

117TH CONGRESS
1ST SESSION

H. R. 4502

IN THE SENATE OF THE UNITED STATES

AUGUST 3, 2021

Received

AN ACT

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2022, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Labor, Health and
3 Human Services, Education, Agriculture, Rural Develop-
4 ment, Energy and Water Development, Financial Services
5 and General Government, Interior, Environment, Military
6 Construction, Veterans Affairs, Transportation, and
7 Housing and Urban Development Appropriations Act,
8 2022”.

9 **SEC. 2. REFERENCES TO ACT.**

10 Except as expressly provided otherwise, any reference
11 to “this Act” contained in any division of this Act shall
12 be treated as referring only to the provisions of that divi-
13 sion.

14 **SEC. 3. REFERENCES TO REPORT.**

15 (a) DEPARTMENTS OF LABOR, HEALTH AND HUMAN
16 SERVICES, AND EDUCATION, AND RELATED AGENCIES
17 APPROPRIATIONS ACT, 2022.—Any reference to a “report
18 accompanying this Act” contained in division A of this Act
19 shall be treated as a reference to House Report 117–96.
20 The effect of such Report shall be limited to division A
21 and shall apply for purposes of determining the allocation
22 of funds provided by, and the implementation of, division
23 A.

24 (b) AGRICULTURE, RURAL DEVELOPMENT, FOOD
25 AND DRUG ADMINISTRATION, AND RELATED AGENCIES
26 APPROPRIATIONS ACT, 2022.—Any reference to a “report

1 accompanying this Act” contained in division B of this Act
2 shall be treated as a reference to House Report 117–82.
3 The effect of such Report shall be limited to division B
4 and shall apply for purposes of determining the allocation
5 of funds provided by, and the implementation of, division
6 B.

7 (c) ENERGY AND WATER DEVELOPMENT AND RE-
8 LATED AGENCIES APPROPRIATIONS ACT, 2022.—Any ref-
9 erence to a “report accompanying this Act” contained in
10 division C of this Act shall be treated as a reference to
11 House Report 117–98. The effect of such Report shall be
12 limited to division C and shall apply for purposes of deter-
13 mining the allocation of funds provided by, and the imple-
14 mentation of, division C.

15 (d) FINANCIAL SERVICES AND GENERAL GOVERN-
16 MENT APPROPRIATIONS ACT, 2022.—Any reference to a
17 “report accompanying this Act” contained in division D
18 of this Act shall be treated as a reference to House Report
19 117–79. The effect of such Report shall be limited to divi-
20 sion D and shall apply for purposes of determining the
21 allocation of funds provided by, and the implementation
22 of, division D.

23 (e) DEPARTMENT OF THE INTERIOR, ENVIRONMENT,
24 AND RELATED AGENCIES APPROPRIATIONS ACT, 2022.—
25 Any reference to a “report accompanying this Act” con-

1 tained in division E of this Act shall be treated as a ref-
2 erence to House Report 117–83. The effect of such Report
3 shall be limited to division E and shall apply for purposes
4 of determining the allocation of funds provided by, and
5 the implementation of, division E.

6 (f) MILITARY CONSTRUCTION, VETERANS AFFAIRS,
7 AND RELATED AGENCIES APPROPRIATIONS ACT, 2022.—
8 Any reference to a “report accompanying this Act” con-
9 tained in division F of this Act shall be treated as a ref-
10 erence to House Report 117–81. The effect of such Report
11 shall be limited to division F and shall apply for purposes
12 of determining the allocation of funds provided by, and
13 the implementation of, division F.

14 (g) TRANSPORTATION, HOUSING AND URBAN DE-
15 VELOPMENT, AND RELATED AGENCIES APPROPRIATIONS
16 ACT, 2022.—Any reference to a “report accompanying
17 this Act” contained in division G of this Act shall be treat-
18 ed as a reference to House Report 117–99. The effect of
19 such Report shall be limited to division G and shall apply
20 for purposes of determining the allocation of funds pro-
21 vided by, and the implementation of, division G.

22 **SEC. 4. STATEMENT OF APPROPRIATIONS.**

23 The following sums in this Act are appropriated, out
24 of any money in the Treasury not otherwise appropriated,
25 for the fiscal year ending September 30, 2022.

1 **DIVISION A—DEPARTMENTS OF LABOR,**
2 **HEALTH AND HUMAN SERVICES, AND**
3 **EDUCATION, AND RELATED AGENCIES**
4 **APPROPRIATIONS ACT, 2022**

5 TITLE I

6 DEPARTMENT OF LABOR

7 EMPLOYMENT AND TRAINING ADMINISTRATION

8 TRAINING AND EMPLOYMENT SERVICES

9 For necessary expenses of the Workforce Innovation
10 and Opportunity Act (referred to in this Act as “WIOA”)
11 and the National Apprenticeship Act, \$4,407,108,000 (in-
12 creased by \$1,000,000), plus reimbursements, shall be
13 available. Of the amounts provided:

14 (1) for grants to States for adult employment
15 and training activities, youth activities, and dis-
16 located worker employment and training activities,
17 \$3,095,332,000 as follows:

18 (A) \$923,174,000 for adult employment
19 and training activities, of which \$211,174,000
20 shall be available for the period July 1, 2022
21 through June 30, 2023, and of which
22 \$712,000,000 shall be available for the period
23 October 1, 2022 through June 30, 2023;

1 (B) \$988,604,000 for youth activities,
2 which shall be available for the period April 1,
3 2022 through June 30, 2023; and

4 (C) \$1,183,554,000 for dislocated worker
5 employment and training activities, of which
6 \$323,554,000 shall be available for the period
7 July 1, 2022 through June 30, 2023, and of
8 which \$860,000,000 shall be available for the
9 period October 1, 2022 through June 30, 2023:

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

14 (2) for national programs, \$1,311,776,000 (in-
15 creased by \$1,000,000) as follows:

16 (A) \$435,859,000 for the dislocated work-
17 ers assistance national reserve, of which
18 \$235,859,000 shall be available for the period
19 July 1, 2022 through September 30, 2023, and
20 of which \$200,000,000 shall be available for the
21 period October 1, 2022 through September 30,
22 2023: *Provided*, That funds made available in
23 this subparagraph shall be available for the
24 pilot program authorized under section 8041 of
25 the SUPPORT for Patients and Communities

1 Act (Public Law 115–271): *Provided further*,
2 That funds provided to carry out section
3 132(a)(2)(A) of the WIOA may be used to pro-
4 vide assistance to a State for statewide or local
5 use in order to address cases where there have
6 been worker dislocations across multiple sectors
7 or across multiple local areas and such workers
8 remain dislocated; coordinate the State work-
9 force development plan with emerging economic
10 development needs; and train such eligible dis-
11 located workers: *Provided further*, That funds
12 provided to carry out sections 168(b) and
13 169(c) of the WIOA may be used for technical
14 assistance and demonstration projects, respec-
15 tively, that provide assistance to new entrants
16 in the workforce and incumbent workers: *Pro-*
17 *vided further*, That notwithstanding section
18 168(b) of the WIOA, of the funds provided
19 under this subparagraph, the Secretary of
20 Labor (referred to in this title as “Secretary”)
21 may reserve not more than 10 percent of such
22 funds to provide technical assistance and carry
23 out additional activities related to the transition
24 to the WIOA: *Provided further*, That of the
25 funds provided under this subparagraph,

1 \$200,000,000 (increased by \$5,000,000) shall
2 be for training and employment assistance
3 under sections 168(b), 169(c) (notwithstanding
4 the 10 percent limitation in such section) and
5 170 of the WIOA as follows:

6 (i) \$100,000,000 (increased by
7 \$5,000,000) shall be for the purpose of de-
8 veloping, offering, or improving educational
9 or career training programs at community
10 colleges, defined as public institutions of
11 higher education, as described in section
12 101(a) of the Higher Education Act of
13 1965 and at which the associate's degree is
14 primarily the highest degree awarded, with
15 other eligible institutions of higher edu-
16 cation, as defined in section 101(a) of the
17 Higher Education Act of 1965, eligible to
18 participate through consortia, with commu-
19 nity colleges as the lead grantee: *Provided*,
20 That the Secretary shall follow the require-
21 ments for the program in House Report
22 116-62 and in the report accompanying
23 this Act: *Provided further*, That any grant
24 funds used for apprenticeships shall be
25 used to support only apprenticeship pro-

grams registered under the National Apprenticeship Act and as referred to in section 3(7)(B) of the WIOA; and

(ii) \$100,000,000 shall be for training and employment assistance for workers in communities that have experienced job losses due to dislocations in industries related to fossil fuel extraction or energy production;

(B) \$58,000,000 for Native American programs under section 166 of the WIOA, which shall be available for the period July 1, 2022 through June 30, 2023;

(C) \$96,711,000 for migrant and seasonal farmworker programs under section 167 of the WIOA, including \$89,693,000 for formula grants (of which not less than 70 percent shall be for employment and training services), \$6,444,000 for migrant and seasonal housing (of which not less than 70 percent shall be for permanent housing), and \$574,000 for other discretionary purposes, which shall be available for the period April 1, 2022 through June 30, 2023: *Provided*, That notwithstanding any other provision of law or related regulation, the

1 Department of Labor shall take no action lim-
2 iting the number or proportion of eligible par-
3 ticipants receiving related assistance services or
4 discouraging grantees from providing such serv-
5 ices: *Provided further*, That notwithstanding the
6 definition of “eligible seasonal farmworker” in
7 section 167(i)(3)(A) of the WIOA relating to an
8 individual being “low-income”, an individual is
9 eligible for migrant and seasonal farmworker
10 programs under section 167 of the WIOA under
11 that definition if, in addition to meeting the re-
12 quirements of clauses (i) and (ii) of section
13 167(i)(3)(A), such individual is a member of a
14 family with a total family income equal to or
15 less than 150 percent of the poverty line;

16 (D) \$145,000,000 for YouthBuild activi-
17 ties as described in section 171 of the WIOA,
18 which shall be available for the period April 1,
19 2022 through June 30, 2023;

20 (E) \$150,000,000 for ex-offender activi-
21 ties, under the authority of section 169 of the
22 WIOA, which shall be available for the period
23 April 1, 2022 through June 30, 2023: *Provided*,
24 That of this amount, \$25,000,000 shall be for
25 competitive grants to national and regional

1 intermediaries for activities that prepare for
2 employment young adults with criminal legal
3 histories, young adults who have been justice
4 system-involved, or young adults who have
5 dropped out of school or other educational pro-
6 grams, with a priority for projects serving high-
7 crime, high-poverty areas;

8 (F) \$7,250,000 for the Workforce Data
9 Quality Initiative, under the authority of section
10 169 of the WIOA, which shall be available for
11 the period July 1, 2022 through June 30,
12 2023;

13 (G) \$285,000,000 (increased by
14 \$1,000,000) (reduced by \$1,000,000) (in-
15 creased by \$1,000,000) to expand opportunities
16 through apprenticeships only registered under
17 the National Apprenticeship Act and as referred
18 to in section 3(7)(B) of the WIOA, to be avail-
19 able to the Secretary to carry out activities
20 through grants, cooperative agreements, con-
21 tracts and other arrangements, with States and
22 other appropriate entities, including equity
23 intermediaries and business and labor industry
24 partner intermediaries, which shall be available

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

3 (H) \$50,000,000 for a National Youth
4 Employment Program, under the authority of
5 section 169 of the WIOA, including the expan-
6 sion of summer and year-round job opportuni-
7 ties for disadvantaged youth, which shall be
8 available for the period April 1, 2022 through
9 June 30, 2023;

10 (I) \$20,000,000 for a national training
11 program for veterans, members of the armed
12 forces who are separating from active duty, and
13 the spouses of veterans and such members, fo-
14 cused on training related to employment in
15 clean energy sectors and occupations, under the
16 authority of section 169 of the WIOA, which
17 shall be available for the period July 1, 2022
18 through June 30, 2023; and

19 (J) \$63,956,000 for carrying out Dem-
20 onstration and Pilot projects under section
21 169(c) of the WIOA, which shall be available
22 for the period April 1, 2022 through June 30,
23 2023, in addition to funds available for such ac-
24 tivities under subparagraph (A) for the
25 projects, and in the amounts, specified under

1 the heading “Training and Employment Serv-
2 ices” in the report accompanying this Act: *Pro-*
3 *vided*, That such funds may be used for
4 projects that are related to the employment and
5 training needs of dislocated workers, other
6 adults, or youth: *Provided further*, That the 10
7 percent funding limitation under such section
8 shall not apply to such funds: *Provided further*,
9 That section 169(b)(6)(C) of the WIOA shall
10 not apply to such funds: *Provided further*, That
11 sections 102 and 107 of this Act shall not apply
12 to such funds.

13 JOB CORPS

14 (INCLUDING TRANSFER OF FUNDS)

15 To carry out subtitle C of title I of the WIOA, includ-
16 ing Federal administrative expenses, the purchase and
17 hire of passenger motor vehicles, the construction, alter-
18 ation, and repairs of buildings and other facilities, and the
19 purchase of real property for training centers as author-
20 ized by the WIOA, \$1,830,073,000, plus reimbursements,
21 as follows:

22 (1) \$1,653,325,000 for Job Corps Operations,
23 which shall be available for the period July 1, 2022
24 through June 30, 2023;

1 (2) \$138,000,000 for construction, rehabilita-
2 tion and acquisition of Job Corps Centers, which
3 shall be available for the period July 1, 2022
4 through June 30, 2025, and which may include the
5 acquisition, maintenance, and repair of major items
6 of equipment: *Provided*, That the Secretary may
7 transfer up to 15 percent of such funds to meet the
8 operational needs of such centers or to achieve ad-
9 ministrative efficiencies: *Provided further*, That any
10 funds transferred pursuant to the preceding provi-
11 sion shall not be available for obligation after June
12 30, 2023: *Provided further*, That the Committees on
13 Appropriations of the House of Representatives and
14 the Senate are notified at least 15 days in advance
15 of any transfer; and

16 (3) \$38,748,000 for necessary expenses of Job
17 Corps, which shall be available for obligation for the
18 period October 1, 2021 through September 30,
19 2022:
20 *Provided*, That no funds from any other appropriation
21 shall be used to provide meal services at or for Job Corps
22 centers.

1 COMMUNITY SERVICE EMPLOYMENT FOR OLDER
2 AMERICANS

3 To carry out title V of the Older Americans Act of
4 1965 (referred to in this Act as “OAA”), \$450,000,000,
5 which shall be available for the period April 1, 2022
6 through June 30, 2023, and may be recaptured and reobli-
7 gated in accordance with section 517(c) of the OAA.

8 FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

9 For payments during fiscal year 2022 of trade ad-
10 justment benefit payments and allowances under part I
11 of subchapter B of chapter 2 of title II of the Trade Act
12 of 1974, and section 246 of that Act; and for training,
13 employment and case management services, allowances for
14 job search and relocation, and related State administrative
15 expenses under part II of subchapter B of chapter 2 of
16 title II of the Trade Act of 1974, and including benefit
17 payments, allowances, training, employment and case
18 management services, and related State administration
19 provided pursuant to section 231(a) of the Trade Adjust-
20 ment Assistance Extension Act of 2011, sections 405(a)
21 and 406 of the Trade Preferences Extension Act of 2015,
22 and section 285(a)(2) of the Trade Act of 1974 (as
23 amended by section 406(a)(7) of the Trade Preferences
24 Extension Act of 2015), \$551,000,000 together with such
25 amounts as may be necessary to be charged to the subse-

1 quent appropriation for payments for any period subse-
2 quent to September 15, 2022: *Provided*, That notwith-
3 standing section 502 of this Act, any part of the appro-
4 priation provided under this heading may remain available
5 for obligation beyond the current fiscal year pursuant to
6 the authorities of section 245(c) of the Trade Act of 1974
7 (19 U.S.C. 2317(c)).

8 STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT
9 SERVICE OPERATIONS

10 For authorized administrative expenses,
11 \$89,066,000, together with not to exceed \$4,087,164,000
12 which may be expended from the Employment Security
13 Administration Account in the Unemployment Trust Fund
14 (“the Trust Fund”), of which—

15 (1) \$3,125,214,000 from the Trust Fund is for
16 grants to States for the administration of State un-
17 employment insurance laws as authorized under title
18 III of the Social Security Act (including not less
19 than \$250,000,000 to carry out reemployment serv-
20 ices and eligibility assessments under section 306 of
21 such Act, any claimants of regular compensation, as
22 defined in such section, including those who are
23 profiled as most likely to exhaust their benefits, may
24 be eligible for such services and assessments: *Pro-*
25 *vided*, That of such amount, \$117,000,000 is speci-

1 fied for grants under section 306 of the Social Secu-
2 rity Act and \$133,000,000 is additional new budget
3 authority specified for purposes of section 314(g) of
4 the Congressional Budget Act of 1974; and
5 \$9,000,000 for continued support of the Unemploy-
6 ment Insurance Integrity Center of Excellence), the
7 administration of unemployment insurance for Fed-
8 eral employees and for ex-service members as au-
9 thorized under 5 U.S.C. 8501–8523, and the admin-
10 istration of trade readjustment allowances, reem-
11 ployment trade adjustment assistance, and alter-
12 native trade adjustment assistance under the Trade
13 Act of 1974 and under section 231(a) of the Trade
14 Adjustment Assistance Extension Act of 2011, sec-
15 tions 405(a) and 406 of the Trade Preferences Ex-
16 tension Act of 2015, and section 285(a)(2) of the
17 Trade Act of 1974 (as amended by section 406(a)(7)
18 of the Trade Preferences Extension Act of 2015),
19 and shall be available for obligation by the States
20 through December 31, 2022, except that funds used
21 for automation shall be available for Federal obliga-
22 tion through December 31, 2022, and for State obli-
23 gation through September 30, 2024, or, if the auto-
24 mation is being carried out through consortia of
25 States, for State obligation through September 30,

1 2028, and for expenditure through September 30,
2 2029, and funds for competitive grants awarded to
3 States for improved operations and to conduct in-
4 person reemployment and eligibility assessments and
5 unemployment insurance improper payment reviews
6 and provide reemployment services and referrals to
7 training, as appropriate, shall be available for Fed-
8 eral obligation through December 31, 2022, and for
9 obligation by the States through September 30,
10 2024, and funds for the Unemployment Insurance
11 Integrity Center of Excellence shall be available for
12 obligation by the State through September 30, 2023,
13 and funds used for unemployment insurance work-
14 loads experienced through September 30, 2022 shall
15 be available for Federal obligation through Decem-
16 ber 31, 2022;

17 (2) \$118,108,000 from the Trust Fund is for
18 national activities necessary to support the adminis-
19 tration of the Federal-State unemployment insur-
20 ance system;

21 (3) \$727,449,000 from the Trust Fund, to-
22 gether with \$21,413,000 from the General Fund of
23 the Treasury, is for grants to States in accordance
24 with section 6 of the Wagner-Peyser Act, and shall

1 be available for Federal obligation for the period
2 July 1, 2022 through June 30, 2023;

3 (4) \$22,318,000 from the Trust Fund is for na-
4 tional activities of the Employment Service, includ-
5 ing administration of the work opportunity tax cred-
6 it under section 51 of the Internal Revenue Code of
7 1986 (including assisting States in adopting or mod-
8 ernizing information technology for use in the proc-
9 essing of certification requests), and the provision of
10 technical assistance and staff training under the
11 Wagner-Peyser Act;

12 (5) \$94,075,000 from the Trust Fund is for the
13 administration of foreign labor certifications and re-
14 lated activities under the Immigration and Nation-
15 ality Act and related laws, of which \$67,793,000
16 shall be available for the Federal administration of
17 such activities, and \$26,282,000 shall be available
18 for grants to States for the administration of such
19 activities; and

20 (6) \$67,653,000 from the General Fund is to
21 provide workforce information, national electronic
22 tools, and one-stop system building under the Wag-
23 ner-Peyser Act and shall be available for Federal ob-
24 ligation for the period July 1, 2022 through June
25 30, 2023, of which up to \$9,800,000 shall be used

1 to carry out research and demonstration projects re-
2 lated to testing effective ways to promote greater
3 labor force participation of people with disabilities:
4 *Provided*, That the Secretary may transfer amounts
5 made available for research and demonstration
6 projects under this paragraph to the “Office of Dis-
7 ability Employment Policy” account for such pur-
8 poses:

9 *Provided*, That to the extent that the Average Weekly In-
10 sured Unemployment (“AWIU”) for fiscal year 2022 is
11 projected by the Department of Labor to exceed
12 2,008,000, an additional \$28,600,000 from the Trust
13 Fund shall be available for obligation for every 100,000
14 increase in the AWIU level (including a pro rata amount
15 for any increment less than 100,000) to carry out title
16 III of the Social Security Act: *Provided further*, That
17 funds appropriated in this Act that are allotted to a State
18 to carry out activities under title III of the Social Security
19 Act may be used by such State to assist other States in
20 carrying out activities under such title III if the other
21 States include areas that have suffered a major disaster
22 declared by the President under the Robert T. Stafford
23 Disaster Relief and Emergency Assistance Act: *Provided*
24 *further*, That the Secretary may use funds appropriated
25 for grants to States under title III of the Social Security

1 Act to make payments on behalf of States for the use of
2 the National Directory of New Hires under section
3 453(j)(8) of such Act: *Provided further*, That the Sec-
4 retary may use funds appropriated for grants to States
5 under title III of the Social Security Act to make pay-
6 ments on behalf of States to the entity operating the State
7 Information Data Exchange System: *Provided further*,
8 That funds appropriated in this Act which are used to es-
9 tablish a national one-stop career center system, or which
10 are used to support the national activities of the Federal-
11 State unemployment insurance, employment service, or
12 immigration programs, may be obligated in contracts,
13 grants, or agreements with States and non-State entities:
14 *Provided further*, That States awarded competitive grants
15 for improved operations under title III of the Social Secu-
16 rity Act, or awarded grants to support the national activi-
17 ties of the Federal-State unemployment insurance system,
18 may award subgrants to other States and non-State enti-
19 ties under such grants, subject to the conditions applicable
20 to the grants: *Provided further*, That funds appropriated
21 under this Act for activities authorized under title III of
22 the Social Security Act and the Wagner-Peyser Act may
23 be used by States to fund integrated Unemployment In-
24 surance and Employment Service automation efforts, not-
25 withstanding cost allocation principles prescribed under

1 the final rule entitled “Uniform Administrative Require-
2 ments, Cost Principles, and Audit Requirements for Fed-
3 eral Awards” at part 200 of title 2, Code of Federal Regu-
4 lations: *Provided further*, That the Secretary, at the re-
5 quest of a State participating in a consortium with other
6 States, may reallocate funds allotted to such State under title
7 III of the Social Security Act to other States participating
8 in the consortium or to the entity operating the Unemploy-
9 ment Insurance Information Technology Support Center
10 in order to carry out activities that benefit the administra-
11 tion of the unemployment compensation law of the State
12 making the request: *Provided further*, That the Secretary
13 may collect fees for the costs associated with additional
14 data collection, analyses, and reporting services relating
15 to the National Agricultural Workers Survey requested by
16 State and local governments, public and private institu-
17 tions of higher education, and nonprofit organizations and
18 may utilize such sums, in accordance with the provisions
19 of 29 U.S.C. 9a, for the National Agricultural Workers
20 Survey infrastructure, methodology, and data to meet the
21 information collection and reporting needs of such entities,
22 which shall be credited to this appropriation and shall re-
23 main available until September 30, 2023, for such pur-
24 poses.

1 ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND
2 OTHER FUNDS

3 For repayable advances to the Unemployment Trust
4 Fund as authorized by sections 905(d) and 1203 of the
5 Social Security Act, and to the Black Lung Disability
6 Trust Fund as authorized by section 9501(c)(1) of the In-
7 ternal Revenue Code of 1986; and for nonrepayable ad-
8 vances to the revolving fund established by section 901(e)
9 of the Social Security Act, to the Unemployment Trust
10 Fund as authorized by 5 U.S.C. 8509, and to the “Federal
11 Unemployment Benefits and Allowances” account, such
12 sums as may be necessary, which shall be available for
13 obligation through September 30, 2023.

14 PROGRAM ADMINISTRATION

15 For expenses of administering employment and train-
16 ing programs, \$144,497,000 (reduced by \$1,000,000), to-
17 gether with not to exceed \$67,006,000 which may be ex-
18 pended from the Employment Security Administration Ac-
19 count in the Unemployment Trust Fund: *Provided*, That
20 funds made available for the Office of Apprenticeship shall
21 be used only for the administration of apprenticeship pro-
22 grams registered under the National Apprenticeship Act
23 and as referred to in section 3(7)(B) of the WIOA and
24 to provide for the full and adequate staffing of the Federal

1 Office of Apprenticeship and each of the State Offices of
2 Apprenticeship.

3 EMPLOYEE BENEFITS SECURITY ADMINISTRATION

4 SALARIES AND EXPENSES

5 For necessary expenses for the Employee Benefits
6 Security Administration, \$218,475,000, of which up to
7 \$3,000,000 shall be made available through September 30,
8 2023, for the procurement of expert witnesses for enforce-
9 ment litigation.

10 PENSION BENEFIT GUARANTY CORPORATION

11 PENSION BENEFIT GUARANTY CORPORATION FUND

12 The Pension Benefit Guaranty Corporation (“Cor-
13 poration”) is authorized to make such expenditures, in-
14 cluding financial assistance authorized by subtitle E of
15 title IV of the Employee Retirement Income Security Act
16 of 1974, within limits of funds and borrowing authority
17 available to the Corporation, and in accord with law, and
18 to make such contracts and commitments without regard
19 to fiscal year limitations, as provided by 31 U.S.C. 9104,
20 as may be necessary in carrying out the program, includ-
21 ing associated administrative expenses, through Sep-
22 tember 30, 2022, for the Corporation: *Provided*, That
23 none of the funds available to the Corporation for fiscal
24 year 2022 shall be available for obligations for administra-
25 tive expenses in excess of \$472,955,000: *Provided further*,

1 That to the extent that the number of new plan partici-
2 pants in plans terminated by the Corporation exceeds
3 100,000 in fiscal year 2022, an amount not to exceed an
4 additional \$9,200,000 shall be available through Sep-
5 tember 30, 2026, for obligations for administrative ex-
6 penses for every 20,000 additional terminated partici-
7 pants: *Provided further*, That obligations in excess of the
8 amounts provided for administrative expenses in this para-
9 graph may be incurred and shall be available through Sep-
10 tember 30, 2026 for obligation for unforeseen and extraor-
11 dinary pre-termination or termination expenses or extraor-
12 dinary multiemployer program related expenses after ap-
13 proval by the Office of Management and Budget and noti-
14 fication of the Committees on Appropriations of the House
15 of Representatives and the Senate: *Provided further*, That
16 an additional amount shall be available for obligation
17 through September 30, 2026 to the extent the Corpora-
18 tion's costs exceed \$250,000 for the provision of credit or
19 identity monitoring to affected individuals upon suffering
20 a security incident or privacy breach, not to exceed an ad-
21 ditional \$100 per affected individual.

22 WAGE AND HOUR DIVISION

23 SALARIES AND EXPENSES

24 For necessary expenses for the Wage and Hour Divi-
25 sion, including reimbursement to State, Federal, and local

1 agencies and their employees for inspection services ren-
2 dered, \$300,000,000: *Provided*, That the Secretary of
3 Labor shall use funds made available under this heading
4 to establish a national hotline to support domestic work-
5 ers.

6 OFFICE OF LABOR-MANAGEMENT STANDARDS

7 SALARIES AND EXPENSES

8 For necessary expenses for the Office of Labor-Man-
9 agement Standards, \$44,437,000.

10 OFFICE OF FEDERAL CONTRACT COMPLIANCE

11 PROGRAMS

12 SALARIES AND EXPENSES

13 For necessary expenses for the Office of Federal Con-
14 tract Compliance Programs, \$140,732,000.

15 OFFICE OF WORKERS' COMPENSATION PROGRAMS

16 SALARIES AND EXPENSES

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

22 SPECIAL BENEFITS

23 (INCLUDING TRANSFER OF FUNDS)

24 For the payment of compensation, benefits, and ex-
25 penses (except administrative expenses not otherwise au-

1 thorized) accruing during the current or any prior fiscal
2 year authorized by 5 U.S.C. 81; continuation of benefits
3 as provided for under the heading “Civilian War Benefits”
4 in the Federal Security Agency Appropriation Act, 1947;
5 the Employees’ Compensation Commission Appropriation
6 Act, 1944; section 5(f) of the War Claims Act (50 U.S.C.
7 App. 2012); obligations incurred under the War Hazards
8 Compensation Act (42 U.S.C. 1701 et seq.); and 50 per-
9 cent of the additional compensation and benefits required
10 by section 10(h) of the Longshore and Harbor Workers’
11 Compensation Act, \$244,000,000, together with such
12 amounts as may be necessary to be charged to the subse-
13 quent year appropriation for the payment of compensation
14 and other benefits for any period subsequent to August
15 15 of the current year, for deposit into and to assume
16 the attributes of the Employees’ Compensation Fund es-
17 tablished under 5 U.S.C. 8147(a): *Provided*, That
18 amounts appropriated may be used under 5 U.S.C. 8104
19 by the Secretary to reimburse an employer, who is not the
20 employer at the time of injury, for portions of the salary
21 of a re-employed, disabled beneficiary: *Provided further*,
22 That balances of reimbursements unobligated on Sep-
23 tember 30, 2021, shall remain available until expended for
24 the payment of compensation, benefits, and expenses: *Pro-*
25 *vided further*, That in addition there shall be transferred

1 to this appropriation from the Postal Service and from
2 any other corporation or instrumentality required under
3 5 U.S.C. 8147(c) to pay an amount for its fair share of
4 the cost of administration, such sums as the Secretary de-
5 termines to be the cost of administration for employees
6 of such fair share entities through September 30, 2022:
7 *Provided further*, That of those funds transferred to this
8 account from the fair share entities to pay the cost of ad-
9 ministration of the Federal Employees' Compensation Act,
10 \$80,920,000 shall be made available to the Secretary as
11 follows:

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

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

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

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

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

23 *Provided further*, That the Secretary may require that any
24 person filing a notice of injury or a claim for benefits
25 under 5 U.S.C. 81, or the Longshore and Harbor Work-

1 ers' Compensation Act, provide as part of such notice and
2 claim, such identifying information (including Social Secu-
3 rity account number) as such regulations may prescribe.

4 SPECIAL BENEFITS FOR DISABLED COAL MINERS

5 For carrying out title IV of the Federal Mine Safety
6 and Health Act of 1977, as amended by Public Law 107–
7 275, \$32,970,000, to remain available until expended.

8 For making after July 31 of the current fiscal year,
9 benefit payments to individuals under title IV of such Act,
10 for costs incurred in the current fiscal year, such amounts
11 as may be necessary.

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

15 ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES

16 OCCUPATIONAL ILLNESS COMPENSATION FUND

17 For necessary expenses to administer the Energy
18 Employees Occupational Illness Compensation Program
19 Act, \$63,428,000, to remain available until expended: *Pro-*
20 *vided*, That the Secretary may require that any person fil-
21 ing a claim for benefits under the Act provide as part of
22 such claim such identifying information (including Social
23 Security account number) as may be prescribed.

1 BLACK LUNG DISABILITY TRUST FUND

2 (INCLUDING TRANSFER OF FUNDS)

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

21 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

22 SALARIES AND EXPENSES

23 For necessary expenses for the Occupational Safety
24 and Health Administration, \$691,787,000, including not
25 to exceed \$118,737,000 which shall be the maximum

1 amount available for grants to States under section 23(g)
2 of the Occupational Safety and Health Act (the “Act”),
3 which grants shall be no less than 50 percent of the costs
4 of State occupational safety and health programs required
5 to be incurred under plans approved by the Secretary
6 under section 18 of the Act; and, in addition, notwith-
7 standing 31 U.S.C. 3302, the Occupational Safety and
8 Health Administration may retain up to \$499,000 per fis-
9 cal year of training institute course tuition and fees, other-
10 wise authorized by law to be collected, and may utilize
11 such sums for occupational safety and health training and
12 education: *Provided*, That notwithstanding 31 U.S.C.
13 3302, the Secretary is authorized, during the fiscal year
14 ending September 30, 2022, to collect and retain fees for
15 services provided to Nationally Recognized Testing Lab-
16 oratories, and may utilize such sums, in accordance with
17 the provisions of 29 U.S.C. 9a, to administer national and
18 international laboratory recognition programs that ensure
19 the safety of equipment and products used by workers in
20 the workplace: *Provided further*, That \$14,787,000 shall
21 be available for Susan Harwood training grants, of which
22 not less than \$4,500,000 is for Susan Harwood Training
23 Capacity Building Developmental grants for program ac-
24 tivities starting not later than September 30, 2022 and
25 lasting for a period of 12 months.

1 MINE SAFETY AND HEALTH ADMINISTRATION

2 SALARIES AND EXPENSES

3 For necessary expenses for the Mine Safety and
4 Health Administration, \$404,816,000, including purchase
5 and bestowal of certificates and trophies in connection
6 with mine rescue and first-aid work, and the hire of pas-
7 senger motor vehicles, including up to \$2,000,000 for
8 mine rescue and recovery activities and not less than
9 \$10,537,000 for State assistance grants: *Provided*, That
10 notwithstanding 31 U.S.C. 3302, not to exceed \$750,000
11 may be collected by the National Mine Health and Safety
12 Academy for room, board, tuition, and the sale of training
13 materials, otherwise authorized by law to be collected, to
14 be available for mine safety and health education and
15 training activities: *Provided further*, That notwithstanding
16 31 U.S.C. 3302, the Mine Safety and Health Administra-
17 tion is authorized to collect and retain up to \$2,499,000
18 from fees collected for the approval and certification of
19 equipment, materials, and explosives for use in mines, and
20 may utilize such sums for such activities: *Provided further*,
21 That the Secretary is authorized to accept lands, build-
22 ings, equipment, and other contributions from public and
23 private sources and to prosecute projects in cooperation
24 with other agencies, Federal, State, or private: *Provided*
25 *further*, That the Mine Safety and Health Administration

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

15 BUREAU OF LABOR STATISTICS

16 SALARIES AND EXPENSES

17 For necessary expenses for the Bureau of Labor Sta-
 18 tistics, including advances or reimbursements to State,
 19 Federal, and local agencies and their employees for serv-
 20 ices rendered, \$632,653,000 (reduced by \$1,000,000) (in-
 21 creased by \$1,000,000), together with not to exceed
 22 \$68,000,000 which may be expended from the Employ-
 23 ment Security Administration account in the Unemploy-
 24 ment Trust Fund.

1 Within this amount, \$28,470,000 for costs associated
2 with the physical move of the Bureau of Labor Statistics'
3 headquarters, including replication of space, furniture, fix-
4 tures, equipment, and related costs shall remain available
5 until September 30, 2026.

6 OFFICE OF DISABILITY EMPLOYMENT POLICY

7 SALARIES AND EXPENSES

8 For necessary expenses for the Office of Disability
9 Employment Policy to provide leadership, develop policy
10 and initiatives, and award grants furthering the objective
11 of eliminating barriers to the training and employment of
12 people with disabilities, \$42,711,000.

13 DEPARTMENTAL MANAGEMENT

14 SALARIES AND EXPENSES

15 (INCLUDING TRANSFER OF FUNDS)

16 For necessary expenses for Departmental Manage-
17 ment, including the hire of three passenger motor vehicles,
18 \$456,911,000, together with not to exceed \$308,000,
19 which may be expended from the Employment Security
20 Administration account in the Unemployment Trust
21 Fund: *Provided*, That \$97,947,000 (reduced by
22 \$1,000,000) (increased by \$1,000,000) for the Bureau of
23 International Labor Affairs shall be available for obliga-
24 tion through December 31, 2022: *Provided further*, That
25 funds available to the Bureau of International Labor Af-

1 fairs may be used to administer or operate international
2 labor activities, bilateral and multilateral technical assist-
3 ance, and microfinance programs, by or through contracts,
4 grants, subgrants and other arrangements: *Provided fur-*
5 *ther*, That not more than \$57,772,000 shall be for pro-
6 grams to combat exploitative child labor internationally
7 and not less than \$40,175,000 shall be used to implement
8 model programs that address worker rights issues through
9 technical assistance in countries with which the United
10 States has free trade agreements or trade preference pro-
11 grams: *Provided further*, That \$10,040,000 shall be used
12 for program evaluation and shall be available for obliga-
13 tion through September 30, 2023: *Provided further*, That
14 funds available for program evaluation may be used to ad-
15 minister grants for the purpose of evaluation: *Provided*
16 *further*, That grants made for the purpose of evaluation
17 shall be awarded through fair and open competition: *Pro-*
18 *vided further*, That funds available for program evaluation
19 may be transferred to any other appropriate account in
20 the Department for such purpose: *Provided further*, That
21 the Committees on Appropriations of the House of Rep-
22 resentatives and the Senate are notified at least 15 days
23 in advance of any transfer: *Provided further*, That the
24 funds available to the Women’s Bureau may be used for
25 grants to serve and promote the interests of women in the

1 workforce: *Provided further*, That of the amounts made
2 available to the Women’s Bureau, not less than
3 \$6,794,000 shall be used for grants authorized by the
4 Women in Apprenticeship and Nontraditional Occupations
5 Act.

6 VETERANS’ EMPLOYMENT AND TRAINING

7 Not to exceed \$267,331,000 may be derived from the
8 Employment Security Administration account in the Un-
9 employment Trust Fund to carry out the provisions of
10 chapters 41, 42, and 43 of title 38, United States Code,
11 of which—

12 (1) \$180,000,000 is for Jobs for Veterans State
13 grants under 38 U.S.C. 4102A(b)(5) to support dis-
14 abled veterans’ outreach program specialists under
15 section 4103A of such title and local veterans’ em-
16 ployment representatives under section 4104(b) of
17 such title, and for the expenses described in section
18 4102A(b)(5)(C), which shall be available for expend-
19 iture by the States through September 30, 2024,
20 and not to exceed 3 percent for the necessary Fed-
21 eral expenditures for data systems and contract sup-
22 port to allow for the tracking of participant and per-
23 formance information: *Provided*, That, in addition,
24 such funds may be used to support such specialists
25 and representatives in the provision of services to

1 transitioning members of the Armed Forces who
2 have participated in the Transition Assistance Pro-
3 gram and have been identified as in need of inten-
4 sive services, to members of the Armed Forces who
5 are wounded, ill, or injured and receiving treatment
6 in military treatment facilities or warrior transition
7 units, and to the spouses or other family caregivers
8 of such wounded, ill, or injured members;

9 (2) \$31,379,000 is for carrying out the Transi-
10 tion Assistance Program under 38 U.S.C. 4113 and
11 10 U.S.C. 1144;

12 (3) \$52,538,000 is for Federal administration
13 of chapters 41, 42, and 43 of title 38, and sections
14 2021, 2021A and 2023 of title 38, United States
15 Code: *Provided*, That, up to \$500,000 may be used
16 to carry out the Hire VETS Act (division O of Pub-
17 lic Law 115–31); and

18 (4) \$3,414,000 is for the National Veterans’
19 Employment and Training Services Institute under
20 38 U.S.C. 4109:

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

1 In addition, from the General Fund of the Treasury,
2 \$67,500,000 is for carrying out programs to assist home-
3 less veterans and veterans at risk of homelessness who are
4 transitioning from certain institutions under sections
5 2021, 2021A, and 2023 of title 38, United States Code:
6 *Provided*, That notwithstanding subsections (c)(3) and (d)
7 of section 2023, the Secretary may award grants through
8 September 30, 2022, to provide services under such sec-
9 tion: *Provided further*, That services provided under sec-
10 tions 2021 or under 2021A may include, in addition to
11 services to homeless veterans described in section
12 2002(a)(1), services to veterans who were homeless at
13 some point within the 60 days prior to program entry or
14 veterans who are at risk of homelessness within the next
15 60 days, and that services provided under section 2023
16 may include, in addition to services to the individuals de-
17 scribed in subsection (e) of such section, services to vet-
18 erans recently released from incarceration who are at risk
19 of homelessness: *Provided further*, That notwithstanding
20 paragraph (3) under this heading, funds appropriated in
21 this paragraph may be used for data systems and contract
22 support to allow for the tracking of participant and per-
23 formance information: *Provided further*, That notwith-
24 standing sections 2021(e)(2) and 2021A(f)(2) of title 38,

1 United States Code, such funds shall be available for ex-
2 penditure pursuant to 31 U.S.C. 1553.

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

15 IT MODERNIZATION

16 For necessary expenses for Department of Labor cen-
17 tralized infrastructure technology investment activities re-
18 lated to support systems and modernization, \$37,269,000,
19 which shall be available through September 30, 2023.

20 OFFICE OF INSPECTOR GENERAL

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

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

3 GENERAL PROVISIONS

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

9 (TRANSFER OF FUNDS)

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

24 SEC. 103. In accordance with Executive Order No.
25 13126, none of the funds appropriated or otherwise made

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

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

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

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

10 (TRANSFER OF FUNDS)

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

19 (b) Notwithstanding section 102, the Secretary may
20 transfer not more than 0.5 percent of each discretionary
21 appropriation made available to the Employment and
22 Training Administration by this Act to “Program Admin-
23 istration” in order to carry out program integrity activities
24 relating to any of the programs or activities that are fund-
25 ed under any such discretionary appropriations: *Provided*,

1 That notwithstanding section 102 and the preceding pro-
2 viso, the Secretary may transfer not more than 0.5 percent
3 of funds made available in paragraphs (1) and (2) of the
4 “Office of Job Corps” account to paragraph (3) of such
5 account to carry out program integrity activities related
6 to the Job Corps program: *Provided further*, That funds
7 transferred under the authority provided by this sub-
8 section shall be available for obligation through September
9 30, 2023.

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, 2023: *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. Notwithstanding any other provision of
10 law, not to exceed \$36,000,000 of the unobligated bal-
11 ances available to the Secretary of Labor in fiscal year
12 2022 (other than the amounts specified in subparagraph
13 (2)(J) under the heading “Employment and Training—
14 Training and Employment Services”) may be transferred
15 to the Department’s Working Capital Fund for the acqui-
16 sition of capital equipment, the improvement and imple-
17 mentation of Department financial management, informa-
18 tion technology, infrastructure technology investment ac-
19 tivities related to support systems and modernization, and
20 other support systems necessary for the delivery of finan-
21 cial, administrative, and information technology services
22 of primary benefit to the agencies and programs of the
23 Department of Labor: *Provided*, That any funds so trans-
24 ferred shall remain available for obligation for five fiscal
25 years after the fiscal year of such transfer: *Provided fur-*

1 *ther*, That no funds may be transferred pursuant to this
2 section unless the Chief Information Officer of the Depart-
3 ment of Labor submits a plan to the Committees on Ap-
4 propriations of the House of Representatives and the Sen-
5 ate describing the amounts to be transferred by account;
6 the planned use of funds, including descriptions of
7 projects; project status, including any scheduled delays
8 and cost overruns; financial expenditures; planned activi-
9 ties; and expected benefits: *Provided further*, That the
10 transfer authority provided in this section shall be in addi-
11 tion to any other transfer authority provided by law.

12 SEC. 113. (a) Section 118(a) of division BB of the
13 Consolidated Appropriations Act, 2021 (Public Law 116–
14 260) is amended by—

15 (1) inserting “and in addition to amounts oth-
16 erwise available for such purposes,” before “there
17 are appropriated”; and

18 (2) striking “expended through”.

19 (b) The amendments made by this section shall take
20 effect as if included in the enactment of the Consolidated
21 Appropriations Act, 2021.

22 SEC. 114. None of the funds made available by this
23 Act may be used to implement or enforce the final rule
24 entitled “Wagner-Peyser Act Staffing Flexibility” pub-

lished by the Department of Labor in the Federal Register
on January 6, 2020.

SEC. 115. None of the funds made available by this
Act may be used to implement or enforce Subpart B of
29 CFR Part 29 (29 CFR 29.20 through 29 CFR 29.31
(Industry Recognized Apprenticeship Programs)).

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

TITLE II
DEPARTMENT OF HEALTH AND HUMAN
SERVICES
HEALTH RESOURCES AND SERVICES ADMINISTRATION
PRIMARY HEALTH CARE

For carrying out titles II and III of the Public Health
Service Act (referred to in this Act as the “PHS Act”)
with respect to primary health care and the Native Hawai-
ian Health Care Act of 1988, \$1,831,772,000 (increased
by \$2,000,000) (increased by \$5,000,000) (reduced by
\$5,000,000) (increased by \$5,000,000): *Provided*, That
\$25,000,000 shall be available for the purpose of making
grants to support school-based health centers as author-
ized under section 399Z–1 of the PHS Act (42 U.S.C.
280h–5): *Provided further*, That no more than \$1,000,000
shall be available until expended for carrying out the pro-
visions of section 224(o) of the PHS Act: *Provided further*,

1 That no more than \$120,000,000 shall be available until
 2 expended for carrying out subsections (g) through (n) and
 3 (q) of section 224 of the PHS Act, and for expenses in-
 4 curred by the Department of Health and Human Services
 5 (referred to in this Act as “HHS”) pertaining to adminis-
 6 trative claims made under such law.

7 HEALTH WORKFORCE

8 For carrying out titles III, VII, and VIII of the PHS
 9 Act with respect to the health workforce, sections 1128E
 10 and 1921 of the Social Security Act, and the Health Care
 11 Quality Improvement Act of 1986, \$1,564,876,000 (re-
 12 duced by \$20,000,000) (increased by \$20,000,000): *Pro-*
 13 *vided*, That sections 751(j)(2) and 762(k) of the PHS Act
 14 and the proportional funding amounts in paragraphs (1)
 15 through (4) of section 756(f) of the PHS Act shall not
 16 apply to funds made available under this heading: *Pro-*
 17 *vided further*, That for any program operating under sec-
 18 tion 751 of the PHS Act on or before January 1, 2009,
 19 the Secretary of Health and Human Services (referred to
 20 in this title as the “Secretary”) may hereafter waive any
 21 of the requirements contained in sections 751(d)(2)(A)
 22 and 751(d)(2)(B) of such Act for the full project period
 23 of a grant under such section: *Provided further*, That fees
 24 collected for the disclosure of information under section
 25 427(b) of the Health Care Quality Improvement Act of

1 1986 and sections 1128E(d)(2) and 1921 of the Social
2 Security Act shall be sufficient to recover the full costs
3 of operating the programs authorized by such sections and
4 shall remain available until expended for the National
5 Practitioner Data Bank: *Provided further*, That funds
6 transferred to this account to carry out section 846 and
7 subpart 3 of part D of title III of the PHS Act may be
8 used to make prior year adjustments to awards made
9 under such section and subpart: *Provided further*, That
10 \$185,000,000 shall remain available until expended for
11 the purposes of providing primary health services, assign-
12 ing National Health Service Corps (“NHSC”) members
13 to expand the delivery of substance use disorder treatment
14 services, notwithstanding the assignment priorities and
15 limitations under sections 333(a)(1)(D), 333(b), and
16 333A(a)(1)(B)(ii) of the PHS Act, and making payments
17 under the NHSC Loan Repayment Program under section
18 338B of such Act: *Provided further*, That, within the
19 amount made available in the previous proviso,
20 \$15,000,000 shall remain available until expended for the
21 purposes of making payments under the NHSC Loan Re-
22 payment Program under section 338B of the PHS Act
23 to individuals participating in such program who provide
24 primary health services in Indian Health Service facilities,
25 Tribally-Operated 638 Health Programs, and Urban In-

1 dian Health Programs (as those terms are defined by the
2 Secretary), notwithstanding the assignment priorities and
3 limitations under section 333(b) of such Act: *Provided fur-*
4 *ther*, That for purposes of the previous two provisos, sec-
5 tion 331(a)(3)(D) of the PHS Act shall be applied as if
6 the term “primary health services” includes clinical sub-
7 stance use disorder treatment services, including those
8 provided by masters level, licensed substance use disorder
9 treatment counselors: *Provided further*, That of the funds
10 made available under this heading, \$15,000,000 shall be
11 available to make grants to establish or expand optional
12 community-based nurse practitioner fellowship programs
13 that are accredited or in the accreditation process, with
14 a preference for those in Federally Qualified Health Cen-
15 ters, for practicing postgraduate nurse practitioners in
16 primary care or behavioral health.

