

## Union Calendar No. 311

117<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**H. R. 8295****[Report No. 117–403]**

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2023, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 5, 2022

Ms. DELAURO, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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**A BILL**

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2023, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the following sums are appropriated, out of any  
4       money in the Treasury not otherwise appropriated, for the  
5       Departments of Labor, Health and Human Services, and

1 Education, and related agencies for the fiscal year ending  
2 September 30, 2023, and for other purposes, namely:

3 TITLE I

4 DEPARTMENT OF LABOR

5 EMPLOYMENT AND TRAINING

6 ADMINISTRATION

7 TRAINING AND EMPLOYMENT SERVICES

8 For necessary expenses of the Workforce Innovation  
9 and Opportunity Act (referred to in this Act as “WIOA”)  
10 and the National Apprenticeship Act, \$4,597,632,000,  
11 plus reimbursements, shall be available. Of the amounts  
12 provided:

13 (1) for grants to States for adult employment  
14 and training activities, youth activities, and dis-  
15 located worker employment and training activities,  
16 \$3,135,332,000 as follows:

17 (A) \$940,649,000 for adult employment  
18 and training activities, of which \$228,649,000  
19 shall be available for the period July 1, 2023  
20 through June 30, 2024, and of which  
21 \$712,000,000 shall be available for the period  
22 October 1, 2023 through June 30, 2024;

23 (B) \$1,033,130,000 for youth activities,  
24 which shall be available for the period April 1,  
25 2023 through June 30, 2024; and

1 (C) \$1,161,553,000 for dislocated worker  
2 employment and training activities, of which  
3 \$301,553,000 shall be available for the period  
4 July 1, 2023 through June 30, 2024, and of  
5 which \$860,000,000 shall be available for the  
6 period October 1, 2023 through June 30, 2024:  
7 *Provided*, That the funds available for allotment to  
8 outlying areas to carry out subtitle B of title I of the  
9 WIOA shall not be subject to the requirements of  
10 section 127(b)(1)(B)(ii) of such Act: *Provided fur-*  
11 *ther*, That notwithstanding the requirements of  
12 WIOA, outlying areas may submit a single applica-  
13 tion for a consolidated grant that awards funds that  
14 would otherwise be available to such areas to carry  
15 out the activities described in subtitle B of title I of  
16 the WIOA: *Provided further*, That such application  
17 shall be submitted to the Secretary at such time, in  
18 such manner, and containing such information, as  
19 the Secretary may require: *Provided further*, That  
20 outlying areas awarded a consolidated grant de-  
21 scribed in the preceding provisos may use the funds  
22 for any of the programs and activities authorized  
23 under such subtitle B of title I of the WIOA subject  
24 to approval of the application and such reporting re-  
25 quirements issued by the Secretary; and

1 (2) for national programs, \$1,462,300,000 as  
2 follows:

3 (A) \$457,386,000 for the dislocated work-  
4 ers assistance national reserve, of which  
5 \$257,386,000 shall be available for the period  
6 July 1, 2023 through September 30, 2024, and  
7 of which \$200,000,000 shall be available for the  
8 period October 1, 2023 through September 30,  
9 2024: *Provided*, That funds provided to carry  
10 out section 132(a)(2)(A) of the WIOA may be  
11 used to provide assistance to a State for state-  
12 wide or local use in order to address cases  
13 where there have been worker dislocations  
14 across multiple sectors or across multiple local  
15 areas and such workers remain dislocated; co-  
16 ordinate the State workforce development plan  
17 with emerging economic development needs; and  
18 train such eligible dislocated workers: *Provided*  
19 *further*, That funds provided to carry out sec-  
20 tions 168(b) and 169(c) of the WIOA may be  
21 used for technical assistance and demonstration  
22 projects, respectively, that provide assistance to  
23 new entrants in the workforce and incumbent  
24 workers: *Provided further*, That notwithstanding  
25 section 168(b) of the WIOA, of the funds pro-

1           vided under this subparagraph, the Secretary of  
2           Labor (referred to in this title as “Secretary”)  
3           may reserve not more than 10 percent of such  
4           funds to provide technical assistance and carry  
5           out additional activities related to the transition  
6           to the WIOA: *Provided further*, That of the  
7           funds provided under this subparagraph,  
8           \$195,000,000 shall be for training and employ-  
9           ment assistance under sections 168(b), 169(c)  
10          (notwithstanding the 10 percent limitation in  
11          such section) and 170 of the WIOA as follows:

12                 (i) \$45,000,000 shall be for workers  
13                 in the Appalachian region, as defined by  
14                 40 U.S.C. 14102(a)(1), workers in the  
15                 Lower Mississippi, as defined in section  
16                 4(2) of the Delta Development Act (Public  
17                 Law 100–460, 102 Stat. 2246; 7 U.S.C.  
18                 2009aa(2)), and workers in the region  
19                 served by the Northern Border Regional  
20                 Commission, as defined by 40 U.S.C.  
21                 15733; and

22                 (ii) \$100,000,000 shall be for the pur-  
23                 pose of developing, offering, or improving  
24                 educational or career training programs at  
25                 community colleges, defined as public insti-

1           tutions of higher education, as described in  
2           section 101(a) of the Higher Education  
3           Act of 1965 and at which the associate's  
4           degree is primarily the highest degree  
5           awarded, with other eligible institutions of  
6           higher education, as defined in section  
7           101(a) of the Higher Education Act of  
8           1965, eligible to participate through con-  
9           sortia, with community colleges as the lead  
10          grantee: *Provided*, That the Secretary shall  
11          follow the requirements for the program in  
12          House Report 116–62: *Provided further*,  
13          That any grant funds used for apprentice-  
14          ships shall be used to support only appren-  
15          ticeship programs registered under the Na-  
16          tional Apprenticeship Act and as referred  
17          to in section 3(7)(B) of the WIOA;

18                 (iii) \$50,000,000 shall be for training  
19                 and employment assistance for workers in  
20                 communities that have experienced job  
21                 losses due to dislocations in industries re-  
22                 lated to fossil fuel extraction or energy  
23                 production;

24                 (B) \$63,800,000 for Native American pro-  
25          grams under section 166 of the WIOA, which

1 shall be available for the period July 1, 2023  
2 through June 30, 2024;

3 (C) \$105,000,000 for migrant and sea-  
4 sonal farmworker programs under section 167  
5 of the WIOA, including \$97,125,000 for for-  
6 mula grants (of which not less than 70 percent  
7 shall be for employment and training services),  
8 \$7,140,000 for migrant and seasonal housing  
9 (of which not less than 70 percent shall be for  
10 permanent housing), and \$735,000 for other  
11 discretionary purposes, which shall be available  
12 for the period April 1, 2023 through June 30,  
13 2024: *Provided*, That notwithstanding any  
14 other provision of law or related regulation, the  
15 Department of Labor shall take no action lim-  
16 iting the number or proportion of eligible par-  
17 ticipants receiving related assistance services or  
18 discouraging grantees from providing such serv-  
19 ices: *Provided further*, That notwithstanding the  
20 definition of “eligible seasonal farmworker” in  
21 section 167(i)(3)(A) of the WIOA relating to an  
22 individual being “low-income”, an individual is  
23 eligible for migrant and seasonal farmworker  
24 programs under section 167 of the WIOA under  
25 that definition if, in addition to meeting the re-

1           quirements of clauses (i) and (ii) of section  
2           167(i)(3)(A), such individual is a member of a  
3           family with a total family income equal to or  
4           less than 150 percent of the poverty line;

5           (D) \$145,000,000 for YouthBuild activi-  
6           ties as described in section 171 of the WIOA,  
7           which shall be available for the period April 1,  
8           2023 through June 30, 2024;

9           (E) \$150,000,000 for ex-offender activi-  
10          ties, under the authority of section 169 of the  
11          WIOA, which shall be available for the period  
12          April 1, 2023 through June 30, 2024: *Provided*,  
13          That of this amount, \$50,000,000 shall be for  
14          competitive grants to national and regional  
15          intermediaries for activities that prepare for  
16          employment young adults with criminal legal  
17          histories, young adults who have been justice  
18          system-involved, or young adults who have  
19          dropped out of school or other educational pro-  
20          grams, with a priority for projects serving high-  
21          crime, high-poverty areas;

22          (F) \$6,000,000 for the Workforce Data  
23          Quality Initiative, under the authority of section  
24          169 of the WIOA, which shall be available for



1 the period July 1, 2023 through June 30,  
2 2024;

3 (G) \$303,000,000 to expand opportunities  
4 through apprenticeships only registered under  
5 the National Apprenticeship Act and as referred  
6 to in section 3(7)(B) of the WIOA, to be avail-  
7 able to the Secretary to carry out activities  
8 through grants, cooperative agreements, con-  
9 tracts and other arrangements, with States and  
10 other appropriate entities, including equity  
11 intermediaries and business and labor industry  
12 partner intermediaries, which shall be available  
13 for the period July 1, 2023 through June 30,  
14 2024;

15 (H) \$75,000,000 for a National Youth  
16 Employment Program, under the authority of  
17 section 169 of the WIOA, including the expan-  
18 sion of summer and year-round job opportuni-  
19 ties for disadvantaged youth, which shall be  
20 available for the period April 1, 2023 through  
21 June 30, 2024;

22 (I) \$10,000,000 for a national training  
23 program for veterans, members of the armed  
24 forces who are separating from active duty, and  
25 the spouses of veterans and such members, fo-

1       cused on training related to employment in  
2       clean energy sectors and occupations, under the  
3       authority of section 169 of the WIOA, which  
4       shall be available for the period July 1, 2023  
5       through June 30, 2024;

6               (J) \$15,000,000 for employment and  
7       training activities for youth related to high-  
8       quality employment opportunities in industry  
9       sectors or occupations related to climate resil-  
10      ience or mitigation, to be provided through the  
11      award of grants, contracts, or cooperative  
12      agreements to State or local public agencies or  
13      private nonprofit entities and which may in-  
14      clude paid work experiences in public agencies  
15      or private nonprofit entities, pre-apprenticeship  
16      and registered apprenticeship programs, includ-  
17      ing but not limited to work experiences and  
18      programs offered in public agencies notwith-  
19      standing section 194(10) of the WIOA, and  
20      other appropriate activities in coordination with  
21      climate resilience or mitigation activities under-  
22      taken by other federal agencies, under the au-  
23      thority of section 169 of the WIOA, which shall  
24      be available for the period July 1, 2023 through  
25      June 30, 2024; and

1           (K) \$132,114,000 for carrying out Dem-  
2           onstration and Pilot projects under section  
3           169(c) of the WIOA, which shall be available  
4           for the period April 1, 2023 through June 30,  
5           2024, in addition to funds available for such ac-  
6           tivities under subparagraph (A) for the  
7           projects, and in the amounts, specified in the  
8           table titled “Labor, HHS, Education Incorpora-  
9           tion of Community Project Funding Items” in  
10          the report accompanying this Act: *Provided*,  
11          That such funds may be used for projects that  
12          are related to the employment and training  
13          needs of dislocated workers, other adults, or  
14          youth: *Provided further*, That the 10 percent  
15          funding limitation under such section of the  
16          WIOA shall not apply to such funds: *Provided*  
17          *further*, That section 169(b)(6)(C) of the WIOA  
18          shall not apply to such funds: *Provided further*,  
19          That sections 102 and 107 of this Act shall not  
20          apply to such funds.

21                               JOB CORPS

22                               (INCLUDING TRANSFER OF FUNDS)

23          To carry out subtitle C of title I of the WIOA, includ-  
24          ing Federal administrative expenses, the purchase and  
25          hire of passenger motor vehicles, the construction, alter-

1 ation, and repairs of buildings and other facilities, and the  
2 purchase of real property for training centers as author-  
3 ized by the WIOA, \$1,798,655,000, plus reimbursements,  
4 as follows:

5 (1) \$1,627,325,000 for Job Corps Operations,  
6 which shall be available for the period July 1, 2023  
7 through June 30, 2024;

8 (2) \$133,000,000 for construction, rehabilita-  
9 tion and acquisition of Job Corps Centers, which  
10 shall be available for the period July 1, 2023  
11 through June 30, 2026, and which may include the  
12 acquisition, maintenance, and repair of major items  
13 of equipment: *Provided*, That the Secretary may  
14 transfer up to 15 percent of such funds to meet the  
15 operational needs of such centers or to achieve ad-  
16 ministrative efficiencies: *Provided further*, That any  
17 funds transferred pursuant to the preceding provi-  
18 sion shall not be available for obligation after June  
19 30, 2023: *Provided further*, That the Committees on  
20 Appropriations of the House of Representatives and  
21 the Senate are notified at least 15 days in advance  
22 of any transfer; and

23 (3) \$38,330,000 for necessary expenses of Job  
24 Corps, which shall be available for obligation for the

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

6 COMMUNITY SERVICE EMPLOYMENT FOR OLDER  
7 AMERICANS

8 To carry out title V of the Older Americans Act of  
9 1965 (referred to in this Act as “OAA”), \$450,000,000,  
10 which shall be available for the period April 1, 2023  
11 through June 30, 2024, and may be recaptured and reobli-  
12 gated in accordance with section 517(c) of the OAA.

## 13 FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

For payments during fiscal year 2023 of trade adjustment benefit payments and allowances under part I of subchapter B of chapter 2 of title II of the Trade Act of 1974, and section 246 of that Act; and for training, employment and case management services, allowances for job search and relocation, and related State administrative expenses under part II of subchapter B of chapter 2 of title II of the Trade Act of 1974, and including benefit payments, allowances, training, employment and case management services, and related State administration provided pursuant to section 231(a) of the Trade Adjustment Assistance Extension Act of 2011, and sections

1 405(a) and 406 of the Trade Preferences Extension Act  
 2 of 2015, \$494,400,000 together with such amounts as  
 3 may be necessary to be charged to the subsequent appro-  
 4 priation for payments for any period subsequent to Sep-  
 5 tember 15, 2023: *Provided*, That notwithstanding section  
 6 502 of this Act, any part of the appropriation provided  
 7 under this heading may remain available for obligation be-  
 8 yond the current fiscal year pursuant to the authorities  
 9 of section 245(c) of the Trade Act of 1974 (19 U.S.C.  
 10 2317(c)): *Provided further*, That the termination provi-  
 11 sions in sections 246(b) and 285(a) of the Trade Act of  
 12 1974, as amended, including the application of those pro-  
 13 visions described in paragraphs (4) and (7) of section  
 14 406(a) of the Trade Preferences Extension Act of 2015,  
 15 shall not apply.

16 STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT  
 17 SERVICE OPERATIONS  
 18 (INCLUDING TRANSFER OF FUNDS)

19 For authorized administrative expenses,  
 20 \$89,066,000, together with not to exceed \$4,124,894,000  
 21 which may be expended from the Employment Security  
 22 Administration Account in the Unemployment Trust Fund  
 23 (“the Trust Fund”), of which—

24 (1) \$3,184,635,000 from the Trust Fund is for  
 25 grants to States for the administration of State un-

1 employment insurance laws as authorized under title  
2 III of the Social Security Act (including not less  
3 than \$375,000,000 to carry out reemployment serv-  
4 ices and eligibility assessments under section 306 of  
5 such Act, any claimants of regular compensation, as  
6 defined in such section, including those who are  
7 profiled as most likely to exhaust their benefits, may  
8 be eligible for such services and assessments: *Pro-*  
9 *vided*, That of such amount, \$117,000,000 is speci-  
10 fied for grants under section 306 of the Social Secu-  
11 rity Act and is provided to meet the terms of section  
12 1(j)(2) of H. Res. 1151 (117th Congress), as en-  
13 grossed in the House of Representatives on June 8,  
14 2022, and \$258,000,000 is additional new budget  
15 authority specified for purposes of section 1(j) of  
16 such resolution; and \$9,000,000 for continued sup-  
17 port of the Unemployment Insurance Integrity Cen-  
18 ter of Excellence), the administration of unemploy-  
19 ment insurance for Federal employees and for ex-  
20 service members as authorized under 5 U.S.C.  
21 8501–8523, and the administration of trade read-  
22 justment allowances, reemployment trade adjustment  
23 assistance, and alternative trade adjustment assist-  
24 ance under the Trade Act of 1974 and under section  
25 231(a) of the Trade Adjustment Assistance Exten-

1        sion Act of 2011, and sections 405(a) and 406 of  
2        the Trade Preferences Extension Act of 2015 (ex-  
3        cept that the termination provisions in sections  
4        246(b) and 285(a) of the Trade Act of 1974, as  
5        amended, including the application of those provi-  
6        sions described in paragraphs (4) and (7) of section  
7        406 of the Trade Preferences Extension Act of  
8        2015, shall not apply), and shall be available for ob-  
9        ligation by the States through December 31, 2023,  
10       except that funds used for automation shall be avail-  
11       able for Federal obligation through December 31,  
12       2023, and for State obligation through September  
13       30, 2025, or, if the automation is being carried out  
14       through consortia of States, for State obligation  
15       through September 30, 2029, and for expenditure  
16       through September 30, 2030, and funds for competi-  
17       tive grants awarded to States for improved oper-  
18       ations and to conduct in-person reemployment and  
19       eligibility assessments and unemployment insurance  
20       improper payment reviews and provide reemploy-  
21       ment services and referrals to training, as appro-  
22       priate, shall be available for Federal obligation  
23       through December 31, 2023 (except that funds for  
24       outcome payments pursuant to section 306(f)(2) of  
25       the Social Security Act shall be available for Federal



1 obligation through March 31, 2024), and for obliga-  
2 tion by the States through September 30, 2025, and  
3 funds for the Unemployment Insurance Integrity  
4 Center of Excellence shall be available for obligation  
5 by the State through September 30, 2024, and  
6 funds used for unemployment insurance workloads  
7 experienced through September 30, 2023 shall be  
8 available for Federal obligation through December  
9 31, 2023;

10 (2) \$118,000,000 from the Trust Fund is for  
11 national activities necessary to support the adminis-  
12 tration of the Federal-State unemployment insur-  
13 ance system;

14 (3) \$702,449,000 from the Trust Fund, to-  
15 gether with \$21,413,000 from the General Fund of  
16 the Treasury, is for grants to States in accordance  
17 with section 6 of the Wagner-Peyser Act, and shall  
18 be available for Federal obligation for the period  
19 July 1, 2023 through June 30, 2024;

20 (4) \$25,000,000 from the Trust Fund is for na-  
21 tional activities of the Employment Service, includ-  
22 ing administration of the work opportunity tax cred-  
23 it under section 51 of the Internal Revenue Code of  
24 1986 (including assisting States in adopting or mod-  
25 ernizing information technology for use in the proc-

1       essing of certification requests), and the provision of  
2       technical assistance and staff training under the  
3       Wagner-Peyser Act;

4               (5) \$94,810,000 from the Trust Fund is for the  
5       administration of foreign labor certifications and re-  
6       lated activities under the Immigration and Nation-  
7       ality Act and related laws, of which \$68,528,000  
8       shall be available for the Federal administration of  
9       such activities, and \$26,282,000 shall be available  
10      for grants to States for the administration of such  
11      activities; and

12              (6) \$67,653,000 from the General Fund is to  
13      provide workforce information, national electronic  
14      tools, and one-stop system building under the Wag-  
15      ner-Peyser Act and shall be available for Federal ob-  
16      ligation for the period July 1, 2023 through June  
17      30, 2024, of which up to \$9,800,000 may be used  
18      to carry out research and demonstration projects re-  
19      lated to testing effective ways to promote greater  
20      labor force participation of people with disabilities:  
21      *Provided*, That the Secretary may transfer amounts  
22      made available for research and demonstration  
23      projects under this paragraph to the “Office of Dis-  
24      ability Employment Policy” account for such pur-  
25      poses:

1 *Provided*, That to the extent that the Average Weekly In-  
2 sured Unemployment (“AWIU”) for fiscal year 2023 is  
3 projected by the Department of Labor to exceed  
4 1,778,000, an additional \$28,600,000 from the Trust  
5 Fund shall be available for obligation for every 100,000  
6 increase in the AWIU level (including a pro rata amount  
7 for any increment less than 100,000) to carry out title  
8 III of the Social Security Act: *Provided further*, That  
9 funds appropriated in this Act that are allotted to a State  
10 to carry out activities under title III of the Social Security  
11 Act may be used by such State to assist other States in  
12 carrying out activities under such title III if the other  
13 States include areas that have suffered a major disaster  
14 declared by the President under the Robert T. Stafford  
15 Disaster Relief and Emergency Assistance Act: *Provided*  
16 *further*, That the Secretary may use funds appropriated  
17 for grants to States under title III of the Social Security  
18 Act to make payments on behalf of States for the use of  
19 the National Directory of New Hires under section  
20 453(j)(8) of such Act: *Provided further*, That the Sec-  
21 retary may use funds appropriated for grants to States  
22 under title III of the Social Security Act to make pay-  
23 ments on behalf of States to the entity operating the State  
24 Information Data Exchange System: *Provided further*,  
25 That funds appropriated in this Act which are used to es-

1    establish a national one-stop career center system, or which  
2    are used to support the national activities of the Federal-  
3    State unemployment insurance, employment service, or  
4    immigration programs, may be obligated in contracts,  
5    grants, or agreements with States and non-State entities:  
6    *Provided further*, That States awarded competitive grants  
7    for improved operations under title III of the Social Secu-  
8    rity Act, or awarded grants to support the national activi-  
9    ties of the Federal-State unemployment insurance system,  
10    may award subgrants to other States and non-State enti-  
11    ties under such grants, subject to the conditions applicable  
12    to the grants: *Provided further*, That funds appropriated  
13    under this Act for activities authorized under title III of  
14    the Social Security Act and the Wagner-Peyser Act may  
15    be used by States to fund integrated Unemployment In-  
16    surance and Employment Service automation efforts, not-  
17    withstanding cost allocation principles prescribed under  
18    the final rule entitled “Uniform Administrative Require-  
19    ments, Cost Principles, and Audit Requirements for Fed-  
20    eral Awards” at part 200 of title 2, Code of Federal Regu-  
21    lations: *Provided further*, That the Secretary, at the re-  
22    quest of a State participating in a consortium with other  
23    States, may reallocate funds allotted to such State under title  
24    III of the Social Security Act to other States participating  
25    in the consortium or to the entity operating the Unemploy-

1 ment Insurance Information Technology Support Center  
2 in order to carry out activities that benefit the administra-  
3 tion of the unemployment compensation law of the State  
4 making the request: *Provided further*, That the Secretary  
5 may collect fees for the costs associated with additional  
6 data collection, analyses, and reporting services relating  
7 to the National Agricultural Workers Survey requested by  
8 State and local governments, public and private institu-  
9 tions of higher education, and nonprofit organizations and  
10 may utilize such sums, in accordance with the provisions  
11 of 29 U.S.C. 9a, for the National Agricultural Workers  
12 Survey infrastructure, methodology, and data to meet the  
13 information collection and reporting needs of such entities,  
14 which shall be credited to this appropriation and shall re-  
15 main available until September 30, 2024, for such pur-  
16 poses.

17       ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND  
18                                       OTHER FUNDS

19       For repayable advances to the Unemployment Trust  
20 Fund as authorized by sections 905(d) and 1203 of the  
21 Social Security Act, and to the Black Lung Disability  
22 Trust Fund as authorized by section 9501(c)(1) of the In-  
23 ternal Revenue Code of 1986; and for nonrepayable ad-  
24 vances to the revolving fund established by section 901(e)  
25 of the Social Security Act, to the Unemployment Trust

1 Fund as authorized by 5 U.S.C. 8509, and to the “Federal  
2 Unemployment Benefits and Allowances” account, such  
3 sums as may be necessary, which shall be available for  
4 obligation through September 30, 2024.

5 PROGRAM ADMINISTRATION

6 For expenses of administering employment and train-  
7 ing programs, \$144,465,000, together with not to exceed  
8 \$64,735,000 which may be expended from the Employment  
9 Security Administration Account in the Unemployment  
10 Trust Fund: *Provided*, That funds made available for the  
11 Office of Apprenticeship shall be used only for the admin-  
12 istration of apprenticeship programs registered under the  
13 National Apprenticeship Act and as referred to in section  
14 3(7)(B) of the WIOA and to provide for the full and ade-  
15 quate staffing of the Federal Office of Apprenticeship and  
16 each of the State Offices of Apprenticeship.

17 EMPLOYEE BENEFITS SECURITY ADMINISTRATION

18 SALARIES AND EXPENSES

19 For necessary expenses for the Employee Benefits  
20 Security Administration, \$233,867,000, of which up to  
21 \$3,000,000 shall be made available through September 30,  
22 2024, for the procurement of expert witnesses for enforce-  
23 ment litigation.

1 PENSION BENEFIT GUARANTY CORPORATION

2 PENSION BENEFIT GUARANTY CORPORATION FUND

3 The Pension Benefit Guaranty Corporation (“Cor-  
4 poration”) is authorized to make such expenditures, in-  
5 cluding financial assistance authorized by subtitle E of  
6 title IV of the Employee Retirement Income Security Act  
7 of 1974, within limits of funds and borrowing authority  
8 available to the Corporation, and in accord with law, and  
9 to make such contracts and commitments without regard  
10 to fiscal year limitations, as provided by 31 U.S.C. 9104,  
11 as may be necessary in carrying out the program, includ-  
12 ing associated administrative expenses, through Sep-  
13 tember 30, 2023, for the Corporation: *Provided*, That  
14 none of the funds available to the Corporation for fiscal  
15 year 2023 shall be available for obligations for administra-  
16 tive expenses in excess of \$493,314,000: *Provided further*,  
17 That to the extent that the number of new plan partici-  
18 pants in plans terminated by the Corporation exceeds  
19 100,000 in fiscal year 2023, an amount not to exceed an  
20 additional \$9,200,000 shall be available through Sep-  
21 tember 30, 2027, for obligations for administrative ex-  
22 penses for every 20,000 additional terminated partici-  
23 pants: *Provided further*, That obligations in excess of the  
24 amounts provided for administrative expenses in this para-  
25 graph may be incurred and shall be available through Sep-

1   tember 30, 2027 for obligation for unforeseen and extraor-  
 2   dinary pre-termination or termination expenses or extraor-  
 3   dinary multiemployer program related expenses after ap-  
 4   proval by the Office of Management and Budget and noti-  
 5   fication of the Committees on Appropriations of the House  
 6   of Representatives and the Senate: *Provided further*, That  
 7   an additional amount shall be available for obligation  
 8   through September 30, 2027 to the extent the Corpora-  
 9   tion's costs exceed \$250,000 for the provision of credit or  
 10   identity monitoring to affected individuals upon suffering  
 11   a security incident or privacy breach, not to exceed an ad-  
 12   ditional \$100 per affected individual.

#### 13                               WAGE AND HOUR DIVISION

#### 14                               SALARIES AND EXPENSES

15       For necessary expenses for the Wage and Hour Divi-  
 16   sion, including reimbursement to State, Federal, and local  
 17   agencies and their employees for inspection services ren-  
 18   dered, \$312,678,000: *Provided*, That the Secretary of  
 19   Labor shall use funds made available under this heading  
 20   to establish a national hotline to support domestic work-  
 21   ers.

#### 22                               OFFICE OF LABOR-MANAGEMENT STANDARDS

#### 23                               SALARIES AND EXPENSES

24       For necessary expenses for the Office of Labor-Man-  
 25   agement Standards, \$45,937,000.



4 For necessary expenses for the Office of Federal Con-  
5 tract Compliance Programs, \$147,051,000.

8 For necessary expenses for the Office of Workers'  
9 Compensation Programs, \$143,772,000, together with  
10 \$2,205,000 which may be expended from the Special Fund  
11 in accordance with sections 39(c), 44(d), and 44(j) of the  
12 Longshore and Harbor Workers' Compensation Act.

