscal year*
10 *2022 under this subsection shall be increased by*
11 *\$200,000,000 if the Secretary certifies that, with*
12 *respect to such fiscal year, Puerto Rico’s State*
13 *plan under title XIX (or a waiver of such plan)*
14 *establishes a reimbursement floor, implemented*
15 *through a directed payment arrangement plan,*
16 *for physician services that are covered under the*
17 *Medicare part B fee schedule in the Puerto Rico*
18 *locality established under section 1848(b) that is*
19 *not less than 70 percent of the payment that*
20 *would apply to such services if they were fur-*
21 *nished under part B of title XVIII during such*
22 *fiscal year.*

23 “(B) *APPLICATION TO MANAGED CARE.—In*
24 *certifying whether Puerto Rico has established a*
25 *reimbursement floor under a directed payment*

1 *arrangement plan that satisfies the requirements*
2 *of subparagraph (A) for fiscal year 2022, the*
3 *Secretary shall—*

4 “(i) *disregard payments made under*
5 *sub-capitated arrangements for services such*
6 *as primary care case management; and*

7 “(ii) *if the reimbursement floor for*
8 *physician services applicable under a man-*
9 *aged care contract satisfies the requirements*
10 *of subparagraph (A) for the fiscal year in*
11 *which the contract is entered into or re-*
12 *newed, such reimbursement floor shall be*
13 *deemed to satisfy such requirements for the*
14 *subsequent fiscal year.”.*

15 (c) *PUERTO RICO REPORT ON PROCUREMENT PROC-*
16 *ESSES AND STANDARDS USED FOR CONTRACTING UNDER*
17 *THE MEDICAID PROGRAM.—*

18 (1) *REPORT REQUIRED.—Not later than Decem-*
19 *ber 1, 2022, the agency responsible for administering*
20 *Puerto Rico’s Medicaid program under title XIX of*
21 *the Social Security Act (42 U.S.C. 1396 et seq.) shall*
22 *submit to Congress a report on the procurement proc-*
23 *esses and standards used for selecting contracts under*
24 *Puerto Rico’s Medicaid program.*

1 (2) *INFORMATION IN REPORT.*—*The report re-*
2 *quired under paragraph (1) shall include the fol-*
3 *lowing:*

4 (A) *A detailed description of the procure-*
5 *ment processes and standards used for selecting*
6 *contracts under Puerto Rico’s Medicaid program*
7 *under title XIX of the Social Security Act (42*
8 *U.S.C. 1396 et seq.), for contracts in effect as of*
9 *the date of the enactment of this subsection.*

10 (B) *The number of contracts, and a descrip-*
11 *tion of such contracts, for an amount greater*
12 *than \$150,000 as of the date of the enactment of*
13 *this subsection.*

14 (C) *Differences between the procurement*
15 *processes and standards for selecting contracts in*
16 *place as of the date of the enactment of this sub-*
17 *section, and the Federal procurement standards*
18 *(as described in sections 75.327, 75.328, and*
19 *75.329 of title 45, Code of Federal Regulations)*
20 *as of such date.*

21 **SEC. 202. INCREASING STATE FLEXIBILITY WITH RESPECT**
22 **TO THIRD PARTY LIABILITY.**

23 (a) *IN GENERAL.*—*Section 1902(a)(25)(I) of the Social*
24 *Security Act (42 U.S.C. 1396a(a)(25)(I)) is amended—*

25 (1) *by amending clause (ii) to read as follows:*

1 “(i)(I) accept the State’s right of re-
2 covery and the assignment to the State of
3 any right of an individual or other entity
4 to payment from the party for an item or
5 service for which payment has been made
6 under the State plan (or under a waiver of
7 such plan); and

8 “(II) in the case of a responsible third
9 party (other than the original medicare fee-
10 for-service program under parts A and B of
11 title XVIII, a Medicare Advantage plan of-
12 fered by a Medicare Advantage organization
13 under part C of such title, a reasonable cost
14 reimbursement plan under section 1876, a
15 health care prepayment plan under section
16 1833, or a prescription drug plan offered by
17 a PDP sponsor under part D of such title)
18 that requires prior authorization for an
19 item or service furnished to an individual
20 eligible to receive medical assistance under
21 this title, accept authorization provided by
22 the State that the item or service is covered
23 under the State plan (or waiver of such
24 plan) for such individual, as if such author-
25 ization were the prior authorization made

1 by the third party for such item or serv-
2 ice;”;

3 (2) in clause (iii)—

4 (A) by striking “respond to any inquiry”
5 and inserting “not later than 60 days after re-
6 ceiving any inquiry”; and

7 (B) by striking “; and” at the end and in-
8 serting “, respond to such inquiry; and”; and

9 (3) in clause (iv)—

10 (A) by striking “or a failure” and inserting
11 “a failure”; and

12 (B) by inserting after “the basis of the
13 claim” the following: “, or in the case of a re-
14 sponsible third party (other than the original
15 medicare fee-for-service program under parts A
16 and B of title XVIII, a Medicare Advantage plan
17 offered by a Medicare Advantage organization
18 under part C of such title, a reasonable cost re-
19 imbursement plan under section 1876, a health
20 care prepayment plan under section 1833, or a
21 prescription drug plan offered by a PDP sponsor
22 under part D of such title) a failure to obtain
23 a prior authorization for the item or service for
24 which the claim is being submitted”;

25 (b) *EFFECTIVE DATE.*—

1 (1) *IN GENERAL.*—*Except as provided in para-*
2 *graph (2), the amendments made by this section shall*
3 *apply beginning on January 1, 2024.*

4 (2) *EXCEPTION IF STATE LEGISLATION RE-*
5 *QUIRED.*—*In the case of a State plan for medical as-*
6 *sistance under title XIX of the Social Security Act*
7 *that the Secretary of Health and Human Services de-*
8 *termines requires State legislation (other than legisla-*
9 *tion appropriating funds) in order for the plan to*
10 *meet the additional requirement imposed by the*
11 *amendments made under this section, the State plan*
12 *shall not be regarded as failing to comply with the re-*
13 *quirements of such title solely on the basis of its fail-*
14 *ure to meet this additional requirement before the*
15 *first day of the first calendar quarter beginning after*
16 *the close of the first regular session of the State legis-*
17 *lature that begins after the date of the enactment of*
18 *this Act. For purposes of the previous sentence, in the*
19 *case of a State that has a 2-year legislative session,*
20 *each year of such session shall be deemed to be a sepa-*
21 *rate regular session of the State legislature.*

1 **TITLE III—MEDICARE**
2 **Subtitle A—Telehealth Flexibility**
3 **Extensions**

4 **SEC. 301. REMOVING GEOGRAPHIC REQUIREMENTS AND EX-**
5 **PANDING ORIGINATING SITES FOR TELE-**
6 **HEALTH SERVICES.**

7 (a) *IN GENERAL.*—Section 1834(m) of the Social Secu-
8 *rity Act (42 U.S.C. 1395m(m)) is amended—*

9 (1) *in paragraph (4)(C)—*

10 (A) *in clause (i), in the matter preceding*
11 *subclause (I), by inserting “clause (iii) and”*
12 *after “Except as provided in”; and*

13 (B) *by adding at the end the following new*
14 *clause:*

15 “(iii) *EXPANDING ACCESS TO TELE-*
16 *HEALTH SERVICES.—With respect to tele-*
17 *health services identified in subparagraph*
18 *(F)(i) as of the date of the enactment of this*
19 *clause that are furnished during the 151-*
20 *day period beginning on the first day after*
21 *the end of the emergency period described in*
22 *section 1135(g)(1)(B), the term ‘originating*
23 *site’ means any site in the United States at*
24 *which the eligible telehealth individual is lo-*
25 *cated at the time the service is furnished via*

1 *a telecommunications system, including the*
2 *home of an individual.”; and*

3 (2) *in paragraph (7)(A), by inserting “or, for*
4 *the period for which clause (iii) of paragraph (4)(C)*
5 *applies, at any site described in such clause” before*
6 *the period at the end.*

7 (b) *NO FACILITY FEE FOR NEW SITES.—Section*
8 *1834(m)(2)(B) of the Social Security Act (42 U.S.C.*
9 *1395m(m)(2)(B)) is amended—*

10 (1) *in clause (i), in the matter preceding sub-*
11 *clause (I), by striking “clause (ii)” and inserting*
12 *“clauses (ii) and (iii)”;* and

13 (2) *by adding at the end the following new*
14 *clause:*

15 “(iii) *NO FACILITY FEE FOR NEW*
16 *SITES.—With respect to telehealth services*
17 *identified in paragraph (4)(F)(i) as of the*
18 *date of the enactment of this clause that are*
19 *furnished during the 151-day period begin-*
20 *ning on the first day after the end of the*
21 *emergency period described in section*
22 *1135(g)(1)(B), a facility fee shall only be*
23 *paid under this subparagraph to an origi-*
24 *nating site that is described in paragraph*

1 (4)(C)(ii) (other than subclause (X) of such
2 paragraph).”.

3 **SEC. 302. EXPANDING PRACTITIONERS ELIGIBLE TO FUR-**
4 **NISH TELEHEALTH SERVICES.**

5 Section 1834(m) of the Social Security Act (42 U.S.C.
6 1395m(m)) is amended—

7 (1) in paragraph (1), by striking “(described in
8 section 1842(b)(18)(C))” and inserting “(as defined
9 in paragraph (4)(E))”; and

10 (2) in paragraph (4)(E), by inserting “and, for
11 the 151-day period beginning on the first day after
12 the end of the emergency period described in section
13 1135(g)(1)(B), shall include a qualified occupational
14 therapist (as such term is used in section 1861(g)), a
15 qualified physical therapist (as such term is used in
16 section 1861(p)), a qualified speech-language patholo-
17 gist (as defined in section 1861(ll)(4)(A)), and a
18 qualified audiologist (as defined in section
19 1861(ll)(4)(B))” after “section 1842(b)(18)(C)”.

20 **SEC. 303. EXTENDING TELEHEALTH SERVICES FOR FEDER-**
21 **ALLY QUALIFIED HEALTH CENTERS AND**
22 **RURAL HEALTH CLINICS.**

23 Section 1834(m)(8) of the Social Security Act (42
24 U.S.C. 1395m(m)(8)) is amended—

1 (1) *in the header, by striking “DURING EMER-*
2 *GENCY PERIOD”;*

3 (2) *in subparagraph (A), in the matter preceding*
4 *clause (i), by inserting “and, during the 151-day pe-*
5 *riod beginning on the first day after the end of such*
6 *emergency period” after “During the emergency pe-*
7 *riod described in section 1135(g)(1)(B)”;* and

8 (3) *in subparagraph (B)(i), by striking “such*
9 *emergency period” and inserting “the periods for*
10 *which subparagraph (A) applies”.*

11 **SEC. 304. DELAYING THE IN-PERSON REQUIREMENTS**
12 **UNDER MEDICARE FOR MENTAL HEALTH**
13 **SERVICES FURNISHED THROUGH TELE-**
14 **HEALTH AND TELECOMMUNICATIONS TECH-**
15 **NOLOGY.**

16 (a) *DELAY IN REQUIREMENTS FOR MENTAL HEALTH*
17 *SERVICES FURNISHED THROUGH TELEHEALTH.—Section*
18 *1834(m)(7)(B)(i) of the Social Security Act (42 U.S.C.*
19 *1395m(m)(7)(B)(i)) is amended, in the matter preceding*
20 *subclause (I), by inserting “on or after the day that is the*
21 *152nd day after the end of the emergency period described*
22 *in section 1135(g)(1)(B))” after “telehealth services fur-*
23 *nished”.*

1 **(b) MENTAL HEALTH VISITS FURNISHED BY RURAL**
2 **HEALTH CLINICS.**—Section 1834(y) of the Social Security
3 Act (42 U.S.C. 1395m(y)) is amended—

4 (1) in the heading, by striking “ATTENDING
5 PHYSICIAN” and inserting “CERTAIN”;

6 (2) by striking “HOSPICE PATIENTS.—In the
7 case of” and inserting “HOSPICE PATIENTS.—

8 “(1) ATTENDING PHYSICIAN SERVICES FOR HOS-
9 PICE PATIENTS.—In the case of”;

10 (3) by adding at the end the following new para-
11 graph:

12 “(2) MENTAL HEALTH VISITS FURNISHED VIA
13 TELECOMMUNICATIONS TECHNOLOGY.—In the case of
14 mental health visits furnished via interactive, real-
15 time, audio and video telecommunications technology
16 or audio-only interactions, the in-person mental
17 health visit requirements established under section
18 405.2463(b)(3) of title 42 of the Code of Federal Regu-
19 lations (or a successor regulation) shall not apply
20 prior to the day that is the 152nd day after the end
21 of the emergency period described in section
22 1135(g)(1)(B)).”.

23 **(c) MENTAL HEALTH VISITS FURNISHED BY FEDER-**
24 **ALLY QUALIFIED HEALTH CENTERS.**—Section 1834(o)(4)

1 of the Social Security Act (42 U.S.C. 1395m(o)(4)) is
2 amended—

3 (1) in the heading, by striking “ATTENDING PHY-
4 SICIAN” and inserting “CERTAIN”;

5 (2) by striking “HOSPICE PATIENTS.—In the case
6 of” and inserting “HOSPICE PATIENTS.—

7 “(A) ATTENDING PHYSICIAN SERVICES FOR
8 HOSPICE PATIENTS.—In the case of”; and

9 (3) by adding at the end the following new sub-
10 paragraph:

11 “(B) MENTAL HEALTH VISITS FURNISHED
12 VIA TELECOMMUNICATIONS TECHNOLOGY.—In
13 the case of mental health visits furnished via
14 interactive, real-time, audio and video tele-
15 communications technology or audio-only inter-
16 actions, the in-person mental health visit re-
17 quirements established under section
18 405.2463(b)(3) of title 42 of the Code of Federal
19 Regulations (or a successor regulation) shall not
20 apply prior to the day that is the 152nd day
21 after the end of the emergency period described
22 in section 1135(g)(1)(B)).”

1 **SEC. 305. ALLOWING FOR THE FURNISHING OF AUDIO-ONLY**
2 **TELEHEALTH SERVICES.**

3 *Section 1834(m) of the Social Security Act (42 U.S.C.*
4 *1395m(m)) is amended—*

5 *(1) in paragraph (1), in the first sentence, by*
6 *striking “paragraph (8)” and inserting “paragraphs*
7 *(8) and (9)”;* and

8 *(2) by adding at the end the following new para-*
9 *graph:*

10 *“(9) TREATMENT OF TELEHEALTH SERVICES*
11 *FURNISHED USING AUDIO-ONLY TELECOMMUNI-*
12 *CATIONS TECHNOLOGY.—The Secretary shall continue*
13 *to provide coverage and payment under this part for*
14 *telehealth services identified in paragraph (4)(F)(i) as*
15 *of the date of the enactment of this paragraph that*
16 *are furnished via an audio-only telecommunications*
17 *system during the 151-day period beginning on the*
18 *first day after the end of the emergency period de-*
19 *scribed in section 1135(g)(1)(B). For purposes of the*
20 *previous sentence, the term ‘telehealth service’ means*
21 *a telehealth service identified as of the date of the en-*
22 *actment of this paragraph by a HCPCS code (and*
23 *any succeeding codes) for which the Secretary has not*
24 *applied the requirements of paragraph (1) and the*
25 *first sentence of section 410.78(a)(3) of title 42, Code*

1 of *Federal Regulations*, during such emergency pe-
2 riod.”.

3 **SEC. 306. USE OF TELEHEALTH TO CONDUCT FACE-TO-FACE**
4 **ENCOUNTER PRIOR TO RECERTIFICATION OF**
5 **ELIGIBILITY FOR HOSPICE CARE DURING**
6 **EMERGENCY PERIOD.**

7 Section 1814(a)(7)(D)(i)(II) of the *Social Security Act*
8 (42 U.S.C. 1395f(a)(7)(D)(i)(II)) is amended by inserting
9 “, and during the 151-day period beginning on the first
10 day after the end of such emergency period” after “section
11 1135(g)(1)(B)”.

12 **SEC. 307. EXTENSION OF EXEMPTION FOR TELEHEALTH**
13 **SERVICES.**

14 (a) *IN GENERAL.*—Subparagraph (E) of section
15 223(c)(2) of the *Internal Revenue Code of 1986* is amended
16 by inserting “or in the case of months beginning after
17 March 31, 2022, and before January 1, 2023,” after “De-
18 cember 31, 2021,”.

19 (b) *CERTAIN COVERAGE DISREGARDED.*—Clause (ii)
20 of section 223(c)(1)(B) of the *Internal Revenue Code of 1986*
21 is amended by inserting “, or in the case of months begin-
22 ning after March 31, 2022, and before January 1, 2023,”
23 after “December 31, 2021”.

1 (c) *EFFECTIVE DATE.*—*The amendments made by this*
2 *section shall take effect on the date of the enactment of this*
3 *Act.*

4 **SEC. 308. REPORTS ON TELEHEALTH UTILIZATION.**

5 (a) *MEDPAC REPORT.*—

6 (1) *STUDY.*—

7 (A) *IN GENERAL.*—*The Medicare Payment*
8 *Advisory Commission (in this subsection referred*
9 *to as the “Commission”) shall conduct a study*
10 *on the expansions of telehealth services (as de-*
11 *finied in section 1834(m)(4)(F) of the Social Se-*
12 *curity Act (42 U.S.C. 1395m(m)(4)(F)) under*
13 *the Medicare program under title XVIII of such*
14 *Act as a result of the COVID-19 public health*
15 *emergency described in section 1135(g)(1)(B) of*
16 *such Act (42 U.S.C. 1320b–5(g)(1)(B)) and the*
17 *amendments made by sections 301 through 306*
18 *of this title.*

19 (B) *ANALYSIS.*—*The study under subpara-*
20 *graph (A) shall include at least an analysis of*
21 *each of the following:*

22 (i) *The utilization of telehealth services*
23 *under the Medicare program, which may*
24 *include analysis by service, provider type,*
25 *geographic area (including analysis of the*

1 *provision of telehealth services by clinicians*
2 *located in different States than the Medi-*
3 *care beneficiary receiving such services to*
4 *the extent that reliable data are available),*
5 *and beneficiary type (including reason of*
6 *entitlement and such beneficiaries who are*
7 *also enrolled under a State plan under title*
8 *XIX of the Social Security Act).*

9 *(ii) Medicare program expenditures on*
10 *telehealth services.*

11 *(iii) Medicare payment policy for tele-*
12 *health services and alternative approaches*
13 *to such payment policy, including for feder-*
14 *ally qualified health centers and rural*
15 *health clinics.*

16 *(iv) The implications of expanded*
17 *Medicare coverage of telehealth services on*
18 *beneficiary access to care and the quality of*
19 *care, to the extent reliable data are avail-*
20 *able.*

21 *(v) Other areas determined appro-*
22 *priate by the Commission.*

23 *(2) REPORT.—Not later than June 15, 2023, the*
24 *Commission shall submit to Congress a report con-*
25 *taining the results of the study conducted under para-*

1 *graph (1), together with recommendations for legisla-*
2 *tive and administrative action as the Commission de-*
3 *termines appropriate.*

4 *(b) PUBLICATION OF DATA.—Beginning July 1, 2022,*
5 *the Secretary of Health and Human Services shall post on*
6 *the public website of the Centers for Medicare & Medicaid*
7 *Services on a quarterly basis data with respect to Medicare*
8 *claims for telemedicine services, including data on utiliza-*
9 *tion and beneficiary characteristics.*

10 *(c) OFFICE OF THE INSPECTOR GENERAL REPORT.—*
11 *Not later than June 15, 2023, the Inspector General of the*
12 *Department of Health and Human Services shall submit*
13 *to Congress a report on program integrity risks associated*
14 *with Medicare telehealth services. Such report shall include*
15 *recommendations to prevent waste, fraud, and abuse under*
16 *the Medicare program as appropriate.*

17 **SEC. 309. PROGRAM INSTRUCTION AUTHORITY.**

18 *Notwithstanding any other provision of law, the Sec-*
19 *retary of Health and Human Services may implement the*
20 *provisions of, including amendments made by, sections 301*
21 *through 306 through program instruction or otherwise.*

1 ***Subtitle B—Additional Medicare***
2 ***Provisions***

3 ***SEC. 311. REVISION OF THE TIMING OF MEDPAC REPORT***
4 ***ON AMBULANCE COST DATA.***

5 *Section 1834(l)(17)(F)(i) of the Social Security Act*
6 *(42 U.S.C. 1395m(l)(17)(F)(i)) is amended by striking*
7 *“Not later than March 15, 2023, and as determined nec-*
8 *essary by the Medicare Payment Advisory Commission*
9 *thereafter” and inserting “Not later than the second June*
10 *15th following the date on which the Secretary transmits*
11 *data for the first representative sample of providers and*
12 *suppliers of ground ambulance services to the Medicare*
13 *Payment Advisory Commission, and as determined nec-*
14 *essary by such Commission thereafter.”.*

15 ***SEC. 312. ADJUSTING CALCULATION OF HOSPICE CAP***
16 ***AMOUNT UNDER MEDICARE.***

17 *Section 1814(i)(2)(B) of the Social Security Act (42*
18 *U.S.C. 1395f(i)(2)(B)) is amended—*

19 *(1) in clause (ii), by striking “2030” and insert-*
20 *ing “2031”; and*

21 *(2) in clause (iii), by striking “2030” and in-*
22 *serting “2031”.*

1 **SEC. 313. MEDICARE IMPROVEMENT FUND.**

2 *Section 1898(b)(1) of the Social Security Act (42*
3 *U.S.C. 1395iii(b)(1)) is amended by striking “\$99,000,000”*
4 *and inserting “\$5,000,000”.*

5 **TITLE IV—HUMAN SERVICES**

6 **SEC. 401. EXTENSION OF TEMPORARY ASSISTANCE FOR**
7 **NEEDY FAMILIES AND RELATED PROGRAMS.**

8 *Activities authorized by part A of title IV (other than*
9 *under section 403(c) or 418) and section 1108(b) of the So-*
10 *cial Security Act shall continue through September 30,*
11 *2022, in the manner authorized for fiscal year 2021, and*
12 *out of any money in the Treasury of the United States not*
13 *otherwise appropriated, there are hereby appropriated such*
14 *sums as may be necessary for such purpose.*

15 **DIVISION Q—CONSUMER**
16 **PROTECTION**
17 **TITLE I—FRAUD AND SCAM**
18 **REDUCTION**

19 **SEC. 101. SHORT TITLE.**

20 *This title may be cited as the “Fraud and Scam Re-*
21 *duction Act”.*

22 **Subtitle A—Preventing Consumer**
23 **Scams Directed at Seniors**

24 **SEC. 111. SHORT TITLE.**

25 *This subtitle may be cited as the “Stop Senior Scams*
26 *Act”.*

1 **SEC. 112. SENIOR SCAMS PREVENTION ADVISORY GROUP.**

2 (a) *ESTABLISHMENT.*—*There is established a Senior*
3 *Scams Prevention Advisory Group (in this subtitle referred*
4 *to as the “Advisory Group”).*

5 (b) *MEMBERS.*—*The Advisory Group shall be com-*
6 *posed of stakeholders such as the following individuals or*
7 *the designees of those individuals:*

8 (1) *The Chairman of the Federal Trade Commis-*
9 *sion.*

10 (2) *The Secretary of the Treasury.*

11 (3) *The Attorney General.*

12 (4) *The Director of the Bureau of Consumer Fi-*
13 *nancial Protection.*

14 (5) *Representatives from each of the following*
15 *sectors, including trade associations, to be selected by*
16 *the Federal Trade Commission:*

17 (A) *Retail.*

18 (B) *Gift cards.*

19 (C) *Telecommunications.*

20 (D) *Wire-transfer services.*

21 (E) *Senior peer advocates.*

22 (F) *Consumer advocacy organizations with*
23 *efforts focused on preventing seniors from becom-*
24 *ing the victims of scams.*

25 (G) *Financial services, including institu-*
26 *tions that engage in digital currency.*

1 (H) *Prepaid cards.*

2 (6) *A member of the Board of Governors of the*
3 *Federal Reserve System.*

4 (7) *A prudential regulator, as defined in section*
5 *1002 of the Consumer Financial Protection Act of*
6 *2010 (12 U.S.C. 5481).*

7 (8) *The Director of the Financial Crimes En-*
8 *forcement Network.*

9 (9) *Any other Federal, State, or local agency, in-*
10 *dustry representative, consumer advocate, or entity,*
11 *as determined by the Federal Trade Commission.*

12 (c) *NO COMPENSATION FOR MEMBERS.—A member of*
13 *the Advisory Group shall serve without compensation in ad-*
14 *dition to any compensation received for the service of the*
15 *member as an officer or employee of the United States, if*
16 *applicable.*

17 (d) *DUTIES.—*

18 (1) *IN GENERAL.—The Advisory Group shall—*

19 (A) *collect information on the existence, use,*
20 *and success of educational materials and pro-*
21 *grams for retailers, financial services, and wire-*
22 *transfer companies, which—*

23 (i) *may be used as a guide to educate*
24 *employees on how to identify and prevent*
25 *scams that affect seniors; and*

1 (ii) includes—

2 (I) useful information for retail-
3 ers, financial services, and wire trans-
4 fer companies for the purpose described
5 in clause (i);

6 (II) training for employees on
7 ways to identify and prevent senior
8 scams;

9 (III) best practices for keeping
10 employees up to date on current scams;

11 (IV) the most effective signage and
12 placement in retail locations to warn
13 seniors about scammers' use of gift
14 cards, prepaid cards, and wire transfer
15 services;

16 (V) suggestions on effective col-
17 laborative community education cam-
18 paigns;

19 (VI) available technology to assist
20 in identifying possible scams at the
21 point of sale; and

22 (VII) other information that
23 would be helpful to retailers, wire
24 transfer companies, financial institu-

1 *tions, and their employees as they work*
2 *to prevent fraud affecting seniors; and*

3 *(B) based on the findings in subparagraph*

4 *(A)—*

5 *(i) identify inadequacies, omissions, or*
6 *deficiencies in those educational materials*
7 *and programs for the categories listed in*
8 *subparagraph (A) and their execution in*
9 *reaching employees to protect older adults;*
10 *and*

11 *(ii) create model materials, best prac-*
12 *tices guidance, or recommendations to fill*
13 *those inadequacies, omissions, or defi-*
14 *ciencies that may be used by industry and*
15 *others to help protect older adults from*
16 *scams.*

17 *(2) ENCOURAGED USE.—The Chairman of the*
18 *Federal Trade Commission shall—*

19 *(A) make the materials or guidance created*
20 *by the Federal Trade Commission described in*
21 *paragraph (1) publicly available; and*

22 *(B) encourage the use and distribution of*
23 *the materials created under this subsection to*
24 *prevent scams affecting seniors by governmental*
25 *agencies and the private sector.*

1 (e) *REPORTS*.—Section 101(c)(2) of the Elder Abuse
2 *Prevention and Prosecution Act (34 U.S.C. 21711(c)(2)) is*
3 *amended—*

4 (1) *in subparagraph (A)(iv), by striking the pe-*
5 *riod at the end and inserting a semicolon;*

6 (2) *in subparagraph (B), by striking the period*
7 *at the end and inserting “; and”; and*

8 (3) *by adding at the end the following:*

9 “(C) *with respect to the report by the Fed-*
10 *eral Trade Commission, in relevant years, in-*
11 *cluding information on—*

12 “(i) *the newly created materials, guid-*
13 *ance, or recommendations of the Senior*
14 *Scams Prevention Advisory Group estab-*
15 *lished under section 112 of the Stop Senior*
16 *Scams Act and any relevant views or con-*
17 *siderations made by members of the Advi-*
18 *sory Group that were not included in the*
19 *Advisory Group’s model materials or con-*
20 *sidered an official recommendation by the*
21 *Advisory Group;*

22 “(ii) *the Senior Scams Prevention Ad-*
23 *visory Group’s findings about senior scams*
24 *and industry educational materials and*
25 *programs; and*

1 (2) *CONSUMER EDUCATION.*—*The Commission,*
2 *through the advisory office and in consultation with*
3 *the Attorney General, the Secretary of Health and*
4 *Human Services, the Postmaster General, the Chief*
5 *Postal Inspector for the United States Postal Inspec-*
6 *tion Service, and other relevant agencies, shall—*

7 (A) *disseminate to seniors and families and*
8 *caregivers of seniors general information on*
9 *mail, television, internet, telemarketing, and*
10 *robocall fraud targeting seniors, including de-*
11 *scriptions of the most common fraud schemes;*

12 (B) *disseminate to seniors and families and*
13 *caregivers of seniors information on reporting*
14 *complaints of fraud targeting seniors either to*
15 *the national toll-free telephone number estab-*
16 *lished by the Commission for reporting such*
17 *complaints, or to the Consumer Sentinel Net-*
18 *work, operated by the Commission, where such*
19 *complaints will become immediately available to*
20 *appropriate law enforcement agencies, including*
21 *the Federal Bureau of Investigation and the at-*
22 *torneys general of the States;*

23 (C) *in response to a specific request about*
24 *a particular entity or individual, provide pub-*
25 *licly available information of any enforcement*

1 *action taken by the Commission for mail, tele-*
2 *vision, internet, telemarketing, and robocall*
3 *fraud against such entity; and*

4 (D) *maintain a website to serve as a re-*
5 *source for information for seniors and families*
6 *and caregivers of seniors regarding mail, tele-*
7 *vision, internet, telemarketing, robocall, and*
8 *other identified fraud targeting seniors.*

9 (3) *COMPLAINTS.—The Commission, through the*
10 *advisory office and in consultation with the Attorney*
11 *General, shall establish procedures to—*

12 (A) *log and acknowledge the receipt of com-*
13 *plaints by individuals who believe they have been*
14 *a victim of mail, television, internet, tele-*
15 *marketing, and robocall fraud in the Consumer*
16 *Sentinel Network, and shall make those com-*
17 *plaints immediately available to Federal, State,*
18 *and local law enforcement authorities; and*

19 (B) *provide to individuals described in sub-*
20 *paragraph (A), and to any other persons, spe-*
21 *cific and general information on mail, television,*
22 *internet, telemarketing, and robocall fraud, in-*
23 *cluding descriptions of the most common schemes*
24 *using such methods of communication.*

1 (b) *COMMENCEMENT.*—*The Commission shall com-*
2 *mence carrying out the requirements of this section not later*
3 *than 1 year after the date of enactment of this Act.*

4 (c) *USE OF EXISTING FUNDS.*—*No additional funds*
5 *are authorized to be appropriated to carry out this section*
6 *and the Commission shall carry out this section using*
7 *amounts otherwise made available to the Commission.*

8 **TITLE II—NICHOLAS AND**
9 **ZACHARY BURT MEMORIAL**
10 **CARBON MONOXIDE POI-**
11 **SONING PREVENTION ACT OF**
12 **2022**

13 **SEC. 201. SHORT TITLE.**

14 *This title may be cited as the “Nicholas and Zachary*
15 *Burt Memorial Carbon Monoxide Poisoning Prevention Act*
16 *of 2022”.*

17 **SEC. 202. FINDINGS AND SENSE OF CONGRESS.**

18 (a) *FINDINGS.*—*Congress finds the following:*

19 (1) *Carbon monoxide is a colorless, odorless gas*
20 *produced by burning any fuel. Exposure to unhealthy*
21 *levels of carbon monoxide can lead to carbon mon-*
22 *oxide poisoning, a serious health condition that could*
23 *result in death.*

24 (2) *Unintentional carbon monoxide poisoning*
25 *from motor vehicles and improper operation of fuel-*

1 *burning appliances, such as furnaces, water heaters,*
2 *portable generators, and stoves, annually kills more*
3 *than 400 individuals and sends approximately 15,000*
4 *individuals to hospital emergency rooms for treat-*
5 *ment.*

6 *(3) Research shows that installing carbon mon-*
7 *oxide alarms close to the sleeping areas in residential*
8 *homes and other dwelling units can help avoid fatali-*
9 *ties.*

10 *(b) SENSE OF CONGRESS.—It is the sense of Congress*
11 *that Congress should promote the installation of carbon*
12 *monoxide alarms in residential homes and dwelling units*
13 *across the United States in order to promote the health and*
14 *public safety of citizens throughout the United States.*

15 **SEC. 203. DEFINITIONS.**

16 *In this title:*

17 *(1) CARBON MONOXIDE ALARM.—The term “car-*
18 *bon monoxide alarm” means a device or system*
19 *that—*

20 *(A) detects carbon monoxide; and*

21 *(B) is intended to sound an alarm at a car-*
22 *bon monoxide concentration below a concentra-*
23 *tion that could cause a loss of the ability to react*
24 *to the dangers of carbon monoxide exposure.*

1 (2) *COMMISSION.*—*The term “Commission”*
2 *means the Consumer Product Safety Commission.*

3 (3) *COMPLIANT CARBON MONOXIDE ALARM.*—*The*
4 *term “compliant carbon monoxide alarm” means a*
5 *carbon monoxide alarm that complies with the most*
6 *current version of—*

7 (A) *the Standard for Single and Multiple*
8 *Station Carbon Monoxide Alarms of the Amer-*
9 *ican National Standards Institute and UL*
10 *(ANSI/UL 2034), or any successor standard; and*

11 (B) *the Standard for Gas and Vapor Detec-*
12 *tors and Sensors of the American National*
13 *Standards Institute and UL (ANSI/UL 2075),*
14 *or any successor standard.*

15 (4) *DWELLING UNIT.*—*The term “dwelling*
16 *unit”—*

17 (A) *means a room or suite of rooms used for*
18 *human habitation; and*

19 (B) *includes—*

20 (i) *a single family residence;*

21 (ii) *each living unit of a multiple fam-*
22 *ily residence, including an apartment*
23 *building; and*

24 (iii) *each living unit in a mixed use*
25 *building.*

1 (5) *FIRE CODE ENFORCEMENT OFFICIALS*.—The
2 term “fire code enforcement officials” means officials
3 of the fire safety code enforcement agency of a State
4 or local government or a Tribal organization.

5 (6) *INTERNATIONAL FIRE CODE*.—The term
6 “IFC” means—

7 (A) the 2015 or 2018 edition of the Inter-
8 national Fire Code published by the Inter-
9 national Code Council; or

10 (B) any amended or similar successor code
11 pertaining to the proper installation of carbon
12 monoxide alarms in dwelling units.

13 (7) *INTERNATIONAL RESIDENTIAL CODE*.—The
14 term “IRC” means—

15 (A) the 2015 or 2018 edition of the Inter-
16 national Residential Code published by the
17 International Code Council; or

18 (B) any amended or similar successor code
19 pertaining to the proper installation of carbon
20 monoxide alarms in dwelling units.

21 (8) *NFPA 720*.—The term “NFPA 720”
22 means—

23 (A) the *Standard for the Installation of*
24 *Carbon Monoxide Detection and Warning*

1 *Equipment issued by the National Fire Protec-*
2 *tion Association in 2012; and*

3 *(B) any amended or similar successor*
4 *standard relating to the proper installation of*
5 *carbon monoxide alarms in dwelling units.*

6 (9) *STATE.*—*The term “State”*—

7 *(A) has the meaning given the term in sec-*
8 *tion 3(a) of the Consumer Product Safety Act*
9 *(15 U.S.C. 2052(a)); and*

10 *(B) includes—*

11 *(i) the Commonwealth of the Northern*
12 *Mariana Islands; and*

13 *(ii) any political subdivision of a*
14 *State.*

15 (10) *TRIBAL ORGANIZATION.*—*The term “Tribal*
16 *organization” has the meaning given the term in sec-*
17 *tion 4(l) of the Indian Self-Determination and Edu-*
18 *cation Assistance Act (25 U.S.C. 5304(l)).*

19 **SEC. 204. GRANT PROGRAM FOR CARBON MONOXIDE POI-**
20 **SONING PREVENTION.**

21 (a) *IN GENERAL.*—*Subject to the availability of appro-*
22 *priations authorized under subsection (f), the Commission*
23 *shall establish a grant program to provide assistance to*
24 *States and Tribal organizations that are eligible under sub-*

1 *section (b) to carry out the carbon monoxide poisoning pre-*
2 *vention activities described in subsection (e).*

3 (b) *ELIGIBILITY.*—*For the purposes of this section, an*
4 *eligible State or Tribal organization is any State or Tribal*
5 *organization that—*

6 (1) *demonstrates to the satisfaction of the Com-*
7 *mission that the State or Tribal organization has*
8 *adopted a statute or a rule, regulation, or similar*
9 *measure with the force and effect of law, requiring*
10 *compliant carbon monoxide alarms to be installed in*
11 *dwelling units in accordance with NFPA 72, the IFC,*
12 *or the IRC; and*

13 (2) *submits an application—*

14 (A) *to the Commission at such time, in such*
15 *form, and containing such additional informa-*
16 *tion as the Commission may require; and*

17 (B) *that may be filed on behalf of the State*
18 *or Tribal organization by the fire safety code en-*
19 *forcement agency of that State or Tribal organi-*
20 *zation.*

21 (c) *GRANT AMOUNT.*—*The Commission shall deter-*
22 *mine the amount of each grant awarded under this section.*

23 (d) *SELECTION OF GRANT RECIPIENTS.*—*In selecting*
24 *eligible States and Tribal organizations for the award of*
25 *grants under this section, the Commission shall give favor-*

1 *able consideration to an eligible State or Tribal organiza-*
2 *tion that demonstrates a reasonable need for funding under*
3 *this section and that—*

4 *(1) requires the installation of one or more com-*
5 *pliant carbon monoxide alarms in a new or existing*
6 *educational facility, childcare facility, health care fa-*
7 *cility, adult dependent care facility, government*
8 *building, restaurant, theater, lodging establishment,*
9 *or dwelling unit—*

10 *(A) within which a fuel-burning appliance,*
11 *including a furnace, boiler, water heater, fire-*
12 *place, or any other apparatus, appliance, or de-*
13 *vice that burns fuel, is installed; or*

14 *(B) that has an attached garage; and*

15 *(2) has developed a strategy to protect vulnerable*
16 *populations, such as children, the elderly, or low-in-*
17 *come households, from exposure to unhealthy levels of*
18 *carbon monoxide.*

19 *(e) USE OF GRANT FUNDS.—*

20 *(1) IN GENERAL.—Subject to paragraph (2), an*
21 *eligible State or Tribal organization to which a grant*
22 *is awarded under this section may use the grant—*

23 *(A) to purchase and install compliant car-*
24 *bon monoxide alarms in the dwelling units of*
25 *low-income families or elderly individuals, facili-*

1 *ties that commonly serve children or the elderly*
2 *(including childcare facilities, public schools,*
3 *and senior centers);*

4 *(B) for the development and dissemination*
5 *of training materials, instructors, and any other*
6 *costs relating to the training sessions authorized*
7 *under this subsection; or*

8 *(C) to educate the public about—*

9 *(i) the risk associated with carbon*
10 *monoxide as a poison; and*

11 *(ii) the importance of proper carbon*
12 *monoxide alarm use.*

13 *(2) LIMITATIONS.—*

14 *(A) ADMINISTRATIVE COSTS.—An eligible*
15 *State or Tribal organization to which a grant is*
16 *awarded under this section may use not more*
17 *than 5 percent of the grant amount to cover ad-*
18 *ministrative costs that are not directly related to*
19 *training described in paragraph (1)(B).*

20 *(B) PUBLIC OUTREACH.—An eligible State*
21 *or Tribal organization to which a grant is*
22 *awarded under this section may use not more*
23 *than 25 percent of the grant amount to cover the*
24 *costs of activities described in paragraph (1)(C).*

1 (C) *STATE CONTRIBUTIONS.*—An eligible
2 State to which a grant is awarded under this
3 section shall, with respect to the costs incurred
4 by the State in carrying out activities under the
5 grant, provide non-Federal contributions in an
6 amount equal to not less than 25 percent of the
7 amount of Federal funds provided under the
8 grant to administer the program. This subpara-
9 graph shall not apply to Tribal organizations.

10 (f) *FUNDING.*—

11 (1) *IN GENERAL.*—The Commission shall carry
12 out this title using amounts appropriated to the Com-
13 mission for each of fiscal years 2022 through 2026, to
14 extent such funds are available.

15 (2) *LIMITATION ON ADMINISTRATIVE EX-*
16 *PENSES.*—In a fiscal year, not more than 10 percent
17 of the amounts appropriated or otherwise made avail-
18 able to carry out this title may be used for adminis-
19 trative expenses.

20 (g) *REPORT.*—Not later than 1 year after the last day
21 of each fiscal year in which grants are awarded under this
22 section, the Commission shall submit to Congress a report
23 that evaluates the implementation of the grant program re-
24 quired under this section.

1 **TITLE III—UNITED STATES ANTI-**
2 **DOPING AGENCY REAUTHOR-**
3 **IZATION**

4 **SEC. 301. SHORT TITLE.**

5 *This title may be cited as the “United States Anti-*
6 *Doping Agency Reauthorization Act of 2022”.*

7 **SEC. 302. FINDINGS.**

8 *Congress makes the following findings:*

9 (1) *The United States Anti-Doping Agency—*

10 (A) *is the independent national anti-doping*
11 *organization of the United States; and*

12 (B) *manages the anti-doping program, re-*
13 *sults management processes, drug reference re-*
14 *sources, and athlete education for all United*
15 *States Olympic Committee-recognized national*
16 *governing bodies and the athletes and events of*
17 *such national governing bodies.*

18 (2) *The United States Anti-Doping Agency con-*
19 *tributes to the advancement of clean sport through sci-*
20 *entific research, anti-doping education, and outreach*
21 *programs, and the mission of the United States Anti-*
22 *Doping Agency is to preserve the integrity of competi-*
23 *tion and protect the rights of athletes.*

24 (3) *Participation in youth sports has the poten-*
25 *tial to equip young athletes with important skills and*

1 *values necessary for success in life, and it is essential*
2 *that the culture of youth sports emphasizes such skills*
3 *and values.*

4 (4) *The TrueSport program of the United States*
5 *Anti-Doping Agency partners with youth sport orga-*
6 *nizations across the United States to promote sports-*
7 *manship, character building, and healthy perform-*
8 *ance through the use of targeted educational materials*
9 *designed to promote a positive youth sport experience.*

10 (5) *In modifying the authority of the United*
11 *States Anti-Doping Agency to include the promotion*
12 *of the positive values of youth sport, Congress sends*
13 *a strong signal that the goals of youth sport should*
14 *include instilling in young athletes the values of in-*
15 *tegrity, respect, teamwork, courage, and responsi-*
16 *bility.*

17 (6) *Due to the unique leadership position of the*
18 *United States in the global community, adequate*
19 *funding of the anti-doping and clean sport programs*
20 *of the United States Anti-Doping Agency is impera-*
21 *tive to the preparation for the 2028 Summer Olympic*
22 *Games, which will be held in Los Angeles, California.*

23 (7) *Increased appropriations for fiscal years*
24 *2023 through 2031 would enable the United States*
25 *Anti-Doping Agency to directly affect the integrity*

1 *and well-being of sport, both domestically and inter-*
2 *nationally.*

3 **SEC. 303. MODIFICATIONS OF AUTHORITY.**

4 *Section 701 of the Office of National Drug Control Pol-*
5 *icy Reauthorization Act of 2006 (21 U.S.C. 2001) is amend-*
6 *ed—*

7 *(1) in subsection (b)—*

8 *(A) by amending paragraph (1) to read as*
9 *follows:*

10 *“(1)(A) serve as the independent anti-doping or-*
11 *ganization for the amateur athletic competitions rec-*
12 *ognized by the United States Olympic and*
13 *Paralympic Committee;*

14 *“(B) be responsible for certifying in advance any*
15 *testing conducted by international organizations*
16 *under the World Anti-Doping Code for international*
17 *amateur athletes and athletic competitions occurring*
18 *within the jurisdiction of the United States; and*

19 *“(C) be recognized worldwide as the independent*
20 *national anti-doping organization for the United*
21 *States;”;*

22 *(B) in paragraph (4), by striking the period*
23 *at the end and inserting “; and”;* and

24 *(C) by adding at the end the following:*

1 “(5) promote a positive youth sport experience
2 by using a portion of the funding of the United States
3 Anti-Doping Agency to provide educational materials
4 on sportsmanship, character building, and healthy
5 performance for the athletes, parents, and coaches who
6 participate in youth sports.”; and

7 (2) by adding at the end the following:

8 “(c) *DUE PROCESS IN ARBITRATION PROCEEDINGS.*—
9 Any action taken by the United States Anti-Doping Agency
10 to enforce a policy, procedure, or requirement of the United
11 States Anti-Doping Agency against a person with respect
12 to a violation of Federal law, including an investigation,
13 a disciplinary action, a sanction, or any other administra-
14 tive action, shall be carried out in a manner that provides
15 due process protection to the person.”.

16 **SEC. 304. AUTHORIZATION OF APPROPRIATIONS.**

17 Section 703 of the Office of National Drug Control Pol-
18 icy Reauthorization Act of 2006 (21 U.S.C. 2003) is amend-
19 ed to read as follows:

20 **“SEC. 703. AUTHORIZATION OF APPROPRIATIONS.**

21 “*There are authorized to be appropriated to the United*
22 *States Anti-Doping Agency—*

23 “(1) for fiscal year 2023, \$15,500,000;

24 “(2) for fiscal year 2024, \$16,200,000;

25 “(3) for fiscal year 2025, \$16,900,000;

1 “(4) for fiscal year 2026, \$17,700,000;
2 “(5) for fiscal year 2027, \$18,500,000;
3 “(6) for fiscal year 2028, \$19,800,000;
4 “(7) for fiscal year 2029, \$22,100,000;
5 “(8) for fiscal year 2030, \$24,900,000; and
6 “(9) for fiscal year 2031, \$23,700,000.”.

7 **SEC. 305. INFORMATION SHARING.**

8 *Except as otherwise prohibited by law and except in*
9 *cases in which the integrity of a criminal investigation*
10 *would be affected, pursuant to the obligation of the United*
11 *States under Article 7 of the United Nations Educational,*
12 *Scientific, and Cultural Organization International Con-*
13 *vention Against Doping in Sport done at Paris October 19,*
14 *2005, and ratified by the United States in 2008, the Attor-*
15 *ney General, the Secretary of Homeland Security, and the*
16 *Commissioner of Food and Drugs shall provide to the*
17 *United States Anti-Doping Agency any relevant informa-*
18 *tion relating to the prevention of the use of performance-*
19 *enhancing drugs or the prohibition of performance-enhanc-*
20 *ing methods.*

21 **TITLE IV—PROTECTING INDIAN**
22 **TRIBES FROM SCAMS**

23 **SEC. 401. SHORT TITLE.**

24 *This title may be cited as the “Protecting Indian*
25 *Tribes from Scams Act”.*

1 **SEC. 402. PROTECTING INDIAN TRIBES FROM UNFAIR OR**
2 **DECEPTIVE ACTS OR PRACTICES.**

3 (a) *FTC REPORT ON UNFAIR OR DECEPTIVE ACTS OR*
4 *PRACTICES TARGETING INDIAN TRIBES.*—Not later than 1
5 year after the date of enactment of this Act, and after con-
6 sultation with Indian Tribes, the Commission shall make
7 publicly available on the website of the Commission and
8 submit to the Committee on Energy and Commerce and the
9 Committee on Natural Resources of the House of Represent-
10 atives and the Committee on Commerce, Science, and
11 Transportation and the Committee on Indian Affairs of the
12 Senate a report on unfair or deceptive acts or practices tar-
13 geted at Indian Tribes or members of Indian Tribes, includ-
14 ing—

15 (1) a description of the types of unfair or decep-
16 tive acts or practices identified by the Commission as
17 being targeted at Indian Tribes or members of Indian
18 Tribes;

19 (2) a description of the consumer education ac-
20 tivities of the Commission with respect to such acts or
21 practices;

22 (3) a description of the efforts of the Commission
23 to collaborate with Indian Tribes to prevent such acts
24 or practices or to pursue persons using such acts or
25 practices;

1 (4) *a summary of the enforcement actions taken*
2 *by the Commission related to such acts or practices;*
3 *and*

4 (5) *any recommendations for legislation to pre-*
5 *vent such acts or practices.*

6 (b) *INCREASING AWARENESS OF UNFAIR OR DECEP-*
7 *TIVE ACTS OR PRACTICES TARGETING INDIAN TRIBES.—*
8 *Not later than 6 months after the date of the submission*
9 *of the report required by subsection (a), the Commission*
10 *shall update the website of the Commission to include infor-*
11 *mation for consumers and businesses on identifying and*
12 *avoiding unfair or deceptive acts or practices targeted at*
13 *Indian Tribes or members of Indian Tribes.*

14 (c) *DEFINITIONS.—In this section:*

15 (1) *COMMISSION.—The term “Commission”*
16 *means the Federal Trade Commission.*

17 (2) *INDIAN TRIBE.—The term “Indian Tribe”*
18 *has the meaning given that term in section 4 of the*
19 *Indian Self-Determination and Education Assistance*
20 *Act (25 U.S.C. 5304).*

21 ***DIVISION R—FAFSA***

22 ***SIMPLIFICATION***

23 ***SEC. 101. SHORT TITLE.***

24 *This division may be cited as the “FAFSA Simplifica-*
25 *tion Act Technical Corrections Act”.*

1 **SEC. 102. EXTENDING THE IMPLEMENTATION TIMELINE OF**
2 **FAFSA SIMPLIFICATION ACT BY ONE YEAR.**

3 (a) *AMENDMENTS TO THE FAFSA SIMPLIFICATION*
4 *ACT.*—*The FAFSA Simplification Act (title VII of division*
5 *FF of Public Law 116–260) is amended in section 701(b)—*

6 (1) *by striking “July 1, 2023” both places the*
7 *term appears and inserting “July 1, 2024”; and*

8 (2) *by striking “award year 2023–2024” and in-*
9 *serting “award year 2024–2025”.*

10 (b) *AMENDMENTS TO THE HIGHER EDUCATION ACT*
11 *OF 1965.*—*The Higher Education Act of 1965 (20 U.S.C.*
12 *1001 et seq.), as amended by the FAFSA Simplification*
13 *Act (title VII of division FF of Public Law 116–260), is*
14 *amended—*

15 (1) *in section 401(b)—*

16 (A) *in paragraph (5)(A), by striking*
17 *“award year 2023–2024” and inserting “award*
18 *year 2024–2025”;*

19 (B) *in paragraph (6)(A)—*

20 (i) *in clause (i), by striking “fiscal*
21 *year 2023” and inserting “fiscal year*
22 *2024”; and*

23 (ii) *in clause (ii), by striking “fiscal*
24 *years 2023 through 2033” and inserting*
25 *“fiscal years 2024 through 2034”;*

1 (C) in paragraph (7)(B)(i), by striking “or
2 2022” and inserting “2022, or 2023”; and

3 (D) in paragraph (8)(A), by striking “fiscal
4 year 2033” and inserting “fiscal year 2034”;

5 (2) in section 471, by striking “award year
6 2023–2024” and inserting “award year 2024–2025”;

7 (3) in section 479(a), by striking “July 1, 2023”
8 and inserting “July 1, 2024”;

9 (4) in section 483, by striking “award year
10 2023–2024” each place the term appears and insert-
11 ing “award year 2024–2025”; and

12 (5) in section 485E(b)(2)(B), by striking “award
13 year 2023–2024” and inserting “award year 2024–
14 2025”.

15 (c) *ON-TIME EFFECTIVE DATE PERMITTED.*—

16 (1) *IN GENERAL.*—Notwithstanding section
17 701(b) of the *FAFSA Simplification Act* (title VII of
18 division FF of Public Law 116–260), as amended by
19 this division, the Secretary of Education—

20 (A) may implement on or after July 1,
21 2023, but not later than, July 1, 2024, the
22 amendments made by—

23 (i) section 702(b) of the *FAFSA Sim-*
24 *plification Act* regarding cost of attendance;

1 (ii) section 702(i) of such Act regard-
2 ing discretion of student financial aid ad-
3 ministrators;

4 (iii) section 702(l) of such Act regard-
5 ing special rules for independent students
6 and definitions; and

7 (iv) section 703 of such Act regarding
8 only the period of eligibility for grants
9 under subsection (d) of section 401 of the
10 Higher Education Act of 1965, as amended
11 by the FAFSA Simplification Act; and

12 (B) shall specify in a designation on what
13 date and for which award years the implementa-
14 tion of amendments described in subparagraph
15 (A) are effective on or after July 1, 2023, and
16 prior to July 1, 2024, and shall publish any des-
17 ignation under this paragraph in the Federal
18 Register not less than 60 days before implemen-
19 tation.

20 (2) *STUDENT AID INDEX AS EXPECTED FAMILY*
21 *CONTRIBUTION.*—For purposes of implementing the
22 amendments described in paragraph (1)(A) before
23 July 1, 2024, the term “student aid index” as it ap-
24 pears in such amendments to the Higher Education
25 Act of 1965 shall mean “expected family contribu-

1 (B) by striking “under such paragraph in
2 the same award year” and inserting “under such
3 provisions in the same or a prior award year”.

4 (c) *IRAQ AND AFGHANISTAN SERVICE GRANT AND*
5 *CHILDREN OF FALLEN HEROES GRANT.*—Part A of title
6 *IV of the Higher Education Act of 1965 (20 U.S.C. 1070*
7 *et seq.), as amended by section 703 of the FAFSA Sim-*
8 *plification Act (title VII of division FF of Public Law 116-*
9 *260), is amended—*

10 (1) *in section 401(c)—*

11 (A) *in paragraph (2)—*

12 (i) *by striking subparagraph (A); and*

13 (ii) *by redesignating subparagraphs*
14 *(B) and (C) as subparagraphs (A) and (B),*
15 *respectively;*

16 (B) *in paragraph (3)(A), by striking*
17 *“(2)(B)(i)” and inserting “(2)(A)(i)”;*

18 (C) *by redesignating paragraph (5) as*
19 *paragraph (7); and*

20 (D) *by inserting after paragraph (4) the fol-*
21 *lowing:*

22 “(5) *PREVENTION OF DOUBLE BENEFITS.*—No el-
23 *igible student described in paragraph (2) may con-*
24 *currently receive a grant under both this subsection*
25 *and subsection (b).*

1 “(6) *TERMS AND CONDITIONS.*—*The Secretary*
2 *shall award grants under this subsection in the same*
3 *manner and with the same terms and conditions, in-*
4 *cluding the length of the period of eligibility, as the*
5 *Secretary awards Federal Pell Grants under sub-*
6 *section (b), except that—*

7 “(A) *the award rules and determination of*
8 *need applicable to the calculation of Federal Pell*
9 *Grants under subsection (b)(1) shall not apply to*
10 *grants made under this subsection; and*

11 “(B) *the maximum period determined*
12 *under subsection (d)(5) shall be determined by*
13 *including all grants made under this section re-*
14 *ceived by the eligible student and all grants so*
15 *received under subpart 10 before the effective*
16 *date of this subsection.”; and*

17 (2) *by striking section 420R (20 U.S.C. 1070h).*

18 (d) *EFFECTIVE DATE.*—*The amendments made by*
19 *subsections (a), (b), and (c) shall take effect as if included*
20 *in the FAFSA Simplification Act (title VII of division FF*
21 *of Public Law 116–260) and subject to the effective date*
22 *of section 701(b) of such Act, as amended by this division*
23 *(including the authorization provided under section*
24 *102(c)(1)(A)).*

1 **SEC. 104. CONFORMING CHANGES TO PUBLIC HEALTH**
2 **SERVICE ACT LOANS.**

3 *Title VII of the Public Health Service Act is amend-*
4 *ed—*

5 (1) *in section 705(a)(1) of such Act (42 U.S.C.*
6 *292d(a)(1))—*

7 (A) *in subparagraph (A)—*

8 (i) *in clause (iii), by adding “and”*
9 *after the semicolon;*

10 (ii) *by striking clause (iv); and*

11 (iii) *by redesignating clause (v) as*
12 *clause (iv); and*

13 (B) *in subparagraph (B)—*

14 (i) *in clause (ii), by adding “and”*
15 *after the semicolon;*

16 (ii) *in clause (iii), by striking “; and”*
17 *and inserting a semicolon; and*

18 (iii) *by striking clause (iv); and*

19 (2) *in section 722(b) of such Act (42 U.S.C.*
20 *292r(b))—*

21 (A) *in paragraph (1), by striking “; and”*
22 *and inserting a period;*

23 (B) *by striking paragraph (2); and*

24 (C) *by striking “to a student—” and all*
25 *that follows through “who is in need” and insert-*
26 *ing “to a student who is in need”.*

1 ***DIVISION S—VETERANS***
2 ***MATTERS***
3 ***TITLE I—RAISE ACT***

4 ***SEC. 101. SHORT TITLE.***

5 *This title may be cited as the “Department of Veterans*
6 *Affairs Nurse and Physician Assistant Retention and In-*
7 *come Security Enhancement Act” or the “VA Nurse and*
8 *Physician Assistant RAISE Act”.*

9 ***SEC. 102. PAY FOR NURSES AND CERTAIN OTHER MEDICAL***
10 ***POSITIONS OF THE DEPARTMENT OF VET-***
11 ***ERANS AFFAIRS.***

12 *(a) MAXIMUM RATE OF BASIC PAY.—Section 7451 of*
13 *title 38, United States Code, is amended—*

14 *(1) in subsection (a)(2)(C), by striking “and*
15 *physician assistant” and inserting “physician assist-*
16 *ant, and podiatrist”; and*

17 *(2) in subsection (c), by striking paragraph (2)*
18 *and inserting the following:*

19 *“(2)(A) The maximum rate of basic pay for any grade*
20 *for a covered position may not exceed—*

21 *“(i) in the case of an advanced practice nurse,*
22 *the maximum rate of basic pay established for posi-*
23 *tions in level I of the Executive Schedule under sec-*
24 *tion 5312 of title 5;*

1 “(ii) in the case of a physician assistant, the
2 maximum rate of basic pay established for positions
3 in level I of the Executive Schedule under section
4 5312 of title 5;

5 “(iii) in the case of a registered nurse, the max-
6 imum rate of basic pay established for positions in
7 level II of the Executive Schedule under section 5313
8 of title 5; and

9 “(iv) in the case of any other covered position,
10 the maximum rate of basic pay established for posi-
11 tions in level IV of the Executive Schedule under sec-
12 tion 5315 of title 5.

13 “(B) The maximum rate of basic pay for a grade for
14 the position of certified registered nurse anesthetist pursu-
15 ant to an adjustment under subsection (d) may exceed the
16 maximum rate otherwise provided in subparagraph (A).”.

17 (b) REGISTERED NURSES AND PHYSICIAN ASSISTANTS
18 SERVING IN MANAGEMENT POSITIONS.—Section 7404 of
19 such title is amended—

20 (1) in subsection (a)(2)—

21 (A) by striking “The pay of physicians”
22 and inserting “(A) The pay of physicians”; and

23 (B) by adding at the end the following new
24 subparagraph:

1 “(B) *The basic pay of registered nurses and physician*
 2 *assistants serving in positions to which an Executive order*
 3 *applies under paragraph (1) may be determined under sub-*
 4 *chapter IV of this chapter instead of such Executive order.*
 5 *Such positions shall not otherwise be covered by such sub-*
 6 *chapter, except with respect to bonuses under section 7452*
 7 *or 7458 or special pay under subsection (g) of such section*
 8 *7452.”; and*

9 (2) *in subsection (e)—*

10 (A) *by inserting “basic pay” after “paid”;*

11 *and*

12 (B) *by striking “rate established for the*
 13 *Senior Executive Service under section 5382 of*
 14 *title 5” and inserting “rates established under*
 15 *subchapter IV of this chapter”.*

16 **TITLE II—OUTDOOR INDUSTRY**
 17 **VETERANS CAREERS GAO STUDY**

18 **SEC. 201. OUTDOOR INDUSTRY VETERANS CAREERS GAO**
 19 **STUDY.**

20 (a) *STUDY REQUIRED.—The Comptroller General of*
 21 *the United States shall conduct a study on the use by vet-*
 22 *erans of educational assistance provided under laws admin-*
 23 *istered by the Secretary of Veterans Affairs to pursue ca-*
 24 *reers in outdoor recreation.*

1 **(b) ELEMENTS.**—*The study required by subsection (a)*
2 *shall include the following:*

3 **(1)** *Identification of opportunities for veterans to*
4 *use educational assistance provided under laws ad-*
5 *ministered by the Secretary of Veterans Affairs to*
6 *pursue careers in outdoor recreation in the private*
7 *sector and in the public sector.*

8 **(2)** *Identification of any difficulties with using*
9 *the educational assistance provided under laws ad-*
10 *ministered by the Secretary to veterans to pursue ca-*
11 *reers in outdoor recreation in the private and public*
12 *sector, including trained, apprentice, assistant, and*
13 *certified guides.*

14 **(3)** *Assessment of the availability of opportuni-*
15 *ties for careers in outdoor recreation at the following:*

16 **(A)** *The Department of Agriculture.*

17 **(B)** *The Department of the Interior.*

18 **(C)** *The Army Corps of Engineers.*

19 **(D)** *The National Oceanic and Atmospheric*
20 *Administration.*

21 **(4)** *Identification of any challenges veterans may*
22 *have pursuing careers in outdoor recreation at the*
23 *agencies list under paragraph (3).*

1 (5) *Identification of options to increase opportu-*
2 *nities for veterans to pursue careers in outdoor recre-*
3 *ation at the agencies listed under paragraph (3).*

4 (c) *STAKEHOLDER PERSPECTIVES.*—*In conducting the*
5 *study required by subsection (a), the Comptroller General*
6 *shall obtain the perspectives of the outdoor recreation indus-*
7 *try, veterans groups focusing on the outdoors, nongovern-*
8 *mental organizations, and other interested stakeholders.*

9 (d) *BRIEFING AND REPORT.*—

10 (1) *BRIEFING.*—*Not later than 240 days after*
11 *the date of the enactment of this Act, the Comptroller*
12 *General shall provide the Committee on Veterans' Af-*
13 *airs of the Senate and the Committee on Veterans'*
14 *Affairs of the House of Representatives a briefing on*
15 *the study required by subsection (a).*

16 (2) *REPORT.*—*After providing the briefing re-*
17 *quired by paragraph (1), the Comptroller General*
18 *shall submit to the committees described in such para-*
19 *graph a report on the findings of the Comptroller*
20 *General with respect to the study completed under*
21 *subsection (a).*

22 (e) *OUTDOOR RECREATION DEFINED.*—*In this section,*
23 *the term “outdoor recreation” means recreational activities*
24 *undertaken for pleasure that—*

1 (1) generally involve some level of intentional
2 physical exertion; and

3 (2) occur in nature-based environments outdoors.

4 **DIVISION T—CREDIT UNION**
5 **GOVERNANCE MODERNIZA-**
6 **TION ACT**

7 **SEC. 101. SHORT TITLE.**

8 This division may be cited as the “Credit Union Gov-
9 ernance Modernization Act of 2022”.

10 **SEC. 102. EXPULSION OF FEDERAL CREDIT UNION MEM-**
11 **BERS FOR CAUSE.**

12 Section 118 of the Federal Credit Union Act (12
13 U.S.C. 1764) is amended—

14 (1) in subsection (a)—

15 (A) by striking “subsection (b)” and insert-
16 ing “subsections (b) and (c)”; and

17 (B) by striking “him” and inserting “to the
18 member” ;

19 (2) by redesignating subsection (c) as subsection
20 (d);

21 (3) by inserting after subsection (b) the fol-
22 lowing:

23 “(c) **EXPULSION FOR CAUSE.**—

24 “(1) **IN GENERAL.**—Except as provided in sub-
25 sections (a) and (b) of this section, a member may be

1 *expelled for cause by a two-thirds vote of a quorum*
2 *of the directors of the Federal credit union pursuant*
3 *to a policy which the National Credit Union Admin-*
4 *istration Board shall adopt, pursuant to a rule-*
5 *making, not later than the end of the 18-month period*
6 *following the date of enactment of the Credit Union*
7 *Governance Modernization Act of 2022.*

8 “(2) *DISTRIBUTION OF POLICY TO MEMBERS.—A*
9 *Federal credit union may not expel a member pursu-*
10 *ant to this subsection unless the Federal credit union*
11 *has provided, in written or electronic form, a copy of*
12 *the policy adopted by the National Credit Union Ad-*
13 *ministration Board under paragraph (1) to each*
14 *member of the Federal credit union.*

15 “(3) *PROCEDURES.—*

16 “(A) *NOTIFICATION OF PENDING EXPUL-*
17 *SION.—If a member will, subject to the policy*
18 *adopted under paragraph (1), be subject to ex-*
19 *pulsion, the member shall be notified in advance*
20 *of the expulsion, along with the reason for such*
21 *expulsion. Such notice shall be provided in per-*
22 *son, by mail to the member’s address, or, if the*
23 *member has elected to receive electronic commu-*
24 *nications from the Federal credit union, may be*
25 *provided electronically.*

1 “(B) *RIGHT TO A HEARING.*—

2 “(i) *IN GENERAL.*—A member shall
3 have 60 days from the date of receipt of a
4 notification under subparagraph (A) to re-
5 quest a hearing from the board of directors
6 of the Federal credit union.

7 “(ii) *EXPULSION IF NO HEARING.*—If a
8 member does not request a hearing during
9 the 60-day period described under clause
10 (i), the member shall be expelled after the
11 end of the 60-day period.

12 “(C) *HEARING; VOTE ON EXPULSION.*—If a
13 member requests a hearing during the 60-day pe-
14 riod described under subparagraph (B)(i)—

15 “(i) the board of directors of the Fed-
16 eral credit union shall provide the member
17 with a hearing; and

18 “(ii) after such hearing, the board of
19 directors of the Federal credit union shall
20 hold a vote in a timely manner on expelling
21 the member.

22 “(D) *NOTICE OF EXPULSION.*—If a member
23 is expelled under subparagraph (B)(ii) or
24 (C)(ii), notice of the expulsion of the member
25 shall be provided to the member in person, by

1 *mail to the member's address, in written form*
2 *or, if the member has elected to receive electronic*
3 *communications from the Federal credit union,*
4 *may be provided electronically.*

5 “(4) *REINSTATEMENT.*—

6 “(A) *IN GENERAL.*—*A member expelled*
7 *under this subsection—*

8 “(i) *shall be given an opportunity to*
9 *request reinstatement of membership; and*

10 “(ii) *may be reinstated by either—*

11 “(I) *a majority vote of a quorum*
12 *of the directors of the Federal credit*
13 *union; or*

14 “(II) *a majority vote of the mem-*
15 *bers of the Federal credit union present*
16 *at a meeting.*

17 “(B) *RULE OF CONSTRUCTION.*—*Nothing in*
18 *this paragraph may be construed to require that*
19 *an expelled member be allowed to attend the*
20 *meeting described in subparagraph (A)(ii) in*
21 *person.*

22 “(5) *CAUSE DEFINED.*—*In this subsection, the*
23 *term ‘cause’ means—*

1 “(A) a substantial or repeated violation of
2 the membership agreement of the Federal credit
3 union;

4 “(B) a substantial or repeated disruption,
5 including dangerous or abusive behavior (as de-
6 fined by the National Credit Union Administra-
7 tion Board pursuant to a rulemaking), to the op-
8 erations of a Federal credit union; or

9 “(C) fraud, attempted fraud, or other illegal
10 conduct that a member has been convicted of in
11 relation to the Federal credit union, including
12 the Federal credit union’s employees conducting
13 business on behalf of the Federal credit union.”;
14 (4) in subsection (d), as so redesignated—

15 (A) by striking “either subsection (a) or
16 (b)” and inserting “subsection (a), (b), or (c)”;
17 and

18 (B) by striking “him” and inserting “the
19 member”; and

20 (5) by adding at the end the following:

21 “(e) NO AUTHORITY TO EXPEL CLASSES OF MEM-
22 BERS.—An expulsion of a member pursuant to this section
23 shall be done individually, on a case-by-case basis, and nei-
24 ther the Board nor any Federal credit union may expel a
25 class of members.”.

1 ***DIVISION U—ADJUSTABLE***
2 ***INTEREST RATE (LIBOR) ACT***

3 ***SEC. 101. SHORT TITLE.***

4 *This division may be cited as the “Adjustable Interest*
5 *Rate (LIBOR) Act”.*

6 ***SEC. 102. FINDINGS AND PURPOSE.***

7 *(a) FINDINGS.—Congress finds that—*

8 *(1) LIBOR is used as a benchmark rate in more*
9 *than \$200,000,000,000,000 worth of contracts world-*
10 *wide;*

11 *(2) a significant number of existing contracts*
12 *that reference LIBOR do not provide for the use of a*
13 *clearly defined or practicable replacement benchmark*
14 *rate when LIBOR is discontinued; and*

15 *(3) the cessation or nonrepresentativeness of*
16 *LIBOR could result in disruptive litigation related to*
17 *existing contracts that do not provide for the use of*
18 *a clearly defined or practicable replacement bench-*
19 *mark rate.*

20 *(b) PURPOSE.—It is the purpose of this division—*

21 *(1) to establish a clear and uniform process, on*
22 *a nationwide basis, for replacing LIBOR in existing*
23 *contracts the terms of which do not provide for the use*
24 *of a clearly defined or practicable replacement bench-*
25 *mark rate, without affecting the ability of parties to*

1 *use any appropriate benchmark rate in new con-*
2 *tracts;*

3 *(2) to preclude litigation related to existing con-*
4 *tracts the terms of which do not provide for the use*
5 *of a clearly defined or practicable replacement bench-*
6 *mark rate;*

7 *(3) to allow existing contracts that reference*
8 *LIBOR but provide for the use of a clearly defined*
9 *and practicable replacement rate, to operate accord-*
10 *ing to their terms; and*

11 *(4) to address LIBOR references in Federal law.*

12 **SEC. 103. DEFINITIONS.**

13 *In this division:*

14 *(1) BENCHMARK.—The term “benchmark” means*
15 *an index of interest rates or dividend rates that is*
16 *used, in whole or in part, as the basis of or as a ref-*
17 *erence for calculating or determining any valuation,*
18 *payment, or other measurement.*

19 *(2) BENCHMARK ADMINISTRATOR.—The term*
20 *“benchmark administrator” means a person that pub-*
21 *lishes a benchmark for use by third parties.*

22 *(3) BENCHMARK REPLACEMENT.—The term*
23 *“benchmark replacement” means a benchmark, or an*
24 *interest rate or dividend rate (which may or may not*
25 *be based in whole or in part on a prior setting of*

1 *LIBOR), to replace LIBOR or any interest rate or*
2 *dividend rate based on LIBOR, whether on a tem-*
3 *porary, permanent, or indefinite basis, under or with*
4 *respect to a LIBOR contract.*

5 (4) *BENCHMARK REPLACEMENT CONFORMING*
6 *CHANGES.—The term “benchmark replacement con-*
7 *forming changes” means any technical, administra-*
8 *tive, or operational changes, alterations, or modifica-*
9 *tions that—*

10 (A) *the Board determines, in its discretion,*
11 *would address 1 or more issues affecting the im-*
12 *plementation, administration, and calculation of*
13 *the Board-selected benchmark replacement in*
14 *LIBOR contracts; or*

15 (B) *solely with respect to a LIBOR contract*
16 *that is not a consumer loan, in the reasonable*
17 *judgment of a calculating person, are otherwise*
18 *necessary or appropriate to permit the imple-*
19 *mentation, administration, and calculation of*
20 *the Board-selected benchmark replacement under*
21 *or with respect to a LIBOR contract after giving*
22 *due consideration to any benchmark replacement*
23 *conforming changes under subparagraph (A).*

24 (5) *BOARD.—The term “Board” means the*
25 *Board of Governors of the Federal Reserve System.*

1 (6) *BOARD-SELECTED BENCHMARK REPLACE-*
2 *MENT.*—*The term “Board-selected benchmark replace-*
3 *ment” means a benchmark replacement identified by*
4 *the Board that is based on SOFR, including any*
5 *tenor spread adjustment pursuant to section 104(e).*

6 (7) *CALCULATING PERSON.*—*The term “calcu-*
7 *lating person” means, with respect to any LIBOR*
8 *contract, any person, including the determining per-*
9 *son, responsible for calculating or determining any*
10 *valuation, payment, or other measurement based on a*
11 *benchmark.*

12 (8) *CONSUMER; CREDIT.*—*The terms “consumer”*
13 *and “credit” have the meanings given the terms in*
14 *section 103 of the Truth in Lending Act (15 U.S.C.*
15 *1602).*

16 (9) *CONSUMER LOAN.*—*The term “consumer*
17 *loan” means a consumer credit transaction.*

18 (10) *DETERMINING PERSON.*—*The term “deter-*
19 *mining person” means, with respect to any LIBOR*
20 *contract, any person with the authority, right, or ob-*
21 *ligation, including on a temporary basis (as identi-*
22 *fied by the LIBOR contract or by the governing law*
23 *of the LIBOR contract, as appropriate) to determine*
24 *a benchmark replacement.*

1 (11) *FALLBACK PROVISIONS.*—*The term “fallback*
2 *provisions” means terms in a LIBOR contract for de-*
3 *termining a benchmark replacement, including any*
4 *terms relating to the date on which the benchmark re-*
5 *placement becomes effective.*

6 (12) *IBOR.*—*The term “IBOR” means LIBOR,*
7 *any tenor of non-U.S. dollar currency rates formerly*
8 *known as the London interbank offered rate as ad-*
9 *ministered by ICE Benchmark Administration Lim-*
10 *ited (or any predecessor or successor administrator*
11 *thereof), and any other interbank offered rates that*
12 *are expected to cease.*

13 (13) *IBOR BENCHMARK REPLACEMENT.*—*The*
14 *term “IBOR benchmark replacement” means a bench-*
15 *mark, or an interest rate or dividend rate (which*
16 *may or may not be based in whole or in part on a*
17 *prior setting of an IBOR), to replace an IBOR or*
18 *any interest rate or dividend rate based on an IBOR,*
19 *whether on a temporary, permanent, or indefinite*
20 *basis, under or with respect to an IBOR contract.*

21 (14) *IBOR CONTRACT.*—*The term “IBOR con-*
22 *tract” means any contract, agreement, indenture, or-*
23 *ganizational document, guarantee, mortgage, deed of*
24 *trust, lease, security (whether representing debt or eq-*
25 *uity, including any interest in a corporation, a part-*

1 *nership, or a limited liability company), instrument,*
2 *or other obligation or asset that, by its terms, con-*
3 *tinues in any way to use an IBOR as a benchmark.*

4 (15) *LIBOR.*—*The term “LIBOR”—*

5 (A) *means the overnight and 1-, 3-, 6-, and*
6 *12-month tenors of U.S. dollar LIBOR (formerly*
7 *known as the London interbank offered rate) as*
8 *administered by ICE Benchmark Administration*
9 *Limited (or any predecessor or successor admin-*
10 *istrator thereof); and*

11 (B) *does not include the 1-week or 2-month*
12 *tenors of U.S. dollar LIBOR.*

13 (16) *LIBOR CONTRACT.*—*The term “LIBOR*
14 *contract” means any contract, agreement, indenture,*
15 *organizational document, guarantee, mortgage, deed*
16 *of trust, lease, security (whether representing debt or*
17 *equity, including any interest in a corporation, a*
18 *partnership, or a limited liability company), instru-*
19 *ment, or other obligation or asset that, by its terms,*
20 *uses LIBOR as a benchmark.*

21 (17) *LIBOR REPLACEMENT DATE.*—*The term*
22 *“LIBOR replacement date” means the first London*
23 *banking day after June 30, 2023, unless the Board*
24 *determines that any LIBOR tenor will cease to be*

1 *published or cease to be representative on a different*
2 *date.*

3 (18) *SECURITY.*—*The term “security” has the*
4 *meaning given the term in section 2(a) of the Securi-*
5 *ties Act of 1933 (15 U.S.C. 77b(a)).*

6 (19) *SOFR.*—*The term “SOFR” means the Se-*
7 *cured Overnight Financing Rate published by the*
8 *Federal Reserve Bank of New York (or a successor ad-*
9 *ministrator).*

10 (20) *TENOR SPREAD ADJUSTMENT.*—*The term*
11 *“tenor spread adjustment” means—*

12 (A) *0.00644 percent for overnight LIBOR;*

13 (B) *0.11448 percent for 1-month LIBOR;*

14 (C) *0.26161 percent for 3-month LIBOR;*

15 (D) *0.42826 percent for 6-month LIBOR;*

16 *and*

17 (E) *0.71513 percent for 12-month LIBOR.*

18 **SEC. 104. LIBOR CONTRACTS.**

19 (a) *IN GENERAL.*—*On the LIBOR replacement date,*
20 *the Board-selected benchmark replacement shall be the*
21 *benchmark replacement for any LIBOR contract that, after*
22 *giving any effect to subsection (b)—*

23 (1) *contains no fallback provisions; or*

24 (2) *contains fallback provisions that identify nei-*
25 *ther—*

1 (A) a specific benchmark replacement; nor

2 (B) a determining person.

3 (b) *FALLBACK PROVISIONS.*—On the LIBOR replace-
4 ment date, any reference in the fallback provisions of a
5 LIBOR contract to—

6 (1) a benchmark replacement that is based in
7 any way on any LIBOR value, except to account for
8 the difference between LIBOR and the benchmark re-
9 placement; or

10 (2) a requirement that a person (other than a
11 benchmark administrator) conduct a poll, survey, or
12 inquiries for quotes or information concerning inter-
13 bank lending or deposit rates;

14 shall be disregarded as if not included in the fallback provi-
15 sions of such LIBOR contract and shall be deemed null and
16 void and without any force or effect.

17 (c) *AUTHORITY OF DETERMINING PERSON.*—

18 (1) *IN GENERAL.*—Subject to subsection (f)(2), a
19 determining person may select the Board-selected
20 benchmark replacement as the benchmark replace-
21 ment.

22 (2) *SELECTION.*—Any selection by a determining
23 person of the Board-selected benchmark replacement
24 pursuant to paragraph (1) shall be—

25 (A) irrevocable;

1 (B) made by the earlier of the LIBOR re-
2 placement date and the latest date for selecting
3 a benchmark replacement according to the terms
4 of the LIBOR contract; and

5 (C) used in any determinations of the
6 benchmark under or with respect to the LIBOR
7 contract occurring on and after the LIBOR re-
8 placement date.

9 (3) NO SELECTION.—If a determining person
10 does not select a benchmark replacement by the date
11 specified in paragraph (2)(B), the Board-selected
12 benchmark replacement, on and after the LIBOR re-
13 placement date, shall be the benchmark replacement
14 for the LIBOR contract.

15 (d) CONFORMING CHANGES.—

16 (1) IN GENERAL.—If the Board-selected bench-
17 mark replacement becomes the benchmark replacement
18 for a LIBOR contract pursuant to subsection (a) or
19 (c), all benchmark replacement conforming changes
20 shall become an integral part of the LIBOR contract.

21 (2) NO CONSENT REQUIRED.—A calculating per-
22 son shall not be required to obtain consent from any
23 other person prior to the adoption of benchmark re-
24 placement conforming changes.

25 (e) ADJUSTMENT BY BOARD.—

1 (1) *IN GENERAL.*—*Except as provided in para-*
2 *graph (2), on the LIBOR replacement date, the Board*
3 *shall adjust the Board-selected benchmark replacement*
4 *for each category of LIBOR contract that the Board*
5 *may identify to include the relevant tenor spread ad-*
6 *justment.*

7 (2) *CONSUMER LOANS.*—*For LIBOR contracts*
8 *that are consumer loans, the Board shall adjust the*
9 *Board-selected benchmark replacement as follows:*

10 (A) *During the 1-year period beginning on*
11 *the LIBOR replacement date, incorporate an*
12 *amount, to be determined for any business day*
13 *during that period, that transitions linearly*
14 *from the difference between the Board-selected*
15 *benchmark replacement and the corresponding*
16 *LIBOR tenor determined as of the day imme-*
17 *diately before the LIBOR replacement date to the*
18 *relevant tenor spread adjustment.*

19 (B) *On and after the date that is 1 year*
20 *after the LIBOR replacement date, incorporate*
21 *the relevant tenor spread adjustment.*

22 (f) *RULE OF CONSTRUCTION.*—*Nothing in this divi-*
23 *sion may be construed to alter or impair—*

24 (1) *any written agreement specifying that a*
25 *LIBOR contract shall not be subject to this division;*

1 (2) *except as provided in subsection (b), any*
2 *LIBOR contract that contains fallback provisions*
3 *that identify a benchmark replacement that is not*
4 *based in any way on any LIBOR value (including*
5 *the prime rate or the effective Federal funds rate);*

6 (3) *except as provided in subsection (b) or (c)(3),*
7 *any LIBOR contract subject to subsection (c)(1) as to*
8 *which a determining person does not elect to use a*
9 *Board-selected benchmark replacement pursuant to*
10 *that subsection;*

11 (4) *the application to a Board-selected bench-*
12 *mark replacement of any cap, floor, modifier, or*
13 *spread adjustment to which LIBOR had been subject*
14 *pursuant to the terms of a LIBOR contract;*

15 (5) *any provision of Federal consumer financial*
16 *law that—*

17 (A) *requires creditors to notify borrowers re-*
18 *garding a change-in-terms; or*

19 (B) *governs the reevaluation of rate in-*
20 *creases on credit card accounts under open-ended*
21 *(not home-secured) consumer credit plans; or*

22 (6) *except as provided in section 105(c), the*
23 *rights or obligations of any person, or the authorities*
24 *of any agency, under Federal consumer financial law,*

1 *as defined in section 1002 of the Consumer Financial*
2 *Protection Act of 2010 (12 U.S.C. 5481).*

3 **SEC. 105. CONTINUITY OF CONTRACT AND SAFE HARBOR.**

4 *(a) IN GENERAL.—A Board-selected benchmark re-*
5 *placement and the selection or use of a Board-selected*
6 *benchmark replacement as a benchmark replacement under*
7 *or with respect to a LIBOR contract, and any benchmark*
8 *replacement conforming changes, shall constitute—*

9 *(1) a commercially reasonable replacement for*
10 *and a commercially substantial equivalent to LIBOR;*

11 *(2) a reasonable, comparable, or analogous rate,*
12 *index, or term for LIBOR;*

13 *(3) a replacement that is based on a methodology*
14 *or information that is similar or comparable to*
15 *LIBOR;*

16 *(4) substantial performance by any person of*
17 *any right or obligation relating to or based on*
18 *LIBOR; and*

19 *(5) a replacement that has historical fluctuations*
20 *that are substantially similar to those of LIBOR for*
21 *purposes of the Truth in Lending Act (15 U.S.C.*
22 *1601 note) and regulations promulgated under that*
23 *division.*

24 *(b) NO IMPAIRMENT.—Neither the selection or use of*
25 *a Board-selected benchmark replacement as a benchmark re-*

1 *placement nor the determination, implementation, or per-*
2 *formance of benchmark replacement conforming changes*
3 *under section 104 may—*

4 (1) *be deemed to impair or affect the right of*
5 *any person to receive a payment, or to affect the*
6 *amount or timing of such payment, under any*
7 *LIBOR contract; or*

8 (2) *have the effect of—*

9 (A) *discharging or excusing performance*
10 *under any LIBOR contract for any reason,*
11 *claim, or defense (including any force majeure or*
12 *other provision in any LIBOR contract);*

13 (B) *giving any person the right to unilater-*
14 *ally terminate or suspend performance under*
15 *any LIBOR contract;*

16 (C) *constituting a breach of any LIBOR*
17 *contract; or*

18 (D) *voiding or nullifying any LIBOR con-*
19 *tract.*

20 (c) *SAFE HARBOR.—No person shall be subject to any*
21 *claim or cause of action in law or equity or request for*
22 *equitable relief, or have liability for damages, arising out*
23 *of—*

24 (1) *the selection or use of a Board-selected bench-*
25 *mark replacement;*

1 (2) *the implementation of benchmark replace-*
2 *ment conforming changes; or*

3 (3) *with respect to a LIBOR contract that is not*
4 *a consumer loan, the determination of benchmark re-*
5 *placement conforming changes,*

6 *in each case after giving effect to the provisions of section*
7 *104; provided, however, that in each case any person (in-*
8 *cluding a calculating person) shall remain subject to the*
9 *terms of a LIBOR contract that are not affected by this*
10 *division and any existing legal, regulatory, or contractual*
11 *obligations to correct servicing or other ministerial errors*
12 *under or with respect to a LIBOR contract.*

13 (d) *SELECTION.—The selection or use of a Board-se-*
14 *lected benchmark replacement or the determination, imple-*
15 *mentation, or performance of benchmark replacement con-*
16 *forming changes under section 104 shall not be deemed to—*

17 (1) *be an amendment or modification of any*
18 *LIBOR contract; or*

19 (2) *prejudice, impair, or affect the rights, inter-*
20 *ests, or obligations of any person under or with re-*
21 *spect to any LIBOR contract.*

22 (e) *NO NEGATIVE INFERENCE.—Except as provided in*
23 *subsections (a), (b), or (c)(1) of section 104, nothing in this*
24 *division may be construed to create any negative inference*

1 *or negative presumption regarding the validity or enforce-*
2 *ability of—*

3 (1) *any benchmark replacement (including any*
4 *method for calculating, determining, or implementing*
5 *an adjustment to the benchmark replacement to ac-*
6 *count for any historical differences between LIBOR*
7 *and the benchmark replacement) that is not a Board-*
8 *selected benchmark replacement; or*

9 (2) *any changes, alterations, or modifications to*
10 *or with respect to a LIBOR contract that are not*
11 *benchmark replacement conforming changes.*

12 **SEC. 106. BENCHMARK FOR LOANS.**

13 (a) *DEFINITIONS.—In this section:*

14 (1) *BANK.—The term “bank” means an institu-*
15 *tion subject to examination by a Federal financial in-*
16 *stitutions regulatory agency.*

17 (2) *COVERED ACTION.—The term “covered ac-*
18 *tion” means—*

19 (A) *the initiation by a Federal supervisory*
20 *agency of an enforcement action, including the*
21 *issuance of a cease-and-desist order; or*

22 (B) *the issuance by a Federal supervisory*
23 *agency of a matter requiring attention, a matter*
24 *requiring immediate attention; or a matter re-*
25 *quiring board attention resulting from a super-*

1 *visory activity conducted by the Federal super-*
2 *visory agency.*

3 (3) *FEDERAL FINANCIAL INSTITUTIONS REGU-*
4 *LATORY AGENCY.*—*The term “Federal financial insti-*
5 *tutions regulatory agencies” has the meaning given*
6 *the term in section 1003 of the Federal Financial In-*
7 *stitutions Examination Council Act of 1978 (12*
8 *U.S.C. 3302).*

9 (4) *FEDERAL SUPERVISORY AGENCY.*—*The term*
10 *“Federal supervisory agency” means an agency listed*
11 *in subparagraphs (A) through (H) of section 1101(7)*
12 *of the Right to Financial Privacy Act of 1978 (12*
13 *U.S.C. 3401(7)).*

14 (5) *NON-IBOR LOAN.*—*The term “non-IBOR*
15 *loan” means any loan that, by its terms, does not use*
16 *in any way LIBOR, any tenor of non-U.S. dollar*
17 *currency rates formerly known as the London inter-*
18 *bank offered rate as administered by ICE Benchmark*
19 *Administration Limited (or any predecessor or suc-*
20 *cessor administrator thereof), and any other inter-*
21 *bank offered rates that are expected to cease, as a*
22 *benchmark.*

23 (b) *BENCHMARKS USED BY BANKS.*—*With respect to*
24 *a benchmark used by a bank—*

1 (1) *the bank, in any non-IBOR loan made be-*
2 *fore, on, or after the date of enactment of this Act,*
3 *may use any benchmark, including a benchmark that*
4 *is not SOFR, that the bank determines to be appro-*
5 *priate for the funding model of the bank; the needs of*
6 *the customers of the bank; and the products, risk pro-*
7 *file, risk management capabilities, and operational*
8 *capabilities of the bank; provided, however, that the*
9 *use of any benchmark shall remain subject to the*
10 *terms of the non-IBOR loan, and applicable law; and*

11 (2) *no Federal supervisory agency may take any*
12 *covered action against the bank solely because that*
13 *benchmark is not SOFR.*

14 **SEC. 107. PREEMPTION.**

15 *This division, and regulations promulgated under this*
16 *division, shall supersede any provision of any State or local*
17 *law, statute, rule, regulation, or standard—*

18 (1) *relating to the selection or use of a bench-*
19 *mark replacement or related conforming changes; or*

20 (2) *expressly limiting the manner of calculating*
21 *interest, including the compounding of interest, as*
22 *that provision applies to the selection or use of a*
23 *Board-selected benchmark replacement or benchmark*
24 *replacement conforming changes.*

1 **SEC. 108. TRUST INDENTURE ACT OF 1939.**

2 *Section 316(b) of the Trust Indenture Act of 1939 (15*
 3 *U.S.C. 77ppp(b)) is amended—*

4 *(1) by striking “, except as” and inserting “, ex-*
 5 *cept—*

6 *“(1) as”;*

7 *(2) in paragraph (1), as so designated, by strik-*
 8 *ing “(a), and except that” and inserting “(a);*

9 *“(2) that”;*

10 *(3) in paragraph (2), as so designated, by strik-*
 11 *ing the period at the end and inserting “; and”;* and

12 *(4) by adding at the end the following:*

13 *“(3) that the right of any holder of any inden-*
 14 *ture security to receive payment of the principal of*
 15 *and interest on such indenture security shall not be*
 16 *deemed to be impaired or affected by any change oc-*
 17 *curing by the application of section 104 of the Ad-*
 18 *justable Interest Rate (LIBOR) Act to any indenture*
 19 *security.”.*

20 **SEC. 109. AMENDMENT TO THE HIGHER EDUCATION ACT OF**
 21 **1965.**

22 *Section 438(b)(2)(I) of the Higher Education Act of*
 23 *1965 (20 U.S.C. 1087–1(b)(2)(I)) is amended by adding at*
 24 *the end the following:*

25 *“(viii) REVISED CALCULATION RULE*
 26 *TO ADDRESS INSTANCES WHERE 1-MONTH*

1 *USD LIBOR CEASES OR IS NON-REPRESENT-*
2 *ATIVE.—*

3 “(I) *SUBSTITUTE REFERENCE*
4 *INDEX.—The provisions of this clause*
5 *apply to loans for which the special al-*
6 *lowance payment would otherwise be*
7 *calculated pursuant to clause (vii).*

8 “(II) *CALCULATION BASED ON*
9 *SOFR.—For loans described in sub-*
10 *clause (III) or (IV), the special allow-*
11 *ance payment described in this sub-*
12 *clause shall be substituted for the pay-*
13 *ment provided under clause (vii). For*
14 *each calendar quarter, the formula for*
15 *computing the special allowance that*
16 *would otherwise apply under clause*
17 *(vii) shall be revised by substituting ‘of*
18 *the quotes of the 30-day Average Se-*
19 *cured Overnight Financing Rate*
20 *(SOFR) in effect for each of the days*
21 *in such quarter as published by the*
22 *Federal Reserve Bank of New York (or*
23 *a successor administrator), adjusted*
24 *daily by adding the tenor spread ad-*
25 *justment, as that term is defined in the*

1 *Adjustable Interest Rate (LIBOR) Act,*
2 *for 1-month LIBOR contracts of*
3 *0.11448 percent’ for ‘of the 1-month*
4 *London Inter Bank Offered Rate*
5 *(LIBOR) for United States dollars in*
6 *effect for each of the days in such quar-*
7 *ter as compiled and released by the*
8 *British Bankers Association’. The spe-*
9 *cial allowance calculation for loans*
10 *subject to clause (vii) shall otherwise*
11 *remain in effect.*

12 *“(III) LOANS ELIGIBLE FOR*
13 *SOFR-BASED CALCULATION.—Except as*
14 *provided in subclause (IV), the special*
15 *allowance payment calculated under*
16 *subclause (II) shall apply to all loans*
17 *for which the holder (or, if the holder*
18 *acts as an eligible lender trustee for the*
19 *beneficial owner of the loan, the bene-*
20 *ficial owner of the loan) at any time*
21 *after the effective date of this clause no-*
22 *tifies the Secretary that the holder or*
23 *beneficial owner affirmatively and per-*
24 *manently elects to waive all contrac-*
25 *tual, statutory, or other legal rights to*

1 *a special allowance paid under clause*
2 *(vii) or to the special allowance paid*
3 *pursuant to any other formula that*
4 *was previously in effect with respect to*
5 *such loan, and accepts the rate de-*
6 *scribed in subclause (II). Any such*
7 *waiver shall apply to all loans then*
8 *held, or to be held from time to time,*
9 *by such holder or beneficial owner; pro-*
10 *vided that, due to the need to obtain*
11 *the approval of, demonstrated to the*
12 *satisfaction of the Secretary—*

13 *“(aa) one or more third par-*
14 *ties with a legal or beneficial in-*
15 *terest in loans eligible for the*
16 *SOFRR-based calculation; or*

17 *“(bb) a nationally recognized*
18 *rating organization assigning a*
19 *rating to a financing secured by*
20 *loans otherwise eligible for the*
21 *SOFRR-based calculation,*
22 *the holder of the loan (or, if the holder*
23 *acts as an eligible lender trustee for the*
24 *beneficial owner of the loan, the bene-*
25 *ficial owner of the loan) may elect to*

1 *apply the rate described in subclause*
2 *(II) to specified loan portfolios estab-*
3 *lished for financing purposes by sepa-*
4 *rate notices with different effective*
5 *dates. The special allowance rate based*
6 *on SOFR shall be effective with respect*
7 *to a portfolio as of the first day of the*
8 *calendar quarter following the applica-*
9 *ble effective date of the waiver received*
10 *by the Secretary from the holder or*
11 *beneficial owner and shall permanently*
12 *and irrevocably continue for all subse-*
13 *quent quarters.*

14 “(IV) *FALLBACK PROVISIONS.*—

15 “(aa) *In the event that a*
16 *holder or beneficial owner has not*
17 *elected to waive its rights to a*
18 *special allowance payment under*
19 *clause (vii) with respect to a port-*
20 *folio with an effective date of the*
21 *waiver prior to the first of—*

22 “(AA) *the date on which*
23 *the ICE Benchmark Admin-*
24 *istration (‘IBA’) has perma-*
25 *nently or indefinitely stopped*

1 *providing the 1-month*
2 *United States Dollar LIBOR*
3 *(‘1-month USD LIBOR’) to*
4 *the general public;*

5 *“(BB) the effective date*
6 *of an official public state-*
7 *ment by the IBA or its regu-*
8 *lator that the 1-month USD*
9 *LIBOR is no longer reliable*
10 *or no longer representative;*
11 *or*

12 *“(CC) the LIBOR re-*
13 *placement date, as defined in*
14 *section 103 of the Adjustable*
15 *Interest Rate (LIBOR) Act,*
16 *the special allowance rate calcula-*
17 *tion as described in subclause (II)*
18 *shall, by operation of law, apply*
19 *to all loans in such portfolio.*

20 *“(bb) In such event—*

21 *“(AA) the last deter-*
22 *mined rate of special allow-*
23 *ance based on 1-month USD*
24 *LIBOR will continue to*
25 *apply until the end of the*

1 *then current calendar quar-*
2 *ter; and*

3 *“(BB) the special allow-*
4 *ance rate calculation as de-*
5 *scribed in subclause (II) shall*
6 *become effective as of the first*
7 *day of the following calendar*
8 *quarter and remain in effect*
9 *for all subsequent calendar*
10 *quarters.”.*

11 **SEC. 110. RULEMAKING.**

12 *Not later than 180 days after the date of enactment*
13 *of this Act, the Board shall promulgate regulations to carry*
14 *out this division.*

15 ***DIVISION V—HAITI DEVELOP-***
16 ***MENT, ACCOUNTABILITY, AND***
17 ***INSTITUTIONAL TRANSPARENCY***
18 ***INITIATIVE ACT***

19 **SEC. 101. SHORT TITLE.**

20 *This division may be cited as the “Haiti Development,*
21 *Accountability, and Institutional Transparency Initiative*
22 *Act”.*

1 **SEC. 102. STATEMENT OF POLICY.**

2 *It is the policy of the United States to support the sus-*
3 *tainable rebuilding and development of Haiti in a manner*
4 *that—*

5 (1) *recognizes Haitian independence, self-reli-*
6 *ance, and sovereignty;*

7 (2) *promotes efforts that are led by and support*
8 *the people and Government of Haiti at all levels so*
9 *that Haitians lead the course of reconstruction and*
10 *development of Haiti;*

11 (3) *contributes to international efforts to facili-*
12 *tate conditions for broad, inclusive, and sustained po-*
13 *litical dialogue among the different actors in Haiti to*
14 *restore democratic legitimacy and institutions in*
15 *Haiti;*

16 (4) *builds the long-term capacity of the Govern-*
17 *ment of Haiti, civil society, and the private sector to*
18 *foster economic opportunities in Haiti;*

19 (5) *fosters collaboration between the Haitian di-*
20 *aspora in the United States, including dual citizens*
21 *of Haiti and the United States, and the Government*
22 *of Haiti and the business community in Haiti;*

23 (6) *supports anticorruption efforts, promotes*
24 *press freedom, and addresses human rights concerns,*
25 *including through the enforcement of sanctions im-*
26 *posed in accordance with the Global Magnitsky*

1 *Human Rights Accountability Act (subtitle F of title*
2 *XII of Public Law 114–328; 22 U.S.C. 2656 note) on*
3 *individuals implicated in human rights violations*
4 *and corruption;*

5 (7) *respects and helps restore the natural re-*
6 *sources of Haiti and strengthens community-level re-*
7 *silience to environmental and weather-related im-*
8 *pacts;*

9 (8) *promotes political stability through the hold-*
10 *ing of free, fair, transparent, and timely elections in*
11 *accordance with democratic principles and the Con-*
12 *stitution of Haiti;*

13 (9) *provides timely and comprehensive reporting*
14 *on the goals and progress of the Government of Haiti*
15 *and the United States Government, and transparent*
16 *post-program evaluations and contracting data; and*

17 (10) *promotes the participation of Haitian*
18 *women and youth in governmental and nongovern-*
19 *mental institutions and in economic development and*
20 *governance assistance programs funded by the United*
21 *States.*

22 **SEC. 103. DEFINITION OF APPROPRIATE CONGRESSIONAL**
23 **COMMITTEES.**

24 *In this division, the term “appropriate congressional*
25 *committees” means—*

1 (1) *the Committee on Foreign Relations and the*
2 *Committee on Appropriations of the Senate; and*

3 (2) *the Committee on Foreign Affairs and the*
4 *Committee on Appropriations of the House of Rep-*
5 *resentatives.*

6 **SEC. 104. STRENGTHENING HUMAN RIGHTS AND**
7 **ANTICORRUPTION EFFORTS IN HAITI AND**
8 **HOLDING PERPETRATORS OF THE LA SALINE**
9 **MASSACRE ACCOUNTABLE.**

10 (a) *PRIORITIZATION BY SECRETARY OF STATE.—The*
11 *Secretary of State shall prioritize the protection of human*
12 *rights and anticorruption efforts in Haiti through the fol-*
13 *lowing methods:*

14 (1) *Fostering strong relationships with inde-*
15 *pendent civil society groups focused on monitoring*
16 *corruption and human rights abuses and promoting*
17 *democracy in Haiti.*

18 (2) *Supporting the efforts of the Government of*
19 *Haiti to identify persons involved in human rights*
20 *violations and significant acts of corruption in Haiti,*
21 *including public and private sector actors, and hold*
22 *them accountable for their actions.*

23 (3) *Addressing concerns of impunity for the al-*
24 *leged perpetrators of and the individuals who orga-*

1 nized and planned the massacre in La Saline that
2 took place on November 13, 2018.

3 (4) *Urging authorities to continue to investigate*
4 *attacks in the neighborhoods of La Saline and Bel Air*
5 *in 2018 and 2019 that left dozens dead in order to*
6 *bring the perpetrators to justice.*

7 (b) *BRIEFING.*—

8 (1) *IN GENERAL.*—*Not later than 180 days after*
9 *the date of the enactment of this Act, the Secretary*
10 *shall brief the appropriate congressional committees*
11 *on the events that took place on November 13, 2018,*
12 *in the neighborhood of La Saline, in Port-au-Prince,*
13 *Haiti, and the aftermath of those events.*

14 (2) *ELEMENTS.*—*The briefing required by para-*
15 *graph (1) shall include the following:*

16 (A) *An examination of any links between*
17 *the massacre in La Saline and mass protests*
18 *that occurred concurrently in Haiti.*

19 (B) *An analysis of the reports on the mas-*
20 *sacre in La Saline authored by the United Na-*
21 *tions, the European Union, and the Government*
22 *of Haiti.*

23 (C) *A detailed description of all known per-*
24 *petrators of and the individuals who organized*
25 *and planned the massacre.*

1 (D) *An overview of efforts of the Govern-*
2 *ment of Haiti to bring the perpetrators of and*
3 *the individuals who organized and planned the*
4 *massacre in La Saline to justice and to prevent*
5 *other similar attacks.*

6 (E) *An assessment of the ensuing treatment*
7 *and displacement of the survivors of the mas-*
8 *sacre in La Saline.*

9 (3) *CONSULTATION.—In carrying out paragraph*
10 *(1), the Secretary shall consult with nongovernmental*
11 *organizations in Haiti and the United States.*

12 **SEC. 105. PROMOTING FREEDOM OF THE PRESS AND AS-**
13 **SEMBLY IN HAITI.**

14 *The Secretary of State shall prioritize the promotion*
15 *of freedom of the press and freedom of assembly and the*
16 *protection of journalists in Haiti through the following*
17 *methods:*

18 (1) *Advocating to Haitian authorities for in-*
19 *creased protection for journalists and the press and*
20 *for the freedom to peacefully assemble or protest in*
21 *Haiti.*

22 (2) *Collaborating with officials of the Govern-*
23 *ment of Haiti and representatives of civil society to*
24 *increase legal protections for journalists in Haiti.*

1 (3) *Supporting efforts to strengthen transparency*
2 *in the public and private sectors in Haiti and access*
3 *to information in Haiti.*

4 (4) *Using United States foreign assistance for*
5 *programs to strengthen capacity for independent jour-*
6 *nalists and increase support for investigative jour-*
7 *nalism in Haiti.*

8 **SEC. 106. SUPPORTING POST-EARTHQUAKE, POST-HURRI-**
9 **CANE, AND POST-COVID-19 RECOVERY AND**
10 **DEVELOPMENT IN HAITI.**

11 *The Secretary of State, in coordination with the Ad-*
12 *ministrators of the United States Agency for International*
13 *Development, shall prioritize post-earthquake, post-hurri-*
14 *cane, and post-COVID-19 recovery and development efforts*
15 *in Haiti through the following methods:*

16 (1) *Collaborating with the Government of Haiti*
17 *on a detailed and transparent development plan that*
18 *includes clear objectives and benchmarks.*

19 (2) *Building the capacity of Haitian-led public,*
20 *private, and nongovernmental sector institutions in*
21 *Haiti through post-earthquake and post-hurricane re-*
22 *covery and development planning.*

23 (3) *Assessing the impact of the recovery efforts of*
24 *the United States and the international community*
25 *in Haiti since January 2010.*

1 (4) *Supporting disaster resilience and recon-*
2 *struction efforts.*

3 (5) *Addressing the underlying causes of poverty*
4 *and inequality.*

5 (6) *Improving access to—*

6 (A) *health resources;*

7 (B) *public health technical assistance; and*

8 (C) *clean water, food, and shelter.*

9 (7) *Assessing the impact of the COVID–19 pan-*
10 *demic on post-disaster recovery efforts and evaluating*
11 *United States support needed to help with the pan-*
12 *demic response in Haiti.*

13 (8) *Supporting—*

14 (A) *the export of additional United States-*
15 *produced COVID–19 vaccine doses to Haiti; and*

16 (B) *the safe storage, transport, and end-to-*
17 *end distribution of United States-produced*
18 *COVID–19 vaccines throughout Haiti, in light of*
19 *ongoing humanitarian access challenges pre-*
20 *sented by Haiti’s security environment.*

21 **SEC. 107. REPORT ON DEVELOPMENTS IN HAITI.**

22 (a) *IN GENERAL.—Not later than 180 days after the*
23 *date of the enactment of this Act, the Secretary of State,*
24 *in coordination with the Administrator of the United States*
25 *Agency for International Development (in this section re-*

1 *ferred to as the “Administrator”)* and other relevant agen-
2 *cies and departments, shall submit to the appropriate con-*
3 *gressional committees a report on developments in Haiti.*

4 *(b) ELEMENTS.—The report required by subsection (a)*
5 *shall include the following:*

6 *(1) A strategy for carrying out sections 104(a),*
7 *105, and 106 of this division, including established*
8 *baselines, benchmarks, and indicators to measure out-*
9 *comes and impact.*

10 *(2) An assessment of major corruption com-*
11 *mitted among the public and private sectors in Haiti,*
12 *including identification of any individual or entity*
13 *that financed corruption activities, and all corruption*
14 *prosecutions investigated by the judiciary of Haiti*
15 *since January 2015.*

16 *(3) An overview of efforts of the Government of*
17 *Haiti to address corruption, including the Petrocaribe*
18 *scandal, and corrective measures to strengthen and re-*
19 *store trust in the public institutions of Haiti.*

20 *(4) A description of efforts of the United States*
21 *Government to consult and engage with officials of the*
22 *Government of Haiti and independent civil society*
23 *groups focused on monitoring corruption and human*
24 *rights abuses and promoting democracy and press*
25 *freedom in Haiti since January 2015.*

1 (5) *A description of the response by the Govern-*
2 *ment of Haiti to civic protests that have taken place*
3 *since July 2018 and any allegations of human rights*
4 *abuses, including attacks on journalists.*

5 (6) *An assessment of United States security as-*
6 *sistance to Haiti, including United States support to*
7 *the Haitian National Police and an assessment of*
8 *compliance with section 620M of the Foreign Assist-*
9 *ance Act of 1961 (22 U.S.C. 2378d) and section 362*
10 *of title 10, United States Code (commonly referred to*
11 *as the “Leahy Laws”).*

12 (7) *A description of the efforts of the Government*
13 *of Haiti to support displaced survivors of urban and*
14 *gang violence.*

15 (8) *An assessment of United States interagency*
16 *efforts to counter kidnapping and armed violence in*
17 *Haiti.*

18 (9) *An assessment of the impact of presidential*
19 *decrees on the health of Haiti’s democratic institu-*
20 *tions and the safeguarding of human rights, including*
21 *decrees relating to—*

22 (A) *reducing the authority of the Superior*
23 *Court of Accounts and Administrative Litiga-*
24 *tion;*

25 (B) *promulgating an antiterrorism law;*

1 (C) *establishing the National Intelligence*
2 *Agency; and*

3 (D) *retiring and subsequently appointing*
4 *judges to the Supreme Court of Haiti.*

5 (10) *A review of the alleged coup against Presi-*
6 *dent Moïse on February 7, 2021, and subsequent ar-*
7 *rest and jailings of alleged perpetrators.*

8 (11) *An analysis, conducted in collaboration*
9 *with the Government of Haiti, of efforts to support*
10 *development goals in Haiti since January 2015, in-*
11 *cluding steps taken—*

12 (A) *to strengthen institutions at the na-*
13 *tional and local levels; and*

14 (B) *to strengthen democratic governance at*
15 *the national and local levels.*

16 (12) *An analysis of the effectiveness and sustain-*
17 *ability of development projects financed by the United*
18 *States, including the Caracol Industrial Park and*
19 *supporting infrastructure.*

20 (13) *A description of procurement from Haitian*
21 *small- and medium-sized businesses and nongovern-*
22 *mental organizations by the Government of the*
23 *United States and the Government of Haiti for devel-*
24 *opment and humanitarian activities, disaggregated*

1 *by year since 2015, and a description of efforts to in-*
2 *crease local procurement, including food aid.*

3 *(14) A description of United States efforts since*
4 *January 2015 to assist the Haitian people in their*
5 *pursuits for free, fair, and timely democratic elec-*
6 *tions.*

7 *(15) An overview of United States efforts to co-*
8 *operate with diplomatic partners in Latin America,*
9 *the Caribbean, Canada, and Europe to engage with*
10 *political leaders, civil society, the private sector, and*
11 *underrepresented populations in Haiti to support a*
12 *stable environment conducive to holding free and fair*
13 *elections.*

14 *(16) Quantitative and qualitative indicators to*
15 *assess progress and benchmarks for United States ini-*
16 *tiatives focused on sustainable development in Haiti,*
17 *including democracy assistance, economic revitaliza-*
18 *tion, natural disaster recovery, pandemic response,*
19 *resilience, energy and infrastructure, health, and food*
20 *security.*

21 *(c) CONSULTATION.—In preparing the report required*
22 *by subsection (a), the Secretary and the Administrator shall*
23 *consult, as appropriate, with—*

24 *(1) nongovernmental organizations and civil so-*
25 *ciety groups in Haiti and the United States; and*

1 (2) *the Government of Haiti.*

2 (d) *PUBLIC AVAILABILITY.—The Secretary shall make*
3 *the report required by subsection (a) publicly available on*
4 *the website of the Department of State.*

5 **SEC. 108. REPORT ON THE ASSASSINATION OF PRESIDENT**
6 **JOVENEL MOÏSE.**

7 (a) *IN GENERAL.—Not later than 90 days after the*
8 *date of the enactment of this Act, the Secretary of State,*
9 *in coordination with the Attorney General, the Secretary*
10 *of Homeland Security, and the Director of the Central In-*
11 *telligence Agency, shall submit to the Committee on Foreign*
12 *Relations of the Senate and the Committee on Foreign Af-*
13 *airs of the House of Representatives a report on the July*
14 *7, 2021, assassination of former President of Haiti Jovenel*
15 *Moïse.*

16 (b) *UPDATED REPORT.—Not later than 180 days after*
17 *the submission of the report required by subsection (a), the*
18 *Secretary of State, in coordination with the Attorney Gen-*
19 *eral, the Secretary of Homeland Security, and the Director*
20 *of the Central Intelligence Agency, shall submit to the Com-*
21 *mittee on Foreign Relations of the Senate and the Com-*
22 *mittee on Foreign Affairs of the House of Representatives*
23 *an updated version of the report that includes any signifi-*
24 *cant developments related to the assassination of former*
25 *President of Haiti Jovenel Moïse.*

1 (c) *ELEMENTS.*—*The report required by subsection (a)*
2 *and the report required by subsection (b) shall each include*
3 *the following elements:*

4 (1) *A detailed description of the events leading*
5 *up to the assassination of former President Jovenel*
6 *Moïse and the subsequent investigation of the assas-*
7 *sination, including a description and identification of*
8 *key dates and the names of foreign persons related to*
9 *the assassination and the investigation of the assas-*
10 *sination.*

11 (2) *A description of United States support for*
12 *the efforts of Haitian authorities to investigate the as-*
13 *sassination of former President Jovenel Moïse.*

14 (3) *An assessment of the independence and ca-*
15 *capacity of Haitian authorities to investigate the assas-*
16 *sination of former President Jovenel Moïse, including*
17 *analysis of significant advances and deficiencies of*
18 *the investigation.*

19 (4) *A description of any threats and acts of in-*
20 *timidation against Haitian law enforcement and ju-*
21 *dicial authorities involved in the investigation of the*
22 *assassination of former President Jovenel Moïse, in-*
23 *cluding the identification of foreign persons involved*
24 *in such threats and acts of intimidation.*

1 (5) *A description of any efforts to interfere in or*
2 *undermine the independence and integrity of the in-*
3 *vestigation of the assassination of former President*
4 *Jovenel Moïse.*

5 (6) *A description of whether any foreign persons*
6 *previously employed by or who served as a contractor*
7 *or informant for the United States Government were*
8 *involved in the assassination of former President*
9 *Jovenel Moïse.*

10 (7) *A description and the identification of for-*
11 *ign persons involved in the execution and planning*
12 *of the assassination of former President Jovenel Moïse*
13 *and an assessment of the intentions of such foreign*
14 *persons.*

15 (d) *FORM OF REPORT.*—*The report required by sub-*
16 *section (a) and the updated report required by subsection*
17 *(b) shall each be submitted in an unclassified form, but each*
18 *may include a classified annex.*

19 (e) *PUBLICATION.*—*The Secretary of State shall post*
20 *on the public website of the Department of State—*

21 (1) *the unclassified version of the report required*
22 *by subsection (a) not later than 15 days after the date*
23 *on which the report is submitted under such sub-*
24 *section; and*

1 (2) *the unclassified version of the report required*
2 *by subsection (b) not later than 15 days after the date*
3 *on which the report is submitted under such sub-*
4 *section.*

5 (f) **BRIEFING REQUIREMENT.**—*The Secretary of State,*
6 *in coordination with the Attorney General, the Secretary*
7 *of Homeland Security, and the Director of the Central In-*
8 *telligence Agency, shall brief the Committee on Foreign Re-*
9 *lations of the Senate and the Committee on Foreign Affairs*
10 *of the House of Representatives on—*

11 (1) *the contents of the report required by sub-*
12 *section (a) not later than 15 days after the date on*
13 *which the report is submitted under such subsection;*
14 *and*

15 (2) *the contents of the report required by sub-*
16 *section (b) not later than 15 days after the date on*
17 *which the report is submitted under such subsection.*

18 **SEC. 109. REPEAL.**

19 *The Assessing Progress in Haiti Act of 2014 (22*
20 *U.S.C. 2151 note; Public Law 113–162) is repealed.*

21 **SEC. 110. TERMINATION.**

22 *This division shall terminate on December 31, 2025.*

1 **DIVISION** **W—VIOLENCE**
2 **AGAINST WOMEN ACT REAU-**
3 **THORIZATION ACT OF 2022**

4 **SEC. 1. SHORT TITLE.**

5 *This Act may be cited as the “Violence Against Women*
6 *Act Reauthorization Act of 2022”.*

7 **SEC. 2. UNIVERSAL DEFINITIONS AND GRANT CONDITIONS.**

8 *(a) IN GENERAL.—Section 40002 of the Violence*
9 *Against Women Act of 1994 (34 U.S.C. 12291) is amend-*
10 *ed—*

11 *(1) in subsection (a)—*

12 *(A) in the matter preceding paragraph (1),*
13 *by striking “In this title” and inserting “In this*
14 *title, for the purpose of grants authorized under*
15 *this title”;*

16 *(B) by redesignating paragraphs (43)*
17 *through (45) as paragraphs (50) through (52),*
18 *respectively;*

19 *(C) by redesignating paragraphs (34)*
20 *through (42) as paragraphs (41) through (49),*
21 *respectively;*

22 *(D) by redesignating paragraphs (26)*
23 *through (33) as paragraphs (32) through (39),*
24 *respectively;*

1 (E) by redesignating paragraphs (18)
2 through (25) as paragraphs (23) through (30),
3 respectively;

4 (F) by redesignating paragraphs (16) and
5 (17) as paragraphs (22) and (21), respectively,
6 and transferring paragraph (22), as so redesign-
7 ated, so as to appear before paragraph (23), as
8 so redesignated;

9 (G) by redesignating paragraphs (12)
10 through (15) as paragraphs (17) through (20),
11 respectively;

12 (H) by redesignating paragraph (11) as
13 paragraph (14);

14 (I) by redesignating paragraphs (9) and
15 (10) as paragraphs (10) and (11), respectively;

16 (J) by redesignating paragraph (8) as
17 paragraph (12), and transferring it to appear
18 after paragraph (11), as so redesignated;

19 (K) by redesignating paragraphs (6) and
20 (7) as paragraphs (8) and (9), respectively;

21 (L) by redesignating paragraph (2) as
22 paragraph (7), and transferring it to appear be-
23 fore paragraph (8), as so redesignated;

24 (M) by redesignating paragraphs (4) and
25 (5) as paragraphs (5) and (4), respectively, and

1 *transferring paragraph (4), as so redesignated,*
2 *so as to appear after paragraph (3);*

3 *(N) by redesignating paragraph (1) as*
4 *paragraph (2);*

5 *(O) by inserting before paragraph (2), as so*
6 *redesignated, the following:*

7 “(1) *ABUSE IN LATER LIFE* .—*The term ‘abuse*
8 *in later life’—*

9 “(A) *means—*

10 “(i) *neglect, abandonment, economic*
11 *abuse, or willful harm of an adult aged 50*
12 *or older by an individual in an ongoing re-*
13 *lationship of trust with the victim; or*

14 “(ii) *domestic violence, dating violence,*
15 *sexual assault, or stalking of an adult aged*
16 *50 or older by any individual; and*

17 “(B) *does not include self-neglect.”;*

18 *(P) by inserting after paragraph (5), as so*
19 *redesignated, the following:*

20 “(6) *COURT-BASED PERSONNEL; COURT-RELATED*
21 *PERSONNEL.—The terms ‘court-based personnel’ and*
22 *‘court-related personnel’ mean individuals working in*
23 *the court, whether paid or volunteer, including—*

24 “(A) *clerks, special masters, domestic rela-*
25 *tions officers, administrators, mediators, custody*

1 *evaluators, guardians ad litem, lawyers, nego-*
2 *tiators, probation, parole, interpreters, victim as-*
3 *stants, victim advocates, and judicial, adminis-*
4 *trative, or any other professionals or personnel*
5 *similarly involved in the legal process;*

6 *“(B) court security personnel;*

7 *“(C) personnel working in related supple-*
8 *mentary offices or programs (such as child sup-*
9 *port enforcement); and*

10 *“(D) any other court-based or community-*
11 *based personnel having responsibilities or au-*
12 *thority to address domestic violence, dating vio-*
13 *lence, sexual assault, or stalking in the court sys-*
14 *tem.”;*

15 *(Q) in paragraph (12), as so redesignated,*
16 *by striking “includes felony” and all that follows*
17 *through “jurisdiction.” and inserting the fol-*
18 *lowing: “includes felony or misdemeanor crimes*
19 *committed by a current or former spouse or inti-*
20 *mate partner of the victim under the family or*
21 *domestic violence laws of the jurisdiction receiv-*
22 *ing grant funding and, in the case of victim*
23 *services, includes the use or attempted use of*
24 *physical abuse or sexual abuse, or a pattern of*
25 *any other coercive behavior committed, enabled,*

1 *or solicited to gain or maintain power and con-*
2 *trol over a victim, including verbal, psycho-*
3 *logical, economic, or technological abuse that*
4 *may or may not constitute criminal behavior, by*
5 *a person who—*

6 *“(A) is a current or former spouse or inti-*
7 *mate partner of the victim, or person similarly*
8 *situated to a spouse of the victim;*

9 *“(B) is cohabitating, or has cohabitated,*
10 *with the victim as a spouse or intimate partner;*

11 *“(C) shares a child in common with the vic-*
12 *tim; or*

13 *“(D) commits acts against a youth or adult*
14 *victim who is protected from those acts under the*
15 *family or domestic violence laws of the jurisdic-*
16 *tion.”;*

17 *(R) by inserting after paragraph (12), as so*
18 *redesignated, the following:*

19 *“(13) ECONOMIC ABUSE.—The term ‘economic*
20 *abuse’, in the context of domestic violence, dating vio-*
21 *lence, and abuse in later life, means behavior that is*
22 *coercive, deceptive, or unreasonably controls or re-*
23 *strains a person’s ability to acquire, use, or maintain*
24 *economic resources to which they are entitled, includ-*
25 *ing using coercion, fraud, or manipulation to—*

1 “(A) restrict a person’s access to money, as-
2 sets, credit, or financial information;

3 “(B) unfairly use a person’s personal eco-
4 nomic resources, including money, assets, and
5 credit, for one’s own advantage; or

6 “(C) exert undue influence over a person’s
7 financial and economic behavior or decisions, in-
8 cluding forcing default on joint or other finan-
9 cial obligations, exploiting powers of attorney,
10 guardianship, or conservatorship, or failing or
11 neglecting to act in the best interests of a person
12 to whom one has a fiduciary duty.”;

13 (S) by inserting after paragraph (14), as so
14 redesignated, the following:

15 “(15) *FEMALE GENITAL MUTILATION OR CUT-*
16 *TING.*—The term ‘female genital mutilation or cut-
17 ting’ has the meaning given such term in section 116
18 of title 18, United States Code.