17 Of the funds made available under this heading,
18 \$75,000,000 shall remain available until expended for
19 grants to public institutions of higher education to expand
20 or support graduate education for physicians provided by
21 such institutions: *Provided*, That, in awarding such
22 grants, the Secretary shall give priority to public institu-
23 tions of higher education located in States with a projected
24 primary care provider shortage in 2026, as determined by
25 the Secretary: *Provided further*, That grants so awarded

1 are limited to such public institutions of higher education
2 in States in the top quintile of States with a projected
3 primary care provider shortage in 2026, as determined by
4 the Secretary: *Provided further*, That the minimum
5 amount of a grant so awarded to such an institution shall
6 be not less than \$1,000,000 per year: *Provided further*,
7 That such a grant may be awarded for a period not to
8 exceed 5 years: *Provided further*, That amounts made
9 available in this paragraph shall be awarded as supple-
10 mental grants to recipients of grants awarded for this pur-
11 pose in fiscal years 2020 and 2021, pursuant to the terms
12 and conditions of each institution's initial grant agree-
13 ment, in an amount for each institution that will result
14 in every institution being awarded the same total grant
15 amount over fiscal years 2020 through 2022, provided the
16 institution can justify the expenditure of such funds: *Pro-*
17 *vided further*, That such a grant awarded with respect to
18 a year to such an institution shall be subject to a matching
19 requirement of non-Federal funds in an amount that is
20 not less than 10 percent of the total amount of Federal
21 funds provided in the grant to such institution with re-
22 spect to such year.

23 MATERNAL AND CHILD HEALTH

24 For carrying out titles III, XI, XII, and XIX of the
25 PHS Act with respect to maternal and child health and

1 title V of the Social Security Act, \$1,188,784,000: *Pro-*
2 *vided*, That notwithstanding sections 502(a)(1) and
3 502(b)(1) of the Social Security Act, not more than
4 \$266,116,000 shall be available for carrying out special
5 projects of regional and national significance pursuant to
6 section 501(a)(2) of such Act and \$10,276,000 shall be
7 available for projects described in subparagraphs (A)
8 through (F) of section 501(a)(3) of such Act.

9 RYAN WHITE HIV/AIDS PROGRAM

10 For carrying out title XXVI of the PHS Act with
11 respect to the Ryan White HIV/AIDS program,
12 \$2,654,781,000, of which \$2,087,881,000 shall remain
13 available to the Secretary through September 30, 2024,
14 for parts A and B of title XXVI of the PHS Act, and
15 of which not less than \$900,313,000 shall be for State
16 AIDS Drug Assistance Programs under the authority of
17 section 2616 or 311(c) of such Act; and of which
18 \$190,000,000, to remain available until expended, shall be
19 available to the Secretary for carrying out a program of
20 grants and contracts under title XXVI or section 311(c)
21 of such Act focused on ending the nationwide HIV/AIDS
22 epidemic, with any grants issued under such section
23 311(c) administered in conjunction with title XXVI of the
24 PHS Act, including the limitation on administrative ex-
25 penses.

1 HEALTH CARE SYSTEMS

2 For carrying out titles III and XII of the PHS Act
3 with respect to health care systems, and the Stem Cell
4 Therapeutic and Research Act of 2005, \$147,093,000 (in-
5 creased by \$1,000,000) (reduced by \$1,000,000), of which
6 \$122,000 shall be available until expended for facilities
7 renovations and other facilities-related expenses of the Na-
8 tional Hansen's Disease Program.

9 RURAL HEALTH

10 For carrying out titles III and IV of the PHS Act
11 with respect to rural health, section 427(a) of the Federal
12 Coal Mine Health and Safety Act of 1969, and sections
13 711 and 1820 of the Social Security Act, \$400,209,000
14 (increased by \$5,000,000) (reduced by \$5,000,000), of
15 which \$80,009,000 from general revenues, notwith-
16 standing section 1820(j) of the Social Security Act, shall
17 be available for carrying out the Medicare rural hospital
18 flexibility grants program: *Provided*, That of the funds
19 made available under this heading for Medicare rural hos-
20 pital flexibility grants, \$23,242,000 shall be available for
21 the Small Rural Hospital Improvement Grant Program
22 for quality improvement and adoption of health informa-
23 tion technology and up to \$1,000,000 shall be to carry
24 out section 1820(g)(6) of the Social Security Act, with
25 funds provided for grants under section 1820(g)(6) avail-

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

11 FAMILY PLANNING

12 For carrying out the program under title X of the
13 PHS Act to provide for voluntary family planning
14 projects, \$400,000,000: *Provided*, That amounts provided
15 to said projects under such title shall not be expended for
16 abortions, that all pregnancy counseling shall be nondirec-
17 tive, and that such amounts shall not be expended for any
18 activity (including the publication or distribution of lit-
19 erature) that in any way tends to promote public support
20 or opposition to any legislative proposal or candidate for
21 public office: *Provided further*, That all entities funded
22 under this heading shall provide clinical services consistent
23 with nationally recognized clinical standards: *Provided fur-*
24 *ther*, That projects funded under section 1001 of the PHS
25 Act shall provide the full range of contraceptive methods

1 approved by the Food and Drug Administration: *Provided*
 2 *further*, That all patients under title X of the PHS Act
 3 with a positive pregnancy test shall be given the oppor-
 4 tunity to be provided information and counseling regard-
 5 ing (1) prenatal care and delivery; (2) infant care, foster
 6 care, and adoption; and (3) pregnancy termination: *Pro-*
 7 *vided further*, That if such a patient requests information
 8 specified in the preceding proviso, such patient shall be
 9 provided with neutral, factual information and nondirec-
 10 tive counseling on each such option, including referral
 11 upon request, except with respect to any option about
 12 which the patient indicates no interest in receiving such
 13 information and counseling.

14 PROGRAM MANAGEMENT

15 For program support in the Health Resources and
 16 Services Administration, \$536,407,000 (increased by
 17 \$20,000,000) (reduced by \$20,000,000): *Provided*, That
 18 funds made available under this heading may be used to
 19 supplement program support funding provided under the
 20 headings “Primary Health Care”, “Health Workforce”,
 21 “Maternal and Child Health”, “Ryan White HIV/AIDS
 22 Program”, “Health Care Systems”, and “Rural Health”:
 23 *Provided*, That of the amount made available under this
 24 heading, \$367,415,000 shall be used for the projects fi-
 25 nancing the construction and renovation (including equip-

1 ment) of health care and other facilities, and for the
2 projects financing one-time grants that support activities
3 funded under headings listed in the preceding proviso, and
4 in the amounts, specified under the heading “Program
5 Management” in the report accompanying this Act, and
6 of which up to \$4,000,000 may be used for related agency
7 administrative expenses: *Provided further*, That none of
8 the funds made available for projects described in the pre-
9 ceding proviso shall be subject to section 241 of the PHS
10 Act or section 205 of this Act.

11 VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

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

21 COVERED COUNTERMEASURES PROCESS FUND

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

1 CENTERS FOR DISEASE CONTROL AND PREVENTION

2 IMMUNIZATION AND RESPIRATORY DISEASES

3 For carrying out titles II, III, XVII, and XXI, and
4 section 2821 of the PHS Act, titles II and IV of the Immi-
5 gration and Nationality Act, and section 501 of the Ref-
6 ugee Education Assistance Act, with respect to immuniza-
7 tion and respiratory diseases, \$531,580,000.

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

10 For carrying out titles II, III, XVII, and XXIII of
11 the PHS Act with respect to HIV/AIDS, viral hepatitis,
12 sexually transmitted diseases, and tuberculosis prevention,
13 \$1,501,556,000.

14 EMERGING AND ZOOONOTIC INFECTIOUS DISEASES

15 For carrying out titles II, III, and XVII, and section
16 2821 of the PHS Act, titles II and IV of the Immigration
17 and Nationality Act, and section 501 of the Refugee Edu-
18 cation Assistance Act, with respect to emerging and
19 zoonotic infectious diseases, \$674,272,000 (reduced by
20 \$3,000,000) (increased by \$3,000,000) (increased by
21 \$2,000,000) (increased by \$3,000,000): *Provided*, That of
22 the amounts made available under this heading, up to
23 \$1,000,000 shall remain available until expended to pay
24 for the transportation, medical care, treatment, and other

1 related costs of persons quarantined or isolated under
2 Federal or State quarantine law.

3 CHRONIC DISEASE PREVENTION AND HEALTH
4 PROMOTION

5 For carrying out titles II, III, XI, XV, XVII, and
6 XIX of the PHS Act with respect to chronic disease pre-
7 vention and health promotion, \$1,302,114,000: *Provided*,
8 That funds made available under this heading may be
9 available for making grants under section 1509 of the
10 PHS Act for not less than 21 States, tribes, or tribal orga-
11 nizations: *Provided further*, That of the funds made avail-
12 able under this heading, \$15,000,000 shall be available to
13 continue and expand community specific extension and
14 outreach programs to combat obesity in counties with the
15 highest levels of obesity: *Provided further*, That the pro-
16 portional funding requirements under section 1503(a) of
17 the PHS Act shall not apply to funds made available
18 under this heading.

19 BIRTH DEFECTS, DEVELOPMENTAL DISABILITIES,
20 DISABILITIES AND HEALTH

21 For carrying out titles II, III, XI, and XVII of the
22 PHS Act with respect to birth defects, developmental dis-
23 abilities, disabilities and health, \$186,810,000 (increased
24 by \$1,000,000) (increased by \$10,000,000).

1 PUBLIC HEALTH SCIENTIFIC SERVICES

2 For carrying out titles II, III, and XVII of the PHS
3 Act with respect to health statistics, surveillance, health
4 informatics, and workforce development, \$756,997,000.

5 ENVIRONMENTAL HEALTH

6 For carrying out titles II, III, and XVII of the PHS
7 Act with respect to environmental health, \$326,350,000
8 (increased by \$1,000,000) (reduced by \$1,000,000).

9 INJURY PREVENTION AND CONTROL

10 For carrying out titles II, III, and XVII of the PHS
11 Act with respect to injury prevention and control,
12 \$1,064,169,000 (reduced by \$25,000,000) (increased by
13 \$25,000,000).

14 NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND
15 HEALTH

16 For carrying out titles II, III, and XVII of the PHS
17 Act, sections 101, 102, 103, 201, 202, 203, 301, and 501
18 of the Federal Mine Safety and Health Act, section 13
19 of the Mine Improvement and New Emergency Response
20 Act, and sections 20, 21, and 22 of the Occupational Safe-
21 ty and Health Act, with respect to occupational safety and
22 health, \$360,300,000.

1 ENERGY EMPLOYEES OCCUPATIONAL ILLNESS
2 COMPENSATION PROGRAM

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

9 GLOBAL HEALTH

10 For carrying out titles II, III, and XVII of the PHS
11 Act with respect to global health, \$842,843,000, of which:
12 (1) \$128,421,000 shall remain available through Sep-
13 tember 30, 2023 for international HIV/AIDS; and (2)
14 \$448,200,000 shall remain available through September
15 30, 2024 for global public health protection: *Provided*,
16 That funds may be used for purchase and insurance of
17 official motor vehicles in foreign countries.

18 PUBLIC HEALTH PREPAREDNESS AND RESPONSE

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

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

14 BUILDINGS AND FACILITIES

15 (INCLUDING TRANSFER OF FUNDS)

16 For acquisition of real property, equipment, construc-
17 tion, installation, demolition, and renovation of facilities,
18 \$55,000,000, which shall remain available until September
19 30, 2026: *Provided*, That funds made available to this ac-
20 count in this or any prior Act that are available for the
21 acquisition of real property or for construction or improve-
22 ment of facilities shall be available to make improvements
23 on non-federally owned property, provided that any im-
24 provements that are not adjacent to federally owned prop-
25 erty do not exceed \$2,500,000, and that the primary ben-

1 efit of such improvements accrues to CDC: *Provided fur-*
 2 *ther*, That funds previously set-aside by CDC for repair
 3 and upgrade of the Lake Lynn Experimental Mine and
 4 Laboratory shall be used to acquire a replacement mine
 5 safety research facility: *Provided further*, That in addition,
 6 the prior year unobligated balance of any amounts as-
 7 signed to former employees in accounts of CDC made
 8 available for Individual Learning Accounts shall be cred-
 9 ited to and merged with the amounts made available under
 10 this heading to support the replacement of the mine safety
 11 research facility.

12 CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT
 13 (INCLUDING TRANSFER OF FUNDS)

14 For carrying out titles II, III, XVII and XIX, and
 15 section 2821 of the PHS Act and for cross-cutting activi-
 16 ties and program support for activities funded in other
 17 appropriations included in this Act for the Centers for
 18 Disease Control and Prevention, \$1,148,570,000 (reduced
 19 by \$3,000,000), of which \$1,000,000,000 shall remain
 20 available through September 30, 2024, for public health
 21 infrastructure and capacity: *Provided*, That paragraphs
 22 (1) through (3) of subsection (b) of section 2821 of the
 23 PHS Act shall not apply to funds appropriated under this
 24 heading and in all other accounts of the CDC: *Provided*
 25 *further*, That of the amounts made available under this

1 heading, \$35,000,000, to remain available until expended,
2 shall be available to the Director of the CDC for deposit
3 in the Infectious Diseases Rapid Response Reserve Fund
4 established by section 231 of division B of Public Law
5 115–245: *Provided further*, That funds appropriated
6 under this heading may be used to support a contract for
7 the operation and maintenance of an aircraft in direct sup-
8 port of activities throughout CDC to ensure the agency
9 is prepared to address public health preparedness emer-
10 gencies: *Provided further*, That employees of CDC or the
11 Public Health Service, both civilian and commissioned of-
12 ficers, detailed to States, municipalities, or other organiza-
13 tions under authority of section 214 of the PHS Act, or
14 in overseas assignments, shall be treated as non-Federal
15 employees for reporting purposes only and shall not be in-
16 cluded within any personnel ceiling applicable to the Agen-
17 cy, Service, or HHS during the period of detail or assign-
18 ment: *Provided further*, That CDC may use up to \$10,000
19 from amounts appropriated to CDC in this Act for official
20 reception and representation expenses when specifically
21 approved by the Director of CDC: *Provided further*, That
22 in addition, such sums as may be derived from authorized
23 user fees, which shall be credited to the appropriation
24 charged with the cost thereof: *Provided further*, That with
25 respect to the previous proviso, authorized user fees from

1 the Vessel Sanitation Program and the Respirator Certifi-
2 cation Program shall be available through September 30,
3 2023.

4 NATIONAL INSTITUTES OF HEALTH

5 NATIONAL CANCER INSTITUTE

6 For carrying out section 301 and title IV of the PHS
7 Act with respect to cancer, \$6,798,056,000 (increased by
8 \$2,000,000), of which up to \$30,000,000 may be used for
9 facilities repairs and improvements at the National Cancer
10 Institute—Frederick Federally Funded Research and De-
11 velopment Center in Frederick, Maryland.

12 NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

13 For carrying out section 301 and title IV of the PHS
14 Act with respect to cardiovascular, lung, and blood dis-
15 eases, and blood and blood products, \$3,866,828,000.

16 NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL
17 RESEARCH

18 For carrying out section 301 and title IV of the PHS
19 Act with respect to dental and craniofacial diseases,
20 \$519,010,000.

21 NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND
22 KIDNEY DISEASES

23 For carrying out section 301 and title IV of the PHS
24 Act with respect to diabetes and digestive and kidney dis-

1 ease, \$2,237,625,000 (increased by \$1,000,000) (reduced
2 by \$10,000,000) (increased by \$10,000,000).

3 NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS
4 AND STROKE

5 For carrying out section 301 and title IV of the PHS
6 Act with respect to neurological disorders and stroke,
7 \$2,723,515,000.

8 NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS
9 DISEASES

10 For carrying out section 301 and title IV of the PHS
11 Act with respect to allergy and infectious diseases,
12 \$6,557,803,000.

13 NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

14 For carrying out section 301 and title IV of the PHS
15 Act with respect to general medical sciences,
16 \$3,139,656,000, of which \$1,271,505,000 shall be from
17 funds available under section 241 of the PHS Act: *Pro-*
18 *vided*, That not less than \$415,000,000 is provided for
19 the Institutional Development Awards program.

20 EUNICE KENNEDY SHRIVER NATIONAL INSTITUTE OF
21 CHILD HEALTH AND HUMAN DEVELOPMENT

22 For carrying out section 301 and title IV of the PHS
23 Act with respect to child health and human development,
24 \$1,689,786,000.

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 \$877,129,000.

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 \$941,799,000.

10 NATIONAL INSTITUTE ON AGING

11 For carrying out section 301 and title IV of the PHS
12 Act with respect to aging, \$4,258,049,000.

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, \$679,410,000.

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, \$522,758,000.

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, \$200,782,000.

6 NATIONAL INSTITUTE ON DRUG ABUSE

9 NATIONAL INSTITUTE OF MENTAL HEALTH

12 NATIONAL HUMAN GENOME RESEARCH INSTITUTE

16 NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND
17 BIOENGINEERING

21 NATIONAL CENTER FOR COMPLEMENTARY AND
22 INTEGRATIVE HEALTH

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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, \$661,879,000.

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), \$96,842,000.

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 \$486,769,000: *Provided*, That of the amounts available for
14 improvement of information systems, \$4,000,000 shall be
15 available until September 30, 2023: *Provided further*, That
16 in fiscal year 2022, the National Library of Medicine may
17 enter into personal services contracts for the provision of
18 services in facilities owned, operated, or constructed under
19 the jurisdiction of the National Institutes of Health (re-
20 ferred to in this title as “NIH”).

21 NATIONAL CENTER FOR ADVANCING TRANSLATIONAL
22 SCIENCES

23 For carrying out section 301 and title IV of the PHS
24 Act with respect to translational sciences, \$897,812,000:
25 *Provided*, That up to \$60,000,000 shall be available to im-

1 plement section 480 of the PHS Act, relating to the Cures
2 Acceleration Network: *Provided further*, That at least
3 \$616,183,000 is provided to the Clinical and Translational
4 Sciences Awards program.

5 OFFICE OF THE DIRECTOR
6 (INCLUDING TRANSFER OF FUNDS)

7 For carrying out the responsibilities of the Office of
8 the Director, NIH, \$2,667,385,000 (reduced by
9 \$10,000,000) (increased by \$10,000,000): *Provided*, That
10 funding shall be available for the purchase of not to exceed
11 29 passenger motor vehicles for replacement only: *Pro-*
12 *vided further*, That all funds credited to the NIH Manage-
13 ment Fund shall remain available for one fiscal year after
14 the fiscal year in which they are deposited: *Provided fur-*
15 *ther*, That \$180,000,000 shall be for the Environmental
16 Influences on Child Health Outcomes study: *Provided fur-*
17 *ther*, That \$657,112,000 shall be available for the Com-
18 mon Fund established under section 402A(c)(1) of the
19 PHS Act: *Provided further*, That of the funds provided,
20 \$10,000 shall be for official reception and representation
21 expenses when specifically approved by the Director of the
22 NIH: *Provided further*, That the Office of AIDS Research
23 within the Office of the Director of the NIH may spend
24 up to \$8,000,000 to make grants for construction or ren-
25 ovation of facilities as provided for in section

1 2354(a)(5)(B) of the PHS Act: *Provided further*, That
2 \$50,000,000 shall be used to carry out section 404I of
3 the PHS Act (42 U.S.C. 283K), relating to biomedical and
4 behavioral research facilities: *Provided further*, That
5 \$5,000,000 shall be transferred to and merged with the
6 appropriation for the “Office of Inspector General” for
7 oversight of grant programs and operations of the NIH,
8 including agency efforts to ensure the integrity of its grant
9 application evaluation and selection processes, and shall
10 be in addition to funds otherwise made available for over-
11 sight of the NIH: *Provided further*, That the funds pro-
12 vided in the previous proviso may be transferred from one
13 specified activity to another with 15 days prior approval
14 of the Committees on Appropriations of the House of Rep-
15 resentatives and the Senate: *Provided further*, That the In-
16 spector General shall consult with the Committees on Ap-
17 propriations of the House of Representatives and the Sen-
18 ate before submitting to the Committees an audit plan for
19 fiscal years 2022 and 2023 no later than 30 days after
20 the date of enactment of this Act: *Provided further*, That
21 amounts made available under this heading are also avail-
22 able to establish, operate, and support the Research Policy
23 Board authorized by section 2034(f) of the 21st Century
24 Cures Act: *Provided further*, That the funds made avail-
25 able under this heading for the Office of Research on

1 Women's Health shall also be available for making grants
2 to serve and promote the interests of women in research,
3 and the director of such Office may, in making such
4 grants, use the authorities available to NIH Institutes and
5 Centers with respect to research on the role of sex and
6 gender on health.

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

16 BUILDINGS AND FACILITIES

17 For the study of, construction of, demolition of, ren-
18 ovation of, and acquisition of equipment for, facilities of
19 or used by NIH, including the acquisition of real property,
20 \$250,000,000, to remain available through September 30,
21 2026.

22 NIH INNOVATION ACCOUNT, CURES ACT

23 (INCLUDING TRANSFER OF FUNDS)

24 For necessary expenses to carry out the purposes de-
25 scribed in section 1001(b)(4) of the 21st Century Cures

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

17 ADVANCED RESEARCH PROJECTS AGENCY FOR HEALTH

18 For carrying out section 301 and title IV of the PHS
 19 Act with respect to advanced research projects for health,
 20 \$3,000,000,000, to remain available through September
 21 30, 2024: *Provided*, That such funds shall only be made
 22 available if legislation specifically establishing the Ad-
 23 vanced Research Projects Agency for Health (“ARPA-
 24 H”) is enacted into law: *Provided further*, That the Direc-
 25 tor of ARPA–H may utilize all of the authorities and proc-

1 esses established under section 24 of the Stevenson-
2 Wydler Technology Innovation Act of 1980 (15 U.S.C.
3 3719) to support prize competitions: *Provided further*,
4 That research funded by amounts made available under
5 this heading shall not be subject to the requirements of
6 sections 406(a)(3)(A)(ii) or 492 of the PHS Act: *Provided*
7 *further*, That the Director of ARPA-H may enter into a
8 multi-year contract, with amounts made available under
9 this heading, if—

10 (1) funds are available and obligated for the
11 contract, for the full period of the contract or for the
12 first fiscal year in which the contract is in effect,
13 and for the estimated costs associated with a nec-
14 essary termination of the contract;

15 (2) the Director determines that a multiyear
16 contract will serve the best interests of the Federal
17 Government in carrying out the responsibilities of
18 ARPA-H; and

19 (3) the contract includes a clause that provides
20 that the contract shall be terminated if funds are
21 not made available for the continuation of the con-
22 tract in a fiscal year covered by the contract;

23 *Provided further*, That funds available for paying termi-
24 nation costs pursuant to the previous proviso shall remain

1 available for that purpose until the costs associated with
2 termination of the contract are paid.

3 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

4 ADMINISTRATION

5 MENTAL HEALTH

6 For carrying out titles III, V, and XIX of the PHS
7 Act with respect to mental health, and the Protection and
8 Advocacy for Individuals with Mental Illness Act,
9 \$3,128,256,000 (reduced by \$1,000,000) (increased by
10 \$1,000,000) (increased by \$1,000,000) (reduced by
11 \$1,000,000): *Provided*, That of the funds made available
12 under this heading, \$100,000,000 shall be for the Na-
13 tional Child Traumatic Stress Initiative: *Provided further*,
14 That notwithstanding section 520A(f)(2) of the PHS Act,
15 no funds appropriated for carrying out section 520A shall
16 be available for carrying out section 1971 of the PHS Act:
17 *Provided further*, That in addition to amounts provided
18 herein, \$21,039,000 shall be available under section 241
19 of the PHS Act to carry out subpart I of part B of title
20 XIX of the PHS Act to fund section 1920(b) technical
21 assistance, national data, data collection and evaluation
22 activities, and further that the total available under this
23 Act for section 1920(b) activities shall not exceed 5 per-
24 cent of the amounts appropriated for subpart I of part
25 B of title XIX: *Provided further*, That of the funds made

1 available under this heading for subpart I of part B of
2 title XIX of the PHS Act, at least 10 percent shall be
3 available to support evidence-based crisis systems: *Pro-*
4 *vided further*, That up to 10 percent of the amounts made
5 available to carry out the Children’s Mental Health Serv-
6 ices program may be used to carry out demonstration
7 grants or contracts for early interventions with persons
8 not more than 25 years of age at clinical high risk of de-
9 veloping a first episode of psychosis: *Provided further*,
10 That section 520E(b)(2) of the PHS Act shall not apply
11 to funds appropriated in this Act for fiscal year 2022: *Pro-*
12 *vided further*, That States shall expend at least 10 percent
13 of the amount each receives for carrying out section 1911
14 of the PHS Act to support evidence-based programs that
15 address the needs of individuals with early serious mental
16 illness, including psychotic disorders, regardless of the age
17 of the individual at onset: *Provided further*, That
18 \$375,000,000 shall be available until September 30, 2024
19 for grants to communities and community organizations
20 who meet criteria for Certified Community Behavioral
21 Health Clinics pursuant to section 223(a) of Public Law
22 113–93: *Provided further*, That none of the funds provided
23 for section 1911 of the PHS Act shall be subject to section
24 241 of such Act: *Provided further*, That of the funds made
25 available under this heading, \$21,420,000 shall be to

1 carry out section 224 of the Protecting Access to Medicare
 2 Act of 2014 (Public Law 113–93; 42 U.S.C. 290aa 22
 3 note): *Provided further*, That notwithstanding sections
 4 1911(b) and 1912 of the PHS Act, amounts made avail-
 5 able under this heading for subpart I of part B of title
 6 XIX of such Act shall also be available to support evi-
 7 dence-based programs that address early intervention and
 8 prevention of mental disorders among at-risk children and
 9 adults: *Provided further*, That States shall expend at least
 10 10 percent of the amount each receives for carrying out
 11 section 1911 of the PHS Act to support evidence-based
 12 programs that address early intervention and prevention
 13 of mental disorders among at-risk children and adults:
 14 *Provided further*, That notwithstanding section 1912 of
 15 the PHS Act, the plan described in such section and sec-
 16 tion 1911(b) of the PHS Act shall also include the evi-
 17 dence-based programs described in the previous proviso,
 18 pursuant to plan criteria established by the Secretary.

19 SUBSTANCE ABUSE TREATMENT

20 For carrying out titles III and V of the PHS Act
 21 with respect to substance abuse treatment and title XIX
 22 of such Act with respect to substance abuse treatment and
 23 prevention, and the SUPPORT for Patients and Commu-
 24 nities Act, \$5,430,743,000 (increased by \$2,000,000):
 25 *Provided*, That \$2,000,000,000 shall be for State Opioid

1 Response Grants for carrying out activities pertaining to
2 opioids and stimulants undertaken by the State agency re-
3 sponsible for administering the substance abuse preven-
4 tion and treatment block grant under subpart II of part
5 B of title XIX of the PHS Act (42 U.S.C. 300x-21 et
6 seq.): *Provided further*, That of such amount \$75,000,000
7 shall be made available to Indian Tribes or tribal organiza-
8 tions: *Provided further*, That 15 percent of the remaining
9 amount shall be for the States with the highest mortality
10 rate related to opioid use disorders: *Provided further*, That
11 of the amounts provided for State Opioid Response Grants
12 not more than 2 percent shall be available for Federal ad-
13 ministrative expenses, training, technical assistance, and
14 evaluation: *Provided further*, That of the amount not re-
15 served by the previous three provisos, the Secretary shall
16 make allocations to States, territories, and the District of
17 Columbia according to a formula using national survey re-
18 sults that the Secretary determines are the most objective
19 and reliable measure of drug use and drug-related deaths:
20 *Provided further*, That the Secretary shall submit the for-
21 mula methodology to the Committees on Appropriations
22 of the House of Representatives and the Senate not less
23 than 15 days prior to publishing a Funding Opportunity
24 Announcement: *Provided further*, That prevention and
25 treatment activities funded through such grants may in-

1 clude education, treatment (including the provision of
2 medication), behavioral health services for individuals in
3 treatment programs, referral to treatment services, recovery support, and medical screening associated with such
4 treatment: *Provided further*, That each State, as well as
5 the District of Columbia, shall receive not less than
6 \$4,000,000: *Provided further*, That in addition to amounts
7 provided herein, the following amounts shall be available
8 under section 241 of the PHS Act: (1) \$79,200,000 to
9 carry out subpart II of part B of title XIX of the PHS
10 Act to fund section 1935(b) technical assistance, national
11 data, data collection and evaluation activities, and further
12 that the total available under this Act for section 1935(b)
13 activities shall not exceed 5 percent of the amounts appropriated for subpart II of part B of title XIX; and (2)
14 \$2,000,000 to evaluate substance abuse treatment programs: *Provided further*, That each State that receives
15 funds appropriated under this heading for carrying out
16 subpart II of part B of title XIX of the PHS Act shall
17 expend not less than 10 percent of such funds for recovery
18 support services: *Provided further*, That none of the funds
19 provided for section 1921 of the PHS Act or State Opioid
20 Response Grants shall be subject to section 241 of such
21 Act.

1 SUBSTANCE ABUSE PREVENTION

2 For carrying out titles III and V of the PHS Act
3 with respect to substance abuse prevention, \$243,503,000
4 (increased by \$2,500,000).

5 HEALTH SURVEILLANCE AND PROGRAM SUPPORT

6 For program support and cross-cutting activities that
7 supplement activities funded under the headings “Mental
8 Health”, “Substance Abuse Treatment”, and “Substance
9 Abuse Prevention” in carrying out titles III, V, and XIX
10 of the PHS Act and the Protection and Advocacy for Indi-
11 viduals with Mental Illness Act in the Substance Abuse
12 and Mental Health Services Administration,
13 \$212,108,000: *Provided*, That of the amount made avail-
14 able under this heading, \$70,665,000 (reduced by
15 \$1,000,000) (increased by \$1,000,000) shall be used for
16 the projects, and in the amounts, specified under the head-
17 ing “Health Surveillance and Program Support” in the
18 report accompanying this Act, of which \$1,000,000 may
19 be used for related agency administrative expenses: *Pro-*
20 *vided further*, That none of the funds made available for
21 projects described in the preceding proviso shall be subject
22 to section 241 of the PHS Act or section 205 of this Act:
23 *Provided further*, That in addition to amounts provided
24 herein, \$31,428,000 shall be available under section 241
25 of the PHS Act to supplement funds available to carry

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

18 AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

19 HEALTHCARE RESEARCH AND QUALITY

20 For carrying out titles III and IX of the PHS Act,
 21 part A of title XI of the Social Security Act, and section
 22 1013 of the Medicare Prescription Drug, Improvement,
 23 and Modernization Act of 2003, \$250,792,000: *Provided*,
 24 That in addition to amounts provided herein
 25 \$129,208,000 shall be available from amounts available

1 under section 241 of the PHS Act: *Provided further*, That
2 section 947(c) of the PHS Act shall not apply in fiscal
3 year 2022: *Provided further*, That in addition, amounts
4 received from Freedom of Information Act fees, reimburs-
5 able and interagency agreements, and the sale of data
6 shall be credited to this appropriation and shall remain
7 available until September 30, 2023.

8 CENTERS FOR MEDICARE & MEDICAID SERVICES

9 GRANTS TO STATES FOR MEDICAID

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

13 In addition, for carrying out such titles after May 31,
14 2022, for the last quarter of fiscal year 2022 for unantici-
15 pated costs incurred for the current fiscal year, such sums
16 as may be necessary, to remain available until expended.

17 In addition, for carrying out such titles for the first
18 quarter of fiscal year 2023, \$165,722,018,000, to remain
19 available until expended.

20 Payment under such title XIX may be made for any
21 quarter with respect to a State plan or plan amendment
22 in effect during such quarter, if submitted in or prior to
23 such quarter and approved in that or any subsequent
24 quarter.

10 In addition, for making matching payments under
11 section 1844 and benefit payments under section 1860D–
12 16 of the Social Security Act that were not anticipated
13 in budget estimates, such sums as may be necessary.

14 PROGRAM MANAGEMENT

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1 Act, funds retained by the Secretary pursuant to section
2 1893(h) of the Social Security Act, and such sums as may
3 be collected from authorized user fees and the sale of data,
4 which shall be credited to this account and remain avail-
5 able until expended: *Provided*, That all funds derived in
6 accordance with 31 U.S.C. 9701 from organizations estab-
7 lished under title XIII of the PHS Act shall be credited
8 to and available for carrying out the purposes of this ap-
9 propriation: *Provided further*, That the Secretary is di-
10 rected to collect fees in fiscal year 2022 from Medicare
11 Advantage organizations pursuant to section 1857(e)(2)
12 of the Social Security Act and from eligible organizations
13 with risk-sharing contracts under section 1876 of that Act
14 pursuant to section 1876(k)(4)(D) of that Act: *Provided*
15 *further*, That of the amount made available under this
16 heading, \$472,163,000 shall remain available until Sep-
17 tember 30, 2023, and shall be available for the Survey
18 and Certification Program: *Provided further*, That
19 amounts available under this heading to support quality
20 improvement organizations (as defined in section 1152 of
21 the Social Security Act) shall not exceed the amount spe-
22 cifically provided for such purpose under this heading in
23 division H of the Consolidated Appropriations Act, 2018
24 (Public Law 115–141).

1 HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT

2 In addition to amounts otherwise available for pro-
3 gram integrity and program management, \$872,793,000,
4 to remain available through September 30, 2023, to be
5 transferred from the Federal Hospital Insurance Trust
6 Fund and the Federal Supplementary Medical Insurance
7 Trust Fund, as authorized by section 201(g) of the Social
8 Security Act, of which \$650,726,000 shall be for the Cen-
9 ters for Medicare & Medicaid Services program integrity
10 activities, of which \$109,145,000 (reduced by \$1,000,000)
11 (increased by \$1,000,000) shall be for the Department of
12 Health and Human Services Office of Inspector General
13 to carry out fraud and abuse activities authorized by sec-
14 tion 1817(k)(3) of such Act, and of which \$112,922,000
15 shall be for the Department of Justice to carry out fraud
16 and abuse activities authorized by section 1817(k)(3) of
17 such Act: *Provided*, That the report required by section
18 1817(k)(5) of the Social Security Act for fiscal year 2022
19 shall include measures of the operational efficiency and
20 impact on fraud, waste, and abuse in the Medicare, Med-
21 icaid, and CHIP programs for the funds provided by this
22 appropriation: *Provided further*, That of the amount pro-
23 vided under this heading, \$317,000,000 is provided to
24 meet the terms of section 1(j) of H. Res. 467 of the 117th
25 Congress as engrossed in the House of Representatives on

1 June 14, 2021, and \$555,793,000 is additional new budg-
2 et authority specified for purposes of such section 1(j):
3 *Provided further*, That the Secretary shall provide not less
4 than \$30,000,000 from amounts made available under
5 this heading and amounts made available for fiscal year
6 2022 under section 1817(k)(3)(A) of the Social Security
7 Act for the Senior Medicare Patrol program to combat
8 health care fraud and abuse.

9 ADMINISTRATION FOR CHILDREN AND FAMILIES

10 PAYMENTS TO STATES FOR CHILD SUPPORT

11 ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

12 For carrying out, except as otherwise provided, titles
13 I, IV–D, X, XI, XIV, and XVI of the Social Security Act
14 and the Act of July 5, 1960, \$2,794,432,000, to remain
15 available until expended; and for such purposes for the
16 first quarter of fiscal year 2023, \$1,300,000,000, to re-
17 main available until expended.

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

1 LOW INCOME HOME ENERGY ASSISTANCE

2 For making payments under subsections (b) and (d)
3 of section 2602 of the Low-Income Home Energy Assist-
4 ance Act of 1981 (42 U.S.C. 8621 et seq.),
5 \$3,900,304,000 (increased by \$10,000,000): *Provided*,
6 That notwithstanding section 2609A(a) of such Act, not
7 more than \$3,500,000 may be reserved by the Secretary
8 of Health and Human Services for technical assistance,
9 training, and monitoring of program activities for compli-
10 ance with internal controls, policies and procedures and
11 the Secretary may, in addition to the authorities provided
12 in section 2609A(a)(1), use such funds through contracts
13 with private entities that do not qualify as nonprofit orga-
14 nizations: *Provided further*, that \$3,746,804,000 of the
15 amount appropriated under this heading shall be allocated
16 to each State and territory in amounts equal to the
17 amount each State and territory was allocated in fiscal
18 year 2021 pursuant to allocations made from amounts ap-
19 propriated under this heading in title II of division H of
20 the Consolidated Appropriations Act, 2021 (Public Law
21 116–260): *Provided further*, That of the remaining
22 amount made available under this heading that is not des-
23 ignated for allocation in the preceding two provisos,
24 \$75,000,000 shall be allocated as though the total appro-

1 priation for such payments for fiscal year 2022 was less
2 than \$1,975,000,000.

3 REFUGEE AND ENTRANT ASSISTANCE

4 For necessary expenses for refugee and entrant as-
5 sistance activities authorized by section 414 of the Immi-
6 gration and Nationality Act and section 501 of the Ref-
7 ugee Education Assistance Act of 1980, and for carrying
8 out section 462 of the Homeland Security Act of 2002,
9 section 235 of the William Wilberforce Trafficking Victims
10 Protection Reauthorization Act of 2008, the Trafficking
11 Victims Protection Act of 2000 (“TVPA”), and the Tor-
12 ture Victims Relief Act of 1998, \$4,504,947,000, of which
13 \$4,408,467,000 shall remain available through September
14 30, 2024 for carrying out such sections 414, 501, 462,
15 and 235 and \$30,000,000 shall remain available until ex-
16 pended for the purposes authorized in section 238 of this
17 title: *Provided*, That amounts available under this heading
18 to carry out the TVPA shall also be available for research
19 and evaluation with respect to activities under such Act:
20 *Provided further*, That the contribution of funds require-
21 ment under section 235(c)(6)(C)(iii) of the William Wil-
22 berforce Trafficking Victims Protection Reauthorization
23 Act of 2008 shall not apply to funds made available under
24 this heading.

22 SOCIAL SERVICES BLOCK GRANT

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1 404(d)(2) of such Act, the applicable percent specified
2 under such subparagraph for a State to carry out State
3 programs pursuant to title XX–A of such Act shall be 10
4 percent.

5 In addition, \$200,000,000 for carrying out a supple-
6 mental grant program to make grants to States to be dis-
7 tributed as provided for under section 2002 of the Social
8 Security Act and subject to the limitations of section 2005
9 of such Act: *Provided*, That funds appropriated in this
10 paragraph are in addition to the entitlement grants au-
11 thorized by section 2002(a)(1) of the Social Security Act
12 and shall not be available for such entitlement grants: *Pro-*
13 *vided further*, That such supplemental grants shall be used
14 by States to make subgrants to social service agencies or
15 other nonprofit organizations to provide diapers and dia-
16 pering supplies (including diaper wipes, diaper cream, and
17 other supplies necessary to ensure that a child using a
18 diaper is properly cleaned and protected from diaper rash)
19 to families in need: *Provided further*, That such supple-
20 mental grants are used by States to supplement, not sup-
21 plant, State general revenue funds provided for such pur-
22 poses: *Provided further*, That the term “in need”, with re-
23 spect to a family, means a family whose self-certified in-
24 come is not more than 200 percent of the Federal poverty
25 line, as defined by the Office of Management and Budget

1 and revised annually in accordance with section 673(2) of
2 the Omnibus Budget Reconciliation Act of 1981 applicable
3 to a family of the size involved: *Provided further*, That not
4 later than December 31, 2022, each subgrantee receiving
5 funding from amounts made available in this paragraph
6 shall submit a report to the applicable State on the use
7 of such funds: *Provided further*, That each State shall in-
8 clude in the annual report required under section 2006
9 of the Social Security Act and submitted with respect to
10 fiscal year 2023 information detailing how grantees and
11 subgrantees used funds made available in this paragraph
12 to distribute diapers and diapering supplies to families in
13 need.

14 CHILDREN AND FAMILIES SERVICES PROGRAMS

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

1 istrative expenses to carry out titles I, IV, V, X, XI, XIV,
2 XVI, and XX–A of the Social Security Act, the Act of
3 July 5, 1960, the Low-Income Home Energy Assistance
4 Act of 1981, the Child Care and Development Block Grant
5 Act of 1990, title IV of the Immigration and Nationality
6 Act, section 501 of the Refugee Education Assistance Act
7 of 1980, and section 2204 of the American Rescue Plan
8 Act of 2021, \$15,232,981,000 (increased by \$3,900,000),
9 of which \$75,000,000, to remain available through Sep-
10 tember 30, 2023, shall be for grants to States for adoption
11 and legal guardianship incentive payments, as defined by
12 section 473A of the Social Security Act and may be made
13 for adoptions and legal guardianships completed before
14 September 30, 2022: *Provided*, That \$12,182,095,000
15 shall be for making payments under the Head Start Act,
16 including for Early Head Start-Child Care Partnerships,
17 and, of which, notwithstanding section 640 of such Act:

18 (1) \$234,000,000 shall be available for a cost
19 of living adjustment, and with respect to any con-
20 tinuing appropriations act, funding available for a
21 cost of living adjustment shall not be construed as
22 an authority or condition under this Act;

23 (2) \$25,000,000 shall be available for allocation
24 by the Secretary to supplement activities described
25 in paragraphs (7)(B) and (9) of section 641(c) of

1 the Head Start Act under the Designation Renewal
2 System, established under the authority of sections
3 641(c)(7), 645A(b)(12), and 645A(d) of such Act,
4 and such funds shall not be included in the calcula-
5 tion of “base grant” in subsequent fiscal years, as
6 such term is used in section 640(a)(7)(A) of such
7 Act;

8 (3) \$750,000,000, in addition to funds other-
9 wise available for such purposes under section 640
10 of the Head Start Act, shall be available through
11 September 30, 2023, for awards to eligible entities
12 for Head Start and Early Head Start programs and
13 to entities defined as eligible under section 645A(d)
14 of such Act for high quality infant and toddler care
15 through Early Head Start - Child Care Partner-
16 ships, and for training and technical assistance for
17 such activities: *Provided further*, That of the funds
18 made available in this paragraph, up to \$21,000,000
19 shall be available to the Secretary for the adminis-
20 trative costs of carrying out this paragraph;

21 (4) \$250,000,000 shall be available for quality
22 improvement consistent with paragraph (5) of sec-
23 tion 640(a) of such Act, except that any amount of
24 such funds may be used for any of the activities de-
25 scribed in such section (5), of which not less than

1 \$12,500,000 shall be available to migrant and sea-
2 sonal Head Start programs for such activities, in ad-
3 dition to funds made available for migrant and sea-
4 sonal Head Start programs under any other provi-
5 sion of section 640(a) of such Act;

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

15 (6) \$8,000,000 shall be available for the pur-
16 poses of maintaining the Tribal Colleges and Univer-
17 sities Head Start Partnership Program consistent
18 with section 648(g) of such Act; and

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

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

1 Act: *Provided further*, That \$450,000,000 shall be avail-
2 able until December 31, 2022 for carrying out sections
3 9212 and 9213 of the Every Student Succeeds Act: *Pro-*
4 *vided further*, That up to 3 percent of the funds in the
5 preceding proviso shall be available for technical assist-
6 ance and evaluation related to grants awarded under such
7 section 9212: *Provided further*, That \$834,000,000 shall
8 be for making payments under the CSBG Act: *Provided*
9 *further*, That for the purposes of carrying out the CSBG
10 Act, the term “poverty line” as defined in section 673(2)
11 of the CSBG Act means 200 percent of the poverty line
12 otherwise applicable under such section (excluding the last
13 sentence of such section) without regard to such section:
14 *Provided further*, That \$34,000,000 shall be for section
15 680 of the CSBG Act, of which not less than \$23,000,000
16 shall be for section 680(a)(2) and not less than
17 \$11,000,000 shall be for section 680(a)(3)(B) of such Act:
18 *Provided further*, That, notwithstanding section
19 675C(a)(3) of the CSBG Act, to the extent Community
20 Services Block Grant funds are distributed as grant funds
21 by a State to an eligible entity as provided under such
22 Act, and have not been expended by such entity, they shall
23 remain with such entity for carryover into the next fiscal
24 year for expenditure by such entity consistent with pro-
25 gram purposes: *Provided further*, That the Secretary shall

1 establish procedures regarding the disposition of intan-
2 gible assets and program income that permit such assets
3 acquired with, and program income derived from, grant
4 funds authorized under section 680 of the CSBG Act to
5 become the sole property of such grantees after a period
6 of not more than 12 years after the end of the grant pe-
7 riod for any activity consistent with section 680(a)(2)(A)
8 of the CSBG Act: *Provided further*, That intangible assets
9 in the form of loans, equity investments and other debt
10 instruments, and program income may be used by grant-
11 ees for any eligible purpose consistent with section
12 680(a)(2)(A) of the CSBG Act: *Provided further*, That
13 these procedures shall apply to such grant funds made
14 available after November 29, 1999: *Provided further*, That
15 funds appropriated for section 680(a)(2) of the CSBG Act
16 shall be available for financing construction and rehabili-
17 tation and loans or investments in private business enter-
18 prises owned by community development corporations:
19 *Provided further*, That \$449,700,000 shall be for carrying
20 out section 303(a) of the Family Violence Prevention and
21 Services Act, of which \$175,000,000 shall be for providing
22 direct payments to any victim of family violence, domestic
23 violence, or dating violence, or to any dependent of such
24 victim, notwithstanding section 308(d)(1) of such Act:
25 *Provided further*, That \$7,000,000 shall be allocated, not-

1 withstanding section 303(a)(2) of the Family Violence
2 Prevention and Services Act, for carrying out section 309
3 of such Act; and \$6,750,000 shall be for necessary admin-
4 istrative expenses to carry out such Act and section 2204
5 of the American Rescue Plan Act of 2021, in addition to
6 amounts otherwise available for such purposes: *Provided*
7 *further*, That the percentages specified in section
8 112(a)(2) of the Child Abuse Prevention and Treatment
9 Act shall not apply to funds appropriated under this head-
10 ing: *Provided further*, That \$4,000,000 shall be for a
11 human services case management system for federally de-
12 clared disasters, to include a comprehensive national case
13 management contract and Federal costs of administering
14 the system: *Provided further*, That up to \$2,000,000 shall
15 be for improving the Public Assistance Reporting Informa-
16 tion System, including grants to States to support data
17 collection for a study of the system's effectiveness.

18 PROMOTING SAFE AND STABLE FAMILIES

19 For carrying out, except as otherwise provided, sec-
20 tion 436 of the Social Security Act, \$345,000,000 and,
21 for carrying out, except as otherwise provided, section 437
22 of such Act, \$106,000,000: *Provided*, That of the funds
23 available to carry out section 437, \$60,000,000 shall be
24 allocated consistent with subsections (b) through (d) of
25 such section: *Provided further*, That of the funds available

1 to carry out section 437, to assist in meeting the require-
2 ments described in section 471(e)(4)(C), \$30,000,000
3 shall be for grants to each State, territory, and Indian
4 tribe operating title IV–E plans for developing, enhancing,
5 or evaluating kinship navigator programs, as described in
6 section 427(a)(1) of such Act and \$9,000,000, in addition
7 to funds otherwise appropriated in section 476 for such
8 purposes, shall be for the Family First Clearinghouse and
9 to support evaluation and technical assistance relating to
10 the evaluation of child and family services: *Provided fur-*
11 *ther*, That of the funds available to carry out section 437,
12 \$7,000,000 shall be for competitive grants to regional
13 partnerships as described in section 437(f), and shall be
14 in addition to any other funds appropriated for such pur-
15 poses: *Provided further*, That section 437(b)(1) shall be
16 applied to amounts in the previous proviso by substituting
17 “5 percent” for “3.3 percent”, and notwithstanding sec-
18 tion 436(b)(1), such reserved amounts may be used for
19 identifying, establishing, and disseminating practices to
20 meet the criteria specified in section 471(e)(4)(C): *Pro-*
21 *vided further*, That the reservation in section 437(b)(2)
22 and the limitations in section 437(d) shall not apply to
23 funds specified in the second proviso under this heading:
24 *Provided further*, That the minimum grant award for kin-
25 ship navigator programs in the case of States and terri-

1 tories shall be \$200,000, and, in the case of tribes, shall
2 be \$25,000.

3 PAYMENTS FOR FOSTER CARE AND PERMANENCY

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

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

9 For carrying out, after May 31 of the current fiscal
10 year, except as otherwise provided, section 474 of title IV–
11 E of the Social Security Act, for the last 3 months of the
12 current fiscal year for unanticipated costs, incurred for the
13 current fiscal year, such sums as may be necessary.