For the payment of compensation, benefits, and expenses (except administrative expenses not otherwise authorized) accruing during the current or any prior fiscal year authorized by 5 U.S.C. 81; continuation of benefits as provided for under the heading “Civilian War Benefits” in the Federal Security Agency Appropriation Act, 1947; the Employees’ Compensation Commission Appropriation Act, 1944; section 5(f) of the War Claims Act (50 U.S.C. App. 2012); obligations incurred under the War Hazards Compensation Act (42 U.S.C. 1701 et seq.); and 50 percent of the additional compensation and benefits required

1 by section 10(h) of the Longshore and Harbor Workers'  
2 Compensation Act, \$250,000,000, together with such  
3 amounts as may be necessary to be charged to the subse-  
4 quent year appropriation for the payment of compensation  
5 and other benefits for any period subsequent to August  
6 15 of the current year, for deposit into and to assume  
7 the attributes of the Employees' Compensation Fund es-  
8 tablished under 5 U.S.C. 8147(a): *Provided*, That  
9 amounts appropriated may be used under 5 U.S.C. 8104  
10 by the Secretary to reimburse an employer, who is not the  
11 employer at the time of injury, for portions of the salary  
12 of a re-employed, disabled beneficiary: *Provided further*,  
13 That balances of reimbursements unobligated on Sep-  
14 tember 30, 2022, shall remain available until expended for  
15 the payment of compensation, benefits, and expenses: *Pro-*  
16 *vided further*, That in addition there shall be transferred  
17 to this appropriation from the Postal Service and from  
18 any other corporation or instrumentality required under  
19 5 U.S.C. 8147(c) to pay an amount for its fair share of  
20 the cost of administration, such sums as the Secretary de-  
21 termines to be the cost of administration for employees  
22 of such fair share entities through September 30, 2023:  
23 *Provided further*, That of those funds transferred to this  
24 account from the fair share entities to pay the cost of ad-  
25 ministration of the Federal Employees' Compensation Act,

1 \$81,752,000 shall be made available to the Secretary as  
2 follows:

3 (1) For enhancement and maintenance of auto-  
4 mated data processing systems operations and tele-  
5 communications systems, \$27,727,000;

6 (2) For automated workload processing oper-  
7 ations, including document imaging, centralized mail  
8 intake, and medical bill processing, \$26,125,000;

9 (3) For periodic roll disability management and  
10 medical review, \$26,125,000;

11 (4) For program integrity, \$1,774,000; and

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

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

20 SPECIAL BENEFITS FOR DISABLED COAL MINERS

21 For carrying out title IV of the Federal Mine Safety  
22 and Health Act of 1977, as amended by Public Law 107–  
23 275, \$36,031,000, to remain available until expended.

24 For making after July 31 of the current fiscal year,  
25 benefit payments to individuals under title IV of such Act,

1 for costs incurred in the current fiscal year, such amounts  
 2 as may be necessary.

3 For making benefit payments under title IV for the  
 4 first quarter of fiscal year 2024, \$10,250,000, to remain  
 5 available until expended.

6 ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES

7 OCCUPATIONAL ILLNESS COMPENSATION FUND

8 For necessary expenses to administer the Energy  
 9 Employees Occupational Illness Compensation Program  
 10 Act, \$64,564,000, to remain available until expended: *Pro-*  
 11 *vided*, That the Secretary may require that any person fil-  
 12 ing a claim for benefits under the Act provide as part of  
 13 such claim such identifying information (including Social  
 14 Security account number) as may be prescribed.

15 BLACK LUNG DISABILITY TRUST FUND

16 (INCLUDING TRANSFER OF FUNDS)

17 Such sums as may be necessary from the Black Lung  
 18 Disability Trust Fund (the “Fund”), to remain available  
 19 until expended, for payment of all benefits authorized by  
 20 section 9501(d)(1), (2), (6), and (7) of the Internal Rev-  
 21 enue Code of 1986; and repayment of, and payment of  
 22 interest on advances, as authorized by section 9501(d)(4)  
 23 of that Act. In addition, the following amounts may be  
 24 expended from the Fund for fiscal year 2023 for expenses  
 25 of operation and administration of the Black Lung Bene-

1 fits program, as authorized by section 9501(d)(5): not to  
2 exceed \$42,194,000 for transfer to the Office of Workers'  
3 Compensation Programs, "Salaries and Expenses"; not to  
4 exceed \$38,407,000 for transfer to Departmental Manage-  
5 ment, "Salaries and Expenses"; not to exceed \$353,000  
6 for transfer to Departmental Management, "Office of In-  
7 spector General"; and not to exceed \$356,000 for pay-  
8 ments into miscellaneous receipts for the expenses of the  
9 Department of the Treasury.

10 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

11 SALARIES AND EXPENSES

12 For necessary expenses for the Occupational Safety  
13 and Health Administration, \$712,015,000, including not  
14 to exceed \$121,075,000 which shall be the maximum  
15 amount available for grants to States under section 23(g)  
16 of the Occupational Safety and Health Act (the "Act"),  
17 which grants shall be no less than 50 percent of the costs  
18 of State occupational safety and health programs required  
19 to be incurred under plans approved by the Secretary  
20 under section 18 of the Act; and, in addition, notwith-  
21 standing 31 U.S.C. 3302, the Occupational Safety and  
22 Health Administration may retain up to \$499,000 per fis-  
23 cal year of training institute course tuition and fees, other-  
24 wise authorized by law to be collected, and may utilize  
25 such sums for occupational safety and health training and

1 education: *Provided*, That notwithstanding 31 U.S.C.  
2 3302, the Secretary is authorized, during the fiscal year  
3 ending September 30, 2023, to collect and retain fees for  
4 services provided to Nationally Recognized Testing Lab-  
5 oratories, and may utilize such sums, in accordance with  
6 the provisions of 29 U.S.C. 9a, to administer national and  
7 international laboratory recognition programs that ensure  
8 the safety of equipment and products used by workers in  
9 the workplace: *Provided further*, That \$14,287,000 shall  
10 be available for Susan Harwood training grants, of which  
11 not more than \$6,500,000 is for Susan Harwood Training  
12 Capacity Building Developmental grants, for program ac-  
13 tivities starting not later than September 30, 2023 and  
14 lasting for a period of 12 months: *Provided further*, That  
15 not less than \$3,500,000 shall be for Voluntary Protection  
16 Programs.

17 MINE SAFETY AND HEALTH ADMINISTRATION

18 SALARIES AND EXPENSES

19 For necessary expenses for the Mine Safety and  
20 Health Administration, \$403,816,000, including purchase  
21 and bestowal of certificates and trophies in connection  
22 with mine rescue and first-aid work, and the hire of pas-  
23 senger motor vehicles, including up to \$2,000,000 for  
24 mine rescue and recovery activities and not less than  
25 \$10,537,000 for State assistance grants: *Provided*, That

1 notwithstanding 31 U.S.C. 3302, not to exceed \$750,000  
2 may be collected by the National Mine Health and Safety  
3 Academy for room, board, tuition, and the sale of training  
4 materials, otherwise authorized by law to be collected, to  
5 be available for mine safety and health education and  
6 training activities: *Provided further*, That notwithstanding  
7 31 U.S.C. 3302, the Mine Safety and Health Administra-  
8 tion is authorized to collect and retain up to \$2,499,000  
9 from fees collected for the approval and certification of  
10 equipment, materials, and explosives for use in mines, and  
11 may utilize such sums for such activities: *Provided further*,  
12 That the Secretary is authorized to accept lands, build-  
13 ings, equipment, and other contributions from public and  
14 private sources and to prosecute projects in cooperation  
15 with other agencies, Federal, State, or private: *Provided*  
16 *further*, That the Mine Safety and Health Administration  
17 is authorized to promote health and safety education and  
18 training in the mining community through cooperative  
19 programs with States, industry, and safety associations:  
20 *Provided further*, That the Secretary is authorized to rec-  
21 ognize the Joseph A. Holmes Safety Association as a prin-  
22 cipal safety association and, notwithstanding any other  
23 provision of law, may provide funds and, with or without  
24 reimbursement, personnel, including service of Mine Safe-  
25 ty and Health Administration officials as officers in local

1 chapters or in the national organization: *Provided further*,  
 2 That any funds available to the Department of Labor may  
 3 be used, with the approval of the Secretary, to provide  
 4 for the costs of mine rescue and survival operations in the  
 5 event of a major disaster.

6 BUREAU OF LABOR STATISTICS

7 SALARIES AND EXPENSES

8 For necessary expenses for the Bureau of Labor Sta-  
 9 tistics, including advances or reimbursements to State,  
 10 Federal, and local agencies and their employees for serv-  
 11 ices rendered, \$658,334,000, together with not to exceed  
 12 \$68,000,000 which may be expended from the Employ-  
 13 ment Security Administration account in the Unemploy-  
 14 ment Trust Fund.

15 OFFICE OF DISABILITY EMPLOYMENT POLICY

16 SALARIES AND EXPENSES

17 (INCLUDING TRANSFER OF FUNDS)

18 For necessary expenses for the Office of Disability  
 19 Employment Policy to provide leadership, develop policy  
 20 and initiatives, and award grants furthering the objective  
 21 of eliminating barriers to the training and employment of  
 22 people with disabilities, \$58,566,000, of which not less  
 23 than \$9,000,000 shall be for research and demonstration  
 24 projects related to testing effective ways to promote great-  
 25 er labor force participation of people with disabilities: *Pro-*



1 *vided*, That the Secretary may transfer amounts made  
 2 available under this heading for research and demonstra-  
 3 tion projects to the “State Unemployment Insurance and  
 4 Employment Service Operations” account for such pur-  
 5 poses.

6 DEPARTMENTAL MANAGEMENT

7 SALARIES AND EXPENSES

8 (INCLUDING TRANSFER OF FUNDS)

9 For necessary expenses for Departmental Manage-  
 10 ment, including the hire of three passenger motor vehicles,  
 11 \$498,609,000, together with not to exceed \$308,000,  
 12 which may be expended from the Employment Security  
 13 Administration account in the Unemployment Trust  
 14 Fund: *Provided*, That \$101,325,000 for the Bureau of  
 15 International Labor Affairs shall be available for obliga-  
 16 tion through December 31, 2023: *Provided further*, That  
 17 funds available to the Bureau of International Labor Af-  
 18 fairs may be used to administer or operate international  
 19 labor activities, bilateral and multilateral technical assist-  
 20 ance, and microfinance programs, by or through contracts,  
 21 grants, subgrants and other arrangements: *Provided fur-*  
 22 *ther*, That not less than \$40,500,000 shall be for programs  
 23 to combat exploitative child labor internationally and not  
 24 less than \$40,500,000 shall be used to implement model  
 25 programs that address worker rights issues through tech-

1 nical assistance in countries with which the United States  
2 has free trade agreements or trade preference programs:  
3 *Provided further*, That the Secretary of Labor may waive  
4 the application of section 505 of this Act to awards made  
5 from funds available to the Bureau of International Labor  
6 Affairs if the Secretary determines that the waiver is nec-  
7 essary to protect human health, safety, or welfare: *Pro-*  
8 *vided further*, That \$10,351,000 shall be used for program  
9 evaluation and shall be available for obligation through  
10 September 30, 2024: *Provided further*, That funds avail-  
11 able for program evaluation may be used to administer  
12 grants for the purpose of evaluation: *Provided further*,  
13 That grants made for the purpose of evaluation shall be  
14 awarded through fair and open competition: *Provided fur-*  
15 *ther*, That funds available for program evaluation may be  
16 transferred to any other appropriate account in the De-  
17 partment for such purpose: *Provided further*, That the  
18 Committees on Appropriations of the House of Represent-  
19 atives and the Senate are notified at least 15 days in ad-  
20 vance of any transfer: *Provided further*, That the funds  
21 available to the Women's Bureau may be used for grants  
22 to serve and promote the interests of women in the work-  
23 force: *Provided further*, That of the amounts made avail-  
24 able to the Women's Bureau, not less than \$7,500,000

1 shall be used for grants authorized by the Women in Ap-  
2 prenticeship and Nontraditional Occupations Act.

3 VETERANS' EMPLOYMENT AND TRAINING

4 Not to exceed \$268,341,000 may be derived from the  
5 Employment Security Administration account in the Un-  
6 employment Trust Fund to carry out the provisions of  
7 chapters 41, 42, and 43 of title 38, United States Code,  
8 of which—

9 (1) \$183,000,000 is for Jobs for Veterans State  
10 grants under 38 U.S.C. 4102A(b)(5) to support dis-  
11 abled veterans' outreach program specialists under  
12 section 4103A of such title and local veterans' em-  
13 ployment representatives under section 4104(b) of  
14 such title, and for the expenses described in section  
15 4102A(b)(5)(C), which shall be available for expend-  
16 iture by the States through September 30, 2025,  
17 and not to exceed 3 percent for the necessary Fed-  
18 eral expenditures for data systems and contract sup-  
19 port to allow for the tracking of participant and per-  
20 formance information: *Provided*, That, in addition,  
21 such funds may be used to support such specialists  
22 and representatives in the provision of services to  
23 transitioning members of the Armed Forces who  
24 have participated in the Transition Assistance Pro-  
25 gram and have been identified as in need of inten-

1 sive services, to members of the Armed Forces who  
2 are wounded, ill, or injured and receiving treatment  
3 in military treatment facilities or warrior transition  
4 units, and to the spouses or other family caregivers  
5 of such wounded, ill, or injured members, and to  
6 Gold Star spouses;

7 (2) \$32,379,000 is for carrying out the Transi-  
8 tion Assistance Program under 38 U.S.C. 4113 and  
9 10 U.S.C. 1144;

10 (3) \$49,548,000 is for Federal administration  
11 of chapters 41, 42, and 43 of title 38, and sections  
12 2021, 2021A and 2023 of title 38, United States  
13 Code: *Provided*, That, up to \$500,000 may be used  
14 to carry out the Hire VETS Act (division O of Pub-  
15 lic Law 115–31); and

16 (4) \$3,414,000 is for the National Veterans’  
17 Employment and Training Services Institute under  
18 38 U.S.C. 4109:

19 *Provided*, That the Secretary may reallocate among the  
20 appropriations provided under paragraphs (1) through (4)  
21 above an amount not to exceed 3 percent of the appropria-  
22 tion from which such reallocation is made.

23 In addition, from the General Fund of the Treasury,  
24 \$70,500,000 is for carrying out programs to assist home-  
25 less veterans and veterans at risk of homelessness who are

1 transitioning from certain institutions under sections  
2 2021, 2021A, and 2023 of title 38, United States Code:  
3 *Provided*, That notwithstanding subsections (c)(3) and (d)  
4 of section 2023, the Secretary may award grants through  
5 September 30, 2023, to provide services under such sec-  
6 tion: *Provided further*, That services provided under sec-  
7 tions 2021 or under 2021A may include, in addition to  
8 services to homeless veterans described in section  
9 2002(a)(1), services to veterans who were homeless at  
10 some point within the 60 days prior to program entry or  
11 veterans who are at risk of homelessness within the next  
12 60 days, and that services provided under section 2023  
13 may include, in addition to services to the individuals de-  
14 scribed in subsection (e) of such section, services to vet-  
15 erans recently released from incarceration who are at risk  
16 of homelessness: *Provided further*, That notwithstanding  
17 paragraph (3) under this heading, funds appropriated in  
18 this paragraph may be used for data systems and contract  
19 support to allow for the tracking of participant and per-  
20 formance information: *Provided further*, That notwith-  
21 standing sections 2021(e)(2) and 2021A(f)(2) of title 38,  
22 United States Code, such funds shall be available for ex-  
23 penditure pursuant to 31 U.S.C. 1553.

24 In addition, fees may be assessed and deposited in  
25 the HIRE Vets Medallion Award Fund pursuant to sec-

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

#### IT MODERNIZATION

For necessary expenses for Department of Labor centralized infrastructure technology investment activities related to support systems and modernization, \$38,269,000, which shall be available through September 30, 2024.

#### OFFICE OF INSPECTOR GENERAL

For salaries and expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$93,187,000, together with not to exceed \$5,841,000 which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

#### GENERAL PROVISIONS

SEC. 101. None of the funds appropriated by this Act for the Job Corps shall be used to pay the salary and bo-

1 nuses of an individual, either as direct costs or any prora-  
2 tion as an indirect cost, at a rate in excess of Executive  
3 Level II.

4 (TRANSFER OF FUNDS)

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

19 SEC. 103. In accordance with Executive Order  
20 13126, none of the funds appropriated or otherwise made  
21 available pursuant to this Act shall be obligated or ex-  
22 pended for the procurement of goods mined, produced,  
23 manufactured, or harvested or services rendered, in whole  
24 or in part, by forced or indentured child labor in industries

1 and host countries already identified by the United States  
2 Department of Labor prior to enactment of this Act.

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

14       SEC. 105. None of the funds made available by this  
15 Act under the heading “Employment and Training Ad-  
16 ministration” shall be used by a recipient or subrecipient  
17 of such funds to pay the salary and bonuses of an indi-  
18 vidual, either as direct costs or indirect costs, at a rate  
19 in excess of Executive Level II. This limitation shall not  
20 apply to vendors providing goods and services as defined  
21 in Office of Management and Budget Circular A-133.  
22 Where States are recipients of such funds, States may es-  
23 tablish a lower limit for salaries and bonuses of those re-  
24 ceiving salaries and bonuses from subrecipients of such  
25 funds, taking into account factors including the relative



1 cost-of-living in the State, the compensation levels for  
2 comparable State or local government employees, and the  
3 size of the organizations that administer Federal pro-  
4 grams involved including Employment and Training Ad-  
5 ministration programs.

6 (TRANSFER OF FUNDS)

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

15 (b) Notwithstanding section 102, the Secretary may  
16 transfer not more than 0.5 percent of each discretionary  
17 appropriation made available to the Employment and  
18 Training Administration by this Act to “Program Admin-  
19 istration” in order to carry out program integrity activities  
20 relating to any of the programs or activities that are fund-  
21 ed under any such discretionary appropriations: *Provided*,  
22 That notwithstanding section 102 and the preceding pro-  
23 viso, the Secretary may transfer not more than 0.5 percent  
24 of funds made available in paragraphs (1) and (2) of the  
25 “Office of Job Corps” account to paragraph (3) of such

1 account to carry out program integrity activities related  
2 to the Job Corps program: *Provided further*, That funds  
3 transferred under this subsection shall be available to the  
4 Secretary to carry out program integrity activities directly  
5 or through grants, cooperative agreements, contracts and  
6 other arrangements with States and other appropriate en-  
7 tities: *Provided further*, That funds transferred under the  
8 authority provided by this subsection shall be available for  
9 obligation through September 30, 2024.

10 (TRANSFER OF FUNDS)

11 SEC. 107. (a) The Secretary may reserve not more  
12 than 0.75 percent from each appropriation made available  
13 in this Act identified in subsection (b) in order to carry  
14 out evaluations of any of the programs or activities that  
15 are funded under such accounts. Any funds reserved under  
16 this section shall be transferred to “Departmental Man-  
17 agement” for use by the Office of the Chief Evaluation  
18 Officer within the Department of Labor, and shall be  
19 available for obligation through September 30, 2024: *Pro-*  
20 *vided*, That such funds shall only be available if the Chief  
21 Evaluation Officer of the Department of Labor submits  
22 a plan to the Committees on Appropriations of the House  
23 of Representatives and the Senate describing the evalua-  
24 tions to be carried out 15 days in advance of any transfer.

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

16       SEC. 108. Notwithstanding any other provision of  
17   law, the Secretary may furnish through grants, coopera-  
18   tive agreements, contracts, and other arrangements, up to  
19   \$2,000,000 of excess personal property, at a value deter-  
20   mined by the Secretary, to apprenticeship programs for  
21   the purpose of training apprentices in those programs.

22       SEC. 109. (a) The Act entitled “An Act to create a  
23   Department of Labor”, approved March 4, 1913 (37 Stat.  
24   736, chapter 141) shall be applied as if the following text  
25   is part of such Act:

1 **“SEC. 12. SECURITY DETAIL.**

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

5 “(1) provide protection for the Secretary of  
6 Labor during the workday of the Secretary and dur-  
7 ing any activity that is preliminary or postliminary  
8 to the performance of official duties by the Sec-  
9 retary;

10 “(2) provide protection, incidental to the protec-  
11 tion provided to the Secretary, to a member of the  
12 immediate family of the Secretary who is partici-  
13 pating in an activity or event relating to the official  
14 duties of the Secretary;

15 “(3) provide continuous protection to the Sec-  
16 retary (including during periods not described in  
17 paragraph (1)) and to the members of the imme-  
18 diate family of the Secretary if there is a significant  
19 and articulable threat of physical harm, in accord-  
20 ance with guidelines established by the Secretary;  
21 and

22 “(4) provide protection to the Deputy Secretary  
23 of Labor in the performance of official duties at a  
24 public event outside of the United States if there is  
25 a significant and articulable threat of physical harm

1       and protective services are not provided as part of  
2       an official U.S. visit.

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

7               “(1) carry firearms;

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

11              “(3) perform protective intelligence work, in-  
12 cluding identifying and mitigating potential threats  
13 and conducting advance work to review security mat-  
14 ters relating to sites and events;

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

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

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

1           “(1) guidelines issued by the Attorney General;  
2           and  
3           “(2) guidelines prescribed by the Secretary of  
4           Labor.”.

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

7           SEC. 110. The Secretary is authorized to dispose of  
8           or divest, by any means the Secretary determines appro-  
9           priate, including an agreement or partnership to construct  
10          a new Job Corps center, all or a portion of the real prop-  
11          erty on which the Treasure Island Job Corps Center is  
12          situated. Any sale or other disposition will not be subject  
13          to any requirement of any Federal law or regulation relat-  
14          ing to the disposition of Federal real property, including  
15          but not limited to subchapter III of chapter 5 of title 40  
16          of the United States Code and subchapter V of chapter  
17          119 of title 42 of the United States Code. The net pro-  
18          ceeds of such a sale shall be transferred to the Secretary,  
19          which shall be available until expended to carry out the  
20          Job Corps Program on Treasure Island.

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

23                 (1) alter or terminate the Interagency Agree-  
24          ment between the United States Department of

1 Labor and the United States Department of Agri-  
2 culture; or

3 (2) close any of the Civilian Conservation Cen-  
4 ters, except if such closure is necessary to prevent  
5 the endangerment of the health and safety of the  
6 students, the capacity of the program is retained,  
7 and the requirements of section 159(j) of the WIOA  
8 are met.

9 SEC. 112. None of the funds made available by this  
10 Act may be used to implement or enforce the final rule  
11 entitled “Wagner-Peyser Act Staffing Flexibility” pub-  
12 lished by the Department of Labor in the Federal Register  
13 on January 6, 2020.

14 SEC. 113. None of the funds made available by this  
15 Act may be used to implement or enforce subpart B of  
16 part 29 of title 29, Code of Federal Regulations (relating  
17 to Standards Recognition Entities of Industry Recognized  
18 Apprenticeship Programs).

19 This title may be cited as the “Department of Labor  
20 Appropriations Act, 2023”.

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

6 For carrying out titles II and III of the Public Health  
7 Service Act (referred to in this Act as the “PHS Act”) *with respect to primary health care and the Native Hawai-  
8 ian Health Care Act of 1988, \$1,946,772,000: Provided,*  
9 *That \$50,000,000 shall be available for the purpose of*  
10 *making grants to support school-based health centers as*  
11 *authorized under section 399Z-1 of the PHS Act (42*  
12 *U.S.C. 280h-5): Provided further, That no more than*  
13 *\$1,000,000 shall be available until expended for carrying*  
14 *out the provisions of section 224(o) of the PHS Act: Pro-*  
15 *vided further, That no more than \$120,000,000 shall be*  
16 *available until expended for carrying out subsections (g)*  
17 *through (n) and (q) of section 224 of the PHS Act, and*  
18 *for expenses incurred by the Department of Health and*  
19 *Human Services (referred to in this Act as “HHS”) per-*  
20 *taining to administrative claims made under such law.*

22 HEALTH WORKFORCE  
23 For carrying out titles III, VII, and VIII of the PHS  
24 Act with respect to the health workforce, sections 1128E  
25 and 1921 of the Social Security Act, and the Health Care



1 Quality Improvement Act of 1986, \$1,543,566,000: *Pro-*  
2 *vided*, That section 751(j)(2) of the PHS Act and the pro-  
3 portional funding amounts in paragraphs (1) through (4)  
4 of section 756(f) of the PHS Act shall not apply to funds  
5 made available under this heading: *Provided further*, That  
6 for any program operating under section 751 of the PHS  
7 Act on or before January 1, 2009, the Secretary of Health  
8 and Human Services (referred to in this title as the “Sec-  
9 retary”) may hereafter waive any of the requirements con-  
10 tained in sections 751(d)(2)(A) and 751(d)(2)(B) of such  
11 Act for the full project period of a grant under such sec-  
12 tion: *Provided further*, That section 756(c) of the PHS Act  
13 shall apply to paragraphs (1) through (4) of section  
14 756(a) of such Act: *Provided further*, That fees collected  
15 for the disclosure of information under section 427(b) of  
16 the Health Care Quality Improvement Act of 1986 and  
17 sections 1128E(d)(2) and 1921 of the Social Security Act  
18 shall be sufficient to recover the full costs of operating  
19 the programs authorized by such sections and shall remain  
20 available until expended for the National Practitioner  
21 Data Bank: *Provided further*, That funds transferred to  
22 this account to carry out section 846 and subpart 3 of  
23 part D of title III of the PHS Act may be used to make  
24 prior year adjustments to awards made under such section  
25 and subpart: *Provided further*, That \$155,600,000 shall

1 remain available until expended for the purposes of pro-  
2 viding primary health services, assigning National Health  
3 Service Corps (“NHSC”) participants to expand the deliv-  
4 ery of substance use disorder treatment services, notwith-  
5 standing the assignment priorities and limitations under  
6 sections 333(a)(1)(D), 333(b), and 333A(a)(1)(B)(ii) of  
7 the PHS Act, and making payments under the NHSC  
8 Loan Repayment Program under section 338B of such  
9 Act: *Provided further*, That, within the amount made  
10 available in the preceding proviso, \$15,600,000 shall re-  
11 main available until expended for the purposes of making  
12 payments under the NHSC Loan Repayment Program  
13 under section 338B of the PHS Act to individuals partici-  
14 pating in such program who provide primary health serv-  
15 ices in Indian Health Service facilities, Tribally-Operated  
16 638 Health Programs, and Urban Indian Health Pro-  
17 grams (as those terms are defined by the Secretary), not-  
18 withstanding the assignment priorities and limitations  
19 under section 333(b) of such Act: *Provided further*, That  
20 within the amount made available in the sixth proviso  
21 under this heading, \$10,000,000 shall remain available  
22 until expended for the purposes of making loan repayment  
23 awards to mental and behavioral health providers, includ-  
24 ing peer support specialists, in accordance with section  
25 338B of the PHS Act, notwithstanding the assignment

1 priorities and limitations under sections 333(a)(1)(D),  
2 333(b), 333A(a)(1)(B)(ii), and 334 of the PHS Act: *Pro-*  
3 *vided further*, That for purposes of the preceding three  
4 provisos, section 331(a)(3)(D) of the PHS Act shall be  
5 applied as if the term “primary health services” includes  
6 clinical substance use disorder treatment services, includ-  
7 ing those provided by masters level, licensed substance use  
8 disorder treatment counselors, and services provided by  
9 certified peer support specialists: *Provided further*, That  
10 of the funds made available under this heading,  
11 \$6,000,000 shall be available to make grants to establish,  
12 expand, or maintain optional community-based nurse  
13 practitioner fellowship programs that are accredited or in  
14 the accreditation process, with a preference for those in  
15 Federally Qualified Health Centers, for practicing post-  
16 graduate nurse practitioners in primary care or behavioral  
17 health: *Provided further*, That of the funds made available  
18 under this heading, \$15,000,000 shall remain available  
19 until expended for activities under section 775 of the PHS  
20 Act: *Provided further*, That the United States may recover  
21 liquidated damages in an amount determined by the for-  
22 mula under section 338E(c)(1) of the PHS Act if an indi-  
23 vidual either fails to begin or complete the service obli-  
24 gated by a contract under section 775(b) of the PHS Act:  
25 *Provided further*, That for purposes of section 775(c)(1)

1 of the PHS Act, the Secretary may include other mental  
2 and behavioral health disciplines as the Secretary deems  
3 appropriate: *Provided further*, That the Secretary may ter-  
4 minate a contract entered into under section 775 of the  
5 PHS Act in the same manner articulated in section 206  
6 of this title for fiscal year 2023 contracts entered into  
7 under section 338B of the PHS Act.

8       Of the funds made available under this heading,  
9 \$60,000,000 shall remain available until expended for  
10 grants to public institutions of higher education to expand  
11 or support graduate education for physicians provided by  
12 such institutions, including funding for infrastructure de-  
13 velopment, maintenance, equipment, and minor renova-  
14 tions or alterations: *Provided*, That, in awarding such  
15 grants, the Secretary shall give priority to public institu-  
16 tions of higher education located in States with a projected  
17 primary care provider shortage in 2026, as determined by  
18 the Secretary: *Provided further*, That grants so awarded  
19 are limited to such public institutions of higher education  
20 in States in the top quintile of States with a projected  
21 primary care provider shortage in 2026, as determined by  
22 the Secretary: *Provided further*, That the minimum  
23 amount of a grant so awarded to such an institution shall  
24 be not less than \$1,000,000 per year: *Provided further*,  
25 That such a grant may be awarded for a period not to

1 exceed 5 years: *Provided further*, That such a grant award-  
 2 ed with respect to a year to such an institution shall be  
 3 subject to a matching requirement of non-Federal funds  
 4 in an amount that is not less than 10 percent of the total  
 5 amount of Federal funds provided in the grant to such  
 6 institution with respect to such year.