19 “(16) *FORCED MARRIAGE.*—The term ‘forced
20 marriage’ means a marriage to which 1 or both par-
21 ties do not or cannot consent, and in which 1 or more
22 elements of force, fraud, or coercion is present. Forced
23 marriage can be both a cause and a consequence of
24 domestic violence, dating violence, sexual assault or
25 stalking.”;

1 (T) by striking paragraph (17), as so reded-
2 ignated, and inserting the following:

3 “(17) *HOMELESS*.— The term ‘homeless’ has the
4 meaning given such term in section 41403.”;

5 (U) in paragraph (22), as so redesignated—

6 (i) in the heading, by inserting “; IN-
7 DIAN TRIBE” after “TRIBE”; and

8 (ii) by striking “term ‘Indian tribe’
9 means” and inserting “terms ‘Indian tribe’
10 and ‘Indian Tribe’ mean”;

11 (V) by striking paragraph (24), as so reded-
12 ignated, and inserting the following:

13 “(24) *LEGAL ASSISTANCE*.—

14 “(A) *DEFINITION*.—The term ‘legal assist-
15 ance’ means assistance provided by or under the
16 direct supervision of a person described in sub-
17 paragraph (B) to an adult, youth, or child vic-
18 tim of domestic violence, dating violence, sexual
19 assault, or stalking relating to a matter de-
20 scribed in subparagraph (C).

21 “(B) *PERSON DESCRIBED*.—A person de-
22 scribed in this subparagraph is—

23 “(i) a licensed attorney;

1 “(ii) in immigration proceedings, a
2 Board of Immigration Appeals accredited
3 representative;

4 “(iii) in claims of the Department of
5 Veterans Affairs, a representative authorized
6 by the Secretary of Veterans Affairs; or

7 “(iv) any person who functions as an
8 attorney or lay advocate in tribal court.

9 “(C) MATTER DESCRIBED.—A matter de-
10 scribed in this subparagraph is a matter relating
11 to—

12 “(i) divorce, parental rights, child sup-
13 port, Tribal, territorial, immigration, em-
14 ployment, administrative agency, housing,
15 campus, education, healthcare, privacy, con-
16 tract, consumer, civil rights, protection or
17 other injunctive proceedings, related enforce-
18 ment proceedings, and other similar mat-
19 ters;

20 “(ii) criminal justice investigations,
21 prosecutions, and post-conviction matters
22 (including sentencing, parole, and proba-
23 tion) that impact the victim’s safety, pri-
24 vacy, or other interests as a victim;

1 “(iii) *alternative dispute resolution, re-*
2 *storative practices, or other processes in-*
3 *tended to promote victim safety, privacy,*
4 *and autonomy, and offender accountability,*
5 *regardless of court involvement; or*

6 “(iv) *with respect to a conviction of a*
7 *victim relating to or arising from domestic*
8 *violence, dating violence, sexual assault,*
9 *stalking, or sex trafficking victimization of*
10 *the victim, post-conviction relief proceedings*
11 *in State, local, Tribal, or territorial court.*

12 “(D) *INTAKE OR REFERRAL.—For purposes*
13 *of this paragraph, intake or referral, by itself,*
14 *does not constitute legal assistance.”;*

15 (W) *by inserting after paragraph (30), as so*
16 *redesignated, the following:*

17 “(31) *RESTORATIVE PRACTICE.—The term ‘re-*
18 *storative practice’ means a practice relating to a spe-*
19 *cific harm that—*

20 “(A) *is community-based and unaffiliated*
21 *with any civil or criminal legal process;*

22 “(B) *is initiated by a victim of the harm;*

23 “(C) *involves, on a voluntary basis and*
24 *without any evidence of coercion or intimidation*
25 *of any victim of the harm by any individual*

1 *who committed the harm or anyone associated*
2 *with any such individual—*

3 “(i) *1 or more individuals who com-*
4 *mitted the harm;*

5 “(ii) *1 or more victims of the harm;*
6 *and*

7 “(iii) *the community affected by the*
8 *harm through 1 or more representatives of*
9 *the community;*

10 “(D) *shall include and has the goal of—*

11 “(i) *collectively seeking accountability*
12 *from 1 or more individuals who committed*
13 *the harm;*

14 “(ii) *developing a written process*
15 *whereby 1 or more individuals who com-*
16 *mitted the harm will take responsibility for*
17 *the actions that caused harm to 1 or more*
18 *victims of the harm; and*

19 “(iii) *developing a written course of*
20 *action plan—*

21 “(I) *that is responsive to the needs*
22 *of 1 or more victims of the harm; and*

23 “(II) *upon which 1 or more vic-*
24 *tims, 1 or more individuals who com-*

1 *mitted the harm, and the community*
2 *can agree; and*

3 “(E) *is conducted in a victim services*
4 *framework that protects the safety and supports*
5 *the autonomy of 1 or more victims of the harm*
6 *and the community.”;*

7 (X) *by inserting after paragraph (39), as so*
8 *redesignated, the following:*

9 “(40) *TECHNOLOGICAL ABUSE.—The term ‘tech-*
10 *nological abuse’ means an act or pattern of behavior*
11 *that occurs within domestic violence, sexual assault,*
12 *dating violence or stalking and is intended to harm,*
13 *threaten, intimidate, control, stalk, harass, imper-*
14 *sonate, exploit, extort, or monitor, except as otherwise*
15 *permitted by law, another person, that occurs using*
16 *any form of technology, including but not limited to:*
17 *internet enabled devices, online spaces and platforms,*
18 *computers, mobile devices, cameras and imaging pro-*
19 *grams, apps, location tracking devices, or commu-*
20 *nication technologies, or any other emerging tech-*
21 *nologies.”; and*

22 (Y) *in paragraph (51), as so redesignated,*
23 *by inserting “legal assistance and” before “legal*
24 *advocacy”;* and

25 (2) *in subsection (b)—*

1 (A) in paragraph (2), by adding at the end
2 the following:

3 “(H) *DEATH OF THE PARTY WHOSE PRI-*
4 *VACY HAD BEEN PROTECTED.—In the event of*
5 *the death of any victim whose confidentiality*
6 *and privacy is required to be protected under*
7 *this subsection, grantees and subgrantees may*
8 *share personally identifying information or indi-*
9 *vidual information that is collected about de-*
10 *ceased victims being sought for a fatality review*
11 *to the extent permitted by their jurisdiction’s law*
12 *and only if the following conditions are met:*

13 “(i) *The underlying objectives of the fa-*
14 *tality review are to prevent future deaths,*
15 *enhance victim safety, and increase offender*
16 *accountability.*

17 “(ii) *The fatality review includes poli-*
18 *cies and protocols to protect identifying in-*
19 *formation, including identifying informa-*
20 *tion about the victim’s children, from fur-*
21 *ther release outside the fatality review team.*

22 “(iii) *The grantee or subgrantee makes*
23 *a reasonable effort to get a release from the*
24 *victim’s personal representative (if one has*
25 *been appointed) and from any surviving*

1 *minor children or the guardian of such chil-*
2 *dren (but not if the guardian is the abuser*
3 *of the deceased parent), if the children are*
4 *not capable of knowingly consenting.*

5 *“(iv) The information released is lim-*
6 *ited to that which is necessary for the pur-*
7 *poses of the fatality review.”;*

8 *(B) in paragraph (3), by striking the period*
9 *at the end and inserting “if—*

10 *“(A) the confidentiality and privacy re-*
11 *quirements of this title are maintained; and*

12 *“(B) personally identifying information*
13 *about adult, youth, and child victims of domestic*
14 *violence, dating violence, sexual assault, and*
15 *stalking is not requested or included in any such*
16 *collaboration or information-sharing.”;*

17 *(C) in paragraph (11)—*

18 *(i) by striking “Of the total” and in-*
19 *serting the following:*

20 *“(A) IN GENERAL.—Of the total”;* and

21 *(ii) by adding at the end the following:*

22 *“(B) REQUIREMENT.—The Office on Vio-*
23 *lence Against Women shall make all technical as-*
24 *sistance available as broadly as possible to any*
25 *appropriate grantees, subgrantees, potential*

1 grantees, or other entities without regard to
2 whether the entity has received funding from the
3 Office on Violence Against Women for a par-
4 ticular program or project, with priority given
5 to recipients awarded a grant before the date of
6 enactment of the Violence Against Women Act
7 Reauthorization Act of 2022.”;

8 (D) in paragraph (14)—

9 (i) by striking “services and assistance
10 to victims” and inserting “services and as-
11 sistance to—

12 “(A) victims”;

13 (ii) by striking the period at the end
14 and inserting a semicolon; and

15 (iii) by adding at the end the fol-
16 lowing:

17 “(B) adult survivors of child sexual abuse;

18 and

19 “(C) victims of domestic violence, dating vi-
20 olence, sexual assault, or stalking who are also
21 victims of female genital mutilation or cutting,
22 or forced marriage.”;

23 (E) by striking paragraph (15);

24 (F) by redesignating paragraph (16) as
25 paragraph (15); and

1 (G) in paragraph (15), as so redesignated—

2 (i) in subparagraph (A), by striking
3 clause (iii) and inserting the following:

4 “(iii) *TECHNICAL ASSISTANCE.*—A re-
5 cipient of grant funds under this Act that
6 is found to have an unresolved audit find-
7 ing shall be eligible to receive prompt, indi-
8 vidualized technical assistance to resolve the
9 audit finding and to prevent future find-
10 ings, for a period not to exceed the following
11 2 fiscal years.”; and

12 (ii) in subparagraph (C)(i), by strik-
13 ing “\$20,000” and inserting “\$100,000”
14 and by inserting “the Director or Principal
15 Deputy Director of the Office on Violence
16 Against Women or” before “the Deputy At-
17 torney General”; and

18 (H) by adding at the end the following:

19 “(16) *INNOVATION FUND.*—Of the amounts ap-
20 propriated to carry out this title, not more than 1
21 percent shall be made available for pilot projects,
22 demonstration projects, and special initiatives de-
23 signed to improve Federal, State, local, Tribal, and
24 other community responses to gender-based violence.”.

1 (b) *DEFINITIONS AND GRANT CONDITIONS.*—Section
2 40002 of the Violence Against Women Act of 1994 (34
3 U.S.C. 12291) shall apply to this Act and any grant pro-
4 gram authorized under this Act.

5 **SEC. 3. AGENCY AND DEPARTMENT COORDINATION.**

6 Each head of an Executive department (as defined in
7 section 101 of title 5, United States Code) responsible for
8 carrying out a program under this Act, the Violence
9 Against Women Act of 1994 (title IV of Public Law 103–
10 322; 108 Stat. 1902), the Violence Against Women Act of
11 2000 (division B of Public Law 106–386; 114 Stat. 1491),
12 the Violence Against Women and Department of Justice Re-
13 authorization Act of 2005 (title IX of Public Law 109–162;
14 119 Stat. 3080), or the Violence Against Women Reauthor-
15 ization Act of 2013 (Public Law 113–4; 127 Stat. 54) may
16 coordinate and collaborate on the prevention of domestic vi-
17 olence, dating violence, sexual assault, and stalking, includ-
18 ing sharing best practices and efficient use of resources and
19 technology for victims and those seeking assistance from the
20 Federal Government.

21 **SEC. 4. EFFECTIVE DATE.**

22 (a) *IN GENERAL.*—Except as provided in subsection
23 (b), this Act and the amendments made by this Act shall
24 not take effect until October 1 of the first fiscal year begin-
25 ning after the date of enactment of this Act.

1 (b) *EFFECTIVE ON DATE OF ENACTMENT.*—Sections
2 106, 107, 304, 606, 803, and 1306 and any amendments
3 made by such sections shall take effect on the date of enact-
4 ment of this Act.

5 **SEC. 5. SENSE OF CONGRESS.**

6 *It is the sense of Congress—*

7 (1) *that sex trafficking victims experience sexual*
8 *violence and assault; and*

9 (2) *that Federal recognition of their recovery is*
10 *important.*

11 **SEC. 6. SEVERABILITY.**

12 *If any provision of this Act, an amendment made by*
13 *this Act, or the application of such provision or amendment*
14 *to any person or circumstance is held to be unconstitu-*
15 *tional, the remainder of this Act and the amendments made*
16 *by this Act, and the application of the provisions or amend-*
17 *ment to any other person or circumstance, shall not be af-*
18 *ected.*

1 **TITLE I—ENHANCING LEGAL**
 2 **TOOLS TO COMBAT DOMESTIC**
 3 **VIOLENCE, DATING VIO-**
 4 **LENCE, SEXUAL ASSAULT,**
 5 **AND STALKING**

6 **SEC. 101. STOP GRANTS.**

7 (a) *IN GENERAL.*—Part T of title I of the Omnibus
 8 Crime Control and Safe Streets Act of 1968 (34 U.S.C.
 9 10441 et seq.) is amended—

10 (1) in section 2001 (34 U.S.C. 10441)—

11 (A) in subsection (b)—

12 (i) in paragraph (3), by inserting be-
 13 fore the semicolon at the end the following:
 14 “, including implementation of the grant
 15 conditions in section 40002(b) of the Vio-
 16 lence Against Women Act of 1994 (34
 17 U.S.C. 12291(b))”;

18 (ii) in paragraph (5), by inserting
 19 “and legal assistance” after “improving de-
 20 livery of victim services”; and

21 (iii) in paragraph (9)—

22 (I) by striking “older and dis-
 23 abled women” and inserting “individ-
 24 uals 50 years of age or over, individ-

1 uals with disabilities, and Deaf indi-
2 viduals”;

3 (II) by inserting “legal assist-
4 ance,” after “counseling,”; and

5 (III) by striking “older and dis-
6 abled individuals” and inserting “in-
7 dividuals”;

8 (iv) in paragraph (11), by inserting
9 before the semicolon at the end the fol-
10 lowing: “, including rehabilitative work
11 with offenders”;

12 (v) in paragraph (19), by striking
13 “and” at the end;

14 (vi) in paragraph (20)—

15 (I) by striking “or stalking” and
16 inserting “stalking, or female genital
17 mutilation or cutting”; and

18 (II) by striking the period at the
19 end and inserting a semicolon; and

20 (vii) by inserting after paragraph (20),
21 the following:

22 “(21) developing, enhancing, or strengthening
23 programs and projects to improve evidence collection
24 methods for victims of domestic violence, dating vio-
25 lence, sexual assault, or stalking, including through

1 *funding for technology that better detects bruising and*
2 *injuries across skin tones and related training;*

3 *“(22) developing, enlarging, or strengthening cul-*
4 *turally specific victim services programs to provide*
5 *culturally specific victim services and responses to fe-*
6 *male genital mutilation or cutting;*

7 *“(23) providing victim advocates in State or*
8 *local law enforcement agencies, prosecutors’ offices,*
9 *and courts to provide supportive services and advo-*
10 *cacy to Indian victims of domestic violence, dating*
11 *violence, sexual assault, and stalking; and*

12 *“(24) paying any fees charged by any govern-*
13 *mental authority for furnishing a victim or the child*
14 *of a victim with any of the following documents:*

15 *“(A) A birth certificate or passport of the*
16 *individual, as required by law.*

17 *“(B) An identification card issued to the*
18 *individual by a State or Tribe, that shows that*
19 *the individual is a resident of the State or a*
20 *member of the Tribe.”; and*

21 *(B) in subsection (d)(3), in the matter pre-*
22 *ceding subparagraph (A), by striking “2014*
23 *through 2018” and inserting “2023 through*
24 *2027”;*

25 *(2) in section 2007 (34 U.S.C. 10446)—*

1 (A) in subsection (d)—

2 (i) by redesignating paragraphs (5)
3 and (6) as paragraphs (7) and (8), respec-
4 tively; and

5 (ii) by inserting after paragraph (4)
6 the following:

7 “(5) proof of compliance with the requirements
8 regarding training for victim-centered prosecution de-
9 scribed in section 2017;

10 “(6) certification of compliance with the grant
11 conditions under section 40002(b) of the Violence
12 Against Women Act of 1994 (34 U.S.C. 12291(b)), as
13 applicable;”;

14 (B) in subsection (i)—

15 (i) in paragraph (1), by inserting be-
16 fore the semicolon at the end the following:
17 “and the requirements under section
18 40002(b) of the Violence Against Women Act
19 of 1994 (34 U.S.C. 12291(b)), as applica-
20 ble”; and

21 (ii) in paragraph (2)(C)(iv), by insert-
22 ing after “ethnicity,” the following: “sexual
23 orientation, gender identity,”; and

24 (C) in subsection (j)(2), by adding a period
25 at the end; and

1 (3) by adding at the end the following:

2 **“SEC. 2017. GRANT ELIGIBILITY REGARDING COMPELLING**
3 **VICTIM TESTIMONY.**

4 *“In order for a prosecutor’s office to be eligible to re-*
5 *ceive grant funds under this part, the head of the office shall*
6 *certify, to the State, Indian Tribal government, or terri-*
7 *torial government receiving the grant funding, that the of-*
8 *fice will, during the 3-year period beginning on the date*
9 *on which the grant is awarded, engage in planning, devel-*
10 *oping and implementing—*

11 *“(1) training developed by experts in the field re-*
12 *garding victim-centered approaches in domestic vio-*
13 *lence, sexual assault, dating violence, and stalking*
14 *cases;*

15 *“(2) policies that support a victim-centered ap-*
16 *proach, informed by such training; and*

17 *“(3) a protocol outlining alternative practices*
18 *and procedures for material witness petitions and*
19 *bench warrants, consistent with best practices, that*
20 *shall be exhausted before employing material witness*
21 *petitions and bench warrants to obtain victim-witness*
22 *testimony in the investigation, prosecution, and trial*
23 *of a crime related to domestic violence, sexual assault,*
24 *dating violence, and stalking of the victim in order to*

1 *as serious violations of criminal law, and to seek safety and*
2 *autonomy for victims.”;*

3 *(2) in subsection (b)—*

4 *(A) in paragraph (1), by striking*
5 *“proarrest” and inserting “offender account-*
6 *ability and homicide reduction”;*

7 *(B) in paragraph (5), by striking “legal ad-*
8 *vocacy service programs” and inserting “legal*
9 *advocacy and legal assistance programs”;*

10 *(C) in paragraph (8), by striking “older in-*
11 *dividuals (as defined in section 102 of the Older*
12 *Americans Act of 1965 (42 U.S.C. 3002))” and*
13 *inserting “individuals 50 years of age or over,*
14 *Deaf individuals,”;*

15 *(D) in paragraph (19), by inserting before*
16 *the period at the end the following “, including*
17 *victims among underserved populations (as de-*
18 *defined in section 40002(a) of the Violence Against*
19 *Women Act of 1994 (34 U.S.C. 12291(a))”;* and

20 *(E) by adding at the end the following:*

21 *“(25) To develop Statewide databases with infor-*
22 *mation on where sexual assault nurse examiners are*
23 *located.*

24 *“(26) To develop and implement alternative*
25 *methods of reducing crime in communities, to sup-*

1 *plant punitive programs or policies. For purposes of*
2 *this paragraph, a punitive program or policy is a*
3 *program or policy that—*

4 *“(A) imposes a penalty on a victim of do-*
5 *mestic violence, dating violence, sexual assault,*
6 *or stalking, on the basis of a request by the vic-*
7 *tim for law enforcement or emergency assistance;*
8 *or*

9 *“(B) imposes a penalty on such a victim be-*
10 *cause of criminal activity at the property in*
11 *which the victim resides.”; and*

12 *(3) in subsection (c)(1)—*

13 *(A) in subparagraph (A)—*

14 *(i) in clause (i), by striking “encourage*
15 *or mandate arrests of domestic violence of-*
16 *fenders” and inserting “encourage arrests of*
17 *domestic violence, dating violence, sexual*
18 *assault, and stalking offenders”;* and

19 *(ii) in clause (ii), by striking “encour-*
20 *age or mandate arrest of domestic violence*
21 *offenders” and inserting “encourage arrest*
22 *of offenders”;*

23 *(B) in subparagraph (E)(ii), by striking*
24 *“and” at the end; and*

1 (C) by inserting after subparagraph (E) the
2 following:

3 “(F) except for a court, not later than 3
4 years after the date on which an eligible grantee
5 receives the first award under this part after the
6 date of enactment of the Violence Against Women
7 Act Reauthorization Act of 2022, certify that the
8 laws, policies, and practices of the State or the
9 jurisdiction in which the eligible grantee is lo-
10 cated ensure that prosecutor’s offices engage in
11 planning, developing, and implementing—

12 “(i) training developed by experts in
13 the field regarding victim-centered ap-
14 proaches in domestic violence, sexual as-
15 sault, dating violence, and stalking cases;

16 “(ii) policies that support a victim-
17 centered approach, informed by such train-
18 ing; and

19 “(iii) a protocol outlining alternative
20 practices and procedures for material wit-
21 ness petitions and bench warrants, con-
22 sistent with best practices, that shall be ex-
23 hausted before employing material witness
24 petitions and bench warrants to obtain vic-
25 tim-witness testimony in the investigation,

1 *prosecution, and trial of a crime related to*
2 *domestic violence, sexual assault, dating vi-*
3 *olence, and stalking of the victim in order*
4 *to prevent further victimization and trauma*
5 *to the victim; and*

6 *“(G) except for a court, certify that the*
7 *laws, policies, and practices of the State or the*
8 *jurisdiction in which the eligible grantee is lo-*
9 *cated prohibits the prosecution of a minor under*
10 *the age of 18 with respect to prostitution; and”.*

11 *(c) AUTHORIZATION OF APPROPRIATIONS.—Section*
12 *1001(a)(19) of title I of the Omnibus Crime Control and*
13 *Safe Streets Act of 1968 (34 U.S.C. 10261(a)(19)) is*
14 *amended by striking “2014 through 2018” and inserting*
15 *“2023 through 2027”.*

16 **SEC. 103. LEGAL ASSISTANCE FOR VICTIMS.**

17 *Section 1201 of division B of the Victims of Traf-*
18 *ficking and Violence Protection Act of 2000 (34 U.S.C.*
19 *20121) is amended—*

20 *(1) in subsection (a), by inserting after “no cost*
21 *to the victims.” the following: “When legal assistance*
22 *to a dependent is necessary for the safety of a victim,*
23 *such assistance may be provided.”;*

24 *(2) in subsection (d)—*

1 (A) by amending paragraph (1) to read as
2 follows:

3 “(1) any person providing legal assistance
4 through a program funded under this section—

5 “(A)(i) is a licensed attorney or is working
6 under the direct supervision of a licensed attor-
7 ney;

8 “(ii) in immigration proceedings, is a
9 Board of Immigration Appeals accredited rep-
10 resentative;

11 “(iii) in Veterans’ Administration claims,
12 is an accredited representative; or

13 “(iv) is any person who functions as an at-
14 torney or lay advocate in Tribal court; and

15 “(B)(i) has demonstrated expertise in pro-
16 viding legal assistance to victims of domestic vio-
17 lence, dating violence, sexual assault, or stalking
18 in the targeted population; or

19 “(ii)(I) is partnered with an entity or per-
20 son that has demonstrated expertise described in
21 clause (i); and

22 “(II) has completed, or will complete, train-
23 ing in connection with domestic violence, dating
24 violence, stalking, or sexual assault and related
25 legal issues, including training on evidence-based

1 *risk factors for domestic and dating violence*
2 *homicide;”;*

3 *(B) in paragraph (2), by striking “or local”*
4 *and insert the following: “local, or culturally*
5 *specific”;*

6 *(C) in paragraph (4), after “dating vio-*
7 *lence,” by inserting “stalking;” and*
8 *(3) in subsection (f)(1)—*

9 *(A) by striking “\$57,000,000” and inserting*
10 *“\$60,000,000”; and*

11 *(B) by striking “2014 through 2018” and*
12 *inserting “2023 through 2027”.*

13 **SEC. 104. GRANTS TO SUPPORT FAMILIES IN THE JUSTICE**
14 **SYSTEM.**

15 *Section 1301 of division B of the Victims of Traf-*
16 *ficking and Violence Protection Act of 2000 (34 U.S.C.*
17 *12464) is amended—*

18 *(1) in subsection (b)(8), by striking “to improve”*
19 *and inserting “improve”;*

20 *(2) in subsection (e), by striking “2014 through*
21 *2018” and inserting “2023 through 2027”; and*

22 *(3) by adding at the end the following:*

23 *“(g) CULTURAL RELEVANCE.—Any services provided*
24 *pursuant to a grant funded under this section shall be pro-*
25 *vided in a culturally relevant manner.”.*

1 **SEC. 105. OUTREACH AND SERVICES TO UNDERSERVED**
2 **POPULATIONS GRANTS.**

3 *Section 120 of the Violence Against Women and De-*
4 *partment of Justice Reauthorization Act of 2005 (34 U.S.C.*
5 *20123) is amended—*

6 (1) *in subsection (b)(3), by inserting “Native*
7 *Hawaiian,” before “or local organization”;*

8 (2) *in subsection (d)—*

9 (A) *in paragraph (4)—*

10 (i) *by striking “effectiveness” and in-*
11 *serting “response”;*

12 (ii) *by inserting “population-specific”*
13 *before “training”;* and

14 (iii) *by striking “or” at the end;*

15 (B) *in paragraph (5), by striking the period*
16 *at the end and inserting a semicolon; and*

17 (C) *by adding at the end the following:*

18 “(6) *developing, enlarging, or strengthening cul-*
19 *turally specific programs and projects to provide cul-*
20 *turally specific services regarding responses to, and*
21 *prevention of, female genital mutilation and cutting;*
22 *or*

23 “(7) *strengthening the response of social and*
24 *human services by providing population-specific*
25 *training for service providers on domestic violence,*

1 *dating violence, sexual assault, or stalking in under-*
2 *served populations.”; and*

3 *(3) in subsection (g)—*

4 *(A) by striking “\$2,000,000” and inserting*
5 *“\$6,000,000”; and*

6 *(B) by striking “2014 through 2018” and*
7 *inserting “2023 through 2027”.*

8 **SEC. 106. CRIMINAL PROVISIONS.**

9 *Section 2265(d)(3) of title 18, United States Code, is*
10 *amended—*

11 *(1) by striking “restraining order or injunc-*
12 *tion,”; and*

13 *(2) by adding at the end the following: “The pro-*
14 *hibition under this paragraph applies to all protec-*
15 *tion orders for the protection of a person residing*
16 *within a State, territorial, or Tribal jurisdiction,*
17 *whether or not the protection order was issued by that*
18 *State, territory, or Tribe.”.*

19 **SEC. 107. RAPE SURVIVOR CHILD CUSTODY.**

20 *Section 409 of the Justice for Victims of Trafficking*
21 *Act of 2015 (34 U.S.C. 21308) is amended by striking*
22 *“2015 through 2019” and inserting “2023 through 2027”.*

1 **SEC. 108. ENHANCING CULTURALLY SPECIFIC SERVICES**
2 **FOR VICTIMS OF DOMESTIC VIOLENCE, DAT-**
3 **ING VIOLENCE, SEXUAL ASSAULT, AND**
4 **STALKING.**

5 *Section 121 of the Violence Against Women and De-*
6 *partment of Justice Reauthorization Act of 2005 (34 U.S.C.*
7 *20124) is amended—*

8 *(1) in subsection (a)—*

9 *(A) in paragraph (1)—*

10 *(i) by striking “paragraph (a)(2) of*
11 *this subsection” and inserting “paragraph*
12 *(2)”;* and

13 *(ii) by striking “shall take 5 percent of*
14 *such appropriated amounts” and inserting*
15 *“shall take 15 percent of such appropriated*
16 *amounts for the program under paragraph*
17 *(2)(A) and 5 percent of such appropriated*
18 *amounts for the programs under subpara-*
19 *graphs (B) through (E) of paragraph (2)”;*
20 *and*

21 *(B) by adding at the end the following:*

22 *“(3) ADDITIONAL AUTHORIZATION OF APPRO-*
23 *PRIATIONS.—In addition to the amounts made avail-*
24 *able under paragraph (1), there are authorized to be*
25 *appropriated to carry out this section \$25,000,000 for*
26 *each of fiscal years 2023 through 2027.*

1 “(4) *DISTRIBUTION.*—

2 “(A) *IN GENERAL.*—*Of the total amount*
3 *available for grants under this section, not less*
4 *than 40 percent of such funds shall be allocated*
5 *for programs or projects that meaningfully ad-*
6 *dress non-intimate partner relationship sexual*
7 *assault.*

8 “(B) *ALTERNATIVE ALLOCATION.*—*Notwith-*
9 *standing 40002(b)(11) of the Violence Against*
10 *Women Act of 1994 (34 U.S.C. 12291(b)(11)),*
11 *the Director may allocate a portion of funds de-*
12 *scribed in subparagraph (A) to enhanced tech-*
13 *nical assistance relating to non-intimate partner*
14 *sexual assault if the Office on Violence Against*
15 *Women does not receive sufficient qualified ap-*
16 *plications proposing to address non-intimate*
17 *partner relationship sexual assault.”;*

18 (2) *in subsection (b)(3), by adding at the end the*
19 *following: “Not less than 1 such organization shall*
20 *have demonstrated expertise primarily in domestic vi-*
21 *olence services, and not less than 1 such organization*
22 *shall have demonstrated expertise primarily in non-*
23 *intimate partner sexual assault services.”;*

24 (3) *by striking subsection (e); and*

1 (4) by redesignating subsections (f) through (h)
2 as subsections (e) through (g), respectively.

3 **SEC. 109. PILOT PROGRAM ON RESTORATIVE PRACTICES.**

4 (a) *IN GENERAL.*—*The Violence Against Women Act*
5 *of 1994 (title IV of Public Law 103–322), as amended by*
6 *section 205, is further amended by adding at the end the*
7 *following:*

8 **“Subtitle R—Restorative Practices**

9 **“SEC. 41801. PILOT PROGRAM ON RESTORATIVE PRACTICES.**

10 “(a) *DEFINITIONS.*—*In this section:*

11 “(1) *DIRECTOR.*—*The term ‘Director’ means the*
12 *Director of the Office on Violence Against Women.*

13 “(2) *ELIGIBLE ENTITY.*—*The term ‘eligible enti-*
14 *ty’ means—*

15 “(A) *a State;*

16 “(B) *a unit of local government;*

17 “(C) *a tribal government;*

18 “(D) *a tribal organization;*

19 “(E) *a victim service provider;*

20 “(F) *an institution of higher education (as*
21 *defined in section 101(a) of the Higher Edu-*
22 *cation Act of 1965 (20 U.S.C. 1001(a)); and*

23 “(G) *a private or public nonprofit organi-*
24 *zation, including—*

1 “(i) a tribal nonprofit organization;

2 and

3 “(ii) a faith-based nonprofit organiza-

4 tion.

5 “(3) *RESTORATIVE PRACTICE*.—The term ‘restor-

6 ative practice’ means a practice relating to a specific

7 harm that—

8 “(A) is community-based and unaffiliated

9 with any civil or criminal legal process;

10 “(B) is initiated by a victim of the harm;

11 “(C) involves, on a voluntary basis and

12 without any evidence of coercion or intimidation

13 of any victim of the harm by any individual

14 who committed the harm or anyone associated

15 with any such individual—

16 “(i) 1 or more individuals who com-

17 mitted the harm;

18 “(ii) 1 or more victims of the harm;

19 and

20 “(iii) the community affected by the

21 harm through 1 or more representatives of

22 the community;

23 “(D) shall include and has the goal of—

1 “(i) collectively seeking accountability
2 from 1 or more individuals who committed
3 the harm;

4 “(ii) developing a written process
5 whereby 1 or more individuals who com-
6 mitted the harm will take responsibility for
7 the actions that caused harm to 1 or more
8 victims of the harm; and

9 “(iii) developing a written course of
10 action plan—

11 “(I) that is responsive to the needs
12 of 1 or more victims of the harm; and

13 “(II) upon which 1 or more vic-
14 tims, 1 or more individuals who com-
15 mitted the harm, and the community
16 can agree; and

17 “(E) is conducted in a victim services
18 framework that protects the safety and supports
19 the autonomy of 1 or more victims of the harm
20 and the community.

21 “(b) GRANTS AUTHORIZED.—The Director shall
22 award grants to eligible entities to develop and implement
23 a program, or to assess best practices, for—

1 “(1) *restorative practices to prevent or address*
2 *domestic violence, dating violence, sexual assault, or*
3 *stalking;*

4 “(2) *training by eligible entities, or for eligible*
5 *entities, courts, or prosecutors, on restorative practices*
6 *and program implementation; and*

7 “(3) *evaluations of a restorative practice de-*
8 *scribed in paragraph (1).*

9 “(c) *PRIORITY.—In awarding grants under subsection*
10 *(b), the Director shall give priority to eligible entities that*
11 *submit proposals that meaningfully address the needs of*
12 *culturally specific or underserved populations.*

13 “(d) *QUALIFICATIONS.—To be eligible to receive a*
14 *grant under this section, an eligible entity shall dem-*
15 *onstrate a history of comprehensive training and experience*
16 *in working with victims of domestic violence, dating vio-*
17 *lence, sexual assault, or stalking.*

18 “(e) *PROGRAM REQUIREMENTS.—*

19 “(1) *IN GENERAL.—An eligible entity or a sub-*
20 *grantee of an eligible entity that offers a restorative*
21 *practices program with funds awarded under this sec-*
22 *tion shall ensure that such program—*

23 “(A) *includes set practices and procedures*
24 *for screening the suitability of any individual*
25 *who committed a harm based on—*

1 “(i) the history of civil and criminal
2 complaints against the individual involving
3 domestic violence, sexual assault, dating vi-
4 olence, or stalking;

5 “(ii) parole or probation violations of
6 the individual or whether active parole or
7 probation supervision of the individual is
8 being conducted for prior offenses involving
9 domestic violence, sexual assault, dating vi-
10 olence, or stalking;

11 “(iii) the risk to the safety of any vic-
12 tim of the harm based on an evidence-based
13 risk assessment;

14 “(iv) the risk to public safety, includ-
15 ing an evidence-based risk assessment of the
16 danger to the public; and

17 “(v) past participation of any indi-
18 vidual who committed the harm in restora-
19 tive practice programing; and

20 “(B) denies eligibility to participate in the
21 program for any individual who committed a
22 harm against whom there is—

23 “(i) a pending felony or misdemeanor
24 prosecution for an offense against any vic-

1 *tim of the harm or a dependent of any such*
2 *victim;*

3 *“(ii) a restraining order or a protec-*
4 *tion order (as defined in section 2266 of*
5 *title 18, United States Code) that protects*
6 *any victim of the harm or a dependent of*
7 *any such victim, unless there is an excep-*
8 *tion in the restraining order or protective*
9 *order allowing for participation in a restor-*
10 *ative practices program;*

11 *“(iii) a pending criminal charge in-*
12 *volving or relating to sexual assault, includ-*
13 *ing rape, human trafficking, or child abuse,*
14 *including child sexual abuse; or*

15 *“(iv) a conviction for child sexual*
16 *abuse against the victim or a sibling of the*
17 *victim if the victim or sibling of the victim*
18 *is currently a minor.*

19 *“(2) REFERRAL.—With respect to a risk assess-*
20 *ment described in paragraph (1)(A)(iii) for which an*
21 *eligible entity or a subgrantee of an eligible entity de-*
22 *termines that a victim or a dependent of a victim are*
23 *at significant risk of subsequent serious injury, sexual*
24 *assault, or death, the eligible entity or subgrantee*

1 *shall refer the victim or dependent to other victim*
2 *services, instead of restorative practices.*

3 “(f) *NONDISCLOSURE OF CONFIDENTIAL OR PRIVATE*
4 *INFORMATION.—For the purpose of section 40002(b)(2), an*
5 *individual described in subsection (a)(3)(C) shall be consid-*
6 *ered a person receiving services.*

7 “(g) *RELATION TO CRIMINAL JUSTICE INTERVEN-*
8 *TION.—Restorative practices performed with funds awarded*
9 *under this section are not intended to function as a replace-*
10 *ment for criminal justice intervention for a specific harm.*

11 “(h) *REPORTS.—*

12 “(1) *REPORT TO DIRECTOR.—As a part of the*
13 *report required to be submitted under section*
14 *40002(b)(6), an eligible entity that receives a grant*
15 *under this section shall annually submit to the Direc-*
16 *tor information relating to the effectiveness of the re-*
17 *storative practices carried out with amounts from the*
18 *grant, including—*

19 “(A) *the number of individuals for whom*
20 *the eligible entity supported a restorative prac-*
21 *tice;*

22 “(B) *if applicable, the number of individ-*
23 *uals who—*

24 “(i) *sought restorative practices from*
25 *the eligible entity; and*

1 “(ii) the eligible entity could not serve;

2 “(C) if applicable, the number of individ-
3 uals—

4 “(i) who sought restorative practice
5 training;

6 “(ii) who received restorative practice
7 training;

8 “(iii) who provided restorative practice
9 training; and

10 “(iv) to whom the eligible entity could
11 not provide restorative practice training;

12 “(D) a victim evaluation component that is
13 documented through survey or interview, includ-
14 ing the satisfaction of victims of a harm with the
15 restorative practice services;

16 “(E) if applicable, the number of individ-
17 uals who committed a harm and—

18 “(i) successfully completed and exe-
19 cuted a written course of action plan;

20 “(ii) failed to successfully complete and
21 execute a written course of action plan; and

22 “(iii) were involved in a criminal or
23 civil complaint involving domestic violence,
24 dating violence, sexual assault, or stalking
25 against the victims or victims during the

1 (A) in paragraph (2)(C)(iii), by inserting
2 “direct payments,” before “and comprehensive”;
3 and

4 (B) in paragraph (4), by striking “0.25
5 percent” and inserting “0.5 percent”;

6 (2) in subsection (c)—

7 (A) in paragraph (4)—

8 (i) by striking “(4) DISTRIBUTION”
9 and all that follows through “The Attorney
10 General” and inserting the following:

11 “(4) DISTRIBUTION.—The Attorney General”;

12 and

13 (ii) by striking subparagraph (B);

14 (B) by redesignating paragraph (6) as
15 paragraph (7); and

16 (C) by inserting after paragraph (5) the fol-
17 lowing:

18 “(6) TECHNICAL ASSISTANCE.—The Attorney
19 General shall provide technical assistance to recipi-
20 ents of grants under this subsection by entering into
21 a cooperative agreement or contract with a national,
22 nonprofit, nongovernmental organization or organiza-
23 tions whose primary focus and expertise is in ad-
24 dressing sexual assault within culturally specific com-
25 munities.”; and

1 (3) *in subsection (f)—*

2 (A) *in paragraph (1), by striking*
3 *“\$40,000,000 to remain available until expended*
4 *for each of fiscal years 2014 through 2018” and*
5 *inserting “\$100,000,000 to remain available*
6 *until expended for each of fiscal years 2023*
7 *through 2027”;* and

8 (B) *in paragraph (2)(B)—*

9 (i) *by striking “2.5” and inserting*
10 *“8”;* and

11 (ii) *by striking the semicolon at the*
12 *end and inserting “of which not less than*
13 *20 percent shall be available for technical*
14 *assistance to recipients and potential recipi-*
15 *ents of grants under subsection (c);”.*

16 **SEC. 202. RURAL DOMESTIC VIOLENCE, DATING VIOLENCE,**
17 **SEXUAL ASSAULT, STALKING, AND CHILD**
18 **ABUSE ENFORCEMENT ASSISTANCE PRO-**
19 **GRAM.**

20 *Section 40295 of the Violence Against Women Act of*
21 *1994 (34 U.S.C. 12341) is amended—*

22 (1) *in subsection (a)—*

23 (A) *in paragraph (2), by striking “and” at*
24 *the end;*

1 (B) in paragraph (3)(B), by striking the pe-
2 riod at the end and inserting “; and”; and

3 (C) by adding at the end the following:

4 “(4) to develop, expand, implement, and improve
5 the quality of sexual assault forensic medical exam-
6 ination or sexual assault nurse examiner programs.”;

7 (2) in subsection (b)—

8 (A) in paragraph (4), by striking the period
9 at the end and inserting a semicolon; and

10 (B) in paragraph (5)—

11 (i) by inserting after “by the lack of
12 access to” the following: “quality forensic
13 sexual assault examinations by trained
14 health care providers,”; and

15 (ii) by striking “shelters and” and in-
16 serting “shelters, and”; and

17 (3) in subsection (e)(1), by striking “\$50,000,000
18 for each of fiscal years 2014 through 2018” and in-
19 serting “\$100,000,000 for each of fiscal years 2023
20 through 2027”.

1 **SEC. 203. GRANTS FOR TRAINING AND SERVICES TO END VI-**
2 **OLENCE AGAINST INDIVIDUALS WITH DIS-**
3 **ABILITIES AND DEAF PEOPLE.**

4 *Section 1402 of division B of the Victims of Traf-*
5 *ficking and Violence Protection Act of 2000 (34 U.S.C.*
6 *20122) is amended—*

7 *(1) in the heading—*

8 *(A) by striking “WOMEN” and inserting*
9 *“INDIVIDUALS”; and*

10 *(B) by inserting after “DISABILITIES” the*
11 *following: “AND DEAF PEOPLE”;*

12 *(2) in subsection (a)(1)—*

13 *(A) by striking “and sexual assault” and*
14 *inserting “sexual assault, and abuse by care-*
15 *givers”; and*

16 *(B) by inserting after “with disabilities (as*
17 *defined in section 3 of the Americans with Dis-*
18 *abilities Act of 1990 (42 U.S.C. 12102))” the fol-*
19 *lowing: “and Deaf people”;*

20 *(3) in subsection (b)—*

21 *(A) by striking “disabled individuals” each*
22 *place it appears and inserting “individuals with*
23 *disabilities and Deaf people”;*

24 *(B) in paragraph (3), by inserting after*
25 *“law enforcement” the following: “and other first*
26 *responders”; and*

- 1 (C) in paragraph (8), by striking “pro-
2 viding advocacy and intervention services with-
3 in” and inserting “to enhance the capacity of”;
4 (4) in subsection (c)(1)(D), by striking “disabled
5 individuals” and inserting “individuals with disabili-
6 ties and Deaf people”; and
7 (5) in subsection (e)—
8 (A) by striking “\$9,000,000” and inserting
9 “\$15,000,000”; and
10 (B) by striking “2014 through 2018” and
11 inserting “2023 through 2027”.

12 **SEC. 204. TRAINING AND SERVICES TO END ABUSE IN**
13 **LATER LIFE.**

14 *Subtitle H of the Violence Against Women Act of 1994*
15 *(34 U.S.C. 12421 et seq.) is amended—*

- 16 (1) in the subtitle heading, by striking “**En-**
17 **hanced Training**” and inserting “**Training**”;
18 and

19 (2) in section 40801 (34 U.S.C. 12421)—

- 20 (A) in the section heading, by striking “**EN-**
21 **HANCED TRAINING**” and inserting “**TRAIN-**
22 **ING**”;

23 (B) by striking subsection (a); and

24 (C) in subsection (b)—

1 (i) by striking “(b) GRANT PRO-
2 GRAM.—” and all that follows through
3 paragraph (1) and inserting the following:
4 “The Attorney General shall make grants to
5 eligible entities in accordance with the fol-
6 lowing:”;

7 (ii) by redesignating paragraphs (2)
8 through (5) as paragraphs (1) through (4),
9 respectively;

10 (iii) in paragraph (1), as so redesign-
11 ated—

12 (I) by striking “, including do-
13 mestic violence, dating violence, sexual
14 assault, stalking, exploitation, and ne-
15 glect” each place it appears;

16 (II) in subparagraph (A)—

17 (aa) in clause (i)—

18 (AA) by striking “elder
19 abuse” and inserting “abuse
20 in later life”; and

21 (BB) by striking “vic-
22 tim advocates, and” and in-
23 serting “victim advocates,
24 or”; and

1 *(bb) in clause (iv), by strik-*
2 *ing “advocates, victim service pro-*
3 *viders, and courts to better serve*
4 *victims of abuse in later life” and*
5 *inserting “leaders, victim advo-*
6 *cates, victim service providers,*
7 *courts, and first responders to bet-*
8 *ter serve older victims”;* and

9 *(III) in subparagraph (B)—*

10 *(aa) in clause (i), by striking*
11 *“or other community-based orga-*
12 *nizations in recognizing and ad-*
13 *ressing instances of abuse in*
14 *later life” and inserting “commu-*
15 *nity-based organizations, or other*
16 *professionals who may identify or*
17 *respond to abuse in later life”;*
18 *and*

19 *(bb) in clause (ii), by strik-*
20 *ing “elder abuse and”;*

21 *(iv) in paragraph (2), as so redesign-*
22 *ated—*

23 *(I) in subparagraph (A)—*

24 *(aa) in clause (iv), by strik-*
25 *ing “with demonstrated experience*

1994

1 *in assisting individuals over 50*
2 *years of age”;* and

3 *(bb) in clause (v), by striking*
4 *“with demonstrated experience in*
5 *addressing domestic violence, dat-*
6 *ing violence, sexual assault, and*
7 *stalking”;* and

8 *(II) in subparagraph (B)(iv), by*
9 *striking “in later life;” and inserting*
10 *“50 years of age or over.”;* and

11 *(v) in paragraph (4), as so redesign-*
12 *ated—*

13 *(I) by striking “\$9,000,000” and*
14 *inserting “\$10,000,000”;* and

15 *(II) by striking “2014 through*
16 *2018” and inserting “2023 through*
17 *2027”.*

18 **SEC. 205. ABBY HONOLD ACT.**

19 *(a) SHORT TITLE.—This section may be cited as the*
20 *“Abby Honold Act”.*

21 *(b) AMENDMENT.—Title IV of the Violent Crime Con-*
22 *trol and Law Enforcement Act of 1994 (34 U.S.C. 12291*
23 *et seq.) is amended by adding at the end the following:*

1 **“Subtitle Q—Trauma-Informed, Vic-**
2 **tim-Centered Training for Law**
3 **Enforcement**

4 **“SEC. 41701. DEMONSTRATION PROGRAM ON TRAUMA-IN-**
5 **FORMED, VICTIM-CENTERED TRAINING FOR**
6 **LAW ENFORCEMENT.**

7 “(a) *DEFINITIONS.—In this section—*

8 “(1) *the term ‘Attorney General’ means the At-*
9 *torney General, acting through the Director of the Of-*
10 *fice on Violence Against Women;*

11 “(2) *the term ‘covered individual’ means an in-*
12 *dividual who interfaces with victims of domestic vio-*
13 *lence, dating violence, sexual assault, and stalking,*
14 *including—*

15 “(A) *an individual working for or on behalf*
16 *of an eligible entity;*

17 “(B) *an administrator or personnel of a*
18 *school, university, or other educational program*
19 *or activity (including a campus police officer or*
20 *a school resource officer); and*

21 “(C) *an emergency services or medical em-*
22 *ployee;*

23 “(3) *the term ‘demonstration site’, with respect*
24 *to an eligible entity that receives a grant under this*

1 *section, means the area over which the eligible entity*
2 *has jurisdiction;*

3 *“(4) the term ‘eligible entity’ means a State,*
4 *local, territorial, or Tribal law enforcement agency;*
5 *and*

6 *“(5) the term ‘mandatory partner’ means a na-*
7 *tional, regional, or local victim services organization*
8 *or agency working in collaboration with a law en-*
9 *forcement agency described in paragraph (4).*

10 *“(b) GRANTS AUTHORIZED.—*

11 *“(1) IN GENERAL.—The Attorney General shall*
12 *award grants on a competitive basis to eligible enti-*
13 *ties to collaborate with their mandatory partners to*
14 *carry out the demonstration program under this sec-*
15 *tion by implementing evidence-based or promising in-*
16 *vestigative policies and practices to incorporate trau-*
17 *ma-informed, victim-centered techniques designed*
18 *to—*

19 *“(A) prevent re-traumatization of the vic-*
20 *tim;*

21 *“(B) ensure that covered individuals use*
22 *evidence-based practices to respond to and inves-*
23 *tigate cases of domestic violence, dating violence,*
24 *sexual assault, and stalking;*

1 “(C) improve communication between vic-
2 tims and law enforcement officers in an effort to
3 increase the likelihood of the successful investiga-
4 tion and prosecution of the reported crime in a
5 manner that protects the victim to the greatest
6 extent possible;

7 “(D) increase collaboration among stake-
8 holders who are part of the coordinated commu-
9 nity response to domestic violence, dating vio-
10 lence, sexual assault, and stalking; and

11 “(E) evaluate the effectiveness of the train-
12 ing process and content.

13 “(2) AWARD BASIS.—The Attorney General shall
14 award grants under this section to multiple eligible
15 entities for use in a variety of settings and commu-
16 nities, including—

17 “(A) urban, suburban, Tribal, remote, and
18 rural areas;

19 “(B) college campuses; or

20 “(C) traditionally underserved commu-
21 nities.

22 “(c) USE OF FUNDS.—An eligible entity that receives
23 a grant under this section shall use the grant to—

24 “(1) train covered individuals within the dem-
25 onstration site of the eligible entity to use evidence-

1 *based, trauma-informed, and victim-centered tech-*
2 *niques and knowledge of crime victims' rights*
3 *throughout an investigation into domestic violence,*
4 *dating violence, sexual assault, or stalking, including*
5 *by—*

6 *“(A) conducting victim interviews in a*
7 *manner that—*

8 *“(i) elicits valuable information about*
9 *the domestic violence, dating violence, sex-*
10 *ual assault, or stalking; and*

11 *“(ii) avoids re-traumatization of the*
12 *victim;*

13 *“(B) conducting field investigations that*
14 *mirror best and promising practices available at*
15 *the time of the investigation;*

16 *“(C) customizing investigative approaches*
17 *to ensure a culturally and linguistically appro-*
18 *priate approach to the community being served;*

19 *“(D) becoming proficient in understanding*
20 *and responding to complex cases, including cases*
21 *of domestic violence, dating violence, sexual as-*
22 *sault, or stalking—*

23 *“(i) facilitated by alcohol or drugs;*

24 *“(ii) involving strangulation;*

25 *“(iii) committed by a non-stranger;*

1 “(iv) committed by an individual of
2 the same sex as the victim;

3 “(v) involving a victim with a dis-
4 ability;

5 “(vi) involving a male victim; or

6 “(vii) involving a lesbian, gay, bisex-
7 ual, or transgender (commonly referred to
8 as ‘LGBT’) victim;

9 “(E) developing collaborative relationships
10 between—

11 “(i) law enforcement officers and other
12 members of the response team; and

13 “(ii) the community being served; and

14 “(F) developing an understanding of how to
15 define, identify, and correctly classify a report of
16 domestic violence, dating violence, sexual assault,
17 or stalking; and

18 “(2) promote the efforts of the eligible entity to
19 improve the response of covered individuals to domes-
20 tic violence, dating violence, sexual assault, and stalk-
21 ing through various communication channels, such as
22 the website of the eligible entity, social media, print
23 materials, and community meetings, in order to en-
24 sure that all covered individuals within the dem-
25 onstration site of the eligible entity are aware of those

1 *efforts and included in trainings, to the extent prac-*
2 *ticable.*

3 “(d) *DEMONSTRATION PROGRAM TRAININGS ON TRAU-*
4 *MA-INFORMED, VICTIM-CENTERED APPROACHES.—*

5 “(1) *IDENTIFICATION OF EXISTING TRAININGS.—*

6 “(A) *IN GENERAL.—The Attorney General*
7 *shall identify trainings for law enforcement offi-*
8 *cers, in existence as of the date on which the At-*
9 *torney General begins to solicit applications for*
10 *grants under this section, that—*

11 “(i) *employ a trauma-informed, vic-*
12 *tim-centered approach to domestic violence,*
13 *dating violence, sexual assault, and stalk-*
14 *ing; and*

15 “(ii) *focus on the fundamentals of—*

16 “(I) *trauma responses;*

17 “(II) *the impact of trauma on*
18 *victims of domestic violence, dating vi-*
19 *olence, sexual assault, and stalking;*
20 *and*

21 “(III) *techniques for effectively in-*
22 *vestigating domestic violence, dating*
23 *violence, sexual assault, and stalking.*

24 “(B) *SELECTION.—An eligible entity that*
25 *receives a grant under this section shall select*

1 *one or more of the approaches employed by a*
2 *training identified under subparagraph (A) to*
3 *test within the demonstration site of the eligible*
4 *entity.*

5 “(2) *CONSULTATION.*—*In carrying out para-*
6 *graph (1), the Attorney General shall consult with the*
7 *Director of the Office for Victims of Crime in order*
8 *to seek input from and cultivate consensus among*
9 *outside practitioners and other stakeholders through*
10 *facilitated discussions and focus groups on best prac-*
11 *tices in the field of trauma-informed, victim-centered*
12 *care for victims of domestic violence, dating violence,*
13 *sexual assault, and stalking.*

14 “(e) *EVALUATION.*—*The Attorney General, in con-*
15 *sultation with the Director of the National Institute of Jus-*
16 *tice, shall require each eligible entity that receives a grant*
17 *under this section to identify a research partner, preferably*
18 *a local research partner, to—*

19 “(1) *design a system for generating and col-*
20 *lecting the appropriate data to facilitate an inde-*
21 *pendent process or impact evaluation of the use of the*
22 *grant funds;*

23 “(2) *periodically conduct an evaluation described*
24 *in paragraph (1); and*

1 “(3) periodically make publicly available, during
2 the grant period—

3 “(A) preliminary results of the evaluations
4 conducted under paragraph (2); and

5 “(B) recommendations for improving the
6 use of the grant funds.

7 “(f) *AUTHORIZATION OF APPROPRIATIONS.*—There are
8 authorized to be appropriated to the Attorney General
9 \$5,000,000 for each of fiscal years 2023 through 2027 to
10 carry out this section.

11 “(g) *RULE OF CONSTRUCTION.*—Nothing in this sec-
12 tion shall be construed to interfere with the due process
13 rights of any individual.”.

14 **SEC. 206. LGBT SPECIFIC SERVICES PROGRAM.**

15 (a) *ESTABLISHMENT.*—The Attorney General, acting
16 through the Director of the Violence Against Women Office
17 (referred to in this section as the “Director”), shall make
18 grants to eligible entities to enhance lesbian, gay, bisexual,
19 and transgender (referred to in this section as “LGBT”)
20 specific services for victims of domestic violence, dating vio-
21 lence, sexual assault and stalking.

22 (b) *PURPOSE OF PROGRAM AND GRANTS .*—

23 (1) *GENERAL PROGRAM PURPOSE.*—The purpose
24 of the program required by this section is to promote
25 the following:

1 (A) *The maintenance and replication of ex-*
2 *isting successful LGBT specific domestic vio-*
3 *lence, dating violence, sexual assault, and stalk-*
4 *ing community-based programs providing serv-*
5 *ices and resources for LGBT victims of domestic*
6 *violence, dating violence, sexual assault, and*
7 *stalking.*

8 (B) *The development of innovative LGBT*
9 *specific strategies and projects to enhance access*
10 *to services and resources for LGBT victims of do-*
11 *mestic violence, dating violence, sexual assault,*
12 *and stalking who face obstacles to using more*
13 *traditional services and resources.*

14 (2) *PURPOSES FOR WHICH GRANTS MAY BE*
15 *USED.—The Director shall make grants to commu-*
16 *nity-based programs for the purpose of enhancing*
17 *LGBT specific services for victims of domestic vio-*
18 *lence, dating violence, sexual assault, and stalking.*
19 *Grants under the program shall support community-*
20 *based efforts to address distinctive LGBT specific re-*
21 *sponses to domestic violence, dating violence, sexual*
22 *assault, and stalking, including—*

23 (A) *providing or enhancing services for*
24 *LGBT victims of domestic violence, dating vio-*
25 *lence, sexual assault, or stalking, including serv-*

1 *ices that address the safety, emotional well-being,*
2 *economic, housing, legal and workplace needs of*
3 *LGBT victims;*

4 *(B) supporting programs that specifically*
5 *address underserved LGBT communities, includ-*
6 *ing culturally specific communities, to provide*
7 *specific resources and support for LGBT under-*
8 *served victims of domestic violence, dating vio-*
9 *lence, sexual assault, and stalking;*

10 *(C) working in cooperation with the com-*
11 *munity to develop education and prevention*
12 *strategies highlighting LGBT specific issues and*
13 *resources regarding victims of domestic violence,*
14 *dating violence, sexual assault, and stalking;*

15 *(D) conducting outreach activities to ensure*
16 *that LGBT people who are victims of domestic*
17 *violence, dating violence, stalking, or sexual as-*
18 *sault receive appropriate assistance;*

19 *(E) providing training for victim service*
20 *providers, governmental agencies, courts, law en-*
21 *forcement and other first responders, and non-*
22 *profit, nongovernmental organizations serving*
23 *the LGBT community about risk reduction,*
24 *intervention, prevention, and the nature of do-*

1 *mestic violence, dating violence, stalking, and*
2 *sexual assault;*

3 *(F) developing and implementing LGBT*
4 *specific programming that focuses on victim au-*
5 *tonomy, agency, and safety in order to provide*
6 *resolution and restitution for the victim; and*

7 *(G) providing LGBT specific programs for*
8 *the non-offending LGBT parents of children ex-*
9 *posed to domestic violence, dating violence, sex-*
10 *ual assault, and stalking.*

11 (3) *TECHNICAL ASSISTANCE AND TRAINING.—*

12 *The Director shall provide technical assistance and*
13 *training to grantees of this and other programs under*
14 *this Act regarding the development and provision of*
15 *effective LGBT specific community-based services by*
16 *entering into cooperative agreements or contracts with*
17 *an organization or organizations having a dem-*
18 *onstrated expertise in and whose primary purpose is*
19 *addressing the development and provision of LGBT*
20 *specific community-based services to victims of domes-*
21 *tic violence, dating violence, sexual assault, and stalk-*
22 *ing.*

23 (c) *ELIGIBLE ENTITIES.—Eligible entities for grants*
24 *under this section include—*

1 (1) *community-based organizations, the primary*
2 *purpose of which is providing LGBT specific services*
3 *to victims of domestic violence, dating violence, sexual*
4 *assault, and stalking; and*

5 (2) *community-based organizations, the primary*
6 *purpose of which is providing LGBT specific services*
7 *that can partner with a program having dem-*
8 *onstrated expertise in serving victims of domestic vio-*
9 *lence, dating violence, sexual assault, and stalking,*
10 *and that agrees to receive technical assistance from a*
11 *program with LGBT specific expertise.*

12 (d) *REPORTING.—The Director shall issue a biennial*
13 *report on the distribution of funding under this section, the*
14 *progress made in replicating and supporting increased*
15 *services to LGBT victims of domestic violence, dating vio-*
16 *lence, sexual assault, and stalking and the types of LGBT*
17 *specific programs, strategies, technical assistance, and*
18 *training developed or enhanced through this program.*

19 (e) *EVALUATION.—The Director shall award a con-*
20 *tract or cooperative agreement to evaluate programs under*
21 *this section to an entity with the demonstrated expertise*
22 *in and primary goal of providing enhanced access to serv-*
23 *ices and resources for victims of domestic violence, dating*
24 *violence, sexual assault, and stalking who face obstacles to*
25 *using more traditional services and resources.*

1 (f) *NON-EXCLUSIVITY*.—*Nothing in this section shall*
2 *be construed to exclude LGBT community-based organiza-*
3 *tions from applying to other grant programs authorized*
4 *under this Act.*

5 (g) *AUTHORIZATION OF APPROPRIATIONS*.—*There are*
6 *authorized to be appropriated to carry out this section*
7 *\$8,000,000 for each of fiscal years 2023 through 2027, to*
8 *remain available until expended.*

9 **TITLE III—SERVICES, PROTEC-**
10 **TION, AND JUSTICE FOR**
11 **YOUNG VICTIMS**

12 **SEC. 301. RAPE PREVENTION AND EDUCATION GRANT.**

13 *Section 393A of the Public Health Service Act (42*
14 *U.S.C. 280b–1b) is amended—*

15 (1) *in subsection (a)—*

16 (A) *in paragraph (2), by inserting before*
17 *the semicolon at the end the following “or utili-*
18 *zation of other communication technologies for*
19 *purposes related to such a hotline”;*

20 (B) *in paragraph (3), by striking “profes-*
21 *sionals” and inserting “professionals, including*
22 *school-based professionals, to identify and refer*
23 *students who may have experienced or are at*
24 *risk of experiencing sexual violence”; and*

25 (C) *in paragraph (7)—*

1 (i) by striking “sexual assault” and in-
2 serting “sexual violence, sexual assault, and
3 sexual harassment”; and

4 (ii) by inserting “and Deaf individ-
5 uals” before the period at the end;

6 (2) in subsection (b), by striking “Indian tribal”
7 and inserting “Indian Tribal”;

8 (3) by redesignating subsection (c) and (d) as
9 subsections (d) and (e), respectively;

10 (4) by inserting the following new subsection
11 after subsection (b):

12 “(c) *MEANINGFUL INVOLVEMENT OF STATE SEXUAL*
13 *ASSAULT COALITIONS, CULTURALLY SPECIFIC ORGANIZA-*
14 *TIONS, AND UNDERSERVED COMMUNITIES.—In awarding*
15 *funds to States under this section, the Secretary shall set*
16 *forth procedures designed to ensure meaningful involvement*
17 *of sexual assault coalitions, culturally specific organiza-*
18 *tions, and representatives from underserved communities of*
19 *the State or territory in the application for, and implemen-*
20 *tation of, funding.”;*

21 (5) in subsection (d) (as redesignated by para-
22 graph (3))—

23 (A) in paragraph (1), by striking
24 “\$50,000,000 for each of fiscal years 2014

1 *through 2018” and inserting “\$100,000,000 for*
2 *each of fiscal years 2023 through 2027”;*

3 *(B) in paragraph (3), by adding at the end*
4 *the following: “Not less than 80 percent of the*
5 *total amount made available under this sub-*
6 *section in each fiscal year shall be awarded in*
7 *accordance with this paragraph.”; and*

8 *(C) by adding at the end the following:*

9 *“(4) STATE, TERRITORIAL, AND TRIBAL SEXUAL*
10 *ASSAULT COALITION ALLOTMENT.—*

11 *“(A) IN GENERAL.—Of the total amount*
12 *appropriated under this subsection for a fiscal*
13 *year, not less than 15 percent shall be allocated*
14 *to State, territorial, and Tribal sexual assault*
15 *coalitions for the purposes of coordinating and*
16 *providing prevention activities, providing assist-*
17 *ance to prevention programs, and collaborating*
18 *and coordinating with applicable Federal, State,*
19 *Tribal, and local entities engaged in sexual vio-*
20 *lence prevention, in accordance with this para-*
21 *graph.*

22 *“(B) ALLOCATIONS.—Of the total amount*
23 *appropriated under this subsection and allocated*
24 *to making awards to sexual assault coalitions, as*

1 *described in subparagraph (A), for a fiscal*
2 *year—*

3 *“(i) not less than 10 percent shall be*
4 *made available to Tribal sexual assault coa-*
5 *litions; and*

6 *“(ii) any remaining amounts shall be*
7 *made available, in equal amounts, to each*
8 *State coalition and each territorial coali-*
9 *tion.*

10 *“(C) CLARIFICATION.—Receipt of an award*
11 *under this subsection by a sexual assault coali-*
12 *tion shall not preclude the coalition from receiv-*
13 *ing additional grants or administering funds to*
14 *carry out the purposes described in subsection*
15 *(a).”;* and

16 *(6) by adding at the end the following:*

17 *“(f) REPORT.—Not later than 1 year after the date of*
18 *the enactment of the Violence Against Women Act Reauthor-*
19 *ization Act of 2022, the Secretary, acting through the Direc-*
20 *tor of the Centers for Disease Control and Prevention, shall*
21 *submit to the Committee on Appropriations, the Committee*
22 *on Energy and Commerce, and the Committee on the Judi-*
23 *ciary of the House of Representatives and the Committee*
24 *on Appropriations, the Committee on Health, Education,*
25 *Labor, and Pensions, and the Committee on the Judiciary*

1 *of the Senate a report on the activities funded by grants*
2 *awarded under this section and best practices relating to*
3 *rape prevention and education.”.*

4 **SEC. 302. CREATING HOPE THROUGH OUTREACH, OPTIONS,**
5 **SERVICES, AND EDUCATION (CHOOSE) FOR**
6 **CHILDREN AND YOUTH.**

7 *Section 41201 of the Violence Against Women Act of*
8 *1994 (34 U.S.C. 12451) is amended—*

9 *(1) in subsection (b)—*

10 *(A) in paragraph (1)—*

11 *(i) in the matter preceding subpara-*
12 *graph (A), in the first sentence, by striking*
13 *“target youth who are victims of domestic*
14 *violence, dating violence, sexual assault,*
15 *stalking, and sex trafficking” and inserting*
16 *“target youth, including youth in under-*
17 *served populations, who are victims of do-*
18 *mestic violence, dating violence, sexual as-*
19 *sault, stalking, and sex trafficking”;*

20 *(ii) in subparagraph (B), by striking*
21 *“or” at the end;*

22 *(iii) in subparagraph (C), by striking*
23 *the period at the end and inserting a semi-*
24 *colon; and*

1 (iv) by inserting after subparagraph
2 (C) the following:

3 “(D) clarify State or local mandatory re-
4 porting policies and practices regarding peer-on-
5 peer dating violence, sexual assault, stalking,
6 and sex trafficking; or

7 “(E) develop, enlarge, or strengthen cul-
8 turally specific victim services and responses re-
9 lated to, and prevention of, female genital muti-
10 lation or cutting.”;

11 (B) in paragraph (2)—

12 (i) in subparagraph (A), by striking
13 “stalking, or sex trafficking” and inserting
14 “stalking, sex trafficking, or female genital
15 mutilation or cutting”;

16 (ii) in subparagraph (C), by inserting
17 “confidential” before “support services”;
18 and

19 (iii) in subparagraph (E), by inserting
20 after “programming for youth” the fol-
21 lowing: “, including youth in underserved
22 populations,”; and

23 (C) by adding at the end the following:

24 “(3) CHILDREN EXPOSED TO VIOLENCE AND
25 ABUSE.—To develop, maintain, or enhance programs

1 *designed to prevent future incidents of domestic vio-*
2 *lence, dating violence, sexual assault, and stalking by*
3 *preventing, reducing and responding to children’s ex-*
4 *posure to violence in the home, including by—*

5 *“(A) providing services for children exposed*
6 *to domestic violence, dating violence, sexual as-*
7 *sault or stalking, including—*

8 *“(i) direct counseling or advocacy; and*

9 *“(ii) support for the non-abusing par-*
10 *ent; and*

11 *“(B) training and coordination for edu-*
12 *cational, after-school, and childcare programs on*
13 *how to—*

14 *“(i) safely and confidentially identify*
15 *children and families experiencing domestic*
16 *violence, dating violence, sexual assault, or*
17 *stalking; and*

18 *“(ii) properly refer children exposed*
19 *and their families to services and violence*
20 *prevention programs.*

21 *“(4) TEEN DATING VIOLENCE AWARENESS AND*
22 *PREVENTION.—To develop, maintain, or enhance pro-*
23 *grams that change attitudes and behaviors around the*
24 *acceptability of domestic violence, dating violence,*
25 *sexual assault, and stalking and provide education*

1 *and skills training to young individuals and individ-*
2 *uals who influence young individuals, which—*

3 *“(A) may include the use evidenced-based,*
4 *evidence-informed, or innovative strategies and*
5 *practices focused on youth; and*

6 *“(B) shall include—*

7 *“(i) age and developmentally-appro-*
8 *priate education on—*

9 *“(I) domestic violence;*

10 *“(II) dating violence;*

11 *“(III) sexual assault;*

12 *“(IV) stalking;*

13 *“(V) sexual coercion; and*

14 *“(VI) healthy relationship skills,*
15 *in school, in the community, or in*
16 *health care settings;*

17 *“(ii) community-based collaboration*
18 *and training for individuals with influence*
19 *on youth, such as parents, teachers, coaches,*
20 *healthcare providers, faith leaders, older*
21 *teens, and mentors;*

22 *“(iii) education and outreach to*
23 *change environmental factors contributing*
24 *to domestic violence, dating violence, sexual*
25 *assault, and stalking; and*

1 “(iv) *policy development targeted to*
2 *prevention, including school-based policies*
3 *and protocols.*”;

4 (2) *in subsection (c)—*

5 (A) *in paragraph (1)(A)—*

6 (i) *by inserting “organization” after*
7 *“tribal nonprofit”; and*

8 (ii) *by inserting “Native Hawaiian or-*
9 *ganization, urban Indian organization,” be-*
10 *fore “or population-specific community-*
11 *based organization”; and*

12 (B) *in paragraph (2)(A), by striking “para-*
13 *graph (1)” and inserting “subparagraph (A) or*
14 *(B) of paragraph (1)”;*

15 (3) *in subsection (d)(3), by striking the period at*
16 *the end and inserting “, including training on work-*
17 *ing with youth victims of domestic violence, dating*
18 *violence, sexual assault, or sex trafficking in under-*
19 *served populations, if such youth are among those*
20 *being served.”; and*

21 (4) *in subsection (f), by striking “\$15,000,000*
22 *for each of fiscal years 2014 through 2018” and in-*
23 *serting “\$30,000,000 for each of fiscal years 2023*
24 *through 2027”.*

1 **SEC. 303. GRANTS TO COMBAT VIOLENT CRIMES ON CAM-**
2 **PUSES.**

3 (a) *IN GENERAL.*—Section 304 of the Violence Against
4 Women and Department of Justice Reauthorization Act of
5 2005 (34 U.S.C. 20125) is amended—

6 (1) in subsection (a)—

7 (A) by striking paragraph (2); and

8 (B) by redesignating paragraph (3) as
9 paragraph (2);

10 (2) in subsection (b)—

11 (A) by amending paragraph (2) to read as
12 follows:

13 “(2) To develop, strengthen, and implement cam-
14 pus policies, protocols, and services that more effec-
15 tively identify and respond to the crimes of domestic
16 violence, dating violence, sexual assault, and stalking,
17 including the use of technology to commit these
18 crimes, and to train campus administrators, campus
19 security personnel, and all participants in the resolu-
20 tion process, including personnel from the Title IX co-
21 ordinator’s office, student conduct office, and campus
22 disciplinary or judicial boards on such policies, pro-
23 tocols, and services that promote a prompt, fair, and
24 impartial investigation.”;

25 (B) by amending paragraph (3) to read as
26 follows:

1 “(3) To provide prevention and education pro-
2 gramming about domestic violence, dating violence,
3 sexual assault, and stalking, including technological
4 abuse and reproductive and sexual coercion, that is
5 age-appropriate, culturally relevant, ongoing, deliv-
6 ered in multiple venues on campus, accessible, pro-
7 motes respectful nonviolent behavior as a social norm,
8 and engages men and boys. Such programming
9 should be developed in partnership or collaboratively
10 with experts in intimate partner and sexual violence
11 prevention and intervention.”;

12 (C) in paragraph (9), by striking “and pro-
13 vide” and inserting “, provide, and dissemi-
14 nate”;

15 (D) in paragraph (10), by inserting after
16 “or adapt” the following: “and disseminate”;
17 and

18 (E) by inserting after paragraph (10) the
19 following:

20 “(11) To train campus health centers and appro-
21 priate campus faculty, such as academic advisors or
22 professionals who deal with students on a daily basis,
23 on how to recognize and respond to domestic violence,
24 dating violence, sexual assault, and stalking, includ-
25 ing training health providers on how to provide uni-

1 *versal education to all members of the campus com-*
2 *munity on the impacts of violence on health and*
3 *unhealthy relationships and how providers can sup-*
4 *port ongoing outreach efforts.*

5 *“(12) To train campus personnel in how to use*
6 *a victim-centered, trauma-informed interview tech-*
7 *nique, which means asking questions of a student or*
8 *a campus employee who is reported to be a victim of*
9 *sexual assault, domestic violence, dating violence, or*
10 *stalking, in a manner that is focused on the experi-*
11 *ence of the reported victim, that does not judge or*
12 *blame the reported victim for the alleged crime, and*
13 *that is informed by evidence-based research on trau-*
14 *ma response. To the extent practicable, campus per-*
15 *sonnel shall allow the reported victim to participate*
16 *in a recorded interview and to receive a copy of the*
17 *recorded interview.*

18 *“(13) To develop and implement restorative*
19 *practices (as defined in section 40002(a) of the Vio-*
20 *lence Against Women Act of 1994 (34 U.S.C.*
21 *12291(a)).”;*

22 *(3) in subsection (c)(3), by striking “2014*
23 *through 2018” and inserting “2023 through 2027”;*

24 *(4) in subsection (d)—*

25 *(A) in paragraph (3)—*

1 (i) in subparagraph (B), by striking
2 “for all incoming students” and inserting
3 “for all students”; and

4 (ii) by striking subparagraph (D) and
5 inserting the following:

6 “(D) The grantee shall train all partici-
7 pants in the resolution process, including the
8 campus disciplinary board, the title IX coordi-
9 nator’s office, and the student conduct office, to
10 respond effectively to situations involving domes-
11 tic violence, dating violence, sexual assault, or
12 stalking.”; and

13 (B) in paragraph (4)(C), by inserting after
14 “sex,” the following: “sexual orientation, gender
15 identity,”; and

16 (5) in subsection (e), by striking “\$12,000,000
17 for each of fiscal years 2014 through 2018” and in-
18 serting “\$15,000,000 for each of fiscal years 2023
19 through 2027, of which not less than 10 percent shall
20 be made available for grants to historically Black col-
21 leges and universities”.

22 (b) *REPORT ON BEST PRACTICES REGARDING DOMES-*
23 *TIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND*
24 *STALKING ON CAMPUSES.—Not later than 1 year after the*

1 *date of enactment of this Act, the Secretary of Education*
2 *shall submit to Congress a report, which shall include—*

3 *(1) an evaluation of programs, events, and edu-*
4 *cational materials related to domestic violence, dating*
5 *violence, sexual assault, and stalking; and*

6 *(2) an assessment of best practices and guidance*
7 *from the evaluation described in paragraph (1),*
8 *which shall be made publicly available online to uni-*
9 *versities and college campuses to use as a resource.*

10 **SEC. 304. STUDY ON STATE COVERAGE OF FORENSIC EX-**
11 **AMINATIONS AND RELATED COSTS FOL-**
12 **LOWING A SEXUAL ASSAULT.**

13 *Not later than 270 days after the date of enactment*
14 *of this Act, the Comptroller General of the United States*
15 *shall issue a report to Congress on requirements and fund-*
16 *ing of States for forensic exams conducted after sexual as-*
17 *saults and any related medical expenses, as applicable,*
18 *which shall include, with respect to each State—*

19 *(1) the total annual cost of conducting forensic*
20 *exams described in section 2010(b) of part T of title*
21 *I of the Omnibus Crime Control and Safe Streets Act*
22 *of 1968 (34 U.S.C. 10449(b));*

23 *(2) each funding source used to pay for the fo-*
24 *rensic exams described in section 2010(b) of part T*

1 *of title I of the Omnibus Crime Control and Safe*
2 *Streets Act of 1968 (34 U.S.C. 10449(b));*

3 *(3) a description of any laws or policies of the*
4 *State to ensure that individuals do not receive bills*
5 *for all or part of the cost of forensic exams conducted*
6 *after sexual assaults, consistent with section 2010(b)*
7 *of part T of title I of the Omnibus Crime Control and*
8 *Safe Streets Act of 1968 (34 U.S.C. 10449(b)), includ-*
9 *ing any oversight to ensure those individuals do not*
10 *receive bills;*

11 *(4) an identification of any best practices imple-*
12 *mented by the State to ensure that individuals do not*
13 *receive bills for forensic exams conducted after sexual*
14 *assaults;*

15 *(5) any requirements under laws of the State re-*
16 *lating to payment for medical expenses and ancillary*
17 *costs relating to a sexual assault, which may include*
18 *treatment of injuries associated with the assault, im-*
19 *aging (including x-rays, MRIs, and CAT scans), and*
20 *other emergency medical care required as a result of*
21 *the sexual assault for which a victim receives a foren-*
22 *sic exam; and*

23 *(6) if a law of the State requires the State to pay*
24 *for the medical expenses described in paragraph (5)—*

1 (A) a detailed list of which medical expenses
2 require coverage;

3 (B) the total annual cost of medical ex-
4 penses relating to a sexual assault for which a
5 victim receives a forensic exam outside of the cost
6 of the forensic exam; and

7 (C) each funding source the State uses to
8 pay for medical expenses relating to a sexual as-
9 sault for which a victim receives a forensic exam.

10 **TITLE IV—VIOLENCE**
11 **REDUCTION PRACTICES**

12 **SEC. 401. STUDY CONDUCTED BY THE CENTERS FOR DIS-**
13 **EASE CONTROL AND PREVENTION.**

14 Section 402 of the Violence Against Women and De-
15 partment of Justice Reauthorization Act of 2005 (42 U.S.C.
16 280b-4) is amended—

17 (1) in subsection (b), by striking “violence
18 against women” and inserting “violence against
19 adults, youth,”; and

20 (2) in subsection (c), by striking “the fiscal years
21 2014 through 2018” and inserting “fiscal years 2023
22 through 2027”.

1 **SEC. 402. SAVING MONEY AND REDUCING TRAGEDIES**
2 **THROUGH PREVENTION (SMART PREVEN-**
3 **TION) GRANTS.**

4 *Section 41303 of the Violence Against Women Act of*
5 *1994 (34 U.S.C. 12463) is amended—*

6 *(1) in subsection (a), by striking “taking a com-*
7 *prehensive approach that focuses on youth, children*
8 *exposed to violence, and men” and inserting “focusing*
9 *on men and youth”;*

10 *(2) in subsection (b)—*

11 *(A) by striking “for the following purposes:”*
12 *and all that follows through “(3) ENGAGING MEN*
13 *AS LEADERS AND MODELS.—To develop” and in-*
14 *serting “to develop”; and*

15 *(B) by inserting “and youth” after “men”*
16 *the first 2 times it appears;*

17 *(3) in subsection (d)(3)—*

18 *(A) in subparagraph (A), by striking “and”*
19 *at the end;*

20 *(B) in subparagraph (B), by striking the*
21 *period at the end and inserting “; and”; and*

22 *(C) by adding at the end the following:*

23 *“(C) include a focus on the unmet needs of*
24 *underserved populations.”;*

25 *(4) in subsection (f), by striking “\$15,000,000*
26 *for each of fiscal years 2014 through 2018” and in-*

1 serting “\$20,000,000 for each of fiscal years 2023
2 through 2027”; and

3 (5) by striking subsection (g).

4 **TITLE V—STRENGTHENING THE**
5 **HEALTH CARE SYSTEM’S RE-**
6 **SPONSE**

7 **SEC. 501. GRANTS TO STRENGTHEN THE HEALTH CARE SYS-**
8 **TEM’S RESPONSE TO DOMESTIC VIOLENCE,**
9 **DATING VIOLENCE, SEXUAL ASSAULT, AND**
10 **STALKING.**

11 Section 399P of the Public Health Service Act (42
12 U.S.C. 280g–4) is amended—

13 (1) in subsection (a)—

14 (A) in paragraph (1), by inserting “com-
15 munity health workers, violence prevention advo-
16 cates working with health providers,” after
17 “health staff;”;

18 (B) in paragraph (2), by striking “for med-
19 ical” and all that follows through “stalking;
20 and” and inserting “for medical, psychology,
21 dental, social work, nursing, and other health
22 profession students, interns, residents, fellows, or
23 current health care providers (including mid-
24 wives and doulas);”; and

25 (C) in paragraph (3)—

1 (i) by striking “response” and insert-
2 ing “capacity”;

3 (ii) by inserting “prevent and respond
4 to” after “(including behavioral and mental
5 health programs) to”; and

6 (iii) by striking the period at the end
7 and inserting a semicolon; and

8 (D) by adding at the end the following:

9 “(4) the development or enhancement and imple-
10 mentation of training programs to improve the ca-
11 pacity of early childhood programs to address domes-
12 tic violence, dating violence, sexual assault, and stalk-
13 ing among families they serve; and

14 “(5) the development or enhancement and imple-
15 mentation of comprehensive statewide strategies for
16 health and violence prevention programs to work to-
17 gether to promote primary prevention of domestic vio-
18 lence, dating violence, sexual assault, and stalking.”;

19 (2) in subsection (b)(1)—

20 (A) in subparagraph (A)(i)—

21 (i) by striking “to identify and pro-
22 vide” and inserting “to provide universal
23 education on healthy relationships and pro-
24 vide trauma-informed”; and

25 (ii) by striking “and” at the end;

1 (B) in subparagraph (A)(ii)—

2 (i) by striking “culturally competent
3 clinical training components” and inserting
4 “training components that center the expe-
5 riences of, and are developed in collabora-
6 tion with, culturally specific individuals
7 and American Indians and Alaska Natives,
8 and include community-defined practices
9 such as the use of doulas, midwives, and
10 traditional healers,”;

11 (ii) by inserting “(including labor and
12 sex trafficking)” after “other forms of vio-
13 lence and abuse”; and

14 (iii) by striking “disparities” and in-
15 serting “inequities”;

16 (C) in subparagraph (A), by inserting after
17 clause (ii) the following:

18 “(iii) are designed to be inclusive of
19 the experiences of all individuals, including
20 LGBT individuals, and include training on
21 improving equity and reducing disparities
22 in access to health care services and preven-
23 tion resources; and

24 “(iv) include training on the use of a
25 universal prevention education approach to

1 *both prevent and respond to domestic vio-*
2 *lence, dating violence, sexual assault, or*
3 *stalking in health care settings;”;*

4 *(D) in subparagraph (B), in the matter*
5 *preceding clause (i), by striking “response of the*
6 *health care system” and inserting “capacity of*
7 *the health care system to prevent and respond”;*

8 *(E) in subparagraph (B)(i)—*

9 *(i) by striking “identifying and re-*
10 *sponding to” inserting “identifying, re-*
11 *sponding to, and promoting prevention of”;*

12 *(ii) by inserting “during in-person or*
13 *virtual visits” after “and stalking”; and*

14 *(iii) by inserting “and to maximize*
15 *victim choice on the use and sharing of*
16 *their health information” before the semi-*
17 *colon at the end;*

18 *(F) in subparagraph (B)(ii)—*

19 *(i) by striking “on-site access to” and*
20 *all that follows through the semicolon at the*
21 *end and inserting the following: “services to*
22 *address the safety, medical, and mental*
23 *health needs of patients by—*

24 *“(I) increasing the capacity of ex-*
25 *isting health care professionals (includ-*

1 *ing professionals who specialize in*
2 *trauma or in substance use disorders)*
3 *in behavioral and mental health care,*
4 *community health workers, and public*
5 *health staff to address domestic vio-*
6 *lence, dating violence, sexual assault,*
7 *stalking, and children exposed to vio-*
8 *lence;*

9 *“(II) contracting with or hiring*
10 *advocates for victims of domestic vio-*
11 *lence or sexual assault to provide such*
12 *services; or*

13 *“(III) providing funding to State*
14 *domestic and sexual violence coalitions*
15 *to improve the capacity of such coal-*
16 *itions to coordinate and support health*
17 *advocates and other health system*
18 *partnerships;”;*

19 *(G) in subparagraph (B)(iii)—*

20 *(i) by striking “of identification” and*
21 *inserting “of prevention”;*

22 *(ii) by inserting “during in-person or*
23 *virtual visits” after “and stalking”; and*

24 *(iii) by striking “and” at the end;*

25 *(H) in subparagraph (B)(iv)—*

1 (i) by inserting “and promote preven-
2 tion during in-person or virtual visits,”
3 after “or stalking,”; and

4 (ii) by striking the period at the end
5 and inserting a semicolon;

6 (I) in subparagraph (B), by adding at the
7 end the following:

8 “(v) the development, implementation,
9 dissemination, and evaluation of best prac-
10 tices, tools, and training materials, includ-
11 ing culturally relevant tools, for mental
12 health, behavioral health, and substance use
13 disorder professionals to identify and re-
14 spond to domestic violence, sexual violence,
15 stalking, and dating violence; and

16 “(vi) the development and provision of
17 culturally relevant training and follow-up
18 technical assistance to health care profes-
19 sionals, and public health staff, and allied
20 health professionals to identify, assess, treat,
21 and refer clients who are victims of domes-
22 tic violence, dating violence, sexual assault,
23 or stalking from culturally specific commu-
24 nities and promote prevention, using tools
25 and training materials, developed by and

1 *for culturally specific communities, with*
2 *priority given to trainings provided by cul-*
3 *turally specific organizations; and”;* and
4 *(J) by inserting after subparagraph (B) the*
5 *following:*

6 *“(C) design and implement comprehensive*
7 *strategies to prevent domestic or sexual violence*
8 *including through the use of universal education*
9 *in clinical and public health settings, hospitals,*
10 *clinics and other health settings.”;*

11 *(3) in subsection (b)(2)(A)—*

12 *(A) in the subparagraph heading, by strik-*
13 *ing “CHILD AND ELDER ABUSE” and inserting*
14 *“CHILD ABUSE AND ABUSE IN LATER LIFE”;* and

15 *(B) by striking “child or elder abuse” and*
16 *inserting “child abuse or abuse in later life”;*

17 *(4) in subsection (b)(2)(C)(i), by striking “elder*
18 *abuse” and inserting “abuse in later life”;*

19 *(5) in subsection (b)(2)(C)(ii), by inserting “pro-*
20 *grams that promote the prevention of sexual assault*
21 *as well as” after “implementation of”;*

22 *(6) in subsection (b)(2)(C)(iii)—*

23 *(A) by inserting “and exposure to violence*
24 *across generations” after “abuse”; and*

25 *(B) by striking “or” at the end;*

1 (7) *in subsection (b)(2)(C)(iv)—*

2 (A) *by inserting “mental health,” after*
3 *“dental,”; and*

4 (B) *by striking “exams.” and inserting*
5 *“exams and certifications;”;*

6 (8) *in subsection (b)(2)(C), by inserting after*
7 *clause (iv) the following:*

8 “(v) *providing funding to culturally*
9 *specific organizations to improve the capac-*
10 *ity of such organizations to engage and*
11 *partner with health care providers to sup-*
12 *port victims and meet increased referrals*
13 *from health systems;*

14 “(vi) *developing a State-level pilot pro-*
15 *gram to—*

16 “(I) *improve the response of sub-*
17 *stance use disorder treatment pro-*
18 *grams, harm reduction programs for*
19 *people who use substances, and systems*
20 *to domestic violence, dating violence,*
21 *sexual assault, and stalking;*

22 “(II) *improve the capacity of sub-*
23 *stance use disorder treatment pro-*
24 *grams, harm reduction programs for*
25 *people who use substances, and systems*

1 to serve survivors of domestic violence,
2 dating violence, sexual assault, and
3 stalking dealing with substance use
4 disorder; and

5 “(III) improve the capacity of do-
6 mestic violence, dating violence, sexual
7 assault, and stalking programs to serve
8 survivors who have substance use his-
9 tory; or

10 “(vii) developing and utilizing existing
11 technical assistance and training resources
12 to improve the capacity of substance use
13 disorder treatment programs and harm re-
14 duction programs for people who use sub-
15 stances to address domestic violence, dating
16 violence, sexual assault, and stalking among
17 patients the programs serve.”;

18 (9) in subsection (c)(3)(A), by striking “given to
19 outcome based evaluations.” and inserting the fol-
20 lowing: “given to—

21 “(i) outcome based evaluations;

22 “(ii) culturally specific and population
23 specific organizations; and

24 “(iii) programs developing and imple-
25 menting community-driven solutions to ad-

1 *dress domestic violence, dating violence, sex-*
2 *ual assault, or stalking.”;*

3 (10) *in subsection (c)(3)(B)(i)(III), by inserting*
4 *“, including a culturally specific organization or*
5 *community-based organization working to address the*
6 *social determinants of health,” after “nonprofit enti-*
7 *ty”;*

8 (11) *in subsection (c)(3)(C)(i)—*

9 (A) *by striking “strategies for” and insert-*
10 *ing the following: “strategies—*

11 *“(I) for”;*

12 (B) *by inserting “and generations” after*
13 *“lifespan”;*

14 (C) *by striking “settings;” and inserting*
15 *“settings; and”; and*

16 (D) *by adding at the end the following:*

17 *“(II) to address primary preven-*
18 *tion of domestic violence, dating vio-*
19 *lence, sexual assault, and stalking over*
20 *the lifespan and generations, including*
21 *strategies that address related social*
22 *determinants of health, economic jus-*
23 *tice, and equity issues, and that are*
24 *inclusive of LGBT individuals;”;*

1 (12) *in subsection (c)(3)(C)(iii), by striking*
2 *“State or tribal law enforcement task forces (where*
3 *appropriate)” and inserting “culturally specific orga-*
4 *nizations”;*

5 (13) *in subsection (c)(3)(C)(iv), by inserting*
6 *“(including culturally specific organizations)” after*
7 *“service providers”;*

8 (14) *in subsection (d)(2)(A)—*

9 (A) *by inserting “(including mental health*
10 *or substance abuse agencies)” after “of health”;*

11 (B) *by striking “or mental” and inserting*
12 *“or behavioral”; and*

13 (C) *by inserting “and substance use dis-*
14 *order prevention and treatment” before the semi-*
15 *colon at the end;*

16 (15) *in subsection (d)(2)(B)—*

17 (A) *by inserting “behavioral health treat-*
18 *ment system,” after “hospital,”;*

19 (B) *by striking “or any other community-*
20 *based” and inserting “a community-based”; and*

21 (C) *by inserting “or substance use disorder*
22 *prevention and treatment, or a community-based*
23 *organization with a history of partnership with*
24 *programs in the field of domestic violence, dating*
25 *violence, sexual assault, or stalking and health*

1 *care, including physical or mental health care or*
2 *substance use disorder prevention and treat-*
3 *ment” after “mental health care”;*

4 *(16) in subsection (g)—*

5 *(A) by striking “\$10,000,000” and inserting*
6 *“\$20,000,000”; and*

7 *(B) by striking “2014 through 2018” and*
8 *inserting “2023 through 2027”; and*

9 *(17) in subsection (h)—*

10 *(A) by striking “herein”; and*

11 *(B) by striking “provided for”.*

12 **SEC. 502. MATERNAL MORTALITY OR MORBIDITY STUDY.**

13 *(a) STUDY.—The Secretary of Health and Human*
14 *Services, acting through the Director of the Centers for Dis-*
15 *ease Control and Prevention and in consultation with the*
16 *Attorney General, the Director of the Indian Health Serv-*
17 *ice, and other stakeholders (including community based or-*
18 *ganizations), shall conduct a study on the leading causes*
19 *of pregnancy-associated morbidity and mortality and the*
20 *extent which domestic violence, dating violence, sexual as-*
21 *sault, or stalking throughout the United States contribute*
22 *to the risk of maternal mortality or morbidity.*

23 *(b) REPORTS.—Not later than 3 years after the date*
24 *of enactment of this Act, the Secretary of Health and*
25 *Human Services, in consultation with the Attorney Gen-*

1 eral, the Director of the Indian Health Service, and other
2 stakeholders (including community based organizations),
3 shall report to Congress on the study conducted under sub-
4 section (a), which shall include the following:

5 (1) An analysis of the extent to which domestic
6 violence, dating violence, sexual assault, or stalking
7 contribute to pregnancy-associated morbidity and
8 mortality.

9 (2) An analysis of the impact of domestic vio-
10 lence, dating violence, sexual assault, or stalking on
11 access to health care.

12 (3) A breakdown of individuals particularly im-
13 pacted by domestic violence, dating violence, sexual
14 assault, or stalking, by race and ethnicity, disability
15 status, and sexual orientation and gender identity.

16 (4) An analysis of the impact of domestic vio-
17 lence, dating violence, sexual assault, or stalking on
18 Tribal communities and among Indians.

19 (5) An assessment of the factors that increase
20 risks for infant and maternal mortality or morbidity
21 among victims of domestic violence, dating violence,
22 sexual assault, or stalking.

23 (6) Recommendations for legislative or policy
24 changes to help reduce infant and maternal mortality
25 rates.

1 (7) *Best practices to reduce pregnancy-related*
2 *deaths among survivors of domestic violence, dating*
3 *violence, sexual assault, or stalking.*

4 (8) *Any other information on maternal mor-*
5 *tality or morbidity the Secretary determines appro-*
6 *priate to include in the report.*

7 **SEC. 503. UNDERSTANDING SEXUAL ASSAULT CARE IN**
8 **HEALTH SYSTEMS.**

9 (a) *PURPOSE.—It is the purpose of this section to*
10 *identify areas for improvement in health care delivery sys-*
11 *tems providing forensic examinations to survivors of sexual*
12 *assault.*

13 (b) *GRANTS.—The Secretary of Health and Human*
14 *Services (referred to in this section as “the Secretary”) shall*
15 *award grants to States and Indian Tribes to develop and*
16 *implement State and Tribal surveys to identify—*

17 (1) *the availability of, and patient access to,*
18 *medical forensic examinations;*

19 (2) *the training level of the health care providers*
20 *who perform medical forensic examinations;*

21 (3) *the hospitals or clinics that offer medical fo-*
22 *rensic examinations and whether each hospital or*
23 *clinic has full-time, part-time, or on-call coverage;*

24 (4) *barriers to medical forensic examinations*
25 *provided through sexual assault care and services;*

1 (5) *billing and reimbursement practices for med-*
2 *ical forensic examinations;*

3 (6) *State and Tribal requirements, minimum*
4 *standards, and protocols for training sexual assault*
5 *examiners for sexual assault forensic examiners and*
6 *for other personnel involved in medical forensic ex-*
7 *aminations;*

8 (7) *the availability of sexual assault forensic ex-*
9 *aminer training, the frequency of such training, the*
10 *providers of such training, the State's or Indian*
11 *Tribe's role in such training, and the processes or*
12 *procedures in place for continuing education of such*
13 *examiners; and*

14 (8) *the dedicated Federal and State funding*
15 *available to support sexual assault forensic examiner*
16 *training.*

17 (c) *ELIGIBILITY.*—*To be eligible to receive a grant*
18 *under this section, a State or Indian Tribe shall submit*
19 *to the Secretary an application through a competitive proc-*
20 *ess to be determined by the Secretary.*

21 (d) *PUBLIC DISSEMINATION AND CAMPAIGN.*—

22 (1) *PUBLIC AVAILABILITY.*—*The results of the*
23 *surveys conducted under grants awarded under this*
24 *section shall be published by the Secretary on the*

1 *website of the Department of Health and Human*
2 *Services on a biennial basis.*

3 (2) *CAMPAIGNS.—A State or Indian Tribe that*
4 *receives a grant under this section shall carry out the*
5 *following activities:*

6 (A) *Make the findings of the survey con-*
7 *ducted using amounts received under the grant*
8 *public, including a map showing health care*
9 *providers who perform medical forensic exami-*
10 *nations, based on the findings from the State*
11 *and Tribal surveys under subsection (b)(3).*

12 (B) *Use the findings to develop a strategic*
13 *action plan to increase the number of trained*
14 *medical forensic examiners available in the State*
15 *or Tribal community and create policies to in-*
16 *crease survivor access to trained examiners.*

17 (C) *Use the findings to develop and imple-*
18 *ment a public awareness campaign that includes*
19 *the following:*

20 (i) *An online toolkit describing how*
21 *and where sexual assault survivors can ob-*
22 *tain assistance and care, including medical*
23 *forensic examinations, in the State or Trib-*
24 *al community.*

1 (ii) *A model standard response pro-*
2 *TOCOL for health care providers to implement*
3 *upon arrival of a patient seeking care for*
4 *sexual assault.*

5 (iii) *A model sexual assault response*
6 *team protocol incorporating interdiscipli-*
7 *nary community coordination between hos-*
8 *pitals, emergency departments, hospital ad-*
9 *ministration, local rape crisis programs,*
10 *law enforcement, prosecuting attorneys, and*
11 *other health and human service agencies*
12 *and stakeholders with respect to delivering*
13 *survivor-centered sexual assault care and*
14 *medical forensic examinations.*

15 (iv) *A notice of applicable laws prohib-*
16 *iting charging or billing survivors of sexual*
17 *assault for care and services related to sex-*
18 *ual assault.*

19 (e) *AUTHORIZATION OF APPROPRIATIONS.—There is*
20 *authorized to be appropriated to carry out this section*
21 *\$7,000,000 for each of fiscal years 2023 through 2027.*

22 **SEC. 504. NATIONAL REPORT ON SEXUAL ASSAULT SERV-**
23 **ICES IN OUR NATION'S HEALTH SYSTEM.**

24 (a) *IN GENERAL.—Not later than 1 year after the date*
25 *of enactment of this Act, and annually thereafter, the Agen-*

1 *cy for Healthcare Research and Quality, in consultation*
2 *with the Centers for Medicare & Medicaid Services, the Cen-*
3 *ters for Disease Control and Prevention, the Health Re-*
4 *sources and Services Administration, the Indian Health*
5 *Service, the Office for Victims of Crime of the Department*
6 *of Justice, the Office on Women’s Health of the Department*
7 *of Health and Human Services, and the Office of Violence*
8 *Against Women of the Department of Justice (collectively*
9 *referred to in this section as the “Agencies”), shall submit*
10 *to the Secretary of Health and Human Services (referred*
11 *to in this section as “the Secretary”) a report of existing*
12 *Federal, Indian Tribe, and State practices relating to med-*
13 *ical forensic examinations which may include the findings*
14 *of the surveys developed under section 503.*

15 (b) *CORE COMPETENCIES.—In conducting activities*
16 *under this section, the Agencies shall address sexual assault*
17 *forensic examination competencies, including—*

18 (1) *providing medical care to sexual assault pa-*
19 *tients;*

20 (2) *demonstrating the ability to conduct a med-*
21 *ical forensic examination, including an evaluation for*
22 *evidence collection;*

23 (3) *showing compassion and sensitivity towards*
24 *survivors of sexual assault;*

1 (4) *testifying in Federal, State, local, and Tribal*
2 *courts; and*

3 (5) *other competencies, as the Agencies determine*
4 *appropriate.*

5 (c) *PUBLICATION.*—*The Agency for Healthcare Re-*
6 *search and Quality shall establish, maintain, and publish*
7 *on the website of the Department of Health and Human*
8 *Services an online public map of availability of sexual as-*
9 *sault forensic examinations. Such maps shall clarify if*
10 *there is full-time, part-time, or on-call coverage.*

11 (d) *REPORT TO CONGRESS.*—*Not later than 60 days*
12 *after receiving the report described in subsection (a), the*
13 *Secretary shall submit to the Committee on Health, Edu-*
14 *cation, Labor, and Pensions of the Senate and the Com-*
15 *mittee on Energy and Commerce and the Committee on*
16 *Education and Labor of the House of Representatives rec-*
17 *ommendations for improving sexual assault forensic exam-*
18 *ination competencies based on the report described in sub-*
19 *section (a).*

20 **SEC. 505. IMPROVING AND STRENGTHENING THE SEXUAL**
21 **ASSAULT EXAMINER WORKFORCE CLINICAL**
22 **AND CONTINUING EDUCATION PILOT PRO-**
23 **GRAM.**

24 (a) *PURPOSE.*—*It is the purpose of this section to es-*
25 *tablish a pilot program to develop, test, and implement*

1 *training and continuing education that expands and sup-*
2 *ports the availability of medical forensic examination serv-*
3 *ices for survivors of sexual assault.*

4 *(b) ESTABLISHMENT.—*

5 *(1) IN GENERAL.—Not later than 1 year after*
6 *the date of enactment of this Act, the Secretary of*
7 *Health and Human Services (referred to in this sec-*
8 *tion as “the Secretary”) shall establish a National*
9 *Continuing and Clinical Education Pilot Program*
10 *for sexual assault forensic examiners, sexual assault*
11 *nurse examiners, and other individuals who perform*
12 *medical forensic examinations.*

13 *(2) CONSULTATION.—In establishing such pro-*
14 *gram, the Secretary shall consult with the Centers for*
15 *Medicare & Medicaid Services, the Centers for Disease*
16 *Control and Prevention, the Health Resources and*
17 *Services Administration, the Indian Health Service,*
18 *the Office for Victims of Crime of the Department of*
19 *Justice, the Office on Violence Against Women of the*
20 *Department of Justice, and the Office on Women’s*
21 *Health of the Department of Health and Human*
22 *Services, and shall solicit input from regional, na-*
23 *tional, and Tribal organizations with expertise in fo-*
24 *rensic nursing, rape trauma or crisis counseling, in-*
25 *vestigating rape and gender violence cases, survivors’*

1 *advocacy and support, sexual assault prevention edu-*
2 *cation, rural health, and responding to sexual vio-*
3 *lence in Tribal communities.*

4 *(c) FUNCTIONS.—The pilot program established under*
5 *subsection (b) shall develop, pilot, implement, and update,*
6 *as appropriate, continuing and clinical education program*
7 *modules, webinars, and programs for all hospitals and pro-*
8 *viders to increase access to medical forensic examination*
9 *services and address ongoing competency issues in medical*
10 *forensic examination services, including—*

11 *(1) training and continuing education to help*
12 *support sexual assault forensic examiners practicing*
13 *in rural or underserved areas;*

14 *(2) training to help connect sexual assault sur-*
15 *vivors who are Indian with sexual assault forensic ex-*
16 *aminers, including through emergency first aid, refer-*
17 *als, culturally competent support, and forensic evi-*
18 *dence collection in rural communities;*

19 *(3) replication of successful sexual assault foren-*
20 *sic examination programs to help develop and im-*
21 *prove the evidence base for medical forensic examina-*
22 *tions; and*

23 *(4) training to increase the number of medical*
24 *professionals who are considered sexual assault foren-*
25 *sic examiners based on the recommendations of the*

1 *National Sexual Assault Forensic Examination*
2 *Training Standards issued by the Office on Violence*
3 *Against Women of the Department of Justice.*

4 (d) *ELIGIBILITY TO PARTICIPATE IN PILOT PRO-*
5 *GRAMS.—The Secretary shall ensure that medical forensic*
6 *examination services provided under the pilot program es-*
7 *tablished under subsection (b), and other medical forensic*
8 *examiner services under the pilot program are provided by*
9 *health care providers who are also one of the following:*

10 (1) *A physician, including a resident physician.*

11 (2) *A nurse practitioner.*

12 (3) *A nurse midwife.*

13 (4) *A physician assistant.*

14 (5) *A certified nurse specialist.*

15 (6) *A registered nurse.*

16 (7) *A community health practitioner or a com-*
17 *munity health aide who has completed level III or*
18 *level IV certification and training requirements.*

19 (e) *NATURE OF TRAINING.—The continuing education*
20 *program established under this section shall incorporate*
21 *and reflect current best practices and standards on medical*
22 *forensic examination services consistent with the purpose*
23 *of this section.*

24 (f) *AVAILABILITY.—After termination of the pilot pro-*
25 *gram established under subsection (b)(1), the training and*

1 continuing education program established under such pro-
2 gram shall be available to all sexual assault forensic exam-
3 iners and other providers employed by, or any individual
4 providing services through, facilities that receive Federal
5 funding.

6 (g) *EFFECTIVE DATE.*—The pilot program established
7 under this section shall terminate on the date that is 2 years
8 after the date of such establishment.

9 (h) *AUTHORIZATION.*—There are authorized to be ap-
10 propriated to carry out this section \$5,000,000 for each of
11 fiscal years 2023 through 2025.

12 **SEC. 506. EXPANDING ACCESS TO UNIFIED CARE.**

13 (a) *ESTABLISHMENT OF PROGRAM.*—The Secretary of
14 Health and Human Services (referred to in this section as
15 the “Secretary”) shall establish a program (referred to in
16 this section as the “program”) to award grants to eligible
17 entities for the clinical training of sexual assault forensic
18 examiners (including registered nurses, nurse practitioners,
19 nurse midwives, clinical nurse specialists, physician assist-
20 ants, and physicians) to administer medical forensic ex-
21 aminations and treatments to survivors of sexual assault.

22 (b) *PURPOSE.*—The purpose of the program is to en-
23 able each grant recipient to expand access to medical foren-
24 sic examination services by providing new providers with
25 the clinical training necessary to establish and maintain

1 *competency in such services and to test the provisions of*
2 *such services at new facilities in expanded health care set-*
3 *tings.*

4 (c) *GRANTS.*—*Under the program, the Secretary shall*
5 *award 3-year grants to eligible entities that meet the re-*
6 *quirements established by the Secretary.*

7 (d) *ELIGIBLE ENTITIES.*—*To be eligible to receive a*
8 *grant under this section, an entity shall—*

9 (1) *be—*

10 (A) *a safety net clinic acting in partnership*
11 *with a high-volume emergency services provider*
12 *or a hospital currently providing sexual assault*
13 *medical forensic examinations performed by sex-*
14 *ual assault forensic examiners, that will use*
15 *grant funds to—*

16 (i) *assign rural health care service pro-*
17 *viders to the high-volume hospitals for clin-*
18 *ical practicum hours to qualify such pro-*
19 *viders as sexual assault forensic examiners;*
20 *or*

21 (ii) *assign practitioners at high-volume*
22 *hospitals to rural health care services pro-*
23 *viders to instruct, oversee, and approve clin-*
24 *ical practicum hours in the community to*
25 *be served;*

1 (B) an organization described in section
2 501(c)(3) of the Internal Revenue Code of 1986
3 and exempt from taxation under 501(a) of such
4 Code, that provides legal training and technical
5 assistance to Tribal communities and to organi-
6 zations and agencies serving Indians; or

7 (C) an Indian Tribe (as defined in section
8 4 of the Indian Self-Determination and Edu-
9 cation Assistance Act (25 U.S.C. 5304)); and

10 (2) submit to the Secretary an application at
11 such time, in such manner, and containing such in-
12 formation as the Secretary may require, including a
13 description of whether the applicant will provide serv-
14 ices described in subparagraph (A) or (B) of para-
15 graph (1).

16 (e) GRANT AMOUNT.—Each grant awarded under this
17 section shall be in an amount not to exceed \$400,000 per
18 year. A grant recipient may carry over funds from one fis-
19 cal year to the next without obtaining approval from the
20 Secretary.

21 (f) AUTHORIZATION OF APPROPRIATIONS.—

22 (1) IN GENERAL.—There is authorized to be ap-
23 propriated to carry out this section \$10,000,000 for
24 each of fiscal years 2023 through 2027.