14 ADMINISTRATION FOR COMMUNITY LIVING

15 AGING AND DISABILITY SERVICES PROGRAMS

16 (INCLUDING TRANSFER OF FUNDS)

17 For carrying out, to the extent not otherwise pro-
18 vided, the Older Americans Act of 1965 (“OAA”), the
19 RAISE Family Caregivers Act, the Supporting Grand-
20 parents Raising Grandchildren Act, titles III and XXIX
21 of the PHS Act, sections 1252 and 1253 of the PHS Act,
22 section 119 of the Medicare Improvements for Patients
23 and Providers Act of 2008, title XX–B of the Social Secu-
24 rity Act, the Developmental Disabilities Assistance and
25 Bill of Rights Act, parts 2 and 5 of subtitle D of title

1 II of the Help America Vote Act of 2002, the Assistive
2 Technology Act of 1998, titles II and VII (and section
3 14 with respect to such titles) of the Rehabilitation Act
4 of 1973, and for Department-wide coordination of policy
5 and program activities that assist individuals with disabili-
6 ties, \$3,047,414,000, together with \$57,115,000 to be
7 transferred from the Federal Hospital Insurance Trust
8 Fund and the Federal Supplementary Medical Insurance
9 Trust Fund to carry out section 4360 of the Omnibus
10 Budget Reconciliation Act of 1990: *Provided*, That
11 amounts appropriated under this heading may be used for
12 grants to States under section 361 of the OAA only for
13 disease prevention and health promotion programs and ac-
14 tivities which have been demonstrated through rigorous
15 evaluation to be evidence-based and effective: *Provided*
16 *further*, That of amounts made available under this head-
17 ing to carry out sections 311, 331, and 336 of the OAA,
18 up to one percent of such amounts shall be available for
19 developing and implementing evidence-based practices for
20 enhancing senior nutrition, including medically-tailored
21 meals: *Provided further*, That notwithstanding any other
22 provision of this Act, funds made available under this
23 heading to carry out section 311 of the OAA may be trans-
24 ferred to the Secretary of Agriculture in accordance with
25 such section: *Provided further*, That \$2,000,000 shall be

1 for competitive grants to support alternative financing
2 programs that provide for the purchase of assistive tech-
3 nology devices, such as a low-interest loan fund; an inter-
4 est buy-down program; a revolving loan fund; a loan guar-
5 antee; or an insurance program: *Provided further*, That
6 applicants shall provide an assurance that, and informa-
7 tion describing the manner in which, the alternative fi-
8 nancing program will expand and emphasize consumer
9 choice and control: *Provided further*, That State agencies
10 and community-based disability organizations that are di-
11 rected by and operated for individuals with disabilities
12 shall be eligible to compete: *Provided further*, That none
13 of the funds made available under this heading may be
14 used by an eligible system (as defined in section 102 of
15 the Protection and Advocacy for Individuals with Mental
16 Illness Act (42 U.S.C. 10802)) to continue to pursue any
17 legal action in a Federal or State court on behalf of an
18 individual or group of individuals with a developmental
19 disability (as defined in section 102(8)(A) of the Develop-
20 mental Disabilities and Assistance and Bill of Rights Act
21 of 2000 (20 U.S.C. 15002(8)(A)) that is attributable to
22 a mental impairment (or a combination of mental and
23 physical impairments), that has as the requested remedy
24 the closure of State operated intermediate care facilities
25 for people with intellectual or developmental disabilities,

1 unless reasonable public notice of the action has been pro-
2 vided to such individuals (or, in the case of mental inca-
3 pacitation, the legal guardians who have been specifically
4 awarded authority by the courts to make healthcare and
5 residential decisions on behalf of such individuals) who are
6 affected by such action, within 90 days of instituting such
7 legal action, which informs such individuals (or such legal
8 guardians) of their legal rights and how to exercise such
9 rights consistent with current Federal Rules of Civil Pro-
10 cedure: *Provided further*, That the limitations in the imme-
11 diately preceding proviso shall not apply in the case of an
12 individual who is neither competent to consent nor has a
13 legal guardian, nor shall the proviso apply in the case of
14 individuals who are a ward of the State or subject to pub-
15 lic guardianship.

16 OFFICE OF THE SECRETARY

17 GENERAL DEPARTMENTAL MANAGEMENT

18 For necessary expenses, not otherwise provided, for
19 general departmental management, including hire of six
20 passenger motor vehicles, and for carrying out titles III,
21 XVII, XXI, and section 229 of the PHS Act, the United
22 States-Mexico Border Health Commission Act, and re-
23 search studies under section 1110 of the Social Security
24 Act, \$582,981,000 (reduced by \$2,000,000) (reduced by
25 \$3,900,000) (reduced by \$2,000,000) (reduced by

1 \$2,500,000) (reduced by \$1,000,000) (reduced by
2 \$1,000,000) (reduced by \$2,000,000) (reduced by
3 \$5,000,000) (increased by \$5,000,000) (reduced by
4 \$10,000,000) (reduced by \$2,000,000) (reduced by
5 \$13,500,000) (reduced by \$5,000,000) (increased by
6 \$10,000,000) (reduced by \$10,000,000) (reduced by
7 \$1,000,000) (increased by \$1,000,000), together with
8 \$74,828,000 from the amounts available under section
9 241 of the PHS Act to carry out national health or human
10 services research and evaluation activities: *Provided*, That
11 of this amount, \$58,400,000 shall be for minority AIDS
12 prevention and treatment activities: *Provided further*, That
13 of the funds made available under this heading,
14 \$130,000,000 shall be for making competitive contracts
15 and grants to public and private entities to fund medically
16 accurate and age appropriate programs that reduce teen
17 pregnancy and for the Federal costs associated with ad-
18 ministering and evaluating such contracts and grants, of
19 which not more than 10 percent of the available funds
20 shall be for training and technical assistance, evaluation,
21 outreach, and additional program support activities, and
22 of the remaining amount 75 percent shall be for repli-
23 cating programs that have been proven effective through
24 rigorous evaluation to reduce teenage pregnancy, behav-
25 ioral risk factors underlying teenage pregnancy, or other

1 associated risk factors, and 25 percent shall be available
2 for research and demonstration grants to develop, rep-
3 licate, refine, and test additional models and innovative
4 strategies for preventing teenage pregnancy: *Provided fur-*
5 *ther*, That of the amounts provided under this heading
6 from amounts available under section 241 of the PHS Act,
7 \$6,800,000 shall be available to carry out evaluations (in-
8 cluding longitudinal evaluations) of teenage pregnancy
9 prevention approaches: *Provided further*, That funds pro-
10 vided in this Act for embryo adoption activities may be
11 used to provide to individuals adopting embryos, through
12 grants and other mechanisms, medical and administrative
13 services deemed necessary for such adoptions: *Provided*
14 *further*, That such services shall be provided consistent
15 with 42 CFR 59.5(a)(4): *Provided further*, That of the
16 funds made available under this heading, \$5,000,000 shall
17 be for carrying out prize competitions sponsored by the
18 Office of the Secretary to accelerate innovation in the pre-
19 vention, diagnosis, and treatment of kidney diseases (as
20 authorized by section 24 of the Stevenson-Wydler Tech-
21 nology Innovation Act of 1980 (15 U.S.C. 3719)): *Pro-*
22 *vided further*, That notwithstanding any other provision of
23 law, the Secretary may use \$7,891,000 of the amounts
24 appropriated under this heading to supplement funds oth-
25 erwise available to the Secretary for the hire and purchase

1 of electric vehicles and electric vehicle charging stations,
2 and to cover other costs related to electrifying the motor
3 vehicle fleet within HHS: *Provided further*, That electric
4 chargers installed in a parking area with such funds de-
5 scribed in the preceding proviso shall be deemed personal
6 property under the control and custody of the Department
7 of Health and Human Services managing such parking
8 area: *Provided further*, That of the funds made available
9 under this heading \$3,000,000 shall be for establishing
10 a National Health Care Workforce Commission (as au-
11 thorized by section 5101 of Public Law 111–148).

12 MEDICARE HEARINGS AND APPEALS

13 For expenses necessary for Medicare hearings and
14 appeals in the Office of the Secretary, \$196,000,000 shall
15 remain available until September 30, 2023, to be trans-
16 ferred in appropriate part from the Federal Hospital In-
17 surance Trust Fund and the Federal Supplementary Med-
18 ical Insurance Trust Fund.

19 OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH
20 INFORMATION TECHNOLOGY

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

1 mation technology, \$86,614,000 shall be available from
2 amounts 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, \$100,000,000: *Provided*, That
8 of 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 \$5,300,000 shall be available through September
14 30, 2023, for activities authorized under section 3022 of
15 the PHS Act (42 U.S.C. 300jj–52).

16 OFFICE FOR CIVIL RIGHTS

17 For expenses necessary for the Office for Civil
18 Rights, \$47,931,000.

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, \$1,508,036,000,
9 of which \$823,380,000 shall remain available through
10 September 30, 2023, 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, 2024.

24 For expenses necessary for procuring security coun-
25 termeasures (as defined in section 319F–2(c)(1)(B) of the

1 PHS Act), \$770,000,000, to remain available until ex-
2 pended.

3 For expenses necessary to carry out section 319F–
4 2(a) of the PHS Act, \$905,000,000 (increased by
5 \$10,000,000) (reduced by \$10,000,000), to remain avail-
6 able until expended.

7 For an additional amount for expenses necessary to
8 prepare for or respond to an influenza pandemic,
9 \$335,000,000; of which \$300,000,000 shall be available
10 until expended, for activities including the development
11 and purchase of vaccine, antivirals, necessary medical sup-
12 plies, diagnostics, and other surveillance tools: *Provided*,
13 That notwithstanding section 496(b) of the PHS Act,
14 funds may be used for the construction or renovation of
15 privately owned facilities for the production of pandemic
16 influenza vaccines and other biologics, if the Secretary
17 finds such construction or renovation necessary to secure
18 sufficient supplies of such vaccines or biologics.

19 GENERAL PROVISIONS

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

24 SEC. 202. None of the funds appropriated in this title
25 shall be used to pay the salary of an individual, through

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

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

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

21 (TRANSFER OF FUNDS)

22 SEC. 205. Not to exceed 1 percent of any discre-
23 tionary funds (pursuant to the Balanced Budget and
24 Emergency Deficit Control Act of 1985) which are appro-
25 priated for the current fiscal year for HHS in this Act

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

10 SEC. 206. In lieu of the timeframe specified in section
11 338E(c)(2) of the PHS Act, terminations described in
12 such section may occur up to 60 days after the effective
13 date of a contract awarded in fiscal year 2022 under sec-
14 tion 338B of such Act, or at any time if the individual
15 who has been awarded such contract has not received
16 funds due under the contract.

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

24 SEC. 208. Notwithstanding any other provision of
25 law, no provider of services under title X of the PHS Act

1 shall be exempt from any State law requiring notification
2 or the reporting of child abuse, child molestation, sexual
3 abuse, rape, or incest.

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

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

24 SEC. 211. The Secretary shall make available through
25 assignment not more than 60 employees of the Public

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

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

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

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

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

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

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

10 (TRANSFER OF FUNDS)

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

19 (TRANSFER OF FUNDS)

20 SEC. 214. Of the amounts made available in this Act
21 for NIH, the amount for research related to the human
22 immunodeficiency virus, as jointly determined by the Di-
23 rector of NIH and the Director of the Office of AIDS Re-
24 search, shall be made available to the "Office of AIDS
25 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 \$45,000,000 of funds appro-
21 priated 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 \$3,500,000 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 section 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 2023 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 2023. 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 report accompanying this Act.

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

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

19 SEC. 222. Effective during the period beginning on
20 November 1, 2015 and ending January 1, 2024, any pro-
21 vision of law that refers (including through cross-reference
22 to another provision of law) to the current recommenda-
23 tions of the United States Preventive Services Task Force
24 with respect to breast cancer screening, mammography,

1 and prevention shall be administered by the Secretary in-
2 volved 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 SEC. 223. In making Federal financial assistance, the
13 provisions relating to indirect costs in part 75 of title 45,
14 Code of Federal Regulations, including with respect to the
15 approval of deviations from negotiated rates, shall con-
16 tinue to apply to the National Institutes of Health to the
17 same extent and in the same manner as such provisions
18 were applied in the third quarter of fiscal year 2017. None
19 of the funds appropriated in this or prior Acts or otherwise
20 made available to the Department of Health and Human
21 Services or to any department or agency may be used to
22 develop or implement a modified approach to such provi-
23 sions, or to intentionally or substantially expand the fiscal
24 effect of the approval of such deviations from negotiated

1 rates beyond the proportional effect of such approvals in
2 such quarter.

3 (TRANSFER OF FUNDS)

4 SEC. 224. The NIH Director may transfer funds for
5 opioid addiction, opioid alternatives, stimulant misuse and
6 addiction, pain management, and addiction treatment to
7 other Institutes and Centers of the NIH to be used for
8 the same purpose 15 days after notifying the Committees
9 on Appropriations of the House of Representatives and the
10 Senate: *Provided*, That the transfer authority provided in
11 the previous proviso is in addition to any other transfer
12 authority provided by law.

13 SEC. 225. (a) The Secretary shall provide to the
14 Committees on Appropriations of the House of Represent-
15 atives and the Senate:

16 (1) Detailed monthly enrollment figures from
17 the Exchanges established under the Patient Protec-
18 tion and Affordable Care Act of 2010 pertaining to
19 enrollments during the open enrollment period.

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

23 (b) The Committees on Appropriations of the House
24 and Senate must be notified at least 2 business days in

1 advance of any public release of enrollment information
2 or the award of such grants.

3 SEC. 226. The Department of Health and Human
4 Services shall provide the Committees on Appropriations
5 of the House of Representatives and Senate a biannual
6 report 30 days after enactment of this Act on staffing de-
7 scribed in the report accompanying this Act.

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

24 SEC. 228. The Department of Health and Human
25 Services may accept donations from the private sector,

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

16 SEC. 229. None of the funds made available in this
17 Act under the heading “Department of Health and
18 Human Services—Administration for Children and Fami-
19 lies—Refugee and Entrant Assistance” may be obligated
20 to a grantee or contractor to house unaccompanied alien
21 children (as such term is defined in section 462(g)(2) of
22 the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2)))
23 in any facility that is not State-licensed for the care of
24 unaccompanied alien children, except in the case that the
25 Secretary determines that housing unaccompanied alien

1 children in such a facility is necessary on a temporary
2 basis due to an influx of such children or an emergency,
3 provided that—

4 (1) the terms of the grant or contract for the
5 operations of any such facility that remains in oper-
6 ation for more than three consecutive months shall
7 require compliance with—

8 (A) the same requirements as licensed
9 placements, as listed in Exhibit 1 of the Flores
10 Settlement Agreement that the Secretary deter-
11 mines are applicable to non-State licensed facili-
12 ties; and

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

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

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

10 (4) ORR shall ensure full adherence to the
11 monitoring requirements set forth in section 5.5 of
12 its Policies and Procedures Guide as of May 15,
13 2019;

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

20 (6) not later than 60 days after the date of en-
21 actment of this Act, ORR shall brief the Committees
22 on Appropriations of the House of Representatives
23 and the Senate outlining the requirements of ORR
24 for influx facilities including any requirement listed
25 in paragraph (1)(A) that the Secretary has deter-

1 mined are not applicable to non-State licensed facilities.
2

3 SEC. 230. In addition to the existing Congressional
4 notification for formal site assessments of potential influx
5 facilities, the Secretary shall notify the Committees on Appropriations of the House of Representatives and the Senate at least 15 days before operationalizing an unlicensed
6 facility, and shall (1) specify whether the facility is hard-sided or soft-sided, and (2) provide analysis that indicates
7 that, in the absence of the influx facility, the likely outcome is that unaccompanied alien children will remain in
8 the custody of the Department of Homeland Security for
9 longer than 72 hours or that unaccompanied alien children
10 will be otherwise placed in danger. Within 60 days of
11 bringing such a facility online, and monthly thereafter, the
12 Secretary shall provide to the Committees on Appropriations of the House of Representatives and the Senate a
13 report detailing the total number of children in care at
14 the facility, the average length of stay and average length
15 of care of children at the facility, and, for any child that
16 has been at the facility for more than 60 days, their length
17 of stay and reason for delay in release.
18

19 SEC. 231. None of the funds made available in this
20 Act may be used to prevent a United States Senator or
21 Member of the House of Representatives from entering,
22

1 for the purpose of conducting oversight, any facility in the
2 United States used for the purpose of maintaining custody
3 of, or otherwise housing, unaccompanied alien children (as
4 defined in section 462(g)(2) of the Homeland Security Act
5 of 2002 (6 U.S.C. 279(g)(2))). Nothing in this section
6 shall be construed to require such a Senator or Member
7 to provide prior notice of the intent to enter such a facility
8 for such purpose.

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

22 (1) the number and ages of children so sepa-
23 rated subsequent to apprehension at or between
24 ports of entry, to be reported by sector where sepa-
25 ration occurred; and

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

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

11 (b) Subsection (a) shall be construed to preclude the
12 transmission of information described in such subsection
13 to any individual, entity, or government agency with the
14 knowledge or intent that the information would be re-
15 transmitted or otherwise shared for a purpose prohibited
16 under such subsection.

17 (c) All records for which Office of Refugee Resettle-
18 ment policies require the written release authorization of
19 the Office of Refugee Resettlement shall have the pre-
20 sumption of confidentiality and nondisclosure, including
21 unaccompanied alien child case files, specific information
22 contained in such case files, all information given to a case
23 manager, therapist, clinical worker, counselor, or social
24 worker by such a child during clinical or therapeutic work,

1 and other confidential information pertaining to such chil-
2 dren, their sponsors, or their potential sponsors.

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

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

16 (1) in the same facility; or

17 (2) with the same sponsor.

18 SEC. 235. Not later than 30 days after the date of
19 enactment of this Act, the Secretary shall submit to the
20 Committees on Appropriations of the House of Represent-
21 atives and the Senate a detailed spend plan of anticipated
22 uses of all funds made available under the heading “De-
23 partment of Health and Human Services—Administration
24 for Children and Families—Refugee and Entrant Assist-
25 ance”, including the following: a list of existing grants and

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

18 SEC. 236. Funds appropriated in this Act that are
19 available for salaries and expenses of employees of the
20 Centers for Disease Control and Prevention shall also be
21 available for the primary and secondary schooling of eligi-
22 ble dependents of personnel stationed in a U.S. territory
23 as defined in section 227 of this Act at costs not in excess
24 of those paid for or reimbursed by the Department of De-
25 fense.

1 (RESCISSION)

2 SEC. 237. Of the unobligated balances in the “Non-
3 recurring Expenses Fund” established in section 223 of
4 division G of Public Law 110–161, \$500,000,000 are
5 hereby rescinded not later than September 30, 2022.

6 SEC. 238. The Secretary is authorized to provide,
7 from funds made available in this title for such purposes,
8 mental health and other supportive services, including
9 through grants, contracts, or cooperative agreements, for
10 children, parents, and legal guardians who were separated
11 at the United States-Mexico border between January 20,
12 2017, and January 20, 2021, in connection with the Zero-
13 Tolerance Policy (as discussed in the Attorney General’s
14 memorandum of April 6, 2018, entitled “Zero-Tolerance
15 for Offenses Under 8 U.S.C. 1325(a)”) or any other
16 United States Government practice, policy, program, or
17 initiative that resulted in the separation of children who
18 arrived at the United States-Mexico border with their par-
19 ents or legal guardians during such period. The Secretary
20 may identify the individuals eligible to receive such mental
21 health and other supportive services under this section
22 through reference to the identified members of the classes,
23 and their minor children, in the class-action lawsuits *Ms.*
24 *J.P. v. Barr* and *Ms. L. v. ICE*.

1 SEC. 239. The unobligated balances of amounts ap-
2 propriated or transferred to the Centers for Disease Con-
3 trol and Prevention under the heading “Buildings and Fa-
4 cilities” in title II of division H of the Consolidated Appro-
5 priations Act, 2018 (Public Law 115–141) for a biosafety
6 level 4 laboratory shall also be available for the acquisition
7 of real property, equipment, construction, demolition, ren-
8 ovation of facilities, and installation expenses, including
9 moving expenses, related to such laboratory: *Provided*,
10 That not later than September 30, 2022, the remaining
11 unobligated balances of such funds are hereby rescinded,
12 and an amount of additional new budget authority equiva-
13 lent to the amount rescinded is hereby appropriated, to
14 remain available until expended, for the same purposes as
15 such unobligated balances, in addition to any other
16 amounts available for such purposes.

17 SEC. 240. (a) PREMIUM PAY AUTHORITY.—If serv-
18 ices performed by a Department of Health and Human
19 Services employee during a public health emergency de-
20 clared under section 319 of the Public Health Service Act
21 are determined by the Secretary to be primarily related
22 to preparation for, prevention of, or response to such pub-
23 lic health emergency, any premium pay that is provided
24 for such services shall be exempted from the aggregate of
25 basic pay and premium pay calculated under section

1 5547(a) of title 5, United States Code, and any other pro-
2 vision of law limiting the aggregate amount of premium
3 pay payable on a biweekly or calendar year basis.

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

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

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

21 (e) DANGER PAY FOR SERVICE IN PUBLIC HEALTH
22 EMERGENCIES.—The Secretary may grant a danger pay
23 allowance under section 5928 of title 5, United States
24 Code, without regard to the conditions of the first sentence
25 of such section, for work that is performed by a Depart-

1 ment of Health and Human Services employee during a
2 public health emergency declared under section 319 of the
3 Public Health Service Act that the Secretary determines
4 is primarily related to preparation for, prevention of, or
5 response to such public health emergency and is performed
6 under conditions that threaten physical harm or imminent
7 danger to the health or well-being of the employee.

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

10 SEC. 241. (a) None of the funds made available by
11 this Act may be awarded to any organization, including
12 under the Child Welfare or Federal Foster Care programs
13 under part B or E of title IV of the Social Security Act,
14 that does not comply with paragraphs (c) and (d) of sec-
15 tion 75.300 of title 45, Code of Federal Regulations (pro-
16 hibiting discrimination on the basis of age, disability, sex,
17 race, color, national origin, religion, gender identity, or
18 sexual orientation), as in effect on October 1, 2019.

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

23 SEC. 242. During this fiscal year, an Operating or
24 Staff Division in HHS may enter into a reimbursable
25 agreement with another major organizational unit within

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

19 SEC. 243. (a) None of the funds made available by
20 this Act may be used to prepare or issue any solicitation
21 for a contract for the CMS Contact Center Operations
22 that contemplates a total period of performance, including
23 option periods, that exceeds 24 months.

24 (b) None of the funds made available by this Act may
25 be used to award or fund a contract for the CMS Contact

1 Center Operations with a total period of performance, in-
2 cluding option periods, that exceeds 24 months.

3 SEC. 244. For fiscal year 2022, the notification re-
4 quirements described in sections 1804(a) and 1851(d) of
5 the Social Security Act may be fulfilled by the Secretary
6 in a manner similar to that described in paragraphs (1)
7 and (2) of section 1806(c) of such Act.

8 SEC. 245. Section 402A(d) of the Public Health Serv-
9 ice Act (42 U.S.C. 282a(d)) is amended—

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

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

15 SEC. 246. The Secretary of Health and Human Serv-
16 ices may waive penalties and administrative requirements
17 in title XXVI of the Public Health Service Act for awards
18 under such title from amounts provided under the heading
19 “Department of Health and Human Services—Health Re-
20 sources and Services Administration” in this or any other
21 appropriations Act for this fiscal year, including amounts
22 made available to such heading by transfer.

23 SEC. 247. The Director of the National Institutes of
24 Health shall hereafter require institutions that receive
25 funds through a grant or cooperative agreement during

1 fiscal year 2022 and in future years to notify the Director
2 when individuals identified as a principal investigator or
3 as key personnel in an NIH notice of award are removed
4 from their position or are otherwise disciplined due to con-
5 cerns about harassment, bullying, retaliation, or hostile
6 working conditions. The Director may issue regulations
7 consistent with this section.

8 SEC. 248. (a) Funds made available in Public Law
9 114–113 to the accounts of the National Institutes of
10 Health that were available for obligation through fiscal
11 year 2016 and were obligated for multi-year research
12 grants shall be available through fiscal year 2022 for the
13 liquidation of valid obligations incurred in fiscal year 2016
14 if the Director of the National Institutes of Health deter-
15 mines the project suffered an interruption of activities at-
16 tributable to SARS–CoV–2.

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

19 (2) If this Act is enacted after September 30,
20 2021, this section shall be applied as if it were in
21 effect on September 30, 2021.

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

1 TITLE III
2 DEPARTMENT OF EDUCATION
3 EDUCATION FOR THE DISADVANTAGED
4 For carrying out title I and subpart 2 of part B of
5 title II of the Elementary and Secondary Education Act
6 of 1965 (referred to in this Act as “ESEA”) and section
7 418A of the Higher Education Act of 1965 (referred to
8 in this Act as “HEA”), \$36,756,790,000 (increased by
9 \$1,000,000) (reduced by \$1,000,000), of which
10 \$25,813,490,000 shall become available on July 1, 2022,
11 and shall remain available through September 30, 2023,
12 and of which \$10,841,177,000 shall become available on
13 October 1, 2022, and shall remain available through Sep-
14 tember 30, 2023, for academic year 2022–2023: *Provided*,
15 That \$6,459,401,000 shall be for basic grants under sec-
16 tion 1124 of the ESEA: *Provided further*, That up to
17 \$5,000,000 of these funds shall be available to the Sec-
18 retary of Education (referred to in this title as “Sec-
19 retary”) on October 1, 2021, to obtain annually updated
20 local educational agency-level census poverty data from
21 the Bureau of the Census: *Provided further*, That
22 \$1,362,301,000 shall be for concentration grants under
23 section 1124A of the ESEA: *Provided further*, That
24 \$14,107,550,000 shall be for targeted grants under sec-
25 tion 1125 of the ESEA: *Provided further*, That

1 \$14,107,550,000 shall be for education finance incentive
2 grants under section 1125A of the ESEA: *Provided fur-*
3 *ther*, That \$223,000,000 shall be for carrying out subpart
4 2 of part B of title II: *Provided further*, That \$66,123,000
5 shall be for carrying out section 418A of the HEA.

6 IMPACT AID

7 For carrying out programs of financial assistance to
8 federally affected schools authorized by title VII of the
9 ESEA, \$1,552,112,000, of which \$1,404,242,000 shall be
10 for basic support payments under section 7003(b),
11 \$48,316,000 shall be for payments for children with dis-
12 abilities under section 7003(d), \$17,406,000 shall be for
13 construction under section 7007(a), \$77,313,000 shall be
14 for Federal property payments under section 7002, and
15 \$4,835,000, to remain available until expended, shall be
16 for facilities maintenance under section 7008: *Provided*,
17 That for purposes of computing the amount of a payment
18 for an eligible local educational agency under section
19 7003(a) for school year 2021–2022, children enrolled in
20 a school of such agency that would otherwise be eligible
21 for payment under section 7003(a)(1)(B) of such Act, but
22 due to the deployment of both parents or legal guardians,
23 or a parent or legal guardian having sole custody of such
24 children, or due to the death of a military parent or legal
25 guardian while on active duty (so long as such children

1 reside on Federal property as described in section
 2 7003(a)(1)(B)), are no longer eligible under such section,
 3 shall be considered as eligible students under such section,
 4 provided such students remain in average daily attendance
 5 at a school in the same local educational agency they at-
 6 tended prior to their change in eligibility status.

7 SCHOOL IMPROVEMENT PROGRAMS

8 For carrying out school improvement activities au-
 9 thorized by part B of title I, part A of title II, subpart
 10 1 of part A of title IV, part B of title IV, part B of title
 11 V, and parts B and C of title VI of the ESEA; the McKin-
 12 ney-Vento Homeless Assistance Act; section 203 of the
 13 Educational Technical Assistance Act of 2002; the Com-
 14 pact of Free Association Amendments Act of 2003; and
 15 the Civil Rights Act of 1964, \$5,803,539,000, of which
 16 \$3,963,652,000 shall become available on July 1, 2022,
 17 and remain available through September 30, 2023, and
 18 of which \$1,681,441,000 shall become available on Octo-
 19 ber 1, 2022, and shall remain available through September
 20 30, 2023, for academic year 2022–2023: *Provided*, That
 21 \$378,000,000 shall be for part B of title I: *Provided fur-*
 22 *ther*, That \$1,359,673,000 shall be for part B of title IV:
 23 *Provided further*, That \$40,397,000 shall be for part B
 24 of title VI, which may be used for construction, renova-
 25 tion, and modernization of any public elementary school,

1 secondary school, or structure related to a public elemen-
2 tary school or secondary school that serves a predomi-
3 nantly Native Hawaiian student body, and that the 5 per-
4 cent limitation in section 6205(b) of the ESEA on the use
5 of funds for administrative purposes shall apply only to
6 direct administrative costs: *Provided further*, That
7 \$36,453,000 shall be for part C of title VI, which shall
8 be awarded on a competitive basis, and may be used for
9 construction, and that the 5 percent limitation in section
10 6305 of the ESEA on the use of funds for administrative
11 purposes shall apply only to direct administrative costs:
12 *Provided further*, That \$52,000,000 shall be available to
13 carry out section 203 of the Educational Technical Assist-
14 ance Act of 2002 and the Secretary shall make such ar-
15 rangements as determined to be necessary to ensure that
16 the Bureau of Indian Education has access to services pro-
17 vided under this section: *Provided further*, That
18 \$23,021,000 shall be available to carry out the Supple-
19 mental Education Grants program for the Federated
20 States of Micronesia and the Republic of the Marshall Is-
21 lands: *Provided further*, That the Secretary may reserve
22 up to 5 percent of the amount referred to in the previous
23 proviso to provide technical assistance in the implementa-
24 tion of these grants: *Provided further*, That \$192,840,000
25 shall be for part B of title V: *Provided further*, That

1 \$1,305,000,000 shall be available for grants under sub-
 2 part 1 of part A of title IV.

3 INDIAN EDUCATION

4 For expenses necessary to carry out, to the extent
 5 not otherwise provided, title VI, part A of the ESEA,
 6 \$187,739,000, of which \$67,993,000 shall be for subpart
 7 2 of part A of title VI and \$9,365,000 shall be for subpart
 8 3 of part A of title VI: *Provided*, That the 5 percent limita-
 9 tion in sections 6115(d), 6121(e), and 6133(g) of the
 10 ESEA on the use of funds for administrative purposes
 11 shall apply only to direct administrative costs: *Provided*
 12 *further*, That the Secretary may make awards under sub-
 13 part 3 of Part A of title VI without regard to the funding
 14 limitation in section 6133(b)(1) of the ESEA: *Provided*
 15 *further*, That notwithstanding sections 6132(c)(2) and
 16 6133(d)(1) of such Act, the Secretary may make such
 17 awards for a period of up to 5 years.

18 INNOVATION AND IMPROVEMENT

19 For carrying out activities authorized by subparts 1,
 20 3, and 4 of part B of title II, and parts C, D, and E
 21 and subparts 1 and 4 of part F of title IV of the ESEA,
 22 \$1,297,276,000 (reduced by \$1,000,000) (increased by
 23 \$1,000,000) (increased by \$1,000,000): *Provided*, That
 24 \$300,500,000 shall be for subparts 1, 3, and 4 of part
 25 B of title II and shall be made available without regard

1 to sections 2201, 2231(b) and 2241: *Provided further*,
 2 That \$642,776,000 (increased by \$1,000,000) shall be for
 3 parts C, D, and E and subpart 4 of part F of title IV,
 4 and shall be made available without regard to sections
 5 4311, 4409(a), and 4601 of the ESEA: *Provided further*,
 6 That notwithstanding section 4601(b), \$254,000,000 shall
 7 be available through December 31, 2022 for subpart 1 of
 8 part F of title IV: *Provided further*, That \$100,000,000
 9 shall be for competitive grants to local educational agen-
 10 cies and State educational agencies to reduce racial and
 11 socioeconomic segregation across and within school dis-
 12 tricts.

13 SAFE SCHOOLS AND CITIZENSHIP EDUCATION

14 For carrying out activities authorized by subparts 2
 15 and 3 of part F of title IV of the ESEA, \$1,666,000,000
 16 (increased by \$2,000,000) (reduced by \$500,000) (in-
 17 creased by \$500,000): *Provided*, That \$1,127,000,000
 18 shall be available for section 4631, of which \$500,000,000
 19 shall be for Mental Health Services Professional Dem-
 20 onstration Grants; \$500,000,000 (increased by
 21 \$2,000,000) shall be for School-Based Mental Health
 22 Services Grants; and up to \$5,000,000, to remain avail-
 23 able until expended, shall be for the Project School Emer-
 24 gency Response to Violence (Project SERV) program:
 25 *Provided further*, That \$443,000,000 shall be available for

1 section 4625: *Provided further*, That \$96,000,000 shall be
2 available through December 31, 2022, for section 4624:
3 *Provided further*, That \$5,000,000 of the funds made
4 available in the preceding proviso shall be available for
5 planning grants consistent with section 4624(d)(1) of the
6 ESEA, which shall include as a required activity the needs
7 analysis specified in section 4624(a)(4).

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 2022, and shall remain available through September 30,
12 2023, except that 6.5 percent of such amount shall be
13 available on October 1, 2021, and shall remain available
14 through September 30, 2023, to carry out activities under
15 section 3111(c)(1)(C).

16 SPECIAL EDUCATION

17 For carrying out the Individuals with Disabilities
18 Education Act (IDEA) and the Special Olympics Sport
19 and Empowerment Act of 2004, \$17,200,256,000, of
20 which \$7,488,516,000 shall become available on July 1,
21 2022, and shall remain available through September 30,
22 2023, and of which \$9,283,383,000 shall become available
23 on October 1, 2022, and shall remain available through
24 September 30, 2023, for academic year 2022–2023: *Pro-*
25 *vided*, That the amount for section 611(b)(2) of the IDEA

1 shall be equal to the lesser of the amount available for
2 that activity during fiscal year 2021, increased by the
3 amount of inflation as specified in section 619(d)(2)(B)
4 of the IDEA, or the percent change in the funds appro-
5 priated under section 611(i) of the IDEA, but not less
6 than the amount for that activity during fiscal year 2021:
7 *Provided further*, That the Secretary shall, without regard
8 to section 611(d) of the IDEA, distribute to all other
9 States (as that term is defined in section 611(g)(2)), sub-
10 ject to the third proviso, any amount by which a State's
11 allocation under section 611, from funds appropriated
12 under this heading, is reduced under section
13 612(a)(18)(B), according to the following: 85 percent on
14 the basis of the States' relative populations of children
15 aged 3 through 21 who are of the same age as children
16 with disabilities for whom the State ensures the avail-
17 ability of a free appropriate public education under this
18 part, and 15 percent to States on the basis of the States'
19 relative populations of those children who are living in pov-
20 erty: *Provided further*, That the Secretary may not dis-
21 tribute any funds under the previous proviso to any State
22 whose reduction in allocation from funds appropriated
23 under this heading made funds available for such a dis-
24 tribution: *Provided further*, That the States shall allocate
25 such funds distributed under the second proviso to local

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

1 funds under section 611 for any fiscal year following the
2 fiscal year for which the State fails to comply with the
3 requirement of section 612(a)(18)(A) as authorized by
4 section 612(a)(18)(B), or seek to recover funds under sec-
5 tion 452 of the General Education Provisions Act (20
6 U.S.C. 1234a): *Provided further*, That the funds reserved
7 under 611(c) of the IDEA may be used to provide tech-
8 nical assistance to States to improve the capacity of the
9 States to meet the data collection requirements of sections
10 616 and 618 and to administer and carry out other serv-
11 ices and activities to improve data collection, coordination,
12 quality, and use under parts B and C of the IDEA: *Pro-*
13 *vided further*, That the Secretary may use funds made
14 available for the State Personnel Development Grants pro-
15 gram under part D, subpart 1 of IDEA to evaluate pro-
16 gram performance under such subpart: *Provided further*,
17 That States may use funds reserved for other State-level
18 activities under sections 611(e)(2) and 619(f) of the IDEA
19 to make subgrants to local educational agencies, institu-
20 tions of higher education, other public agencies, and pri-
21 vate non-profit organizations to carry out activities au-
22 thorized by those sections: *Provided further*, That, not-
23 withstanding section 643(e)(2)(A) of the IDEA, if 5 or
24 fewer States apply for grants pursuant to section 643(e)
25 of such Act, the Secretary shall provide a grant to each

1 State in an amount equal to the maximum amount de-
2 scribed in section 643(e)(2)(B) of such Act: *Provided fur-*
3 *ther*, That if more than 5 States apply for grants pursuant
4 to section 643(e) of the IDEA, the Secretary shall award
5 funds to those States on the basis of the States' relative
6 populations of infants and toddlers except that no such
7 State shall receive a grant in excess of the amount de-
8 scribed in section 643(e)(2)(B) of such Act: *Provided fur-*
9 *ther*, That States may use funds allotted under section
10 643(c) of the IDEA to make subgrants to local edu-
11 cational agencies, institutions of higher education, other
12 public agencies, and private non-profit organizations to
13 carry out activities authorized by section 638 of IDEA:
14 *Provided further*, That, notwithstanding section 638 of the
15 IDEA, any State receiving a grant under section 633 of
16 the IDEA must reserve not less than 10 percent of its
17 award for use in a manner described in a State plan, ap-
18 proved by the Secretary, to ensure equitable access to and
19 participation in part C services in the State, particularly
20 for populations that have been traditionally underrep-
21 resented in the program: *Provided further*, That, notwith-
22 standing section 632(4)(B) of the IDEA, a State receiving
23 a grant under section 633 of the IDEA may establish a
24 system of payments but may not include in that system
25 family fees or out-of-pocket costs to families for early

1 intervention services: *Provided further*, That any State
2 seeking to amend its eligibility criteria under section
3 635(a)(1) of the IDEA in such a way that would have
4 the effect of reducing the number of infants and families
5 who are eligible under part C must conduct the public par-
6 ticipation under section 637(a)(8) of the IDEA at least
7 24 months prior to implementing such a change: *Provided*
8 *further*, That, notwithstanding section 638 of the IDEA,
9 a State may use funds it receives under section 633 of
10 the IDEA to offer continued early intervention services to
11 a child who previously received services under part C of
12 the IDEA from age 3 until the beginning of the school
13 year following the child's third birthday without regard to
14 the procedures in section 635(c) of the IDEA.

15 REHABILITATION SERVICES

16 For carrying out, to the extent not otherwise pro-
17 vided, the Rehabilitation Act of 1973 and the Helen Keller
18 National Center Act, \$3,896,820,000, of which
19 \$3,719,121,000 shall be for grants for vocational rehabili-
20 tation services under title I of the Rehabilitation Act: *Pro-*
21 *vided*, That the Secretary may use amounts provided in
22 this Act that remain available subsequent to the reallocot-
23 ment of funds to States pursuant to section 110(b) of the
24 Rehabilitation Act for innovative activities aimed at in-
25 creasing competitive integrated employment as defined in

1 section 7 of such Act for youth and other individuals with
2 disabilities: *Provided further*, That States may award sub-
3 grants for a portion of the funds to other public and pri-
4 vate, nonprofit entities: *Provided further*, That any funds
5 made available subsequent to reallocation for innovative
6 activities aimed at improving the outcomes of individuals
7 with disabilities shall remain available until September 30,
8 2023.

9 SPECIAL INSTITUTIONS FOR PERSONS WITH
10 DISABILITIES

11 AMERICAN PRINTING HOUSE FOR THE BLIND

12 For carrying out the Act to Promote the Education
13 of the Blind of March 3, 1879, \$37,431,000.

14 NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

15 For the National Technical Institute for the Deaf
16 under titles I and II of the Education of the Deaf Act
17 of 1986, \$84,500,000: *Provided*, That from the total
18 amount available, the Institute may at its discretion use
19 funds for the endowment program as authorized under
20 section 207 of such Act.

21 GALLAUDET UNIVERSITY

22 For the Kendall Demonstration Elementary School,
23 the Model Secondary School for the Deaf, and the partial
24 support of Gallaudet University under titles I and II of
25 the Education of the Deaf Act of 1986, \$143,361,000:

1 *Provided*, That from the total amount available, the Uni-
 2 versity may at its discretion use funds for the endowment
 3 program as authorized under section 207 of such Act.

4 CAREER, TECHNICAL, AND ADULT EDUCATION

5 For carrying out, to the extent not otherwise pro-
 6 vided, the Carl D. Perkins Career and Technical Edu-
 7 cation Act of 2006 (“Perkins Act”) and the Adult Edu-
 8 cation and Family Literacy Act (“AEFLA”),
 9 \$2,238,981,000, of which \$1,447,981,000 shall become
 10 available on July 1, 2022, and shall remain available
 11 through September 30, 2023, and of which \$791,000,000
 12 shall become available on October 1, 2022, and shall re-
 13 main available through September 30, 2023: *Provided*,
 14 That \$100,000,000 shall be for competitive grants for
 15 local educational agencies to carry out evidence-based mid-
 16 dle and high school career and technical education innova-
 17 tion programs: *Provided further*, That section 3(20) of the
 18 Perkins Act shall be applied as if the term “eligible insti-
 19 tution” includes an apprenticeship program that is reg-
 20 istered under the National Apprenticeship Act and accred-
 21 ited by an agency recognized by the Secretary of Edu-
 22 cation: *Provided further*, That of the amounts made avail-
 23 able for AEFLA, \$38,712,000 shall be for national leader-
 24 ship activities under section 242.

1 STUDENT FINANCIAL ASSISTANCE

2 For carrying out subparts 1, 3, and 10 of part A,
3 and part C of title IV of the HEA, \$27,187,352,000 which
4 shall remain available through September 30, 2023.

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

7 STUDENT AID ADMINISTRATION

8 For Federal administrative expenses to carry out part
9 D of title I, and subparts 1, 3, 9, and 10 of part A, and
10 parts B, C, D, and E of title IV of the HEA, and subpart
11 1 of part A of title VII of the Public Health Service Act,
12 \$2,053,943,000, to remain available through September
13 30, 2023: *Provided*, That the Secretary shall allocate new
14 student loan borrower accounts to eligible student loan
15 servicers on the basis of their past performance compared
16 to all loan servicers utilizing established common metrics,
17 and on the basis of the capacity of each servicer to process
18 new and existing accounts and compliance with Federal
19 and State law: *Provided further*, That for student loan
20 contracts awarded prior to October 1, 2017, the Secretary
21 shall allow student loan borrowers who are consolidating
22 Federal student loans to select from any student loan
23 servicer to service their new consolidated student loan:
24 *Provided further*, That in order to promote accountability
25 and high-quality service to borrowers, the Secretary shall

1 not award funding for any contract solicitation for a new
2 Federal student loan servicing environment, including the
3 solicitation for the Federal Student Aid (FSA) Next Gen-
4 eration Processing and Servicing Environment, unless
5 such an environment provides for the participation of mul-
6 tiple student loan servicers that contract directly with the
7 Department of Education: *Provided further*, That the De-
8 partment shall re-allocate accounts from servicers for re-
9 curring non-compliance with FSA guidelines, contractual
10 requirements, and Federal and State laws, including for
11 failure to sufficiently inform borrowers of available repay-
12 ment options: *Provided further*, That such servicers shall
13 be evaluated based on their ability to meet contract re-
14 quirements (including an understanding of Federal and
15 State law), future performance on the contracts, and his-
16 tory of compliance with applicable consumer protections
17 laws, including Federal and State law: *Provided further*,
18 That to the extent FSA permits student loan servicing
19 subcontracting, FSA shall hold prime contractors account-
20 able for meeting the requirements of the contract, and the
21 performance and expectations of subcontractors shall be
22 accounted for in the prime contract and in the overall per-
23 formance of the prime contractor: *Provided further*, That
24 FSA shall ensure that the Next Generation Processing
25 and Servicing Environment, or any new Federal loan serv-

1 icing environment, incentivize more support to borrowers
2 at risk of delinquency or default: *Provided further*, That
3 FSA shall ensure that in such environment contractors
4 have the capacity to meet and are held accountable for
5 performance on service levels; are held accountable for and
6 have a history of compliance with applicable consumer pro-
7 tection laws, including Federal and State law; and have
8 relevant experience and demonstrated effectiveness: *Pro-*
9 *vided further*, That the Secretary shall provide quarterly
10 briefings to the Committees on Appropriations and Edu-
11 cation and Labor of the House of Representatives and the
12 Committees on Appropriations and Health, Education,
13 Labor, and Pensions of the Senate on general progress
14 related to solicitations for Federal student loan servicing
15 contracts: *Provided further*, That FSA shall strengthen
16 transparency through expanded publication of aggregate
17 data on student loan and servicer performance: *Provided*
18 *further*, That not later than 60 days after enactment of
19 this Act, FSA shall provide to the Committees on Appro-
20 priations of the House of Representatives and the Senate
21 a detailed spend plan of anticipated uses of funds made
22 available in this account for fiscal year 2022 and provide
23 quarterly updates on this plan (including contracts award-
24 ed, change orders, bonuses paid to staff, reorganization
25 costs, and any other activity carried out using amounts

1 provided under this heading for fiscal year 2022): *Pro-*
2 *vided further*, That the FSA Next Generation Processing
3 and Servicing Environment, or any new Federal student
4 loan servicing environment, shall include accountability
5 measures that account for the performance of the portfolio
6 and contractor compliance with FSA guidelines.

7 HIGHER EDUCATION

8 For carrying out, to the extent not otherwise pro-
9 vided, titles II, III, IV, V, VI, VII, and VIII of the HEA,
10 the Mutual Educational and Cultural Exchange Act of
11 1961, and section 117 of the Perkins Act, \$3,430,757,000
12 (reduced by \$10,000,000) (increased by \$10,000,000) (re-
13 duced by \$10,000,000) (increased by \$10,000,000), of
14 which \$168,015,000 shall remain available through De-
15 cember 31, 2022: *Provided*, That notwithstanding any
16 other provision of law, funds made available in this Act
17 to carry out title VI of the HEA and section 102(b)(6)
18 of the Mutual Educational and Cultural Exchange Act of
19 1961 may be used to support visits and study in foreign
20 countries by individuals who are participating in advanced
21 foreign language training and international studies in
22 areas that are vital to United States national security and
23 who plan to apply their language skills and knowledge of
24 these countries in the fields of government, the profes-
25 sions, or international development: *Provided further*, That

1 of the funds referred to in the preceding proviso up to
2 1 percent may be used for program evaluation, national
3 outreach, and information dissemination activities: *Pro-*
4 *vided further*, That up to 1.5 percent of the funds made
5 available under chapter 2 of subpart 2 of part A of title
6 IV of the HEA may be used for evaluation: *Provided fur-*
7 *ther*, That section 313(d) of the HEA shall not apply to
8 an institution of higher education that is eligible to receive
9 funding under section 318 of the HEA: *Provided further*,
10 That of the amounts made available under this heading,
11 \$92,015,000 shall be used for the projects, and in the
12 amounts, specified under the heading “Higher Education”
13 in the report accompanying this Act, and of which up to
14 \$1,000,000 may be used for related agency administrative
15 expenses: *Provided further*, That none of the funds made
16 available for projects described in the preceding proviso
17 shall be subject to section 302 of this Act.

18 HOWARD UNIVERSITY

19 For partial support of Howard University,
20 \$411,018,000, of which not less than \$3,405,000 shall be
21 for a matching endowment grant pursuant to the Howard
22 University Endowment Act and shall remain available
23 until expended.

1 COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS
2 PROGRAM

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

6 HISTORICALLY BLACK COLLEGE AND UNIVERSITY
7 CAPITAL FINANCING PROGRAM ACCOUNT

8 For the cost of guaranteed loans, \$24,150,000, as au-
9 thorized pursuant to part D of title III of the HEA, which
10 shall remain available through September 30, 2023: *Pro-*
11 *vided*, That such costs, including the cost of modifying
12 such loans, shall be as defined in section 502 of the Con-
13 gressional Budget Act of 1974: *Provided further*, That
14 these funds are available to subsidize total loan principal,
15 any part of which is to be guaranteed, not to exceed
16 \$328,571,000: *Provided further*, That these funds may be
17 used to support loans to public and private Historically
18 Black Colleges and Universities without regard to the limi-
19 tations within section 344(a) of the HEA.

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

1 INSTITUTE OF EDUCATION SCIENCES

2 For carrying out activities authorized by the Edu-
3 cation Sciences Reform Act of 2002, the National Assess-
4 ment of Educational Progress Authorization Act, section
5 208 of the Educational Technical Assistance Act of 2002,
6 and section 664 of the Individuals with Disabilities Edu-
7 cation Act, \$762,465,000 (reduced by \$1,000,000) (in-
8 creased by \$1,000,000), which shall remain available
9 through September 30, 2023: *Provided*, That funds avail-
10 able to carry out section 208 of the Educational Technical
11 Assistance Act may be used to link Statewide elementary
12 and secondary data systems with early childhood, postsec-
13 ondary, and workforce data systems, or to further develop
14 such systems: *Provided further*, That up to \$6,000,000 of
15 the funds available to carry out section 208 of the Edu-
16 cational Technical Assistance Act may be used for awards
17 to public or private organizations or agencies to support
18 activities to improve data coordination, quality, and use
19 at the local, State, and national levels.

20 DEPARTMENTAL MANAGEMENT

21 PROGRAM ADMINISTRATION

22 For carrying out, to the extent not otherwise pro-
23 vided, the Department of Education Organization Act, in-
24 cluding rental of conference rooms in the District of Co-
25 lumbia and hire of three passenger motor vehicles,

1 \$480,000,000 (reduced by \$1,000,000) (reduced by
2 \$1,500,000) (reduced by \$2,000,000), of which up to
3 \$13,000,000, to remain available until expended, shall be
4 available for relocation expenses, and for the renovation
5 and repair of leased buildings: *Provided*, That, notwith-
6 standing any other provision of law, none of the funds pro-
7 vided by this Act or provided by previous Appropriations
8 Acts to the Department of Education available for obliga-
9 tion or expenditure in the current fiscal year may be used
10 for any activity relating to implementing a reorganization
11 that decentralizes, reduces the staffing level, or alters the
12 responsibilities, structure, authority, or functionality of
13 the Budget Service of the Department of Education, rel-
14 ative to the organization and operation of the Budget
15 Service as in effect on January 1, 2018.