7 MATERNAL AND CHILD HEALTH

8 For carrying out titles III, XI, XII, and XIX of the  
 9 PHS Act with respect to maternal and child health and  
 10 title V of the Social Security Act, \$1,201,296,000: *Pro-*  
 11 *vided*, That notwithstanding sections 502(a)(1) and  
 12 502(b)(1) of the Social Security Act, not more than  
 13 \$277,416,000 shall be available for carrying out special  
 14 projects of regional and national significance pursuant to  
 15 section 501(a)(2) of such Act and \$10,276,000 shall be  
 16 available for projects described in subparagraphs (A)  
 17 through (F) of section 501(a)(3) of such Act.

18 RYAN WHITE HIV/AIDS PROGRAM

19 For carrying out title XXVI of the PHS Act with  
 20 respect to the Ryan White HIV/AIDS program,  
 21 \$2,694,776,000, of which \$2,076,562,000 shall remain  
 22 available to the Secretary through September 30, 2025,  
 23 for parts A and B of title XXVI of the PHS Act, and  
 24 of which not less than \$900,313,000 shall be for State  
 25 AIDS Drug Assistance Programs under the authority of

1 section 2616 or 311(c) of such Act; and of which  
2 \$250,000,000, to remain available until expended, shall be  
3 available to the Secretary for carrying out a program of  
4 grants and contracts under title XXVI or section 311(c)  
5 of such Act focused on ending the nationwide HIV/AIDS  
6 epidemic, with any grants issued under such section  
7 311(c) administered in conjunction with title XXVI of the  
8 PHS Act, including the limitation on administrative ex-  
9 penses.

10 HEALTH SYSTEMS

11 For carrying out titles III and XII of the PHS Act  
12 with respect to health care systems, and the Stem Cell  
13 Therapeutic and Research Act of 2005, \$99,009,000, of  
14 which \$122,000 shall be available until expended for facili-  
15 ties-related expenses of the National Hansen's Disease  
16 Program.

17 RURAL HEALTH

18 For carrying out titles III and IV of the PHS Act  
19 with respect to rural health, section 427(a) of the Federal  
20 Coal Mine Health and Safety Act of 1969, and sections  
21 711 and 1820 of the Social Security Act, \$375,675,000,  
22 of which \$68,500,000 from general revenues, notwith-  
23 standing section 1820(j) of the Social Security Act, shall  
24 be available for carrying out the Medicare rural hospital  
25 flexibility grants program: *Provided*, That of the funds

1 made available under this heading for Medicare rural hos-  
 2 pital flexibility grants, \$20,942,000 shall be available for  
 3 the Small Rural Hospital Improvement Grant Program  
 4 for quality improvement and adoption of health informa-  
 5 tion technology, up to \$5,000,000 shall be available to  
 6 award grants to public or non-profit private entities for  
 7 the Rural Emergency Hospital Technical Assistance Pro-  
 8 gram, and up to \$1,000,000 shall be to carry out section  
 9 1820(g)(6) of the Social Security Act, with funds provided  
 10 for grants under section 1820(g)(6) available for the pur-  
 11 chase and implementation of telehealth services and other  
 12 efforts to improve health care coordination for rural vet-  
 13 erans between rural providers and the Department of Vet-  
 14 erans Affairs electronic health record system: *Provided*  
 15 *further*, That notwithstanding section 338J(k) of the PHS  
 16 Act, \$12,500,000 shall be available for State Offices of  
 17 Rural Health: *Provided further*, That \$12,700,000 shall  
 18 remain available through September 30, 2025, to support  
 19 the Rural Residency Development Program: *Provided fur-*  
 20 *ther*, That \$160,000,000 shall be for the Rural Commu-  
 21 nities Opioids Response Program.

#### 22 FAMILY PLANNING

23 For carrying out the program under title X of the  
 24 PHS Act to provide for voluntary family planning  
 25 projects, \$500,000,000: *Provided*, That amounts provided

1 to said projects under such title shall not be expended for  
2 abortions, that all pregnancy counseling shall be nondirec-  
3 tive, and that such amounts shall not be expended for any  
4 activity (including the publication or distribution of lit-  
5 erature) that in any way tends to promote public support  
6 or opposition to any legislative proposal or candidate for  
7 public office: *Provided further*, That all entities funded  
8 under this heading shall provide clinical services consistent  
9 with nationally recognized clinical standards: *Provided fur-*  
10 *ther*, That projects funded under section 1001 of the PHS  
11 Act shall provide a broad range of contraceptive products  
12 approved and cleared by the Food and Drug Administra-  
13 tion: *Provided further*, That all patients served under title  
14 X of the PHS Act with a positive pregnancy test shall  
15 be given the opportunity to be provided information and  
16 counseling regarding: (1) prenatal care and delivery; (2)  
17 infant care, foster care, and adoption; and (3) pregnancy  
18 termination: *Provided further*, That if such a patient re-  
19 quests information specified in the preceding proviso, such  
20 patient shall be provided with neutral, factual information  
21 and nondirective counseling on each such option, including  
22 referral upon request, except with respect to any option  
23 about which the patient indicates no interest in receiving  
24 such information and counseling.



## 1 HRSA-WIDE ACTIVITIES AND PROGRAM SUPPORT

2 For carrying out title III of the Public Health Service  
3 Act and for cross-cutting activities and program support  
4 for activities funded in other appropriations included in  
5 this Act for the Health Resources and Services Adminis-  
6 tration, \$934,857,000, of which \$37,050,000 shall be for  
7 expenses necessary for the Office for the Advancement of  
8 Telehealth, including grants, contracts, and cooperative  
9 agreements for the advancement of telehealth activities:  
10 *Provided*, That funds made available under this heading  
11 may be used to supplement program support funding pro-  
12 vided under the headings “Primary Health Care”,  
13 “Health Workforce”, “Maternal and Child Health”,  
14 “Ryan White HIV/AIDS Program”, “Health Systems”,  
15 and “Rural Health”: *Provided further*, That of the amount  
16 made available under this heading, \$726,569,000 shall be  
17 used for the projects financing the construction and ren-  
18 ovation (including equipment) of health care and other fa-  
19 cilities, and for the projects financing one-time grants that  
20 support health-related activities, including training and in-  
21 formation technology, and in the amounts specified in the  
22 table titled “Labor, HHS, Education Incorporation of  
23 Community Project Funding Items” in the report accom-  
24 panying this Act: *Provided further*, That of the funds  
25 made available in the preceding proviso, up to \$6,000,000

1 may be used for related agency administrative expenses:  
 2 *Provided further*, That none of the funds made available  
 3 for projects described in the two preceding provisos shall  
 4 be subject to section 241 of the PHS Act or section 205  
 5 of this Act.

#### 6 VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

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

#### 16 COVERED COUNTERMEASURES PROCESS FUND

17 For carrying out section 319F–4 of the PHS Act,  
 18 \$7,000,000, to remain available until expended.

#### 19 CENTERS FOR DISEASE CONTROL AND PREVENTION

##### 20 IMMUNIZATION AND RESPIRATORY DISEASES

21 For carrying out titles II, III, XVII, and XXI, and  
 22 section 2821 of the PHS Act, titles II and IV of the Immi-  
 23 gration and Nationality Act, and section 501 of the Ref-  
 24 ugee Education Assistance Act, with respect to immuniza-  
 25 tion and respiratory diseases, \$663,805,000.

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

3 For carrying out titles II, III, XVII, and XXIII of  
4 the PHS Act with respect to HIV/AIDS, viral hepatitis,  
5 sexually transmitted diseases, and tuberculosis prevention,  
6 \$1,463,556,000.

7 EMERGING AND ZOOONOTIC INFECTIOUS DISEASES

8 For carrying out titles II, III, and XVII, and section  
9 2821 of the PHS Act, titles II and IV of the Immigration  
10 and Nationality Act, and section 501 of the Refugee Edu-  
11 cation Assistance Act, with respect to emerging and  
12 zoonotic infectious diseases, \$747,272,000: *Provided*, That  
13 of the amounts made available under this heading, up to  
14 \$1,000,000 shall remain available until expended to pay  
15 for the transportation, medical care, treatment, and other  
16 related costs of persons quarantined or isolated under  
17 Federal or State quarantine law.

18 CHRONIC DISEASE PREVENTION AND HEALTH

19 PROMOTION

20 For carrying out titles II, III, XI, XV, XVII, and  
21 XIX of the PHS Act with respect to chronic disease pre-  
22 vention and health promotion, \$1,346,964,000: *Provided*,  
23 That funds made available under this heading may be  
24 available for making grants under section 1509 of the  
25 PHS Act for not less than 21 States, tribes, or tribal orga-

1 nizations: *Provided further*, That of the funds made avail-  
 2 able under this heading, \$16,500,000 shall be available to  
 3 continue and expand community specific extension and  
 4 outreach programs to combat obesity in counties with the  
 5 highest levels of obesity: *Provided further*, That the pro-  
 6 portional funding requirements under section 1503(a) of  
 7 the PHS Act shall not apply to funds made available  
 8 under this heading.

9 BIRTH DEFECTS, DEVELOPMENTAL DISABILITIES,  
 10 DISABILITIES AND HEALTH

11 For carrying out titles II, III, XI, and XVII of the  
 12 PHS Act with respect to birth defects, developmental dis-  
 13 abilities, disabilities and health, \$225,060,000.

14 PUBLIC HEALTH SCIENTIFIC SERVICES

15 For carrying out titles II, III, and XVII of the PHS  
 16 Act with respect to health statistics, surveillance, health  
 17 informatics, and workforce development, \$867,497,000.

18 ENVIRONMENTAL HEALTH

19 For carrying out titles II, III, and XVII of the PHS  
 20 Act with respect to environmental health, \$311,850,000:  
 21 *Provided*, That of the amounts appropriated under this  
 22 heading up to \$4,000,000 may remain available until ex-  
 23 pended for carrying out the Vessel Sanitation Program,  
 24 in addition to amounts otherwise available for such pur-  
 25 poses: *Provided further*, That the Committees on Appro-

1 priations of the House of Representatives and the Senate  
2 are notified at least 15 days in advance of any use of funds  
3 pursuant to the preceding proviso.

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 \$897,779,000.

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  
13 of the Mine Improvement and New Emergency Response  
14 Act, and sections 20, 21, and 22 of the Occupational Safe-  
15 ty and Health Act, with respect to occupational safety and  
16 health, \$363,300,000.

17 ENERGY EMPLOYEES OCCUPATIONAL ILLNESS  
18 COMPENSATION PROGRAM

19 For necessary expenses to administer the Energy  
20 Employees Occupational Illness Compensation Program  
21 Act, \$55,358,000, to remain available until expended: *Pro-*  
22 *vided*, That this amount shall be available consistent with  
23 the provision regarding administrative expenses in section  
24 151(b) 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, \$757,843,000, of which:  
4 (1) \$128,921,000 shall remain available through Sep-  
5 tember 30, 2024 for international HIV/AIDS; and (2)  
6 \$353,200,000 shall remain available through September  
7 30, 2025 for global public health protection: *Provided*,  
8 That funds may be used for purchase and insurance of  
9 official 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 re-  
13 sponse, and for expenses necessary to support activities  
14 related to countering potential biological, nuclear, radio-  
15 logical, and chemical threats to civilian populations,  
16 \$882,200,000: *Provided*, That the Director of the Centers  
17 for Disease Control and Prevention (referred to in this  
18 title as “CDC”) or the Administrator of the Agency for  
19 Toxic Substances and Disease Registry may detail staff  
20 without reimbursement to support an activation of the  
21 CDC Emergency Operations Center, so long as the Direc-  
22 tor or Administrator, as applicable, provides a notice to  
23 the Committees on Appropriations of the House of Rep-  
24 resentatives and the Senate within 15 days of the use of  
25 this authority, a full report within 30 days after use of

1 this authority which includes the number of staff and  
2 funding level broken down by the originating center and  
3 number of days detailed, and an update of such report  
4 every 180 days until staff are no longer on detail without  
5 reimbursement to the CDC Emergency Operations 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 \$55,000,000, which shall remain available until September  
11 30, 2027: *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 ben-  
18 efit of such improvements accrues to CDC: *Provided fur-*  
19 *ther*, That funds previously set-aside by CDC for repair  
20 and upgrade of the Lake Lynn Experimental Mine and  
21 Laboratory shall be used to acquire a replacement mine  
22 safety research facility: *Provided further*, That in addition,  
23 the prior year unobligated balance of any amounts as-  
24 signed to former employees in accounts of CDC made  
25 available for Individual Learning Accounts shall be cred-

1 ited to and merged with the amounts made available under  
 2 this heading to support the replacement of the mine safety  
 3 research facility.

4 CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT  
 5 (INCLUDING TRANSFER OF FUNDS)

6 For carrying out titles II, III, XVII and XIX, and  
 7 section 2821 of the PHS Act and for cross-cutting activi-  
 8 ties and program support for activities funded in other  
 9 appropriations included in this Act for the Centers for  
 10 Disease Control and Prevention, \$958,570,000, of which:  
 11 (1) \$750,000,000 shall remain available through Sep-  
 12 tember 30, 2024, for public health infrastructure and ca-  
 13 pacity; and (2) \$50,000,000 shall remain available  
 14 through September 30, 2024 for forecasting epidemics  
 15 and outbreak analytics: *Provided*, That paragraphs (1)  
 16 through (3) of subsection (b) of section 2821 of the PHS  
 17 Act shall not apply to funds appropriated under this head-  
 18 ing and in all other accounts of the CDC: *Provided further*,  
 19 That of the amounts made available under this heading,  
 20 \$35,000,000, to remain available until expended, shall be  
 21 available to the Director of the CDC for deposit in the  
 22 Infectious Diseases Rapid Response Reserve Fund estab-  
 23 lished by section 231 of division B of Public Law 115–  
 24 245: *Provided further*, That funds appropriated under this  
 25 heading may be used to support a contract for the oper-



1 ation and maintenance of an aircraft in direct support of  
2 activities throughout CDC to ensure the agency is pre-  
3 pared to address public health preparedness emergencies:  
4 *Provided further*, That employees of CDC or the Public  
5 Health Service, both civilian and commissioned officers,  
6 detailed to States, municipalities, or other organizations  
7 under authority of section 214 of the PHS Act, or in over-  
8 seas assignments, shall be treated as non-Federal employ-  
9 ees for reporting purposes only and shall not be included  
10 within any personnel ceiling applicable to the Agency,  
11 Service, or HHS during the period of detail or assignment:  
12 *Provided further*, That CDC may use up to \$10,000 from  
13 amounts appropriated to CDC in this Act for official re-  
14 ception and representation expenses when specifically ap-  
15 proved by the Director of CDC: *Provided further*, That in  
16 addition, such sums as may be derived from authorized  
17 user fees, which shall be credited to the appropriation  
18 charged with the cost thereof: *Provided further*, That with  
19 respect to the previous proviso, authorized user fees from  
20 the Vessel Sanitation Program and the Respirator Certifi-  
21 cation Program shall be available through September 30,  
22 2024.

## 1 NATIONAL INSTITUTES OF HEALTH

## 2 NATIONAL CANCER INSTITUTE

3 For carrying out section 301 and title IV of the PHS  
4 Act with respect to cancer, \$7,162,579,000, of which up  
5 to \$30,000,000 may be used for facilities repairs and im-  
6 provements at the National Cancer Institute—Frederick  
7 Federally Funded Research and Development Center in  
8 Frederick, Maryland.

## 9 NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

10 For carrying out section 301 and title IV of the PHS  
11 Act with respect to cardiovascular, lung, and blood dis-  
12 eases, and blood and blood products, \$3,943,702,000.

## 13 NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL

## 14 RESEARCH

15 For carrying out section 301 and title IV of the PHS  
16 Act with respect to dental and craniofacial diseases,  
17 \$526,051,000.

## 18 NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND

## 19 KIDNEY DISEASES

20 For carrying out section 301 and title IV of the PHS  
21 Act with respect to diabetes and digestive and kidney dis-  
22 ease, \$2,283,489,000.

3 For carrying out section 301 and title IV of the PHS  
4 Act with respect to neurological disorders and stroke,  
5 \$2,608,590,000.

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 \$6,642,608,000.

11 NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

For carrying out section 301 and title IV of the PHS Act with respect to general medical sciences, \$3,200,157,000, of which \$1,420,700,000 shall be from funds available under section 241 of the PHS Act: *Provided*, That not less than \$423,076,000 is provided for the Institutional Development Awards program.

18 EUNICE KENNEDY SHRIVER NATIONAL INSTITUTE OF  
19 CHILD 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 \$1,756,630,000.

1 NATIONAL EYE INSTITUTE

2 For carrying out section 301 and title IV of the PHS  
3 Act with respect to eye diseases and visual disorders,  
4 \$891,186,000.

5 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH  
6 SCIENCES

7 For carrying out section 301 and title IV of the PHS  
8 Act with respect to environmental health sciences,  
9 \$878,750,000.

10 NATIONAL INSTITUTE ON AGING

11 For carrying out section 301 and title IV of the PHS  
12 Act with respect to aging, \$4,443,196,000.

13 NATIONAL INSTITUTE OF ARTHRITIS AND  
14 MUSCULOSKELETAL AND SKIN DISEASES

15 For carrying out section 301 and title IV of the PHS  
16 Act with respect to arthritis and musculoskeletal and skin  
17 diseases, \$676,395,000.

18 NATIONAL INSTITUTE ON DEAFNESS AND OTHER  
19 COMMUNICATION DISORDERS

20 For carrying out section 301 and title IV of the PHS  
21 Act with respect to deafness and other communication dis-  
22 orders, \$531,136,000.

23 NATIONAL INSTITUTE OF NURSING RESEARCH

24 For carrying out section 301 and title IV of the PHS  
25 Act with respect to nursing research, \$208,571,000.

1       NATIONAL INSTITUTE ON ALCOHOL EFFECTS AND  
2                   ALCOHOL-ASSOCIATED DISORDERS

3       For carrying out section 301 and title IV of the PHS  
4 Act with respect to alcohol misuse, alcohol use disorder,  
5 and other alcohol-associated disorders, \$591,757,000.

6       NATIONAL INSTITUTE ON DRUGS AND ADDICTION

7       For carrying out section 301 and title IV of the PHS  
8 Act with respect to drugs and addiction, \$1,712,832,000.

9       NATIONAL INSTITUTE OF MENTAL HEALTH

10      For carrying out section 301 and title IV of the PHS  
11 Act with respect to mental health, \$2,203,775,000.

12      NATIONAL HUMAN GENOME RESEARCH INSTITUTE

13      For carrying out section 301 and title IV of the PHS  
14 Act with respect to human genome research,  
15 \$659,233,000.

16      NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND  
17                   BIOENGINEERING

18      For carrying out section 301 and title IV of the PHS  
19 Act with respect to biomedical imaging and bioengineering  
20 research, \$437,991,000.

21      NATIONAL CENTER FOR COMPLEMENTARY AND  
22                   INTEGRATIVE HEALTH

23      For carrying out section 301 and title IV of the PHS  
24 Act with respect to complementary and integrative health,  
25 \$164,395,000.

1 NATIONAL INSTITUTE ON MINORITY HEALTH AND  
2 HEALTH 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, \$505,292,000.

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), \$99,622,000.

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 \$494,572,000: *Provided*, That of the amounts available for  
14 improvement of information systems, \$4,000,000 shall be  
15 available until September 30, 2024: *Provided further*, That  
16 in fiscal year 2023, 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, \$901,678,000:  
25 *Provided*, That up to \$60,000,000 shall be available to im-

plement section 480 of the PHS Act, relating to the Cures Acceleration Network: *Provided further*, That at least \$626,059,000 is provided to the Clinical and Translational Sciences Awards program.

OFFICE OF THE DIRECTOR

(INCLUDING TRANSFER OF FUNDS)

For carrying out the responsibilities of the Office of the Director, NIH, \$2,537,213,000: *Provided*, That funding shall be available for the purchase of not to exceed 29 passenger motor vehicles for replacement only: *Provided further*, That all funds credited to the NIH Management Fund shall remain available for one fiscal year after the fiscal year in which they are deposited: *Provided further*, That \$180,000,000 shall be for the Environmental Influences on Child Health Outcomes study: *Provided further*, That \$678,151,000 shall be available for the Common Fund established under section 402A(c)(1) of the PHS Act: *Provided further*, That of the funds provided, \$10,000 shall be for official reception and representation expenses when specifically approved by the Director of the NIH: *Provided further*, That the Office of AIDS Research within the Office of the Director of the NIH may spend up to \$8,000,000 to make grants for construction or renovation of facilities as provided for in section 2354(a)(5)(B) of the PHS Act: *Provided further*, That

1 \$70,000,000 shall be used to carry out section 404I of  
2 the PHS Act (42 U.S.C. 283K), relating to biomedical and  
3 behavioral research facilities: *Provided further*, That  
4 \$5,000,000 shall be transferred to and merged with the  
5 appropriation for the “Office of Inspector General” for  
6 oversight of grant programs and operations of the NIH,  
7 including agency efforts to ensure the integrity of its grant  
8 application evaluation and selection processes, and shall  
9 be in addition to funds otherwise made available for over-  
10 sight of the NIH: *Provided further*, That the funds pro-  
11 vided in the previous proviso may be transferred from one  
12 specified activity to another with 15 days prior approval  
13 of the Committees on Appropriations of the House of Rep-  
14 resentatives and the Senate: *Provided further*, That the In-  
15 spector General shall consult with the Committees on Ap-  
16 propriations of the House of Representatives and the Sen-  
17 ate before submitting to the Committees an audit plan for  
18 fiscal years 2023 and 2024 no later than 30 days after  
19 the date of enactment of this Act: *Provided further*, That  
20 amounts made available under this heading are also avail-  
21 able to establish, operate, and support the Research Policy  
22 Board authorized by section 2034(f) of the 21st Century  
23 Cures Act: *Provided further*, That the funds made avail-  
24 able under this heading for the Office of Research on  
25 Women’s Health shall also be available for making grants



1 to serve and promote the interests of women in research,  
2 and the Director of such Office may, in making such  
3 grants, use the authorities available to NIH Institutes and  
4 Centers.

5 In addition to other funds appropriated for the Com-  
6 mon Fund established under section 402A(c) of the PHS  
7 Act, \$12,600,000 is appropriated to the Common Fund  
8 from the 10-year Pediatric Research Initiative Fund de-  
9 scribed in section 9008 of the Internal Revenue Code of  
10 1986 (26 U.S.C. 9008), for the purpose of carrying out  
11 section 402(b)(7)(B)(ii) of the PHS Act (relating to pedi-  
12 atric research), as authorized in the Gabriella Miller Kids  
13 First Research Act.

14 BUILDINGS AND FACILITIES

15 For the study of, construction of, demolition of, ren-  
16 ovation of, and acquisition of equipment for, facilities of  
17 or used by NIH, including the acquisition of real property,  
18 \$300,000,000, to remain available through September 30,  
19 2027.

20 NIH INNOVATION ACCOUNT, CURES ACT

21 (INCLUDING TRANSFER OF FUNDS)

22 For necessary expenses to carry out the purposes de-  
23 scribed in section 1001(b)(4) of the 21st Century Cures  
24 Act, in addition to amounts available for such purposes  
25 in the appropriations provided to the NIH in this Act,

1 \$1,085,000,000, to remain available until expended: *Pro-*  
 2 *vided*, That such amounts are appropriated pursuant to  
 3 section 1001(b)(3) of such Act, are to be derived from  
 4 amounts transferred under section 1001(b)(2)(A) of such  
 5 Act, and may be transferred by the Director of the Na-  
 6 tional Institutes of Health to other accounts of the Na-  
 7 tional Institutes of Health solely for the purposes provided  
 8 in such Act: *Provided further*, That upon a determination  
 9 by the Director that funds transferred pursuant to the  
 10 previous proviso are not necessary for the purposes pro-  
 11 vided, such amounts may be transferred back to the Ac-  
 12 count: *Provided further*, That the transfer authority pro-  
 13 vided under this heading is in addition to any other trans-  
 14 fer authority provided by law.

15 SUBSTANCE USE AND MENTAL HEALTH SERVICES

16 ADMINISTRATION

17 MENTAL HEALTH

18 For carrying out titles III, V, and XIX of the PHS  
 19 Act with respect to mental health, the Protection and Ad-  
 20 vocacy for Individuals with Mental Illness Act, and the  
 21 SUPPORT for Patients and Communities Act,  
 22 \$3,774,152,000: *Provided*, That of the funds made avail-  
 23 able under this heading, \$150,000,000 shall be for the Na-  
 24 tional Child Traumatic Stress Initiative: *Provided further*,  
 25 That notwithstanding section 520A(f)(2) of the PHS Act,

1 no funds appropriated for carrying out section 520A shall  
2 be available for carrying out section 1971 of the PHS Act:  
3 *Provided further*, That in addition to amounts provided  
4 herein, \$21,039,000 shall be available under section 241  
5 of the PHS Act to carry out subpart I of part B of title  
6 XIX of the PHS Act to fund section 1920(b) technical  
7 assistance, national data, data collection and evaluation  
8 activities, and further that the total available under this  
9 Act for section 1920(b) activities shall not exceed 5 per-  
10 cent of the amounts appropriated for subpart I of part  
11 B of title XIX: *Provided further*, That of the funds made  
12 available under this heading for subpart I of part B of  
13 title XIX of the PHS Act, at least 10 percent shall be  
14 available to support evidence-based crisis systems: *Pro-*  
15 *vided further*, That up to 10 percent of the amounts made  
16 available to carry out the Children’s Mental Health Serv-  
17 ices program may be used to carry out demonstration  
18 grants or contracts for early interventions with persons  
19 not more than 25 years of age at clinical high risk of de-  
20 veloping a first episode of psychosis: *Provided further*,  
21 That section 520E(b)(2) of the PHS Act shall not apply  
22 to funds appropriated in this Act for fiscal year 2023: *Pro-*  
23 *vided further*, That States shall expend at least 10 percent  
24 of the amount each receives for carrying out section 1911  
25 of the PHS Act to support evidence-based programs that

1 address the needs of individuals with early serious mental  
2 illness, including psychotic disorders, regardless of the age  
3 of the individual at onset: *Provided further*, That  
4 \$400,000,000 shall be available until September 30, 2025  
5 for grants to communities and community organizations  
6 who meet criteria for Certified Community Behavioral  
7 Health Clinics pursuant to section 223(a) of Public Law  
8 113–93: *Provided further*, That none of the funds provided  
9 for section 1911 of the PHS Act shall be subject to section  
10 241 of such Act: *Provided further*, That of the funds made  
11 available under this heading, \$21,420,000 shall be to  
12 carry out section 224 of the Protecting Access to Medicare  
13 Act of 2014 (Public Law 113–93; 42 U.S.C. 290aa 22  
14 note): *Provided further*, That notwithstanding sections  
15 1911(b) and 1912 of the PHS Act, amounts made avail-  
16 able under this heading for subpart I of part B of title  
17 XIX of such Act shall also be available to support evi-  
18 dence-based programs that address early intervention and  
19 prevention of mental disorders among at-risk children and  
20 adults: *Provided further*, That States shall expend at least  
21 10 percent of the amount each receives for carrying out  
22 section 1911 of the PHS Act to support evidence-based  
23 programs that address early intervention and prevention  
24 of mental disorders among at-risk children and adults:  
25 *Provided further*, That notwithstanding section 1912 of

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

5 SUBSTANCE USE SERVICES

6 For carrying out titles III and V of the PHS Act  
7 with respect to substance use treatment and title XIX of  
8 such Act with respect to substance use treatment and pre-  
9 vention, and the SUPPORT for Patients and Commu-  
10 nities Act, \$4,744,848,000: *Provided*, That  
11 \$1,775,000,000 shall be for State Opioid Response Grants  
12 for carrying out activities pertaining to opioids and stimu-  
13 lants undertaken by the State agency responsible for ad-  
14 ministering the substance use prevention and treatment  
15 block grant under subpart II of part B of title XIX of  
16 the PHS Act (42 U.S.C. 300x–21 et seq.): *Provided fur-*  
17 *ther*, That of such amount \$65,000,000 shall be made  
18 available to Indian Tribes or tribal organizations: *Provided*  
19 *further*, That 15 percent of the remaining amount shall  
20 be for the States with the highest mortality rate related  
21 to opioid use disorders: *Provided further*, That of the  
22 amounts provided for State Opioid Response Grants not  
23 more than 2 percent shall be available for Federal admin-  
24 istrative expenses, training, technical assistance, and eval-  
25 uation: *Provided further*, That of the amount not reserved

1 by the previous three provisos, the Secretary shall make  
2 allocations to States, territories, and the District of Co-  
3 lumbia according to a formula using national survey re-  
4 sults that the Secretary determines are the most objective  
5 and reliable measure of drug use and drug-related deaths:  
6 *Provided further*, That the Secretary shall submit the for-  
7 mula methodology to the Committees on Appropriations  
8 of the House of Representatives and the Senate not less  
9 than 21 days prior to publishing a Funding Opportunity  
10 Announcement: *Provided further*, That prevention and  
11 treatment activities funded through such grants may in-  
12 clude education, treatment (including the provision of  
13 medication), behavioral health services for individuals in  
14 treatment programs, referral to treatment services, recov-  
15 ery support, and medical screening associated with such  
16 treatment: *Provided further*, That each State, as well as  
17 the District of Columbia, shall receive not less than  
18 \$4,500,000: *Provided further*, That in addition to amounts  
19 provided herein, the following amounts shall be available  
20 under section 241 of the PHS Act: (1) \$79,200,000 to  
21 carry out subpart II of part B of title XIX of the PHS  
22 Act to fund section 1935(b) technical assistance, national  
23 data, data collection and evaluation activities, and further  
24 that the total available under this Act for section 1935(b)  
25 activities shall not exceed 5 percent of the amounts appro-

1 priated for subpart II of part B of title XIX; and (2)  
 2 \$2,000,000 to evaluate substance use treatment programs:  
 3 *Provided further*, That for purposes of calculating the HIV  
 4 set-aside under subpart II of part B of title XIX, the rate  
 5 of cases of HIV shall be used instead of the rate of cases  
 6 of AIDS: *Provided further*, That each State that receives  
 7 funds appropriated under this heading in this Act for car-  
 8 rying out subpart II of part B of title XIX of the PHS  
 9 Act shall expend not less than 10 percent of such funds  
 10 for recovery support services: *Provided further*, That none  
 11 of the funds provided for section 1921 of the PHS Act  
 12 or State Opioid Response Grants shall be subject to sec-  
 13 tion 241 of such Act.