1 *practitioners, nurse midwives, clinical nurse special-*
2 *ists, physician assistants, and physicians.*

3 (3) *INDIAN TRIBE; TRIBAL ORGANIZATION.*—*The*
4 *terms “Indian Tribe” and “Tribal organization”*
5 *shall have the meanings given such terms in section*
6 *4 of the Indian Self-Determination and Education*
7 *Assistance Act (25 U.S.C. 5304).*

8 (4) *INSTITUTION OF HIGHER EDUCATION.*—*The*
9 *term “institution of higher education” has the mean-*
10 *ing given such term in section 101 of the Higher Edu-*
11 *cation Act of 1965 (20 U.S.C. 1001).*

12 (5) *INTERPERSONAL VIOLENCE.*—*The term*
13 *“interpersonal violence” means any form of violence*
14 *that is emotional and trauma-inducing for victims,*
15 *families of victims, perpetrators, and communities.*

16 (6) *NATIVE HAWAIIAN ORGANIZATION.*—*The term*
17 *“Native Hawaiian organization” has the meaning*
18 *given such term in section 12 of the Native Hawaiian*
19 *Health Care Improvement Act (42 U.S.C. 11711).*

20 (7) *SECRETARY.*—*The term “Secretary” means*
21 *the Secretary of Health and Human Services.*

22 (8) *TRAUMA-INFORMED CARE.*—*The term “trau-*
23 *ma-informed care” means care received by trauma*
24 *survivors that is culturally competent in accordance*
25 *with professional standards of practice and account-*

1 *ing for patients’ experiences and preferences in order*
2 *to eliminate or mitigate triggers that may cause re-*
3 *traumatization of the patient.*

4 (9) *URBAN INDIAN ORGANIZATION.*—*The term*
5 *“Urban Indian organization” has the meaning given*
6 *such term in section 4 of the Indian Health Care Im-*
7 *provement Act (25 U.S.C. 1603).*

8 (b) *DEMONSTRATION GRANTS FOR COMPREHENSIVE*
9 *FORENSIC TRAINING.*—

10 (1) *ESTABLISHMENT OF PROGRAM.*—*The Sec-*
11 *retary shall establish a demonstration program to*
12 *award grants to eligible entities for the clinical train-*
13 *ing of health care providers to provide generalist fo-*
14 *rensic services and trauma-informed care to survivors*
15 *of interpersonal violence of all ages.*

16 (2) *PURPOSE.*—*The purpose of the demonstra-*
17 *tion program under this subsection is to develop*
18 *training and curriculum to provide health care pro-*
19 *viders with the skills to support the provision of fo-*
20 *rensic assessment and trauma-informed care to indi-*
21 *viduals, families, and communities that have experi-*
22 *enced violence or trauma and to be available to col-*
23 *laborate with members of an inter-professional foren-*
24 *sic team.*

1 (3) *TERM.*—*Grants under this subsection shall be*
2 *for a term of 5 years.*

3 (4) *ELIGIBLE ENTITIES.*—*To be eligible to re-*
4 *ceive a grant under this subsection, an entity shall—*

5 (A) *be an institute of higher education, in-*
6 *cluding a minority serving institution as de-*
7 *scribed in section 371 of the Higher Education*
8 *Act of 1965 (20 U.S.C. 1067q); and*

9 (B) *submit to the Secretary an application*
10 *at such time, in such manner, and containing*
11 *such information as the Secretary may require.*

12 (5) *GRANT AMOUNT.*—*Each grant awarded*
13 *under this subsection shall be in an amount that does*
14 *not exceed \$400,000 per year. A grant recipient may*
15 *carry over funds from one fiscal year to the next*
16 *without obtaining approval from the Secretary.*

17 (6) *AUTHORIZATION OF APPROPRIATIONS.*—

18 (A) *IN GENERAL.*—*There is authorized to be*
19 *appropriated to carry out this subsection*
20 *\$5,000,000 for each of fiscal years 2023 through*
21 *2027.*

22 (B) *SET-ASIDE.*—*Of the amount appro-*
23 *priated under this paragraph for a fiscal year,*
24 *the Secretary shall reserve 10 percent for pur-*
25 *poses of making grants to support training and*

1 *curricula that addresses the unique needs of In-*
2 *Indian Tribes, Tribal organizations, Urban Indian*
3 *organizations, and Native Hawaiian organiza-*
4 *tions. Amounts so reserved may be used to sup-*
5 *port training, referrals, and the delivery of emer-*
6 *gency first aid, culturally competent support,*
7 *and forensic evidence collection training.*

8 (c) *TECHNICAL ASSISTANCE GRANTS AND LEARNING*
9 *COLLECTIVES.—*

10 (1) *IN GENERAL.—The Secretary shall establish*
11 *a State and Tribal forensic provider technical re-*
12 *source center to provide technical assistance and sup-*
13 *port collaboration and best practices for health care*
14 *providers, community health aides, and community*
15 *health practitioners to improve the quality of, and in-*
16 *crease access to, forensic services for all survivors of*
17 *interpersonal violence. The Secretary may enter into*
18 *contracts with national experts for purposes of car-*
19 *rying out this subsection.*

20 (2) *AUTHORIZATION OF APPROPRIATIONS.—*
21 *There is authorized to be appropriated to carry out*
22 *this subsection, \$2,000,000 for each of fiscal years*
23 *2023 through 2027.*

24 (d) *NATIONAL REPORT.—Not later than 1 year after*
25 *the date of enactment of this Act, and annually thereafter,*

1 (1) in paragraph (1)(A), by striking “brother,
2 sister,” and inserting “sibling,”; and

3 (2) in paragraph (3)—

4 (A) in subparagraph (A), by inserting be-
5 fore the semicolon at the end the following: “, in-
6 cluding the direct loan program under such sec-
7 tion”;

8 (B) in subparagraph (D), by striking “the
9 program under subtitle A of” and inserting “the
10 programs under”;

11 (C) in subparagraph (I)—

12 (i) by striking “sections 514, 515, 516,
13 533, and 538 of the Housing Act of 1949
14 (42 U.S.C. 1484, 1485, 1486, 1490m, and
15 1490p-2)” and inserting “sections 514, 515,
16 516, 533, 538, and 542 of the Housing Act
17 of 1949 (42 U.S.C. 1484, 1485, 1486,
18 1490m, 1490p-2, 1490r)”;

19 (ii) by striking “and” at the end;

20 (D) in subparagraph (J), by striking the
21 period at the end and inserting a semicolon; and

22 (E) by adding at the end the following:

23 “(K) the provision of assistance from the
24 Housing Trust Fund established under section
25 1338 of the Federal Housing Enterprises Finan-

1 *cial Safety and Soundness Act of 1992 (12*
2 *U.S.C. 4501);*

3 *“(L) the provision of assistance for housing*
4 *under the Comprehensive Service Programs for*
5 *Homeless Veterans program under subchapter II*
6 *of chapter 20 of title 38, United States Code;*

7 *“(M) the provision of assistance for housing*
8 *and facilities under the grant program for home-*
9 *less veterans with special needs under section*
10 *2061 of title 38, United States Code;*

11 *“(N) the provision of assistance for perma-*
12 *nent housing under the program for financial as-*
13 *istance for supportive services for very low-in-*
14 *come veteran families in permanent housing*
15 *under section 2044 of title 38, United States*
16 *Code;*

17 *“(O) the provision of transitional housing*
18 *assistance for victims of domestic violence, dat-*
19 *ing violence, sexual assault, or stalking under the*
20 *grant program under chapter 11 of subtitle B;*
21 *and*

22 *“(P) any other Federal housing programs*
23 *providing affordable housing to low- and mod-*
24 *erate-income persons by means of restricted rents*
25 *or rental assistance, or more generally providing*

1 *affordable housing opportunities, as identified by*
2 *the appropriate agency through regulations, no-*
3 *tices, or any other means.”.*

4 **SEC. 602. ENSURING COMPLIANCE AND IMPLEMENTATION;**
5 **PROHIBITING RETALIATION AGAINST VIC-**
6 **TIMS.**

7 *Chapter 2 of subtitle N of title IV of the Violence*
8 *Against Women Act of 1994 (34 U.S.C. 12491 et seq.) is*
9 *amended by inserting after section 41411 the following:*

10 **“SEC. 41412. COMPLIANCE REVIEWS.**

11 *“(a) REGULAR COMPLIANCE REVIEWS.—*

12 *“(1) IN GENERAL.—Each appropriate agency*
13 *shall establish a process by which to review compli-*
14 *ance with the requirements of this subtitle, which*
15 *shall—*

16 *“(A) where possible, be incorporated into*
17 *other existing compliance review processes of the*
18 *appropriate agency, in consultation with the*
19 *Gender-based Violence Prevention Office and Vi-*
20 *olence Against Women Act Director described in*
21 *section 41413 and any other relevant officials of*
22 *the appropriate agency; and*

23 *“(B) examine—*

24 *“(i) compliance with requirements pro-*
25 *hibiting the denial of assistance, tenancy, or*

1 *occupancy rights on the basis of domestic*
2 *violence, dating violence, sexual assault, or*
3 *stalking;*

4 “(ii) *compliance with confidentiality*
5 *provisions set forth in section 41411(c)(4);*

6 “(iii) *compliance with the notification*
7 *requirements set forth in section*
8 *41411(d)(2);*

9 “(iv) *compliance with the provisions*
10 *for accepting documentation set forth in sec-*
11 *tion 41411(c);*

12 “(v) *compliance with emergency trans-*
13 *fer requirements set forth in section*
14 *41411(e); and*

15 “(vi) *compliance with the prohibition*
16 *on retaliation set forth in section 41414.*

17 “(2) *FREQUENCY.—Each appropriate agency*
18 *shall conduct the review described in paragraph (1)*
19 *on a regular basis, as determined by the appropriate*
20 *agency.*

21 “(b) *REGULATIONS.—*

22 “(1) *IN GENERAL.—Not later than 2 years after*
23 *the date of enactment of the Violence Against Women*
24 *Act Reauthorization Act of 2022, each appropriate*
25 *agency shall issue regulations in accordance with sec-*

1 *tion 553 of title 5, United States Code, to implement*
2 *subsection (a) of this section, which shall—*

3 *“(A) define standards of compliance under*
4 *covered housing programs;*

5 *“(B) include detailed reporting require-*
6 *ments, including the number of emergency trans-*
7 *fers requested and granted, as well as the length*
8 *of time needed to process emergency transfers;*
9 *and*

10 *“(C) include standards for corrective action*
11 *plans where compliance standards have not been*
12 *met.*

13 *“(2) CONSULTATION.—In developing the regula-*
14 *tions under paragraph (1), an appropriate agency*
15 *shall engage in additional consultation with appro-*
16 *priate stakeholders including, as appropriate—*

17 *“(A) individuals and organizations with ex-*
18 *pertise in the housing needs and experiences of*
19 *victims of domestic violence, dating violence, sex-*
20 *ual assault and stalking; and*

21 *“(B) individuals and organizations with ex-*
22 *pertise in the administration or management of*
23 *covered housing programs, including industry*
24 *stakeholders and public housing agencies.*

1 “(c) *PUBLIC DISCLOSURE.*—Each appropriate agency
2 shall ensure that an agency-level assessment of the informa-
3 tion collected during the compliance review process com-
4 pleted pursuant to this subsection—

5 “(1) includes an evaluation of each topic identi-
6 fied in subsection (a); and

7 “(2) is made publicly available.

8 **“SEC. 41413. DEPARTMENT OF HOUSING AND URBAN DE-**
9 **VELOPMENT GENDER-BASED VIOLENCE PRE-**
10 **VENTION OFFICE AND VIOLENCE AGAINST**
11 **WOMEN ACT DIRECTOR.**

12 “(a) *ESTABLISHMENT.*—The Secretary of Housing and
13 Urban Development shall establish a Gender-based Violence
14 Prevention Office with a Violence Against Women Act Di-
15 rector (in this section referred to as the ‘Director’).

16 “(b) *DUTIES.*—The Director shall, among other du-
17 ties—

18 “(1) support implementation of this chapter;

19 “(2) coordinate with Federal agencies on legisla-
20 tion, implementation, and other issues affecting the
21 housing provisions under this subtitle, as well as
22 other issues related to advancing housing protections
23 for victims of domestic violence, dating violence, sex-
24 ual assault, and stalking;

1 “(3) coordinate with State and local governments
2 and agencies, including State housing finance agen-
3 cies, regarding advancing housing protections and ac-
4 cess to housing for victims of domestic violence, dat-
5 ing violence, sexual assault, and stalking;

6 “(4) ensure that technical assistance and support
7 are provided to each appropriate agency and housing
8 providers regarding implementation of this subtitle,
9 as well as other issues related to advancing housing
10 protections for victims of domestic violence, dating vi-
11 olence, sexual assault, and stalking, including compli-
12 ance with this subtitle;

13 “(5) implement internal systems to track, mon-
14 itor, and address compliance failures; and

15 “(6) address the housing needs and barriers faced
16 by victims of sexual assault, as well as sexual coercion
17 and sexual harassment by a public housing agency or
18 owner or manager of housing assisted under a covered
19 housing program.

20 “(c) *AUTHORIZATION OF APPROPRIATIONS.*—There are
21 authorized to be appropriated to carry out this section such
22 sums as may be necessary for fiscal years 2023 through
23 2027.

1 **“SEC. 41414. PROHIBITION ON RETALIATION.**

2 “(a) *NON-RETALIATION REQUIREMENT.*—No public
3 *housing agency or owner or manager of housing assisted*
4 *under a covered housing program shall discriminate*
5 *against any person because that person has opposed any*
6 *act or practice made unlawful by this subtitle, or because*
7 *that person testified, assisted, or participated in any matter*
8 *related to this chapter.*

9 “(b) *PROHIBITION ON COERCION.*—No public housing
10 *agency or owner or manager of housing assisted under a*
11 *covered housing program shall coerce, intimidate, threaten,*
12 *or interfere with, or retaliate against, any person in the*
13 *exercise or enjoyment of, on account of the person having*
14 *exercised or enjoyed, or on account of the person having*
15 *aided or encouraged any other person in the exercise or en-*
16 *joyment of, any rights or protections under this chapter,*
17 *including—*

18 “(1) *intimidating or threatening any person be-*
19 *cause that person is assisting or encouraging a person*
20 *entitled to claim the rights or protections under this*
21 *chapter; and*

22 “(2) *retaliating against any person because that*
23 *person has participated in any investigation or ac-*
24 *tion to enforce this chapter.*

25 “(c) *IMPLEMENTATION.*—The Secretary of Housing
26 *and Urban Development and the Attorney General shall im-*

1 *plement and enforce this chapter consistent with, and in*
 2 *a manner that provides, the rights and remedies provided*
 3 *for in title VIII of the Civil Rights Act of 1968 (42 U.S.C.*
 4 *3601 et seq.).”.*

5 **SEC. 603. PROTECTING THE RIGHT TO REPORT CRIME**
 6 **FROM ONE’S HOME.**

7 *Chapter 2 of subtitle N of title IV of the Violence*
 8 *Against Women Act of 1994 (34 U.S.C. 12491 et seq.), as*
 9 *amended by this Act, is further amended by inserting after*
 10 *section 41414 the following:*

11 **“SEC. 41415. RIGHT TO REPORT CRIME AND EMERGENCIES**
 12 **FROM ONE’S HOME.**

13 *“(a) DEFINITION.—In this section, the term ‘covered*
 14 *governmental entity’ means any municipal, county, or*
 15 *State government that receives funding under section 106*
 16 *of the Housing and Community Development Act of 1974*
 17 *(42 U.S.C. 5306).*

18 *“(b) RIGHT TO REPORT.—*

19 *“(1) IN GENERAL.—Landlords, homeowners, ten-*
 20 *ants, residents, occupants, and guests of, and appli-*
 21 *cants for, housing—*

22 *“(A) shall have the right to seek law enforce-*
 23 *ment or emergency assistance on their own be-*
 24 *half or on behalf of another person in need of as-*
 25 *sistance; and*

1 “(B) shall not be penalized based on their
2 requests for assistance or based on criminal ac-
3 tivity of which they are a victim or otherwise
4 not at fault under statutes, ordinances, regula-
5 tions, or policies adopted or enforced by covered
6 governmental entities.

7 “(2) *PROHIBITED PENALTIES.*—Penalties that
8 are prohibited under paragraph (1) include—

9 “(A) actual or threatened assessment of
10 monetary or criminal penalties, fines, or fees;

11 “(B) actual or threatened eviction;

12 “(C) actual or threatened refusal to rent or
13 renew tenancy;

14 “(D) actual or threatened refusal to issue
15 an occupancy permit or landlord permit; and

16 “(E) actual or threatened closure of the
17 property, or designation of the property as a
18 nuisance or a similarly negative designation.

19 “(c) *REPORTING.*—Consistent with the process de-
20 scribed in section 104(b) of the Housing and Community
21 Development Act of 1974 (42 U.S.C. 5304(b)), covered gov-
22 ernmental entities shall—

23 “(1) report any of their laws or policies, or, as
24 applicable, the laws or policies adopted by sub-
25 grantees, that impose penalties on landlords, home-

1 *owners, tenants, residents, occupants, guests, or hous-*
2 *ing applicants based on requests for law enforcement*
3 *or emergency assistance or based on criminal activity*
4 *that occurred at a property; and*

5 *“(2) certify that they are in compliance with the*
6 *protections under this subtitle or describe the steps the*
7 *covered governmental entities will take within 180*
8 *days to come into compliance, or to ensure compli-*
9 *ance among subgrantees.*

10 *“(d) IMPLEMENTATION.—The Secretary of Housing*
11 *and Urban Development and the Attorney General shall im-*
12 *plement and enforce this chapter consistent with, and in*
13 *a manner that provides, the same rights and remedies as*
14 *those provided for in title VIII of the Civil Rights Act of*
15 *1968 (42 U.S.C. 3601 et seq.).*

16 *“(e) SUBGRANTEES.—For those covered governmental*
17 *entities that distribute funds to subgrantees, compliance*
18 *with subsection (c)(1) includes inquiring about the existence*
19 *of laws and policies adopted by subgrantees that impose*
20 *penalties on landlords, homeowners, tenants, residents, oc-*
21 *cupants, guests, or housing applicants based on requests for*
22 *law enforcement or emergency assistance or based on crimi-*
23 *nal activity that occurred at a property.”.*

1 **SEC. 604. TRANSITIONAL HOUSING ASSISTANCE GRANTS**
2 **FOR VICTIMS OF DOMESTIC VIOLENCE, DAT-**
3 **ING VIOLENCE, SEXUAL ASSAULT, OR STALK-**
4 **ING.**

5 *Section 40299 of the Violence Against Women Act of*
6 *1994 (34 U.S.C. 12351) is amended—*

7 *(1) in subsection (a), in the matter preceding*
8 *paragraph (1)—*

9 *(A) by striking “the Director of the Violence*
10 *Against Women Office” and inserting “the Di-*
11 *rector of the Office on Violence Against Women”;*
12 *and*

13 *(B) by inserting after “, other nonprofit,*
14 *nongovernmental organizations” the following: “,*
15 *population-specific organizations”;* and

16 *(2) in subsection (g)—*

17 *(A) in paragraph (1), by striking “2014*
18 *through 2018” and inserting “2023 through*
19 *2027”;*

20 *(B) by striking paragraph (2);*

21 *(C) by redesignating paragraph (3) as*
22 *paragraph (2); and*

23 *(D) in paragraph (2)(B), as so redesign-*
24 *ated, by striking “0.25 percent” and inserting*
25 *“0.5 percent”.*

1 **SEC. 605. ADDRESSING THE HOUSING NEEDS OF VICTIMS**
2 **OF DOMESTIC VIOLENCE, DATING VIOLENCE,**
3 **SEXUAL ASSAULT, AND STALKING.**

4 (a) *MCKINNEY-VENTO HOMELESS ASSISTANCE*
5 *GRANTS.—The McKinney-Vento Homeless Assistance Act*
6 *(42 U.S.C. 11301 et seq.) is amended—*

7 (1) *in section 103 (42 U.S.C. 11302), by amend-*
8 *ing subsection (b) to read as follows:*

9 “(b) *DOMESTIC VIOLENCE, DATING VIOLENCE, SEX-*
10 *UAL ASSAULT, STALKING, AND OTHER DANGEROUS, TRAU-*
11 *MATIC, OR LIFE-THREATENING CONDITIONS RELATING TO*
12 *SUCH VIOLENCE.—Notwithstanding any other provision of*
13 *this section, the Secretary shall consider to be homeless any*
14 *individual or family who—*

15 (1) *is experiencing trauma or a lack of safety*
16 *related to, or fleeing or attempting to flee, domestic*
17 *violence, dating violence, sexual assault, stalking, or*
18 *other dangerous, traumatic, or life-threatening condi-*
19 *tions related to the violence against the individual or*
20 *a family member in the individual’s or family’s cur-*
21 *rent housing situation, including where the health*
22 *and safety of children are jeopardized;*

23 (2) *has no other safe residence; and*

24 (3) *lacks the resources to obtain other safe per-*
25 *manent housing.”; and*

1 (2) in section 423(a) (42 U.S.C. 11383(a)), by
2 adding at the end the following:

3 “(13) *Facilitating and coordinating activities to*
4 *ensure compliance with subsection (e) of section*
5 *41411 of the Violence Against Women Act of 1994 (34*
6 *U.S.C. 12491) and monitoring compliance with the*
7 *confidentiality protections of subsection (c)(4) of such*
8 *section.*”.

9 (b) *COLLABORATIVE GRANTS TO INCREASE THE LONG-*
10 *TERM STABILITY OF VICTIMS.*—Section 41404(i) of the *Vio-*
11 *lence Against Women Act of 1994 (34 U.S.C. 12474(i)) is*
12 *amended by striking “2014 through 2018” and inserting*
13 *“2023 through 2027”.*

14 (c) *GRANTS TO COMBAT VIOLENCE AGAINST WOMEN*
15 *IN PUBLIC AND ASSISTED HOUSING.*—Section 41405 of the
16 *Violence Against Women Act of 1994 (34 U.S.C. 12475) is*
17 *amended—*

18 (1) in subsection (b)(1), by striking “*the Director*
19 *of the Violence Against Women Office*” and inserting
20 “*the Director of the Office on Violence Against*
21 *Women*”;

22 (2) in subsection (c)(2)(D), by inserting after
23 “*linguistically and culturally specific service pro-*
24 *viders,*” the following: “*population-specific organiza-*
25 *tions,*”; and

1 *trafficking*” has the meaning given the term “victim
2 of a severe form of trafficking” in section 103 of the
3 *Trafficking Victims Protection Act of 2000* (22 U.S.C.
4 7102).

5 (2) *SURVIVOR OF TRAFFICKING.*—The term “sur-
6 vivor of trafficking” has the meaning given the term
7 “victim of trafficking” in section 103 of the *Traf-*
8 *ficking Victims Protection Act of 2000* (22 U.S.C.
9 7102).

10 (b) *STUDY.*—

11 (1) *IN GENERAL.*—The Secretary of Housing and
12 Urban Development shall conduct a study assessing
13 the availability and accessibility of housing and serv-
14 ices for individuals experiencing homelessness or
15 housing instability who are—

16 (A) survivors of trafficking, including sur-
17 vivors of a severe form of trafficking; or

18 (B) at risk of being trafficked.

19 (2) *COORDINATION AND CONSULTATION.*—In con-
20 ducting the study required under paragraph (1), the
21 Secretary shall—

22 (A) coordinate with—

23 (i) the Interagency Task Force to Mon-
24 itor and Combat Trafficking established

1 *under section 105 of the Trafficking Victims*
2 *Protection Act of 2000 (22 U.S.C. 7103);*

3 *(ii) the United States Advisory Council*
4 *on Human Trafficking;*

5 *(iii) the Secretary of Health and*
6 *Human Services; and*

7 *(iv) the Attorney General; and*

8 *(B) consult with—*

9 *(i) the National Advisory Committee*
10 *on the Sex Trafficking of Children and*
11 *Youth in the United States;*

12 *(ii) survivors of trafficking;*

13 *(iii) direct service providers, includ-*
14 *ing—*

15 *(I) organizations serving runaway*
16 *and homeless youth;*

17 *(II) organizations serving sur-*
18 *vivors of trafficking through commu-*
19 *nity-based programs; and*

20 *(III) organizations providing*
21 *housing services to survivors of traf-*
22 *ficking; and*

23 *(iv) housing and homelessness assist-*
24 *ance providers, including recipients of*
25 *grants under—*

1 (I) *the Continuum of Care pro-*
2 *gram authorized under subtitle C of*
3 *title IV of the McKinney-Vento Home-*
4 *less Assistance Act (42 U.S.C. 11381 et*
5 *seq.); and*

6 (II) *the Emergency Solutions*
7 *Grants program authorized under sub-*
8 *title B of title IV of the McKinney-*
9 *Vento Homeless Assistance Act (42*
10 *U.S.C. 11371 et seq.).*

11 (3) *CONTENTS.—The study conducted pursuant*
12 *to paragraph (1) shall include—*

13 (A) *with respect to the individuals described*
14 *in such paragraph—*

15 (i) *an evaluation of formal assessments*
16 *and outreach methods used to identify and*
17 *assess the housing and service needs of such*
18 *individuals, including outreach methods—*

19 (I) *to ensure effective communica-*
20 *tion with individuals with disabilities;*
21 *and*

22 (II) *to reach individuals with*
23 *limited English proficiency;*

24 (ii) *a review of the availability and ac-*
25 *cessibility of homelessness or housing serv-*

1 *ices for such individuals, including the fam-*
2 *ily members of such individuals who are*
3 *minors involved in foster care systems, that*
4 *identifies the disability-related needs of such*
5 *individuals, including the need for housing*
6 *with accessibility features;*

7 *(iii) an analysis of the effect of any*
8 *policies and procedures of mainstream*
9 *homelessness or housing services that facili-*
10 *tate or limit the availability of such services*
11 *and accessibility for such individuals, in-*
12 *cluding those such individuals who are in-*
13 *cluded in the legal system, as such services*
14 *are in effect as of the date on which the*
15 *study is conducted;*

16 *(iv) a determination of the best prac-*
17 *tices in meeting the housing and service*
18 *needs of such individuals; and*

19 *(v) an assessment of barriers to fair*
20 *housing and housing discrimination against*
21 *survivors of trafficking who are members of*
22 *a protected class under the Fair Housing*
23 *Act (42 U.S.C. 3601 et seq.);*

24 *(B) an assessment of the ability of main-*
25 *stream homelessness or housing services to meet*

1 *the specialized needs of survivors of trafficking,*
2 *including trauma responsive approaches specific*
3 *to labor and sex trafficking survivors; and*

4 *(C) an evaluation of the effectiveness of, and*
5 *infrastructure considerations for, housing and*
6 *service-delivery models that are specific to sur-*
7 *vivors of trafficking, including survivors of severe*
8 *forms of trafficking, including emergency rental*
9 *assistance models.*

10 *(c) REPORT.—Not later than 18 months after the date*
11 *of the enactment of this Act, the Secretary of Housing and*
12 *Urban Development shall—*

13 *(1) submit a report to the Committee on Bank-*
14 *ing, Housing, and Urban Affairs of the Senate and*
15 *the Committee on Financial Services of the House of*
16 *Representatives that contains the information de-*
17 *scribed in subparagraphs (A) through (C) of sub-*
18 *section (b)(3); and*

19 *(2) make the report submitted pursuant to para-*
20 *graph (1) available to the public.*

21 ***TITLE VII—ECONOMIC SECURITY***
22 ***FOR VICTIMS***

23 ***SEC. 701. FINDINGS.***

24 *Congress finds the following:*

1 (1) *Over 1 in 3 women experience sexual vio-*
2 *lence, and 1 in 5 women have survived completed or*
3 *attempted rape. Such violence has a devastating im-*
4 *act on women’s physical and emotional health, fi-*
5 *nancial security, and ability to maintain their jobs,*
6 *and thus impacts interstate commerce and economic*
7 *security.*

8 (2) *Homicide is one of the leading causes of*
9 *death for women on the job. Domestic partners or rel-*
10 *atives commit 43 percent of workplace homicides*
11 *against women. One study found that intimate part-*
12 *ner violence resulted in 142 homicides among women*
13 *at work in the United States from 2003 to 2008, a*
14 *figure which represents 22 percent of the 648 work-*
15 *place homicides among women during the period. In*
16 *fact, in 2010, homicides against women at work in-*
17 *creased by 13 percent despite continuous declines in*
18 *overall workplace homicides in recent years.*

19 (3) *Violence can have a dramatic impact on the*
20 *survivor of such violence. Studies indicate that 44*
21 *percent of surveyed employed adults experienced the*
22 *effect of domestic violence in the workplace, and 64*
23 *percent indicated their workplace performance was*
24 *affected by such violence. Another recent survey found*
25 *that 78 percent of offenders used workplace resources*

1 to express anger, check up on, pressure, or threaten a
2 survivor. Sexual assault, whether occurring in or out
3 of the workplace, can impair an employee's work per-
4 formance, require time away from work, and under-
5 mine the employee's ability to maintain a job. Nearly
6 50 percent of sexual assault survivors lose their jobs
7 or are forced to quit in the aftermath of the assaults.

8 (4) Studies find that 60 percent of single women
9 lack economic security and 81 percent of households
10 with single mothers live in economic insecurity. Sig-
11 nificant barriers that survivors confront include ac-
12 cess to housing, transportation, and child care. Nine-
13 ty-two percent of homeless women have experienced
14 domestic violence, and more than 50 percent of such
15 women cite domestic violence as the direct cause for
16 homelessness. Survivors are deprived of their auton-
17 omy, liberty, and security, and face tremendous
18 threats to their health and safety.

19 (5) The Centers for Disease Control and Preven-
20 tion report that survivors of severe intimate partner
21 violence lose nearly 8,000,000 days of paid work,
22 which is the equivalent of more than 32,000 full-time
23 jobs and almost 5,600,000 days of household produc-
24 tivity each year. Therefore, women disproportionately
25 need time off to care for their health or to find safety

1 *solutions, such as obtaining a restraining order or*
2 *finding housing, to avoid or prevent further violence.*

3 *(6) Annual costs of intimate partner violence are*
4 *estimated to be more than \$8,300,000,000. According*
5 *to the Centers for Disease Control and Prevention, the*
6 *costs of intimate partner violence against women in*
7 *1995 exceeded an estimated \$5,800,000,000. These*
8 *costs included nearly \$4,100,000,000 in the direct*
9 *costs of medical and mental health care and nearly*
10 *\$1,800,000,000 in the indirect costs of lost produc-*
11 *tivity. These statistics are generally considered to be*
12 *underestimated because the costs associated with the*
13 *criminal justice system are not included.*

14 *(7) Fifty-five percent of senior executives recently*
15 *surveyed said domestic violence has a harmful effect*
16 *on their company's productivity, and more than 70*
17 *percent said domestic violence negatively affects at-*
18 *tendance. Seventy-eight percent of human resources*
19 *professionals consider partner violence a workplace*
20 *issue. However, more than 70 percent of United*
21 *States workplaces have no formal program or policy*
22 *that addresses workplace violence, let alone domestic*
23 *violence. In fact, only 4 percent of employers provided*
24 *training on domestic violence.*

1 (8) *Harassment is a persistent and significant*
2 *problem in the workplace in the United States, and*
3 *the Equal Employment Opportunity Commission*
4 *found that not less than 25 percent, and as many as*
5 *85 percent, of women surveyed report having experi-*
6 *enced sexual harassment at work.*

7 (9) *For decades, survivors of sexual violence have*
8 *come forward to seek justice and demand their right*
9 *to be free from violence, harassment, and other forms*
10 *of discrimination. These calls for change reached a*
11 *tipping point after October 2017 as a result of*
12 *Tarana Burke's work and #MeToo going viral. Thou-*
13 *sands of courageous individuals, from Hollywood to*
14 *the halls of Congress and the military, to restaurants,*
15 *agricultural fields, and factory floors, shined a light*
16 *on the pervasive and insidious nature of workplace*
17 *harassment and sexual assault.*

18 (10) *Working people can be subjected to multiple*
19 *forms of harassment in the workplace at the same*
20 *time.*

21 (11) *According to the Equal Employment Oppor-*
22 *tunity Commission, approximately 3 out of 4 indi-*
23 *viduals who experience harassment never talked to a*
24 *supervisor, manager, or union representative about*
25 *the harassing conduct.*

1 (12) *The impact of domestic violence, dating vio-*
2 *lence, sexual assault, and stalking on the workplace is*
3 *a part of the challenge of workplace harassment.*

4 (13) *Studies indicate that one of the best predic-*
5 *tors of whether a survivor will be able to stay away*
6 *from his or her abuser is the degree of his or her eco-*
7 *nomics independence. However, domestic violence, dat-*
8 *ing violence, sexual assault, and stalking often nega-*
9 *tively impact a survivor's ability to maintain em-*
10 *ployment.*

11 (14) *Abusers frequently seek to exert financial*
12 *control over their partners by actively interfering*
13 *with their ability to work, including preventing their*
14 *partners from going to work, harassing their partners*
15 *at work, limiting their partners' access to cash or*
16 *transportation, and sabotaging their partners' child*
17 *care arrangements.*

18 (15) *Economic abuse refers to behaviors that con-*
19 *trol an intimate partner's ability to acquire, use, and*
20 *maintain access to money, credit, ownership of assets,*
21 *or governmental or private financial benefits, includ-*
22 *ing defaulting on joint obligations (such as school*
23 *loans, credit card debt, mortgages, or rent). Other*
24 *forms of such abuse may include preventing someone*
25 *from attending school, threatening to or actually ter-*

1 *minating employment, controlling or withholding ac-*
2 *cess to cash, checking, or credit accounts, and at-*
3 *tempting to damage or sabotage the creditworthiness*
4 *of an intimate partner, including forcing an intimate*
5 *partner to write bad checks, forcing an intimate part-*
6 *ner to default on payments related to household needs,*
7 *such as housing, or forcing an intimate partner into*
8 *bankruptcy.*

9 *(16) This title aims to empower survivors of do-*
10 *mestic violence, dating violence, sexual assault, or*
11 *stalking to be free from violence, hardship, and con-*
12 *trol, which restrains basic human rights to freedom*
13 *and safety in the United States.*

14 **SEC. 702. NATIONAL RESOURCE CENTER ON WORKPLACE**
15 **RESPONSES TO ASSIST VICTIMS OF DOMES-**
16 **TIC AND SEXUAL VIOLENCE.**

17 *Section 41501 of the Violence Against Women Act of*
18 *1994 (34 U.S.C. 12501) is amended—*

19 *(1) in subsection (a)—*

20 *(A) by inserting “and sexual harassment”*
21 *after “domestic and sexual violence”; and*

22 *(B) by striking “employers and labor orga-*
23 *nizations” and inserting “employers, labor orga-*
24 *nizations, and victim service providers”; and*

1 (2) *in subsection (b)(3), by striking “and stalk-*
2 *ing” and inserting “stalking, and sexual harass-*
3 *ment”;*

4 (3) *in subsection (c)(1), by inserting “or sexual*
5 *harassment” before the period at the end;*

6 (4) *in subsection (c)(2)(A), by inserting “or sex-*
7 *ual harassment” after “sexual violence”;*

8 (5) *by redesignating subsections (e) and (f) as*
9 *subsections (f) and (g), respectively;*

10 (6) *by inserting after subsection (d) the fol-*
11 *lowing:*

12 “(e) *PATHWAYS TO OPPORTUNITY PILOT PROJECT.—*
13 *An eligible nonprofit nongovernmental entity or tribal or-*
14 *ganization that receives a grant under this section may de-*
15 *velop a plan to enhance the capacity of survivors to obtain*
16 *and maintain employment, including through the imple-*
17 *mentation of a demonstration pilot program to be known*
18 *as ‘Pathways to Opportunity’, which shall—*

19 “(1) *build collaborations between and among vic-*
20 *tim service providers, workforce development pro-*
21 *grams, and educational and vocational institutions to*
22 *provide trauma informed programming to support*
23 *survivors seeking employment; and*

1 “(2) be centered around culturally specific orga-
2 nizations or organizations that primarily serve popu-
3 lations traditionally marginalized in the workplace.”;

4 (7) in subsection (f), as so redesignated, by strik-
5 ing “\$1,000,000 for each of fiscal years 2014 through
6 2018” and inserting “\$2,000,000 for each of fiscal
7 years 2023 through 2027”.

8 **SEC. 703. PROVISIONS RELATED TO THE TEMPORARY AS-**
9 **SISTANCE FOR NEEDY FAMILIES PROGRAM.**

10 (a) *TANF PERSONNEL TRAINING.*—

11 (1) *IN GENERAL.*—Section 402(a) of the Social
12 Security Act (42 U.S.C. 602(a)) is amended by add-
13 ing at the end the following new paragraph:

14 “(8) *CERTIFICATION THAT THE STATE WILL*
15 *PROVIDE INFORMATION TO VICTIMS OF SEXUAL HAR-*
16 *ASSMENT OR SURVIVORS OF DOMESTIC VIOLENCE,*
17 *SEXUAL ASSAULT, OR STALKING.*—

18 “(A) *IN GENERAL.*—A certification by the
19 chief executive officer of the State that the State
20 has established and is enforcing standards and
21 procedures to—

22 “(i) ensure that applicants and poten-
23 tial applicants for assistance under the
24 State program funded under this part are
25 notified of assistance made available by the

1 *State to victims of sexual harassment and*
2 *survivors of domestic violence, sexual as-*
3 *sault, or stalking;*

4 “(i) ensure that case workers and
5 other agency personnel responsible for ad-
6 ministering the State program funded
7 under this part are trained in—

8 “(I) the nature and dynamics of
9 sexual harassment and domestic vio-
10 lence, sexual assault, and stalking;

11 “(II) State standards and proce-
12 dures relating to the prevention of, and
13 assistance for, individuals who are vic-
14 tims of sexual harassment or survivors
15 of domestic violence, sexual assault, or
16 stalking; and

17 “(III) methods of ascertaining
18 and ensuring the confidentiality of
19 personal information and documenta-
20 tion related to applicants for assistance
21 and their children who have provided
22 notice about their experiences of sexual
23 harassment, domestic violence, sexual
24 assault, or stalking; and

1 “(iii) ensure that, if a State has elected
2 to establish and enforce standards and pro-
3 cedures regarding the screening for, and
4 identification of, domestic violence, sexual
5 assault, or stalking pursuant to paragraph
6 (7)—

7 “(I) the State program funded
8 under this part provides information
9 about the options under this part to
10 current and potential beneficiaries;
11 and

12 “(II) case workers and other agen-
13 cy personnel responsible for admin-
14 istering the State program funded
15 under this part are provided with
16 training regarding State standards
17 and procedures pursuant to paragraph
18 (7).

19 “(B) DEFINITIONS.—For purposes of this
20 paragraph—

21 “(i) the term ‘sexual harassment’
22 means hostile, intimidating, or oppressive
23 behavior based on sex that creates an offen-
24 sive work environment;

1 “(ii) the term ‘domestic violence’ has
2 the meaning given such term in paragraph
3 (7); and

4 “(iii) the terms ‘sexual assault’ and
5 ‘stalking’ have the meanings given such
6 terms in section 40002 of the Violence
7 Against Women Act of 1994 (34 U.S.C.
8 12291).”.

9 (2) *IMPLEMENTATION.*—Not later than 1 year
10 after the date of enactment of this Act, each State
11 shall submit the certification required under para-
12 graph (8) of subsection (a) of section 402 of the Social
13 Security Act (42 U.S.C. 602), as added by paragraph
14 (1), in the form of an amendment to the State’s plan
15 submitted under such section. A State shall not be re-
16 garded as failing to comply with the requirement of
17 such paragraph (8) before the date that is 1 year after
18 the date of enactment of this Act.

19 (b) *NATIONAL GRANT PROGRAM FOR DEVELOPING A*
20 *MODEL TRAINING PROGRAM FOR TANF PERSONNEL*
21 *TRAINING.*—

22 (1) *GRANTS AUTHORIZED.*—

23 (A) *MODEL TRAINING PROGRAM.*—The Sec-
24 retary of Health and Human Services (in this
25 subsection referred to as the “Secretary”) shall—

1 (i) develop and disseminate a model
2 training program (and related materials)
3 for the training required under section
4 402(a)(8) of the Social Security Act, and if
5 the State so elects, section 402(a)(7) of such
6 Act; and

7 (ii) provide technical assistance with
8 respect to such model training program to
9 eligible States (as defined in section 402 of
10 the Social Security Act).

11 (B) GRANTS.—In developing the model
12 training program under subparagraph (A)(i),
13 the Secretary may award grants and contracts
14 and may develop such program in cooperation
15 with an eligible partner.

16 (2) ELIGIBLE PARTNER DEFINED.—For purposes
17 of paragraph (1), the term “eligible partner” means
18 an entity that is—

19 (A) a State or tribal domestic violence coa-
20 lition or sexual assault coalition; or

21 (B) a State or local victim service provider
22 with recognized expertise in the dynamics of do-
23 mestic violence, sexual assault, or stalking whose
24 primary mission is to provide services to sur-
25 vivors of domestic violence, sexual assault, or

1 *stalking, including a rape crisis center or domes-*
2 *tic violence program.*

3 (3) *REPORT.—*

4 (A) *REPORT TO CONGRESS.—Not later than*
5 *5 years after the date of the enactment of this*
6 *Act, the Secretary shall submit to the Committee*
7 *on Ways and Means of the House of Representa-*
8 *tives and the Committee on Finance of the Sen-*
9 *ate a report on the program established under*
10 *this subsection.*

11 (B) *REPORT AVAILABLE TO PUBLIC.—The*
12 *Secretary shall establish procedures for the dis-*
13 *semination to the public of the report submitted*
14 *under subparagraph (A) not later than 10 days*
15 *after the submission of such report to Congress*
16 *under such subparagraph. Such procedures shall*
17 *include the use of the internet to disseminate*
18 *such report.*

19 (4) *AUTHORIZATION OF APPROPRIATIONS.—*
20 *There are authorized to be appropriated \$3,000,000 to*
21 *carry out this section for each of fiscal years 2023*
22 *through 2027.*

1 **SEC. 704. STUDY AND REPORTS ON BARRIERS TO SUR-**
2 **VIVORS' ECONOMIC SECURITY ACCESS.**

3 (a) *STUDY.*—*The Secretary of Health and Human*
4 *Services, in consultation with the Secretary of Labor, shall*
5 *conduct a study on the barriers that survivors of domestic*
6 *violence, dating violence, sexual assault, or stalking*
7 *throughout the United States experience in maintaining*
8 *economic security, including the impact of the COVID–19*
9 *pandemic on such victims' ability to maintain economic*
10 *security, as a result of issues related to domestic violence,*
11 *dating violence, sexual assault, or stalking.*

12 (b) *REPORTS.*—*Not later than 1 year after the date*
13 *of enactment of this Act, and every 5 years thereafter, the*
14 *Secretary of Health and Human Services, in consultation*
15 *with the Secretary of Labor, shall submit a report to Con-*
16 *gress on the study conducted under subsection (a).*

17 (c) *CONTENTS.*—*The study and reports under this sec-*
18 *tion shall include—*

19 (1) *identification of geographic areas in which*
20 *State laws, regulations, and practices have a strong*
21 *impact on the ability of survivors of domestic vio-*
22 *lence, dating violence, sexual assault, or stalking to*
23 *exercise—*

24 (A) *any rights under this title (including*
25 *any amendments made by this title) without*
26 *compromising personal safety or the safety of*

1 *others, including family members and excluding*
2 *the abuser; and*

3 *(B) other components of economic security,*
4 *including financial empowerment, affordable*
5 *housing, transportation, health care access, credit*
6 *history, and quality education and training op-*
7 *portunities;*

8 *(2) identification of geographic areas with short-*
9 *ages in resources for such survivors, with an accom-*
10 *panying analysis of the extent and impact of such*
11 *shortage;*

12 *(3) analysis of the unique barriers faced by such*
13 *survivors living in rural communities;*

14 *(4) analysis of factors related to industries,*
15 *workplace settings, employer practices, trends, and*
16 *other elements that impact the ability of such sur-*
17 *vivors to exercise any rights under this Act (including*
18 *any amendments made by this Act) without compro-*
19 *promising personal safety or the safety of others, includ-*
20 *ing family members;*

21 *(5) the recommendations of the Secretary of*
22 *Health and Human Services and the Secretary of*
23 *Labor with respect to resources, oversight, and en-*
24 *forcement tools to ensure successful implementation of*
25 *the provisions of this Act in order to support the eco-*

1 *conomic security and safety of survivors of domestic vi-*
2 *olence, dating violence, sexual assault, or stalking;*

3 *(6) best practices for States, employers, health*
4 *carriers, insurers, and other private entities in ad-*
5 *dressing issues related to domestic violence, dating vi-*
6 *olence, sexual assault, or stalking; and*

7 *(7) barriers that impede victims' ability to pur-*
8 *sue legal action, including legal costs and filing fees,*
9 *and complexities of the jurisdiction of law enforce-*
10 *ment agencies.*

11 **SEC. 705. GAO STUDY.**

12 *Not later than 18 months after the date of enactment*
13 *of this Act, the Comptroller General of the United States*
14 *shall submit to the Committee on Education and Labor of*
15 *the House of Representatives and the Committee on Health,*
16 *Education, Labor, and Pensions of the Senate a report that*
17 *examines, with respect to survivors of domestic violence,*
18 *dating violence, sexual assault, or stalking who are, or were,*
19 *enrolled at institutions of higher education and borrowed*
20 *a loan made, insured, or guaranteed under title IV of the*
21 *Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) for*
22 *which the survivors have not repaid the total interest and*
23 *principal due, each of the following:*

1 (1) *The implications of domestic violence, dating*
2 *violence, sexual assault, or stalking on a borrower's*
3 *ability to repay their Federal student loans.*

4 (2) *The adequacy of policies and procedures re-*
5 *garding Federal student loan deferment, forbearance,*
6 *and grace periods when a survivor has to suspend or*
7 *terminate the survivor's enrollment at an institution*
8 *of higher education due to domestic violence, dating*
9 *violence, sexual assault, or stalking.*

10 (3) *The adequacy of institutional policies and*
11 *practices regarding retention or transfer of credits*
12 *when a survivor has to suspend or terminate the sur-*
13 *vivor's enrollment at an institution of higher edu-*
14 *cation due to domestic violence, dating violence, sex-*
15 *ual assault, or stalking.*

16 (4) *The availability or any options for a sur-*
17 *vivor of domestic violence, dating violence, sexual as-*
18 *sault, or stalking who attended an institution of high-*
19 *er education that committed unfair, deceptive, or abu-*
20 *sive acts or practices, or otherwise substantially mis-*
21 *represented information to students, to be able to seek*
22 *a defense to repayment of the survivor's Federal stu-*
23 *dent loan.*

24 (5) *The limitations faced by a survivor of domes-*
25 *tic violence, dating violence, sexual assault, or stalk-*

1 *ant to section 204 of Public Law 90–284 (25 U.S.C.*
2 *1304) (commonly known as the “Indian Civil Rights*
3 *Act of 1968”), restored by section 904 of the Violence*
4 *Against Women Reauthorization Act of 2013 (Public*
5 *Law 113–4; 127 Stat. 120), have reported significant*
6 *success holding violent offenders accountable for*
7 *crimes of domestic violence, dating violence, and civil*
8 *protection order violations;*

9 *(5) Tribal prosecutors for Indian Tribes exer-*
10 *cising special domestic violence criminal jurisdiction*
11 *report that the majority of domestic violence cases in-*
12 *volve children either as witnesses or victims, and the*
13 *Department of Justice reports that American Indian*
14 *and Alaska Native children suffer exposure to violence*
15 *at one of the highest rates in the United States;*

16 *(6) childhood exposure to violence can have im-*
17 *mediate and long-term effects, including increased*
18 *rates of altered neurological development, poor phys-*
19 *ical and mental health, poor school performance, sub-*
20 *stance abuse, and overrepresentation in the juvenile*
21 *justice system;*

22 *(7) according to the Centers for Disease Control*
23 *and Prevention, homicide is—*

1 (A) *the third leading cause of death among*
2 *American Indian and Alaska Native women be-*
3 *tween 10 and 24 years of age; and*

4 (B) *the fifth leading cause of death for*
5 *American Indian and Alaska Native women be-*
6 *tween 25 and 34 years of age;*

7 (8) *in some areas of the United States, Native*
8 *American women are murdered at rates more than 10*
9 *times the national average;*

10 (9) *according to a 2017 report by the Depart-*
11 *ment of Justice, 66 percent of criminal prosecutions*
12 *for crimes in Indian country that United States At-*
13 *torneys declined to prosecute involved assault, mur-*
14 *der, or sexual assault;*

15 (10) *investigation into cases of missing or mur-*
16 *dered Indigenous women is made difficult for Tribal*
17 *law enforcement agencies due to a lack of resources,*
18 *including a lack of—*

19 (A) *necessary personnel, training, equip-*
20 *ment, or funding;*

21 (B) *interagency cooperation;*

22 (C) *appropriate laws in place; and*

23 (D) *access to Federal law enforcement data-*
24 *bases;*

1 (11) *domestic violence calls are among the most*
2 *dangerous calls that law enforcement receives;*

3 (12) *the complicated jurisdictional scheme that*
4 *exists in Indian country—*

5 (A) *has a significant impact on public safe-*
6 *ty in Indian communities;*

7 (B) *according to Tribal justice officials, has*
8 *been increasingly exploited by criminals; and*

9 (C) *requires a high degree of commitment*
10 *and cooperation among Tribal, Federal, and*
11 *State law enforcement officials;*

12 (13) *restoring and enhancing Tribal capacity to*
13 *address violence against women provides for greater*
14 *local control, safety, accountability, and trans-*
15 *parency;*

16 (14) *Indian Tribes with restrictive settlement*
17 *Acts, such as Indian Tribes in the State of Maine,*
18 *and Indian Tribes located in States with concurrent*
19 *authority to prosecute crimes in Indian country*
20 *under the amendments made by the Act of August 15,*
21 *1953 (67 Stat. 590, chapter 506), face unique public*
22 *safety challenges; and*

23 (15) *Native Hawaiians experience a dispropor-*
24 *tionately high rate of human trafficking, with 64 per-*

1 *cent of human trafficking victims in the State of Ha-*
2 *wai'i identifying as at least part Native Hawaiian.*

3 *(b) PURPOSES.—The purposes of this subtitle are—*

4 *(1) to clarify the responsibilities of Federal,*
5 *State, Tribal, and local law enforcement agencies*
6 *with respect to responding to cases of domestic vio-*
7 *lence, dating violence, stalking, sex trafficking, sexual*
8 *violence, crimes against children, and assault against*
9 *Tribal law enforcement officers;*

10 *(2) to increase coordination and communication*
11 *among Federal, State, Tribal, and local law enforce-*
12 *ment agencies;*

13 *(3) to empower Tribal governments and Native*
14 *American communities, including urban Indian com-*
15 *munities and Native Hawaiian communities, with*
16 *the resources and information necessary to effectively*
17 *respond to cases of domestic violence, dating violence,*
18 *stalking, sex trafficking, sexual violence, and missing*
19 *or murdered Native Americans; and*

20 *(4) to increase the collection of data related to*
21 *missing or murdered Native Americans and the shar-*
22 *ing of information among Federal, State, Tribal, and*
23 *local officials responsible for responding to and inves-*
24 *tigating crimes impacting Indian Tribes and Native*
25 *American communities, including urban Indian com-*

1 *munities and Native Hawaiian communities, espe-*
2 *cially crimes relating to cases of missing or murdered*
3 *Native Americans.*

4 **SEC. 802. TRIBAL ACCESS PROGRAM.**

5 *(a) ACCESS TO NATIONAL CRIME INFORMATION DATA-*
6 *BASES BY INDIAN TRIBES.—Section 233(b) of the Tribal*
7 *Law and Order Act of 2010 (34 U.S.C. 41107) is amend-*
8 *ed—*

9 *(1) by striking paragraph (1) and inserting the*
10 *following:*

11 *“(1) IN GENERAL.—The Attorney General shall*
12 *ensure that—*

13 *“(A) tribal law enforcement officials that*
14 *meet applicable Federal or State requirements*
15 *shall be permitted access to national crime infor-*
16 *mation databases; and*

17 *“(B) technical assistance and training is*
18 *provided to Bureau of Indian Affairs and tribal*
19 *law enforcement agencies to gain access to, and*
20 *the ability to use and input information into,*
21 *the National Crime Information Center and*
22 *other national crime information databases pur-*
23 *suant to section 534 of title 28, United States*
24 *Code.”; and*

1 (2) in paragraph (3), by striking “with criminal
2 jurisdiction over Indian country”.

3 (b) ACQUISITION, PRESERVATION, AND EXCHANGE OF
4 IDENTIFICATION RECORDS AND INFORMATION.—Section
5 534(d) of title 28, United States Code, is amended—

6 (1) by redesignating paragraphs (1) and (2) as
7 subparagraphs (A) and (B), respectively, and indent-
8 ing appropriately;

9 (2) in the matter preceding subparagraph (A)
10 (as so redesignated) by striking “The Attorney Gen-
11 eral” and inserting the following:

12 “(1) IN GENERAL.—The Attorney General”; and
13 (3) by adding at the end the following:

14 “(2) TRIBAL ACCESS PROGRAM.—

15 “(A) IN GENERAL.—The Attorney General
16 shall establish a program, to be known as the
17 ‘Tribal Access Program’, to enhance the ability
18 of tribal governments and their authorized agen-
19 cies to access, enter information into, and obtain
20 information from national criminal information
21 databases under this section.

22 “(B) AUTHORIZATION OF APPROPRIA-
23 TIONS.—There is authorized to be appropriated
24 to carry out the Tribal Access Program under
25 subparagraph (A) \$6,000,000 for each of fiscal

1 years 2023 through 2027, to remain available
2 until expended.

3 “(3) *INFORMATION SHARING*.—To the extent oth-
4 erwise permitted by law, any report issued as a result
5 of the analysis of information entered into national
6 criminal information databases or obtained from Fed-
7 eral criminal databases shall be shared with each In-
8 dian tribe of jurisdiction, including Indian tribes lo-
9 cated in the State of Maine.”.

10 (c) *IDENTIFICATION RECORDS*.—The second para-
11 graph of the matter under the heading “*SALARIES AND EX-*
12 *PENSES*” under the heading “*FEDERAL BUREAU OF INVES-*
13 *TIGATION*” of the Department of Justice Appropriation Act,
14 1973 (34 U.S.C. 41101) is amended—

15 (1) by inserting “or Tribal” after “if authorized
16 by State”; and

17 (2) by inserting “, Tribal,” before “and local
18 governments”.

19 **SEC. 803. BUREAU OF PRISONS TRIBAL PRISONER PRO-**
20 **GRAM.**

21 Section 234(c) of the Tribal Law and Order Act of
22 2010 (25 U.S.C. 1302 note; Public Law 111–211) is amend-
23 ed—

24 (1) in the subsection heading, by striking
25 “*PILOT*”;

1 (2) *by striking “pilot” each place it appears;*

2 (3) *in paragraph (1), by striking “Not later than*
3 *120 days after the date of enactment of this title” and*
4 *inserting “Not later than 120 days after the date of*
5 *enactment of the Violence Against Women Act Reau-*
6 *thorization Act of 2022”;*

7 (4) *in paragraph (2)(B), by striking “2 or more*
8 *years” and inserting “1 or more years”; and*

9 (5) *by striking paragraphs (5) and (6).*

10 **SEC. 804. TRIBAL JURISDICTION OVER COVERED CRIMES.**

11 *Section 204 of Public Law 90–284 (25 U.S.C. 1304)*
12 *(commonly known as the “Indian Civil Rights Act of*
13 *1968”) is amended—*

14 (1) *in the section heading, by striking “**CRIMES***
15 ***OF DOMESTIC VIOLENCE” and inserting “COV-***
16 ***ERED CRIMES”;***

17 (2) *by striking “special domestic violence crimi-*
18 *nal jurisdiction” each place it appears and inserting*
19 *“special Tribal criminal jurisdiction”;*

20 (3) *in subsection (a)—*

21 (A) *by redesignating paragraphs (1), (2),*
22 *(3), (4), (5), (6), and (7) as paragraphs (6), (7),*
23 *(8), (10), (11), (14), and (15), respectively;*

24 (B) *by inserting before paragraph (6) (as so*
25 *redesignated) the following:*

1 “(1) *ASSAULT OF TRIBAL JUSTICE PERSONNEL.*—*The term ‘assault of Tribal justice personnel’ means any violation of the criminal law of the*
2 *Indian tribe that has jurisdiction over the Indian*
3 *country where the violation occurs that involves the*
4 *use, attempted use, or threatened use of physical force*
5 *against an individual authorized to act for, or on behalf of, that Indian tribe or serving that Indian tribe*
6 *during, or because of, the performance or duties of*
7 *that individual in—*

11 “(A) *preventing, detecting, investigating,*
12 *making arrests relating to, making apprehensions for, or prosecuting a covered crime;*

14 “(B) *adjudicating, participating in the adjudication of, or supporting the adjudication of*
15 *a covered crime;*

17 “(C) *detaining, providing supervision for,*
18 *or providing services for persons charged with a*
19 *covered crime; or*

20 “(D) *incarcerating, supervising, providing*
21 *treatment for, providing rehabilitation services*
22 *for, or providing reentry services for persons convicted of a covered crime.*

24 “(2) *CHILD.*—*The term ‘child’ means a person*
25 *who has not attained the lesser of—*

1 “(A) the age of 18; and

2 “(B) except in the case of sexual abuse, the
3 age specified by the criminal law of the Indian
4 tribe that has jurisdiction over the Indian coun-
5 try where the violation occurs.

6 “(3) *CHILD VIOLENCE*.—The term ‘child violence’
7 means the use, threatened use, or attempted use of vi-
8 olence against a child proscribed by the criminal law
9 of the Indian tribe that has jurisdiction over the In-
10 dian country where the violation occurs.

11 “(4) *COERCION; COMMERCIAL SEX ACT*.—The
12 terms ‘coercion’ and ‘commercial sex act’ have the
13 meanings given the terms in section 1591(e) of title
14 18, United States Code.

15 “(5) *COVERED CRIME*.—The term ‘covered crime’
16 means—

17 “(A) assault of Tribal justice personnel;

18 “(B) child violence;

19 “(C) dating violence;

20 “(D) domestic violence;

21 “(E) obstruction of justice;

22 “(F) sexual violence;

23 “(G) sex trafficking;

24 “(H) stalking; and

25 “(I) a violation of a protection order.”;

1 (C) in paragraph (6) (as so redesignated),
2 by striking “violence committed” and inserting
3 “any violation of the criminal law of the Indian
4 tribe that has jurisdiction over the Indian coun-
5 try where the violation occurs that is com-
6 mitted”;

7 (D) by striking paragraph (7) (as so redesi-
8 gnated) and inserting the following:

9 “(7) *DOMESTIC VIOLENCE.*—The term ‘domestic
10 violence’ means any violation of the criminal law of
11 the Indian tribe that has jurisdiction over the Indian
12 country where the violation occurs that is committed
13 by—

14 “(A) a current or former spouse or intimate
15 partner of the victim;

16 “(B) a person with whom the victim shares
17 a child in common;

18 “(C) a person who is cohabitating with or
19 who has cohabitated with the victim as a spouse
20 or intimate partner; or

21 “(D) a person similarly situated to a spouse
22 of the victim under the domestic- or family-vio-
23 lence laws of the Indian tribe that has jurisdic-
24 tion over the Indian country where the violation
25 occurs.”;

1 (E) by inserting after paragraph (8) (as so
2 redesignated) the following:

3 “(9) *OBSTRUCTION OF JUSTICE.*—The term ‘ob-
4 struction of justice’ means any violation of the crimi-
5 nal law of the Indian tribe that has jurisdiction over
6 the Indian country where the violation occurs that in-
7 volves interfering with the administration or due
8 process of the laws of the Indian tribe, including any
9 Tribal criminal proceeding or investigation of a
10 crime.”;

11 (F) by inserting after paragraph (11) (as so
12 redesignated) the following:

13 “(12) *SEX TRAFFICKING.*—The term ‘sex traf-
14 ficking’ means conduct within the meaning of section
15 1591(a) of title 18, United States Code.

16 “(13) *SEXUAL VIOLENCE.*—The term ‘sexual vio-
17 lence’ means any nonconsensual sexual act or contact
18 proscribed by the criminal law of the Indian tribe
19 that has jurisdiction over the Indian country where
20 the violation occurs, including in any case in which
21 the victim lacks the capacity to consent to the act.”;

22 (G) in paragraph (14) (as so redesignated),
23 in the paragraph heading, by striking “*SPECIAL*
24 *DOMESTIC VIOLENCE CRIMINAL JURISDICTION*”

1 and inserting “*SPECIAL TRIBAL CRIMINAL JU-*
2 *RISDICTION*”; and

3 *(H) by adding at the end the following:*

4 “(16) *STALKING*.—*The term ‘stalking’ means en-*
5 *gaging in a course of conduct directed at a specific*
6 *person proscribed by the criminal law of the Indian*
7 *tribe that has jurisdiction over the Indian country*
8 *where the violation occurs that would cause a reason-*
9 *able person—*

10 “(A) *to fear for the person’s safety or the*
11 *safety of others; or*

12 “(B) *to suffer substantial emotional distress.*

13 “(17) *VIOLATION OF A PROTECTION ORDER*.—
14 *The term ‘violation of a protection order’ means an*
15 *act that—*

16 “(A) *occurs in the Indian country of a par-*
17 *ticipating tribe; and*

18 “(B) *violates a provision of a protection*
19 *order that—*

20 “(i) *prohibits or provides protection*
21 *against violent or threatening acts or har-*
22 *assment against, sexual violence against,*
23 *contact or communication with, or physical*
24 *proximity to, another person;*

25 “(ii) *was issued against the defendant;*

1 “(iii) is enforceable by the partici-
2 pating tribe; and

3 “(iv) is consistent with section 2265(b)
4 of title 18, United States Code.”;

5 (4) in subsection (b)(1), by inserting after “the
6 powers of self-government of a participating tribe”
7 the following: “, including any participating tribes in
8 the State of Maine,”;

9 (5) in subsection (b)(4)—

10 (A) in the paragraph heading, by striking
11 “EXCEPTIONS” and inserting “EXCEPTION IF
12 VICTIM AND DEFENDANT ARE BOTH NON-INDI-
13 ANS”;

14 (B) in subparagraph (A)(i), by inserting “,
15 other than obstruction of justice or assault of
16 Tribal justice personnel,” after “over an alleged
17 offense”;

18 (C) by striking subparagraph (B);

19 (D) in subparagraph (A)—

20 (i) by striking the subparagraph des-
21 ignation and heading and all that follows
22 through “A participating” in clause (i) and
23 inserting the following:

24 “(A) IN GENERAL.—A participating”; and

1 (ii) by redesignating clause (ii) as sub-
2 paragraph (B) and indenting appro-
3 priately; and

4 (E) in subparagraph (B) (as so redesign-
5 ated), by striking “subparagraph” and insert-
6 ing “paragraph”;

7 (6) by striking subsection (c) and inserting the
8 following:

9 “(c) *CRIMINAL CONDUCT.*—A participating tribe may
10 exercise special Tribal criminal jurisdiction over a defend-
11 ant for a covered crime that occurs in the Indian country
12 of the participating tribe.”;

13 (7) in subsection (e), by striking paragraph (3);
14 and

15 (8) by striking subsections (f), (g), and (h) and
16 inserting the following:

17 “(f) *PETITIONS FOR WRITS OF HABEAS CORPUS.*—

18 “(1) *IN GENERAL.*—After a defendant has been
19 sentenced by a participating tribe, the defendant may
20 file a petition for a writ of habeas corpus in a court
21 of the United States under section 203.

22 “(2) *REQUIREMENT.*—An application for a writ
23 of habeas corpus on behalf of a person in custody pur-
24 suant to an order of a Tribal court shall not be grant-
25 ed unless —

1 “(A) *the applicant has exhausted the remedies available in the Tribal court system;*

2
3 “(B) *there is an absence of an available Tribal corrective process; or*

4
5 “(C) *circumstances exist that render the Tribal corrective process ineffective to protect the rights of the applicant.*

6
7
8 “(g) *NOTICE; HABEAS CORPUS PETITIONS.—A participating tribe that has ordered the detention of any person*
9 *has a duty to timely notify in writing such person of their*
10 *rights and privileges under this section and under section*
11 *203.*

12
13 “(h) *REIMBURSEMENT AND GRANTS TO TRIBAL GOVERNMENTS.—*

14
15 “(1) *REIMBURSEMENT.—*

16 “(A) *IN GENERAL.—The Attorney General may reimburse Tribal government authorities (or an authorized designee of a Tribal government) for expenses incurred in exercising special Tribal criminal jurisdiction.*

17
18
19
20
21 “(B) *ELIGIBLE EXPENSES.—Eligible expenses for reimbursement under subparagraph (A) shall include expenses and costs incurred in, relating to, or associated with—*

1 “(i) *investigating, making arrests re-*
2 *lating to, making apprehensions for, or*
3 *prosecuting covered crimes (including costs*
4 *involving the purchasing, collecting, and*
5 *processing of sexual assault forensic mate-*
6 *rials);*

7 “(ii) *detaining, providing supervision*
8 *of, or providing services for persons charged*
9 *with covered crimes (including costs associ-*
10 *ated with providing health care);*

11 “(iii) *providing indigent defense serv-*
12 *ices for 1 or more persons charged with 1*
13 *or more covered crimes; and*

14 “(iv) *incarcerating, supervising, or*
15 *providing treatment, rehabilitation, or re-*
16 *entry services for 1 or more persons charged*
17 *with 1 or more covered crimes.*

18 “(C) *PROCEDURE.—*

19 “(i) *IN GENERAL.—Reimbursements*
20 *authorized under subparagraph (A) shall be*
21 *in accordance with rules promulgated by*
22 *the Attorney General, after consultation*
23 *with Indian tribes, and within 1 year after*
24 *the date of enactment of the Violence*

1 *Against Women Act Reauthorization Act of*
2 *2022.*

3 “(ii) *MAXIMUM REIMBURSEMENT.*—
4 *The rules promulgated by the Attorney Gen-*
5 *eral under clause (i)—*

6 “(I) *shall set a maximum allow-*
7 *able reimbursement to any Tribal gov-*
8 *ernment (or an authorized designee of*
9 *any Tribal government) in a 1-year*
10 *period; and*

11 “(II) *may allow the Attorney*
12 *General—*

13 “(aa) *to establish conditions*
14 *under which a Tribal government*
15 *(or an authorized designee of a*
16 *Tribal government) may seek a*
17 *waiver to the maximum allowable*
18 *reimbursement requirement estab-*
19 *lished under subclause (I); and*

20 “(bb) *to waive the maximum*
21 *allowable reimbursement require-*
22 *ments established under subclause*
23 *(I) for a Tribal government (or*
24 *an authorized designee of a Tribal*
25 *government) if the conditions es-*

1 *established by the Attorney General*
2 *under item (aa) are met by that*
3 *Tribal government (or authorized*
4 *designee).*

5 *“(iii) TIMELINESS OF REIMBURSE-*
6 *MENTS.—To the maximum extent prac-*
7 *ticable, the Attorney General shall—*

8 *“(I) not later than 90 days after*
9 *the date on which the Attorney General*
10 *receives a qualifying reimbursement re-*
11 *quest from a Tribal government (or an*
12 *authorized designee of a Tribal govern-*
13 *ment)—*

14 *“(aa) reimburse the Tribal*
15 *government (or authorized des-*
16 *ignee); or*

17 *“(bb) notify the Tribal gov-*
18 *ernment (or authorized designee)*
19 *of the reason by which the Attor-*
20 *ney General was unable to issue*
21 *the reimbursement; and*

22 *“(II) not later than 30 days after*
23 *the date on which a Tribal government*
24 *(or an authorized designee of a Tribal*
25 *government) reaches the annual max-*

1 *imum allowable reimbursement for the*
2 *Tribal government (or an authorized*
3 *designee) established by the Attorney*
4 *General under clause (ii)(I), notify the*
5 *Tribal government (or authorized des-*
6 *ignee) that the Tribal government has*
7 *reached its annual maximum allowable*
8 *reimbursement.*

9 “(D) *ELIGIBILITY FOR PARTICIPATING*
10 *TRIBES IN ALASKA.—A Tribal government (or an*
11 *authorized designee of a Tribal Government) of*
12 *an Indian tribe designated as a participating*
13 *Tribe under subtitle B of title VIII of the Vio-*
14 *lence Against Women Act Reauthorization Act of*
15 *2022 shall be eligible for reimbursement, in ac-*
16 *cordance with this paragraph, of expenses in-*
17 *curring in exercising special Tribal criminal ju-*
18 *risdiction under that subtitle.*

19 “(2) *GRANTS.—The Attorney General may*
20 *award grants to Tribal governments (or authorized*
21 *designees of Tribal governments), including a Tribal*
22 *government (or an authorized designee of a Tribal*
23 *government) of an Indian tribe designated as a par-*
24 *ticipating Tribe under subtitle B of title VIII of the*

1 *Violence Against Women Act Reauthorization Act of*
2 *2022—*

3 *“(A) to strengthen Tribal criminal justice*
4 *systems to assist Indian tribes in exercising spe-*
5 *cial Tribal criminal jurisdiction, including for—*

6 *“(i) law enforcement (including the ca-*
7 *capacity of law enforcement, court personnel,*
8 *or other non-law enforcement entities that*
9 *have no Federal or State arrest authority*
10 *agencies but have been designated by an In-*
11 *Indian tribe as responsible for maintaining*
12 *public safety within the territorial jurisdic-*
13 *tion of the Indian tribe, to enter informa-*
14 *tion into and obtain information from na-*
15 *tional crime information databases);*

16 *“(ii) prosecution;*

17 *“(iii) trial and appellate courts (in-*
18 *cluding facilities maintenance, renovation,*
19 *and rehabilitation);*

20 *“(iv) supervision systems;*

21 *“(v) detention and corrections (includ-*
22 *ing facilities maintenance, renovation, and*
23 *rehabilitation);*

24 *“(vi) treatment, rehabilitation, and re-*
25 *entry programs and services;*

1 “(vii) *culturally appropriate services*
2 *and assistance for victims and their fami-*
3 *lies; and*

4 “(viii) *criminal codes and rules of*
5 *criminal procedure, appellate procedure,*
6 *and evidence;*

7 “(B) *to provide indigent criminal defend-*
8 *ants with licensed defense counsel, at no cost to*
9 *the defendant, in criminal proceedings in which*
10 *a participating tribe prosecutes covered crimes;*

11 “(C) *to ensure that, in criminal proceedings*
12 *in which a participating tribe exercises special*
13 *Tribal criminal jurisdiction, jurors are sum-*
14 *moned, selected, and instructed in a manner con-*
15 *sistent with all applicable requirements; and*

16 “(D) *to accord victims of covered crimes*
17 *rights that are similar to the rights of a crime*
18 *victim described in section 3771(a) of title 18,*
19 *United States Code, consistent with Tribal law*
20 *and custom.*

21 “(i) *SUPPLEMENT, NOT SUPPLANT.—Amounts made*
22 *available under this section shall supplement and not sup-*
23 *plant any other Federal, State, or local government*
24 *amounts made available to carry out activities described*
25 *in this section.*

1 “(j) *AUTHORIZATION OF APPROPRIATIONS.*—

2 “(1) *IN GENERAL.*—*There is authorized to be ap-*
3 *propriated \$25,000,000 for each of fiscal years 2023*
4 *through 2027—*

5 “(A) *to carry out subsection (h); and*

6 “(B) *to provide training, technical assist-*
7 *ance, data collection, and evaluation of the*
8 *criminal justice systems of participating tribes.*

9 “(2) *LIMITATIONS.*—*Of the total amount made*
10 *available under paragraph (1) for each fiscal year,*
11 *not more than 40 percent shall be used for reimburse-*
12 *ments under subsection (h)(1).”.*

13 ***Subtitle B—Alaska Tribal Public***
14 ***Safety Empowerment***

15 ***SEC. 811. FINDINGS; PURPOSES.***

16 (a) *FINDINGS.*—*Congress finds that—*

17 (1) *according to the report of the Indian Law*
18 *and Order Commission established by section 15 of*
19 *the Indian Law Enforcement Reform Act (25 U.S.C.*
20 *2812), Alaska Native women—*

21 (A) *are overrepresented in the domestic vio-*
22 *lence victim population by 250 percent;*

23 (B) *in the State of Alaska, comprise—*

24 (i) *19 percent of the population of the*
25 *State; but*

1 (ii) 47 percent of reported rape victims
2 in the State; and

3 (C) as compared to the populations of other
4 Indian Tribes, suffer the highest rates of domes-
5 tic and sexual violence;

6 (2) most Alaska Native villages are located in re-
7 mote areas that—

8 (A) are often inaccessible by road; and

9 (B) have no local law enforcement presence;

10 (3) the Commission referred to in paragraph
11 (1)—

12 (A) determined that the Alaska Department
13 of Public Safety—

14 (i) has primary responsibility for law
15 enforcement in rural Alaska; but

16 (ii) provides only 1 to 1.4 field officers
17 per 1,000,000 acres; and

18 (B) recommended that “devolving authority
19 to Alaska Native communities is essential for ad-
20 dressing local crime. Their governments are best
21 positioned to effectively arrest, prosecute, and
22 punish, and they should have the authority to do
23 so-or to work out voluntary agreements with each
24 other, and with local governments and the State
25 on mutually beneficial terms”; and

1 (4) *the unique legal relationship of the United*
2 *States to Indian Tribes creates a Federal trust re-*
3 *sponsibility to assist Tribal governments in safe-*
4 *guarding the lives of Indian women.*

5 (b) *PURPOSES.—The purposes of this subtitle are—*

6 (1) *to increase coordination and communication*
7 *among Federal, State, Tribal, and local law enforce-*
8 *ment agencies; and*

9 (2) *to empower Indian Tribes to effectively re-*
10 *spond to cases of domestic violence, dating violence,*
11 *stalking, sex trafficking, sexual violence, and missing*
12 *or murdered Alaska Natives through the exercise of*
13 *special Tribal criminal jurisdiction.*

14 **SEC. 812. DEFINITIONS.**

15 *In this subtitle:*

16 (1) *ASSAULT OF TRIBAL JUSTICE PERSONNEL;*
17 *COVERED CRIME; OBSTRUCTION OF JUSTICE; PROTEC-*
18 *TION ORDER; VIOLATION OF A PROTECTION ORDER.—*

19 (A) *IN GENERAL.—The terms “assault of*
20 *Tribal justice personnel”, “covered crime”, “ob-*
21 *struction of justice”, “protection order”, and*
22 *“violation of a protection order” have the mean-*
23 *ings given the terms in section 204(a) of Public*
24 *Law 90–284 (25 U.S.C. 1304(a)) (commonly*

1 *known as the “Indian Civil Rights Act of*
2 *1968”*).

3 *(B) APPLICATION.—For purposes of the ap-*
4 *plication of the definitions of “assault of Tribal*
5 *justice personnel”, “obstruction of justice”, and*
6 *“violation of a protection order”, and for pur-*
7 *poses of the application of the defined terms con-*
8 *tained in the definition of “covered crime”,*
9 *under section 204(a) of Public Law 90–284 (25*
10 *U.S.C. 1304(a)) (commonly known as the “In-*
11 *Indian Civil Rights Act of 1968”) to the pilot pro-*
12 *gram, the Attorney General shall modify any ref-*
13 *erence to “Indian country” to mean the Village*
14 *of a participating Tribe.*

15 *(2) INDIAN; INDIAN COURT; INDIAN TRIBE; POW-*
16 *ERS OF SELF-GOVERNMENT.—The terms “Indian”,*
17 *“Indian court”, “Indian tribe”, and “powers of self-*
18 *government” have the meanings given the terms in*
19 *section 201 of Public Law 90–284 (25 U.S.C. 1301)*
20 *(commonly known as the “Indian Civil Rights Act of*
21 *1968”*).

22 *(3) PARTICIPATING TRIBE.— The term “partici-*
23 *pating Tribe” means an Indian tribe that is des-*
24 *ignated under section 813(d)(1) as a participating*
25 *Tribe to exercise special Tribal criminal jurisdiction.*

1 (4) *PILOT PROGRAM.*—*The term “pilot program”*
2 *means the pilot program established by section*
3 *813(d)(1).*

4 (5) *SPECIAL TRIBAL CRIMINAL JURISDICTION.*—
5 *The term “special Tribal criminal jurisdiction”*
6 *means the criminal jurisdiction that a participating*
7 *Tribe may exercise under this subtitle but could not*
8 *otherwise exercise.*

9 (6) *STATE.*—*The term “State” means the State*
10 *of Alaska.*

11 (7) *VILLAGE.*—*The term “Village” means the*
12 *Alaska Native Village Statistical Area covering all or*
13 *any portion of a Native village (as defined in section*
14 *3 of the Alaska Native Claims Settlement Act (43*
15 *U.S.C. 1602)), as depicted on the applicable Tribal*
16 *Statistical Area Program Verification map of the Bu-*
17 *reau of the Census.*

18 **SEC. 813. TRIBAL JURISDICTION IN ALASKA.**

19 (a) *IN GENERAL.*—*Subject to title II of Public Law*
20 *90–284 (25 U.S.C. 1301 et seq.) (commonly known as the*
21 *“Indian Civil Rights Act of 1968”), Congress recognizes*
22 *and affirms the inherent authority of any Indian tribe oc-*
23 *cupying a Village in the State to exercise criminal and civil*
24 *jurisdiction over all Indians present in the Village.*

1 (b) *TRIBAL CIVIL JURISDICTION TO ENFORCE PRO-*
2 *TECTION ORDERS.—*

3 (1) *IN GENERAL.—A court of any Indian tribe*
4 *in the State shall have full civil jurisdiction to issue*
5 *and enforce protection orders involving any person in*
6 *matters—*

7 (A) *arising within the Village of the Indian*
8 *tribe; or*

9 (B) *otherwise within the authority of the*
10 *Indian tribe.*

11 (2) *INCLUSIONS.—The full civil jurisdiction to*
12 *issue and enforce protection orders under paragraph*
13 *(1) includes the authority to enforce protection orders*
14 *through—*

15 (A) *civil contempt proceedings;*

16 (B) *exclusion of violators from the Village of*
17 *the Indian tribe; and*

18 (C) *other appropriate mechanisms.*

19 (c) *SPECIAL TRIBAL CRIMINAL JURISDICTION.—*

20 (1) *IN GENERAL.—Notwithstanding any other*
21 *provision of law, in addition to all powers of self-gov-*
22 *ernment recognized and affirmed under subsection*
23 *(a), the powers of self-government of a participating*
24 *Tribe include the inherent power of the participating*
25 *Tribe, which is hereby recognized and affirmed, to ex-*

1 *ercise special Tribal criminal jurisdiction over a de-*
2 *fendant for a covered crime that occurs in the Village*
3 *of the participating Tribe.*

4 (2) *CONCURRENT JURISDICTION.—The exercise of*
5 *special Tribal criminal jurisdiction by a partici-*
6 *parting Tribe shall be concurrent with the jurisdiction*
7 *of the United States, the State, or both.*

8 (3) *EXCEPTION IF VICTIM AND DEFENDANT ARE*
9 *BOTH NON-INDIANS.—*

10 (A) *IN GENERAL.—A participating Tribe*
11 *may not exercise special Tribal criminal juris-*
12 *isdiction over an alleged offense of a covered crime,*
13 *other than obstruction of justice or assault of*
14 *Tribal justice personnel, if neither the defendant*
15 *nor the alleged victim is an Indian.*

16 (B) *DEFINITION OF VICTIM.—In this para-*
17 *graph and with respect to a criminal proceeding*
18 *in which a participating Tribe exercises special*
19 *Tribal criminal jurisdiction based on a violation*
20 *of a protection order, the term “victim” means*
21 *a person specifically protected by the protection*
22 *order that the defendant allegedly violated.*

23 (d) *PILOT PROGRAM FOR SPECIAL TRIBAL CRIMINAL*
24 *JURISDICTION OVER PERSONS WHO ARE NOT INDIANS.—*

1 (1) *ESTABLISHMENT.*—*Subject to title II of Pub-*
2 *lic Law 90–284 (25 U.S.C. 1301 et seq.) (commonly*
3 *known as the “Indian Civil Rights Act of 1968”),*
4 *there is established a pilot program under which the*
5 *Attorney General, subject to paragraph (5), shall des-*
6 *ignate not more than 5 Indian tribes per calendar*
7 *year as participating Tribes to exercise the special*
8 *Tribal criminal jurisdiction described in paragraph*
9 *(6) over all persons present in the Village of the In-*
10 *dian tribe.*

11 (2) *PROCEDURE.*—*At any time during the 1-*
12 *year period beginning on the date of enactment of this*
13 *Act, and annually thereafter, an Indian tribe may re-*
14 *quest the Attorney General to designate the Indian*
15 *tribe as a participating Tribe under paragraph (1).*

16 (3) *DESIGNATION OF PARTICIPATING TRIBES.*—

17 (A) *IN GENERAL.*—*The Attorney General,*
18 *in consultation with the Secretary of the Interior*
19 *and affected Indian tribes, shall establish a proc-*
20 *ess to designate Indian tribes to participate in*
21 *the pilot program, which process shall—*

22 (i) *require that preference shall be*
23 *given to Indian tribes occupying Villages—*

24 (I) *the populations of which are*
25 *predominantly Indian; and*

1 (ii) that lack a permanent State
2 law enforcement physical presence;

3 (iii) require that for each Indian tribe
4 requesting to be designated as a partici-
5 pating Tribe, the Attorney General makes a
6 determination that the criminal justice sys-
7 tem of the Indian tribe has adequate safe-
8 guards in place to protect defendants'
9 rights, consistent with section 204(d) of
10 Public Law 90–284 (25 U.S.C. 1304(d))
11 (commonly known as the “Indian Civil
12 Rights Act of 1968”); and

13 (iii) be subject to such other criteria as
14 the Attorney General considers to be appro-
15 priate to achieve the purposes of this sub-
16 title.

17 (B) DESIGNATION.—The Attorney General
18 shall designate Indian tribes to participate in
19 the pilot program under paragraph (1) using the
20 process established under subparagraph (A).

21 (4) INTERTRIBAL PARTICIPATION.—

22 (A) IN GENERAL.—2 or more participating
23 Tribes (or the Tribal organization (as defined in
24 section 4 of the Indian Self-Determination and
25 Education Assistance Act (25 U.S.C. 5304)) of

1 *the participating Tribe, if the Tribal organiza-*
2 *tion is exercising delegated authority from the*
3 *participating Tribe)—*

4 *(i) may elect to participate jointly in*
5 *the pilot program by providing shared re-*
6 *sources to carry out the purposes of the pilot*
7 *program; and*

8 *(ii) on making an election pursuant to*
9 *clause (i), shall be considered to be a single*
10 *participating Tribe for purposes of the max-*
11 *imum number of participating Tribes under*
12 *paragraphs (1) and (5).*

13 *(B) ADDITIONAL PARTICIPATING TRIBES.—*

14 *(i) IN GENERAL.—Additional partici-*
15 *parting Tribes may elect to join an estab-*
16 *lished intertribal partnership under sub-*
17 *paragraph (A) at any time after the inter-*
18 *tribal partnership is established.*

19 *(ii) APPLICATION.—An intertribal*
20 *partnership that additional participating*
21 *Tribes elect to join pursuant to clause (i)*
22 *shall be considered to be a single partici-*
23 *parting Tribe for purposes of the maximum*
24 *number of participating Tribes under para-*
25 *graphs (1) and (5).*

1 (5) *MAXIMUM NUMBER OF PARTICIPATING*
2 *TRIBES.*—

3 (A) *IN GENERAL.*—*Except as provided in*
4 *subparagraph (B), the Attorney General may*
5 *designate not more than 30 Indian tribes to par-*
6 *ticipate in the pilot program.*

7 (B) *EXCEPTION.*—*The limitation under*
8 *subparagraph (A) shall not apply if the Attorney*
9 *General submits to the Committee on Indian Af-*
10 *airs of the Senate and the Committee on Nat-*
11 *ural Resources of the House of Representatives,*
12 *and publishes in the Federal Register, a written*
13 *notice of the intention to designate additional*
14 *Indian tribes as participating Tribes, including*
15 *the rationale for the designation, by not later*
16 *than the date that is 180 days before the date of*
17 *designation.*

18 (6) *DESCRIPTION OF JURISDICTION.*—*Congress*
19 *recognizes and affirms that an Indian tribe selected*
20 *to participate in the pilot program as a participating*
21 *Tribe may exercise, subject to paragraph (7), special*
22 *Tribal criminal jurisdiction with respect to covered*
23 *crimes.*

24 (7) *RIGHTS OF DEFENDANTS.*—*In exercising spe-*
25 *cial Tribal criminal jurisdiction under the pilot pro-*

1 *gram, a participating Tribe shall provide to each de-*
2 *fendant all rights described in section 204(d) of Pub-*
3 *lic Law 90–284 (25 U.S.C. 1304(d)) (commonly*
4 *known as the “Indian Civil Rights Act of 1968”).*

5 *(e) SENTENCES.—In a criminal proceeding in which*
6 *an Indian court of a participating Tribe, in exercising spe-*
7 *cial Tribal criminal jurisdiction with respect to a covered*
8 *crime, imposes a sentence of imprisonment of more than*
9 *1 year on a defendant pursuant to section 202(b) of Public*
10 *Law 90–284 (25 U.S.C. 1302(b)) (commonly known as the*
11 *“Indian Civil Rights Act of 1968”), the Indian court may*
12 *require the defendant—*

13 *(1) to serve a sentence—*

14 *(A) in a Tribal correctional center that has*
15 *been approved by the Bureau of Indian Affairs*
16 *for long-term incarceration, in accordance with*
17 *guidelines set by the Bureau of Indian Affairs;*

18 *(B) at the expense of the United States, in*
19 *the nearest appropriate Federal facility pursu-*
20 *ant to the Bureau of Prisons Tribal Prisoner*
21 *Program established under section 234(c)(1) of*
22 *the Tribal Law and Order Act of 2010 (25*
23 *U.S.C. 1302 note; Public Law 111–211); or*

24 *(C) at the expense of the participating Tribe*
25 *and, subject to section 204(f)(1) of Public Law*

1 90–284 (25 U.S.C. 1304(f)(1)) (commonly known
2 as the “Indian Civil Rights Act of 1968”), reim-
3 bursable by the Attorney General, in a detention
4 or correctional center approved by the State or
5 a local government of the State pursuant to a
6 memorandum of agreement between the partici-
7 pating Tribe and the State or local government
8 of the State; or

9 (2) to serve another alternative form of punish-
10 ment, as determined by the Indian court pursuant to
11 Tribal law.

12 (f) *MEMORANDA OF AGREEMENT.*—*The Attorney Gen-*
13 *eral and the Secretary of the Interior may enter into such*
14 *memoranda of agreement with participating Tribes and the*
15 *State as are necessary and appropriate—*

16 (1) *to coordinate respective law enforcement ac-*
17 *tivities;*

18 (2) *to share equipment and other resources;*

19 (3) *to establish cross-deputization arrangements;*

20 (4) *to coordinate appropriate training activities;*

21 *and*

22 (5) *to address any other matters that will facili-*
23 *tate the successful implementation of the pilot pro-*
24 *gram, including intergovernmental agreements re-*
25 *garding—*

1 (A) *the incarceration of convicted persons;*
2 *and*

3 (B) *cooperation in the investigation and*
4 *prosecution of crimes.*

5 (g) *ALASKA TRIBAL PUBLIC SAFETY ADVISORY COM-*
6 *MITTEE.—*

7 (1) *ESTABLISHMENT.—Not later than 1 year*
8 *after the date of enactment of this Act, the Attorney*
9 *General, in consultation with the Secretary of the In-*
10 *terior, affected Indian tribes, and the State, shall es-*
11 *tablish a committee, to be known as the “Alaska Trib-*
12 *al Public Safety Advisory Committee” (referred to in*
13 *this subsection as the “Committee”).*

14 (2) *MEMBERSHIP.—The Committee shall consist*
15 *of 1 or more representatives from—*

16 (A) *participating Tribes and Indian tribes*
17 *aspiring to participate in the pilot program;*

18 (B) *Federal, Tribal, State, and local law*
19 *enforcement; and*

20 (C) *Tribal nonprofit organizations pro-*
21 *viding victim services.*

22 (3) *DUTIES.—The Committee shall focus on—*

23 (A) *improving the justice systems, crime*
24 *prevention, and victim services of Indian tribes*
25 *and the State; and*

1 (B) *increasing coordination and commu-*
2 *nication among Federal, Tribal, State, and local*
3 *law enforcement agencies.*

4 (4) *TRAVEL EXPENSES.*—*A member of the Com-*
5 *mittee shall be allowed travel expenses, including per*
6 *diem in lieu of subsistence, at rates authorized for*
7 *employees of agencies under subchapter I of chapter*
8 *57 of title 5, United States Code, while away from*
9 *their homes or regular places of business in the per-*
10 *formance of services for the Committee.*

11 (5) *NONAPPLICABILITY OF FACA.*—*The Federal*
12 *Advisory Committee Act (5 U.S.C. App.) shall not*
13 *apply to the Committee.*

14 (6) *AUTHORIZATION OF APPROPRIATIONS.*—
15 *There are authorized to be appropriated to carry out*
16 *this subsection such sums as may be necessary for the*
17 *period of fiscal years 2023 through 2027, to remain*
18 *available until expended.*

19 (h) *REPORT TO CONGRESS.*—*Not later than 5 years*
20 *after the date of enactment of this Act, the Attorney General,*
21 *in consultation with the Secretary of the Interior and af-*
22 *ected Indian tribes, shall submit to Congress a report de-*
23 *scribing the results of the pilot program, including an ex-*
24 *planation of any modifications to law necessary to facili-*
25 *tate improved law enforcement in Villages.*

1 (i) *APPLICABILITY*.—*Nothing in this subtitle—*

2 (1) *limits, alters, expands, or diminishes the*
3 *civil or criminal jurisdiction of the United States, the*
4 *State, any subdivision of the State, or any Indian*
5 *tribe in the State;*

6 (2) *creates or eliminates any Federal or State*
7 *criminal jurisdiction over a Village; or*

8 (3) *affects the authority of the United States or*
9 *any authority delegated by the United States to the*
10 *State to investigate and prosecute a criminal viola-*
11 *tion in a Village.*

12 ***TITLE IX—OFFICE ON VIOLENCE***
13 ***AGAINST WOMEN***

14 ***SEC. 901. ESTABLISHMENT OF OFFICE ON VIOLENCE***
15 ***AGAINST WOMEN.***

16 (a) *ESTABLISHMENT OF OFFICE ON VIOLENCE*
17 *AGAINST WOMEN*.—*Section 2002 of title I of the Omnibus*
18 *Crime Control and Safe Streets Act of 1968 (34 U.S.C.*
19 *10442) is amended—*

20 (1) *in the section heading, by striking “VIO-*
21 ***LENCE AGAINST WOMEN OFFICE”*** and inserting
22 ***“OFFICE ON VIOLENCE AGAINST WOMEN”***;

23 (2) *in subsection (a), by striking “a Violence*
24 *Against Women Office”* and inserting *“an Office on*
25 *Violence Against Women”*;

1 (3) *in subsection (b), by inserting “, not sub-*
2 *sumed by any other office” after “within the Depart-*
3 *ment of Justice”; and*

4 (4) *in subsection (c)(2), by striking “authorized*
5 *or undertaken under the” and all that follows and in-*
6 *serting “authorized or undertaken under—*

7 *“(A) the Violence Against Women Act of*
8 *1994 (title IV of Public Law 103–322);*

9 *“(B) the Violence Against Women Act of*
10 *2000 (division B of Public Law 106–386);*

11 *“(C) the Violence Against Women and De-*
12 *partment of Justice Reauthorization Act of 2005*
13 *(Public Law 109–162; 119 Stat. 2960);*

14 *“(D) the Violence Against Women Reauthor-*
15 *ization Act of 2013 (Public Law 113–4; 127*
16 *Stat. 54); and*

17 *“(E) the Violence Against Women Act Reau-*
18 *thorization Act of 2022.”.*

19 (b) *DIRECTOR OF THE OFFICE ON VIOLENCE AGAINST*
20 *WOMEN.—Section 2003 of title I of the Omnibus Crime*
21 *Control and Safe Streets Act of 1968 (34 U.S.C. 10443)*
22 *is amended—*

23 (1) *in the section heading, by striking “VIO-*
24 *LENCE AGAINST WOMEN OFFICE” and inserting*
25 *“OFFICE ON VIOLENCE AGAINST WOMEN”;*

1 (2) *in subsection (a)—*

2 (A) *by striking “the Violence Against*
3 *Women Office” and inserting “the Office on Vio-*
4 *lence Against Women”; and*

5 (B) *by striking “in this title referred to”*
6 *and inserting “in this part referred to”;*

7 (3) *in subsection (b)(2)—*

8 (A) *by striking “or the Violence” and in-*
9 *serting “, the Violence”; and*

10 (B) *by striking the period at the end and*
11 *inserting “, the Violence Against Women and De-*
12 *partment of Justice Reauthorization Act of 2005*
13 *(Public Law 109–162; 119 Stat. 2960), the Vio-*
14 *lence Against Women Reauthorization Act of*
15 *2013 (Public Law 113–4; 127 Stat. 54), or the*
16 *Violence Against Women Act Reauthorization*
17 *Act of 2022.”.*

18 (c) *DUTIES AND FUNCTIONS OF DIRECTOR OF THE OF-*
19 *FICE ON VIOLENCE AGAINST WOMEN.—Section 2004 of title*
20 *I of the Omnibus Crime Control and Safe Streets Act of*
21 *1968 (34 U.S.C. 10444) is amended—*

22 (1) *in the section heading, by striking “VIO-*
23 *LENCE AGAINST WOMEN OFFICE” and inserting*
24 *“OFFICE ON VIOLENCE AGAINST WOMEN”;*

1 (2) *in paragraph (5), in the matter preceding*
2 *subparagraph (A)—*

3 (A) *by striking “and the Violence” and in-*
4 *serting “, the Violence”; and*

5 (B) *by striking “, including with” and in-*
6 *serting “, the Violence Against Women and De-*
7 *partment of Justice Reauthorization Act of 2005*
8 *(Public Law 109–162; 119 Stat. 2960), the Vio-*
9 *lence Against Women Reauthorization Act of*
10 *2013 (Public Law 113–4; 127 Stat. 54), and the*
11 *Violence Against Women Act Reauthorization*
12 *Act of 2022, including with”; and*

13 (3) *in paragraph (6)(B), by inserting “syn-*
14 *chronize Federal definitions and protocols,” before*
15 *“and improve coordination”.*

16 (d) *STAFF OF OFFICE ON VIOLENCE AGAINST*
17 *WOMEN.—Section 2005 of title I of the Omnibus Crime*
18 *Control and Safe Streets Act of 1968 (34 U.S.C. 10445)*
19 *is amended in the section heading, by striking “VIOLENCE*
20 *AGAINST WOMEN OFFICE” and inserting “OFFICE ON*
21 *VIOLENCE AGAINST WOMEN”.*

22 (e) *CONFORMING AMENDMENT.—Section 121(a)(1) of*
23 *the Violence Against Women and Department of Justice Re-*
24 *authorization Act of 2005 (34 U.S.C. 20124(a)(1)) is*

1 *amended by striking “the Violence Against Women Office”*
2 *and inserting “the Office on Violence Against Women”.*

3 **SEC. 902. SENIOR POLICY ADVISOR FOR CULTURALLY SPE-**
4 **CIFIC COMMUNITIES OF THE OFFICE ON VIO-**
5 **LENCE AGAINST WOMEN.**

6 *Part T of the Omnibus Crime Control and Safe Streets*
7 *Act (34 U.S.C. 10441 et seq.), as amended by section 101,*
8 *is further amended by adding at the end the following:*

9 **“SEC. 2018. SENIOR POLICY ADVISOR FOR CULTURALLY**
10 **SPECIFIC COMMUNITIES.**

11 *“(a) ESTABLISHMENT.—There is established in the Of-*
12 *fice on Violence Against Women a Senior Policy Advisor*
13 *for Culturally Specific Communities.*

14 *“(b) DUTIES.—The Senior Policy Advisor for Cul-*
15 *turally Specific Communities, under the guidance and au-*
16 *thority of the Director, shall—*

17 *“(1) advise on the administration of grants re-*
18 *lated to culturally specific services and contracts with*
19 *culturally specific organizations;*

20 *“(2) coordinate development of Federal policy,*
21 *protocols, and guidelines on matters relating to do-*
22 *mestic violence, dating violence, sexual assault, and*
23 *stalking in culturally specific communities;*

24 *“(3) advise the Director on policies, legislation,*
25 *implementation of laws, and other issues relating to*

1 *domestic violence, dating violence, sexual assault, and*
2 *stalking in culturally specific communities;*

3 “(4) *provide technical assistance, coordination,*
4 *and support to other offices and bureaus in the De-*
5 *partment of Justice to develop policy and to enforce*
6 *Federal laws relating to domestic violence, dating vio-*
7 *lence, sexual assault, and stalking in culturally spe-*
8 *cific communities;*

9 “(5) *ensure that appropriate technical assist-*
10 *ance, developed and provided by entities with exper-*
11 *tise in culturally specific communities, is made avail-*
12 *able to grantees and potential grantees proposing to*
13 *serve culturally specific communities;*

14 “(6) *ensure access to grants and technical assist-*
15 *ance for culturally specific organizations; and*

16 “(7) *analyze the distribution of grant funding in*
17 *order to identify barriers for culturally specific orga-*
18 *nizations.*

19 “(c) *QUALIFICATIONS.—Not later than 120 days after*
20 *the date of enactment of this section, the Director shall hire*
21 *for the position established under subsection (a) an indi-*
22 *vidual with personal, lived, and work experience from a cul-*
23 *turally specific community, and a demonstrated history*
24 *and expertise addressing domestic violence or sexual assault*
25 *in a nongovernmental agency.”.*

1 **TITLE X—IMPROVING CONDI-**
2 **TIONS FOR WOMEN IN FED-**
3 **ERAL CUSTODY**

4 **SEC. 1001. IMPROVING THE TREATMENT OF PRIMARY CARE-**
5 **TAKER PARENTS AND OTHER INDIVIDUALS IN**
6 **FEDERAL PRISONS.**

7 (a) *SHORT TITLE.*—*This section may be cited as the*
8 *“Ramona Brant Improvement of Conditions for Women in*
9 *Federal Custody Act”.*

10 (b) *AMENDMENT.*—*Chapter 303 of title 18, United*
11 *States Code, is amended by adding at the end the following:*

12 **“§ 4051. Treatment of primary caretaker parents and**
13 **other individuals**

14 *“(a) DEFINITIONS.—In this section—*

15 *“(1) the term ‘correctional officer’ means a cor-*
16 *rectional officer of the Bureau of Prisons;*

17 *“(2) the term ‘covered institution’ means a Fed-*
18 *eral penal or correctional institution;*

19 *“(3) the term ‘Director’ means the Director of the*
20 *Bureau of Prisons;*

21 *“(4) the term ‘post-partum recovery’ means the*
22 *first 12-week period of post-partum recovery after giv-*
23 *ing birth;*

24 *“(5) the term ‘primary caretaker parent’ has the*
25 *meaning given the term in section 31903 of the Fam-*

1 *ily Unity Demonstration Project Act (34 U.S.C.*
2 *12242);*

3 “(6) *the term ‘prisoner’ means an individual*
4 *who is incarcerated in a Federal penal or correctional*
5 *institution, including a vulnerable person; and*

6 “(7) *the term ‘vulnerable person’ means an indi-*
7 *vidual who—*

8 “(A) *is under 21 years of age or over 60*
9 *years of age;*

10 “(B) *is pregnant;*

11 “(C) *is victim or witness of a crime;*

12 “(D) *has filed a nonfrivolous civil rights*
13 *claim in Federal or State court; or*

14 “(E) *during the period of incarceration, has*
15 *been determined to have experienced or to be ex-*
16 *periencing severe trauma or to be the victim of*
17 *gender-based violence—*

18 “(i) *by any court or administrative ju-*
19 *dicial proceeding;*

20 “(ii) *by any corrections official;*

21 “(iii) *by the individual’s attorney or*
22 *legal service provider; or*

23 “(iv) *by the individual.*

24 “(b) *GEOGRAPHIC PLACEMENT.—*

1 “(1) *ESTABLISHMENT OF OFFICE.*—*The Director*
2 *shall establish within the Bureau of Prisons an office*
3 *that determines the placement of prisoners.*

4 “(2) *PLACEMENT OF PRISONERS.*—*In deter-*
5 *mining the placement of a prisoner, the office estab-*
6 *lished under paragraph (1) shall—*

7 “(A) *if the prisoner has children, consider*
8 *placing the prisoner as close to the children as*
9 *possible; and*

10 “(B) *consider any other factor that the of-*
11 *fice determines to be appropriate.*

12 “(c) *PROHIBITION ON PLACEMENT OF PREGNANT*
13 *PRISONERS OR PRISONERS IN POST-PARTUM RECOVERY IN*
14 *SEGREGATED HOUSING UNITS.*—

15 “(1) *PLACEMENT IN SEGREGATED HOUSING*
16 *UNITS.*—*A covered institution may not place a pris-*
17 *oner who is pregnant or in post-partum recovery in*
18 *a segregated housing unit unless the prisoner presents*
19 *an immediate risk of harm to the prisoner or others.*

20 “(2) *RESTRICTIONS.*—*Any placement of a pris-*
21 *oner described in paragraph (1) in a segregated hous-*
22 *ing unit shall be limited and temporary.*

23 “(d) *INTAKE AND ASSESSMENTS.*—*The Director shall*
24 *assess the need for family-focused programming at intake,*
25 *such as questions about children, gauge interest in par-*

1 *enting resources, and concerns about their child or*
2 *caregiving, and administer ongoing assessment to better in-*
3 *form, identify, and make recommendations about the moth-*
4 *er's parental role and familial needs.*

5 “(e) *PARENTING CLASSES.*—*The Director shall provide*
6 *voluntary parenting classes to each prisoner who is a pri-*
7 *mary caretaker parent, and such classes shall be made*
8 *available to prisoners with limited English proficiency in*
9 *compliance with title VI of the Civil Rights Act of 1964*
10 *(42 U.S.C. 2000d et seq.).*

11 “(f) *TRAUMA SCREENING.*—*The Director shall provide*
12 *training, including cultural competency training, to each*
13 *correctional officer and each employee of the Bureau of*
14 *Prisons who regularly interacts with prisoners, including*
15 *each instructor and health care professional, to enable those*
16 *correctional officers and employees to—*

17 “(1) *identify a prisoner who may have a mental*
18 *or physical health need relating to trauma the pris-*
19 *oner has experienced; and*

20 “(2) *refer a prisoner described in paragraph (1)*
21 *to the proper health care professional for diagnosis*
22 *and treatment.*

23 “(g) *FAMILY NEEDS TRAINING.*—*The Director shall*
24 *provide training to correctional officers and employees of*

1 *the Bureau of Prisons who engage with prisoners' families*
2 *on—*

3 “(1) *how to interact with children in an age-ap-*
4 *propriate manner, and the children's caregivers;*

5 “(2) *basic childhood and adolescent development*
6 *information; and*

7 “(3) *basic customer service skills.*

8 “(h) *INMATE HEALTH.—*

9 “(1) *HEALTH CARE ACCESS.—The Director shall*
10 *ensure that all prisoners receive adequate health care.*

11 “(2) *HYGIENIC PRODUCTS.—The Director shall*
12 *make essential hygienic products, including shampoo,*
13 *toothpaste, toothbrushes, and any other hygienic prod-*
14 *uct that the Director determines appropriate, avail-*
15 *able without charge to prisoners. The Director shall*
16 *make rules—*

17 “(A) *on the distribution and accessibility of*
18 *sanitary products to prisoners, to ensure each*
19 *prisoner who requires these products receives a*
20 *quantity the prisoner deems sufficient; and*

21 “(B) *providing that no visitor is prohibited*
22 *from visiting a prisoner due to the visitor's use*
23 *of sanitary products.*

1 “(3) *GYNECOLOGIST ACCESS.*—*The Director shall*
2 *ensure that all prisoners have access to a gynecologist*
3 *as appropriate.*

4 “(4) *RELATION TO OTHER LAWS.*—*Nothing in*
5 *paragraph (1) shall be construed to affect the require-*
6 *ments under the Prison Rape Elimination Act of*
7 *2003 (34 U.S.C. 30301 et seq.).”.*

8 “(c) *SUBSTANCE ABUSE TREATMENT.*—*Section 3621(e)*
9 *of title 18, United States Code, is amended by adding at*
10 *the end the following:*

11 “(7) *ELIGIBILITY OF PRIMARY CARETAKER PAR-*
12 *ENTS AND PREGNANT WOMEN.*—*The Director of the*
13 *Bureau of Prisons may not prohibit an eligible pris-*
14 *oner who is a primary caretaker parent (as defined*
15 *in section 4051) or pregnant from participating in a*
16 *program of residential substance abuse treatment pro-*
17 *vided under paragraph (1) on the basis of a failure*
18 *by the eligible prisoner, before being committed to the*
19 *custody of the Bureau of Prisons, to disclose to any*
20 *official of the Bureau of Prisons that the prisoner had*
21 *a substance abuse problem on or before the date on*
22 *which the eligible prisoner was committed to the cus-*
23 *tody of the Bureau of Prisons.”.*

24 “(d) *IMPLEMENTATION DATE.*—

1 *born to such women during incarceration to reside together*
2 *while the inmate serves a term of imprisonment.*

3 *(c) PURPOSES.—The purposes of this section are to—*

4 *(1) prevent infant mortality among infants born*
5 *to incarcerated mothers and greatly reduce the trauma*
6 *and stress experienced by pregnant inmates;*

7 *(2) reduce the recidivism rates of federally incarcerated*
8 *women and mothers, and enhance public safety by improving the effectiveness of the Federal prison*
9 *system for women as a population with special needs;*
10

11 *(3) utilize a female offender risk and needs assessment*
12 *to encourage a more effective and efficient Federal prison system;*
13

14 *(4) utilize a validated post-sentencing risk and*
15 *needs assessment system that relies on dynamic factors*
16 *to provide Federal prison officials with information regarding needs of Federal pregnant offenders*
17 *and enhance public safety;*
18

19 *(5) perform regular outcome evaluations of the*
20 *effectiveness of programs and interventions for federally incarcerated pregnant women and mothers to assure*
21 *that such programs and interventions are evidence-based and to suggest changes, deletions, and expansions*
22 *based on the results of such evaluations; and*
23
24

1 (6) *assist the Department of Justice to address*
2 *the underlying cost structure of the Federal prison*
3 *system and ensure that the Department can continue*
4 *to run parenting programming safely and securely*
5 *without compromising the scope or quality of the De-*
6 *partment's critical health, safety and law enforcement*
7 *missions.*

8 (d) *DUTIES OF THE DIRECTOR OF BUREAU OF PRIS-*
9 *ONS.—*

10 (1) *IN GENERAL.—The Director shall carry out*
11 *this section in consultation with—*

12 (A) *the Director of the Administrative Of-*
13 *fice of the United States Courts;*

14 (B) *the Director of the Office of Probation*
15 *and Pretrial Services; and*

16 (C) *the Director of the National Institute of*
17 *Justice.*

18 (2) *DUTIES.—The Director shall, in accordance*
19 *with paragraph (3), and in addition to the mandates*
20 *under section 3631 of title 18, United States Code—*

21 (A) *evaluate the female offender risk and*
22 *needs assessment for its ability to address the*
23 *particular health and sensitivities of federally*
24 *incarcerated pregnant women and mothers in ac-*
25 *cordance with this subsection;*

1 (B) develop recommendations regarding re-
2 cidivism reduction programs and productive ac-
3 tivities in accordance with subsection (c);

4 (C) conduct ongoing research and data
5 analysis on—

6 (i) the best practices relating to the use
7 of offender risk and needs assessment tools
8 for female offenders with a particular em-
9 phasis on how those tools address the health
10 and sensitivities of federally incarcerated
11 pregnant women and mothers;

12 (ii) potential improvements to risk and
13 needs assessment tools for female offenders
14 to address the health and sensitivities of fed-
15 erally incarcerated pregnant women and
16 mothers; and

17 (iii) which recidivism reduction pro-
18 grams are the most effective—

19 (I) for federally incarcerated preg-
20 nant women and mothers classified at
21 different recidivism risk levels; and

22 (II) for addressing the specific
23 needs of federally incarcerated preg-
24 nant women and mothers;

1 (D) on a biennial basis, review any find-
2 ings related to evaluations conducted under sub-
3 paragraph (A) and the recommendations devel-
4 oped under subparagraph (B), using the research
5 conducted under subparagraph (C), to determine
6 whether any revisions or updates should be made
7 to female offender risk and needs assessment sys-
8 tems, and if so, make such revisions or updates;

9 (E) hold periodic meetings with the individ-
10 uals listed in paragraph (1) at intervals to be
11 determined by the Director;

12 (F) develop tools to communicate parenting
13 program availability and eligibility criteria to
14 each employee of the Bureau of Prisons and each
15 pregnant inmate to ensure that each pregnant
16 inmate in the custody of a Bureau of Prisons fa-
17 cility understands the resources available to such
18 inmate; and

19 (G) report to Congress in accordance with
20 subsection (h).

21 (3) *METHODS.*—In carrying out the duties under
22 paragraph (2), the Director shall—

23 (A) consult relevant stakeholders; and

24 (B) make decisions using data that is based
25 on available statistical and empirical evidence.

1 (e) *ELIGIBILITY.*—*An inmate may apply to partici-*
2 *pate in the Program if the inmate—*

3 (1) *is pregnant at the beginning of or during the*
4 *term of imprisonment; and*

5 (2) *is in the custody or control of the Bureau of*
6 *Prisons.*

7 (f) *PROGRAM TERMS.*—

8 (1) *TERM OF PARTICIPATION.*—*To correspond*
9 *with the purposes and goals of the Program to pro-*
10 *mote bonding during the critical stages of child devel-*
11 *opment, an eligible inmate selected for the Program*
12 *may participate in the Program, subject to subsection*
13 *(g), until the earliest of—*

14 (A) *the date that the inmate's term of im-*
15 *prisonment terminates; or*

16 (B) *the date the infant fails to meet any*
17 *medical criteria established by the Director.*

18 (2) *INMATE REQUIREMENTS.*—*For the duration*
19 *of an inmate's participation in the Program, the in-*
20 *mate shall agree to—*

21 (A) *take substantive steps towards acting in*
22 *the role of a parent or guardian to any child of*
23 *that inmate;*

24 (B) *participate in any recommended edu-*
25 *cational or counseling opportunities, including*

1 *topics such as child development, parenting*
2 *skills, domestic violence, vocational training, or*
3 *substance abuse, as appropriate;*

4 *(C) abide by any court decision regarding*
5 *the legal or physical custody of the child; and*

6 *(D) specify a person who has agreed to take*
7 *at least temporary custody of the child if the in-*
8 *mate's participation in the Program terminates*
9 *before the inmate's release.*

10 *(g) CONTINUITY OF CARE.—The Director shall take*
11 *appropriate actions to prevent detachment or disruption of*
12 *either an inmate's or infant's health and bonding-based*
13 *well-being due to termination of the Program.*

14 *(h) REPORTING.—*

15 *(1) IN GENERAL.—Not later than 6 months after*
16 *the date of enactment of this Act, and once each year*
17 *thereafter for 5 years, the Director shall submit a*
18 *progress report to the Congress with regards to imple-*
19 *menting the Program.*

20 *(2) FINAL REPORT.—Not later than 6 months*
21 *after the termination of the Program, the Director*
22 *shall issue a final report to the Congress that contains*
23 *a detailed statement of the Director's findings and*
24 *conclusions, including recommendations for legisla-*

1 *tion, administrative actions, and regulations the Di-*
2 *rector considers appropriate.*

3 **SEC. 1003. RESEARCH AND REPORT ON WOMEN IN FEDERAL**
4 **INCARCERATION.**

5 *Not later than 18 months after the date of enactment*
6 *of this Act, and thereafter, every other year, the National*
7 *Institute of Justice, in consultation with the Bureau of Jus-*
8 *tice Statistics and the Bureau of Prisons (including the*
9 *Women and Special Population Branch) shall prepare a*
10 *report on the status of women in Federal incarceration. De-*
11 *pending on the topic to be addressed, and the facility, data*
12 *shall be collected from Bureau of Prisons personnel and a*
13 *sample that is representative of the population of incarcer-*
14 *ated women. The report shall include—*

15 *(1) with regard to Federal facilities wherein*
16 *women are incarcerated—*

17 *(A) responses by such women to questions*
18 *from the Adverse Childhood Experience (ACES)*
19 *questionnaire;*

20 *(B) demographic data of such women;*

21 *(C) data on the number of women who are*
22 *incarcerated and placed in Federal and private*
23 *facilities more than 200 miles from their place of*
24 *residence;*

1 (D) responses by such women to questions
2 about the extent of exposure to sexual victimiza-
3 tion, sexual violence and domestic violence (both
4 inside and outside of incarceration);

5 (E) the number of such women pregnant at
6 the time that they entered incarceration;

7 (F) the number of such women who have
8 children age 18 or under, and if so, how many;
9 and

10 (G) the crimes for which such women are
11 incarcerated and the length of their sentence and
12 to the extent practicable, any information on the
13 connection between the crime of which they were
14 convicted and their experience of domestic vio-
15 lence, dating violence, sexual assault, or stalking;
16 and

17 (2) with regard to all Federal facilities where
18 persons are incarcerated—

19 (A) a list of best practices with respect to
20 women's incarceration and transition, including
21 staff led programs, services, and management
22 practices (including making sanitary products
23 readily available and easily accessible, and ac-
24 cess to and provision of healthcare);

1 (B) the availability of trauma treatment at
2 each facility (including number of beds, and
3 number of trained staff);

4 (C) rates of serious mental illness broken
5 down by gender and security level and a list of
6 residential programs available by site; and

7 (D) the availability of vocational education
8 and a list of vocational programs provided by
9 each facility.

10 **SEC. 1004. REENTRY PLANNING AND SERVICES FOR INCAR-**
11 **CERATED WOMEN.**

12 (a) *IN GENERAL.*—The Attorney General, in coordina-
13 tion with the Director of the Office of Probation and Pre-
14 trial Services and the Director of the Bureau of Prisons
15 (including the Women and Special Population Branch),
16 shall collaborate on a model of gender responsive transition
17 for incarcerated women, including the development of a na-
18 tional standard on prevention with respect to domestic and
19 sexual violence.

20 (b) *REQUIRED CONSULTATION.*—In developing the
21 model required under subsection (a), the Attorney General
22 shall consult with such experts within the Federal govern-
23 ment (including the Office on Violence Against Women of
24 the Department of Justice), within Indian Tribes (as de-
25 fined in section 4 of the Indian Self-Determination and

1 *Education Assistance Act (25 U.S.C. 5304)), within Native*
2 *Hawaiian organizations (as defined in section 6207 of the*
3 *Elementary and Secondary Education Act of 1965 (20*
4 *U.S.C. 7517)), and in the victim service provider commu-*
5 *nity (including sexual and domestic violence and homeless-*
6 *ness, job training and job placement service providers) as*
7 *are necessary to the completion of a comprehensive plan.*

8 (c) *CONTENTS.—The model required under subsection*
9 *(a) shall address, at a minimum—*

10 (1) *the development by the Bureau of Prisons of*
11 *a contract for gender collaborative services; and*

12 (2) *identification by re-entry affairs coordinators*
13 *and responsive planning for the needs of re-entering*
14 *women with respect to—*

15 (A) *housing, including risk of homelessness;*

16 (B) *previous exposure to and risk for do-*
17 *mestic and sexual violence;*

18 (C) *the need for parenting classes, assist-*
19 *ance securing childcare, or assistance in seeking*
20 *or securing jobs that afford flexibility (as might*
21 *be necessary in the re-entry, parenting or other*
22 *contexts);*

23 (D) *other support tailored to the needs of*
24 *Indigenous women, including American Indian,*

1 *Alaska Native, and Native Hawaiian women;*
2 *and*

3 *(E) the need to ensure a family-focused re-*
4 *entry, by—*

5 *(i) including incarcerated mothers,*
6 *their children, and their caregivers to create*
7 *family reentry planning and programming;*
8 *and*

9 *(ii) informing reentry information to*
10 *visiting families.*

11 **SEC. 1005. AUTHORIZATION OF APPROPRIATIONS.**

12 *To carry out this title, there are authorized to be ap-*
13 *propriated \$8,000,000 for each of fiscal years 2023 through*
14 *2027.*

15 **TITLE XI—LAW ENFORCEMENT**
16 **TOOLS TO ENHANCE PUBLIC**
17 **SAFETY**

18 **SEC. 1101. NICS DENIAL NOTIFICATION ACT OF 2022.**

19 *(a) SHORT TITLE.—This section may be cited as the*
20 *“NICS Denial Notification Act of 2022”.*

21 *(b) LOCAL LAW ENFORCEMENT AUTHORITY DE-*
22 *FINED.—Section 921(a) of title 18, United States Code, is*
23 *amended by adding at the end the following:*

24 *“(36) The term ‘local law enforcement authority’*
25 *means a bureau, office, department or other authority*

1 of a State or local government or Tribe that has juris-
2 diction to investigate a violation or potential viola-
3 tion of, or enforce, a State, local, or Tribal law.”.

4 (c) *AMENDMENT.*—Chapter 44 of title 18, United
5 States Code, is amended by inserting after section 925A the
6 following:

7 “**§925B. Reporting of background check denials to**
8 **State authorities**

9 “(a) *IN GENERAL.*—If the national instant criminal
10 background check system established under section 103 of
11 the Brady Handgun Violence Prevention Act (34 U.S.C.
12 40901) (referred to in this section as ‘NICS’) provides a
13 notice pursuant to section 922(t) that the receipt of a fire-
14 arm by a person would violate subsection (g) or (n) of sec-
15 tion 922 or State, local, or Tribal law, the Attorney General
16 shall, in accordance with subsection (b) of this section—

17 “(1) report to the local law enforcement author-
18 ity of the State or Tribe where the person sought to
19 acquire the firearm and, if different, the local law en-
20 forcement authorities of the State or Tribe of resi-
21 dence of the person—

22 “(A) that the notice was provided;

23 “(B) the Federal, State, local or Tribal pro-
24 hibition;

1 “(C) the date and time the notice was pro-
2 vided;

3 “(D) the location of the licensee where the
4 firearm was sought to be transferred; and

5 “(E) the identity of the person; and

6 “(2) where practicable, report the incident to
7 State and local prosecutors or Tribal prosecutors in
8 the jurisdiction where the firearm transfer was
9 sought.

10 “(b) *REQUIREMENTS FOR REPORT.*—A report is made
11 in accordance with this subsection if the report is made
12 under subsection (a) within 24 hours after the NICS denies
13 a firearm transfer in accordance with section 922(t) of title
14 18, United States Code, except that the making of the report
15 may be delayed for so long as is necessary to avoid compro-
16 mising an ongoing investigation.