16 OFFICE FOR CIVIL RIGHTS

17 For expenses necessary for the Office for Civil
18 Rights, as authorized by section 203 of the Department
19 of Education Organization Act, \$144,000,000 (increased
20 by \$1,411,000).

21 OFFICE OF INSPECTOR GENERAL

22 For expenses necessary for the Office of Inspector
23 General, as authorized by section 212 of the Department
24 of Education Organization Act, \$70,115,000, of which
25 \$2,000,000 shall remain available until expended.

1 GENERAL PROVISIONS

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

5 (TRANSFER OF FUNDS)

6 SEC. 302. Not to exceed 1 percent of any discre-
7 tionary funds (pursuant to the Balanced Budget and
8 Emergency Deficit Control Act of 1985) which are appro-
9 priated for the Department of Education in this Act may
10 be transferred between appropriations, but no such appro-
11 priation shall be increased by more than 3 percent by any
12 such transfer: *Provided*, That the transfer authority
13 granted by this section shall not be used to create any
14 new program or to fund any project or activity for which
15 no funds are provided in this Act: *Provided further*, That
16 the Committees on Appropriations of the House of Rep-
17 resentatives and the Senate are notified at least 15 days
18 in advance of any transfer.

19 SEC. 303. Funds appropriated in this Act and con-
20 solidated for evaluation purposes under section 8601(c) of
21 the ESEA shall be available from July 1, 2022, through
22 September 30, 2023.

23 SEC. 304. (a) An institution of higher education that
24 maintains an endowment fund supported with funds ap-
25 propriated for title III or V of the HEA for fiscal year

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

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

9 SEC. 305. Section 114(f) of the HEA (20 U.S.C.
10 1011c(f)) is amended by striking “2021” and inserting
11 “2022”.

12 SEC. 306. Section 458(a) of the HEA (20 U.S.C.
13 1087h(a)) is amended in paragraph (4) by striking
14 “2021” and inserting “2022”.

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

21 (RESCISSION)

22 SEC. 308. Of the amounts appropriated under Sec-
23 tion 401(b)(7)(A)(iv)(XI) of the Higher Education Act of
24 1965 (20 U.S.C. 1070a(b)(7)(A)(iv)(XI)) for fiscal year
25 2022, \$229,000,000 are hereby rescinded.

1 SEC. 309. Of the amounts made available under this
2 title under the heading “Student Aid Administration”,
3 \$2,300,000 shall be used by the Secretary of Education
4 to conduct outreach to borrowers of loans made under part
5 D of title IV of the Higher Education Act of 1965 who
6 may intend to qualify for loan cancellation under section
7 455(m) of such Act (20 U.S.C. 1087e(m)), to ensure that
8 borrowers are meeting the terms and conditions of such
9 loan cancellation: *Provided*, That the Secretary shall spe-
10 cifically conduct outreach to assist borrowers who would
11 qualify for loan cancellation under section 455(m) of such
12 Act except that the borrower has made some, or all, of
13 the 120 required payments under a repayment plan that
14 is not described under section 455(m)(A) of such Act, to
15 encourage borrowers to enroll in a qualifying repayment
16 plan: *Provided further*, That the Secretary shall also com-
17 municate to all Direct Loan borrowers the full require-
18 ments of section 455(m) of such Act and improve the fil-
19 ing of employment certification by providing improved out-
20 reach and information such as outbound calls, electronic
21 communications, ensuring prominent access to program
22 requirements and benefits on each servicer’s website, and
23 creating an option for all borrowers to complete the entire
24 payment certification process electronically and on a cen-
25 tralized website.

1 SEC. 310. For an additional amount for “Department
2 of Education—Federal Direct Student Loan Program Ac-
3 count”, \$25,000,000, to remain available until expended,
4 shall be for the cost, as defined under section 502 of the
5 Congressional Budget Act of 1974, of the Secretary of
6 Education providing loan cancellation in the same manner
7 as under section 455(m) of the Higher Education Act of
8 1965 (20 U.S.C. 1087e(m)), for borrowers of loans made
9 under part B or D of title IV of such Act who would qual-
10 ify for loan cancellation under section 455(m) except
11 some, or all, of the 120 required payments under section
12 455(m)(1)(A) do not qualify for purposes of the program
13 because they were monthly payments made on one or more
14 loans prior to receiving a Federal Direct Consolidation
15 Loan under section 455(g), or in accordance with grad-
16 uated or extended repayment plans as described under
17 subparagraph (B) or (C) of section 455(d)(1) or the cor-
18 responding repayment plan for a consolidation loan made
19 under section 455(g): *Provided further*, That the total loan
20 volume, including outstanding principal, fees, capitalized
21 interest, or accrued interest, at application that is eligible
22 for such loan cancellation by such borrowers shall not ex-
23 ceed \$75,000,000: *Provided further*, That the Secretary
24 shall develop and make available a simple method for bor-
25 rowers to apply for loan cancellation under this section

1 within 60 days of enactment of this Act: *Provided further*,
2 That the Secretary shall provide loan cancellation under
3 this section to eligible borrowers on a first-come, first-
4 serve basis, based on the date of application and subject
5 to both the limitation on total loan volume at application
6 for such loan cancellation specified in the second proviso
7 and the availability of appropriations under this section:
8 *Provided further*, That no borrower may, for the same
9 service, receive a reduction of loan obligations under both
10 this section and section 428J, 428K, 428L, or 460 of such
11 Act: *Provided further*, That the Secretary shall inform all
12 borrowers who have submitted and Employment Certifi-
13 cation Form and are in the incorrect repayment program
14 about the Temporary Expanded Public Service Loan For-
15 giveness Program and requirement for qualification under
16 the program.

17 SEC. 311. None of the funds made available by this
18 Act may be used in contravention of section 203 of the
19 Department of Education Organization Act (20 U.S.C.
20 3413).

21 SEC. 312. Section 487(a) of the HEA is amended in
22 paragraph (24) by striking “ten percent” and inserting
23 “fifteen percent”.

24 SEC. 313. None of the funds made available by this
25 Act may be used by the Department of Education to sup-

1 port an educational institution that engages in the use of
2 electric shock devices and equipment for aversive condi-
3 tioning or disciplining of students.

4 SEC. 314. None of the funds made available by this
5 Act or any other Act may be awarded to a charter school
6 that contracts with a for-profit entity to operate, oversee
7 or manage the activities of the school.

8 SEC. 315. In addition to amounts otherwise appro-
9 priated in this title for purposes authorized by the Ele-
10 mentary and Secondary Education Act of 1965, there are
11 hereby appropriated an additional \$88,010,000 which
12 shall be used for the projects, and in the amounts specified
13 under the heading “Innovation and Improvement” in the
14 report accompanying this Act, and of which up to
15 \$1,000,000 may be used for related agency administrative
16 expenses: *Provided*, That none of the funds made available
17 for projects described in this section shall be subject to
18 section 302 of this Act.

19 SEC. 316. None of the funds appropriated by this
20 title for the Department of Education shall be withheld
21 from an institution of higher education solely because that
22 institution is conducting or preparing to conduct research
23 on marihuana as defined in 21 U.S.C. 802(16).

24 SEC. 317. (a) Section 484 of the HEA (20 U.S.C.
25 1091) is amended—

1 (1) in subsection (a)(5) by inserting “a DACA recipi-
2 ent as defined in subsection (u), have temporary protected
3 status under section 244 of the Immigration and Nation-
4 ality Act (8 U.S.C. 1254a),” after “a permanent resident
5 of the United States,”; and

6 (2) by adding at the end the following new subsection:

7 “(u) DACA RECIPIENT.—In this section, the term
8 ‘DACA recipient’ means an alien (as defined in section
9 101(a)(3) of the Immigration and Nationality Act (8
10 U.S.C. 1101(a)(3)) who is inadmissible to the United
11 State or deportable from the United States under the im-
12 migration laws (as defined in section 101(a)(17) of the
13 Immigration and Nationality Act (8 U.S.C. 1101(a)(17))
14 and who the Secretary of Homeland Security has, in his
15 or her discretion, determined should be afforded a grant
16 of deferred action under the Deferred Action for Child-
17 hood Arrivals (DACA) policy.”.

18 (b) This section, and the amendments made by this
19 section, shall take effect on July 1, 2022.

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

RELATED AGENCIES

SALARIES AND EXPENSES

HR 4502 RDS

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 \$3,000,000
 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”), \$1,021,120,000, 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) \$6,700,000 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 \$196,000,000, 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, \$91,186,000.

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 \$6,960,000.

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 2022, 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 as if the following were inserted before the pe-

1 riod: “, or has submitted a request for administrative re-
2 lief pursuant to the policy established in the memorandum
3 of the Secretary of Homeland Security dated June 15,
4 2012, and entitled ‘Exercising Prosecutorial Discretion
5 with Respect to Individuals Who Came to the United
6 States as Children’ (Deferred Action for Childhood Arriv-
7 als)’”.

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

16 CORPORATION FOR PUBLIC BROADCASTING

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

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

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

15 FEDERAL MEDIATION AND CONCILIATION SERVICE

16 SALARIES AND EXPENSES

17 For expenses necessary for the Federal Mediation
18 and Conciliation Service (“Service”) to carry out the func-
19 tions vested in it by the Labor-Management Relations Act,
20 1947, including hire of passenger motor vehicles; for ex-
21 penses necessary for the Labor-Management Cooperation
22 Act of 1978; and for expenses necessary for the Service
23 to carry out the functions vested in it by the Civil Service
24 Reform Act, \$50,000,000: *Provided*, That notwithstanding
25 31 U.S.C. 3302, fees charged, up to full-cost recovery, for

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

14 FEDERAL MINE SAFETY AND HEALTH REVIEW

15 COMMISSION

16 SALARIES AND EXPENSES

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

19 INSTITUTE OF MUSEUM AND LIBRARY SERVICES

20 OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS

21 AND ADMINISTRATION

22 For carrying out the Museum and Library Services
23 Act of 1996, the National Museum of African American
24 History and Culture Act, and the National Museum of the
25 American Latino Act, \$282,000,000.

1 MEDICAID AND CHIP PAYMENT AND ACCESS

2 COMMISSION

3 SALARIES AND EXPENSES

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

6 MEDICARE PAYMENT ADVISORY COMMISSION

7 SALARIES AND EXPENSES

8 For expenses necessary to carry out section 1805 of
9 the Social Security Act, \$13,310,000, to be transferred to
10 this appropriation from the Federal Hospital Insurance
11 Trust Fund and the Federal Supplementary Medical In-
12 surance Trust Fund.

13 NATIONAL COUNCIL ON DISABILITY

14 SALARIES AND EXPENSES

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

18 NATIONAL LABOR RELATIONS BOARD

19 SALARIES AND EXPENSES

20 For expenses necessary for the National Labor Rela-
21 tions Board to carry out the functions vested in it by the
22 Labor-Management Relations Act, 1947, and other laws,
23 \$316,925,000 of which not less than \$1,000,000 shall be
24 used to develop a system and procedures to conduct union
25 representation elections electronically.

1 NATIONAL MEDIATION BOARD

2 SALARIES AND EXPENSES

3 For expenses necessary to carry out the provisions
4 of the Railway Labor Act, including emergency boards ap-
5 pointed by the President, \$15,542,000.

6 OCCUPATIONAL SAFETY AND HEALTH REVIEW

7 COMMISSION

8 SALARIES AND EXPENSES

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

11 RAILROAD RETIREMENT BOARD

12 DUAL BENEFITS PAYMENTS ACCOUNT

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

1 FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT

2 ACCOUNTS

3 For payment to the accounts established in the
4 Treasury for the payment of benefits under the Railroad
5 Retirement Act for interest earned on unnegotiated
6 checks, \$150,000, to remain available through September
7 30, 2023, which shall be the maximum amount available
8 for payment pursuant to section 417 of Public Law 98–
9 76.

10 LIMITATION ON ADMINISTRATION

11 For necessary expenses for the Railroad Retirement
12 Board (“Board”) for administration of the Railroad Re-
13 tirement Act and the Railroad Unemployment Insurance
14 Act, \$130,049,000, to be derived in such amounts as de-
15 termined by the Board from the railroad retirement ac-
16 counts and from moneys credited to the railroad unem-
17 ployment insurance administration fund: *Provided*, That
18 notwithstanding section 7(b)(9) of the Railroad Retire-
19 ment Act this limitation may be used to hire attorneys
20 only through the excepted service: *Provided further*, That
21 the previous proviso shall not change the status under
22 Federal employment laws of any attorney hired by the
23 Railroad Retirement Board prior to January 1, 2013: *Pro-*
24 *vided further*, That notwithstanding section 7(b)(9) of the
25 Railroad Retirement Act, this limitation may be used to

1 hire students attending qualifying educational institutions
2 or individuals who have recently completed qualifying edu-
3 cational programs using current excepted hiring authori-
4 ties established by the Office of Personnel Management.

5 LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

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

12 SOCIAL SECURITY ADMINISTRATION

13 PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

14 For payment to the Federal Old-Age and Survivors
15 Insurance Trust Fund and the Federal Disability Insur-
16 ance Trust Fund, as provided under sections 201(m) and
17 1131(b)(2) of the Social Security Act, \$11,000,000.

18 SUPPLEMENTAL SECURITY INCOME PROGRAM

19 For carrying out titles XI and XVI of the Social Se-
20 curity Act, section 401 of Public Law 92–603, section 212
21 of Public Law 93–66, as amended, and section 405 of
22 Public Law 95–216, including payment to the Social Secu-
23 rity trust funds for administrative expenses incurred pur-
24 suant to section 201(g)(1) of the Social Security Act,
25 \$46,167,573,000, to remain available until expended: *Pro-*

1 *vided*, That any portion of the funds provided to a State
2 in the current fiscal year and not obligated by the State
3 during that year shall be returned to the Treasury: *Pro-*
4 *vided further*, That not more than \$86,000,000 shall be
5 available for research and demonstrations under sections
6 1110, 1115, and 1144 of the Social Security Act, and re-
7 main available through September 30, 2024.

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

12 For making benefit payments under title XVI of the
13 Social Security Act for the first quarter of fiscal year
14 2023, \$15,600,000,000, to remain available until ex-
15 pended.

16 LIMITATION ON ADMINISTRATIVE EXPENSES

17 For necessary expenses, including the hire and pur-
18 chase of two passenger motor vehicles, and not to exceed
19 \$20,000 for official reception and representation expenses,
20 not more than \$13,927,945,000 may be expended, as au-
21 thorized by section 201(g)(1) of the Social Security Act,
22 from any one or all of the trust funds referred to in such
23 section: *Provided*, That not less than \$2,700,000 shall be
24 for the Social Security Advisory Board: *Provided further*,
25 That unobligated balances of funds provided under this

1 paragraph at the end of fiscal year 2022 not needed for
2 fiscal year 2022 shall remain available until expended to
3 invest in the Social Security Administration information
4 technology and telecommunications hardware and soft-
5 ware infrastructure, including related equipment and non-
6 payroll administrative expenses associated solely with this
7 information technology and telecommunications infra-
8 structure: *Provided further*, That the Commissioner of So-
9 cial Security shall notify the Committees on Appropria-
10 tions of the House of Representatives and the Senate prior
11 to making unobligated balances available under the au-
12 thority in the previous proviso: *Provided further*, That re-
13 imbursement to the trust funds under this heading for ex-
14 penditures for official time for employees of the Social Se-
15 curity Administration pursuant to 5 U.S.C. 7131, and for
16 facilities or support services for labor organizations pursu-
17 ant to policies, regulations, or procedures referred to in
18 section 7135(b) of such title shall be made by the Sec-
19 retary of the Treasury, with interest, from amounts in the
20 general fund not otherwise appropriated, as soon as pos-
21 sible after such expenditures are made.

22 Of the total amount made available in the first para-
23 graph under this heading, \$1,708,000,000, to remain
24 available through March 31, 2023, is for the costs associ-
25 ated with continuing disability reviews under titles II and

1 XVI of the Social Security Act, including work-related
2 continuing disability reviews to determine whether earn-
3 ings derived from services demonstrate an individual's
4 ability to engage in substantial gainful activity, for the
5 cost associated with conducting redeterminations of eligi-
6 bility under title XVI of the Social Security Act, for the
7 cost of co-operative disability investigation units, and for
8 the cost associated with the prosecution of fraud in the
9 programs and operations of the Social Security Adminis-
10 tration by Special Assistant United States Attorneys: *Pro-*
11 *vided*, That, of such amount, \$273,000,000 is provided to
12 meet the terms of section 1(k) of H. Res. 467 of the 117th
13 Congress as engrossed in the House of Representatives on
14 June 14, 2021, and \$1,435,000,000 is additional new
15 budget authority specified for purposes of such section
16 1(k): *Provided further*, That, of the additional new budget
17 authority described in the preceding proviso, up to
18 \$12,100,000 may be transferred to the “Office of Inspec-
19 tor General”, Social Security Administration, for the cost
20 of jointly operated co-operative disability investigation
21 units: *Provided further*, That such transfer authority is in
22 addition to any other transfer authority provided by law:
23 *Provided further*, That the Commissioner shall provide to
24 the Congress (at the conclusion of the fiscal year) a report
25 on the obligation and expenditure of these funds, similar

1 to the reports that were required by section 103(d)(2) of
2 Public Law 104–121 for fiscal years 1996 through 2002.

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

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

16 OFFICE OF INSPECTOR GENERAL

17 (INCLUDING TRANSFER OF FUNDS)

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

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

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

14 TITLE V

15 GENERAL PROVISIONS

16 (TRANSFER OF FUNDS)

17 SEC. 501. The Secretaries of Labor, Health and
18 Human Services, and Education are authorized to transfer
19 unexpended balances of prior appropriations to accounts
20 corresponding to current appropriations provided in this
21 Act. Such transferred balances shall be used for the same
22 purpose, and for the same periods of time, for which they
23 were originally appropriated.

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

4 SEC. 503. (a) No part of any appropriation contained
5 in this Act or transferred pursuant to section 4002 of
6 Public Law 111–148 shall be used, other than for normal
7 and recognized executive-legislative relationships, for pub-
8 licity or propaganda purposes, for the preparation, dis-
9 tribution, or use of any kit, pamphlet, booklet, publication,
10 electronic communication, radio, television, or video pres-
11 entation designed to support or defeat the enactment of
12 legislation before the Congress or any State or local legis-
13 lature or legislative body, except in presentation to the
14 Congress or any State or local legislature itself, or de-
15 signed to support or defeat any proposed or pending regu-
16 lation, administrative action, or order issued by the execu-
17 tive branch of any State or local government, except in
18 presentation to the executive branch of any State or local
19 government itself.

20 (b) No part of any appropriation contained in this
21 Act or transferred pursuant to section 4002 of Public Law
22 111–148 shall be used to pay the salary or expenses of
23 any grant or contract recipient, or agent acting for such
24 recipient, related to any activity designed to influence the
25 enactment of legislation, appropriations, regulation, ad-

1 ministrative action, or Executive order proposed or pend-
2 ing before the Congress or any State government, State
3 legislature or local legislature or legislative body, other
4 than for normal and recognized executive-legislative rela-
5 tionships or participation by an agency or officer of a
6 State, local or tribal government in policymaking and ad-
7 ministrative processes within the executive branch of that
8 government.

9 (c) The prohibitions in subsections (a) and (b) shall
10 include any activity to advocate or promote any proposed,
11 pending or future Federal, State or local tax increase, or
12 any proposed, pending, or future requirement or restric-
13 tion on any legal consumer product, including its sale or
14 marketing, including but not limited to the advocacy or
15 promotion of gun control.

16 SEC. 504. The Secretaries of Labor and Education
17 are authorized to make available not to exceed \$28,000
18 and \$20,000, respectively, from funds available for sala-
19 ries and expenses under titles I and III, respectively, for
20 official reception and representation expenses; the Direc-
21 tor of the Federal Mediation and Conciliation Service is
22 authorized to make available for official reception and rep-
23 resentation expenses not to exceed \$5,000 from the funds
24 available for “Federal Mediation and Conciliation Service,
25 Salaries and Expenses”; and the Chairman of the Na-

1 tional Mediation Board is authorized to make available for
2 official reception and representation expenses not to ex-
3 ceed \$5,000 from funds available for “National Mediation
4 Board, Salaries and Expenses”.

5 SEC. 505. When issuing statements, press releases,
6 requests for proposals, bid solicitations and other docu-
7 ments describing projects or programs funded in whole or
8 in part with Federal money, all grantees receiving Federal
9 funds included in this Act, including but not limited to
10 State and local governments and recipients of Federal re-
11 search grants, shall clearly state—

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

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

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

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

22 (1) the creation of a human embryo or embryos
23 for research purposes; or

24 (2) research in which a human embryo or em-
25 bryos are destroyed, discarded, or knowingly sub-

1 jected to risk of injury or death greater than that
2 allowed for research on fetuses in utero under 45
3 CFR 46.204(b) and section 498(b) of the Public
4 Health Service Act (42 U.S.C. 289g(b)).

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

11 SEC. 507. (a) None of the funds made available in
12 this Act may be used for any activity that promotes the
13 legalization of any drug or other substance included in
14 schedule I of the schedules of controlled substances estab-
15 lished under section 202 of the Controlled Substances Act
16 except for normal and recognized executive-congressional
17 communications.

18 (b) The limitation in subsection (a) shall not apply
19 when there is significant medical evidence of a therapeutic
20 advantage to the use of such drug or other substance or
21 that federally sponsored clinical trials are being conducted
22 to determine therapeutic advantage.

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

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

6 (2) such entity has not submitted a report as
7 required by that section for the most recent year for
8 which such requirement was applicable to such enti-
9 ty.

10 SEC. 509. None of the funds made available in this
11 Act may be transferred to any department, agency, or in-
12 strumentality of the United States Government, except
13 pursuant to a transfer made by, or transfer authority pro-
14 vided in, this Act or any other appropriation Act.

15 SEC. 510. None of the funds made available by this
16 Act to carry out the Library Services and Technology Act
17 may be made available to any library covered by para-
18 graph (1) of section 224(f) of such Act, as amended by
19 the Children's Internet Protection Act, unless such library
20 has made the certifications required by paragraph (4) of
21 such section.

22 SEC. 511. (a) None of the funds provided under this
23 Act, or provided under previous appropriations Acts to the
24 agencies funded by this Act that remain available for obli-
25 gation or expenditure in fiscal year 2022, or provided from

1 any accounts in the Treasury of the United States derived
2 by the collection of fees available to the agencies funded
3 by this Act, shall be available for obligation or expenditure
4 through a reprogramming of funds that—

5 (1) creates new programs;

6 (2) eliminates a program, project, or activity;

7 (3) increases funds or personnel by any means
8 for any project or activity for which funds have been
9 denied or restricted;

10 (4) relocates an office or employees;

11 (5) reorganizes or renames offices;

12 (6) reorganizes programs or activities; or

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

15 unless the Committees on Appropriations of the House of
16 Representatives and the Senate are consulted 15 days in
17 advance of such reprogramming or of an announcement
18 of intent relating to such reprogramming, whichever oc-
19 curs earlier, and are notified in writing 10 days in advance
20 of such reprogramming.

21 (b) None of the funds provided under this Act, or
22 provided under previous appropriations Acts to the agen-
23 cies funded by this Act that remain available for obligation
24 or expenditure in fiscal year 2022, or provided from any
25 accounts in the Treasury of the United States derived by

1 the collection of fees available to the agencies funded by
2 this Act, shall be available for obligation or expenditure
3 through a reprogramming of funds in excess of \$500,000
4 or 10 percent, whichever is less, that—

5 (1) augments existing programs, projects (in-
6 cluding construction projects), or activities;

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

10 (3) results from any general savings from a re-
11 duction in personnel which would result in a change
12 in existing programs, activities, or projects as ap-
13 proved by Congress;

14 unless the Committees on Appropriations of the House of
15 Representatives and the Senate are consulted 15 days in
16 advance of such reprogramming or of an announcement
17 of intent relating to such reprogramming, whichever oc-
18 curs earlier, and are notified in writing 10 days in advance
19 of such reprogramming.

20 SEC. 512. (a) None of the funds made available in
21 this Act may be used to request that a candidate for ap-
22 pointment to a Federal scientific advisory committee dis-
23 close the political affiliation or voting history of the can-
24 didate or the position that the candidate holds with re-

1 spect to political issues not directly related to and nec-
2 essary for the work of the committee involved.

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

6 SEC. 513. Within 45 days of enactment of this Act,
7 each department and related agency funded through this
8 Act shall submit an operating plan that details at the pro-
9 gram, project, and activity level any funding allocations
10 for fiscal year 2022 that are different than those specified
11 in this Act, the report accompanying this Act, or the fiscal
12 year 2022 budget request.

13 SEC. 514. The Secretaries of Labor, Health and
14 Human Services, and Education shall each prepare and
15 submit to the Committees on Appropriations of the House
16 of Representatives and the Senate a report on the number
17 and amount of contracts, grants, and cooperative agree-
18 ments exceeding \$500,000, individually or in total for a
19 particular project, activity, or programmatic initiative, in
20 value and awarded by the Department on a non-competi-
21 tive basis during each quarter of fiscal year 2022, but not
22 to include grants awarded on a formula basis or directed
23 by law. Such report shall include the name of the con-
24 tractor or grantee, the amount of funding, the govern-
25 mental purpose, including a justification for issuing the

1 award on a non-competitive basis. Such report shall be
2 transmitted to the Committees within 30 days after the
3 end of the quarter for which the report is submitted.

4 SEC. 515. None of the funds appropriated in this Act
5 shall be expended or obligated by the Commissioner of So-
6 cial Security, for purposes of administering Social Security
7 benefit payments under title II of the Social Security Act,
8 to process any claim for credit for a quarter of coverage
9 based on work performed under a social security account
10 number that is not the claimant's number and the per-
11 formance of such work under such number has formed the
12 basis for a conviction of the claimant of a violation of sec-
13 tion 208(a)(6) or (7) of the Social Security Act.

14 SEC. 516. None of the funds appropriated by this Act
15 may be used by the Commissioner of Social Security or
16 the Social Security Administration to pay the compensa-
17 tion of employees of the Social Security Administration
18 to administer Social Security benefit payments, under any
19 agreement between the United States and Mexico estab-
20 lishing totalization arrangements between the social secu-
21 rity system established by title II of the Social Security
22 Act and the social security system of Mexico, which would
23 not otherwise be payable but for such agreement.

24 SEC. 517. (a) None of the funds made available in
25 this Act may be used to maintain or establish a computer

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

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

7 SEC. 518. For purposes of carrying out Executive
8 Order No. 13589, Office of Management and Budget
9 Memorandum M-12-12 dated May 11, 2012, and require-
10 ments contained in the annual appropriations bills relating
11 to conference attendance and expenditures:

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

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

17 SEC. 519. Federal agencies funded under this Act
18 shall clearly state within the text, audio, or video used for
19 advertising or educational purposes, including emails or
20 Internet postings, that the communication is printed, pub-
21 lished, or produced and disseminated at United States tax-
22 payer expense. The funds used by a Federal agency to
23 carry out this requirement shall be derived from amounts
24 made available to the agency for advertising or other com-

1 munications regarding the programs and activities of the
2 agency.

3 SEC. 520. (a) Federal agencies may use Federal dis-
4 cretionary funds that are made available in this Act to
5 carry out up to 10 Performance Partnership Pilots. Such
6 Pilots shall be governed by the provisions of section 526
7 of division H of Public Law 113–76, except that in car-
8 rying out such Pilots section 526 shall be applied by sub-
9 stituting “FISCAL YEAR 2022” for “FISCAL YEAR 2014”
10 in the title of subsection (b) and by substituting “Sep-
11 tember 30, 2026” for “September 30, 2018” each place
12 it appears: *Provided*, That such pilots shall include com-
13 munities that have experienced civil unrest.

14 (b) In addition, Federal agencies may use Federal
15 discretionary funds that are made available in this Act to
16 participate in Performance Partnership Pilots that are
17 being carried out pursuant to the authority provided by
18 section 526 of division H of Public Law 113–76, section
19 524 of division G of Public Law 113–235, section 525 of
20 division H of Public Law 114–113, section 525 of division
21 H of Public Law 115–31, section 525 of division H of
22 Public Law 115–141, and section 524 of division A of
23 Public Law 116–94.

24 (c) Pilot sites selected under authorities in this Act
25 and prior appropriations Acts may be granted by relevant

1 agencies up to an additional 5 years to operate under such
2 authorities.

3 SEC. 521. Not later than 30 days after the end of
4 each calendar quarter, beginning with the first month of
5 fiscal year 2022 the Departments of Labor, Health and
6 Human Services and Education and the Social Security
7 Administration shall provide the Committees on Appro-
8 priations of the House of Representatives and Senate a
9 report on the status of balances of appropriations: *Pro-*
10 *vided*, That for balances that are unobligated and uncom-
11 mitted, committed, and obligated but unexpended, the
12 monthly reports shall separately identify the amounts at-
13 tributable to each source year of appropriation (beginning
14 with fiscal year 2012, or, to the extent feasible, earlier
15 fiscal years) from which balances were derived.

16 SEC. 522. The Departments of Labor, Health and
17 Human Services, or Education shall provide to the Com-
18 mittees on Appropriations of the House of Representatives
19 and the Senate a comprehensive list of any new or com-
20 petitive grant award notifications, including supplements,
21 issued at the discretion of such Departments not less than
22 3 full business days before any entity selected to receive
23 a grant award is announced by the Department or its of-
24 fices (other than emergency response grants at any time
25 of the year or for grant awards made during the last 10

1 business days of the fiscal year, or if applicable, of the
2 program year).

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

7 SEC. 524. Of amounts deposited in the Child Enroll-
8 ment Contingency Fund under section 2104(n)(2) of the
9 Social Security Act and the income derived from invest-
10 ment of those funds pursuant to section 2104(n)(2)(C) of
11 that Act, \$13,715,000,000 shall not be available for obli-
12 gation in this fiscal year.

13 SEC. 525. None of the funds appropriated in this Act
14 may be used to implement or enforce the final rule entitled
15 “Hearings Held by Administrative Appeals Judges of the
16 Appeals Council” (85 Fed. Reg. 73138, December 16,
17 2020).

18 SEC. 526. None of the funds made available by this
19 Act may be made available to the Wuhan Institute of Vi-
20 rology located in the City of Wuhan in the People’s Repub-
21 lic of China.

22 SEC. 527. None of the funds made available by this
23 Act may be used, either directly or indirectly, to conduct
24 or support any gain-of-function research involving a poten-

1 tial pandemic pathogen by a foreign adversary including
2 China, Russia, Iran, and North Korea.

3 SEC. 528. For “Health Resources and Services Ad-
4 ministration—Rural Health” for implementing section
5 330N of the Public Health Service Act (42 U.S.C. 254c–
6 20), there is hereby appropriated, and the amount other-
7 wise provided by this Act for “Health Resources and Serv-
8 ices Administration—Program Management” is hereby re-
9 duced by, \$5,000,000.

10 SEC. 529. None of the funds made available by this
11 Act may be used to implement or enforce section 106.6(h),
12 section 106.45(b), or the definition of “formal complaint”
13 in section 106.30(a), of title 34 of the Code of Federal
14 Regulations as amended by the final rule entitled, “Non-
15 discrimination on the Basis of Sex in Education Programs
16 or Activities Receiving Federal Financial Assistance” pub-
17 lished in the Federal Register on May 19, 2020 (85 Fed.
18 Reg. 30026).

19 This division may be cited as the “Departments of
20 Labor, Health and Human Services, and Education, and
21 Related Agencies Appropriations Act, 2022”.

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

5 TITLE I

6 AGRICULTURAL PROGRAMS

7 PROCESSING, RESEARCH, AND MARKETING

8 OFFICE OF THE SECRETARY

9 (INCLUDING TRANSFERS OF FUNDS)

10 For necessary expenses of the Office of the Secretary,
11 \$64,755,000 (reduced by \$5,000,000) (reduced by
12 \$2,500,000) (reduced by \$1,000,000) (increased by
13 \$8,000,000,000) (reduced by \$8,000,000,000) (increased
14 by \$64,755,000) (reduced by \$64,755,000), of which not
15 to exceed \$10,203,000 shall be available for the immediate
16 Office of the Secretary, of which \$4,500,000 shall remain
17 available until expended for activities relating to climate
18 change, including coordinating such activities across the
19 Department; not to exceed \$4,749,000 shall be available
20 for the Office of Homeland Security; not to exceed
21 \$2,860,000 shall be available for the Office of Tribal Rela-
22 tions; not to exceed \$9,294,000 shall be available for the
23 Office of Partnerships and Public Engagement, of which
24 \$1,500,000 shall be for 7 U.S.C. 2279(c)(5); not to exceed
25 \$1,649,000 shall be available for the Office of the Assist-

1 ant Secretary for Administration; not to exceed
2 \$24,036,000 (reduced by \$3,000,000) (reduced by
3 \$2,500,000) shall be available for Departmental Adminis-
4 tration to provide for necessary expenses for management
5 support services to offices of the Department and for gen-
6 eral administration, security, repairs and alterations, and
7 other miscellaneous supplies and expenses not otherwise
8 provided for and necessary for the practical and efficient
9 work of the Department: *Provided*, That funds made avail-
10 able by this Act to an agency in the Administration mis-
11 sion area for salaries and expenses are available to fund
12 up to one administrative support staff for the Office; not
13 to exceed \$4,480,000 shall be available for the Office of
14 Assistant Secretary for Congressional Relations and Inter-
15 governmental Affairs to carry out the programs funded
16 by this Act, including programs involving intergovern-
17 mental affairs and liaison within the executive branch; and
18 not to exceed \$7,484,000 (reduced by \$2,000,000) shall
19 be available for the Office of Communications: *Provided*
20 *further*, That the Secretary of Agriculture is authorized
21 to transfer funds appropriated for any office of the Office
22 of the Secretary to any other office of the Office of the
23 Secretary: *Provided further*, That no appropriation for any
24 office shall be increased or decreased by more than 5 per-
25 cent: *Provided further*, That not to exceed \$22,000 of the

1 amount made available under this paragraph for the im-
2 mediate Office of the Secretary shall be available for offi-
3 cial reception and representation expenses, not otherwise
4 provided for, as determined by the Secretary: *Provided*
5 *further*, That the amount made available under this head-
6 ing for Departmental Administration shall be reimbursed
7 from applicable appropriations in this Act for travel ex-
8 penses incident to the holding of hearings as required by
9 5 U.S.C. 551–558: *Provided further*, That funds made
10 available under this heading for the Office of the Assistant
11 Secretary for Congressional Relations and Intergovern-
12 mental Affairs shall be transferred to agencies of the De-
13 partment of Agriculture funded by this Act to maintain
14 personnel at the agency level: *Provided further*, That dur-
15 ing any 30 day notification period referenced in section
16 716 of this Act, the Secretary of Agriculture shall take
17 no action to begin implementation of the action that is
18 subject to section 716 of this Act or make any public an-
19 nouncement of such action in any form.

20 EXECUTIVE OPERATIONS

21 OFFICE OF THE CHIEF ECONOMIST

22 For necessary expenses of the Office of the Chief
23 Economist, \$26,399,000, of which not more than
24 \$5,000,000 shall be for grants or cooperative agreements
25 for policy research under 7 U.S.C. 3155, and of which

1 \$4,400,000 shall remain available until expended for ac-
2 tivities relating to climate change, including coordinating
3 such activities across the Department.

4 OFFICE OF HEARINGS AND APPEALS

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

7 OFFICE OF BUDGET AND PROGRAM ANALYSIS

8 For necessary expenses of the Office of Budget and
9 Program Analysis, \$12,760,000.

10 OFFICE OF THE CHIEF INFORMATION OFFICER

11 For necessary expenses of the Office of the Chief In-
12 formation Officer, \$84,746,000, of which not less than
13 \$69,672,000 is for cybersecurity requirements of the de-
14 partment.

15 OFFICE OF THE CHIEF FINANCIAL OFFICER

16 For necessary expenses of the Office of the Chief Fi-
17 nancial Officer, \$7,118,000.

18 OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL

19 RIGHTS

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

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights,
\$35,328,000.

AGRICULTURE BUILDINGS AND FACILITIES

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92–313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 121, for programs and activities of the Department which are included in this Act, and for alterations and other actions needed for the Department and its agencies to consolidate unneeded space into configurations suitable for release to the Administrator of General Services, and for the operation, maintenance, improvement, and repair of Agriculture buildings and facilities, and for related costs, \$180,623,000 (reduced by \$2,500,000) (reduced by \$3,000,000) (reduced by \$5,000,000) (reduced by \$500,000) (reduced by \$2,000,000) (reduced by \$8,000,000) (reduced by \$10,000,000) (reduced by \$4,250,000) (reduced by \$605,000) (reduced by \$3,000,000), to remain available until expended, of which \$12,500,000 shall be available for the hire and purchase of passenger motor vehicles.

HAZARDOUS MATERIALS MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.) and the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.), \$8,540,000, to remain available until expended: *Provided*, That appropriations and funds available herein to the Department for Hazardous Materials Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

OFFICE OF SAFETY, SECURITY, AND PROTECTION

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

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, including employment pursuant to the Inspector General Act of 1978 (Public Law 95–452; 5 U.S.C. App.), \$106,309,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978 (Public Law 95–452; 5 U.S.C. App.), and including not to exceed \$125,000 for certain confidential operational expenses, including the

1 payment of informants, to be expended under the direction
2 of the Inspector General pursuant to the Inspector Gen-
3 eral Act of 1978 (Public Law 95–452; 5 U.S.C. App.) and
4 section 1337 of the Agriculture and Food Act of 1981
5 (Public Law 97–98).

6 OFFICE OF THE GENERAL COUNSEL

7 For necessary expenses of the Office of the General
8 Counsel, \$60,723,000.

9 OFFICE OF ETHICS

10 For necessary expenses of the Office of Ethics,
11 \$4,277,000.

12 OFFICE OF THE UNDER SECRETARY FOR RESEARCH,
13 EDUCATION, AND ECONOMICS

14 For necessary expenses of the Office of the Under
15 Secretary for Research, Education, and Economics,
16 \$4,327,000 (reduced by \$1,000,000) (increased by
17 \$1,000,000): *Provided*, That funds made available by this
18 Act to an agency in the Research, Education, and Eco-
19 nomics mission area for salaries and expenses are avail-
20 able to fund up to one administrative support staff for
21 the Office: *Provided further*, That of the amounts made
22 available under this heading, \$2,000,000 shall be made
23 available for the Office of the Chief Scientist.

1 ECONOMIC RESEARCH SERVICE

2 For necessary expenses of the Economic Research
3 Service, \$88,594,000.

4 NATIONAL AGRICULTURAL STATISTICS SERVICE

5 For necessary expenses of the National Agricultural
6 Statistics Service, \$189,175,000, of which up to
7 \$46,850,000 shall be available until expended for the Cen-
8 sus of Agriculture: *Provided*, That amounts made available
9 for the Census of Agriculture may be used to conduct Cur-
10 rent Industrial Report surveys subject to 7 U.S.C.
11 2204g(d) and (f).

12 AGRICULTURAL RESEARCH SERVICE

13 SALARIES AND EXPENSES

14 For necessary expenses of the Agricultural Research
15 Service and for acquisition of lands by donation, exchange,
16 or purchase at a nominal cost not to exceed \$100, and
17 for land exchanges where the lands exchanged shall be of
18 equal value or shall be equalized by a payment of money
19 to the grantor which shall not exceed 25 percent of the
20 total value of the land or interests transferred out of Fed-
21 eral ownership, \$1,638,046,000, of which \$70,000,000 is
22 for activities related to climate change, including
23 \$50,000,000 for climate science and \$20,000,000 for
24 clean energy: *Provided*, That appropriations hereunder
25 shall be available for the operation and maintenance of

1 aircraft and the purchase of not to exceed one for replace-
2 ment only: *Provided further*, That appropriations here-
3 under shall be available pursuant to 7 U.S.C. 2250 for
4 the construction, alteration, and repair of buildings and
5 improvements, but unless otherwise provided, the cost of
6 constructing any one building shall not exceed \$500,000,
7 except for headhouses or greenhouses which shall each be
8 limited to \$1,800,000, except for 10 buildings to be con-
9 structed or improved at a cost not to exceed \$1,100,000
10 each, and except for four buildings to be constructed at
11 a cost not to exceed \$5,000,000 each, and the cost of alter-
12 ing any one building during the fiscal year shall not exceed
13 10 percent of the current replacement value of the build-
14 ing or \$500,000, whichever is greater: *Provided further*,
15 That appropriations hereunder shall be available for enter-
16 ing into lease agreements at any Agricultural Research
17 Service location for the construction of a research facility
18 by a non-Federal entity for use by the Agricultural Re-
19 search Service and a condition of the lease shall be that
20 any facility shall be owned, operated, and maintained by
21 the non-Federal entity and shall be removed upon the ex-
22 piration or termination of the lease agreement: *Provided*
23 *further*, That the limitations on alterations contained in
24 this Act shall not apply to modernization or replacement
25 of existing facilities at Beltsville, Maryland: *Provided fur-*

1 *ther*, That appropriations hereunder shall be available for
2 granting easements at the Beltsville Agricultural Research
3 Center: *Provided further*, That the foregoing limitations
4 shall not apply to replacement of buildings needed to carry
5 out the Act of April 24, 1948 (21 U.S.C. 113a): *Provided*
6 *further*, That appropriations hereunder shall be available
7 for granting easements at any Agricultural Research Serv-
8 ice location for the construction of a research facility by
9 a non-Federal entity for use by, and acceptable to, the
10 Agricultural Research Service and a condition of the ease-
11 ments shall be that upon completion the facility shall be
12 accepted by the Secretary, subject to the availability of
13 funds herein, if the Secretary finds that acceptance of the
14 facility is in the interest of the United States: *Provided*
15 *further*, That funds may be received from any State, other
16 political subdivision, organization, or individual for the
17 purpose of establishing or operating any research facility
18 or research project of the Agricultural Research Service,
19 as authorized by law.

20 BUILDINGS AND FACILITIES

21 For the acquisition of land, construction, repair, im-
22 provement, extension, alteration, and purchase of fixed
23 equipment or facilities as necessary to carry out the agri-
24 cultural research programs of the Department of Agri-
25 culture, where not otherwise provided, \$126,505,000 to re-

1 main available until expended, of which \$20,000,000 shall
2 be allocated for ARS facilities co-located with university
3 partners, and of which \$46,700,000 shall be for the pur-
4 poses, and in the amounts, specified for this account in
5 the table titled “Community Project Funding” in the re-
6 port to accompany this Act, in accordance with applicable
7 statutory and regulatory requirements.

8 NATIONAL INSTITUTE OF FOOD AND AGRICULTURE
9 RESEARCH AND EDUCATION ACTIVITIES

10 For payments to agricultural experiment stations, for
11 cooperative forestry and other research, for facilities, and
12 for other expenses, \$1,061,309,000 (increased by
13 \$2,000,000) (reduced by \$1,000,000) (increased by
14 \$1,000,000), which shall be for the purposes, and in the
15 amounts, specified in the table titled “National Institute
16 of Food and Agriculture, Research and Education Activi-
17 ties” in the report accompanying this Act: *Provided*, That
18 funds for research grants for 1994 institutions, education
19 grants for 1890 institutions, Hispanic serving institutions
20 education grants, capacity building for non-land-grant col-
21 leges of agriculture, the agriculture and food research ini-
22 tiative, veterinary medicine loan repayment, multicultural
23 scholars, graduate fellowship and institution challenge
24 grants, grants management systems, tribal colleges edu-
25 cation equity grants, and scholarships at 1890 institutions

1 shall remain available until expended: *Provided further*,
2 That each institution eligible to receive funds under the
3 Evans-Allen program receives no less than \$1,000,000:
4 *Provided further*, That funds for education grants for
5 Alaska Native and Native Hawaiian-serving institutions
6 be made available to individual eligible institutions or con-
7 sortia of eligible institutions with funds awarded equally
8 to each of the States of Alaska and Hawaii: *Provided fur-*
9 *ther*, That funds for providing grants for food and agricul-
10 tural sciences for Alaska Native and Native Hawaiian-
11 Serving institutions and for Insular Areas shall remain
12 available until September 30, 2023: *Provided further*, That
13 funds for education grants for 1890 institutions shall be
14 made available to institutions eligible to receive funds
15 under 7 U.S.C. 3221 and 3222: *Provided further*, That
16 not more than 5 percent of the amounts made available
17 by this or any other Act to carry out the Agriculture and
18 Food Research Initiative under 7 U.S.C. 3157 may be re-
19 tained by the Secretary of Agriculture to pay administra-
20 tive costs incurred by the Secretary in carrying out that
21 authority: *Provided further*, That of amounts available
22 under this heading, \$35,000,000 shall be for climate
23 change research.

1 NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

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

5 EXTENSION ACTIVITIES

6 For payments to States, the District of Columbia,
7 Puerto Rico, Guam, the Virgin Islands, Micronesia, the
8 Northern Marianas, and American Samoa, \$553,495,000,
9 which shall be for the purposes, and in the amounts, speci-
10 fied in the table titled “National Institute of Food and
11 Agriculture, Extension Activities” in the report accom-
12 panying this Act: *Provided*, That funds for extension serv-
13 ices at 1994 institutions and for facility improvements at
14 1890 institutions shall remain available until expended:
15 *Provided further*, That institutions eligible to receive funds
16 under 7 U.S.C. 3221 for cooperative extension receive no
17 less than \$1,000,000: *Provided further*, That funds for co-
18 operative extension under sections 3(b) and (c) of the
19 Smith-Lever Act (7 U.S.C. 343(b) and (c)) and section
20 208(c) of Public Law 93–471 shall be available for retire-
21 ment and employees’ compensation costs for extension
22 agents.

23 INTEGRATED ACTIVITIES

24 For the integrated research, education, and extension
25 grants programs, including necessary administrative ex-

1 penses, \$40,000,000, which shall be for the purposes, and
2 in the amounts, specified in the table titled “National In-
3 stitute of Food and Agriculture, Integrated Activities” in
4 the report accompanying this Act: *Provided*, That funds
5 for the Food and Agriculture Defense Initiative shall re-
6 main available until September 30, 2023: *Provided further*,
7 That notwithstanding any other provision of law, indirect
8 costs shall not be charged against any Extension Imple-
9 mentation Program Area grant awarded under the Crop
10 Protection/Pest Management Program (7 U.S.C. 7626).

11 OFFICE OF THE UNDER SECRETARY FOR MARKETING
12 AND REGULATORY PROGRAMS

13 For necessary expenses of the Office of the Under
14 Secretary for Marketing and Regulatory Programs,
15 \$1,577,000: *Provided*, That funds made available by this
16 Act to an agency in the Marketing and Regulatory Pro-
17 grams mission area for salaries and expenses are available
18 to fund up to one administrative support staff for the Of-
19 fice.