14 SUBSTANCE USE PREVENTION SERVICES

15 For carrying out titles III and V of the PHS Act  
 16 with respect to substance use prevention, \$248,434,000.

17 HEALTH SURVEILLANCE AND PROGRAM SUPPORT

18 For program support and cross-cutting activities that  
 19 supplement activities funded under the headings “Mental  
 20 Health”, “Substance Use Services”, and “Substance Use  
 21 Prevention Services” in carrying out titles III, V, and XIX  
 22 of the PHS Act and the Protection and Advocacy for Indi-  
 23 viduals with Mental Illness Act in the Substance Use And  
 24 Mental Health Services Administration, \$257,279,000:  
 25 *Provided*, That of the amount made available under this

1 heading, \$110,952,000 shall be used for the projects, and  
2 in the amounts, specified in the table titled “Labor, HHS,  
3 Education Incorporation of Community Project Funding  
4 Items” in the report accompanying this Act: *Provided fur-*  
5 *ther*, That none of the funds made available for projects  
6 described in the preceding proviso shall be subject to sec-  
7 tion 241 of the PHS Act or section 205 of this Act: *Pro-*  
8 *vided further*, That in addition to amounts provided here-  
9 in, \$31,428,000 shall be available under section 241 of  
10 the PHS Act to supplement funds available to carry out  
11 national surveys on drug use and mental health, to collect  
12 and analyze program data, and to conduct public aware-  
13 ness and technical assistance activities: *Provided further*,  
14 That, in addition, fees may be collected for the costs of  
15 publications, data, data tabulations, and data analysis  
16 completed under title V of the PHS Act and provided to  
17 a public or private entity upon request, which shall be  
18 credited to this appropriation and shall remain available  
19 until expended for such purposes: *Provided further*, That  
20 amounts made available in this Act for carrying out sec-  
21 tion 501(o) of the PHS Act shall remain available through  
22 September 30, 2024: *Provided further*, That funds made  
23 available under this heading (other than amounts specified  
24 in the first proviso under this heading) may be used to  
25 supplement program support funding provided under the



1 headings “Mental Health”, “Substance Use Services”,  
2 and “Substance Use Prevention Services”.

3 AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

4 HEALTHCARE RESEARCH AND QUALITY

5 For carrying out titles III and IX of the PHS Act,  
6 part A of title XI of the Social Security Act, and section  
7 1013 of the Medicare Prescription Drug, Improvement,  
8 and Modernization Act of 2003, \$385,000,000: *Provided*,  
9 That section 947(c) of the PHS Act shall not apply in  
10 fiscal year 2023: *Provided further*, That in addition,  
11 amounts received from Freedom of Information Act fees,  
12 reimbursable and interagency agreements, and the sale of  
13 data shall be credited to this appropriation and shall re-  
14 main available until September 30, 2024.

15 CENTERS FOR MEDICARE & MEDICAID SERVICES

16 GRANTS TO STATES FOR MEDICAID

17 For carrying out, except as otherwise provided, titles  
18 XI and XIX of the Social Security Act, \$367,357,090,000,  
19 to remain available until expended.

20 In addition, for carrying out such titles after May 31,  
21 2023, for the last quarter of fiscal year 2023 for unantici-  
22 pated costs incurred for the current fiscal year, such sums  
23 as may be necessary, to remain available until expended.

1       In addition, for carrying out such titles for the first  
2 quarter of fiscal year 2024, \$197,580,474,000, to remain  
3 available until expended.

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

9           PAYMENTS TO THE HEALTH CARE TRUST FUNDS

10       For payment to the Federal Hospital Insurance  
11 Trust Fund and the Federal Supplementary Medical In-  
12 surance Trust Fund, as provided under sections 217(g),  
13 1844, and 1860D–16 of the Social Security Act, sections  
14 103(c) and 111(d) of the Social Security Amendments of  
15 1965, section 278(d)(3) of Public Law 97–248, and for  
16 administrative expenses incurred pursuant to section  
17 201(g) of the Social Security Act, \$548,130,000,000.

18       In addition, for making matching payments under  
19 section 1844 and benefit payments under section 1860D–  
20 16 of the Social Security Act that were not anticipated  
21 in budget estimates, such sums as may be necessary.

22           PROGRAM MANAGEMENT

23       For carrying out, except as otherwise provided, titles  
24 XI, XVIII, XIX, and XXI of the Social Security Act, titles  
25 XIII and XXVII of the PHS Act, the Clinical Laboratory

1 Improvement Amendments of 1988, and other responsibil-  
2 ities of the Centers for Medicare & Medicaid Services, not  
3 to exceed \$4,346,985,000 to be transferred from the Fed-  
4 eral Hospital Insurance Trust Fund and the Federal Sup-  
5 plementary Medical Insurance Trust Fund, as authorized  
6 by section 201(g) of the Social Security Act; together with  
7 all funds collected in accordance with section 353 of the  
8 PHS Act and section 1857(e)(2) of the Social Security  
9 Act, funds retained by the Secretary pursuant to section  
10 1893(h) of the Social Security Act, and such sums as may  
11 be collected from authorized user fees and the sale of data,  
12 which shall be credited to this account and remain avail-  
13 able until expended: *Provided*, That all funds derived in  
14 accordance with 31 U.S.C. 9701 from organizations estab-  
15 lished under title XIII of the PHS Act shall be credited  
16 to and available for carrying out the purposes of this ap-  
17 propriation: *Provided further*, That the Secretary is di-  
18 rected to collect fees in fiscal year 2023 from Medicare  
19 Advantage organizations pursuant to section 1857(e)(2)  
20 of the Social Security Act and from eligible organizations  
21 with risk-sharing contracts under section 1876 of that Act  
22 pursuant to section 1876(k)(4)(D) of that Act: *Provided*  
23 *further*, That of the amount made available under this  
24 heading, \$494,261,000 shall remain available until Sep-  
25 tember 30, 2024, and shall be available for the Survey

1 and Certification Program: *Provided further*, That  
2 amounts available under this heading to support quality  
3 improvement organizations (as defined in section 1152 of  
4 the Social Security Act) shall not exceed the amount spe-  
5 cifically provided for such purpose under this heading in  
6 division H of the Consolidated Appropriations Act, 2018  
7 (Public Law 115–141).

8 HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT

9 In addition to amounts otherwise available for pro-  
10 gram integrity and program management, \$899,000,000,  
11 to remain available through September 30, 2024, to be  
12 transferred from the Federal Hospital Insurance Trust  
13 Fund and the Federal Supplementary Medical Insurance  
14 Trust Fund, as authorized by section 201(g) of the Social  
15 Security Act, of which \$667,181,000 shall be for the Cen-  
16 ters for Medicare & Medicaid Services program integrity  
17 activities, of which \$109,612,000 shall be for the Depart-  
18 ment of Health and Human Services Office of Inspector  
19 General to carry out fraud and abuse activities authorized  
20 by section 1817(k)(3) of such Act, and of which  
21 \$122,207,000 shall be for the Department of Justice to  
22 carry out fraud and abuse activities authorized by section  
23 1817(k)(3) of such Act: *Provided*, That the report re-  
24 quired by section 1817(k)(5) of the Social Security Act  
25 for fiscal year 2023 shall include measures of the oper-

1 ational efficiency and impact on fraud, waste, and abuse  
2 in the Medicare, Medicaid, and CHIP programs for the  
3 funds provided by this appropriation: *Provided further*,  
4 That of the amount provided under this heading,  
5 \$323,000,000 is provided to meet the terms of section  
6 1(h)(2) of H. Res. 1151 (117th Congress), as engrossed  
7 in the House of Representatives on June 8, 2022, and  
8 \$576,000,000 is additional new budget authority specified  
9 for purposes of such section 1(h) of such resolution: *Pro-*  
10 *vided further*, That the Secretary shall provide not less  
11 than \$35,000,000 from amounts made available under  
12 this heading and amounts made available for fiscal year  
13 2023 under section 1817(k)(3)(A) of the Social Security  
14 Act for the Senior Medicare Patrol program to combat  
15 health care fraud and abuse.

16 ADMINISTRATION FOR CHILDREN AND FAMILIES

17 PAYMENTS TO STATES FOR CHILD SUPPORT

18 ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

19 For carrying out, except as otherwise provided, titles  
20 I, IV–D, X, XI, XIV, and XVI of the Social Security Act  
21 and the Act of July 5, 1960, \$2,883,000,000, to remain  
22 available until expended; and for such purposes for the  
23 first quarter of fiscal year 2024, \$1,300,000,000, to re-  
24 main available until expended.

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

7               LOW INCOME HOME ENERGY ASSISTANCE

8       For making payments under subsections (b) and (d)  
9 of section 2602 of the Low-Income Home Energy Assist-  
10 ance Act of 1981 (42 U.S.C. 8621 et seq.),  
11 \$4,000,000,000: *Provided*, That notwithstanding section  
12 2609A(a) of such Act, not more than \$6,399,000 may be  
13 reserved by the Secretary for technical assistance, train-  
14 ing, and monitoring of program activities for compliance  
15 with internal controls, policies and procedures, and to sup-  
16 plement funding otherwise available for necessary admin-  
17 istrative expenses to carry out such Act, and the Secretary  
18 may, in addition to the authorities provided in section  
19 2609A(a)(1), use such funds through contracts with pri-  
20 vate entities that do not qualify as nonprofit organiza-  
21 tions: *Provided further*, That \$3,795,704,000 of the  
22 amount appropriated under this heading shall be allocated  
23 to each State and territory in amounts equal to the  
24 amount each State and territory was allocated in fiscal  
25 year 2022 pursuant to allocations made from amounts ap-

1   appropriated under this heading in title II of division H of  
2   the Consolidated Appropriations Act, 2022 (Public Law  
3   117–103): *Provided further*, That \$100,000,000 of the  
4   amount appropriated under this heading shall be allocated  
5   as though the total appropriation for such payments for  
6   fiscal year 2023 was less than \$1,975,000,000.

7                   REFUGEE AND ENTRANT ASSISTANCE

8           For necessary expenses for refugee and entrant as-  
9   sistance activities authorized by section 414 of the Immi-  
10   gration and Nationality Act and section 501 of the Ref-  
11   ugee Education Assistance Act of 1980, and for carrying  
12   out section 462 of the Homeland Security Act of 2002,  
13   section 235 of the William Wilberforce Trafficking Victims  
14   Protection Reauthorization Act of 2008, the Trafficking  
15   Victims Protection Act of 2000 (“TVPA”), and the Tor-  
16   ture Victims Relief Act of 1998, \$7,979,346,000, of which  
17   \$7,924,346,000 shall remain available through September  
18   30, 2025 for carrying out such sections 414, 501, 462,  
19   and 235: *Provided*, That amounts available under this  
20   heading to carry out the TVPA shall also be available for  
21   research and evaluation with respect to activities under  
22   such Act: *Provided further*, That the contribution of funds  
23   requirement under section 235(c)(6)(C)(iii) of the William  
24   Wilberforce Trafficking Victims Protection Reauthoriza-  
25   tion Act of 2008 shall not apply to funds made available

1 under this heading: *Provided further*, That the Director  
 2 of the Office of Refugee Resettlement, in carrying out sec-  
 3 tion 412(c)(1)(A) of the Immigration and Nationality Act  
 4 (8 U.S.C. 1522(c)(1)(A)), may allocate amounts made  
 5 available under this heading for such section among the  
 6 States in a manner that accounts for the most current  
 7 data available.

8 PAYMENTS TO STATES FOR THE CHILD CARE AND  
 9 DEVELOPMENT BLOCK GRANT

10 For carrying out the Child Care and Development  
 11 Block Grant Act of 1990 (“CCDBG Act”),  
 12 \$7,165,330,000 shall be used to supplement, not supplant  
 13 State general revenue funds for child care assistance for  
 14 low-income families: *Provided*, That technical assistance  
 15 under section 658I(a)(3) of such Act may be provided di-  
 16 rectly, or through the use of contracts, grants, cooperative  
 17 agreements, or interagency agreements: *Provided further*,  
 18 That all funds made available to carry out section 418  
 19 of the Social Security Act (42 U.S.C. 618), including  
 20 funds appropriated for that purpose in such section 418  
 21 or any other provision of law, shall be subject to the res-  
 22 ervation of funds authority in paragraphs (4) and (5) of  
 23 section 658O(a) of the CCDBG Act: *Provided further*,  
 24 That in addition to the amounts required to be reserved  
 25 by the Secretary under section 658O(a)(2)(A) of such Act,



1 \$184,960,000 shall be for Indian tribes and tribal organi-  
2 zations: *Provided further*, That of the amounts made avail-  
3 able under this heading, the Secretary may reserve up to  
4 0.5 percent for Federal administrative expenses.

5 SOCIAL SERVICES BLOCK GRANT

6 For making grants to States pursuant to section  
7 2002 of the Social Security Act, \$1,700,000,000: *Pro-*  
8 *vided*, That notwithstanding subparagraph (B) of section  
9 404(d)(2) of such Act, the applicable percent specified  
10 under such subparagraph for a State to carry out State  
11 programs pursuant to title XX–A of such Act shall be 10  
12 percent.

13 CHILDREN AND FAMILIES SERVICES PROGRAMS

14 For carrying out, except as otherwise provided, the  
15 Runaway and Homeless Youth Act, the Head Start Act,  
16 the Every Student Succeeds Act, the Child Abuse Preven-  
17 tion and Treatment Act, sections 303 and 313 of the  
18 Family Violence Prevention and Services Act, the Native  
19 American Programs Act of 1974, title II of the Child  
20 Abuse Prevention and Treatment and Adoption Reform  
21 Act of 1978 (adoption opportunities), part B–1 of title IV  
22 and sections 429, 473A, 477(i), 1110, 1114A, and 1115  
23 of the Social Security Act, the Community Services Block  
24 Grant Act (“CSBG Act”), Grants to Support Culturally  
25 Specific Populations, and Grants to Support Survivors of

1 Sexual Assault; and for necessary administrative expenses  
2 to carry out titles I, IV, V, X, XI, XIV, XVI, and XX–  
3 A of the Social Security Act, the Act of July 5, 1960 and  
4 the Low-Income Home Energy Assistance Act of 1981,  
5 \$15,167,344,000, of which \$75,000,000, to remain avail-  
6 able through September 30, 2024, shall be for grants to  
7 States for adoption and legal guardianship incentive pay-  
8 ments, as defined by section 473A of the Social Security  
9 Act and may be made for adoptions and legal  
10 guardianships completed before September 30, 2023: *Pro-*  
11 *vided*, That \$12,396,820,000 shall be for making pay-  
12 ments under the Head Start Act, including for Early Head  
13 Start–Child Care Partnerships, and, of which, notwith-  
14 standing section 640 of such Act:

15 (1) \$596,000,000 shall be available for a cost  
16 of living adjustment, and with respect to any con-  
17 tinuing appropriations act, funding available for a  
18 cost of living adjustment shall not be construed as  
19 an authority or condition under this Act;

20 (2) \$25,000,000 shall be available for allocation  
21 by the Secretary to supplement activities described  
22 in paragraphs (7)(B) and (9) of section 641(c) of  
23 the Head Start Act under the Designation Renewal  
24 System, established under the authority of sections  
25 641(c)(7), 645A(b)(12), and 645A(d) of such Act,

1 and such funds shall not be included in the calcula-  
2 tion of “base grant” in subsequent fiscal years, as  
3 such term is used in section 640(a)(7)(A) of such  
4 Act;

5 (3) \$262,000,000 shall be available for quality  
6 improvement consistent with section 640(a)(5) of  
7 such Act except that any amount of the funds may  
8 be used on any of the activities in such section, of  
9 which not less than \$13,000,000 shall be available  
10 to migrant and seasonal Head Start programs for  
11 such activities, in addition to funds made available  
12 for migrant and seasonal Head Start programs  
13 under any other provision of section 640(a) of such  
14 Act;

15 (4) \$500,000,000, in addition to funds other-  
16 wise available for such purposes under section 640  
17 of the Head Start Act, shall be available through  
18 September 30, 2024, for awards to eligible entities  
19 for Head Start and Early Head Start programs and  
20 to entities defined as eligible under section 645A(d)  
21 of such Act for high quality infant and toddler care  
22 through Early Head Start – Child Care Partner-  
23 ships, and for training and technical assistance for  
24 such activities: *Provided further*, That of the funds  
25 made available in this paragraph, up to \$21,000,000

1 shall be available to the Secretary for the adminis-  
2 trative costs of carrying out this paragraph;

3 (5) \$8,000,000 shall be available for the Tribal  
4 Colleges and Universities Head Start Partnership  
5 Program consistent with section 648(g) of such Act;  
6 and

7 (6) \$21,000,000 shall be available to supple-  
8 ment funding otherwise available for research, eval-  
9 uation, and Federal administrative costs:

10 *Provided further*, That the Secretary may reduce the res-  
11 ervation of funds under section 640(a)(2)(C) of such Act  
12 in lieu of reducing the reservation of funds under sections  
13 640(a)(2)(B), 640(a)(2)(D), and 640(a)(2)(E) of such  
14 Act: *Provided further*, That \$350,000,000 shall be avail-  
15 able until December 31, 2023 for carrying out sections  
16 9212 and 9213 of the Every Student Succeeds Act: *Pro-*  
17 *vided further*, That up to 3 percent of the funds in the  
18 preceding proviso shall be available for technical assist-  
19 ance and evaluation related to grants awarded under such  
20 section 9212: *Provided further*, That \$834,383,000 shall  
21 be for making payments under the CSBG Act: *Provided*  
22 *further*, That for services furnished under the CSBG Act  
23 with funds made available for such purpose in this fiscal  
24 year, States may apply the last sentence of section 673(2)  
25 of the CSBG Act by substituting “200 percent” for “125

1 percent”: *Provided further*, That \$34,383,000 shall be for  
2 section 680 of the CSBG Act, of which not less than  
3 \$22,383,000 shall be for section 680(a)(2) and not less  
4 than \$12,000,000 shall be for section 680(a)(3)(B) of  
5 such Act: *Provided further*, That, notwithstanding section  
6 675C(a)(3) of the CSBG Act, to the extent Community  
7 Services Block Grant funds are distributed as grant funds  
8 by a State to an eligible entity as provided under such  
9 Act, and have not been expended by such entity, they shall  
10 remain with such entity for carryover into the next fiscal  
11 year for expenditure by such entity consistent with pro-  
12 gram purposes: *Provided further*, That the Secretary shall  
13 establish procedures regarding the disposition of intan-  
14 gible assets and program income that permit such assets  
15 acquired with, and program income derived from, grant  
16 funds authorized under section 680 of the CSBG Act to  
17 become the sole property of such grantees after a period  
18 of not more than 12 years after the end of the grant pe-  
19 riod for any activity consistent with section 680(a)(2)(A)  
20 of the CSBG Act: *Provided further*, That intangible assets  
21 in the form of loans, equity investments and other debt  
22 instruments, and program income may be used by grant-  
23 ees for any eligible purpose consistent with section  
24 680(a)(2)(A) of the CSBG Act: *Provided further*, That  
25 these procedures shall apply to such grant funds made

1 available after November 29, 1999: *Provided further*, That  
2 funds appropriated for section 680(a)(2) of the CSBG Act  
3 shall be available for financing construction and rehabili-  
4 tation and loans or investments in private business enter-  
5 prises owned by community development corporations:  
6 *Provided further*, That \$300,000,000 shall be for carrying  
7 out section 303(a) of the Family Violence Prevention and  
8 Services Act, of which \$7,000,000 shall be allocated not-  
9 withstanding section 303(a)(2) of such Act for carrying  
10 out section 309 of such Act: *Provided further*, That funds  
11 made available in the preceding proviso may be used for  
12 direct payments to any victim of family violence, domestic  
13 violence, or dating violence, or to any dependent of such  
14 victim, notwithstanding section 308(d)(1) of the Family  
15 Violence Prevention and Services Act: *Provided further*,  
16 That the percentages specified in section 112(a)(2) of the  
17 Child Abuse Prevention and Treatment Act shall not apply  
18 to funds appropriated under this heading: *Provided fur-*  
19 *ther*, That \$2,364,000 shall be for a human services case  
20 management system for federally declared disasters, to in-  
21 clude a comprehensive national case management contract  
22 and Federal costs of administering the system: *Provided*  
23 *further*, That up to \$2,000,000 shall be for improving the  
24 Public Assistance Reporting Information System, includ-  
25 ing grants to States to support data collection for a study

1 of the system’s effectiveness: *Provided further*, That  
 2 \$69,167,000 shall be used for the projects, and in the  
 3 amounts, specified in the table titled “Labor, HHS, Edu-  
 4 cation Incorporation of Community Project Funding  
 5 Items” included in the report accompanying this Act: *Pro-*  
 6 *vided further*, That none of the funds made available for  
 7 projects described in the preceding proviso shall be subject  
 8 to section 241 of the PHS Act or section 205 of this Act.

9 PROMOTING SAFE AND STABLE FAMILIES

10 For carrying out, except as otherwise provided, sec-  
 11 tion 436 of the Social Security Act, \$345,000,000 and,  
 12 for carrying out, except as otherwise provided, section 437  
 13 of such Act, \$82,515,000: *Provided*, That of the funds  
 14 available to carry out section 437, \$59,765,000 shall be  
 15 allocated consistent with subsections (b) through (d) of  
 16 such section: *Provided further*, That of the funds available  
 17 to carry out section 437, to assist in meeting the require-  
 18 ments described in section 471(e)(4)(C), \$20,000,000  
 19 shall be for grants to each State, territory, and Indian  
 20 tribe operating title IV–E plans for developing, enhancing,  
 21 or evaluating kinship navigator programs, as described in  
 22 section 427(a)(1) of such Act and \$2,750,000, in addition  
 23 to funds otherwise appropriated in section 476 for such  
 24 purposes, shall be for the Family First Clearinghouse and  
 25 to support evaluation and technical assistance relating to

1 the evaluation of child and family services: *Provided fur-*  
 2 *ther*, That section 437(b)(1) shall be applied to amounts  
 3 in the previous proviso by substituting “5 percent” for  
 4 “3.3 percent”, and notwithstanding section 436(b)(1),  
 5 such reserved amounts may be used for identifying, estab-  
 6 lishing, and disseminating practices to meet the criteria  
 7 specified in section 471(e)(4)(C): *Provided further*, That  
 8 the reservation in section 437(b)(2) and the limitations  
 9 in section 437(d) shall not apply to funds specified in the  
 10 second proviso: *Provided further*, That the minimum grant  
 11 award for kinship navigator programs in the case of States  
 12 and territories shall be \$200,000, and, in the case of  
 13 tribes, shall be \$25,000.

14 PAYMENTS FOR FOSTER CARE AND PERMANENCY

15 For carrying out, except as otherwise provided, title  
 16 IV–E of the Social Security Act, \$7,606,000,000.

17 For carrying out, except as otherwise provided, title  
 18 IV–E of the Social Security Act, for the first quarter of  
 19 fiscal year 2024, \$3,200,000,000.

20 For carrying out, after May 31 of the current fiscal  
 21 year, except as otherwise provided, section 474 of title IV–  
 22 E of the Social Security Act, for the last 3 months of the  
 23 current fiscal year for unanticipated costs, incurred for the  
 24 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 pro-  
5 vided, the Older Americans Act of 1965 (“OAA”), the  
6 RAISE Family Caregivers Act, the Supporting Grand-  
7 parents Raising Grandchildren Act, titles III and XXIX  
8 of the PHS Act, sections 1252 and 1253 of the PHS Act,  
9 section 119 of the Medicare Improvements for Patients  
10 and Providers Act of 2008, title XX–B of the Social Secu-  
11 rity Act, the Developmental Disabilities Assistance and  
12 Bill of Rights Act of 2000, parts 2 and 5 of subtitle D  
13 of title II of the Help America Vote Act of 2002, the As-  
14 sistive Technology Act of 1998, titles II and VII (and sec-  
15 tion 14 with respect to such titles) of the Rehabilitation  
16 Act of 1973, and for Department-wide coordination of pol-  
17 icy and program activities that assist individuals with dis-  
18 abilities, \$2,860,008,000, together with \$58,115,000 to be  
19 transferred from the Federal Hospital Insurance Trust  
20 Fund and the Federal Supplementary Medical Insurance  
21 Trust Fund to carry out section 4360 of the Omnibus  
22 Budget Reconciliation Act of 1990: *Provided*, That of  
23 amounts made available under this heading to carry out  
24 sections 311, 331, and 336 of the OAA, up to one percent  
25 of such amounts shall be available for developing and im-

1 plementing evidence-based practices for enhancing senior  
2 nutrition, including medically-tailored meals: *Provided fur-*  
3 *ther*, That notwithstanding any other provision of this Act,  
4 funds made available under this heading to carry out sec-  
5 tion 311 of the OAA may be transferred to the Secretary  
6 of Agriculture in accordance with such section: *Provided*  
7 *further*, That up to 5 percent of the funds provided for  
8 adult protective services grants under section 2042 of title  
9 XX of the Social Security Act may be used to make grants  
10 to Tribes and Tribal Organizations: *Provided further*, That  
11 \$2,000,000 shall be for competitive grants to support al-  
12 ternative financing programs that provide for the purchase  
13 of assistive technology devices, such as a low-interest loan  
14 fund; an interest buy-down program; a revolving loan  
15 fund; a loan guarantee; or an insurance program: *Provided*  
16 *further*, That applicants shall provide an assurance that,  
17 and information describing the manner in which, the alter-  
18 native financing program will expand and emphasize con-  
19 sumer choice and control: *Provided further*, That State  
20 agencies and community-based disability organizations  
21 that are directed by and operated for individuals with dis-  
22 abilities shall be eligible to compete: *Provided further*, That  
23 none of the funds made available under this heading may  
24 be used by an eligible system (as defined in section 102  
25 of the Protection and Advocacy for Individuals with Men-

1 tal Illness Act (42 U.S.C. 10802)) to continue to pursue  
2 any legal action in a Federal or State court on behalf of  
3 an individual or group of individuals with a developmental  
4 disability (as defined in section 102(8)(A) of the Develop-  
5 mental Disabilities and Assistance and Bill of Rights Act  
6 of 2000 (20 U.S.C. 15002(8)(A)) that is attributable to  
7 a mental impairment (or a combination of mental and  
8 physical impairments), that has as the requested remedy  
9 the closure of State operated intermediate care facilities  
10 for people with intellectual or developmental disabilities,  
11 unless reasonable public notice of the action has been pro-  
12 vided to such individuals (or, in the case of mental inca-  
13 pacitation, the legal guardians who have been specifically  
14 awarded authority by the courts to make healthcare and  
15 residential decisions on behalf of such individuals) who are  
16 affected by such action, within 90 days of instituting such  
17 legal action, which informs such individuals (or such legal  
18 guardians) of their legal rights and how to exercise such  
19 rights consistent with current Federal Rules of Civil Pro-  
20 cedure: *Provided further*, That the limitations in the imme-  
21 diately preceding proviso shall not apply in the case of an  
22 individual who is neither competent to consent nor has a  
23 legal guardian, nor shall the proviso apply in the case of  
24 individuals who are a ward of the State or subject to pub-  
25 lic guardianship: *Provided further*, That of the amount

1 made available under this heading, \$30,446,000 shall be  
2 used for the projects, and in the amounts, specified in the  
3 table titled “Labor, HHS, Education Incorporation of  
4 Community Project Funding Items” included in the report  
5 accompanying this Act: *Provided further*, That none of the  
6 funds made available for projects described in the pre-  
7 ceding proviso shall be subject to section 241 of the PHS  
8 Act or section 205 of this Act.