17 “(c) *AMENDMENT OF REPORT.*—If a report is made
18 in accordance with subsection (b) and, after such report is
19 made, the Federal Bureau of Investigation determines that
20 the receipt of a firearm by a person for whom the report
21 was made would not violate subsection (g) or (n) of section
22 922 or State, local, or Tribal law, the Attorney General
23 shall notify any law enforcement authority and any pros-
24 ecutor to whom the report was made of that determination.

1 “(d) *RULE OF CONSTRUCTION.*—Nothing in subsection
2 (a) shall be construed to require a report with respect to
3 a person to be made to the same State authorities that made
4 the original denial determination with respect to the trans-
5 fer of the firearm.”.

6 (d) *CLERICAL AMENDMENT.*—The table of sections for
7 chapter 44 of title 18, United States Code, is amended by
8 inserting after the item relating to section 925A the fol-
9 lowing:

 “925B. Reporting of background check denials to State authorities.”.

10 **SEC. 1102. ANNUAL REPORT TO CONGRESS.**

11 (a) *IN GENERAL.*—Chapter 44 of title 18, United
12 States Code, as amended by section 1101, is amended by
13 inserting after section 925B the following:

14 **“§925C. Annual report to Congress**

15 “Not later than 1 year after the date of enactment of
16 this section, and annually thereafter, the Attorney General
17 shall submit to Congress a report detailing the following,
18 broken down by Federal judicial district:

19 “(1) With respect to each category of persons
20 prohibited by subsection (g) or (n) of section 922 or
21 State law from receiving or possessing a firearm who
22 are so denied a firearm—

23 “(A) the number of denials;

1 “(B) the number of denials referred to the
2 Bureau of Alcohol, Tobacco, Firearms, and Ex-
3 plosives;

4 “(C) the number of denials for which the
5 Bureau of Alcohol, Tobacco, Firearms, and Ex-
6 plosives determines that the person denied was
7 not prohibited by subsection (g) or (n) of section
8 922 or State law from receiving or possessing a
9 firearm;

10 “(D) the number of denials overturned
11 through the appeals process of the national in-
12 stant criminal background check system estab-
13 lished under section 103 of the Brady Handgun
14 Violence Prevention Act (34 U.S.C. 40901);

15 “(E) the number of denials with respect to
16 which an investigation was opened by a field di-
17 vision of the Bureau of Alcohol, Tobacco, Fire-
18 arms, and Explosives;

19 “(F) the number of persons charged with a
20 Federal criminal offense in connection with a de-
21 nial; and

22 “(G) the number of convictions obtained by
23 Federal authorities in connection with a denial.

24 “(2) The number of background check notices re-
25 ported pursuant to section 925B (including the num-

1 *Tobacco, Firearms, and Explosives in responding to*
2 *and investigating violations of such paragraphs.*

3 “(b) *IMPROVE INTIMATE PARTNER AND PUBLIC SAFE-*
4 *TY.—The Attorney General shall—*

5 “(1) *identify not fewer than 75 jurisdictions*
6 *among States, territories and Tribes where there are*
7 *high rates of firearms violence and threats of firearms*
8 *violence against intimate partners and other persons*
9 *protected under paragraphs (8) and (9) of section*
10 *922(g) and where local authorities lack the resources*
11 *to address such violence;*

12 “(2) *make such appointments as described in*
13 *subsection (a) in jurisdictions where enhanced en-*
14 *forcement of such paragraphs is necessary to reduce*
15 *firearms homicide and injury rates; and*

16 “(3) *establish, in order to receive and expedite*
17 *requests for assistance from State, Tribal, territorial,*
18 *and local law enforcement agencies responding to in-*
19 *timate partner violence cases where such agencies*
20 *have probable cause to believe that the offenders may*
21 *be in violation of such paragraphs, points of contact*
22 *within—*

23 “(A) *each Field Division of the Bureau of*
24 *Alcohol, Tobacco, Firearms, and Explosives; and*

1 “(B) each District Office of the United
2 States Attorneys.

3 “(c) *QUALIFIED DEFINED.*—For purposes of this sec-
4 tion, the term ‘qualified’ means, with respect to an attorney,
5 that the attorney is a licensed attorney in good standing
6 with any relevant licensing authority.”.

7 (b) *CLERICAL AMENDMENT.*—The table of sections for
8 chapter 44 of title 18, United States Code, as amended by
9 this Act, is further amended by inserting after the item re-
10 lating to section 925C the following:

 “925D. Special assistant U.S. attorneys and cross-deputized attorneys.”.

11 **SEC. 1104. UNLAWFUL ACTS.**

12 (a) *MISDEMEANOR CRIME OF DOMESTIC VIOLENCE*
13 *DEFINED.*—Section 921(a)(33)(A)(i) of title 18, United
14 States Code, is amended by striking “or Tribal law” and
15 inserting “, Tribal, or local law”.

16 (b) *TRANSFERS.*— Section 922(t) of title 18, United
17 States Code, is amended-

18 (1) in paragraph (1)(B)(ii), by inserting “, or
19 State, local, or Tribal law” after “subsection (g) or
20 (n) of this section”;

21 (2) in paragraph (2), in the matter preceding
22 subparagraph (A), by inserting “, local or Tribal”
23 after “State”;

24 (3) in paragraph (4), by inserting “local, or
25 Tribal” after “State”; and

1 (4) *in paragraph (5), by inserting “local, or*
2 *Tribal” after “State”.*

3 **SEC. 1105. REVIEW ON CRIMINAL OFFENSES AFFECTING NA-**
4 **TIVE HAWAIIANS.**

5 (a) *NATIVE HAWAIIAN DEFINED.*—*In this section, the*
6 *term “Native Hawaiian” has the meaning given the term*
7 *in section 801 of the Native American Housing Assistance*
8 *and Self-Determination Act (25 U.S.C. 4221).*

9 (b) *REVIEW OF RELEVANT FEDERAL CRIME PREVEN-*
10 *TION, VICTIM SERVICE, AND CRIMINAL JUSTICE PROGRAMS*
11 *SERVING NATIVE HAWAIIANS.*—

12 (1) *REPORT.*—*Not later than 18 months after the*
13 *date of enactment of this Act, the Attorney General*
14 *shall submit a report to Congress containing the fol-*
15 *lowing:*

16 (A) *The results and findings of the com-*
17 *prehensive review required to be conducted under*
18 *paragraph (2).*

19 (B) *The amount of Federal funding received*
20 *by Native Hawaiian-serving organizations from*
21 *relevant Federal programs, including the per-*
22 *centage of each such amount of funding received*
23 *by Native Hawaiian-serving organizations rel-*
24 *ative to the total amount of funding dispersed for*
25 *each relevant Federal program.*

1 (C) *Recommendations and legislative pro-*
2 *posals to—*

3 (i) *improve how relevant Federal pro-*
4 *grams address the needs of Native Hawai-*
5 *ians;*

6 (ii) *improve responses to and inves-*
7 *tigation of incidences of missing or mur-*
8 *dered Native Hawaiians;*

9 (iii) *reduce the likelihood that a Native*
10 *Hawaiian may become involved in the*
11 *criminal justice system; and*

12 (iv) *address any other relevant matters*
13 *deemed necessary by the Attorney General.*

14 (2) *COMPREHENSIVE REVIEW.—The Attorney*
15 *General shall conduct a comprehensive review of rel-*
16 *evant Federal programs.*

17 (3) *RELEVANT FEDERAL PROGRAM.—In this sub-*
18 *section, the term “relevant Federal program” means*
19 *any—*

20 (A) *law enforcement or other crime preven-*
21 *tion program targeting criminal offenses that af-*
22 *fect Native Hawaiians, including child sexual*
23 *exploitation, child abuse, intimate partner vio-*
24 *lence, human trafficking, missing or murdered*
25 *individuals, and substance abuse;*

1 (B) any program that provide services to
2 victims of criminal offenses affecting Native Ha-
3 waiians, including child sexual exploitation,
4 child abuse, intimate partner violence, human
5 trafficking, and substance abuse; and

6 (C) any criminal justice system program or
7 service available to and used by Native Hawai-
8 ians in various jurisdictions, including diversion
9 programs, in-prison education programs, and re-
10 entry services.

11 (c) *REPORT ON NATIVE HAWAIIANS IN THE CRIMINAL*
12 *JUSTICE SYSTEM.*—

13 (1) *IN GENERAL.*—Not later than 180 days after
14 the date of enactment of this Act, the Attorney Gen-
15 eral, acting through the National Institute of Justice,
16 in coordination with the Bureau of Justice Statistics,
17 shall prepare a report on the interaction of Native
18 Hawaiians with the criminal justice system.

19 (2) *CONTENTS OF REPORT.*—The report required
20 under this subsection shall include—

21 (A) known statistics related to the percent-
22 age of persons who are Native Hawaiians out of
23 the total of—

24 (i) all persons arrested;

1 (ii) all persons detained in Federal,
2 State, and local jails;

3 (iii) all persons subject to pretrial su-
4 pervision;

5 (iv) all persons subject to post-convic-
6 tion supervision;

7 (v) all persons incarcerated in Federal
8 and State prisons; and

9 (vi) all persons subject to post-release
10 supervision;

11 (B) an explanation of why the statistics de-
12 scribed in subparagraph (A) may not be com-
13 prehensive;

14 (C) recommendations on how data collection
15 related to the statistics described in subpara-
16 graph (A) could be improved;

17 (D) a description of any culturally relevant
18 programs available to Native Hawaiians who
19 interact with the Federal criminal justice sys-
20 tem; and

21 (E) a summary of any available data on
22 the number of Native Hawaiians who are incar-
23 cerated and placed in Federal and private cor-
24 rectional facilities more than 200 miles from
25 their place of residence.

1 **TITLE XII—CLOSING THE LAW**
2 **ENFORCEMENT CONSENT**
3 **LOOPHOLE**

4 **SEC. 1201. SHORT TITLE.**

5 *This title may be cited as the “Closing the Law En-*
6 *forcement Consent Loophole Act of 2022”.*

7 **SEC. 1202. PENALTIES FOR CIVIL RIGHTS OFFENSES IN-**
8 **VOLVING SEXUAL MISCONDUCT.**

9 *(a) AMENDMENT.—*

10 *(1) IN GENERAL.—Chapter 13 of title 18, United*
11 *States Code, is amended by adding at the end the fol-*
12 *lowing:*

13 **“§ 250. Penalties for civil rights offenses involving sex-**
14 **ual misconduct**

15 *“(a) OFFENSE.—It shall be unlawful for any person*
16 *to, in the course of committing an offense under this chapter*
17 *or under section 901 of the Fair Housing Act (42 U.S.C.*
18 *3631), engage in, or cause another to engage in, sexual mis-*
19 *conduct.*

20 *“(b) PENALTIES.—Any person who violates subsection*
21 *(a) shall be—*

22 *“(1) in the case of an offense involving aggra-*
23 *vated sexual abuse, as defined in section 2241, or if*
24 *the offense involved sexual abuse, as defined in section*
25 *2242, or if the offense involved an attempt to commit*

1 *such aggravated sexual abuse or sexual abuse, fined*
2 *under this title and imprisoned for any term of years*
3 *or for life;*

4 “(2) *in the case of an offense involving abusive*
5 *sexual contact of a child who has not attained the age*
6 *of 16, of the type prohibited by section 2244(a)(5),*
7 *fined under this title and imprisoned for any term of*
8 *years or for life;*

9 “(3) *in the case of an offense involving a sexual*
10 *act, as defined in section 2246, with another person*
11 *without the other person’s permission, and it does not*
12 *amount to sexual abuse or aggravated sexual abuse, be*
13 *fined under this title and imprisoned for not more*
14 *than 40 years;*

15 “(4) *in the case of an offense involving abusive*
16 *sexual contact of the type prohibited by subsection*
17 *(a)(1) or (b) of section 2244, but excluding abusive*
18 *sexual contact through the clothing—*

19 “(A) *fined under this title and imprisoned*
20 *for not more than 10 years; and*

21 “(B) *if the offense involves a child who has*
22 *not attained the age of 12 years, imprisoned for*
23 *not more than 30 years;*

1 “(5) in the case of an offense involving abusive
2 sexual contact of the type prohibited by section
3 2244(a)(2)—

4 “(A) fined under this title and imprisoned
5 for not more than 3 years; and

6 “(B) if the offense involves a child under the
7 age of 12, imprisoned for not more than 20
8 years; and

9 “(6) in the case of an offense involving abusive
10 sexual contact through the clothing of the type prohib-
11 ited by subsection (a)(3), (a)(4), or (b) of section
12 2244—

13 “(A) fined under this title and imprisoned
14 for not more than 2 years; and

15 “(B) if the offense involves a child under the
16 age of 12, imprisoned for not more than 10
17 years.”.

18 (2) *TECHNICAL AND CONFORMING AMEND-*
19 *MENT.—The table of sections for chapter 13 of title*
20 *18, United States Code, is amended by inserting after*
21 *the item relating to section 249 the following:*

“250. Penalties for civil rights offenses involving sexual misconduct.”.

22 (b) *SEXUAL ABUSE.—Section 2242 of title 18, United*
23 *States Code, is amended—*

24 (1) *in paragraph (1), by striking “or” at the*
25 *end;*

1 (2) *in paragraph (2)(B), by inserting “or” after*
2 *the semicolon; and*

3 (3) *by inserting after paragraph (2) the fol-*
4 *lowing:*

5 “*(3) engages in a sexual act with another person*
6 *without that other person’s consent, to include doing*
7 *so through coercion;”.*

8 (c) *SEXUAL ABUSE OF A MINOR, A WARD, OR AN INDI-*
9 *VIDUAL IN FEDERAL CUSTODY.—*

10 (1) *IN GENERAL.—Section 2243 of title 18,*
11 *United States Code, is amended—*

12 (A) *by striking the section heading and in-*
13 *serting “**Sexual abuse of a minor, a***
14 ***ward, or an individual in Federal cus-***
15 ***tody”;***

16 (B) *by redesignating subsections (c) and (d)*
17 *as subsections (d) and (e), respectively; and*

18 (C) *by adding after subsection (b) the fol-*
19 *lowing:*

20 “*(c) OF AN INDIVIDUAL IN FEDERAL CUSTODY.—Who-*
21 *ever, while acting in their capacity as a Federal law en-*
22 *forcement officer, knowingly engages in a sexual act with*
23 *an individual who is under arrest, under supervision, in*
24 *detention, or in Federal custody, shall be fined under this*
25 *title, imprisoned not more than 15 years, or both.”.*

1 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
2 *tions for chapter 109A of title 18, United States Code,*
3 *is amended by striking the item relating to section*
4 *2243 and inserting the following:*

“2243. Sexual abuse of a minor, a ward, or an individual in Federal custody.”.

5 (d) *ABUSIVE SEXUAL CONTACT.*—*Section 2244(a) of*
6 *title 18, United States Code, is amended—*

7 (1) *in paragraph (4), by striking “or” at the*
8 *end;*

9 (2) *in paragraph (5), by striking the period at*
10 *the end and inserting “; or”;* and

11 (3) *by adding at the end the following:*

12 *“(6) subsection (c) of section 2243 of this title*
13 *had the sexual contact been a sexual act, shall be*
14 *fined under this title, imprisoned not more than two*
15 *years, or both;”;*

16 (e) *DEFINITION.*—*Section 2246 of title 18, United*
17 *States Code, is amended—*

18 (1) *in paragraph (5), by striking “and” at the*
19 *end;*

20 (2) *in paragraph (6), by striking the period at*
21 *the end and inserting “; and”;* and

22 (3) *by inserting after paragraph (6) the fol-*
23 *lowing:*

24 *“(7) the term ‘Federal law enforcement officer’*
25 *has the meaning given the term in section 115.”.*

1 **SEC. 1203. INCENTIVES FOR STATES.**

2 (a) *AUTHORITY TO MAKE GRANTS.*—*The Attorney*
3 *General is authorized to make grants to States that have*
4 *in effect a law that—*

5 (1) *makes it a criminal offense for any person*
6 *acting under color of law of the State to knowingly*
7 *engage in a sexual act with an individual who is*
8 *under arrest, in detention, or otherwise in the actual*
9 *custody of any law enforcement officer; and*

10 (2) *prohibits a person charged with an offense*
11 *described in paragraph (1) from asserting the consent*
12 *of the other individual as a defense.*

13 (b) *REPORTING REQUIREMENT.*—*A State that receives*
14 *a grant under this section shall submit to the Attorney Gen-*
15 *eral, on an annual basis, information on—*

16 (1) *the number of reports made to law enforce-*
17 *ment agencies in that State regarding persons engag-*
18 *ing in a sexual act while acting under color of law*
19 *during the previous year; and*

20 (2) *the disposition of each case in which sexual*
21 *misconduct by a person acting under color of law was*
22 *reported during the previous year.*

23 (c) *APPLICATION.*—*A State seeking a grant under this*
24 *section shall submit an application to the Attorney General*
25 *at such time, in such manner, and containing such infor-*
26 *mation as the Attorney General may reasonably require,*

1 *including information about the law described in subsection*
2 *(a).*

3 *(d) GRANT AMOUNT.—The amount of a grant to a*
4 *State under this section shall be in an amount that is not*
5 *greater than 10 percent of the average of the total amount*
6 *of funding of the 3 most recent awards that the State re-*
7 *ceived under the following grant programs:*

8 *(1) Part T of title I of the Omnibus Crime Con-*
9 *trol and Safe Streets Act of 1968 (34 U.S.C. 10441*
10 *et seq.) (commonly referred to as the “STOP Violence*
11 *Against Women Formula Grant Program”).*

12 *(2) Section 41601 of the Violence Against Women*
13 *Act of 1994 (34 U.S.C. 12511) (commonly referred to*
14 *as the “Sexual Assault Services Program”).*

15 *(e) GRANT TERM.—*

16 *(1) IN GENERAL.—The Attorney General shall*
17 *provide an increase in the amount provided to a*
18 *State under the grant programs described in sub-*
19 *section (d) for a 2-year period.*

20 *(2) RENEWAL.—A State that receives a grant*
21 *under this section may submit an application for a*
22 *renewal of such grant at such time, in such manner,*
23 *and containing such information as the Attorney*
24 *General may reasonably require.*

1 (3) *LIMIT.*—A State may not receive a grant
2 under this section for more than 4 years.

3 (f) *USES OF FUNDS.*—A State that receives a grant
4 under this section shall use—

5 (1) 25 percent of such funds for any of the per-
6 missible uses of funds under the grant program de-
7 scribed in paragraph (1) of subsection (d); and

8 (2) 75 percent of such funds for any of the per-
9 missible uses of funds under the grant program de-
10 scribed in paragraph (2) of subsection (d).

11 (g) *AUTHORIZATION OF APPROPRIATIONS.*—There are
12 authorized to be appropriated to carry out this section
13 \$5,000,000 for each of fiscal years 2023 through 2027.

14 (h) *DEFINITION.*—For purposes of this section, the
15 term “State” means each of the several States and the Dis-
16 trict of Columbia, Indian Tribes, and the Commonwealth
17 of Puerto Rico, Guam, American Samoa, the Virgin Is-
18 lands, and the Northern Mariana Islands.

19 **SEC. 1204. REPORTS TO CONGRESS.**

20 (a) *REPORT BY ATTORNEY GENERAL.*—Not later than
21 1 year after the date of enactment of this Act, and each
22 year thereafter, the Attorney General shall submit to Con-
23 gress and make publicly available on the Department of
24 Justice website a report containing—

1 (1) *the information required to be reported to the*
2 *Attorney General under section 1203(b); and*

3 (2) *information on—*

4 (A) *the number of reports made, during the*
5 *previous year, to Federal law enforcement agen-*
6 *cies regarding persons engaging in a sexual act*
7 *while acting under color of law; and*

8 (B) *the disposition of each case in which*
9 *sexual misconduct by a person acting under*
10 *color of law was reported.*

11 (b) *REPORT BY GAO.—Not later than 1 year after the*
12 *date of enactment of this Act, and each year thereafter, the*
13 *Comptroller General of the United States shall submit to*
14 *Congress a report on any violations of section 2243(c) of*
15 *title 18, United States Code, as amended by section 1302,*
16 *committed during the 1-year period covered by the report.*

17 (c) *REPORT BY ATTORNEY GENERAL ON CONFLICTS*
18 *BETWEEN STATE'S MARRIAGE-AGE AND AGE-BASED SEX*
19 *OFFENSES.—Not later than 1 year after the date of enact-*
20 *ment of this Act, and each year thereafter, the Attorney*
21 *General shall submit to Congress a report that examines*
22 *inconsistencies between State laws on marriage-age and*
23 *State laws on age-based sex offenses and, in particular,*
24 *States with laws that—*

1 (1) provide an exception to definitions of age-
2 based sex offenses (including statutory rape), or a de-
3 fense to prosecution for such offenses, based on the
4 marriage of the perpetrator to the victim; or

5 (2) allow marriages between parties at ages, or
6 with age differences between them, such that sexual
7 acts between those parties outside of marriage would
8 constitute an age-based sex offense (including statu-
9 tory rape).

10 **SEC. 1205. DEFINITION.**

11 In this title, the term “sexual act” has the meaning
12 given the term in section 2246 of title 18, United States
13 Code.

14 **TITLE XIII—OTHER MATTERS**

15 **SEC. 1301. NATIONAL STALKER AND DOMESTIC VIOLENCE**

16 **REDUCTION.**

17 Section 40603 of the Violence Against Women Act of
18 1994 (34 U.S.C. 12402) is amended by striking “2014
19 through 2018” and inserting “2023 through 2027”.

20 **SEC. 1302. FEDERAL VICTIM AND WITNESS COORDINATORS**

21 **REAUTHORIZATION.**

22 Section 40114 of the Violence Against Women Act of
23 1994 (Public Law 103–322; 108 Stat. 1910) is amended
24 to read as follows:

1 **“SEC. 40114. AUTHORIZATION FOR FEDERAL VICTIM AND**
2 **WITNESS COORDINATORS.**

3 *“There are authorized to be appropriated for the*
4 *United States attorneys for the purpose of appointing vic-*
5 *tim and witness coordinators for the prosecution of sex*
6 *crimes and domestic violence crimes where applicable (such*
7 *as the District of Columbia), \$1,000,000 for each of fiscal*
8 *years 2023 through 2027.”.*

9 **SEC. 1303. CHILD ABUSE TRAINING PROGRAMS FOR JUDI-**
10 **CIAL PERSONNEL AND PRACTITIONERS RE-**
11 **AUTHORIZATION.**

12 *Section 224(a) of the Crime Control Act of 1990 (34*
13 *U.S.C. 20334(a)) is amended by striking “subtitle” and all*
14 *that follows and inserting “subtitle \$2,300,000 for each of*
15 *fiscal years 2023 through 2027”.*

16 **SEC. 1304. SEX OFFENDER MANAGEMENT.**

17 *Section 40152(c) of the Violent Crime Control and*
18 *Law Enforcement Act of 1994 (34 U.S.C. 12311(c)) is*
19 *amended to read as follows:*

20 *“(c) AUTHORIZATION OF APPROPRIATIONS.—There are*
21 *authorized to be appropriated to carry out this section*
22 *\$5,000,000 for each of fiscal years 2023 through 2027.”.*

1 **SEC. 1305. COURT-APPOINTED SPECIAL ADVOCATE PRO-**
2 **GRAM.**

3 *Section 219(a) of the Crime Control Act of 1990 (34*
4 *U.S.C. 20324(a)) is amended by striking “2014 through*
5 *2018” and inserting “2023 through 2027”.*

6 **SEC. 1306. REVIEW OF LINK BETWEEN SUBSTANCE USE AND**
7 **VICTIMS OF DOMESTIC VIOLENCE DATING VI-**
8 **OLENCE, SEXUAL ASSAULT, OR STALKING.**

9 *Not later than 2 years after the date of enactment of*
10 *this Act, the Secretary of Health and Human Services shall*
11 *complete a review and submit to Congress a report on*
12 *whether being a victim of domestic violence, dating violence,*
13 *sexual assault, or stalking increases the likelihood of having*
14 *a substance use disorder.*

15 **SEC. 1307. INTERAGENCY WORKING GROUP TO STUDY FED-**
16 **ERAL EFFORTS TO COLLECT DATA ON SEX-**
17 **UAL VIOLENCE.**

18 *(a) ESTABLISHMENT.—Not later than 180 days after*
19 *the date of enactment of this Act, the Attorney General shall*
20 *establish an interagency working group to study Federal*
21 *efforts to collect data on sexual violence and to make rec-*
22 *ommendations on the harmonization of such efforts.*

23 *(b) COMPOSITION.—The Working Group shall be com-*
24 *prised of at least one representative from each of the fol-*
25 *lowing agencies, who shall be selected by the head of that*
26 *agency:*

1 (1) *The Centers for Disease Control and Preven-*
2 *tion.*

3 (2) *The Department of Education.*

4 (3) *The Department of Health and Human Serv-*
5 *ices.*

6 (4) *The Department of Justice.*

7 (5) *The Equal Employment Opportunity Com-*
8 *mission.*

9 (c) *DUTIES.*—*The Working Group shall consider the*
10 *following:*

11 (1) *What activity constitutes different acts of*
12 *sexual violence.*

13 (2) *Whether reports that use the same terms for*
14 *acts of sexual violence are collecting the same data on*
15 *these acts.*

16 (3) *Whether the context which led to an act of*
17 *sexual violence should impact how that act is ac-*
18 *counted for in reports.*

19 (4) *Whether the data collected is presented in a*
20 *way that allows the general public to understand*
21 *what acts of sexual violence are included in each*
22 *measurement.*

23 (5) *Steps that agencies that compile reports re-*
24 *lating to sexual violence can take to avoid double*
25 *counting incidents of sexual violence.*

1 (d) *REPORT REQUIRED.*—Not later than 2 years after
2 the date of enactment of this Act, the Working Group shall
3 publish and submit to Congress a report on the following:

4 (1) *The activities of the Working Group.*

5 (2) *Recommendations to harmonize Federal ef-*
6 *forts to collect data on sexual violence.*

7 (3) *Actions Federal agencies can take to imple-*
8 *ment the recommendations described in paragraph*
9 *(2).*

10 (4) *Recommendations, if any, for congressional*
11 *action to implement the recommendations described*
12 *in paragraph (2).*

13 (e) *TERMINATION.*—The Working Group shall termi-
14 nate 30 days after the date on which the report is submitted
15 pursuant to subsection (d).

16 (f) *DEFINITIONS.*—In this section:

17 (1) *HARMONIZE.*—The term “harmonize” in-
18 cludes efforts to coordinate sexual violence data collec-
19 tion to produce complementary information, as ap-
20 propriate, without compromising programmatic
21 needs.

22 (2) *SEXUAL VIOLENCE.*—The term “sexual vio-
23 lence” includes an unwanted sexual act (including
24 both contact and non-contact) about which the Fed-
25 eral Government collects information.

1 (3) *WORKING GROUP*.—*The term “Working*
2 *Group” means the interagency working group estab-*
3 *lished under subsection (a).*

4 **SEC. 1308. NATIONAL RESOURCE CENTER ON WORKPLACE**
5 **RESPONSES TO ASSIST VICTIMS OF DOMES-**
6 **TIC AND SEXUAL VIOLENCE; ASSISTANCE FOR**
7 **MICROBUSINESSES.**

8 *Section 41501(b) of the Violence Against Women Act*
9 *of 1994 (34 U.S.C. 12501(b)) is amended—*

10 (1) *in paragraph (2)—*

11 (A) *by striking “companies and public enti-*
12 *ties” and inserting “companies, public entities”;*
13 *and*

14 (B) *by inserting “, and employers with*
15 *fewer than 20 employees” after “State and local*
16 *governments”; and*

17 (2) *in paragraph (3), by inserting before the pe-*
18 *riod at the end the following: “, which materials shall*
19 *include a website with resources for employers with*
20 *fewer than 20 employees, including live training ma-*
21 *terials”.*

22 **SEC. 1309. CIVIL ACTION RELATING TO DISCLOSURE OF IN-**
23 **TIMATE IMAGES.**

24 (a) *DEFINITIONS*.—*In this section:*

1 (1) *COMMERCIAL PORNOGRAPHIC CONTENT.*—*The*
2 *term “commercial pornographic content” means any*
3 *material that is subject to the record keeping require-*
4 *ments under section 2257 of title 18, United States*
5 *Code.*

6 (2) *CONSENT.*—*The term “consent” means an af-*
7 *firmative, conscious, and voluntary authorization*
8 *made by the individual free from force, fraud, mis-*
9 *representation, or coercion.*

10 (3) *DEPICTED INDIVIDUAL.*—*The term “depicted*
11 *individual” means an individual whose body appears*
12 *in whole or in part in an intimate visual depiction*
13 *and who is identifiable by virtue of the person’s face,*
14 *likeness, or other distinguishing characteristic, such*
15 *as a unique birthmark or other recognizable feature,*
16 *or from information displayed in connection with the*
17 *visual depiction.*

18 (4) *DISCLOSE.*—*The term “disclose” means to*
19 *transfer, publish, distribute, or make accessible.*

20 (5) *INTIMATE VISUAL DEPICTION.*—*The term*
21 *“intimate visual depiction”—*

22 (A) *means a visual depiction, as that term*
23 *is defined in section 2256(5) of title 18, United*
24 *States Code, that depicts—*

1 (i) *the uncovered genitals, pubic area,*
2 *anus, or post-pubescent female nipple of an*
3 *identifiable individual; or*

4 (ii) *the display or transfer of bodily*
5 *sexual fluids—*

6 (I) *on to any part of the body of*
7 *an identifiable individual;*

8 (II) *from the body of an identifi-*
9 *able individual; or*

10 (III) *an identifiable individual*
11 *engaging in sexually explicit conduct*
12 *and*

13 (B) *includes any visual depictions described*
14 *in subparagraph (A) produced while the identifi-*
15 *able individual was in a public place only if the*
16 *individual did not—*

17 (i) *voluntarily display the content de-*
18 *picted; or*

19 (ii) *consent to the sexual conduct de-*
20 *picted.*

21 (6) *SEXUALLY EXPLICIT CONDUCT.—The term*
22 *“sexually explicit conduct” has the meaning given the*
23 *term in subparagraphs (A) and (B) of section 2256(2)*
24 *of title 18, United States Code.*

25 (b) *CIVIL ACTION.—*

1 (1) *RIGHT OF ACTION.*—

2 (A) *IN GENERAL.*—*Except as provided in*
3 *paragraph (4), an individual whose intimate*
4 *visual depiction is disclosed, in or affecting*
5 *interstate or foreign commerce or using any*
6 *means or facility of interstate or foreign com-*
7 *merce, without the consent of the individual,*
8 *where such disclosure was made by a person who*
9 *knows that, or recklessly disregards whether, the*
10 *individual has not consented to such disclosure,*
11 *may bring a civil action against that person in*
12 *an appropriate district court of the United*
13 *States for relief as set forth in paragraph (3).*

14 (B) *RIGHTS ON BEHALF OF CERTAIN INDI-*
15 *VIDUALS.*—*In the case of an individual who is*
16 *under 18 years of age, incompetent, incapaci-*
17 *tated, or deceased, the legal guardian of the indi-*
18 *vidual or representative of the identifiable indi-*
19 *vidual's estate, another family member, or any*
20 *other person appointed as suitable by the court,*
21 *may assume the identifiable individual's' rights*
22 *under this section, but in no event shall the de-*
23 *fendant be named as such representative or*
24 *guardian.*

1 (2) *CONSENT.*—*For purposes of an action under*
2 *paragraph (1)—*

3 (A) *the fact that the individual consented to*
4 *the creation of the depiction shall not establish*
5 *that the person consented to its distribution; and*

6 (B) *the fact that the individual disclosed the*
7 *intimate visual depiction to someone else shall*
8 *not establish that the person consented to the fur-*
9 *ther disclosure of the intimate visual depiction*
10 *by the person alleged to have violated paragraph*
11 *(1).*

12 (3) *RELIEF.*—

13 (A) *IN GENERAL.*—*In a civil action filed*
14 *under this section—*

15 (i) *an individual may recover the ac-*
16 *tual damages sustained by the individual or*
17 *liquidated damages in the amount of*
18 *\$150,000, and the cost of the action, includ-*
19 *ing reasonable attorney’s fees and other liti-*
20 *gation costs reasonably incurred; and*

21 (ii) *the court may, in addition to any*
22 *other relief available at law, order equitable*
23 *relief, including a temporary restraining*
24 *order, a preliminary injunction, or a per-*
25 *manent injunction ordering the defendant*

1 to cease display or disclosure of the visual
2 depiction.

3 (B) *PRESERVATION OF ANONYMITY.*—In or-
4 dering relief under subparagraph (A), the court
5 may grant injunctive relief maintaining the con-
6 fidentiality of a plaintiff using a pseudonym.

7 (4) *EXCEPTIONS.*—An identifiable individual
8 may not bring an action for relief under this section
9 relating to—

10 (A) an intimate image that is commercial
11 pornographic content, unless that content was
12 produced by force, fraud, misrepresentation, or
13 coercion of the depicted individual;

14 (B) a disclosure made in good faith—

15 (i) to a law enforcement officer or
16 agency;

17 (ii) as part of a legal proceeding;

18 (iii) as part of medical education, di-
19 agnosis, or treatment; or

20 (iv) in the reporting or investigation
21 of—

22 (I) unlawful content; or

23 (II) unsolicited or unwelcome con-
24 duct;

1 (C) a matter of public concern or public in-
2 terest; or

3 (D) a disclosure reasonably intended to as-
4 sist the identifiable individual.

5 **SEC. 1310. CHOOSE RESPECT ACT.**

6 (a) *SHORT TITLE.*—This section may be cited as the
7 “Choose Respect Act”.

8 (b) *DESIGNATION.*—

9 (1) *IN GENERAL.*—Chapter 1 of title 36, United
10 States Code, is amended by adding at the end the fol-
11 lowing:

12 **“§ 146. Choose Respect Day**

13 “(a) *DESIGNATION.*—October 1 is Choose Respect Day.

14 “(b) *RECOGNITION.*—All private citizens, organiza-
15 tions, and Federal, State, and local governmental and legis-
16 lative entities are encouraged to recognize Choose Respect
17 Day through proclamations, activities, and educational ef-
18 forts in furtherance of changing the culture around the tol-
19 erance of violence against women.”.

20 (2) *TECHNICAL AND CONFORMING AMEND-*
21 *MENT.*—The table of sections for chapter 1 of title 36,
22 United States Code, is amended by adding at the end
23 the following:

“146. Choose Respect Day.”.

24 (c) *MEDIA CAMPAIGN.*—

25 (1) *DEFINITIONS.*—In this subsection:

1 (A) *DIRECTOR*.—*The term “Director”*
2 *means the Director of the Office on Violence*
3 *Against Women.*

4 (B) *NATIONAL MEDIA CAMPAIGN*.—*The term*
5 *“national media campaign” means the national*
6 *“Choose Respect” media campaign described in*
7 *paragraph (2).*

8 (2) *MEDIA CAMPAIGN*.—*The Director shall, to the*
9 *extent feasible and appropriate, conduct a national*
10 *“Choose Respect” media campaign in accordance*
11 *with this section for the purposes of—*

12 (A) *preventing and discouraging violence*
13 *against women, including domestic violence, dat-*
14 *ing violence, sexual assault, and stalking by tar-*
15 *geting the attitudes, perceptions, and beliefs of*
16 *individuals who have or are likely to commit*
17 *such crimes;*

18 (B) *encouraging victims of the crimes de-*
19 *scribed in subparagraph (A) to seek help through*
20 *the means determined to be most effective by the*
21 *most current evidence available, including seek-*
22 *ing legal representation; and*

23 (C) *informing the public about the help*
24 *available to victims of the crimes described in*
25 *subparagraph (A).*

1 (3) *USE OF FUNDS.*—

2 (A) *IN GENERAL.*—Amounts made available
3 to carry out this section for the national media
4 campaign may only be used for the following:

5 (i) *The purchase of media time and*
6 *space, including the strategic planning for,*
7 *tracking, and accounting of, such purchases.*

8 (ii) *Creative and talent costs, con-*
9 *sistent with subparagraph (B).*

10 (iii) *Advertising production costs,*
11 *which may include television, radio, inter-*
12 *net, social media, and other commercial*
13 *marketing venues.*

14 (iv) *Testing and evaluation of adver-*
15 *tising.*

16 (v) *Evaluation of the effectiveness of*
17 *the national media campaign.*

18 (vi) *Costs of contracts to carry out ac-*
19 *tivities authorized by this subsection.*

20 (vii) *Partnerships with professional*
21 *and civic groups, community-based organi-*
22 *zations, including faith-based organizations*
23 *and culturally specific organizations, and*
24 *government organizations related to the na-*
25 *tional media campaign.*

1 *(viii) Entertainment industry out-*
2 *reach, interactive outreach, media projects*
3 *and activities, public information, news*
4 *media outreach, corporate sponsorship and*
5 *participation, and professional sports asso-*
6 *ciations and military branch participation.*

7 *(ix) Operational and management ex-*
8 *penses.*

9 *(B) SPECIFIC REQUIREMENTS.—*

10 *(i) CREATIVE SERVICES.—In using*
11 *amounts for creative and talent costs under*
12 *subparagraph (A), the Director shall use*
13 *creative services donated at no cost to the*
14 *Government wherever feasible and may only*
15 *procure creative services for advertising—*

16 *(I) responding to high-priority or*
17 *emergent campaign needs that cannot*
18 *timely be obtained at no cost; or*

19 *(II) intended to reach a minority,*
20 *ethnic, or other special audience that*
21 *cannot reasonably be obtained at no*
22 *cost.*

23 *(ii) TESTING AND EVALUATION OF AD-*
24 *VERTISING.—In using amounts for testing*
25 *and evaluation of advertising under sub-*

1 paragraph (A)(iv), the Director shall test
2 all advertisements prior to use in the na-
3 tional media campaign to ensure that the
4 advertisements are effective with the target
5 audience and meet industry-accepted stand-
6 ards. The Director may waive this require-
7 ment for advertisements using not more
8 than 10 percent of the purchase of adver-
9 tising time purchased under this section in
10 a fiscal year and not more than 10 percent
11 of the advertising space purchased under
12 this section in a fiscal year, if the advertise-
13 ments respond to emergent and time-sen-
14 sitive campaign needs or the advertisements
15 will not be widely utilized in the national
16 media campaign.

17 (iii) CONSULTATION.—For the plan-
18 ning of the campaign under paragraph (2),
19 the Director may consult with—

20 (I) the Office for Victims of
21 Crime, the Administration on Chil-
22 dren, Youth and Families, and other
23 related Federal Government entities;

24 (II) State, local, and Indian Trib-
25 al governments;

1 (III) *the prevention of domestic*
2 *violence, dating violence, sexual as-*
3 *sault, or stalking, including national*
4 *and local non-profits; and*

5 (IV) *communications profes-*
6 *sionals.*

7 (iv) *EVALUATION OF EFFECTIVENESS*
8 *OF NATIONAL MEDIA CAMPAIGN.—In using*
9 *amounts for the evaluation of the effective-*
10 *ness of the national media campaign under*
11 *subparagraph (A)(v), the Attorney General*
12 *shall—*

13 (I) *designate an independent enti-*
14 *ty to evaluate by April 20 of each year*
15 *the effectiveness of the national media*
16 *campaign based on data from any rel-*
17 *evant studies or publications, as deter-*
18 *mined by the Attorney General, includ-*
19 *ing tracking and evaluation data col-*
20 *lected according to marketing and ad-*
21 *vertising industry standards; and*

22 (II) *ensure that the effectiveness of*
23 *the national media campaign is evalu-*
24 *ated in a manner that enables consid-*
25 *eration of whether the national media*

1 *campaign has contributed to changes*
2 *in attitude or behaviors among the tar-*
3 *get audience with respect to violence*
4 *against women and such other meas-*
5 *ures of evaluation as the Attorney Gen-*
6 *eral determines are appropriate.*

7 (4) *ADVERTISING.*—*In carrying out this sub-*
8 *section, the Director shall ensure that sufficient funds*
9 *are allocated to meet the stated goals of the national*
10 *media campaign.*

11 (5) *RESPONSIBILITIES AND FUNCTIONS UNDER*
12 *THE PROGRAM.*—

13 (A) *IN GENERAL.*—*The Director shall deter-*
14 *mine the overall purposes and strategy of the na-*
15 *tional media campaign.*

16 (B) *DIRECTOR.*—

17 (i) *IN GENERAL.*—*The Director shall*
18 *approve—*

19 (I) *the strategy of the national*
20 *media campaign;*

21 (II) *all advertising and pro-*
22 *motivational material used in the national*
23 *media campaign; and*

1 (III) *the plan for the purchase of*
2 *advertising time and space for the na-*
3 *tional media campaign.*

4 (ii) *IMPLEMENTATION.—The Director*
5 *shall be responsible for implementing a fo-*
6 *cused national media campaign to meet the*
7 *purposes described in paragraph (2) and*
8 *shall ensure—*

9 (I) *information disseminated*
10 *through the campaign is accurate and*
11 *scientifically valid; and*

12 (II) *the campaign is designed*
13 *using strategies demonstrated to be the*
14 *most effective at achieving the goals*
15 *and requirements of paragraph (2),*
16 *which may include—*

17 (aa) *a media campaign, as*
18 *described in paragraph (3);*

19 (bb) *local, regional, or popu-*
20 *lation specific messaging;*

21 (cc) *the development of*
22 *websites to publicize and dissemi-*
23 *nate information;*

1 *(dd) conducting outreach and*
2 *providing educational resources*
3 *for women;*

4 *(ee) collaborating with law*
5 *enforcement agencies; and*

6 *(ff) providing support for*
7 *school-based public health edu-*
8 *cation classes to improve teen*
9 *knowledge about the effects of vio-*
10 *lence against women.*

11 *(6) PROHIBITIONS.—None of the amounts made*
12 *available under paragraph (3) may be obligated or*
13 *expended for any of the following:*

14 *(A) To supplant current antiviolen-*
15 *ce against women campaigns by community-based*
16 *coalitions.*

17 *(B) To supplant pro bono public service*
18 *time donated by national and local broadcasting*
19 *networks for other public service campaigns.*

20 *(C) For partisan political purposes, or to*
21 *express advocacy in support of or to defeat any*
22 *clearly identified candidate, clearly identified*
23 *ballot initiative, or clearly identified legislative*
24 *or regulatory proposal.*

1 (D) *To fund advertising that features any*
2 *elected officials, persons seeking elected office,*
3 *cabinet level officials, or other Federal officials*
4 *employed pursuant to schedule C of subpart C of*
5 *title 5, Code of Federal Regulations.*

6 (E) *To fund advertising that does not con-*
7 *tain a primary message intended to reduce or*
8 *prevent violence against women.*

9 (F) *To fund advertising containing a pri-*
10 *mary message intended to promote support for*
11 *the national media campaign or private sector*
12 *contributions to the national media campaign.*

13 (7) *FINANCIAL AND PERFORMANCE ACCOUNT-*
14 *ABILITY.—The Director shall cause to be performed—*

15 (A) *audits and reviews of costs of the na-*
16 *tional media campaign pursuant to section 4706*
17 *of title 41, United States Code; and*

18 (B) *an audit to determine whether the costs*
19 *of the national media campaign are allowable*
20 *under chapter 43 of title 41, United States Code.*

21 (8) *REPORT TO CONGRESS.—The Director shall*
22 *submit on an annual basis a report to Congress that*
23 *describes—*

1 (A) the strategy of the national media cam-
2 paign and whether specific objectives of the na-
3 tional media campaign were accomplished;

4 (B) steps taken to ensure that the national
5 media campaign operates in an effective and ef-
6 ficient manner consistent with the overall strat-
7 egy and focus of the national media campaign;

8 (C) plans to purchase advertising time and
9 space;

10 (D) policies and practices implemented to
11 ensure that Federal funds are used responsibly to
12 purchase advertising time and space and elimi-
13 nate the potential for waste, fraud, and abuse;

14 (E) all contracts entered into with a cor-
15 poration, partnership, or individual working on
16 behalf of the national media campaign;

17 (F) the results of any financial audit of the
18 national media campaign;

19 (G) a description of any evidence used to
20 develop the national media campaign;

21 (H) specific policies and steps implemented
22 to ensure compliance with this subsection;

23 (I) a detailed accounting of the amount of
24 funds obligated during the previous fiscal year
25 for carrying out the national media campaign,

1 *including each recipient of funds, the purpose of*
2 *each expenditure, the amount of each expendi-*
3 *ture, any available outcome information, and*
4 *any other information necessary to provide a*
5 *complete accounting of the funds expended; and*

6 *(J) a review and evaluation of the effective-*
7 *ness of the national media campaign strategy for*
8 *the previous year.*

9 (9) *AUTHORIZATION OF APPROPRIATIONS.—*

10 *There are authorized to be appropriated to the Direc-*
11 *tor to carry out this section \$5,000,000 for each of fis-*
12 *cal years 2023 through 2027, to remain available*
13 *until expended.*

14 **SEC. 1311. TECHNICAL CORRECTION TO VICTIMS OF CRIME**
15 **ACT.**

16 *Section 1403(a)(1) of the Victims of Crime Act of 1984*
17 *(34 U.S.C. 20102(a)(1)) is amended by striking “paragraph*
18 *(3)” and inserting “paragraph (4)”.*

19 **SEC. 1312. ELIMINATING THE MARRIAGE DEFENSE TO STAT-**
20 **UTORY RAPE.**

21 *Section 2243(c) of title 18, United States Code, is*
22 *amended—*

23 *(1) in paragraph (1), by striking “(1) In a” and*
24 *inserting “In a”; and*

25 *(2) by striking paragraph (2).*

1 **SEC. 1313. SENIOR POLICY ADVISOR ON CULTURALLY SPE-**
2 **CIFIC COMMUNITIES WITHIN THE OFFICE OF**
3 **JUSTICE PROGRAMS.**

4 *(a) ESTABLISHMENT; DUTIES.—There shall be a Sen-*
5 *ior Policy Advisor on Culturally Specific Communities*
6 *within the Office of Justice Programs who shall, under the*
7 *guidance and authority of the Assistant Attorney General*
8 *of the Office of Justice Programs—*

9 *(1) advise on the administration of grants re-*
10 *lated to culturally specific (as defined in section*
11 *40002(a) of the Violence Against Women Act of 1994*
12 *(34 U.S.C. 12291(a))) services and contracts with cul-*
13 *turally specific organizations;*

14 *(2) coordinate development of Federal policy,*
15 *protocols, and guidelines on matters relating to do-*
16 *mestic violence, dating violence, sexual assault, and*
17 *stalking (as those terms are defined in section*
18 *40002(a) of the Violence Against Women Act of 1994*
19 *(34 U.S.C. 12291(a)), in culturally specific commu-*
20 *nities;*

21 *(3) advise the Assistant Attorney General for the*
22 *Office of Justice Programs concerning policies, legis-*
23 *lation, implementation of laws, and other issues relat-*
24 *ing to domestic violence, dating violence, sexual as-*
25 *sault, and stalking in culturally specific communities;*

1 (4) *provide technical assistance, coordination,*
2 *and support to other offices and bureaus in the De-*
3 *partment of Justice to develop policy and to enforce*
4 *Federal laws relating to domestic violence, dating vio-*
5 *lence, sexual assault, and stalking in culturally spe-*
6 *cific communities;*

7 (5) *ensure that appropriate technical assistance,*
8 *developed and provided by entities having expertise in*
9 *culturally specific communities, is made available to*
10 *grantees and potential grantees proposing to serve*
11 *culturally specific communities; and*

12 (6) *ensure access to grants and technical assist-*
13 *ance for culturally specific organizations and analyze*
14 *the distribution of funding in order to identify bar-*
15 *riers for culturally specific organizations.*

16 (b) *QUALIFICATIONS.—The Senior Policy Advisor on*
17 *Culturally Specific Communities shall be an individual*
18 *with—*

19 (1) *personal, lived, and work experience from a*
20 *culturally specific community; and*

21 (2) *a demonstrated history of and expertise in*
22 *addressing domestic violence or sexual assault in a*
23 *nongovernmental agency.*

24 (c) *INITIAL APPOINTMENT.—Not later than 120 days*
25 *after the date of enactment of this Act, the Assistant Attor-*

1 *ney General of the Office of Justice Programs shall appoint*
2 *an individual as Senior Policy Advisor on Culturally Spe-*
3 *cific Communities.*

4 **SEC. 1314. TASK FORCE ON SEXUAL VIOLENCE IN EDU-**
5 **CATION.**

6 (a) *TASK FORCE ON SEXUAL VIOLENCE IN EDU-*
7 *CATION.—Not later than September 1, 2022, the Secretary*
8 *of Education, the Secretary of Health and Human Services,*
9 *and the Attorney General shall establish a joint interagency*
10 *task force to be known as the “Task Force on Sexual Vio-*
11 *lence in Education” that shall—*

12 (1) *provide pertinent information to the Sec-*
13 *retary of Education, the Attorney General, Congress,*
14 *and the public with respect to campus sexual violence*
15 *prevention, investigations, and responses, including*
16 *the creation of consistent, public complaint processes*
17 *for violations of title IX of the Education Amend-*
18 *ments of 1972 (20 U.S.C. 1681 et seq.) and section*
19 *485(f) of the Higher Education Act of 1965 (20*
20 *U.S.C. 1092(f));*

21 (2) *provide recommendations to educational in-*
22 *stitutions for establishing sexual assault prevention*
23 *and response teams;*

24 (3) *develop recommendations for educational in-*
25 *stitutions on providing survivor resources, including*

1 *health care, sexual assault kits, sexual assault nurse*
2 *examiners, culturally responsive and inclusive stand-*
3 *ards of care, trauma-informed services, and access to*
4 *confidential advocacy and support services;*

5 *(4) develop recommendations in conjunction with*
6 *student groups for best practices for responses to and*
7 *prevention of sexual violence and dating violence for*
8 *educational institutions, taking into consideration an*
9 *institution's size and resources;*

10 *(5) develop recommendations for educational in-*
11 *stitutions on sex education, as appropriate, training*
12 *for school staff, and various equitable discipline mod-*
13 *els;*

14 *(6) develop recommendations on culturally re-*
15 *sponsive and inclusive approaches to supporting sur-*
16 *vivors, which include consideration of race, ethnicity,*
17 *national origin, religion, immigrant status, lesbian,*
18 *gay, bisexual, or transgender (commonly referred to*
19 *as "LGBT") status, ability, disability, socio-economic*
20 *status, exposure to trauma, and other compounding*
21 *factors;*

22 *(7) solicit periodic input from a diverse group of*
23 *survivors, trauma specialists, advocates from na-*
24 *tional, State, and local anti-sexual violence advocacy*

1 *organizations, institutions of higher education, and*
2 *other public stakeholders;*

3 (8) *assess the Department of Education’s ability*
4 *under section 902 of the Education Amendments of*
5 *1972 (20 U.S.C. 1682) to levy intermediate fines for*
6 *noncompliance with title IX of the Education Amend-*
7 *ments of 1972 (20 U.S.C. 1681 et seq.) and the advis-*
8 *ability of additional remedies for such noncompli-*
9 *ance, in addition to the remedies already available*
10 *under Federal law; and*

11 (9) *create a plan described in subsection (c).*

12 (b) *PERSONNEL DETAILS.—*

13 (1) *AUTHORITY TO DETAIL.—Notwithstanding*
14 *any other provision of law, the head of a component*
15 *of any Federal agency for which appropriations are*
16 *authorized under the Violence Against Women Act of*
17 *1994 (34 U.S.C. 13925 et seq.), or any amendments*
18 *made by that Act, may detail an officer or employee*
19 *of such component to the Task Force on Sexual Vio-*
20 *lence in Education or to the Secretary of Education*
21 *to assist the Task Force with the duties described in*
22 *subsection (a), as jointly agreed to by the head of such*
23 *component and the Task Force.*

24 (2) *TERMS OF DETAIL.—A personnel detail made*
25 *under paragraph (1) may be made—*

1 (A) for a period of not more than 3 years;

2 and

3 (B) on a reimbursable or nonreimbursable

4 basis.

5 (c) *ADDITIONAL PLAN*.—Not later than 90 days after
6 the date on which the Task Force on Sexual Violence in
7 Education is established under subsection (a), the Task
8 Force shall submit to Congress recommendations for recruit-
9 ing, retaining, and training a highly-qualified workforce
10 employed by the Department of Education to carry out in-
11 vestigation of complaints alleging a violation of title IX of
12 the Education Amendments of 1972 (20 U.S.C. 1681 et seq.)
13 or section 485(f) of the Higher Education Act of 1965 (20
14 U.S.C. 1092(f)), and enforcement of such title IX (20 U.S.C.
15 1681 et seq.) or such section 485(f) (20 U.S.C. 1092(f)), with
16 respect to sexual violence in education, which shall in-
17 clude—

18 (1) an assessment to identify gaps or challenges
19 in carrying out such investigation and enforcement,
20 which may include surveying the current investiga-
21 tive workforce to solicit feedback on areas in need of
22 improvement;

23 (2) an examination of issues of recruiting, reten-
24 tion, and the professional development of the current
25 investigative workforce, including the possibility of

1 *providing retention bonuses or other forms of com-*
2 *ensation for the purpose of ensuring the Department*
3 *of Education has the capacity, in both personnel and*
4 *skills, needed to properly perform its mission and*
5 *provide adequate oversight of educational institutions;*

6 *(3) an assessment of the benefits of outreach and*
7 *training with both law enforcement agencies and edu-*
8 *cational institutions with respect to such workforce;*

9 *(4) an examination of best practices for making*
10 *educational institutions aware of the most effective*
11 *campus sexual violence prevention, investigation, and*
12 *response practices and identifying areas where more*
13 *research should be conducted; and*

14 *(5) strategies for addressing such other matters*
15 *as the Secretary of Education considers necessary to*
16 *sexual violence prevention, investigation, and re-*
17 *sponses.*

18 *(d) ANNUAL REPORTING.—The Task Force on Sexual*
19 *Violence in Education shall submit to Congress, and make*
20 *publicly available, an annual report of its activities and*
21 *any update of the plan required under subsection (c), in-*
22 *cluding—*

23 *(1) the number of complaints received regarding*
24 *sexual violence at educational institutions;*

1 (2) *the number of open investigations of sexual*
2 *violence at educational institutions;*

3 (3) *the number of such complaints that contin-*
4 *ued to resolution;*

5 (4) *the number of such complaints resolved using*
6 *informal resolution;*

7 (5) *the average time to complete such an inves-*
8 *tigation;*

9 (6) *the number of such investigations initiated*
10 *based on complaints; and*

11 (7) *the number of such investigations initiated*
12 *by the Department of Education.*

13 *(e) DEFINITIONS.—In this section:*

14 (1) *EDUCATIONAL INSTITUTION.—The term*
15 *“educational institution” includes an institution of*
16 *higher education, an elementary school, or a sec-*
17 *ondary school.*

18 (2) *ELEMENTARY SCHOOL; SECONDARY*
19 *SCHOOL.—The terms “elementary school” and “sec-*
20 *ondary school” have the meanings given the terms in*
21 *section 9101 of the Elementary and Secondary Edu-*
22 *cation Act of 1965 (20 U.S.C. 7801).*

23 (3) *INSTITUTION OF HIGHER EDUCATION.—The*
24 *term “institution of higher education” has the mean-*

1 *ing given the term in section 102 of the Higher Edu-*
2 *cation Act of 1965 (20 U.S.C. 1002).*

3 **SEC. 1315. BREE'S LAW.**

4 (a) *SHORT TITLE.—This section may be cited as*
5 *“Bree’s Law”.*

6 (b) *TEEN DATING VIOLENCE PREVENTION.—Section*
7 *1708 of the Public Health Service Act (42 U.S.C. 300u-7)*
8 *is amended—*

9 (1) *by striking subsection (c) and inserting the*
10 *following:*

11 *“(c) CERTAIN DEMONSTRATION PROJECTS.—*

12 (1) *IN GENERAL.—In carrying out subsection*
13 *(b)(3), the Secretary may make grants to carry out*
14 *demonstration projects for the purpose of improving*
15 *adolescent health, including—*

16 (A) *projects to train health care providers*
17 *in providing services to adolescents; and*

18 (B) *projects to reduce the incidence of vio-*
19 *lence among adolescents, particularly violence re-*
20 *lated to teen dating, which shall include projects*
21 *to develop and implement educational program*
22 *to increase abuse awareness and prevention.*

23 (2) *AUTHORIZATION OF APPROPRIATIONS.—For*
24 *the purpose of carrying out paragraph (1), there are*

1 *authorized to be appropriated \$8,000,000 for each of*
2 *fiscal years 2023 through 2027.”; and*

3 *(2) by adding at the end the following:*

4 *“(g) INTERAGENCY WORK GROUP.—*

5 *“(1) ESTABLISHMENT.—The Secretary shall es-*
6 *tablish the Federal Interagency Work Group on Teen*
7 *Dating Violence (referred to in this section as the*
8 *‘Work Group’).*

9 *“(2) IN GENERAL.—*

10 *“(A) COMPOSITION.—Not later than 120*
11 *days after the date of enactment of Bree’s Law,*
12 *the Secretary shall appoint representatives to the*
13 *Work Group from the Administration for Chil-*
14 *dren and Families, the Centers for Disease Con-*
15 *trol and Prevention, the Health Resources and*
16 *Services Administration, the Department of*
17 *Education, the Department of Justice, and other*
18 *Federal agencies as determined appropriate by*
19 *the Secretary.*

20 *“(B) CONSULTATION.—The Work Group*
21 *shall consult with—*

22 *“(i) experts at the State, Tribal, and*
23 *local levels with relevant backgrounds in re-*
24 *ducing and preventing the incidence of teen*
25 *dating violence;*

1 “(ii) victims of teen dating violence;

2 and

3 “(iii) family members of teens who

4 were killed by a dating partner.

5 “(3) DUTIES.—The Work Group shall—

6 “(A) examine all Federal efforts directed to-
7 wards reducing and preventing teen dating vio-
8 lence;

9 “(B) identify strategies, resources, and sup-
10 ports to improve State, Tribal, and local re-
11 sponses to the incidence of teen dating violence;

12 “(C) make recommendations to Congress for
13 improving Federal programs and efforts and co-
14 ordination across such programs and efforts to
15 reduce and prevent teen dating violence; and

16 “(D) make recommendations for educating
17 middle and high school students on teen dating
18 violence.

19 “(4) ANNUAL REPORT TO SECRETARY.—The
20 Work Group shall annually prepare and submit to
21 the Secretary, the Committee on Health, Education,
22 Labor, and Pensions of the Senate, and the Com-
23 mittee on Education and Labor of the House of Rep-
24 resentatives, a report on the activities carried out by
25 the Work Group under subsection (c), including rec-

1 *ommendations to reduce and prevent teen dating vio-*
2 *lence.”.*

3 **SEC. 1316. FAIRNESS FOR RAPE KIT BACKLOG SURVIVORS**

4 **ACT OF 2022.**

5 (a) *SHORT TITLE.*—*This section may be cited as the*
6 *“Fairness for Rape Kit Backlog Survivors Act of 2022”.*

7 (b) *CRIME VICTIM COMPENSATION.*—*Section 1403(b)*
8 *of the Victims of Crime Act of 1984 (34 U.S.C. 20102(b))*
9 *is amended—*

10 (1) *in paragraph (8), by striking “and” at the*
11 *end;*

12 (2) *by redesignating paragraph (9) as para-*
13 *graph (10); and*

14 (3) *by inserting after paragraph (8) the fol-*
15 *lowing:*

16 “(9) *beginning not later than 3 years after the*
17 *date of enactment of this paragraph, such program—*

18 “(A) *provides a waiver for any application*
19 *filing deadline imposed by the program for a*
20 *crime victim if—*

21 “(i) *the crime victim is otherwise eligi-*
22 *ble for compensation; and*

23 “(ii) *the delay in filing the application*
24 *was a result of a delay in the testing of, or*
25 *a delay in the DNA profile matching from,*

1 *a sexual assault forensic examination kit or*
2 *biological material collected as evidence re-*
3 *lated to a sexual offense; and*

4 *“(B) does not require the crime victim to*
5 *undergo an appeals process to have the applica-*
6 *tion of the crime victim considered for a filing*
7 *deadline waiver under subparagraph (A); and”.*

8 **SEC. 1317. STUDY RELATING TO STATE ACTIONS TO PRO-**
9 **HIBIT AIDING AND ABETTING SEXUAL MIS-**
10 **CONDUCT IN SCHOOLS.**

11 *Not later than 30 days after the date of enactment of*
12 *this Act, the Secretary of Education shall publish in the*
13 *Federal Register the findings of the Department of Edu-*
14 *cation’s study, as described in the notice published in the*
15 *Federal Register entitled “Agency Information Collection*
16 *Activities; Comment Request; Study of State Policies to*
17 *Prohibit Aiding and Abetting Sexual Misconduct in*
18 *Schools” (84 Fed. Reg. 57708 (October 28, 2019)), review-*
19 *ing State actions to prohibit, in accordance with section*
20 *8546 of the Elementary and Secondary Education Act of*
21 *1965 (20 U.S.C. 7926), the aiding and abetting of sexual*
22 *misconduct in schools.*

1 **SEC. 1318. SUPPORTING ACCESS TO NURSE EXAMS ACT.**

2 (a) *SHORT TITLE.*—*This section may be cited as the*
3 *“Supporting Access to Nurse Exams Act” or the “SANE*
4 *Act”.*

5 (b) *DEFINITIONS.*—*Section 304 of the DNA Sexual As-*
6 *sault Justice Act of 2004 (34 U.S.C. 40723) is amended*
7 *by striking subsections (a), (b), and (c) and inserting the*
8 *following:*

9 “(a) *DEFINITIONS.*—*In this section:*

10 “(1) *ELIGIBLE ENTITY.*—*The term ‘eligible enti-*
11 *ty’ includes—*

12 “(A) *a State, Tribal, or local government or*
13 *hospital;*

14 “(B) *a sexual assault examination program,*
15 *including—*

16 “(i) *a SANE program;*

17 “(ii) *a SAFE program;*

18 “(iii) *a SART program;*

19 “(iv) *medical personnel, including a*
20 *doctor or nurse, involved in treating victims*
21 *of sexual assault; and*

22 “(v) *a victim service provider involved*
23 *in treating victims of sexual assault;*

24 “(C) *a State sexual assault coalition;*

25 “(D) *a health care facility, including a hos-*
26 *pital that provides sexual assault forensic exami-*

1 *nations by a qualified or certified SANE or*
2 *SAFE;*

3 “(E) *a sexual assault examination program*
4 *that provides SANE or SAFE training; and*

5 “(F) *a community-based program that pro-*
6 *vides sexual assault forensic examinations, in-*
7 *cluding pediatric forensic exams in a multidisci-*
8 *plinary setting, by a qualified or certified SANE*
9 *or SAFE outside of a traditional health care set-*
10 *ting.*

11 “(2) *HEALTH CARE FACILITY.—The term ‘health*
12 *care facility’ means any State, local, Tribal, commu-*
13 *nity, free, nonprofit, academic, or private medical fa-*
14 *ility, including a hospital, that provides emergency*
15 *medical care to patients.*

16 “(3) *MEDICAL FORENSIC EXAMINATION; MFE.—*
17 *The term ‘medical forensic examination’ or ‘MFE’*
18 *means an examination of a sexual assault patient by*
19 *a health care provider, who has specialized education*
20 *and clinical experience in the collection of forensic*
21 *evidence and treatment of these patients, which in-*
22 *cludes—*

23 “(A) *gathering information from the patient*
24 *for the medical forensic history;*

25 “(B) *an examination;*

1 “(C) *coordinating treatment of injuries,*
2 *documentation of biological and physical find-*
3 *ings, and collection of evidence from the patient;*

4 “(D) *documentation of findings;*

5 “(E) *providing information, treatment, and*
6 *referrals for sexually transmitted infections,*
7 *pregnancy, suicidal ideation, alcohol and sub-*
8 *stance abuse, and other non-acute medical con-*
9 *cerns; and*

10 “(F) *providing follow-up as needed to pro-*
11 *vide additional healing, treatment, or collection*
12 *of evidence.*

13 “(4) *PEDIATRIC SANE AND SAFE.—The term ‘pe-*
14 *diatric SANE and SAFE’ means a SANE or SAFE*
15 *who is trained to conduct sexual assault forensic ex-*
16 *aminations on children and youth between the ages of*
17 *0 and 18.*

18 “(5) *QUALIFIED PERSONNEL.—The term ‘quali-*
19 *fied personnel’ includes a registered or advanced prac-*
20 *tice nurse, physician, doctor of osteopathy, or physi-*
21 *cian assistant who has specialized training con-*
22 *ducting medical forensic examinations.*

23 “(6) *QUALIFIED SANE AND SAFE TRAINING PRO-*
24 *GRAM.—The term ‘qualified SANE and SAFE train-*
25 *ing program’ means a program that—*

1 “(A) is qualified to prepare current and fu-
2 ture sexual assault nurse examiners to be profes-
3 sion-ready and meet the applicable State and
4 National certification and licensure require-
5 ments, through didactic, clinical, preceptor, or
6 capstone programs that include longer-term
7 training;

8 “(B) provides that preparation under a
9 health care model that uses trauma-informed
10 techniques; and

11 “(C) is approved as meeting the most recent
12 National Training Standards for Sexual Assault
13 Medical Forensic Examiners.

14 “(7) *RURAL AREA*.—The term ‘rural area’ has
15 the meaning given the term in section 40002 of the
16 Violence Against Women Act of 1994 (34 U.S.C.
17 12291).

18 “(8) *SECRETARY*.—The term ‘Secretary’ means
19 the Secretary of Health and Human Services.

20 “(9) *SEXUAL ASSAULT*.—The term ‘sexual as-
21 sault’ means any nonconsensual sexual act or sexual
22 contact proscribed by Federal, Tribal, or State law,
23 including when the individual lacks capacity to con-
24 sent.

1 “(10) *SEXUAL ASSAULT FORENSIC EXAMINER;*
2 *SAFE.*—*The term ‘sexual assault forensic examiner’ or*
3 *‘SAFE’ means an individual who has specialized fo-*
4 *rensic training in treating sexual assault survivors*
5 *and conducting medical forensic examinations.*

6 “(11) *SEXUAL ASSAULT FORENSIC EXAMINA-*
7 *TION.*—*The term ‘sexual assault forensic examination’*
8 *means an examination of a sexual assault patient by*
9 *a health care provider, who has specialized education*
10 *and clinical experience in the collection of forensic*
11 *evidence and treatment of these patients, which in-*
12 *cludes—*

13 “(A) *gathering information from the patient*
14 *for the medical forensic history;*

15 “(B) *an examination;*

16 “(C) *coordinating treatment of injuries,*
17 *documentation of biological and physical find-*
18 *ings, and collection of evidence from the patient;*

19 “(D) *documentation of findings;*

20 “(E) *providing information, treatment, and*
21 *referrals for sexually transmitted infections,*
22 *pregnancy, suicidal ideation, alcohol and sub-*
23 *stance abuse, and other non-acute medical con-*
24 *cerns; and*

1 “(F) providing follow-up as needed to pro-
2 vide additional healing, treatment, or collection
3 of evidence.

4 “(12) *SEXUAL ASSAULT NURSE EXAMINER;*
5 *SANE.*—The term ‘sexual assault nurse examiner’ or
6 ‘SANE’ means a registered or advanced practice
7 nurse who has specialized training conducting med-
8 ical forensic examinations.

9 “(13) *SEXUAL ASSAULT RESPONSE TEAM;*
10 *SART.*—The term ‘sexual assault response team’ or
11 ‘SART’ means a multidisciplinary team that—

12 “(A) provides a specialized and immediate
13 response to survivors of sexual assault; and

14 “(B) may include health care personnel, law
15 enforcement representatives, community-based
16 survivor advocates, prosecutors, and forensic sci-
17 entists.

18 “(14) *STATE.*—The term ‘State’ means any
19 State of the United States, the District of Columbia,
20 and any territory or possession of the United States.

21 “(15) *TRAUMA-INFORMED.*—The term ‘trauma-
22 informed’ means, with respect to services or training,
23 services or training that—

24 “(A) use a patient-centered approach to
25 providing services or care;

1 “(B) promote the dignity, strength, and em-
2 powerment of patients who have experienced
3 trauma; and

4 “(C) incorporate evidence-based practices
5 based on knowledge about the impact of trauma
6 on patients’ lives.

7 “(16) *UNDERSERVED POPULATIONS*.—The term
8 ‘underserved populations’ has the meaning given the
9 term in section 40002 of the Violence Against Women
10 Act of 1994 (34 U.S.C. 12291).”.

11 (c) *SEXUAL ASSAULT NURSE EXAMINER GRANTS*.—
12 Section 304 of the DNA Sexual Assault Justice Act of 2004
13 (34 U.S.C. 40723) is amended by inserting after subsection
14 (a), as amended by subsection (b) of this section, the fol-
15 lowing:

16 “(b) *SEXUAL ASSAULT NURSE EXAMINER TRAINING*
17 *PROGRAM GRANTS*.—

18 “(1) *AUTHORIZATION FOR GRANTS*.—The Attor-
19 ney General, in consultation with the Secretary, shall
20 make grants to eligible entities for the following pur-
21 poses:

22 “(A) To establish qualified regional SANE
23 training programs—

24 “(i) to provide clinical education for
25 SANE students;

1 “(ii) to provide salaries for full and
2 part-time SANE instructors, including
3 those specializing in pediatrics and working
4 in a multidisciplinary team setting, to help
5 with the clinical training of SANEs; and

6 “(iii) to provide access to simulation
7 laboratories and other resources necessary
8 for clinical education.

9 “(B) To provide full and part time salaries
10 for SANEs and SAFEs, including pediatric
11 SANEs and SAFEs.

12 “(C) To increase access to SANEs and
13 SAFEs by otherwise providing training, edu-
14 cation, or technical assistance relating to the col-
15 lection, preservation, analysis, and use of DNA
16 samples and DNA evidence by SANEs, SAFEs,
17 and other qualified personnel.

18 “(2) PREFERENCE FOR GRANTS.—In reviewing
19 applications for grants under this section, the Attor-
20 ney General shall give preference to any eligible enti-
21 ty that certifies in the grant application that the enti-
22 ty will coordinate with a rape crisis center or the
23 State sexual assault coalition to facilitate sexual as-
24 sault advocacy to support sexual assault survivors
25 and use the grant funds to—

1 “(A) establish qualified SANE training pro-
2 grams in localities with a high volume of foren-
3 sic trauma cases, including adult and child sex-
4 ual assault, domestic violence, elder abuse, sex
5 trafficking, and strangulation cases;

6 “(B) increase the local and regional avail-
7 ability of full and part time sexual assault nurse
8 examiners in a rural area, Tribal area, an area
9 with a health professional shortage, or for an un-
10 derserved population, including efforts to provide
11 culturally competent services; or

12 “(C) establish or sustain sexual assault mo-
13 bile teams or units or otherwise enhance SANE
14 and SAFE access through telehealth.”.

15 (d) *DIRECTIVE*.—Section 304 of the DNA Sexual As-
16 sault Justice Act of 2004 (34 U.S.C. 40723) is amended—

17 (1) by redesignating subsection (d) as subsection
18 (e); and

19 (2) by inserting after subsection (b), as added by
20 subsection (c) of this section, the following:

21 “(c) *DIRECTIVE TO THE ATTORNEY GENERAL*.—

22 “(1) *IN GENERAL*.—Not later than the beginning
23 of fiscal year 2022, the Attorney General shall coordi-
24 nate with the Secretary to inform health care facili-
25 ties, including Federally qualified health centers and

1 *hospitals, colleges and universities, and other appro-*
2 *priate health-related entities about—*

3 *“(A) the availability of grant funding under*
4 *this section; and*

5 *“(B) the role of sexual assault nurse exam-*
6 *iners, both adult and pediatric, and available re-*
7 *sources of the Department of Justice and the De-*
8 *partment of Health and Human Services to*
9 *train or employ sexual assault nurses examiners*
10 *to address the needs of communities dealing with*
11 *sexual assault, domestic violence, sex trafficking,*
12 *elder abuse, strangulation, and, in particular,*
13 *the need for pediatric SANEs, including such*
14 *nurse examiners working in the multidisci-*
15 *plinary setting, in responding to abuse of both*
16 *children and adolescents.*

17 *“(2) REQUIREMENT.—In carrying out para-*
18 *graph (1), the Attorney General shall collaborate with*
19 *nongovernmental organizations representing SANEs.*

20 *“(d) PUBLIC INFORMATION ON ACCESS TO SEXUAL AS-*
21 *SAULT FORENSIC EXAMINATIONS.—*

22 *“(1) IN GENERAL.—Not later than 2 years after*
23 *the date of enactment of the Supporting Access to*
24 *Nurse Exams Act, the Attorney General, in consulta-*
25 *tion with the Secretary, shall establish, and update*

1 *annually, a public website on the access to forensic*
2 *nurse examiners.*

3 “(2) *CONTENTS.*—*The website required under*
4 *paragraph (1) shall with specificity describe, by*
5 *State—*

6 “(A) *funding opportunities for SANE train-*
7 *ing and continuing education; and*

8 “(B) *the availability of sexual assault advo-*
9 *cates at locations providing sexual assault foren-*
10 *sic exams.*

11 “(3) *REPORT TO CONGRESS.*—*Not later than 4*
12 *years after the date of enactment of the Supporting*
13 *Access to Nurse Exams Act, the Attorney General, in*
14 *consultation with the Secretary, shall submit to the*
15 *Committee on the Judiciary of the Senate, the Com-*
16 *mittee on Health, Education, Labor, and Pensions of*
17 *the Senate, the Committee on the Judiciary of the*
18 *House of Representatives, and the Committee on En-*
19 *ergy and Commerce of the House of Representatives*
20 *a report on—*

21 “(A) *the availability of, and patient access*
22 *to, trained SANEs and other providers who per-*
23 *form MFEs or sexual assault forensic examina-*
24 *tions;*

1 “(B) the health care facilities, including
2 hospitals or clinics, that offer SANEs and sexual
3 assault forensic examinations and whether each
4 health care facility, including a hospital or clin-
5 ic, has full-time, part-time, or on-call coverage;

6 “(C) regional, provider, or other barriers to
7 access for SANE care and services, including
8 MFEs and sexual assault forensic examinations;

9 “(D) State requirements, minimum stand-
10 ards, and protocols for training SANEs, includ-
11 ing trauma-informed and culturally competent
12 training standards;

13 “(E) State requirements, minimum stand-
14 ards, and protocols for training emergency serv-
15 ices personnel involved in MFEs and sexual as-
16 sault forensic examinations;

17 “(F) the availability of sexual assault nurse
18 examiner training, frequency of when training is
19 convened, the providers of such training, the
20 State’s role in such training, and what process
21 or procedures are in place for continuing edu-
22 cation of such examiners;

23 “(G) the dedicated Federal and State fund-
24 ing to support SANE training;

1 “(H) funding opportunities for SANE
2 training and continuing education;

3 “(I) the availability of sexual assault advo-
4 cates at locations providing MFEs and sexual
5 assault forensic exams; and

6 “(J) the total annual cost of conducting sex-
7 ual assault forensic exams described in section
8 2010(b) of title I of the Omnibus Crime Control
9 and Safe Streets Act of 1968 (34 U.S.C.
10 10449(b)).”.

11 (e) *AUTHORIZATION OF APPROPRIATIONS.*—Subsection
12 (e) of section 304 of the DNA Sexual Assault Justice Act
13 of 2004 (34 U.S.C. 40723), as redesignated by subsection
14 (d) of this section, is amended to read as follows:

15 “(e) *AUTHORIZATION OF APPROPRIATIONS.*—There are
16 authorized to be appropriated \$30,000,000 for each of fiscal
17 years 2023 through 2027 to carry out this section.”.

18 **TITLE XIV—CYBERCRIME**

19 **ENFORCEMENT**

20 **SEC. 1401. LOCAL LAW ENFORCEMENT GRANTS FOR EN-** 21 **FORCEMENT OF CYBERCRIMES.**

22 (a) *DEFINITIONS.*—In this section:

23 (1) *COMPUTER.*—The term “computer” includes
24 a computer network and an interactive electronic de-
25 vice.

1 (2) *CYBERCRIME AGAINST INDIVIDUALS.*—*The*
2 *term “cybercrime against individuals” —*

3 *(A) means a criminal offense applicable in*
4 *the area under the jurisdiction of the relevant*
5 *State, Indian Tribe, or unit of local government*
6 *that involves the use of a computer to harass,*
7 *threaten, stalk, extort, coerce, cause fear to, or in-*
8 *timidate an individual, or without consent dis-*
9 *tribute intimate images of an adult, except that*
10 *use of a computer need not be an element of such*
11 *an offense; and*

12 *(B) does not include the use of a computer*
13 *to cause harm to a commercial entity, govern-*
14 *ment agency, or non-natural person.*

15 (3) *INDIAN TRIBE; STATE; TRIBAL GOVERNMENT;*
16 *UNIT OF LOCAL GOVERNMENT.*—*The terms “Indian*
17 *Tribe”, “State”, “Tribal government”, and “unit of*
18 *local government” have the meanings given such*
19 *terms in section 40002(a) of the Violence Against*
20 *Women Act of 1994 (34 U.S.C. 12291(a)), as amend-*
21 *ed by this Act.*

22 (b) *AUTHORIZATION OF GRANT PROGRAM.*—*Subject to*
23 *the availability of appropriations, the Attorney General*
24 *shall award grants under this section to States, Indian*
25 *Tribes, and units of local government for the prevention,*

1 *enforcement, and prosecution of cybercrimes against indi-*
2 *viduals.*

3 *(c) APPLICATION.—*

4 *(1) IN GENERAL.—To request a grant under this*
5 *section, the chief executive officer of a State, Tribal*
6 *government, or unit of local government shall submit*
7 *an application to the Attorney General not later than*
8 *90 days after the date on which funds to carry out*
9 *this section are appropriated for a fiscal year, in such*
10 *form as the Attorney General may require.*

11 *(2) CONTENTS.—An application submitted under*
12 *paragraph (1) shall include the following:*

13 *(A) A certification that Federal funds made*
14 *available under this section will not be used to*
15 *supplant State, Tribal, or local funds, but will*
16 *be used to increase the amounts of such funds*
17 *that would, in the absence of Federal funds, be*
18 *made available for law enforcement activities.*

19 *(B) An assurance that, not later than 30*
20 *days before the application (or any amendment*
21 *to the application) was submitted to the Attor-*
22 *ney General, the application (or amendment)*
23 *was submitted for review to the governing body*
24 *of the State, Tribe, or unit of local government*

1 *(or to an organization designated by that gov-*
2 *erning body).*

3 *(C) An assurance that, before the applica-*
4 *tion (or any amendment to the application) was*
5 *submitted to the Attorney General—*

6 *(i) the application (or amendment)*
7 *was made public; and*

8 *(ii) an opportunity to comment on the*
9 *application (or amendment) was provided*
10 *to citizens, to neighborhood or community-*
11 *based organizations, and to victim service*
12 *providers, to the extent applicable law or es-*
13 *tablished procedure makes such an oppor-*
14 *tunity available;*

15 *(D) An assurance that, for each fiscal year*
16 *covered by an application, the applicant shall*
17 *maintain and report such data, records, and in-*
18 *formation (programmatic and financial) as the*
19 *Attorney General may reasonably require.*

20 *(E) A certification, made in a form accept-*
21 *able to the Attorney General and executed by the*
22 *chief executive officer of the applicant (or by an-*
23 *other officer of the applicant, if qualified under*
24 *regulations promulgated by the Attorney Gen-*
25 *eral), that—*

1 (i) the programs to be funded by the
2 grant meet all the requirements of this sec-
3 tion;

4 (ii) all the information contained in
5 the application is correct;

6 (iii) there has been appropriate coordi-
7 nation with affected agencies; and

8 (iv) the applicant will comply with all
9 provisions of this section and all other ap-
10 plicable Federal laws.

11 (F) A certification that the State, Tribe, or
12 in the case of a unit of local government, the
13 State in which the unit of local government is lo-
14 cated, has in effect criminal laws which prohibit
15 cybercrimes against individuals.

16 (G) A certification that any equipment de-
17 scribed in subsection (d)(8) purchased using
18 grant funds awarded under this section will be
19 used primarily for investigations and forensic
20 analysis of evidence in matters involving
21 cybercrimes against individuals.

22 (d) *USE OF FUNDS.*—Grants awarded under this sec-
23 tion may be used only for programs that provide—

1 (1) *training for State, Tribal, or local law en-*
2 *forcement personnel relating to cybercrimes against*
3 *individuals, including—*

4 (A) *training such personnel to identify and*
5 *protect victims of cybercrimes against individ-*
6 *uals, provided that the training is developed in*
7 *collaboration with victim service providers;*

8 (B) *training such personnel to utilize Fed-*
9 *eral, State, Tribal, local, and other resources to*
10 *assist victims of cybercrimes against individuals;*

11 (C) *training such personnel to identify and*
12 *investigate cybercrimes against individuals;*

13 (D) *training such personnel to enforce and*
14 *utilize the laws that prohibit cybercrimes against*
15 *individuals;*

16 (E) *training such personnel to utilize tech-*
17 *nology to assist in the investigation of*
18 *cybercrimes against individuals and enforcement*
19 *of laws that prohibit such crimes; and*

20 (F) *the payment of overtime incurred as a*
21 *result of such training;*

22 (2) *training for State, Tribal, or local prosecu-*
23 *tors, judges, and judicial personnel relating to*
24 *cybercrimes against individuals, including—*

1 (A) training such personnel to identify, in-
2 investigate, prosecute, or adjudicate cybercrimes
3 against individuals;

4 (B) training such personnel to utilize laws
5 that prohibit cybercrimes against individuals;

6 (C) training such personnel to utilize Fed-
7 eral, State, Tribal, local, and other resources to
8 assist victims of cybercrimes against individuals;
9 and

10 (D) training such personnel to utilize tech-
11 nology to assist in the prosecution or adjudica-
12 tion of acts of cybercrimes against individuals,
13 including the use of technology to protect victims
14 of such crimes;

15 (3) training for State, Tribal, or local emergency
16 dispatch personnel relating to cybercrimes against in-
17 dividuals, including—

18 (A) training such personnel to identify and
19 protect victims of cybercrimes against individ-
20 uals;

21 (B) training such personnel to utilize Fed-
22 eral, State, Tribal, local, and other resources to
23 assist victims of cybercrimes against individuals;

1 (C) training such personnel to utilize tech-
2 nology to assist in the identification of and re-
3 sponse to cybercrimes against individuals; and

4 (D) the payment of overtime incurred as a
5 result of such training;

6 (4) assistance to State, Tribal, or local law en-
7 forcement agencies in enforcing laws that prohibit
8 cybercrimes against individuals, including expenses
9 incurred in performing enforcement operations, such
10 as overtime payments;

11 (5) assistance to State, Tribal, or local law en-
12 forcement agencies in educating the public in order to
13 prevent, deter, and identify violations of laws that
14 prohibit cybercrimes against individuals;

15 (6) assistance to State, Tribal, or local law en-
16 forcement agencies to support the placement of victim
17 assistants to serve as liaisons between victims of
18 cybercrimes against individuals and personnel of law
19 enforcement agencies;

20 (7) assistance to State, Tribal, or local law en-
21 forcement agencies to establish task forces that operate
22 solely to conduct investigations, forensic analyses of
23 evidence, and prosecutions in matters involving
24 cybercrimes against individuals;

1 (8) *assistance to State, Tribal, or local law en-*
2 *forcement agencies and prosecutors in acquiring com-*
3 *puters, computer equipment, and other equipment*
4 *necessary to conduct investigations and forensic anal-*
5 *ysis of evidence in matters involving cybercrimes*
6 *against individuals, including expenses incurred in*
7 *the training, maintenance, or acquisition of technical*
8 *updates necessary for the use of such equipment for*
9 *the duration of a reasonable period of use of such*
10 *equipment;*

11 (9) *assistance in the facilitation and promotion*
12 *of sharing, with State, Tribal, and local law enforce-*
13 *ment agencies and prosecutors, of the expertise and*
14 *information of Federal law enforcement agencies*
15 *about the investigation, analysis, and prosecution of*
16 *matters involving laws that prohibit cybercrimes*
17 *against individuals, including the use of multijuris-*
18 *dictional task forces; or*

19 (10) *assistance to State, Tribal, and local law*
20 *enforcement and prosecutors in processing interstate*
21 *extradition requests for violations of laws involving*
22 *cybercrimes against individuals, including expenses*
23 *incurred in the extradition of an offender from one*
24 *State to another.*

1 (e) *REPORTS TO THE ATTORNEY GENERAL.*—On the
2 date that is 1 year after the date on which a State, Indian
3 Tribe, or unit of local government receives a grant under
4 this section, and annually thereafter, the chief executive offi-
5 cer of the State, Tribal government, or unit of local govern-
6 ment shall submit to the Attorney General a report which
7 contains—

8 (1) a summary of the activities carried out dur-
9 ing the previous year with any grant received under
10 this section by such State, Indian Tribe, or unit of
11 local government;

12 (2) an evaluation of the results of such activities;
13 and

14 (3) such other information as the Attorney Gen-
15 eral may reasonably require.

16 (f) *REPORTS TO CONGRESS.*—Not later than November
17 1 of each even-numbered fiscal year, the Attorney General
18 shall submit to the Committee on the Judiciary of the House
19 of Representatives and the Committee on the Judiciary of
20 the Senate a report that contains a compilation of the infor-
21 mation contained in the reports submitted under subsection
22 (e).

23 (g) *AUTHORIZATION OF APPROPRIATIONS.*—

1 (1) *IN GENERAL.*—*There are authorized to be ap-*
2 *propriated to carry out this section \$10,000,000 for*
3 *each of fiscal years 2023 through 2027.*

4 (2) *LIMITATION.*—*Of the amount made available*
5 *under paragraph (1) in any fiscal year, not more*
6 *than 5 percent may be used for evaluation, moni-*
7 *toring, technical assistance, salaries, and administra-*
8 *tive expenses.*

9 **SEC. 1402. NATIONAL RESOURCE CENTER GRANT.**

10 (a) *DEFINITIONS.*—*In this section:*

11 (1) *CYBERCRIME AGAINST INDIVIDUALS.*—*The*
12 *term “cybercrime against individuals” has the mean-*
13 *ing given such term in section 1401.*

14 (2) *ELIGIBLE ENTITY.*—*The term “eligible enti-*
15 *ty” means a nonprofit private organization that—*

16 (A) *focuses on cybercrimes against individ-*
17 *uals;*

18 (B) *provides documentation to the Attorney*
19 *General demonstrating experience working di-*
20 *rectly on issues of cybercrimes against individ-*
21 *uals; and*

22 (C) *includes on the organization’s advisory*
23 *board representatives who—*

1 (i) have a documented history of work-
2 ing directly on issues of cybercrimes against
3 individuals;

4 (ii) have a history of working directly
5 with victims of cybercrimes against individ-
6 uals; and

7 (iii) are geographically and culturally
8 diverse.

9 (b) *AUTHORIZATION OF GRANT PROGRAM.*—Subject to
10 the availability of appropriations, the Attorney General
11 shall award a grant under this section to an eligible entity
12 for the purpose of the establishment and maintenance of a
13 National Resource Center on Cybercrimes Against Individ-
14 uals to provide resource information, training, and tech-
15 nical assistance to improve the capacity of individuals, or-
16 ganizations, governmental entities, and communities to pre-
17 vent, enforce, and prosecute cybercrimes against individ-
18 uals.

19 (c) *APPLICATION.*—

20 (1) *IN GENERAL.*—To request a grant under this
21 section, an eligible entity shall submit an application
22 to the Attorney General not later than 90 days after
23 the date on which funds to carry out this section are
24 appropriated for fiscal year 2022 in such form as the
25 Attorney General may require.

1 (2) *CONTENTS.*—*An application submitted under*
2 *paragraph (1) shall include the following:*

3 (A) *An assurance that, for each fiscal year*
4 *covered by the application, the applicant will*
5 *maintain and report such data, records, and in-*
6 *formation (programmatic and financial) as the*
7 *Attorney General may reasonably require.*

8 (B) *A certification, made in a form accept-*
9 *able to the Attorney General, that—*

10 (i) *the programs funded by the grant*
11 *meet all the requirements of this section;*

12 (ii) *all the information contained in*
13 *the application is correct; and*

14 (iii) *the applicant will comply with all*
15 *provisions of this section and all other ap-*
16 *plicable Federal laws.*

17 (d) *USE OF FUNDS.*—*The eligible entity awarded a*
18 *grant under this section shall use such amounts for the es-*
19 *tablishment and maintenance of a National Resource Cen-*
20 *ter on Cybercrimes Against Individuals, which shall—*

21 (1) *offer a comprehensive array of technical as-*
22 *istance and training resources to Federal, State, and*
23 *local governmental agencies, community-based organi-*
24 *zations, and other professionals and interested parties*

1 *related to cybercrimes against individuals, including*
2 *programs and research related to victims;*

3 (2) *maintain a resource library which shall col-*
4 *lect, prepare, analyze, and disseminate information*
5 *and statistics related to—*

6 (A) *the incidence of cybercrimes against in-*
7 *dividuals;*

8 (B) *the enforcement and prosecution of laws*
9 *relating to cybercrimes against individuals; and*

10 (C) *the provision of supportive services and*
11 *resources for victims, including victims from un-*
12 *deserved populations, of cybercrimes against in-*
13 *dividuals; and*

14 (3) *conduct research related to—*

15 (A) *the causes of cybercrimes against indi-*
16 *viduals;*

17 (B) *the effect of cybercrimes against indi-*
18 *viduals on victims of such crimes; and*

19 (C) *model solutions to prevent or deter*
20 *cybercrimes against individuals or to enforce the*
21 *laws relating to cybercrimes against individuals.*

22 (e) *DURATION OF GRANT.—*

23 (1) *IN GENERAL.—A grant awarded under this*
24 *section shall be awarded for a period of 5 years.*

1 (2) *RENEWAL.*—A grant under this section may
2 be renewed for additional 5-year periods if the Attor-
3 ney General determines that the funds made available
4 to the recipient were used in a manner described in
5 subsection (d), and if the recipient resubmits an ap-
6 plication described in subsection (c) in such form,
7 and at such time, as the Attorney General may rea-
8 sonably require.

9 (f) *SUBGRANTS.*—The eligible entity awarded a grant
10 under this section may make subgrants to other nonprofit
11 private organizations with relevant subject matter expertise
12 in order to establish and maintain the National Resource
13 Center on Cybercrimes Against Individuals in accordance
14 with subsection (d).

15 (g) *REPORTS TO THE ATTORNEY GENERAL.*—On the
16 date that is 1 year after the date on which an eligible entity
17 receives a grant under this section, and annually thereafter
18 for the duration of the grant period, the entity shall submit
19 to the Attorney General a report which contains—

20 (1) a summary of the activities carried out
21 under the grant program during the previous year;

22 (2) an evaluation of the results of such activities;
23 and

24 (3) such other information as the Attorney Gen-
25 eral may reasonably require.

1 (h) *REPORTS TO CONGRESS.*—Not later than Novem-
2 ber 1 of each even-numbered fiscal year, the Attorney Gen-
3 eral shall submit to the Committee on the Judiciary of the
4 House of Representatives and the Committee on the Judici-
5 ary of the Senate a report that contains a compilation of
6 the information contained in the reports submitted under
7 subsection (g).

8 (i) *AUTHORIZATION OF APPROPRIATIONS.*—There are
9 authorized to be appropriated to carry out this section
10 \$4,000,000 for each of fiscal years 2023 through 2027.

11 **SEC. 1403. NATIONAL STRATEGY, CLASSIFICATION, AND RE-**
12 **PORTING ON CYBERCRIME.**

13 (a) *DEFINITIONS.*—In this section:

14 (1) *COMPUTER.*—The term “computer” includes
15 a computer network and any interactive electronic de-
16 vice.

17 (2) *CYBERCRIME AGAINST INDIVIDUALS.*—The
18 term “cybercrime against individuals” has the mean-
19 ing given the term in section 1401.

20 (b) *NATIONAL STRATEGY.*—The Attorney General shall
21 develop a national strategy to—

22 (1) reduce the incidence of cybercrimes against
23 individuals;

1 (2) *coordinate investigations of cybercrimes*
2 *against individuals by Federal law enforcement agen-*
3 *cies;*

4 (3) *increase the number of Federal prosecutions*
5 *of cybercrimes against individuals; and*

6 (4) *develop an evaluation process that measures*
7 *rates of cybercrime victimization and prosecutorial*
8 *rates among Tribal and culturally specific commu-*
9 *nities.*

10 (c) *CLASSIFICATION OF CYBERCRIMES AGAINST INDI-*
11 *VIDUALS FOR PURPOSES OF CRIME REPORTS.—In accord-*
12 *ance with the authority of the Attorney General under sec-*
13 *tion 534 of title 28, United States Code, the Director of*
14 *the Federal Bureau of Investigation shall—*

15 (1) *design and create within the Uniform Crime*
16 *Reports a category for offenses that constitute*
17 *cybercrimes against individuals;*

18 (2) *to the extent feasible, within the category es-*
19 *tablished under paragraph (1), establish subcategories*
20 *for each type of cybercrime against individuals that*
21 *is an offense under Federal or State law;*

22 (3) *classify the category established under para-*
23 *graph (1) as a Part I crime in the Uniform Crime*
24 *Reports; and*

1 (4) *classify each type of cybercrime against indi-*
2 *viduals that is an offense under Federal or State law*
3 *as a Group A offense for the purpose of the National*
4 *Incident-Based Reporting System.*

5 (d) *ANNUAL SUMMARY.—The Attorney General shall*
6 *publish an annual summary of the information reported*
7 *in the Uniform Crime Reports and the National Incident-*
8 *Based Reporting System relating to cybercrimes against in-*
9 *dividuals, including an evaluation of the implementation*
10 *process for the national strategy developed under subsection*
11 *(b) and outcome measurements on its impact on Tribal and*
12 *culturally specific communities.*

13 ***TITLE XV—KEEPING CHILDREN***
14 ***SAFE FROM FAMILY VIOLENCE***

15 ***SEC. 1501. SHORT TITLE.***

16 *This title may be cited as the “Keeping Children Safe*
17 *From Family Violence Act” or “Kayden’s Law”.*

18 ***SEC. 1502. FINDINGS.***

19 *Congress finds the following:*

20 (1) *Approximately 1 in 15 children is exposed to*
21 *domestic violence each year.*

22 (2) *Most child abuse is perpetrated in the family*
23 *and by a parent. Intimate partner violence and child*
24 *abuse overlap in the same families at rates between*
25 *30 and 60 percent. A child’s risk of abuse increases*

1 *after a perpetrator of intimate partner violence sepa-*
2 *rates from a domestic partner, even when the perpe-*
3 *trator has not previously directly abused the child.*
4 *Children who have witnessed intimate partner vio-*
5 *lence are approximately 4 times more likely to experi-*
6 *ence direct child maltreatment than children who*
7 *have not witnessed intimate partner violence.*

8 (3) *More than 75 percent of child sexual abuse*
9 *is perpetrated by a family member or a person known*
10 *to the child. Data of the Department of Justice shows*
11 *that family members are 49 percent, or almost half,*
12 *of the perpetrators of crimes against child sex assault*
13 *victims younger than 6 years of age.*

14 (4) *Research suggests a child's exposure to a*
15 *batterer is among the strongest indicators of risk of*
16 *incest victimization. One study found that female*
17 *children with fathers who are batterers of their moth-*
18 *ers were 6.5 times more likely to experience father-*
19 *daughter incest than female children who do not have*
20 *abusive fathers.*

21 (5) *Child abuse is a major public health issue in*
22 *the United States. Total lifetime financial costs asso-*
23 *ciated with just 1 year of confirmed cases of child*
24 *maltreatment, including child physical abuse, sexual*
25 *abuse, psychological abuse, and neglect, result in*

1 \$124,000,000,000 in annual costs to the economy of
2 the United States, or approximately 1 percent of the
3 gross domestic product of the United States.

4 (6) Empirical research indicates that courts reg-
5 ularly discount allegations of child physical and sex-
6 ual abuse when those allegations are raised in child
7 custody cases. Courts believed less than $\frac{1}{4}$ of claims
8 that a father has committed child physical or sexual
9 abuse. With respect to cases in which an allegedly
10 abusive parent claimed the mother “alienated” the
11 child, courts believed only 1 out of 51 claims of sexual
12 molestation by a father. Independent research indi-
13 cates that child sexual abuse allegations are credible
14 between 50 and 70 percent of the time.

15 (7) Empirical research shows that alleged or
16 known abusive parents are often granted custody or
17 unprotected parenting time by courts. Approximately
18 $\frac{1}{3}$ of parents alleged to have committed child abuse
19 took primary custody from the protective parent re-
20 porting the abuse, placing children at ongoing risk.

21 (8) Researchers have documented nearly 800
22 child murders in the United States since 2008 com-
23 mitted by a divorcing or separating parent. More
24 than 100 of these child murders are known to have oc-
25 curred after a court ordered the child to have contact

1 *with the dangerous parent over the objection of a safe*
2 *parent or caregiver.*

3 (9) *Scientifically unsound theories that treat*
4 *abuse allegations of mothers as likely false attempts to*
5 *undermine fathers are frequently applied in family*
6 *court to minimize or deny reports of abuse of parents*
7 *and children. Many experts who testify against abuse*
8 *allegations lack expertise in the relevant type of al-*
9 *leged abuse, relying instead on unsound and*
10 *unproven theories.*

11 (10) *Judges presiding over custody cases involv-*
12 *ing allegations of child abuse, child sexual abuse, and*
13 *domestic violence are rarely required to receive train-*
14 *ing on these subjects, and most States have not estab-*
15 *lished standards for such training.*

16 **SEC. 1503. PURPOSES.**

17 *The purposes of this title are to—*

18 (1) *increase the priority given to child safety in*
19 *any State court divorce, separation, visitation, pater-*
20 *nity, child support, civil protection order, or family*
21 *custody court proceeding affecting the custody and*
22 *care of children, excluding child protective, abuse, or*
23 *neglect proceedings and juvenile justice proceedings;*

24 (2) *strengthen the abilities of courts to—*

1 (A) recognize and adjudicate domestic vio-
2 lence and child abuse allegations based on valid,
3 admissible evidence; and

4 (B) enter orders that protect and minimize
5 the risk of harm to children; and

6 (3) ensure that professional personnel involved in
7 cases containing domestic violence or child abuse alle-
8 gations receive trauma-informed and culturally ap-
9 propriate training on the dynamics, signs, and im-
10 pact of domestic violence and child abuse, including
11 child sexual abuse.

12 **SEC. 1504. INCREASED FUNDING FOR STOP GRANTS.**

13 Section 2007 of title I of the Omnibus Crime Control
14 and Safe Streets Act of 1968 (34 U.S.C. 10446) is amended
15 by adding at the end the following:

16 “(k) GRANT INCREASES FOR STATES WITH CERTAIN
17 CHILD CUSTODY PROCEEDING LAWS AND STANDARDS.—

18 “(1) DEFINITIONS.—In this subsection:

19 “(A) CHILD CUSTODY PROCEEDING.—The
20 term ‘child custody proceeding’—

21 “(i) means a private family court pro-
22 ceeding in State or local court that, with re-
23 spect to a child, involves the care or custody
24 of the child in a private divorce, separation,
25 visitation, paternity, child support, legal or

1 *physical custody, or civil protection order*
2 *proceeding between the parents of the child;*
3 *and*

4 “(i) *does not include—*

5 “(I) *any child protective, abuse,*
6 *or neglect proceeding;*

7 “(II) *a juvenile justice proceeding;*
8 *or*

9 “(III) *any child placement pro-*
10 *ceeding in which a State, local, or*
11 *Tribal government, a designee of such*
12 *a government, or any contracted child*
13 *welfare agency or child protective serv-*
14 *ices agency of such a government is a*
15 *party to the proceeding.*

16 “(B) *ELIGIBLE STATE.—The term ‘eligible*
17 *State’ means a State that—*

18 “(i) *receives a grant under subsection*
19 *(a); and*

20 “(ii) *has in effect—*

21 “(I) *each law described in para-*
22 *graph (3);*

23 “(II) *the standards described in*
24 *paragraph (4); and*

1 “(III) the training program de-
2 scribed in paragraph (5).

3 “(C) *REUNIFICATION TREATMENT.*—The
4 term ‘reunification treatment’ means a treat-
5 ment or therapy aimed at reuniting or reestab-
6 lishing a relationship between a child and an es-
7 tranged or rejected parent or other family mem-
8 ber of the child.

9 “(2) *INCREASE.*—

10 “(A) *IN GENERAL.*—The Attorney General
11 shall increase the amount of a grant awarded
12 under subsection (a) to an eligible State that
13 submits an application under paragraph (6) by
14 an amount that is not more than 10 percent of
15 the average of the total amount of funding pro-
16 vided to the State under subsection (a) under the
17 3 most recent awards to the State.

18 “(B) *TERM OF INCREASE.*—An increase of a
19 grant under subparagraph (A) shall be for 1 fis-
20 cal year.

21 “(C) *RENEWAL.*—An eligible State that re-
22 ceives an increase under subparagraph (A) may
23 submit an application for renewal of the increase
24 at such time, in such manner, and containing

1 *such information as the Attorney General may*
2 *reasonably require.*

3 “(D) *LIMIT.*—*An eligible State may not re-*
4 *ceive an increase under subparagraph (A) for*
5 *more than 4 fiscal years.*

6 “(3) *LAWS.*—*The laws described in this para-*
7 *graph are the following:*

8 “(A) *A law that ensures that, with respect*
9 *to a child custody proceeding in which a parent*
10 *has been alleged to have committed domestic vio-*
11 *lence or child abuse, including child sexual*
12 *abuse—*

13 “(i) *expert evidence from a court-ap-*
14 *pointed or outside professional relating to*
15 *the alleged abuse may be admitted only if*
16 *the professional possesses demonstrated ex-*
17 *pertise and clinical experience in working*
18 *with victims of domestic violence or child*
19 *abuse, including child sexual abuse, that is*
20 *not solely of a forensic nature; and*

21 “(ii) *in making a finding regarding*
22 *any allegation of domestic violence or child*
23 *abuse, including child sexual abuse, in ad-*
24 *dition to any other relevant admissible evi-*
25 *dence, evidence of past sexual or physical*

1 *abuse committed by the accused parent shall*
2 *be considered, including—*

3 *“(I) any past or current protec-*
4 *tion or restraining orders against the*
5 *accused parent;*

6 *“(II) sexual violence abuse protec-*
7 *tion orders against the accused parent;*

8 *“(III) arrests of the accused par-*
9 *ent for domestic violence, sexual vio-*
10 *lence, or child abuse; or*

11 *“(IV) convictions of the accused*
12 *parent for domestic violence, sexual vi-*
13 *olence, or child abuse.*

14 *“(B) A law that ensures that, during a*
15 *child custody proceeding—*

16 *“(i) a court may not, solely in order to*
17 *improve a deficient relationship with the*
18 *other parent of a child, remove the child*
19 *from a parent or litigating party—*

20 *“(I) who is competent, protective,*
21 *and not physically or sexually abusive;*
22 *and*

23 *“(II) with whom the child is*
24 *bonded or to whom the child is at-*
25 *tached;*

1 “(ii) a court may not, solely in order
2 to improve a deficient relationship with the
3 other parent of a child, restrict contact be-
4 tween the child and a parent or litigating
5 party—

6 “(I) who is competent, protective,
7 and not physically or sexually abusive;
8 and

9 “(II) with whom the child is
10 bonded or to whom the child is at-
11 tached;

12 “(iii) a court may not order a reunifi-
13 cation treatment, unless there is generally
14 accepted and scientifically valid proof of the
15 safety, effectiveness, and therapeutic value of
16 the reunification treatment;

17 “(iv) a court may not order a reunifi-
18 cation treatment that is predicated on cut-
19 ting off a child from a parent with whom
20 the child is bonded or to whom the child is
21 attached; and

22 “(v) any order to remediate the resist-
23 ance of a child to have contact with a vio-
24 lent or abusive parent primarily addresses
25 the behavior of that parent or the contribu-

1 *tions of that parent to the resistance of the*
2 *child before ordering the other parent of the*
3 *child to take steps to potentially improve*
4 *the relationship of the child with the parent*
5 *with whom the child resists contact.*

6 *“(C) A law that requires judges and mag-*
7 *istrates who hear child custody proceedings and*
8 *other relevant court personnel involved in child*
9 *custody proceedings, including guardians ad*
10 *litem, best interest attorneys, counsel for chil-*
11 *dren, custody evaluators, masters, and mediators*
12 *to complete, with respect to the training program*
13 *described in paragraph (5)—*

14 *“(i) not less than 20 hours of initial*
15 *training; and*

16 *“(ii) not less than 15 hours of ongoing*
17 *training every 5 years.*

18 *“(4) UNIFORM REQUIRED STANDARDS.—The*
19 *standards described in this paragraph are uniform*
20 *required standards that—*

21 *“(A) apply to any neutral professional ap-*
22 *pointed by a court during a child custody pro-*
23 *ceeding to express an opinion relating to abuse,*
24 *trauma, or the behaviors of victims and per-*
25 *petrators of abuse and trauma; and*

1 “(B) require that a professional described in
2 subparagraph (A) possess demonstrated expertise
3 and clinical experience in working with victims
4 of domestic violence or child abuse, including
5 child sexual abuse, that is not solely of a forensic
6 nature.

7 “(5) TRAINING AND EDUCATION PROGRAM.—The
8 training program described in this paragraph is an
9 ongoing training and education program that—

10 “(A) focuses solely on domestic and sexual
11 violence and child abuse, including—

12 “(i) child sexual abuse;

13 “(ii) physical abuse;

14 “(iii) emotional abuse;

15 “(iv) coercive control;

16 “(v) implicit and explicit bias, includ-
17 ing biases relating to parents with disabil-
18 ities;

19 “(vi) trauma;

20 “(vii) long- and short-term impacts of
21 domestic violence and child abuse on chil-
22 dren; and

23 “(viii) victim and perpetrator behavior
24 patterns and relationship dynamics within
25 the cycle of violence;

1 “(B) is provided by—

2 “(i) a professional with substantial ex-
3 perience in assisting survivors of domestic
4 violence or child abuse, including a victim
5 service provider (as defined in section
6 40002 of the Violence Against Women Act of
7 1994 (34 U.S.C. 12291)); and

8 “(ii) if possible, a survivor of domestic
9 violence or child physical or sexual abuse;

10 “(C) relies on evidence-based and peer-re-
11 viewed research by recognized experts in the
12 types of abuse described in subparagraph (A);

13 “(D) does not include theories, concepts, or
14 belief systems unsupported by the research de-
15 scribed in subparagraph (C); and

16 “(E) is designed to improve the ability of
17 courts to—

18 “(i) recognize and respond to child
19 physical abuse, child sexual abuse, domestic
20 violence, and trauma in all family victims,
21 particularly children; and

22 “(ii) make appropriate custody deci-
23 sions that—

24 “(I) prioritize child safety and
25 well-being; and

1 “(II) are culturally sensitive and
2 appropriate for diverse communities.

3 “(6) APPLICATION.—

4 “(A) IN GENERAL.—An eligible State desir-
5 ing a grant increase under this subsection shall
6 submit an application to the Attorney General
7 at such time, in such manner, and containing
8 such information as the Attorney General may
9 reasonably require.

10 “(B) CONTENTS.—An application submitted
11 by an eligible State under subparagraph (A)
12 shall include information relating to—

13 “(i) the laws described paragraph (3);

14 “(ii) the standards described in para-
15 graph (4); and

16 “(iii) the training program described
17 in paragraph (5).

18 “(7) USE OF FUNDS.—An eligible State that re-
19 ceives a grant increase under paragraph (2)(A) shall
20 use the total amount of the increase for the purposes
21 described in subparagraph (C) or (D) of subsection
22 (c)(4).

23 “(8) RULE OF CONSTRUCTION.—Nothing in this
24 subsection shall be interpreted as discouraging States
25 from adopting additional provisions to increase safe

1 *outcomes for children. Additional protective provi-*
2 *sions are encouraged.*

3 “(9) *AUTHORIZATION OF APPROPRIATIONS.—*
4 *There are authorized to be appropriated to carry out*
5 *this subsection \$5,000,000 for each of fiscal years*
6 *2023 through 2027.”.*

7 **SEC. 1505. SEXUAL ASSAULT SURVIVORS’ RIGHTS.**

8 *Section 3772(a)(2) of title 18, United States Code, is*
9 *amended—*

10 (1) *in subparagraph (B), by striking “; and”*
11 *and inserting a semicolon;*

12 (2) *in subparagraph (C), by striking the period*
13 *at the end and inserting “; and”; and*

14 (3) *by adding at the end the following new sub-*
15 *paragraph:*

16 “(D) *be informed of the status and location*
17 *of a sexual assault evidence collection kit.”.*

18 **SEC. 1506. GRANTS TO STATE AND TRIBAL COURTS TO IM-**
19 **PLEMENT PROTECTION ORDER PILOT PRO-**
20 **GRAMS.**

21 *Part U of title I of the Omnibus Crime Control and*
22 *Safe Streets Act of 1968 (34 U.S.C. 10461 et seq.) is amend-*
23 *ed—*

1 (1) *by redesignating sections 2103, 2104, and*
2 *2105 as sections 2104, 2105, and 2106, respectively;*
3 *and*

4 (2) *by inserting after section 2102 the following:*

5 **“SEC. 2103. GRANTS TO STATE AND TRIBAL COURTS TO IM-**
6 **PLEMENT PROTECTION ORDER PILOT PRO-**
7 **GRAMS.**

8 “(a) *DEFINITION OF ELIGIBLE ENTITY.—In this sec-*
9 *tion, the term ‘eligible entity’ means a State or Tribal court*
10 *that is part of a multidisciplinary partnership that in-*
11 *cludes, to the extent practicable—*

12 “(1) *a State, Tribal, or local law enforcement*
13 *agency;*

14 “(2) *a State, Tribal, or local prosecutor’s office;*

15 “(3) *a victim service provider or State or Tribal*
16 *domestic violence coalition;*

17 “(4) *a provider of culturally specific services;*

18 “(5) *a nonprofit program or government agency*
19 *with demonstrated experience in providing legal as-*
20 *istance or legal advice to victims of domestic violence*
21 *and sexual assault;*

22 “(6) *the bar association of the applicable State*
23 *or Indian Tribe;*

24 “(7) *the State or Tribal association of court*
25 *clerks;*

1 “(8) a State, Tribal, or local association of
2 criminal defense attorneys;

3 “(9) not fewer than 2 individuals with expertise
4 in the design and management of court case manage-
5 ment systems and systems of integration;

6 “(10) not fewer than 2 State or Tribal court
7 judges with experience in—

8 “(A) the field of domestic violence; and

9 “(B) issuing protective orders; and

10 “(11) a judge assigned to the criminal docket of
11 the State or Tribal court.

12 “(b) GRANTS AUTHORIZED.—

13 “(1) IN GENERAL.—The Attorney General shall
14 make grants to eligible entities to carry out the activi-
15 ties described in subsection (c) of this section.

16 “(2) NUMBER.—The Attorney General may
17 award not more than 10 grants under paragraph (1).

18 “(3) AMOUNT.—The amount of a grant awarded
19 under paragraph (1) may be not more than
20 \$1,500,000.

21 “(c) MANDATORY ACTIVITIES.—

22 “(1) IN GENERAL.—An eligible entity that re-
23 ceives a grant under this section shall use the grant
24 funds, in consultation with the partners of the eligible
25 entity described in subsection (a), to—

1 “(A) develop and implement a program for
2 properly and legally serving protection orders
3 through electronic communication methods to—

4 “(i) modernize the service process and
5 make the process more effective and effi-
6 cient;

7 “(ii) provide for improved safety of
8 victims; and

9 “(iii) make protection orders enforce-
10 able as quickly as possible;

11 “(B) develop best practices relating to the
12 service of protection orders through electronic
13 communication methods;

14 “(C) ensure that the program developed
15 under subparagraph (A) complies with due proc-
16 ess requirements and any other procedures re-
17 quired by law or by a court; and

18 “(D) implement any technology necessary to
19 carry out the program developed under subpara-
20 graph (A), such as technology to verify and track
21 the receipt of a protection order by the intended
22 party.

23 “(2) *TIMELINE*.—An eligible entity that receives
24 a grant under this section shall—

1 “(A) implement the program required under
2 paragraph (1)(A) not later than 2 years after the
3 date on which the eligible entity receives the
4 grant; and

5 “(B) carry out the program required under
6 paragraph (1)(A) for not fewer than 3 years.

7 “(d) *DIVERSITY OF RECIPIENTS.*—The Attorney Gen-
8 eral shall award grants under this section to eligible entities
9 in a variety of areas and situations, including, to the extent
10 practicable—

11 “(1) a State court that serves a population of not
12 fewer than 1,000,000 individuals;

13 “(2) a State court that—

14 “(A) serves a State that is among the 7
15 States with the lowest population density in the
16 United States; and

17 “(B) has a relatively low rate of successful
18 service with respect to protection orders, as deter-
19 mined by the Attorney General;

20 “(3) a State court that—

21 “(A) serves a State that is among the 7
22 States with the highest population density in the
23 United States; and

1 “(B) has a relatively low rate of successful
2 service with respect to protection orders, as deter-
3 mined by the Attorney General;

4 “(4) a court that uses an integrated, statewide
5 case management system;

6 “(5) a court that uses a standalone case manage-
7 ment system;

8 “(6) a Tribal court; and

9 “(7) a court that primarily serves a culturally
10 specific and underserved population.

11 “(e) APPLICATION.—

12 “(1) IN GENERAL.—An eligible entity desiring a
13 grant under this section shall submit to the Attorney
14 General an application that includes—

15 “(A) a description of the process that the el-
16 igible entity uses for service of protection orders
17 at the time of submission of the application;

18 “(B) to the extent practicable, statistics re-
19 lating to protection orders during the 3 calendar
20 years preceding the date of submission of the ap-
21 plication, including rates of—

22 “(i) successful service; and

23 “(ii) enforcement;

1 “(C) *an initial list of the entities serving as*
2 *the partners of the eligible entity described in*
3 *subsection (a); and*

4 “(D) *any other information the Attorney*
5 *General may reasonably require.*

6 “(2) *NO OTHER APPLICATION REQUIRED.—An el-*
7 *igible entity shall not be required to submit an appli-*
8 *cation under section 2102 to receive a grant under*
9 *this section.*

10 “(f) *REPORT TO ATTORNEY GENERAL.—*

11 “(1) *INITIAL REPORT.—Not later than 2 years*
12 *after the date on which an eligible entity receives a*
13 *grant under this section, the eligible entity shall sub-*
14 *mit to the Attorney General a report that details the*
15 *plan of the eligible entity for implementation of the*
16 *program under subsection (c).*

17 “(2) *SUBSEQUENT REPORTS.—*

18 “(A) *IN GENERAL.—Not later than 1 year*
19 *after the date on which an eligible entity imple-*
20 *ments a program under subsection (c), and not*
21 *later than 2 years thereafter, the eligible entity*
22 *shall submit to the Attorney General a report*
23 *that describes the program, including, with re-*
24 *spect to the program—*

25 “(i) *the viability;*

1 “(ii) the cost;

2 “(iii) service statistics;

3 “(iv) the challenges;

4 “(v) an analysis of the technology used
5 to fulfill the goals of the program;

6 “(vi) an analysis of any legal or due
7 process issues resulting from the electronic
8 service method described in subsection
9 (c)(1)(A); and

10 “(vii) best practices for implementing
11 such a program in other similarly situated
12 locations.