20 ANIMAL AND PLANT HEALTH INSPECTION SERVICE

21 SALARIES AND EXPENSES

22 (INCLUDING TRANSFERS OF FUNDS)

23 For necessary expenses of the Animal and Plant
24 Health Inspection Service, including up to \$30,000 for
25 representation allowances and for expenses pursuant to

1 the Foreign Service Act of 1980 (22 U.S.C. 4085),
2 \$1,121,427,000 (increased by \$1,000,000), of which
3 \$491,000, to remain available until expended, shall be
4 available for the control of outbreaks of insects, plant dis-
5 eases, animal diseases and for control of pest animals and
6 birds (“contingency fund”) to the extent necessary to meet
7 emergency conditions; of which \$16,830,000, to remain
8 available until expended, shall be used for the cotton pests
9 program, including for cost share purposes or for debt re-
10 tirement for active eradication zones; of which
11 \$38,486,000, to remain available until expended, shall be
12 for Animal Health Technical Services; of which
13 \$3,040,000 shall be for activities under the authority of
14 the Horse Protection Act of 1970, as amended (15 U.S.C.
15 1831); of which \$63,833,000, to remain available until ex-
16 pended, shall be used to support avian health; of which
17 \$4,251,000, to remain available until expended, shall be
18 for information technology infrastructure; of which
19 \$212,842,000, to remain available until expended, shall be
20 for specialty crop pests; of which, \$14,137,000, to remain
21 available until expended, shall be for field crop and range-
22 land ecosystem pests; of which \$24,282,000, to remain
23 available until expended, shall be for zoonotic disease man-
24 agement; of which \$38,880,000, to remain available until
25 expended, shall be for emergency preparedness and re-

1 sponse; of which \$61,217,000, to remain available until
2 expended, shall be for tree and wood pests; of which
3 \$5,751,000, to remain available until expended, shall be
4 for the National Veterinary Stockpile; of which
5 \$5,000,000 (increased by \$1,000,000), to remain available
6 until expended, shall be for invasive species control in co-
7 ordination with other Federal agencies and the Civilian
8 Climate Corps; of which up to \$1,500,000, to remain
9 available until expended, shall be for the scrapie program
10 for indemnities; of which \$2,500,000, to remain available
11 until expended, shall be for the wildlife damage manage-
12 ment program for aviation safety: *Provided*, That of
13 amounts available under this heading for wildlife services
14 methods development, \$1,000,000 shall remain available
15 until expended: *Provided further*, That of amounts avail-
16 able under this heading for the screwworm program,
17 \$4,990,000 shall remain available until expended; of which
18 \$21,307,000, to remain available until expended, shall be
19 used to carry out the science program and transition ac-
20 tivities for the National Bio and Agro-defense Facility lo-
21 cated in Manhattan, Kansas: *Provided further*, That no
22 funds shall be used to formulate or administer a brucel-
23 losis eradication program for the current fiscal year that
24 does not require minimum matching by the States of at
25 least 40 percent: *Provided further*, That this appropriation

1 shall be available for the purchase, replacement, operation,
2 and maintenance of aircraft: *Provided further*, That in ad-
3 dition, in emergencies which threaten any segment of the
4 agricultural production industry of the United States, the
5 Secretary may transfer from other appropriations or funds
6 available to the agencies or corporations of the Depart-
7 ment such sums as may be deemed necessary, to be avail-
8 able only in such emergencies for the arrest and eradi-
9 cation of contagious or infectious disease or pests of ani-
10 mals, poultry, or plants, and for expenses in accordance
11 with sections 10411 and 10417 of the Animal Health Pro-
12 tection Act (7 U.S.C. 8310 and 8316) and sections 431
13 and 442 of the Plant Protection Act (7 U.S.C. 7751 and
14 7772), and any unexpended balances of funds transferred
15 for such emergency purposes in the preceding fiscal year
16 shall be merged with such transferred amounts: *Provided*
17 *further*, That appropriations hereunder shall be available
18 pursuant to law (7 U.S.C. 2250) for the repair and alter-
19 ation of leased buildings and improvements, but unless
20 otherwise provided the cost of altering any one building
21 during the fiscal year shall not exceed 10 percent of the
22 current replacement value of the building.

23 In fiscal year 2022, the agency is authorized to collect
24 fees to cover the total costs of providing technical assist-
25 ance, goods, or services requested by States, other political

1 subdivisions, domestic and international organizations,
2 foreign governments, or individuals, provided that such
3 fees are structured such that any entity's liability for such
4 fees is reasonably based on the technical assistance, goods,
5 or services provided to the entity by the agency, and such
6 fees shall be reimbursed to this account, to remain avail-
7 able until expended, without further appropriation, for
8 providing such assistance, goods, or services.

9 BUILDINGS AND FACILITIES

10 For plans, construction, repair, preventive mainte-
11 nance, environmental support, improvement, extension, al-
12 teration, and purchase of fixed equipment or facilities, as
13 authorized by 7 U.S.C. 2250, and acquisition of land as
14 authorized by 7 U.S.C. 2268a, \$3,175,000, to remain
15 available until expended.

16 AGRICULTURAL MARKETING SERVICE

17 MARKETING SERVICES

18 For necessary expenses of the Agricultural Marketing
19 Service, \$223,157,000 (increased by \$1,000,000), of
20 which \$7,000,000 shall be available for the purposes of
21 section 12306 of Public Law 113-79, and of which
22 \$25,000,000 shall be available until expended to carry out
23 section 12513 of Public Law 115-334: *Provided*, That this
24 appropriation shall be available pursuant to law (7 U.S.C.
25 2250) for the alteration and repair of buildings and im-

1 improvements, but the cost of altering any one building dur-
2 ing the fiscal year shall not exceed 10 percent of the cur-
3 rent replacement value of the building.

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

10 LIMITATION ON ADMINISTRATIVE EXPENSES

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

18 FUNDS FOR STRENGTHENING MARKETS, INCOME, AND

19 SUPPLY (SECTION 32)

20 (INCLUDING TRANSFERS OF FUNDS)

21 Funds available under section 32 of the Act of Au-
22 gust 24, 1935 (7 U.S.C. 612c), shall be used only for com-
23 modity program expenses as authorized therein, and other
24 related operating expenses, except for: (1) transfers to the
25 Department of Commerce as authorized by the Fish and

1 Wildlife Act of 1956 (16 U.S.C. 742a et seq.); (2) trans-
2 fers otherwise provided in this Act; and (3) not more than
3 \$20,817,000 for formulation and administration of mar-
4 keting agreements and orders pursuant to the Agricultural
5 Marketing Agreement Act of 1937 and the Agricultural
6 Act of 1961 (Public Law 87–128).

7 PAYMENTS TO STATES AND POSSESSIONS

8 For payments to departments of agriculture, bureaus
9 and departments of markets, and similar agencies for
10 marketing activities under section 204(b) of the Agricul-
11 tural Marketing Act of 1946 (7 U.S.C. 1623(b)),
12 \$1,235,000.

13 LIMITATION ON INSPECTION AND WEIGHING SERVICES

14 EXPENSES

15 Not to exceed \$55,000,000 (from fees collected) shall
16 be obligated during the current fiscal year for inspection
17 and weighing services: *Provided*, That if grain export ac-
18 tivities require additional supervision and oversight, or
19 other uncontrollable factors occur, this limitation may be
20 exceeded by up to 10 percent with notification to the Com-
21 mittees on Appropriations of both Houses of Congress.

22 OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

23 For necessary expenses of the Office of the Under
24 Secretary for Food Safety, \$1,077,000: *Provided*, That
25 funds made available by this Act to an agency in the Food

1 Safety mission area for salaries and expenses are available
2 to fund up to one administrative support staff for the Of-
3 fice.

4 FOOD SAFETY AND INSPECTION SERVICE

5 For necessary expenses to carry out services author-
6 ized by the Federal Meat Inspection Act, the Poultry
7 Products Inspection Act, and the Egg Products Inspection
8 Act, including not to exceed \$10,000 for representation
9 allowances and for expenses pursuant to section 8 of the
10 Act approved August 3, 1956 (7 U.S.C. 1766),
11 \$1,153,064,000; and in addition, \$1,000,000 may be cred-
12 ited to this account from fees collected for the cost of lab-
13 oratory accreditation as authorized by section 1327 of the
14 Food, Agriculture, Conservation and Trade Act of 1990
15 (7 U.S.C. 138f): *Provided*, That funds provided for the
16 Public Health Data Communication Infrastructure system
17 shall remain available until expended: *Provided further*,
18 That no fewer than 148 full-time equivalent positions shall
19 be employed during fiscal year 2022 for purposes dedi-
20 cated solely to inspections and enforcement related to the
21 Humane Methods of Slaughter Act (7 U.S.C. 1901 et
22 seq.): *Provided further*, That the Food Safety and Inspec-
23 tion Service shall continue implementation of section
24 11016 of Public Law 110–246 as further clarified by the
25 amendments made in section 12106 of Public Law 113–

1 79: *Provided further*, That this appropriation shall be
2 available pursuant to law (7 U.S.C. 2250) for the alter-
3 ation and repair of buildings and improvements, but the
4 cost of altering any one building during the fiscal year
5 shall not exceed 10 percent of the current replacement
6 value of the building.

7 TITLE II

8 FARM PRODUCTION AND CONSERVATION

9 PROGRAMS

10 OFFICE OF THE UNDER SECRETARY FOR FARM

11 PRODUCTION AND CONSERVATION

12 For necessary expenses of the Office of the Under
13 Secretary for Farm Production and Conservation,
14 \$1,687,000: *Provided*, That funds made available by this
15 Act to an agency in the Farm Production and Conserva-
16 tion mission area for salaries and expenses are available
17 to fund up to one administrative support staff for the Of-
18 fice.

19 FARM PRODUCTION AND CONSERVATION BUSINESS

20 CENTER

21 SALARIES AND EXPENSES

22 (INCLUDING TRANSFERS OF FUNDS)

23 For necessary expenses of the Farm Production and
24 Conservation Business Center, \$238,177,000: *Provided*,
25 That \$60,228,000 of amounts appropriated for the cur-

1 rent fiscal year pursuant to section 1241(a) of the Farm
2 Security and Rural Investment Act of 1985 (16 U.S.C.
3 3841(a)) shall be transferred to and merged with this ac-
4 count.

5 FARM SERVICE AGENCY

6 SALARIES AND EXPENSES

7 (INCLUDING TRANSFERS OF FUNDS)

8 For necessary expenses of the Farm Service Agency,
9 \$1,175,670,000: *Provided*, That not more than 50 percent
10 of the funding made available under this heading for infor-
11 mation technology related to farm program delivery may
12 be obligated until the Secretary submits to the Committees
13 on Appropriations of both Houses of Congress, and re-
14 ceives written or electronic notification of receipt from
15 such Committees of, a plan for expenditure that (1) identi-
16 fies for each project/investment over \$25,000 (a) the func-
17 tional and performance capabilities to be delivered and the
18 mission benefits to be realized, (b) the estimated lifecycle
19 cost for the entirety of the project/investment, including
20 estimates for development as well as maintenance and op-
21 erations, and (c) key milestones to be met; (2) dem-
22 onstrates that each project/investment is, (a) consistent
23 with the Farm Service Agency Information Technology
24 Roadmap, (b) being managed in accordance with applica-
25 ble lifecycle management policies and guidance, and (c)

1 subject to the applicable Department's capital planning
2 and investment control requirements; and (3) has been re-
3 viewed by the Government Accountability Office and ap-
4 proved by the Committees on Appropriations of both
5 Houses of Congress: *Provided further*, That the agency
6 shall submit a report by the end of the fourth quarter of
7 fiscal year 2022 to the Committees on Appropriations and
8 the Government Accountability Office, that identifies for
9 each project/investment that is operational (a) current
10 performance against key indicators of customer satisfac-
11 tion, (b) current performance of service level agreements
12 or other technical metrics, (c) current performance against
13 a pre-established cost baseline, (d) a detailed breakdown
14 of current and planned spending on operational enhance-
15 ments or upgrades, and (e) an assessment of whether the
16 investment continues to meet business needs as intended
17 as well as alternatives to the investment: *Provided further*,
18 That the Secretary is authorized to use the services, facili-
19 ties, and authorities (but not the funds) of the Commodity
20 Credit Corporation to make program payments for all pro-
21 grams administered by the Agency: *Provided further*, That
22 other funds made available to the Agency for authorized
23 activities may be advanced to and merged with this ac-
24 count: *Provided further*, That funds made available to
25 county committees shall remain available until expended:

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

9 STATE MEDIATION GRANTS

10 For grants pursuant to section 502(b) of the Agricul-
 11 tural Credit Act of 1987, as amended (7 U.S.C. 5101–
 12 5106), \$6,914,000.

13 GRASSROOTS SOURCE WATER PROTECTION PROGRAM

14 For necessary expenses to carry out wellhead or
 15 groundwater protection activities under section 1240O of
 16 the Food Security Act of 1985 (16 U.S.C. 3839bb–2),
 17 \$6,500,000, to remain available until expended.

18 DAIRY INDEMNITY PROGRAM

19 (INCLUDING TRANSFER OF FUNDS)

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

1 scribed in the Agriculture, Rural Development, Food and
2 Drug Administration, and Related Agencies Appropria-
3 tions Act, 2001 (Public Law 106–387, 114 Stat. 1549A–
4 12).

5 AGRICULTURAL CREDIT INSURANCE FUND PROGRAM

6 ACCOUNT

7 (INCLUDING TRANSFERS OF FUNDS)

8 For gross obligations for the principal amount of di-
9 rect and guaranteed farm ownership (7 U.S.C. 1922 et
10 seq.) and operating (7 U.S.C. 1941 et seq.) loans, emer-
11 gency loans (7 U.S.C. 1961 et seq.), Indian tribe land ac-
12 quisition loans (25 U.S.C. 5136), boll weevil loans (7
13 U.S.C. 1989), guaranteed conservation loans (7 U.S.C.
14 1924 et seq.), relending program (7 U.S.C. 1936c), and
15 Indian highly fractionated land loans (25 U.S.C. 5136)
16 to be available from funds in the Agricultural Credit In-
17 surance Fund, as follows: \$3,500,000,000 for guaranteed
18 farm ownership loans and \$2,800,000,000 for farm owner-
19 ship direct loans; \$2,118,482,000 for unsubsidized guar-
20 anteed operating loans and \$1,633,333,000 for direct op-
21 erating loans; emergency loans, \$37,668,000; Indian tribe
22 land acquisition loans, \$20,000,000; guaranteed conserva-
23 tion loans, \$150,000,000; relending program,
24 \$61,425,000; Indian highly fractionated land loans,
25 \$5,000,000; and for boll weevil eradication program loans,

1 \$60,000,000: *Provided*, That the Secretary shall deem the
2 pink bollworm to be a boll weevil for the purpose of boll
3 weevil eradication program loans.

4 For the cost of direct and guaranteed loans and
5 grants, including the cost of modifying loans as defined
6 in section 502 of the Congressional Budget Act of 1974,
7 as follows: \$40,017,000 for direct farm operating loans,
8 \$16,524,000 for unsubsidized guaranteed farm operating
9 loans, \$267,000 for emergency loans, \$5,000,000 for the
10 relending program, and \$407,000 for Indian highly
11 fractionated land loans, to remain available until ex-
12 pended.

13 In addition, for administrative expenses necessary to
14 carry out the direct and guaranteed loan programs,
15 \$314,772,000: *Provided*, That of this amount,
16 \$294,114,000 shall be transferred to and merged with the
17 appropriation for “Farm Service Agency, Salaries and Ex-
18 penses”.

19 Funds appropriated by this Act to the Agricultural
20 Credit Insurance Program Account for farm ownership,
21 operating and conservation direct loans and guaranteed
22 loans may be transferred among these programs: *Pro-*
23 *vided*, That the Committees on Appropriations of both
24 Houses of Congress are notified at least 15 days in ad-
25 vance of any transfer.

RISK MANAGEMENT AGENCY

SALARIES AND EXPENSES

For necessary expenses of the Risk Management Agency, \$66,957,000: *Provided*, That \$1,000,000 of the amount appropriated under this heading in this Act shall be available for compliance and integrity activities required under section 516(b)(2)(C) of the Federal Crop Insurance Act of 1938 (7 U.S.C. 1516(b)(2)(C)), and shall be in addition to amounts otherwise provided for such purpose: *Provided further*, That not to exceed \$1,000 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i): *Provided further*, That \$2,250,000 of the amount appropriated under this heading shall be available to conduct research and development and carry out contracting and partnerships as described under subsections (c) and (d) of section 522 the Federal Crop Insurance Act of 1938 (7 U.S.C 1522(c) and (d)) in addition to amounts otherwise provided for such purposes: *Provided further*, That \$2,000,000 of the amount appropriated under this heading shall be available to research, review and ensure actuarial soundness of new products addressing climate change.

1 NATURAL RESOURCES CONSERVATION SERVICE

2 CONSERVATION OPERATIONS

3 For necessary expenses for carrying out the provi-
4 sions of the Act of April 27, 1935 (16 U.S.C. 590a–f),
5 including preparation of conservation plans and establish-
6 ment of measures to conserve soil and water (including
7 farm irrigation and land drainage and such special meas-
8 ures for soil and water management as may be necessary
9 to prevent floods and the siltation of reservoirs and to con-
10 trol agricultural related pollutants); operation of conserva-
11 tion plant materials centers; classification and mapping of
12 soil; dissemination of information; acquisition of lands,
13 water, and interests therein for use in the plant materials
14 program by donation, exchange, or purchase at a nominal
15 cost not to exceed \$100 pursuant to the Act of August
16 3, 1956 (7 U.S.C. 2268a); purchase and erection or alter-
17 ation or improvement of permanent and temporary build-
18 ings; and operation and maintenance of aircraft,
19 \$894,743,000 (increased by \$542,000) (increased by
20 \$5,257,000), to remain available until September 30,
21 2023, of which not less than \$15,000,000 is for climate
22 change-related initiatives, including climate science and
23 climate hubs: *Provided*, That appropriations hereunder
24 shall be available pursuant to 7 U.S.C. 2250 for construc-
25 tion and improvement of buildings and public improve-

1 ments at plant materials centers, except that the cost of
2 alterations and improvements to other buildings and other
3 public improvements shall not exceed \$250,000: *Provided*
4 *further*, That when buildings or other structures are erect-
5 ed on non-Federal land, that the right to use such land
6 is obtained as provided in 7 U.S.C. 2250a: *Provided fur-*
7 *ther*, That of the total amount available, \$9,458,000 (in-
8 creased by \$542,000) shall be available for necessary ex-
9 penses to carry out the Urban Agriculture and Innovative
10 Production Program under section 222 of subtitle A of
11 title II of the Department of Agriculture Reorganization
12 Act of 1994 (7 U.S.C. 6923), as amended by section
13 12302 of Public Law 115–334: *Provided further*, That of
14 the total amount available, \$10,000,000 shall remain
15 available until expended for necessary expenses to carry
16 out the Healthy Forests Reserve Program under the
17 Healthy Forests Restoration Act of 2003 (16 U.S.C
18 6571–6578).

19 WATERSHED AND FLOOD PREVENTION OPERATIONS

20 For necessary expenses to carry out preventive meas-
21 ures, including but not limited to surveys and investiga-
22 tions, engineering operations, works of improvement, and
23 changes in use of land, in accordance with the Watershed
24 Protection and Flood Prevention Act (16 U.S.C. 1001–
25 1005 and 1007–1009) and in accordance with the provi-

1 sions of laws relating to the activities of the Department,
2 \$160,000,000, to remain available until expended: *Pro-*
3 *vided*, That for funds provided by this Act or any other
4 prior Act, the limitation regarding the size of the water-
5 shed or subwatershed exceeding two hundred and fifty
6 thousand acres in which such activities can be undertaken
7 shall only apply for activities undertaken for the primary
8 purpose of flood prevention (including structural and land
9 treatment measures): *Provided further*, That of the
10 amounts made available under this heading, \$65,000,000
11 shall be allocated to projects and activities that can com-
12 mence promptly following enactment; that address re-
13 gional priorities for flood prevention, agricultural water
14 management, inefficient irrigation systems, fish and wild-
15 life habitat, or watershed protection; or that address au-
16 thorized ongoing projects under the authorities of section
17 13 of the Flood Control Act of December 22, 1944 (Public
18 Law 78–534) with a primary purpose of watershed protec-
19 tion by preventing floodwater damage and stabilizing
20 stream channels, tributaries, and banks to reduce erosion
21 and sediment transport.

22 WATERSHED REHABILITATION PROGRAM

23 Under the authorities of section 14 of the Watershed
24 Protection and Flood Prevention Act, \$10,000,000 is pro-
25 vided.

1 CORPORATIONS

2 The following corporations and agencies are hereby
3 authorized to make expenditures, within the limits of
4 funds and borrowing authority available to each such cor-
5 poration or agency and in accord with law, and to make
6 contracts and commitments without regard to fiscal year
7 limitations as provided by section 104 of the Government
8 Corporation Control Act as may be necessary in carrying
9 out the programs set forth in the budget for the current
10 fiscal year for such corporation or agency, except as here-
11 inafter provided.

12 FEDERAL CROP INSURANCE CORPORATION FUND

13 For payments as authorized by section 516 of the
14 Federal Crop Insurance Act (7 U.S.C. 1516), such sums
15 as may be necessary, to remain available until expended.

16 COMMODITY CREDIT CORPORATION FUND

17 REIMBURSEMENT FOR NET REALIZED LOSSES

18 (INCLUDING TRANSFERS OF FUNDS)

19 For the current fiscal year, such sums as may be nec-
20 essary to reimburse the Commodity Credit Corporation for
21 net realized losses sustained, but not previously reim-
22 bursed, pursuant to section 2 of the Act of August 17,
23 1961 (15 U.S.C. 713a–11): *Provided*, That of the funds
24 available to the Commodity Credit Corporation under sec-
25 tion 11 of the Commodity Credit Corporation Charter Act

1 (15 U.S.C. 714i) for the conduct of its business with the
2 Foreign Agricultural Service, up to \$5,000,000 may be
3 transferred to and used by the Foreign Agricultural Serv-
4 ice for information resource management activities of the
5 Foreign Agricultural Service that are not related to Com-
6 modity Credit Corporation business.

7 HAZARDOUS WASTE MANAGEMENT

8 (LIMITATION ON EXPENSES)

9 For the current fiscal year, the Commodity Credit
10 Corporation shall not expend more than \$15,000,000 for
11 site investigation and cleanup expenses, and operations
12 and maintenance expenses to comply with the requirement
13 of section 107(g) of the Comprehensive Environmental
14 Response, Compensation, and Liability Act (42 U.S.C.
15 9607(g)), and section 6001 of the Solid Waste Disposal
16 Act (42 U.S.C. 6961).

17 TITLE III

18 RURAL DEVELOPMENT PROGRAMS

19 OFFICE OF THE UNDER SECRETARY FOR RURAL

20 DEVELOPMENT

21 For necessary expenses of the Office of the Under
22 Secretary for Rural Development, \$1,580,000: *Provided*,
23 That funds made available by this Act to an agency in
24 the Rural Development mission area for salaries and ex-

1 penses are available to fund up to one administrative sup-
2 port staff for the Office.

3 RURAL DEVELOPMENT

4 SALARIES AND EXPENSES

5 (INCLUDING TRANSFERS OF FUNDS)

6 For necessary expenses for carrying out the adminis-
7 tration and implementation of Rural Development pro-
8 grams, including activities with institutions concerning the
9 development and operation of agricultural cooperatives;
10 and for cooperative agreements; \$348,425,000 (increased
11 by \$2,000,000): *Provided*, That of the amount made avail-
12 able under this heading, \$32,000,000 shall be for the
13 StrikeForce activities of the Department of Agriculture,
14 and may be transferred to agencies of the Department of
15 Agriculture for such purpose, consistent with the missions
16 and authorities of such agencies: *Provided further*, That
17 notwithstanding any other provision of law, funds appro-
18 priated under this heading may be used for advertising
19 and promotional activities that support Rural Develop-
20 ment programs: *Provided further*, That in addition to any
21 other funds appropriated for purposes authorized by sec-
22 tion 502(i) of the Housing Act of 1949 (42 U.S.C.
23 1472(i)), any amounts collected under such section, as
24 amended by this Act, will immediately be credited to this

1 account and will remain available until expended for such
2 purposes.

3 RURAL HOUSING SERVICE

4 RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

5 (INCLUDING TRANSFERS OF FUNDS)

6 For gross obligations for the principal amount of di-
7 rect and guaranteed loans as authorized by title V of the
8 Housing Act of 1949, to be available from funds in the
9 rural housing insurance fund, as follows: \$1,500,000,000
10 shall be for direct loans and \$30,000,000,000 shall be for
11 unsubsidized guaranteed loans; \$28,000,000 for section
12 504 housing repair loans; \$40,000,000 for section 515
13 rental housing; \$230,000,000 for section 538 guaranteed
14 multi-family housing loans; \$10,000,000 for credit sales
15 of single family housing acquired property; \$5,000,000 for
16 section 523 self-help housing land development loans; and
17 \$5,000,000 for section 524 site development loans.

18 For the cost of direct and guaranteed loans, including
19 the cost of modifying loans, as defined in section 502 of
20 the Congressional Budget Act of 1974, as follows: section
21 502 loans, \$27,900,000 shall be for direct loans; section
22 504 housing repair loans, \$484,000; section 523 self-help
23 housing land development loans, \$55,000; section 524 site
24 development loans, \$206,000; and repair, rehabilitation,
25 and new construction of section 515 rental housing,

1 \$3,576,000: *Provided*, That to support the loan program
2 level for section 538 guaranteed loans made available
3 under this heading the Secretary may charge or adjust
4 any fees to cover the projected cost of such loan guaran-
5 tees pursuant to the provisions of the Credit Reform Act
6 of 1990 (2 U.S.C. 661 et seq.), and the interest on such
7 loans may not be subsidized: *Provided further*, That appli-
8 cants in communities that have a current rural area waiv-
9 er under section 541 of the Housing Act of 1949 (42
10 U.S.C. 1490q) shall be treated as living in a rural area
11 for purposes of section 502 guaranteed loans provided
12 under this heading: *Provided further*, That of the amounts
13 available under this paragraph for section 502 direct
14 loans, no less than \$5,000,000 shall be available for direct
15 loans for individuals whose homes will be built pursuant
16 to a program funded with a mutual and self-help housing
17 grant authorized by section 523 of the Housing Act of
18 1949 until June 1, 2022: *Provided further*, That the Sec-
19 retary shall implement provisions to provide incentives to
20 nonprofit organizations and public housing authorities to
21 facilitate the acquisition of Rural Housing Service (RHS)
22 multifamily housing properties by such nonprofit organi-
23 zations and public housing authorities that commit to keep
24 such properties in the RHS multifamily housing program
25 for a period of time as determined by the Secretary, with

1 such incentives to include, but not be limited to, the fol-
2 lowing: allow such nonprofit entities and public housing
3 authorities to earn a Return on Investment on their own
4 resources to include proceeds from low income housing tax
5 credit syndication, own contributions, grants, and devel-
6 oper loans at favorable rates and terms, invested in a deal;
7 and allow reimbursement of organizational costs associ-
8 ated with owner's oversight of asset referred to as "Asset
9 Management Fee" of up to \$7,500 per property.

10 In addition, for the cost of direct loans and grants,
11 including the cost of modifying loans, as defined in section
12 502 of the Congressional Budget Act of 1974,
13 \$60,000,000 to remain available until expended, for a
14 demonstration program for the preservation and revital-
15 ization of the sections 514, 515, and 516 multi-family
16 rental housing properties to restructure existing USDA
17 multi-family housing loans, as the Secretary deems appro-
18 priate, expressly for the purposes of ensuring the project
19 has sufficient resources to preserve the project for the pur-
20 pose of providing safe and affordable housing for low-in-
21 come residents and farm laborers including reducing or
22 eliminating interest; deferring loan payments, subordi-
23 nating, reducing or re-amortizing loan debt; and other fi-
24 nancial assistance including advances, payments and in-
25 centives (including the ability of owners to obtain reason-

1 able returns on investment) required by the Secretary:
2 *Provided*, That the Secretary shall as part of the preserva-
3 tion and revitalization agreement obtain a restrictive use
4 agreement consistent with the terms of the restructuring:
5 *Provided further*, That any balances, including obligated
6 balances, available for all demonstration programs for the
7 preservation and revitalization of sections 514, 515, and
8 516 multi-family rental housing properties in the “Multi-
9 Family Housing Revitalization Program Account” shall be
10 transferred to this account, and shall also be available for
11 the preservation and revitalization of sections 514, 515,
12 and 516 multi-family rental housing properties, including
13 the restructuring of existing USDA multi-family housing
14 loans: *Provided further*, That following the transfer of bal-
15 ances described in the preceding proviso, any adjustments
16 to obligations for demonstration programs for the preser-
17 vation and revitalization of sections 514, 515, and 516
18 multi-family rental housing properties that would other-
19 wise be incurred in the “Multi-Family Housing Revitaliza-
20 tion Program Account” shall be made in this account from
21 amounts transferred to this account under the preceding
22 proviso.

23 In addition, for the cost of direct loans, grants, and
24 contracts, as authorized by sections 514 and 516 of the
25 Housing Act of 1949 (42 U.S.C. 1484, 1486),

1 \$17,831,000, to remain available until expended, for direct
2 farm labor housing loans and domestic farm labor housing
3 grants and contracts: *Provided*, That any balances avail-
4 able for the Farm Labor Program Account shall be trans-
5 ferred to and merged with this account.

6 In addition, for administrative expenses necessary to
7 carry out the direct and guaranteed loan programs,
8 \$412,254,000 shall be transferred to and merged with the
9 appropriation for “Rural Development, Salaries and Ex-
10 penses”.

11 RENTAL ASSISTANCE PROGRAM

12 For rental assistance agreements entered into or re-
13 newed pursuant to the authority under section 521(a)(2)
14 of the Housing Act of 1949 or agreements entered into
15 in lieu of debt forgiveness or payments for eligible house-
16 holds as authorized by section 502(c)(5)(D) of the Hous-
17 ing Act of 1949, and for the rural housing voucher pro-
18 gram as authorized under section 542 of the Housing Act
19 of 1949, notwithstanding subsection (b) of such section,
20 \$1,495,000,000, of which \$40,000,000 shall be available
21 until September 30, 2023; and in addition such sums as
22 may be necessary, as authorized by section 521(c) of the
23 Act, to liquidate debt incurred prior to fiscal year 1992
24 to carry out the rental assistance program under section
25 521(a)(2) of the Act: *Provided*, That of the amounts made

1 available under this heading, \$1,450,000,000 shall be
2 available for renewal of rental assistance agreements: *Pro-*
3 *vided further*, That rental assistance agreements entered
4 into or renewed during the current fiscal year shall be
5 funded for a one-year period: *Provided further*, That not-
6 withstanding any other provision of the Act, the Secretary
7 may recapture rental assistance provided under agree-
8 ments entered into prior to fiscal year 2022 for a project
9 that the Secretary determines no longer needs rental as-
10 sistance and use such recaptured funds for current needs:
11 *Provided further*, That notwithstanding any other provi-
12 sion of the Act, the Secretary may recapture funds pro-
13 vided for rental assistance under agreements entered into
14 prior to fiscal year 2022 for a project that the Secretary
15 determines no longer needs rental assistance: *Provided*
16 *further*, That such recaptured funds shall remain available
17 for obligation in fiscal year 2022 for the purposes specified
18 under this heading: *Provided further*, That of the amounts
19 made available under this heading, \$45,000,000 shall be
20 available for rural housing vouchers to any low-income
21 household, including a household that does not receive
22 rental assistance, residing in a property financed with a
23 section 515 loan that has been prepaid or otherwise paid
24 off after September 30, 2005: *Provided further*, That the
25 amount of such vouchers shall be equal to the difference

1 between comparable market rent for the section 515 unit
2 and the tenant paid rent for such unit: *Provided further*,
3 That such vouchers shall be subject to the availability of
4 annual appropriations: *Provided further*, That the Sec-
5 retary shall, to the maximum extent practicable, admin-
6 ister such vouchers with current regulations and adminis-
7 trative guidance applicable to section 8 housing vouchers
8 administered by the Secretary of the Department of Hous-
9 ing and Urban Development: *Provided further*, That any
10 balances available for the rural housing voucher program
11 in the “Multi-Family Housing Revitalization Program Ac-
12 count” shall be transferred to and merged with this ac-
13 count and shall be available for the rural housing voucher
14 program: *Provided further*, That if the Secretary deter-
15 mines that the amount made available for vouchers or
16 rental assistance in this Act is not needed for vouchers
17 or rental assistance, the Secretary may use such funds for
18 any of the programs described under this heading.

19 MUTUAL AND SELF-HELP HOUSING GRANTS

20 For grants and contracts pursuant to section
21 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C.
22 1490c), \$32,000,000, to remain available until expended.

23 RURAL HOUSING ASSISTANCE GRANTS

24 For grants for very low-income housing repair and
25 rural housing preservation made by the Rural Housing

1 Service, as authorized by 42 U.S.C. 1474, and 1490m,
2 \$65,000,000, to remain available until expended.

3 RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT
4 (INCLUDING TRANSFERS OF FUNDS)

5 For gross obligations for the principal amount of di-
6 rect and guaranteed loans as authorized by section 306
7 and described in section 381E(d)(1) of the Consolidated
8 Farm and Rural Development Act, \$2,800,000,000 for di-
9 rect loans and \$650,000,000 for guaranteed loans.

10 For the cost of direct loans, loan guarantees and
11 grants, including the cost of modifying loans, as defined
12 in section 502 of the Congressional Budget Act of 1974,
13 for rural community facilities programs as authorized by
14 section 306 and described in section 381E(d)(1) of the
15 Consolidated Farm and Rural Development Act,
16 \$238,454,714, to remain available until expended, of
17 which up to \$112,036,714 shall be for the purposes, and
18 in the amounts, specified for this account in the table ti-
19 tled “Community Project Funding” in the report to ac-
20 company this Act, in accordance with applicable statutory
21 and regulatory requirements: *Provided*, That \$6,000,000
22 of the amount appropriated under this heading shall be
23 available for a Rural Community Development Initiative:
24 *Provided further*, That such funds shall be used solely to
25 develop the capacity and ability of private, nonprofit com-

1 munity-based housing and community development orga-
2 nizations, low-income rural communities, and Federally
3 Recognized Native American Tribes to undertake projects
4 to improve housing, community facilities, community and
5 economic development projects in rural areas: *Provided*
6 *further*, That such funds shall be made available to quali-
7 fied private, nonprofit and public intermediary organiza-
8 tions proposing to carry out a program of financial and
9 technical assistance: *Provided further*, That such inter-
10 mediary organizations shall provide matching funds from
11 other sources, including Federal funds for related activi-
12 ties, in an amount not less than funds provided: *Provided*
13 *further*, That any unobligated balances from prior year ap-
14 propriations under this heading for the cost of direct
15 loans, loan guarantees and grants, including amounts
16 deobligated or cancelled, may be made available to cover
17 the subsidy costs for direct loans and or loan guarantees
18 under this heading in this fiscal year: *Provided further*,
19 That no amounts may be made available pursuant to the
20 preceding proviso from amounts that were designated by
21 the Congress as an emergency requirement pursuant to
22 a Concurrent Resolution on the Budget or the Balanced
23 Budget and Emergency Deficit Control Act of 1985: *Pro-*
24 *vided further*, That \$10,000,000 of the amount appro-
25 priated under this heading shall be available for commu-

1 nity facilities grants to tribal colleges, as authorized by
 2 section 306(a)(19) of such Act: *Provided further*, That sec-
 3 tions 381E–H and 381N of the Consolidated Farm and
 4 Rural Development Act are not applicable to the funds
 5 made available under this heading.

6 RURAL BUSINESS—COOPERATIVE SERVICE

7 RURAL BUSINESS PROGRAM ACCOUNT

8 (INCLUDING TRANSFERS OF FUNDS)

9 For the cost of loan guarantees and grants, for the
 10 rural business development programs authorized by sec-
 11 tion 310B and described in subsections (a), (c), (f) and
 12 (g) of section 310B of the Consolidated Farm and Rural
 13 Development Act, \$91,200,000, to remain available until
 14 expended: *Provided*, That of the amount appropriated
 15 under this heading, not to exceed \$500,000 shall be made
 16 available for one grant to a qualified national organization
 17 to provide technical assistance for rural transportation in
 18 order to promote economic development and \$9,000,000
 19 shall be for grants to the Delta Regional Authority (7
 20 U.S.C. 2009aa et seq.), the Northern Border Regional
 21 Commission (40 U.S.C. 15101 et seq.), and the Appa-
 22 lachian Regional Commission (40 U.S.C. 14101 et seq.)
 23 for any Rural Community Advancement Program purpose
 24 as described in section 381E(d) of the Consolidated Farm
 25 and Rural Development Act, of which not more than 5

1 percent may be used for administrative expenses: *Provided*
2 *further*, That \$4,000,000 of the amount appropriated
3 under this heading shall be for business grants to benefit
4 Federally Recognized Native American Tribes, including
5 \$250,000 for a grant to a qualified national organization
6 to provide technical assistance for rural transportation in
7 order to promote economic development: *Provided further*,
8 That of the amount appropriated under this heading,
9 \$5,000,000 shall be for the Rural Innovation Stronger
10 Economy Grant Program (7 U.S.C. 2008w): *Provided fur-*
11 *ther*, That sections 381E–H and 381N of the Consolidated
12 Farm and Rural Development Act are not applicable to
13 funds made available under this heading.

14 INTERMEDIARY RELENDING PROGRAM FUND ACCOUNT
15 (INCLUDING TRANSFER OF FUNDS)

16 For the principal amount of direct loans, as author-
17 ized by the Intermediary Relending Program Fund Ac-
18 count (7 U.S.C. 1936b), \$18,889,000.

19 For the cost of direct loans, \$1,524,000, as author-
20 ized by the Intermediary Relending Program Fund Ac-
21 count (7 U.S.C. 1936b), of which \$167,000 shall be avail-
22 able through June 30, 2022, for Federally Recognized Na-
23 tive American Tribes; and of which \$305,000 shall be
24 available through June 30, 2022, for Mississippi Delta Re-
25 gion counties (as determined in accordance with Public

1 Law 100–460): *Provided*, That such costs, including the
2 cost of modifying such loans, shall be as defined in section
3 502 of the Congressional Budget Act of 1974.

4 In addition, for administrative expenses to carry out
5 the direct loan programs, \$4,468,000 shall be transferred
6 to and merged with the appropriation for “Rural Develop-
7 ment, Salaries and Expenses”.

8 RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM
9 ACCOUNT

10 For the principal amount of direct loans, as author-
11 ized under section 313B(a) of the Rural Electrification
12 Act, for the purpose of promoting rural economic develop-
13 ment and job creation projects, \$50,000,000.

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

18 RURAL COOPERATIVE DEVELOPMENT GRANTS

19 For rural cooperative development grants authorized
20 under section 310B(e) of the Consolidated Farm and
21 Rural Development Act (7 U.S.C. 1932), \$28,600,000 (in-
22 creased by \$500,000), of which \$2,800,000 (increased by
23 \$500,000) shall be for cooperative agreements for the ap-
24 propriate technology transfer for rural areas program:
25 *Provided*, That not to exceed \$3,000,000 shall be for

1 grants for cooperative development centers, individual co-
2 operatives, or groups of cooperatives that serve socially
3 disadvantaged groups and a majority of the boards of di-
4 rectors or governing boards of which are comprised of in-
5 dividuals who are members of socially disadvantaged
6 groups; and of which \$17,000,000, to remain available
7 until expended, shall be for value-added agricultural prod-
8 uct market development grants, as authorized by section
9 210A of the Agricultural Marketing Act of 1946, of which
10 \$3,000,000, to remain available until expended, shall be
11 for Agriculture Innovation Centers authorized pursuant to
12 section 6402 of Public Law 107–171.

13 RURAL MICROENTREPRENEUR ASSISTANCE PROGRAM

14 For gross obligations for the principal amount of di-
15 rect loans as authorized by section 379E of the Consoli-
16 dated Farm and Rural Development Act (U.S.C. 2008s),
17 \$150,000,000.

18 For the cost of grants, \$8,000,000 under the same
19 terms and conditions as authorized by section 379E of the
20 Consolidated Farm and Rural Development Act (7 U.S.C.
21 2008s).

22 RURAL ENERGY FOR AMERICA PROGRAM

23 For the cost of a program of loan guarantees and
24 grants, under the same terms and conditions as authorized
25 by section 9007 of the Farm Security and Rural Invest-

1 ment Act of 2002 (7 U.S.C. 8107), \$30,420,000: *Pro-*
2 *vided*, That the cost of loan guarantees, including the cost
3 of modifying such loans, shall be as defined in section 502
4 of the Congressional Budget Act of 1974.

5 HEALTHY FOODS FINANCING INITIATIVE

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

18 RURAL UTILITIES SERVICE

19 RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT
20 (INCLUDING TRANSFERS OF FUNDS)

21 For gross obligations for the principal amount of di-
22 rect and guaranteed loans as authorized by section 306
23 and described in section 381E(d)(2) of the Consolidated
24 Farm and Rural Development Act, as follows:

1 \$1,400,000,000 for direct loans; and \$50,000,000 for
2 guaranteed loans.

3 For the cost of loan guarantees and grants, including
4 the cost of modifying loans, as defined in section 502 of
5 the Congressional Budget Act of 1974, for rural water,
6 waste water, waste disposal, and solid waste management
7 programs authorized by sections 306, 306A, 306C, 306D,
8 306E, and 310B and described in sections 306C(a)(2),
9 306D, 306E, and 381E(d)(2) of the Consolidated Farm
10 and Rural Development Act, \$721,557,000 (increased by
11 \$5,000,000) (increased by \$605,000), to remain available
12 until expended, of which not to exceed \$1,000,000 shall
13 be available for the rural utilities program described in
14 section 306(a)(2)(B) of such Act, and of which not to ex-
15 ceed \$5,000,000 shall be available for the rural utilities
16 program described in section 306E of such Act: *Provided*,
17 That not to exceed \$15,000,000 of the amount appro-
18 priated under this heading shall be for grants authorized
19 by section 306A(i)(2) of the Consolidated Farm and Rural
20 Development Act in addition to funding authorized by sec-
21 tion 306A(i)(1) of such Act: *Provided further*, That
22 \$93,000,000 of the amount appropriated under this head-
23 ing shall be for loans and grants including water and
24 waste disposal systems grants authorized by section
25 306C(a)(2)(B) and section 306D of the Consolidated

1 Farm and Rural Development Act, and Federally Recog-
2 nized Native American Tribes authorized by 306C(a)(1)
3 of such Act: *Provided further*, That funding provided for
4 section 306D of the Consolidated Farm and Rural Devel-
5 opment Act may be provided to a consortium formed pur-
6 suant to section 325 of Public Law 105–83: *Provided fur-*
7 *ther*, That not more than 2 percent of the funding pro-
8 vided for section 306D of the Consolidated Farm and
9 Rural Development Act may be used by the State of Alas-
10 ka for training and technical assistance programs and not
11 more than 2 percent of the funding provided for section
12 306D of the Consolidated Farm and Rural Development
13 Act may be used by a consortium formed pursuant to sec-
14 tion 325 of Public Law 105–83 for training and technical
15 assistance programs: *Provided further*, That not to exceed
16 \$40,000,000 of the amount appropriated under this head-
17 ing shall be for technical assistance grants for rural water
18 and waste systems pursuant to section 306(a)(14) of such
19 Act, unless the Secretary makes a determination of ex-
20 treme need, of which \$8,000,000 shall be made available
21 for a grant to a qualified nonprofit multi-State regional
22 technical assistance organization, with experience in work-
23 ing with small communities on water and waste water
24 problems, the principal purpose of such grant shall be to
25 assist rural communities with populations of 3,300 or less,

1 in improving the planning, financing, development, oper-
2 ation, and management of water and waste water systems,
3 and of which not less than \$800,000 shall be for a quali-
4 fied national Native American organization to provide
5 technical assistance for rural water systems for tribal com-
6 munities: *Provided further*, That not to exceed
7 \$20,157,000 (increased by \$605,000) of the amount ap-
8 propriated under this heading shall be for contracting with
9 qualified national organizations for a circuit rider program
10 to provide technical assistance for rural water systems:
11 *Provided further*, That not to exceed \$4,000,000 of the
12 amounts made available under this heading shall be for
13 solid waste management grants: *Provided further*, That
14 \$10,000,000 of the amount appropriated under this head-
15 ing shall be transferred to, and merged with, the Rural
16 Utilities Service, High Energy Cost Grants Account to
17 provide grants authorized under section 19 of the Rural
18 Electrification Act of 1936 (7 U.S.C. 918a): *Provided fur-*
19 *ther*, That any prior year balances for high-energy cost
20 grants authorized by section 19 of the Rural Electrifica-
21 tion Act of 1936 (7 U.S.C. 918a) shall be transferred to
22 and merged with the Rural Utilities Service, High Energy
23 Cost Grants Account: *Provided further*, That sections
24 381E–H and 381N of the Consolidated Farm and Rural

1 Development Act are not applicable to the funds made
2 available under this heading.

3 RURAL ELECTRIFICATION AND TELECOMMUNICATIONS

4 LOANS PROGRAM ACCOUNT

5 (INCLUDING TRANSFER OF FUNDS)

6 The principal amount of direct and guaranteed loans
7 as authorized by sections 4, 305, 306, and 317 of the
8 Rural Electrification Act of 1936 (7 U.S.C. 904, 935, 936,
9 and 940g) shall be made as follows: loans made pursuant
10 to sections 4(c)(2), 305(d)(2), 306, and 317, notwith-
11 standing 317(c), of that Act, rural direct electric loans,
12 \$5,500,000,000; guaranteed underwriting loans pursuant
13 to section 313A of that Act, \$750,000,000; 5 percent rural
14 telecommunications loans, cost of money rural tele-
15 communications loans, and for loans made pursuant to
16 section 306 of that Act, rural telecommunications loans,
17 \$690,000,000.

18 For the cost of direct loans as authorized by section
19 305(d)(2) of the Rural Electrification Act of 1936 (7
20 U.S.C. 935(d)(2)), including the cost of modifying loans,
21 as defined in section 502 of the Congressional Budget Act
22 of 1974, cost of money rural telecommunications loans,
23 \$2,070,000.

24 For the cost of grants and loan modifications, as de-
25 fined in section 502 of the Congressional Budget Act of

1 1974, including any associated penalties, for transitioning
2 to pollution free electricity, \$150,000,000, of which up to
3 five percent may be used for administrative costs to carry
4 out the program.

5 For the cost of modifications, as defined in section
6 502 of the Congressional Budget Act of 1974, for the di-
7 rect rural telecommunication loans, \$25,000,000.

8 In addition, \$14,000,000 to remain available until ex-
9 pended, to carry out section 6407 of the Farm Security
10 and Rural Investment Act of 2002 (7 U.S.C. 8107a): *Pro-*
11 *vided*, That the energy efficiency measures supported by
12 the funding in this paragraph shall contribute in a demon-
13 strable way to the reduction of greenhouse gases.

14 In addition, for administrative expenses necessary to
15 carry out the direct and guaranteed loan programs,
16 \$33,270,000, which shall be transferred to and merged
17 with the appropriation for “Rural Development, Salaries
18 and Expenses”.

19 DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND
20 PROGRAM

21 For the principal amount of broadband telecommuni-
22 cation loans, \$11,869,000.

23 For grants for telemedicine and distance learning
24 services in rural areas, as authorized by 7 U.S.C. 950aaa
25 et seq., \$60,000,000, to remain available until expended:

1 *Provided*, That \$3,000,000 shall be made available for
2 grants authorized by section 379G of the Consolidated
3 Farm and Rural Development Act: *Provided further*, That
4 funding provided under this heading for grants under sec-
5 tion 379G of the Consolidated Farm and Rural Develop-
6 ment Act may only be provided to entities that meet all
7 of the eligibility criteria for a consortium as established
8 by this section.

9 For the cost of broadband loans, as authorized by
10 section 601 of the Rural Electrification Act, \$1,772,000,
11 to remain available until expended: *Provided*, That the
12 cost of direct loans shall be as defined in section 502 of
13 the Congressional Budget Act of 1974.

14 For the broadband loan and grant pilot program es-
15 tablished by section 779 of division A of the Consolidated
16 Appropriations Act, 2018 (Public Law 115–141) under
17 the Rural Electrification Act of 1936, as amended (7
18 U.S.C 901 et seq.), \$786,604,792, to remain available
19 until expended, of which up to \$36,604,792 shall be for
20 the purposes, and in the amounts, specified for this ac-
21 count in the table titled “Community Project Funding”
22 in the report to accompany this Act, in accordance with
23 applicable statutory and regulatory requirements: *Pro-*
24 *vided*, That the Secretary may award grants described in
25 section 601(a) of the Rural Electrification Act of 1936,

1 as amended (7 U.S.C. 950bb(a)) for the purposes of car-
2 rying out such pilot program: *Provided further*, That the
3 cost of direct loans shall be defined in section 502 of the
4 Congressional Budget Act of 1974: *Provided further*, That
5 at least 90 percent of the households to be served by a
6 project receiving a loan or grant under the pilot program
7 shall be in a rural area without sufficient access to
8 broadband: *Provided further*, That for purposes of such
9 pilot program, a rural area without sufficient access to
10 broadband shall be defined as twenty-five megabytes per
11 second downstream and three megabytes per second up-
12 stream, and such definition shall be reevaluated and rede-
13 fined, as necessary, on an annual basis by the Secretary
14 of Agriculture: *Provided further*, That an entity to which
15 a loan or grant is made under the pilot program shall not
16 use the loan or grant to overbuild or duplicate broadband
17 service in a service area by any entity that has received
18 a broadband loan from the Rural Utilities Service unless
19 such service is not provided sufficient access to broadband
20 at the minimum service threshold: *Provided further*, That
21 not more than four percent of the funds made available
22 in this paragraph can be used for administrative costs to
23 carry out the pilot program and up to three percent of
24 funds made available in this paragraph may be available
25 for technical assistance and pre-development planning ac-

1 tivities to support the most rural communities: *Provided*
2 *further*, That the Rural Utilities Service is directed to ex-
3 pedite program delivery methods that would implement
4 this paragraph: *Provided further*, That for purposes of this
5 paragraph, the Secretary shall adhere to the notice, re-
6 porting and service area assessment requirements set
7 forth in sections 6104(a)(2)(D) and 6104(a)(2)(E) of the
8 Agricultural Act of 2014 (7 U.S.C 950bb(d)(5), (d)(8)
9 and (d)(10)).

10 In addition, \$35,000,000, to remain available until
11 expended, for the Community Connect Grant Program au-
12 thorized by 7 U.S.C. 950bb–3.