9 OFFICE OF THE SECRETARY

10 GENERAL DEPARTMENTAL MANAGEMENT

11 For necessary expenses, not otherwise provided, for  
12 general departmental management, including hire of six  
13 passenger motor vehicles, and for carrying out titles III,  
14 XVII, XXI, and section 229 of the PHS Act, the United  
15 States-Mexico Border Health Commission Act, and re-  
16 search studies under section 1110 of the Social Security  
17 Act, \$563,894,000, together with \$75,728,000 from the  
18 amounts available under section 241 of the PHS Act to  
19 carry out national health or human services research and  
20 evaluation activities: *Provided*, That of this amount,  
21 \$60,000,000 shall be for minority AIDS prevention and  
22 treatment activities: *Provided further*, That of the funds  
23 made available under this heading, \$130,000,000 shall be  
24 for making competitive contracts and grants to public and  
25 private entities to fund medically accurate and age appro-

1 priate programs that reduce teen pregnancy and for the  
2 Federal costs associated with administering and evalu-  
3 ating such contracts and grants, of which not more than  
4 10 percent of the available funds shall be for training and  
5 technical assistance, evaluation, outreach, and additional  
6 program support activities, and of the remaining amount  
7 75 percent shall be for replicating programs that have  
8 been proven effective through rigorous evaluation to re-  
9 duce teenage pregnancy, behavioral risk factors underlying  
10 teenage pregnancy, or other associated risk factors, and  
11 25 percent shall be available for research and demonstra-  
12 tion grants to develop, replicate, refine, and test additional  
13 models and innovative strategies for preventing teenage  
14 pregnancy: *Provided further*, That of the amounts pro-  
15 vided under this heading from amounts available under  
16 section 241 of the PHS Act, \$7,700,000 shall be available  
17 to carry out evaluations (including longitudinal evalua-  
18 tions) of teenage pregnancy prevention approaches: *Pro-*  
19 *vided further*, That funds provided in this Act for embryo  
20 adoption activities may be used to provide to individuals  
21 adopting embryos, through grants and other mechanisms,  
22 medical and administrative services deemed necessary for  
23 such adoptions: *Provided further*, That such services shall  
24 be provided consistent with 42 CFR 59.5(a)(4): *Provided*  
25 *further*, That of the funds made available under this head-

ing, \$5,000,000 shall be for carrying out prize competi-  
 tions sponsored by the Office of the Secretary to accelerate  
 innovation in the prevention, diagnosis, and treatment of  
 kidney diseases (as authorized by section 24 of the Steven-  
 son-Wydler Technology Innovation Act of 1980 (15 U.S.C.  
 3719)): *Provided further*, That the Secretary may use  
 \$5,000,000 of the amounts appropriated under this head-  
 ing to supplement funds otherwise available to the Sec-  
 retary for the hire and purchase of electric vehicles and  
 electric vehicle charging stations, and to cover other costs  
 related to electrifying the motor vehicle fleet within HHS.

#### MEDICARE HEARINGS AND APPEALS

For expenses necessary for Medicare hearings and  
 appeals in the Office of the Secretary, \$196,000,000 shall  
 remain available until September 30, 2024, to be trans-  
 ferred in appropriate part from the Federal Hospital In-  
 surance Trust Fund and the Federal Supplementary Med-  
 ical Insurance Trust Fund.

#### OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH INFORMATION TECHNOLOGY

For expenses necessary for the Office of the National  
 Coordinator for Health Information Technology, including  
 grants, contracts, and cooperative agreements for the de-  
 velopment and advancement of interoperable health infor-

1 mation technology, \$86,614,000 shall be from amounts  
2 made available under section 241 of the PHS Act.

3 OFFICE OF INSPECTOR GENERAL

4 For expenses necessary for the Office of Inspector  
5 General, including the hire of passenger motor vehicles for  
6 investigations, in carrying out the provisions of the Inspec-  
7 tor General Act of 1978, \$94,400,000: *Provided*, That of  
8 such amount, necessary sums shall be available for pro-  
9 viding protective services to the Secretary and inves-  
10 tigating non-payment of child support cases for which non-  
11 payment is a Federal offense under 18 U.S.C. 228: *Pro-*  
12 *vided further*, That of the amount appropriated under this  
13 heading, necessary sums shall be available for carrying out  
14 activities authorized under section 3022 of the PHS Act  
15 (42 U.S.C. 300jj-52).

16 OFFICE FOR CIVIL RIGHTS

17 For expenses necessary for the Office for Civil  
18 Rights, \$49,798,000.

19 RETIREMENT PAY AND MEDICAL BENEFITS FOR

20 COMMISSIONED OFFICERS

21 For retirement pay and medical benefits of Public  
22 Health Service Commissioned Officers as authorized by  
23 law, for payments under the Retired Serviceman's Family  
24 Protection Plan and Survivor Benefit Plan, and for med-  
25 ical care of dependents and retired personnel under the

1 Dependents' Medical Care Act, such amounts as may be  
2 required during the current fiscal year.

3 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY  
4 FUND

5 For expenses necessary to support activities related  
6 to countering potential biological, nuclear, radiological,  
7 chemical, and cybersecurity threats to civilian populations,  
8 and for other public health emergencies, \$1,662,356,000,  
9 of which \$845,005,000 shall remain available through  
10 September 30, 2024, for expenses necessary to support  
11 advanced research and development pursuant to section  
12 319L of the PHS Act and other administrative expenses  
13 of the Biomedical Advanced Research and Development  
14 Authority: *Provided*, That funds provided under this head-  
15 ing for the purpose of acquisition of security counter-  
16 measures shall be in addition to any other funds available  
17 for such purpose: *Provided further*, That products pur-  
18 chased with funds provided under this heading may, at  
19 the discretion of the Secretary, be deposited in the Stra-  
20 tegic National Stockpile pursuant to section 319F–2 of  
21 the PHS Act: *Provided further*, That \$5,000,000 of the  
22 amounts made available to support emergency operations  
23 shall remain available through September 30, 2025: *Pro-*  
24 *vided further*, That \$132,801,000 of the amounts made  
25 available to support coordination of the development, pro-



1 duction, and distribution of vaccines, therapeutics, and  
2 other medical countermeasures shall remain available  
3 through September 30, 2024.

4 For expenses necessary for procuring security coun-  
5 termesures (as defined in section 319F–2(c)(1)(B) of the  
6 PHS Act), \$800,000,000, to remain available until ex-  
7 pended.

8 For expenses necessary to carry out section 319F–  
9 2(a) of the PHS Act, \$855,000,000, to remain available  
10 until expended.

11 For an additional amount for expenses necessary to  
12 prepare for or respond to an influenza pandemic,  
13 \$382,000,000; of which \$347,000,000 shall be available  
14 until expended, for activities including the development  
15 and purchase of vaccine, antivirals, necessary medical sup-  
16 plies, diagnostics, and other surveillance tools: *Provided*,  
17 That notwithstanding section 496(b) of the PHS Act,  
18 funds may be used for the construction or renovation of  
19 privately owned facilities for the production of pandemic  
20 influenza vaccines and other biologics, if the Secretary  
21 finds such construction or renovation necessary to secure  
22 sufficient supplies of such vaccines or biologics.

23 ADVANCED RESEARCH PROJECTS AGENCY FOR HEALTH

24 For carrying out section 301 and title IV of the PHS  
25 Act with respect to advanced research projects for health,

1 \$2,750,000,000, to remain available through September  
 2 30, 2025: *Provided*, That the President shall appoint in  
 3 the Department of Health and Human Services a director  
 4 of advanced research projects for health (Director): *Pro-*  
 5 *vided further*, That funds may be used to make or rescind  
 6 appointments of scientific, medical, and professional per-  
 7 sonnel without regard to any provision in title 5 governing  
 8 appointments under the civil service laws: *Provided fur-*  
 9 *ther*, That funds may be used to fix the compensation of  
 10 such personnel at a rate to be determined by the Director,  
 11 up to the amount of annual compensation (excluding ex-  
 12 penses) specified in section 102 of title 3, United States  
 13 Code: *Provided further*, That the Director may use funds  
 14 made available under this heading to make awards in the  
 15 form of grants, contracts, cooperative agreements, and  
 16 cash prizes, and enter into other transactions (as defined  
 17 in section 319L(a)(3) of the PHS Act).

## 18 GENERAL PROVISIONS

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

23 SEC. 202. None of the funds appropriated in this title  
 24 shall be used to pay the salary of an individual, through  
 25 a grant or other extramural mechanism, at a rate in excess

1 of Executive Level II: *Provided*, That none of the funds  
2 appropriated in this title shall be used to prevent the NIH  
3 from paying up to 100 percent of the salary of an indi-  
4 vidual at this rate.

5 SEC. 203. None of the funds appropriated in this Act  
6 may be expended pursuant to section 241 of the PHS Act,  
7 except for funds specifically provided for in this Act, or  
8 for other taps and assessments made by any office located  
9 in HHS, prior to the preparation and submission of a re-  
10 port by the Secretary to the Committees on Appropria-  
11 tions of the House of Representatives and the Senate de-  
12 tailing the planned uses of such funds.

13 SEC. 204. Notwithstanding section 241(a) of the  
14 PHS Act, such portion as the Secretary shall determine,  
15 but not more than 2.5 percent, of any amounts appro-  
16 priated for programs authorized under such Act shall be  
17 made available for the evaluation (directly, or by grants  
18 or contracts) and the implementation and effectiveness of  
19 programs funded in this title.

20 (TRANSFER OF FUNDS)

21 SEC. 205. Not to exceed 1 percent of any discre-  
22 tionary funds (pursuant to the Balanced Budget and  
23 Emergency Deficit Control Act of 1985) which are appro-  
24 priated for the current fiscal year for HHS in this Act  
25 may be transferred between appropriations, but no such

1 appropriation shall be increased by more than 3 percent  
2 by any such transfer: *Provided*, That the transfer author-  
3 ity granted by this section shall not be used to create any  
4 new program or to fund any project or activity for which  
5 no funds are provided in this Act: *Provided further*, That  
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 any transfer.

9       SEC. 206. In lieu of the timeframe specified in section  
10 338E(c)(2) of the PHS Act, terminations described in  
11 such section may occur up to 60 days after the effective  
12 date of a contract awarded in fiscal year 2023 under sec-  
13 tion 338B of such Act, or at any time if the individual  
14 who has been awarded such contract has not received  
15 funds due under the contract.

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

23       SEC. 208. Notwithstanding any other provision of  
24 law, no provider of services under title X of the PHS Act  
25 shall be exempt from any State law requiring notification

1 or the reporting of child abuse, child molestation, sexual  
2 abuse, rape, or incest.

3       SEC. 209. None of the funds appropriated by this Act  
4 (including funds appropriated to any trust fund) may be  
5 used to carry out the Medicare Advantage program if the  
6 Secretary denies participation in such program to an oth-  
7 erwise eligible entity (including a Provider Sponsored Or-  
8 ganization) because the entity informs the Secretary that  
9 it will not provide, pay for, provide coverage of, or provide  
10 referrals for abortions: *Provided*, That the Secretary shall  
11 make appropriate prospective adjustments to the capita-  
12 tion payment to such an entity (based on an actuarially  
13 sound estimate of the expected costs of providing the serv-  
14 ice to such entity's enrollees): *Provided further*, That noth-  
15 ing in this section shall be construed to change the Medi-  
16 care program's coverage for such services and a Medicare  
17 Advantage organization described in this section shall be  
18 responsible for informing enrollees where to obtain infor-  
19 mation about all Medicare covered services.

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

23       SEC. 211. The Secretary shall make available through  
24 assignment not more than 60 employees of the Public  
25 Health Service to assist in child survival activities and to

1 work in AIDS programs through and with funds provided  
2 by the Agency for International Development, the United  
3 Nations International Children's Emergency Fund or the  
4 World Health Organization.

5 SEC. 212. In order for HHS to carry out inter-  
6 national health activities, including HIV/AIDS and other  
7 infectious disease, chronic and environmental disease, and  
8 other health activities abroad during fiscal year 2023:

9 (1) The Secretary may exercise authority equiv-  
10 alent to that available to the Secretary of State in  
11 section 2(c) of the State Department Basic Authori-  
12 ties Act of 1956. The Secretary shall consult with  
13 the Secretary of State and relevant Chief of Mission  
14 to ensure that the authority provided in this section  
15 is exercised in a manner consistent with section 207  
16 of the Foreign Service Act of 1980 and other appli-  
17 cable statutes administered by the Department of  
18 State.

19 (2) The Secretary is authorized to provide such  
20 funds by advance or reimbursement to the Secretary  
21 of State as may be necessary to pay the costs of ac-  
22 quisition, lease, alteration, renovation, and manage-  
23 ment of facilities outside of the United States for  
24 the use of HHS. The Department of State shall co-  
25 operate fully with the Secretary to ensure that HHS

1       has secure, safe, functional facilities that comply  
2       with applicable regulation governing location, set-  
3       back, and other facilities requirements and serve the  
4       purposes established by this Act. The Secretary is  
5       authorized, in consultation with the Secretary of  
6       State, through grant or cooperative agreement, to  
7       make available to public or nonprofit private institu-  
8       tions or agencies in participating foreign countries,  
9       funds to acquire, lease, alter, or renovate facilities in  
10      those countries as necessary to conduct programs of  
11      assistance for international health activities, includ-  
12      ing activities relating to HIV/AIDS and other infec-  
13      tious diseases, chronic and environmental diseases,  
14      and other health activities abroad.

15           (3) The Secretary is authorized to provide to  
16      personnel appointed or assigned by the Secretary to  
17      serve abroad, allowances and benefits similar to  
18      those provided under chapter 9 of title I of the For-  
19      eign Service Act of 1980, and 22 U.S.C. 4081  
20      through 4086 and subject to such regulations pre-  
21      scribed by the Secretary. The Secretary is further  
22      authorized to provide locality-based comparability  
23      payments (stated as a percentage) up to the amount  
24      of the locality-based comparability payment (stated  
25      as a percentage) that would be payable to such per-

1       sonnel under section 5304 of title 5, United States  
2       Code if such personnel's official duty station were in  
3       the District of Columbia. Leaves of absence for per-  
4       sonnel under this subsection shall be on the same  
5       basis as that provided under subchapter I of chapter  
6       63 of title 5, United States Code, or section 903 of  
7       the Foreign Service Act of 1980, to individuals serv-  
8       ing in the Foreign Service.

9                               (TRANSFER OF FUNDS)

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

18                               (TRANSFER OF FUNDS)

19       SEC. 214. Of the amounts made available in this Act  
20       for NIH, the amount for research related to the human  
21       immunodeficiency virus, as jointly determined by the Di-  
22       rector of NIH and the Director of the Office of AIDS Re-  
23       search, shall be made available to the "Office of AIDS  
24       Research" account. The Director of the Office of AIDS



1 Research shall transfer from such account amounts nec-  
2 essary to carry out section 2353(d)(3) of the PHS Act.

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

10 (b) PEER REVIEW.—In entering into transactions  
11 under subsection (a), the Director may utilize such peer  
12 review procedures (including consultation with appropriate  
13 scientific experts) as the Director determines to be appro-  
14 priate to obtain assessments of scientific and technical  
15 merit. Such procedures shall apply to such transactions  
16 in lieu of the peer review and advisory council review pro-  
17 cedures that would otherwise be required under sections  
18 301(a)(3), 405(b)(1)(B), 405(b)(2), 406(a)(3)(A), 492,  
19 and 494 of the PHS Act.

20 SEC. 216. Not to exceed \$100,000,000 of funds ap-  
21 propriated by this Act to the institutes and centers of the  
22 National Institutes of Health may be used for alteration,  
23 repair, or improvement of facilities, as necessary for the  
24 proper and efficient conduct of the activities authorized  
25 herein, at not to exceed \$5,000,000 per project.

## (TRANSFER OF FUNDS)

1  
2 SEC. 217. Of the amounts made available for NIH,  
3 1 percent of the amount made available for National Re-  
4 search Service Awards (“NRSA”) shall be made available  
5 to the Administrator of the Health Resources and Services  
6 Administration to make NRSA awards for research in pri-  
7 mary medical care to individuals affiliated with entities  
8 who have received grants or contracts under sections 736,  
9 739, or 747 of the PHS Act, and 1 percent of the amount  
10 made available for NRSA shall be made available to the  
11 Director of the Agency for Healthcare Research and Qual-  
12 ity to make NRSA awards for health service research.

13 SEC. 218. (a) The Biomedical Advanced Research  
14 and Development Authority (“BARDA”) may enter into  
15 a contract, for more than one but no more than 10 pro-  
16 gram years, for purchase of research services or of security  
17 countermeasures, as that term is defined in section 319F–  
18 2(c)(1)(B) of the PHS Act (42 U.S.C. 247d–6b(c)(1)(B)),  
19 if—

20 (1) funds are available and obligated—

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

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

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

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

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

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

12          SEC. 219. The Secretary shall publish, as part of the  
13          fiscal year 2024 budget of the President submitted under  
14          section 1105(a) of title 31, United States Code, informa-  
15          tion that details the uses of all funds used by the Centers  
16          for Medicare & Medicaid Services specifically for Health  
17          Insurance Exchanges for each fiscal year since the enact-  
18          ment of the ACA and the proposed uses for such funds  
19          for fiscal year 2024. Such information shall include, for  
20          each such fiscal year, the amount of funds used for each  
21          activity specified under the heading “Health Insurance  
22          Exchange Transparency” in the report accompanying this  
23          Act.

24          SEC. 220. None of the funds made available by this  
25          Act from the Federal Hospital Insurance Trust Fund or

1 the Federal Supplemental Medical Insurance Trust Fund,  
2 or transferred from other accounts funded by this Act to  
3 the “Centers for Medicare & Medicaid Services—Program  
4 Management” account, may be used for payments under  
5 section 1342(b)(1) of Public Law 111–148 (relating to  
6 risk corridors).

7 (TRANSFER OF FUNDS)

8 SEC. 221. (a) Within 45 days of enactment of this  
9 Act, the Secretary shall transfer funds appropriated under  
10 section 4002 of the ACA to the accounts specified, in the  
11 amounts specified, and for the activities specified under  
12 the heading “Prevention and Public Health Fund” in the  
13 explanatory statement described in section 4 (in the mat-  
14 ter preceding division A of this consolidated Act).

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

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

20 SEC. 222. (a) IN GENERAL.—Effective during the pe-  
21 riod beginning on November 1, 2015 and ending January  
22 1, 2025, any provision of law that refers (including  
23 through cross-reference to another provision of law) to the  
24 current recommendations of the United States Preventive  
25 Services Task Force with respect to breast cancer screen-

1 ing, mammography, and prevention shall be administered  
2 by the Secretary involved as if—

3 (1) such reference to such current recommenda-  
4 tions were a reference to the recommendations of  
5 such Task Force with respect to breast cancer  
6 screening, mammography, and prevention last issued  
7 before 2009; and

8 (2) such recommendations last issued before  
9 2009 applied to any screening mammography modal-  
10 ity under section 1861(jj) of the Social Security Act  
11 (42 U.S.C. 1395x(jj)).

12 (b) CLARIFYING THE DEFINITION OF “SCREENING  
13 MAMMOGRAPHY”.—Section 1861 (jj) of the Social Secu-  
14 rity Act (42 U.S.C. 1395x(jj)) is amended by inserting  
15 “, including any digital modality (such as screening breast  
16 tomosynthesis) of such a procedure,” after “radiological  
17 procedure”.

18 SEC. 223. 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 con-  
22 tinue to apply to the National Institutes of Health to the  
23 same extent and in the same manner as such provisions  
24 were applied in the third quarter of fiscal year 2017. None  
25 of the funds appropriated in this or prior Acts or otherwise

1 made available to the Department of Health and Human  
2 Services or to any department or agency may be used to  
3 develop or implement a modified approach to such provi-  
4 sions, or to intentionally or substantially expand the fiscal  
5 effect of the approval of such deviations from negotiated  
6 rates beyond the proportional effect of such approvals in  
7 such quarter.

8 (TRANSFER OF FUNDS)

9 SEC. 224. 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  
13 the same purpose 15 days after notifying the Committees  
14 on 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. 225. (a) The Secretary shall provide to the  
19 Committees on Appropriations of the House of Represent-  
20 atives and the Senate:

21 (1) Detailed monthly enrollment figures from  
22 the Exchanges established under the Patient Protec-  
23 tion and Affordable Care Act of 2010 pertaining to  
24 enrollments during the open enrollment period; and

1           (2) Notification of any new or competitive grant  
2       awards, including supplements, authorized under  
3       section 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  
7       or the award of such grants.

8       SEC. 226. The Department of Health and Human  
9       Services shall provide the Committees on Appropriations  
10      of the House of Representatives and Senate a biannual  
11      report 30 days after the date of enactment of this Act  
12      on staffing described in report accompanying this Act.

13      SEC. 227. Funds appropriated in this Act that are  
14      available for salaries and expenses of employees of the De-  
15      partment of Health and Human Services shall also be  
16      available to pay travel and related expenses of such an  
17      employee or of a member of his or her family, when such  
18      employee is assigned to duty, in the United States or in  
19      a U.S. territory, during a period and in a location that  
20      are the subject of a determination of a public health emer-  
21      gency under section 319 of the Public Health Service Act  
22      and such travel is necessary to obtain medical care for  
23      an illness, injury, or medical condition that cannot be ade-  
24      quately addressed in that location at that time. For pur-  
25      poses of this section, the term “U.S. territory” means

1 Guam, the Commonwealth of Puerto Rico, the Northern  
2 Mariana Islands, the Virgin Islands, American Samoa, or  
3 the Trust Territory of the Pacific Islands.

4       SEC. 228. The Department of Health and Human  
5 Services may accept donations from the private sector,  
6 nongovernmental organizations, and other groups inde-  
7 pendent of the Federal Government for the care of unac-  
8 companied alien children (as defined in section 462(g)(2)  
9 of the Homeland Security Act of 2002 (6 U.S.C.  
10 279(g)(2))) in the care of the Office of Refugee Resettle-  
11 ment of the Administration for Children and Families, in-  
12 cluding monetary donations, medical goods and services,  
13 which may include early childhood developmental  
14 screenings, school supplies, toys, clothing, and any other  
15 items or services intended to promote the wellbeing of such  
16 children. Monetary donations received by the Department  
17 of Health and Human Services under this section shall  
18 be retained and credited to the Refugee and Entrant As-  
19 sistance account and shall remain available until expended  
20 for the purposes provided by this section.

21       SEC. 229. None of the funds made available in this  
22 Act under the heading “Department of Health and  
23 Human Services—Administration for Children and Fami-  
24 lies—Refugee and Entrant Assistance” may be obligated  
25 to a grantee or contractor to house unaccompanied alien



1 children (as such term is defined in section 462(g)(2) of  
2 the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2)))  
3 in any facility that is not State-licensed for the care of  
4 unaccompanied alien children, except in the case that the  
5 Secretary determines that housing unaccompanied alien  
6 children in such a facility is necessary on a temporary  
7 basis due to an influx of such children or an emergency,  
8 provided that—

9           (1) the terms of the grant or contract for the  
10       operations of any such facility that remains in oper-  
11       ation for more than three consecutive months shall  
12       require compliance with—

13           (A) the same requirements as licensed  
14       placements, as listed in Exhibit 1 of the Flores  
15       Settlement Agreement that the Secretary deter-  
16       mines are applicable to non-State licensed facili-  
17       ties; and

18           (B) staffing ratios of one (1) on-duty  
19       Youth Care Worker for every eight (8) children  
20       or youth during waking hours, one (1) on-duty  
21       Youth Care Worker for every sixteen (16) chil-  
22       dren or youth during sleeping hours, and clini-  
23       cian ratios to children (including mental health  
24       providers) as required in grantee cooperative  
25       agreements;

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

6           (3) if the Secretary determines that a con-  
7           tractor or grantee is not in compliance after the Sec-  
8           retary has granted a 60-day waiver, the Secretary  
9           shall not permit such contractor or grantee to con-  
10          tinue to provide services beyond a reasonable period,  
11          not to exceed 60 days, needed to award a contract  
12          or grant to a new service provider, and the incum-  
13          bent contractor or grantee shall not be eligible to  
14          compete for the new contract or grant;

15          (4) ORR shall ensure full adherence to the  
16          monitoring requirements set forth in section 5.5 of  
17          its Policies and Procedures Guide as of May 15,  
18          2019;

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

1           (6) not later than 60 days after the date of en-  
2           actment of this Act, ORR shall brief the Committees  
3           on Appropriations of the House of Representatives  
4           and the Senate outlining the requirements of ORR  
5           for influx facilities including any requirement listed  
6           in paragraph (1)(A) that the Secretary has deter-  
7           mined are not applicable to non-State licensed facili-  
8           ties.

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

1 of care of children at the facility, and, for any child that  
2 has been at the facility for more than 60 days, their length  
3 of stay and reason for delay in release.

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

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

1 the previous month. Each report shall contain the fol-  
2 lowing information:

3 (1) the number and ages of children so sepa-  
4 rated subsequent to apprehension at or between  
5 ports of entry, to be reported by sector where sepa-  
6 ration occurred; and

7 (2) the documented cause of separation, as re-  
8 ported by DHS when each child was referred.

9 SEC. 233. (a) None of the funds made available by  
10 this Act may be used to share any information pertaining  
11 to an unaccompanied alien child (as defined in section  
12 462(g)(2) of the Homeland Security Act of 2002 (6  
13 U.S.C. 279(g)(2))) for use or reference in any removal  
14 proceeding or otherwise for enforcement of the immigra-  
15 tion laws (as defined in section 101(a)(17) of the Immi-  
16 gration and Nationality Act (8 U.S.C. 1101(a)(17))).

17 (b) Subsection (a) shall be construed to preclude the  
18 transmission of information described in such subsection  
19 to any individual, entity, or government agency with the  
20 knowledge or intent that the information would be retrans-  
21 mitted or otherwise shared for a purpose prohibited under  
22 such subsection.

23 (c) All records for which Office of Refugee Resettle-  
24 ment policies require the written release authorization of  
25 the Office of Refugee Resettlement shall have the pre-

1 sumption of confidentiality and nondisclosure, including  
2 unaccompanied alien child case files, specific information  
3 contained in such case files, all information given to a case  
4 manager, therapist, clinical worker, counselor, or social  
5 worker by such a child during clinical or therapeutic work,  
6 and other confidential information pertaining to such chil-  
7 dren, their sponsors, or their potential sponsors.

8 (d) Nothing in this section shall be construed to pro-  
9 hibit or restrict the continued implementation of inter-  
10 agency agreements or coordination under section 235 of  
11 the William Wilberforce Trafficking Victims Protection  
12 Reauthorization Act of 2008 (8 U.S.C. 1232) pertinent  
13 to a child's placement after attaining 18 years of age.

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

21 (1) in the same facility; or

22 (2) with the same sponsor.

23 SEC. 235. Not later than 30 days after the date of  
24 enactment of this Act, the Secretary shall submit to the  
25 Committees on Appropriations of the House of Represent-

1 atives and the Senate a detailed spend plan of anticipated  
2 uses of all funds made available under the heading “De-  
3 partment of Health and Human Services—Administration  
4 for Children and Families—Refugee and Entrant Assist-  
5 ance”, including the following: a list of existing grants and  
6 contracts for both permanent and influx facilities, includ-  
7 ing their costs, capacity, and timelines; costs for expand-  
8 ing capacity through the use of community-based residen-  
9 tial care placements (including long-term and transitional  
10 foster care and small group homes) through new or modi-  
11 fied grants and contracts; current and planned efforts to  
12 expand small-scale shelters and available foster care place-  
13 ments, including collaboration with State child welfare  
14 providers; influx facilities being assessed for possible use;  
15 costs and services to be provided for legal services, child  
16 advocates, and post-release services; program administra-  
17 tion; and the average number of weekly referrals and dis-  
18 charge rate assumed in the spend plan: *Provided*, That  
19 such plan shall be updated to reflect changes and expendi-  
20 tures and submitted to the Committees on Appropriations  
21 of the House of Representatives and the Senate every 60  
22 days until all funds are expended or expired.