13 “(B) CONTENTS OF FINAL REPORT.—An eli-
14 gible entity shall include in the second report
15 submitted under subparagraph (A) recommenda-
16 tions for—

17 “(i) future nationwide implementation
18 of the program implemented by the eligible
19 entity; and

20 “(ii) usage of electronic service, similar
21 to the service used by the eligible entity, for
22 other commonly used court orders, includ-
23 ing with respect to viability and cost.

24 “(g) NO REGULATIONS OR GUIDELINES REQUIRED.—
25 Notwithstanding section 2105, the Attorney General shall

1 *not be required to publish regulations or guidelines imple-*
2 *menting this section.*

3 “(h) *AUTHORIZATION OF APPROPRIATIONS.—There is*
4 *authorized to be appropriated to carry out this section*
5 *\$10,000,000 for fiscal years 2023 through 2027.”.*

6 **SEC. 1507. ONLINE SURVEY TOOL FOR CAMPUS SAFETY.**

7 (a) *IN GENERAL.—The Secretary of Education, in*
8 *consultation with the Attorney General, the Director of the*
9 *Centers for Disease Control and Prevention, the Secretary*
10 *of Health and Human Services, and experts in domestic*
11 *violence, dating violence, sexual assault, sexual harassment,*
12 *and stalking, shall develop, design, and make available*
13 *through a secure and accessible online portal, a standard-*
14 *ized online survey tool regarding postsecondary student ex-*
15 *periences with domestic violence, dating violence, sexual as-*
16 *sault, sexual harassment, and stalking.*

17 (b) *DEVELOPMENT OF SURVEY TOOL.—In developing*
18 *the survey tool required under subsection (a), the Secretary*
19 *of Education shall—*

20 (1) *use best practices from peer-reviewed research*
21 *measuring domestic violence, dating violence, sexual*
22 *assault, sexual harassment, and stalking;*

23 (2) *consult with the higher education commu-*
24 *nity, experts in survey research related to domestic vi-*
25 *olence, dating violence, sexual assault, sexual harass-*

1 *ment, and stalking, and organizations engaged in the*
2 *prevention of and response to, and advocacy on behalf*
3 *of victims of, domestic violence, dating violence, sex-*
4 *ual assault, sexual harassment, and stalking, includ-*
5 *ing victims from culturally specific populations and*
6 *victims with disabilities, regarding the development*
7 *and design of such survey tool and the methodology*
8 *for administration of such survey tool; and*

9 *(3) ensure that the survey tool is readily acces-*
10 *sible to and usable by individuals with disabilities.*

11 *(c) ELEMENTS.—*

12 *(1) IN GENERAL.—The survey tool developed*
13 *pursuant to this section shall be fair and unbiased,*
14 *be scientifically valid and reliable, meet the highest*
15 *standards of survey research, and notify the partici-*
16 *phant that anonymized results of the survey may be*
17 *published.*

18 *(2) SURVEY QUESTIONS.—Survey questions in-*
19 *cluded in the survey tool developed pursuant to this*
20 *section shall—*

21 *(A) be designed to gather information on*
22 *student experiences with domestic violence, dat-*
23 *ing violence, sexual assault, sexual harassment,*
24 *and stalking, including the experiences of victims*
25 *of such incidents;*

1 (B) use trauma-informed language to pre-
2 vent re-traumatization; and

3 (C) include—

4 (i) questions that give students the op-
5 tion to report their demographic informa-
6 tion;

7 (ii) questions designed to determine the
8 incidence and prevalence of domestic vio-
9 lence, dating violence, sexual assault, sexual
10 harassment, and stalking;

11 (iii) questions regarding whether stu-
12 dents know about institutional policies and
13 procedures related to domestic violence, dat-
14 ing violence, sexual assault, sexual harass-
15 ment, and stalking;

16 (iv) questions designed to determine, if
17 victims reported domestic violence, dating
18 violence, sexual assault, sexual harassment,
19 or stalking—

20 (I) to whom the incident was re-
21 ported and what response the victim
22 may have received;

23 (II) whether the victim was in-
24 formed of, or referred to, national,

1 *State, local, Tribal, or on-campus re-*
2 *sources; and*

3 *(III) whether the entity to whom*
4 *the victim reported the incident con-*
5 *ducted an investigation and the dura-*
6 *tion and final resolution of such an in-*
7 *vestigation;*

8 *(v) questions regarding contextual fac-*
9 *tors, such as whether force, incapacitation,*
10 *or coercion was involved;*

11 *(vi) questions to determine whether an*
12 *accused individual was a student at the in-*
13 *stitution;*

14 *(vii) questions to determine whether a*
15 *victim reported an incident to Federal,*
16 *State, local, Tribal, or campus law enforce-*
17 *ment;*

18 *(viii) questions to determine why the*
19 *victim chose to report or not report an inci-*
20 *dent to the institution or State, local, or*
21 *campus law enforcement;*

22 *(ix) questions to determine the impact*
23 *of domestic violence, dating violence, sexual*
24 *assault, sexual harassment, and stalking on*
25 *the victim's education, including dimin-*

1 *ished grades, dropped classes, leaves of ab-*
2 *sence, and negative financial consequences*
3 *(such as costs associated with loss in paid*
4 *tuition due to leaves of absence, loss in*
5 *scholarship awards due to diminished*
6 *grades, loss of foreign-student visas, and*
7 *costs associated with counseling, medical*
8 *services, or housing changes);*

9 *(x) questions to determine the impact*
10 *and effectiveness of prevention and aware-*
11 *ness programs and complaints processes;*

12 *(xi) questions to determine attitudes*
13 *toward sexual violence and harassment, in-*
14 *cluding the willingness of individuals to in-*
15 *tervene as a bystander to sex-based (includ-*
16 *ing against lesbian, gay, bisexual, or*
17 *transgender (commonly referred to as*
18 *“LGBT”) individuals), race-based, national*
19 *origin-based, and disability-based discrimi-*
20 *nation, harassment, assault, domestic vio-*
21 *lence, dating violence, sexual assault, sexual*
22 *harassment, and stalking; and*

23 *(xii) other questions, as determined by*
24 *the Secretary of Education.*

1 (3) *ADDITIONAL ELEMENTS.*—*In addition to the*
2 *standardized questions developed by the Secretary of*
3 *Education under paragraph (2), subject to the review*
4 *and approval of the Secretary of Education, an insti-*
5 *tution of higher education may request additional in-*
6 *formation from students that would increase the un-*
7 *derstanding of the institution of school climate factors*
8 *unique to the campuses affiliated with the institution.*

9 (4) *RESPONSES.*—*The responses to the survey*
10 *questions described in paragraph (2) shall—*

11 (A) *be submitted confidentially;*

12 (B) *not be included in crime statistics; and*

13 (C) *in the case of such responses being in-*
14 *cluded in a report, not include personally identi-*
15 *fiable information.*

16 (d) *ADMINISTRATION OF SURVEY.*—

17 (1) *FEDERAL ADMINISTRATION.*—*The Secretary*
18 *of Education, in consultation with the Attorney Gen-*
19 *eral, the Director of the Centers for Disease Control*
20 *and Prevention, and the Secretary of Health and*
21 *Human Services, shall develop a mechanism by which*
22 *institutions of higher education may, with respect to*
23 *the survey tool developed pursuant to this section—*

24 (A) *administer such survey tool; and*

1 (B) *modify such survey tool to include addi-*
2 *tional elements or requirements, as determined*
3 *by the institution, subject to the review and ap-*
4 *proval of the Secretary of Education.*

5 (2) *COSTS.*—*The Secretary of Education may*
6 *not require an institution of higher education to pay*
7 *to modify the survey tool in accordance with para-*
8 *graph (1)(B).*

9 (3) *ACCESSIBILITY.*—*The Secretary of Education*
10 *shall ensure that the survey tool is administered in*
11 *such a way as to be readily accessible to and usable*
12 *by individuals with disabilities.*

13 (4) *INSTITUTIONAL ADMINISTRATION.*—*Begin-*
14 *ning not later than 1 year after the date on which the*
15 *Secretary of Education makes available to institu-*
16 *tions the mechanism described in paragraph (1), and*
17 *every 2 years thereafter, each institution of higher*
18 *education that receives Federal educational assistance*
19 *shall administer the survey tool developed pursuant to*
20 *this section.*

21 (e) *COMPLETED SURVEYS.*—*The Secretary of Edu-*
22 *cation shall require each institution of higher education*
23 *that administers the survey tool developed pursuant to this*
24 *section to ensure, to the maximum extent practicable, that*
25 *an adequate, random, and representative sample size of stu-*

1 *dents (as determined by the Secretary) enrolled at the insti-*
2 *tution complete the survey tool developed pursuant to this*
3 *section.*

4 *(f) REPORT.—*

5 *(1) IN GENERAL.—Beginning not later than 2*
6 *years after the date of enactment of this Act, the Sec-*
7 *retary of Education shall—*

8 *(A) prepare a biennial report on the infor-*
9 *mation gained from the standardized elements of*
10 *the survey under this section and publish such*
11 *report in an accessible format on the website of*
12 *the Department of Education, including as part*
13 *of any online consumer tool offered or supported*
14 *by the Department of Education that provides*
15 *information to students regarding specific post-*
16 *secondary educational institutions, such as the*
17 *College Scorecard or any successor or similar*
18 *tool; and*

19 *(B) submit such report to Congress.*

20 *(2) INCLUSIONS AND EXCLUSIONS.—The report*
21 *required to be prepared under paragraph (1)—*

22 *(A) shall include campus-level data for each*
23 *institution and attributed by name of each cam-*
24 *pus in a manner that permits comparisons*
25 *across institutions and campuses; and*

1 (B) shall not publish any individual survey
2 responses.

3 (g) *PUBLICATION.*—Each institution of higher edu-
4 cation shall publish, in a manner that is readily accessible
5 and usable by individuals, including individuals with dis-
6 abilities—

7 (1) the campus-level results of the standardized
8 elements of the survey under this section on the
9 website of the institution and in the biennial report
10 required under subsection (f) for the campuses affili-
11 ated with the institution; and

12 (2) the campus-level results of the additional ele-
13 ments modifying the survey by the institution, if any,
14 on the website of the institution.

15 **SEC. 1508. STUDY ON CHILD CUSTODY IN DOMESTIC VIO-**
16 **LENCE CASES.**

17 The Attorney General, in consultation with the Sec-
18 retary of Health and Human Services, shall conduct a
19 study that shall—

20 (1) provide a review of State laws, regulations,
21 and practices on how child neglect and custody situa-
22 tions are handled in domestic violence situations; and

23 (2) include a list of recommendations on how to
24 restructure State laws, regulations, and practices to

1 *better protect victims of domestic violence and their*
2 *children.*

3 ***DIVISION X—INTELLIGENCE AU-***
4 ***THORIZATION FOR FISCAL***
5 ***YEAR 2022***

6 ***SEC. 1. SHORT TITLE.***

7 *This division may be cited as the “Intelligence Author-*
8 *ization Act for Fiscal Year 2022”.*

9 ***SEC. 2. DEFINITIONS.***

10 *In this division:*

11 (1) *CONGRESSIONAL INTELLIGENCE COMMIT-*
12 *TEES.—The term “congressional intelligence commit-*
13 *tees” means—*

14 (A) *the Permanent Select Committee on In-*
15 *telligence and the Subcommittee on Defense of*
16 *the Committee on Appropriations of the House of*
17 *Representatives; and*

18 (B) *the Select Committee on Intelligence*
19 *and the Subcommittee on Defense of the Com-*
20 *mittee on Appropriations of the Senate.*

21 (2) *INTELLIGENCE COMMUNITY.—The term “in-*
22 *telligence community” has the meaning given such*
23 *term in section 3 of the National Security Act of 1947*
24 *(50 U.S.C. 3003).*

1 **SEC. 3. EXPLANATORY STATEMENT.**

2 *The explanatory statement regarding this division,*
3 *printed in the House section of the Congressional Record*
4 *by the Chairman of the Permanent Select Committee on In-*
5 *telligence of the House of Representatives and in the Senate*
6 *section of the Congressional Record by the Chairman of the*
7 *Select Committee on Intelligence of the Senate, shall have*
8 *the same effect with respect to the implementation of this*
9 *division as if it were a joint explanatory statement of a*
10 *committee of conference.*

11 **TITLE I—INTELLIGENCE**
12 **ACTIVITIES**

13 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

14 *Funds are hereby authorized to be appropriated for fis-*
15 *cal year 2022 for the conduct of the intelligence and intel-*
16 *ligence-related activities of the following elements of the*
17 *United States Government:*

18 (1) *The Office of the Director of National Intel-*
19 *ligence.*

20 (2) *The Central Intelligence Agency.*

21 (3) *The Department of Defense.*

22 (4) *The Defense Intelligence Agency.*

23 (5) *The National Security Agency.*

24 (6) *The Department of the Army, the Depart-*
25 *ment of the Navy, and the Department of the Air*
26 *Force.*

1 (7) *The Coast Guard.*

2 (8) *The Department of State.*

3 (9) *The Department of the Treasury.*

4 (10) *The Department of Energy.*

5 (11) *The Department of Justice.*

6 (12) *The Federal Bureau of Investigation.*

7 (13) *The Drug Enforcement Administration.*

8 (14) *The National Reconnaissance Office.*

9 (15) *The National Geospatial-Intelligence Agen-*
10 *cy.*

11 (16) *The Department of Homeland Security.*

12 (17) *The Space Force.*

13 **SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.**

14 (a) *SPECIFICATIONS OF AMOUNTS.*—*The amounts au-*
15 *thorized to be appropriated under section 101 for the con-*
16 *duct of the intelligence activities of the elements listed in*
17 *paragraphs (1) through (17) of section 101, are those speci-*
18 *fied in the classified Schedule of Authorizations prepared*
19 *to accompany this division.*

20 (b) *AVAILABILITY OF CLASSIFIED SCHEDULE OF AU-*
21 *THORIZATIONS.*—

22 (1) *AVAILABILITY.*—*The classified Schedule of*
23 *Authorizations referred to in subsection (a) shall be*
24 *made available to the Committee on Appropriations*

1 *of the Senate, the Committee on Appropriations of the*
2 *House of Representatives, and to the President.*

3 (2) *DISTRIBUTION BY THE PRESIDENT.*—*Subject*
4 *to paragraph (3), the President shall provide for suit-*
5 *able distribution of the classified Schedule of Author-*
6 *izations referred to in subsection (a), or of appro-*
7 *priate portions of such Schedule, within the executive*
8 *branch.*

9 (3) *LIMITS ON DISCLOSURE.*—*The President*
10 *shall not publicly disclose the classified Schedule of*
11 *Authorizations or any portion of such Schedule ex-*
12 *cept—*

13 (A) *as provided in section 601(a) of the Im-*
14 *plementing Recommendations of the 9/11 Com-*
15 *mission Act of 2007 (50 U.S.C. 3306(a));*

16 (B) *to the extent necessary to implement the*
17 *budget; or*

18 (C) *as otherwise required by law.*

19 **SEC. 103. INTELLIGENCE COMMUNITY MANAGEMENT AC-**
20 **COUNT.**

21 (a) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
22 *authorized to be appropriated for the Intelligence Commu-*
23 *nity Management Account of the Director of National Intel-*
24 *ligence for fiscal year 2022 the sum of \$587,100,000.*

1 (b) *CLASSIFIED AUTHORIZATION OF APPROPRIA-*
2 *TIONS.—In addition to amounts authorized to be appro-*
3 *riated for the Intelligence Community Management Ac-*
4 *count by subsection (a), there are authorized to be appro-*
5 *riated for the Intelligence Community Management Ac-*
6 *count for fiscal year 2022 such additional amounts as are*
7 *specified in the classified Schedule of Authorizations re-*
8 *ferred to in section 102(a).*

9 **TITLE II—CENTRAL INTEL-**
10 **LIGENCE AGENCY RETIRE-**
11 **MENT AND DISABILITY SYS-**
12 **TEM**

13 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

14 *There is authorized to be appropriated for the Central*
15 *Intelligence Agency Retirement and Disability Fund*
16 *\$514,000,000 for fiscal year 2022.*

17 **TITLE III—GENERAL INTEL-**
18 **LIGENCE COMMUNITY MAT-**
19 **TERS**

20 **SEC. 301. RESTRICTION ON CONDUCT OF INTELLIGENCE**
21 **ACTIVITIES.**

22 *The authorization of appropriations by this division*
23 *shall not be deemed to constitute authority for the conduct*
24 *of any intelligence activity which is not otherwise author-*
25 *ized by the Constitution or the laws of the United States.*

1 **SEC. 302. INCREASE IN EMPLOYEE COMPENSATION AND**
2 **BENEFITS AUTHORIZED BY LAW.**

3 *Appropriations authorized by this division for salary,*
4 *pay, retirement, and other benefits for Federal employees*
5 *may be increased by such additional or supplemental*
6 *amounts as may be necessary for increases in such com-*
7 *penetration or benefits authorized by law.*

8 **SEC. 303. PROHIBITION ON COLLECTION AND MAINTENANCE OF INFORMATION OF UNITED STATES**
9 **PERSONS BY INTELLIGENCE COMMUNITY**
10 **BASED ON FIRST AMENDMENT-PROTECTED**
11 **ACTIVITIES.**

13 *Title I of the National Security Act of 1947 (50 U.S.C.*
14 *3021 et seq.) is amended by inserting after section 105B*
15 *the following new section (and conforming the table of con-*
16 *tents at the beginning of such Act accordingly):*

17 **“SEC. 105C. PROHIBITION ON COLLECTION AND MAINTENANCE OF INFORMATION OF UNITED STATES**
18 **PERSONS BASED ON FIRST AMENDMENT-PRO-**
19 **TECTED ACTIVITIES.**

21 *“No element of the intelligence community may collect*
22 *or maintain information concerning a United States person*
23 *(as defined in section 105A) solely for the purpose of moni-*
24 *toring an activity protected by the first amendment to the*
25 *Constitution of the United States.”.*

1 **SEC. 304. AUTHORIZATION OF SUPPORT BY DIRECTOR OF**
2 **NATIONAL INTELLIGENCE FOR CERTAIN AC-**
3 **TIVITIES RELATING TO INTELLIGENCE COM-**
4 **MUNITY WORKFORCE.**

5 *Title X of the National Security Act of 1947 (50 U.S.C.*
6 *3191 et seq.) is amended by inserting after section 1024*
7 *the following new section (and conforming the table of con-*
8 *tents at the beginning of such Act accordingly):*

9 **“SEC. 1025. AUTHORIZATION OF SUPPORT BY DIRECTOR OF**
10 **NATIONAL INTELLIGENCE FOR CERTAIN**
11 **WORKFORCE ACTIVITIES.**

12 *“(a) AUTHORIZATION.—The Director may, with or*
13 *without reimbursement, obligate or expend amounts author-*
14 *ized to be appropriated or otherwise made available for the*
15 *Office of the Director of National Intelligence for covered*
16 *workforce activities for the purpose of supporting a covered*
17 *workforce activity of an element of the intelligence commu-*
18 *nity.*

19 *“(b) NOTIFICATION.—Not later than 30 days after the*
20 *date on which the Director exercises the authority in sub-*
21 *section (a), the Director shall submit to the congressional*
22 *intelligence committees and the Committees on Appropria-*
23 *tions of the House of Representatives and the Senate written*
24 *notification of such exercise.*

1 “(c) *COVERED WORKFORCE ACTIVITY DEFINED.*—In
2 *this section, the term ‘covered workforce activity’ means an*
3 *activity relating to—*

4 “(1) *recruitment or retention of the intelligence*
5 *community workforce; or*

6 “(2) *diversity, equality, inclusion, or accessi-*
7 *bility, with respect to such workforce.”.*

8 **SEC. 305. REQUIREMENTS RELATING TO CONSTRUCTION OF**
9 **FACILITIES TO BE USED PRIMARILY BY IN-**
10 **TELLIGENCE COMMUNITY.**

11 *Section 602(a) of the Intelligence Authorization Act for*
12 *Fiscal Year 1995 (50 U.S.C. 3304(a)) is amended—*

13 (1) *in paragraph (1), by striking “\$5,000,000”*
14 *and inserting “\$6,000,000”; and*

15 (2) *in paragraph (2), by striking “\$5,000,000”*
16 *and inserting “\$6,000,000”.*

17 **SEC. 306. AUTHORITY FOR TRANSPORTATION OF FEDER-**
18 **ALLY OWNED CANINES ASSOCIATED WITH**
19 **FORCE PROTECTION DUTIES OF INTEL-**
20 **LIGENCE COMMUNITY.**

21 *Section 1344(a)(2)(B) of title 31, United States Code,*
22 *is amended by inserting “, or transportation of federally*
23 *owned canines associated with force protection duties of any*
24 *part of the intelligence community (as defined in section*

1 *3 of the National Security Act of 1947 (50 U.S.C. 3003))”*
2 *after “duties”.*

3 **SEC. 307. PUBLICATION OF UNCLASSIFIED APPENDICES**
4 **FROM REPORTS ON INTELLIGENCE COMMU-**
5 **NITY PARTICIPATION IN VULNERABILITIES**
6 **EQUITIES PROCESS.**

7 *Section 6720(c) of the Damon Paul Nelson and Mat-*
8 *thew Young Pollard Intelligence Authorization Act for Fis-*
9 *cal Years 2018, 2019, and 2020 (50 U.S.C. 3316a(c)) is*
10 *amended by adding at the end the following:*

11 *“(4) PUBLICATION.—The Director of National*
12 *Intelligence shall make available to the public each*
13 *unclassified appendix submitted with a report under*
14 *paragraph (1) pursuant to paragraph (2).”.*

15 **SEC. 308. REQUIREMENTS FOR CERTAIN EMPLOYMENT AC-**
16 **TIVITIES BY FORMER INTELLIGENCE OFFI-**
17 **CERS AND EMPLOYEES.**

18 *(a) MODIFICATIONS TO REQUIREMENT.—*

19 *(1) IN GENERAL.—Section 304 of the National*
20 *Security Act of 1947 (50 U.S.C. 3073a) is amended*
21 *to read as follows:*

22 **“SEC. 304. REQUIREMENTS FOR CERTAIN EMPLOYMENT AC-**
23 **TIVITIES BY FORMER INTELLIGENCE OFFI-**
24 **CERS AND EMPLOYEES.**

25 *“(a) TEMPORARY RESTRICTION.—*

1 “(1) *COVERED POST-SERVICE POSITION.*—*Except*
2 *as provided by paragraph (2), an employee of an ele-*
3 *ment of the intelligence community who occupies a*
4 *covered intelligence position may not occupy a cov-*
5 *ered post-service position during the 30-month period*
6 *following the date on which the employee ceases to oc-*
7 *cupy a covered intelligence position.*

8 “(2) *WAIVER.*—

9 “(A) *AUTHORITY.*—*On a case-by-case basis,*
10 *the Director of National Intelligence may tempo-*
11 *rarily waive the restriction in paragraph (1)*
12 *with respect to an employee or former employee*
13 *who is subject to that restriction if—*

14 “(i) *the employee or former employee*
15 *submits to the Director a written applica-*
16 *tion for such waiver in such form and man-*
17 *ner as the Director determines appropriate;*
18 *and*

19 “(ii) *the Director determines that such*
20 *waiver is necessary to advance the national*
21 *security interests of the United States.*

22 “(B) *PERIOD OF WAIVER.*—*A waiver issued*
23 *under subparagraph (A) shall apply for a period*
24 *not exceeding 5 years. The Director may renew*
25 *such a waiver.*

1 “(C) *REVOCATION.*—*The Director may re-*
2 *voke a waiver issued under subparagraph (A) to*
3 *an employee or former employee, effective on the*
4 *date that is 60 days after the date on which the*
5 *Director provides the employee or former em-*
6 *ployee written notice of such revocation.*

7 “(D) *TOLLING.*—*The 30-month restriction*
8 *in paragraph (1) shall be tolled for an employee*
9 *or former employee during the period beginning*
10 *on the date on which a waiver is issued under*
11 *subparagraph (A) and ending on the date on*
12 *which the waiver expires or on the effective date*
13 *of a revocation under subparagraph (C), as the*
14 *case may be.*

15 “(E) *NOTIFICATION.*—*Not later than 30*
16 *days after the date on which the Director issues*
17 *a waiver under subparagraph (A) or a revoca-*
18 *tion of a waiver under subparagraph (C), the*
19 *Director shall submit to the congressional intel-*
20 *ligence committees written notification of the*
21 *waiver or revocation, as the case may be. Such*
22 *notification shall include the following:*

23 “(i) *With respect to a waiver issued to*
24 *an employee or former employee—*

1 “(I) the details of the application,
2 including the covered intelligence posi-
3 tion held or formerly held by the em-
4 ployee or former employee;

5 “(II) the nature of the activities of
6 the employee or former employee after
7 ceasing to occupy a covered intelligence
8 position;

9 “(III) a description of the na-
10 tional security interests that will be
11 advanced by reason of issuing such
12 waiver; and

13 “(IV) the specific reasons why the
14 Director determines that issuing such
15 waiver will advance such interests.

16 “(ii) With respect to a revocation of a
17 waiver issued to an employee or former em-
18 ployee—

19 “(I) the details of the waiver, in-
20 cluding any renewals of such waiver,
21 and the dates of such waiver and re-
22 newals; and

23 “(II) the specific reasons why the
24 Director determined that such revoca-
25 tion is warranted.

1 “(b) *COVERED POST-SERVICE EMPLOYMENT REPORT-*
2 *ING.*—

3 “(1) *REQUIREMENT.*—*During the period de-*
4 *scribed in paragraph (2), an employee who ceases to*
5 *occupy a covered intelligence position shall—*

6 “(A) *report covered post-service employment*
7 *to the head of the element of the intelligence com-*
8 *munity that employed such employee in such*
9 *covered intelligence position upon accepting such*
10 *covered post-service employment; and*

11 “(B) *annually (or more frequently if the*
12 *head of such element considers it appropriate)*
13 *report covered post-service employment to the*
14 *head of such element.*

15 “(2) *PERIOD DESCRIBED.*—*The period described*
16 *in this paragraph is the period beginning on the date*
17 *on which an employee ceases to occupy a covered in-*
18 *telligence position and ending on the date that is—*

19 “(A) *5 years after the employee ceases to oc-*
20 *cupy such position, plus*

21 “(B) *the number of months for which the*
22 *employee is issued a waiver under subsection*
23 *(a)(2).*

24 “(3) *REGULATIONS.*—*The head of each element of*
25 *the intelligence community shall issue regulations re-*

1 *quiring, as a condition of employment, each employee*
2 *of such element occupying a covered intelligence posi-*
3 *tion to sign a written agreement requiring the regular*
4 *reporting of covered post-service employment to the*
5 *head of such element pursuant to paragraph (1).*

6 *“(c) PENALTIES.—*

7 *“(1) CRIMINAL PENALTIES.—A former employee*
8 *who knowingly and willfully violates subsection (a) or*
9 *who knowingly and willfully fails to make a required*
10 *report under subsection (b) shall be fined under title*
11 *18, United States Code, or imprisoned for not more*
12 *than 5 years, or both. Each report under subsection*
13 *(b) shall be subject to section 1001 of title 18, United*
14 *States Code.*

15 *“(2) SECURITY CLEARANCES.—The head of an*
16 *element of the intelligence community shall revoke the*
17 *security clearance of a former employee if the former*
18 *employee knowingly and willfully fails to make a re-*
19 *quired report under subsection (b) or knowingly and*
20 *willfully makes a false report under such subsection.*

21 *“(d) PROVISION OF INFORMATION.—*

22 *“(1) TRAINING.—The head of each element of the*
23 *intelligence community shall regularly provide train-*
24 *ing on the reporting requirements under subsection*

1 **(b)** to employees of that element who occupy a covered
2 intelligence position.

3 “(2) *WRITTEN NOTICE.*—The head of each ele-
4 ment of the intelligence community shall provide
5 written notice of the reporting requirements under
6 subsection (b) to an employee when the employee
7 ceases to occupy a covered intelligence position.

8 “(e) *ANNUAL REPORTS.*—

9 “(1) *REQUIREMENT.*—Not later than March 31
10 of each year, the Director of National Intelligence
11 shall submit to the congressional intelligence commit-
12 tees a report on covered post-service employment oc-
13 curring during the year covered by the report.

14 “(2) *ELEMENTS.*—Each report under paragraph
15 (1) shall include the following:

16 “(A) The number of former employees who
17 occupy a covered post-service position, broken
18 down by—

19 “(i) the name of the employer;

20 “(ii) the foreign government, including
21 by the specific foreign individual, agency,
22 or entity, for whom the covered post-service
23 employment is being performed; and

1 “(iii) the nature of the services pro-
2 vided as part of the covered post-service em-
3 ployment.

4 “(B) A certification by the Director that—

5 “(i) each element of the intelligence
6 community maintains adequate systems
7 and processes for ensuring that former em-
8 ployees are submitting reports required
9 under subsection (b);

10 “(ii) to the knowledge of the heads of
11 the elements of the intelligence community,
12 all former employees who occupy a covered
13 post-service position are in compliance with
14 this section;

15 “(iii) the services provided by former
16 employees who occupy a covered post-service
17 position do not—

18 “(I) pose a current or future
19 threat to the national security of the
20 United States; or

21 “(II) pose a counterintelligence
22 risk; and

23 “(iv) the Director and the heads of
24 such elements are not aware of any credible
25 information or reporting that any former

1 *employee who occupies a covered post-serv-*
2 *ice position has engaged in activities that*
3 *violate Federal law, infringe upon the pri-*
4 *vacancy rights of United States persons, or*
5 *constitute abuses of human rights.*

6 “(3) *FORM.*—*Each report under paragraph (1)*
7 *shall be submitted in unclassified form, but may in-*
8 *clude a classified annex.*

9 “(f) *NOTIFICATION.*—*In addition to the annual reports*
10 *under subsection (e), if a head of an element of the intel-*
11 *ligence community determines that the services provided by*
12 *a former employee who occupies a covered post-service posi-*
13 *tion pose a threat or risk described in clause (iii) of para-*
14 *graph (2)(B) of such subsection, or include activities de-*
15 *scribed in clause (iv) of such paragraph, the head shall no-*
16 *tify the congressional intelligence committees of such deter-*
17 *mination by not later than 7 days after making such deter-*
18 *mination. The notification shall include the following:*

19 “(1) *The name of the former employee.*

20 “(2) *The name of the employer.*

21 “(3) *The foreign government, including the spe-*
22 *cific foreign individual, agency, or entity, for whom*
23 *the covered post-service employment is being per-*
24 *formed.*

25 “(4) *As applicable, a description of—*

1 “(A) *the risk to national security, the coun-*
2 *terintelligence risk, or both; and*

3 “(B) *the activities that may violate Federal*
4 *law, infringe upon the privacy rights of United*
5 *States persons, or constitute abuses of human*
6 *rights.*

7 “(g) *DEFINITIONS.—In this section:*

8 “(1) *COVERED INTELLIGENCE POSITION.—The*
9 *term ‘covered intelligence position’ means a position*
10 *within an element of the intelligence community that,*
11 *based on the level of access of a person occupying such*
12 *position to information regarding sensitive intel-*
13 *ligence sources or methods or other exceptionally sen-*
14 *sitive matters, the head of such element determines*
15 *should be subject to the requirements of this section.*

16 “(2) *COVERED POST-SERVICE EMPLOYMENT.—*
17 *The term ‘covered post-service employment’ means di-*
18 *rect or indirect employment by, representation of, or*
19 *any provision of advice or services relating to na-*
20 *tional security, intelligence, the military, or internal*
21 *security to, the government of a foreign country or*
22 *any company, entity, or other person whose activities*
23 *are directly or indirectly supervised, directed, con-*
24 *trolled, financed, or subsidized, in whole or in major*
25 *part, by any government of a foreign country.*

1 “(3) *COVERED POST-SERVICE POSITION.*—The
2 term ‘covered post-service position’ means a position
3 of employment described in paragraph (2).

4 “(4) *EMPLOYEE.*—The term ‘employee’, with re-
5 spect to an employee occupying a covered intelligence
6 position, includes an officer or official of an element
7 of the intelligence community, a contractor of such an
8 element, a detailee to such an element, or a member
9 of the Armed Forces assigned to such an element.

10 “(5) *FORMER EMPLOYEE.*—The term ‘former em-
11 ployee’ means an individual—

12 “(A) who was an employee occupying a cov-
13 ered intelligence position; and

14 “(B) who is subject to the requirements
15 under subsection (a) or (b).

16 “(6) *GOVERNMENT OF A FOREIGN COUNTRY.*—
17 The term ‘government of a foreign country’ has the
18 meaning given the term in section 1(e) of the Foreign
19 Agents Registration Act of 1938 (22 U.S.C. 611(e)).”.

20 (2) *APPLICATION.*—Such section 304, as amend-
21 ed by paragraph (1), shall apply with respect to em-
22 ployees who occupy covered intelligence positions (as
23 defined in such section) on or after the date of the en-
24 actment of this Act.

25 (3) *REVISED REGULATIONS.*—

1 (A) *SUBMISSION.*—Not later than 90 days
2 after the date of the enactment of this Act, the
3 head of each element of the intelligence commu-
4 nity shall submit to the congressional intelligence
5 committees new or updated regulations issued
6 under such section 304, as amended by para-
7 graph (1).

8 (B) *CERTIFICATION.*—Not later than 180
9 days after the date of the enactment of this Act,
10 the Director of National Intelligence shall submit
11 to the congressional intelligence committees—

12 (i) a written certification for each head
13 of an element of the intelligence community
14 who has issued the updated regulations
15 under such section 304, as amended by
16 paragraph (1); and

17 (ii) for each head of an element of the
18 intelligence community who has not issued
19 such updated regulations, an explanation
20 for the failure to issue such updated regula-
21 tions.

22 (4) *INITIAL REPORT.*—In the first report sub-
23 mitted by the Director of National Intelligence under
24 subsection (e) of such section 304, as amended by
25 paragraph (1), the Director shall include an assess-

1 *ment of the licensing requirements under the Arms*
2 *Export Control Act (22 U.S.C. 2751 et seq.) and rec-*
3 *ommendations with respect to strengthening the ac-*
4 *tivities regulated under such section 304.*

5 *(b) CLERICAL AMENDMENT.—The table of sections at*
6 *the beginning of such Act is amended by striking the item*
7 *relating to section 304 and inserting the following new*
8 *item:*

“Sec. 304. Requirements for certain employment activities by former intelligence officers and employees.”.

9 **SEC. 309. DEVELOPMENT OF DEFINITIONS FOR CERTAIN**
10 **TERMS RELATING TO INTELLIGENCE.**

11 *(a) DEVELOPMENT.—Not later than September 30,*
12 *2023, the Director of National Intelligence and the Under*
13 *Secretary of Defense for Intelligence and Security, in con-*
14 *sultation with the heads of the elements of the intelligence*
15 *community, shall jointly develop and publish definitions for*
16 *the following terms:*

- 17 *(1) Acoustic intelligence.*
18 *(2) All-source intelligence.*
19 *(3) Communications intelligence.*
20 *(4) Critical intelligence.*
21 *(5) Cyber-threat intelligence.*
22 *(6) Electronic intelligence.*
23 *(7) Explosive ordnance intelligence.*
24 *(8) General military intelligence.*

- 1 (9) *Imagery intelligence.*
- 2 (10) *Geospatial intelligence.*
- 3 (11) *Instrumentation signals intelligence.*
- 4 (12) *Intelligence-related activity.*
- 5 (13) *Joint intelligence.*
- 6 (14) *Measurement and signature intelligence.*
- 7 (15) *Medical intelligence.*
- 8 (16) *Open-source intelligence.*
- 9 (17) *Operational intelligence.*
- 10 (18) *Scientific and technical intelligence.*
- 11 (19) *Signals intelligence.*
- 12 (20) *Strategic intelligence.*
- 13 (21) *Tactical intelligence.*
- 14 (22) *Target intelligence.*
- 15 (23) *Technical intelligence.*
- 16 (24) *Such others terms as may be jointly deter-*
- 17 *mined necessary by the Director of National Intel-*
- 18 *ligence and the Under Secretary of Defense for Intel-*
- 19 *ligence and Security.*

20 (b) *APPLICATION TO ACTIVITIES OF INTELLIGENCE*
21 *COMMUNITY.*—*The Director of National Intelligence shall*
22 *ensure that the definitions developed under subsection (a)*
23 *are used uniformly across activities of the intelligence com-*
24 *munity with respect to the corresponding terms specified*
25 *in such subsection.*

1 (c) *NOTICE OF MODIFICATIONS.*—*The Director of Na-*
2 *tional Intelligence and the Under Secretary of Defense for*
3 *Intelligence shall submit to the appropriate congressional*
4 *committees notification of any modification by the Director*
5 *and Under Secretary to a definition of a term specified in*
6 *subsection (a) following the initial publication of the defini-*
7 *tion under such subsection.*

8 (d) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
9 *FINED.*—*In this section, the term “appropriate congress-*
10 *sional committees” means—*

11 (1) *the congressional intelligence committees; and*

12 (2) *the Committees on Armed Services of the*
13 *House of Representatives and the Senate.*

14 **SEC. 310. DIRECTOR OF NATIONAL INTELLIGENCE DECLAS-**
15 **SIFICATION REVIEW OF INFORMATION RE-**
16 **LATING TO TERRORIST ATTACKS OF SEP-**
17 **TEMBER 11, 2001.**

18 (a) *DECLASSIFICATION REVIEW REQUIRED.*—*Not*
19 *later than 30 days after the date of the enactment of this*
20 *Act, the Director of National Intelligence shall, in coordina-*
21 *tion with the Director of the Federal Bureau of Investiga-*
22 *tion, the Director of the Central Intelligence Agency, and*
23 *the heads of such other elements of the intelligence commu-*
24 *nity as the Director of National Intelligence considers ap-*
25 *propriate, commence a declassification review (which the*

1 *Director of National Intelligence shall complete by not later*
2 *than 120 days after the date of the enactment of this Act)*
3 *to determine what, if any, additional information relating*
4 *to the terrorist attacks of September 11, 2001, can be appro-*
5 *priately declassified and shared with the public.*

6 (b) *INFORMATION COVERED.—The information re-*
7 *viewed under subsection (a) shall include the following:*

8 (1) *Information relating to the direction, facili-*
9 *tation, and other support provided to the individuals*
10 *who carried out the terrorist attacks of September 11,*
11 *2001.*

12 (2) *Information from Operation Encore and the*
13 *PENTTBOM investigation of the Federal Bureau of*
14 *Investigation.*

15 (c) *REPORT.—Not later than 120 days after the date*
16 *of the enactment of this Act, the Director of National Intel-*
17 *ligence shall submit to the congressional intelligence com-*
18 *mittees a report on the findings of the Director with respect*
19 *to the declassification review conducted under subsection*
20 *(a).*

21 **SEC. 311. PERFORMANCE MEASURES REGARDING TIMELI-**
22 **NESS FOR PERSONNEL MOBILITY.**

23 (a) *POLICY REQUIRED.—Not later than 180 days after*
24 *the date of the enactment of this Act, the Director of Na-*
25 *tional Intelligence shall issue a policy for measuring the*

1 *total time it takes to transfer personnel with security clear-*
2 *ances and eligibility for access to information commonly*
3 *referred to as “sensitive compartmented information” from*
4 *one element of the intelligence community to another, or*
5 *from one contract to another in the case of a contractor.*

6 (b) *REQUIREMENTS.—The policy issued under sub-*
7 *section (a) shall—*

8 (1) *to the degree practicable, cover all personnel*
9 *who are moving to positions that require a security*
10 *clearance and access to sensitive compartmented in-*
11 *formation;*

12 (2) *cover the period from the first time an ele-*
13 *ment of the intelligence community or company sub-*
14 *mits a request to an element of the intelligence com-*
15 *munity for the transfer of the employment of an indi-*
16 *vidual with a clearance access or eligibility deter-*
17 *mination to another element of the intelligence com-*
18 *munity, to the time the individual is authorized by*
19 *that receiving element to start to work in the new po-*
20 *sition; and*

21 (3) *include analysis of all appropriate phases of*
22 *the process, including polygraph, suitability deter-*
23 *mination, fitness determination, human resources re-*
24 *view, transfer of the sensitive compartmented infor-*
25 *mation access, and contract actions.*

1 (c) *UPDATED POLICIES.*—

2 (1) *MODIFICATIONS.*—Not later than 1 year after
3 the date on which the Director issues the policy under
4 subsection (a), the Director shall issue modifications
5 to such policies as the Director determines were issued
6 before the issuance of the policy under such subsection
7 and are relevant to such updated policy, as the Direc-
8 tor considers appropriate.

9 (2) *RECOMMENDATIONS.*—Not later than 1 year
10 after the date on which the Director issues the policy
11 under subsection (a), the Director shall submit to the
12 appropriate congressional committees recommenda-
13 tions for legislative action to update metrics specified
14 elsewhere in statute to measure parts of the process
15 that support transfers described in subsection (a).

16 (d) *ANNUAL REPORTS.*—Not later than 180 days after
17 issuing the policy required by subsection (a) and not less
18 frequently than once each year thereafter until the date that
19 is 3 years after the date of such issuance, the Director shall
20 submit to the appropriate congressional committees a report
21 on the implementation of such policy. Such report shall ad-
22 dress performance by department or agency and by clear-
23 ance type in meeting such policy.

1 (e) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
2 *FINED.*—*In this section, the term “appropriate congres-*
3 *sional committees” means—*

4 (1) *the congressional intelligence committees; and*
5 (2) *the Subcommittees on Commerce, Justice,*
6 *Science, and Related Agencies of the Committees on*
7 *Appropriations of the House of Representatives and*
8 *the Senate.*

9 **TITLE IV—MATTERS RELATING**
10 **TO ELEMENTS OF THE INTEL-**
11 **LIGENCE COMMUNITY**

12 **Subtitle A—Office of the Director of**
13 **National Intelligence**

14 **SEC. 401. NATIONAL COUNTERPROLIFERATION AND BIO-**
15 **SECURITY CENTER.**

16 (a) *REDESIGNATION OF CENTER.*—*Section 119A of the*
17 *National Security Act of 1947 (50 U.S.C. 3057) is amended*
18 *by striking “National Counter Proliferation Center” each*
19 *place it appears and inserting “National Counterprolifera-*
20 *tion and Biosecurity Center”.*

21 (b) *ESTABLISHMENT AND HEAD.*—*Subsection (a) of*
22 *such section is amended—*

23 (1) *in paragraph (1)—*

24 (A) *by striking “government tools to pre-*
25 *vent” and inserting “government tools to—*

1 “(A) prevent”;

2 (B) by striking the period at the end and
3 inserting “; and”; and

4 (C) by adding at the end the following new
5 subparagraph:

6 “(B) lead integration and mission management
7 of all intelligence activities pertaining to biosecurity
8 and foreign biological threats.”; and

9 (2) by adding at the end the following new para-
10 graph:

11 “(4) The Director of the National Counterproliferation
12 and Biosecurity Center shall serve as the principal coordi-
13 nator for the intelligence community, and as the principal
14 advisor to the Director of National Intelligence, with respect
15 to biosecurity and foreign biological threats.”.

16 (c) *MISSIONS AND OBJECTIVES*.—Subsection (b) of
17 such section is amended—

18 (1) by redesignating paragraphs (1) through (7)
19 as subparagraphs (A) through (G), respectively, and
20 moving such subparagraphs, as so redesignated, 2 ems
21 to the right;

22 (2) in the matter preceding subparagraph (A), as
23 so redesignated, by striking “In establishing” and in-
24 serting the following:

1 “(1) COUNTERPROLIFERATION.—In estab-
2 lishing”; and

3 (3) by adding at the end the following new para-
4 graph:

5 “(2) BIOSECURITY.—In establishing the National
6 Counterproliferation and Biosecurity Center, the
7 President shall address the following missions and ob-
8 jectives to ensure that the Center serves as the lead for
9 the intelligence community for the integration, mis-
10 sion management, and coordination of intelligence ac-
11 tivities pertaining to biosecurity and foreign biologi-
12 cal threats, regardless of origin:

13 “(A) Ensuring that the elements of the in-
14 telligence community provide timely and effec-
15 tive warnings to the President and the Director
16 of National Intelligence regarding emerging for-
17 eign biological threats, including diseases with
18 pandemic potential.

19 “(B) Overseeing and coordinating the collec-
20 tion and analysis of intelligence on biosecurity
21 and foreign biological threats in support of the
22 intelligence needs of the Federal departments and
23 agencies responsible for public health, including
24 by conveying collection priorities to elements of
25 the intelligence community.

1 “(C) Coordinating intelligence support to
2 the Federal departments and agencies responsible
3 for public health, including by ensuring that in-
4 telligence pertaining to biosecurity and foreign
5 biological threats is disseminated among appro-
6 priately cleared personnel of such departments
7 and agencies.

8 “(D) Coordinating with the Federal depart-
9 ments and agencies responsible for public health
10 to encourage information sharing with the intel-
11 ligence community.

12 “(E) Identifying gaps in the capabilities of
13 the intelligence community regarding biosecurity
14 and countering foreign biological threats and
15 providing to the Director of National Intelligence
16 recommended solutions for such gaps, including
17 by encouraging research and development of new
18 capabilities to counter foreign biological
19 threats.”.

20 (d) CONFORMING AMENDMENTS.—Such section is fur-
21 ther amended—

22 (1) by striking “counter proliferation” each place
23 it appears and inserting “counterproliferation”; and

24 (2) in the section heading, by striking “COUNTER
25 PROLIFERATION” and inserting “COUNTERPROLIFERA-

1 *tion, are structured and executed in a manner than enables*
2 *budget traceability.”; and*

3 *(2) in subsection (p)—*

4 *(A) by striking the heading and inserting*
5 *“CERTAIN RESPONSIBILITIES OF DIRECTOR OF*
6 *NATIONAL INTELLIGENCE RELATING TO NA-*
7 *TIONAL INTELLIGENCE PROGRAM”;*

8 *(B) by striking “Subject to” and inserting*
9 *“(1) Subject to”; and*

10 *(C) by adding at the end the following new*
11 *paragraph:*

12 *“(2) Consistent with subsection (c)(5)(C), the Director*
13 *of National Intelligence shall, after consultation with the*
14 *Director of the Federal Bureau of Investigation, ensure that*
15 *the programs and activities of the Federal Bureau of Inves-*
16 *tigation that are part of the National Intelligence Program*
17 *are executed in a manner that conforms with the require-*
18 *ments of the national intelligence strategy under section*
19 *108A of this Act and the National Intelligence Priorities*
20 *Framework of the Office of the Director of National Intel-*
21 *ligence (or any successor mechanism established for the*
22 *prioritization of such programs and activities).”.*

1 **SEC. 404. CLIMATE SECURITY ADVISORY COUNCIL.**

2 (a) *REPORTS.*—Subsection (d) of section 120 of the
3 *National Security Act of 1947 (50 U.S.C. 3060)* is amend-
4 *ed—*

5 (1) *by striking “Not later” and inserting the fol-
6 lowing:*

7 “(1) *REQUIREMENT.*—Not later”; and

8 (2) *by adding at the end the following new para-
9 graph:*

10 “(2) *MATTERS INCLUDED.*—Each report under
11 *paragraph (1)* shall include a description of any ob-
12 *stacles or gaps relating to—*

13 “(A) *the Council fulfilling its duties and re-
14 sponsibilities under subsection (c); or*

15 “(B) *the responsiveness of the intelligence
16 community to the climate security needs and
17 priorities of the policymaking elements of the
18 Federal Government.”.*

19 (b) *EXTENSION OF SUNSET; TECHNICAL AMEND-
20 MENTS.*—Such section 120 is amended—

21 (1) *in subsection (b)(1)(B)(v), by inserting “and
22 Security” after “for Intelligence”;*

23 (2) *by redesignating the second subsection (e) as
24 subsection (f); and*

1 (3) in subsection (e), by striking “the date that
2 is 4 years after the date of the enactment of this sec-
3 tion” and inserting “December 31, 2025”.

4 **SEC. 405. REMOVAL OF CHIEF INFORMATION OFFICER OF**
5 **THE INTELLIGENCE COMMUNITY FROM**
6 **LEVEL IV OF THE EXECUTIVE SCHEDULE.**

7 Section 5315 of title 5, United States Code, is amended
8 by striking “Chief Information Officer of the Intelligence
9 Community.”.

10 **Subtitle B—Other Elements**

11 **SEC. 411. ESTABLISHMENT OF CHAPLAIN CORPS OF THE**
12 **CENTRAL INTELLIGENCE AGENCY.**

13 The Central Intelligence Agency Act of 1949 (50 U.S.C.
14 3501 et seq.) is amended by adding at the end the following:

15 **“SEC. 26. CHAPLAIN CORPS AND CHIEF OF CHAPLAINS.**

16 “(a) **ESTABLISHMENT OF CHAPLAIN CORPS.**—There is
17 in the Agency a Chaplain Corps for the provision of spir-
18 itual or religious pastoral services.

19 “(b) **CHIEF OF CHAPLAINS.**—The head of the Chaplain
20 Corps shall be the Chief of Chaplains, who shall be ap-
21 pointed by the Director.

22 “(c) **STAFF AND ADMINISTRATION.**—

23 “(1) **STAFF.**—The Director may appoint and fix
24 the compensation of such staff of the Chaplain Corps

1 *as the Director considers appropriate, except that the*
2 *Director may not—*

3 “(A) *appoint more than 10 full-time equiv-*
4 *alent positions; or*

5 “(B) *provide basic pay to any member of*
6 *the staff of the Chaplain Corps at an annual*
7 *rate of basic pay in excess of the maximum rate*
8 *of basic pay for grade GS–15 as provided in sec-*
9 *tion 5332 of title 5, United States Code.*

10 “(2) *ADMINISTRATION.—The Director may—*

11 “(A) *reimburse members of the staff of the*
12 *Chaplain Corps for work-related travel expenses;*

13 “(B) *provide security clearances to such*
14 *members;*

15 “(C) *furnish such physical workspace at the*
16 *headquarters building of the Agency as the Di-*
17 *rector considers appropriate; and*

18 “(D) *certify that all Chaplains meet com-*
19 *mon standards for professional chaplaincy and*
20 *board certification by a national chaplaincy and*
21 *pastoral care organization or equivalent.”.*

1 **SEC. 412. MODIFICATION OF NATIONAL GEOSPATIAL-INTEL-**
2 **LIGENCE AGENCY PERSONNEL MANAGEMENT**
3 **AUTHORITY TO ATTRACT EXPERTS IN**
4 **SCIENCE AND ENGINEERING.**

5 *Section 4092(b)(2) of title 10, United States Code, is*
6 *amended—*

7 *(1) by redesignating subparagraph (B) as sub-*
8 *paragraph (C); and*

9 *(2) by inserting after subparagraph (A) the fol-*
10 *lowing new subparagraph (B):*

11 *“(B) in the case of employees appointed*
12 *pursuant to paragraph (1)(G), to any of 2 posi-*
13 *tions of administration or management des-*
14 *ignated by the Director of the National*
15 *Geospatial-Intelligence Agency for purposes of*
16 *this subparagraph; and”.*

17 **SEC. 413. SUPPORT FOR AND OVERSIGHT OF UNIDENTIFIED**
18 **AERIAL PHENOMENA TASK FORCE.**

19 *(a) AVAILABILITY OF DATA ON UNIDENTIFIED AERIAL*
20 *PHENOMENA.—The Director of National Intelligence and*
21 *the Secretary of Defense shall jointly require that each ele-*
22 *ment of the intelligence community and component of the*
23 *Department of Defense with data relating to unidentified*
24 *aerial phenomena makes such data available immediately*
25 *to the Unidentified Aerial Phenomena Task Force, or suc-*

1 *cessor entity, and to the National Air and Space Intel-*
2 *ligence Center.*

3 *(b) QUARTERLY REPORTS.—*

4 *(1) IN GENERAL.—Not later than 90 days after*
5 *the date of the enactment of this Act, and not less fre-*
6 *quently than quarterly thereafter, the Unidentified*
7 *Aerial Phenomena Task Force, or successor entity,*
8 *consistent with the protection of intelligence sources*
9 *and methods, shall submit to the appropriate congres-*
10 *sional committees a report on the findings of the Un-*
11 *identified Aerial Phenomena Task Force, or successor*
12 *entity.*

13 *(2) CONTENTS.—Each report submitted under*
14 *paragraph (1) shall include, at a minimum, the fol-*
15 *lowing:*

16 *(A) All reported unidentified aerial phe-*
17 *nomena-related events that occurred during the*
18 *period covered by the report.*

19 *(B) All reported unidentified aerial phe-*
20 *nomena-related events that occurred during a pe-*
21 *riod other than the period covered by the report*
22 *but were not included in an earlier report.*

23 *(3) FORM.—Each report submitted under para-*
24 *graph (1) shall be submitted in classified form.*

25 *(c) DEFINITIONS.—In this section:*

1 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
2 *TEES.—The term “appropriate congressional commit-*
3 *tees” means the following:*

4 (A) *The congressional intelligence commit-*
5 *tees.*

6 (B) *The Committees on Armed Services of*
7 *the House of Representatives and the Senate.*

8 (2) *UNIDENTIFIED AERIAL PHENOMENA TASK*
9 *FORCE.—The term “Unidentified Aerial Phenomena*
10 *Task Force” means the task force established by the*
11 *Department of Defense on August 4, 2020, to be led*
12 *by the Department of the Navy, under the Office of*
13 *the Under Secretary of Defense for Intelligence and*
14 *Security.*

15 **SEC. 414. LIMITATION ON PROCUREMENT BY FEDERAL BU-**
16 **REAU OF INVESTIGATION OF PEOPLE’S RE-**
17 **PUBLIC OF CHINA PRODUCTS AND SERVICES.**

18 (a) *SECURITY ASSESSMENT.—The Director of the Fed-*
19 *eral Bureau of Investigation may not procure a People’s*
20 *Republic of China product or service unless, before such pro-*
21 *curement—*

22 (1) *the Federal Bureau of Investigation conducts*
23 *a security assessment of such product or service, in-*
24 *cluding with respect to any physical, counterintel-*
25 *ligence, or cyber vulnerabilities;*

1 (2) *there is included in the process of conducting*
2 *such security assessment a formal mechanism through*
3 *which input shall be submitted by the Counterintel-*
4 *ligence Division and Cyber Division of the Federal*
5 *Bureau of Investigation regarding such security as-*
6 *essment, including with respect to any such*
7 *vulnerabilities; and*

8 (3) *the Director (or a designee of the Director)*
9 *approves a recommendation, based on the results of*
10 *such security assessment, to procure such product or*
11 *service.*

12 (b) *SUBMISSION.—Not later than 30 days after the*
13 *date on which the Director (or a designee of the Director,*
14 *as applicable) approves a recommendation pursuant to sub-*
15 *section (a)(3), the Director shall submit to the appropriate*
16 *congressional committees the recommendation and a copy*
17 *of the security assessment upon which the recommendation*
18 *was based.*

19 (c) *DEFINITIONS.—In this section:*

20 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
21 *TEES.—The term “appropriate congressional commit-*
22 *tees” means—*

23 (A) *the congressional intelligence commit-*
24 *tees; and*

1 (B) *the Subcommittees on Commerce, Jus-*
2 *tice, Science, and Related Agencies of the Com-*
3 *mittees on Appropriations of the House of Rep-*
4 *resentatives and the Senate.*

5 (2) *PEOPLE’S REPUBLIC OF CHINA PRODUCT OR*
6 *SERVICE.—The term “People’s Republic of China*
7 *product or service” means an information or commu-*
8 *nication technology product manufactured in China,*
9 *Hong Kong, or Macau, or a product or service pro-*
10 *vided by an entity that is fully or partially owned or*
11 *controlled by, or otherwise connected to, the govern-*
12 *ment of China.*

13 **SEC. 415. COUNTERINTELLIGENCE UNITS AT NON-INTEL-**
14 **LIGENCE COMMUNITY FEDERAL DEPART-**
15 **MENTS AND AGENCIES.**

16 (a) *ESTABLISHMENT.—The Director of the Federal*
17 *Bureau of Investigation shall establish counterintelligence*
18 *units in the departments and agencies described in sub-*
19 *section (b). Such units shall be composed of officers of the*
20 *Counterintelligence Division of the Federal Bureau of In-*
21 *vestigation.*

22 (b) *DEPARTMENTS AND AGENCIES DESCRIBED.—The*
23 *departments and agencies described in this subsection are*
24 *the following departments and agencies of the United States*
25 *Government:*

1 (1) *The Department of Agriculture.*

2 (2) *Any other department or agency that the Di-*
3 *rector, in coordination with the Director of National*
4 *Intelligence, determines appropriate.*

5 (c) *DUTIES.—The Director of the Federal Bureau of*
6 *Investigation shall ensure that each counterintelligence unit*
7 *established under subsection (a) in a department or agency*
8 *described in subsection (b) carries out the following duties:*

9 (1) *Conducts assessments, in coordination with*
10 *the leadership of the department or agency, to deter-*
11 *mine the counterintelligence posture of the department*
12 *or agency, including any components thereof.*

13 (2) *Informs and consults with the leadership of*
14 *the department or agency, including any components*
15 *thereof, and provides recommendations with respect to*
16 *any counterintelligence threats identified by the intel-*
17 *ligence community.*

18 (3) *Provides such administrative and technical*
19 *support as is necessary to develop, in coordination*
20 *with the leadership of the department or agency, a*
21 *plan to eliminate or reduce the threats described in*
22 *paragraph (2).*

23 (4) *Serves as the primary point of contact for*
24 *the department or agency with respect to counterintel-*
25 *ligence for the intelligence community.*

1 (d) *INTELLIGENCE COMMUNITY SUPPORT.*—*The heads*
2 *of the elements of the intelligence community shall ensure*
3 *that relevant counterintelligence information is provided to*
4 *counterintelligence units established under subsection (a) in*
5 *a manner that is consistent with the need to protect sources*
6 *and methods.*

7 (e) *REPORT.*—*Not later than 120 days after the date*
8 *of the enactment of this Act, the Director of National Intel-*
9 *ligence, in consultation with the heads of such other depart-*
10 *ments and agencies of the Federal Government as the Direc-*
11 *tor determines appropriate, shall submit to the appropriate*
12 *congressional committees a report detailing options for the*
13 *intelligence community to improve intelligence support to*
14 *the Department of Agriculture and the Department of Com-*
15 *merce. The report shall be submitted in unclassified form,*
16 *but may include a classified annex.*

17 (f) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
18 *FINED.*—*In this section, the term “appropriate congres-*
19 *sional committees” means—*

- 20 (1) *the congressional intelligence committees; and*
- 21 (2) *the Subcommittees on Commerce, Justice,*
22 *Science, and Related Agencies of the Committees on*
23 *Appropriations of the House of Representatives and*
24 *the Senate.*

1 (2) *not greater than the rate of basic pay pay-*
2 *able for level II of the Executive Schedule under sec-*
3 *tion 5313 of title 5, United States Code.*

4 (d) *DESIGNATED POSITIONS.—*

5 (1) *IN GENERAL.—Subject to paragraph (2),*
6 *under the pilot program required by subsection (a),*
7 *the Assistant Secretary shall designate not fewer than*
8 *5 percent of the total number of positions in the Of-*
9 *fice, including positions to be filled by new hires, as*
10 *financial or cyber intelligence analyst positions eligi-*
11 *ble for the additional pay under subsection (c).*

12 (2) *CURRENT EMPLOYEES.—The Assistant Sec-*
13 *retary may designate under paragraph (1) a position*
14 *filled by an employee who was employed in that posi-*
15 *tion on the day before the date of the enactment of*
16 *this Act only if the employee was in the top one-third*
17 *of performance rankings for the position within the*
18 *Office for the duration of the 2-year period ending on*
19 *the date of the enactment of this Act.*

20 (e) *BRIEFING ON THE PILOT PROGRAM.—Not later*
21 *than 180 days after the date of the enactment of this Act*
22 *and not less frequently than once each year thereafter for*
23 *the duration of the period specified in subsection (b), the*
24 *Assistant Secretary shall provide to the appropriate con-*
25 *gressional committees and the Director of National Intel-*

1 *ligence a briefing on the pilot program required by sub-*
2 *section (a).*

3 (f) *REPORT ON THE PILOT PROGRAM.*—Not later than
4 *180 days before the last day of the period specified in sub-*
5 *section (b), the Assistant Secretary shall submit to the ap-*
6 *propriate congressional committees, the Committee on*
7 *Homeland Security and Governmental Affairs of the Sen-*
8 *ate, the Committee on Oversight and Reform of the House*
9 *of Representatives, and the Director of National Intelligence*
10 *a report on the effectiveness of the pilot program required*
11 *by subsection (a) and recommendations as to whether such*
12 *pilot program should be extended, modified, or ended.*

13 (g) *RECOMMENDATIONS OF DIRECTOR OF NATIONAL*
14 *INTELLIGENCE.*—Not later than 3 years after the date of
15 *the enactment of this Act, the Director of National Intel-*
16 *ligence shall submit to the appropriate congressional com-*
17 *mittees recommendations as to—*

18 (1) *which, if any, other elements of the intel-*
19 *ligence community would benefit from a program*
20 *similar to the pilot program required by subsection*
21 *(a); and*

22 (2) *what, if any, modifications the Director*
23 *would recommend for such elements.*

24 (h) *RETENTION OF PRESCRIBED RATES OF PAY*
25 *AFTER TERMINATION OF PILOT PROGRAM.*—After the con-

1 *clusion of the period specified in subsection (b), the Assist-*
2 *ant Secretary may continue to pay a person, who received*
3 *pay during such period pursuant to a rate of basic pay*
4 *prescribed under subsection (c), at a rate of basic pay not*
5 *to exceed the rate of basic pay that was in effect for the*
6 *person pursuant to such subsection on the day before the*
7 *last day of such period, until such time as the applicable*
8 *rate of basic pay for the person under the General Schedule*
9 *exceeds the rate of basic pay that was so in effect under*
10 *subsection (c).*

11 *(i) APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
12 *FINED.—In this section, the term “appropriate congres-*
13 *sional committees” means—*

14 *(1) the congressional intelligence committees; and*
15 *(2) the Subcommittees on Financial Services and*
16 *General Government of the Committees on Appropria-*
17 *tions of the House of Representatives and the Senate.*

18 **SEC. 417. DESIGNATION OF SENATOR ROY BLUNT**
19 **GEOSPATIAL LEARNING CENTER.**

20 *(a) DESIGNATION.—The Geospatial Learning Center*
21 *in the Next NGA West facility in St. Louis, Missouri, shall*
22 *after the date of the enactment of this Act be known and*
23 *designated as the “Senator Roy Blunt Geospatial Learning*
24 *Center”.*

1 (b) *REFERENCES.*—Any reference in any law, regula-
2 tion, map, document, paper, or other record of the United
3 States to the Geospatial Learning Center in the Next NGA
4 West facility referred to in subsection (a) shall be deemed
5 to be a reference to the “Senator Roy Blunt Geospatial
6 Learning Center”.

7 **TITLE V—MATTERS RELATING**
8 **TO OVERSIGHT**

9 **SEC. 501. HARMONIZATION OF WHISTLEBLOWER PROTEC-**
10 **TIONS.**

11 (a) *PROHIBITED PERSONNEL PRACTICES IN THE IN-*
12 *TELLIGENCE COMMUNITY.*—

13 (1) *THREATS RELATING TO PERSONNEL AC-*
14 *TIONS.*—

15 (A) *AGENCY EMPLOYEES.*—Section 1104(b)
16 of the National Security Act of 1947 (50 U.S.C.
17 3234(b)) is amended, in the matter preceding
18 paragraph (1)—

19 (i) by striking “Any employee of an
20 agency” and inserting “Any employee of a
21 covered intelligence community element or
22 an agency”; and

23 (ii) by inserting “, or threaten to take
24 or fail to take,” after “take or fail to take”.

1 (B) *CONTRACTOR EMPLOYEES.*—Section
2 1104(c)(1) of such Act (50 U.S.C. 3234(c)(1)) is
3 amended, in the matter preceding subparagraph
4 (A), by inserting “, or threaten to take or fail to
5 take,” after “take or fail to take”.

6 (2) *PROTECTION FOR CONTRACTOR EMPLOYEES*
7 *AGAINST REPRISAL FROM AGENCY EMPLOYEES.*—Sec-
8 tion 1104(c)(1) of such Act (50 U.S.C. 3234(c)(1)), as
9 amended by paragraph (1)(B) of this subsection, is
10 further amended, in the matter preceding subpara-
11 graph (A), by inserting “of an agency or” after “Any
12 employee”.

13 (3) *ENFORCEMENT.*—Subsection (d) of section
14 1104 of such Act (50 U.S.C. 3234) is amended to read
15 as follows:

16 “(d) *ENFORCEMENT.*—The President shall provide for
17 the enforcement of this section consistent, to the fullest ex-
18 tent possible, with the policies and procedures used to adju-
19 dicate alleged violations of section 2302(b)(8) of title 5,
20 United States Code.”.

21 (b) *RETALIATORY REVOCATION OF SECURITY CLEAR-*
22 *ANCES AND ACCESS DETERMINATIONS.*—

23 (1) *ENFORCEMENT.*—Section 3001(j) of the Intel-
24 ligence Reform and Terrorism Prevention Act of 2004
25 (50 U.S.C. 3341(j)) is amended—

1 (A) by redesignating paragraph (8) as
2 paragraph (9); and

3 (B) by inserting after paragraph (7) the fol-
4 lowing:

5 “(8) *ENFORCEMENT.*—*Except as otherwise pro-*
6 *vided in this subsection, the President shall provide*
7 *for the enforcement of this section consistent, to the*
8 *fullest extent possible, with the policies and proce-*
9 *dures used to adjudicate alleged violations of section*
10 *2302(b)(8) of title 5, United States Code.”*

11 (2) *TOLLING OF DEADLINE FOR APPEAL OF PRO-*
12 *HIBITED REPRISAL.*—*Section 3001(j)(4) of such Act*
13 *(50 U.S.C. 3341(j)(4)) is amended—*

14 (A) in subparagraph (A), by inserting “(ex-
15 cept as provided by subparagraph (D))” after
16 “within 90 days”; and

17 (B) by adding at the end the following new
18 subparagraph:

19 “(D) *TOLLING.*—*The time requirement es-*
20 *tablished by subparagraph (A) for an employee*
21 *or former employee to appeal the decision of an*
22 *agency may be tolled if the employee or former*
23 *employee presents substantial credible evidence*
24 *showing why the employee or former employee*
25 *did not timely initiate the appeal and why the*

1 enforcement of the time requirement would be
2 unfair, such as evidence showing that the em-
3 ployee or former employee—

4 “(i) did not receive notice of the deci-
5 sion; or

6 “(ii) could not timely initiate the ap-
7 peal because of factors beyond the control of
8 the employee or former employee.”.

9 (c) *CORRECTION OF DEFINITION OF AGENCY.*—Section
10 3001(a)(1)(B) of the Intelligence Reform and Terrorism
11 Prevention Act of 2004 (50 U.S.C. 3341(a)(1)(B)) is
12 amended by striking “and” and inserting “or”.

13 (d) *ESTABLISHING CONSISTENCY WITH RESPECT TO*
14 *PROTECTIONS FOR DISCLOSURES OF MISMANAGEMENT.*—

15 (1) *SECURITY CLEARANCE AND ACCESS DETER-*
16 *MINATIONS.*—Section 3001(j)(1) of the Intelligence
17 Reform and Terrorism Prevention Act of 2004 (50
18 U.S.C. 3341(j)(1)) is amended—

19 (A) in subparagraph (A)(ii), by striking
20 “gross mismanagement” and inserting “mis-
21 management”; and

22 (B) in subparagraph (B)(ii), by striking
23 “gross mismanagement” and inserting “mis-
24 management”.

1 (2) *PERSONNEL ACTIONS AGAINST CONTRACTOR*
2 *EMPLOYEES.*—Section 1104(c)(1)(B) of the National
3 Security Act of 1947 (50 U.S.C. 3234(c)(1)(B)) is
4 amended by striking “gross mismanagement” and in-
5 serting “mismanagement”.

6 (e) *PROTECTED DISCLOSURES TO SUPERVISORS.*—

7 (1) *PERSONNEL ACTIONS.*—

8 (A) *DISCLOSURES BY AGENCY EMPLOYEES*
9 *TO SUPERVISORS.*—Section 1104(b) of the Na-
10 tional Security Act of 1947 (50 U.S.C. 3234(b)),
11 as amended by subsection (a)(1)(A), is further
12 amended, in the matter preceding paragraph (1),
13 by inserting “a supervisor in the employee’s di-
14 rect chain of command, or a supervisor of the
15 employing agency with responsibility for the sub-
16 ject matter of the disclosure, up to and includ-
17 ing” before “the head of the employing agency”.

18 (B) *DISCLOSURES BY CONTRACTOR EMPLOY-*
19 *EES TO SUPERVISORS.*—Section 1104(c)(1) of
20 such Act (50 U.S.C. 3234(c)(1)), as amended by
21 subsection (a), is further amended, in the matter
22 preceding subparagraph (A), by inserting “a su-
23 pervisor in the contractor employee’s direct chain
24 of command, or a supervisor of the contracting
25 agency with responsibility for the subject matter

1 of the disclosure, up to and including” before
2 “the head of the contracting agency”.

3 (2) *SECURITY CLEARANCE AND ACCESS DETER-*
4 *MINATIONS.*—Section 3001(j)(1)(A) of the *Intelligence*
5 *Reform and Terrorism Prevention Act of 2004* (50
6 *U.S.C. 3341(j)(1)(A)*) is amended, in the matter pre-
7 ceding clause (i), by inserting “a supervisor in the
8 employee’s direct chain of command, or a supervisor
9 of the employing agency with responsibility for the
10 subject matter of the disclosure, up to and including”
11 before “the head of the employing agency”.

12 (f) *ESTABLISHING PARITY FOR PROTECTED DISCLO-*
13 *SURES.*—Section 1104 of the *National Security Act of 1947*
14 (50 *U.S.C. 3234*) is further amended—

15 (1) in subsection (b), as amended by subsections
16 (a)(1)(A) and (e)(1)(A)—

17 (A) by redesignating paragraphs (1) and
18 (2) as subparagraphs (A) and (B), respectively,
19 and moving such subparagraphs, as so redesign-
20 ated, 2 ems to the right;

21 (B) in the matter preceding subparagraph
22 (A), as redesignated and moved by subparagraph
23 (A) of this paragraph, by striking “for a lawful
24 disclosure” and inserting the following: “for—
25 “(1) any lawful disclosure”; and

1 (C) by adding at the end the following:

2 “(2) any lawful disclosure that complies with—

3 “(A) subsections (a)(1), (d), and (g) of sec-
4 tion 8H of the Inspector General Act of 1978 (5
5 U.S.C. App.);

6 “(B) subparagraphs (A), (D), and (H) of
7 section 17(d)(5) of the Central Intelligence Agen-
8 cy Act of 1949 (50 U.S.C. 3517(d)(5)); or

9 “(C) subparagraphs (A), (D), and (I) of sec-
10 tion 103H(k)(5); or

11 “(3) if the actions do not result in the employee
12 unlawfully disclosing information specifically re-
13 quired by Executive order to be kept classified in the
14 interest of national defense or the conduct of foreign
15 affairs, any lawful disclosure in conjunction with—

16 “(A) the exercise of any appeal, complaint,
17 or grievance right granted by any law, rule, or
18 regulation;

19 “(B) testimony for or otherwise lawfully as-
20 sisting any individual in the exercise of any
21 right referred to in subparagraph (A); or

22 “(C) cooperation with or disclosing infor-
23 mation to the Inspector General of an agency, in
24 accordance with applicable provisions of law in
25 connection with an audit, inspection, or inves-

1 *tigation conducted by the Inspector General.”;*

2 *and*

3 *(2) in subsection (c)(1), as amended by sub-*

4 *sections (a), (d)(2), and (e)(1)(B)—*

5 *(A) by redesignating subparagraphs (A)*

6 *and (B) as clauses (i) and (ii), respectively, and*

7 *moving such clauses, as so redesignated, 2 ems to*

8 *the right;*

9 *(B) in the matter preceding clause (i), as*

10 *redesignated and moved by subparagraph (A) of*

11 *this paragraph, by striking “for a lawful disclo-*

12 *sure” and inserting the following: “for—*

13 *“(A) any lawful disclosure”; and*

14 *(C) by adding at the end the following:*

15 *“(B) any lawful disclosure that complies with—*

16 *“(i) subsections (a)(1), (d), and (g) of sec-*

17 *tion 8H of the Inspector General Act of 1978 (5*

18 *U.S.C. App.);*

19 *“(ii) subparagraphs (A), (D), and (H) of*

20 *section 17(d)(5) of the Central Intelligence Agen-*

21 *cy Act of 1949 (50 U.S.C. 3517(d)(5)); or*

22 *“(iii) subparagraphs (A), (D), and (I) of*

23 *section 103H(k)(5); or*

24 *“(C) if the actions do not result in the contractor*

25 *employee unlawfully disclosing information specifi-*

1 *cally required by Executive order to be kept classified*
2 *in the interest of national defense or the conduct of*
3 *foreign affairs, any lawful disclosure in conjunction*
4 *with—*

5 *“(i) the exercise of any appeal, complaint,*
6 *or grievance right granted by any law, rule, or*
7 *regulation;*

8 *“(ii) testimony for or otherwise lawfully as-*
9 *sisting any individual in the exercise of any*
10 *right referred to in clause (i); or*

11 *“(iii) cooperation with or disclosing infor-*
12 *mation to the Inspector General of an agency, in*
13 *accordance with applicable provisions of law in*
14 *connection with an audit, inspection, or inves-*
15 *tigation conducted by the Inspector General.”.*

16 *(g) CLARIFICATION RELATING TO PROTECTED DISCLO-*
17 *SURES.—Section 1104 of the National Security Act of 1947*
18 *(50 U.S.C. 3234) is further amended—*

19 *(1) by redesignating subsections (d) and (e) as*
20 *subsections (f) and (g), respectively; and*

21 *(2) by inserting after subsection (c) the fol-*
22 *lowing:*

23 *“(d) RULE OF CONSTRUCTION.—Consistent with the*
24 *protection of intelligence sources and methods, nothing in*
25 *subsection (b) or (c) shall be construed to authorize—*

1 “(1) the withholding of information from Con-
2 gress; or

3 “(2) the taking of any personnel action against
4 an employee who lawfully discloses information to
5 Congress.

6 “(e) DISCLOSURES.—A disclosure shall not be excluded
7 from this section because—

8 “(1) the disclosure was made to an individual,
9 including a supervisor, who participated in an activ-
10 ity that the employee reasonably believed to be covered
11 under subsection (b)(1)(B) or the contractor employee
12 reasonably believed to be covered under subsection
13 (c)(1)(A)(ii);

14 “(2) the disclosure revealed information that had
15 been previously disclosed;

16 “(3) the disclosure was not made in writing;

17 “(4) the disclosure was made while the employee
18 was off duty;

19 “(5) of the amount of time which has passed
20 since the occurrence of the events described in the dis-
21 closure; or

22 “(6) the disclosure was made during the normal
23 course of duties of an employee or contractor em-
24 ployee.”.

1 (h) *CORRECTION RELATING TO NORMAL COURSE DIS-*
2 *CLOSURES.—Section 3001(j)(3) of the Intelligence Reform*
3 *and Terrorism Prevention Act of 2004 (50 U.S.C.*
4 *3341(j)(3)) is amended—*

5 (1) *by striking “DISCLOSURES.—” and all that*
6 *follows through “because—” and inserting “DISCLO-*
7 *SURES.—A disclosure shall not be excluded from*
8 *paragraph (1) because—”;*

9 (2) *by striking subparagraph (B);*

10 (3) *by redesignating clauses (i) through (v) as*
11 *subparagraphs (A) through (E), respectively, and*
12 *moving such subparagraphs, as so redesignated, 2 ems*
13 *to the left;*

14 (4) *in subparagraph (D), as so redesignated, by*
15 *striking “or” at the end;*

16 (5) *in subparagraph (E), as redesignated by*
17 *paragraph (3), by striking the period at the end and*
18 *inserting “; or”; and*

19 (6) *by adding at the end the following:*

20 *“(F) the disclosure was made during the*
21 *normal course of duties of an employee.”.*

22 (i) *CLARIFICATION RELATING TO RULE OF CONSTRUC-*
23 *TION.—Section 3001(j)(2) of the Intelligence Reform and*
24 *Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)(2))*

1 *is amended by inserting “or clearance action” after “per-*
2 *sonnel action”.*

3 (j) *CLARIFICATION RELATING TO PROHIBITED PRAC-*
4 *TICES.—Section 3001(j)(1) of the Intelligence Reform and*
5 *Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)(1)),*
6 *as amended by this section, is further amended by striking*
7 *“over” and inserting “to take, direct others to take, rec-*
8 *ommend, or approve”.*

9 (k) **TECHNICAL CORRECTION.**—*Section*
10 *3001(j)(1)(C)(i) of the Intelligence Reform and Terrorism*
11 *Prevention Act of 2004 (50 U.S.C. 3341(j)(1)(C)(i)) is*
12 *amended by striking “(h)” and inserting “(g)”.*

13 (l) *REPORT REQUIRED.*—*Not later than 180 days after*
14 *the date of the enactment of this Act, the Inspector General*
15 *of the Intelligence Community shall submit to the congress-*
16 *sional intelligence committees a report assessing the extent*
17 *to which protections provided under Presidential Policy Di-*
18 *rective 19 (relating to protecting whistleblowers with access*
19 *to classified information) have been codified in statutes.*

20 **SEC. 502. AUTHORITIES REGARDING WHISTLEBLOWER COM-**
21 **PLAINTS AND INFORMATION OF URGENT**
22 **CONCERN RECEIVED BY INSPECTORS GEN-**
23 **ERAL OF THE INTELLIGENCE COMMUNITY.**

24 (a) *AUTHORITY OF INSPECTOR GENERAL OF THE IN-*
25 *TELLIGENCE COMMUNITY TO DETERMINE MATTERS OF UR-*

1 *GENT CONCERN.—Section 103H(k)(5)(G) of the National*
2 *Security Act of 1947 (50 U.S.C. 3033(k)(5)(G)) is amend-*
3 *ed—*

4 (1) *by redesignating clauses (i), (ii), and (iii) as*
5 *subclauses (I), (II), and (III), respectively;*

6 (2) *in the matter preceding subclause (I), as re-*
7 *designated by paragraph (1), by inserting “(i)” before*
8 *“In this”; and*

9 (3) *by adding at the end the following new*
10 *clause:*

11 *“(ii) Within the executive branch, the Inspector Gen-*
12 *eral shall have sole authority to determine whether any*
13 *complaint or information reported to the Inspector General*
14 *is a matter of urgent concern under this paragraph.”.*

15 (b) *AUTHORITY OF INSPECTORS GENERAL TO DETER-*
16 *MINE MATTERS OF URGENT CONCERN.—Subsection (h) of*
17 *section 8H of the Inspector General Act of 1978 (5 U.S.C.*
18 *App.) is amended—*

19 (1) *in paragraph (1), by redesignating para-*
20 *graphs (A), (B), and (C) as clauses (i), (ii), and (iii),*
21 *respectively (and indenting such clauses accordingly);*

22 (2) *by redesignating paragraphs (1) and (2) as*
23 *subparagraphs (A) and (B), respectively (and indent-*
24 *ing such subparagraphs accordingly);*

1 (3) *in the matter preceding subparagraph (A), as*
2 *redesignated by paragraph (2), by inserting “(1)” be-*
3 *fore “In this”; and*

4 (4) *by adding at the end the following new para-*
5 *graph:*

6 “(2) *Within the executive branch, an Inspector General*
7 *to whom any complaint or information is reported under*
8 *this section shall have sole authority to determine whether*
9 *the complaint or information is a matter of urgent concern*
10 *under this section.”.*

11 (c) *AUTHORITY OF INSPECTOR GENERAL OF CENTRAL*
12 *INTELLIGENCE AGENCY TO DETERMINE MATTERS OF UR-*
13 *GENT CONCERN.—Section 17(d)(5)(G) of the Central Intel-*
14 *ligence Agency Act of 1949 (50 U.S.C. 3517(d)(5)(G)) is*
15 *amended—*

16 (1) *in clause (i), by redesignating subclauses (I),*
17 *(II), and (III) as items (aa), (bb), and (cc), respec-*
18 *tively (and indenting such items accordingly);*

19 (2) *by redesignating clauses (i) and (ii) as sub-*
20 *clauses (I) and (II), respectively (and indenting such*
21 *subclauses accordingly);*

22 (3) *in the matter preceding clause (I), as redesign-*
23 *ated by subparagraph (B), by inserting “(i)” before*
24 *“In this”; and*

1 (4) by adding at the end the following new
2 *clause:*

3 “(ii) Within the executive branch, the Inspector Gen-
4 *eral shall have sole authority to determine whether any*
5 *complaint or information reported to the Inspector General*
6 *is a matter of urgent concern under this paragraph.”.*

7 **SEC. 503. CLARIFICATION OF REQUIREMENT FOR AUTHOR-**
8 **IZATION OF FUNDING FOR INTELLIGENCE AC-**
9 **TIVITIES.**

10 *Paragraph (1) of section 504(a) of the National Secu-*
11 *rity Act of 1947 (50 U.S.C. 3094(a)) is amended to read*
12 *as follows:*

13 “(1) those funds were specifically authorized by
14 *Congress for use for such intelligence or intelligence-*
15 *related activities; or”.*

16 **SEC. 504. CONGRESSIONAL OVERSIGHT OF CONTROLLED**
17 **ACCESS PROGRAMS.**

18 *(a) IN GENERAL.—Title V of the National Security*
19 *Act of 1947 (50 U.S.C. 3091 et seq.) is amended by insert-*
20 *ing after section 501 the following new section (and con-*
21 *forming the table of contents at the beginning of such Act*
22 *accordingly):*

23 **“SEC. 501A. CONGRESSIONAL OVERSIGHT OF CONTROLLED**
24 **ACCESS PROGRAMS.**

25 “(a) *PERIODIC BRIEFINGS.—*

1 “(1) *REQUIREMENT.*—Not less frequently than
2 *semiannually or upon request by one of the appro-*
3 *priate congressional committees or a member of con-*
4 *gressional leadership, the Director of National Intel-*
5 *ligence shall provide to such committees and congress-*
6 *sional leadership a briefing on each controlled access*
7 *program in effect.*

8 “(2) *CONTENTS.*—Each briefing provided under
9 *paragraph (1) shall include, at a minimum, the fol-*
10 *lowing:*

11 “(A) *A description of the activity of the*
12 *controlled access programs during the period cov-*
13 *ered by the briefing.*

14 “(B) *Documentation with respect to how the*
15 *controlled access programs have achieved out-*
16 *comes consistent with requirements documented*
17 *by the Director and, as applicable, the Secretary*
18 *of Defense.*

19 “(b) *LIMITATION ON ESTABLISHMENT.*—A head of an
20 *element of the intelligence community may not establish a*
21 *controlled access program, or a compartment or sub-*
22 *compartment therein, until the head notifies the appro-*
23 *priate congressional committees and congressional leader-*
24 *ship of such controlled access program, compartment, or*
25 *subcompartment, as the case may be.*

1 “(c) *ANNUAL REPORTS.*—

2 “(1) *REQUIREMENT.*—*On an annual basis, the*
3 *head of each element of the intelligence community*
4 *shall submit to the appropriate congressional commit-*
5 *tees and congressional leadership a report on con-*
6 *trolled access programs administered by the head.*

7 “(2) *MATTERS INCLUDED.*—*Each report sub-*
8 *mitted under paragraph (1) shall include, with re-*
9 *spect to the period covered by the report, the fol-*
10 *lowing:*

11 “(A) *A list of all compartments and sub-*
12 *compartments of controlled access programs ac-*
13 *tive as of the date of the report.*

14 “(B) *A list of all compartments and sub-*
15 *compartments of controlled access programs ter-*
16 *minated during the period covered by the report.*

17 “(C) *With respect to the report submitted by*
18 *the Director of National Intelligence, in addition*
19 *to the matters specified in clauses (A) and (B)—*

20 “(i) *a certification regarding whether*
21 *the creation, validation, or substantial*
22 *modification, including termination, for all*
23 *existing and proposed controlled access pro-*
24 *grams, and the compartments and sub-*
25 *compartments within each, are substan-*

1 *tiated and justified based on the informa-*
2 *tion required by clause (ii); and*

3 *“(ii) for each certification—*

4 *“(I) the rationale for the revalida-*
5 *tion, validation, or substantial modi-*
6 *fication, including termination, of each*
7 *controlled access program, compart-*
8 *ment, and subcompartment;*

9 *“(II) the identification of a con-*
10 *trol officer for each controlled access*
11 *program; and*

12 *“(III) a statement of protection*
13 *requirements for each controlled access*
14 *program.*

15 “(d) *DEFINITIONS.—In this section:*

16 “(1) *APPROPRIATE CONGRESSIONAL COMMIT-*
17 *TEES.—The term ‘appropriate congressional commit-*
18 *tees’ means—*

19 “(A) *the congressional intelligence commit-*
20 *tees;*

21 “(B) *the Committee on Appropriations of*
22 *the Senate; and*

23 “(C) *the Committee on Appropriations of*
24 *the House of Representatives.*

1 “(2) *CONGRESSIONAL LEADERSHIP.*—*The term*
2 ‘*congressional leadership*’ *means—*

3 “(A) *the majority leader of the Senate;*

4 “(B) *the minority leader of the Senate;*

5 “(C) *the Speaker of the House of Represent-*
6 *atives; and*

7 “(D) *the minority leader of the House of*
8 *Representatives.*

9 “(3) *CONTROLLED ACCESS PROGRAM.*—*The term*
10 ‘*controlled access program*’ *means a program created*
11 *or managed pursuant to Intelligence Community Di-*
12 *rective 906, or successor directive.”.*

13 (b) *FIRST REPORTS.*—

14 (1) *REQUIREMENT.*—*Not later than 180 days*
15 *after the date of the enactment of this Act, the head*
16 *of each element of the intelligence community shall*
17 *submit to the appropriate congressional committees*
18 *and congressional leadership a report on all con-*
19 *trolled access programs of the element in effect.*

20 (2) *MATTERS ADDRESSED.*—*Each report under*
21 *paragraph (1) shall address, for each controlled access*
22 *program covered by the report, the following:*

23 (A) *Date of initial operational capability.*

24 (B) *Rationale.*

25 (C) *Annual level of funding.*

1 (D) *Current operational use.*

2 (c) *BRIEFING.*—

3 (1) *REQUIREMENT.*—*Not later than 90 days*
4 *after the date of the enactment of this Act, the Direc-*
5 *tor of National Intelligence shall provide to the ap-*
6 *propriate congressional committees and congressional*
7 *leadership a briefing on all controlled access programs*
8 *established during the 3-year period preceding such*
9 *date of enactment that have not been previously*
10 *briefed to such committees and leadership.*

11 (2) *LIMITATION.*—*If the Director does not carry*
12 *out paragraph (1) by the date specified in that para-*
13 *graph, no funds may be obligated or expended by an*
14 *element of the intelligence community to carry out a*
15 *controlled access program described in that para-*
16 *graph, or a compartment or subcompartment therein,*
17 *until the head of that element has provided to the ap-*
18 *propriate congressional committees and congressional*
19 *leadership a briefing on the controlled access pro-*
20 *gram.*

21 (d) *DEFINITIONS.*—*In this section, the terms “appro-*
22 *priate congressional committees”, “congressional leader-*
23 *ship”, and “controlled access programs” have the meanings*
24 *given those terms in section 501A of the National Security*
25 *Act of 1947, as added by subsection (a).*

1 (e) *CONFORMING REPEAL.*—Section 608 of the Intel-
2 *ligence Authorization Act for Fiscal Year 2017 (division N*
3 *of Public Law 115–31; 131 Stat. 833; 50 U.S.C. 3315) is*
4 *amended by striking subsection (b).*

5 **SEC. 505. ANNUAL REPORTS ON DOMESTIC ACTIVITIES OF**
6 **INTELLIGENCE COMMUNITY.**

7 (a) *SENSE OF CONGRESS.*—It is the sense of Congress
8 *that—*

9 (1) *the Federal Bureau of Investigation and the*
10 *Department of Homeland Security conduct vital work*
11 *in enforcing the rule of law and safeguarding the peo-*
12 *ple of the United States from harm;*

13 (2) *the Intelligence Reform and Terrorism Pre-*
14 *vention Act of 2004 (Public Law 108–458; 118 Stat.*
15 *3638) sought to facilitate greater information sharing*
16 *between law enforcement and intelligence commu-*
17 *nities for the purpose of thwarting attacks on the*
18 *homeland from international terrorist organizations;*

19 (3) *National Intelligence Program funds should*
20 *be expended only in support of intelligence activities*
21 *with a foreign nexus, consistent with the definition of*
22 *“intelligence” provided by Congress in section 3 of the*
23 *National Security Act of 1947 (50 U.S.C. 3003); and*

24 (4) *the intelligence community should not engage*
25 *in the collection, assessment, or analysis of informa-*

1 *tion that pertains exclusively to United States persons*
2 *absent a foreign nexus.*

3 (b) *REQUIREMENT.*—*Title V of the National Security*
4 *Act of 1947 (50 U.S.C. 3231 et seq.), is amended by adding*
5 *at the end the following new section (and conforming the*
6 *table of contents at the beginning of such Act accordingly):*

7 **“SEC. 513. ANNUAL REPORTS ON THE DOMESTIC ACTIVI-**
8 **TIES OF THE INTELLIGENCE COMMUNITY.**

9 “(a) *REPORTS.*—*Not later than January 31 of each*
10 *year, the Director of National Intelligence shall submit to*
11 *the congressional intelligence committees a report—*

12 “(1) *identifying all domestic activities under-*
13 *taken by each element of the intelligence community*
14 *during the prior fiscal year; and*

15 “(2) *for each activity identified under paragraph*
16 *(1), a statement of the legal authority authorizing*
17 *such activity to be undertaken.*

18 “(b) *FORM.*—*Each report under subsection (a) shall*
19 *be submitted in unclassified form, but may include a classi-*
20 *fied annex.”.*

21 (c) *FIRST REPORT.*—*Not later than 90 days after the*
22 *date of the enactment of this Act, the Director of National*
23 *Intelligence shall submit to the appropriate congressional*
24 *committees the first report required under section 513 of*

1 *the National Security Act of 1947, as added by subsection*
2 *(a).*

3 *(d) APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
4 *FINED.—In this section, the term “appropriate congress-*
5 *sional committees” means—*

6 *(1) the congressional intelligence committees; and*

7 *(2) the Subcommittees on Commerce, Justice,*
8 *Science, and Related Agencies and the Subcommittees*
9 *on Homeland Security of the Committees on Appro-*
10 *propriations of the House of Representatives and the*
11 *Senate.*

12 **SEC. 506. REPORTS RELATING TO INSPECTOR GENERAL OF**
13 **DEFENSE INTELLIGENCE AGENCY.**

14 *(a) REPORT ON RESPONSES BY INSPECTOR GENERAL*
15 *TO SUBSTANTIATED ALLEGATIONS.—*

16 *(1) REPORT.—Not later than 180 days after the*
17 *date of the enactment of this Act, the Director of the*
18 *Defense Intelligence Agency shall submit to the appro-*
19 *priate congressional committees a report on allega-*
20 *tions of reprisal or abuse of authority determined to*
21 *be substantiated by the Inspector General of the De-*
22 *fense Intelligence Agency during the 5-year period*
23 *preceding the date of the enactment of this Act.*

24 *(2) MATTERS INCLUDED.—The report under*
25 *paragraph (1) shall include, with respect to each alle-*

1 *gation determined to be substantiated during the 5-*
2 *year period specified in such paragraph, a descrip-*
3 *tion of the following:*

4 *(A) Details of each substantiated allegation.*

5 *(B) The rank or grade of the individuals in-*
6 *volved in the allegation.*

7 *(C) Any disciplinary action recommended*
8 *by the Inspector General in response to the alle-*
9 *gation, or, if the Inspector General recommended*
10 *no disciplinary action be taken in response, any*
11 *justification for such recommendation.*

12 *(D) Any disciplinary action taken by the*
13 *relevant manager of the Defense Intelligence*
14 *Agency in response to the allegation.*

15 *(E) Whether the relevant manager reduced,*
16 *or declined to take, a disciplinary action rec-*
17 *ommended by the Inspector General in response*
18 *to the allegation.*

19 *(F) Any justification from the relevant*
20 *manager regarding the decision to take, reduce,*
21 *or decline to take, a disciplinary action rec-*
22 *ommended by the Inspector General in response*
23 *to the allegation.*

24 *(G) The process by which Defense Intel-*
25 *ligence Agency management reviews and makes*

1 *decisions regarding disciplinary actions in re-*
2 *sponse to substantiated allegations, including—*

3 *(i) the criteria applied by management*
4 *in making the decision to take, reduce, or*
5 *decline to take, a disciplinary action;*

6 *(ii) a description of which managers*
7 *have the authority to make such decisions,*
8 *including the rank or grade of the man-*
9 *agers; and*

10 *(iii) a description of any formal or in-*
11 *formal appeals processes available with re-*
12 *spect to such decisions.*

13 (3) *FORM.—The report under paragraph (1)*
14 *shall be submitted in unclassified form, but may in-*
15 *clude a classified annex.*

16 (b) *REPORT ON PROCESSES FOR ENSURING INDE-*
17 *PENDENCE OF INSPECTOR GENERAL.—*

18 (1) *REPORT.—Not later than 30 days after the*
19 *date of the enactment of this Act, the Director of the*
20 *Defense Intelligence Agency shall submit to the appro-*
21 *priate congressional committees and the Council of*
22 *the Inspectors General on Integrity and Efficiency es-*
23 *tablished under section 11 of the Inspector General*
24 *Act of 1978 (5 U.S.C. App.) a report on the processes*
25 *of the Defense Intelligence Agency for ensuring the*

1 *independence of the position of the Inspector General*
2 *of the Defense Intelligence Agency.*

3 (2) *MATTERS INCLUDED.—The report under*
4 *paragraph (1) shall include a description of the fol-*
5 *lowing:*

6 (A) *The selection criteria used by the Direc-*
7 *tor in the appointment of the Inspector General.*

8 (B) *The methods used by the Director to en-*
9 *sure the independence of the position of the In-*
10 *spector General, including—*

11 (i) *the process for vetting candidates*
12 *for such position for independence from*
13 *leadership of the Defense Intelligence Agency*
14 *and from officials occupying positions in*
15 *the Defense Intelligence Senior Executive*
16 *Service; and*

17 (ii) *the process for evaluating such*
18 *candidates for conflicts of interest.*

19 (3) *FORM.—The report under paragraph (1)*
20 *shall be submitted in unclassified form, but may in-*
21 *clude a classified annex.*

22 (c) *ASSESSMENT BY COUNCIL OF INSPECTORS GEN-*
23 *ERAL ON INTEGRITY AND EFFICIENCY.—*

24 (1) *ASSESSMENT.—Not later than 120 days after*
25 *the date of the enactment of this Act, the Council of*

1 *the Inspectors General on Integrity and Efficiency*
2 *shall—*

3 *(A) conduct an assessment of the effective-*
4 *ness of the selection criteria and methods speci-*
5 *fied in subsection (b)(2) with respect to the posi-*
6 *tion of the Inspector General of the Defense Intel-*
7 *ligence Agency; and*

8 *(B) submit to the appropriate congressional*
9 *committees a report containing the results of*
10 *such assessment.*

11 *(2) FORM.—The report under paragraph (1)(B)*
12 *shall be submitted in unclassified form, but may in-*
13 *clude a classified annex.*

14 *(d) APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
15 *FINED.—In this section, the term “appropriate congres-*
16 *sional committees” means—*

17 *(1) the congressional intelligence committees; and*

18 *(2) the Committees on Armed Services of the*
19 *House of Representatives and the Senate.*

1 **TITLE VI—ANOMALOUS HEALTH**
2 **INCIDENTS AND OTHER**
3 **HEALTH CARE MATTERS**

4 **SEC. 601. COMPENSATION AND PROFESSIONAL STANDARDS**
5 **FOR CERTAIN MEDICAL OFFICERS OF CEN-**
6 **TRAL INTELLIGENCE AGENCY.**

7 *The Central Intelligence Agency Act of 1949 (50 U.S.C.*
8 *3501 et seq.), as amended by section 411, is further amend-*
9 *ed by adding at the end the following new section:*

10 **“SEC. 27. COMPENSATION AND PROFESSIONAL STANDARDS**
11 **FOR CERTAIN MEDICAL OFFICERS.**

12 *“(a) OFFICE OF MEDICAL SERVICES.—There is in the*
13 *Agency an Office of Medical Services.*

14 *“(b) COMPENSATION.—Beginning not later than 1*
15 *year after the date of the enactment of the Intelligence Au-*
16 *thorization Act for Fiscal Year 2022, each medical officer*
17 *of the Office of Medical Services who meets the qualifica-*
18 *tions under subsection (c) shall be compensated during a*
19 *pay period pursuant to a pay range that is equal to the*
20 *pay range published in the Federal Register pursuant to*
21 *section 7431(e)(1)(C) of title 38, United States Code (for*
22 *the corresponding pay period), for a physician in the Vet-*
23 *erans Health Administration in the District of Columbia*
24 *region with a medical subspecialty that is the equivalent*
25 *of the medical subspecialty of the officer.*

1 “(c) *CLINICAL PRACTICE QUALIFICATIONS.*—A med-
2 ical officer meets the qualifications under this subsection
3 if the officer provides direct care services to patients in con-
4 nection with the official duties of the officer and—

5 “(1) maintains current, active, full, and unre-
6 stricted licensure or registration as a physician from
7 a State, the District of Columbia, or a commonwealth
8 or territory of the United States;

9 “(2) holds active board certification and main-
10 tains accreditation in an American Board of Medical
11 Specialties direct care clinical specialty; and

12 “(3) except as provided in subsection (d), main-
13 tains a minimum of 96 hours per year of clinical
14 practice in an accredited clinic or hospital facility
15 that is not affiliated with the Central Intelligence
16 Agency.

17 “(d) *EXCEPTION FOR OVERSEAS SERVICE.*—If a med-
18 ical officer is a medical officer located in a duty station
19 outside of the United States pursuant to a permanent
20 change of station and greater than 50 percent of the official
21 duties of the officer in such duty station involve direct pa-
22 tient care, the officer, in lieu of performing the minimum
23 hours under subsection (c)(3) on an annual basis, may
24 count up to 480 hours of clinical practice performed as
25 specified in such subsection prior to such change of station,

1 *to fulfill in advance the requirement under such subsection*
2 *for up to 3 years.*

3 “(e) *CLINICAL PRACTICE HOURS.*—*The head of the Of-*
4 *fice of Medical Services shall make available to medical offi-*
5 *cers excused absence time to allow for the maintenance of*
6 *clinical practice hours in accordance with subsection*
7 *(c)(3).”.*

8 **SEC. 602. MEDICAL ADVISORY BOARD OF CENTRAL INTEL-**
9 **LIGENCE AGENCY.**

10 “(a) *ESTABLISHMENT.*—*The Central Intelligence Agen-*
11 *cy Act of 1949 (50 U.S.C. 3501 et seq.), as amended by*
12 *section 601, is further amended by adding at the end the*
13 *following new section:*

14 **“SEC. 28. MEDICAL ADVISORY BOARD.**

15 “(a) *ESTABLISHMENT.*—*The Director shall establish*
16 *within the Agency a medical advisory board (in this section*
17 *referred to as the ‘Board’).*

18 “(b) *DUTIES.*—*The Board shall—*

19 “(1) *conduct a study on the Office of Medical*
20 *Services of the Agency, and submit reports regarding*
21 *such study, in accordance with subsection (c); and*

22 “(2) *upon request, provide advice and guidance*
23 *in connection with any independent review of the Of-*
24 *fice conducted by an inspector general.*

25 “(c) *STUDY.*—

1 “(1) *OBJECTIVES.*—*In conducting the study*
2 *under subsection (b)(1), the Board shall seek to—*

3 “(A) *contribute to the modernization and*
4 *reform of the Office of Medical Services;*

5 “(B) *ensure that the activities of the Office*
6 *are of the highest professional quality; and*

7 “(C) *ensure that all medical care provided*
8 *by the Office is provided in accordance with the*
9 *highest professional medical standards.*

10 “(2) *REPORTS.*—*The Board shall submit to the*
11 *congressional intelligence committees, in writing—*

12 “(A) *interim reports on the study; and*

13 “(B) *a final report on the study, which*
14 *shall—*

15 “(i) *set forth in detail the findings of*
16 *the study and the recommendations of the*
17 *Board, based on such findings and taking*
18 *into consideration the objectives under*
19 *paragraph (1), regarding any changes to*
20 *the activities of the Office of Medical Serv-*
21 *ices; and*

22 “(ii) *include, as applicable, any addi-*
23 *tional or dissenting views submitted by a*
24 *member of the Board.*

25 “(d) *MEMBERSHIP.*—

1 “(1) *NUMBER AND APPOINTMENT.*—*The Board*
2 *shall be composed of 9 members, appointed as follows:*

3 “(A) *1 member appointed by the Speaker of*
4 *the House of Representatives.*

5 “(B) *1 member appointed by the minority*
6 *leader of the House of Representatives.*

7 “(C) *1 member appointed by the majority*
8 *leader of the Senate.*

9 “(D) *1 member appointed by the minority*
10 *leader of the Senate.*

11 “(E) *1 member appointed by the Chairman*
12 *of the Permanent Select Committee on Intel-*
13 *ligence of the House of Representatives.*

14 “(F) *1 member appointed by the ranking*
15 *minority member of the Permanent Select Com-*
16 *mittee on Intelligence of the House of Represent-*
17 *atives.*

18 “(G) *1 member appointed by the Chairman*
19 *of the Select Committee on Intelligence of the*
20 *Senate.*

21 “(H) *1 member appointed by the Vice*
22 *Chairman of the Select Committee on Intel-*
23 *ligence of the Senate.*

24 “(I) *1 member appointed by the Director of*
25 *National Intelligence.*

1 “(2) *CHAIRPERSON.*—*During the first meeting*
2 *under subsection (e)(1), the members of the Board*
3 *shall elect a Chairperson of the Board. In addition to*
4 *meeting the criteria under paragraph (3), the Chair-*
5 *person may not be an employee, or former employee,*
6 *of the Agency.*

7 “(3) *CRITERIA.*—*The members appointed under*
8 *paragraph (1) shall meet the following criteria:*

9 “(A) *Each member shall be a recognized ex-*
10 *pert in at least 1 medical field, as demonstrated*
11 *by appropriate credentials.*

12 “(B) *Each member shall possess significant*
13 *and diverse medical experience, including clin-*
14 *ical experience.*

15 “(C) *Each member shall be eligible to hold*
16 *an appropriate security clearance.*

17 “(4) *TERMS.*—

18 “(A) *IN GENERAL.*—*Each member, includ-*
19 *ing the Chairperson, shall be appointed or elect-*
20 *ed, as applicable, for the life of the Board.*

21 “(B) *VACANCIES.*—*Any vacancy in the*
22 *Board occurring prior to the expiration of the*
23 *term under subparagraph (A) shall be filled in*
24 *the manner in which the original appointment*
25 *or election was made.*

1 “(5) *COMPENSATION AND TRAVEL EXPENSES.*—

2 “(A) *COMPENSATION.*—*Except as provided*
3 *in subparagraph (B), each member of the Board,*
4 *including the Chairperson, may be compensated*
5 *at not to exceed the daily equivalent of the an-*
6 *annual rate of basic pay in effect for a position at*
7 *level IV of the Executive Schedule under section*
8 *5315 of title 5, United States Code, for each day*
9 *during which that member is engaged in the ac-*
10 *tual performance of the duties under subsection*
11 *(b).*

12 “(B) *EXCEPTION FOR FEDERAL EMPLOY-*
13 *EES.*—*Members of the Board, including the*
14 *Chairperson, who are officers or employees of the*
15 *United States shall receive no additional pay by*
16 *reason of the service of the member on the Board.*

17 “(C) *TRAVEL EXPENSES.*—*Each member of*
18 *the Board, including the Chairperson, while*
19 *away from the home or regular places of business*
20 *of the member in the performance of services for*
21 *the Board, may be allowed travel expenses, in-*
22 *cluding per diem in lieu of subsistence, in the*
23 *same manner as persons employed intermittently*
24 *in the Government service are allowed expenses*
25 *under section 5703 of title 5, United States Code.*

1 “(6) *DETAILEES*.—

2 “(A) *IN GENERAL*.—Upon request of the
3 Board, the Director of National Intelligence may
4 detail to the Board, without reimbursement from
5 the Board, any of the personnel of the Office of
6 the Director of National Intelligence to assist in
7 carrying out the duties under subsection (b). Any
8 such detailed personnel shall retain the rights,
9 status, and privileges of the regular employment
10 of the personnel without interruption.

11 “(B) *CLEARANCE*.—Any personnel detailed
12 to the Board under subparagraph (A) shall pos-
13 sess a security clearance in accordance with ap-
14 plicable laws and regulations concerning the
15 handling of classified information.

16 “(e) *MEETINGS*.—

17 “(1) *BOARD MEETINGS*.—The Board shall meet
18 not less frequently than on a quarterly basis.

19 “(2) *MEETINGS WITH CONGRESS*.—The Board
20 shall meet with the congressional intelligence commit-
21 tees on a biannual basis.

22 “(f) *INFORMATION ACCESS*.—

23 “(1) *IN GENERAL*.—Except as provided in para-
24 graph (2), the Board may secure directly from any
25 department or agency of the United States Govern-

1 *ment information necessary to enable it to carry out*
2 *the duties under subsection (b) and, upon request of*
3 *the Chairperson of the Board, the head of that depart-*
4 *ment or agency shall furnish such information to the*
5 *Board.*

6 *“(2) EXCEPTION.—The Director (without delega-*
7 *tion) may deny a request for information made by*
8 *the Board pursuant to paragraph (1), regardless of*
9 *the agency from which such information is requested.*

10 *“(3) NOTIFICATION REQUIREMENT.—If the Di-*
11 *rector denies a request under paragraph (2), not later*
12 *than 15 days after the date of such denial, the Direc-*
13 *tor shall submit to the congressional intelligence com-*
14 *mittees a written notification of such denial.*

15 *“(4) BRIEFINGS.—The Director shall ensure that*
16 *the Board receives comprehensive briefings on all ac-*
17 *tivities of the Office of Medical Services, including by*
18 *promptly scheduling such briefings at the request of*
19 *the Board.*

20 *“(g) TERMINATION.—The Board shall terminate on the*
21 *date that is 5 years after the date of the first meeting of*
22 *the Board.*

23 *“(h) DEFINITIONS.—In this section, the terms ‘congres-*
24 *sional intelligence committees’ and ‘intelligence community’*

1 *have the meanings given such terms in section 3 of the Na-*
2 *tional Security Act of 1947 (50 U.S.C. 3003).”.*

3 (b) *DEADLINE FOR APPOINTMENTS; FIRST MEET-*
4 *INGS.—*

5 (1) *DEADLINE FOR APPOINTMENTS.—Each mem-*
6 *ber of the medical advisory board established under*
7 *section 28 of the Central Intelligence Agency Act of*
8 *1949 (as added by subsection (a)), including the*
9 *Chairperson, shall be appointed or elected, as applica-*
10 *ble, in accordance with subsection (d) of such section*
11 *by not later than 45 days after the date of the enact-*
12 *ment of this Act.*

13 (2) *FIRST BOARD MEETING.—Not later than 30*
14 *days after the first date on which at least 5 members*
15 *of the Board described in paragraph (1) hold the secu-*
16 *rity clearance and are able to access information in*
17 *accordance with subsection (d)(3)(C) of such section*
18 *28, the Board shall meet. During such meeting, the*
19 *Director of the Central Intelligence Agency shall pro-*
20 *vide to the Board a comprehensive briefing on all as-*
21 *pects of the Office of Medical Services of the Central*
22 *Intelligence Agency.*

23 (3) *FIRST MEETING WITH CONGRESS.—Not later*
24 *than 30 days after the date of the briefing under*
25 *paragraph (2), the Board described in such para-*

1 *ment facility for assessment as described in subsection (a)*
2 *and, if necessary, treatment.*

3 (c) *INDIVIDUALS DESCRIBED.—The individuals de-*
4 *scribed in this subsection are employees of elements of the*
5 *intelligence community and the dependents or other imme-*
6 *diately family members of such employees.*

7 **SEC. 605. REPORT ON PROTOCOLS FOR CERTAIN INTEL-**
8 **LIGENCE COMMUNITY EMPLOYEES AND DE-**
9 **PENDENTS.**

10 (a) *IN GENERAL.—Beginning not later than 180 days*
11 *after the date of enactment of this Act, the President shall*
12 *develop, for uniform implementation across the elements of*
13 *the intelligence community, each of the protocols described*
14 *in subsections (c) through (f). Such protocols shall be subject*
15 *to review and revision on a periodic basis, and any imple-*
16 *mentation of such protocols shall be conducted in accord-*
17 *ance with applicable laws and current clinical and profes-*
18 *sional practices of the interagency medical community.*

19 (b) *PRIVACY.—No data collected pursuant to any pro-*
20 *tol under this section may be used for research or analyt-*
21 *ical purposes without the written consent of the individual*
22 *from whom such data was collected with respect to such use.*

23 (c) *PROTOCOL ON BASELINE MEDICAL TESTING.—The*
24 *protocol described in this subsection is a protocol for con-*
25 *ducting voluntary baseline medical testing of covered em-*

1 *ployees, covered individuals, and the dependents of covered*
2 *employees who are included on the overseas travel orders*
3 *of the covered employee. Such protocol shall set forth the*
4 *required elements of such baseline medical testing, such*
5 *as—*

6 (1) *standard lab collection and testing of rel-*
7 *evant biofluids;*

8 (2) *the conduct of relevant visual and auditory*
9 *examinations;*

10 (3) *the conduct of Acquired Brain Injury Tool*
11 *assessments, or other relevant assessments for balance,*
12 *eye motion, and cognition;*

13 (4) *the assessment of relevant medical histories;*
14 *and*

15 (5) *the conduct of any other standard relevant*
16 *medical or neurological examinations, testing, or as-*
17 *sessments.*

18 (d) *PROTOCOLS ON POST-INCIDENT MEDICAL TEST-*
19 *ING.—The protocols described in this subsection are proto-*
20 *cols to enable voluntary medical testing and the coordina-*
21 *tion of treatment for covered employees, covered individuals,*
22 *and the dependents of covered employees, following a re-*
23 *ported anomalous health incident, such as—*

1 (1) a protocol that sets forth elements, similar to
2 the elements described in subsection (c), of such test-
3 ing;

4 (2) a protocol pertaining to the voluntary testing
5 and treatment for victims of anomalous health inci-
6 dents who are children;

7 (3) a protocol for ensuring that all victims of
8 anomalous health incidents receive access to prompt
9 and consistent medical treatment, including from
10 medical professionals holding appropriate security
11 clearances and medical professionals with expertise in
12 child care;

13 (4) a protocol for ensuring that all victims of
14 anomalous health incidents are offered options for
15 psychological treatment for the effects of such inci-
16 dents; and

17 (5) a protocol for ensuring that any testing, eval-
18 uation, or collection of biofluids or other samples fol-
19 lowing a reported anomalous health incident may be
20 compared against the baseline for the victim of the
21 anomalous health incident, to the extent the indi-
22 vidual participated in the baseline medical testing,
23 consistent with subsections (b) and (c).

24 (e) *PROTOCOL ON INFORMATION COLLECTION, STOR-*
25 *AGE, AND SAFEGUARDING.*—The protocol described in this

1 subsection is a protocol for the collection, storage, and safe-
2 guarding of information acquired as a result of the proto-
3 cols described in subsections (c) and (d).

4 (f) *PROTOCOL ON REPORTING MECHANISMS.*—The
5 protocol described in this subsection is a protocol for the
6 reporting of matters relating to anomalous health incidents
7 by covered employees, covered individuals, and the depend-
8 ents of covered employees, including the development of a
9 system for the adjudication of complaints regarding med-
10 ical treatment received by such covered employees, covered
11 individuals, and dependents of covered employees.

12 (g) *REPORT AND BRIEFINGS.*—

13 (1) *REPORT.*—Not later than 180 days after the
14 date of the enactment of this Act, the Director of Na-
15 tional Intelligence shall submit to the appropriate
16 congressional committees a report on the protocols de-
17 scribed in subsections (c) through (f).

18 (2) *ELEMENTS.*—Such report shall include the
19 following elements:

20 (A) A copy of each protocol under this sec-
21 tion.

22 (B) A description of the following:

23 (i) Any interagency agreements, au-
24 thorities, or policies required to effectively
25 implement the protocols under this section.

1 (ii) *Any new facilities, medical equip-*
2 *ment, tools, training, or other resources re-*
3 *quired to effectively implement such proto-*
4 *cols.*

5 (C) *A timeline for the implementation of*
6 *the protocols under this section, including a pro-*
7 *posal for the prioritization of implementation*
8 *with respect to various categories of covered em-*
9 *ployees and the dependents of covered employees.*

10 (3) *BRIEFING.*—*Not later than 60 days following*
11 *the date of submission of the report under paragraph*
12 *(1), and biannually thereafter, the Director shall pro-*
13 *vide to the appropriate congressional committees a*
14 *briefing regarding the implementation of the protocols*
15 *under this section.*

16 (h) *DEFINITIONS.*—*In this section:*

17 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
18 *TEES.*—*The term “appropriate congressional commit-*
19 *tees” means—*

20 (A) *the congressional intelligence commit-*
21 *tees; and*

22 (B) *the Committees on Armed Services of*
23 *the House of Representatives and the Senate.*

24 (2) *COVERED EMPLOYEE.*—*The term “covered*
25 *employee” means an individual who is an employee,*

1 *sibilities, authorities, resources, and performance of the Of-*
2 *fice of Medical Services of the Central Intelligence Agency*
3 *(in this section referred to as the “Office”).*

4 *(b) MATTERS INCLUDED.—The inspection under sub-*
5 *section (a) shall include the following:*

6 *(1) A detailed description of the responsibilities*
7 *and authorities of the Office, as set forth in Federal*
8 *law and any applicable regulation, policy, or other*
9 *document of the Central Intelligence Agency.*

10 *(2) A detailed description of the budgetary,*
11 *human, and other resources available to the Office, in-*
12 *cluding with respect to employees and any other per-*
13 *sonnel.*

14 *(3) An assessment of the ability of the Office to*
15 *consistently discharge the responsibilities of the Office,*
16 *with an emphasis on the provision of medical treat-*
17 *ment and care by personnel of the Office, including*
18 *with respect to—*

19 *(A) the roles of personnel of the Office, and*
20 *of senior officials of the Agency outside of the Of-*
21 *fice, in determining what medical evaluation,*
22 *treatment, and care should be provided in a par-*
23 *ticular case, including the provision of specialty*
24 *care by medical personnel outside of the Office;*

1 (B) whether personnel of the Office consist-
2 ently provide appropriate and high-quality med-
3 ical treatment and care in accordance with
4 standards set independently by the professional
5 medical community;

6 (C) whether the Office has sufficient human
7 and other resources, including personnel with
8 specialized background, qualifications, or exper-
9 tise, to consistently provide high-quality medical
10 treatment and care in accordance with standards
11 set independently by the professional medical
12 community;

13 (D) whether personnel of the Office, includ-
14 ing personnel claiming specialized medical back-
15 grounds and expertise, are required by the Agen-
16 cy to maintain current board certifications or
17 other certifications and licenses, and the extent
18 to which the Office verifies such certifications
19 and licenses;

20 (E) the extent to which the Office makes
21 consistent and effective use of the specialized
22 medical background, qualifications, and expertise
23 of the personnel of the Office in providing med-
24 ical treatment and care;

1 (F) an assessment of whether personnel of
2 the Office who provide medical treatment and
3 care, or who make decisions with respect to such
4 treatment or care, are required to have extensive
5 clinical or other experience in directly treating
6 patients, including in areas requiring specialized
7 background, qualifications, or expertise;

8 (G) any factors that have frustrated or de-
9 layed the provision of medical treatment and
10 care by personnel of the Office in significant
11 cases; and

12 (H) any factors that have frustrated or
13 could frustrate prompt detection, effective over-
14 sight, and swift remediation of problems within
15 the Office, including such factors that frustrate
16 or delay the provision of medical treatment and
17 care in significant cases.