13 TITLE IV

14 DOMESTIC FOOD PROGRAMS

15 OFFICE OF THE UNDER SECRETARY FOR FOOD,

16 NUTRITION, AND CONSUMER SERVICES

17 For necessary expenses of the Office of the Under
18 Secretary for Food, Nutrition, and Consumer Services,
19 \$1,327,000: *Provided*, That funds made available by this
20 Act to an agency in the Food, Nutrition and Consumer
21 Services mission area for salaries and expenses are avail-
22 able to fund up to one administrative support staff for
23 the Office.

1 FOOD AND NUTRITION SERVICE

2 CHILD NUTRITION PROGRAMS

3 (INCLUDING TRANSFERS OF FUNDS)

4 For necessary expenses to carry out the Richard B.
5 Russell National School Lunch Act (42 U.S.C. 1751 et
6 seq.), except section 21, and the Child Nutrition Act of
7 1966 (42 U.S.C. 1771 et seq.), except sections 17 and
8 21; \$26,892,922,000 to remain available through Sep-
9 tember 30, 2023, of which such sums as are made avail-
10 able under section 14222(b)(1) of the Food, Conservation,
11 and Energy Act of 2008 (Public Law 110–246), as
12 amended by this Act, shall be merged with and available
13 for the same time period and purposes as provided herein:
14 *Provided*, That of the total amount available, \$20,004,000
15 shall be available to carry out section 19 of the Child Nu-
16 trition Act of 1966 (42 U.S.C. 1788): *Provided further*,
17 That of the total amount available, \$15,607,000 shall be
18 available to carry out studies and evaluations and shall
19 remain available until expended: *Provided further*, That of
20 the total amount available, \$35,000,000 shall be available
21 to provide competitive grants to State agencies for sub-
22 grants to local educational agencies and schools to pur-
23 chase the equipment, with a value of greater than \$1,000,
24 needed to serve healthier meals, improve food safety, and
25 to help support the establishment, maintenance, or expan-

1 sion of the school breakfast program: *Provided further*,
2 That of the total amount available, \$45,000,000 shall re-
3 main available until expended to carry out section 749(g)
4 of the Agriculture Appropriations Act of 2010 (Public
5 Law 111–80): *Provided further*, That of the total amount
6 available, \$12,000,000 shall remain available until ex-
7 pended to carry out section 18(g) of the Richard B. Rus-
8 sell National School Lunch Act (42 U.S.C. 1769(g)): *Pro-*
9 *vided further*, That notwithstanding section 18(g)(3)(C) of
10 the Richard B. Russell National School Lunch Act (42
11 U.S.C. 1769(g)(3)(c)), the total grant amount provided to
12 a farm to school grant recipient in fiscal year 2022 shall
13 not exceed \$500,000: *Provided further*, That section 26(d)
14 of the Richard B. Russell National School Lunch Act (42
15 U.S.C. 1769g(d)) is amended in the first sentence by
16 striking “2010 through 2022” and inserting “2010
17 through 2023”: *Provided further*, That section 9(h)(3) of
18 the Richard B. Russell National School Lunch Act (42
19 U.S.C. 1758(h)(3)) is amended in the first sentence by
20 striking “For fiscal year 2021” and inserting “For fiscal
21 year 2022”: *Provided further*, That section 9(h)(4) of the
22 Richard B. Russell National School Lunch Act (42 U.S.C.
23 1758(h)(4)) is amended in the first sentence by striking
24 “For fiscal year 2021” and inserting “For fiscal year
25 2022”.

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

3 For necessary expenses to carry out the special sup-
4 plemental nutrition program as authorized by section 17
5 of the Child Nutrition Act of 1966 (42 U.S.C. 1786),
6 \$6,000,000,000, to remain available through September
7 30, 2023: *Provided*, That notwithstanding section
8 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C.
9 1786(h)(10)), not less than \$90,000,000 shall be used for
10 breastfeeding peer counselors and other related activities,
11 \$14,000,000 shall be used for infrastructure, and not less
12 than \$75,000,000, to remain available until expended,
13 shall be available for management information systems,
14 including WIC electronic benefit transfer systems and ac-
15 tivities: *Provided further*, That none of the funds provided
16 in this account shall be available for the purchase of infant
17 formula except in accordance with the cost containment
18 and competitive bidding requirements specified in section
19 17 of such Act: *Provided further*, That none of the funds
20 provided shall be available for activities that are not fully
21 reimbursed by other Federal Government departments or
22 agencies unless authorized by section 17 of such Act: *Pro-*
23 *vided further*, That upon termination of a federally man-
24 dated vendor moratorium and subject to terms and condi-
25 tions established by the Secretary, the Secretary may

1 waive the requirement at 7 CFR 246.12(g)(6) at the re-
2 quest of a State agency.

3 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

4 For necessary expenses to carry out the Food and
5 Nutrition Act of 2008 (7 U.S.C. 2011 et seq.),
6 \$105,796,197,000, of which \$3,000,000,000, to remain
7 available through September 30, 2024, shall be placed in
8 reserve for use only in such amounts and at such times
9 as may become necessary to carry out program operations:
10 *Provided*, That funds provided herein shall be expended
11 in accordance with section 16 of the Food and Nutrition
12 Act of 2008: *Provided further*, That of the funds made
13 available under this heading, \$998,000 may be used to
14 provide nutrition education services to State agencies and
15 Federally Recognized Tribes participating in the Food
16 Distribution Program on Indian Reservations: *Provided*
17 *further*, That of the funds made available under this head-
18 ing, \$3,000,000, to remain available until September 30,
19 2023, shall be used to carry out section 4003(b) of Public
20 Law 115–334 relating to demonstration projects for tribal
21 organizations: *Provided further*, That this appropriation
22 shall be subject to any work registration or workfare re-
23 quirements as may be required by law: *Provided further*,
24 That funds made available for Employment and Training
25 under this heading shall remain available through Sep-

1 tember 30, 2023: *Provided further*, That funds made avail-
2 able under this heading for section 28(d)(1), section 4(b),
3 and section 27(a) of the Food and Nutrition Act of 2008
4 shall remain available through September 30, 2023: *Pro-*
5 *vided further*, That none of the funds made available under
6 this heading may be obligated or expended in contraven-
7 tion of section 213A of the Immigration and Nationality
8 Act (8 U.S.C. 1183A): *Provided further*, That funds made
9 available under this heading may be used to enter into
10 contracts and employ staff to conduct studies, evaluations,
11 or to conduct activities related to program integrity pro-
12 vided that such activities are authorized by the Food and
13 Nutrition Act of 2008.

14 For making, after June 30 of the current fiscal year,
15 benefit payments to individuals, and payments to States
16 or other non-Federal entities, pursuant to the Food and
17 Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), for unan-
18 ticipated costs incurred for the last three months of the
19 fiscal year, such sums as may be necessary.

20 COMMODITY ASSISTANCE PROGRAM

21 For necessary expenses to carry out disaster assist-
22 ance and the Commodity Supplemental Food Program as
23 authorized by section 4(a) of the Agriculture and Con-
24 sumer Protection Act of 1973 (7 U.S.C. 612c note); the
25 Emergency Food Assistance Act of 1983; special assist-

1 ance for the nuclear affected islands, as authorized by sec-
2 tion 103(f)(2) of the Compact of Free Association Amend-
3 ments Act of 2003 (Public Law 108–188); and the Farm-
4 ers’ Market Nutrition Program, as authorized by section
5 17(m) of the Child Nutrition Act of 1966, \$448,070,000
6 (increased by \$5,000,000), to remain available through
7 September 30, 2023: *Provided*, That none of these funds
8 shall be available to reimburse the Commodity Credit Cor-
9 poration for commodities donated to the program: *Pro-*
10 *vided further*, That notwithstanding any other provision
11 of law, effective with funds made available in fiscal year
12 2022 to support the Seniors Farmers’ Market Nutrition
13 Program, as authorized by section 4402 of the Farm Se-
14 curity and Rural Investment Act of 2002, such funds shall
15 remain available through September 30, 2023: *Provided*
16 *further*, That of the funds made available under section
17 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C.
18 2036(a)), the Secretary may use up to 20 percent for costs
19 associated with the distribution of commodities.

20 NUTRITION PROGRAMS ADMINISTRATION

21 For necessary administrative expenses of the Food
22 and Nutrition Service for carrying out any domestic nutri-
23 tion assistance program, \$191,533,000: *Provided*, That of
24 the funds provided herein, \$2,000,000 shall be used for

1 the purposes of section 4404 of Public Law 107–171, as
2 amended by section 4401 of Public Law 110–246.

3 TITLE V

4 FOREIGN ASSISTANCE AND RELATED

5 PROGRAMS

6 OFFICE OF THE UNDER SECRETARY FOR TRADE AND

7 FOREIGN AGRICULTURAL AFFAIRS

8 For necessary expenses of the Office of the Under
9 Secretary for Trade and Foreign Agricultural Affairs,
10 \$908,000: *Provided*, That funds made available by this
11 Act to any agency in the Trade and Foreign Agricultural
12 Affairs mission area for salaries and expenses are avail-
13 able to fund up to one administrative support staff for
14 the Office.

15 OFFICE OF CODEX ALIMENTARIUS

16 For necessary expenses of the Office of Codex
17 Alimentarius, \$4,841,000, including not to exceed
18 \$40,000 for official reception and representation expenses.

19 FOREIGN AGRICULTURAL SERVICE

20 SALARIES AND EXPENSES

21 (INCLUDING TRANSFERS OF FUNDS)

22 For necessary expenses of the Foreign Agricultural
23 Service, including not to exceed \$250,000 for representa-
24 tion allowances and for expenses pursuant to section 8 of
25 the Act approved August 3, 1956 (7 U.S.C. 1766),

1 \$228,644,000, of which no more than 6 percent shall re-
2 main available until September 30, 2023, for overseas op-
3 erations to include the payment of locally employed staff:
4 *Provided*, That the Service may utilize advances of funds,
5 or reimburse this appropriation for expenditures made on
6 behalf of Federal agencies, public and private organiza-
7 tions and institutions under agreements executed pursu-
8 ant to the agricultural food production assistance pro-
9 grams (7 U.S.C. 1737) and the foreign assistance pro-
10 grams of the United States Agency for International De-
11 velopment: *Provided further*, That funds made available
12 for middle-income country training programs, funds made
13 available for the Borlaug International Agricultural
14 Science and Technology Fellowship program, and up to
15 \$2,000,000 of the Foreign Agricultural Service appropria-
16 tion solely for the purpose of offsetting fluctuations in
17 international currency exchange rates, subject to docu-
18 mentation by the Foreign Agricultural Service, shall re-
19 main available until expended.

20 FOOD FOR PEACE TITLE II GRANTS

21 For expenses during the current fiscal year, not oth-
22 erwise recoverable, and unrecovered prior years' costs, in-
23 cluding interest thereon, under the Food for Peace Act
24 (Public Law 83-480), for commodities supplied in connec-

tion with dispositions abroad under title II of said Act,
\$1,740,000,000, to remain available until expended.

MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION
AND CHILD NUTRITION PROGRAM GRANTS

For necessary expenses to carry out the provisions
of section 3107 of the Farm Security and Rural Invest-
ment Act of 2002 (7 U.S.C. 1736o–1), \$245,000,000, to
remain available until expended: *Provided*, That the Com-
modity Credit Corporation is authorized to provide the
services, facilities, and authorities for the purpose of im-
plementing such section, subject to reimbursement from
amounts provided herein: *Provided further*, That of the
amount made available under this heading, not more than
10 percent, but not less than \$23,500,000, shall remain
available until expended to purchase agricultural commod-
ities as described in subsection 3107(a)(2) of the Farm
Security and Rural Investment Act of 2002 (7 U.S.C.
1736o–1(a)(2)).

COMMODITY CREDIT CORPORATION EXPORT (LOANS)
CREDIT GUARANTEE PROGRAM ACCOUNT
(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Com-
modity Credit Corporation's Export Guarantee Program,
GSM 102 and GSM 103, \$6,063,000, to cover common
overhead expenses as permitted by section 11 of the Com-

1 modify Credit Corporation Charter Act and in conformity
2 with the Federal Credit Reform Act of 1990, which shall
3 be transferred to and merged with the appropriation for
4 “Foreign Agricultural Service, Salaries and Expenses”.

5 TITLE VI

6 RELATED AGENCY AND FOOD AND DRUG

7 ADMINISTRATION

8 DEPARTMENT OF HEALTH AND HUMAN SERVICES

9 FOOD AND DRUG ADMINISTRATION

10 SALARIES AND EXPENSES

11 (INCLUDING TRANSFERS OF FUNDS)

12 For necessary expenses of the Food and Drug Ad-
13 ministration, including hire and purchase of passenger
14 motor vehicles; for payment of space rental and related
15 costs pursuant to Public Law 92–313 for programs and
16 activities of the Food and Drug Administration which are
17 included in this Act; for rental of special purpose space
18 in the District of Columbia or elsewhere; in addition to
19 amounts appropriated to the FDA Innovation Account, for
20 carrying out the activities described in section 1002(b)(4)
21 of the 21st Century Cures Act (Public Law 114–255); for
22 miscellaneous and emergency expenses of enforcement ac-
23 tivities, authorized and approved by the Secretary and to
24 be accounted for solely on the Secretary’s certificate, not
25 to exceed \$25,000; and notwithstanding section 521 of

1 Public Law 107–188; \$6,173,098,000 (increased by
2 \$5,000,000) (reduced by \$10,000,000) (increased by
3 \$10,000,000) (increased by \$1,000,000) (reduced by
4 \$1,000,000): *Provided*, That of the amount provided
5 under this heading, \$1,141,861,000 shall be derived from
6 prescription drug user fees authorized by 21 U.S.C. 379h,
7 and shall be credited to this account and remain available
8 until expended; \$241,431,000 shall be derived from med-
9 ical device user fees authorized by 21 U.S.C. 379j, and
10 shall be credited to this account and remain available until
11 expended; \$527,848,000 shall be derived from human ge-
12 neric drug user fees authorized by 21 U.S.C. 379j–42, and
13 shall be credited to this account and remain available until
14 expended; \$43,116,000 shall be derived from biosimilar bi-
15 ological product user fees authorized by 21 U.S.C. 379j–
16 52, and shall be credited to this account and remain avail-
17 able until expended; \$33,836,000 shall be derived from
18 animal drug user fees authorized by 21 U.S.C. 379j–12,
19 and shall be credited to this account and remain available
20 until expended; \$23,137,000 shall be derived from generic
21 new animal drug user fees authorized by 21 U.S.C. 379j–
22 21, and shall be credited to this account and remain avail-
23 able until expended; \$712,000,000 shall be derived from
24 tobacco product user fees authorized by 21 U.S.C. 387s,
25 and shall be credited to this account and remain available

1 until expended: *Provided further*, That in addition to and
2 notwithstanding any other provision under this heading,
3 amounts collected for prescription drug user fees, medical
4 device user fees, human generic drug user fees, biosimilar
5 biological product user fees, animal drug user fees, and
6 generic new animal drug user fees that exceed the respec-
7 tive fiscal year 2022 limitations are appropriated and shall
8 be credited to this account and remain available until ex-
9 pended: *Provided further*, That fees derived from prescrip-
10 tion drug, medical device, human generic drug, biosimilar
11 biological product, animal drug, and generic new animal
12 drug assessments for fiscal year 2022, including any such
13 fees collected prior to fiscal year 2022 but credited for
14 fiscal year 2022, shall be subject to the fiscal year 2022
15 limitations: *Provided further*, That the Secretary may ac-
16 cept payment during fiscal year 2022 of user fees specified
17 under this heading and authorized for fiscal year 2023,
18 prior to the due date for such fees, and that amounts of
19 such fees assessed for fiscal year 2023 for which the Sec-
20 retary accepts payment in fiscal year 2022 shall not be
21 included in amounts under this heading: *Provided further*,
22 That none of these funds shall be used to develop, estab-
23 lish, or operate any program of user fees authorized by
24 31 U.S.C. 9701: *Provided further*, That of the total
25 amount appropriated: (1) \$1,162,609,000 (reduced by

1 \$5,000,000) (increased by \$5,000,000) shall be for the
2 Center for Food Safety and Applied Nutrition and related
3 field activities in the Office of Regulatory Affairs, of which
4 no less than \$15,000,000 shall be used for inspections of
5 foreign seafood manufacturers and field examinations of
6 imported seafood; (2) \$2,103,091,000 shall be for the
7 Center for Drug Evaluation and Research and related
8 field activities in the Office of Regulatory Affairs, of which
9 no less than \$8,500,000 shall be for pilots to increase un-
10 announced foreign inspections; (3) \$453,902,000 shall be
11 for the Center for Biologics Evaluation and Research and
12 for related field activities in the Office of Regulatory Af-
13 fairs; (4) \$274,463,000 (increased by \$5,000,000) shall
14 be for the Center for Veterinary Medicine and for related
15 field activities in the Office of Regulatory Affairs; (5)
16 \$651,976,000 shall be for the Center for Devices and Ra-
17 diological Health and for related field activities in the Of-
18 fice of Regulatory Affairs; (6) \$74,304,000 shall be for
19 the National Center for Toxicological Research; (7)
20 \$680,812,000 shall be for the Center for Tobacco Prod-
21 ucts and for related field activities in the Office of Regu-
22 latory Affairs; (8) \$200,402,000 shall be for Rent and Re-
23 lated activities, of which \$54,642,000 is for White Oak
24 Consolidation, other than the amounts paid to the General
25 Services Administration for rent; (9) \$235,348,000 shall

1 be for payments to the General Services Administration
2 for rent; and (10) \$336,191,000 shall be for other activi-
3 ties, including the Office of the Commissioner of Food and
4 Drugs, the Office of Food Policy and Response, the Office
5 of Operations, the Office of the Chief Scientist, and cen-
6 tral services for these offices: *Provided further*, That not
7 to exceed \$25,000 of this amount shall be for official re-
8 ception and representation expenses, not otherwise pro-
9 vided for, as determined by the Commissioner: *Provided*
10 *further*, That any transfer of funds pursuant to section
11 770(n) of the Federal Food, Drug, and Cosmetic Act (21
12 U.S.C. 379dd(n)) shall only be from amounts made avail-
13 able under this heading for other activities: *Provided fur-*
14 *ther*, That of the amounts that are made available under
15 this heading for “other activities”, and that are not de-
16 rived from user fees, \$1,500,000 shall be transferred to
17 and merged with the appropriation for “Department of
18 Health and Human Services—Office of Inspector Gen-
19 eral” for oversight of the programs and operations of the
20 Food and Drug Administration and shall be in addition
21 to funds otherwise made available for oversight of the
22 Food and Drug Administration: *Provided further*, That
23 funds may be transferred from one specified activity to
24 another with the prior approval of the Committees on Ap-
25 propriations of both Houses of Congress.

1 In addition, mammography user fees authorized by
2 42 U.S.C. 263b, export certification user fees authorized
3 by 21 U.S.C. 381, priority review user fees authorized by
4 21 U.S.C. 360n and 360ff, food and feed recall fees, food
5 reinspection fees, and voluntary qualified importer pro-
6 gram fees authorized by 21 U.S.C. 379j–31, outsourcing
7 facility fees authorized by 21 U.S.C. 379j–62, prescription
8 drug wholesale distributor licensing and inspection fees
9 authorized by 21 U.S.C. 353(e)(3), third-party logistics
10 provider licensing and inspection fees authorized by 21
11 U.S.C. 360eee–3(c)(1), third-party auditor fees authorized
12 by 21 U.S.C. 384d(c)(8), medical countermeasure priority
13 review voucher user fees authorized by 21 U.S.C. 360bbb–
14 4a, and fees relating to over-the-counter monograph drugs
15 authorized by 21 U.S.C. 379j–72 shall be credited to this
16 account, to remain available until expended.

17 BUILDINGS AND FACILITIES

18 For plans, construction, repair, improvement, exten-
19 sion, alteration, demolition, and purchase of fixed equip-
20 ment or facilities of or used by the Food and Drug Admin-
21 istration, where not otherwise provided, \$21,788,000, to
22 remain available until expended.

1 FDA INNOVATION ACCOUNT, CURES ACT

2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses to carry out the purposes de-
4 scribed under section 1002(b)(4) of the 21st Century
5 Cures Act, in addition to amounts available for such pur-
6 poses under the heading “Salaries and Expenses”,
7 \$50,000,000, to remain available until expended: *Pro-*
8 *vided*, That amounts appropriated in this paragraph are
9 appropriated pursuant to section 1002(b)(3) of the 21st
10 Century Cures Act, are to be derived from amounts trans-
11 ferred under section 1002(b)(2)(A) of such Act, and may
12 be transferred by the Commissioner of Food and Drugs
13 to the appropriation for “Department of Health and
14 Human Services Food and Drug Administration Salaries
15 and Expenses” solely for the purposes provided in such
16 Act: *Provided further*, That upon a determination by the
17 Commissioner that funds transferred pursuant to the pre-
18 vious proviso are not necessary for the purposes provided,
19 such amounts may be transferred back to the account:
20 *Provided further*, That such transfer authority is in addi-
21 tion to any other transfer authority provided by law.

INDEPENDENT AGENCY

COMMODITY FUTURES TRADING COMMISSION

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of the Commodity Exchange Act (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles, and the rental of space (to include multiple year leases), in the District of Columbia and elsewhere, \$332,000,000, including not to exceed \$3,000 for official reception and representation expenses, and not to exceed \$25,000 for the expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, of which not less than \$20,000,000 shall remain available until September 30, 2023, and of which not less than \$4,017,000 shall be for expenses of the Office of the Inspector General: *Provided*, That notwithstanding the limitations in 31 U.S.C. 1553, amounts provided under this heading are available for the liquidation of obligations equal to current year payments on leases entered into prior to the date of enactment of this Act: *Provided further*, That for the purpose of recording and liquidating any lease obligations that should have been recorded and liquidated against accounts closed pursuant to 31 U.S.C. 1552, and consistent with the preceding proviso, such amounts shall be transferred to and recorded

1 in a no-year account in the Treasury, which has been es-
2 tablished for the sole purpose of recording adjustments for
3 and liquidating such unpaid obligations.

4 In addition, for move, replication, and related costs
5 associated with replacement leases for the Commission's
6 facilities, not to exceed \$31,000,000, to remain available
7 until expended.

8 FARM CREDIT ADMINISTRATION

9 LIMITATION ON ADMINISTRATIVE EXPENSES

10 Not to exceed \$84,200,000 (from assessments col-
11 lected from farm credit institutions, including the Federal
12 Agricultural Mortgage Corporation) shall be obligated
13 during the current fiscal year for administrative expenses
14 as authorized under 12 U.S.C. 2249: *Provided*, That this
15 limitation shall not apply to expenses associated with re-
16 ceiverships: *Provided further*, That the agency may exceed
17 this limitation by up to 10 percent with notification to the
18 Committees on Appropriations of both Houses of Con-
19 gress: *Provided further*, That the purposes of section
20 3.7(b)(2)(A)(i) of the Farm Credit Act of 1971 (12 U.S.C.
21 2128(b)(2)(A)(i)), the Farm Credit Administration may
22 exempt, an amount in its sole discretion, from the applica-
23 tion of the limitation provided in that clause of export
24 loans described in the clause guaranteed or insured in a

1 manner other than described in subclause (II) of the
2 clause.

3 TITLE VII

4 GENERAL PROVISIONS

5 (INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

6 SEC. 701. The Secretary may use any appropriations
7 made available to the Department of Agriculture in this
8 Act to purchase new passenger motor vehicles, in addition
9 to specific appropriations for this purpose, so long as the
10 total number of vehicles purchased in fiscal year 2022
11 does not exceed the number of vehicles owned or leased
12 in fiscal year 2018: *Provided*, That, prior to purchasing
13 additional motor vehicles, the Secretary must determine
14 that such vehicles are necessary for transportation safety,
15 to reduce operational costs, and for the protection of life,
16 property, and public safety: *Provided further*, That the
17 Secretary may not increase the Department of Agri-
18 culture's fleet above the 2018 level unless the Secretary
19 notifies in writing, and receives approval from, the Com-
20 mittees on Appropriations of both Houses of Congress
21 within 30 days of the notification.

22 SEC. 702. Notwithstanding any other provision of
23 this Act, the Secretary of Agriculture may transfer unobli-
24 gated balances of discretionary funds appropriated by this
25 Act or any other available unobligated discretionary bal-

1 ances that are remaining available of the Department of
2 Agriculture to the Working Capital Fund for the acquisi-
3 tion of plant and capital equipment necessary for the deliv-
4 ery of financial, administrative, and information tech-
5 nology services of primary benefit to the agencies of the
6 Department of Agriculture, such transferred funds to re-
7 main available until expended: *Provided*, That none of the
8 funds made available by this Act or any other Act shall
9 be transferred to the Working Capital Fund without the
10 prior approval of the agency administrator: *Provided fur-*
11 *ther*, That none of the funds transferred to the Working
12 Capital Fund pursuant to this section shall be available
13 for obligation without written notification to and the prior
14 approval of the Committees on Appropriations of both
15 Houses of Congress: *Provided further*, That none of the
16 funds appropriated by this Act or made available to the
17 Department's Working Capital Fund shall be available for
18 obligation or expenditure to make any changes to the De-
19 partment's National Finance Center without written noti-
20 fication to and prior approval of the Committees on Ap-
21 propriations of both Houses of Congress as required by
22 section 716 of this Act: *Provided further*, That none of
23 the funds appropriated by this Act or made available to
24 the Department's Working Capital Fund shall be available
25 for obligation or expenditure to initiate, plan, develop, im-

1 plement, or make any changes to remove or relocate any
2 systems, missions, personnel, or functions of the offices
3 of the Chief Financial Officer and the Chief Information
4 Officer, co-located with or from the National Finance Cen-
5 ter prior to written notification to and prior approval of
6 the Committee on Appropriations of both Houses of Con-
7 gress and in accordance with the requirements of section
8 716 of this Act: *Provided further*, That the National Fi-
9 nance Center Information Technology Services Division
10 personnel and data center management responsibilities,
11 and control of any functions, missions, and systems for
12 current and future human resources management and in-
13 tegrated personnel and payroll systems (PPS) and func-
14 tions provided by the Chief Financial Officer and the Chief
15 Information Officer shall remain in the National Finance
16 Center and under the management responsibility and ad-
17 ministrative control of the National Finance Center: *Pro-*
18 *vided further*, That the Secretary of Agriculture and the
19 offices of the Chief Financial Officer shall actively market
20 to existing and new Departments and other government
21 agencies National Finance Center shared services includ-
22 ing, but not limited to, payroll, financial management, and
23 human capital shared services and allow the National Fi-
24 nance Center to perform technology upgrades: *Provided*
25 *further*, That of annual income amounts in the Working

1 Capital Fund of the Department of Agriculture attrib-
2 utable to the amounts in excess of the true costs of the
3 shared services provided by the National Finance Center
4 and budgeted for the National Finance Center, the Sec-
5 retary shall reserve not more than 4 percent for the re-
6 placement or acquisition of capital equipment, including
7 equipment for the improvement, delivery, and implementa-
8 tion of financial, administrative, and information tech-
9 nology services, and other systems of the National Finance
10 Center or to pay any unforeseen, extraordinary cost of the
11 National Finance Center: *Provided further*, That none of
12 the amounts reserved shall be available for obligation un-
13 less the Secretary submits written notification of the obli-
14 gation to the Committees on Appropriations of both
15 Houses of Congress: *Provided further*, That the limitations
16 on the obligation of funds pending notification to Congres-
17 sional Committees shall not apply to any obligation that,
18 as determined by the Secretary, is necessary to respond
19 to a declared state of emergency that significantly impacts
20 the operations of the National Finance Center; or to evac-
21 uate employees of the National Finance Center to a safe
22 haven to continue operations of the National Finance Cen-
23 ter.

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

4 SEC. 704. No funds appropriated by this Act may be
5 used to pay negotiated indirect cost rates on cooperative
6 agreements or similar arrangements between the United
7 States Department of Agriculture and nonprofit institu-
8 tions in excess of 10 percent of the total direct cost of
9 the agreement when the purpose of such cooperative ar-
10 rangements is to carry out programs of mutual interest
11 between the two parties. This does not preclude appro-
12 priate payment of indirect costs on grants and contracts
13 with such institutions when such indirect costs are com-
14 puted on a similar basis for all agencies for which appro-
15 priations are provided in this Act.

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

24 SEC. 706. None of the funds made available to the
25 Department of Agriculture by this Act may be used to ac-

1 quire new information technology systems or significant
2 upgrades, as determined by the Office of the Chief Infor-
3 mation Officer, without the approval of the Chief Informa-
4 tion Officer and the concurrence of the Executive Informa-
5 tion Technology Investment Review Board: *Provided*, That
6 notwithstanding any other provision of law, none of the
7 funds appropriated or otherwise made available by this
8 Act may be transferred to the Office of the Chief Informa-
9 tion Officer without written notification to and the prior
10 approval of the Committees on Appropriations of both
11 Houses of Congress: *Provided further*, That, notwith-
12 standing section 11319 of title 40, United States Code,
13 none of the funds available to the Department of Agri-
14 culture for information technology shall be obligated for
15 projects, contracts, or other agreements over \$25,000
16 prior to receipt of written approval by the Chief Informa-
17 tion Officer: *Provided further*, That the Chief Information
18 Officer may authorize an agency to obligate funds without
19 written approval from the Chief Information Officer for
20 projects, contracts, or other agreements up to \$250,000
21 based upon the performance of an agency measured
22 against the performance plan requirements described in
23 the explanatory statement accompanying Public Law 113–
24 235.

1 SEC. 707. Funds made available under section 524(b)
2 of the Federal Crop Insurance Act (7 U.S.C. 1524(b)) in
3 the current fiscal year shall remain available until ex-
4 pended to disburse obligations made in the current fiscal
5 year.

6 SEC. 708. Notwithstanding any other provision of
7 law, any former Rural Utilities Service borrower that has
8 repaid or prepaid an insured, direct or guaranteed loan
9 under the Rural Electrification Act of 1936, or any not-
10 for-profit utility that is eligible to receive an insured or
11 direct loan under such Act, shall be eligible for assistance
12 under section 313B(a) of such Act in the same manner
13 as a borrower under such Act.

14 SEC. 709. (a) Except as otherwise specifically pro-
15 vided by law, not more than \$20,000,000 in unobligated
16 balances from appropriations made available for salaries
17 and expenses in this Act for the Farm Service Agency
18 shall remain available through September 30, 2023, for
19 information technology expenses.

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

1 SEC. 710. None of the funds appropriated or other-
2 wise made available by this Act may be used for first-class
3 travel by the employees of agencies funded by this Act in
4 contravention of sections 301–10.122 through 301–10.124
5 of title 41, Code of Federal Regulations.

6 SEC. 711. In the case of each program established
7 or amended by the Agricultural Act of 2014 (Public Law
8 113–79) or by a successor to that Act, other than by title
9 I or subtitle A of title III of such Act, or programs for
10 which indefinite amounts were provided in that Act, that
11 is authorized or required to be carried out using funds
12 of the Commodity Credit Corporation—

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

20 (2) the use of such funds for such purpose shall
21 not be considered to be a fund transfer or allotment
22 for purposes of applying the limitation on the total
23 amount of allotments and fund transfers contained
24 in such section.

1 SEC. 712. Of the funds made available by this Act,
2 not more than \$2,900,000 shall be used to cover necessary
3 expenses of activities related to all advisory committees,
4 panels, commissions, and task forces of the Department
5 of Agriculture, except for panels used to comply with nego-
6 tiated rule makings and panels used to evaluate competi-
7 tively awarded grants.

8 SEC. 713. (a) None of the funds made available in
9 this Act may be used to maintain or establish a computer
10 network unless such network blocks the viewing,
11 downloading, and exchanging of pornography.

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

16 SEC. 714. Notwithstanding subsection (b) of section
17 14222 of Public Law 110–246 (7 U.S.C. 612c–6; in this
18 section referred to as “section 14222”), none of the funds
19 appropriated or otherwise made available by this or any
20 other Act shall be used to pay the salaries and expenses
21 of personnel to carry out a program under section 32 of
22 the Act of August 24, 1935 (7 U.S.C. 612c; in this section
23 referred to as “section 32”) in excess of \$1,391,211,000
24 (exclusive of carryover appropriations from prior fiscal
25 years), as follows: Child Nutrition Programs Entitlement

1 Commodities—\$485,000,000; State Option Contracts—
2 \$5,000,000; Removal of Defective Commodities—
3 \$2,500,000; Administration of Section 32 Commodity
4 Purchases—\$36,810,000: *Provided*, That of the total
5 funds made available in the matter preceding this proviso
6 that remain unobligated on October 1, 2022, such unobli-
7 gated balances shall carryover into fiscal year 2023 and
8 shall remain available until expended for any of the pur-
9 poses of section 32, except that any such carryover funds
10 used in accordance with clause (3) of section 32 may not
11 exceed \$350,000,000 and may not be obligated until the
12 Secretary of Agriculture provides written notification of
13 the expenditures to the Committees on Appropriations of
14 both Houses of Congress at least two weeks in advance:
15 *Provided further*, That, with the exception of any available
16 carryover funds authorized in any prior appropriations Act
17 to be used for the purposes of clause (3) of section 32,
18 none of the funds appropriated or otherwise made avail-
19 able by this or any other Act shall be used to pay the
20 salaries or expenses of any employee of the Department
21 of Agriculture to carry out clause (3) of section 32.

22 SEC. 715. None of the funds appropriated by this or
23 any other Act shall be used to pay the salaries and ex-
24 penses of personnel who prepare or submit appropriations
25 language as part of the President’s budget submission to

1 the Congress for programs under the jurisdiction of the
2 Appropriations Subcommittees on Agriculture, Rural De-
3 velopment, Food and Drug Administration, and Related
4 Agencies that assumes revenues or reflects a reduction
5 from the previous year due to user fees proposals that
6 have not been enacted into law prior to the submission
7 of the budget unless such budget submission identifies
8 which additional spending reductions should occur in the
9 event the user fees proposals are not enacted prior to the
10 date of the convening of a committee of conference for
11 the fiscal year 2023 appropriations Act.

12 SEC. 716. (a) None of the funds provided by this Act,
13 or provided by previous appropriations Acts to the agen-
14 cies funded by this Act that remain available for obligation
15 or expenditure in the current fiscal year, or provided from
16 any accounts in the Treasury derived by the collection of
17 fees available to the agencies funded by this Act, shall be
18 available for obligation or expenditure through a re-
19 programming, transfer of funds, or reimbursements as au-
20 thorized by the Economy Act, or in the case of the Depart-
21 ment of Agriculture, through use of the authority provided
22 by section 702(b) of the Department of Agriculture Or-
23 ganic Act of 1944 (7 U.S.C. 2257) or section 8 of Public
24 Law 89–106 (7 U.S.C. 2263), that—

25 (1) creates new programs;

1 (2) eliminates a program, project, or activity;

2 (3) increases funds or personnel by any means
3 for any project or activity for which funds have been
4 denied or restricted;

5 (4) relocates an office or employees;

6 (5) reorganizes offices, programs, or activities;

7 or

8 (6) contracts out or privatizes any functions or
9 activities presently performed by Federal employees;

10 unless the Secretary of Agriculture, the Secretary of
11 Health and Human Services, or the Chairman of the Com-
12 modity Futures Trading Commission (as the case may be)
13 notifies in writing and receives approval from the Commit-
14 tees on Appropriations of both Houses of Congress at least
15 30 days in advance of the reprogramming of such funds
16 or the use of such authority.

17 (b) None of the funds provided by this Act, or pro-
18 vided by previous Appropriations Acts to the agencies
19 funded by this Act that remain available for obligation or
20 expenditure in the current fiscal year, or provided from
21 any accounts in the Treasury derived by the collection of
22 fees available to the agencies funded by this Act, shall be
23 available for obligation or expenditure for activities, pro-
24 grams, or projects through a reprogramming or use of the
25 authorities referred to in subsection (a) involving funds

1 in excess of \$500,000 or 10 percent, whichever is less,
2 that—

3 (1) augments existing programs, projects, or ac-
4 tivities;

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

8 (3) results from any general savings from a re-
9 duction in personnel which would result in a change
10 in existing programs, activities, or projects as ap-
11 proved by Congress;

12 unless the Secretary of Agriculture, the Secretary of
13 Health and Human Services, or the Chairman of the Com-
14 modity Futures Trading Commission (as the case may be)
15 notifies in writing and receives approval from the Commit-
16 tees on Appropriations of both Houses of Congress at least
17 30 days in advance of the reprogramming or transfer of
18 such funds or the use of such authority.

19 (c) The Secretary of Agriculture, the Secretary of
20 Health and Human Services, or the Chairman of the Com-
21 modity Futures Trading Commission shall notify in writ-
22 ing and receive approval from the Committees on Appro-
23 priations of both Houses of Congress before implementing
24 any program or activity not carried out during the pre-

1 vious fiscal year unless the program or activity is funded
2 by this Act or specifically funded by any other Act.

3 (d) None of the funds provided by this Act, or pro-
4 vided by previous Appropriations Acts to the agencies
5 funded by this Act that remain available for obligation or
6 expenditure in the current fiscal year, or provided from
7 any accounts in the Treasury derived by the collection of
8 fees available to the agencies funded by this Act, shall be
9 available for—

10 (1) modifying major capital investments fund-
11 ing levels, including information technology systems,
12 that involves increasing or decreasing funds in the
13 current fiscal year for the individual investment in
14 excess of \$500,000 or 10 percent of the total cost,
15 whichever is less;

16 (2) realigning or reorganizing new, current, or
17 vacant positions or agency activities or functions to
18 establish a center, office, branch, or similar entity
19 with five or more personnel; or

20 (3) carrying out activities or functions that
21 were not described in the budget request;

22 unless the agencies funded by this Act notify, in writing,
23 the Committees on Appropriations of both Houses of Con-
24 gress at least 30 days in advance of using the funds for
25 these purposes.

1 (e) As described in this section, no funds may be used
2 for any activities unless the Secretary of Agriculture, the
3 Secretary of Health and Human Services, or the Chair-
4 man of the Commodity Futures Trading Commission re-
5 ceives from the Committee on Appropriations of both
6 Houses of Congress written or electronic mail confirma-
7 tion of receipt of the notification as required in this sec-
8 tion.

9 SEC. 717. Notwithstanding section 310B(g)(5) of the
10 Consolidated Farm and Rural Development Act (7 U.S.C.
11 1932(g)(5)), the Secretary may assess a one-time fee for
12 any guaranteed business and industry loan in an amount
13 that does not exceed 3 percent of the guaranteed principal
14 portion of the loan.

15 SEC. 718. None of the funds appropriated or other-
16 wise made available to the Department of Agriculture, the
17 Food and Drug Administration, the Commodity Futures
18 Trading Commission, or the Farm Credit Administration
19 shall be used to transmit or otherwise make available re-
20 ports, questions, or responses to questions that are a re-
21 sult of information requested for the appropriations hear-
22 ing process to any non-Department of Agriculture, non-
23 Department of Health and Human Services, non-Com-
24 modity Futures Trading Commission, or non-Farm Credit
25 Administration employee.

1 SEC. 719. Unless otherwise authorized by existing
2 law, none of the funds provided in this Act, may be used
3 by an executive branch agency to produce any pre-
4 packaged news story intended for broadcast or distribution
5 in the United States unless the story includes a clear noti-
6 fication within the text or audio of the prepackaged news
7 story that the prepackaged news story was prepared or
8 funded by that executive branch agency.

9 SEC. 720. No employee of the Department of Agri-
10 culture may be detailed or assigned from an agency or
11 office funded by this Act or any other Act to any other
12 agency or office of the Department for more than 60 days
13 in a fiscal year unless the individual's employing agency
14 or office is fully reimbursed by the receiving agency or
15 office for the salary and expenses of the employee for the
16 period of assignment.

17 SEC. 721. Not later than 30 days after the date of
18 enactment of this Act, the Secretary of Agriculture, the
19 Commissioner of the Food and Drug Administration, the
20 Chairman of the Commodity Futures Trading Commis-
21 sion, and the Chairman of the Farm Credit Administra-
22 tion shall submit to the Committees on Appropriations of
23 both Houses of Congress a detailed spending plan by pro-
24 gram, project, and activity for all the funds made available

1 under this Act including appropriated user fees, as defined
2 in the report accompanying this Act.

3 SEC. 722. Of the unobligated balances from amounts
4 made available for the supplemental nutrition program as
5 authorized by section 17 of the Child Nutrition Act of
6 1966 (42 U.S.C. 1786), \$225,000,000 are hereby re-
7 scinded: *Provided*, That no amounts may be rescinded
8 from amounts that were designated by the Congress as
9 an emergency requirement pursuant to a Concurrent Res-
10 olution on the Budget or the Balanced Budget and Emer-
11 gency Deficit Control Act of 1985.

12 SEC. 723. For the purposes of determining eligibility
13 or level of program assistance for Rural Development pro-
14 grams the Secretary shall not include incarcerated prison
15 populations.

16 SEC. 724. For loans and loan guarantees that do not
17 require budget authority and the program level has been
18 established in this Act, the Secretary of Agriculture may
19 increase the program level for such loans and loan guaran-
20 tees by not more than 25 percent: *Provided*, That prior
21 to the Secretary implementing such an increase, the Sec-
22 retary notifies, in writing, the Committees on Appropria-
23 tions of both Houses of Congress at least 15 days in ad-
24 vance.

1 SEC. 725. None of the credit card refunds or rebates
2 transferred to the Working Capital Fund pursuant to sec-
3 tion 729 of the Agriculture, Rural Development, Food and
4 Drug Administration, and Related Agencies Appropria-
5 tions Act, 2002 (7 U.S.C. 2235a; Public Law 107–76)
6 shall be available for obligation without written notifica-
7 tion to, and the prior approval of, the Committees on Ap-
8 propriations of both Houses of Congress: *Provided*, That
9 the refunds or rebates so transferred shall be available for
10 obligation only for the acquisition of property, plant and
11 equipment, including equipment for the improvement, de-
12 livery, and implementation of Departmental financial
13 management, information technology, and other support
14 systems necessary for the delivery of financial, administra-
15 tive, and information technology services, including cloud
16 adoption and migration, of primary benefit to the agencies
17 of the Department of Agriculture.

18 SEC. 726. None of the funds made available by this
19 Act may be used to implement, administer, or enforce the
20 “variety” requirements of the final rule entitled “Enhanc-
21 ing Retailer Standards in the Supplemental Nutrition As-
22 sistance Program (SNAP)” published by the Department
23 of Agriculture in the Federal Register on December 15,
24 2016 (81 Fed. Reg. 90675) until the Secretary of Agri-
25 culture amends the definition of the term “variety” as de-

1 fined in section 278.1(b)(1)(ii)(C) of title 7, Code of Fed-
2 eral Regulations, and “variety” as applied in the definition
3 of the term “staple food” as defined in section 271.2 of
4 title 7, Code of Federal Regulations, to increase the num-
5 ber of items that qualify as acceptable varieties in each
6 staple food category so that the total number of such items
7 in each staple food category exceeds the number of such
8 items in each staple food category included in the final
9 rule as published on December 15, 2016: *Provided*, That
10 until the Secretary promulgates such regulatory amend-
11 ments, the Secretary shall apply the requirements regard-
12 ing acceptable varieties and breadth of stock to Supple-
13 mental Nutrition Assistance Program retailers that were
14 in effect on the day before the date of the enactment of
15 the Agricultural Act of 2014 (Public Law 113–79).

16 SEC. 727. In carrying out subsection (h) of section
17 502 of the Housing Act of 1949 (42 U.S.C. 1472), the
18 Secretary of Agriculture shall have the same authority
19 with respect to loans guaranteed under such section and
20 eligible lenders for such loans as the Secretary has under
21 subsections (h) and (j) of section 538 of such Act (42
22 U.S.C. 1490p–2) with respect to loans guaranteed under
23 such section 538 and eligible lenders for such loans.

24 SEC. 728. None of the funds appropriated or other-
25 wise made available by this Act shall be available for the

1 United States Department of Agriculture to propose, fi-
2 nalize or implement any regulation that would promulgate
3 new user fees pursuant to 31 U.S.C. 9701 after the date
4 of the enactment of this Act.

5 SEC. 729. None of the funds made available by this
6 or any other Act may be used to carry out the final rule
7 promulgated by the Food and Drug Administration and
8 put into effect November 16, 2015, in regards to the haz-
9 ard analysis and risk-based preventive control require-
10 ments of the current good manufacturing practice, hazard
11 analysis, and risk-based preventive controls for food for
12 animals rule with respect to the regulation of the produc-
13 tion, distribution, sale, or receipt of dried spent grain by-
14 products of the alcoholic beverage production process.

15 SEC. 730. The National Bio and Agro-Defense Facil-
16 ity shall be transferred this or any fiscal year hereafter
17 without reimbursement from the Secretary of Homeland
18 Security to the Secretary of Agriculture.

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

20 (1) conduct audits in a manner that evaluates
21 the following factors in the country or region being
22 audited, as applicable—

23 (A) veterinary control and oversight;

24 (B) disease history and vaccination prac-
25 tices;

1 (C) livestock demographics and
2 traceability;

3 (D) epidemiological separation from poten-
4 tial sources of infection;

5 (E) surveillance practices;

6 (F) diagnostic laboratory capabilities; and

7 (G) emergency preparedness and response;

8 and

9 (2) promptly make publicly available the final
10 reports of any audits or reviews conducted pursuant
11 to subsection (1).

12 (b) This section shall be applied in a manner con-
13 sistent with United States obligations under its inter-
14 national trade agreements.

15 SEC. 732. None of the funds made available by this
16 Act may be used to implement section 3.7(f) of the Farm
17 Credit Act of 1971 in a manner inconsistent with section
18 343(a)(13) of the Consolidated Farm and Rural Develop-
19 ment Act.

20 SEC. 733. In this fiscal year and thereafter, and not-
21 withstanding any other provision of law, none of the funds
22 made available by this Act may be used to carry out any
23 activities or incur any expense related to the issuance of
24 licenses under section 3 of the Animal Welfare Act (7
25 U.S.C. 2133), or the renewal of such licenses, to class B

1 dealers who sell Random Source dogs and cats for use in
2 research, experiments, teaching, or testing.

3 SEC. 734. (a)(1) No Federal funds made available for
4 this fiscal year for the rural water, waste water, waste dis-
5 posal, and solid waste management programs authorized
6 by sections 306, 306A, 306C, 306D, 306E, and 310B of
7 the Consolidated Farm and Rural Development Act (7
8 U.S.C. 1926 et seq.) shall be used for a project for the
9 construction, alteration, maintenance, or repair of a public
10 water or wastewater system unless all of the iron and steel
11 products used in the project are produced in the United
12 States.

13 (2) In this section, the term “iron and steel products”
14 means the following products made primarily of iron or
15 steel: lined or unlined pipes and fittings, manhole covers
16 and other municipal castings, hydrants, tanks, flanges,
17 pipe clamps and restraints, valves, structural steel, rein-
18 forced precast concrete, and construction materials.

19 (b) Subsection (a) shall not apply in any case or cat-
20 egory of cases in which the Secretary of Agriculture (in
21 this section referred to as the “Secretary”) or the designee
22 of the Secretary finds that—

23 (1) applying subsection (a) would be incon-
24 sistent with the public interest;

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

4 (3) inclusion of iron and steel products pro-
5 duced in the United States will increase the cost of
6 the overall project by more than 25 percent.

7 (c) If the Secretary or the designee receives a request
8 for a waiver under this section, the Secretary or the des-
9 ignee shall make available to the public on an informal
10 basis a copy of the request and information available to
11 the Secretary or the designee concerning the request, and
12 shall allow for informal public input on the request for
13 at least 15 days prior to making a finding based on the
14 request. The Secretary or the designee shall make the re-
15 quest and accompanying information available by elec-
16 tronic means, including on the official public Internet Web
17 site of the Department.

18 (d) This section shall be applied in a manner con-
19 sistent with United States obligations under international
20 agreements.

21 (e) The Secretary may retain up to 0.25 percent of
22 the funds appropriated in this Act for “Rural Utilities
23 Service—Rural Water and Waste Disposal Program Ac-
24 count” for carrying out the provisions described in sub-

1 section (a)(1) for management and oversight of the re-
2 quirements of this section.

3 (f) Subsection (a) shall not apply with respect to a
4 project for which the engineering plans and specifications
5 include use of iron and steel products otherwise prohibited
6 by such subsection if the plans and specifications have re-
7 ceived required approvals from State agencies prior to the
8 date of enactment of this Act.

9 (g) For purposes of this section, the terms “United
10 States” and “State” shall include each of the several
11 States, the District of Columbia, and each Federally rec-
12 ognized Indian tribe.

13 SEC. 735. None of the funds appropriated by this Act
14 may be used in any way, directly or indirectly, to influence
15 congressional action on any legislation or appropriation
16 matters pending before Congress, other than to commu-
17 nicate to Members of Congress as described in 18 U.S.C.
18 1913.