23 SEC. 236. Amounts made available to the Depart-  
24 ment of Health and Human Services in this or any other  
25 Act under the heading “Administration for Children and

1 Families—Refugee and Entrant Assistance” may in this  
2 fiscal year and hereafter be used to provide, including  
3 through grants, contracts, or cooperative agreements,  
4 mental health and other supportive services, including ac-  
5 cess to legal services, to children, parents, and legal guard-  
6 ians who were separated at the United States-Mexico bor-  
7 der between January 20, 2017, and January 20, 2021:  
8 *Provided*, That such services shall also be available to im-  
9 mediate family members of such individuals if such family  
10 members are in the United States and in the same house-  
11 hold: *Provided further*, That amounts made available to  
12 the Department of Health and Human Services for ref-  
13 ugee and entrant assistance activities in any other provi-  
14 sion of law may be used to carry out the purposes of this  
15 section: *Provided further*, That the Secretary of Health  
16 and Human Services may identify the children, parents,  
17 and legal guardians eligible to receive mental health and  
18 other supportive services described under this section  
19 through reference to the identified members of the classes,  
20 and their minor children, in the class-action lawsuits *Ms.*  
21 *J.P. v. Barr* and *Ms. L. v. ICE*: *Provided further*, the Sec-  
22 retary has sole discretion to identify the individuals who  
23 will receive services under this section due to their status  
24 as immediate family members residing in the same house-  
25 hold of class members or class members’ minor children,



1 and such identification shall not be subject to judicial re-  
2 view.

3 SEC. 237. Funds appropriated in this Act that are  
4 available for salaries and expenses of employees of the  
5 Centers for Disease Control and Prevention shall also be  
6 available for the primary and secondary schooling of eligi-  
7 ble dependents of personnel stationed in a U.S. territory  
8 as defined in section 227 of this Act at costs not in excess  
9 of those paid for or reimbursed by the Department of De-  
10 fense.

11 (RESCISSION)

12 SEC. 238. Of the unobligated balances in the “Non-  
13 recurring Expenses Fund” established in section 223 of  
14 division G of Public Law 110–161, \$500,000,000 are  
15 hereby rescinded not later than September 30, 2023.

16 SEC. 239. The Secretary of Health and Human Serv-  
17 ices may waive penalties and administrative requirements  
18 in title XXVI of the Public Health Service Act for awards  
19 under such title from amounts provided under the heading  
20 “Department of Health and Human Services—Health Re-  
21 sources and Services Administration” in this or any other  
22 appropriations Act for this fiscal year, including amounts  
23 made available to such heading by transfer.

24 SEC. 240. (a) None of the funds made available by  
25 this Act may be awarded to any organization, including

1 under the Child Welfare or Federal Foster Care programs  
2 under part B or E of title IV of the Social Security Act,  
3 that does not comply with paragraphs (c) and (d) of sec-  
4 tion 75.300 of title 45, Code of Federal Regulations (pro-  
5 hibiting discrimination on the basis of age, disability, sex,  
6 race, color, national origin, religion, gender identity, or  
7 sexual orientation), as in effect on October 1, 2019.

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

12 SEC. 241. (a) PREMIUM PAY AUTHORITY.—If serv-  
13 ices performed by a Department of Health and Human  
14 Services employee during a public health emergency de-  
15 clared under section 319 of the Public Health Service Act  
16 are determined by the Secretary of Health and Human  
17 Services to be primarily related to preparation for, preven-  
18 tion of, or response to such public health emergency, any  
19 premium pay that is provided for such services shall be  
20 exempted from the aggregate of basic pay and premium  
21 pay calculated under section 5547(a) of title 5, United  
22 States Code, and any other provision of law limiting the  
23 aggregate amount of premium pay payable on a biweekly  
24 or calendar year basis.

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

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

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

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

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

6 (f) EFFECTIVE DATE.—This section shall take effect  
7 as if enacted on September 30, 2021.

8 SEC. 242. (a) The Public Health Service Act (42  
9 U.S.C. 201 et seq.), the Controlled Substances Act (21  
10 U.S.C. 801 et seq.), the Comprehensive Smoking Edu-  
11 cation Act (15 U.S.C. 1331 et seq.), the Comprehensive  
12 Addiction and Recovery Act of 2016 (Public Law 114–  
13 198), Public Law 92–255, as amended (21 U.S.C. 1101  
14 et seq.), the Omnibus Crime Control and Safe Streets Act  
15 of 1968 (34 U.S.C. 10101 et seq.), and title 5 of the  
16 United States Code are each amended (including in head-  
17 ings)—

18 (1) by striking “National Institute on Drug  
19 Abuse” each place it appears and inserting “Na-  
20 tional Institute on Drugs and Addiction”; and

21 (2) by striking “National Advisory Council on  
22 Drug Abuse” each place it appears and inserting  
23 “National Advisory Council on Drugs and Addic-  
24 tion”.

1 (b) Title IV of the Public Health Service Act (42  
2 U.S.C. 281 et seq.) is amended—

3 (1) in section 464H(b)(5), by striking “Na-  
4 tional Institute of Drug Abuse” and inserting “Na-  
5 tional Institute on Drugs and Addiction”;

6 (2) in sections 464L, 464M(a), 464O, and  
7 494A, by striking “drug abuse” each place it ap-  
8 pears and inserting “drug use”;

9 (3) in section 464L(a), by striking “treatment  
10 of drug abusers” and inserting “treatment of drug  
11 addiction”;

12 (4) in section 464M(a), by striking “prevention  
13 of such abuse” and inserting “prevention of such  
14 use”;

15 (5) in section 464N—

16 (A) in the section heading, by striking  
17 “DRUG ABUSE RESEARCH CENTERS” and insert-  
18 ing “DRUGS AND ADDICTION RESEARCH CEN-  
19 TERS”;

20 (B) in subsection (a)—

21 (i) in matter preceding paragraph (1),  
22 by striking “National Drug Abuse Re-  
23 search Centers” and inserting “National  
24 Drugs and Addiction Research Centers”;  
25 and

1           (ii) in paragraph (1)(C), by striking  
2           “treatment of drug abuse” and inserting  
3           “treatment of drug addiction”; and  
4           (C) in subsection (c)—

5           (i) in the subsection heading, by strik-  
6           ing “DRUG ABUSE AND ADDITION RE-  
7           SEARCH” and inserting “DRUGS AND AD-  
8           DICTION RESEARCH CENTERS”;

9           (ii) in paragraph (1), by striking “Na-  
10          tional Drug Abuse Treatment Clinical  
11          Trials Network” and inserting “National  
12          Drug Addiction Treatment Clinical Trials  
13          Network”; and

14          (iii) in paragraph (2)(H), by striking  
15          “reasons that individuals abuse drugs, or  
16          refrain from abusing drugs” and inserting  
17          “reasons that individuals use drugs or re-  
18          frain from using drugs”; and

19          (6) in section 464P—

20          (A) in subsection (a)—

21               (i) in paragraph (1), by striking  
22               “drug abuse treatments” and inserting  
23               “drug addiction treatments”; and

1 (ii) in paragraph (6), by striking  
2 “treatment of drug abuse” and inserting  
3 “treatment of drug addiction”; and

4 (B) in subsection (d)—

5 (i) by striking “disease of drug  
6 abuse” and inserting “disease of drug ad-  
7 diction”;

8 (ii) by striking “abused drugs” each  
9 place it appears and inserting “addictive  
10 drugs”; and

11 (iii) by striking “drugs of abuse” and  
12 inserting “drugs of addiction”.

13 (c) Section 464N of the Public Health Service Act  
14 (42 U.S.C. 285o–2), as amended by subsection (b)(5), is  
15 further amended by striking “drug abuse” each place it  
16 appears and inserting “drug use”.

17 (d) Any reference in any law, regulation, map, docu-  
18 ment, paper, or other record of the United States to the  
19 National Institute on Drug Abuse shall be considered to  
20 be a reference to the National Institute on Drugs and Ad-  
21 diction.

22 SEC. 243. (a) The Public Health Service Act (42  
23 U.S.C. 201 et seq.) and Public Law 91–616, as amended  
24 (42 U.S.C. 4541 et seq.) are each amended (including in  
25 headings)—

1           (1) by striking “National Institute on Alcohol  
2       Abuse and Alcoholism” each place it appears and in-  
3       serting “National Institute on Alcohol Effects and  
4       Alcohol-Associated Disorders”; and

5           (2) by striking “National Advisory Council on  
6       Alcohol Abuse and Alcoholism” each place it appears  
7       and inserting “National Advisory Council on Alcohol  
8       Effects and Alcohol-Associated Disorders”.

9       (b) Title IV of the Public Health Service Act (42  
10   U.S.C. 281 et seq.) is amended—

11           (1) in section 464H—

12               (A) in subsection (a)—

13                   (i) by striking “prevention of alcohol  
14                   abuse” and inserting “prevention of alco-  
15                   hol misuse”; and

16                   (ii) by striking “treatment of alco-  
17                   holism” and inserting “treatment of alco-  
18                   hol-associated disorders”; and

19               (B) in subsection (b)—

20                   (i) in paragraph (3)—

21                       (I) in subparagraph (A), by strik-  
22                       ing “alcohol abuse and domestic vio-  
23                       lence” and inserting “alcohol misuse  
24                       and domestic violence”;



1 (II) in subparagraph (D), by  
2 striking “abuse of alcohol” and insert-  
3 ing “misuse of alcohol”; and

4 (III) by amending subparagraph  
5 (E) to read as follows:

6 “(E) the effect of social pressures, legal re-  
7 quirements regarding the use of alcoholic bev-  
8 erages, the cost of such beverages, and the eco-  
9 nomic status and education of users of such  
10 beverages on the incidence of alcohol misuse, al-  
11 cohol use disorder, and other alcohol-associated  
12 disorders,”; and

13 (ii) in paragraph (5), by striking “im-  
14 pact of alcohol abuse” and inserting “im-  
15 pact of alcohol misuse”;

16 (2) in sections 464H(b), 464I, and 494A, by  
17 striking “alcohol abuse and alcoholism” each place it  
18 appears and inserting “alcohol misuse, alcohol use  
19 disorder, and other alcohol-associated disorders”;

20 (3) in sections 464H(b) and 464J(a), by strik-  
21 ing “alcoholism and alcohol abuse” each place it ap-  
22 pears and inserting “alcohol misuse, alcohol use dis-  
23 order, and other alcohol-associated disorders”; and

24 (4) in section 464J(a)—

1 (A) by striking “alcoholism and other alco-  
2 hol problems” each place it appears and insert-  
3 ing “alcohol misuse, alcohol use disorder, and  
4 other alcohol-associated disorders”;

5 (B) in the matter preceding paragraph (1),  
6 by striking “interdisciplinary research relating  
7 to alcoholism” and inserting “interdisciplinary  
8 research relating to alcohol-associated dis-  
9 orders”; and

10 (C) in paragraph (1)(E), by striking “alco-  
11 hol problems” each place it appears and insert-  
12 ing “alcohol misuse, alcohol use disorder, and  
13 other alcohol-associated disorders”.

14 (c) Any reference in any law, regulation, map, docu-  
15 ment, paper, or other record of the United States to the  
16 National Institute on Alcohol Abuse and Alcoholism shall  
17 be considered to be a reference to the National Institute  
18 on Alcohol Effects and Alcohol-Associated Disorders.

19 SEC. 244. (a) The Public Health Service Act (42  
20 U.S.C. 201 et seq.) is amended (including in headings)—

21 (1) by striking “Substance Abuse and Mental  
22 Health Services Administration” each place it ap-  
23 pears and inserting “Substance Use And Mental  
24 Health Services Administration”;

1           (2) by striking “Center for Substance Abuse  
2     Treatment” each place it appears and inserting  
3     “Center for Substance Use Services”; and

4           (3) by striking “Center for Substance Abuse  
5     Prevention” each place it appears and inserting  
6     “Center for Substance Use Prevention Services”.

7     (b) Title V of the Public Health Service Act (42  
8     U.S.C. 290aa et seq.) is amended—

9           (1) in the title heading, by striking “**SUB-**  
10       **STANCE ABUSE AND MENTAL HEALTH**  
11       **SERVICES ADMINISTRATION**” and insert-  
12       ing “**SUBSTANCE USE AND MENTAL**  
13       **HEALTH SERVICES ADMINISTRATION**”;

14       (2) in section 501—

15           (A) in the section heading, by striking  
16       “**SUBSTANCE ABUSE AND MENTAL HEALTH**  
17       **SERVICES ADMINISTRATION**” and inserting  
18       “**SUBSTANCE USE AND MENTAL HEALTH**  
19       **SERVICES ADMINISTRATION**”; and

20           (B) in subsection (a), by striking “(here-  
21       after referred to in this title as the ‘Administra-  
22       tion’)” and inserting “(hereafter referred to in  
23       this title as ‘SAMHSA’ or the ‘Administra-  
24       tion’)”;

1           (3) in section 507, in the section heading, by  
2       striking “CENTER FOR SUBSTANCE ABUSE TREAT-  
3       MENT” and inserting “CENTER FOR SUBSTANCE USE  
4       SERVICES”;

5           (4) in section 513(a), in the subsection heading,  
6       by striking “CENTER FOR SUBSTANCE ABUSE  
7       TREATMENT” and inserting “CENTER FOR SUB-  
8       STANCE USE SERVICES”; and

9           (5) in section 515, in the section heading, by  
10      striking “CENTER FOR SUBSTANCE ABUSE PREVEN-  
11      TION” and inserting “CENTER FOR SUBSTANCE USE  
12      PREVENTION SERVICES”.

13      (c) Section 1932(b)(3) of the Public Health Service  
14      Act (42 U.S.C. 300x–32(b)(3)) is amended in the para-  
15      graph heading by striking “CENTER FOR SUBSTANCE  
16      ABUSE PREVENTION” and inserting “CENTER FOR SUB-  
17      STANCE USE PREVENTION SERVICES”.

18      (d) Section 1935(b)(2) of the Public Health Service  
19      Act (42 U.S.C. 300x–35(b)(2)) is amended in the para-  
20      graph heading by striking “CENTER FOR SUBSTANCE  
21      ABUSE PREVENTION” and inserting “CENTER FOR SUB-  
22      STANCE USE PREVENTION SERVICES”.

23      (e) Subtitle C of title IV of Public Law 99–570, as  
24      amended (25 U.S.C. 2401 et seq.) is amended (including  
25      in headings) by striking “Substance Abuse and Mental

1 Health Services Administration” each place it appears and  
2 inserting “Substance Use And Mental Health Services Ad-  
3 ministration”.

4 (f) The Social Security Act is amended in sections  
5 1861, 1866F, and 1945 (42 U.S.C. 1395x, 1395cc–6,  
6 1396w–4) by striking “Substance Abuse and Mental  
7 Health Services Administration” each place it appears and  
8 inserting “Substance Use And Mental Health Services Ad-  
9 ministration”.

10 (g) Section 105(a)(7)(C)(i)(III) of the Child Abuse  
11 Prevention and Treatment Act (42 U.S.C.  
12 5106(a)(7)(C)(i)(III)) is amended by striking “Substance  
13 Abuse and Mental Health Services Administration” and  
14 inserting “Substance Use And Mental Health Services Ad-  
15 ministration”.

16 (h)(1) Except as provided in paragraph (2), any ref-  
17 erence in any law, regulation, map, document, paper, or  
18 other record of the United States to the Substance Abuse  
19 and Mental Health Services Administration, the Center  
20 for Substance Abuse Treatment of such Administration,  
21 or the Center for Substance Abuse Prevention of such Ad-  
22 ministration shall be considered to be a reference to the  
23 Substance Use And Mental Health Services Administra-  
24 tion, the Center for Substance Use Services of such Ad-

1   ministration, or the Center for Substance Use Prevention  
2   Services of such Administration, respectively.

3       (2) Paragraph (1) shall not be construed to alter or  
4   affect section 6001(d) of the 21st Century Cures Act (42  
5   U.S.C. 290aa note), providing that a reference to the Ad-  
6   ministrator of the Substance Abuse and Mental Health  
7   Services Administration shall be construed to be a ref-  
8   erence to the Assistant Secretary for Mental Health and  
9   Substance Use.

10       SEC. 245. For fiscal year 2023, the notification re-  
11   quirements described in sections 1804(a) and 1851(d) of  
12   the Social Security Act may be fulfilled by the Secretary  
13   in a manner similar to that described in paragraphs (1)  
14   and (2) of section 1806(c) of such Act.

15       SEC. 246. (a) Funds made available in Public Law  
16   115–31 to the accounts of the National Institutes of  
17   Health that were available for obligation through fiscal  
18   year 2017 and were obligated for multi-year research  
19   grants shall be available through fiscal year 2023 for the  
20   liquidation of valid obligations incurred in fiscal year 2017  
21   if the Director of the National Institutes of Health deter-  
22   mines the project suffered an interruption of activities at-  
23   tributable to SARS–CoV–2.

24       (b)(1) Subject to paragraph (2), this section shall be-  
25   come effective immediately upon enactment of this Act.

1           (2) If this Act is enacted after September 30,  
2           2022, this section shall be applied as if it were in  
3           effect on September 30, 2022.

4           SEC. 247. Section 317G of the Public Health Service  
5   Act (42 U.S.C. 247b-8) is amended by adding at the end  
6   the following: “The Secretary may, no later than 120 days  
7   after the end of an individual’s participation in such a fel-  
8   lowship or training program, and without regard to those  
9   provisions of title 5, United States Code, governing ap-  
10   pointments in the competitive service, appoint a partici-  
11   pant in such a fellowship or training program to a term  
12   or permanent position in the Centers for Disease Control  
13   and Prevention.”.

14   TERMINATION OF SUSPENSION OF ENTRIES AND IMPORTS  
15       FROM DESIGNATED PLACES RELATED TO THE  
16       COVID–19 PANDEMIC

17       SEC. 248. (a) IN GENERAL.—An order of suspension  
18   issued under section 362 of the Public Health Service Act  
19   (42 U.S.C. 265) as a result of the public health emergency  
20   relating to the Coronavirus Disease 2019 (COVID–19)  
21   pandemic declared under section 319 of such Act (42  
22   U.S.C. 247d) on January 31, 2020, and any continuation  
23   of such declaration (including the continuation described  
24   in Proclamation 9994 on February 24, 2021), shall be lift-  
25   ed not earlier than 60 days after the date on which the  
26   Surgeon General provides written notification to the ap-

1 appropriate authorizing and appropriating committees of  
2 Congress that such public health emergency declaration  
3 (including the continuation described in Proclamation  
4 9994 on February 24, 2021) have been terminated.

5 (b) PROCEDURES DURING 60-DAY TERMINATION  
6 WINDOW.—

7 (1) PLAN.—Not later than 30 days after the  
8 date on which a written notification is provided  
9 under subsection (a) with respect to an order of sus-  
10 pension, the Surgeon General, in consultation with  
11 the Secretary of Homeland Security, and the head of  
12 any other Federal agency, State, local or Tribal gov-  
13 ernment, or nongovernmental organization that has  
14 a role in managing outcomes associated with the  
15 suspension, as determined by the Surgeon General  
16 (or the designee of the Surgeon General), shall de-  
17 velop and submit to the appropriate committees of  
18 Congress, a plan to address any possible influx of  
19 entries or imports, as defined in such order of sus-  
20 pension, related to the termination of such order.

21 (2) FAILURE TO SUBMIT.—If a plan under  
22 paragraph (1) is not submitted to the appropriate  
23 committees of Congress within the 30-day period de-  
24 scribed in such paragraph, not later than 7 days  
25 after the expiration of such 30-day period, the Sec-



1       retary shall notify the appropriate committees of  
2       Congress, in writing, of the status of preparing such  
3       a plan and the timing for submission as required  
4       under paragraph (1). The termination of order re-  
5       lated to such plan shall be delayed until that date  
6       that is 30 days after the date on which such plan  
7       is submitted to such committees.

8       This title may be cited as the “Department of Health  
9   and Human Services Appropriations Act, 2023”.

10

## TITLE III

11

## DEPARTMENT OF EDUCATION

12

## EDUCATION FOR THE DISADVANTAGED

13

14       For carrying out title I and subpart 2 of part B of  
15   title II of the Elementary and Secondary Education Act  
16   of 1965 (referred to in this Act as “ESEA”) and section  
17   418A of the Higher Education Act of 1965 (referred to  
18   in this Act as “HEA”), \$21,260,551,000, of which  
19   \$10,306,490,000 shall become available on July 1, 2023,  
20   and shall remain available through September 30, 2024,  
21   and of which \$10,841,177,000 shall become available on  
22   October 1, 2023, and shall remain available through Sep-  
23   tember 30, 2024, for academic year 2023–2024: *Provided*,  
24   That \$6,459,401,000 shall be for basic grants under sec-  
25   tion 1124 of the ESEA: *Provided further*, That up to  
\$5,000,000 of these funds shall be available to the Sec-

1 retary of Education (referred to in this title as “Sec-  
2 retary”) on October 1, 2022, to obtain annually updated  
3 local educational agency-level census poverty data from  
4 the Bureau of the Census: *Provided further*, That up to  
5 \$50,000,000 of these funds shall be available to the Sec-  
6 retary for grants to States for voluntary activities de-  
7 signed to improve State funding formula equity and in-  
8 crease support for high-poverty school districts: *Provided*  
9 *further*, That \$1,362,301,000 shall be for concentration  
10 grants under section 1124A of the ESEA: *Provided fur-*  
11 *ther*, That \$6,357,550,000 shall be for targeted grants  
12 under section 1125 of the ESEA: *Provided further*, That  
13 \$6,357,550,000 shall be for education finance incentive  
14 grants under section 1125A of the ESEA: *Provided fur-*  
15 *ther*, That \$18,761,000 shall be for competitive grants to  
16 support strong partnerships, which may include those  
17 among State educational agencies, local educational agen-  
18 cies and child welfare agencies, to create and implement  
19 innovative strategies for improving the education of foster  
20 children and youth under part D of title I of the ESEA:  
21 *Provided further*, That the Secretary may reserve up to  
22 3 percent of the amount in the preceding proviso to pro-  
23 vide technical assistance in the implementation of these  
24 grants: *Provided further*, That \$223,000,000 shall be for  
25 carrying out subpart 2 of part B of title II: *Provided fur-*

1 *ther*, That \$58,123,000 shall be for carrying out section  
2 418A of the HEA.

3 IMPACT AID

4 For carrying out programs of financial assistance to  
5 federally affected schools authorized by title VII of the  
6 ESEA, \$1,614,112,000, of which \$1,464,242,000 shall be  
7 for basic support payments under section 7003(b),  
8 \$48,316,000 shall be for payments for children with dis-  
9 abilities under section 7003(d), \$17,406,000, to remain  
10 available through September 30, 2024, shall be for con-  
11 struction under section 7007(b), \$79,313,000 shall be for  
12 Federal property payments under section 7002, and  
13 \$4,835,000, to remain available until expended, shall be  
14 for facilities maintenance under section 7008: *Provided*,  
15 That for purposes of computing the amount of a payment  
16 for an eligible local educational agency under section  
17 7003(a) for school year 2022–2023, children enrolled in  
18 a school of such agency that would otherwise be eligible  
19 for payment under section 7003(a)(1)(B) of such Act, but  
20 due to the deployment of both parents or legal guardians,  
21 or a parent or legal guardian having sole custody of such  
22 children, or due to the death of a military parent or legal  
23 guardian while on active duty (so long as such children  
24 reside on Federal property as described in section  
25 7003(a)(1)(B)), are no longer eligible under such section,

1 shall be considered as eligible students under such section,  
 2 provided such students remain in average daily attendance  
 3 at a school in the same local educational agency they at-  
 4 tended prior to their change in eligibility status.

#### 5 SCHOOL IMPROVEMENT PROGRAMS

6 For carrying out school improvement activities au-  
 7 thorized by part B of title I, part A of title II, subpart  
 8 1 of part A of title IV, part B of title IV, part B of title  
 9 V, and parts B and C of title VI of the ESEA; the McKin-  
 10 ney-Vento Homeless Assistance Act; section 203 of the  
 11 Educational Technical Assistance Act of 2002; the Com-  
 12 pact of Free Association Amendments Act of 2003; and  
 13 the Civil Rights Act of 1964, \$5,905,642,000, of which  
 14 \$4,060,312,000 shall become available on July 1, 2023,  
 15 and remain available through September 30, 2024, and  
 16 of which \$1,681,441,000 shall become available on Octo-  
 17 ber 1, 2023, and shall remain available through September  
 18 30, 2024, for academic year 2023-2024: *Provided*, That  
 19 \$390,000,000 shall be for part B of title I: *Provided fur-*  
 20 *ther*, That \$1,409,673,000 shall be for part B of title IV:  
 21 *Provided further*, That \$40,897,000 shall be for part B  
 22 of title VI, which may be used for construction, renova-  
 23 tion, and modernization of any public elementary school,  
 24 secondary school, or structure related to a public elemen-  
 25 tary school or secondary school that serves a predomi-

1 nantly Native Hawaiian student body, and that the 5 per-  
2 cent limitation in section 6205(b) of the ESEA on the use  
3 of funds for administrative purposes shall apply only to  
4 direct administrative costs: *Provided further*, That  
5 \$37,953,000 shall be for part C of title VI, which shall  
6 be awarded on a competitive basis, and may be used for  
7 construction, and that the 5 percent limitation in section  
8 6305 of the ESEA on the use of funds for administrative  
9 purposes shall apply only to direct administrative costs:  
10 *Provided further*, That \$54,000,000 shall be available to  
11 carry out section 203 of the Educational Technical Assist-  
12 ance Act of 2002 and the Secretary shall make such ar-  
13 rangements as determined to be necessary to ensure that  
14 the Bureau of Indian Education has access to services pro-  
15 vided under this section: *Provided further*, That  
16 \$24,464,000 shall be available to carry out the Supple-  
17 mental Education Grants program for the Federated  
18 States of Micronesia and the Republic of the Marshall Is-  
19 lands: *Provided further*, That the Secretary may reserve  
20 up to 5 percent of the amount referred to in the previous  
21 proviso to provide technical assistance in the implementa-  
22 tion of these grants: *Provided further*, That \$195,000,000  
23 shall be for part B of title V: *Provided further*, That  
24 \$1,355,000,000 shall be available for grants under sub-  
25 part 1 of part A of title IV.

## INDIAN EDUCATION

For expenses necessary to carry out, to the extent not otherwise provided, title VI, part A of the ESEA, \$195,246,000, of which \$72,000,000 shall be for subpart 2 of part A of title VI and \$12,865,000 shall be for subpart 3 of part A of title VI: *Provided*, That the 5 percent limitation in sections 6115(d), 6121(e), and 6133(g) of the ESEA on the use of funds for administrative purposes shall apply only to direct administrative costs: *Provided further*, That grants awarded under sections 6132 and 6133 of the ESEA with funds provided under this heading may be for a period of up to 5 years: *Provided further*, That the Secretary may make awards under subpart 3 of part A of title VI without regard to the funding limitation in section 6133(b)(1) of the ESEA.

## INNOVATION AND IMPROVEMENT

For carrying out activities authorized by subparts 1, 3 and 4 of part B of title II, and parts C, D, and E and subparts 1 and 4 of part F of title IV of the ESEA, \$1,330,500,000: *Provided*, That \$194,000,000 shall be for subparts 1, 3 and 4 of part B of title II and shall be made available without regard to sections 2201, 2231(b) and 2241: *Provided further*, That \$652,500,000 shall be for parts C, D, and E and subpart 4 of part F of title IV, and shall be made available without regard to sections

1 4311, 4409(a), and 4601 of the ESEA: *Provided further*,  
 2 That section 4303(d)(3)(A)(i) shall not apply to the funds  
 3 available for part C of title IV: *Provided further*, That not-  
 4 withstanding section 4601(b), \$384,000,000 shall be  
 5 available through December 31, 2023 for subpart 1 of  
 6 part F of title IV: *Provided further*, That of the funds  
 7 available for subpart 4 of part F of title I not less than  
 8 \$8,000,000 shall be for continuation grants for eligible na-  
 9 tional nonprofit organizations, as described in the Applica-  
 10 tions for New Awards; Assistance for Arts Education Pro-  
 11 gram—Arts in Education National Program published in  
 12 the Federal Register on May 7, 2018, for activities de-  
 13 scribed under section 4642(a)(1)(C): *Provided further*,  
 14 That \$100,000,000 shall be for competitive grants to local  
 15 educational agencies and State educational agencies to re-  
 16 duce racial and socioeconomic segregation across and  
 17 within school districts.