18 (c) *INDEPENDENT ADVICE.*—In conducting the inspec-
19 tion under subsection (a), the Inspector General may obtain
20 the advice of the medical advisory board established under
21 section 28 of the Central Intelligence Agency Act of 1949
22 (as added by section 602).

23 (d) *FORM.*—The report under subsection (a) shall be
24 submitted in an unclassified form to the extent practicable,

1 *consistent with the protection of intelligence sources and*
 2 *methods, but may include a classified annex.*

3 **TITLE VII—MATTERS RELATING**
 4 **TO FOREIGN COUNTRIES**
 5 **Subtitle A—Matters Relating to**
 6 **China**

7 **SEC. 701. UPDATES TO ANNUAL REPORTS ON INFLUENCE**
 8 **OPERATIONS AND CAMPAIGNS IN THE**
 9 **UNITED STATES BY THE CHINESE COM-**
 10 **MUNIST PARTY.**

11 *Section 1107(b) of the National Security Act of 1947*
 12 *(50 U.S.C. 3237(b)) is amended—*

13 *(1) by redesignating paragraph (9) as para-*
 14 *graph (10); and*

15 *(2) by inserting after paragraph (8) the fol-*
 16 *lowing new paragraph:*

17 *“(9) A listing of all known Chinese talent re-*
 18 *ruitment programs operating in the United States as*
 19 *of the date of the report.”.*

20 **SEC. 702. ASSESSMENT OF GENOMIC COLLECTION BY**
 21 **CHINA.**

22 *(a) ASSESSMENT SUBMITTED TO CONGRESSIONAL IN-*
 23 *TELLIGENCE COMMITTEES.—*

24 *(1) REQUIREMENT.—Not later than 180 days*
 25 *after the date of the enactment of this Act, the Direc-*

1 *tor of National Intelligence, in consultation with the*
2 *heads of other entities of the United States Govern-*
3 *ment the Director determines appropriate, shall sub-*
4 *mit to the congressional intelligence committees an*
5 *assessment of the plans, intentions, capabilities, and*
6 *resources of China devoted to biotechnology, and the*
7 *objectives underlying those plans, intentions, capabili-*
8 *ties, and resources.*

9 (2) *ELEMENTS.*—*The assessment under para-*
10 *graph (1) shall include—*

11 (A) *a detailed analysis of efforts undertaken*
12 *by China to acquire foreign-origin biotechnology,*
13 *research and development, and genetic informa-*
14 *tion, including technology owned by United*
15 *States companies, research by United States in-*
16 *stitutions, and the genetic information of United*
17 *States citizens;*

18 (B) *identification of China-based organiza-*
19 *tions conducting or directing efforts described in*
20 *subparagraph (A), including information about*
21 *the ties between those organizations and the Chi-*
22 *nese government, the Chinese Communist Party,*
23 *or the People's Liberation Army; and*

24 (C) *a detailed analysis of the resources of*
25 *the intelligence community devoted to bio-*

1 *technology, including synthetic biology and*
2 *genomic-related issues, and a plan to improve*
3 *understanding of these issues and ensure the in-*
4 *telligence community has the requisite expertise.*

5 (3) *FORM.—The assessment under paragraph (1)*
6 *shall be submitted in unclassified form, but may in-*
7 *clude a classified annex.*

8 (b) *ASSESSMENT SUBMITTED TO CERTAIN OTHER*
9 *COMMITTEES.—*

10 (1) *REQUIREMENT.—Not later than 180 days*
11 *after the date of the enactment of this Act, the Direc-*
12 *tor of National Intelligence, in consultation with the*
13 *heads of other entities of the United States Govern-*
14 *ment the Director determines appropriate, shall sub-*
15 *mit to the appropriate congressional committees an*
16 *assessment of the plans, intentions, capabilities, and*
17 *resources of China devoted to biotechnology, and the*
18 *objectives underlying those plans, intentions, capabili-*
19 *ties, and resources.*

20 (2) *ELEMENTS.—The assessment required by*
21 *paragraph (1) shall include the elements described in*
22 *subparagraphs (A) and (B) of subsection (a)(2).*

23 (3) *FORM.—The assessment under paragraph (1)*
24 *shall be submitted in unclassified form.*

1 (4) *APPROPRIATE CONGRESSIONAL COMMITTEES*
2 *DEFINED.*—*In this subsection, the term “appropriate*
3 *congressional committees” means—*

4 (A) *the Committee on Armed Services, the*
5 *Committee on Health, Education, Labor, and*
6 *Pensions, and the Committee on Foreign Rela-*
7 *tions of the Senate; and*

8 (B) *the Committee on Armed Services, the*
9 *Committee on Energy and Commerce, and the*
10 *Committee on Foreign Affairs of the House of*
11 *Representatives.*

12 **SEC. 703. REPORT ON THREAT POSED BY EMERGING CHI-**
13 **NESE TECHNOLOGY COMPANIES.**

14 (a) *REPORT.*—*Not later than 180 days after the date*
15 *of the enactment of this Act, the Director of National Intel-*
16 *ligence, in consultation with the Assistant Secretary of the*
17 *Treasury for Intelligence and Analysis and the Director of*
18 *the Federal Bureau of Investigation, and consistent with*
19 *the protection of intelligence sources and methods, shall sub-*
20 *mit to the appropriate congressional committees a report*
21 *on the threat to the economic and security interests of the*
22 *United States posed by emerging Chinese technology compa-*
23 *nies.*

24 (b) *MATTERS INCLUDED.*—*The report under subsection*
25 (i) *shall include the following:*

1 (1) *An assessment of the threat to the economic*
2 *and security interests of the United States posed by*
3 *emerging Chinese technology companies, including*
4 *with respect to—*

5 (A) *the practices of such companies and the*
6 *relationships of such companies to the govern-*
7 *ment of China and the Chinese Communist*
8 *Party;*

9 (B) *the extent to which such companies ben-*
10 *efit from government financing or contracting*
11 *vehicles outside of China;*

12 (C) *the extent to which such companies fa-*
13 *ilitate the targeting of dissidents and other vul-*
14 *nerable populations;*

15 (D) *the market penetration of such compa-*
16 *nies among allies and strategic partners of the*
17 *United States;*

18 (E) *the security of the communications,*
19 *data, and commercial interests of consumer and*
20 *commercial end-users of the products of such*
21 *companies; and*

22 (F) *the privacy interests of such consumers*
23 *and commercial end-users.*

24 (2) *An assessment of the ability of the United*
25 *States to counter any such threat, including with re-*

1 *spect to different tools that could counter such a*
2 *threat.*

3 (c) *FORM.*—*The report under subsection (a) may be*
4 *submitted in classified form, but if so submitted shall in-*
5 *clude an unclassified executive summary.*

6 (d) *DEFINITIONS.*—*In this section:*

7 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
8 *TEES.*—*The term “appropriate congressional commit-*
9 *tees” means—*

10 (A) *the congressional intelligence commit-*
11 *tees;*

12 (B) *the Committees on Armed Services of*
13 *the House of Representatives and the Senate;*

14 (C) *the Subcommittees on Commerce, Jus-*
15 *stice, Science, and Related Agencies and the Sub-*
16 *committees on Financial Services and General*
17 *Government of the Committees on Appropria-*
18 *tions of the House of Representatives and the*
19 *Senate; and*

20 (D) *the Committee on Energy and Com-*
21 *merce of the House of Representatives and the*
22 *Committee on Commerce, Science, and Transpor-*
23 *tation of the Senate.*

24 (2) *EMERGING CHINESE TECHNOLOGY COMPA-*
25 *NIES.*—*The term “emerging Chinese technology com-*

1 panies” means a Chinese technology company, includ-
2 ing a company listed on the Science and Technology
3 Innovation Board of the Shanghai Stock Exchange,
4 that the Assistant Secretary of the Treasury for Intel-
5 ligence and Analysis determines poses a significant
6 threat to the national security of the United States.

7 **SEC. 704. REPORT AND BRIEFING ON COOPERATION BE-**
8 **TWEEN CHINA AND UNITED ARAB EMIRATES.**

9 (a) *REQUIREMENT.*—Not later than 60 days after the
10 date of the enactment of this Act, the Director of National
11 Intelligence, in consultation with the heads of elements of
12 the intelligence community that the Director determines ap-
13 propriate, and consistent with the protection of intelligence
14 sources and methods, shall provide to the appropriate con-
15 gressional committees a briefing, and submit to the appro-
16 priate congressional committees a report, containing the fol-
17 lowing:

18 (1) *Details on the cooperation between China*
19 *and the United Arab Emirates regarding defense, se-*
20 *curity, technology, and other strategically sensitive*
21 *matters that implicate the national security interests*
22 *of the United States.*

23 (2) *The most recent (as of the date of the report*
24 *or briefing, as the case may be) quarterly assessment*
25 *by the intelligence community of measures that the*

1 *United Arab Emirates has implemented to safeguard*
2 *technology of the United States and the reliability of*
3 *any assurances by the United Arab Emirates (with*
4 *respect to both current assurances and assurances*
5 *being considered as of such date).*

6 (3) *A certification by the Director regarding*
7 *whether such assurances described in paragraph (2)*
8 *are viable and sufficient to protect technology of the*
9 *United States from being transferred to China or*
10 *other third parties.*

11 (b) *FORM.*—*The report under subsection (a) may be*
12 *submitted in classified form, but if so submitted shall in-*
13 *clude an unclassified executive summary.*

14 (c) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
15 *FINED.*—*In this section, the term “appropriate congres-*
16 *sional committees” means—*

17 (1) *the congressional intelligence committees;*

18 (2) *the Committee on Armed Services and the*
19 *Committee on Foreign Affairs of the House of Rep-*
20 *resentatives; and*

21 (3) *the Committee on Armed Services and the*
22 *Committee on Foreign Relations of the Senate.*

1 **SEC. 705. REPORT ON CREATION OF OFFICIAL DIGITAL**
2 **CURRENCY BY CHINA.**

3 (a) *REPORT.*—Not later than 1 year after the date of
4 the enactment of this Act, the President, consistent with the
5 protection of intelligence sources and methods, shall trans-
6 mit to the appropriate congressional committees a report
7 on the short-, medium-, and long-term national security
8 risks associated with the creation and use of the official dig-
9 ital renminbi of China, including—

10 (1) risks arising from potential surveillance of
11 transactions;

12 (2) risks relating to security and illicit finance;
13 and

14 (3) risks relating to economic coercion and social
15 control by China.

16 (b) *FORM.*—The report under subsection (a) shall be
17 submitted in unclassified form, but may include a classified
18 annex.

19 (c) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
20 *FINED.*—In this section, the term “appropriate congres-
21 sional committees” means—

22 (1) the congressional intelligence committees;

23 (2) the Committee on Banking, Housing, and
24 Urban Affairs, the Committee on Foreign Relations,
25 and the Committee on Appropriations of the Senate;
26 and

1 (3) *the Committee on Financial Services, the*
2 *Committee on Foreign Affairs, and the Committee on*
3 *Appropriations of the House of Representatives.*

4 **SEC. 706. REPORT ON INFLUENCE OF CHINA THROUGH**
5 **BELT AND ROAD INITIATIVE PROJECTS WITH**
6 **OTHER COUNTRIES.**

7 (a) *REPORT.*—*Not later than 180 days after the date*
8 *of the enactment of this Act, the Director of National Intel-*
9 *ligence, consistent with the protection of intelligence sources*
10 *and methods, shall submit to the appropriate congressional*
11 *committees a report on recent projects negotiated by China*
12 *with other countries as part of the Belt and Road Initiative*
13 *of China. The Director shall include in the report informa-*
14 *tion about the types of such projects, costs of such projects,*
15 *and the potential national security implications of such*
16 *projects.*

17 (b) *FORM.*—*The report under subsection (a) shall be*
18 *submitted in unclassified form, but may include a classified*
19 *annex.*

20 (c) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
21 *FINED.*—*In this section, the term “appropriate congress-*
22 *sional committees” means—*

23 (1) *the congressional intelligence committees;*

24 (2) *the Committee on Foreign Relations of the*
25 *Senate; and*

1 (3) *the Committee on Foreign Affairs of the*
2 *House of Representatives.*

3 **SEC. 707. REPORT ON EFFORTS OF CHINESE COMMUNIST**
4 **PARTY TO ERODE FREEDOM AND AUTONOMY**
5 **IN HONG KONG.**

6 (a) *REPORT.*—*Not later than 180 days after the date*
7 *of the enactment of this Act, the Director of National Intel-*
8 *ligence, consistent with the protection of intelligence sources*
9 *and methods, shall submit to the appropriate congressional*
10 *committees a report on efforts of the Chinese Communist*
11 *Party to stifle political freedoms in Hong Kong, influence*
12 *or manipulate the judiciary of Hong Kong, destroy freedom*
13 *of the press and speech in Hong Kong, and take actions*
14 *to otherwise undermine the democratic processes of Hong*
15 *Kong.*

16 (b) *CONTENTS.*—*The report submitted under sub-*
17 *section (a) shall include an assessment of the implications*
18 *of the efforts of the Chinese Communist Party described in*
19 *such subsection for international business, investors, aca-*
20 *demic institutions, and other individuals operating in*
21 *Hong Kong.*

22 (c) *FORM.*—*The report under subsection (a) shall be*
23 *submitted in unclassified form, but may include a classified*
24 *annex.*

1 (d) *APPROPRIATE CONGRESSIONAL COMMITTEES.*—In
2 *this section, the term “appropriate congressional commit-*
3 *tees” means—*

4 (1) *the congressional intelligence committees;*

5 (2) *the Committee on Foreign Relations and the*
6 *Committee on Banking, Housing, and Urban Affairs*
7 *of the Senate; and*

8 (3) *the Committee on Foreign Affairs and the*
9 *Committee on Financial Services of the House of Rep-*
10 *resentatives.*

11 **SEC. 708. REPORT ON TARGETING OF RENEWABLE SECTORS**

12 **BY CHINA.**

13 (a) *REPORT.*—Not later than 180 days after the date
14 *of the enactment of this Act, the Director of National Intel-*
15 *ligence, consistent with the protection of intelligence sources*
16 *and methods, shall submit to the appropriate congressional*
17 *committees a report assessing the efforts and advancements*
18 *of China in the wind power, solar power, and electric vehi-*
19 *cle battery production sectors (or key components of such*
20 *sectors).*

21 (b) *CONTENTS.*—The report under subsection (b) shall
22 *include the following:*

23 (1) *An assessment of how China is targeting rare*
24 *earth minerals and the effect of such targeting on the*
25 *sectors described in subsection (a).*

1 (2) *Details of the use by the Chinese Communist*
2 *Party of state-sanctioned forced labor schemes, includ-*
3 *ing forced labor and the transfer of Uyghurs and*
4 *other ethnic groups, and other human rights abuses in*
5 *such sectors.*

6 (c) *FORM.—The report under subsection (a) shall be*
7 *submitted in unclassified form, but may include a classified*
8 *annex.*

9 (d) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
10 *FINED.—In this section, the term “appropriate congres-*
11 *sional committees” means—*

12 (1) *the congressional intelligence committees;*

13 (2) *the Committee on Foreign Relations of the*
14 *Senate; and*

15 (3) *the Committee on Foreign Affairs of the*
16 *House of Representatives.*

17 ***Subtitle B—Matters Relating to***
18 ***Other Countries***

19 ***SEC. 711. NATIONAL INTELLIGENCE ESTIMATE ON SECU-***
20 ***RITY SITUATION IN AFGHANISTAN AND RE-***
21 ***LATED REGION.***

22 (a) *REQUIREMENT.—The Director of National Intel-*
23 *ligence, acting through the National Intelligence Council,*
24 *shall produce a National Intelligence Estimate on the situa-*
25 *tion in Afghanistan and the covered region.*

1 (b) *MATTERS.*—*The National Intelligence Estimate*
2 *produced under subsection (a) shall include, with respect*
3 *to the 2-year period beginning on the date on which the*
4 *Estimate is produced, an assessment of the following:*

5 (1) *The presence in Afghanistan (including fi-*
6 *nancial contributions to the Taliban, political rela-*
7 *tions with the Taliban, military presence in the cov-*
8 *ered region, economic presence in the covered region,*
9 *and diplomatic presence in the covered region) of*
10 *China, Iran, Pakistan, Russia, and any other foreign*
11 *country determined relevant by the Director, respec-*
12 *tively, and an assessment of the potential risks, or*
13 *benefits, of any such presence, contributions, or rela-*
14 *tions.*

15 (2) *Any change in the threat to the United*
16 *States homeland or United States entities abroad as*
17 *a result of the withdrawal of the Armed Forces from*
18 *Afghanistan on August 31, 2021, including an assess-*
19 *ment of the risk of al-Qaeda or any affiliates thereof,*
20 *the Islamic State of Iraq and ash Sham-Khorasan or*
21 *any affiliates thereof, or any other similar inter-*
22 *national terrorist group, using Afghanistan as a safe*
23 *haven for launching attacks on the United States and*
24 *its interests abroad.*

1 (3) *The political composition and sustainability*
2 *of the governing body of Afghanistan, including an*
3 *assessment of the ability of the United States Govern-*
4 *ment to influence the policies of such governing body*
5 *on the following:*

6 (A) *Counterterrorism.*

7 (B) *Counternarcotics.*

8 (C) *Human rights (particularly regarding*
9 *women and girls and traditionally targeted eth-*
10 *nic groups).*

11 (D) *The treatment and safe transit of Af-*
12 *ghans holding special immigrant visa status*
13 *under section 602 of the Afghan Allies Protection*
14 *Act of 2009 (8 U.S.C. 1101 note) and other Af-*
15 *ghans who, during the period beginning in 2001,*
16 *assisted efforts of the United States in Afghani-*
17 *stan or the covered region.*

18 (4) *The effect on the covered region, and Europe,*
19 *of refugees leaving Afghanistan.*

20 (5) *The commitments of the Taliban relating to*
21 *counterterrorism, including an assessment of—*

22 (A) *whether such commitments required*
23 *under the agreement entered into between the*
24 *United States Government and the Taliban in*
25 *February 2020, have been tested, or will be tested*

1 *during the 2-year period covered by the Esti-*
2 *mate, and what such commitments entail;*

3 *(B) whether any additional commitments*
4 *relating to counterterrorism agreed to by the*
5 *Taliban pursuant to subsequent negotiations*
6 *with the United States Government following*
7 *February 2020, have been tested, or will be tested*
8 *during the 2-year period covered by the Esti-*
9 *mate, and, if applicable, what such commitments*
10 *entail;*

11 *(C) any benchmarks against which the*
12 *Taliban are to be evaluated with respect to com-*
13 *mitments relating to counterterrorism; and*

14 *(D) the intentions and capabilities of the*
15 *Taliban with respect to counterterrorism (as*
16 *such term is understood by the United States*
17 *and by the Taliban, respectively), including the*
18 *relations of the Taliban with al-Qaeda or any af-*
19 *filiates thereof, the Islamic State of Iraq and ash*
20 *Sham-Khorasan or any affiliates thereof, or any*
21 *other similar international terrorist group.*

22 *(c) SUBMISSION TO CONGRESS.—*

23 *(1) SUBMISSION.—Not later than one year after*
24 *the date of the enactment of this Act, the Director*
25 *shall submit to the appropriate congressional commit-*

1 *tees the National Intelligence Estimate produced*
2 *under subsection (a). In so submitting the Estimate*
3 *to the congressional intelligence committees, the Direc-*
4 *tor shall include all intelligence reporting underlying*
5 *the Estimate.*

6 (2) *FORM.—The National Intelligence Estimate*
7 *shall be submitted under paragraph (1) in classified*
8 *form.*

9 (d) *PUBLIC VERSION.—Consistent with the protection*
10 *of intelligence sources and methods, at the same time as*
11 *the Director submits to the appropriate congressional com-*
12 *mittees the National Intelligence Estimate under subsection*
13 *(c), the Director shall make publicly available on the inter-*
14 *net website of the Director an unclassified version of the*
15 *key findings of the National Intelligence Estimate.*

16 (e) *DEFINITIONS.—In this section:*

17 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
18 *TEES.—The term “appropriate congressional commit-*
19 *tees” means—*

20 (A) *the congressional intelligence commit-*
21 *tees; and*

22 (B) *the Committees on Armed Services of*
23 *the House of Representatives and the Senate.*

24 (2) *COVERED REGION.—The term “covered re-*
25 *gion” includes the following countries:*

1 (A) *China.*

2 (B) *The Gulf Cooperation Council coun-*
3 *tries, including Qatar, Saudi Arabia, the United*
4 *Arab Emirates.*

5 (C) *India.*

6 (D) *Iran.*

7 (E) *Pakistan.*

8 (F) *Tajikistan.*

9 (G) *Turkey.*

10 (H) *Turkmenistan.*

11 (I) *Uzbekistan.*

12 (3) *UNITED STATES ENTITY.*—*The term “United*
13 *States entity” means a citizen of the United States,*
14 *an embassy or consulate of the United States, or an*
15 *installation, facility, or personnel of the United*
16 *States Government.*

17 **SEC. 712. REPORT ON INTELLIGENCE COLLECTION POS-**
18 **TURE AND OTHER MATTERS RELATING TO AF-**
19 **GHANISTAN AND RELATED REGION.**

20 (a) *REPORT.*—*Not later than 90 days after the date*
21 *of the enactment of this Act, the Director of National Intel-*
22 *ligence, in consultation with the heads of elements of the*
23 *intelligence community determined relevant by the Direc-*
24 *tor, shall submit to the congressional intelligence commit-*
25 *tees a report on the collection posture of the intelligence*

1 *community and other matters relating to Afghanistan and*
2 *the covered region.*

3 (b) *MATTERS.—The report under subsection (a) shall*
4 *include the following:*

5 (1) *A detailed description of the collection pos-*
6 *ture of the intelligence community with respect to Af-*
7 *ghanistan, including with respect to the following:*

8 (A) *The countering of terrorism threats that*
9 *are directed at the United States homeland or*
10 *United States entities abroad.*

11 (B) *The finances of the Taliban, including*
12 *financial and nonfinancial contributions to the*
13 *Taliban from foreign countries (particularly*
14 *from China, Iran, Russia, and any other foreign*
15 *country in the Arab Gulf region (or elsewhere)*
16 *determined relevant by the Director, respec-*
17 *tively).*

18 (C) *The detection, and prevention of, any*
19 *increased threat to the United States homeland*
20 *or United States entities abroad as a result of*
21 *the withdrawal of the United States Armed*
22 *Forces from Afghanistan on August 31, 2021, in-*
23 *cluding any such increased threat resulting from*
24 *al-Qaeda or any affiliates thereof, the Islamic*
25 *State of Iraq and ash Sham-Khorasan or any af-*

1 *filiates thereof, or any other similar inter-*
2 *national terrorist group, using Afghanistan as a*
3 *safe harbor.*

4 (2) *A detailed description of any plans, strate-*
5 *gies, or efforts to improve the collection posture de-*
6 *scribed in paragraph (1)(A), including by filling any*
7 *gaps identified pursuant to such paragraph.*

8 (3) *An assessment of the effect of publicly docu-*
9 *menting abuses engaged in by the Taliban, and a de-*
10 *scription of the efforts of the intelligence community*
11 *to support other departments and agencies in the Fed-*
12 *eral Government with respect to the collection and*
13 *documentation of such abuses.*

14 (4) *An assessment of the relationship between the*
15 *intelligence community and countries in the covered*
16 *region, including an assessment of the following:*

17 (A) *Intelligence and information sharing*
18 *with such countries.*

19 (B) *Any change in the collection posture of*
20 *the intelligence community with respect to the*
21 *nuclear activities of such countries as a result of*
22 *the withdrawal of the United States Armed*
23 *Forces from Afghanistan on August 31, 2021.*

24 (C) *The collection posture of the intelligence*
25 *community with respect to the presence of such*

1 *countries in Afghanistan (including financial*
2 *contributions to the Taliban, political relations*
3 *with the Taliban, military presence in Afghani-*
4 *stan, economic presence in Afghanistan, and dip-*
5 *lomatic presence in Afghanistan) and the under-*
6 *standing of the intelligence community regarding*
7 *the potential risks, or benefits, of any such pres-*
8 *ence, contributions, or relations.*

9 *(D) The ability of the intelligence commu-*
10 *nity to use the airspace of any such countries.*

11 *(5) An assessment of any financial contributions*
12 *to the Taliban from foreign countries (particularly*
13 *from China, Iran, Russia, and any other foreign*
14 *country in the Arab Gulf region (or elsewhere) deter-*
15 *mined relevant by the Director, respectively) made*
16 *during the year preceding the withdrawal of the*
17 *United States Armed Forces from Afghanistan on Au-*
18 *gust 31, 2021.*

19 *(c) FORM.—The report under subsection (a) may be*
20 *submitted in classified form, but shall include an unclassi-*
21 *fied summary.*

22 *(d) BIENNIAL UPDATES.—On a biennial basis dur-*
23 *ing the 5-year period following the date of the submission*
24 *of the report under subsection (a), the Director of National*
25 *Intelligence, in consultation with the heads of the elements*

1 *of the intelligence community determined relevant by the*
2 *Director, shall submit to the congressional intelligence com-*
3 *mittees an update to such report.*

4 *(e) DEFINITIONS.—In this section:*

5 *(1) COVERED REGION.—The term “covered re-*
6 *gion” includes the following countries:*

7 *(A) China.*

8 *(B) The Gulf Cooperation Council coun-*
9 *tries, including Qatar, Saudi Arabia, the United*
10 *Arab Emirates.*

11 *(C) India.*

12 *(D) Iran.*

13 *(E) Pakistan.*

14 *(F) Tajikistan.*

15 *(G) Turkey.*

16 *(H) Turkmenistan.*

17 *(I) Uzbekistan.*

18 *(2) UNITED STATES ENTITY.—The term “United*
19 *States entity” means a citizen of the United States,*
20 *an embassy or consulate of the United States, or an*
21 *installation, facility, or personnel of the United*
22 *States Government.*

1 **SEC. 713. REPORT ON PROPAGATION OF EXTREMIST**
2 **IDEOLOGIES FROM SAUDI ARABIA.**

3 (a) *REPORT.*—Not later than May 30, 2022, the Direc-
4 tor of National Intelligence, in consultation with other rel-
5 evant Federal departments and agencies, and consistent
6 with the protection of intelligence sources and methods,
7 shall submit to the appropriate congressional committees a
8 report on the threat of extremist ideologies propagated from
9 Saudi Arabia and the failure of the Government of Saudi
10 Arabia to prevent the propagation of such ideologies. Such
11 report shall include a detailed description of—

12 (1) *the role of governmental and nongovern-*
13 *mental entities and individuals of Saudi Arabia in*
14 *promoting, funding, and exporting ideologies, includ-*
15 *ing so-called “Wahhabist ideology”, that inspire extre-*
16 *mism or extremist groups in other countries; and*

17 (2) *the practical and strategic consequences for*
18 *vital national security interests of the United States*
19 *as a result of such promotion, funding, or export.*

20 (b) *FORM.*—The report under subsection (a) shall be
21 submitted in unclassified form, but may include a classified
22 annex.

23 (c) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
24 *FINED.*—In this section, the term “appropriate congres-
25 sional committees” means—

26 (1) *the congressional intelligence committees;*

1 (A) *the congressional intelligence commit-*
2 *tees;*

3 (B) *the Committee on Armed Services and*
4 *the Committee on Foreign Affairs of the House*
5 *of Representatives; and*

6 (C) *the Committee on Armed Services and*
7 *the Committee on Foreign Relations of the Sen-*
8 *ate.*

9 (2) *SOUTH CAUCASUS COUNTRY.*—*The term*
10 *“South Caucasus country” means any of the fol-*
11 *lowing:*

12 (A) *Armenia.*

13 (B) *Azerbaijan.*

14 (C) *Georgia.*

15 **SEC. 715. REPORT ON NORD STREAM II COMPANIES AND IN-**
16 **TELLIGENCE TIES.**

17 (a) *REPORT.*—*Not later than 30 days after the date*
18 *of the enactment of this Act, the Director of National Intel-*
19 *ligence, consistent with the protection of intelligence sources*
20 *and methods, and in consultation with the heads of other*
21 *departments and agencies of the United States Government*
22 *as the Director determines appropriate, shall submit to the*
23 *appropriate congressional committees a report on Nord*
24 *Stream II efforts, including—*

1 (1) *an unclassified list of all companies sup-*
2 *porting the Nord Stream II project; and*

3 (2) *an updated assessment of current or former*
4 *ties between Nord Stream’s Chief Executive Officer*
5 *and Russian, East German, or other hostile intel-*
6 *ligence agencies.*

7 (b) *FORM.*—*The report under subsection (a) shall be*
8 *submitted in unclassified form, but may include a classified*
9 *annex.*

10 (c) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
11 *FINED.*—*In this section, the term “appropriate congres-*
12 *sional committees” means—*

13 (1) *the congressional intelligence committees;*

14 (2) *the Committee on Armed Services, the Com-*
15 *mittee on Commerce, Science, and Transportation,*
16 *the Committee on Banking, Housing, and Urban Af-*
17 *airs, the Committee on Foreign Relations, and the*
18 *Committee on Appropriations of the Senate; and*

19 (3) *the Committee on Armed Services, the Com-*
20 *mittee on Energy and Commerce, the Committee on*
21 *Financial Services, the Committee on Foreign Affairs,*
22 *and the Committee on Appropriations of the House of*
23 *Representatives.*

1 **SEC. 716. ASSESSMENT OF ORGANIZATION OF DEFENSIVE**
2 **INNOVATION AND RESEARCH ACTIVITIES.**

3 (a) *ASSESSMENT.*—Not later than 120 days after the
4 date of the enactment of this Act, the Director of National
5 Intelligence, consistent with the protection of intelligence
6 sources and methods, and in consultation with the heads
7 of other departments and agencies of the United States Gov-
8 ernment as the Director determines appropriate, shall sub-
9 mit to the appropriate congressional committees an assess-
10 ment of the activities and objectives of the Organization of
11 Defensive Innovation and Research. The Director shall in-
12 clude in the assessment information about the composition
13 of the organization, the relationship of the personnel of the
14 organization to any research on weapons of mass destruc-
15 tion, and any sources of financial and material support
16 that such organization receives, including from the Govern-
17 ment of Iran.

18 (b) *FORM.*—The assessment under subsection (a) shall
19 be submitted in unclassified form, but may include a classi-
20 fied annex.

21 (c) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
22 *FINED.*—In this section, the term “appropriate congres-
23 sional committees” means—

24 (1) the congressional intelligence committees;

1 (2) *the Committee on Armed Services, the Com-*
2 *mittee on Foreign Relations, and the Committee on*
3 *Appropriations of the Senate; and*

4 (3) *the Committee on Armed Services, the Com-*
5 *mittee on Foreign Affairs, and the Committee on Ap-*
6 *propriations of the House of Representatives.*

7 **SEC. 717. REPORT ON EFFECTS OF ECONOMIC SANCTIONS**

8 **BY UNITED STATES.**

9 (a) *REPORT.*—*Not later than 180 days after the date*
10 *of the enactment of this Act, the Director of National Intel-*
11 *ligence, in consultation with the Assistant Secretary of the*
12 *Treasury for Intelligence and Analysis, shall submit to the*
13 *appropriate congressional committees a report on the effects*
14 *of economic sanctions imposed by the United States.*

15 (b) *MATTERS INCLUDED.*—*The report under subsection*
16 *(a) shall—*

17 (1) *cover entities, individuals, and governments*
18 *that the Director, in consultation with the Assistant*
19 *Secretary of the Treasury for Intelligence and Anal-*
20 *ysis, determines appropriate as case studies for the*
21 *purposes of the report, including with respect to*
22 *China and Iran; and*

23 (2) *include—*

24 (A) *an assessment of whether economic*
25 *sanctions imposed by the United States on enti-*

1 *ties, individuals, or governments have con-*
2 *strained, modified, or otherwise affected the abil-*
3 *ity of the individuals, entities, or governments to*
4 *continue the activities for which they were sanc-*
5 *tioned; and*

6 *(B) an assessment of the effectiveness of im-*
7 *posing additional sanctions.*

8 *(c) FORM.—The report under subsection (a) may be*
9 *submitted in classified form, but if so submitted shall in-*
10 *clude an unclassified executive summary.*

11 *(d) APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
12 *FINED.—In this section, the term “appropriate congres-*
13 *sional committees” means—*

14 *(1) the congressional intelligence committees;*

15 *(2) the Subcommittees on Financial Services and*
16 *General Government of the Committees on Appropria-*
17 *tions of the House of Representatives and the Senate;*

18 *(3) the Committee on Foreign Affairs and the*
19 *Committee on Energy and Commerce of the House of*
20 *Representatives; and*

21 *(4) the Committee on Foreign Relations and the*
22 *Committee on Commerce, Science, and Transpor-*
23 *tation of the Senate.*

1 **TITLE VIII—REPORTS AND**
2 **OTHER MATTERS**
3 **Subtitle A—Matters Relating to**
4 **Personnel**

5 **SEC. 801. PERIODIC REPORT ON POSITIONS IN INTEL-**
6 **LIGENCE COMMUNITY THAT CAN BE CON-**
7 **DUCTED WITHOUT ACCESS TO CLASSIFIED**
8 **INFORMATION, NETWORKS, OR FACILITIES.**

9 *Section 6610 of the Damon Paul Nelson and Matthew*
10 *Young Pollard Intelligence Authorization Act for Fiscal*
11 *Years 2018, 2019, and 2020 (50 U.S.C. 3352e) is amend-*
12 *ed—*

13 (1) *by striking “this Act and not less frequently*
14 *than once every 5 years thereafter,” and inserting*
15 *“this Act, and biennially thereafter;” and*

16 (2) *by adding at the end the following new sen-*
17 *tence: “Such report shall take into account the poten-*
18 *tial effect of maintaining continuity of operations*
19 *during a covered national emergency (as defined by*
20 *section 303 of the Intelligence Authorization Act for*
21 *Fiscal Year 2021 (division W of Public Law 116-*
22 *260)) and the assessed needs of the intelligence com-*
23 *munity to maintain such continuity of operations.”.*

1 **SEC. 802. IMPROVEMENTS TO ANNUAL REPORT ON DEMO-**
2 **GRAPHIC DATA OF EMPLOYEES OF INTEL-**
3 **LIGENCE COMMUNITY.**

4 *Section 5704(c) of the Damon Paul Nelson and Mat-*
5 *thew Young Pollard Intelligence Authorization Act for Fis-*
6 *cal Years 2018, 2019, and 2020 (50 U.S.C. 3334b(c)) is*
7 *amended—*

8 *(1) in the matter preceding paragraph (1), by*
9 *striking “After making available a report under sub-*
10 *section (b), the Director of National Intelligence shall*
11 *annually provide a report” and inserting “Not later*
12 *than March 31 of each year, the Director of National*
13 *Intelligence shall provide a report”; and*

14 *(2) by striking paragraph (1) and inserting the*
15 *following new paragraph:*

16 *“(1) demographic data and information on the*
17 *status of diversity and inclusion efforts of the intel-*
18 *ligence community, including demographic data re-*
19 *lating to—*

20 *“(A) the average years of service;*

21 *“(B) the average number of years of service*
22 *for each level in the General Schedule, Senior*
23 *Executive Service, Senior Intelligence Service, or*
24 *equivalent; and*

25 *“(C) career categories;”.*

1 **SEC. 803. PLAN FOR AUTHORITY TO ENTER INTO CON-**
2 **TRACTS WITH PROVIDERS OF SERVICES RE-**
3 **LATING TO SENSITIVE COMPARTMENTED IN-**
4 **FORMATION FACILITIES.**

5 (a) *PLAN REQUIRED.*—Not later than 180 days after
6 the date of the enactment of this Act, the Director of Na-
7 tional Intelligence shall submit to the appropriate congres-
8 sional committees a plan for providing elements of the intel-
9 ligence community with the authority to enter into con-
10 tracts with providers of services relating to sensitive com-
11 partmented information facilities for the providers to facili-
12 tate the use of such facilities by businesses and organiza-
13 tions performing work, at multiple security levels, in such
14 facilities pursuant to contracts with the element.

15 (b) *ELEMENTS.*—The plan required by subsection (a)
16 shall include the following:

17 (1) *An explanation of how the Director of Na-*
18 *tional Intelligence will leverage the contracting meth-*
19 *odology of the National Reconnaissance Office for*
20 *leasing sensitive compartmented information facili-*
21 *ties, or space therein, to businesses and organizations.*

22 (2) *Policy and budget guidance to incentivize the*
23 *heads of the elements of the intelligence community to*
24 *implement such plan.*

1 (c) *APPROPRIATE CONGRESSIONAL COMMITTEES.*—In
2 *this section, the term “appropriate congressional commit-*
3 *tees” means—*

- 4 (1) *the congressional intelligence committees; and*
5 (2) *the Committees on Armed Services of the*
6 *House of Representatives and the Senate.*

7 **SEC. 804. STUDY ON UTILITY OF EXPANDED PERSONNEL**
8 **MANAGEMENT AUTHORITY.**

9 (a) *IN GENERAL.*—Not later than 180 days after the
10 *date of the enactment of this Act, the Under Secretary of*
11 *Defense for Intelligence and Security and the Director of*
12 *National Intelligence shall jointly submit to the appropriate*
13 *congressional committees a study on the utility of providing*
14 *elements of the intelligence community of the Department*
15 *of Defense, other than the National Geospatial-Intelligence*
16 *Agency, personnel management authority to attract experts*
17 *in science and engineering under section 4092 of title 10,*
18 *United States Code.*

19 (b) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
20 *FINED.*—In *this section, the term “appropriate congres-*
21 *sional committees” means—*

- 22 (1) *the congressional intelligence committees; and*
23 (2) *the congressional defense committees.*

1 **SEC. 805. REPORT ON PROSPECTIVE ABILITY TO ADMIN-**
2 **ISTER COVID-19 VACCINES AND OTHER MED-**
3 **ICAL INTERVENTIONS TO CERTAIN INTEL-**
4 **LIGENCE COMMUNITY PERSONNEL.**

5 (a) *REPORT.*—Not later than 180 days after the date
6 of the enactment of this Act, the Director of National Intel-
7 ligence and the Under Secretary of Defense for Intelligence
8 and Security, in consultation with the elements of the intel-
9 ligence community and relevant public health agencies of
10 the United States, shall jointly develop and submit to the
11 appropriate congressional committees a report on the pro-
12 spective ability of the intelligence community to administer
13 COVID-19 vaccines, and such other medical interventions
14 as may be relevant in the case of a future covered national
15 emergency, to covered personnel (particularly with respect
16 to essential covered personnel and covered personnel de-
17 ployed outside of the United States).

18 (b) *MATTERS INCLUDED.*—The report under subsection
19 (a) shall include an assessment of the following:

20 (1) *The prospective ability of the elements of the*
21 *intelligence community to administer COVID-19 vac-*
22 *cines (including subsequent booster shots for COVID-*
23 *19), to covered personnel, and whether additional au-*
24 *thorities or resources are necessary for, or may other-*
25 *wise facilitate, such administration.*

1 (2) *The potential risks and benefits of granting*
2 *the additional authorities or resources described in*
3 *paragraph (1) to the Director, the Under Secretary,*
4 *or both.*

5 (3) *With respect to potential future covered na-*
6 *tional emergencies, including future outbreaks of an*
7 *infectious pandemic disease or similar public health*
8 *emergencies, the following:*

9 (A) *The ability of the intelligence commu-*
10 *nity to ensure the timely administration of med-*
11 *ical interventions to covered personnel during the*
12 *covered national emergency.*

13 (B) *Whether additional authorities or re-*
14 *sources are necessary to ensure, or may otherwise*
15 *facilitate, such timely administration, including*
16 *with respect to the ability of the Director or*
17 *Under Secretary to provide an alternative means*
18 *of access to covered personnel with reduced access*
19 *to the interventions provided by the respective*
20 *element.*

21 (C) *The potential risks and benefits of*
22 *granting the additional authorities or resources*
23 *described in subparagraph (B) to the Director,*
24 *the Under Secretary, or both.*

1 (4) *A summary of the findings of the survey*
2 *under subsection (c).*

3 (c) *SURVEY.—Not later than 120 days after the date*
4 *of the enactment of this Act, and prior to submitting the*
5 *report under subsection (a), the Director and the Under*
6 *Secretary shall jointly conduct a survey to determine the*
7 *process by which each element of the intelligence community*
8 *has administered COVID–19 vaccines to covered personnel,*
9 *to inform continued medical care relating to COVID–19*
10 *and future responses to covered national emergencies. Such*
11 *survey shall address, with respect to each element, the fol-*
12 *lowing:*

13 (1) *The timeline of the element with respect to*
14 *the administration of COVID–19 vaccines prior to the*
15 *date of the enactment of this Act.*

16 (2) *The process by which the element determined*
17 *when covered personnel would become eligible to re-*
18 *ceive the COVID–19 vaccine (including if certain cat-*
19 *egories of such personnel became eligible before oth-*
20 *ers).*

21 (3) *A general approximation of the percentage of*
22 *covered personnel of the element that received the*
23 *COVID–19 vaccine from the element versus through*
24 *an alternative means (such as a private sector entity,*
25 *foreign government, State, or local government), par-*

1 *ticularly with respect to covered personnel deployed*
2 *outside of the United States.*

3 (4) *Any challenges encountered by the element*
4 *with respect to the administration of COVID–19 vac-*
5 *cines prior to the date of the enactment of this Act.*

6 (5) *Any other feedback determined relevant for*
7 *purposes of the survey.*

8 (d) *PRIVACY CONSIDERATIONS.—In carrying out the*
9 *report and survey requirements under this section, the Di-*
10 *rector, the Under Secretary, and the heads of the elements*
11 *of the intelligence community shall ensure, to the extent*
12 *practicable, the preservation of medical privacy and the an-*
13 *onymity of data.*

14 (e) *DEFINITIONS.—In this section:*

15 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
16 *TEES.—The term “appropriate congressional commit-*
17 *tees” means—*

18 (A) *the congressional intelligence commit-*
19 *tees; and*

20 (B) *the Committees on Armed Services of*
21 *the House of Representatives and the Senate.*

22 (2) *COVERED NATIONAL EMERGENCY.—The term*
23 *“covered national emergency” has the meaning given*
24 *such term in section 303 of the Intelligence Authoriza-*
25 *tion Act for Fiscal Year 2021 (50 U.S.C. 3316b).*

1 (3) *COVERED PERSONNEL.*—*The term “covered*
2 *personnel” means personnel who are—*

3 (A) *employees of, or otherwise detailed or*
4 *assigned to, an element of the intelligence com-*
5 *munity; or*

6 (B) *funded under the National Intelligence*
7 *Program or the Military Intelligence Program.*

8 (4) *ESSENTIAL COVERED PERSONNEL.*—*The term*
9 *“essential covered personnel” means covered personnel*
10 *deemed essential to—*

11 (A) *continuity of operations of the intel-*
12 *ligence community;*

13 (B) *continuity of operations of the United*
14 *States Government; or*

15 (C) *other purposes related to the national*
16 *security of the United States.*

17 (5) *NATIONAL INTELLIGENCE PROGRAM.*—*The*
18 *term “National Intelligence Program” has the mean-*
19 *ing given such term in section 3 of the National Secu-*
20 *rity Act of 1947 (50 U.S.C. 3003).*

1 **SEC. 806. FEDERAL POLICY ON SHARING OF COVERED IN-**
2 **SIDER THREAT INFORMATION PERTAINING**
3 **TO CONTRACTOR EMPLOYEES IN THE TRUST-**
4 **ED WORKFORCE.**

5 (a) *POLICY REQUIRED.*—Not later than 2 years after
6 the date of the enactment of this Act, the Director of Na-
7 tional Intelligence, in coordination with the Secretary of
8 Defense, the Director of the Office of Management and
9 Budget, and the Attorney General, shall issue a policy for
10 the Federal Government on sharing covered insider threat
11 information pertaining to contractor employees.

12 (b) *CONSENT REQUIREMENT.*—The Director shall en-
13 sure that the policy issued under subsection (a) requires,
14 as a condition of obtaining and maintaining a security
15 clearance with the Federal Government, that a contractor
16 employee provide prior written consent for the Federal Gov-
17 ernment to share covered insider threat information with
18 the senior official responsible for the insider threat program
19 of the contracting agency. The Director may include in such
20 policy restrictions on the further disclosure of such informa-
21 tion.

22 (c) *CONSULTATION.*—On a quarterly basis during the
23 period in which the Director is developing the policy under
24 subsection (a), the Director shall consult with Congress and
25 industry partners with respect to such development.

26 (d) *REVIEW.*—

1 (1) *SUBMISSION.*—Not later than 1 year after
2 the date of the issuance of the policy under subsection
3 (a), the Director of National Intelligence and the Sec-
4 retary of Defense shall jointly submit to Congress and
5 make available to such industry partners as the Di-
6 rector and the Secretary consider appropriate a re-
7 view of the policy.

8 (2) *CONTENTS.*—The review under paragraph
9 (1) shall include the following:

10 (A) An assessment of the utility and effec-
11 tiveness of the policy issued under subsection (a).

12 (B) Such recommendations as the Director
13 and the Secretary determine appropriate with
14 respect to legislative or administrative action
15 relevant to such policy.

16 (e) *DEFINITIONS.*—In this section:

17 (1) *COVERED INSIDER THREAT INFORMATION.*—
18 The term “covered insider threat information”—

19 (A) means information that—

20 (i) is relevant with respect to adjudica-
21 tions relating to determinations of eligi-
22 bility for access to classified information;

23 (ii) an agency or department of the
24 Federal Government has vetted and verified;
25 and

1 (iii) according to Director of National
2 Intelligence policy, is considered relevant to
3 the ability of a contractor employee to pro-
4 tect against insider threats as required by
5 section 117.7(d) of title 32, Code of Federal
6 Regulations, or successor regulation; and
7 (B) includes pertinent information consid-
8 ered in the counter-threat assessment, as author-
9 ized by a provision of Federal law or Executive
10 Order.

11 (2) *CONTRACTOR EMPLOYEE.*—The term “con-
12 tractor employee” means an employee of a contractor,
13 subcontractor, grantee, subgrantee, or personal serv-
14 ices contractor, of a department or agency of the Fed-
15 eral Government.

16 **SEC. 807. GOVERNANCE OF TRUSTED WORKFORCE 2.0 INI-**
17 **TIATIVE.**

18 (a) *GOVERNANCE.*—The Director of National Intel-
19 ligence, acting as the Security Executive Agent, and the Di-
20 rector of the Office of Personnel Management, acting as the
21 Suitability and Credentialing Executive Agent, in coordi-
22 nation with the Deputy Director for Management in the
23 Office of Management and Budget, acting as the chairman
24 of the Performance Accountability Council, and the Under

1 *Secretary of Defense for Intelligence and Security shall*
2 *jointly—*

3 (1) *not later than 180 days after the date of the*
4 *enactment of this Act, publish, in the Federal Register*
5 *as appropriate, a policy with guidelines and stand-*
6 *ards for Federal Government agencies and industry*
7 *partners to implement the Trusted Workforce 2.0 ini-*
8 *tiative;*

9 (2) *not later than 2 years after the date of the*
10 *enactment of this Act and not less frequently than*
11 *once every 6 months thereafter, submit to Congress a*
12 *report on the timing, delivery, and adoption of Fed-*
13 *eral Government agencies' policies, products, and*
14 *services to implement the Trusted Workforce 2.0 ini-*
15 *tiative, including those associated with the National*
16 *Background Investigation Service; and*

17 (3) *not later than 90 days after the date of the*
18 *enactment of this Act, submit to Congress perform-*
19 *ance management metrics for the implementation of*
20 *the Trusted Workforce 2.0 initiative, including per-*
21 *formance metrics regarding timeliness, cost, and*
22 *measures of effectiveness.*

23 (b) *INDEPENDENT STUDY ON TRUSTED WORKFORCE*
24 *2.0.—*

1 (1) *STUDY REQUIRED.*—Not later than 60 days
2 after the date of the enactment of this Act, the Direc-
3 tor of National Intelligence shall enter into an agree-
4 ment with an entity that is not part of the Federal
5 Government to conduct a study on the effectiveness of
6 the initiatives of the Federal Government known as
7 *Trusted Workforce 1.25, 1.5, and 2.0.*

8 (2) *ELEMENTS.*—The study required by para-
9 graph (1) shall include the following:

10 (A) *An assessment of how effective such ini-*
11 *tiatives are or will be in determining who should*
12 *or should not have access to classified informa-*
13 *tion.*

14 (B) *A comparison of the effectiveness of such*
15 *initiatives with the system of periodic reinves-*
16 *tigations that was in effect on the day before the*
17 *date of the enactment of this Act.*

18 (C) *Identification of what is lost from the*
19 *suspension of universal periodic reinvestigations*
20 *in favor of a system of continuous vetting.*

21 (D) *An assessment of the relative effective-*
22 *ness of Trusted Workforce 1.25, Trusted Work-*
23 *force 1.5, and Trusted Workforce 2.0.*

24 (3) *REPORT.*—Not later than 180 days after the
25 date of the enactment of this Act, the Director shall

1 submit a report on the findings from the study con-
2 ducted under paragraph (1) to the following:

3 (A) *The congressional intelligence commit-*
4 tees.

5 (B) *The Committee on Armed Services and*
6 *the Committee on Homeland Security and Gov-*
7 *ernmental Affairs of the Senate.*

8 (C) *The Committee on Armed Services and*
9 *the Committee on Oversight and Reform of the*
10 *House of Representatives.*

11 ***Subtitle B—Matters Relating to***
12 ***Organizations and Capabilities***

13 ***SEC. 811. PLAN TO ESTABLISH INTEGRATED COMMERCIAL***
14 ***GEOSPATIAL INTELLIGENCE DATA PROGRAM***
15 ***OFFICE.***

16 (a) *PLAN.*—Not later than 90 days after the date of
17 the enactment of this Act, the Director of the National Re-
18 connaissance Office and the Director of the National
19 Geospatial-Intelligence Agency, in consultation with the Di-
20 rector of National Intelligence, shall jointly develop and
21 submit to the appropriate congressional committees a plan
22 to establish an integrated commercial geospatial intelligence
23 data program office.

24 (b) *CONTENTS.*—The plan under subsection (a) shall
25 include the following:

1 (1) *An explanation of how the Director of the*
2 *National Reconnaissance Office will elevate the com-*
3 *mercial space program office within the organiza-*
4 *tional structure of the National Reconnaissance Of-*
5 *fice.*

6 (2) *An explanation of how the Director of the*
7 *National Reconnaissance Office and the Director of*
8 *the National Geospatial-Intelligence Agency will inte-*
9 *grate the commercial space program office within the*
10 *National Reconnaissance Office to include empowered*
11 *functional manager personnel to ensure imagery pur-*
12 *chases are responsive to functional manager-provided*
13 *requirements and priorities.*

14 (3) *An explanation of—*

15 (A) *an approach that will rapidly leverage*
16 *innovative commercial geospatial intelligence*
17 *data capabilities to meet new intelligence chal-*
18 *lenges and inform operational requirements;*

19 (B) *how the Directors will annually evalu-*
20 *ate new commercially available capabilities and*
21 *provide opportunities for new entrants; and*

22 (C) *how the Directors will synchronize the*
23 *procurement of commercial geospatial intel-*
24 *ligence data and commercial geospatial intel-*
25 *ligence analytic services, respectively.*

1 (c) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
2 *FINED.*—*In this section, the term “appropriate congres-*
3 *sional committees” means—*

4 (1) *the congressional intelligence committees;*

5 (2) *the Committee on Armed Services of the Sen-*
6 *ate; and*

7 (3) *the Committee on Armed Services of the*
8 *House of Representatives.*

9 **SEC. 812. CENTRAL INTELLIGENCE AGENCY ACQUISITION**
10 **INNOVATION CENTER REPORT, STRATEGY,**
11 **AND PLAN.**

12 (a) *REQUIREMENT FOR REPORT AND STRATEGY.*—*Not*
13 *later than 120 days after the date of the enactment of this*
14 *Act, the Director of the Central Intelligence Agency shall*
15 *submit to the congressional intelligence committees—*

16 (1) *a report stating the mission and purpose of*
17 *the Acquisition Innovation Center of the Agency; and*

18 (2) *a strategy for incorporating the Acquisition*
19 *Innovation Center into the standard operating proce-*
20 *dures and procurement and acquisition practices of*
21 *the Agency.*

22 (b) *REQUIREMENT FOR IMPLEMENTATION PLAN.*—*Not*
23 *later than 120 days after the date of the enactment of this*
24 *Act, the Director shall, using the findings of the Director*
25 *with respect to the report submitted under subsection (a)(1),*

1 *submit to the congressional intelligence committees an im-*
2 *plementation plan that addresses—*

3 (1) *how the Director will ensure the contracting*
4 *officers of the Agency and the technical representa-*
5 *tives of the Acquisition Innovation Center for the con-*
6 *tracting officers have access to the technical expertise*
7 *required to inform requirements development, tech-*
8 *nology maturity assessments, and monitoring of ac-*
9 *quisitions;*

10 (2) *how the plan specifically applies to technical*
11 *industries, including telecommunications, software,*
12 *aerospace, and large-scale construction; and*

13 (3) *projections for resources necessary to support*
14 *the Acquisition Innovation Center, including staff,*
15 *training, and contracting support tools.*

16 **SEC. 813. REPORT ON UNITED STATES SOUTHERN COM-**
17 **MAND INTELLIGENCE CAPABILITIES.**

18 (a) *REPORT REQUIRED.*—*Not later than 120 days*
19 *after the date of the enactment of this Act, the Director of*
20 *the Defense Intelligence Agency, in consultation with such*
21 *other Federal Government entities as the Director considers*
22 *relevant, and consistent with the protection of intelligence*
23 *sources and methods, shall submit to the appropriate con-*
24 *gressional committees a report detailing the status of the*
25 *intelligence collection, analysis, and operational capabili-*

1 *ties of the United States Southern Command to support*
2 *Latin America-based missions.*

3 (b) *FORM.*—*The report required by subsection (a) shall*
4 *be submitted in unclassified form, but may include a classi-*
5 *fied annex.*

6 (c) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
7 *FINED.*—*In this section, the term “appropriate congres-*
8 *sional committees” means—*

9 (1) *the congressional intelligence committees; and*

10 (2) *the congressional defense committees.*

11 **SEC. 814. REPORT ON PROJECT MAVEN TRANSITION.**

12 (a) *REPORT REQUIRED.*—*Not later than 120 days*
13 *after the date of the enactment of this Act, the Director of*
14 *the National Geospatial-Intelligence Agency, in consulta-*
15 *tion with such other Federal Government entities as the Di-*
16 *rector considers appropriate, shall submit to the appro-*
17 *priate congressional committees a report on the transition*
18 *of Project Maven to operational mission support.*

19 (b) *PLAN OF ACTION AND MILESTONES.*—*The report*
20 *required by subsection (a) shall include a detailed plan of*
21 *action and milestones that identifies—*

22 (1) *the milestones and decision points leading up*
23 *to the transition of successful geospatial intelligence*
24 *capabilities developed under Project Maven to the Na-*
25 *tional Geospatial-Intelligence Agency; and*

1 (2) *the metrics of success regarding the transi-*
2 *tion described in paragraph (1) and mission support*
3 *provided to the National Geospatial-Intelligence Agen-*
4 *cy for each of fiscal years 2022 and 2023.*

5 (c) *FORM.*—*The report required by subsection (a) shall*
6 *be submitted in unclassified form, but may include a classi-*
7 *fied annex.*

8 (d) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
9 *FINED.*—*In this section, the term “appropriate congres-*
10 *sional committees” means—*

11 (1) *the congressional intelligence committees; and*

12 (2) *the congressional defense committees.*

13 **SEC. 815. REPORT ON FUTURE STRUCTURE AND RESPON-**
14 **SIBILITIES OF FOREIGN MALIGN INFLUENCE**
15 **CENTER.**

16 (a) *ASSESSMENT AND REPORT REQUIRED.*—*Not later*
17 *than 180 days after the date of the enactment of this Act,*
18 *the Director of National Intelligence shall—*

19 (1) *conduct an assessment as to the future struc-*
20 *ture, responsibilities, and organizational placement of*
21 *the Foreign Malign Influence Center; and*

22 (2) *submit to the congressional intelligence com-*
23 *mittees a report on the findings of the Director with*
24 *respect to the assessment conducted under paragraph*
25 (1).

1 (b) *ELEMENTS.*—*The assessment conducted under sub-*
2 *section (a)(1) shall include—*

3 (1) *an assessment of whether the statutory func-*
4 *tions of the Foreign Malign Influence Center are opti-*
5 *mized to the needs of the intelligence community and*
6 *policymakers;*

7 (2) *a description of potential changes to the stat-*
8 *utory functions of the Foreign Malign Influence Cen-*
9 *ter that might further advance the counter-foreign*
10 *malign influence mission of the Center and the intel-*
11 *ligence community, including whether the Director of*
12 *the Foreign Malign Influence Center should continue*
13 *to report directly to the Director of National Intel-*
14 *ligence and whether the Foreign Malign Influence*
15 *Center should remain a separate, stand-alone center;*
16 *and*

17 (3) *an assessment of the risks, benefits, and feasi-*
18 *bility of predominantly staffing the Foreign Malign*
19 *Influence Center with detailees from other agencies,*
20 *including from outside the intelligence community.*

21 ***Subtitle C—Other Matters***

22 ***SEC. 821. BIENNIAL REPORTS ON FOREIGN BIOLOGICAL*** 23 ***THREATS.***

24 (a) *REQUIREMENT.*—*Title XI of the National Security*
25 *Act of 1947 (50 U.S.C. 3231 et seq.) is amended by adding*

1 *at the end the following new section (and conforming the*
2 *table of contents at the beginning of such Act accordingly):*

3 **“SEC. 1111. BIENNIAL REPORTS ON FOREIGN BIOLOGICAL**
4 **THREATS.**

5 *“(a) REPORTS.—On a biennial basis until the date*
6 *that is 10 years after the date of the enactment of the Intel-*
7 *ligence Authorization Act for Fiscal Year 2022, the Director*
8 *of National Intelligence shall submit to the congressional*
9 *intelligence committees a comprehensive report on the ac-*
10 *tivities, prioritization, and responsibilities of the intel-*
11 *ligence community with respect to foreign biological threats*
12 *emanating from the territory of, or sponsored by, a covered*
13 *country.*

14 *“(b) MATTERS INCLUDED.—Each report under sub-*
15 *section (a) shall include, with respect to foreign biological*
16 *threats emanating from the territory of, or sponsored by,*
17 *a covered country, the following:*

18 *“(1) A detailed description of all activities relat-*
19 *ing to such threats undertaken by each element of the*
20 *intelligence community, and an assessment of any*
21 *gaps in such activities.*

22 *“(2) A detailed description of all duties and re-*
23 *sponsibilities relating to such threats explicitly au-*
24 *thorized or otherwise assigned, exclusively or jointly,*
25 *to each element of the intelligence community, and an*

1 *assessment of any identified gaps in such duties or re-*
2 *responsibilities.*

3 “(3) *A description of the coordination among the*
4 *relevant elements of the intelligence community with*
5 *respect to the activities specified in paragraph (1)*
6 *and the duties and responsibilities specified in para-*
7 *graph (2).*

8 “(4) *An inventory of the strategies, plans, poli-*
9 *cies, and interagency agreements of the intelligence*
10 *community relating to the collection, monitoring,*
11 *analysis, mitigation, and attribution of such threats,*
12 *and an assessment of any identified gaps therein.*

13 “(5) *A description of the coordination and inter-*
14 *actions among the relevant elements of the intelligence*
15 *community and non-intelligence community partners.*

16 “(6) *An assessment of foreign malign influence*
17 *efforts relating to such threats, including any foreign*
18 *academics engaged in such efforts, and a description*
19 *of how the intelligence community contributes to ef-*
20 *forts by non-intelligence community partners to*
21 *counter such foreign malign influence.*

22 “(c) *FORM.—Each report submitted under subsection*
23 *(a) may be submitted in classified form, but if so submitted*
24 *shall include an unclassified executive summary.*

25 “(d) *DEFINITIONS.—In this section:*

1 “(1) *COVERED COUNTRY*.—The term ‘covered
2 *country*’ means—

3 “(A) *China*;

4 “(B) *Iran*;

5 “(C) *North Korea*;

6 “(D) *Russia*; and

7 “(E) *any other foreign country*—

8 “(i) *from which the Director of Na-*
9 *tional Intelligence determines a biological*
10 *threat emanates; or*

11 “(ii) *that the Director determines has*
12 *a known history of, or has been assessed as*
13 *having conditions present for, infectious dis-*
14 *ease outbreaks or epidemics.*

15 “(2) *FOREIGN BIOLOGICAL THREAT*.—The term
16 ‘*foreign biological threat*’ means *biological warfare,*
17 *bioterrorism, naturally occurring infectious diseases,*
18 *or accidental exposures to biological materials, with-*
19 *out regard to whether the threat originates from a*
20 *state actor, a non-state actor, natural conditions, or*
21 *an undetermined source.*

22 “(3) *FOREIGN MALIGN INFLUENCE*.—The term
23 ‘*foreign malign influence*’ has the meaning given such
24 *term in section 119C(e) of this Act.*

1 “(4) *NON-INTELLIGENCE COMMUNITY PART-*
2 *NER.—The term ‘non-intelligence community partner’*
3 *means a Federal department or agency that is not an*
4 *element of the intelligence community.’’.*

5 *(b) FIRST REPORT.—Not later than 120 days after the*
6 *date of the enactment of this Act, the Director of National*
7 *Intelligence shall submit to the congressional intelligence*
8 *committees the first report required under section 1111 of*
9 *the National Security Act of 1947, as added by subsection*
10 *(a).*

11 **SEC. 822. ANNUAL REPORTS ON CERTAIN CYBER**
12 **VULNERABILITIES PROCURED BY INTEL-**
13 **LIGENCE COMMUNITY AND FOREIGN COM-**
14 **MERCIAL PROVIDERS OF CYBER**
15 **VULNERABILITIES.**

16 *(a) REQUIREMENT.—Title XI of the National Security*
17 *Act of 1947 (50 U.S.C. 3231 et seq.), as amended by section*
18 *821, is further amended by adding at the end the following*
19 *new section (and conforming the table of contents at the*
20 *beginning of such Act accordingly):*

1 **“SEC. 1112. ANNUAL REPORTS ON CERTAIN CYBER**
2 **VULNERABILITIES PROCURED BY INTEL-**
3 **LIGENCE COMMUNITY AND FOREIGN COM-**
4 **MERCIAL PROVIDERS OF CYBER**
5 **VULNERABILITIES.**

6 *“(a) ANNUAL REPORTS.—On an annual basis through*
7 *2026, the Director of the Central Intelligence Agency and*
8 *the Director of the National Security Agency, in coordina-*
9 *tion with the Director of National Intelligence, shall jointly*
10 *submit to the congressional intelligence committees a report*
11 *containing information on foreign commercial providers*
12 *and the cyber vulnerabilities procured by the intelligence*
13 *community through foreign commercial providers.*

14 *“(b) ELEMENTS.—Each report under subsection (a)*
15 *shall include, with respect to the period covered by the re-*
16 *port, the following:*

17 *“(1) A description of each cyber vulnerability*
18 *procured through a foreign commercial provider, in-*
19 *cluding—*

20 *“(A) a description of the vulnerability;*

21 *“(B) the date of the procurement;*

22 *“(C) whether the procurement consisted of*
23 *only that vulnerability or included other*
24 *vulnerabilities;*

25 *“(D) the cost of the procurement;*

1 “(E) the identity of the commercial pro-
2 vider and, if the commercial provider was not
3 the original supplier of the vulnerability, a de-
4 scription of the original supplier;

5 “(F) the country of origin of the vulner-
6 ability; and

7 “(G) an assessment of the ability of the in-
8 telligence community to use the vulnerability, in-
9 cluding whether such use will be operational or
10 for research and development, and the approxi-
11 mate timeline for such use.

12 “(2) An assessment of foreign commercial pro-
13 viders that—

14 “(A) pose a significant threat to the na-
15 tional security of the United States; or

16 “(B) have provided cyber vulnerabilities to
17 any foreign government that—

18 “(i) has used the cyber vulnerabilities
19 to target United States persons, the United
20 States Government, journalists, or dis-
21 sidents; or

22 “(ii) has an established pattern or
23 practice of violating human rights or sup-
24 pressing dissent.

1 “(3) *An assessment of whether the intelligence*
2 *community has conducted business with the foreign*
3 *commercial providers identified under paragraph (2)*
4 *during the 5-year period preceding the date of the re-*
5 *port.*

6 “(c) *FORM.—Each report under subsection (a) may be*
7 *submitted in classified form.*

8 “(d) *DEFINITIONS.—In this section:*

9 “(1) *COMMERCIAL PROVIDER.—The term ‘com-*
10 *mmercial provider’ means any person that sells, or acts*
11 *as a broker, for a cyber vulnerability.*

12 “(2) *CYBER VULNERABILITY.—The term ‘cyber*
13 *vulnerability’ means any tool, exploit, vulnerability,*
14 *or code that is intended to compromise a device, net-*
15 *work, or system, including such a tool, exploit, vul-*
16 *nerability, or code procured by the intelligence com-*
17 *munity for purposes of research and development.”.*

18 “(b) *FIRST REPORT.—Not later than 90 days after the*
19 *date of the enactment of this Act, the Director of the Central*
20 *Intelligence Agency and the Director of the National Secu-*
21 *rity Agency shall jointly submit the first report required*
22 *under section 1112 of the National Security Act of 1947,*
23 *as added by subsection (a).*

1 **SEC. 823. PERIODIC REPORTS ON TECHNOLOGY STRATEGY**
2 **OF INTELLIGENCE COMMUNITY.**

3 (a) *PERIODIC REPORTS REQUIRED.*—Title XI of the
4 *National Security Act of 1947 (50 U.S.C. 3231 et seq.)*, as
5 *amended by section 822*, is further amended by adding at
6 *the end the following new section (and conforming the table*
7 *of contents at the beginning of such Act accordingly)*:

8 **“SEC. 1113. PERIODIC REPORTS ON TECHNOLOGY STRAT-**
9 **EGY OF INTELLIGENCE COMMUNITY.**

10 “(a) *REPORTS.*—On a basis that is not less frequent
11 *than once every 4 years*, the Director of National Intel-
12 *ligence*, in coordination with the Director of the Office of
13 *Science and Technology Policy*, the Secretary of Commerce,
14 *and the heads of such other agencies as the Director con-*
15 *siders appropriate*, shall submit to the congressional intel-
16 *ligence committees a comprehensive report on the technology*
17 *strategy of the intelligence community*, which shall be de-
18 *signed to support the maintenance of the leadership of the*
19 *United States in critical and emerging technologies essen-*
20 *tial to the national security of the United States.*

21 “(b) *ELEMENTS.*—Each report submitted under sub-
22 *section (a)* shall include the following:

23 “(1) *An assessment of technologies critical to the*
24 *national security of the United States*, particularly
25 *those technologies with respect to which foreign coun-*
26 *tries that are adversarial to the United States have*

1 *or are poised to match or surpass the technology lead-*
2 *ership of the United States.*

3 *“(2) A review of current technology policies of*
4 *the intelligence community, including long-term*
5 *goals.*

6 *“(3) An identification of sectors and supply*
7 *chains the Director determines to be of the greatest*
8 *strategic importance to national security.*

9 *“(4) An identification of opportunities to protect*
10 *the leadership of the United States, and the allies and*
11 *partners of the United States, in critical technologies,*
12 *including through targeted export controls, investment*
13 *screening, and counterintelligence activities.*

14 *“(5) An identification of research and develop-*
15 *ment areas the Director determines critical to the na-*
16 *tional security of the United States, including areas*
17 *in which the private sector does not focus.*

18 *“(6) Recommendations for growing talent in key*
19 *critical and emerging technologies and enhancing the*
20 *ability of the intelligence community to recruit and*
21 *retain individuals with critical skills relating to such*
22 *technologies.*

23 *“(7) An identification of opportunities to im-*
24 *prove the leadership of the United States in critical*
25 *technologies, including opportunities to develop inter-*

1 *national partnerships to reinforce domestic policy ac-*
2 *tions, develop new markets, engage in collaborative re-*
3 *search, and maintain an international environment*
4 *that reflects the values of the United States and pro-*
5 *pects the interests of the United States.*

6 *“(8) A technology annex to establish an ap-*
7 *proach for the identification, prioritization, develop-*
8 *ment, and fielding of emerging technologies critical to*
9 *the mission of the intelligence community.*

10 *“(9) Such other information as the Director de-*
11 *termines may be necessary to inform Congress on*
12 *matters relating to the technology strategy of the in-*
13 *telligence community and related implications for the*
14 *national security of the United States.*

15 *“(c) FORM OF ANNEX.—Each annex submitted under*
16 *subsection (b)(8) may be submitted in classified form.”.*

17 *(b) FIRST REPORT.—Not later than 1 year after the*
18 *date of the enactment of this Act, the Director of National*
19 *Intelligence shall submit to the congressional intelligence*
20 *committees the first report required under section 1113 of*
21 *the National Security Act of 1947, as added by subsection*
22 *(a).*

1 **SEC. 824. INTELLIGENCE ASSESSMENT AND REPORTS ON**
2 **FOREIGN RACIALLY MOTIVATED VIOLENT EX-**
3 **TREMISTS.**

4 (a) *INTELLIGENCE ASSESSMENT.*—

5 (1) *REQUIREMENT.*—*Not later than 120 days*
6 *after the date of the enactment of this Act, the Direc-*
7 *tor of National Intelligence, acting through the Direc-*
8 *tor of the National Counterterrorism Center, in co-*
9 *ordination with the Director of the Federal Bureau of*
10 *Investigation and the Under Secretary of Homeland*
11 *Security for Intelligence and Analysis, and in con-*
12 *sultation with other relevant Federal departments and*
13 *agencies, shall submit to the appropriate congres-*
14 *sional committees an intelligence assessment on sig-*
15 *nificant threats to the United States associated with*
16 *foreign racially motivated violent extremist organiza-*
17 *tions.*

18 (2) *ELEMENTS.*—*The assessment under para-*
19 *graph (1) shall include the following:*

20 (A) *A list of foreign racially motivated vio-*
21 *lent extremist organizations that pose a signifi-*
22 *cant threat to the national security of the United*
23 *States.*

24 (B) *With respect to each such organiza-*
25 *tion—*

- 1 (i) an overview of the membership, ide-
2 ology, and activities;
- 3 (ii) a description of any transnational
4 links to the United States or United States
5 persons;
- 6 (iii) a description of the leadership,
7 plans, intentions, and capabilities;
- 8 (iv) whether (and if so, to what extent)
9 foreign governments or their proxies provide
10 any manner of support to such organiza-
11 tions, including a list of each such foreign
12 government or proxy;
- 13 (v) a description of the composition
14 and characteristics of the members and sup-
15 port networks, including whether (and if so,
16 to what extent) the members are also a part
17 of a military, security service, or police;
- 18 (vi) a description of financing and
19 other forms of material support;
- 20 (vii) an assessment of trends and pat-
21 terns relative to communications, travel,
22 and training (including whether and to
23 what extent the organization is engaged in
24 or facilitating military or paramilitary
25 training);

1 (viii) an assessment of the
2 radicalization and recruitment, including
3 an analysis of the extremist messaging mo-
4 tivating members and supporters; and

5 (ix) whether (and if so, to what extent)
6 foreign governments have sufficient laws
7 and policies to counter threats to the United
8 States associated with the organization, in-
9 cluding best practices and gaps.

10 (C) An assessment of the status and extent
11 of information sharing, intelligence partnerships,
12 foreign police cooperation, and mutual legal as-
13 sistance between the United States and foreign
14 governments relative to countering threats to the
15 United States associated with foreign racially
16 motivated violent extremist organizations.

17 (D) An assessment of intelligence gaps and
18 recommendations on how to remedy such gaps.

19 (E) An opportunity analysis regarding
20 countering such threats, including, at a min-
21 imum, with respect to mitigating and disrupting
22 the transnational nexus.

23 (3) STANDARDS.—The intelligence assessment
24 under paragraph (1) shall be conducted in a manner

1 *that meets the analytic integrity and tradecraft*
2 *standards of the intelligence community.*

3 (4) *FORM.—The intelligence assessment under*
4 *paragraph (1) shall be submitted in unclassified form,*
5 *but may include a classified annex in electronic form*
6 *that is fully indexed and searchable. In carrying out*
7 *this paragraph, the officials responsible for submit-*
8 *ting such assessment shall ensure that the assessment*
9 *is unclassified to the extent practicable.*

10 (b) *REPORT.—*

11 (1) *REQUIREMENT.—Not later than 150 days*
12 *after the date of the enactment of this Act, the Direc-*
13 *tor of National Intelligence, acting through the Direc-*
14 *tor of the National Counterterrorism Center, in co-*
15 *ordination with the Secretary of State, the Secretary*
16 *of the Treasury, the Attorney General, the Secretary*
17 *of Homeland Security, and in a manner consistent*
18 *with the authorities and responsibilities of such Sec-*
19 *retary or Director, shall submit to the appropriate*
20 *congressional committees a report on the use of Fed-*
21 *eral laws, regulations, and policies by the Federal*
22 *Government to counter significant threats to the*
23 *United States and United States persons associated*
24 *with foreign racially motivated violent extremist or-*
25 *ganizations.*

1 (2) *ELEMENTS.*—*The report under paragraph*
2 *(1) shall include the following:*

3 (A) *An identification, description, and as-*
4 *essment of the use and efficacy of, Federal laws,*
5 *regulations, and policies used by the Federal*
6 *Government to address significant threats to the*
7 *United States and United States persons associ-*
8 *ated with foreign racially motivated violent ex-*
9 *tremist organizations, including pursuant to—*

10 (i) *section 1016 of the Intelligence Re-*
11 *form and Terrorism Prevention Act of 2004*
12 *(6 U.S.C. 485) and section 119 of the Na-*
13 *tional Security Act of 1949 (50 U.S.C.*
14 *3056), particularly with respect to the co-*
15 *ordination and integration of all instru-*
16 *ments of national power;*

17 (ii) *Executive Order 12333 (50 U.S.C.*
18 *3001 note), as amended;*

19 (iii) *the designation of foreign terrorist*
20 *organizations under section 219 of the Im-*
21 *migration and Nationality Act (8 U.S.C.*
22 *1189);*

23 (iv) *the designation of specially des-*
24 *ignated terrorists, specially designated glob-*
25 *al terrorists, or specially designated nation-*

1 *als and blocked persons, pursuant to Execu-*
2 *tive Orders 13886, 13372, and 13224 and*
3 *parts 594, 595, 596, and 597 of title 31,*
4 *Code of Federal Regulations;*

5 *(v) National Security Presidential*
6 *Memorandums 7 and 9, particularly with*
7 *respect to the sharing of terrorism informa-*
8 *tion and screening and vetting activities;*
9 *and*

10 *(vi) any other applicable Federal laws,*
11 *regulations, or policies.*

12 *(B) An assessment of whether (and if so, to*
13 *what extent and why) such Federal laws, regula-*
14 *tions, and policies are sufficient to counter such*
15 *threats, including a description of any gaps and*
16 *specific examples to illustrate such gaps.*

17 *(C) Recommendations regarding how to*
18 *remedy the gaps under subparagraph (B).*

19 *(3) PRIVACY AND CIVIL LIBERTIES ASSESS-*
20 *MENT.—Not later than 180 days after the date of the*
21 *enactment of this Act, the Privacy and Civil Liberties*
22 *Oversight Board, in consultation with the civil lib-*
23 *erties and privacy officers of the Federal departments*
24 *and agencies the Board determines appropriate, shall*

1 submit to the appropriate congressional committees a
2 report containing—

3 (A) an assessment of the impacts on the pri-
4 vacy and civil liberties of United States persons
5 concerning the use or recommended use of any
6 Federal laws, regulations, and policies specified
7 in paragraph (2); and

8 (B) recommendations on options to develop
9 protections to mitigate such impacts.

10 (4) *FORM.*—The report under paragraph (1)
11 shall be submitted in unclassified form, but may in-
12 clude a classified annex in electronic form that is
13 fully indexed and searchable. In carrying out this
14 paragraph, the officials responsible for submitting
15 such report shall ensure that the report is unclassified
16 to the extent practicable.

17 (5) *SEPARATE SUBMISSION.*—The Director shall
18 submit to the appropriate congressional committees
19 the report under paragraph (1) as a separate report
20 from the report submitted under section 826(a)(2).

21 (c) *DEFINITIONS.*—In this section:

22 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
23 *TEES.*—The term “appropriate congressional commit-
24 *tees” means—*

1 (A) *the congressional intelligence commit-*
2 *tees;*

3 (B) *the Subcommittees on Financial Serv-*
4 *ices and General Government, the Subcommittees*
5 *on Homeland Security, and the Subcommittees*
6 *on State, Foreign Operations, and Related Pro-*
7 *grams of the Committees on Appropriations of*
8 *the House of Representatives and the Senate; and*

9 (C) *the Committee on Foreign Affairs of the*
10 *House of Representatives and the Committee on*
11 *Foreign Relations of the Senate.*

12 (2) *TERRORISM INFORMATION.—The term “ter-*
13 *rorism information” has the meaning given that term*
14 *in section 1016(a) of the Intelligence Reform and Ter-*
15 *rorism Prevention Act of 2004 (6 U.S.C. 485(a)).*

16 (3) *UNITED STATES PERSON.—The term “United*
17 *States person” has the meaning given that term in*
18 *section 105A(c) of the National Security Act of 1947*
19 *(50 U.S.C. 3039).*

20 **SEC. 825. NATIONAL INTELLIGENCE ESTIMATE ON ESCA-**
21 **LATION AND DE-ESCALATION OF GRAY ZONE**
22 **ACTIVITIES IN GREAT POWER COMPETITION.**

23 (a) *FINDINGS.—Congress finds the following:*

24 (1) *The conventional power of the United States*
25 *has driven foreign adversaries to a level of competi-*

1 *tion that does not always depend on military con-*
2 *frontation with the United States.*

3 *(2) Rather than challenging the United States in*
4 *a manner that could provoke a kinetic military re-*
5 *sponse, foreign adversaries of the United States have*
6 *turned to carrying out gray zone activities to advance*
7 *the interests of such adversaries, weaken the power of*
8 *the United States, and erode the norms that underpin*
9 *the United States-led international order.*

10 *(3) Gray zone activity falls on a spectrum of at-*
11 *tribution and deniability that ranges from covert ad-*
12 *versary operations, to detectible covert adversary op-*
13 *erations, to unattributable adversary operations, to*
14 *deniable adversary operations, to open adversary op-*
15 *erations.*

16 *(4) To adequately address such a shift to gray*
17 *zone activity, the United States must understand*
18 *what actions tend to either escalate or de-escalate such*
19 *activity by its adversaries.*

20 *(5) The laws, principles, and values of the*
21 *United States are strategic advantages in great power*
22 *competition with authoritarian foreign adversaries*
23 *that carry out gray zone activities, because such laws,*
24 *principles, and values increase the appeal of the gov-*
25 *ernance model of the United States, and the United*

1 *States-led international order, to states and peoples*
2 *around the world.*

3 *(6) The international security environment has*
4 *demonstrated numerous examples of gray zone activi-*
5 *ties carried out by foreign adversaries, including the*
6 *following activities of foreign adversaries:*

7 *(A) Information operations, such as efforts*
8 *by Russia to influence the 2020 United States*
9 *Federal elections (as described in the March 15,*
10 *2021, intelligence community assessment of the*
11 *Office of the Director of National Intelligence*
12 *made publicly available on March 15, 2021).*

13 *(B) Adversary political coercion operations,*
14 *such as the wielding of energy by Russia, par-*
15 *ticularly in the context of Ukrainian gas pipe-*
16 *lines, to coerce its neighbors into compliance*
17 *with its policies.*

18 *(C) Adversary economic coercion operations,*
19 *such as the threat, and use, by China of eco-*
20 *nomics retaliation to coerce sovereign countries*
21 *into compliance with its policies or to blunt any*
22 *criticism of its violations of the rules-based inter-*
23 *national order and its perpetration of severe*
24 *human rights abuses.*

1 (D) *Cyber operations, such as the use by*
2 *China of cyber tools to conduct industrial espio-*
3 *nage.*

4 (E) *Provision of support to proxy forces,*
5 *such as the support provided by Iran to*
6 *Hezbollah and Shia militia groups.*

7 (F) *Provocation by armed forces controlled*
8 *by the government of the foreign adversary*
9 *through measures that do not rise to the level of*
10 *an armed attack, such as the use of the China*
11 *Coast Guard and maritime militia by China to*
12 *harass the fishing vessels of other countries in the*
13 *South China Sea.*

14 (G) *Alleged uses of lethal force on foreign*
15 *soil, such as the 2018 poisoning of Sergei*
16 *Skripal in London by Russia.*

17 (H) *The potential use by an adversary of*
18 *technology that causes anomalous health inci-*
19 *dents among United States Government per-*
20 *sonnel.*

21 (b) *NATIONAL INTELLIGENCE ESTIMATE.—*

22 (1) *REQUIREMENT.—The Director of National*
23 *Intelligence, acting through the National Intelligence*
24 *Council, shall produce a National Intelligence Esti-*
25 *mate on how foreign adversaries use gray zone activi-*

1 *ties to advance interests, what responses by the*
2 *United States (or the allies or partners of the United*
3 *States) would tend to result in the escalation or de-*
4 *escalation of such gray zone activities by foreign ad-*
5 *versaries, and any opportunities for the United States*
6 *to minimize the extent to which foreign adversaries*
7 *use gray zone activities in furtherance of great power*
8 *competition.*

9 (2) *MATTERS INCLUDED.—To the extent deter-*
10 *mined appropriate by the National Intelligence Coun-*
11 *cil, the National Intelligence Estimate produced*
12 *under paragraph (1) may include an assessment of*
13 *the following topics:*

14 (A) *Any potential or actual lethal or harm-*
15 *ful gray zone activities carried out against the*
16 *United States by foreign adversaries, including*
17 *against United States Government employees*
18 *and United States persons, whether located with-*
19 *in or outside of the United States.*

20 (B) *To the extent such activities have oc-*
21 *curred, or are predicted to occur—*

22 (i) *opportunities to reduce or deter any*
23 *such activities; and*

1 (ii) any actions of the United States
2 Government that would tend to result in the
3 escalation or de-escalation of such activities.

4 (C) Any incidents in which foreign adver-
5 saries could have used, but ultimately did not
6 use, gray zone activities to advance the interests
7 of such adversaries, including an assessment as
8 to why the foreign adversary ultimately did not
9 use gray zone activities.

10 (D) The effect of lowering the United States
11 Government threshold for the public attribution
12 of detectible covert adversary operations,
13 unattributable adversary operations, and deni-
14 able adversary operations.

15 (E) The effect of lowering the United States
16 Government threshold for responding to detectible
17 covert adversary operations, unattributable ad-
18 versary operations, and deniable adversary oper-
19 ations.

20 (F) The extent to which the governments of
21 foreign adversaries exercise control over any
22 proxies or parastate actors used by such govern-
23 ments in carrying out gray zone activities.

1 (G) *The extent to which gray zone activities*
2 *carried out by foreign adversaries affect the pri-*
3 *vate sector of the United States.*

4 (H) *The international norms that provide*
5 *the greatest deterrence to gray zone activities*
6 *carried out by foreign adversaries, and opportu-*
7 *nities for strengthening those norms.*

8 (I) *The effect, if any, of the strengthening of*
9 *democratic governance abroad on the resilience of*
10 *United States allies and partners to gray zone*
11 *activities.*

12 (J) *Opportunities to strengthen the resil-*
13 *ience of United States allies and partners to*
14 *gray zone activities, and associated tactics, car-*
15 *ried out by foreign adversaries.*

16 (K) *Opportunities for the United States to*
17 *improve the detection of, and early warning for,*
18 *such activities and tactics.*

19 (L) *Opportunities for the United States to*
20 *galvanize international support in responding to*
21 *such activities and tactics.*

22 (3) *SUBMISSION TO CONGRESS.—*

23 (A) *SUBMISSION.—Not later than 1 year*
24 *after the date of the enactment of this Act, the*
25 *Director shall submit to the congressional intel-*

1 *ligence committees and the Committees on Armed*
2 *Services of the House of Representatives and the*
3 *Senate the National Intelligence Estimate pro-*
4 *duced under paragraph (1). In so submitting the*
5 *Estimate to the congressional intelligence com-*
6 *mittees, the Director shall include all intelligence*
7 *reporting underlying the Estimate.*

8 *(B) NOTICE REGARDING SUBMISSION.—If at*
9 *any time before the deadline specified in sub-*
10 *paragraph (A), the Director determines that the*
11 *National Intelligence Estimate produced under*
12 *paragraph (1) cannot be submitted by such dead-*
13 *line, the Director shall (before such deadline)*
14 *submit to the committees specified in subpara-*
15 *graph (A) a report setting forth the reasons why*
16 *the National Intelligence Estimate cannot be*
17 *submitted by such deadline and an estimated*
18 *date for the submission of the National Intel-*
19 *ligence Estimate.*

20 *(C) FORM.—Any report under subpara-*
21 *graph (B) shall be submitted in unclassified*
22 *form.*

23 *(4) PUBLIC VERSION.—Consistent with the pro-*
24 *tection of intelligence sources and methods, at the*
25 *same time as the Director submits to the congres-*

1 *sional intelligence committees and the Committees on*
2 *Armed Services of the House of Representatives and*
3 *the Senate the National Intelligence Estimate under*
4 *paragraph (1), the Director shall make publicly avail-*
5 *able on the internet website of the Director an unclas-*
6 *sified version of the key findings of the National In-*
7 *telligence Estimate.*

8 (5) *DEFINITIONS.—In this subsection:*

9 (A) *GRAY ZONE ACTIVITY.—The term “gray*
10 *zone activity” means an activity to advance the*
11 *national interests of a State that—*

12 (i) *falls between ordinary statecraft*
13 *and open warfare;*

14 (ii) *is carried out with an intent to*
15 *maximize the advancement of interests of*
16 *the state without provoking a kinetic mili-*
17 *tary response by the United States; and*

18 (iii) *falls on a spectrum that ranges*
19 *from covert adversary operations, to*
20 *detectible covert adversary operations, to*
21 *unattributable adversary operations, to de-*
22 *niable adversary operations, to open adver-*
23 *sary operations.*

1 (B) *COVERT ADVERSARY OPERATION.*—The
2 term “covert adversary operation” means an op-
3 eration by an adversary that—

4 (i) the adversary intends to remain
5 below the threshold at which the United
6 States detects the operation; and

7 (ii) does stay below such threshold.

8 (C) *DETECTIBLE COVERT ADVERSARY OPER-*
9 *ATION.*—The term “detectible covert adversary
10 operation” means an operation by an adversary
11 that—

12 (i) the adversary intends to remain
13 below the threshold at which the United
14 States detects the operation; but

15 (ii) is ultimately detected by the
16 United States at a level below the level at
17 which the United States will publicly at-
18 tribute the operation to the adversary.

19 (D) *UNATTRIBUTABLE ADVERSARY OPER-*
20 *ATION.*—The term “unattributable adversary op-
21 eration” means an operation by an adversary
22 that the adversary intends to be detected by the
23 United States, but remains below the threshold
24 at which the United States will publicly at-
25 tribute the operation to the adversary.

1 (E) *DENIABLE ADVERSARY OPERATION.*—
2 The term “deniable adversary operation” means
3 an operation by an adversary that—

4 (i) the adversary intends to be detected
5 and publicly or privately attributed by the
6 United States; and

7 (ii) the adversary intends to deny, to
8 limit the response by the United States, and
9 any allies of the United States.

10 (F) *OPEN ADVERSARY OPERATION.*—The
11 term “open adversary operation” means an oper-
12 ation by an adversary that the adversary openly
13 acknowledges as attributable to the adversary.

14 (c) *REQUIREMENT TO DEVELOP LEXICON.*—

15 (1) *REQUIREMENT.*—The Director of National
16 Intelligence, acting through the National Intelligence
17 Council, shall develop a lexicon of common terms
18 (and corresponding definitions for such terms) for
19 concepts associated with gray zone activities.

20 (2) *CONSIDERATIONS.*—In developing the lexicon
21 under paragraph (1), the National Intelligence Coun-
22 cil shall include in the lexicon each term (and the cor-
23 responding definition for each term) specified in sub-
24 section (b)(5), unless the National Intelligence Council

1 *determines that an alternative term (or alternative*
2 *definition)—*

3 *(A) more accurately describes a concept as-*
4 *sociated with gray zone activities; or*

5 *(B) is preferable for any other reason.*

6 *(3) REPORT.—*

7 *(A) PUBLICATION.—The Director of Na-*
8 *tional Intelligence shall publish a report con-*
9 *taining the lexicon developed under paragraph*
10 *(1).*

11 *(B) FORM.—The report under subpara-*
12 *graph (A) shall be published in unclassified*
13 *form.*

14 **SEC. 826. ASSESSMENT OF ROLE OF FOREIGN GROUPS IN**
15 **DOMESTIC VIOLENT EXTREMISM.**

16 *(a) ASSESSMENT.—Not later than 180 days after the*
17 *date of the enactment of this Act, the Director of National*
18 *Intelligence, consistent with the protection of intelligence*
19 *sources and methods, shall—*

20 *(1) complete an assessment to identify the role of*
21 *foreign groups, including entities, adversaries, govern-*
22 *ments, or other groups, in domestic violent extremist*
23 *activities in the United States; and*

1 (2) *submit to the appropriate congressional com-*
2 *mittees a report containing the findings of the Direc-*
3 *tor with respect to the assessment.*

4 (b) *FORM.*—*The report under subsection (a)(2) shall*
5 *be submitted in unclassified form, but may include a classi-*
6 *fied annex.*

7 (c) *SEPARATE SUBMISSION.*—*The Director shall sub-*
8 *mit to the appropriate congressional committees the report*
9 *under subsection (a)(2) as a separate report from the report*
10 *submitted under section 824(b)(1).*

11 (d) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
12 *FINED.*—*In this section, the term “appropriate congres-*
13 *sional committees” means—*

14 (1) *the congressional intelligence committees;*

15 (2) *the Committee on Foreign Relations and the*
16 *Committee on the Judiciary of the Senate; and*

17 (3) *the Committee on Foreign Affairs and the*
18 *Committee on the Judiciary of the House of Rep-*
19 *resentatives.*

20 **SEC. 827. REPORT ON POTENTIAL INCLUSION WITHIN IN-**
21 **TELLIGENCE COMMUNITY OF THE OFFICE OF**
22 **NATIONAL SECURITY OF THE DEPARTMENT**
23 **OF HEALTH AND HUMAN SERVICES.**

24 (a) *REPORT.*—*Not later than 180 days after the date*
25 *of the enactment of this Act, the Director of National Intel-*

1 *ligence, in coordination with the Secretary of Health and*
2 *Human Services, shall submit to the appropriate congres-*
3 *sional committees a report on the potential advantages and*
4 *disadvantages of adding the Office of National Security of*
5 *the Department of Health and Human Services as a new*
6 *element of the intelligence community.*

7 **(b) MATTERS INCLUDED.**—*The report under subsection*
8 *(a) shall include the following:*

9 **(1) An assessment of the following:**

10 **(A) The likelihood that the addition of the**
11 *Office of National Security as a new element of*
12 *the intelligence community would increase*
13 *connectivity between other elements of the intel-*
14 *ligence community working on health security*
15 *topics and the Department of Health and*
16 *Human Services.*

17 **(B) The likelihood that such addition would**
18 *increase the flow of raw intelligence and finished*
19 *intelligence products to officials of the Depart-*
20 *ment of Health and Human Services.*

21 **(C) The likelihood that such addition would**
22 *facilitate the flow of information relating to*
23 *health security topics to intelligence analysts of*
24 *various other elements of the intelligence commu-*
25 *nity working on such topics.*

1 (D) *The extent to which such addition*
2 *would clearly demonstrate to both the national*
3 *security community and the public health com-*
4 *munity that health security is national security.*

5 (E) *Any anticipated impediments to such*
6 *addition relating to additional budgetary over-*
7 *sight by the executive branch or Congress.*

8 (F) *Any other significant advantages or dis-*
9 *advantages of such addition, as identified by ei-*
10 *ther the Director of National Intelligence or the*
11 *Secretary of Health and Human Services.*

12 (2) *A joint recommendation by the Director of*
13 *National Intelligence and the Secretary of Health and*
14 *Human Services as to whether to add the Office of*
15 *National Security as a new element of the intelligence*
16 *community.*

17 (c) *FORM.*—*The report under subsection (a) shall be*
18 *submitted in unclassified form, but may include a classified*
19 *annex.*

20 (d) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
21 *FINED.*—*In this section, the term “appropriate congres-*
22 *sional committees” means—*

23 (1) *the congressional intelligence committees;*

24 (2) *the Committee on Energy and Commerce of*
25 *the House of Representatives and the Committee on*

1 *Health, Education, Labor, and Pensions of the Sen-*
2 *ate; and*

3 *(3) the Subcommittees on Labor, Health and*
4 *Human Services, Education, and Related Agencies of*
5 *the Committees on Appropriations of the House of*
6 *Representatives and the Senate.*

7 **SEC. 828. REPORT ON EFFORTS TO BUILD AN INTEGRATED**
8 **HYBRID SPACE ARCHITECTURE.**

9 *(a) REPORT REQUIRED.—Not later than 180 days*
10 *after the date of the enactment of this Act, and annually*
11 *for 2 years thereafter, the Director of National Intelligence,*
12 *in coordination with the Under Secretary of Defense for In-*
13 *telligence and Security and the Director of the National Re-*
14 *connnaissance Office, shall submit to the appropriate con-*
15 *gressional committees a report on the efforts of the intel-*
16 *ligence community to build an integrated hybrid space ar-*
17 *chitecture that combines national and commercial capabili-*
18 *ties and large and small satellites.*

19 *(b) ELEMENTS.—The report required by subsection (a)*
20 *shall include the following:*

21 *(1) An assessment of how the integrated hybrid*
22 *space architecture approach is being realized in the*
23 *overhead architecture of the National Reconnaissance*
24 *Office.*

1 (2) *An assessment of the benefits to the mission*
2 *of the National Reconnaissance Office and the cost of*
3 *integrating capabilities from smaller, proliferated sat-*
4 *ellites and data from commercial satellites with the*
5 *national technical means architecture.*

6 (c) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
7 *FINED.*—*In this section, the term “appropriate congres-*
8 *sional committees” means—*

- 9 (1) *the congressional intelligence committees; and*
10 (2) *the congressional defense committees.*

11 **SEC. 829. REPORT ON CERTAIN ACTIONS TAKEN BY INTEL-**
12 **LIGENCE COMMUNITY WITH RESPECT TO**
13 **HUMAN RIGHTS AND INTERNATIONAL HU-**
14 **MANITARIAN LAW.**

15 (a) *REPORT.*—*Not later than 120 days after the date*
16 *of the enactment of this Act, the Director of National Intel-*
17 *ligence, in coordination with the Director of the Central In-*
18 *telligence Agency, the Director of the National Security*
19 *Agency, the Secretary of Defense, and the Director of the*
20 *Defense Intelligence Agency, and consistent with the protec-*
21 *tion of intelligence sources and methods, shall submit to the*
22 *appropriate congressional committees a report on certain*
23 *actions taken by the intelligence community with respect*
24 *to human rights and international humanitarian law.*

1 (b) *ELEMENTS.*—*The report under subsection (a) shall*
2 *include the following:*

3 (1) *A detailed explanation of whether, and to*
4 *what extent, each element of the intelligence commu-*
5 *nity has provided intelligence products relating to the*
6 *efforts of the Secretary of State and the Secretary of*
7 *Treasury regarding the categorization, determinations*
8 *on eligibility for assistance and training, and general*
9 *understanding, of covered entities that commit, en-*
10 *gage, or are otherwise complicit in, violations of*
11 *human rights or international humanitarian law.*

12 (2) *A detailed explanation of whether, and to*
13 *what extent, each element of the intelligence commu-*
14 *nity has provided intelligence products relating to*
15 *any of the following:*

16 (A) *Section 7031(c) of the Department of*
17 *State, Foreign Operations, and Related Pro-*
18 *grams Appropriations Act, 2020 (division G of*
19 *Public Law 116–94; 8 U.S.C. 1182 note).*

20 (B) *The visa restriction policy of the De-*
21 *partment of State announced on February 26,*
22 *2021, and commonly referred to as the*
23 *“Khashoggi Ban”.*

24 (C) *The annual report requirement of the*
25 *Department of Defense under section 1057 of the*

1 *National Defense Authorization Act for Fiscal*
2 *Year 2018 (131 Stat. 1572).*

3 *(D) The Global Magnitsky Human Rights*
4 *Accountability Act (subtitle F of title XII of*
5 *Public Law 114–328; 22 U.S.C. 2656 note).*

6 *(3) A detailed explanation of the following proc-*
7 *esses:*

8 *(A) The process of each element of the intel-*
9 *ligence community for monitoring covered enti-*
10 *ties for derogatory human rights or international*
11 *humanitarian law information.*

12 *(B) The process of each element of the intel-*
13 *ligence community for determining the credi-*
14 *bility of derogatory human rights or inter-*
15 *national humanitarian law information.*

16 *(C) The process of each element of the intel-*
17 *ligence community for determining what further*
18 *action is appropriate if derogatory human rights*
19 *or international humanitarian law information*
20 *is determined to be credible.*

21 *(4) An unredacted copy of each policy or similar*
22 *document that describes a process specified in para-*
23 *graph (3).*

24 *(5) A detailed explanation of whether, with re-*
25 *spect to each element of the intelligence community,*

1 *the head of the element has changed or restricted any*
2 *activities of the element in response to derogatory*
3 *human rights or international humanitarian law in-*
4 *formation.*

5 *(6) Examples of any changes or restrictions spec-*
6 *ified in paragraph (5) taken by the head of the ele-*
7 *ment of the intelligence community during the two*
8 *years preceding the date of the submission of the re-*
9 *port.*

10 *(c) FORM.—The report under subsection (a) shall be*
11 *submitted in unclassified form, but may include a classified*
12 *annex.*

13 *(d) DEFINITIONS.—In this section:*

14 *(1) APPROPRIATE CONGRESSIONAL COMMIT-*
15 *TEES.—The term “appropriate congressional commit-*
16 *tees” means—*

17 *(A) the congressional intelligence commit-*
18 *tees;*

19 *(B) the Committee on Armed Services and*
20 *the Committee on Foreign Affairs of the House*
21 *of Representatives;*

22 *(C) the Committee on Armed Services and*
23 *the Committee on Foreign Relations of the Sen-*
24 *ate; and*

1 (D) *the Subcommittees on Financial Serv-*
2 *ices and General Government and the Sub-*
3 *committees on State, Foreign Operations, and*
4 *Related Programs of the Committees on Appro-*
5 *priations of the House of Representatives and the*
6 *Senate.*

7 (2) *COVERED ENTITY.*—*The term “covered enti-*
8 *ty”*—

9 (A) *means an individual, unit, or foreign*
10 *government that—*

11 (i) *has a cooperative relationship with*
12 *the United States Government; or*

13 (ii) *is the target of an intelligence col-*
14 *lection activity carried out by the United*
15 *States Government; but*

16 (B) *does not include an employee of the*
17 *United States Government.*

18 (3) *DEROGATORY HUMAN RIGHTS OR INTER-*
19 *NATIONAL HUMANITARIAN LAW INFORMATION.*—*The*
20 *term “derogatory human rights or international hu-*
21 *manitarian law information” means information*
22 *tending to suggest that a covered entity committed,*
23 *participated, or was otherwise complicit in, a viola-*
24 *tion of human rights or international humanitarian*
25 *law, regardless of the credibility of such information,*

1 *the source of the information, or the level of classifica-*
2 *tion of the information.*

3 (4) *VIOLATION OF HUMAN RIGHTS OR INTER-*
4 *NATIONAL HUMANITARIAN LAW.—The term “violation*
5 *of human rights or international humanitarian law”*
6 *includes a violation of any authority or obligation of*
7 *the United States Government related to human*
8 *rights or international humanitarian law, without re-*
9 *gard to whether such authority or obligation is codi-*
10 *fied in a provision of law, regulation, or policy.*

11 **SEC. 830. REPORT ON RARE EARTH ELEMENTS.**

12 (a) *REPORT.—Not later than 180 days after the date*
13 *of the enactment of this Act, the Director of National Intel-*
14 *ligence, in coordination with the Director of the Defense In-*
15 *telligence Agency, the Director of the Office of Intelligence*
16 *and Counterintelligence of the Department of Energy, and*
17 *any other head of an element of the intelligence community*
18 *that the Director of National Intelligence determines rel-*
19 *evant, shall submit to the congressional intelligence commit-*
20 *tees a report on rare earth elements.*

21 (b) *MATTERS INCLUDED.—The report under subsection*
22 (a) *shall include the following:*

23 (1) *An assessment coordinated by the National*
24 *Intelligence Council of—*

1 (A) *long-term trends in the global rare*
2 *earth element industry;*

3 (B) *the national security, economic, and in-*
4 *dustrial risks to the United States, and to the*
5 *partners and allies of the United States, with re-*
6 *spect to relying on foreign countries, including*
7 *China, for rare earth mining and the processing*
8 *or production of rare earth elements;*

9 (C) *the intentions of foreign governments,*
10 *including the government of China, with respect*
11 *to limiting, reducing, or ending access of the*
12 *United States or the partners and allies of the*
13 *United States to—*

14 (i) *rare earth elements; or*

15 (ii) *any aspect of the rare earth min-*
16 *ing, processing, or production chain; and*

17 (D) *opportunities for the United States, and*
18 *for the partners and allies of the United States,*
19 *to assure continued access to—*

20 (i) *rare earth elements; and*

21 (ii) *the rare earth mining, processing,*
22 *or production chain.*

23 (2) *A description of—*

1 (A) any relevant procurement, use, and
2 supply chain needs of the intelligence community
3 with respect to rare earth elements;

4 (B) any relevant planning or efforts by the
5 intelligence community to assure secured access
6 to rare earth elements;

7 (C) any assessed vulnerabilities or risks to
8 the intelligence community with respect to rare
9 earth elements;

10 (D) any relevant planning or efforts by the
11 intelligence community to coordinate with de-
12 partments and agencies of the United States
13 Government that are not elements of the intel-
14 ligence community on securing the rare earth
15 element supply chain; and

16 (E) any previous or anticipated efforts by
17 the Supply Chain and Counterintelligence Risk
18 Management Task Force established under sec-
19 tion 6306 of the Damon Paul Nelson and Mat-
20 thew Young Pollard Intelligence Authorization
21 Act for Fiscal Years 2018, 2019, and 2020 (50
22 U.S.C. 3370) with respect to rare earth elements.

23 (c) FORM.—The report under subsection (a) shall be
24 submitted in unclassified form, but may include a classified
25 annex.

1 (d) *RARE EARTH ELEMENTS DEFINED.*—*In this sec-*
2 *tion, the term “rare earth elements” includes products that*
3 *contain rare earth elements, including rare earth magnets.*

4 **SEC. 831. REPORT ON ASSESSMENT OF ALL-SOURCE CYBER**
5 **INTELLIGENCE INFORMATION.**

6 (a) *REPORT REQUIRED.*—*Not later than 180 days*
7 *after the date of the enactment of this Act, the Inspector*
8 *General of the Intelligence Community, in coordination*
9 *with the Inspector General of the National Security Agency*
10 *and the Inspector General of the Central Intelligence Agen-*
11 *cy, shall submit to the congressional intelligence committees*
12 *a report on the effectiveness of the intelligence community*
13 *with respect to the integration and dissemination of all-*
14 *source intelligence relating to foreign cyber threats.*

15 (b) *CONTENTS.*—*The report under subsection (a) shall*
16 *include the following:*

17 (1) *An assessment of the effectiveness of the all-*
18 *source cyber intelligence integration capabilities of the*
19 *intelligence community, including the identification*
20 *of capability gaps relating to the integration of all-*
21 *source intelligence, or any deficiencies associated with*
22 *the timely dissemination of such intelligence.*

23 (2) *An assessment of the effectiveness of the intel-*
24 *ligence community in analyzing and reporting on*
25 *cyber supply chain risks, including with respect to*

1 *interagency coordination and the leadership of the Of-*
2 *fice of the Director of National Intelligence.*

3 **SEC. 832. BRIEFING ON TRAININGS RELATING TO**
4 **BLOCKCHAIN TECHNOLOGY.**

5 *(a) BRIEFING.—Not later than 90 days after the date*
6 *of the enactment of this Act, the Director of National Intel-*
7 *ligence shall provide to the congressional intelligence com-*
8 *mittees a briefing on the feasibility and benefits of pro-*
9 *viding training described in subsection (b).*

10 *(b) TRAINING DESCRIBED.—Training described in this*
11 *subsection is training that meets the following criteria:*

12 *(1) The training is on cryptocurrency,*
13 *blockchain technology, or both subjects.*

14 *(2) The training may be provided through part-*
15 *nerships with universities or private sector entities.*

16 **SEC. 833. REPORT ON TRENDS IN TECHNOLOGIES OF STRA-**
17 **TEGIC IMPORTANCE TO UNITED STATES.**

18 *(a) IN GENERAL.—Not less frequently than once every*
19 *2 years until the date that is 4 years after the date of the*
20 *enactment of this Act, the Director of National Intelligence,*
21 *in consultation with the Secretary of Commerce and the Di-*
22 *rector of the Office of Science and Technology Policy, shall*
23 *submit to the congressional intelligence committees a report*
24 *assessing commercial and foreign trends in technologies the*

1 *Director considers of strategic importance to the national*
2 *and economic security of the United States.*

3 (b) *CONTENTS.—Each report under subsection (a)*
4 *shall include the following:*

5 (1) *A list of the top technology focus areas the*
6 *Director determines to be of the greatest strategic im-*
7 *portance to the United States.*

8 (2) *A list of the top technology focus areas in*
9 *which the Director determines foreign countries that*
10 *are adversarial to the United States are poised to*
11 *match or surpass the technological leadership of the*
12 *United States.*

13 (c) *FORM.—Each report under subsection (a)—*

14 (1) *may be submitted in the form of a National*
15 *Intelligence Estimate; and*

16 (2) *shall be submitted in classified form, but*
17 *may include an unclassified summary.*

18 **SEC. 834. PLAN FOR ARTIFICIAL INTELLIGENCE DIGITAL**
19 **ECOSYSTEM.**

20 (a) *PLAN.—Not later than 1 year after the date of the*
21 *enactment of this Act, the Director of National Intelligence*
22 *shall coordinate with the heads of other elements of the intel-*
23 *ligence community and, in conjunction with the heads of*
24 *those elements, shall—*

1 (1) *develop a plan for the development and*
2 *resourcing of a modern digital ecosystem that em-*
3 *braces state-of-the-art tools and modern processes to*
4 *enable development, testing, fielding, and continuous*
5 *updating of artificial intelligence-powered applica-*
6 *tions at speed and scale from headquarters to the tac-*
7 *tical edge; and*

8 (2) *submit to the congressional intelligence com-*
9 *mittees the plan developed under paragraph (1).*

10 (b) *CONTENTS OF PLAN.—At a minimum, the plan re-*
11 *quired by subsection (a) shall include the following:*

12 (1) *Policies to enable elements of the intelligence*
13 *community to adopt a hoteling model to allow trusted*
14 *small- and medium-sized artificial intelligence com-*
15 *panies access to classified facilities on a flexible basis.*

16 (2) *Policies for an open architecture and an*
17 *evolving reference design and guidance for needed*
18 *technical investments in the proposed ecosystem that*
19 *address issues, including common interfaces, authen-*
20 *tication, applications, platforms, software, hardware,*
21 *and data infrastructure.*

22 (3) *Policies to ensure, to the extent possible,*
23 *interoperability, and the reduction of duplication, of*
24 *artificial intelligence capabilities developed or ac-*
25 *quired by elements of the intelligence community.*

1 (4) *A governance structure, together with associ-*
2 *ated policies and guidance, to drive the implementa-*
3 *tion of the reference throughout the intelligence com-*
4 *munity on a federated basis.*

5 (5) *Community standards for the use of artifi-*
6 *cial intelligence and associated data, as appropriate.*

7 (6) *Recommendations to ensure that use of arti-*
8 *ficial intelligence and associated data by the Federal*
9 *Government related to United States persons comport*
10 *with rights relating to freedom of expression, equal*
11 *protection, privacy, and due process.*

12 (c) *FORM.—The plan submitted under subsection*
13 *(a)(2) shall be submitted in unclassified form, but may in-*
14 *clude a classified annex.*

15 **SEC. 835. REPORTS ON INTELLIGENCE SUPPORT FOR AND**
16 **CAPACITY OF THE SERGEANTS AT ARMS OF**
17 **THE SENATE AND THE HOUSE OF REP-**
18 **RESENTATIVES AND THE UNITED STATES**
19 **CAPITOL POLICE.**

20 (a) *REPORT ON INTELLIGENCE SUPPORT.—*

21 (1) *REQUIREMENT.—Not later than 60 days*
22 *after the date of the enactment of this Act, the Direc-*
23 *tor of National Intelligence, in coordination with the*
24 *Director of the Federal Bureau of Investigation and*
25 *the Secretary of Homeland Security, shall submit to*

1 *the congressional intelligence committees, the Sub-*
2 *committees on Commerce, Justice, Science, and Re-*
3 *lated Agencies and the Subcommittees on Homeland*
4 *Security of the Committees on Appropriations of the*
5 *House of Representatives and the Senate, and con-*
6 *gressional leadership a report on intelligence support*
7 *provided to the Sergeants at Arms and the United*
8 *States Capitol Police.*

9 (2) *ELEMENTS.*—*The report under paragraph*
10 *(1) shall include a description of the following:*

11 (A) *Policies related to the Sergeants at*
12 *Arms and the United States Capitol Police as*
13 *customers of intelligence.*

14 (B) *How the intelligence community, the*
15 *Federal Bureau of Investigation, and the De-*
16 *partment of Homeland Security, including the*
17 *Cybersecurity and Infrastructure Security Agen-*
18 *cy, are structured, staffed, and resourced to pro-*
19 *vide intelligence support to the Sergeants at*
20 *Arms and the United States Capitol Police.*

21 (C) *The classified electronic and telephony*
22 *interoperability of the intelligence community,*
23 *the Federal Bureau of Investigation, and the De-*
24 *partment of Homeland Security with the Ser-*

1 *geants at Arms and the United States Capitol*
2 *Police.*

3 *(D) Any expedited security clearances pro-*
4 *vided for the Sergeants at Arms and the United*
5 *States Capitol Police.*

6 *(E) Counterterrorism intelligence and other*
7 *intelligence relevant to the physical security of*
8 *Congress that are provided to the Sergeants at*
9 *Arms and the United States Capitol Police, in-*
10 *cluding—*

11 *(i) strategic analysis and real-time*
12 *warning; and*

13 *(ii) access to classified systems for*
14 *transmitting and posting intelligence.*

15 *(F) Cyber intelligence relevant to the protec-*
16 *tion of cyber networks of Congress and the per-*
17 *sonal devices and accounts of Members and em-*
18 *ployees of Congress, including—*

19 *(i) strategic and real-time warnings,*
20 *such as malware signatures and other indi-*
21 *cations of attack; and*

22 *(ii) access to classified systems for*
23 *transmitting and posting intelligence.*

1 (3) *FORM.*—*The report under paragraph (1)*
2 *shall be submitted in unclassified form, but may in-*
3 *clude a classified annex.*

4 (b) *GOVERNMENT ACCOUNTABILITY OFFICE RE-*
5 *PORT.*—

6 (1) *REQUIREMENT.*—*Not later than 180 days*
7 *after the date of the enactment of this Act, the Comp-*
8 *troller General of the United States shall submit to*
9 *the appropriate congressional committees and con-*
10 *gressional leadership a report on the capacity of the*
11 *Sergeants at Arms and the United States Capitol Po-*
12 *lice to access and use intelligence and threat informa-*
13 *tion relevant to the physical and cyber security of*
14 *Congress.*

15 (2) *ELEMENTS.*—*The report under paragraph*
16 *(1) shall include the following:*

17 (A) *An assessment of the extent to which the*
18 *Sergeants at Arms and the United States Capitol*
19 *Police have the resources, including facilities,*
20 *cleared personnel, and necessary training, and*
21 *authorities to adequately access, analyze, man-*
22 *age, and use intelligence and threat information*
23 *necessary to defend the physical and cyber secu-*
24 *rity of Congress.*

1 (B) *The extent to which the Sergeants at*
2 *Arms and the United States Capitol Police com-*
3 *municate and coordinate threat data with each*
4 *other and with other local law enforcement enti-*
5 *ties.*

6 (3) *FORM.—The report under paragraph (1)*
7 *shall be submitted in unclassified form, but may in-*
8 *clude a classified annex.*

9 (c) *DEFINITIONS.—In this section:*

10 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
11 *TEES.—The term “appropriate congressional commit-*
12 *tees” means—*

13 (A) *the congressional intelligence commit-*
14 *tees;*

15 (B) *the Committee on Homeland Security*
16 *and Governmental Affairs, the Committee on*
17 *Rules and Administration, the Committee on the*
18 *Judiciary, and the Committee on Appropriations*
19 *of the Senate; and*

20 (C) *the Committee on Homeland Security,*
21 *the Committee on House Administration, the*
22 *Committee on the Judiciary, and the Committee*
23 *on Appropriations of the House of Representa-*
24 *tives.*

1 (2) *CONGRESSIONAL LEADERSHIP.*—*The term*
2 *“congressional leadership” means—*

3 (A) *the majority leader of the Senate;*

4 (B) *the minority leader of the Senate;*

5 (C) *the Speaker of the House of Representa-*
6 *tives; and*

7 (D) *the minority leader of the House of*
8 *Representatives.*

9 (3) *SERGEANTS AT ARMS.*—*The term “Sergeants*
10 *at Arms” means the Sergeant at Arms and Door-*
11 *keeper of the Senate, the Sergeant at Arms of the*
12 *House of Representatives, and the Chief Administra-*
13 *tive Officer of the House of Representatives.*

14 ***DIVISION Y—CYBER INCIDENT***
15 ***REPORTING FOR CRITICAL IN-***
16 ***FRASTRUCTURE ACT OF 2022***

17 ***SEC. 101. SHORT TITLE.***

18 *This division may be cited as the “Cyber Incident Re-*
19 *porting for Critical Infrastructure Act of 2022”.*

20 ***SEC. 102. DEFINITIONS.***

21 *In this division:*

22 (1) *COVERED CYBER INCIDENT; COVERED ENTI-*
23 *TY; CYBER INCIDENT; INFORMATION SYSTEM; RANSOM*
24 *PAYMENT; RANSOMWARE ATTACK; SECURITY VULNER-*
25 *ABILITY.*—*The terms “covered cyber incident”, “cov-*

1 *ered entity*”, “*cyber incident*”, “*information system*”,
2 “*ransom payment*”, “*ransomware attack*”, and “*secu-*
3 *rity vulnerability*” have the meanings given those
4 terms in section 2240 of the Homeland Security Act
5 of 2002, as added by section 103 of this division.