19 SEC. 736. Of the total amounts made available by
20 this Act for direct loans and grants under the following
21 headings: “Rural Housing Service—Rural Housing Insur-
22 ance Fund Program Account”; “Rural Housing Service—
23 Mutual and Self-Help Housing Grants”; “Rural Housing
24 Service—Rural Housing Assistance Grants”; “Rural
25 Housing Service—Rural Community Facilities Program

1 Account”; “Rural Business-Cooperative Service—Rural
 2 Business Program Account”; “Rural Business-Coopera-
 3 tive Service—Rural Economic Development Loans Pro-
 4 gram Account”; “Rural Business-Cooperative Service—
 5 Rural Cooperative Development Grants”; “Rural Busi-
 6 ness-Cooperative Service—Rural Microentrepreneur As-
 7 sistance Program”; “Rural Utilities Service—Rural Water
 8 and Waste Disposal Program Account”; “Rural Utilities
 9 Service—Rural Electrification and Telecommunications
 10 Loans Program Account”; and “Rural Utilities Service—
 11 Distance Learning, Telemedicine, and Broadband Pro-
 12 gram”, to the maximum extent feasible, at least 10 per-
 13 cent of the funds shall be allocated for assistance in per-
 14 sistent poverty counties under this section, including, not-
 15 withstanding any other provision regarding population
 16 limits, any county seat of such a persistent poverty county
 17 that has a population that does not exceed the authorized
 18 population limit by more than 10 percent: *Provided*, That
 19 for purposes of this section, the term “persistent poverty
 20 counties” means any county that has had 20 percent or
 21 more of its population living in poverty over the past 30
 22 years, as measured by the 1990 and 2000 decennial cen-
 23 suses, and 2007–2011 American Community Survey 5-
 24 year average, or any territory or possession of the United
 25 States: *Provided further*, That with respect to specific ac-

1 tivities for which program levels have been made available
2 by this Act that are not supported by budget authority,
3 the requirements of this section shall be applied to such
4 program level.

5 SEC. 737. None of the funds made available by this
6 Act may be used to notify a sponsor or otherwise acknowl-
7 edge receipt of a submission for an exemption for inves-
8 tigational use of a drug or biological product under section
9 505(i) of the Federal Food, Drug, and Cosmetic Act (21
10 U.S.C. 355(i)) or section 351(a)(3) of the Public Health
11 Service Act (42 U.S.C. 262(a)(3)) in research in which
12 a human embryo is intentionally created or modified to
13 include a heritable genetic modification. Any such submis-
14 sion shall be deemed to have not been received by the Sec-
15 retary, and the exemption may not go into effect.

16 SEC. 738. None of the funds made available by this
17 or any other Act may be used to enforce the final rule
18 promulgated by the Food and Drug Administration enti-
19 tled “Standards for the Growing, Harvesting, Packing,
20 and Holding of Produce for Human Consumption,” and
21 published on November 27, 2015, with respect to the regu-
22 lation of entities that grow, harvest, pack, or hold wine
23 grapes, hops, pulse crops, or almonds.

24 SEC. 739. There is hereby appropriated \$5,000,000
25 (increased by \$2,500,000), to remain available until Sep-

1 tember 30, 2023, for a pilot program for the National In-
2 stitute of Food and Agriculture to provide grants to non-
3 profit organizations for programs and services to establish
4 and enhance farming and ranching opportunities for mili-
5 tary veterans.

6 SEC. 740. For school year 2022–2023, none of the
7 funds made available by this Act may be used to imple-
8 ment or enforce the matter following the first comma in
9 the second sentence of footnote (c) of section 220.8(c) of
10 title 7, Code of Federal Regulations, with respect to the
11 substitution of vegetables for fruits under the school
12 breakfast program established under section 4 of the Child
13 Nutrition Act of 1966 (42 U.S.C. 1773).

14 SEC. 741. None of the funds made available by this
15 Act or any other Act may be used—

16 (1) in contravention of section 7606 of the Ag-
17 ricultural Act of 2014 (7 U.S.C. 5940), subtitle G
18 of the Agricultural Marketing Act of 1946, or sec-
19 tion 10114 of the Agriculture Improvement Act of
20 2018; or

21 (2) to prohibit the transportation, processing,
22 sale, or use of hemp, or seeds of such plant, that is
23 grown or cultivated in accordance with section 7606
24 of the Agricultural Act of 2014 (7 U.S.C. 5940) or
25 Subtitle G of the Agricultural Marketing Act of

1 1946, within or outside the State in which the indus-
2 trial hemp is grown or cultivated.

3 SEC. 742. There is hereby appropriated \$3,000,000,
4 to remain available until expended, for grants under sec-
5 tion 12502 of Public Law 115–334.

6 SEC. 743. There is hereby appropriated \$3,000,000
7 to carry out section 1621 of Public Law 110–246.

8 SEC. 744. There is hereby appropriated \$1,000,000
9 to carry out section 3307 of Public Law 115–334.

10 SEC. 745. The Secretary of Agriculture may waive
11 the matching funds requirement under Section 412(g) of
12 the Agricultural Research, Extension, and Education Re-
13 form Act of 1998 (7 U.S.C. 7632(g)).

14 SEC. 746. There is hereby appropriated \$2,000,000,
15 to remain available until expended, for a pilot program
16 for the Secretary to provide grants to qualified non-profit
17 organizations and public housing authorities to provide
18 technical assistance, including financial and legal services,
19 to RHS multi-family housing borrowers to facilitate the
20 acquisition of RHS multi-family housing properties in
21 areas where the Secretary determines a risk of loss of af-
22 fordable housing, by non-profit housing organizations and
23 public housing authorities as authorized by law that com-
24 mit to keep such properties in the RHS multi-family hous-

1 ing program for a period of time as determined by the
2 Secretary.

3 SEC. 747. There is hereby appropriated \$3,000,000,
4 to remain available until September 30, 2023, to carry out
5 section 4208 of Public Law 115–334.

6 SEC. 748. There is hereby appropriated \$5,000,000
7 to carry out section 12301 of Public Law 115–334.

8 SEC. 749. There is hereby appropriated \$5,000,000
9 to carry out section 1450 of the National Agricultural Re-
10 search, Extension, and Teaching Policy Act of 1977 (7
11 U.S.C. 3222e) as amended by section 7120 of Public Law
12 115–334.

13 SEC. 750. There is hereby appropriated \$2,000,000
14 to carry out section 1671 of the Food, Agriculture, Con-
15 servation, and Trade Act of 1990 (7 U.S.C. 5924) as
16 amended by section 7208 of Public Law 115–334.

17 SEC. 751. In response to an eligible community where
18 the drinking water supplies are inadequate due to a nat-
19 ural disaster, as determined by the Secretary, including
20 drought or severe weather, the Secretary may provide po-
21 table water through the Emergency Community Water As-
22 sistance Grant Program for an additional period of time
23 not to exceed 120 days beyond the established period pro-
24 vided under the Program in order to protect public health.

1 SEC. 752. There is hereby appropriated \$10,000,000
2 to remain available until September 30, 2023, to carry out
3 section 4206 of Public Law 115–334.

4 SEC. 753. Funds made available under title II of the
5 Food for Peace Act (7 U.S.C. 1721 et seq.) may only be
6 used to provide assistance to recipient nations if adequate
7 monitoring and controls, as determined by the Adminis-
8 trator, are in place to ensure that emergency food aid is
9 received by the intended beneficiaries in areas affected by
10 food shortages and not diverted for unauthorized or inap-
11 propriate purposes.

12 SEC. 754. In this fiscal year and thereafter, and not-
13 withstanding any other provision of law, ARS facilities as
14 described in the “Memorandum of Understanding Be-
15 tween the U.S. Department of Agriculture Animal and
16 Plant Health Inspection Service (APHIS) and the U.S.
17 Department of Agriculture Agricultural Research Service
18 (ARS) Concerning Laboratory Animal Welfare” (16–
19 6100–0103–MU Revision 16–1) shall be inspected by
20 APHIS for compliance with the Animal Welfare Act and
21 its regulations and standards.

22 SEC. 755. None of the funds made available by this
23 Act may be used to procure raw or processed poultry prod-
24 ucts imported into the United States from the People’s
25 Republic of China for use in the school lunch program

1 under the Richard B. Russell National School Lunch Act
2 (42 U.S.C. 1751 et seq.), the Child and Adult Care Food
3 Program under section 17 of such Act (42 U.S.C. 1766),
4 the Summer Food Service Program for Children under
5 section 13 of such Act (42 U.S.C. 1761), or the school
6 breakfast program under the Child Nutrition Act of 1966
7 (42 U.S.C. 1771 et seq.).

8 SEC. 756. For school year 2022–2023, only a school
9 food authority that had a negative balance in the nonprofit
10 school food service account as of December 31, 2021, shall
11 be required to establish a price for paid lunches in accord-
12 ance with section 12(p) of the Richard B. Russell National
13 School Lunch Act (42 U.S.C. 1760(p)).

14 SEC. 757. In addition to any funds made available
15 in this Act or any other Act, there is hereby appropriated
16 \$10,000,000, to remain available until September 30,
17 2023, for grants from the National Institute of Food and
18 Agriculture to the 1890 Institutions to support the Cen-
19 ters of Excellence.

20 SEC. 758. There is hereby appropriated \$2,000,000,
21 to remain available until expended, for the Secretary of
22 Agriculture to carry out a pilot program that assists rural
23 hospitals to improve long-term operations and financial
24 health by providing technical assistance through analysis
25 of current hospital management practices.

1 SEC. 759. In addition to amounts otherwise made
2 available by this or any other Act, there is hereby appro-
3 priated \$5,000,000, to remain available until expended, to
4 the Secretary for a pilot program to provide grants to a
5 regional consortium to fund technical assistance and con-
6 struction of regional wastewater systems for historically
7 impoverished communities that have had difficulty in in-
8 stalling traditional wastewater treatment systems due to
9 soil conditions.

10 SEC. 760. There is hereby appropriated \$10,000,000
11 (increased by \$2,000,000), to remain available until Sep-
12 tember 30, 2023, to carry out section 23 of the Child Nu-
13 trition Act of 1966 (42 U.S.C. 1793), of which \$2,000,000
14 shall be for grants under such section to the Common-
15 wealth of Puerto Rico, the Commonwealth of the Northern
16 Mariana Islands, the United States Virgin Islands, Guam,
17 and American Samoa.

18 SEC. 761. Any funds made available by this or any
19 other Act that the Secretary withholds pursuant to section
20 1668(g)(2) of the Food, Agriculture, Conservation, and
21 Trade Act of 1990 (7 U.S.C. 5921(g)(2)), as amended,
22 shall be available for grants for biotechnology risk assess-
23 ment research: *Provided*, That the Secretary may transfer
24 such funds among appropriations of the Department of
25 Agriculture for purposes of making such grants.

1 SEC. 762. Section 313(b) of the Rural Electrification
2 Act of 1936, as amended (7 U.S.C. 940c(b)), shall be ap-
3 plied for fiscal year 2022 and each fiscal year thereafter
4 until the specified funding has been expended as if the
5 following were inserted after the final period in subsection
6 (b)(2): “In addition, the Secretary shall use \$425,000,000
7 of funds available in this subaccount in fiscal year 2019
8 for an additional amount for the same purpose and under
9 the same terms and conditions as funds appropriated by
10 section 779 of Public Law 115–141, shall use
11 \$255,000,000 of funds available in this subaccount in fis-
12 cal year 2020 for an additional amount for the same pur-
13 pose and under the same terms and conditions as funds
14 appropriated by section 779 of Public Law 115–141, shall
15 use \$104,000,000 of funds available in this subaccount in
16 fiscal year 2021 for an additional amount for the same
17 purpose and under the same terms and conditions as
18 funds appropriated by section 779 of Public Law 115–
19 141, and shall use \$50,000,000 of funds available in this
20 subaccount in fiscal year 2022 for an additional amount
21 for the same purpose and under the same terms and condi-
22 tions as funds appropriated by section 779 of Public Law
23 115–141.”: *Provided*, That any use of such funds shall
24 be treated as a reprogramming of funds under section 716
25 of this Act.

1 SEC. 763. There is hereby appropriated \$400,000 to
2 carry out section 1672(g)(4)(B) of the Food, Agriculture,
3 Conservation, and Trade Act of 1990 (7 U.S.C.
4 5925(g)(4(B)) as amended by section 7209 of Public Law
5 115–334.

6 SEC. 764. For an additional amount for “National
7 Institute of Food and Agriculture—Research and Edu-
8 cation Activities”, \$2,000,000, to develop a public-private
9 cooperative framework based on open data standards for
10 neutral data repository solutions to preserve and share the
11 big data generated by technological advancements in the
12 agriculture industry and for the preservation and curation
13 of data in collaboration with land-grant universities.

14 SEC. 765. Notwithstanding any other provision of
15 law, no funds available to the Department of Agriculture
16 may be used to move any staff office or any agency from
17 the mission area in which it was located on August 1,
18 2018, to any other mission area or office within the De-
19 partment in the absence of the enactment of specific legis-
20 lation affirming such move.

21 SEC. 766. Section 7605(b) of the Agriculture Im-
22 provement Act of 2018 (7 U.S.C. 5940 note; Public Law
23 115–334) is amended by striking “January 1, 2022” and
24 inserting “January 1, 2023”.

1 SEC. 767. The Secretary, acting through the Chief
2 of the Natural Resources Conservation Service, may use
3 funds appropriated under this Act or any other Act for
4 the Watershed and Flood Prevention Operations Program
5 and the Watershed Rehabilitation Program carried out
6 pursuant to the Watershed Protection and Flood Preven-
7 tion Act (16 U.S.C. 1001 et seq.), and for the Emergency
8 Watershed Protection Program carried out pursuant to
9 section 403 of the Agricultural Credit Act of 1978 (16
10 U.S.C. 2203) to provide technical services for such pro-
11 grams pursuant to section 1252(a)(1) of the Food Secu-
12 rity Act of 1985 (16 U.S.C. 3851(a)(1)), notwithstanding
13 subsection (c) of such section.

14 SEC. 768. None of the funds made available by this
15 or any other act may be used to restrict the offering of
16 low-fat (1% fat) flavored milk in the National School
17 Lunch Program or School Breakfast Program, as long as
18 such milk is not inconsistent with the most recent Dietary
19 Guidelines for Americans published under section 301 of
20 the National Nutrition Monitoring and Related Research
21 Act of 1990.

22 SEC. 769. In administering the pilot program estab-
23 lished by section 779 of division A of the Consolidated Ap-
24 propriations Act, 2018 (Public Law 115–141), the Sec-
25 retary of Agriculture may, for purposes of determining en-

1 tities eligible to receive assistance, consider those commu-
2 nities which are “Areas Rural in Character”: *Provided*,
3 That not more than 10 percent of the funds made avail-
4 able under the heading “Distance Learning, Telemedicine,
5 and Broadband Program” for the purposes of the pilot
6 program established by section 779 of Public Law 115–
7 141 may be used for this purpose.

8 SEC. 770. There is hereby appropriated \$24,525,000
9 for the Goodfellow Federal facility, to remain available
10 until expended, of which \$12,000,000 shall be transferred
11 to and merged with the appropriation for “Office of the
12 Chief Information Officer”, and of which \$12,525,000
13 shall be transferred to and merged with the appropriation
14 for “Food Safety and Inspection Service”.

15 SEC. 771. None of the funds made available by this
16 Act may be used to pay the salaries or expenses of per-
17 sonnel—

18 (1) to inspect horses under section 3 of the
19 Federal Meat Inspection Act (21 U.S.C. 603);

20 (2) to inspect horses under section 903 of the
21 Federal Agriculture Improvement and Reform Act of
22 1996 (7 U.S.C. 1901 note; Public Law 104–127); or

23 (3) to implement or enforce section 352.19 of
24 title 9, Code of Federal Regulations (or a successor
25 regulation).

1 SEC. 772. For an additional amount for “National
2 Institute of Food and Agriculture—Research and Edu-
3 cation Activities”, \$300,000, for the Under Secretary for
4 Research, Education, and Economics to convene a blue-
5 ribbon panel for the purpose of evaluating the overall
6 structure of research and education through the public
7 and land-grant universities, including 1890 Institutions,
8 to define a new architecture that can better integrate, co-
9 ordinate, and assess economic impact of the collective
10 work of these institutions.

11 SEC. 773. For an additional amount for “National
12 Institute of Food and Agriculture—Research and Edu-
13 cation Activities”, \$6,000,000, to remain available until
14 September 30, 2023, for a competitive grant to an institu-
15 tion in the land-grant university system to establish a
16 Farm of the Future testbed and demonstration site.

17 SEC. 774. Section 788 of the Further Consolidated
18 Appropriations Act, 2020 (Public Law 116–94) is amend-
19 ed by amending subsections (b)(1), (b)(2) and (b)(3) to
20 read as follows:

21 “(1) all final Animal Welfare Act inspection re-
22 ports, including all reports documenting all Animal
23 Welfare Act violations and non-compliances observed
24 by USDA officials and all animal inventories for the
25 current year and preceding three years;

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

4 “(3) all reports or other materials documenting
5 any violations and non-compliances observed by
6 USDA officials for the current year and preceding
7 three years; and”.

8 SEC. 775. None of the funds made available by this
9 Act may be used to propose, promulgate, or implement
10 any rule, or take any other action with respect to, allowing
11 or requiring information intended for a prescribing health
12 care professional, in the case of a drug or biological prod-
13 uct subject to section 503(b)(1) of the Federal Food,
14 Drug, and Cosmetic Act (21 U.S.C. 353(b)(1)), to be dis-
15 tributed to such professional electronically (in lieu of in
16 paper form) unless and until a Federal law is enacted to
17 allow or require such distribution.

18 SEC. 776. (a) The Secretary of Agriculture, acting
19 through the Administrator of the Food Safety and Inspec-
20 tion Service, shall—

21 (1) revoke any line speed waivers issued to a
22 processor subject to the Federal Meat Inspection Act
23 (21 U.S.C. 601 et seq.) or the Poultry Products In-
24 spection Act (21 U.S.C. 451 et seq.) during the pe-
25 riod beginning on or after the first day of the

1 COVID–19 emergency period and ending on the
2 date of the enactment of this Act; and

3 (2) subject to subsection (b), not issue any such
4 waivers on or after such date of enactment, for the
5 duration of the COVID–19 emergency period.

6 (b) Notwithstanding subsection (a), the Secretary
7 may issue a line speed waiver to a processor referred to
8 in such subsection, if such processor—

9 (1) agrees to an inspection for such purpose
10 conducted by the Assistant Secretary of Labor for
11 Occupational Safety and Health; and

12 (2) the Assistant Secretary certifies to the Sec-
13 retary of Agriculture that any increases in line speed
14 at such processor’s facilities would not have an ad-
15 verse impact on worker safety.

16 (c) For purposes of this section, the term “COVID–
17 19 emergency period” has the meaning given the term
18 “emergency period” in section 1135(g)(1)(B) of the Social
19 Security Act (42 U.S.C. 1320b–5(g)(1)(B)).

20 SEC. 777. The Secretary of Agriculture shall take
21 such actions as may be necessary to prohibit the purchase
22 of agricultural land located in the United States by compa-
23 nies owned, in full or in part, by China, Russia, Iran, or
24 North Korea. Beginning on the date of the enactment of
25 this Act, agricultural land owned by China, Russia, Iran,

1 or North Korea or companies owned, in full or in part,
 2 by China, Russia, Iran, or North Korea shall not be eligi-
 3 ble for participation in programs administered by the Sec-
 4 retary of Agriculture.

5 SEC. 778. None of the funds made available by this
 6 Act under the heading “DOMESTIC FOOD PRO-
 7 GRAMS—Food and Nutrition Service—Supplemental
 8 Nutrition Assistance Program” may be used in contraven-
 9 tion of section 107(b) of division A of the Victims of Traf-
 10 ficking and Violence Protection Act of 2000 (114 Stat.
 11 1475; 22 U.S.C. 7105(b)).

12 This division may be cited as the “Agriculture, Rural
 13 Development, Food and Drug Administration, and Re-
 14 lated Agencies Appropriations Act, 2022”.

15 **DIVISION C—ENERGY AND WATER DEVEL-**
 16 **OPMENT AND RELATED AGENCIES AP-**
 17 **PROPRIATIONS ACT, 2022**

18 **TITLE I**

19 **CORPS OF ENGINEERS—CIVIL**

20 **DEPARTMENT OF THE ARMY**

21 **CORPS OF ENGINEERS—CIVIL**

22 The following appropriations shall be expended under
 23 the direction of the Secretary of the Army and the super-
 24 vision of the Chief of Engineers for authorized civil func-
 25 tions of the Department of the Army pertaining to river

1 and harbor, flood and storm damage reduction, shore pro-
2 tection, aquatic ecosystem restoration, and related efforts.

3 INVESTIGATIONS

4 For expenses necessary where authorized by law for
5 the collection and study of basic information pertaining
6 to river and harbor, flood and storm damage reduction,
7 shore protection, aquatic ecosystem restoration, and re-
8 lated needs; for surveys and detailed studies, and plans
9 and specifications of proposed river and harbor, flood and
10 storm damage reduction, shore protection, and aquatic
11 ecosystem restoration projects, and related efforts prior to
12 construction; for restudy of authorized projects; and for
13 miscellaneous investigations, and, when authorized by law,
14 surveys and detailed studies, and plans and specifications
15 of projects prior to construction, \$155,000,000 (increased
16 by \$4,000,000) (reduced by \$5,000,000) (increased by
17 \$5,000,000), to remain available until expended.

18 CONSTRUCTION

19 For expenses necessary for the construction of river
20 and harbor, flood and storm damage reduction, shore pro-
21 tection, aquatic ecosystem restoration, and related
22 projects authorized by law; for conducting detailed studies,
23 and plans and specifications, of such projects (including
24 those involving participation by States, local governments,
25 or private groups) authorized or made eligible for selection

1 by law (but such detailed studies, and plans and specifica-
2 tions, shall not constitute a commitment of the Govern-
3 ment to construction); \$2,591,732,000 (reduced by
4 \$25,000,000) (increased by \$25,000,000) (increased by
5 \$6,000,000) (reduced by \$6,000,000), to remain available
6 until expended; of which \$100,820,000 shall be derived
7 from the Harbor Maintenance Trust Fund to cover the
8 Federal share of construction costs for facilities under the
9 Dredged Material Disposal Facilities program; and of
10 which such sums as are necessary to cover 35 percent of
11 the costs of construction, replacement, rehabilitation, and
12 expansion of inland waterways projects shall be derived
13 from the Inland Waterways Trust Fund, except as other-
14 wise specifically provided for in law.

15 MISSISSIPPI RIVER AND TRIBUTARIES

16 For expenses necessary for flood damage reduction
17 projects and related efforts in the Mississippi River allu-
18 vial valley below Cape Girardeau, Missouri, as authorized
19 by law, \$370,000,000, to remain available until expended,
20 of which \$10,312,000 shall be derived from the Harbor
21 Maintenance Trust Fund to cover the Federal share of
22 eligible operation and maintenance costs for inland har-
23 bors.

For expenses necessary for the operation, maintenance, and care of existing river and harbor, flood and damage reduction, aquatic ecosystem restoration, related projects authorized by law; providing security infrastructure owned or operated by the Corps, including administrative buildings and laboratories; maintaining or channels provided by a State, municipality, or public agency that serve essential navigation needs general commerce, where authorized by law; surveying charting northern and northwestern lakes and controlling waters; clearing and straightening channels; and removing obstructions to navigation, \$4,817,000,000 (reduced by \$150,000) (increased by \$150,000), to remain available until expended, of which \$1,938,160,339 shall be derived from the Harbor Maintenance Trust Fund to cover the Federal share of eligible operation and maintenance costs for coastal harbors and channels, and for inland harbors; of which \$50,000,000, to be derived from the general fund of the Treasury, shall be to carry out section (c) of section 2106 of Public Law 113–121; of which such sums as become available from the special account for the Corps of Engineers established by the Land and Water Conservation Fund Act of 1965 shall be derived from that account for resource protection, research,

1 interpretation, and maintenance activities related to re-
2 source protection in the areas at which outdoor recreation
3 is available; and of which such sums as become available
4 from fees collected under section 217 of Public Law 104–
5 303 shall be used to cover the cost of operation and main-
6 tenance of the dredged material disposal facilities for
7 which such fees have been collected: *Provided*, That 1 per-
8 cent of the total amount of funds provided for each of the
9 programs, projects, or activities funded under this heading
10 shall not be allocated to a field operating activity prior
11 to the beginning of the fourth quarter of the fiscal year
12 and shall be available for use by the Chief of Engineers
13 to fund such emergency activities as the Chief of Engi-
14 neers determines to be necessary and appropriate, and
15 that the Chief of Engineers shall allocate during the
16 fourth quarter any remaining funds which have not been
17 used for emergency activities proportionally in accordance
18 with the amounts provided for the programs, projects, or
19 activities.

20 REGULATORY PROGRAM

21 For expenses necessary for administration of laws
22 pertaining to regulation of navigable waters and wetlands,
23 \$212,000,000 (increased by \$212,000,000) (reduced by
24 \$212,000,000), to remain available until September 30,
25 2023.

1 FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

2 For expenses necessary to clean up contamination
3 from sites in the United States resulting from work per-
4 formed as part of the Nation's early atomic energy pro-
5 gram, \$250,000,000, to remain available until expended.

6 FLOOD CONTROL AND COASTAL EMERGENCIES

7 For expenses necessary to prepare for flood, hurri-
8 cane, and other natural disasters and support emergency
9 operations, repairs, and other activities in response to
10 such disasters as authorized by law, \$35,000,000, to re-
11 main available until expended.

12 EXPENSES

13 For expenses necessary for the supervision and gen-
14 eral administration of the civil works program in the head-
15 quarters of the Corps of Engineers and the offices of the
16 Division Engineers; and for costs of management and op-
17 eration of the Humphreys Engineer Center Support Activ-
18 ity, the Institute for Water Resources, the United States
19 Army Engineer Research and Development Center, and
20 the United States Army Corps of Engineers Finance Cen-
21 ter allocable to the civil works program, \$208,000,000 (re-
22 duced by \$2,000,000), to remain available until September
23 30, 2023, of which not to exceed \$5,000 may be used for
24 official reception and representation purposes and only
25 during the current fiscal year: *Provided*, That no part of

1 any other appropriation provided in this title shall be
2 available to fund the civil works activities of the Office
3 of the Chief of Engineers or the civil works executive di-
4 rection and management activities of the division offices:
5 *Provided further*, That any Flood Control and Coastal
6 Emergencies appropriation may be used to fund the super-
7 vision and general administration of emergency oper-
8 ations, repairs, and other activities in response to any
9 flood, hurricane, or other natural disaster.

10 OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY

11 FOR CIVIL WORKS

12 For the Office of the Assistant Secretary of the Army
13 for Civil Works as authorized by 10 U.S.C. 3016(b)(3),
14 \$5,000,000, to remain available until September 30, 2023:
15 *Provided*, That not more than 75 percent of such amount
16 may be obligated or expended until the Assistant Sec-
17 retary submits to the Committees on Appropriations of
18 both Houses of Congress a work plan that allocates at
19 least 95 percent of the additional funding provided under
20 each heading in this title, as designated under such head-
21 ing in the report accompanying this Act, to specific pro-
22 grams, projects, or activities.

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1 analysis of how subsidy rates will be determined for loans
2 financed by appropriations provided under this heading in
3 this Act; (2) a comparison of the factors that will be con-
4 sidered in estimating subsidy rates for loans financed
5 under this heading in this Act with factors that will be
6 considered in estimates of subsidy rates for other projects
7 authorized by the Water Infrastructure Finance and Inno-
8 vation Act of 2014, including an analysis of how both sets
9 of rates will be determined; and (3) an analysis of the
10 process for developing draft regulations for the Water In-
11 frastructure Finance and Innovation program, including
12 a crosswalk from the statutory requirements for such pro-
13 gram, and a timetable for publishing such regulations:
14 *Provided further*, That the use of direct loans or loan guar-
15 antee authority under this heading for direct loans or com-
16 mitments to guarantee loans for any project shall be in
17 accordance with the criteria published in the Federal Reg-
18 ister on June 30, 2020 (85 FR 39189) pursuant to the
19 fourth proviso under the heading “Water Infrastructure
20 Finance and Innovation Program Account” in division D
21 of the Further Consolidated Appropriations Act, 2020
22 (Public Law 116–94): *Provided further*, That none of the
23 direct loans or loan guarantee authority made available
24 under this heading shall be available for any project unless
25 the Secretary and the Director of the Office of Manage-

1 ment and Budget have certified in advance in writing that
2 the direct loan or loan guarantee, as applicable, and the
3 project comply with the criteria referenced in the previous
4 proviso: *Provided further*, That any references to the Envi-
5 ronmental Protection Agency (EPA) or the Administrator
6 in the criteria referenced in the previous two provisos shall
7 be deemed to be references to the Army Corps of Engi-
8 neers or the Secretary of the Army, respectively, for pur-
9 poses of the direct loans or loan guarantee authority made
10 available under this heading: *Provided further*, That for
11 the purposes of carrying out the Congressional Budget Act
12 of 1974, the Director of the Congressional Budget Office
13 may request, and the Secretary shall promptly provide,
14 documentation and information relating to a project iden-
15 tified in a Letter of Interest submitted to the Secretary
16 pursuant to a Notice of Funding Availability for applica-
17 tions for credit assistance under the Water Infrastructure
18 Finance and Innovation Act Program, including with re-
19 spect to a project that was initiated or completed before
20 the date of enactment of this Act.

21 In addition, fees authorized to be collected pursuant
22 to sections 5029 and 5030 of the Water Infrastructure
23 Finance and Innovation Act of 2014 shall be deposited
24 in this account, to remain available until expended.

1 In addition, for administrative expenses to carry out
2 the direct and guaranteed loan programs, \$8,500,000, to
3 remain available until September 30, 2023.

4 GENERAL PROVISIONS—CORPS OF
5 ENGINEERS—CIVIL

6 (INCLUDING TRANSFER OF FUNDS)

7 SEC. 101. (a) None of the funds provided in title I
8 of this Act, or provided by previous appropriations Acts
9 to the agencies or entities funded in title I of this Act
10 that remain available for obligation or expenditure in fiscal
11 year 2022, shall be available for obligation or expenditure
12 through a reprogramming of funds that—

13 (1) creates or initiates a new program, project,
14 or activity;

15 (2) eliminates a program, project, or activity;

16 (3) increases funds or personnel for any pro-
17 gram, project, or activity for which funds have been
18 denied or restricted by this Act, unless prior ap-
19 proval is received from the Committees on Appro-
20 priations of both Houses of Congress;

21 (4) proposes to use funds directed for a specific
22 activity for a different purpose, unless prior approval
23 is received from the Committees on Appropriations
24 of both Houses of Congress;

1 (5) augments or reduces existing programs,
2 projects, or activities in excess of the amounts con-
3 tained in paragraphs (6) through (10), unless prior
4 approval is received from the Committees on Appro-
5 priations of both Houses of Congress;

6 (6) INVESTIGATIONS.—For a base level over
7 \$100,000, reprogramming of 25 percent of the base
8 amount up to a limit of \$150,000 per project, study
9 or activity is allowed: Provided, That for a base level
10 less than \$100,000, the reprogramming limit is
11 \$25,000: Provided further, That up to \$25,000 may
12 be reprogrammed into any continuing study or activ-
13 ity that did not receive an appropriation for existing
14 obligations and concomitant administrative expenses;

15 (7) CONSTRUCTION.—For a base level over
16 \$2,000,000, reprogramming of 15 percent of the
17 base amount up to a limit of \$3,000,000 per project,
18 study or activity is allowed: Provided, That for a
19 base level less than \$2,000,000, the reprogramming
20 limit is \$300,000: Provided further, That up to
21 \$3,000,000 may be reprogrammed for settled con-
22 tractor claims, changed conditions, or real estate de-
23 ficiency judgments: Provided further, That up to
24 \$300,000 may be reprogrammed into any continuing
25 study or activity that did not receive an appropria-

1 tion for existing obligations and concomitant admin-
2 istrative expenses;

3 (8) OPERATION AND MAINTENANCE.—Unlim-
4 ited reprogramming authority is granted for the
5 Corps to be able to respond to emergencies: Pro-
6 vided, That the Chief of Engineers shall notify the
7 Committees on Appropriations of both Houses of
8 Congress of these emergency actions as soon there-
9 after as practicable: Provided further, That for a
10 base level over \$1,000,000, reprogramming of 15
11 percent of the base amount up to a limit of
12 \$5,000,000 per project, study, or activity is allowed:
13 Provided further, That for a base level less than
14 \$1,000,000, the reprogramming limit is \$150,000:
15 Provided further, That \$150,000 may be repro-
16 grammed into any continuing study or activity that
17 did not receive an appropriation;

18 (9) MISSISSIPPI RIVER AND TRIBUTARIES.—
19 The reprogramming guidelines in paragraphs (6),
20 (7), and (8) shall apply to the Investigations, Con-
21 struction, and Operation and Maintenance portions
22 of the Mississippi River and Tributaries Account, re-
23 spectively; and

1 (10) FORMERLY UTILIZED SITES REMEDIAL AC-
2 TION PROGRAM.—Reprogramming of up to 15 per-
3 cent of the base of the receiving project is permitted.

4 (b) DE MINIMUS REPROGRAMMINGS.—In no case
5 should a reprogramming for less than \$50,000 be sub-
6 mitted to the Committees on Appropriations of both
7 Houses of Congress.

8 (c) CONTINUING AUTHORITIES PROGRAM.—Sub-
9 section (a)(1) shall not apply to any project or activity
10 funded under the continuing authorities program.

11 (d) Not later than 60 days after the date of enact-
12 ment of this Act, the Secretary shall submit a report to
13 the Committees on Appropriations of both Houses of Con-
14 gress to establish the baseline for application of re-
15 programming and transfer authorities for the current fis-
16 cal year which shall include:

17 (1) A table for each appropriation with a sepa-
18 rate column to display the President's budget re-
19 quest, adjustments made by Congress, adjustments
20 due to enacted rescissions, if applicable, and the fis-
21 cal year enacted level;

22 (2) A delineation in the table for each appro-
23 priation both by object class and program, project
24 and activity as detailed in the budget appendix for
25 the respective appropriations; and

1 (3) An identification of items of special congres-
2 sional interest.

3 SEC. 102. The Secretary shall allocate funds made
4 available in this title solely in accordance with the provi-
5 sions of this Act and the report accompanying this Act.

6 SEC. 103. None of the funds made available in this
7 title may be used to award or modify any contract that
8 commits funds beyond the amounts appropriated for that
9 program, project, or activity that remain unobligated, ex-
10 cept that such amounts may include any funds that have
11 been made available through reprogramming pursuant to
12 section 101.

13 SEC. 104. The Secretary of the Army may transfer
14 to the Fish and Wildlife Service, and the Fish and Wildlife
15 Service may accept and expend, up to \$5,400,000 of funds
16 provided in this title under the heading “Operation and
17 Maintenance” to mitigate for fisheries lost due to Corps
18 of Engineers projects.

19 SEC. 105. None of the funds in this Act shall be used
20 for an open lake placement alternative for dredged mate-
21 rial, after evaluating the least costly, environmentally ac-
22 ceptable manner for the disposal or management of
23 dredged material originating from Lake Erie or tributaries
24 thereto, unless it is certified under a State water quality
25 certification pursuant to section 401 of the Federal Water

1 Pollution Control Act (33 U.S.C. 1341): *Provided*, That
2 until an open lake placement alternative for dredged mate-
3 rial is certified under a State water quality certification,
4 the Corps of Engineers shall continue upland placement
5 of such dredged material consistent with the requirements
6 of section 101 of the Water Resources Development Act
7 of 1986 (33 U.S.C. 2211).

8 SEC. 106. None of the funds made available by this
9 Act may be used to carry out any water supply reallocation
10 study under the Wolf Creek Dam, Lake Cumberland, Ken-
11 tucky, project authorized under the Act of July 24, 1946
12 (60 Stat. 636, ch. 595).

13 SEC. 107. None of the funds made available by this
14 Act or any other Act may be used to reorganize or to
15 transfer the Civil Works functions or authority of the
16 Corps of Engineers or the Secretary of the Army to an-
17 other department or agency.

18 SEC. 108. Additional funding provided in this Act
19 shall be allocated only to projects determined to be eligible
20 by the Chief of Engineers.

1 TITLE II
2 DEPARTMENT OF THE INTERIOR
3 CENTRAL UTAH PROJECT

4 CENTRAL UTAH PROJECT COMPLETION ACCOUNT

5 For carrying out activities authorized by the Central
6 Utah Project Completion Act, \$20,000,000, to remain
7 available until expended, of which \$5,000,000 shall be de-
8 posited into the Utah Reclamation Mitigation and Con-
9 servation Account for use by the Utah Reclamation Miti-
10 gation and Conservation Commission: *Provided*, That of
11 the amount provided under this heading, \$1,550,000 shall
12 be available until September 30, 2023, for expenses nec-
13 essary in carrying out related responsibilities of the Sec-
14 retary of the Interior: *Provided further*, That for fiscal
15 year 2022, of the amount made available to the Commis-
16 sion under this Act or any other Act, the Commission may
17 use an amount not to exceed \$1,850,000 for administra-
18 tive expenses.

19 BUREAU OF RECLAMATION

20 The following appropriations shall be expended to
21 execute authorized functions of the Bureau of Reclama-
22 tion:

1 WATER AND RELATED RESOURCES

2 (INCLUDING TRANSFERS OF FUNDS)

3 For management, development, and restoration of
4 water and related natural resources and for related activi-
5 ties, including the operation, maintenance, and rehabilita-
6 tion of reclamation and other facilities, participation in
7 fulfilling related Federal responsibilities to Native Ameri-
8 cans, and related grants to, and cooperative and other
9 agreements with, State and local governments, federally
10 recognized Indian tribes, and others, \$1,792,000,000 (in-
11 creased by \$1,500,000), to remain available until ex-
12 pended, of which \$71,217,000 shall be available for trans-
13 fer to the Upper Colorado River Basin Fund and
14 \$19,606,000 shall be available for transfer to the Lower
15 Colorado River Basin Development Fund; of which such
16 amounts as may be necessary may be advanced to the Col-
17 orado River Dam Fund: *Provided*, That \$40,000,000 shall
18 be available for transfer into the Blackfeet Water Settle-
19 ment Implementation Fund established by section 3717
20 of Public Law 114–322: *Provided further*, That
21 \$1,000,000 shall be available for transfer into the Aging
22 Infrastructure Account established by section 9603(d)(1)
23 of the Omnibus Public Land Management Act of 2009,
24 as amended (43 U.S.C. 510b(d)(1)): *Provided further*,
25 That such transfers, except for the transfer authorized by

1 the preceding proviso, may be increased or decreased with-
2 in the overall appropriation under this heading: *Provided*
3 *further*, That of the total appropriated, the amount for
4 program activities that can be financed by the Reclama-
5 tion Fund, the Water Storage Enhancement Receipts ac-
6 count established by section 4011(e) of Public Law 114–
7 322, or the Bureau of Reclamation special fee account es-
8 tablished by 16 U.S.C. 6806 shall be derived from that
9 Fund or account: *Provided further*, That funds contributed
10 under 43 U.S.C. 395 are available until expended for the
11 purposes for which the funds were contributed: *Provided*
12 *further*, That funds advanced under 43 U.S.C. 397a shall
13 be credited to this account and are available until ex-
14 pended for the same purposes as the sums appropriated
15 under this heading: *Provided further*, That of the amounts
16 made available under this heading, \$10,000,000 shall be
17 deposited in the San Gabriel Basin Restoration Fund es-
18 tablished by section 110 of title I of appendix D of Public
19 Law 106–554: *Provided further*, That of the amounts pro-
20 vided herein, funds may be used for high-priority projects
21 which shall be carried out by the Youth Conservation
22 Corps, as authorized by 16 U.S.C. 1706.

23 CENTRAL VALLEY PROJECT RESTORATION FUND

24 For carrying out the programs, projects, plans, habi-
25 tat restoration, improvement, and acquisition provisions of

1 the Central Valley Project Improvement Act, \$56,499,000,
2 to be derived from such sums as may be collected in the
3 Central Valley Project Restoration Fund pursuant to sec-
4 tions 3407(d), 3404(c)(3), and 3405(f) of Public Law
5 102–575, to remain available until expended: *Provided*,
6 That the Bureau of Reclamation is directed to assess and
7 collect the full amount of the additional mitigation and
8 restoration payments authorized by section 3407(d) of
9 Public Law 102–575: *Provided further*, That none of the
10 funds made available under this heading may be used for
11 the acquisition or leasing of water for in-stream purposes
12 if the water is already committed to in-stream purposes
13 by a court adopted decree or order.

14 CALIFORNIA BAY-DELTA RESTORATION

15 (INCLUDING TRANSFERS OF FUNDS)

16 For carrying out activities authorized by the Water
17 Supply, Reliability, and Environmental Improvement Act,
18 consistent with plans to be approved by the Secretary of
19 the Interior, \$33,000,000, to remain available until ex-
20 pended, of which such amounts as may be necessary to
21 carry out such activities may be transferred to appropriate
22 accounts of other participating Federal agencies to carry
23 out authorized purposes: *Provided*, That funds appro-
24 priated herein may be used for the Federal share of the
25 costs of CALFED Program management: *Provided fur-*

1 *ther*, That CALFED implementation shall be carried out
2 in a balanced manner with clear performance measures
3 demonstrating concurrent progress in achieving the goals
4 and objectives of the Program.

5 POLICY AND ADMINISTRATION

6 For expenses necessary for policy, administration,
7 and related functions in the Office of the Commissioner,
8 the Denver office, and offices in the six regions of the Bu-
9 reau of Reclamation, to remain available until September
10 30, 2023, \$64,400,000 (reduced by \$1,500,000) (reduced
11 by \$5,000,000) (increased by \$5,000,000), to be derived
12 from the Reclamation Fund and be nonreimbursable as
13 provided in 43 U.S.C. 377: *Provided*, That no part of any
14 other appropriation in this Act shall be available for activi-
15 ties or functions budgeted as policy and administration ex-
16 penses.

17 ADMINISTRATIVE PROVISION

18 Appropriations for the Bureau of Reclamation shall
19 be available for purchase and replacement of not to exceed
20 30 motor vehicles, which are for replacement only.

21 GENERAL PROVISIONS—DEPARTMENT OF THE
22 INTERIOR

23 SEC. 201. (a) None of the funds provided in title II
24 of this Act for Water and Related Resources, or provided
25 by previous or subsequent appropriations Acts to the agen-

1 cies or entities funded in title II of this Act for Water
2 and Related Resources that remain available for obligation
3 or expenditure in fiscal year 2022, shall be available for
4 obligation or expenditure through a reprogramming of
5 funds that—

6 (1) initiates or creates a new program, project,
7 or activity;

8 (2) eliminates a program, project, or activity;

9 (3) increases funds for any program, project, or
10 activity for which funds have been denied or re-
11 stricted by this Act, unless prior approval is received
12 from the Committees on Appropriations of both
13 Houses of Congress;

14 (4) restarts or resumes any program, project or
15 activity for which funds are not provided in this Act,
16 unless prior approval is received from the Commit-
17 tees on Appropriations of both Houses of Congress;

18 (5) transfers funds in excess of the following
19 limits, unless prior approval is received from the
20 Committees on Appropriations of both Houses of
21 Congress:

22 (A) 15 percent for any program, project or
23 activity for which \$2,000,000 or more is avail-
24 able at the beginning of the fiscal year; or

1 (B) \$400,000 for any program, project or
2 activity for which less than \$2,000,000 is avail-
3 able at the beginning of the fiscal year;

4 (6) transfers more than \$500,000 from either
5 the Facilities Operation, Maintenance, and Rehabili-
6 tation category or the Resources Management and
7 Development category to any program, project, or
8 activity in the other category, unless prior approval
9 is received from the Committees on Appropriations
10 of both Houses of Congress; or

11 (7) transfers, where necessary to discharge legal
12 obligations of the Bureau of Reclamation, more than
13 \$5,000,000 to provide adequate funds for settled
14 contractor claims, increased contractor earnings due
15 to accelerated rates of operations, and real estate de-
16 ficiency judgments, unless prior approval is received
17 from the Committees on Appropriations of both
18 Houses of Congress.

19 (b) Subsection (a)(5) shall not apply to any transfer
20 of funds within the Facilities Operation, Maintenance, and
21 Rehabilitation category.

22 (c) For purposes of this section, the term “transfer”
23 means any movement of funds into or out of a program,
24 project, or activity.

1 (d) Except as provided in subsections (a) and (b), the
2 amounts made available in this title under the heading
3 “Bureau of Reclamation—Water and Related Resources”
4 shall be expended for the programs, projects, and activities
5 specified in the “House Recommended” columns in the
6 “Water and Related Resources” table included under the
7 heading “Title II—Department of the Interior” in the re-
8 port accompanying this Act.

9 (e) The Bureau of Reclamation shall submit reports
10 on a quarterly basis to the Committees on Appropriations
11 of both Houses of Congress detailing all the funds repro-
12 grammed between programs, projects, activities, or cat-
13 egories of funding. The first quarterly report shall be sub-
14 mitted not later than 60 days after the date of enactment
15 of this Act.

16 SEC. 202. (a) None of the funds appropriated or oth-
17 erwise made available by this Act may be used to deter-
18 mine the final point of discharge for the interceptor drain
19 for the San Luis Unit until development by the Secretary
20 of the Interior and the State of California of a plan, which
21 shall conform to the water quality standards of the State
22 of California as approved by the Administrator of the En-
23 vironmental Protection Agency, to minimize any detri-
24 mental effect of the San Luis drainage waters.

1 (b) The costs of the Kesterson Reservoir Cleanup
2 Program and the costs of the San Joaquin Valley Drain-
3 age Program shall be classified by the Secretary of the
4 Interior as reimbursable or nonreimbursable and collected
5 until fully repaid pursuant to the “Cleanup Program—
6 Alternative Repayment Plan” and the “SJVDP—Alter-
7 native Repayment Plan” described in the report entitled
8 “Repayment Report, Kesterson Reservoir Cleanup Pro-
9 gram and San Joaquin Valley Drainage Program, Feb-
10 ruary 1995”, prepared by the Department of the Interior,
11 Bureau of Reclamation. Any future obligations of funds
12 by the United States relating to, or providing for, drainage
13 service or drainage studies for the San Luis Unit shall
14 be fully reimbursable by San Luis Unit beneficiaries of
15 such service or studies pursuant to Federal reclamation
16 law.

17 SEC. 203. Section 9504(e) of the Omnibus Public
18 Land Management Act of 2009 (Public Law 111–11; 42
19 U.S.C. 10364(e)) is amended by striking “\$610,000,000”
20 and inserting “\$730,000,000”.

21 SEC. 204. Title I of Public Law 108–361 (the
22 CALFED Bay-Delta Authorization Act) (118 Stat. 1681)
23 is amended by striking “2021” each place it appears and
24 inserting “2022”.

1 SEC. 205. Section 9106(g)(2) of Public Law 111–11
2 (Omnibus Public Land Management Act of 2009) is
3 amended by striking “2021” and inserting “2022”.

4 SEC. 206. (a) Section 104(c) of the Reclamation
5 States Emergency Drought Relief Act of 1991 (Public
6 Law 102–250; 43 U.S.C. 2214(c)) is amended by striking
7 “2021” and inserting “2022”.

8 (b) Section 301 of the Reclamation States Emergency
9 Drought Relief Act of 1991 (Public Law 102–250; 43
10 U.S.C. 2241) is amended by striking “2021” and insert-
11 ing “2022”.

12 SEC. 207. Section 1101(d) of the Reclamation
13 Projects Authorization and Adjustment Act of 1992 (Pub-
14 lic Law 102–575) is amended by striking “\$10,000,000”
15 and inserting “\$13,000,000”.

16 SEC. 208. None of the funds provided in this Act may
17 be used for the Shasta Dam and Reservoir Enlargement
18 Project.

19 TITLE III

20 DEPARTMENT OF ENERGY

21 ENERGY PROGRAMS

22 ENERGY EFFICIENCY AND RENEWABLE ENERGY

23 For Department of Energy expenses including the
24 purchase, construction, and acquisition of plant and cap-
25 ital equipment, and other expenses necessary for energy

1 efficiency and renewable energy activities in carrying out
2 the purposes of the Department of Energy Organization
3 Act (42 U.S.C. 7101 et seq.), including the acquisition or
4 condemnation of any real property or any facility or for
5 plant or facility acquisition, construction, or expansion,
6 \$3,768,000,000 (reduced by \$15,000,000) (increased by
7 \$15,000,000) (increased by \$5,000,000) (reduced by
8 \$25,000,000) (increased by \$25,000,000) (increased by
9 \$3,000,000), to remain available until expended: *Provided*,
10 That of such amount, \$230,000,000 shall be available
11 until September 30, 2023, for program direction.