18       SAFE SCHOOLS AND CITIZENSHIP EDUCATION

19       For carrying out activities authorized by subparts 2  
 20 and 3 of part F of title IV of the ESEA, \$1,708,000,000,  
 21 to remain available through December 31, 2023: *Provided*,  
 22 That \$1,134,000,000 shall be available for section 4631,  
 23 of which up to \$5,000,000, to remain available until ex-  
 24 pended, shall be for the Project School Emergency Re-  
 25 sponse to Violence (Project SERV) program: *Provided fur-*

1 *ther*, That \$468,000,000 shall be available for section  
 2 4625: *Provided further*, That \$96,000,000 shall be for sec-  
 3 tion 4624: *Provided further*, That \$10,000,000 shall be for  
 4 grants to local educational agencies to provide integrated  
 5 student supports designed to improve student social, emo-  
 6 tional, physical, and mental health and academic out-  
 7 comes.

#### 8 ENGLISH LANGUAGE ACQUISITION

9 For carrying out part A of title III of the ESEA,  
 10 \$1,000,000,000, which shall become available on July 1,  
 11 2023, and shall remain available through September 30,  
 12 2024, except that 6.5 percent of such amount shall be  
 13 available on October 1, 2022, and shall remain available  
 14 through September 30, 2024, to carry out activities under  
 15 section 3111(c)(1)(C): *Provided*, That the Secretary may  
 16 reserve up to 2 percent of such amount for technical as-  
 17 sistance and capacity building.

#### 18 SPECIAL EDUCATION

19 For carrying out the Individuals with Disabilities  
 20 Education Act (IDEA), section 773 of the HEA, and the  
 21 Special Olympics Sport and Empowerment Act of 2004,  
 22 \$17,760,679,000, of which \$8,036,736,000 shall become  
 23 available on July 1, 2023, and shall remain available  
 24 through September 30, 2024, and of which  
 25 \$9,283,383,000 shall become available on October 1,



1 2023, and shall remain available through September 30,  
2 2024, for academic year 2023–2024: *Provided*, That the  
3 amount for section 611(b)(2) of the IDEA shall be equal  
4 to the lesser of the amount available for that activity dur-  
5 ing fiscal year 2022, increased by the amount of inflation  
6 as specified in section 619(d)(2)(B) of the IDEA, or the  
7 percent change in the funds appropriated under section  
8 611(i) of the IDEA, but not less than the amount for that  
9 activity during fiscal year 2022: *Provided further*, That the  
10 Secretary shall, without regard to section 611(d) of the  
11 IDEA, distribute to all other States (as that term is de-  
12 fined in section 611(g)(2)), subject to the third proviso,  
13 any amount by which a State’s allocation under section  
14 611, from funds appropriated under this heading, is re-  
15 duced under section 612(a)(18)(B), according to the fol-  
16 lowing: 85 percent on the basis of the States’ relative pop-  
17 ulations of children aged 3 through 21 who are of the  
18 same age as children with disabilities for whom the State  
19 ensures the availability of a free appropriate public edu-  
20 cation under this part, and 15 percent to States on the  
21 basis of the States’ relative populations of those children  
22 who are living in poverty: *Provided further*, That the Sec-  
23 retary may not distribute any funds under the previous  
24 proviso to any State whose reduction in allocation from  
25 funds appropriated under this heading made funds avail-

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

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

1 643(e)(2)(A) of the IDEA, if 5 or fewer States apply for  
2 grants pursuant to section 643(e) of such Act, the Sec-  
3 retary shall provide a grant to each State in an amount  
4 equal to the maximum amount described in section  
5 643(e)(2)(B) of such Act: *Provided further*, That if more  
6 than 5 States apply for grants pursuant to section 643(e)  
7 of the IDEA, the Secretary shall award funds to those  
8 States on the basis of the States' relative populations of  
9 infants and toddlers except that no such State shall re-  
10 ceive a grant in excess of the amount described in section  
11 643(e)(2)(B) of such Act: *Provided further*, That States  
12 may use funds allotted under section 643(c) of the IDEA  
13 to make subgrants to local educational agencies, institu-  
14 tions of higher education, other public agencies, and pri-  
15 vate non-profit organizations to carry out activities au-  
16 thorized by section 638 of IDEA: *Provided further*, That,  
17 notwithstanding section 638 of the IDEA, a State may  
18 use funds it receives under section 633 of the IDEA to  
19 offer continued early intervention services to a child who  
20 previously received services under part C of the IDEA  
21 from age 3 until the beginning of the school year following  
22 the child's third birthday with parental consent and with-  
23 out regard to the procedures in section 635(c) of the  
24 IDEA: *Provided further*, That, notwithstanding section  
25 638 of the IDEA, any State receiving a grant under sec-

tion 633 of the IDEA must reserve not less than ten percent of its award for use in a manner described in a State plan, approved by the Secretary, to ensure equitable access to and participation in part C services in the State, particularly for populations that have been traditionally underrepresented in the program: *Provided further*, That, notwithstanding section 632(4)(B) of the IDEA, a State receiving a grant under section 633 of the IDEA may establish a system of payments but may not include in that system family fees or out-of-pocket costs to families for early intervention services: *Provided further*, That any State seeking to amend its eligibility criteria under section 635(a)(1) of the IDEA in such a way that would have the effect of reducing the number of infants and families who are eligible under part C must conduct the public participation under section 637(a)(8) of the IDEA at least 24 months prior to implementing such a change: *Provided further*, That, notwithstanding section 638 of the IDEA, a State may use funds appropriated under part C of the IDEA to conduct child find, public awareness and referral activities for an individual who is expected to become a parent of an infant with a disability (as that term is defined in section 632(5) of the IDEA), as established by medical or other records.

For carrying out, to the extent not otherwise provided, the Rehabilitation Act of 1973 and the Helen Keller National Center Act, \$4,104,906,000, of which \$49,707,000 shall be for grants for vocational rehabilitation services under title I of the Rehabilitation Act: *Provided*, That the Secretary may use amounts provided in this Act that remain available subsequent to the reallocation of funds to States pursuant to section 110(b) of the Rehabilitation Act for innovative activities aimed at increasing competitive integrated employment as defined in section 7 of such Act for youth and other individuals with disabilities: *Provided further*, That up to 15 percent of the amounts made available by this or prior Acts for innovative activities as described in the preceding proviso may be used for evaluation and technical assistance related to such activities: *Provided further*, That States may award grants for a portion of the funds to other public and private, nonprofit entities: *Provided further*, That any amounts made available subsequent to reallocation for innovative activities aimed at improving the outcomes of individuals with disabilities shall remain available until September 30, 2024.

1           SPECIAL INSTITUTIONS FOR PERSONS WITH  
2   DISABILITIES

3           AMERICAN PRINTING HOUSE FOR THE BLIND

4           For carrying out the Act to Promote the Education  
5 of the Blind of March 3, 1879, \$43,431,000.

6           NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

7           For the National Technical Institute for the Deaf  
8 under titles I and II of the Education of the Deaf Act  
9 of 1986, \$91,500,000: *Provided*, That from the total  
10 amount available, the Institute may at its discretion use  
11 funds for the endowment program as authorized under  
12 section 207 of such Act.

13   GALLAUDET UNIVERSITY

14          For the Kendall Demonstration Elementary School,  
15 the Model Secondary School for the Deaf, and the partial  
16 support of Gallaudet University under titles I and II of  
17 the Education of the Deaf Act of 1986, \$156,361,000:  
18 *Provided*, That from the total amount available, the Uni-  
19 versity may at its discretion use funds for the endowment  
20 program as authorized under section 207 of such Act.

21           CAREER, TECHNICAL, AND ADULT EDUCATION

22          For carrying out, to the extent not otherwise pro-  
23 vided, the Carl D. Perkins Career and Technical Edu-  
24 cation Act of 2006 (“Perkins Act”) and the Adult Edu-  
25 cation and Family Literacy Act (“AEFLA”),

1 \$2,214,981,000, of which \$1,423,981,000 shall become  
 2 available on July 1, 2023, and shall remain available  
 3 through September 30, 2024, and of which \$791,000,000  
 4 shall become available on October 1, 2023, and shall re-  
 5 main available through September 30, 2024: *Provided*,  
 6 That \$50,000,000 shall be for competitive grants to con-  
 7 sortia of local educational agencies, institutions of higher  
 8 education, and employers to pilot evidence-based strategies  
 9 to increase the integration and alignment of the last two  
 10 years of high school and the first two years of postsec-  
 11 ondary education to improve postsecondary and career  
 12 outcomes for all students: *Provided further*, That section  
 13 3(20) of the Perkins Act shall be applied as if the term  
 14 “eligible institution” includes an apprenticeship program  
 15 that is registered under the National Apprenticeship Act  
 16 and accredited by an agency recognized by the United  
 17 States Department of Education: *Provided further*, That  
 18 of the amounts made available for AEFLA, \$18,712,000  
 19 shall be for national leadership activities under section  
 20 242.

## 21 STUDENT FINANCIAL ASSISTANCE

22 For carrying out subparts 1, 3, and 10 of part A,  
 23 and part C of title IV of the HEA, \$24,639,234,000 which  
 24 shall remain available through September 30, 2024.



1       The maximum Pell Grant for which a student shall  
2 be eligible during award year 2023–2024 shall be \$6,335.

3                   STUDENT AID ADMINISTRATION

4       For Federal administrative expenses to carry out part  
5 D of title I, and subparts 1, 3, 9, and 10 of part A, and  
6 parts B, C, D, and E of title IV of the HEA, and subpart  
7 1 of part A of title VII of the Public Health Service Act,  
8 \$2,579,034,000, to remain available through September  
9 30, 2024: *Provided*, That student loan servicers and con-  
10 tractors shall be evaluated based on their ability to meet  
11 contract requirements (including an understanding of  
12 Federal and State law), future performance on the con-  
13 tracts, and history of compliance with applicable consumer  
14 protections laws: *Provided further*, That to the extent Fed-  
15 eral Student Aid (FSA) permits student loan servicing  
16 subcontracting, FSA shall hold prime contractors account-  
17 able for meeting the requirements of the contract, and the  
18 performance and expectations of subcontractors shall be  
19 accounted for in the prime contract and in the overall per-  
20 formance of the prime contractor: *Provided further*, That  
21 FSA shall ensure that contractors have the capacity to  
22 meet and are held accountable for performance on service  
23 levels; are held accountable for and have a history of com-  
24 pliance with applicable consumer protection laws; and have  
25 relevant experience and demonstrated effectiveness.

## HIGHER EDUCATION

For carrying out, to the extent not otherwise provided, titles II, III, IV, V, VI, VII, and VIII of the HEA, the Mutual Educational and Cultural Exchange Act of 1961, and section 117 of the Perkins Act, \$3,959,485,000, of which \$520,000,000 shall remain available through December 31, 2023: *Provided*, That notwithstanding any other provision of law, funds made available in this Act to carry out title VI of the HEA and section 102(b)(6) of the Mutual Educational and Cultural Exchange Act of 1961 may be used to support visits and study in foreign countries by individuals who are participating in advanced foreign language training and international studies in areas that are vital to United States national security and who plan to apply their language skills and knowledge of these countries in the fields of government, the professions, or international development: *Provided further*, That of the funds referred to in the preceding proviso up to 1 percent may be used for program evaluation, national outreach, and information dissemination activities: *Provided further*, That up to 1.5 percent of the funds made available under chapter 2 of subpart 2 of part A of title IV of the HEA may be used for evaluation: *Provided further*, That section 313(d) of the HEA shall not apply to an institution of higher education that

1 is eligible to receive funding under section 318 of the  
 2 HEA: *Provided further*, That amounts made available for  
 3 carrying out section 419N of the HEA may be awarded  
 4 notwithstanding the limitations in section 419N(b)(2) of  
 5 the HEA: *Provided further*, That of the amounts made  
 6 available under this heading, \$209,301,000 shall be used  
 7 for the projects, and in the amounts, specified in the table  
 8 titled “Labor, HHS, Education Incorporation of Commu-  
 9 nity Project Funding Items” in the report accompanying  
 10 this Act: *Provided further*, That none of the funds made  
 11 available for projects described in the preceding proviso  
 12 shall be subject to section 302 of this Act.

### 13 HOWARD UNIVERSITY

14 For partial support of Howard University,  
 15 \$394,018,000, of which not less than \$3,405,000 shall be  
 16 for a matching endowment grant pursuant to the Howard  
 17 University Endowment Act and shall remain available  
 18 until expended.

### 19 COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS 20 PROGRAM

21 For Federal administrative expenses to carry out ac-  
 22 tivities related to existing facility loans pursuant to section  
 23 121 of the HEA, \$298,000.

1        HISTORICALLY BLACK COLLEGE AND UNIVERSITY  
2                CAPITAL FINANCING PROGRAM ACCOUNT

3        For the cost of guaranteed loans, \$20,150,000, as au-  
4 thorized pursuant to part D of title III of the HEA, which  
5 shall remain available through September 30, 2024: *Pro-*  
6 *vided*, That such costs, including the cost of modifying  
7 such loans, shall be as defined in section 502 of the Con-  
8 gressional Budget Act of 1974: *Provided further*, That  
9 these funds are available to subsidize total loan principal,  
10 any part of which is to be guaranteed, not to exceed  
11 \$752,065,725: *Provided further*, That these funds may be  
12 used to support loans to public and private Historically  
13 Black Colleges and Universities without regard to the limi-  
14 tations within section 344(a) of the HEA.

15        In addition, for administrative expenses to carry out  
16 the Historically Black College and University Capital Fi-  
17 nancing Program entered into pursuant to part D of title  
18 III of the HEA, \$528,000.

19                INSTITUTE OF EDUCATION SCIENCES

20        For necessary expenses for the Institute of Education  
21 Sciences as authorized by section 208 of the Department  
22 of Education Organization Act and carrying out activities  
23 authorized by the National Assessment of Educational  
24 Progress Authorization Act, section 208 of the Edu-  
25 cational Technical Assistance Act of 2002, and section

1 664 of the Individuals with Disabilities Education Act,  
2 \$844,075,000, which shall remain available through Sep-  
3 tember 30, 2024: *Provided*, That funds available to carry  
4 out section 208 of the Educational Technical Assistance  
5 Act may be used to link Statewide elementary and sec-  
6 ondary data systems with early childhood, postsecondary,  
7 and workforce data systems, or to further develop such  
8 systems: *Provided further*, That up to \$6,000,000 of the  
9 funds available to carry out section 208 of the Educational  
10 Technical Assistance Act may be used for awards to public  
11 or private organizations or agencies to support activities  
12 to improve data coordination, quality, and use at the local,  
13 State, and national levels.

14 DEPARTMENTAL MANAGEMENT

15 PROGRAM ADMINISTRATION

16 For carrying out, to the extent not otherwise pro-  
17 vided, the Department of Education Organization Act, in-  
18 cluding rental of conference rooms in the District of Co-  
19 lumbia and hire of three passenger motor vehicles,  
20 \$462,500,000, of which up to \$17,500,000, to remain  
21 available until expended, shall be available for relocation  
22 expenses, and for the renovation and repair of leased  
23 buildings: *Provided*, That, notwithstanding any other pro-  
24 vision of law, none of the funds provided by this Act or  
25 provided by previous Appropriations Acts to the Depart-

1 ment of Education available for obligation or expenditure  
2 in the current fiscal year may be used for any activity re-  
3 lating to implementing a reorganization that decentralizes,  
4 reduces the staffing level, or alters the responsibilities,  
5 structure, authority, or functionality of the Budget Service  
6 of the Department of Education, relative to the organiza-  
7 tion and operation of the Budget Service as in effect on  
8 January 1, 2018.

9 OFFICE FOR CIVIL RIGHTS

10 For expenses necessary for the Office for Civil  
11 Rights, as authorized by section 203 of the Department  
12 of Education Organization Act, \$151,300,000.

13 OFFICE OF INSPECTOR GENERAL

14 For expenses necessary for the Office of Inspector  
15 General, as authorized by section 212 of the Department  
16 of Education Organization Act, \$76,452,000, of which  
17 \$2,000,000 shall remain available until expended.

18 GENERAL PROVISIONS

19 SEC. 301. No funds appropriated in this Act may be  
20 used to prevent the implementation of programs of vol-  
21 untary prayer and meditation in the public schools.

22 (TRANSFER OF FUNDS)

23 SEC. 302. Not to exceed 1 percent of any discre-  
24 tionary funds (pursuant to the Balanced Budget and  
25 Emergency Deficit Control Act of 1985) which are appro-

1 priated for the Department of Education in this Act may  
2 be transferred between appropriations, but no such appro-  
3 priation shall be increased by more than 3 percent by any  
4 such transfer: *Provided*, That the transfer authority  
5 granted by this section shall not be used to create any  
6 new program or to fund any project or activity for which  
7 no funds are provided in this Act: *Provided further*, That  
8 the Committees on Appropriations of the House of Rep-  
9 resentatives and the Senate are notified at least 15 days  
10 in advance of any transfer.

11 SEC. 303. Funds appropriated in this Act and con-  
12 solidated for evaluation purposes under section 8601(c) of  
13 the ESEA shall be available from July 1, 2023, through  
14 September 30, 2024.

15 SEC. 304. (a) An institution of higher education that  
16 maintains an endowment fund supported with funds ap-  
17 propriated for title III or V of the HEA for fiscal year  
18 2023 may use the income from that fund to award schol-  
19 arships to students, subject to the limitation in section  
20 331(c)(3)(B)(i) of the HEA. The use of such income for  
21 such purposes, prior to the enactment of this Act, shall  
22 be considered to have been an allowable use of that in-  
23 come, subject to that limitation.

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

4 SEC. 306. Section 458(a)(4) of the HEA (20 U.S.C.  
5 1087h(a)) shall be applied by substituting “2023” for  
6 “2022”.

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

13 (RESCISSION)

14 SEC. 308. Of the amounts appropriated under section  
15 401(b)(7)(A)(iv)(XI) of the Higher Education Act of 1965  
16 (20 U.S.C. 1070a(b)(7)(A)(iv)(XI)) for fiscal year 2023,  
17 \$221,000,000 are hereby rescinded.

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1 loan cancellation: *Provided*, That the Secretary shall spe-  
2 cifically conduct outreach to assist borrowers who would  
3 qualify for loan cancellation under section 455(m) of such  
4 Act except that the borrower has made some, or all, of  
5 the 120 required payments under a repayment plan that  
6 is not described under section 455(m)(A) of such Act, to  
7 encourage borrowers to enroll in a qualifying repayment  
8 plan: *Provided further*, That the Secretary shall also com-  
9 municate to all Direct Loan borrowers the full require-  
10 ments of section 455(m) of such Act and improve the fil-  
11 ing of employment certification by providing improved out-  
12 reach and information such as outbound calls, electronic  
13 communications, ensuring prominent access to program  
14 requirements and benefits on each servicer's website, and  
15 creating an option for all borrowers to complete the entire  
16 payment certification process electronically and on a cen-  
17 tralized website.

18 SEC. 310. In addition to amounts otherwise made  
19 available, the unobligated balances of amounts made avail-  
20 able in fiscal year 2018 and each fiscal year thereafter  
21 for the Temporary Expanded Public Service Loan For-  
22 giveness (TEPSLF) program carried out by the Depart-  
23 ment of Education, shall be made available in accordance  
24 with the following:

1           (1) Except as provided in paragraphs (2) and  
2           (3), notwithstanding the terms and conditions for  
3           such program required under such appropriations  
4           Acts, such program shall be carried out in the same  
5           manner, and with the same terms and conditions, as  
6           the Limited PSLF Waiver program carried out by  
7           the Department of Education beginning on October  
8           6, 2021, and authorized by the Higher Education  
9           Relief Opportunities for Students Act of 2003 (20  
10          U.S.C. 1098bb), except that—

11                 (A) the application and consolidation dead-  
12                 lines under the Limited PSLF Waiver program  
13                 shall not apply to the TEPSLF program; and

14                 (B) a loan made under part B or E of title  
15                 22 IV of the Higher Education Act of 1965  
16                 (other than an excepted PLUS loan or an ex-  
17                 cepted consolidation loan (as such terms are de-  
18                 fined in section 493C(a) of such Act of 1965))  
19                 shall be eligible for forgiveness under the  
20                 TEPSLF program in the same manner and  
21                 with the same conditions as a Federal Direct  
22                 Loan, and a borrower of such a loan made  
23                 under part B or E may receive credit under  
24                 such program for any repayment on such loan  
25                 that would otherwise qualify under the

1           TEPSLF program (in accordance with this sec-  
2           tion), without consolidating such loan into a  
3           Federal Direct Consolidation Loan.

4           (2) The limitation relating to the total loan vol-  
5           ume, including outstanding principal, fees, capital-  
6           ized interest, or accrued interest, applicable with re-  
7           spect to amounts initially made available in fiscal  
8           year 2018 and each fiscal year thereafter shall con-  
9           tinue to apply with respect to the corresponding un-  
10          obligated balance from each such fiscal year.

11          (3) The Secretary shall provide loan forgiveness  
12          under this section to eligible borrowers on a first  
13          come, first-serve basis, based on the date of applica-  
14          tion and subject to both the limitation on total loan  
15          volume at application for such loan forgiveness spec-  
16          ified and the availability of appropriations.

17          SEC. 311. The Secretary may reserve not more than  
18          0.5 percent from any amount made available in this Act  
19          for an HEA program, except for any amounts made avail-  
20          able for subpart 1 of part A of title IV of the HEA, to  
21          carry out rigorous and independent evaluations and to col-  
22          lect and analyze outcome data for any program authorized  
23          by the HEA: *Provided*, That no funds made available in  
24          this Act for the “Student Aid Administration” account  
25          shall be subject to the reservation under this section: *Pro-*

1 *vided further*, That any funds reserved under this section  
2 shall be available through September 30, 2025: *Provided*  
3 *further*, That if, under any other provision of law, funds  
4 are authorized to be reserved or used for evaluation activi-  
5 ties with respect to a program or project, the Secretary  
6 may also reserve funds for such program or project for  
7 the purposes described in this section so long as the total  
8 reservation of funds for such program or project does not  
9 exceed any statutory limits on such reservations: *Provided*  
10 *further*, That not later than 30 days prior to the initial  
11 obligation of funds reserved under this section, the Sec-  
12 retary shall submit to the Committees on Appropriations  
13 of the Senate and the House of Representatives, the Com-  
14 mittee on Health, Education, Labor and Pensions of the  
15 Senate, and the Committee on Education and Labor of  
16 the House of Representatives a plan that identifies the  
17 source and amount of funds reserved under this section,  
18 the impact on program grantees if funds are withheld for  
19 the purposes of this section, and the activities to be carried  
20 out with such funds.

21 SEC. 312. In addition to amounts otherwise appro-  
22 priated by this Act under the heading “Innovation and  
23 Improvement” for purposes authorized by the Elementary  
24 and Secondary Education Act of 1965, there are hereby  
25 appropriated an additional \$154,108,000 which shall be

1 used for the projects, and in the amounts, specified in the  
2 table titled “Labor, HHS, Education Incorporation of  
3 Community Project Funding Items” in the report accom-  
4 panying this Act: *Provided*, That none of the funds made  
5 available for such projects shall be subject to section 302  
6 of this Act.

7       SEC. 313. None of the funds made available under  
8 part C of title IV of the ESEA may be awarded to a char-  
9 ter school that enters into a contract with a for-profit  
10 management organization under which the management  
11 organization and its related entities exercises full or sub-  
12 stantial administrative control over the charter school, ex-  
13 cept that this proviso does not limit the ability of a charter  
14 school to contract with a for-profit entity for discrete pur-  
15 poses other than managing or operating the charter  
16 school, such as providing food services or payroll services.

17       SEC. 314. None of the funds appropriated by this  
18 title for the Department of Education shall be withheld  
19 from an institution of higher education solely because that  
20 institution is conducting or preparing to conduct research  
21 on marihuana as defined in 21 U.S.C. 802(16).

22       SEC. 315. None of the funds made available by this  
23 Act may be used by the Department of Education to sup-  
24 port an educational institution that engages in the use of

1 electric shock devices and equipment for aversive condi-  
2 tioning or disciplining of students.

3 SEC. 316. Section 487(a) of the HEA is amended in  
4 paragraph (24) by the striking “ten percent” and “fifteen  
5 percent”.

6 SEC. 317. (a)(1) Section 484(a)(5) of the HEA of  
7 1965 (20 U.S.C. 1091(a)(5)) is amended—

8  
9 (A) by inserting “or a DACA recipient (as  
10 defined in subsection (u)), have temporary pro-  
11 tected status under section 244 of the Immigra-  
12 tion and Nationality Act (8 U.S.C. 1254a),”  
13 after “a permanent resident of the United  
14 States,”; and

15 (B) by inserting “be” after “able”.

16 (2) Section 484(a) of such Act (20 U.S.C.  
17 1091(a)) is amended by adding at the end the fol-  
18 lowing:

19 “(u) DACA RECIPIENT.—In this sec-  
20 tion, the term ‘DACA recipient’ means an alien  
21 (as defined in section 101(a)(3) of the Immi-  
22 gration and Nationality Act (8 U.S.C.  
23 1101(a)(3)) who is inadmissible to the United  
24 State or deportable from the United States  
25 under the immigration laws (as defined in sec-

1           tion 101(a)(17) of such Act (8 U.S.C.  
2           1101(a)(17)), and who the Secretary of Home-  
3           land Security has, in his or her discretion, de-  
4           termined should be afforded a grant of deferred  
5           action under the Deferred Action for Childhood  
6           Arrivals (DACA) policy.”.

7           (3) The amendments made by this subsection  
8           shall take effect on July 1, 2023.

9           (b)(1) Subsection (n)(1)(A)(iv) of section 702  
10          of the FAFSA Simplification Act (title VII of divi-  
11          sion FF of Public Law 116-260) is amended by  
12          striking “by adding at the end” and inserting “by  
13          inserting after subsection (r), as redesignated under  
14          clause (i),”.

15          (2) The amendment made by paragraph (1)  
16          shall take effect as if included in the enactment of  
17          the FAFSA Simplification Act (title VII of division  
18          FF of Public Law 116-260).

19          SEC. 318. Section 344(a) of the HEA (20 U.S.C.  
20          1066(c)(a)) is amended by striking “No institution of  
21          higher education that has received assistance under sec-  
22          tion 8 of the Act of March 2, 1867 (20 U.S.C. 123) shall  
23          be eligible to receive assistance under this part.”.

24

## RELATED AGENCIES

## BLIND OR SEVERELY DISABLED

For expenses necessary for the Committee for Pur-

(referred to in this title as “the Committee”) established

\$13,124,000: *Provided*, That in order to authorize any

8503(c) of title 41, United States Code, to perform re-

51-3.2 of title 41, Code of Federal Regulations, the Com-

mittee shall enter into a written agreement with any such

central nonprofit agency: *Provided further*, That such

agreement shall contain such auditing, oversight, and re-

porting provisions as necessary to implement chapter 85

of title 41, United States Code: *Provided further*, That

such agreement shall include the elements listed under the

heading “Committee For Purchase From People Who Are

Blind or Severely Disabled—Written Agreement Ele-

ments” in the explanatory statement described in section



1 4 of Public Law 114–113 (in the matter preceding division  
 2 A of that consolidated Act): *Provided further*, That any  
 3 such central nonprofit agency may not charge a fee under  
 4 section 51–3.5 of title 41, Code of Federal Regulations,  
 5 prior to executing a written agreement with the Com-  
 6 mittee: *Provided further*, That no less than \$3,124,000  
 7 shall be available for the Office of Inspector General.