6 (2) *DIRECTOR*.—The term “*Director*” means the
7 Director of the Cybersecurity and Infrastructure Se-
8 curity Agency.

9 **SEC. 103. CYBER INCIDENT REPORTING.**

10 (a) *CYBER INCIDENT REPORTING*.—Title XXII of the
11 Homeland Security Act of 2002 (6 U.S.C. 651 *et seq.*) is
12 amended—

13 (1) in section 2209(c) (6 U.S.C. 659(c))—

14 (A) in paragraph (11), by striking “; and”
15 and inserting a semicolon;

16 (B) in paragraph (12), by striking the pe-
17 riod at the end and inserting “; and”; and

18 (C) by adding at the end the following:

19 “(13) receiving, aggregating, and analyzing re-
20 ports related to covered cyber incidents (as defined in
21 section 2240) submitted by covered entities (as defined
22 in section 2240) and reports related to ransom pay-
23 ments (as defined in section 2240) submitted by cov-
24 ered entities (as defined in section 2240) in further-
25 ance of the activities specified in sections 2202(e),

1 2203, and 2241, this subsection, and any other au-
2 thorized activity of the Director, to enhance the situa-
3 tional awareness of cybersecurity threats across crit-
4 ical infrastructure sectors.”; and

5 (2) by adding at the end the following:

6 **“Subtitle D—Cyber Incident**
7 **Reporting**

8 **“SEC. 2240. DEFINITIONS.**

9 *“In this subtitle:*

10 (1) *CENTER.—The term ‘Center’ means the cen-*
11 *ter established under section 2209.*

12 (2) *CLOUD SERVICE PROVIDER.—The term*
13 *‘cloud service provider’ means an entity offering*
14 *products or services related to cloud computing, as de-*
15 *defined by the National Institute of Standards and*
16 *Technology in NIST Special Publication 800–145*
17 *and any amendatory or superseding document relat-*
18 *ing thereto.*

19 (3) *COUNCIL.—The term ‘Council’ means the*
20 *Cyber Incident Reporting Council described in section*
21 *2246.*

22 (4) *COVERED CYBER INCIDENT.—The term ‘cov-*
23 *ered cyber incident’ means a substantial cyber inci-*
24 *dent experienced by a covered entity that satisfies the*

1 *definition and criteria established by the Director in*
2 *the final rule issued pursuant to section 2242(b).*

3 “(5) *COVERED ENTITY*.—*The term ‘covered enti-*
4 *ty’ means an entity in a critical infrastructure sector,*
5 *as defined in Presidential Policy Directive 21, that*
6 *satisfies the definition established by the Director in*
7 *the final rule issued pursuant to section 2242(b).*

8 “(6) *CYBER INCIDENT*.—*The term ‘cyber inci-*
9 *dent’—*

10 “(A) *has the meaning given the term ‘inci-*
11 *dent’ in section 2209; and*

12 “(B) *does not include an occurrence that*
13 *imminently, but not actually, jeopardizes—*

14 “(i) *information on information sys-*
15 *tems; or*

16 “(ii) *information systems.*

17 “(7) *CYBER THREAT*.—*The term ‘cyber threat’*
18 *has the meaning given the term ‘cybersecurity threat’*
19 *in section 2201.*

20 “(8) *CYBER THREAT INDICATOR; CYBERSECURITY*
21 *PURPOSE; DEFENSIVE MEASURE; FEDERAL ENTITY;*
22 *SECURITY VULNERABILITY*.—*The terms ‘cyber threat*
23 *indicator’, ‘cybersecurity purpose’, ‘defensive meas-*
24 *ure’, ‘Federal entity’, and ‘security vulnerability’*

1 *have the meanings given those terms in section 102 of*
2 *the Cybersecurity Act of 2015 (6 U.S.C. 1501).*

3 “(9) *INCIDENT; SHARING.*—*The terms ‘incident’*
4 *and ‘sharing’ have the meanings given those terms in*
5 *section 2209.*

6 “(10) *INFORMATION SHARING AND ANALYSIS OR-*
7 *GANIZATION.*—*The term ‘Information Sharing and*
8 *Analysis Organization’ has the meaning given the*
9 *term in section 2222.*

10 “(11) *INFORMATION SYSTEM.*—*The term ‘infor-*
11 *mation system’—*

12 “(A) *has the meaning given the term in sec-*
13 *tion 3502 of title 44, United States Code; and*

14 “(B) *includes industrial control systems,*
15 *such as supervisory control and data acquisition*
16 *systems, distributed control systems, and pro-*
17 *grammable logic controllers.*

18 “(12) *MANAGED SERVICE PROVIDER.*—*The term*
19 *‘managed service provider’ means an entity that de-*
20 *livers services, such as network, application, infra-*
21 *structure, or security services, via ongoing and reg-*
22 *ular support and active administration on the prem-*
23 *ises of a customer, in the data center of the entity*
24 *(such as hosting), or in a third party data center.*

1 “(13) *RANSOM PAYMENT.*—*The term ‘ransom*
2 *payment’ means the transmission of any money or*
3 *other property or asset, including virtual currency, or*
4 *any portion thereof, which has at any time been de-*
5 *livered as ransom in connection with a ransomware*
6 *attack.*

7 “(14) *RANSOMWARE ATTACK.*—*The term*
8 *‘ransomware attack’—*

9 “(A) *means an incident that includes the*
10 *use or threat of use of unauthorized or malicious*
11 *code on an information system, or the use or*
12 *threat of use of another digital mechanism such*
13 *as a denial of service attack, to interrupt or dis-*
14 *rupt the operations of an information system or*
15 *compromise the confidentiality, availability, or*
16 *integrity of electronic data stored on, processed*
17 *by, or transiting an information system to extort*
18 *a demand for a ransom payment; and*

19 “(B) *does not include any such event where*
20 *the demand for payment is—*

21 “(i) *not genuine; or*

22 “(ii) *made in good faith by an entity*
23 *in response to a specific request by the*
24 *owner or operator of the information sys-*
25 *tem.*

1 “(15) *SECTOR RISK MANAGEMENT AGENCY*.—*The*
2 *term ‘Sector Risk Management Agency’ has the mean-*
3 *ing given the term in section 2201.*

4 “(16) *SIGNIFICANT CYBER INCIDENT*.—*The term*
5 *‘significant cyber incident’ means a cyber incident, or*
6 *a group of related cyber incidents, that the Secretary*
7 *determines is likely to result in demonstrable harm to*
8 *the national security interests, foreign relations, or*
9 *economy of the United States or to the public con-*
10 *fidence, civil liberties, or public health and safety of*
11 *the people of the United States.*

12 “(17) *SUPPLY CHAIN COMPROMISE*.—*The term*
13 *‘supply chain compromise’ means an incident within*
14 *the supply chain of an information system that an*
15 *adversary can leverage or does leverage to jeopardize*
16 *the confidentiality, integrity, or availability of the in-*
17 *formation system or the information the system proc-*
18 *esses, stores, or transmits, and can occur at any point*
19 *during the life cycle.*

20 “(18) *VIRTUAL CURRENCY*.—*The term ‘virtual*
21 *currency’ means the digital representation of value*
22 *that functions as a medium of exchange, a unit of ac-*
23 *count, or a store of value.*

24 “(19) *VIRTUAL CURRENCY ADDRESS*.—*The term*
25 *‘virtual currency address’ means a unique public*

1 *cryptographic key identifying the location to which a*
2 *virtual currency payment can be made.*

3 **“SEC. 2241. CYBER INCIDENT REVIEW.**

4 “(a) *ACTIVITIES.*—*The Center shall—*

5 “(1) *receive, aggregate, analyze, and secure,*
6 *using processes consistent with the processes developed*
7 *pursuant to the Cybersecurity Information Sharing*
8 *Act of 2015 (6 U.S.C. 1501 et seq.) reports from cov-*
9 *ered entities related to a covered cyber incident to as-*
10 *sess the effectiveness of security controls, identify tac-*
11 *tics, techniques, and procedures adversaries use to*
12 *overcome those controls and other cybersecurity pur-*
13 *poses, including to assess potential impact of cyber*
14 *incidents on public health and safety and to enhance*
15 *situational awareness of cyber threats across critical*
16 *infrastructure sectors;*

17 “(2) *coordinate and share information with ap-*
18 *propriate Federal departments and agencies to iden-*
19 *tify and track ransom payments, including those uti-*
20 *lizing virtual currencies;*

21 “(3) *leverage information gathered about cyber*
22 *incidents to—*

23 “(A) *enhance the quality and effectiveness of*
24 *information sharing and coordination efforts*
25 *with appropriate entities, including agencies,*

1 *sector coordinating councils, Information Shar-*
2 *ing and Analysis Organizations, State, local,*
3 *Tribal, and territorial governments, technology*
4 *providers, critical infrastructure owners and op-*
5 *erators, cybersecurity and cyber incident re-*
6 *sponse firms, and security researchers; and*

7 “(B) provide appropriate entities, including
8 *sector coordinating councils, Information Shar-*
9 *ing and Analysis Organizations, State, local,*
10 *Tribal, and territorial governments, technology*
11 *providers, cybersecurity and cyber incident re-*
12 *sponse firms, and security researchers, with*
13 *timely, actionable, and anonymized reports of*
14 *cyber incident campaigns and trends, including,*
15 *to the maximum extent practicable, related con-*
16 *textual information, cyber threat indicators, and*
17 *defensive measures, pursuant to section 2245;*

18 “(4) establish mechanisms to receive feedback
19 *from stakeholders on how the Agency can most effec-*
20 *tively receive covered cyber incident reports, ransom*
21 *payment reports, and other voluntarily provided in-*
22 *formation, and how the Agency can most effectively*
23 *support private sector cybersecurity;*

24 “(5) facilitate the timely sharing, on a voluntary
25 *basis, between relevant critical infrastructure owners*

1 *and operators of information relating to covered cyber*
2 *incidents and ransom payments, particularly with re-*
3 *spect to ongoing cyber threats or security*
4 *vulnerabilities and identify and disseminate ways to*
5 *prevent or mitigate similar cyber incidents in the fu-*
6 *ture;*

7 *“(6) for a covered cyber incident, including a*
8 *ransomware attack, that also satisfies the definition*
9 *of a significant cyber incident, or is part of a group*
10 *of related cyber incidents that together satisfy such*
11 *definition, conduct a review of the details sur-*
12 *rounding the covered cyber incident or group of those*
13 *incidents and identify and disseminate ways to pre-*
14 *vent or mitigate similar incidents in the future;*

15 *“(7) with respect to covered cyber incident re-*
16 *ports under section 2242(a) and 2243 involving an*
17 *ongoing cyber threat or security vulnerability, imme-*
18 *diately review those reports for cyber threat indicators*
19 *that can be anonymized and disseminated, with de-*
20 *fensive measures, to appropriate stakeholders, in co-*
21 *ordination with other divisions within the Agency, as*
22 *appropriate;*

23 *“(8) publish quarterly unclassified, public re-*
24 *ports that describe aggregated, anonymized observa-*
25 *tions, findings, and recommendations based on cov-*

1 *ered cyber incident reports, which may be based on*
2 *the unclassified information contained in the brief-*
3 *ings required under subsection (c);*

4 *“(9) proactively identify opportunities, con-*
5 *sistent with the protections in section 2245, to lever-*
6 *age and utilize data on cyber incidents in a manner*
7 *that enables and strengthens cybersecurity research*
8 *carried out by academic institutions and other pri-*
9 *rate sector organizations, to the greatest extent prac-*
10 *ticable; and*

11 *“(10) in accordance with section 2245 and sub-*
12 *section (b) of this section, as soon as possible but not*
13 *later than 24 hours after receiving a covered cyber in-*
14 *cident report, ransom payment report, voluntarily*
15 *submitted information pursuant to section 2243, or*
16 *information received pursuant to a request for infor-*
17 *mation or subpoena under section 2244, make avail-*
18 *able the information to appropriate Sector Risk Man-*
19 *agement Agencies and other appropriate Federal*
20 *agencies.*

21 *“(b) INTERAGENCY SHARING.—The President or a des-*
22 *ignee of the President—*

23 *“(1) may establish a specific time requirement*
24 *for sharing information under subsection (a)(10); and*

1 “(2) shall determine the appropriate Federal
2 agencies under subsection (a)(10).

3 “(c) *PERIODIC BRIEFING.*—Not later than 60 days
4 after the effective date of the final rule required under sec-
5 tion 2242(b), and on the first day of each month thereafter,
6 the Director, in consultation with the National Cyber Direc-
7 tor, the Attorney General, and the Director of National In-
8 telligence, shall provide to the majority leader of the Senate,
9 the minority leader of the Senate, the Speaker of the House
10 of Representatives, the minority leader of the House of Rep-
11 resentatives, the Committee on Homeland Security and
12 Governmental Affairs of the Senate, and the Committee on
13 Homeland Security of the House of Representatives a brief-
14 ing that characterizes the national cyber threat landscape,
15 including the threat facing Federal agencies and covered en-
16 tities, and applicable intelligence and law enforcement in-
17 formation, covered cyber incidents, and ransomware at-
18 tacks, as of the date of the briefing, which shall—

19 “(1) include the total number of reports sub-
20 mitted under sections 2242 and 2243 during the pre-
21 ceding month, including a breakdown of required and
22 voluntary reports;

23 “(2) include any identified trends in covered
24 cyber incidents and ransomware attacks over the
25 course of the preceding month and as compared to

1 previous reports, including any trends related to the
2 information collected in the reports submitted under
3 sections 2242 and 2243, including—

4 “(A) the infrastructure, tactics, and tech-
5 niques malicious cyber actors commonly use; and

6 “(B) intelligence gaps that have impeded, or
7 currently are impeding, the ability to counter
8 covered cyber incidents and ransomware threats;

9 “(3) include a summary of the known uses of the
10 information in reports submitted under sections 2242
11 and 2243; and

12 “(4) include an unclassified portion, but may
13 include a classified component.

14 **“SEC. 2242. REQUIRED REPORTING OF CERTAIN CYBER IN-**
15 **CIDENTS.**

16 “(a) *IN GENERAL.*—

17 “(1) *COVERED CYBER INCIDENT REPORTS.*—

18 “(A) *IN GENERAL.*—A covered entity that
19 experiences a covered cyber incident shall report
20 the covered cyber incident to the Agency not later
21 than 72 hours after the covered entity reasonably
22 believes that the covered cyber incident has oc-
23 curred.

24 “(B) *LIMITATION.*—The Director may not
25 require reporting under subparagraph (A) any

1 *earlier than 72 hours after the covered entity*
2 *reasonably believes that a covered cyber incident*
3 *has occurred.*

4 “(2) *RANSOM PAYMENT REPORTS.*—

5 “(A) *IN GENERAL.*—*A covered entity that*
6 *makes a ransom payment as the result of a*
7 *ransomware attack against the covered entity*
8 *shall report the payment to the Agency not later*
9 *than 24 hours after the ransom payment has*
10 *been made.*

11 “(B) *APPLICATION.*—*The requirements*
12 *under subparagraph (A) shall apply even if the*
13 *ransomware attack is not a covered cyber inci-*
14 *dent subject to the reporting requirements under*
15 *paragraph (1).*

16 “(3) *SUPPLEMENTAL REPORTS.*—*A covered enti-*
17 *ty shall promptly submit to the Agency an update or*
18 *supplement to a previously submitted covered cyber*
19 *incident report if substantial new or different infor-*
20 *mation becomes available or if the covered entity*
21 *makes a ransom payment after submitting a covered*
22 *cyber incident report required under paragraph (1),*
23 *until such date that such covered entity notifies the*
24 *Agency that the covered cyber incident at issue has*
25 *concluded and has been fully mitigated and resolved.*

1 “(4) *PRESERVATION OF INFORMATION.*—*Any*
2 *covered entity subject to requirements of paragraph*
3 *(1), (2), or (3) shall preserve data relevant to the cov-*
4 *ered cyber incident or ransom payment in accordance*
5 *with procedures established in the final rule issued*
6 *pursuant to subsection (b).*

7 “(5) *EXCEPTIONS.*—

8 “(A) *REPORTING OF COVERED CYBER INCI-*
9 *DENT WITH RANSOM PAYMENT.*—*If a covered en-*
10 *tity is the victim of a covered cyber incident and*
11 *makes a ransom payment prior to the 72 hour*
12 *requirement under paragraph (1), such that the*
13 *reporting requirements under paragraphs (1)*
14 *and (2) both apply, the covered entity may sub-*
15 *mit a single report to satisfy the requirements of*
16 *both paragraphs in accordance with procedures*
17 *established in the final rule issued pursuant to*
18 *subsection (b).*

19 “(B) *SUBSTANTIALLY SIMILAR REPORTED*
20 *INFORMATION.*—

21 “(i) *IN GENERAL.*—*Subject to the limi-*
22 *tation described in clause (ii), where the*
23 *Agency has an agreement in place that sat-*
24 *isfies the requirements of section 104(a) of*
25 *the Cyber Incident Reporting for Critical*

1 *Infrastructure Act of 2022, the requirements*
2 *under paragraphs (1), (2), and (3) shall not*
3 *apply to a covered entity required by law,*
4 *regulation, or contract to report substan-*
5 *tially similar information to another Fed-*
6 *eral agency within a substantially similar*
7 *timeframe.*

8 “(ii) *LIMITATION.—The exemption in*
9 *clause (i) shall take effect with respect to a*
10 *covered entity once an agency agreement*
11 *and sharing mechanism is in place between*
12 *the Agency and the respective Federal agen-*
13 *cy, pursuant to section 104(a) of the Cyber*
14 *Incident Reporting for Critical Infrastruc-*
15 *ture Act of 2022.*

16 “(iii) *RULES OF CONSTRUCTION.—*
17 *Nothing in this paragraph shall be con-*
18 *strued to—*

19 “(I) *exempt a covered entity from*
20 *the reporting requirements under para-*
21 *graph (3) unless the supplemental re-*
22 *port also meets the requirements of*
23 *clauses (i) and (ii) of this paragraph;*

24 “(II) *prevent the Agency from*
25 *contacting an entity submitting infor-*

1 *mation to another Federal agency that*
2 *is provided to the Agency pursuant to*
3 *section 104 of the Cyber Incident Re-*
4 *porting for Critical Infrastructure Act*
5 *of 2022; or*

6 *“(III) prevent an entity from*
7 *communicating with the Agency.*

8 *“(C) DOMAIN NAME SYSTEM.—The require-*
9 *ments under paragraphs (1), (2) and (3) shall*
10 *not apply to a covered entity or the functions of*
11 *a covered entity that the Director determines*
12 *constitute critical infrastructure owned, oper-*
13 *ated, or governed by multi-stakeholder organiza-*
14 *tions that develop, implement, and enforce poli-*
15 *cies concerning the Domain Name System, such*
16 *as the Internet Corporation for Assigned Names*
17 *and Numbers or the Internet Assigned Numbers*
18 *Authority.*

19 *“(6) MANNER, TIMING, AND FORM OF RE-*
20 *PORTS.—Reports made under paragraphs (1), (2),*
21 *and (3) shall be made in the manner and form, and*
22 *within the time period in the case of reports made*
23 *under paragraph (3), prescribed in the final rule*
24 *issued pursuant to subsection (b).*

1 “(7) *EFFECTIVE DATE.*—Paragraphs (1) through
2 (4) shall take effect on the dates prescribed in the
3 final rule issued pursuant to subsection (b).

4 “(b) *RULEMAKING.*—

5 “(1) *NOTICE OF PROPOSED RULEMAKING.*—Not
6 later than 24 months after the date of enactment of
7 this section, the Director, in consultation with Sector
8 Risk Management Agencies, the Department of Jus-
9 tice, and other Federal agencies, shall publish in the
10 Federal Register a notice of proposed rulemaking to
11 implement subsection (a).

12 “(2) *FINAL RULE.*—Not later than 18 months
13 after publication of the notice of proposed rulemaking
14 under paragraph (1), the Director shall issue a final
15 rule to implement subsection (a).

16 “(3) *SUBSEQUENT RULEMAKINGS.*—

17 “(A) *IN GENERAL.*—The Director is author-
18 ized to issue regulations to amend or revise the
19 final rule issued pursuant to paragraph (2).

20 “(B) *PROCEDURES.*—Any subsequent rules
21 issued under subparagraph (A) shall comply
22 with the requirements under chapter 5 of title 5,
23 United States Code, including the issuance of a
24 notice of proposed rulemaking under section 553
25 of such title.

1 “(c) *ELEMENTS.*—*The final rule issued pursuant to*
2 *subsection (b) shall be composed of the following elements:*

3 “(1) *A clear description of the types of entities*
4 *that constitute covered entities, based on—*

5 “(A) *the consequences that disruption to or*
6 *compromise of such an entity could cause to na-*
7 *tional security, economic security, or public*
8 *health and safety;*

9 “(B) *the likelihood that such an entity may*
10 *be targeted by a malicious cyber actor, including*
11 *a foreign country; and*

12 “(C) *the extent to which damage, disrup-*
13 *tion, or unauthorized access to such an entity,*
14 *including the accessing of sensitive cybersecurity*
15 *vulnerability information or penetration testing*
16 *tools or techniques, will likely enable the disrup-*
17 *tion of the reliable operation of critical infra-*
18 *structure.*

19 “(2) *A clear description of the types of substan-*
20 *tial cyber incidents that constitute covered cyber inci-*
21 *dents, which shall—*

22 “(A) *at a minimum, require the occurrence*
23 *of—*

24 “(i) *a cyber incident that leads to sub-*
25 *stantial loss of confidentiality, integrity, or*

1 *availability of such information system or*
2 *network, or a serious impact on the safety*
3 *and resiliency of operational systems and*
4 *processes;*

5 *“(ii) a disruption of business or indus-*
6 *trial operations, including due to a denial*
7 *of service attack, ransomware attack, or ex-*
8 *ploitation of a zero day vulnerability,*
9 *against*

10 *“(I) an information system or*
11 *network; or*

12 *“(II) an operational technology*
13 *system or process; or*

14 *“(iii) unauthorized access or disrup-*
15 *tion of business or industrial operations due*
16 *to loss of service facilitated through, or*
17 *caused by, a compromise of a cloud service*
18 *provider, managed service provider, or other*
19 *third-party data hosting provider or by a*
20 *supply chain compromise;*

21 *“(B) consider—*

22 *“(i) the sophistication or novelty of the*
23 *tactics used to perpetrate such a cyber inci-*
24 *dent, as well as the type, volume, and sensi-*
25 *tivity of the data at issue;*

1 “(ii) the number of individuals di-
2 rectly or indirectly affected or potentially
3 affected by such a cyber incident; and

4 “(iii) potential impacts on industrial
5 control systems, such as supervisory control
6 and data acquisition systems, distributed
7 control systems, and programmable logic
8 controllers; and

9 “(C) exclude—

10 “(i) any event where the cyber incident
11 is perpetrated in good faith by an entity in
12 response to a specific request by the owner
13 or operator of the information system; and

14 “(ii) the threat of disruption as extor-
15 tion, as described in section 2240(14)(A).

16 “(3) A requirement that, if a covered cyber inci-
17 dent or a ransom payment occurs following an ex-
18 empted threat described in paragraph (2)(C)(ii), the
19 covered entity shall comply with the requirements in
20 this subtitle in reporting the covered cyber incident or
21 ransom payment.

22 “(4) A clear description of the specific required
23 contents of a report pursuant to subsection (a)(1),
24 which shall include the following information, to the

1 *extent applicable and available, with respect to a cov-*
2 *ered cyber incident:*

3 *“(A) A description of the covered cyber inci-*
4 *dent, including—*

5 *“(i) identification and a description of*
6 *the function of the affected information sys-*
7 *tems, networks, or devices that were, or are*
8 *reasonably believed to have been, affected by*
9 *such cyber incident;*

10 *“(ii) a description of the unauthorized*
11 *access with substantial loss of confiden-*
12 *tiality, integrity, or availability of the af-*
13 *ected information system or network or dis-*
14 *ruption of business or industrial operations;*

15 *“(iii) the estimated date range of such*
16 *incident; and*

17 *“(iv) the impact to the operations of*
18 *the covered entity.*

19 *“(B) Where applicable, a description of the*
20 *vulnerabilities exploited and the security defenses*
21 *that were in place, as well as the tactics, tech-*
22 *niques, and procedures used to perpetrate the*
23 *covered cyber incident.*

24 *“(C) Where applicable, any identifying or*
25 *contact information related to each actor reason-*

1 *ably believed to be responsible for such cyber in-*
2 *cident.*

3 “(D) *Where applicable, identification of the*
4 *category or categories of information that were,*
5 *or are reasonably believed to have been, accessed*
6 *or acquired by an unauthorized person.*

7 “(E) *The name and other information that*
8 *clearly identifies the covered entity impacted by*
9 *the covered cyber incident, including, as applica-*
10 *ble, the State of incorporation or formation of*
11 *the covered entity, trade names, legal names, or*
12 *other identifiers.*

13 “(F) *Contact information, such as telephone*
14 *number or electronic mail address, that the*
15 *Agency may use to contact the covered entity or*
16 *an authorized agent of such covered entity, or,*
17 *where applicable, the service provider of such*
18 *covered entity acting with the express permission*
19 *of, and at the direction of, the covered entity to*
20 *assist with compliance with the requirements of*
21 *this subtitle.*

22 “(5) *A clear description of the specific required*
23 *contents of a report pursuant to subsection (a)(2),*
24 *which shall be the following information, to the extent*

1 *applicable and available, with respect to a ransom*
2 *payment:*

3 “(A) *A description of the ransomware at-*
4 *tack, including the estimated date range of the*
5 *attack.*

6 “(B) *Where applicable, a description of the*
7 *vulnerabilities, tactics, techniques, and proce-*
8 *dures used to perpetrate the ransomware attack.*

9 “(C) *Where applicable, any identifying or*
10 *contact information related to the actor or actors*
11 *reasonably believed to be responsible for the*
12 *ransomware attack.*

13 “(D) *The name and other information that*
14 *clearly identifies the covered entity that made the*
15 *ransom payment or on whose behalf the payment*
16 *was made.*

17 “(E) *Contact information, such as telephone*
18 *number or electronic mail address, that the*
19 *Agency may use to contact the covered entity*
20 *that made the ransom payment or an authorized*
21 *agent of such covered entity, or, where applica-*
22 *ble, the service provider of such covered entity*
23 *acting with the express permission of, and at the*
24 *direction of, that covered entity to assist with*
25 *compliance with the requirements of this subtitle.*

1 “(F) *The date of the ransom payment.*

2 “(G) *The ransom payment demand, includ-*
3 *ing the type of virtual currency or other com-*
4 *modity requested, if applicable.*

5 “(H) *The ransom payment instructions, in-*
6 *cluding information regarding where to send the*
7 *payment, such as the virtual currency address or*
8 *physical address the funds were requested to be*
9 *sent to, if applicable.*

10 “(I) *The amount of the ransom payment.*

11 “(6) *A clear description of the types of data re-*
12 *quired to be preserved pursuant to subsection (a)(4),*
13 *the period of time for which the data is required to*
14 *be preserved, and allowable uses, processes, and proce-*
15 *dures.*

16 “(7) *Deadlines and criteria for submitting sup-*
17 *plemental reports to the Agency required under sub-*
18 *section (a)(3), which shall—*

19 “(A) *be established by the Director in con-*
20 *sultation with the Council;*

21 “(B) *consider any existing regulatory re-*
22 *porting requirements similar in scope, purpose,*
23 *and timing to the reporting requirements to*
24 *which such a covered entity may also be subject,*
25 *and make efforts to harmonize the timing and*

1 *contents of any such reports to the maximum ex-*
2 *tent practicable;*

3 “(C) *balance the need for situational aware-*
4 *ness with the ability of the covered entity to con-*
5 *duct cyber incident response and investigations;*
6 *and*

7 “(D) *provide a clear description of what*
8 *constitutes substantial new or different informa-*
9 *tion.*

10 “(8) *Procedures for—*

11 “(A) *entities, including third parties pursu-*
12 *ant to subsection (d)(1), to submit reports re-*
13 *quired by paragraphs (1), (2), and (3) of sub-*
14 *section (a), including the manner and form*
15 *thereof, which shall include, at a minimum, a*
16 *concise, user-friendly web-based form;*

17 “(B) *the Agency to carry out—*

18 “(i) *the enforcement provisions of sec-*
19 *tion 2244, including with respect to the*
20 *issuance, service, withdrawal, referral proc-*
21 *ess, and enforcement of subpoenas, appeals*
22 *and due process procedures;*

23 “(ii) *other available enforcement mech-*
24 *anisms including acquisition, suspension*
25 *and debarment procedures; and*

1 “(iii) other aspects of noncompliance;
2 “(C) implementing the exceptions provided
3 in subsection (a)(5); and
4 “(D) protecting privacy and civil liberties
5 consistent with processes adopted pursuant to
6 section 105(b) of the Cybersecurity Act of 2015
7 (6 U.S.C. 1504(b)) and anonymizing and safe-
8 guarding, or no longer retaining, information re-
9 ceived and disclosed through covered cyber inci-
10 dent reports and ransom payment reports that is
11 known to be personal information of a specific
12 individual or information that identifies a spe-
13 cific individual that is not directly related to a
14 cybersecurity threat.

15 “(9) Other procedural measures directly nec-
16 essary to implement subsection (a).

17 “(d) *THIRD PARTY REPORT SUBMISSION AND RANSOM*
18 *PAYMENT.*—

19 “(1) *REPORT SUBMISSION.*—A covered entity
20 that is required to submit a covered cyber incident re-
21 port or a ransom payment report may use a third
22 party, such as an incident response company, insur-
23 ance provider, service provider, Information Sharing
24 and Analysis Organization, or law firm, to submit
25 the required report under subsection (a).

1 “(2) *RANSOM PAYMENT.*—*If a covered entity im-*
2 *acted by a ransomware attack uses a third party to*
3 *make a ransom payment, the third party shall not be*
4 *required to submit a ransom payment report for itself*
5 *under subsection (a)(2).*

6 “(3) *DUTY TO REPORT.*—*Third-party reporting*
7 *under this subparagraph does not relieve a covered*
8 *entity from the duty to comply with the requirements*
9 *for covered cyber incident report or ransom payment*
10 *report submission.*

11 “(4) *RESPONSIBILITY TO ADVISE.*—*Any third*
12 *party used by a covered entity that knowingly makes*
13 *a ransom payment on behalf of a covered entity im-*
14 *acted by a ransomware attack shall advise the im-*
15 *acted covered entity of the responsibilities of the im-*
16 *acted covered entity regarding reporting ransom*
17 *payments under this section.*

18 “(e) *OUTREACH TO COVERED ENTITIES.*—

19 “(1) *IN GENERAL.*—*The Agency shall conduct an*
20 *outreach and education campaign to inform likely*
21 *covered entities, entities that offer or advertise as a*
22 *service to customers to make or facilitate ransom pay-*
23 *ments on behalf of covered entities impacted by*
24 *ransomware attacks and other appropriate entities of*

1 *the requirements of paragraphs (1), (2), and (3) of*
2 *subsection (a).*

3 “(2) *ELEMENTS.—The outreach and education*
4 *campaign under paragraph (1) shall include the fol-*
5 *lowing:*

6 “(A) *An overview of the final rule issued*
7 *pursuant to subsection (b).*

8 “(B) *An overview of mechanisms to submit*
9 *to the Agency covered cyber incident reports,*
10 *ransom payment reports, and information relat-*
11 *ing to the disclosure, retention, and use of cov-*
12 *ered cyber incident reports and ransom payment*
13 *reports under this section.*

14 “(C) *An overview of the protections afforded*
15 *to covered entities for complying with the re-*
16 *quirements under paragraphs (1), (2), and (3) of*
17 *subsection (a).*

18 “(D) *An overview of the steps taken under*
19 *section 2244 when a covered entity is not in*
20 *compliance with the reporting requirements*
21 *under subsection (a).*

22 “(E) *Specific outreach to cybersecurity ven-*
23 *dors, cyber incident response providers, cyberse-*
24 *curity insurance entities, and other entities that*
25 *may support covered entities.*

1 “(F) *An overview of the privacy and civil*
2 *liberties requirements in this subtitle.*

3 “(3) *COORDINATION.—In conducting the out-*
4 *reach and education campaign required under para-*
5 *graph (1), the Agency may coordinate with—*

6 “(A) *the Critical Infrastructure Partnership*
7 *Advisory Council established under section 871;*

8 “(B) *Information Sharing and Analysis*
9 *Organizations;*

10 “(C) *trade associations;*

11 “(D) *information sharing and analysis cen-*
12 *ters;*

13 “(E) *sector coordinating councils; and*

14 “(F) *any other entity as determined appro-*
15 *priate by the Director.*

16 “(f) *EXEMPTION.—Sections 3506(c), 3507, 3508, and*
17 *3509 of title 44, United States Code, shall not apply to any*
18 *action to carry out this section.*

19 “(g) *RULE OF CONSTRUCTION.—Nothing in this sec-*
20 *tion shall affect the authorities of the Federal Government*
21 *to implement the requirements of Executive Order 14028*
22 *(86 Fed. Reg. 26633; relating to improving the nation’s cy-*
23 *bersecurity), including changes to the Federal Acquisition*
24 *Regulations and remedies to include suspension and debar-*
25 *ment.*

1 **“SEC. 2244. NONCOMPLIANCE WITH REQUIRED REPORTING.**

2 “(a) *PURPOSE.*—*In the event that a covered entity that*
3 *is required to submit a report under section 2242(a) fails*
4 *to comply with the requirement to report, the Director may*
5 *obtain information about the cyber incident or ransom pay-*
6 *ment by engaging the covered entity directly to request in-*
7 *formation about the cyber incident or ransom payment, and*
8 *if the Director is unable to obtain information through such*
9 *engagement, by issuing a subpoena to the covered entity,*
10 *pursuant to subsection (c), to gather information sufficient*
11 *to determine whether a covered cyber incident or ransom*
12 *payment has occurred.*

13 “(b) *INITIAL REQUEST FOR INFORMATION.*—

14 “(1) *IN GENERAL.*—*If the Director has reason to*
15 *believe, whether through public reporting or other in-*
16 *formation in the possession of the Federal Govern-*
17 *ment, including through analysis performed pursuant*
18 *to paragraph (1) or (2) of section 2241(a), that a cov-*
19 *ered entity has experienced a covered cyber incident*
20 *or made a ransom payment but failed to report such*
21 *cyber incident or payment to the Agency in accord-*
22 *ance with section 2242(a), the Director may request*
23 *additional information from the covered entity to con-*
24 *firm whether or not a covered cyber incident or ran-*
25 *som payment has occurred.*

1 “(2) *TREATMENT.*—*Information provided to the*
2 *Agency in response to a request under paragraph (1)*
3 *shall be treated as if it was submitted through the re-*
4 *porting procedures established in section 2242.*

5 “(c) *ENFORCEMENT.*—

6 “(1) *IN GENERAL.*—*If, after the date that is 72*
7 *hours from the date on which the Director made the*
8 *request for information in subsection (b), the Director*
9 *has received no response from the covered entity from*
10 *which such information was requested, or received an*
11 *inadequate response, the Director may issue to such*
12 *covered entity a subpoena to compel disclosure of in-*
13 *formation the Director deems necessary to determine*
14 *whether a covered cyber incident or ransom payment*
15 *has occurred and obtain the information required to*
16 *be reported pursuant to section 2242 and any imple-*
17 *menting regulations, and assess potential impacts to*
18 *national security, economic security, or public health*
19 *and safety.*

20 “(2) *CIVIL ACTION.*—

21 “(A) *IN GENERAL.*—*If a covered entity fails*
22 *to comply with a subpoena, the Director may*
23 *refer the matter to the Attorney General to bring*
24 *a civil action in a district court of the United*
25 *States to enforce such subpoena.*

1 “(B) *VENUE*.—An action under this para-
2 graph may be brought in the judicial district in
3 which the covered entity against which the action
4 is brought resides, is found, or does business.

5 “(C) *CONTEMPT OF COURT*.—A court may
6 punish a failure to comply with a subpoena
7 issued under this subsection as contempt of
8 court.

9 “(3) *NON-DELEGATION*.—The authority of the
10 Director to issue a subpoena under this subsection
11 may not be delegated.

12 “(4) *AUTHENTICATION*.—

13 “(A) *IN GENERAL*.—Any subpoena issued
14 electronically pursuant to this subsection shall be
15 authenticated with a cryptographic digital sig-
16 nature of an authorized representative of the
17 Agency, or other comparable successor tech-
18 nology, that allows the Agency to demonstrate
19 that such subpoena was issued by the Agency
20 and has not been altered or modified since such
21 issuance.

22 “(B) *INVALID IF NOT AUTHENTICATED*.—
23 Any subpoena issued electronically pursuant to
24 this subsection that is not authenticated in ac-
25 cordance with subparagraph (A) shall not be

1 *considered to be valid by the recipient of such*
2 *subpoena.*

3 “(d) *PROVISION OF CERTAIN INFORMATION TO ATTOR-*
4 *NEY GENERAL.—*

5 “(1) *IN GENERAL.—Notwithstanding section*
6 *2245(a)(5) and paragraph (b)(2) of this section, if the*
7 *Director determines, based on the information pro-*
8 *vided in response to a subpoena issued pursuant to*
9 *subsection (c), that the facts relating to the cyber inci-*
10 *dent or ransom payment at issue may constitute*
11 *grounds for a regulatory enforcement action or crimi-*
12 *nal prosecution, the Director may provide such infor-*
13 *mation to the Attorney General or the head of the ap-*
14 *propriate Federal regulatory agency, who may use*
15 *such information for a regulatory enforcement action*
16 *or criminal prosecution.*

17 “(2) *CONSULTATION.—The Director may consult*
18 *with the Attorney General or the head of the appro-*
19 *priate Federal regulatory agency when making the*
20 *determination under paragraph (1).*

21 “(e) *CONSIDERATIONS.—When determining whether to*
22 *exercise the authorities provided under this section, the Di-*
23 *rector shall take into consideration—*

24 “(1) *the complexity in determining if a covered*
25 *cyber incident has occurred; and*

1 “(2) *prior interaction with the Agency or aware-*
2 *ness of the covered entity of the policies and proce-*
3 *dures of the Agency for reporting covered cyber inci-*
4 *dents and ransom payments.*

5 “(f) *EXCLUSIONS.—This section shall not apply to a*
6 *State, local, Tribal, or territorial government entity.*

7 “(g) *REPORT TO CONGRESS.—The Director shall sub-*
8 *mit to Congress an annual report on the number of times*
9 *the Director—*

10 “(1) *issued an initial request for information*
11 *pursuant to subsection (b);*

12 “(2) *issued a subpoena pursuant to subsection*
13 *(c); or*

14 “(3) *referred a matter to the Attorney General*
15 *for a civil action pursuant to subsection (c)(2).*

16 “(h) *PUBLICATION OF THE ANNUAL REPORT.—The*
17 *Director shall publish a version of the annual report re-*
18 *quired under subsection (g) on the website of the Agency,*
19 *which shall include, at a minimum, the number of times*
20 *the Director—*

21 “(1) *issued an initial request for information*
22 *pursuant to subsection (b); or*

23 “(2) *issued a subpoena pursuant to subsection*
24 *(c).*

1 “(i) *ANONYMIZATION OF REPORTS.*—*The Director*
2 *shall ensure any victim information contained in a report*
3 *required to be published under subsection (h) be anonymized*
4 *before the report is published.*

5 “**SEC. 2245. INFORMATION SHARED WITH OR PROVIDED TO**
6 **THE FEDERAL GOVERNMENT.**

7 “(a) *DISCLOSURE, RETENTION, AND USE.*—

8 “(1) *AUTHORIZED ACTIVITIES.*—*Information*
9 *provided to the Agency pursuant to section 2242 or*
10 *2243 may be disclosed to, retained by, and used by,*
11 *consistent with otherwise applicable provisions of*
12 *Federal law, any Federal agency or department, com-*
13 *ponent, officer, employee, or agent of the Federal Gov-*
14 *ernment solely for—*

15 “(A) *a cybersecurity purpose;*

16 “(B) *the purpose of identifying—*

17 “(i) *a cyber threat, including the*
18 *source of the cyber threat; or*

19 “(ii) *a security vulnerability;*

20 “(C) *the purpose of responding to, or other-*
21 *wise preventing or mitigating, a specific threat*
22 *of death, a specific threat of serious bodily harm,*
23 *or a specific threat of serious economic harm, in-*
24 *cluding a terrorist act or use of a weapon of*
25 *mass destruction;*

1 “(D) the purpose of responding to, inves-
2 tigating, prosecuting, or otherwise preventing or
3 mitigating, a serious threat to a minor, includ-
4 ing sexual exploitation and threats to physical
5 safety; or

6 “(E) the purpose of preventing, inves-
7 tigating, disrupting, or prosecuting an offense
8 arising out of a cyber incident reported pursuant
9 to section 2242 or 2243 or any of the offenses
10 listed in section 105(d)(5)(A)(v) of the Cyberse-
11 curity Act of 2015 (6 U.S.C. 1504(d)(5)(A)(v)).

12 “(2) AGENCY ACTIONS AFTER RECEIPT.—

13 “(A) *RAPID, CONFIDENTIAL SHARING OF*
14 *CYBER THREAT INDICATORS.*—Upon receiving a
15 covered cyber incident or ransom payment report
16 submitted pursuant to this section, the Agency
17 shall immediately review the report to determine
18 whether the cyber incident that is the subject of
19 the report is connected to an ongoing cyber
20 threat or security vulnerability and where appli-
21 cable, use such report to identify, develop, and
22 rapidly disseminate to appropriate stakeholders
23 actionable, anonymized cyber threat indicators
24 and defensive measures.

1 “(B) *PRINCIPLES FOR SHARING SECURITY*
2 *VULNERABILITIES.*—*With respect to information*
3 *in a covered cyber incident or ransom payment*
4 *report regarding a security vulnerability referred*
5 *to in paragraph (1)(B)(ii), the Director shall de-*
6 *velop principles that govern the timing and*
7 *manner in which information relating to secu-*
8 *rity vulnerabilities may be shared, consistent*
9 *with common industry best practices and United*
10 *States and international standards.*

11 “(3) *PRIVACY AND CIVIL LIBERTIES.*—*Informa-*
12 *tion contained in covered cyber incident and ransom*
13 *payment reports submitted to the Agency pursuant to*
14 *section 2242 shall be retained, used, and dissemi-*
15 *nated, where permissible and appropriate, by the Fed-*
16 *eral Government in accordance with processes to be*
17 *developed for the protection of personal information*
18 *consistent with processes adopted pursuant to section*
19 *105 of the Cybersecurity Act of 2015 (6 U.S.C. 1504)*
20 *and in a manner that protects personal information*
21 *from unauthorized use or unauthorized disclosure.*

22 “(4) *DIGITAL SECURITY.*—*The Agency shall en-*
23 *sure that reports submitted to the Agency pursuant to*
24 *section 2242, and any information contained in those*
25 *reports, are collected, stored, and protected at a min-*

1 *imum in accordance with the requirements for mod-*
2 *erate impact Federal information systems, as de-*
3 *scribed in Federal Information Processing Standards*
4 *Publication 199, or any successor document.*

5 “(5) *PROHIBITION ON USE OF INFORMATION IN*
6 *REGULATORY ACTIONS.*—

7 “(A) *IN GENERAL.*—*A Federal, State, local,*
8 *or Tribal government shall not use information*
9 *about a covered cyber incident or ransom pay-*
10 *ment obtained solely through reporting directly*
11 *to the Agency in accordance with this subtitle to*
12 *regulate, including through an enforcement ac-*
13 *tion, the activities of the covered entity or entity*
14 *that made a ransom payment, unless the govern-*
15 *ment entity expressly allows entities to submit*
16 *reports to the Agency to meet regulatory report-*
17 *ing obligations of the entity.*

18 “(B) *CLARIFICATION.*—*A report submitted*
19 *to the Agency pursuant to section 2242 or 2243*
20 *may, consistent with Federal or State regulatory*
21 *authority specifically relating to the prevention*
22 *and mitigation of cybersecurity threats to infor-*
23 *mation systems, inform the development or im-*
24 *plementation of regulations relating to such sys-*
25 *tems.*

1 “(b) *PROTECTIONS FOR REPORTING ENTITIES AND IN-*
2 *FORMATION.—Reports describing covered cyber incidents or*
3 *ransom payments submitted to the Agency by entities in*
4 *accordance with section 2242, as well as voluntarily-sub-*
5 *mitted cyber incident reports submitted to the Agency pur-*
6 *suant to section 2243, shall—*

7 “(1) *be considered the commercial, financial, and*
8 *proprietary information of the covered entity when so*
9 *designated by the covered entity;*

10 “(2) *be exempt from disclosure under section*
11 *552(b)(3) of title 5, United States Code (commonly*
12 *known as the ‘Freedom of Information Act’), as well*
13 *as any provision of State, Tribal, or local freedom of*
14 *information law, open government law, open meetings*
15 *law, open records law, sunshine law, or similar law*
16 *requiring disclosure of information or records;*

17 “(3) *be considered not to constitute a waiver of*
18 *any applicable privilege or protection provided by*
19 *law, including trade secret protection; and*

20 “(4) *not be subject to a rule of any Federal agen-*
21 *cy or department or any judicial doctrine regarding*
22 *ex parte communications with a decision-making offi-*
23 *cial.*

24 “(c) *LIABILITY PROTECTIONS.—*

1 “(1) *IN GENERAL.*—No cause of action shall lie
2 or be maintained in any court by any person or enti-
3 ty and any such action shall be promptly dismissed
4 for the submission of a report pursuant to section
5 2242(a) that is submitted in conformance with this
6 subtitle and the rule promulgated under section
7 2242(b), except that this subsection shall not apply
8 with regard to an action by the Federal Government
9 pursuant to section 2244(c)(2).

10 “(2) *SCOPE.*—The liability protections provided
11 in this subsection shall only apply to or affect litiga-
12 tion that is solely based on the submission of a cov-
13 ered cyber incident report or ransom payment report
14 to the Agency.

15 “(3) *RESTRICTIONS.*—Notwithstanding para-
16 graph (2), no report submitted to the Agency pursu-
17 ant to this subtitle or any communication, document,
18 material, or other record, created for the sole purpose
19 of preparing, drafting, or submitting such report,
20 may be received in evidence, subject to discovery, or
21 otherwise used in any trial, hearing, or other pro-
22 ceeding in or before any court, regulatory body, or
23 other authority of the United States, a State, or a po-
24 litical subdivision thereof, provided that nothing in
25 this subtitle shall create a defense to discovery or oth-

1 *erwise affect the discovery of any communication,*
2 *document, material, or other record not created for*
3 *the sole purpose of preparing, drafting, or submitting*
4 *such report.*

5 *“(d) SHARING WITH NON-FEDERAL ENTITIES.—The*
6 *Agency shall anonymize the victim who reported the infor-*
7 *mation when making information provided in reports re-*
8 *ceived under section 2242 available to critical infrastruc-*
9 *ture owners and operators and the general public.*

10 *“(e) STORED COMMUNICATIONS ACT.—Nothing in this*
11 *subtitle shall be construed to permit or require disclosure*
12 *by a provider of a remote computing service or a provider*
13 *of an electronic communication service to the public of in-*
14 *formation not otherwise permitted or required to be dis-*
15 *closed under chapter 121 of title 18, United States Code*
16 *(commonly known as the ‘Stored Communications Act’).*

17 **“SEC. 2246. CYBER INCIDENT REPORTING COUNCIL.**

18 *“(a) RESPONSIBILITY OF THE SECRETARY.—The Sec-*
19 *retary shall lead an intergovernmental Cyber Incident Re-*
20 *porting Council, in consultation with the Director of the*
21 *Office of Management and Budget, the Attorney General,*
22 *the National Cyber Director, Sector Risk Management*
23 *Agencies, and other appropriate Federal agencies, to coordi-*
24 *nate, deconflict, and harmonize Federal incident reporting*
25 *requirements, including those issued through regulations.*

1 “(b) *RULE OF CONSTRUCTION.*—*Nothing in subsection*
2 *(a) shall be construed to provide any additional regulatory*
3 *authority to any Federal entity.*”.

4 (b) *TECHNICAL AND CONFORMING AMENDMENT.*—*The*
5 *table of contents in section 1(b) of the Homeland Security*
6 *Act of 2002 (Public Law 107–296; 116 Stat. 2135) is*
7 *amended by inserting after the items relating to subtitle C*
8 *of title XXII the following:*

“Subtitle D—Cyber Incident Reporting

“Sec. 2240. Definitions.

“Sec. 2241. Cyber Incident Review.

“Sec. 2242. Required reporting of certain cyber incidents.

“Sec. 2243. Voluntary reporting of other cyber incidents.

“Sec. 2244. Noncompliance with required reporting.

“Sec. 2245. Information shared with or provided to the Federal Government.

“Sec. 2246. Cyber Incident Reporting Council.”.

9 **SEC. 104. FEDERAL SHARING OF INCIDENT REPORTS.**

10 (a) *CYBER INCIDENT REPORTING SHARING.*—

11 (1) *IN GENERAL.*—*Notwithstanding any other*
12 *provision of law or regulation, any Federal agency,*
13 *including any independent establishment (as defined*
14 *in section 104 of title 5, United States Code), that re-*
15 *ceives a report from an entity of a cyber incident, in-*
16 *cluding a ransomware attack, shall provide the report*
17 *to the Agency as soon as possible, but not later than*
18 *24 hours after receiving the report, unless a shorter*
19 *period is required by an agreement made between the*
20 *Department of Homeland Security (including the Cy-*
21 *bersecurity and Infrastructure Security Agency) and*

1 *the recipient Federal agency. The Director shall share*
2 *and coordinate each report pursuant to section*
3 *2241(b) of the Homeland Security Act of 2002, as*
4 *added by section 103 of this division.*

5 (2) *RULE OF CONSTRUCTION.—The requirements*
6 *described in paragraph (1) and section 2245(d) of the*
7 *Homeland Security Act of 2002, as added by section*
8 *103 of this division, may not be construed to be a vio-*
9 *lation of any provision of law or policy that would*
10 *otherwise prohibit disclosure or provision of informa-*
11 *tion within the executive branch.*

12 (3) *PROTECTION OF INFORMATION.—The Direc-*
13 *tor shall comply with any obligations of the recipient*
14 *Federal agency described in paragraph (1) to protect*
15 *information, including with respect to privacy, con-*
16 *fidentiality, or information security, if those obliga-*
17 *tions would impose greater protection requirements*
18 *than this division or the amendments made by this*
19 *division.*

20 (4) *EFFECTIVE DATE.—This subsection shall take*
21 *effect on the effective date of the final rule issued pur-*
22 *suant to section 2242(b) of the Homeland Security*
23 *Act of 2002, as added by section 103 of this division.*

24 (5) *AGENCY AGREEMENTS.—*

1 (A) *IN GENERAL.*—*The Agency and any*
2 *Federal agency, including any independent es-*
3 *tablishment (as defined in section 104 of title 5,*
4 *United States Code), that receives incident re-*
5 *ports from entities, including due to ransomware*
6 *attacks, shall, as appropriate, enter into a docu-*
7 *mented agreement to establish policies, processes,*
8 *procedures, and mechanisms to ensure reports*
9 *are shared with the Agency pursuant to para-*
10 *graph (1).*

11 (B) *AVAILABILITY.*—*To the maximum ex-*
12 *tent practicable, each documented agreement re-*
13 *quired under subparagraph (A) shall be made*
14 *publicly available.*

15 (C) *REQUIREMENT.*—*The documented*
16 *agreements required by subparagraph (A) shall*
17 *require reports be shared from Federal agencies*
18 *with the Agency in such time as to meet the*
19 *overall timeline for covered entity reporting of*
20 *covered cyber incidents and ransom payments es-*
21 *tablished in section 2242 of the Homeland Secu-*
22 *rity Act of 2002, as added by section 103 of this*
23 *division.*

24 (b) *HARMONIZING REPORTING REQUIREMENTS.*—*The*
25 *Secretary of Homeland Security, acting through the Direc-*

1 *tor, shall, in consultation with the Cyber Incident Report-*
2 *ing Council described in section 2246 of the Homeland Se-*
3 *curity Act of 2002, as added by section 103 of this division,*
4 *to the maximum extent practicable—*

5 (1) *periodically review existing regulatory re-*
6 *quirements, including the information required in*
7 *such reports, to report incidents and ensure that any*
8 *such reporting requirements and procedures avoid*
9 *conflicting, duplicative, or burdensome requirements;*
10 *and*

11 (2) *coordinate with appropriate Federal partners*
12 *and regulatory authorities that receive reports relat-*
13 *ing to incidents to identify opportunities to stream-*
14 *line reporting processes, and where feasible, facilitate*
15 *interagency agreements between such authorities to*
16 *permit the sharing of such reports, consistent with*
17 *applicable law and policy, without impacting the*
18 *ability of the Agency to gain timely situational*
19 *awareness of a covered cyber incident or ransom pay-*
20 *ment.*

21 **SEC. 105. RANSOMWARE VULNERABILITY WARNING PILOT**
22 **PROGRAM.**

23 (a) *PROGRAM.—Not later than 1 year after the date*
24 *of enactment of this Act, the Director shall establish a*
25 *ransomware vulnerability warning pilot program to lever-*

1 *age existing authorities and technology to specifically de-*
2 *velop processes and procedures for, and to dedicate resources*
3 *to, identifying information systems that contain security*
4 *vulnerabilities associated with common ransomware at-*
5 *tacks, and to notify the owners of those vulnerable systems*
6 *of their security vulnerability.*

7 *(b) IDENTIFICATION OF VULNERABLE SYSTEMS.—The*
8 *pilot program established under subsection (a) shall—*

9 *(1) identify the most common security*
10 *vulnerabilities utilized in ransomware attacks and*
11 *mitigation techniques; and*

12 *(2) utilize existing authorities to identify infor-*
13 *mation systems that contain the security*
14 *vulnerabilities identified in paragraph (1).*

15 *(c) ENTITY NOTIFICATION.—*

16 *(1) IDENTIFICATION.—If the Director is able to*
17 *identify the entity at risk that owns or operates a*
18 *vulnerable information system identified in subsection*
19 *(b), the Director may notify the owner of the informa-*
20 *tion system.*

21 *(2) NO IDENTIFICATION.—If the Director is not*
22 *able to identify the entity at risk that owns or oper-*
23 *ates a vulnerable information system identified in*
24 *subsection (b), the Director may utilize the subpoena*
25 *authority pursuant to section 2209 of the Homeland*

1 *Security Act of 2002 (6 U.S.C. 659) to identify and*
2 *notify the entity at risk pursuant to the procedures*
3 *under that section.*

4 (3) *REQUIRED INFORMATION.*—*A notification*
5 *made under paragraph (1) shall include information*
6 *on the identified security vulnerability and mitiga-*
7 *tion techniques.*

8 (d) *PRIORITIZATION OF NOTIFICATIONS.*—*To the ex-*
9 *tent practicable, the Director shall prioritize covered enti-*
10 *ties for identification and notification activities under the*
11 *pilot program established under this section.*

12 (e) *LIMITATION ON PROCEDURES.*—*No procedure, no-*
13 *tification, or other authorities utilized in the execution of*
14 *the pilot program established under subsection (a) shall re-*
15 *quire an owner or operator of a vulnerable information sys-*
16 *tem to take any action as a result of a notice of a security*
17 *vulnerability made pursuant to subsection (c).*

18 (f) *RULE OF CONSTRUCTION.*—*Nothing in this section*
19 *shall be construed to provide additional authorities to the*
20 *Director to identify vulnerabilities or vulnerable systems.*

21 (g) *TERMINATION.*—*The pilot program established*
22 *under subsection (a) shall terminate on the date that is 4*
23 *years after the date of enactment of this Act.*

24 **SEC. 106. RANSOMWARE THREAT MITIGATION ACTIVITIES.**

25 (a) *JOINT RANSOMWARE TASK FORCE.*—

1 (1) *IN GENERAL.*—Not later than 180 days after
2 the date of enactment of this Act, the Director, in con-
3 sultation with the National Cyber Director, the Attor-
4 ney General, and the Director of the Federal Bureau
5 of Investigation, shall establish and chair the Joint
6 Ransomware Task Force to coordinate an ongoing na-
7 tionwide campaign against ransomware attacks, and
8 identify and pursue opportunities for international
9 cooperation.

10 (2) *COMPOSITION.*—The Joint Ransomware Task
11 Force shall consist of participants from Federal agen-
12 cies, as determined appropriate by the National
13 Cyber Director in consultation with the Secretary of
14 Homeland Security.

15 (3) *RESPONSIBILITIES.*—The Joint Ransomware
16 Task Force, utilizing only existing authorities of each
17 participating Federal agency, shall coordinate across
18 the Federal Government the following activities:

19 (A) *Prioritization of intelligence-driven op-*
20 *erations to disrupt specific ransomware actors.*

21 (B) *Consult with relevant private sector,*
22 *State, local, Tribal, and territorial governments*
23 *and international stakeholders to identify needs*
24 *and establish mechanisms for providing input*
25 *into the Joint Ransomware Task Force.*

1 (C) *Identifying, in consultation with rel-*
2 *evant entities, a list of highest threat*
3 *ransomware entities updated on an ongoing*
4 *basis, in order to facilitate—*

5 (i) *prioritization for Federal action by*
6 *appropriate Federal agencies; and*

7 (ii) *identify metrics for success of said*
8 *actions.*

9 (D) *Disrupting ransomware criminal ac-*
10 *tors, associated infrastructure, and their fi-*
11 *nances.*

12 (E) *Facilitating coordination and collabo-*
13 *ration between Federal entities and relevant en-*
14 *tities, including the private sector, to improve*
15 *Federal actions against ransomware threats.*

16 (F) *Collection, sharing, and analysis of*
17 *ransomware trends to inform Federal actions.*

18 (G) *Creation of after-action reports and*
19 *other lessons learned from Federal actions that*
20 *identify successes and failures to improve subse-*
21 *quent actions.*

22 (H) *Any other activities determined appro-*
23 *priate by the Joint Ransomware Task Force to*
24 *mitigate the threat of ransomware attacks.*

1 **(b) RULE OF CONSTRUCTION.**—*Nothing in this section*
2 *shall be construed to provide any additional authority to*
3 *any Federal agency.*

4 **SEC. 107. CONGRESSIONAL REPORTING.**

5 **(a) REPORT ON STAKEHOLDER ENGAGEMENT.**—*Not*
6 *later than 30 days after the date on which the Director*
7 *issues the final rule under section 2242(b) of the Homeland*
8 *Security Act of 2002, as added by section 103 of this divi-*
9 *sion, the Director shall submit to the Committee on Home-*
10 *land Security and Governmental Affairs of the Senate and*
11 *the Committee on Homeland Security of the House of Rep-*
12 *resentatives a report that describes how the Director en-*
13 *gaged stakeholders in the development of the final rule.*

14 **(b) REPORT ON OPPORTUNITIES TO STRENGTHEN SE-**
15 **CURITY RESEARCH.**—*Not later than 1 year after the date*
16 *of enactment of this Act, the Director shall submit to the*
17 *Committee on Homeland Security and Governmental Af-*
18 *airs of the Senate and the Committee on Homeland Secu-*
19 *rity of the House of Representatives a report describing how*
20 *the National Cybersecurity and Communications Integra-*
21 *tion Center established under section 2209 of the Homeland*
22 *Security Act of 2002 (6 U.S.C. 659) has carried out activi-*
23 *ties under section 2241(a)(9) of the Homeland Security Act*
24 *of 2002, as added by section 103 of this division, by*
25 *proactively identifying opportunities to use cyber incident*

1 *data to inform and enable cybersecurity research within the*
2 *academic and private sector.*

3 (c) *REPORT ON RANSOMWARE VULNERABILITY WARN-*
4 *ING PILOT PROGRAM.*—*Not later than 1 year after the date*
5 *of enactment of this Act, and annually thereafter for the*
6 *duration of the pilot program established under section 105,*
7 *the Director shall submit to the Committee on Homeland*
8 *Security and Governmental Affairs of the Senate and the*
9 *Committee on Homeland Security of the House of Rep-*
10 *resentatives a report, which may include a classified annex,*
11 *on the effectiveness of the pilot program, which shall include*
12 *a discussion of the following:*

13 (1) *The effectiveness of the notifications under*
14 *section 105(c) in mitigating security vulnerabilities*
15 *and the threat of ransomware.*

16 (2) *Identification of the most common*
17 *vulnerabilities utilized in ransomware.*

18 (3) *The number of notifications issued during*
19 *the preceding year.*

20 (4) *To the extent practicable, the number of vul-*
21 *nerable devices or systems mitigated under the pilot*
22 *program by the Agency during the preceding year.*

23 (d) *REPORT ON HARMONIZATION OF REPORTING REG-*
24 *ULATIONS.*—

1 (1) *IN GENERAL.*—Not later than 180 days after
2 the date on which the Secretary of Homeland Secu-
3 rity convenes the Cyber Incident Reporting Council
4 described in section 2246 of the Homeland Security
5 Act of 2002, as added by section 103 of this division,
6 the Secretary of Homeland Security shall submit to
7 the appropriate congressional committees a report
8 that includes—

9 (A) a list of duplicative Federal cyber inci-
10 dent reporting requirements on covered entities;

11 (B) a description of any challenges in har-
12 monizing the duplicative reporting requirements;

13 (C) any actions the Director intends to take
14 to facilitate harmonizing the duplicative report-
15 ing requirements; and

16 (D) any proposed legislative changes nec-
17 essary to address the duplicative reporting.

18 (2) *RULE OF CONSTRUCTION.*—Nothing in para-
19 graph (1) shall be construed to provide any addi-
20 tional regulatory authority to any Federal agency.

21 (e) *GAO REPORTS.*—

22 (1) *IMPLEMENTATION OF THIS DIVISION.*—Not
23 later than 2 years after the date of enactment of this
24 Act, the Comptroller General of the United States
25 shall submit to the Committee on Homeland Security

1 *and Governmental Affairs of the Senate and the Com-*
2 *mittee on Homeland Security of the House of Rep-*
3 *resentatives a report on the implementation of this di-*
4 *vision and the amendments made by this division.*

5 (2) *EXEMPTIONS TO REPORTING.*—*Not later than*
6 *1 year after the date on which the Director issues the*
7 *final rule required under section 2242(b) of the*
8 *Homeland Security Act of 2002, as added by section*
9 *103 of this division, the Comptroller General of the*
10 *United States shall submit to the Committee on*
11 *Homeland Security and Governmental Affairs of the*
12 *Senate and the Committee on Homeland Security of*
13 *the House of Representatives a report on the exemp-*
14 *tions to reporting under paragraphs (2) and (5) of*
15 *section 2242(a) of the Homeland Security Act of*
16 *2002, as added by section 103 of this division, which*
17 *shall include—*

18 (A) *to the extent practicable, an evaluation*
19 *of the quantity of cyber incidents not reported to*
20 *the Federal Government;*

21 (B) *an evaluation of the impact on im-*
22 *pacted entities, homeland security, and the na-*
23 *tional economy due to cyber incidents,*
24 *ransomware attacks, and ransom payments, in-*
25 *cluding a discussion on the scope of impact of*

1 *cyber incidents that were not reported to the*
2 *Federal Government;*

3 *(C) an evaluation of the burden, financial*
4 *and otherwise, on entities required to report*
5 *cyber incidents under this division, including an*
6 *analysis of entities that meet the definition of a*
7 *small business concern under section 3 of the*
8 *Small Business Act (15 U.S.C. 632); and*

9 *(D) a description of the consequences and*
10 *effects of limiting covered cyber incident and*
11 *ransom payment reporting to only covered enti-*
12 *ties.*

13 *(f) REPORT ON EFFECTIVENESS OF ENFORCEMENT*
14 *MECHANISMS.—Not later than 1 year after the date on*
15 *which the Director issues the final rule required under sec-*
16 *tion 2242(b) of the Homeland Security Act of 2002, as*
17 *added by section 103 of this division, the Director shall sub-*
18 *mit to the Committee on Homeland Security and Govern-*
19 *mental Affairs of the Senate and the Committee on Home-*
20 *land Security of the House of Representatives a report on*
21 *the effectiveness of the enforcement mechanisms within sec-*
22 *tion 2244 of the Homeland Security Act of 2002, as added*
23 *by section 103 of this division.*

1 ***DIVISION Z—ISRAEL RELATIONS***
2 ***NORMALIZATION ACT OF 2022***

3 ***SEC. 101. SHORT TITLE.***

4 *This division may be cited as the “Israel Relations*
5 *Normalization Act of 2022”.*

6 ***SEC. 102. FINDINGS.***

7 *Congress makes the following findings:*

8 *(1) Support for peace between Israel and its*
9 *neighbors has longstanding bipartisan support in*
10 *Congress.*

11 *(2) For decades, Congress has promoted Israel’s*
12 *acceptance among Arab and other relevant countries*
13 *and regions by passing numerous laws opposing ef-*
14 *forts to boycott, isolate, and stigmatize America’s ally,*
15 *Israel.*

16 *(3) The recent peace and normalization agree-*
17 *ments between Israel and several Arab states—the*
18 *United Arab Emirates, Bahrain, Sudan, and Mo-*
19 *rocco—have the potential to fundamentally transform*
20 *the security, diplomatic, and economic environment*
21 *in the Middle East and North Africa and advance*
22 *vital United States national security interests.*

23 *(4) These historic agreements could help advance*
24 *peace between and among Israel, the Arab states, and*
25 *other relevant countries and regions, further diplo-*

1 *matic openings, and enhance efforts towards a nego-*
2 *tiated solution to the Israeli-Palestinian conflict re-*
3 *sulting in two states—a democratic Jewish state of*
4 *Israel and a viable, democratic Palestinian state—*
5 *living side by side in peace, security, and mutual rec-*
6 *ognition.*

7 *(5) These agreements build upon the decades-long*
8 *leadership of the United States Government in help-*
9 *ing Israel broker peace treaties with Egypt and Jor-*
10 *dan and promoting peace talks between Israel and*
11 *Syria, Lebanon, and the Palestinians.*

12 *(6) These agreements also build on decades of*
13 *private diplomatic and security engagement between*
14 *Israel and countries in the region.*

15 *(7) These normalization and peace agreements*
16 *could begin to transform the region by spurring eco-*
17 *nomical growth, investment, and tourism, enhancing*
18 *technological innovation, promoting security coopera-*
19 *tion, bolstering water security and sustainable devel-*
20 *opment, advancing understanding, and forging closer*
21 *people-to-people relations.*

22 **SEC. 103. APPROPRIATE CONGRESSIONAL COMMITTEES DE-**
23 **FINED.**

24 *In this division, the term “appropriate congressional*
25 *committees” means the Committee on Foreign Relations of*

1 *the Senate and the Committee on Foreign Affairs of the*
2 *House of Representatives.*

3 **SEC. 104. STATEMENT OF POLICY.**

4 *It is the policy of the United States—*

5 *(1) to expand and strengthen the Abraham Ac-*
6 *cords to encourage other nations to normalize rela-*
7 *tions with Israel and ensure that existing agreements*
8 *reap tangible security and economic benefits for the*
9 *citizens of those countries;*

10 *(2) to develop and implement a regional strategy*
11 *to encourage economic cooperation between and*
12 *among Israel, Arab states, and the Palestinians to en-*
13 *hance the prospects for peace, respect for human*
14 *rights, transparent governance, and for cooperation to*
15 *address water scarcity, climate solutions, health care,*
16 *sustainable development, and other areas that result*
17 *in benefits for residents of those countries and regions;*

18 *(3) to develop and implement a regional security*
19 *strategy that recognizes the shared threat posed by*
20 *Iran and violent extremist organizations, ensures suf-*
21 *ficient United States deterrence in the region, builds*
22 *partner capacity to address shared threats, and ex-*
23 *plores multilateral security arrangements built*
24 *around like-minded partners;*

1 (4) to support and encourage government-to-gov-
2 ernment and grassroots initiatives aimed at normal-
3 izing ties with the state of Israel and promoting peo-
4 ple-to-people contact between Israelis, Arabs, and resi-
5 dents of other relevant countries and regions, includ-
6 ing by expanding and enhancing the Abraham Ac-
7 cords;

8 (5) to support a negotiated solution to the
9 Israeli-Palestinian conflict resulting in two states liv-
10 ing side by side in peace, security, and mutual rec-
11 ognition;

12 (6) to implement the Nita M. Lowey Middle East
13 Partnership for Peace Act (title VIII of division K of
14 Public Law 116–260), which will support economic
15 development and peacebuilding efforts among Israelis
16 and Palestinians, in a manner which encourages re-
17 gional allies to become international donors to these
18 efforts;

19 (7) to oppose efforts to delegitimize the state of
20 Israel and legal barriers to normalization with Israel;
21 and

22 (8) to work to combat anti-Semitism and sup-
23 port normalization with Israel, including by coun-
24 tering anti-Semitic narratives on social media and

1 *state media and pressing for curricula reform in edu-*
2 *cation.*

3 **SEC. 105. UNITED STATES STRATEGY TO STRENGTHEN AND**
4 **EXPAND THE ABRAHAM ACCORDS AND**
5 **OTHER RELATED NORMALIZATION AGREE-**
6 **MENTS WITH ISRAEL.**

7 (a) *IN GENERAL.*—Not later than 90 days after the
8 *date of the enactment of this Act, and annually thereafter,*
9 *the Secretary of State, in consultation with the Adminis-*
10 *trator of the United States Agency for International Devel-*
11 *opment and the heads of other appropriate Federal depart-*
12 *ments and agencies, shall develop and submit to the appro-*
13 *priate congressional committees a strategy on expanding*
14 *and strengthening the Abraham Accords.*

15 (b) *ELEMENTS.*—The strategy required under sub-
16 *section (a) shall include the following elements:*

17 (1) *An assessment of future staffing and*
18 *resourcing requirements of entities within the Depart-*
19 *ment of State, the United States Agency for Inter-*
20 *national Development, and other appropriate Federal*
21 *departments and agencies with responsibility to co-*
22 *ordinate United States efforts to expand and strength-*
23 *en the Abraham Accords.*

24 (2) *An assessment of opportunities to further*
25 *promote bilateral and multilateral cooperation be-*

1 *tween Israel, Arab states, and other relevant countries*
2 *and in the economic, social, cultural, scientific, tech-*
3 *nical, educational, and health fields and an assess-*
4 *ment of roadblocks to increased cooperation.*

5 *(3) An assessment of bilateral and multilateral*
6 *security cooperation between Israel, the United States,*
7 *Arab states, and other relevant countries and regions*
8 *that have normalized relations with Israel, including*
9 *an assessment of potential roadblocks to increased se-*
10 *curity cooperation, interoperability, and information*
11 *sharing.*

12 *(4) An assessment of the likelihood of additional*
13 *Arab and other relevant countries and regions to nor-*
14 *malize relations with Israel.*

15 *(5) An assessment of opportunities created by*
16 *normalization agreements with Israel to advance*
17 *prospects for peace between Israelis and Palestinians*

18 *(6) A detailed description of how the United*
19 *States Government will leverage diplomatic lines of*
20 *effort and resources from other stakeholders (including*
21 *from foreign governments, international donors, and*
22 *multilateral institutions) to encourage normalization,*
23 *economic development, and people-to-people program-*
24 *ming.*

1 (7) *Identification of existing investment funds*
2 *that support Israel-Arab state cooperation and rec-*
3 *ommendations for how such funds could be used to*
4 *support normalization and increase prosperity for all*
5 *relevant stakeholders.*

6 (8) *A proposal for how the United States Gov-*
7 *ernment and others can utilize the scholars and Ara-*
8 *bic language resources of the United States Holocaust*
9 *Museum to counter Holocaust denial and anti-Semi-*
10 *tism.*

11 (9) *An assessment for creating an Abrahamic*
12 *Center for Pluralism to prepare educational mate-*
13 *rials, convene international seminars, promote toler-*
14 *ance and pluralism, and bring together scholars as a*
15 *means of advancing religious tolerance and coun-*
16 *tering political and religious extremism.*

17 (10) *Recommendations to improve Department*
18 *of State cooperation and coordination, particularly*
19 *between the Special Envoy to Monitor Anti-Semitism*
20 *and the Ambassador at Large for International Reli-*
21 *gious Freedom, and the Office of International Reli-*
22 *gious Freedom, to combat racism, xenophobia,*
23 *Islamophobia, and anti-Semitism, which hinder im-*
24 *provement of relations between Israel, Arab states,*
25 *and other relevant countries and regions.*

1 (11) *An assessment on the value and feasibility*
2 *of Federal support for inter-parliamentary exchange*
3 *programs for Members of Congress, Knesset, and par-*
4 *liamentarians from Arab and other relevant countries*
5 *and regions, including through existing Federal pro-*
6 *grams that support such exchanges.*

7 (c) *FORM.—The report required under subsection (a)*
8 *shall be in unclassified form but may contain a classified*
9 *annex.*

10 **SEC. 106. BREAKING DOWN BARRIERS TO NORMALIZATION**
11 **WITH ISRAEL.**

12 (a) *SHORT TITLE.—This section may be cited as the*
13 *“Strengthening Reporting of Actions Taken Against the*
14 *Normalization of Relations with Israel Act of 2022”.*

15 (b) *FINDINGS.—Congress makes the following findings:*

16 (1) *The Arab League, an organization com-*
17 *prising 22 Middle Eastern and African countries and*
18 *entities, has maintained an official boycott of Israeli*
19 *companies and Israeli-made goods since the founding*
20 *of Israel in 1948.*

21 (2) *Longstanding United States policy has en-*
22 *couraged Arab League states to normalize their rela-*
23 *tions with Israel and has long prioritized funding co-*
24 *operative programs that promote normalization be-*
25 *tween Arab League States and Israel, including the*

1 *Middle East Regional Cooperation program, which*
2 *promotes Arab-Israeli scientific cooperation.*

3 (3) *While some Arab League governments are*
4 *signaling enhanced cooperation with the state of*
5 *Israel on the government-to-government level, most*
6 *continue to persecute their own citizens who establish*
7 *people-to-people relations with Israelis in nongovern-*
8 *mental fora, through a combination of judicial and*
9 *extrajudicial retribution.*

10 (4) *Some Arab League states maintain draco-*
11 *nian anti-normalization laws that punish their citi-*
12 *zens for people-to-people relations with Israelis, with*
13 *punishments, including imprisonment, revocation of*
14 *citizenship, and execution. Extrajudicial punishments*
15 *by these and other Arab states include summary im-*
16 *prisonment, accusations of “treason” in government-*
17 *controlled media, and professional blacklisting.*

18 (5) *Anti-normalization laws, together with the*
19 *other forms of retribution, effectively condemn these*
20 *societies to mutual estrangement and, by extension,*
21 *reduce the possibility of conciliation and compromise.*

22 (6) *Former Israeli President Shimon Peres said*
23 *in 2008 at the United Nations that Israel agrees with*
24 *the Arab Peace Initiative that a military solution to*

1 *the conflict “will not achieve peace or provide security*
2 *for the parties”.*

3 (7) *Despite the risk of retaliatory action, a ris-*
4 *ing tide of Arab civic actors advocate direct engage-*
5 *ment with Israeli citizens and residents. These in-*
6 *clude the Arab Council for Regional Integration, a*
7 *group of 32 public figures from 15 Arab countries*
8 *who oppose the boycott of Israel on the grounds that*
9 *the boycott has denied Arabs the benefits of partner-*
10 *ship with Israelis, has blocked Arabs from helping to*
11 *bridge the Israeli-Palestinian divide, and inspired di-*
12 *visive intra-Arab boycotts among diverse sects and*
13 *ethnic groups.*

14 (8) *On February 11, 2020, a delegation of the*
15 *Arab Council to the French National Assembly in*
16 *Paris testified to the harmful effects of “anti-normal-*
17 *ization laws”, called on the Assembly to enact a law*
18 *instructing the relevant French authorities to issue an*
19 *annual report on instances of Arab government ret-*
20 *ribution for any of their citizens or residents who call*
21 *for peace with Israel or engage in direct civil rela-*
22 *tions with Israeli citizens, and requested democratic*
23 *legislatures to help defend the region’s civil peace-*
24 *makers.*

1 (9) *On May 11, 2020, 85 leaders in France pub-*
2 *lished an endorsement of the Arab Council’s proposal,*
3 *calling on France and other democratic governments*
4 *to “protect Arabs who engage in dialogue with Israeli*
5 *citizens” and proposing “the creation of a study*
6 *group in the National Assembly as well as in the Sen-*
7 *ate whose mission would be to ensure a legal and*
8 *technical monitoring of the obstacles which Arab pro-*
9 *ponents of dialogue with Israelis face”.*

10 (10) *Arab-Israeli cooperation provides signifi-*
11 *cant symbiotic benefit to the security and economic*
12 *prosperity of the region.*

13 (c) *ADDITIONAL REPORTING.—*

14 (1) *IN GENERAL.—Not later than 90 days after*
15 *the date of the enactment of this Act, and annually*
16 *thereafter for 5 years, the Secretary of State shall sub-*
17 *mit to the appropriate congressional committees a re-*
18 *port on the status of efforts to promote normalization*
19 *of relations with Israel and other countries .*

20 (2) *ELEMENTS.—The report required under*
21 *paragraph (1) shall include the following informa-*
22 *tion:*

23 (A) *The status of “anti-normalization laws”*
24 *in countries comprising the Arab League, includ-*
25 *ing efforts within each country to sharpen exist-*

1 *ing laws, enact new or additional “anti-normal-*
2 *ization legislation”, or repeal such laws.*

3 *(B) Instances of the use of state-owned or*
4 *state-operated media outlets to promote anti-Se-*
5 *mitic propaganda, the prosecution of citizens or*
6 *residents of Arab countries for calling for peace*
7 *with Israel, visiting the state of Israel, or engag-*
8 *ing Israeli citizens in any way.*

9 *(C) Instances of extrajudicial retribution by*
10 *Arab governments or government-controlled in-*
11 *stitutions against citizens or residents of Arab*
12 *countries for any of the same actions referred to*
13 *in subparagraph (B).*

14 **SEC. 107. SUNSET.**

15 *This division shall cease to be effective on the date that*
16 *is 5 years after the date of the enactment of this Act.*

17 **DIVISION AA—TRANS-SAHARA**
18 **COUNTERTERRORISM PART-**
19 **nership Program**

20 **SEC. 101. SHORT TITLE.**

21 *This division may be cited as the Trans-Sahara*
22 *Counterterrorism Partnership Program Act of 2022.*

23 **SEC. 102. SENSE OF CONGRESS.**

24 *It is the sense of Congress that—*

1 (1) *terrorist and violent extremist organizations,*
2 *such as Al Qaeda in the Islamic Maghreb, Boko*
3 *Haram, the Islamic State of West Africa, and other*
4 *affiliated groups, have killed tens of thousands of in-*
5 *nocent civilians, displaced populations, destabilized*
6 *local and national governments, and caused mass*
7 *human suffering in the affected communities;*

8 (2) *poor governance, political and economic*
9 *marginalization, and lack of accountability for*
10 *human rights abuses by security forces are drivers of*
11 *extremism;*

12 (3) *it is in the national security interest of the*
13 *United States—*

14 (A) *to combat the spread of terrorism and*
15 *violent extremism; and*

16 (B) *to build the capacity of partner coun-*
17 *tries to combat such threats in Africa;*

18 (4) *terrorist and violent extremist organizations*
19 *exploit vulnerable and marginalized communities suf-*
20 *fering from poverty, lack of economic opportunity*
21 *(particularly among youth populations), corruption,*
22 *and weak governance; and*

23 (5) *a comprehensive, coordinated, interagency*
24 *approach is needed to develop an effective strategy—*

1 (A) to address the security challenges in the
2 Sahel-Maghreb;

3 (B) to appropriately allocate resources and
4 de-conflict programs; and

5 (C) to maximize the effectiveness of United
6 States defense, diplomatic, and development ca-
7 pabilities.

8 **SEC. 103. STATEMENT OF POLICY.**

9 *It is the policy of the United States to assist countries*
10 *in North Africa and West Africa, and other allies and part-*
11 *ners that are active in those regions, in combating terrorism*
12 *and violent extremism through a coordinated, interagency*
13 *approach with a consistent strategy that appropriately bal-*
14 *ances security activities with diplomatic and development*
15 *efforts to address the political, socioeconomic, governance,*
16 *and development challenges in North Africa and West Afri-*
17 *ca that contribute to terrorism and violent extremism.*

18 **SEC. 104. TRANS-SAHARA COUNTERTERRORISM PARTNER-**
19 **SHIP PROGRAM.**

20 (a) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*
21 *FINED.—In this section, the term “appropriate congress-*
22 *sional committees” means—*

23 (1) *the Committee on Foreign Relations of the*
24 *Senate;*

1 (2) *the Committee on Armed Services of the Sen-*
2 *ate;*

3 (3) *the Committee on Appropriations of the Sen-*
4 *ate;*

5 (4) *the Select Committee on Intelligence of the*
6 *Senate;*

7 (5) *the Committee on Foreign Affairs of the*
8 *House of Representatives;*

9 (6) *the Committee on Armed Services of the*
10 *House of Representatives;*

11 (7) *the Committee on Appropriations of the*
12 *House of Representatives; and*

13 (8) *the Permanent Select Committee on Intel-*
14 *ligence of the House of Representatives.*

15 **(b) IN GENERAL.—**

16 (1) **ESTABLISHMENT.**—*The President shall estab-*
17 *lish a partnership program, which shall be known as*
18 *the “Trans-Sahara Counterterrorism Partnership*
19 *Program” (referred to in this section as the “Pro-*
20 *gram”), to coordinate the programs, projects, and ac-*
21 *tivities of the Program in countries in North Africa*
22 *and West Africa that are conducted—*

23 (A) *to improve governance and the capac-*
24 *ities of countries in North Africa and West Afri-*
25 *ca to deliver basic services, particularly to at-*

1 *risk communities, as a means of countering ter-*
2 *rorism and violent extremism by enhancing state*
3 *legitimacy and authority and countering corrup-*
4 *tion;*

5 *(B) to address the factors that make people*
6 *and communities vulnerable to recruitment by*
7 *terrorist and violent extremist organizations, in-*
8 *cluding economic vulnerability and mistrust of*
9 *government and government security forces,*
10 *through activities such as—*

11 *(i) supporting strategies that increase*
12 *youth employment opportunities;*

13 *(ii) promoting girls' education and*
14 *women's political participation;*

15 *(iii) strengthening local governance*
16 *and civil society capacity;*

17 *(iv) improving government trans-*
18 *parency and accountability;*

19 *(v) fighting corruption;*

20 *(vi) improving access to economic op-*
21 *portunities; and*

22 *(vii) other development activities nec-*
23 *essary to support community resilience;*

24 *(C) to strengthen the rule of law in such*
25 *countries, including by enhancing the capability*

1 *of the judicial institutions to independently,*
2 *transparently, and credibly deter, investigate,*
3 *and prosecute acts of terrorism and violent extre-*
4 *mism;*

5 *(D) to improve the ability of military and*
6 *law enforcement entities in partner countries—*

7 *(i) to detect, disrupt, respond to, and*
8 *prosecute violent extremist and terrorist ac-*
9 *tivity, while respecting human rights; and*

10 *(ii) to cooperate with the United States*
11 *and other partner countries on counterter-*
12 *rорism and counter-extremism efforts;*

13 *(E) to enhance the border security capacity*
14 *of partner countries, including the ability to*
15 *monitor, detain, and interdict terrorists;*

16 *(F) to identify, monitor, disrupt, and*
17 *counter the human capital and financing pipe-*
18 *lines of terrorism; or*

19 *(G) to support the free expression and oper-*
20 *ations of independent, local-language media,*
21 *particularly in rural areas, while countering the*
22 *media operations and recruitment propaganda*
23 *of terrorist and violent extremist organizations.*

24 *(2) ASSISTANCE FRAMEWORK.—Program activi-*
25 *ties shall—*

1 (A) be carried out in countries in which the
2 President—

3 (i) determines that there is an ade-
4 quate level of partner country commitment;
5 and

6 (ii) has considered partner country
7 needs, absorptive capacity, sustainment ca-
8 pacity, and efforts of other donors in the
9 sector;

10 (B) have clearly defined outcomes;

11 (C) be closely coordinated among relevant
12 participating departments and agencies;

13 (D) have specific plans with robust indica-
14 tors to regularly monitor and evaluate outcomes
15 and impact;

16 (E) complement and enhance efforts to pro-
17 mote democratic governance, the rule of law,
18 human rights, and economic growth;

19 (F) in the case of train and equip pro-
20 grams, complement longer-term security sector
21 institution-building; and

22 (G) have mechanisms in place to track re-
23 sources and routinely monitor and evaluate the
24 efficacy of relevant programs.

1 (3) *CONGRESSIONAL NOTIFICATION.*—*Not later*
2 *than 15 days before obligating amounts for an activ-*
3 *ity conducted pursuant to the Program under para-*
4 *graph (1), the Secretary of State shall notify the ap-*
5 *propriate congressional committees, in accordance*
6 *with section 634A of the Foreign Assistance Act of*
7 *1961 (22 U.S.C. 2394–1), of—*

8 (A) *the foreign country and entity, as ap-*
9 *plicable, whose capabilities are to be enhanced in*
10 *accordance with the purposes described in para-*
11 *graph (1);*

12 (B) *the amount, type, and purpose of sup-*
13 *port to be provided;*

14 (C) *the absorptive capacity of the foreign*
15 *country to effectively implement the assistance to*
16 *be provided;*

17 (D) *the extent to which state security forces*
18 *of the foreign country have been implicated in*
19 *gross violations of human rights and the risk*
20 *that obligated funds may be used to perpetrate*
21 *further abuses;*

22 (E) *the anticipated implementation*
23 *timeline for the activity; and*

24 (F) *the plans to sustain any military or se-*
25 *curity equipment provided beyond the comple-*

1 *tion date of such activity, if applicable, and the*
2 *estimated cost and source of funds to support*
3 *such sustainment.*

4 (4) *EXCEPTION.*—*The requirement under para-*
5 *graph (1) does not apply to activities conducted by*
6 *the Department of Defense pursuant to title 10,*
7 *United States Code.*

8 (c) *INTERNATIONAL COORDINATION.*—*Efforts carried*
9 *out under this section—*

10 (1) *shall take into account partner country*
11 *counterterrorism, counter-extremism, and development*
12 *strategies;*

13 (2) *shall be aligned with such strategies, to the*
14 *extent practicable; and*

15 (3) *shall be coordinated with counterterrorism*
16 *and counter-extremism activities and programs in the*
17 *areas of defense, diplomacy, and development carried*
18 *out by other like-minded donors and international or-*
19 *ganizations in the relevant country.*

20 (d) *STRATEGIES.*—

21 (1) *IN GENERAL.*—*Not later than 180 days after*
22 *the date of the enactment of this Act, the President*
23 *and other relevant Federal Government agencies, shall*
24 *submit the strategies described in paragraphs (2) and*
25 *(3) to the appropriate congressional committees.*

1 (2) *COMPREHENSIVE, 5-YEAR STRATEGY FOR*
2 *THE SAHEL-MAGHREB.*—*The President shall develop a*
3 *comprehensive, 5-year strategy for the Sahel-Maghreb,*
4 *including details related to interagency efforts con-*
5 *ducted pursuant to the Program in the areas of secu-*
6 *rity, diplomacy, and development to advance the na-*
7 *tional security, economic, and humanitarian interests*
8 *of the United States, including—*

9 (A) *efforts to ensure coordination with mul-*
10 *tilateral and bilateral partners, such as the Joint*
11 *Force of the Group of Five of the Sahel, and with*
12 *other relevant assistance frameworks;*

13 (B) *a public diplomacy strategy and ac-*
14 *tions to ensure that populations in the Sahel-*
15 *Maghreb are aware of the development activities*
16 *of the United States Government, especially in*
17 *countries with a significant United States Gov-*
18 *ernment presence or engagement through train*
19 *and equip programs;*

20 (C) *activities aimed at supporting demo-*
21 *cratic institutions and countering violent extre-*
22 *mism with measurable goals and transparent*
23 *benchmarks;*

24 (D) *plans to help each partner country ad-*
25 *dress humanitarian and development needs and*

1 to help prevent, respond to, and mitigate inter-
2 communal violence;

3 (E) a comprehensive plan to support secu-
4 rity sector reform in each partner country that
5 includes a detailed section on programs and ac-
6 tivities being undertaken by relevant stakeholders
7 and other international actors operating in the
8 sector; and

9 (F) a specific strategy for Mali that in-
10 cludes plans for sustained, high-level diplomatic
11 engagement with stakeholders, including coun-
12 tries in Europe and the Middle East with inter-
13 ests in the Sahel-Maghreb, regional governments,
14 relevant multilateral organizations, signatory
15 groups of the Agreement for Peace and Reconcili-
16 ation in Mali, done in Algiers July 24, 2014,
17 and civil society actors.

18 (3) *COMPREHENSIVE 5-YEAR STRATEGY FOR PRO-*
19 *GRAM COUNTERTERRORISM EFFORTS.*—*The President*
20 *shall develop a comprehensive 5-year strategy for the*
21 *Program that includes—*

22 (A) a clear statement of the objectives of
23 United States counterterrorism efforts in North
24 Africa and West Africa with respect to the use

1 *of assistance to combat terrorism and counter*
2 *violent extremism, including efforts—*

3 *(i) to build military and civilian law*
4 *enforcement capacity;*

5 *(ii) to strengthen the rule of law;*

6 *(iii) to promote responsive and ac-*
7 *countable governance; and*

8 *(iv) to address the root causes of ter-*
9 *rorism and violent extremism;*

10 *(B) a plan for coordinating programs*
11 *through the Program pursuant to subsection*
12 *(b)(1), including identifying the agency or bu-*
13 *reau of the Department of State, as applicable,*
14 *that will be responsible for leading and coordi-*
15 *nating each such program;*

16 *(C) a plan to monitor, evaluate, and share*
17 *data and learning about the Program in accord-*
18 *ance with monitoring and evaluation provisions*
19 *under sections 3 and 4 of the Foreign Aid Trans-*
20 *parency and Accountability Act of 2016 (22*
21 *U.S.C. 2394c note and 2394c); and*

22 *(D) a plan for ensuring coordination and*
23 *compliance with related requirements in United*
24 *States law, including the Global Fragility Act of*
25 *2019 (22 U.S.C. 9801 et seq.).*

1 (4) *CONSULTATION.*—Not later than 90 days
2 after the date of the enactment of this Act, the Sec-
3 retary of State shall consult with the appropriate con-
4 gressional committees regarding the progress made to-
5 wards developing the strategies required under para-
6 graphs (2) and (3).

7 (e) *SUPPORTING MATERIAL IN ANNUAL BUDGET RE-*
8 *QUEST.*—

9 (1) *IN GENERAL.*—The Secretary of State shall
10 include a description of the requirements, activities,
11 and planned allocation of amounts requested by the
12 Program in the budget materials submitted to Con-
13 gress in support of the President’s annual budget re-
14 quest pursuant to section 1105 of title 31, United
15 States Code, for each fiscal year beginning after the
16 date of the enactment of this Act and annually there-
17 after for the following 5 years.

18 (2) *EXCEPTION.*—The requirement under para-
19 graph (1) shall not apply to activities of the Depart-
20 ment of Defense conducted pursuant to authorities
21 under title 10, United States Code.

22 (f) *MONITORING AND EVALUATION OF PROGRAMS AND*
23 *ACTIVITIES.*—Not later than 1 year after the date of the
24 enactment of this Act, and annually thereafter for the fol-

1 *lowing 5 years, the President shall submit a report to the*
2 *appropriate congressional committees that describes—*

3 *(1) the progress made in meeting the objectives*
4 *of the strategies required under paragraphs (2) and*
5 *(3) of subsection (d), including any lessons learned in*
6 *carrying out Program activities and any rec-*
7 *ommendations for improving such programs and ac-*
8 *tivities;*

9 *(2) the efforts taken to coordinate, de-conflict,*
10 *and streamline Program activities to maximize re-*
11 *source effectiveness;*

12 *(3) the extent to which each partner country has*
13 *demonstrated the ability to absorb the equipment or*
14 *training provided in the previous year under the Pro-*
15 *gram, and as applicable, the ability to maintain and*
16 *appropriately utilize such equipment;*

17 *(4) the extent to which each partner country is*
18 *investing its own resources to advance the goals de-*
19 *scribed in subsection (b)(1) or is demonstrating a*
20 *commitment and willingness to cooperate with the*
21 *United States to advance such goals;*

22 *(5) the actions taken by the government of each*
23 *partner country receiving assistance under the Pro-*
24 *gram to combat corruption, improve transparency*

1 *and accountability, and promote other forms of demo-*
2 *cratic governance;*

3 *(6) the extent to which state security forces in*
4 *each partner country have been implicated in gross*
5 *violations of human rights during the reporting pe-*
6 *riod, including how such gross violations of human*
7 *rights have been addressed and or will be addressed*
8 *through Program activities;*

9 *(7) the assistance provided in each of the 3 pre-*
10 *ceding fiscal years under the Program, broken down*
11 *by partner country, including the type, statutory au-*
12 *thorization, and purpose of assistance provided to the*
13 *country; and*

14 *(8) any changes or updates to the Comprehensive*
15 *5-Year Strategy for the Program required under sub-*
16 *section (d)(3) necessitated by the findings in this an-*
17 *nual report.*

18 *(g) REPORTING REQUIREMENT RELATED TO AUDIT OF*
19 *BUREAU OF AFRICAN AFFAIRS MONITORING AND COORDI-*
20 *NATION OF THE TRANS-SAHARA COUNTERTERRORISM*
21 *PARTNERSHIP PROGRAM.—Not later than 90 days after the*
22 *date of the enactment of this Act, and every 120 days there-*
23 *after until the earlier of the date on which all 13 rec-*
24 *ommendations in the September 2020 Department of State*
25 *Office of Inspector General audit entitled “Audit of the De-*

1 *partment of State Bureau of African Affairs Monitoring*
2 *and Coordination of the Trans-Sahara Counterterrorism*
3 *Partnership Program” (AUD–MERO–20–42) are closed or*
4 *the date that is 3 years after the date of the enactment of*
5 *this Act, the Secretary of State shall submit a report to*
6 *the appropriate congressional committees that identifies—*

7 (1) *which of the 13 recommendations in AUD–*
8 *MERO–20–42 have not been closed;*

9 (2) *a description of progress made since the last*
10 *report toward closing each recommendation identified*
11 *under paragraph (1);*

12 (3) *additional resources needed, including assess-*
13 *ment of staffing capacity, if any, to complete action*
14 *required to close each recommendation identified*
15 *under paragraph (1); and*

16 (4) *the anticipated timeline for completion of ac-*
17 *tion required to close each recommendation identified*
18 *under paragraph (1), including application of all rec-*
19 *ommendations into all existing security assistance*
20 *programs managed by the Department of State under*
21 *the Program.*

22 (h) *PROGRAM ADMINISTRATION.—Not later than 120*
23 *days after the date of the enactment of this Act, the Sec-*
24 *retary of State shall submit a report to Congress that de-*
25 *scribes plans for conducting a written review of a represent-*

1 *ative sample of each of the security assistance programs ad-*
2 *ministered by the Bureau of African Affairs that—*

3 *(1) identifies potential waste, fraud, abuse, inef-*
4 *iciencies, or deficiencies; and*

5 *(2) includes an analysis of staff capacity, in-*
6 *cluding human resource needs, available resources,*
7 *procedural guidance, and monitoring and evaluation*
8 *processes to ensure that the Bureau of African Affairs*
9 *is managing programs efficiently and effectively.*

10 *(i) FORM.—The strategies required under paragraphs*
11 *(2) and (3) of subsection (d) and the report required under*
12 *subsection (f) shall be submitted in unclassified form, but*
13 *may include a classified annex.*

14 **SEC. 105. RULE OF CONSTRUCTION.**

15 *Nothing in this division may be construed as author-*
16 *izing the use of military force.*

17 ***DIVISION BB—EB-5 REFORM AND***
18 ***INTEGRITY ACT OF 2022***

19 **SEC. 101. SHORT TITLE.**

20 *This division may be cited as the “EB-5 Reform and*
21 *Integrity Act of 2022”.*

22 **SEC. 102. EB-5 VISA REFORMS.**

23 *(a) EMPLOYMENT CREATION.—Section 203(b)(5) of the*
24 *Immigration and Nationality Act (8 U.S.C. 1153(b)(5)) is*
25 *amended—*

1 (1) *in subparagraph (A)—*

2 (A) *in clause (i), by striking “(C), and”*
3 *and inserting “(C) and which is expected to re-*
4 *main invested for not less than 2 years; and”;*
5 *and*

6 (B) *in clause (ii)—*

7 (i) *by striking “and create” and in-*
8 *serting “by creating”; and*

9 (ii) *by inserting “, United States na-*
10 *tionals,” after “citizens”;*

11 (2) *by amending subparagraph (B) to read as*
12 *follows:*

13 “(B) DESIGNATIONS AND RESERVED
14 VISAS.—

15 “(i) RESERVED VISAS.—

16 “(I) IN GENERAL.—Of the visas
17 *made available under this paragraph*
18 *in each fiscal year—*

19 “(aa) 20 percent shall be re-
20 *served for qualified immigrants*
21 *who invest in a rural area;*

22 “(bb) 10 percent shall be re-
23 *served for qualified immigrants*
24 *who invest in an area designated*
25 *by the Secretary of Homeland Se-*

1 *curity under clause (ii) as a high*
2 *unemployment area; and*

3 *“(cc) 2 percent shall be re-*
4 *served for qualified immigrants*
5 *who invest in infrastructure*
6 *projects.*

7 *“(II) UNUSED VISAS.—*

8 *“(aa) CARRYOVER.—At the*
9 *end of each fiscal year, any un-*
10 *used visas reserved for qualified*
11 *immigrants investing in each of*
12 *the categories described in items*
13 *(aa) through (cc) of subclause (I)*
14 *shall remain available within the*
15 *same category for the immediately*
16 *succeeding fiscal year.*

17 *“(bb) GENERAL AVAIL-*
18 *ABILITY.—Visas described in*
19 *items (aa) through (cc) of sub-*
20 *clause (I) that are not issued by*
21 *the end of the succeeding fiscal*
22 *year referred to in item (aa) shall*
23 *be made available to qualified im-*
24 *migrants described under sub-*
25 *paragraph (A).*

1 “(i) *DESIGNATION OF HIGH UNEM-*
2 *PLOYMENT AREA.*—

3 “(I) *IN GENERAL.*—*The Secretary*
4 *of Homeland Security, or a designee of*
5 *the Secretary who is an employee of*
6 *the Department of Homeland Security,*
7 *may designate, as a high unemploy-*
8 *ment area, a census tract, or contig-*
9 *uous census tracts, in which—*

10 “(aa) *the new commercial*
11 *enterprise is principally doing*
12 *business; and*

13 “(bb) *the weighted average of*
14 *the unemployment rate for the*
15 *census tracts, based on the labor*
16 *force employment measure for*
17 *each applicable census tract and*
18 *any adjacent tract included under*
19 *subclause (III), is not less than*
20 *150 percent of the national aver-*
21 *age unemployment rate.*

22 “(II) *PROHIBITION ON DESIGNA-*
23 *TION BY ANY OTHER OFFICIAL.*—*A tar-*
24 *geted employment area may not be des-*

1 *ignated as a high unemployment area*
2 *by—*

3 “*(aa) a Federal official other*
4 *than the Secretary of Homeland*
5 *Security or a designee of the Sec-*
6 *retary; or*

7 “*(bb) any official of a State*
8 *or local government.*

9 “*(III) INCLUSION.—In making a*
10 *designation under subclause (I), the*
11 *Secretary of Homeland Security may*
12 *include a census tract directly adjacent*
13 *to a census tract or contiguous census*
14 *tracts described in that subclause.*

15 “*(IV) DURATION.—*

16 “*(aa) IN GENERAL.—A des-*
17 *ignation under this clause shall be*
18 *in effect for the 2-year period be-*
19 *ginning on—*

20 “*(AA) the date on which*
21 *an application under sub-*
22 *paragraph (F) is filed; or*

23 “*(BB) in the case of an*
24 *alien who is not subject to*

1 *subparagraph (F), at the*
2 *time of investment.*

3 “(bb) *RENEWAL.*—*A designa-*
4 *tion under this clause may be re-*
5 *newed for 1 or more additional 2-*
6 *year periods if the applicable area*
7 *continues to meet the criteria de-*
8 *scribed in subclause (I).*

9 “(V) *ADDITIONAL INVESTMENT*
10 *NOT REQUIRED.*—*An immigrant inves-*
11 *tor who has invested the amount of*
12 *capital required by subparagraph (C)*
13 *in a targeted employment area des-*
14 *ignated as a high unemployment area*
15 *during the period in which the area is*
16 *so designated shall not be required to*
17 *increase the amount of investment due*
18 *to the expiration of the designation.*

19 “(iii) *INFRASTRUCTURE PROJECTS.*—

20 “(I) *IN GENERAL.*—*The Secretary*
21 *of Homeland Security shall determine*
22 *whether a specific capital investment*
23 *project meets the definition of ‘infra-*
24 *structure project’ set forth in subpara-*
25 *graph (D)(iv).*

1 “(II) *PROHIBITION ON DESIGNA-*
2 *TION BY ANY OTHER OFFICIAL.—A de-*
3 *termination under subclause (I) may*
4 *not be made by—*

5 “*(aa) a Federal official other*
6 *than the Secretary of Homeland*
7 *Security or a designee of the Sec-*
8 *retary; or*

9 “*(bb) any official of a State*
10 *or local government.*”;

11 (3) *in subparagraph (C)—*

12 (A) *in clause (i), by striking “\$1,000,000”*
13 *and all that follows through “previous sentence”*
14 *and inserting “\$1,050,000”;*

15 (B) *by amending clause (ii) to read as fol-*
16 *lows:*

17 “*(ii) ADJUSTMENT FOR TARGETED EM-*
18 *PLOYMENT AREAS AND INFRASTRUCTURE*
19 *PROJECTS.—The amount of capital required*
20 *under subparagraph (A) for an investment*
21 *in a targeted employment area or in an in-*
22 *frastructure project shall be \$800,000.*”;

23 (C) *by redesignating clause (iii) as clause*
24 *(iv);*

1 (D) by inserting after clause (ii) the fol-
2 lowing:

3 “(iii) *AUTOMATIC ADJUSTMENT IN*
4 *MINIMUM INVESTMENT AMOUNT.—*

5 “(I) *IN GENERAL.—Beginning on*
6 *January 1, 2027, and every 5 years*
7 *thereafter, the amount in clause (i)*
8 *shall automatically adjust for petitions*
9 *filed on or after the effective date of*
10 *each adjustment, based on the cumu-*
11 *lative annual percentage change in the*
12 *unadjusted consumer price index for*
13 *all urban consumers (all items; U.S.*
14 *city average) reported by the Bureau of*
15 *Labor Statistics between January 1,*
16 *2022, and the date of adjustment. The*
17 *qualifying investment amounts shall be*
18 *rounded down to the nearest \$50,000.*
19 *The Secretary of Homeland Security*
20 *shall update such amounts by publica-*
21 *tion of a technical amendment in the*
22 *Federal Register.*

23 “(II) *Beginning on January 1,*
24 *2027, and every 5 years thereafter, the*
25 *amount in clause (ii) shall automati-*

1 *cally adjust for petitions filed on or*
2 *after the effective date of each adjust-*
3 *ment, to be equal to 75 percent of the*
4 *standard investment amount under*
5 *subclause (I).”; and*

6 *(E) in clause (iv), as redesignated, in the*
7 *undesignated matter following subclause (II)—*

8 *(i) by striking “Attorney General” and*
9 *inserting “Secretary of Homeland Secu-*
10 *rity”; and*

11 *(ii) by inserting “, as adjusted under*
12 *clause (iii)” before the period at the end;*
13 *and*

14 *(4) by amending subparagraph (D) to read as*
15 *follows:*

16 *“(D) DEFINITIONS.—In this paragraph:*

17 *“(i) AFFILIATED JOB-CREATING ENTI-*
18 *TY.—The term ‘affiliated job-creating enti-*
19 *ty’ means any job-creating entity that is*
20 *controlled, managed, or owned by any of the*
21 *people involved with the regional center or*
22 *new commercial enterprise under section*
23 *203(b)(5)(H)(v).*

24 *“(ii) CAPITAL.—The term ‘capital’—*

1 “(I) means cash and all real, per-
2 sonal, or mixed tangible assets owned
3 and controlled by the alien investor, or
4 held in trust for the benefit of the alien
5 and to which the alien has unrestricted
6 access;

7 “(II) shall be valued at fair mar-
8 ket value in United States dollars, in
9 accordance with Generally Accepted
10 Accounting Principles or other stand-
11 ard accounting practice adopted by the
12 Securities and Exchange Commission,
13 at the time it is invested under this
14 paragraph;

15 “(III) does not include—

16 “(aa) assets directly or indi-
17 rectly acquired by unlawful
18 means, including any cash pro-
19 ceeds of indebtedness secured by
20 such assets;

21 “(bb) capital invested in ex-
22 change for a note, bond, convert-
23 ible debt, obligation, or any other
24 debt arrangement between the

1 alien investor and the new com-
2 mercial enterprise;

3 “(cc) capital invested with a
4 guaranteed rate of return on the
5 amount invested by the alien in-
6 vestor; or

7 “(dd) except as provided in
8 subclause (IV), capital invested
9 that is subject to any agreement
10 between the alien investor and the
11 new commercial enterprise that
12 provides the investor with a con-
13 tractual right to repayment, such
14 as a mandatory redemption at a
15 certain time or upon the occur-
16 rence of a certain event, or a put
17 or sell-back option held by the
18 alien investor, even if such con-
19 tractual right is contingent on the
20 success of the new commercial en-
21 terprise, such as having sufficient
22 available cash flow; and

23 “(IV) includes capital invested
24 that—

1 “(aa) is subject to a buy back
2 option that may be exercised sole-
3 ly at the discretion of the new
4 commercial enterprise; and

5 “(bb) results in the alien in-
6 vestor withdrawing his or her pe-
7 tition unless the alien investor has
8 fulfilled his or her sustainment
9 period and other requirements
10 under this paragraph.

11 “(iii) *CERTIFIER*.—The term ‘certifier’
12 means a person in a position of substantive
13 authority for the management or operations
14 of a regional center, new commercial enter-
15 prise, affiliated job-creating entity, or issuer
16 of securities, such as a principal executive
17 officer or principal financial officer, with
18 knowledge of such entities’ policies and pro-
19 cedures related to compliance with the re-
20 quirements under this paragraph.

21 “(iv) *INFRASTRUCTURE PROJECT*.—
22 The term ‘infrastructure project’ means a
23 capital investment project in a filed or ap-
24 proved business plan, which is administered
25 by a governmental entity (such as a Fed-

1 *eral, State, or local agency or authority)*
2 *that is the job-creating entity contracting*
3 *with a regional center or new commercial*
4 *enterprise to receive capital investment*
5 *under the regional center program described*
6 *in subparagraph (E) from alien investors or*
7 *the new commercial enterprise as financing*
8 *for maintaining, improving, or constructing*
9 *a public works project.*

10 *“(v) JOB-CREATING ENTITY.—The term*
11 *‘job-creating entity’ means any organiza-*
12 *tion formed in the United States for the on-*
13 *going conduct of lawful business, including*
14 *sole proprietorship, partnership (whether*
15 *limited or general), corporation, limited li-*
16 *ability company, business trust, or other en-*
17 *tity, which may be publicly or privately*
18 *owned, including an entity consisting of a*
19 *holding company and its wholly owned sub-*
20 *sidaries or affiliates (provided that each*
21 *subsidiary or affiliate is engaged in an ac-*
22 *tivity formed for the ongoing conduct of a*
23 *lawful business) that receives, or is estab-*
24 *lished to receive, capital investment from*
25 *alien investors or a new commercial enter-*

1 *prise under the regional center program de-*
2 *scribed in this subparagraph and which is*
3 *responsible for creating jobs to satisfy the*
4 *requirement under subparagraph (A)(ii).*

5 “(vi) *NEW COMMERCIAL ENTER-*
6 *PRISE.—The term ‘new commercial enter-*
7 *prise’ means any for-profit organization*
8 *formed in the United States for the ongoing*
9 *conduct of lawful business, including sole*
10 *proprietorship, partnership (whether lim-*
11 *ited or general), holding company and its*
12 *wholly owned subsidiaries (provided that*
13 *each subsidiary is engaged in a for-profit*
14 *activity formed for the ongoing conduct of a*
15 *lawful business), joint venture, corporation,*
16 *business trust, limited liability company, or*
17 *other entity (which may be publicly or pri-*
18 *vately owned) that receives, or is established*
19 *to receive, capital investment from investors*
20 *under this paragraph.*

21 “(vii) *RURAL AREA.—The term ‘rural*
22 *area’ means any area other than an area*
23 *within a metropolitan statistical area (as*
24 *designated by the Director of the Office of*
25 *Management and Budget) or within the*

1 *outer boundary of any city or town having*
2 *a population of 20,000 or more (based on*
3 *the most recent decennial census of the*
4 *United States).*

5 *“(viii) TARGETED EMPLOYMENT*
6 *AREA.—The term ‘targeted employment*
7 *area’ means, at the time of investment, a*
8 *rural area or an area designated by the*
9 *Secretary of Homeland Security under sub-*
10 *paragraph (B)(ii) as a high unemployment*
11 *area.”.*

12 *(b) AGE DETERMINATION FOR CHILDREN OF ALIEN*
13 *INVESTORS.—Section 203(h) of the Immigration and Na-*
14 *tionality Act (8 U.S.C. 1153(h)) is amended by adding at*
15 *the end the following:*

16 *“(5) AGE DETERMINATION FOR CHILDREN OF*
17 *ALIEN INVESTORS.—An alien who has reached 21*
18 *years of age and has been admitted under subsection*
19 *(d) as a lawful permanent resident on a conditional*
20 *basis as the child of an alien lawfully admitted for*
21 *permanent residence under subsection (b)(5), whose*
22 *lawful permanent resident status on a conditional*
23 *basis is terminated under section 216A or subsection*
24 *(b)(5)(M), shall continue to be considered a child of*
25 *the principal alien for the purpose of a subsequent*

1 immigrant petition by such alien under subsection
2 (b)(5) if the alien remains unmarried and the subse-
3 quent petition is filed by the principal alien not later
4 than 1 year after the termination of conditional law-
5 ful permanent resident status. No alien shall be con-
6 sidered a child under this paragraph with respect to
7 more than 1 petition filed after the alien reaches 21
8 years of age.”.

9 (c) *ENHANCED PAY SCALE FOR CERTAIN FEDERAL*
10 *EMPLOYEES ADMINISTERING THE EMPLOYMENT CREATION*
11 *PROGRAM.*—*The Secretary of Homeland Security may es-*
12 *tablish, fix the compensation of, and appoint individuals*
13 *to designated critical, technical, and professional positions*
14 *needed to administer sections 203(b)(5) and 216A of the Im-*
15 *migration and Nationality Act (8 U.S.C. 1153(b)(5) and*
16 *1186b).*

17 (d) *CONCURRENT FILING OF EB-5 PETITIONS AND*
18 *APPLICATIONS FOR ADJUSTMENT OF STATUS.*—*Section 245*
19 *of the Immigration and Nationality Act (8 U.S.C. 1255)*
20 *is amended—*

21 (1) *in subsection (k), in the matter preceding*
22 *paragraph (1), by striking “or (3)” and inserting*
23 *“(3), or (5)”;* and

24 (2) *by adding at the end the following:*

1 “(n) *If the approval of a petition for classification*
2 *under section 203(b)(5) would make a visa immediately*
3 *available to the alien beneficiary, the alien beneficiary’s ap-*
4 *plication for adjustment of status under this section shall*
5 *be considered to be properly filed whether the application*
6 *is submitted concurrently with, or subsequent to, the visa*
7 *petition.*”.

8 (e) *EFFECTIVE DATE.*—*The amendments made by this*
9 *section shall take effect on the date of the enactment of this*
10 *Act.*

11 **SEC. 103. REAUTHORIZATION AND REFORM OF THE RE-**
12 **REGIONAL CENTER PROGRAM.**

13 (a) *REPEAL.*—*Section 610 of the Departments of Com-*
14 *merce, Justice, and State, the Judiciary, and Related Agen-*
15 *cies Appropriations Act, 1993 (8 U.S.C. 1153 note) is re-*
16 *pealed.*

17 (b) *AUTHORIZATION.*—

18 (1) *IN GENERAL.*—*Section 203(b)(5) of the Im-*
19 *migration and Nationality Act (8 U.S.C. 1153(b)(5))*
20 *is amended by adding at the end the following:*

21 “(E) *REGIONAL CENTER PROGRAM.*—

22 “(i) *IN GENERAL.*—*Visas under this*
23 *subparagraph shall be made available*
24 *through September 30, 2027, to qualified*
25 *immigrants (and the eligible spouses and*

1 *children of such immigrants) pooling their*
2 *investments with 1 or more qualified immi-*
3 *grants participating in a program imple-*
4 *menting this paragraph that involves a re-*
5 *gional center in the United States, which*
6 *has been designated by the Secretary of*
7 *Homeland Security on the basis of a pro-*
8 *posal for the promotion of economic growth,*
9 *including prospective job creation and in-*
10 *creased domestic capital investment.*

11 “(ii) *PROCESSING.*—*In processing peti-*
12 *tions under section 204(a)(1)(H) for classi-*
13 *fication under this paragraph, the Secretary*
14 *of Homeland Security—*

15 “(I) *shall prioritize the processing*
16 *and adjudication of petitions for rural*
17 *areas;*

18 “(II) *may process petitions in a*
19 *manner and order established by the*
20 *Secretary; and*

21 “(III) *shall deem such petitions to*
22 *include records previously filed with*
23 *the Secretary pursuant to subpara-*
24 *graph (F) if the alien petitioner cer-*
25 *tifies that such records are incor-*

1 porated by reference into the alien’s pe-
2 tition.

3 “(iii) *ESTABLISHMENT OF A REGIONAL*
4 *CENTER.*—A regional center shall operate
5 within a defined, contiguous, and limited
6 geographic area, which shall be described in
7 the proposal and be consistent with the pur-
8 pose of concentrating pooled investment
9 within such area. The proposal to establish
10 a regional center shall demonstrate that the
11 pooled investment will have a substantive
12 economic impact on such geographic area,
13 and shall include—

14 “(I) reasonable predictions, sup-
15 ported by economically and statis-
16 tically valid and transparent fore-
17 casting tools, concerning the amount of
18 investment that will be pooled, the
19 kinds of commercial enterprises that
20 will receive such investments, details of
21 the jobs that will be created directly or
22 indirectly as a result of such invest-
23 ments, and other positive economic ef-
24 fects such investments will have;

1 “(II) a description of the policies
2 and procedures in place reasonably de-
3 signed to monitor new commercial en-
4 terprises and any associated job-cre-
5 ating entity to seek to ensure compli-
6 ance with—

7 “(aa) all applicable laws,
8 regulations, and Executive orders
9 of the United States, including
10 immigration laws, criminal laws,
11 and securities laws; and

12 “(bb) all securities laws of
13 each State in which securities of-
14 ferings will be conducted, invest-
15 ment advice will be rendered, or
16 the offerors or offerees reside;

17 “(III) attestations and informa-
18 tion confirming that all persons in-
19 volved with the regional center meet the
20 requirements under clauses (i) and (ii)
21 of subparagraph (H);

22 “(IV) a description of the policies
23 and procedures in place that are rea-
24 sonably designed to ensure program
25 compliance; and

1 “(V) *the identities of all natural*
2 *persons involved in the regional center,*
3 *as described in subparagraph (H)(v).*

4 “(iv) *INDIRECT JOB CREATION.—*

5 “(I) *IN GENERAL.—The Secretary*
6 *of Homeland Security shall permit*
7 *aliens seeking admission under this*
8 *subparagraph to satisfy only up to 90*
9 *percent of the requirement under sub-*
10 *paragraph (A)(ii) with jobs that are*
11 *estimated to be created indirectly*
12 *through investment under this para-*
13 *graph in accordance with this sub-*
14 *paragraph. An employee of the new*
15 *commercial enterprise or job-creating*
16 *entity may be considered to hold a job*
17 *that has been directly created.*

18 “(II) *CONSTRUCTION ACTIVITY*
19 *LASTING LESS THAN 2 YEARS.—If the*
20 *jobs estimated to be created are created*
21 *by construction activity lasting less*
22 *than 2 years, the Secretary shall per-*
23 *mit aliens seeking admission under*
24 *this subparagraph to satisfy only up to*
25 *75 percent of the requirement under*

1 subparagraph (A)(ii) with jobs that
2 are estimated to be created indirectly
3 through investment under this para-
4 graph in accordance with this sub-
5 paragraph.

6 “(v) COMPLIANCE.—

7 “(I) IN GENERAL.—In deter-
8 mining compliance with subparagraph
9 (A)(ii), the Secretary of Homeland Se-
10 curity shall permit aliens seeking ad-
11 mission under this subparagraph to
12 rely on economically and statistically
13 valid methodologies for determining the
14 number of jobs created by the program,
15 including—

16 “(aa) jobs estimated to have
17 been created directly, which may
18 be verified using such methodolo-
19 gies; and

20 “(bb) consistent with this
21 subparagraph, jobs estimated to
22 have been directly or indirectly
23 created through capital expendi-
24 tures, revenues generated from in-
25 creased exports, improved regional

1 *productivity, job creation, and in-*
2 *creased domestic capital invest-*
3 *ment resulting from the program.*

4 “(II) *JOB AND INVESTMENT RE-*
5 *QUIREMENTS.*—

6 “(aa) *RELOCATED JOBS.*—*In*
7 *determining compliance with the*
8 *job creation requirement under*
9 *subparagraph (A)(ii), the Sec-*
10 *retary of Homeland Security may*
11 *include jobs estimated to be cre-*
12 *ated under a methodology that at-*
13 *tributes jobs to prospective tenants*
14 *occupying commercial real estate*
15 *created or improved by capital in-*
16 *vestments if the number of such*
17 *jobs estimated to be created has*
18 *been determined by an economi-*
19 *cally and statistically valid meth-*
20 *odology and such jobs are not ex-*
21 *isting jobs that have been relo-*
22 *cated.*

23 “(bb) *PUBLICLY AVAILABLE*
24 *BONDS.*—*The Secretary of Home-*
25 *land Security shall prescribe regu-*

1 *lations to ensure that alien inves-*
2 *tor capital may not be utilized, by*
3 *a new commercial enterprise or*
4 *otherwise, to purchase municipal*
5 *bonds or any other bonds, if such*
6 *bonds are available to the general*
7 *public, either as part of a pri-*
8 *mary offering or from a secondary*
9 *market.*

10 *“(cc) CONSTRUCTION ACTIV-*
11 *ITY JOBS.—If the number of direct*
12 *jobs estimated to be created has*
13 *been determined by an economi-*
14 *cally and statistically valid meth-*
15 *odology, and such direct jobs are*
16 *created by construction activity*
17 *lasting less than 2 years, the*
18 *number of such jobs that may be*
19 *considered direct jobs for purposes*
20 *of clause (iv) shall be calculated*
21 *by multiplying the total number*
22 *of such jobs estimated to be cre-*
23 *ated by the fraction of the 2-year*
24 *period that the construction activ-*
25 *ity lasts.*

1 “(vi) *AMENDMENTS.—The Secretary of*
2 *Homeland Security shall—*

3 “(I) *require a regional center—*

4 “(aa) *to notify the Secretary,*
5 *not later than 120 days before the*
6 *implementation of significant pro-*
7 *posed changes to its organiza-*
8 *tional structure, ownership, or ad-*
9 *ministration, including the sale of*
10 *such center, or other arrangements*
11 *which would result in individuals*
12 *not previously subject to the re-*
13 *quirements under subparagraph*
14 *(H) becoming involved with the*
15 *regional center; or*

16 “(bb) *if exigent cir-*
17 *cumstances are present, to provide*
18 *the notice described in item (aa)*
19 *to the Secretary not later than 5*
20 *business days after a change de-*
21 *scribed in such item; and*

22 “(II) *adjudicate business plans*
23 *under subparagraph (F) and petitions*
24 *under section 204(a)(1)(H) during any*
25 *notice period as long as the amend-*

1 *ment to the business or petition does*
2 *not negatively impact program eligi-*
3 *bility.*

4 “(vii) *RECORD KEEPING AND AU-*
5 *DITS.—*

6 “(I) *RECORD KEEPING.—Each re-*
7 *gional center shall make and preserve,*
8 *during the 5-year period beginning on*
9 *the last day of the Federal fiscal year*
10 *in which any transactions occurred,*
11 *books, ledgers, records, and other docu-*
12 *mentation from the regional center,*
13 *new commercial enterprise, or job-cre-*
14 *ating entity used to support—*

15 “(aa) *any claims, evidence,*
16 *or certifications contained in the*
17 *regional center’s annual state-*
18 *ments under subparagraph (G);*
19 *and*

20 “(bb) *associated petitions by*
21 *aliens seeking classification under*
22 *this section or removal of condi-*
23 *tions under section 216A.*

24 “(II) *AUDITS.—The Secretary*
25 *shall audit each regional center not less*

1 frequently than once every 5 years.
2 Each such audit shall include a review
3 of any documentation required to be
4 maintained under subclause (I) for the
5 preceding 5 years and a review of the
6 flow of alien investor capital into any
7 capital investment project. To the ex-
8 tent multiple regional centers are lo-
9 cated at a single site, the Secretary
10 may audit multiple regional centers in
11 a single site visit.

12 “(III) *TERMINATION.*—The Sec-
13 retary shall terminate the designation
14 of a regional center that fails to con-
15 sent to an audit under subclause (II)
16 or deliberately attempts to impede such
17 an audit.

18 “(F) *BUSINESS PLANS FOR REGIONAL CEN-*
19 *TER INVESTMENTS.*—

20 “(i) *APPLICATION FOR APPROVAL OF*
21 *AN INVESTMENT IN A COMMERCIAL ENTER-*
22 *PRISE.*—A regional center shall file an ap-
23 plication with the Secretary of Homeland
24 Security for each particular investment of-
25 fering through an associated new commer-

1 *cial enterprise before any alien files a peti-*
2 *tion for classification under this paragraph*
3 *by reason of investment in that offering.*

4 *The application shall include—*

5 *“(I) a comprehensive business*
6 *plan for a specific capital investment*
7 *project;*

8 *“(II) a credible economic analysis*
9 *regarding estimated job creation that*
10 *is based upon economically and statis-*
11 *tically valid and transparent meth-*
12 *odologies;*

13 *“(III) any documents filed with*
14 *the Securities and Exchange Commis-*
15 *sion under the Securities Act of 1933*
16 *(15 U.S.C. 77a et seq.) or with the se-*
17 *curities regulator of any State, as re-*
18 *quired by law;*

19 *“(IV) any investment and offering*
20 *documents, including subscription, in-*
21 *vestment, partnership, and operating*
22 *agreements, private placement memo-*
23 *randa, term sheets, biographies of*
24 *management, officers, directors, and*
25 *any person with similar responsibil-*

1 *ities, the description of the business*
2 *plan to be provided to potential alien*
3 *investors, and marketing materials*
4 *used, or drafts prepared for use, in*
5 *connection with the offering, which*
6 *shall contain references, as appro-*
7 *priate, to—*

8 *“(aa) all material investment*
9 *risks associated with the new com-*
10 *mmercial enterprise and the job-cre-*
11 *ating entity;*

12 *“(bb) any conflicts of interest*
13 *that currently exist or may arise*
14 *among the regional center, the*
15 *new commercial enterprise, the*
16 *job-creating entity, or the prin-*
17 *cipals, attorneys, or individuals*
18 *responsible for recruitment or pro-*
19 *motion of such entities;*

20 *“(cc) any pending material*
21 *litigation or bankruptcy, or mate-*
22 *rial adverse judgments or bank-*
23 *ruptcy orders issued during the*
24 *most recent 10-year period, in the*
25 *United States or in another coun-*

1 *try, affecting the regional center,*
2 *the new commercial enterprise,*
3 *any associated job-creating entity,*
4 *or any other enterprise in which*
5 *any principal of any of the afore-*
6 *mentioned entities held majority*
7 *ownership at the time; and*

8 *“(dd)(AA) any fees, ongoing*
9 *interest, or other compensation*
10 *paid, or to be paid by the regional*
11 *center, the new commercial enter-*
12 *prise, or any issuer of securities*
13 *intended to be offered to alien in-*
14 *vestors, to agents, finders, or*
15 *broker dealers involved in the of-*
16 *fering of securities to alien inves-*
17 *tors in connection with the invest-*
18 *ment;*

19 *“(BB) a description of the*
20 *services performed, or that will be*
21 *performed, by such person to enti-*
22 *tle the person to such fees, inter-*
23 *est, or compensation; and*

1 “(CC) *the name and contact*
2 *information of any such person, if*
3 *known at the time of filing;*

4 “(V) *a description of the policies*
5 *and procedures, such as those related to*
6 *internal and external due diligence,*
7 *reasonably designed to cause the re-*
8 *gional center and any issuer of securi-*
9 *ties intended to be offered to alien in-*
10 *vestors in connection with the relevant*
11 *capital investment project, to comply,*
12 *as applicable, with the securities laws*
13 *of the United States and the laws of*
14 *the applicable States in connection*
15 *with the offer, purchase, or sale of its*
16 *securities; and*

17 “(VI) *a certification from the re-*
18 *gional center, and any issuer of securi-*
19 *ties intended to be offered to alien in-*
20 *vestors in connection with the relevant*
21 *capital investment project, that their*
22 *respective agents and employees, and*
23 *any parties associated with the re-*
24 *gional center and such issuer of securi-*
25 *ties affiliated with the regional center*

1 are in compliance with the securities
2 laws of the United States and the laws
3 of the applicable States in connection
4 with the offer, purchase, or sale of its
5 securities, to the best of the certifier's
6 knowledge, after a due diligence inves-
7 tigation.

8 “(ii) *EFFECT OF APPROVAL OF A BUSI-*
9 *NESS PLAN FOR AN INVESTMENT IN A RE-*
10 *REGIONAL CENTER'S COMMERCIAL ENTER-*
11 *PRISE.—The approval of an application*
12 *under this subparagraph, including an ap-*
13 *proval before the date of the enactment of*
14 *this subparagraph, shall be binding for pur-*
15 *poses of the adjudication of subsequent peti-*
16 *tions seeking classification under this para-*
17 *graph by immigrants investing in the same*
18 *offering described in such application, and*
19 *of petitions by the same immigrants filed*
20 *under section 216A unless—*

21 “(I) *the applicant engaged in*
22 *fraud, misrepresentation, or criminal*
23 *misuse;*

24 “(II) *such approval would threat-*
25 *en public safety or national security;*

1 “(III) *there has been a material*
2 *change that affects eligibility;*

3 “(IV) *the discovery of other evi-*
4 *dence affecting program eligibility was*
5 *not disclosed by the applicant during*
6 *the adjudication process; or*

7 “(V) *the previous adjudication in-*
8 *volved a material mistake of law or*
9 *fact.*

10 “(iii) *AMENDMENTS.—*

11 “(I) *APPROVAL.—The Secretary of*
12 *Homeland Security may establish pro-*
13 *cedures by which a regional center*
14 *may seek approval of an amendment to*
15 *an approved application under this*
16 *subparagraph that reflects changes*
17 *specified by the Secretary to any infor-*
18 *mation, documents, or other aspects of*
19 *the investment offering described in*
20 *such approved application not later*
21 *than 30 days after any such changes.*

22 “(II) *INCORPORATION.—Upon the*
23 *approval of a timely filed amendment*
24 *to an approved application, any*
25 *changes reflected in such amendment*

1 *may be incorporated into and consid-*
2 *ered in determining program eligi-*
3 *bility through adjudication of—*

4 “(aa) pending petitions from
5 immigrants investing in the offer-
6 ing described in the approved ap-
7 plication who are seeking classi-
8 fication under this paragraph;
9 and

10 “(bb) petitions by immi-
11 grants described in item (aa) that
12 are filed under section 216A.

13 “(iv) *SITE VISITS.—The Secretary of*
14 *Homeland Security shall—*

15 “(I) perform site visits to regional
16 centers not earlier than 24 hours after
17 providing notice of such site visit; and

18 “(II) perform at least 1 site visit
19 to, as applicable, each new commercial
20 enterprise or job-creating entity, or the
21 business locations where any jobs that
22 are claimed as being created.

23 “(v) *PARAMETERS FOR CAPITAL REDE-*
24 *PLOYMENT.—*

1 “(I) *IN GENERAL.*—*The Secretary*
2 *of Homeland Security shall prescribe*
3 *regulations, in accordance with sub-*
4 *chapter II of chapter 5 and chapter 7*
5 *of title 5, United States Code (com-*
6 *monly known as the ‘Administrative*
7 *Procedure Act’), that allow a new com-*
8 *mercial enterprise to redeploy invest-*
9 *ment funds anywhere within the*
10 *United States or its territories for the*
11 *purpose of maintaining the investors’*
12 *capital at risk if—*

13 “(aa) *the new commercial*
14 *enterprise has executed the busi-*
15 *ness plan for a capital investment*
16 *project in good faith without a*
17 *material change;*

18 “(bb) *the new commercial en-*
19 *terprise has created a sufficient*
20 *number of new full time positions*
21 *to satisfy the job creation require-*
22 *ments of the program for all in-*
23 *vestors in the new commercial en-*
24 *terprise, either directly or indi-*

1 rectly, as evidenced by the meth-
2 odologies set forth in this Act;

3 “(cc) the job creating entity
4 has repaid the capital initially
5 deployed in conformity with the
6 initial investment contemplated
7 by the business plan; and

8 “(dd) the capital, after re-
9 payment by the job creating enti-
10 ty, remains at risk and it is not
11 redeployed in passive investments,
12 such as stocks or bonds.

13 “(II) *TERMINATION.*—The Sec-
14 retary of Homeland Security shall ter-
15 minate the designation of a regional
16 center if the Secretary determines that
17 a new commercial enterprise has vio-
18 lated any of the requirements under
19 subclause (I) in the redeployment of
20 funds invested in such regional center.

21 “(G) *REGIONAL CENTER ANNUAL STATE-*
22 *MENTS.*—

23 “(i) *IN GENERAL.*—Each regional cen-
24 ter designated under subparagraph (E)
25 shall submit an annual statement, in a

1 *manner prescribed by the Secretary of*
2 *Homeland Security. Each such statement*
3 *shall include—*

4 *“(I) a certification stating that, to*
5 *the best of the certifier’s knowledge,*
6 *after a due diligence investigation, the*
7 *regional center is in compliance with*
8 *clauses (i) and (ii) of subparagraph*
9 *(H);*

10 *“(II) a certification described in*
11 *subparagraph (I)(i)(II);*

12 *“(III) a certification stating that,*
13 *to the best of the certifier’s knowledge,*
14 *after a due diligence investigation, the*
15 *regional center is in compliance with*
16 *subparagraph (K)(iii);*

17 *“(IV) a description of any pend-*
18 *ing material litigation or bankruptcy*
19 *proceedings, or material litigation or*
20 *bankruptcy proceedings resolved during*
21 *the preceding fiscal year, involving the*
22 *regional center, the new commercial*
23 *enterprise, or any affiliated job-cre-*
24 *ating entity;*

1 “(V) an accounting of all indi-
2 vidual alien investor capital invested
3 in the regional center, new commercial
4 enterprise, and job-creating entity;

5 “(VI) for each new commercial en-
6 terprise associated with the regional
7 center—

8 “(aa) an accounting of the
9 aggregate capital invested in the
10 new commercial enterprise and
11 any job-creating entity by alien
12 investors under this paragraph for
13 each capital investment project
14 being undertaken by the new com-
15 mercial enterprise;

16 “(bb) a description of how
17 the capital described in item (aa)
18 is being used to execute each cap-
19 ital investment project in the filed
20 business plan or plans;

21 “(cc) evidence that 100 per-
22 cent of the capital described in
23 item (aa) has been committed to
24 each capital investment project;

1 “(dd) detailed evidence of the
2 progress made toward the comple-
3 tion of each capital investment
4 project;

5 “(ee) an accounting of the
6 aggregate direct jobs created or
7 preserved;

8 “(ff) to the best of the re-
9 gional center’s knowledge, for all
10 fees, including administrative fees,
11 loan monitoring fees, loan man-
12 agement fees, commissions and
13 similar transaction-based com-
14 pensation, collected from alien in-
15 vestors by the regional center, the
16 new commercial enterprise, any
17 affiliated job-creating entity, any
18 affiliated issuer of securities in-
19 tended to be offered to alien inves-
20 tors, or any promoter, finder,
21 broker-dealer, or other entity en-
22 gaged by any of the aforemen-
23 tioned entities to locate individual
24 investors—

1 “(AA) a description of
2 all fees collected;

3 “(BB) an accounting of
4 the entities that received such
5 fees; and

6 “(CC) the purpose for
7 which such fees were col-
8 lected;

9 “(gg) any documentation re-
10 ferred to in subparagraph
11 (F)(i)(IV) if there has been a ma-
12 terial change during the preceding
13 fiscal year; and

14 “(hh) a certification by the
15 regional center that the informa-
16 tion provided under items (aa)
17 through (gg) is accurate, to the
18 best of the certifier’s knowledge,
19 after a due diligence investiga-
20 tion; and

21 “(VII) a description of the re-
22 gional center’s policies and procedures
23 that are designed to enable the regional
24 center to comply with applicable Fed-
25 eral labor laws.

1 “(ii) *AMENDMENT OF ANNUAL STATE-*
2 *MENTS.—The Secretary of Homeland Secu-*
3 *urity—*

4 “(I) *shall require the regional cen-*
5 *ter to amend or supplement an annual*
6 *statement required under clause (i) if*
7 *the Secretary determines that such*
8 *statement is deficient; and*

9 “(II) *may require the regional*
10 *center to amend or supplement such*
11 *annual statement if the Director deter-*
12 *mines that such an amendment or sup-*
13 *plement is appropriate.*

14 “(iii) *SANCTIONS.—*

15 “(I) *EFFECT OF VIOLATION.—The*
16 *Director shall sanction any regional*
17 *center entity in accordance with sub-*
18 *clause (II) if the regional center fails*
19 *to submit an annual statement or if*
20 *the Director determines that the re-*
21 *gional center—*

22 “(aa) *knowingly submitted*
23 *or caused to be submitted a state-*
24 *ment, certification, or any infor-*
25 *mation submitted pursuant to this*

1 *subparagraph that contained an*
2 *untrue statement of material fact;*
3 *or*

4 *“(bb) is conducting itself in a*
5 *manner inconsistent with its des-*
6 *ignation under subparagraph (E),*
7 *including any willful, undisclosed,*
8 *and material deviation by new*
9 *commercial enterprises from any*
10 *filed business plan for such new*
11 *commercial enterprises.*

12 *“(II) AUTHORIZED SANCTIONS.—*
13 *The Director shall establish a grad-*
14 *uated set of sanctions based on the se-*
15 *verity of the violations referred to in*
16 *subclause (I), including—*

17 *“(aa) fines equal to not more*
18 *than 10 percent of the total cap-*
19 *ital invested by alien investors in*
20 *the regional center’s new commer-*
21 *cial enterprises or job-creating en-*
22 *tities directly involved in such*
23 *violations, the payment of which*
24 *shall not in any circumstance uti-*
25 *lize any of such alien investors’*

1 capital investments, and which
2 shall be deposited into the EB-5
3 Integrity Fund established under
4 subparagraph (J);

5 “(bb) temporary suspension
6 from participation in the pro-
7 gram described in subparagraph
8 (E), which may be lifted by the
9 Director if the individual or enti-
10 ty cures the alleged violation after
11 being provided such an oppor-
12 tunity by the Director;

13 “(cc) permanent bar from
14 participation in the program de-
15 scribed in subparagraph (E) for 1
16 or more individuals or business
17 entities associated with the re-
18 gional center, new commercial en-
19 terprise, or job-creating entity;
20 and

21 “(dd) termination of regional
22 center designation.

23 “(iv) AVAILABILITY OF ANNUAL STATE-
24 MENTS TO INVESTORS.—Not later than 30
25 days after a request from an alien investor,

1 *a regional center shall make available to*
2 *such alien investor a copy of the filed an-*
3 *ual statement and any amendments filed*
4 *to such statement, which shall be redacted to*
5 *exclude any information unrelated to such*
6 *alien investor or the new commercial enter-*
7 *prise or job creating entity into which the*
8 *alien investor invested.*

9 “(H) *BONA FIDES OF PERSONS INVOLVED*
10 *WITH REGIONAL CENTER PROGRAM.—*

11 “(i) *IN GENERAL.—The Secretary of*
12 *Homeland Security may not permit any*
13 *person to be involved with any regional cen-*
14 *ter, new commercial enterprise, or job-cre-*
15 *ating entity if—*

16 “(I) *the person has been found to*
17 *have committed—*

18 “(aa) *a criminal or civil of-*
19 *fense involving fraud or deceit*
20 *within the previous 10 years;*

21 “(bb) *a civil offense involving*
22 *fraud or deceit that resulted in a*
23 *liability in excess of \$1,000,000;*
24 *or*

1 “(cc) a crime for which the
2 person was convicted and sen-
3 tenced to a term of imprisonment
4 of more than 1 year;

5 “(II) the person is subject to a
6 final order, for the duration of any
7 penalty imposed by such order, of a
8 State securities commission (or an
9 agency or officer of a State performing
10 similar functions), a State authority
11 that supervises or examines banks, sav-
12 ings associations, or credit unions, a
13 State insurance commission (or an
14 agency or officer of a State performing
15 similar functions), an appropriate
16 Federal banking agency, the Com-
17 modity Futures Trading Commission,
18 the Securities and Exchange Commis-
19 sion, a financial self-regulatory organi-
20 zation recognized by the Securities and
21 Exchange Commission, or the National
22 Credit Union Administration, which is
23 based on a violation of any law or reg-
24 ulation that—

1 “(aa) prohibits fraudulent,
2 manipulative, or deceptive con-
3 duct; or

4 “(bb) bars the person from—

5 “(AA) association with
6 an entity regulated by such
7 commission, authority, agen-
8 cy, or officer;

9 “(BB) appearing before
10 such commission, authority,
11 agency, or officer;

12 “(CC) engaging in the
13 business of securities, insur-
14 ance, or banking; or

15 “(DD) engaging in sav-
16 ings association or credit
17 union activities;

18 “(III) the Secretary determines
19 that the person is engaged in, has ever
20 been engaged in, or seeks to engage
21 in—

22 “(aa) any illicit trafficking
23 in any controlled substance or in
24 any listed chemical (as defined in

1 *section 102 of the Controlled Sub-*
2 *stances Act);*

3 *“(bb) any activity relating to*
4 *espionage, sabotage, or theft of in-*
5 *tellectual property;*

6 *“(cc) any activity related to*
7 *money laundering (as described in*
8 *section 1956 or 1957 of title 18,*
9 *United States Code);*

10 *“(dd) any terrorist activity*
11 *(as defined in section*
12 *212(a)(3)(B));*

13 *“(ee) any activity consti-*
14 *tuting or facilitating human traf-*
15 *ficking or a human rights offense;*

16 *“(ff) any activity described*
17 *in section 212(a)(3)(E); or*

18 *“(gg) the violation of any*
19 *statute, regulation, or Executive*
20 *order regarding foreign financial*
21 *transactions or foreign asset con-*
22 *trol; or*

23 *“(IV) the person—*

24 *“(aa) is, or during the pre-*
25 *ceding 10 years has been, included*

1 *on the Department of Justice's*
2 *List of Currently Disciplined*
3 *Practitioners; or*

4 “(bb) *during the preceding*
5 *10 years, has received a rep-*
6 *rimand or has otherwise been*
7 *publicly disciplined for conduct*
8 *related to fraud or deceit by a*
9 *State bar association of which the*
10 *person is or was a member.*

11 “(ii) *FOREIGN INVOLVEMENT IN RE-*
12 *GIONAL CENTER PROGRAM.—*

13 “(I) *LAWFUL STATUS RE-*
14 *QUIRED.—A person may not be in-*
15 *volved with a regional center unless the*
16 *person—*

17 “(aa) *is a national of the*
18 *United States or an individual*
19 *who has been lawfully admitted*
20 *for permanent residence (as such*
21 *terms are defined in paragraphs*
22 *(20) and (22) of section 101(a));*
23 *and*

24 “(bb) *is not the subject of re-*
25 *scission or removal proceedings.*

1 “(II) *FOREIGN GOVERNMENTS.*—

2 *No agency, official, or other similar en-*
3 *tity or representative of a foreign gov-*
4 *ernment entity may provide capital to,*
5 *or be directly or indirectly involved*
6 *with the ownership or administration*
7 *of, a regional center, a new commercial*
8 *enterprise, or a job-creating entity, ex-*
9 *cept that a foreign or domestic invest-*
10 *ment fund or other investment vehicle*
11 *that is wholly or partially owned, di-*
12 *rectly or indirectly, by a bona fide for-*
13 *ign sovereign wealth fund or a foreign*
14 *state-owned enterprise otherwise per-*
15 *mitted to do business in the United*
16 *States may be involved with the owner-*
17 *ship, but not the administration, of a*
18 *job-creating entity that is not an affili-*
19 *ated job-creating entity.*

20 “(III) *RULEMAKING.*—*Not later*
21 *than 270 days after the date of the en-*
22 *actment of the EB–5 Reform and In-*
23 *tegrity Act of 2022, the Secretary shall*
24 *issue regulations implementing sub-*
25 *paragraphs (I) and (II).*

1 “(iii) *INFORMATION REQUIRED.—The*
2 *Secretary of Homeland Security—*

3 “(I) *shall require such attestations*
4 *and information, including the submis-*
5 *sion of fingerprints or other biometrics*
6 *to the Federal Bureau of Investigation*
7 *with respect to a regional center, a new*
8 *commercial enterprise, and any affili-*
9 *ated job creating entity, and persons*
10 *involved with such entities (as de-*
11 *scribed in clause (v)), as may be nec-*
12 *essary to determine whether such enti-*
13 *ties are in compliance with clauses (i)*
14 *and (ii);*

15 “(II) *shall perform such criminal*
16 *record checks and other background*
17 *and database checks with respect to a*
18 *regional center, a new commercial en-*
19 *terprise, and any affiliated job-cre-*
20 *ating entity, and persons involved with*
21 *such entities (as described in clause*
22 *(v)), as may be necessary to determine*
23 *whether such entities are in compliance*
24 *with clauses (i) and (ii); and*

1 “(III) may, at the Secretary’s dis-
2 cretion, require the information de-
3 scribed to in subclause (I) and may
4 perform the checks described in sub-
5 clause (II) with respect to any job cre-
6 ating entity and persons involved with
7 such entity if there is a reasonable
8 basis to believe such entity or person is
9 not in compliance with clauses (i) and
10 (ii).

11 “(iv) *TERMINATION.*—

12 “(I) *IN GENERAL.*—The Secretary
13 of Homeland Security may suspend or
14 terminate the designation of any re-
15 gional center, or the participation
16 under the program of any new com-
17 mercial enterprise or job-creating enti-
18 ty under this paragraph if the Sec-
19 retary determines that such entity—

20 “(aa) knowingly involved a
21 person with such entity in viola-
22 tion of clause (i) or (ii) by fail-
23 ing, within 14 days of acquiring
24 such knowledge—

1 “(AA) to take commer-
2 cially reasonable efforts to
3 discontinue the prohibited
4 person’s involvement; or

5 “(BB) to provide notice
6 to the Secretary;

7 “(bb) failed to provide an at-
8 testation or information requested
9 by the Secretary under clause
10 (iii)(I); or

11 “(cc) knowingly provided
12 any false attestation or informa-
13 tion under clause (iii)(I).

14 “(II) LIMITATION.—The Sec-
15 retary’s authorized sanctions under
16 subclause (I) shall be limited to entities
17 that have engaged in any activity de-
18 scribed in subclause (I).

19 “(III) INFORMATION.—

20 “(aa) NOTIFICATION.—The
21 Secretary, after performing the
22 criminal record checks and other
23 background checks described in
24 clause (iii), shall notify a regional
25 center, new commercial enterprise,

1 *or job-creating entity whether any*
2 *person involved with such entities*
3 *is not in compliance with clause*
4 *(i) or (ii), unless the information*
5 *that provides the basis for the de-*
6 *termination is classified or disclo-*
7 *sure is otherwise prohibited under*
8 *law.*

9 “(bb) *EFFECT OF FAILURE*
10 *TO RESPOND.—If the regional cen-*
11 *ter, new commercial enterprise, or*
12 *job-creating entity fails to dis-*
13 *continue the prohibited person’s*
14 *involvement with the regional cen-*
15 *ter, new commercial enterprise, or*
16 *job-creating entity, as applicable,*
17 *within 30 days after receiving*
18 *such notification, such entity shall*
19 *be deemed to have knowledge*
20 *under subclause (I)(aa) that the*
21 *involvement of such person with*
22 *the entity is in violation of clause*
23 *(i) or (ii).*

24 “(v) *PERSONS INVOLVED WITH A RE-*
25 *GIONAL CENTER, NEW COMMERCIAL ENTER-*

1 *PRISE, OR JOB-CREATING ENTITY.*—*For the*
2 *purposes of this paragraph, unless otherwise*
3 *determined by the Secretary of Homeland*
4 *Security, a person is involved with a re-*
5 *gional center, a new commercial enterprise,*
6 *any affiliated job-creating entity, as appli-*
7 *cable, if the person is, directly or indirectly,*
8 *in a position of substantive authority to*
9 *make operational or managerial decisions*
10 *over pooling, securitization, investment, re-*
11 *lease, acceptance, or control or use of any*
12 *funding that was procured under the pro-*
13 *gram described in subparagraph (E). An*
14 *individual may be in a position of sub-*
15 *stantive authority if the person serves as a*
16 *principal, a representative, an adminis-*
17 *trator, an owner, an officer, a board mem-*
18 *ber, a manager, an executive, a general*
19 *partner, a fiduciary, an agent, or in a*
20 *similar position at the regional center, new*
21 *commercial enterprise, or job-creating enti-*
22 *ty, respectively.*

23 “(I) *COMPLIANCE WITH SECURITIES*

24 *LAWS.*—

25 “(i) *JURISDICTION.*—

1 “(I) *IN GENERAL.*—*The United*
2 *States has jurisdiction, including sub-*
3 *ject matter jurisdiction, over the pur-*
4 *chase or sale of any security offered or*
5 *sold, or any investment advice pro-*
6 *vided, by any regional center or any*
7 *party associated with a regional center*
8 *for purposes of the securities laws.*

9 “(II) *COMPLIANCE WITH REGULA-*
10 *TION S.*—*For purposes of section 5 of*
11 *the Securities Act of 1933 (15 U.S.C.*
12 *77e), a regional center or any party*
13 *associated with a regional center is not*
14 *precluded from offering or selling a se-*
15 *curity pursuant to Regulation S (17*
16 *C.F.R. 230.901 et seq.) to the extent*
17 *that such offering or selling otherwise*
18 *complies with that regulation.*

19 “(III) *SAVINGS PROVISION.*—*Sub-*
20 *clause (I) is not intended to modify*
21 *any existing rules or regulations of the*
22 *Securities and Exchange Commission*
23 *related to the application of section*
24 *15(a) of the Securities and Exchange*

1 *Act of 1934 (15 U.S.C. 78o(a)) to for-*
2 *oreign brokers or dealers.*

3 “(ii) *REGIONAL CENTER CERTIFI-*
4 *CATIONS REQUIRED.—*

5 “(I) *INITIAL CERTIFICATION.—*
6 *The Secretary of Homeland Security*
7 *may not approve an application for*
8 *regional center designation or regional*
9 *center amendment unless the regional*
10 *center certifies that, to the best of the*
11 *certifier’s knowledge, after a due dili-*
12 *gence investigation, the regional center*
13 *is in compliance with and has policies*
14 *and procedures, including those related*
15 *to internal and external due diligence,*
16 *reasonably designed to confirm, as ap-*
17 *plicable, that all parties associated*
18 *with the regional center are and will*
19 *remain in compliance with the securi-*
20 *ties laws of the United States and of*
21 *any State in which—*

22 “(aa) *the offer, purchase, or*
23 *sale of securities was conducted;*

24 “(bb) *the issuer of securities*
25 *was located; or*

1 “(cc) the investment advice
2 was provided by the regional cen-
3 ter or parties associated with the
4 regional center.

5 “(II) REISSUE.—A regional cen-
6 ter shall annually reissue a certifi-
7 cation described in subclause (I), in
8 accordance with subparagraph (G), to
9 certify compliance with clause (iii) by
10 stating that—

11 “(aa) the certification is
12 made by a certifier;

13 “(bb) to the best of the cer-
14 tifier’s knowledge, after a due dili-
15 gence investigation, all such offers,
16 purchases, and sales of securities
17 or the provision of investment ad-
18 vice complied with the securities
19 laws of the United States and the
20 securities laws of any State in
21 which—

22 “(AA) the offer, pur-
23 chase, or sale of securities
24 was conducted;

1 “(BB) the issuer of secu-
2 rities was located; or

3 “(CC) the investment
4 advice was provided; and

5 “(cc) records, data, and in-
6 formation related to such offers,
7 purchases, and sales have been
8 maintained.

9 “(III) *EFFECT OF NONCOMPLI-*
10 *ANCE.—If a regional center, through*
11 *its due diligence, discovered during the*
12 *previous fiscal year that the regional*
13 *center or any party associated with the*
14 *regional center was not in compliance*
15 *with the securities laws of the United*
16 *States or the securities laws of any*
17 *State in which the securities activities*
18 *were conducted by any party associ-*
19 *ated with the regional center, the cer-*
20 *tifier shall—*

21 “(aa) describe the activities
22 that led to noncompliance;

23 “(bb) describe the actions
24 taken to remedy the noncompli-
25 ance; and

1 “(cc) certify that the regional
2 center and all parties associated
3 with the regional center are cur-
4 rently in compliance, to the best
5 of the certifier’s knowledge, after a
6 due diligence investigation.

7 “(iii) *OVERSIGHT REQUIRED.*—Each
8 regional center shall—

9 “(I) use commercially reasonable
10 efforts to monitor and supervise com-
11 pliance with the securities laws in re-
12 lations to all offers, purchases, and
13 sales of, and investment advice relating
14 to, securities made by parties associ-
15 ated with the regional center;

16 “(II) maintain records, data, and
17 information relating to all such offers,
18 purchases, sales, and investment advice
19 during the 5-year period beginning on
20 the date of their creation; and

21 “(III) make the records, data, and
22 information described in subclause (II)
23 available to the Secretary or to the Se-
24 curities and Exchange Commission
25 upon request.

1 “(iv) *SUSPENSION OR TERMINATION.*—
2 *In addition to any other authority provided*
3 *to the Secretary under this paragraph, the*
4 *Secretary, in the Secretary’s discretion,*
5 *may suspend or terminate the designation*
6 *of any regional center or impose other sanc-*
7 *tions against the regional center if the re-*
8 *gional center, or any parties associated*
9 *with the regional center that the regional*
10 *center knew or reasonably should have*
11 *known—*

12 “(I) *are permanently or tempo-*
13 *rarily enjoined by order, judgment, or*
14 *decree of any court of competent juris-*
15 *isdiction in connection with the offer,*
16 *purchase, or sale of a security or the*
17 *provision of investment advice;*

18 “(II) *are subject to any final*
19 *order of the Securities and Exchange*
20 *Commission or a State securities regu-*
21 *lator that—*

22 “(aa) *bars such person from*
23 *association with an entity regu-*
24 *lated by the Securities and Ex-*

1 *change Commission or a State se-*
2 *curities regulator; or*

3 *“(bb) constitutes a final*
4 *order based on a finding of an in-*
5 *tentional violation or a violation*
6 *related to fraud or deceit in con-*
7 *nection with the offer, purchase,*
8 *or sale of, or investment advice re-*
9 *lating to, a security; or*

10 *“(III) submitted, or caused to be*
11 *submitted, a certification described in*
12 *clause (ii) that contained an untrue*
13 *statement of a material fact or omitted*
14 *to state a material fact necessary in*
15 *order to make the statements made, in*
16 *light of the circumstances under which*
17 *they were made, not misleading.*

18 *“(v) DEFINED TERM.—In this sub-*
19 *paragraph, the term ‘parties associated with*
20 *a regional center’ means—*

21 *“(I) the regional center;*

22 *“(II) any new commercial enter-*
23 *prise or affiliated job-creating entity or*
24 *issuer of securities associated with the*
25 *regional center;*

1 “(III) the regional center’s and
2 new commercial enterprise’s owners,
3 officers, directors, managers, partners,
4 agents, employees, promoters and at-
5 torneys, or similar position, as deter-
6 mined by the Secretary; and

7 “(IV) any person under the con-
8 trol of the regional center, new com-
9 mercial enterprise, or issuer of securi-
10 ties associated with the regional center
11 who is responsible for the marketing,
12 offering, or sale of any security offered
13 in connection with the capital invest-
14 ment project.

15 “(vi) SAVINGS PROVISION.—Nothing in
16 this subparagraph may be construed to im-
17 pair or limit the authority of the Securities
18 and Exchange Commission under the Fed-
19 eral securities laws or any State securities
20 regulator under State securities laws.

21 “(J) EB–5 INTEGRITY FUND.—

22 “(i) ESTABLISHMENT.—There is estab-
23 lished in the United States Treasury a spe-
24 cial fund, which shall be known as the ‘EB–
25 5 Integrity Fund’ (referred to in this sub-

1 *paragraph as the ‘Fund’). Amounts depos-*
2 *ited into the Fund shall be available to the*
3 *Secretary of Homeland Security until ex-*
4 *pended for the purposes set forth in clause*
5 *(iii).*

6 *“(ii) FEES.—*

7 *“(I) ANNUAL FEE.—On October 1,*
8 *2022, and each October 1 thereafter,*
9 *the Secretary of Homeland Security*
10 *shall collect for the Fund an annual*
11 *fee—*

12 *“(aa) except as provided in*
13 *item (bb), of \$20,000 from each*
14 *regional center designated under*
15 *subparagraph (E); and*

16 *“(bb) of \$10,000 from each*
17 *such regional center with 20 or*
18 *fewer total investors in the pre-*
19 *ceding fiscal year in its new com-*
20 *mercial enterprises.*

21 *“(II) PETITION FEE.—Beginning*
22 *on October 1, 2022, the Secretary shall*
23 *collect a fee of \$1,000 for the Fund*
24 *with each petition filed under section*
25 *204(a)(1)(H) for classification under*

1 *subparagraph (E). The fee under this*
2 *subclause is in addition to the fee that*
3 *the Secretary is authorized to establish*
4 *and collect for each petition to recover*
5 *the costs of adjudication and natu-*
6 *ralization services under section*
7 *286(m).*

8 *“(III) INCREASES.—The Sec-*
9 *retary may increase the amounts*
10 *under this clause by prescribing such*
11 *regulations as may be necessary to en-*
12 *sure that amounts in the Fund are suf-*
13 *ficient to carry out the purposes set*
14 *forth in clause (iii).*

15 *“(iii) PERMISSIBLE USES OF FUND.—*
16 *The Secretary shall—*

17 *“(I) use not less than $\frac{1}{3}$ of the*
18 *amounts deposited into the Fund for*
19 *investigations based outside of the*
20 *United States, including—*

21 *“(aa) monitoring and inves-*
22 *tigating program-related events*
23 *and promotional activities; and*

1 “(bb) ensuring an alien in-
2 vestor’s compliance with subpara-
3 graph (L); and

4 “(II) use amounts deposited into
5 the Fund—

6 “(aa) to detect and inves-
7 tigate fraud or other crimes;

8 “(bb) to determine whether
9 regional centers, new commercial
10 enterprises, job-creating entities,
11 and alien investors (and their
12 alien spouses and alien children)
13 comply with the immigration
14 laws;

15 “(cc) to conduct audits and
16 site visits; and

17 “(dd) as the Secretary deter-
18 mines to be necessary, including
19 monitoring compliance with the
20 requirements under section 107 of
21 the EB–5 Reform and Integrity
22 Act of 2022.

23 “(iv) FAILURE TO PAY FEE.—The Sec-
24 retary of Homeland Security shall—

1 “(I) impose a reasonable penalty,
2 which shall be deposited into the Fund,
3 if any regional center does not pay the
4 fee required under clause (ii) within 30
5 days after the date on which such fee
6 is due; and

7 “(II) terminate the designation of
8 any regional center that does not pay
9 the fee required under clause (ii) with-
10 in 90 days after the date on which
11 such fee is due.

12 “(v) *REPORT.*—The Secretary shall
13 submit an annual report to the Committee
14 on the Judiciary of the Senate and the
15 Committee on the Judiciary of the House of
16 Representatives that describes how amounts
17 in the Fund were expended during the pre-
18 vious fiscal year.

19 “(K) *DIRECT AND THIRD-PARTY PRO-*
20 *MOTERS.*—

21 “(i) *RULES AND STANDARDS.*—Direct
22 and third-party promoters (including mi-
23 gration agents) of a regional center, any
24 new commercial enterprise, an affiliated
25 job-creating entity, or an issuer of securities

1 *intended to be offered to alien investors in*
2 *connection with a particular capital invest-*
3 *ment project shall comply with the rules*
4 *and standards prescribed by the Secretary*
5 *of Homeland Security and any applicable*
6 *Federal or State securities laws, to oversee*
7 *promotion of any offering of securities re-*
8 *lated to the EB–5 Program, including—*

9 *“(I) registration with U.S. Citi-*
10 *zenship and Immigration Services,*
11 *which—*

12 *“(aa) includes identifying*
13 *and contact information for such*
14 *promoter and confirmation of the*
15 *existence of the written agreement*
16 *required under clause (iii); and*

17 *“(bb) may be made publicly*
18 *available at the discretion of the*
19 *Secretary;*

20 *“(II) certification by each pro-*
21 *moter that such promoter is not ineli-*
22 *gible under subparagraph (H)(i);*

23 *“(III) guidelines for accurately*
24 *representing the visa process to foreign*
25 *investors; and*

1 “(IV) *guidelines describing per-*
2 *missible fee arrangements under appli-*
3 *cable securities and immigration laws.*

4 “(ii) *EFFECT OF VIOLATION.—If the*
5 *Secretary determines that a direct or third-*
6 *party promoter has violated clause (i), the*
7 *Secretary shall suspend or permanently bar*
8 *such individual from participation in the*
9 *program described in subparagraph (E).*

10 “(iii) *COMPLIANCE.—Each regional*
11 *center, new commercial enterprise, and af-*
12 *iliated job-creating entity shall maintain a*
13 *written agreement between or among such*
14 *entities and each direct or third-party pro-*
15 *moter operating on behalf of such entities*
16 *that outlines the rules and standards pre-*
17 *scribed under clause (i).*

18 “(iv) *DISCLOSURE.—Each petition*
19 *filed under section 204(a)(1)(H) shall in-*
20 *clude a disclosure, signed by the investor,*
21 *that reflects all fees, ongoing interest, and*
22 *other compensation paid to any person that*
23 *the regional center or new commercial en-*
24 *terprise knows has received, or will receive,*
25 *in connection with the investment, includ-*

1 *ing compensation to agents, finders, or*
2 *broker dealers involved in the offering, to*
3 *the extent not already specifically identified*
4 *in the business plan filed under subpara-*
5 *graph (F).*

6 *“(L) SOURCE OF FUNDS.—*

7 *“(i) IN GENERAL.—An alien investor*
8 *shall demonstrate that the capital required*
9 *under subparagraph (A) and any funds*
10 *used to pay administrative costs and fees*
11 *associated with the alien’s investment were*
12 *obtained from a lawful source and through*
13 *lawful means.*

14 *“(ii) REQUIRED INFORMATION.—The*
15 *Secretary of Homeland Security shall re-*
16 *quire that an alien investor’s petition under*
17 *this paragraph contain, as applicable—*

18 *“(I) business and tax records, or*
19 *similar records, including—*

20 *“(aa) foreign business reg-*
21 *istration records;*

22 *“(bb) corporate or partner-*
23 *ship tax returns (or tax returns of*
24 *any other entity in any form filed*
25 *in any country or subdivision of*

1 *such country), and personal tax*
2 *returns, including income, fran-*
3 *chise, property (whether real, per-*
4 *sonal, or intangible), or any other*
5 *tax returns of any kind, filed dur-*
6 *ing the past 7 years (or another*
7 *period to be determined by the*
8 *Secretary to ensure that the in-*
9 *vestment is obtained from a law-*
10 *ful source of funds) with any tax-*
11 *ing jurisdiction within or outside*
12 *the United States by or on behalf*
13 *of the alien investor; and*

14 *“(cc) any other evidence*
15 *identifying any other source of*
16 *capital or administrative fees;*

17 *“(II) evidence related to monetary*
18 *judgments against the alien investor,*
19 *including certified copies of any judg-*
20 *ments, and evidence of all pending gov-*
21 *ernmental civil or criminal actions,*
22 *governmental administrative pro-*
23 *ceedings, and any private civil actions*
24 *(pending or otherwise) involving pos-*
25 *sible monetary judgments against the*

1 *alien investor from any court within*
2 *or outside the United States; and*

3 “(III) *the identity of all persons*
4 *who transfer into the United States, on*
5 *behalf of the investor, any funds that*
6 *are used to meet the capital require-*
7 *ment under subparagraph (A).*

8 “(iii) *GIFT AND LOAN RESTRIC-*
9 *TIONS.—*

10 “(I) *IN GENERAL.—*Gifted and
11 *borrowed funds may not be counted to-*
12 *ward the minimum capital investment*
13 *requirement under subparagraph (C)*
14 *unless such funds—*

15 “(aa) *were gifted or loaned to*
16 *the alien investor in good faith;*
17 *and*

18 “(bb) *were not gifted or*
19 *loaned to circumvent any limita-*
20 *tions imposed on permissible*
21 *sources of capital under this sub-*
22 *paragraph, including but not lim-*
23 *ited to proceeds from illegal activ-*
24 *ity.*

1 “(II) *RECORDS REQUIREMENT.*—
2 *If funds invested under subparagraph*
3 *(A) are gifted or loaned to the alien in-*
4 *vestor, the Secretary shall require that*
5 *the alien investor’s petition under this*
6 *paragraph includes the records de-*
7 *scribed in subclauses (I) and (II) of*
8 *clause (ii) from the donor or, if other*
9 *than a bank, the lender.*

10 “(M) *TREATMENT OF GOOD FAITH INVES-*
11 *TORS FOLLOWING PROGRAM NONCOMPLIANCE.*—

12 “(i) *TERMINATION OR DEBARMENT OF*
13 *EB-5 ENTITY.*—*Except as provided in clause*
14 *(vi), upon the termination or debarment, as*
15 *applicable, from the program under this*
16 *paragraph of a regional center, a new com-*
17 *mercial enterprise, or a job-creating enti-*
18 *ty—*

19 “(I) *an otherwise qualified peti-*
20 *tion under section 204(a)(1)(H) or the*
21 *conditional permanent residence of an*
22 *alien who has been admitted to the*
23 *United States pursuant to section*
24 *216A(a)(1) based on an investment in*
25 *a terminated regional center, new com-*

1 *mercial enterprise, or job-creating enti-*
2 *ty shall remain valid or continue to be*
3 *authorized, as applicable, consistent*
4 *with this subparagraph; and*

5 *“(II) the Secretary of Homeland*
6 *Security shall notify the alien bene-*
7 *ficiaries of such petitions of such ter-*
8 *mination or debarment.*

9 *“(ii) NEW REGIONAL CENTER OR IN-*
10 *VESTMENT.—The petition under section*
11 *204(a)(1)(H) of an alien described in clause*
12 *(i) and the conditional permanent resident*
13 *status of an alien described in clause (i)*
14 *shall be terminated 180 days after notifica-*
15 *tion of the termination from the program*
16 *under this paragraph of a regional center,*
17 *a new commercial enterprise, or a job cre-*
18 *ating entity (but not sooner than 180 days*
19 *after the date of the enactment of the EB-*
20 *5 Reform and Integrity Act of 2022) un-*
21 *less—*

22 *“(I) in the case of the termination*
23 *of a regional center—*

24 *“(aa) the new commercial*
25 *enterprise associates with an ap-*

1 proved regional center, regardless
2 of the approved geographical
3 boundaries of such regional cen-
4 ter's designation; or

5 “(bb) such alien makes a
6 qualifying investment in another
7 new commercial enterprise; or

8 “(II) in the case of the debarment
9 of a new commercial enterprise or job-
10 creating entity, such alien—

11 “(aa) associates with a new
12 commercial enterprise in good
13 standing; and

14 “(bb) invests additional in-
15 vestment capital solely to the ex-
16 tent necessary to satisfy remain-
17 ing job creation requirements
18 under subparagraph (A)(ii).

19 “(iii) AMENDMENTS.—

20 “(I) FILING REQUIREMENT.—The
21 Secretary shall permit a petition de-
22 scribed in clause (i)(I) to be amended
23 to allow such petition to meet the ap-
24 plicable eligibility requirements under
25 clause (ii), or to notify the Secretary

1 that a pending or approved petition
2 continues to meet the eligibility re-
3 quirements described in clause (ii) not-
4 withstanding termination or debar-
5 ment described in clause (i) if such
6 amendment is filed not later than 180
7 days after the Secretary provides noti-
8 fication of termination or debarment of
9 a regional center, a new commercial
10 enterprise, or a job-creating entity, as
11 applicable.

12 “(II) DETERMINATION OF ELIGI-
13 BILITY.—For purposes of determining
14 eligibility under subclause (I)—

15 “(aa) the Secretary shall per-
16 mit amendments to the business
17 plan, without such facts under-
18 lying the amendment being
19 deemed a material change; and

20 “(bb) may deem any funds
21 obtained or recovered by an alien
22 investor, directly or indirectly,
23 from claims against third parties,
24 including insurance proceeds, or
25 any additional investment capital

1 *provided by the alien, to be such*
2 *alien's investment capital for the*
3 *purposes of subparagraph (A) if*
4 *such investment otherwise com-*
5 *plies with the requirements under*
6 *this paragraph and section 216A.*

7 “(iv) *REMOVAL OF CONDITIONS.—*
8 *Aliens described in subclauses (I)(bb) and*
9 *(II) of clause (ii) shall be eligible to have*
10 *their conditions removed pursuant to sec-*
11 *tion 216A beginning on the date that is 2*
12 *years after the date of the subsequent invest-*
13 *ment.*

14 “(v) *REMEDIES.—For petitions ap-*
15 *proved under clause (ii), including fol-*
16 *lowing an amendment filed under clause*
17 *(iii), the Secretary—*

18 “(I) *shall retain the immigrant*
19 *visa priority date related to the origi-*
20 *nal petition and prevent age-out of de-*
21 *rivative beneficiaries; and*

22 “(II) *may hold such petition in*
23 *abeyance and extend any applicable*
24 *deadlines under this paragraph.*

1 “(vi) *EXCEPTION.*—*If the Secretary*
2 *has reason to believe that an alien was a*
3 *knowing participant in the conduct that led*
4 *to the termination of a regional center, new*
5 *commercial enterprise, or job-creating entity*
6 *described in clause (i)—*

7 “(I) *the alien shall not be ac-*
8 *corded any benefit under this subpara-*
9 *graph; and*

10 “(II) *the Secretary shall—*

11 “(aa) *notify the alien of such*
12 *belief; and*

13 “(bb) *subject to section*
14 *216A(b)(2), shall deny or initiate*
15 *proceedings to revoke the approval*
16 *of such alien’s petition, applica-*
17 *tion, or benefit (and that of any*
18 *spouse or child, if applicable) de-*
19 *scribed in this paragraph.*

20 “(N) *THREATS TO THE NATIONAL INTER-*
21 *EST.—*

22 “(i) *DENIAL OR REVOCATION.*—*The*
23 *Secretary of Homeland Security shall deny*
24 *or revoke the approval of a petition, appli-*
25 *cation, or benefit described in this para-*

1 *graph, including the documents described in*
2 *clause (ii), if the Secretary determines, in*
3 *the Secretary's discretion, that the approval*
4 *of such petition, application, or benefit is*
5 *contrary to the national interest of the*
6 *United States for reasons relating to threats*
7 *to public safety or national security.*

8 *“(ii) DOCUMENTS.—The documents de-*
9 *scribed in this clause are—*

10 *“(I) a certification, designation,*
11 *or amendment to the designation of a*
12 *regional center;*

13 *“(II) a petition seeking classifica-*
14 *tion of an alien as an alien investor*
15 *under this paragraph;*

16 *“(III) a petition to remove condi-*
17 *tions under section 216A;*

18 *“(IV) an application for approval*
19 *of a business plan in a new commer-*
20 *cial enterprise under subparagraph*
21 *(F); or*

22 *“(V) a document evidencing con-*
23 *ditional permanent resident status that*
24 *was issued to an alien pursuant to sec-*
25 *tion 216A.*

1 “(iii) *DEBARMENT.*—If a regional cen-
2 ter, new commercial enterprise, or job-cre-
3 ating entity has its designation or partici-
4 pation in the program under this para-
5 graph terminated for reasons relating to
6 public safety or national security, any per-
7 son associated with such regional center,
8 new commercial enterprise, or job-creating
9 entity, including an alien investor, shall be
10 permanently barred from future participa-
11 tion in the program under this paragraph
12 if the Secretary of Homeland Security, in
13 the Secretary’s discretion, determines, by a
14 preponderance of the evidence, that such
15 person was a knowing participant in the
16 conduct that led to the termination.

17 “(iv) *NOTICE.*—If the Secretary of
18 Homeland Security determines that the ap-
19 proval of a petition, application, or benefit
20 described in this paragraph should be de-
21 nied or revoked pursuant to clause (i), the
22 Secretary shall—

23 “(I) notify the relevant indi-
24 vidual, regional center, or commercial
25 entity of such determination;

1 “(II) deny or revoke such petition,
2 application, or benefit or terminate the
3 permanent resident status of the alien
4 (and the alien spouse and alien chil-
5 dren of such immigrant), as of the date
6 of such determination; and

7 “(III) provide any United States-
8 owned regional center, new commercial
9 enterprise, or job creating entity an ex-
10 planation for such determination un-
11 less the relevant information is classi-
12 fied or disclosure is otherwise prohib-
13 ited under law.

14 “(v) JUDICIAL REVIEW.—Notwith-
15 standing any other provision of law (statu-
16 tory or nonstatutory), including section
17 2241 of title 28, United States Code, or any
18 other habeas corpus provision, and sections
19 1361 and 1651 of such title, no court shall
20 have jurisdiction to review a denial or rev-
21 ocation under this subparagraph. Nothing
22 in this clause may be construed as pre-
23 cluding review of constitutional claims or
24 questions of law raised upon a petition for

1 review filed with an appropriate court of
2 appeals in accordance with section 242.

3 “(O) FRAUD, MISREPRESENTATION, AND
4 CRIMINAL MISUSE.—

5 “(i) DENIAL OR REVOCATION.—Subject
6 to subparagraph (M), the Secretary of
7 Homeland Security shall deny or revoke the
8 approval of a petition, application, or ben-
9 efit described in this paragraph, including
10 the documents described in subparagraph
11 (N)(ii), if the Secretary determines, in the
12 Secretary’s discretion, that such petition,
13 application, or benefit was predicated on or
14 involved fraud, deceit, intentional material
15 misrepresentation, or criminal misuse.

16 “(ii) DEBARMENT.—If a regional cen-
17 ter, new commercial enterprise, or job-cre-
18 ating entity has its designation or partici-
19 pation in the program under this para-
20 graph terminated for reasons relating to
21 fraud, intentional material misrepresenta-
22 tion, or criminal misuse, any person associ-
23 ated with such regional center, new com-
24 mercial enterprise, or job-creating entity,
25 including an alien investor, shall be perma-

1 nently barred from future participation in
2 the program if the Secretary determines, in
3 the Secretary's discretion, by a preponder-
4 ance of the evidence, that such person was
5 a knowing participant in the conduct that
6 led to the termination.

7 “(iii) NOTICE.—If the Secretary deter-
8 mines that the approval of a petition, ap-
9 plication, or benefit described in this para-
10 graph should be denied or revoked pursuant
11 to clause (i), the Secretary shall—

12 “(I) notify the relevant indi-
13 vidual, regional center, or commercial
14 entity of such determination; and

15 “(II) deny or revoke such petition,
16 application, or benefit or terminate the
17 permanent resident status of the alien
18 (and the alien spouse and alien chil-
19 dren of such immigrant), in accord-
20 ance with clause (i), as of the date of
21 such determination.

22 “(P) ADMINISTRATIVE APPELLATE RE-
23 VIEW.—

24 “(i) IN GENERAL.—The Director of
25 U.S. Citizenship and Immigration Services

1 *shall provide an opportunity for an admin-*
2 *istrative appellate review by the Adminis-*
3 *trative Appeals Office of U.S. Citizenship*
4 *and Immigration Services of any deter-*
5 *mination made under this paragraph, in-*
6 *cluding—*

7 “(I) *an application for regional*
8 *center designation or regional center*
9 *amendment;*

10 “(II) *an application for approval*
11 *of a business plan filed under subpara-*
12 *graph (F);*

13 “(III) *a petition by an alien in-*
14 *vestor for status as an immigrant*
15 *under this paragraph;*

16 “(IV) *the termination or suspen-*
17 *sion of any benefit accorded under this*
18 *paragraph; and*

19 “(V) *any sanction imposed by the*
20 *Secretary under this paragraph.*

21 “(ii) *JUDICIAL REVIEW.—Subject to*
22 *subparagraph (N)(v) and section 242(a)(2),*
23 *and notwithstanding any other provision of*
24 *law (statutory or nonstatutory), including*
25 *section 2241 of title 28, United States Code,*

1 or any other habeas corpus provision, and
2 sections 1361 and 1651 of such title, no
3 court shall have jurisdiction to review a de-
4 termination under this paragraph until the
5 regional center, its associated entities, or the
6 alien investor has exhausted all administra-
7 tive appeals.

8 “(Q) *FUND ADMINISTRATION.*—

9 “(i) *IN GENERAL.*—Each new commer-
10 cial enterprise shall deposit and maintain
11 the capital investment of each alien investor
12 in a separate account, including amounts
13 held in escrow.

14 “(ii) *USE OF FUNDS.*—Amounts in a
15 separate account may only—

16 “(I) be transferred to another sep-
17 arate account or a job creating entity;

18 “(II) otherwise be deployed into
19 the capital investment project for
20 which the funds were intended; or

21 “(III) be transferred to the alien
22 investor who contributed the funds as a
23 refund of that investor’s capital invest-
24 ment, if otherwise permitted under this
25 paragraph.

1 “(iii) *DEPLOYMENT OF FUNDS INTO AN*
2 *AFFILIATED JOB-CREATING ENTITY.—If*
3 *amounts are transferred to an affiliated job-*
4 *creating entity pursuant to clause (ii)(I)—*

5 “(I) *the affiliated job-creating en-*
6 *tity shall maintain such amounts in a*
7 *separate account until they are de-*
8 *ployed into the capital investment*
9 *project for which they were intended;*
10 *and*

11 “(II) *not later than 30 days after*
12 *such amounts are deployed pursuant to*
13 *subclause (I), the affiliated job-creating*
14 *entity shall provide written notice to*
15 *the fund administrator retained pursu-*
16 *ant to clause (iv) that a construction*
17 *consultant or other individual author-*
18 *ized by the Secretary has verified that*
19 *such amounts have been deployed into*
20 *the project.*

21 “(iv) *FUND ADMINISTRATOR.—Except*
22 *as provided in clause (v), the new commer-*
23 *cial enterprise shall retain a fund adminis-*
24 *trator to fulfill the requirements under this*
25 *subparagraph. The fund administrator—*

1 “(I) shall be independent of, and
2 not directly related to, the new com-
3 mercial enterprise, the regional center
4 associated with the new commercial en-
5 terprise, the job creating entity, or any
6 of the principals or managers of such
7 entities;

8 “(II) shall be licensed, active, and
9 in good standing as—

10 “(aa) a certified public ac-
11 countant;

12 “(bb) an attorney;

13 “(cc) a broker-dealer or in-
14 vestment adviser registered with
15 the Securities and Exchange Com-
16 mission; or

17 “(dd) an individual or com-
18 pany that otherwise meets such
19 requirements as may be estab-
20 lished by the Secretary;

21 “(III) shall monitor and track
22 any transfer of amounts from the sepa-
23 rate account;

24 “(IV) shall serve as a cosignatory
25 on all separate accounts;

1 “(V) before any transfer of
2 amounts from a separate account,
3 shall—

4 “(aa) verify that the transfer
5 complies with all governing docu-
6 ments, including organizational,
7 operational, and investment docu-
8 ments; and

9 “(bb) approve such transfer
10 with a written or electronic signa-
11 ture;

12 “(VI) shall periodically provide
13 each alien investor with information
14 about the activity of the account in
15 which the investor’s capital investment
16 is held, including—

17 “(aa) the name and location
18 of the bank or financial institu-
19 tion at which the account is
20 maintained;

21 “(bb) the history of the ac-
22 count; and

23 “(cc) any additional infor-
24 mation required by the Secretary;
25 and

1 “(VII) shall make and preserve,
2 during the 5-year period beginning on
3 the last day of the Federal fiscal year
4 in which any transactions occurred,
5 books, ledgers, records, and other docu-
6 mentation necessary to comply with
7 this clause, which shall be provided to
8 the Secretary upon request.

9 “(v) WAIVER.—

10 “(I) WAIVER PERMITTED.—The
11 Secretary of Homeland Security, after
12 consultation with the Securities and
13 Exchange Commission, may waive the
14 requirements under clause (iv) for any
15 new commercial enterprise or affiliated
16 job-creating entity that is controlled by
17 or under common control of an invest-
18 ment adviser or broker-dealer that is
19 registered with the Securities and Ex-
20 change Commission if the Secretary, in
21 the Secretary’s discretion, determines
22 that the Securities and Exchange Com-
23 mission provides comparable protec-
24 tions and transparency for alien inves-

1 tors as the protections and trans-
2 parency provided under clause (iv).

3 “(II) WAIVER REQUIRED.—The
4 Secretary of Homeland Security shall
5 waive the requirements under clause
6 (iv) for any new commercial enterprise
7 that commissions an annual inde-
8 pendent financial audit of such new
9 commercial enterprise or job creating
10 entity conducted in accordance with
11 Generally Accepted Auditing Stand-
12 ards, which audit shall be provided to
13 the Secretary and all investors in the
14 new commercial enterprise.

15 “(vi) DEFINED TERM.—In this sub-
16 paragraph, the term ‘separate account’
17 means an account that—

18 “(I) is maintained in the United
19 States by a new commercial enterprise
20 or job creating entity at a federally
21 regulated bank or at another financial
22 institution (as defined in section 20 of
23 title 18, United States Code) in the
24 United States;

25 “(II) is insured; and

1 “(III) contains only the pooled in-
2 vestment funds of alien investors in a
3 new commercial enterprise with respect
4 to a single capital investment project.”.

5 (2) *EFFECTIVE DATE.*—The amendment made by
6 this subsection shall take effect on the date that is 60
7 days after the date of the enactment of this Act.

8 (c) *REQUIRED CHECKS.*—

9 (1) *IN GENERAL.*—Section 203(b)(5) of the Im-
10 migration and Nationality Act (8 U.S.C. 1153(b)(5)),
11 as amended by subsection (b), is further amended by
12 adding at the end the following:

13 “(R) *REQUIRED CHECKS.*—Any petition
14 filed by an alien under section 204(a)(1)(H)
15 may not be approved under this paragraph un-
16 less the Secretary of Homeland Security has
17 searched for the alien and any associated em-
18 ployer of such alien on the Specially Designated
19 Nationals List of the Department of the Treasury
20 Office of Foreign Assets Control.”.

21 (2) *EFFECTIVE DATE.*—The amendment made by
22 this subsection shall take effect on the date of the en-
23 actment of this Act.

1 **SEC. 104. CONDITIONAL PERMANENT RESIDENT STATUS**
2 **FOR ALIEN INVESTORS, SPOUSES, AND CHIL-**
3 **DREN.**

4 (a) *IN GENERAL.*—Section 216A of the Immigration
5 and Nationality Act (8 U.S.C. 1186b) is amended—

6 (1) by striking “Attorney General” each place
7 such term appears (except in subsection (d)(2)(C))
8 and inserting “Secretary of Homeland Security”;

9 (2) by striking “entrepreneur” each place such
10 term appears and inserting “investor”;

11 (3) in subsection (a), by amending paragraph
12 (1) to read as follows:

13 “(1) *CONDITIONAL BASIS FOR STATUS.*—An
14 alien investor, alien spouse, and alien child shall be
15 considered, at the time of obtaining status as an alien
16 lawfully admitted for permanent residence, to have
17 obtained such status on a conditional basis subject to
18 the provisions of this section.”;

19 (4) in subsection (b)—

20 (A) in the subsection heading, by striking
21 “*ENTREPRENEURSHIP*” and inserting “*INVEST-*
22 *MENT*”; and

23 (B) by amending paragraph (1)(B) to read
24 as follows:

25 “(B) the alien did not invest the requisite
26 capital; or”;

- 1 (5) *in subsection (c)*—
- 2 (A) *in the subsection heading, by striking*
- 3 “*OF TIMELY PETITION AND INTERVIEW*”;
- 4 (B) *in paragraph (1)*—
- 5 (i) *in the matter preceding subpara-*
- 6 *graph (A), by striking “In order” and in-*
- 7 *serting “Except as provided in paragraph*
- 8 *(3)(D), in order”;*
- 9 (ii) *in subparagraph (A)*—
- 10 (I) *by striking “must” and insert-*
- 11 *ing “shall”; and*
- 12 (II) *by striking “, and” and in-*
- 13 *serting a semicolon;*
- 14 (iii) *in subparagraph (B)*—
- 15 (I) *by striking “must” and insert-*
- 16 *ing “shall”;*
- 17 (II) *by striking “Service” and in-*
- 18 *serting “Department of Homeland Se-*
- 19 *curity”; and*
- 20 (III) *by striking the period at the*
- 21 *end and inserting “; and”; and*
- 22 (iv) *by adding at the end the following:*
- 23 “*(C) the Secretary shall have performed a*
- 24 *site visit to the relevant corporate office or busi-*

1 *ness location described in section*
2 *203(b)(5)(F)(iv).”; and*

3 *(C) in paragraph (3)—*

4 *(i) in subparagraph (A), in the undes-*
5 *ignated matter following clause (ii), by*
6 *striking “the” before “such filing”; and*

7 *(ii) by amending subparagraph (B) to*
8 *read as follows:*

9 *“(B) REMOVAL OR EXTENSION OF CONDI-*
10 *TIONAL BASIS.—*

11 *“(i) IN GENERAL.—Except as provided*
12 *in clause (ii), if the Secretary determines*
13 *that the facts and information contained in*
14 *a petition submitted under paragraph*
15 *(1)(A) are true, including demonstrating*
16 *that the alien complied with subsection*
17 *(d)(1)(B)(i), the Secretary shall—*

18 *“(I) notify the alien involved of*
19 *such determination; and*

20 *“(II) remove the conditional basis*
21 *of the alien’s status effective as of the*
22 *second anniversary of the alien’s law-*
23 *ful admission for permanent residence.*

24 *“(ii) EXCEPTION.—If the petition dem-*
25 *onstrates that the facts and information are*

1 true and that the alien is in compliance
2 with subsection (d)(1)(B)(ii)—

3 “(I) the Secretary, in the Sec-
4 retary’s discretion, may provide a 1-
5 year extension of the alien’s condi-
6 tional status; and

7 “(II)(aa) if the alien files a peti-
8 tion not later than 30 days after the
9 third anniversary of the alien’s lawful
10 admission for permanent residence
11 demonstrating that the alien complied
12 with subsection (d)(1)(B)(i), the Sec-
13 retary shall remove the conditional
14 basis of the alien’s status effective as of
15 such third anniversary; or

16 “(bb) if the alien does not file the
17 petition described in item (aa), the
18 conditional status shall terminate at
19 the end of such additional year.”;

20 (6) in subsection (d)—

21 (A) in paragraph (1)—

22 (i) by amending subparagraph (A) to
23 read as follows:

24 “(A) invested the requisite capital;”;

1 (ii) by redesignating subparagraph (B)
2 as subparagraph (C); and

3 (iii) by inserting after subparagraph
4 (A) the following:

5 “(B)(i) created the employment required
6 under section 203(b)(5)(A)(ii); or

7 “(ii) is actively in the process of creating
8 the employment required under section
9 203(b)(5)(A)(ii) and will create such employ-
10 ment before the third anniversary of the alien’s
11 lawful admission for permanent residence, pro-
12 vided that such alien’s capital will remain in-
13 vested during such time; and”;

14 (B) in paragraph (2), by amending sub-
15 paragraph (A) to read as follows:

16 “(A) NINETY-DAY PERIOD BEFORE SECOND
17 ANNIVERSARY.—

18 “(i) IN GENERAL.—Except as provided
19 in clause (ii) and subparagraph (B), a peti-
20 tion under subsection (c)(1)(A) shall be filed
21 during the 90-day period immediately pre-
22 ceding the second anniversary of the alien
23 investor’s lawful admission for permanent
24 residence.

1 “(ii) *EXCEPTION.*—*Aliens described in*
2 *subclauses (I)(bb) and (II) of section*
3 *203(b)(5)(M)(ii) shall file a petition under*
4 *subsection (c)(1)(A) during the 90-day pe-*
5 *riod before the second anniversary of the*
6 *subsequent investment.”; and*
7 *(C) in paragraph (3)—*

8 *(i) by striking “The interview” and in-*
9 *serting the following:*

10 “(A) *IN GENERAL.*—*The interview”;*

11 *(ii) by striking “Service” and insert-*
12 *ing “Department of Homeland Security”;*
13 *and*

14 *(iii) by striking the last sentence and*
15 *inserting the following:*

16 “(B) *WAIVER.*—*The Secretary of Homeland*
17 *Security, in the Secretary’s discretion, may*
18 *waive the deadline for an interview under sub-*
19 *section (c)(1)(B) or the requirement for such an*
20 *interview according to criteria developed by U.S.*
21 *Citizenship and Immigration Services, in con-*
22 *sultation with its Fraud Detection and National*
23 *Security Directorate and U.S. Immigration and*
24 *Customs Enforcement, provided that such cri-*
25 *teria do not include a reduction of case proc-*

1 *essing times or the allocation of adjudicatory re-*
2 *sources. A waiver may not be granted under this*
3 *subparagraph if the alien to be interviewed—*

4 *“(i) invested in a regional center, new*
5 *commercial enterprise, or job-creating entity*
6 *that was sanctioned under section*
7 *203(b)(5); or*

8 *“(ii) is in a class of aliens determined*
9 *by the Secretary to be threats to public safe-*
10 *ty or national security.”; and*

11 *(7) in subsection (f)(3), by striking “a limited*
12 *partnership” and inserting “any entity formed for the*
13 *purpose of doing for-profit business”.*

14 *(b) EFFECTIVE DATES.—*

15 *(1) IN GENERAL.—Except as provided in para-*
16 *graph (2), the amendments made by subsection (a)*
17 *shall take effect on the date of the enactment of this*
18 *Act.*

19 *(2) EXCEPTIONS.—*

20 *(A) SITE VISITS.—The amendment made by*
21 *subsection (a)(5)(B)(iv) shall take effect on the*
22 *date that is 2 years after the date of the enact-*
23 *ment of this Act.*

24 *(B) PETITION BENEFICIARIES.—The*
25 *amendments made by subsection (a) shall not*

1 *apply to the beneficiary of a petition that is filed*
2 *under section 216A of the Immigration and Na-*
3 *tionality Act (8 U.S.C. 1186b) if the underlying*
4 *petition was filed under section 203(b)(5) of such*
5 *Act (8 U.S.C. 1153(b)(5)) before the date of the*
6 *enactment of this Act.*

7 **SEC. 105. PROCEDURE FOR GRANTING IMMIGRANT STATUS.**

8 *(a) FILING ORDER AND ELIGIBILITY.—Section*
9 *204(a)(1)(H) of the Immigration and Nationality Act (8*
10 *U.S.C. 1154(a)(1)(H)) is amended to read as follows:*

11 *“(H)(i) Any alien seeking classification under section*
12 *203(b)(5) may file a petition for such classification with*
13 *the Secretary of Homeland Security. An alien seeking to*
14 *pool his or her investment with 1 or more additional aliens*
15 *seeking classification under section 203(b)(5) shall file for*
16 *such classification in accordance with section 203(b)(5)(E),*
17 *or before the date of the enactment of the EB–5 Reform and*
18 *Integrity Act of 2022, in accordance with section 203(b)(5).*
19 *An alien petitioning for classification under section*
20 *203(b)(5)(E) may file a petition with the Secretary after*
21 *a regional center has filed an application for approval of*
22 *an investment under section 203(b)(5)(F).*

23 *“(ii) A petitioner described in clause (i) shall establish*
24 *eligibility at the time he or she files a petition for classifica-*
25 *tion under section 203(b)(5). A petitioner who was eligible*

1 *for such classification at the time of such filing shall be*
2 *deemed eligible for such classification at the time such peti-*
3 *tion is adjudicated, subject to the approval of the peti-*
4 *tioner's associated application under section 203(b)(5)(F),*
5 *if applicable."*

6 (b) *EFFECTIVE DATES.*—

7 (1) *IN GENERAL.*—*The amendment made by sub-*
8 *section (a) shall take effect on the date of the enact-*
9 *ment of this Act.*

10 (2) *APPLICABILITY TO PETITIONS.*—*Section*
11 *204(a)(1)(H)(i) of the Immigration and Nationality*
12 *Act, as added by subsection (a), shall apply to any*
13 *petition for classification pursuant to section*
14 *203(b)(5)(E) of such Act (8 U.S.C. 1153(b)(5)(E))*
15 *that is filed with the Secretary of Homeland Security*
16 *on or after the date of the enactment of this Act.*

17 (c) *ADJUDICATION OF PETITIONS.*—*The Secretary of*
18 *Homeland Security shall continue to adjudicate petitions*
19 *and benefits under sections 203(b)(5) and 216A of the Im-*
20 *migration and Nationality Act (8 U.S.C. 1153(b)(5) and*
21 *1186b) during the implementation of this Act and the*
22 *amendments made by this Act.*

23 **SEC. 106. TIMELY PROCESSING.**

24 (a) *FEE STUDY.*—*Not later than 1 year after the date*
25 *of the enactment of this Act, the Director of U.S. Citizenship*

1 *and Immigration Services shall complete a study of fees*
2 *charged in the administration of the program described in*
3 *sections 203(b)(5) and 216A of the Immigration and Na-*
4 *tionality Act (8 U.S.C. 1153(b)(5) and 1186b).*

5 *(b) ADJUSTMENT OF FEES TO ACHIEVE EFFICIENT*
6 *PROCESSING.—Notwithstanding section 286(m) of the Im-*
7 *migration and Nationality Act (8 U.S.C. 1356(m)), and ex-*
8 *cept as provided under subsection (c), the Director, not later*
9 *than 60 days after the completion of the study under sub-*
10 *section (a), shall set fees for services provided under sections*
11 *203(b)(5) and 216A of such Act (8 U.S.C. 1153(b)(5) and*
12 *1186b) at a level sufficient to ensure the full recovery only*
13 *of the costs of providing such services, including the cost*
14 *of attaining the goal of completing adjudications, on aver-*
15 *age, not later than—*

16 *(1) 180 days after receiving a proposal for the*
17 *establishment of a regional center described in section*
18 *203(b)(5)(E) of such Act;*

19 *(2) 180 days after receiving an application for*
20 *approval of an investment in a new commercial en-*
21 *terprise described in section 203(b)(5)(F) of such Act;*

22 *(3) 90 days after receiving an application for*
23 *approval of an investment in a new commercial en-*
24 *terprise described in section 203(b)(5)(F) of such Act*

1 *that is located in a targeted employment area (as de-*
2 *finied in section 203(b)(5)(D) of such Act);*

3 (4) *240 days after receiving a petition from an*
4 *alien desiring to be classified under section*
5 *203(b)(5)(E) of such Act;*

6 (5) *120 days after receiving a petition from an*
7 *alien desiring to be classified under section*
8 *203(b)(5)(E) of such Act with respect to an invest-*
9 *ment in a targeted employment area (as defined in*
10 *section 203(b)(5)(D) of such Act); and*

11 (6) *240 days after receiving a petition from an*
12 *alien for removal of conditions described in section*
13 *216A(c) of such Act.*

14 (c) *ADDITIONAL FEES.—Fees in excess of the fee levels*
15 *described in subsection (b) may be charged only—*

16 (1) *in an amount that is equal to the amount*
17 *paid by all other classes of fee-paying applicants for*
18 *immigration-related benefits, to contribute to the cov-*
19 *erage or reduction of the costs of processing or adjudi-*
20 *cating classes of immigration benefit applications*
21 *that Congress, or the Secretary of Homeland Security*
22 *in the case of asylum applications, has authorized to*
23 *be processed or adjudicated at no cost or at a reduced*
24 *cost to the applicant; and*

1 (2) *in an amount that is not greater than 1 per-*
2 *cent of the fee for filing a petition under section*
3 *203(b)(5) of the Immigration and Nationality Act (8*
4 *U.S.C. 1153(b)(5)), to make improvements to the in-*
5 *formation technology systems used by the Secretary of*
6 *Homeland Security to process, adjudicate, and ar-*
7 *chive applications and petitions under such section,*
8 *including the conversion to electronic format of docu-*
9 *ments filed by petitioners and applicants for benefits*
10 *under such section.*

11 (d) *EXEMPTION FROM PAPERWORK REDUCTION*
12 *ACT.—During the 1-year period beginning on the date of*
13 *the enactment of this Act, the requirements under chapter*
14 *35 of title 44, United States Code, shall not apply to any*
15 *collection of information required under this division, any*
16 *amendment made by this division, or any rule promulgated*
17 *by the Secretary of Homeland Security to implement this*
18 *division or the amendments made by this division, to the*
19 *extent that the Secretary determines that compliance with*
20 *such requirements would impede the expeditious implemen-*
21 *tation of this division or the amendments made by this divi-*
22 *sion.*

23 (e) *RULE OF CONSTRUCTION REGARDING ADJUDICA-*
24 *TION DELAYS.—Nothing in this division may be construed*
25 *to limit the authority of the Secretary of Homeland Secu-*

1 rity to suspend the adjudication of any application or peti-
2 tion under section 203(b)(5) or 216A of the Immigration
3 and Nationality Act (8 U.S.C. 1153(b)(5) and 1186b) pend-
4 ing the completion of a national security or law enforce-
5 ment investigation relating to such application or petition.

6 (f) *RULE OF CONSTRUCTION REGARDING MODIFICA-*
7 *TION OF FEES.*—Nothing in this section may be construed
8 to require any modification of fees before the completion
9 of—

10 (1) the fee study described in subsection (a); or

11 (2) regulations promulgated by the Secretary of
12 Homeland Security, in accordance with subchapter II
13 of chapter 5 and chapter 7 of title 5, United States
14 Code (commonly known as the “Administrative Pro-
15 cedure Act”), to carry out subsections (b) and (c).

16 **SEC. 107. TRANSPARENCY.**

17 (a) *IN GENERAL.*—Employees of the Department of
18 Homeland Security, including the Secretary of Homeland
19 Security, the Secretary’s counselors, the Assistant Secretary
20 for the Private Sector, the Director of U.S. Citizenship and
21 Immigration Services, counselors to such Director, and the
22 Chief of the Immigrant Investor Programs Office (or any
23 successor to such Office) at U.S. Citizenship and Immigra-
24 tion Services, shall act impartially and may not give pref-
25 erential treatment to any entity, organization, or indi-

1 *vidual in connection with any aspect of the immigrant visa*
2 *program described in section 203(b)(5) of the Immigration*
3 *and Nationality Act (8 U.S.C. 1153(b)(5)).*

4 *(b) IMPROPER ACTIVITIES.—Activities that constitute*
5 *preferential treatment under subsection (a) shall include—*

6 *(1) working on, or in any way attempting to in-*
7 *fluence, in a manner not available to or accorded to*
8 *all other petitioners, applicants, and seekers of bene-*
9 *fits under the immigrant visa program referred to in*
10 *subsection (a), the standard processing of an applica-*
11 *tion, petition, or benefit for—*

12 *(A) a regional center;*

13 *(B) a new commercial enterprise;*

14 *(C) a job-creating entity; or*

15 *(D) any person or entity associated with*
16 *such regional center, new commercial enterprise,*
17 *or job-creating entity; and*

18 *(2) meeting or communicating with persons asso-*
19 *ciated with the entities listed in paragraph (1), at the*
20 *request of such persons, in a manner not available to*
21 *or accorded to all other petitioners, applicants, and*
22 *seekers of benefits under such immigrant visa pro-*
23 *gram.*

24 *(c) REPORTING OF COMMUNICATIONS.—*

1 (1) *WRITTEN COMMUNICATION.*—*Employees of*
2 *the Department of Homeland Security, including the*
3 *officials listed in subsection (a), shall include, in the*
4 *record of proceeding for a case under section*
5 *203(b)(5) of the Immigration and Nationality Act (8*
6 *U.S.C. 1153(b)(5)), actual or electronic copies of all*
7 *case-specific written communication, including emails*
8 *from government and private accounts, with non-De-*
9 *partment persons or entities advocating for regional*
10 *center applications or individual petitions under such*
11 *section that are pending on or after the date of the*
12 *enactment of this Act (other than routine communica-*
13 *tions with other agencies of the Federal Government*
14 *regarding the case, including communications involv-*
15 *ing background checks and litigation defense).*

16 (2) *ORAL COMMUNICATION.*—*If substantive oral*
17 *communication, including telephonic communication,*
18 *virtual communication, or in-person meetings, takes*
19 *place between officials of the Department of Home-*
20 *land Security and non-Department persons or enti-*
21 *ties advocating for regional center applications or in-*
22 *dividual petitions under section 203(b)(5) of such Act*
23 *that are pending on or after the date of the enactment*
24 *of this Act (except communications exempted under*
25 *paragraph (1))—*

1 (A) *the conversation shall be recorded; or*

2 (B) *detailed minutes of the session shall be*
3 *taken and included in the record of proceeding.*

4 (3) *NOTIFICATION.—*

5 (A) *IN GENERAL.—If the Secretary, in the*
6 *course of written or oral communication de-*
7 *scribed in this subsection, receives evidence about*
8 *a specific case from anyone other than an af-*
9 *ected party or his or her representative (exclud-*
10 *ing Federal Government or law enforcement*
11 *sources), such information may not be made part*
12 *of the record of proceeding and may not be con-*
13 *sidered in adjudicative proceedings unless—*

14 (i) *the affected party has been given*
15 *notice of such evidence; and*

16 (ii) *if such evidence is derogatory, the*
17 *affected party has been given an oppor-*
18 *tunity to respond to the evidence.*

19 (B) *INFORMATION FROM LAW ENFORCE-*
20 *MENT, INTELLIGENCE AGENCIES, OR CONFIDEN-*
21 *TIAL SOURCES.—*

22 (i) *LAW ENFORCEMENT OR INTEL-*
23 *LIGENCE AGENCIES.—Evidence received*
24 *from law enforcement or intelligence agen-*
25 *cies may not be made part of the record of*

1 *proceeding without the consent of the rel-*
2 *evant agency or law enforcement entity.*

3 (ii) *WHISTLEBLOWERS, CONFIDENTIAL*
4 *SOURCES, OR INTELLIGENCE AGENCIES.—*
5 *Evidence received from whistleblowers, other*
6 *confidential sources, or the intelligence com-*
7 *munity that is included in the record of*
8 *proceeding and considered in adjudicative*
9 *proceedings shall be handled in a manner*
10 *that does not reveal the identity of the whis-*
11 *tleblower or confidential source, or reveal*
12 *classified information.*

13 (d) *CONSIDERATION OF EVIDENCE.—*

14 (1) *IN GENERAL.—No case-specific communica-*
15 *tion with persons or entities that are not part of the*
16 *Department of Homeland Security may be considered*
17 *in the adjudication of an application or petition*
18 *under section 203(b)(5) of the Immigration and Na-*
19 *tionality Act (8 U.S.C. 1153(b)(5)) unless the commu-*
20 *nication is included in the record of proceeding of the*
21 *case.*

22 (2) *WAIVER.—The Secretary of Homeland Secu-*
23 *rity may waive the requirement under paragraph (1)*
24 *only in the interests of national security or for inves-*
25 *tigative or law enforcement purposes.*

1 (e) *CHANNELS OF COMMUNICATION.*—

2 (1) *EMAIL ADDRESS OR EQUIVALENT.*—*The Di-*
3 *rector of U.S. Citizenship and Immigration Services*
4 *shall maintain an email account (or equivalent*
5 *means of communication) for persons or entities—*

6 (A) *with inquiries regarding specific peti-*
7 *tions or applications under the immigrant visa*
8 *program described in section 203(b)(5) of the*
9 *Immigration and Nationality Act (8 U.S.C.*
10 *1153(b)(5)); or*

11 (B) *seeking information that is not case-*
12 *specific about the immigrant visa program de-*
13 *scribed in such section 203(b)(5).*

14 (2) *COMMUNICATION ONLY THROUGH APPRO-*
15 *PRIATE CHANNELS OR OFFICES.*—

16 (A) *ANNOUNCEMENT OF APPROPRIATE*
17 *CHANNELS OF COMMUNICATION.*—*Not later than*
18 *40 days after the date of the enactment of this*
19 *Act, the Director of U.S. Citizenship and Immi-*
20 *gration Services shall announce that the only*
21 *channels or offices by which industry stake-*
22 *holders, petitioners, applicants, and seekers of*
23 *benefits under the immigrant visa program de-*
24 *scribed in section 203(b)(5) of the Immigration*
25 *and Nationality Act (8 U.S.C. 1153(b)(5)) may*

1 *communicate with the Department of Homeland*
2 *Security regarding specific cases under such sec-*
3 *tion (except for communication made by appli-*
4 *cants and petitioners pursuant to regular adju-*
5 *dicatory procedures), or information that is not*
6 *case-specific about the visa program applicable*
7 *to certain cases under such section, are*
8 *through—*

9 *(i) the email address or equivalent*
10 *channel described in paragraph (1);*

11 *(ii) the National Customer Service*
12 *Center, or any successor to such Center; or*

13 *(iii) the Office of Public Engagement,*
14 *Immigrant Investor Program Office, includ-*
15 *ing the Stakeholder Engagement Branch, or*
16 *any successors to those Offices or that*
17 *Branch.*

18 *(B) DIRECTION OF INCOMING COMMUNICA-*
19 *TIONS.—*

20 *(i) IN GENERAL.—Employees of the*
21 *Department of Homeland Security shall di-*
22 *rect communications described in subpara-*
23 *graph (A) to the channels of communication*
24 *or offices listed in clauses (i) through (iii)*
25 *of subparagraph (A).*

1 (ii) *RULE OF CONSTRUCTION.*—*Nothing*
2 *in this subparagraph may be construed*
3 *to prevent—*

4 (I) *any person from commu-*
5 *nicating with the Ombudsman of U.S.*
6 *Citizenship and Immigration Services*
7 *regarding the immigrant investor pro-*
8 *gram under section 203(b)(5) of the*
9 *Immigration and Nationality Act (8*
10 *U.S.C. 1153(b)(5)); or*

11 (II) *the Ombudsman from resolv-*
12 *ing problems regarding such immi-*
13 *grant investor program pursuant to*
14 *the authority granted under section*
15 *452 of the Homeland Security Act of*
16 *2002 (6 U.S.C. 272).*

17 (C) *LOG.*—

18 (i) *IN GENERAL.*—*The Director of U.S.*
19 *Citizenship and Immigration Services shall*
20 *maintain a written or electronic log of—*

21 (I) *all communications described*
22 *in subparagraph (A) and communica-*
23 *tions from Members of Congress, which*
24 *shall reference the date, time, and sub-*
25 *ject of the communication, and the*

1 *identity of the Department official, if*
2 *any, to whom the inquiry was for-*
3 *warded;*

4 (II) *with respect to written com-*
5 *munications described in subsection*
6 *(c)(1), the date on which the commu-*
7 *nication was received, the identities of*
8 *the sender and addressee, and the sub-*
9 *ject of the communication; and*

10 (III) *with respect to oral commu-*
11 *nications described in subsection (c)(2),*
12 *the date on which the communication*
13 *occurred, the participants in the con-*
14 *versation or meeting, and the subject of*
15 *the communication.*

16 (ii) *TRANSPARENCY.—The log of com-*
17 *munications described in clause (i) shall be*
18 *made publicly available in accordance with*
19 *section 552 of title 5, United States Code*
20 *(commonly known as the “Freedom of Infor-*
21 *mation Act”).*

22 (3) *PUBLICATION OF INFORMATION.—Not later*
23 *than 30 days after a person or entity inquiring about*
24 *a specific case or generally about the immigrant visa*
25 *program described in section 203(b)(5) of the Immi-*

1 *gration and Nationality Act (8 U.S.C. 1153(b)(5)) re-*
2 *ceives, as a result of a communication with an offi-*
3 *cial of the Department of Homeland Security, gen-*
4 *erally applicable information that is not case-specific*
5 *about program requirements or administration that*
6 *has not been made publicly available by the Depart-*
7 *ment, the Director of U.S. Citizenship and Immigra-*
8 *tion Services shall publish such information on the*
9 *U.S. Citizenship and Immigration Services website as*
10 *an update to the relevant Frequently Asked Questions*
11 *page or by some other comparable mechanism.*

12 *(f) PENALTY.—*

13 *(1) IN GENERAL.—Any person who intentionally*
14 *violates the prohibition on preferential treatment*
15 *under this section or intentionally violates the report-*
16 *ing requirements under subsection (c) shall be dis-*
17 *ciplined in accordance with paragraph (2).*

18 *(2) SANCTIONS.—Not later than 90 days after*
19 *the date of the enactment of this Act, the Secretary of*
20 *Homeland Security shall establish a graduated set of*
21 *sanctions based on the severity of the violation re-*
22 *ferred to in paragraph (1), which may include, in ad-*
23 *dition to any criminal or civil penalties that may be*
24 *imposed, written reprimand, suspension, demotion, or*
25 *removal.*

1 (g) *RULE OF CONSTRUCTION REGARDING CLASSIFIED*
2 *INFORMATION.*—*Nothing in this section may be construed*
3 *to modify any law, regulation, or policy regarding the han-*
4 *dling or disclosure of classified information.*

5 (h) *RULE OF CONSTRUCTION REGARDING PRIVATE*
6 *RIGHT OF ACTION.*—*Nothing in this section may be con-*
7 *strued to create or authorize a private right of action to*
8 *challenge a decision of an employee of the Department of*
9 *Homeland Security.*

10 (i) *EFFECTIVE DATE.*—*This section, and the amend-*
11 *ments made by this section, shall take effect on the date*
12 *of the enactment of this Act.*

13 **SEC. 108. PROTECTION FROM EXPIRED LEGISLATION.**

14 Section 203(b)(5) of the *Immigration and Nationality*
15 *Act* (8 U.S.C. 1153(b)(5)), as amended by sections 102 and
16 103 of this division, is further amended by adding at the
17 end the following:

18 “(S) *PROTECTION FROM EXPIRED LEGISLA-*
19 *TION.*—*Notwithstanding the expiration of legisla-*
20 *tion authorizing the regional center program*
21 *under subparagraph (E), the Secretary of Home-*
22 *land Security—*

23 “(i) *shall continue processing petitions*
24 *under sections 204(a)(1)(H) and 216A*
25 *based on an investment in a new commer-*

1 *cial enterprise associated with a regional*
 2 *center that were filed on or before Sep-*
 3 *tember 30, 2026;*

4 *“(ii) may not deny a petition described*
 5 *in clause (i) based on the expiration of such*
 6 *legislation; and*

7 *“(iii) may not suspend or terminate*
 8 *the allocation of visas to the beneficiaries of*
 9 *approved petitions described in clause (i).”.*

10 ***DIVISION CC—BURIAL EQUITY***
 11 ***FOR GUARDS AND RESERVES***
 12 ***ACT***

13 ***SEC. 101. SHORT TITLE.***

14 *This division may be cited as the “Burial Equity for*
 15 *Guards and Reserves Act”.*

16 ***SEC. 102. PROHIBITIONS ON RESTRICTING INTERMENT OF***
 17 ***CERTAIN INDIVIDUALS IN CERTAIN STATE***
 18 ***VETERANS’ CEMETERIES.***

19 *(a) GRANTS.—Section 2408 of title 38, United States*
 20 *Code, is amended—*

21 *(1) in subsection (d)(2), by striking “The Sec-*
 22 *retary may” and inserting “Except as provided in*
 23 *subsection (i), the Secretary may”;*

24 *(2) by redesignating subsection (i) as subsection*
 25 *(k); and*

1 (3) by inserting after subsection (h) the following
2 new subsections:

3 “(i)(1) The Secretary may not establish a condition
4 for a grant under this section that restricts the ability of
5 a State receiving such a grant to inter in a veterans’ ceme-
6 tery owned by that State any individual described in para-
7 graph (2) solely by reason of the ineligibility of such indi-
8 vidual for burial in an open national cemetery under the
9 control of the National Cemetery Administration under sec-
10 tion 2402(a) of this title.

11 “(2) An individual described in this paragraph is the
12 following:

13 “(A) Any member of a reserve component of the
14 Armed Forces who was discharged or released from
15 service under conditions other than dishonorable or
16 whose death occurs under conditions other than dis-
17 honorable while a member of such a reserve compo-
18 nent.

19 “(B) Any member of the Army National Guard
20 or the Air National Guard who was discharged or re-
21 leased from service under conditions other than dis-
22 honorable or whose death occurs under conditions
23 other than dishonorable while a member of the Army
24 National Guard or the Air National Guard.

1 “(C) *Any member of the Reserve Officers’ Train-*
2 *ing Corps of the Army, Navy, or Air Force whose*
3 *death occurs under conditions other than dishonorable*
4 *while a member of the Reserve Officers’ Training*
5 *Corps of the Army, Navy, or Air Force.*

6 “(D) *Any spouse of any member described in*
7 *subparagraphs (A) through (C).*

8 “(E) *Any minor child or unmarried adult child*
9 *(as such terms are defined in section 2402(a) of this*
10 *title) of any member described in subparagraphs (A)*
11 *through (C).*

12 “(j) *The Secretary may not deny an application for*
13 *a grant under this section solely on the basis that the State*
14 *receiving such grant may use funds from such grant to ex-*
15 *pand, improve, operate, or maintain a veterans’ cemetery*
16 *in which interment of individuals described in subsection*
17 *(i)(2) is allowed.”.*

18 (b) *PROHIBITION ON ENFORCING CERTAIN CONDI-*
19 *TIONS ON GRANTS FOR STATE VETERANS’ CEMETERIES.—*
20 *The Secretary of Veterans Affairs may not enforce a condi-*
21 *tion on a grant described in subsection (i)(1) of section 2408*
22 *of title 38, United States Code, as added by subsection (a),*
23 *that was established before the date of the enactment of this*
24 *Act.*

1 (c) *PLOT ALLOWANCES*.—Section 2303 of title 38,
2 *United States Code*, is amended—

3 (1) *in subsection (b)*—

4 (A) *by amending paragraph (1) to read as*
5 *follows:*

6 “(1) *the Secretary shall pay to the relevant*
7 *State, agency, political subdivision, or tribal organi-*
8 *zation, as the case may be, the sum of \$700 (as in-*
9 *creased from time to time under subsection (c)) as a*
10 *plot or interment allowance for such veteran if the*
11 *veteran is buried (without charge for the cost of a plot*
12 *or interment) in a cemetery, or a section of a ceme-*
13 *tery, that—*

14 “(A) *is used solely for the interment of per-*
15 *sons who are—*

16 “(i) *eligible for burial in a national*
17 *cemetery;*

18 “(ii) *members of a reserve component*
19 *of the Armed Forces not otherwise eligible*
20 *for such burial or former members of such*
21 *a reserve component not otherwise eligible*
22 *for such burial who are discharged or re-*
23 *leased from service under conditions other*
24 *than dishonorable; or*

1 “(iii) described in section 2408(i)(2) of
2 this title; and

3 “(B) is—

4 “(i) owned by a State or by an agency
5 or political subdivision of a State; or

6 “(ii) on trust land owned by, or held
7 in trust for, a tribal organization.”; and

8 (B) in paragraph (2), by inserting “tribal
9 organization,” after “of a State,”; and

10 (2) by adding at the end the following new sub-
11 section:

12 “(e) In this section, the terms ‘tribal organization’ and
13 ‘trust land’ have the meanings given those terms in section
14 3765 of this title.”.

15 ***DIVISION DD—AUTHORIZATION***
16 ***OF APPROPRIATIONS FOR***
17 ***HIGH TECHNOLOGY PILOT***
18 ***PROGRAM***

19 ***SEC. 101. AUTHORIZATION OF APPROPRIATIONS FOR HIGH***
20 ***TECHNOLOGY PILOT PROGRAM.***

21 Subsection (g) of section 116 of the Harry W. Colmery
22 Veterans Educational Assistance Act of 2017 (Public Law
23 115–48; 38 U.S.C. 3001 note), as amended by section 4302
24 of the Johnny Isakson and David P. Roe, M.D. Veterans

1 *Health Care and Benefits Improvement Act of 2020 (Public*
2 *Law 116–315), is amended to read as follows:*

3 “(g) *AUTHORIZATION OF APPROPRIATIONS.—Funds*
4 *shall be made available to carry out the pilot program*
5 *under this section from funds appropriated to, or otherwise*
6 *made available to, the Department for the payment of read-*
7 *justment benefits, in the following amounts for a fiscal year*
8 *in which the Secretary carries out the pilot program:*

9 “(1) *For fiscal year 2019, \$15,000,000.*

10 “(2) *For fiscal year 2020, \$15,000,000.*

11 “(3) *For fiscal year 2021, \$45,000,000.*

12 “(4) *For fiscal year 2022, \$125,000,000.*

13 “(5) *For fiscal year 2023, \$45,000,000.*

14 “(6) *For fiscal year 2024, \$45,000,000.”.*

15 ***DIVISION EE—EXTENSION OF***
16 ***VISA WAIVER PROGRAM FEES***

17 ***SEC. 101. EXTENSION OF VISA WAIVER PROGRAM FEES.***

18 *Section 217(h)(3)(B)(iii) of the Immigration and Na-*
19 *tionality Act (8 U.S.C. 1187(h)(3)(B)(iii)) is amended by*
20 *striking “September 30, 2027” and inserting “October 31,*
21 *2028”.*

1 ***DIVISION FF—AVAILABILITY OF***
2 ***TRAVEL PROMOTION FUND***
3 ***FOR BRAND USA***

4 ***SEC. 101. AVAILABILITY OF TRAVEL PROMOTION FUND FOR***
5 ***BRAND USA.***

6 (a) *SHORT TITLE.*—*This section may be cited as the*
7 *“Restoring Brand USA Act”.*

8 (b) *IN GENERAL.*—*Not later than 30 days after the*
9 *date of the enactment of this Act, the Secretary of the Treas-*
10 *ury, subject to subsections (c) and (d), and notwithstanding*
11 *any other provision of law, shall make available, from unob-*
12 *ligated balances remaining available from fees collected be-*
13 *fore October 1, 2020, and credited to Travel Promotion*
14 *Fund established under subsection (d) of the Travel Pro-*
15 *motion Act of 2009 (22 U.S.C. 2131(d)), \$250,000,000 for*
16 *the Corporation for Travel Promotion (commonly known as*
17 *“Brand USA”).*

18 (c) *INAPPLICABILITY OF CERTAIN REQUIREMENTS AND*
19 *LIMITATIONS.*—*The limitations in subsection (d)(2)(B) of*
20 *the Travel Promotion Act of 2009 shall not apply to*
21 *amounts made available under subsection (b), and the re-*
22 *quirements in subsection (d)(3) of such Act shall not apply*
23 *to more than \$50,000,000 of the amounts so available.*

24 (d) *USE OF FUNDS.*—*Brand USA may only use funds*
25 *provided under subsection (b) to promote travel from coun-*

1 *tries whose citizens and nationals are permitted to enter*
2 *the United States.*

3 *(e) REPORT REQUIRED.—Not later than 60 days after*
4 *the date of the enactment of this Act, Brand USA shall sub-*
5 *mit to Congress a plan for obligating and expending the*
6 *amounts described in subsection (b).*

7 ***DIVISION GG—COOPERATIVE***
8 ***PROJECT AGREEMENT***

9 ***SEC. 101. AUTHORITY TO ENTER INTO COOPERATIVE***
10 ***PROJECT AGREEMENT.***

11 *Notwithstanding section 27(f) of the Arms Export Con-*
12 *trol Act (22 U.S.C. 2767(f)), the President may sign the*
13 *cooperative project agreement notified to the Committee on*
14 *Foreign Relations of the Senate and the Committee on For-*
15 *ign Affairs of the House of Representatives in congres-*
16 *sional notification 04-22 received on March 5, 2022. Not-*
17 *withstanding section 27(g) of such Act (22 U.S.C. 2767(g)),*
18 *any defense articles that result from a cooperative project*
19 *agreement shall be subject to the requirements of section 36*
20 *of such Act (22 U.S.C. 2776).*

1 ***DIVISION HH—OTHER MATTERS***
2 ***TITLE I—CONTINUING EDU-***
3 ***CATION AT AFFECTED FOR-***
4 ***EIGN INSTITUTIONS***

5 ***SEC. 101. COVERED PERIODS FOR AFFECTED FOREIGN IN-***
6 ***STITUTIONS.***

7 *Section 3510(e) of the Coronavirus Aid, Relief, and*
8 *Economic Security Act (20 U.S.C. 1001 note) is amended—*

9 *(1) in paragraph (1)(B)(ii), by striking “2022”*
10 *and inserting “2023”; and*

11 *(2) in paragraph (2), by striking “subparagraph*
12 *(B)(i)” and inserting “paragraph (1)(B)(i)”.*

13 ***TITLE II—NASA ENHANCED-USE***
14 ***LEASING EXTENSION ACT OF***
15 ***2022***

16 ***SEC. 201. SHORT TITLE.***

17 *This title may be cited as the “NASA Enhanced-Use*
18 *Leasing Extension Act of 2022”.*

19 ***SEC. 202. FINDINGS.***

20 *Congress finds the following:*

21 *(1) NASA uses enhanced-use leasing to enter into*
22 *agreements with private sector entities, State and*
23 *local governments, academic institutions, and other*
24 *Federal agencies for lease of non-excess, underutilized*
25 *NASA properties and facilities.*

1 (2) NASA uses enhanced-use leasing authority to
2 support responsible management of its real property,
3 including to improve the use of underutilized prop-
4 erty for activities that are compatible with NASA’s
5 mission and to reduce facility operating and mainte-
6 nance costs.

7 (3) In fiscal year 2019, under its enhanced-use
8 lease authority, NASA leased 65 real properties.

9 (4) In fiscal year 2019, NASA’s use of enhanced-
10 use leasing resulted in the collection of \$10,843,025.77
11 in net revenue.

12 (5) In fiscal year 2019, NASA used a portion of
13 its enhanced-use leasing revenues for repairs of facil-
14 ity control systems such as lighting and heating, ven-
15 tilation, and air conditioning.

16 (6) NASA’s use of enhanced-use leasing authority
17 can contribute to reducing the rate of increase of the
18 Agency’s overall deferred maintenance cost.

19 **SEC. 203. EXTENSION OF AUTHORITY TO ENTER INTO**
20 **LEASES OF NON-EXCESS PROPERTY OF THE**
21 **NATIONAL AERONAUTICS AND SPACE ADMIN-**
22 **ISTRATION.**

23 Section 20145(g) of title 51, United States Code, is
24 amended by striking “December 31, 2021” and inserting
25 “December 31, 2022”.

1 **TITLE III—CARES ACT**
2 **SEMIANNUAL TESTIMONY**

3 **SEC. 301. CONGRESSIONAL TESTIMONY.**

4 *Section 4026(c) of division A of the CARES Act (15*
5 *U.S.C. 9060(c)) is amended—*

6 (1) *by striking “quarterly” and inserting “semi-*
7 *annual”;* and

8 (2) *by adding at the end the following: “This*
9 *subsection shall have no force or effect after December*
10 *31, 2027.”.*

11 **TITLE IV—HIDDEN FIGURES**
12 **CONGRESSIONAL GOLD MEDAL**

13 **SEC. 401. HIDDEN FIGURES CONGRESSIONAL GOLD MEDAL.**

14 *Section 3(c) of Hidden Figures Congressional Gold*
15 *Medal Act (Public Law 116–68; 133 Stat. 1129) is amended*
16 *by adding at the end the following:*

17 “(3) *TRANSFER TO KATHERINE GOBLE MOORE.—*
18 *The gold medal awarded in honor of Katherine John-*
19 *son under subsection (a)(1) shall be given to her*
20 *daughter, Katherine Goble Moore.”.*

1 **TITLE** **V—CONGRESSIONAL**
2 **OVERSIGHT OF SENSITIVE**
3 **PROGRAMS NOT COVERED BY**
4 **OTHER PROVISIONS OF LAW**

5 **SEC. 501. CONGRESSIONAL OVERSIGHT OF SENSITIVE PRO-**
6 **GRAMS NOT COVERED BY OTHER PROVISIONS**
7 **OF LAW.**

8 *(a) REPORTS REQUIRED.—*

9 *(1) IN GENERAL.—Not later than February 1 of*
10 *each year, the head of each covered element shall sub-*
11 *mit to congressional leadership a report on each cov-*
12 *ered program carried out by that covered element.*

13 *(2) CONTENTS.—Each such report shall set*
14 *forth—*

15 *(A) the total amount requested by the cov-*
16 *ered element for covered programs within the*
17 *budget submitted under section 1105 of title 31*
18 *for the fiscal year following the fiscal year in*
19 *which the report is submitted; and*

20 *(B) for each program in such budget that is*
21 *a covered program—*

22 *(i) a brief description of the program;*

23 *(ii) in the case of a procurement pro-*
24 *gram, a brief discussion of the major mile-*
25 *stones established for the program;*

1 (iii) the actual cost of the program for
2 each fiscal year during which the program
3 has been conducted before the fiscal year
4 during which that budget is submitted; and

5 (iv) the estimated total cost of the pro-
6 gram and the estimated cost of the program
7 for—

8 (I) the current fiscal year;

9 (II) the fiscal year for which the
10 budget is submitted; and

11 (III) each of the four succeeding
12 fiscal years during which the program
13 is expected to be conducted.

14 (b) NEWLY DESIGNATED PROGRAMS.—

15 (1) IN GENERAL.—Not later than February 1 of
16 each year, the head of each covered element shall sub-
17 mit to congressional leadership a report that, with re-
18 spect to each new covered program of that covered ele-
19 ment, provides—

20 (A) notice of the designation of the program
21 as a special access program; and

22 (B) justification for such designation.

23 (2) CONTENTS.—A report under paragraph (1)
24 with respect to a program shall include—

1 (A) *the current estimate of the total pro-*
2 *gram cost for the program; and*

3 (B) *an identification, as applicable, of ex-*
4 *isting programs or technologies that are similar*
5 *to the technology, or that have a mission similar*
6 *to the technology, or that have a mission similar*
7 *to the mission, of the program that is the subject*
8 *of the notice.*

9 (3) *NEW COVERED PROGRAM DEFINED.—In this*
10 *subsection, the term “new covered program” means a*
11 *covered program that has not previously been covered*
12 *in a notice and justification under this subsection.*

13 (c) *REVISION IN CLASSIFICATION OF PROGRAMS.—*

14 (1) *IN GENERAL.—Whenever a change in the*
15 *classification of a covered program of a covered ele-*
16 *ment is planned to be made or whenever classified in-*
17 *formation concerning a covered program of a covered*
18 *element is to be declassified and made public, the*
19 *head of the covered element shall submit to congres-*
20 *sional leadership a report containing a description of*
21 *the proposed change or the information to be declas-*
22 *sified, the reasons for the proposed change or declas-*
23 *sification, and notice of any public announcement*
24 *planned to be made with respect to the proposed*
25 *change or declassification.*

1 (2) *PERIOD FOR SUBMITTAL.*—*Except as pro-*
2 *vided in paragraph (3), a report referred to in para-*
3 *graph (1) shall be submitted not less than 14 days be-*
4 *fore the date on which the proposed change, declas-*
5 *sification, or public announcement is to occur.*

6 (3) *EXCEPTION.*—*If the head of the covered ele-*
7 *ment determines that because of exceptional cir-*
8 *cumstances the requirement of paragraph (2) cannot*
9 *be met with respect to a proposed change, declassifica-*
10 *tion, or public announcement concerning a covered*
11 *program of the covered element, the head of the de-*
12 *partment or agency may submit the report required*
13 *by paragraph (1) regarding the proposed change, de-*
14 *classification, or public announcement at any time*
15 *before the proposed change, declassification, or public*
16 *announcement is made and shall include in the report*
17 *an explanation of the exceptional circumstances.*

18 (d) *REVISION OF CRITERIA FOR DESIGNATING PRO-*
19 *GRAMS.*—*Whenever there is a modification or termination*
20 *of the policy and criteria used for designating a program*
21 *of a covered element as a covered program, the head of the*
22 *covered element shall promptly notify congressional leader-*
23 *ship of such modification or termination. Any such notifi-*
24 *cation shall contain the reasons for the modification or ter-*

1 *mination and, in the case of a modification, the provisions*
2 *of the policy as modified.*

3 (e) *INITIATION OF PROGRAMS.—A covered program*
4 *may not be initiated by a covered element until—*

5 (1) *congressional leadership is notified of the*
6 *program; and*

7 (2) *a period of 30 days elapses after such notifi-*
8 *cation is received.*

9 (f) *LIMITATION ON USE OF FUNDS.—No funds may*
10 *be obligated or expended by any covered element to carry*
11 *out a covered program until the head of the covered element*
12 *has briefed congressional leadership on the covered program.*

13 (g) *DEFINITIONS.—In this section:*

14 (1) *COVERED ELEMENT.—The term “covered ele-*
15 *ment” means any element or portion of the Federal*
16 *Government that is not—*

17 (A) *a covered department or agency as de-*
18 *finied in section 1152(g) of the National Defense*
19 *Authorization Act for Fiscal Year 1994 (50*
20 *U.S.C. 3348(g));*

21 (B) *the Department of Defense (which is re-*
22 *quired to submit reports on special access pro-*
23 *grams under section 119 of title 10, United*
24 *States Code);*

1 (C) *the National Nuclear Security Adminis-*
2 *tration (which is required to submit reports on*
3 *special access programs under section 3236 of the*
4 *National Nuclear Security Administration Act*
5 *(50 U.S.C. 2426); or*

6 (D) *an element of the intelligence commu-*
7 *nity (as defined in section 3 of the National Se-*
8 *curity Act of 1947 (50 U.S.C. 3003)).*

9 (2) *CONGRESSIONAL LEADERSHIP.—The term*
10 *“congressional leadership” means—*

11 (A) *the majority leader of the Senate;*

12 (B) *the minority leader of the Senate;*

13 (C) *the Speaker of the House of Representa-*
14 *tives; and*

15 (D) *the minority leader of the House of*
16 *Representatives.*

17 (3) *COVERED PROGRAM.—The term “covered*
18 *program” means any special access program or simi-*
19 *larly protected program established under the author-*
20 *ity of Executive Order 12356 (50 U.S.C. 3161 note;*
21 *relating to prescribing a uniform system for*
22 *classifying, declassifying, and safeguarding national*
23 *security information), or any successor Executive*
24 *order, or any similar sensitive program established*

1 *anywhere in the Federal Government, including one*
2 *established at the direction of the President.*

3 ***TITLE VI—FIREFIGHTER PAY***

4 ***SEC. 601. FIREFIGHTER PAY.***

5 *Section 1701 of division B of the Extending Govern-*
6 *ment Funding and Delivering Emergency Assistance Act*
7 *(5 U.S.C. 5547 note) is amended—*

8 (1) *by inserting “or 2022” after “during 2021”*
9 *each place it appears;*

10 (2) *in subsection (a)(1), by inserting “and any*
11 *services during 2022 that generate payments payable*
12 *in 2023” after “payable in 2022”; and*

13 (3) *in subsection (b), by inserting “or 2022”*
14 *after “in 2021”.*

Attest:

Clerk.

117TH CONGRESS
2^D SESSION

H.R. 2471

**HOUSE AMENDMENT TO
SENATE AMENDMENT**