8 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE  
 9 OPERATING EXPENSES

10 For necessary expenses for the Corporation for Na-  
 11 tional and Community Service (referred to in this title as  
 12 “CNCS”) to carry out the Domestic Volunteer Service Act  
 13 of 1973 (referred to in this title as “1973 Act”) and the  
 14 National and Community Service Act of 1990 (referred  
 15 to in this title as “1990 Act”), \$947,829,000 , notwith-  
 16 standing sections 198B(b)(3), 198S(g), 501(a)(4)(C), and  
 17 501(a)(4)(F) of the 1990 Act: *Provided*, That of the  
 18 amounts provided under this heading: (1) up to 1 percent  
 19 of program grant funds may be used to defray the costs  
 20 of conducting grant application reviews, including the use  
 21 of outside peer reviewers and electronic management of  
 22 the grants cycle; (2) \$19,538,000 shall be available to pro-  
 23 vide assistance to State commissions on national and com-  
 24 munity service, under section 126(a) of the 1990 Act and  
 25 notwithstanding section 501(a)(5)(B) of the 1990 Act; (3)

1 \$37,735,000 shall be available to carry out subtitle E of  
2 the 1990 Act; and (4) \$6,558,000 shall be available for  
3 expenses authorized under section 501(a)(4)(F) of the  
4 1990 Act, which, notwithstanding the provisions of section  
5 198P shall be awarded by CNCS on a competitive basis:  
6 *Provided further*, That for the purposes of carrying out  
7 the 1990 Act, satisfying the requirements in section  
8 122(c)(1)(D) may include a determination of need by the  
9 local community.

10 PAYMENT TO THE NATIONAL SERVICE TRUST  
11 (INCLUDING TRANSFER OF FUNDS)

12 For payment to the National Service Trust estab-  
13 lished under subtitle D of title I of the 1990 Act,  
14 \$235,000,000, to remain available until expended: *Pro-*  
15 *vided*, That CNCS may transfer additional funds from the  
16 amount provided within “Operating Expenses” allocated  
17 to grants under subtitle C of title I of the 1990 Act to  
18 the National Service Trust upon determination that such  
19 transfer is necessary to support the activities of national  
20 service participants and after notice is transmitted to the  
21 Committees on Appropriations of the House of Represent-  
22 atives and the Senate: *Provided further*, That amounts ap-  
23 propriated for or transferred to the National Service Trust  
24 may be invested under section 145(b) of the 1990 Act

1 without regard to the requirement to apportion funds  
2 under 31 U.S.C. 1513(b).

3 SALARIES AND EXPENSES

4 For necessary expenses of administration as provided  
5 under section 501(a)(5) of the 1990 Act and under section  
6 504(a) of the 1973 Act, including payment of salaries, au-  
7 thorized travel, hire of passenger motor vehicles, the rental  
8 of conference rooms in the District of Columbia, the em-  
9 ployment of experts and consultants authorized under 5  
10 U.S.C. 3109, and not to exceed \$2,500 for official recep-  
11 tion and representation expenses, \$109,686,000.

12 OFFICE OF INSPECTOR GENERAL

13 For necessary expenses of the Office of Inspector  
14 General in carrying out the Inspector General Act of 1978,  
15 \$8,121,000.

16 ADMINISTRATIVE PROVISIONS

17 SEC. 401. CNCS shall make any significant changes  
18 to program requirements, service delivery or policy only  
19 through public notice and comment rulemaking. For fiscal  
20 year 2023, during any grant selection process, an officer  
21 or employee of CNCS shall not knowingly disclose any cov-  
22 ered grant selection information regarding such selection,  
23 directly or indirectly, to any person other than an officer  
24 or employee of CNCS that is authorized by CNCS to re-  
25 ceive such information.

1        SEC. 402. AmeriCorps programs receiving grants  
2 under the National Service Trust program shall meet an  
3 overall minimum share requirement of 24 percent for the  
4 first 3 years that they receive AmeriCorps funding, and  
5 thereafter shall meet the overall minimum share require-  
6 ment as provided in section 2521.60 of title 45, Code of  
7 Federal Regulations, without regard to the operating costs  
8 match requirement in section 121(e) or the member sup-  
9 port Federal share limitations in section 140 of the 1990  
10 Act, and subject to partial waiver consistent with section  
11 2521.70 of title 45, Code of Federal Regulations.

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

18        SEC. 404. In addition to the requirements in section  
19 146(a) of the 1990 Act, use of an educational award for  
20 the purpose described in section 148(a)(4) shall be limited  
21 to individuals who are veterans as defined under section  
22 101 of the Act.

23        SEC. 405. For the purpose of carrying out section  
24 189D of the 1990 Act—

1           (1) entities described in paragraph (a) of such  
2           section shall be considered “qualified entities” under  
3           section 3 of the National Child Protection Act of  
4           1993 (“NCPA”);

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

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

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

20         SEC. 407. Section 148(f)(2)(A)(i) of the 1990 Act  
21         shall be applied by substituting “an approved national  
22         service position” for “a national service program that re-  
23         ceives grants under subtitle C”.

24         SEC. 408. (a) Section 137(a)(5) of the 1990 Act shall  
25         be applied in fiscal year 2022 as if the following were in-

1   serted before the period: “, or has submitted a request  
2   for administrative relief pursuant to the policy established  
3   in the memorandum of the Secretary of Homeland Secu-  
4   rity date June 15, 2012, and entitled ‘Exercising Prosecu-  
5   torial Discretion with Respect to Individuals Who Came  
6   to the United States as Children’ (Deferred Action for  
7   Childhood Arrivals)’”.

8           (b) Section 146(a)(3) of the 1990 Act shall be applied  
9   in fiscal year 2022 as if the following were inserted before  
10  the period: “, or has submitted a request for administra-  
11  tive relief pursuant to the policy established in the memo-  
12  randum of the Secretary of Homeland Security dated  
13  June 15, 2012, and entitled ‘Exercising Discretion with  
14  Respect to Individuals Who Came to the United States  
15  as Children (Deferred Action for Childhood Arrivals)’”.

16       SEC. 409. An individual in an approved national serv-  
17  ice position in a program under section 152(a) of the 1990  
18  Act may upon the approval of the Director of the National  
19  Civilian Community Corps continue in a term of service  
20  for up to 180 days beyond the period otherwise specified  
21  in section 153(d), or 90 days beyond the period otherwise  
22  specified in section 154(c).

23       SEC. 410. (a) Notwithstanding sections 139, 147,  
24  153, and 154 of the 1990 Act, the Director of the Na-  
25  tional Civilian Community Corps may enter into agree-

1 ments with eligible individuals to participate in a National  
2 Civilian Community Corps program for a period of not less  
3 than 90 days and not more than 180 days.

4 (b) An eligible individual who enters into an agree-  
5 ment with the Director under subsection (a) may receive  
6 an educational award equivalent to a proportional amount  
7 of the full-time national service educational award author-  
8 ized under section 147(a) of the 1990 Act that cor-  
9 responds to the term of service that such individual com-  
10 pletes.

11 (c) For purposes of this section, the term “eligible  
12 individual” means an individual who is at least 18 years  
13 of age and not more than 26 years of age as of the date  
14 the term of service commences.

15 CORPORATION FOR PUBLIC BROADCASTING

16 For payment to the Corporation for Public Broad-  
17 casting (“CPB”), as authorized by the Communications  
18 Act of 1934, an amount which shall be available within  
19 limitations specified by that Act, for the fiscal year 2025,  
20 \$565,000,000: *Provided*, That none of the funds made  
21 available to CPB by this Act shall be used to pay for re-  
22 ceptions, parties, or similar forms of entertainment for  
23 Government officials or employees: *Provided further*, That  
24 none of the funds made available to CPB by this Act shall  
25 be available or used to aid or support any program or ac-

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

9       In addition, for the costs associated with replacing  
 10 and upgrading the public broadcasting interconnection  
 11 system, including the costs of interconnection facilities and  
 12 operations under subsections (k)(3)(A)(i)(II) and  
 13 (k)(3)(A)(iv)(I) of section 396 of the Communications Act  
 14 of 1934, and for other technologies and services that cre-  
 15 ate infrastructure and efficiencies within the public media  
 16 system, \$60,000,000: *Provided*, That such amounts shall  
 17 be in addition to any other amounts otherwise available  
 18 for such purposes.

## 19       FEDERAL MEDIATION AND CONCILIATION SERVICE

### 20                       SALARIES AND EXPENSES

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



1 Act of 1978; and for expenses necessary for the Service  
2 to carry out the functions vested in it by the Civil Service  
3 Reform Act, \$53,705,000: *Provided*, That notwithstanding  
4 31 U.S.C. 3302, fees charged, up to full-cost recovery, for  
5 special training activities and other conflict resolution  
6 services and technical assistance, including those provided  
7 to foreign governments and international organizations,  
8 and for arbitration services shall be credited to and  
9 merged with this account, and shall remain available until  
10 expended: *Provided further*, That fees for arbitration serv-  
11 ices shall be available only for education, training, and  
12 professional development of the agency workforce: *Pro-*  
13 *vided further*, That the Director of the Service is author-  
14 ized to accept and use on behalf of the United States gifts  
15 of services and real, personal, or other property in the aid  
16 of any projects or functions within the Director's jurisdic-  
17 tion.

18 FEDERAL MINE SAFETY AND HEALTH REVIEW

19 COMMISSION

20 SALARIES AND EXPENSES

21 For expenses necessary for the Federal Mine Safety  
22 and Health Review Commission, \$18,012,000.

1       INSTITUTE OF MUSEUM AND LIBRARY SERVICES

2       OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS

3                       AND ADMINISTRATION

4       For carrying out the Museum and Library Services  
5 Act of 1996 and the National Museum of African Amer-  
6 ican History and Culture Act, \$280,000,000.

7       MEDICAID AND CHIP PAYMENT AND ACCESS

8                       COMMISSION

9                       SALARIES AND EXPENSES

10      For expenses necessary to carry out section 1900 of  
11 the Social Security Act, \$9,405,000.

12      MEDICARE PAYMENT ADVISORY COMMISSION

13                      SALARIES AND EXPENSES

14      For expenses necessary to carry out section 1805 of  
15 the Social Security Act, \$13,824,000, to be transferred to  
16 this appropriation from the Federal Hospital Insurance  
17 Trust Fund and the Federal Supplementary Medical In-  
18 surance Trust Fund.

19      NATIONAL COUNCIL ON DISABILITY

20                      SALARIES AND EXPENSES

21      For expenses necessary for the National Council on  
22 Disability as authorized by title IV of the Rehabilitation  
23 Act of 1973, \$3,850,000.

## 1 NATIONAL LABOR RELATIONS BOARD

## 2 SALARIES AND EXPENSES

3 For expenses necessary for the National Labor Rela-  
4 tions Board to carry out the functions vested in it by the  
5 Labor-Management Relations Act, 1947, and other laws,  
6 \$319,424,000, of which not less than \$1,000,000 shall be  
7 used to develop a system and procedures to conduct union  
8 representation elections electronically.

## 9 NATIONAL MEDIATION BOARD

## 10 SALARIES AND EXPENSES

11 For expenses necessary to carry out the provisions  
12 of the Railway Labor Act, including emergency boards ap-  
13 pointed by the President, \$15,113,000.

## 14 OCCUPATIONAL SAFETY AND HEALTH REVIEW

## 15 COMMISSION

## 16 SALARIES AND EXPENSES

17 For expenses necessary for the Occupational Safety  
18 and Health Review Commission, \$15,449,000.

## 19 RAILROAD RETIREMENT BOARD

## 20 DUAL BENEFITS PAYMENTS ACCOUNT

21 For payment to the Dual Benefits Payments Ac-  
22 count, authorized under section 15(d) of the Railroad Re-  
23 tirement Act of 1974, \$9,000,000, which shall include  
24 amounts becoming available in fiscal year 2023 pursuant  
25 to section 224(c)(1)(B) of Public Law 98–76; and in addi-

1 tion, an amount, not to exceed 2 percent of the amount  
2 provided herein, shall be available proportional to the  
3 amount by which the product of recipients and the average  
4 benefit received exceeds the amount available for payment  
5 of vested dual benefits: *Provided*, That the total amount  
6 provided herein shall be credited in 12 approximately  
7 equal amounts on the first day of each month in the fiscal  
8 year.

9 FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT

10 ACCOUNTS

11 For payment to the accounts established in the  
12 Treasury for the payment of benefits under the Railroad  
13 Retirement Act for interest earned on unnegotiated  
14 checks, \$150,000, to remain available through September  
15 30, 2023, which shall be the maximum amount available  
16 for payment pursuant to section 417 of Public Law 98–  
17 76.

18 LIMITATION ON ADMINISTRATION

19 For necessary expenses for the Railroad Retirement  
20 Board (“Board”) for administration of the Railroad Re-  
21 tirement Act and the Railroad Unemployment Insurance  
22 Act, \$131,666,000, to be derived in such amounts as de-  
23 termined by the Board from the railroad retirement ac-  
24 counts and from moneys credited to the railroad unem-  
25 ployment insurance administration fund: *Provided*, That

1 notwithstanding section 7(b)(9) of the Railroad Retire-  
2 ment Act this limitation may be used to hire attorneys  
3 only through the excepted service: *Provided further*, That  
4 the previous proviso shall not change the status under  
5 Federal employment laws of any attorney hired by the  
6 Railroad Retirement Board prior to January 1, 2013: *Pro-*  
7 *vided further*, That notwithstanding section 7(b)(9) of the  
8 Railroad Retirement Act, this limitation may be used to  
9 hire students attending qualifying educational institutions  
10 or individuals who have recently completed qualifying edu-  
11 cational programs using current excepted hiring authori-  
12 ties established by the Office of Personnel Management.

13 LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

14 For expenses necessary for the Office of Inspector  
15 General for audit, investigatory and review activities, as  
16 authorized by the Inspector General Act of 1978, not more  
17 than \$13,269,000, to be derived from the railroad retire-  
18 ment accounts and railroad unemployment insurance ac-  
19 count.

20 SOCIAL SECURITY ADMINISTRATION

21 PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

22 For payment to the Federal Old-Age and Survivors  
23 Insurance Trust Fund and the Federal Disability Insur-  
24 ance Trust Fund, as provided under sections 201(m) and  
25 1131(b)(2) of the Social Security Act, \$11,000,000.

## 1 SUPPLEMENTAL SECURITY INCOME PROGRAM

2 For carrying out titles XI and XVI of the Social Se-  
3 curity Act, section 401 of Public Law 92–603, section 212  
4 of Public Law 93–66, as amended, and section 405 of  
5 Public Law 95–216, including payment to the Social Secu-  
6 rity trust funds for administrative expenses incurred pur-  
7 suant to section 201(g)(1) of the Social Security Act,  
8 \$48,713,576,000, to remain available until expended: *Pro-*  
9 *vided*, That any portion of the funds provided to a State  
10 in the current fiscal year and not obligated by the State  
11 during that year shall be returned to the Treasury: *Pro-*  
12 *vided further*, That not more than \$86,000,000 shall be  
13 available for research and demonstrations under sections  
14 1110, 1115, and 1144 of the Social Security Act, and re-  
15 main available through September 30, 2025.

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

20 For making benefit payments under title XVI of the  
21 Social Security Act for the first quarter of fiscal year  
22 2024, \$15,800,000,000, to remain available until ex-  
23 pended.

## 1           LIMITATION ON ADMINISTRATIVE EXPENSES

2           For necessary expenses, including the hire and pur-  
3 chase of two passenger motor vehicles and charging or  
4 fueling infrastructure for zero emission passenger motor  
5 vehicles, and not to exceed \$20,000 for official reception  
6 and representation expenses, not more than  
7 \$14,300,945,000 may be expended, as authorized by sec-  
8 tion 201(g)(1) of the Social Security Act, from any one  
9 or all of the trust funds referred to in such section: *Pro-*  
10 *vided*, That not less than \$2,700,000 shall be for the So-  
11 cial Security Advisory Board: *Provided further*, That unob-  
12 ligated balances of funds provided under this paragraph  
13 at the end of fiscal year 2023 not needed for fiscal year  
14 2023 shall remain available until expended to invest in the  
15 Social Security Administration information technology  
16 and telecommunications hardware and software infra-  
17 structure, including related equipment and non-payroll ad-  
18 ministrative expenses associated solely with this informa-  
19 tion technology and telecommunications infrastructure:  
20 *Provided further*, That the Commissioner of Social Secu-  
21 rity shall notify the Committees on Appropriations of the  
22 House of Representatives and the Senate prior to making  
23 unobligated balances available under the authority in the  
24 previous proviso: *Provided further*, That reimbursement to  
25 the trust funds under this heading for expenditures for

1 official time for employees of the Social Security Adminis-  
2 tration pursuant to 5 U.S.C. 7131, and for facilities or  
3 support services for labor organizations pursuant to poli-  
4 cies, regulations, or procedures referred to in section  
5 7135(b) of such title shall be made by the Secretary of  
6 the Treasury, with interest, from amounts in the general  
7 fund not otherwise appropriated, as soon as possible after  
8 such expenditures are made.

9       Of the total amount made available in the first para-  
10 graph under this heading, not more than \$1,799,000,000,  
11 to remain available through March 31, 2024, is for the  
12 costs associated with continuing disability reviews under  
13 titles II and XVI of the Social Security Act, including  
14 work-related continuing disability reviews to determine  
15 whether earnings derived from services demonstrate an in-  
16 dividual's ability to engage in substantial gainful activity,  
17 for the cost associated with conducting redeterminations  
18 of eligibility under title XVI of the Social Security Act,  
19 for the cost of co-operative disability investigation units,  
20 and for the cost associated with the prosecution of fraud  
21 in the programs and operations of the Social Security Ad-  
22 ministration by Special Assistant United States Attorneys:  
23 *Provided*, That, of such amount, \$288,000,000 is provided  
24 to meet the terms of section 1(i)(2)(C) of H. Res. 1151  
25 (117th Congress) as engrossed in the House of Represent-



1 atives on June 8, 2022, and \$1,511,000,000 is additional  
2 new budget authority specified for purposes of section 1(i)  
3 of such resolution: *Provided further*, That, of the addi-  
4 tional new budget authority described in the preceding  
5 proviso, up to \$15,100,000 may be transferred to the “Of-  
6 fice of Inspector General”, Social Security Administration,  
7 for the cost of jointly operated co-operative disability in-  
8 vestigation units: *Provided further*, That such transfer au-  
9 thority is in addition to any other transfer authority pro-  
10 vided by law: *Provided further*, That the Commissioner  
11 shall provide to the Congress (at the conclusion of the fis-  
12 cal year) a report on the obligation and expenditure of  
13 these funds, similar to the reports that were required by  
14 section 103(d)(2) of Public Law 104–121 for fiscal years  
15 1996 through 2002.

16 In addition, \$140,000,000 to be derived from admin-  
17 istration fees in excess of \$5.00 per supplementary pay-  
18 ment collected pursuant to section 1616(d) of the Social  
19 Security Act or section 212(b)(3) of Public Law 93–66,  
20 which shall remain available until expended: *Provided*,  
21 That to the extent that the amounts collected pursuant  
22 to such sections in fiscal year 2023 exceed \$140,000,000,  
23 the amounts shall be available in fiscal year 2024 only  
24 to the extent provided in advance in appropriations Acts.

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

5                   OFFICE OF INSPECTOR GENERAL  
6                   (INCLUDING TRANSFER OF FUNDS)

7       For expenses necessary for the Office of Inspector  
8 General in carrying out the provisions of the Inspector  
9 General Act of 1978, \$33,000,000, together with not to  
10 exceed \$84,500,000, to be transferred and expended as  
11 authorized by section 201(g)(1) of the Social Security Act  
12 from the Federal Old-Age and Survivors Insurance Trust  
13 Fund and the Federal Disability Insurance Trust Fund:  
14 *Provided*, That \$2,000,000 shall remain available until ex-  
15 pended for information technology modernization, includ-  
16 ing related hardware and software infrastructure and  
17 equipment, and for administrative expenses directly asso-  
18 ciated with information technology modernization.

19       In addition, an amount not to exceed 3 percent of  
20 the total provided in this appropriation may be transferred  
21 from the “Limitation on Administrative Expenses”, Social  
22 Security Administration, to be merged with this account,  
23 to be available for the time and purposes for which this  
24 account is available: *Provided*, That notice of such trans-  
25 fers shall be transmitted promptly to the Committees on

1 Appropriations of the House of Representatives and the  
2 Senate at least 15 days in advance of any transfer.

3 TITLE V

4 GENERAL PROVISIONS

5 (TRANSFER OF FUNDS)

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

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

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

1 Congress or any State or local legislature itself, or de-  
2 signed to support or defeat any proposed or pending regu-  
3 lation, administrative action, or order issued by the execu-  
4 tive branch of any State or local government, except in  
5 presentation to the executive branch of any State or local  
6 government itself.

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

21 (c) The prohibitions in subsections (a) and (b) shall  
22 include any activity to advocate or promote any proposed,  
23 pending or future Federal, State or local tax increase, or  
24 any proposed, pending, or future requirement or restric-  
25 tion on any legal consumer product, including its sale or

1 marketing, including but not limited to the advocacy or  
2 promotion of gun control.

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

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

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

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

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

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

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

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

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

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

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

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

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

21            (2) such entity has not submitted a report as  
22 required by that section for the most recent year for  
23 which such requirement was applicable to such enti-  
24 ty.

1        SEC. 509. 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  
4 pursuant to a transfer made by, or transfer authority pro-  
5 vided in, this Act or any other appropriation Act.

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

13        SEC. 511. (a) None of the funds provided under this  
14 Act, or provided under previous appropriations Acts to the  
15 agencies funded by this Act that remain available for obli-  
16 gation or expenditure in fiscal year 2023, or provided from  
17 any accounts in the Treasury of the United States derived  
18 by the collection of fees available to the agencies funded  
19 by this Act, shall be available for obligation or expenditure  
20 through a reprogramming of funds that—

- 21            (1) creates new programs;
- 22            (2) eliminates a program, project, or activity;
- 23            (3) increases funds or personnel by any means
- 24        for any project or activity for which funds have been
- 25        denied or restricted;



1 (4) relocates an office or employees;

2 (5) reorganizes or renames offices;

3 (6) reorganizes programs or activities; or

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

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

12 (b) None of the funds provided under this Act, or  
13 provided under previous appropriations Acts to the agen-  
14 cies funded by this Act that remain available for obligation  
15 or expenditure in fiscal year 2023, or provided from any  
16 accounts in the Treasury of the United States derived by  
17 the collection of fees available to the agencies funded by  
18 this Act, shall be available for obligation or expenditure  
19 through a reprogramming of funds in excess of \$500,000  
20 or 10 percent, whichever is less, that—

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

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

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

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

21          SEC. 513. Within 45 days of enactment of this Act,  
22          each department and related agency funded through this  
23          Act shall submit an operating plan that details at the pro-  
24          gram, project, and activity level any funding allocations  
25          for fiscal year 2023 that are different than those specified

1 in this Act, the report accompanying this Act or the fiscal  
2 year 2023 budget request.

3       SEC. 514. 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-competi-  
11 tive basis during each quarter of fiscal year 2023, but not  
12 to include grants awarded on a formula basis or directed  
13 by law. Such report shall include the name of the con-  
14 tractor or grantee, the amount of funding, the govern-  
15 mental purpose, including a justification for issuing the  
16 award on a non-competitive basis. Such report shall be  
17 transmitted to the Committees within 30 days after the  
18 end of the quarter for which the report is submitted.

19       SEC. 515. 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 per-

1 formance of such work under such number has formed the  
2 basis for a conviction of the claimant of a violation of sec-  
3 tion 208(a)(6) or (7) of the Social Security Act.

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

14       SEC. 517. (a) None of the funds made available in  
15 this Act may be used to maintain or establish a computer  
16 network unless such network blocks the viewing,  
17 downloading, 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. 518. 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. 519. Federal agencies funded under this Act  
9 shall clearly state within the text, audio, or video used for  
10 advertising or educational purposes, including emails or  
11 Internet postings, that the communication is printed, pub-  
12 lished, or produced and disseminated at United States tax-  
13 payer expense. The funds used by a Federal agency to  
14 carry out this requirement shall be derived from amounts  
15 made available to the agency for advertising or other com-  
16 munications regarding the programs and activities of the  
17 agency.

18 SEC. 520. (a) Federal agencies may use Federal dis-  
19 cretionary funds that are made available in this Act to  
20 carry out up to 10 Performance Partnership Pilots. Such  
21 Pilots shall be governed by the provisions of section 526  
22 of division H of Public Law 113–76, except that in car-  
23 rying out such Pilots section 526 shall be applied by sub-  
24 stituting “Fiscal Year 2023” for “Fiscal Year 2014” in  
25 the title of subsection (b) and by substituting “September

1 30, 2027” for “September 30, 2018” each place it ap-  
2 pears: *Provided*, That such pilots shall include commu-  
3 nities that have experienced civil unrest.

4 (b) In addition, Federal agencies may use Federal  
5 discretionary funds that are made available in this Act to  
6 participate in Performance Partnership Pilots that are  
7 being carried out pursuant to the authority provided by  
8 section 526 of division H of Public Law 113–76, section  
9 524 of division G of Public Law 113–235, section 525 of  
10 division H of Public Law 114–113, section 525 of division  
11 H of Public Law 115–31, section 525 of division H of  
12 Public Law 115–141, section 524 of division A of Public  
13 Law 116–94, section 524 of division H of Public Law  
14 116–260, and section 523 of division H of Public Law  
15 117–103.

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

20 SEC. 521. Not later than 30 days after the end of  
21 each calendar quarter, beginning with the first month of  
22 fiscal year 2023 the Departments of Labor, Health and  
23 Human Services and Education and the Social Security  
24 Administration shall provide the Committees on Appro-  
25 priations of the House of Representatives and Senate a

1 report on the status of balances of appropriations: *Pro-*  
2 *vided*, That for balances that are unobligated and uncom-  
3 mitted, committed, and obligated but unexpended, the  
4 monthly reports shall separately identify the amounts at-  
5 tributable to each source year of appropriation (beginning  
6 with fiscal year 2012, or, to the extent feasible, earlier  
7 fiscal years) from which balances were derived.

8       SEC. 522. The Departments of Labor, Health and  
9 Human Services, and Education shall provide to the Com-  
10 mittees on Appropriations of the House of Representatives  
11 and the Senate a comprehensive list of any new or com-  
12 petitive grant award notifications, including supplements,  
13 issued at the discretion of such Departments not less than  
14 3 full business days before any entity selected to receive  
15 a grant award is announced by the Department or its of-  
16 fices (other than emergency response grants at any time  
17 of the year or for grant awards made during the last 10  
18 business days of the fiscal year, or if applicable, of the  
19 program year).

20       SEC. 523. Each department and related agency fund-  
21 ed through this Act shall provide answers to questions  
22 submitted for the record by members of the Committee  
23 within 45 business days after receipt.

24       SEC. 524. Of amounts deposited in the Child Enroll-  
25 ment Contingency Fund under section 2104(n)(2) of the

1 Social Security Act and the income derived from invest-  
2 ment of those funds pursuant to section 2104(n)(2)(C) of  
3 that Act, \$14,861,000,000 shall not be available for obli-  
4 gation in this fiscal year.

5 SEC. 525. (a) This section applies to: (1) the Admin-  
6 istration for Children and Families in the Department of  
7 Health and Human Services; and (2) The Chief Evalua-  
8 tion Office and the statistical-related cooperative and  
9 interagency agreements and contracting activities of the  
10 Bureau of Labor Statistics in the Department of Labor.

11 (b) Amounts made available under this Act which are  
12 either appropriated, allocated, advanced on a reimbursable  
13 basis, or transferred to the functions and organizations  
14 identified in subsection (a) for research, evaluation, or sta-  
15 tistical purposes shall be available for obligation through  
16 September 30, 2027: *Provided*, That when an office ref-  
17 erenced in subsection (a) receives research and evaluation  
18 funding from multiple appropriations, such offices may  
19 use a single Treasury account for such activities, with  
20 funding advanced on a reimbursable basis.

21 (c) Amounts referenced in subsection (b) that are un-  
22 expended at the time of completion of a contract, grant,  
23 or cooperative agreement may be deobligated and shall im-  
24 mediately become available and may be reobligated in that  
25 fiscal year or the subsequent fiscal year for the research,



1 evaluation, or statistical purposes for which such amounts  
2 are available.

3       SEC. 526. None of the funds made available by this  
4 Act may be made available to the Wuhan Institute of Vi-  
5 rology, or any other laboratory located in a country deter-  
6 mined by the Secretary of State to be a foreign adversary,  
7 including China, Russia, North Korea, and Iran.

8       SEC. 527. None of the funds made available by this  
9 Act may be used to purchase, procure, or distribute pipes  
10 or similar cylindrical objects for use in smoking or inhal-  
11 ing any controlled substance in schedule I of the Con-  
12 trolled Substances Act (21 U.S.C. 801 et seq.).

13       This Act may be cited as the “Departments of Labor,  
14 Health and Human Services, and Education, and Related  
15 Agencies Appropriations Act, 2023”.

Union Calendar No. 311

117TH CONGRESS  
2D Session

**H. R. 8295**

[Report No. 117-403]

**A BILL**

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2023, and for other purposes.

JULY 5, 2022

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