12 CYBERSECURITY, ENERGY SECURITY, AND EMERGENCY
13 RESPONSE

14 For Department of Energy expenses including the
15 purchase, construction, and acquisition of plant and cap-
16 ital equipment, and other expenses necessary for energy
17 sector cybersecurity, energy security, and emergency re-
18 sponse activities in carrying out the purposes of the De-
19 partment of Energy Organization Act (42 U.S.C. 7101 et
20 seq.), including the acquisition or condemnation of any
21 real property or any facility or for plant or facility acqui-
22 sition, construction, or expansion, \$177,000,000, to remain
23 available until expended: *Provided*, That of such amount,
24 \$15,000,000 shall be available until September 30, 2023,
25 for program direction.

1 ELECTRICITY

2 For Department of Energy expenses including the
3 purchase, construction, and acquisition of plant and cap-
4 ital equipment, and other expenses necessary for elec-
5 tricity activities in carrying out the purposes of the De-
6 partment of Energy Organization Act (42 U.S.C. 7101 et
7 seq.), including the acquisition or condemnation of any
8 real property or any facility or for plant or facility acquisi-
9 tion, construction, or expansion, \$267,000,000, to remain
10 available until expended: *Provided*, That of such amount,
11 \$20,000,000 shall be available until September 30, 2023,
12 for program direction.

13 NUCLEAR ENERGY

14 For Department of Energy expenses including the
15 purchase, construction, and acquisition of plant and cap-
16 ital equipment, and other expenses necessary for nuclear
17 energy activities in carrying out the purposes of the De-
18 partment of Energy Organization Act (42 U.S.C. 7101 et
19 seq.), including the acquisition or condemnation of any
20 real property or any facility or for plant or facility acquisi-
21 tion, construction, or expansion, \$1,675,000,000 (reduced
22 by \$348,000,000) (increased by \$348,000,000), to remain
23 available until expended: *Provided*, That of such amount,
24 \$85,000,000 shall be available until September 30, 2023,
25 for program direction.

1 FOSSIL ENERGY AND CARBON MANAGEMENT

2 For Department of Energy expenses necessary in car-
3 rying out fossil energy and carbon management research
4 and development activities, under the authority of the De-
5 partment of Energy Organization Act (42 U.S.C. 7101 et
6 seq.), including the acquisition of interest, including defea-
7 sible and equitable interests in any real property or any
8 facility or for plant or facility acquisition or expansion,
9 and for conducting inquiries, technological investigations
10 and research concerning the extraction, processing, use,
11 and disposal of mineral substances without objectionable
12 social and environmental costs (30 U.S.C. 3, 1602, and
13 1603), \$820,000,000 (reduced by \$50,000,000) (increased
14 by \$50,000,000) (reduced by \$4,000,000), to remain
15 available until expended: *Provided*, That of such amount
16 \$65,800,000 shall be available until September 30, 2023,
17 for program direction.

18 NAVAL PETROLEUM AND OIL SHALE RESERVES

19 For Department of Energy expenses necessary to
20 carry out naval petroleum and oil shale reserve activities,
21 \$13,650,000, to remain available until expended: *Pro-*
22 *vided*, That notwithstanding any other provision of law,
23 unobligated funds remaining from prior years shall be
24 available for all naval petroleum and oil shale reserve ac-
25 tivities.

1 STRATEGIC PETROLEUM RESERVE

2 For Department of Energy expenses necessary for
3 Strategic Petroleum Reserve facility development and op-
4 erations and program management activities pursuant to
5 the Energy Policy and Conservation Act (42 U.S.C. 6201
6 et seq.), \$197,000,000, to remain available until expended.

7 SPR PETROLEUM ACCOUNT

8 For the acquisition, transportation, and injection of
9 petroleum products, and for other necessary expenses pur-
10 suant to the Energy Policy and Conservation Act of 1975,
11 as amended (42 U.S.C. 6201 et seq.), sections 403 and
12 404 of the Bipartisan Budget Act of 2015 (42 U.S.C.
13 6241, 6239 note), and section 5010 of the 21st Century
14 Cures Act (Public Law 114–255), \$7,350,000, to remain
15 available until expended.

16 NORTHEAST HOME HEATING OIL RESERVE

17 For Department of Energy expenses necessary for
18 Northeast Home Heating Oil Reserve storage, operation,
19 and management activities pursuant to the Energy Policy
20 and Conservation Act (42 U.S.C. 6201 et seq.),
21 \$6,500,000, to remain available until expended.

22 ENERGY INFORMATION ADMINISTRATION

23 For Department of Energy expenses necessary in car-
24 rying out the activities of the Energy Information Admin-
25 istration, \$129,087,000 (reduced by \$15,000,000) (in-

1 creased by \$15,000,000), to remain available until ex-
2 pended.

3 NON-DEFENSE ENVIRONMENTAL CLEANUP

4 For Department of Energy expenses, including the
5 purchase, construction, and acquisition of plant and cap-
6 ital equipment and other expenses necessary for non-de-
7 fense environmental cleanup activities in carrying out the
8 purposes of the Department of Energy Organization Act
9 (42 U.S.C. 7101 et seq.), including the acquisition or con-
10 demnation of any real property or any facility or for plant
11 or facility acquisition, construction, or expansion,
12 \$333,863,000, to remain available until expended: *Pro-*
13 *vided*, That in addition, fees collected pursuant to sub-
14 section (b)(1) of section 6939f of title 42, United States
15 Code, and deposited under this heading in fiscal year 2022
16 pursuant to section 309 of title III of division C of Public
17 Law 116–94 are appropriated, to remain available until
18 expended, for mercury storage costs.

19 URANIUM ENRICHMENT DECONTAMINATION AND
20 DECOMMISSIONING FUND

21 For Department of Energy expenses necessary in car-
22 rying out uranium enrichment facility decontamination
23 and decommissioning, remedial actions, and other activi-
24 ties of title II of the Atomic Energy Act of 1954, and
25 title X, subtitle A, of the Energy Policy Act of 1992,

1 \$831,340,000, to be derived from the Uranium Enrich-
2 ment Decontamination and Decommissioning Fund, to re-
3 main available until expended, of which \$28,000,000 shall
4 be available in accordance with title X, subtitle A, of the
5 Energy Policy Act of 1992.

6 SCIENCE

7 For Department of Energy expenses including the
8 purchase, construction, and acquisition of plant and cap-
9 ital equipment, and other expenses necessary for science
10 activities in carrying out the purposes of the Department
11 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-
12 cluding the acquisition or condemnation of any real prop-
13 erty or any facility or for plant or facility acquisition, con-
14 struction, or expansion, and purchase of not more than
15 35 passenger motor vehicles, including one ambulance, for
16 replacement only, \$7,320,000,000 (reduced by
17 \$380,000,000) (increased by \$380,000,000) (reduced by
18 \$720,000,000) (increased by \$720,000,000) (reduced by
19 \$2,177,000) (increased by \$2,177,000) (reduced by
20 \$15,000,000) (increased by \$15,000,000), to remain avail-
21 able until expended: *Provided*, That of such amount,
22 \$202,000,000 shall be available until September 30, 2023,
23 for program direction.

1 NUCLEAR WASTE DISPOSAL

2 For Department of Energy expenses necessary for
3 nuclear waste disposal activities to carry out the purposes
4 of the Nuclear Waste Policy Act of 1982, Public Law 97–
5 425, as amended, including interim storage activities,
6 \$27,500,000, to remain available until expended, of which
7 \$7,500,000 shall be derived from the Nuclear Waste
8 Fund.

9 TECHNOLOGY TRANSITIONS

10 For Department of Energy expenses necessary for
11 carrying out the activities of technology transitions,
12 \$19,470,000, to remain available until expended: *Pro-*
13 *vided*, That of such amount, \$8,375,000 shall be available
14 until September 30, 2023, for program direction.

15 CLEAN ENERGY DEMONSTRATIONS

16 For Department of Energy expenses, including the
17 purchase, construction, and acquisition of plant and cap-
18 ital equipment and other expenses necessary for clean en-
19 ergy demonstrations in carrying out the purposes of the
20 Department of Energy Organization Act (42 U.S.C. 7101
21 et seq.), including the acquisition or condemnation of any
22 real property or any facility or for plant or facility acquisi-
23 tion, construction, or expansion, \$200,000,000, to remain
24 available until expended: *Provided*, That of such amount,

4 For Department of Energy expenses necessary in car-
5 rying out the activities authorized by section 5012 of the
6 America COMPETES Act (Public Law 110-69),
7 \$600,000,000, to remain available until expended: *Pro-*
8 *vided*, That of such amount, \$48,000,000 shall be avail-
9 able until September 30, 2023, for program direction.

Such sums as are derived from amounts received from borrowers pursuant to section 1702(b) of the Energy Policy Act of 2005 under this heading in prior Acts, shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974: *Provided*, That for necessary administrative expenses of the Title 17 Innovative Technology Loan Guarantee Program, as authorized, \$32,000,000 (reduced by \$150,000,000) (increased by \$150,000,000) is appropriated, to remain available until September 30, 2023: *Provided further*, That up to \$32,000,000 of fees collected in fiscal year 2022 pursuant to section 1702(h) of the Energy Policy Act of 2005 shall be credited as offsetting collections under this heading and used for necessary administrative expenses in this appro-

1 priation and shall remain available until September 30,
2 2023: *Provided further*, That to the extent that fees col-
3 lected in fiscal year 2022 exceed \$32,000,000, those ex-
4 cess amounts shall be credited as offsetting collections
5 under this heading and available in future fiscal years only
6 to the extent provided in advance in appropriations Acts:
7 *Provided further*, That the sum herein appropriated from
8 the general fund shall be reduced (1) as such fees are re-
9 ceived during fiscal year 2022 (estimated at \$3,000,000)
10 and (2) to the extent that any remaining general fund ap-
11 propriations can be derived from fees collected in previous
12 fiscal years that are not otherwise appropriated, so as to
13 result in a final fiscal year 2022 appropriation from the
14 general fund estimated at \$0: *Provided further*, That the
15 Department of Energy shall not subordinate any loan obli-
16 gation to other financing in violation of section 1702 of
17 the Energy Policy Act of 2005 or subordinate any Guar-
18 teed Obligation to any loan or other debt obligations in
19 violation of section 609.10 of title 10, Code of Federal
20 Regulations.

21 ADVANCED TECHNOLOGY VEHICLES MANUFACTURING

22 LOAN PROGRAM

23 For Department of Energy administrative expenses
24 necessary in carrying out the Advanced Technology Vehi-

1 cles Manufacturing Loan Program, \$5,000,000, to remain
2 available until September 30, 2023.

3 TRIBAL ENERGY LOAN GUARANTEE PROGRAM

4 For Department of Energy administrative expenses
5 necessary in carrying out the Tribal Energy Loan Guar-
6 antee Program, \$2,000,000, to remain available until Sep-
7 tember 30, 2023.

8 INDIAN ENERGY POLICY AND PROGRAMS

9 For necessary expenses for Indian Energy activities
10 in carrying out the purposes of the Department of Energy
11 Organization Act (42 U.S.C. 7101 et seq.), \$70,000,000,
12 to remain available until expended: *Provided*, That of the
13 amount appropriated under this heading, \$5,523,000 shall
14 be available until September 30, 2023, for program direc-
15 tion.

16 DEPARTMENTAL ADMINISTRATION

17 For salaries and expenses of the Department of En-
18 ergy necessary for departmental administration in car-
19 rying out the purposes of the Department of Energy Orga-
20 nization Act (42 U.S.C. 7101 et seq.), \$372,578,000 (re-
21 duced by \$2,000,000) (reduced by \$5,000,000) (reduced
22 by \$2,000,000), to remain available until September 30,
23 2023, including the hire of passenger motor vehicles and
24 official reception and representation expenses not to ex-
25 ceed \$30,000, plus such additional amounts as necessary

1 to cover increases in the estimated amount of cost of work
2 for others notwithstanding the provisions of the Anti-Defi-
3 ciency Act (31 U.S.C. 1511 et seq.): *Provided*, That such
4 increases in cost of work are offset by revenue increases
5 of the same or greater amount: *Provided further*, That
6 moneys received by the Department for miscellaneous rev-
7 enues estimated to total \$100,578,000 in fiscal year 2022
8 may be retained and used for operating expenses within
9 this account, as authorized by section 201 of Public Law
10 95–238, notwithstanding the provisions of 31 U.S.C.
11 3302: *Provided further*, That the sum herein appropriated
12 shall be reduced as collections are received during the fis-
13 cal year so as to result in a final fiscal year 2022 appro-
14 priation from the general fund estimated at not more than
15 \$272,000,000.

16 OFFICE OF THE INSPECTOR GENERAL

17 For expenses necessary for the Office of the Inspector
18 General in carrying out the provisions of the Inspector
19 General Act of 1978, \$78,000,000, to remain available
20 until September 30, 2023.

1 ATOMIC ENERGY DEFENSE ACTIVITIES

2 NATIONAL NUCLEAR SECURITY

3 ADMINISTRATION

4 WEAPONS ACTIVITIES

5 For Department of Energy expenses, including the
6 purchase, construction, and acquisition of plant and cap-
7 ital equipment and other incidental expenses necessary for
8 atomic energy defense weapons activities in carrying out
9 the purposes of the Department of Energy Organization
10 Act (42 U.S.C. 7101 et seq.), including the acquisition or
11 condemnation of any real property or any facility or for
12 plant or facility acquisition, construction, or expansion,
13 and the purchase of not to exceed one ambulance, for re-
14 placement only, \$15,484,295,000, to remain available
15 until expended: *Provided*, That of such amount,
16 \$117,060,000 shall be available until September 30, 2023,
17 for program direction.

18 DEFENSE NUCLEAR NONPROLIFERATION

19 For Department of Energy expenses, including the
20 purchase, construction, and acquisition of plant and cap-
21 ital equipment and other incidental expenses necessary for
22 defense nuclear nonproliferation activities, in carrying out
23 the purposes of the Department of Energy Organization
24 Act (42 U.S.C. 7101 et seq.), including the acquisition or
25 condemnation of any real property or any facility or for

1 plant or facility acquisition, construction, or expansion,
2 \$2,340,000,000, to remain available until expended.

3 NAVAL REACTORS

4 (INCLUDING TRANSFER OF FUNDS)

5 For Department of Energy expenses necessary for
6 naval reactors activities to carry out the Department of
7 Energy Organization Act (42 U.S.C. 7101 et seq.), includ-
8 ing the acquisition (by purchase, condemnation, construc-
9 tion, or otherwise) of real property, plant, and capital
10 equipment, facilities, and facility expansion,
11 \$1,866,705,000, to remain available until expended, of
12 which, \$92,747,000 shall be transferred to “Department
13 of Energy—Energy Programs—Nuclear Energy”, for the
14 Advanced Test Reactor: *Provided*, That of such amount,
15 \$55,579,000 shall be available until September 30, 2023,
16 for program direction.

17 FEDERAL SALARIES AND EXPENSES

18 For expenses necessary for Federal Salaries and Ex-
19 penses in the National Nuclear Security Administration,
20 \$464,000,000, to remain available until September 30,
21 2023, including official reception and representation ex-
22 penses not to exceed \$17,000.

1 ENVIRONMENTAL AND OTHER DEFENSE
2 ACTIVITIES

3 DEFENSE ENVIRONMENTAL CLEANUP

4 For Department of Energy expenses, including the
5 purchase, construction, and acquisition of plant and cap-
6 ital equipment and other expenses necessary for atomic
7 energy defense environmental cleanup activities in car-
8 rying out the purposes of the Department of Energy Orga-
9 nization Act (42 U.S.C. 7101 et seq.), including the acqui-
10 sition or condemnation of any real property or any facility
11 or for plant or facility acquisition, construction, or expan-
12 sion, and the purchase of not to exceed one passenger
13 minivan for replacement only, \$6,592,000,000, to remain
14 available until expended: *Provided*, That of such amount,
15 \$300,207,000 shall be available until September 30, 2023,
16 for program direction.

17 DEFENSE URANIUM ENRICHMENT DECONTAMINATION
18 AND DECOMMISSIONING

19 (INCLUDING TRANSFER OF FUNDS)

20 For an additional amount for atomic energy defense
21 environmental cleanup activities for Department of En-
22 ergy contributions for uranium enrichment decontamina-
23 tion and decommissioning activities, \$831,340,000, to be
24 deposited into the Defense Environmental Cleanup ac-

1 count, which shall be transferred to the Uranium Enrich-
2 ment Decontamination and Decommissioning Fund.

3 OTHER DEFENSE ACTIVITIES

4 For Department of Energy expenses, including the
5 purchase, construction, and acquisition of plant and cap-
6 ital equipment and other expenses, necessary for atomic
7 energy defense, other defense activities, and classified ac-
8 tivities, in carrying out the purposes of the Department
9 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-
10 cluding the acquisition or condemnation of any real prop-
11 erty or any facility or for plant or facility acquisition, con-
12 struction, or expansion, \$932,000,000, to remain available
13 until expended: *Provided*, That of such amount,
14 \$317,636,000 shall be available until September 30, 2023,
15 for program direction.

16 POWER MARKETING ADMINISTRATIONS

17 BONNEVILLE POWER ADMINISTRATION FUND

18 Expenditures from the Bonneville Power Administra-
19 tion Fund, established pursuant to Public Law 93–454,
20 are approved for the Umatilla Hatchery Facility project
21 and, in addition, for official reception and representation
22 expenses in an amount not to exceed \$5,000: *Provided*,
23 That during fiscal year 2022, no new direct loan obliga-
24 tions may be made.

1 OPERATION AND MAINTENANCE, SOUTHEASTERN POWER
2 ADMINISTRATION

3 For expenses necessary for operation and mainte-
4 nance of power transmission facilities and for marketing
5 electric power and energy, including transmission wheeling
6 and ancillary services, pursuant to section 5 of the Flood
7 Control Act of 1944 (16 U.S.C. 825s), as applied to the
8 southeastern power area, \$7,184,000, including official re-
9 ception and representation expenses in an amount not to
10 exceed \$1,500, to remain available until expended: *Pro-*
11 *vided*, That notwithstanding 31 U.S.C. 3302 and section
12 5 of the Flood Control Act of 1944, up to \$7,184,000 col-
13 lected by the Southeastern Power Administration from the
14 sale of power and related services shall be credited to this
15 account as discretionary offsetting collections, to remain
16 available until expended for the sole purpose of funding
17 the annual expenses of the Southeastern Power Adminis-
18 tration: *Provided further*, That the sum herein appro-
19 priated for annual expenses shall be reduced as collections
20 are received during the fiscal year so as to result in a final
21 fiscal year 2022 appropriation estimated at not more than
22 \$0: *Provided further*, That notwithstanding 31 U.S.C.
23 3302, up to \$53,000,000 collected by the Southeastern
24 Power Administration pursuant to the Flood Control Act
25 of 1944 to recover purchase power and wheeling expenses

1 shall be credited to this account as offsetting collections,
2 to remain available until expended for the sole purpose
3 of making purchase power and wheeling expenditures:
4 *Provided further*, That for purposes of this appropriation,
5 annual expenses means expenditures that are generally re-
6 covered in the same year that they are incurred (excluding
7 purchase power and wheeling expenses).

8 OPERATION AND MAINTENANCE, SOUTHWESTERN
9 POWER ADMINISTRATION

10 For expenses necessary for operation and mainte-
11 nance of power transmission facilities and for marketing
12 electric power and energy, for construction and acquisition
13 of transmission lines, substations and appurtenant facili-
14 ties, and for administrative expenses, including official re-
15 ception and representation expenses in an amount not to
16 exceed \$1,500 in carrying out section 5 of the Flood Con-
17 trol Act of 1944 (16 U.S.C. 825s), as applied to the
18 Southwestern Power Administration, \$48,324,000, to re-
19 main available until expended: *Provided*, That notwith-
20 standing 31 U.S.C. 3302 and section 5 of the Flood Con-
21 trol Act of 1944 (16 U.S.C. 825s), up to \$37,924,000 col-
22 lected by the Southwestern Power Administration from
23 the sale of power and related services shall be credited to
24 this account as discretionary offsetting collections, to re-
25 main available until expended, for the sole purpose of

1 funding the annual expenses of the Southwestern Power
2 Administration: *Provided further*, That the sum herein ap-
3 propriated for annual expenses shall be reduced as collec-
4 tions are received during the fiscal year so as to result
5 in a final fiscal year 2022 appropriation estimated at not
6 more than \$10,400,000: *Provided further*, That notwith-
7 standing 31 U.S.C. 3302, up to \$18,000,000 collected by
8 the Southwestern Power Administration pursuant to the
9 Flood Control Act of 1944 to recover purchase power and
10 wheeling expenses shall be credited to this account as off-
11 setting collections, to remain available until expended for
12 the sole purpose of making purchase power and wheeling
13 expenditures: *Provided further*, That for purposes of this
14 appropriation, annual expenses means expenditures that
15 are generally recovered in the same year that they are in-
16 curred (excluding purchase power and wheeling expenses).

17 CONSTRUCTION, REHABILITATION, OPERATION AND
18 MAINTENANCE, WESTERN AREA POWER ADMINIS-
19 TRATION

20 For carrying out the functions authorized by title III,
21 section 302(a)(1)(E) of the Act of August 4, 1977 (42
22 U.S.C. 7152), and other related activities including con-
23 servation and renewable resources programs as author-
24 ized, \$285,237,000, including official reception and rep-
25 resentation expenses in an amount not to exceed \$1,500,

1 to remain available until expended, of which \$285,237,000
2 shall be derived from the Department of the Interior Rec-
3 lamation Fund: *Provided*, That notwithstanding 31 U.S.C.
4 3302, section 5 of the Flood Control Act of 1944 (16
5 U.S.C. 825s), and section 1 of the Interior Department
6 Appropriation Act, 1939 (43 U.S.C. 392a), up to
7 \$194,465,000 collected by the Western Area Power Ad-
8 ministration from the sale of power and related services
9 shall be credited to this account as discretionary offsetting
10 collections, to remain available until expended, for the sole
11 purpose of funding the annual expenses of the Western
12 Area Power Administration: *Provided further*, That the
13 sum herein appropriated for annual expenses shall be re-
14 duced as collections are received during the fiscal year so
15 as to result in a final fiscal year 2022 appropriation esti-
16 mated at not more than \$90,772,000, of which
17 \$90,772,000 is derived from the Reclamation Fund: *Pro-*
18 *vided further*, That notwithstanding 31 U.S.C. 3302, up
19 to \$170,000,000 collected by the Western Area Power Ad-
20 ministration pursuant to the Flood Control Act of 1944
21 and the Reclamation Project Act of 1939 to recover pur-
22 chase power and wheeling expenses shall be credited to
23 this account as offsetting collections, to remain available
24 until expended for the sole purpose of making purchase
25 power and wheeling expenditures: *Provided further*, That

1 for purposes of this appropriation, annual expenses means
2 expenditures that are generally recovered in the same year
3 that they are incurred (excluding purchase power and
4 wheeling expenses).

5 FALCON AND AMISTAD OPERATING AND MAINTENANCE
6 FUND

7 For operation, maintenance, and emergency costs for
8 the hydroelectric facilities at the Falcon and Amistad
9 Dams, \$5,808,000, to remain available until expended,
10 and to be derived from the Falcon and Amistad Operating
11 and Maintenance Fund of the Western Area Power Ad-
12 ministration, as provided in section 2 of the Act of June
13 18, 1954 (68 Stat. 255): *Provided*, That notwithstanding
14 the provisions of that Act and of 31 U.S.C. 3302, up to
15 \$5,580,000 collected by the Western Area Power Adminis-
16 tration from the sale of power and related services from
17 the Falcon and Amistad Dams shall be credited to this
18 account as discretionary offsetting collections, to remain
19 available until expended for the sole purpose of funding
20 the annual expenses of the hydroelectric facilities of these
21 Dams and associated Western Area Power Administration
22 activities: *Provided further*, That the sum herein appro-
23 priated for annual expenses shall be reduced as collections
24 are received during the fiscal year so as to result in a final
25 fiscal year 2022 appropriation estimated at not more than

1 \$228,000: *Provided further*, That for purposes of this ap-
2 propriation, annual expenses means expenditures that are
3 generally recovered in the same year that they are in-
4 curred: *Provided further*, That for fiscal year 2022, the
5 Administrator of the Western Area Power Administration
6 may accept up to \$1,737,000 in funds contributed by
7 United States power customers of the Falcon and Amistad
8 Dams for deposit into the Falcon and Amistad Operating
9 and Maintenance Fund, and such funds shall be available
10 for the purpose for which contributed in like manner as
11 if said sums had been specifically appropriated for such
12 purpose: *Provided further*, That any such funds shall be
13 available without further appropriation and without fiscal
14 year limitation for use by the Commissioner of the United
15 States Section of the International Boundary and Water
16 Commission for the sole purpose of operating, maintain-
17 ing, repairing, rehabilitating, replacing, or upgrading the
18 hydroelectric facilities at these Dams in accordance with
19 agreements reached between the Administrator, Commis-
20 sioner, and the power customers.

21 FEDERAL ENERGY REGULATORY COMMISSION

22 SALARIES AND EXPENSES

23 For expenses necessary for the Federal Energy Regu-
24 latory Commission to carry out the provisions of the De-
25 partment of Energy Organization Act (42 U.S.C. 7101 et

18 (INCLUDING TRANSFERS AND RESCISSIONS OF FUNDS)

SEC. 301. (a) No appropriation, funds, or authority made available by this title for the Department of Energy shall be used to initiate or resume any program, project, or activity or to prepare or initiate Requests For Proposals or similar arrangements (including Requests for Quotations, Requests for Information, and Funding Opportunity Announcements) for a program, project, or ac-

1 tivity if the program, project, or activity has not been
2 funded by Congress.

3 (b)(1) Unless the Secretary of Energy notifies the
4 Committees on Appropriations of both Houses of Congress
5 at least 3 full business days in advance, none of the funds
6 made available in this title may be used to—

7 (A) make or modify a grant allocation or discre-
8 tionary grant award totaling \$1,000,000 or more;

9 (B) make or modify a discretionary contract
10 award or Other Transaction Agreement totaling
11 \$1,000,000 or more, including a contract covered by
12 the Federal Acquisition Regulation;

13 (C) issue a letter of intent to make or modify
14 an allocation, award, or Agreement in excess of the
15 limits in subparagraph (A) or (B); or

16 (D) announce publicly the intention to make or
17 modify an allocation, award, or Agreement in excess
18 of the limits in subparagraph (A) or (B).

19 (2) The Secretary of Energy shall submit directly to
20 the Committees on Appropriations of both Houses of Con-
21 gress within 15 days of the conclusion of each quarter a
22 report detailing each grant allocation or discretionary
23 grant award totaling less than \$1,000,000 provided or
24 modified during the previous quarter.

1 (3) The notification required by paragraph (1) and
2 the report required by paragraph (2) shall include the re-
3 cipient of the award, the amount of the award, the fiscal
4 year for which the funds for the award were appropriated,
5 the account and program, project, or activity from which
6 the funds are being drawn, the title of the award, and
7 a brief description of the activity for which the award is
8 made.

9 (c) The Department of Energy may not, with respect
10 to any program, project, or activity that uses budget au-
11 thority made available in this title under the heading “De-
12 partment of Energy—Energy Programs”, enter into a
13 multiyear contract, award a multiyear grant, or enter into
14 a multiyear cooperative agreement unless—

15 (1) the contract, grant, or cooperative agree-
16 ment is funded for the full period of performance as
17 anticipated at the time of award; or

18 (2) the contract, grant, or cooperative agree-
19 ment includes a clause conditioning the Federal Gov-
20 ernment’s obligation on the availability of future
21 year budget authority and the Secretary notifies the
22 Committees on Appropriations of both Houses of
23 Congress at least 3 days in advance.

24 (d) Except as provided in subsections (e), (f), and (g),
25 the amounts made available by this title shall be expended

1 as authorized by law for the programs, projects, and ac-
2 tivities specified in the “Bill” column in the “Department
3 of Energy” table included under the heading “Title III—
4 Department of Energy” in the report accompanying this
5 Act.

6 (e) The amounts made available by this title may be
7 reprogrammed for any program, project, or activity, and
8 the Department shall notify the Committees on Appropria-
9 tions of both Houses of Congress at least 30 days prior
10 to the use of any proposed reprogramming that would
11 cause any program, project, or activity funding level to
12 increase or decrease by more than \$5,000,000 or 10 per-
13 cent, whichever is less, during the time period covered by
14 this Act.

15 (f) None of the funds provided in this title shall be
16 available for obligation or expenditure through a re-
17 programming of funds that—

18 (1) creates, initiates, or eliminates a program,
19 project, or activity;

20 (2) increases funds or personnel for any pro-
21 gram, project, or activity for which funds are denied
22 or restricted by this Act; or

23 (3) reduces funds that are directed to be used
24 for a specific program, project, or activity by this
25 Act.

1 (g)(1) The Secretary of Energy may waive any re-
2 quirement or restriction in this section that applies to the
3 use of funds made available for the Department of Energy
4 if compliance with such requirement or restriction would
5 pose a substantial risk to human health, the environment,
6 welfare, or national security.

7 (2) The Secretary of Energy shall notify the Commit-
8 tees on Appropriations of both Houses of Congress of any
9 waiver under paragraph (1) as soon as practicable, but
10 not later than 3 days after the date of the activity to which
11 a requirement or restriction would otherwise have applied.
12 Such notice shall include an explanation of the substantial
13 risk under paragraph (1) that permitted such waiver.

14 (h) The unexpended balances of prior appropriations
15 provided for activities in this Act may be available to the
16 same appropriation accounts for such activities established
17 pursuant to this title. Available balances may be merged
18 with funds in the applicable established accounts and
19 thereafter may be accounted for as one fund for the same
20 time period as originally enacted.

21 SEC. 302. Funds appropriated by this or any other
22 Act, or made available by the transfer of funds in this
23 Act, for intelligence activities are deemed to be specifically
24 authorized by the Congress for purposes of section 504
25 of the National Security Act of 1947 (50 U.S.C. 3094)

1 during fiscal year 2022 until the enactment of the Intel-
2 ligence Authorization Act for fiscal year 2022.

3 SEC. 303. None of the funds made available in this
4 title shall be used for the construction of facilities classi-
5 fied as high-hazard nuclear facilities under 10 CFR Part
6 830 unless independent oversight is conducted by the Of-
7 fice of Enterprise Assessments to ensure the project is in
8 compliance with nuclear safety requirements.

9 SEC. 304. None of the funds made available in this
10 title may be used to approve critical decision-2 or critical
11 decision-3 under Department of Energy Order 413.3B, or
12 any successive departmental guidance, for construction
13 projects where the total project cost exceeds
14 \$100,000,000, until a separate independent cost estimate
15 has been developed for the project for that critical deci-
16 sion.

17 SEC. 305. Notwithstanding section 161 of the Energy
18 Policy and Conservation Act (42 U.S.C. 6241), upon a
19 determination by the President in this fiscal year that a
20 regional supply shortage of refined petroleum product of
21 significant scope and duration exists, that a severe in-
22 crease in the price of refined petroleum product will likely
23 result from such shortage, and that a draw down and sale
24 of refined petroleum product would assist directly and sig-
25 nificantly in reducing the adverse impact of such shortage,

1 the Secretary of Energy may draw down and sell refined
2 petroleum product from the Strategic Petroleum Reserve.
3 Proceeds from a sale under this section shall be deposited
4 into the SPR Petroleum Account established in section
5 167 of the Energy Policy and Conservation Act (42 U.S.C.
6 6247), and such amounts shall be available for obligation,
7 without fiscal year limitation, consistent with that section.

8 SEC. 306. No funds shall be transferred directly from
9 “Department of Energy—Power Marketing Administra-
10 tion—Colorado River Basins Power Marketing Fund,
11 Western Area Power Administration” to the general fund
12 of the Treasury in the current fiscal year.

13 SEC. 307. (a) Of the unobligated balances available
14 to the Department of Energy from amounts appropriated
15 in prior Acts, the following funds are hereby rescinded
16 from the following accounts and programs in the specified
17 amounts—

18 (1) “Defense Nuclear Nonproliferation” for the con-
19 struction project “99–D–143”, \$330,000,000; and

20 (2) “Naval Reactors”, \$6,000,000.

21 (b) No amounts may be rescinded under subsection
22 (a) from amounts that were previously designated by the
23 Congress as an emergency requirement pursuant to a con-
24 current resolution on the budget or the Balanced Budget
25 and Emergency Deficit Control Act of 1985.

1 SEC. 308. All unavailable collections currently in the
2 United States Enrichment Corporation Fund shall be
3 transferred to and merged with the Uranium Enrichment
4 Decontamination and Decommissioning Fund and shall be
5 available only to the to the extent provided in advance in
6 appropriations Acts.

7 TITLE IV

8 INDEPENDENT AGENCIES

9 APPALACHIAN REGIONAL COMMISSION

10 For expenses necessary to carry out the programs au-
11 thorized by the Appalachian Regional Development Act of
12 1965, as amended, notwithstanding 40 U.S.C. 14704, and
13 for expenses necessary for the Federal Co-Chairman and
14 the Alternate on the Appalachian Regional Commission,
15 for payment of the Federal share of the administrative ex-
16 penses of the Commission, including services as authorized
17 by 5 U.S.C. 3109, and hire of passenger motor vehicles,
18 \$210,000,000, to remain available until expended.

19 DEFENSE NUCLEAR FACILITIES SAFETY BOARD

20 SALARIES AND EXPENSES

21 For expenses necessary for the Defense Nuclear Fa-
22 cilities Safety Board in carrying out activities authorized
23 by the Atomic Energy Act of 1954, as amended by Public
24 Law 100–456, section 1441, \$31,000,000, to remain
25 available until September 30, 2023.

DELTA REGIONAL AUTHORITY

SALARIES AND EXPENSES

For expenses necessary for the Delta Regional Authority and to carry out its activities, as authorized by the Delta Regional Authority Act of 2000, notwithstanding sections 382F(d), 382M, and 382N of said Act, \$30,000,000, to remain available until expended.

DENALI COMMISSION

For expenses necessary for the Denali Commission including the purchase, construction, and acquisition of plant and capital equipment as necessary and other expenses, \$15,000,000, to remain available until expended, notwithstanding the limitations contained in section 306(g) of the Denali Commission Act of 1998: *Provided*, That funds shall be available for construction projects for which the Denali Commission is the sole or primary funding source in an amount not to exceed 80 percent of total project cost for distressed communities, as defined by section 307 of the Denali Commission Act of 1998 (division C, title III, Public Law 105–277), as amended by section 701 of appendix D, title VII, Public Law 106–113 (113 Stat. 1501A–280), and an amount not to exceed 50 percent for non-distressed communities: *Provided further*, That notwithstanding any other provision of law regarding payment of a non-Federal share in connection with a

1 grant-in-aid program, amounts under this heading shall
2 be available for the payment of such a non-Federal share
3 for any project for which the Denali Commission is not
4 the sole or primary funding source, provided that such
5 project is consistent with the purposes of the Commission.

6 NORTHERN BORDER REGIONAL COMMISSION

7 For expenses necessary for the Northern Border Re-
8 gional Commission in carrying out activities authorized by
9 subtitle V of title 40, United States Code, \$32,000,000
10 (increased by \$2,000,000), to remain available until ex-
11 pended: *Provided*, That such amounts shall be available
12 for administrative expenses, notwithstanding section
13 15751(b) of title 40, United States Code.

14 SOUTHEAST CRESCENT REGIONAL COMMISSION

15 For expenses necessary for the Southeast Crescent
16 Regional Commission in carrying out activities authorized
17 by subtitle V of title 40, United States Code, \$2,500,000,
18 to remain available until expended.

19 SOUTHWEST BORDER REGIONAL COMMISSION

20 For expenses necessary for the Southwest Border Re-
21 gional Commission in carrying out activities authorized by
22 subtitle V of title 40, United States Code, \$2,500,000, to
23 remain available until expended.

1 NUCLEAR REGULATORY COMMISSION

2 SALARIES AND EXPENSES

3 For expenses necessary for the Commission in carrying out the purposes of the Energy Reorganization Act
4 of 1974 and the Atomic Energy Act of 1954,
5 \$873,901,000, including official representation expenses
6 not to exceed \$25,000, to remain available until expended:
7 *Provided*, That of the amount appropriated herein, not
8 more than \$9,500,000 may be made available for salaries,
9 travel, and other support costs for the Office of the Com-
10 mission, to remain available until September 30, 2023:
11 *Provided further*, That revenues from licensing fees, in-
12 spection services, and other services and collections esti-
13 mated at \$745,258,000 in fiscal year 2022 shall be re-
14 tained and used for necessary salaries and expenses in this
15 account, notwithstanding 31 U.S.C. 3302, and shall re-
16 main available until expended: *Provided further*, That the
17 sum herein appropriated shall be reduced by the amount
18 of revenues received during fiscal year 2022 so as to result
19 in a final fiscal year 2022 appropriation estimated at not
20 more than \$128,643,000.

22 OFFICE OF INSPECTOR GENERAL

23 For expenses necessary for the Office of Inspector
24 General in carrying out the provisions of the Inspector
25 General Act of 1978, \$13,799,000, to remain available

1 until September 30, 2023: *Provided*, That revenues from
2 licensing fees, inspection services, and other services and
3 collections estimated at \$11,442,000 in fiscal year 2022
4 shall be retained and be available until September 30,
5 2023, for necessary salaries and expenses in this account,
6 notwithstanding section 3302 of title 31, United States
7 Code: *Provided further*, That the sum herein appropriated
8 shall be reduced by the amount of revenues received dur-
9 ing fiscal year 2022 so as to result in a final fiscal year
10 2022 appropriation estimated at not more than
11 \$2,357,000: *Provided further*, That of the amounts appro-
12 priated under this heading, \$1,146,000 shall be for In-
13 spector General services for the Defense Nuclear Facilities
14 Safety Board.

15 NUCLEAR WASTE TECHNICAL REVIEW BOARD

16 SALARIES AND EXPENSES

17 For expenses necessary for the Nuclear Waste Tech-
18 nical Review Board, as authorized by Public Law 100–
19 203, section 5051, \$3,800,000, to be derived from the Nu-
20 clear Waste Fund, to remain available until September 30,
21 2023.

22 GENERAL PROVISIONS—INDEPENDENT

23 AGENCIES

24 SEC. 401. The Nuclear Regulatory Commission shall
25 comply with the July 5, 2011, version of Chapter VI of

1 its Internal Commission Procedures when responding to
2 Congressional requests for information, consistent with
3 Department of Justice guidance for all Federal agencies.

4 SEC. 402. (a) The amounts made available by this
5 title for the Nuclear Regulatory Commission may be re-
6 programmed for any program, project, or activity, and the
7 Commission shall notify the Committees on Appropria-
8 tions of both Houses of Congress at least 30 days prior
9 to the use of any proposed reprogramming that would
10 cause any program funding level to increase or decrease
11 by more than \$500,000 or 10 percent, whichever is less,
12 during the time period covered by this Act.

13 (b)(1) The Nuclear Regulatory Commission may
14 waive the notification requirement in subsection (a) if
15 compliance with such requirement would pose a substan-
16 tial risk to human health, the environment, welfare, or na-
17 tional security.

18 (2) The Nuclear Regulatory Commission shall notify
19 the Committees on Appropriations of both Houses of Con-
20 gress of any waiver under paragraph (1) as soon as prac-
21 ticable, but not later than 3 days after the date of the
22 activity to which a requirement or restriction would other-
23 wise have applied. Such notice shall include an explanation
24 of the substantial risk under paragraph (1) that permitted
25 such waiver and shall provide a detailed report to the

1 Committees of such waiver and changes to funding levels
2 to programs, projects, or activities.

3 (c) Except as provided in subsections (a), (b), and
4 (d), the amounts made available by this title for “Nuclear
5 Regulatory Commission—Salaries and Expenses” shall be
6 expended as directed in the report accompanying this Act.

7 (d) None of the funds provided for the Nuclear Regu-
8 latory Commission shall be available for obligation or ex-
9 penditure through a reprogramming of funds that in-
10 creases funds or personnel for any program, project, or
11 activity for which funds are denied or restricted by this
12 Act.

13 (e) The Commission shall provide a monthly report
14 to the Committees on Appropriations of both Houses of
15 Congress, which includes the following for each program,
16 project, or activity, including any prior year appropria-
17 tions—

- 18 (1) total budget authority;
19 (2) total unobligated balances; and
20 (3) total unliquidated obligations.

21 TITLE V

22 GENERAL PROVISIONS

23 (INCLUDING TRANSFER OF FUNDS)

24 SEC. 501. None of the funds appropriated by this Act
25 may be used in any way, directly or indirectly, to influence

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

5 SEC. 502. (a) None of the funds made available in
6 title III of this Act may be transferred to any department,
7 agency, or instrumentality of the United States Govern-
8 ment, except pursuant to a transfer made by or transfer
9 authority provided in this Act or any other appropriations
10 Act for any fiscal year, transfer authority referenced in
11 the report accompanying this Act, or any authority where-
12 by a department, agency, or instrumentality of the United
13 States Government may provide goods or services to an-
14 other department, agency, or instrumentality.

15 (b) None of the funds made available for any depart-
16 ment, agency, or instrumentality of the United States
17 Government may be transferred to accounts funded in title
18 III of this Act, except pursuant to a transfer made by or
19 transfer authority provided in this Act or any other appro-
20 priations Act for any fiscal year, transfer authority ref-
21 erenced in the report accompanying this Act, or any au-
22 thority whereby a department, agency, or instrumentality
23 of the United States Government may provide goods or
24 services to another department, agency, or instrumen-
25 tality.

1 (c) The head of any relevant department or agency
2 funded in this Act utilizing any transfer authority shall
3 submit to the Committees on Appropriations of both
4 Houses of Congress a semiannual report detailing the
5 transfer authorities, except for any authority whereby a
6 department, agency, or instrumentality of the United
7 States Government may provide goods or services to an-
8 other department, agency, or instrumentality, used in the
9 previous 6 months and in the year-to-date. This report
10 shall include the amounts transferred and the purposes
11 for which they were transferred, and shall not replace or
12 modify existing notification requirements for each author-
13 ity.

14 SEC. 503. None of the funds made available by this
15 Act may be used in contravention of Executive Order No.
16 12898 of February 11, 1994 (Federal Actions to Address
17 Environmental Justice in Minority Populations and Low-
18 Income Populations).

19 SEC. 504. (a) None of the funds made available in
20 this Act may be used to maintain or establish a computer
21 network unless such network blocks the viewing,
22 downloading, and exchanging of pornography.

23 (b) Nothing in subsection (a) shall limit the use of
24 funds necessary for any Federal, State, Tribal, or local
25 law enforcement agency or any other entity carrying out

1 criminal investigations, prosecution, or adjudication activi-
2 ties.

3 SEC. 505. None of the funds made available by this
4 Act under the heading “Department of Energy—Fossil
5 Energy and Carbon Management” may be used for any
6 research and development activity other than an activity
7 that has been prioritized by the Secretary pursuant to sec-
8 tion 961(a)(3) of the Energy Policy Act of 2005 (42
9 U.S.C. 16291(a)(3)).

10 This division may be cited as the “Energy and Water
11 Development and Related Agencies Appropriations Act,
12 2022”.

13 **DIVISION D—FINANCIAL SERVICES AND**
14 **GENERAL GOVERNMENT APPROPRIA-**
15 **TIONS ACT, 2022**

16 **TITLE I**

17 **DEPARTMENT OF THE TREASURY**

18 **DEPARTMENTAL OFFICES**

19 **SALARIES AND EXPENSES**

20 For necessary expenses of the Departmental Offices
21 including operation and maintenance of the Treasury
22 Building and Freedman’s Bank Building; hire of pas-
23 senger motor vehicles; maintenance, repairs, and improve-
24 ments of, and purchase of commercial insurance policies
25 for, real properties leased or owned overseas, when nec-

1 essary for the performance of official business; executive
2 direction program activities; international affairs and eco-
3 nomic policy activities; domestic finance and tax policy ac-
4 tivities, including technical assistance to State, local, and
5 territorial entities; and Treasury-wide management poli-
6 cies and programs activities, \$270,669,000 (reduced by
7 \$20) (increased by \$20) (increased by \$270,669,000) (re-
8 duced by \$270,669,000) (reduced by \$1,000,000) (in-
9 creased by \$1,000,000): *Provided*, That of the amount ap-
10 propriated under this heading—

11 (1) not to exceed \$350,000 is for official recep-
12 tion and representation expenses;

13 (2) not to exceed \$258,000 is for unforeseen
14 emergencies of a confidential nature to be allocated
15 and expended under the direction of the Secretary of
16 the Treasury and to be accounted for solely on the
17 Secretary's certificate; and

18 (3) not to exceed \$34,000,000 shall remain
19 available until September 30, 2023, for—

20 (A) the Treasury-wide Financial Statement
21 Audit and Internal Control Program;

22 (B) information technology modernization
23 requirements;

24 (C) the audit, oversight, and administra-
25 tion of the Gulf Coast Restoration Trust Fund;

1 (D) the development and implementation
2 of programs within the Office of Cybersecurity
3 and Critical Infrastructure Protection, including
4 entering into cooperative agreements;

5 (E) operations and maintenance of facili-
6 ties; and

7 (F) international operations.

8 COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED
9 STATES FUND

10 (INCLUDING TRANSFER OF FUNDS)

11 For necessary expenses of the Committee on Foreign
12 Investment in the United States, \$20,000,000, to remain
13 available until expended: *Provided*, That the chairperson
14 of the Committee may transfer such amounts to any de-
15 partment or agency represented on the Committee (includ-
16 ing the Department of the Treasury) subject to advance
17 notification to the Committees on Appropriations of the
18 House of Representatives and the Senate: *Provided fur-*
19 *ther*, That amounts so transferred shall remain available
20 until expended for expenses of implementing section 721
21 of the Defense Production Act of 1950, as amended (50
22 U.S.C. 4565), and shall be available in addition to any
23 other funds available to any department or agency: *Pro-*
24 *vided further*, That fees authorized by section 721(p) of
25 such Act shall be credited to this appropriation as offset-

1 ting collections: *Provided further*, That the total amount
2 appropriated under this heading from the general fund
3 shall be reduced as such offsetting collections are received
4 during fiscal year 2022, so as to result in a total appro-
5 priation from the general fund estimated at not more than
6 \$0.

7 OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE

8 SALARIES AND EXPENSES

9 For the necessary expenses of the Office of Terrorism
10 and Financial Intelligence to safeguard the financial sys-
11 tem against illicit use and to combat rogue nations, ter-
12 rorist facilitators, weapons of mass destruction
13 proliferators, human rights abusers, money launderers,
14 drug kingpins, and other national security threats,
15 \$185,192,000, of which not less than \$3,000,000 shall be
16 available for addressing human rights violations and cor-
17 ruption, including activities authorized by the Global
18 Magnitsky Human Rights Accountability Act (22 U.S.C.
19 2656 note): *Provided*, That of the amounts appropriated
20 under this heading, up to \$10,000,000 shall remain avail-
21 able until September 30, 2023.

22 CYBERSECURITY ENHANCEMENT ACCOUNT

23 For salaries and expenses for enhanced cybersecurity
24 for systems operated by the Department of the Treasury,
25 \$132,027,000, to remain available until September 30,

1 2024: *Provided*, That such funds shall supplement and not
2 supplant any other amounts made available to the Treas-
3 ury offices and bureaus for cybersecurity: *Provided fur-*
4 *ther*, That of the total amount made available under this
5 heading \$4,000,000 shall be available for administrative
6 expenses for the Treasury Chief Information Officer to
7 provide oversight of the investments made under this
8 heading: *Provided further*, That such funds shall supple-
9 ment and not supplant any other amounts made available
10 to the Treasury Chief Information Officer.

11 DEPARTMENT-WIDE SYSTEMS AND CAPITAL

12 INVESTMENTS PROGRAMS

13 (INCLUDING TRANSFER OF FUNDS)

14 For development and acquisition of automatic data
15 processing equipment, software, and services and for re-
16 pairs and renovations to buildings owned by the Depart-
17 ment of the Treasury, \$6,118,000, to remain available
18 until September 30, 2024: *Provided*, That these funds
19 shall be transferred to accounts and in amounts as nec-
20 essary to satisfy the requirements of the Department's of-
21 fices, bureaus, and other organizations: *Provided further*,
22 That this transfer authority shall be in addition to any
23 other transfer authority provided in this Act: *Provided fur-*
24 *ther*, That none of the funds appropriated under this head-
25 ing shall be used to support or supplement "Internal Rev-

1 enue Service, Operations Support” or “Internal Revenue
2 Service, Business Systems Modernization”.

3 OFFICE OF INSPECTOR GENERAL

4 SALARIES AND EXPENSES

5 For necessary expenses of the Office of Inspector
6 General in carrying out the provisions of the Inspector
7 General Act of 1978, \$42,362,000, including hire of pas-
8 senger motor vehicles; of which not to exceed \$100,000
9 shall be available for unforeseen emergencies of a con-
10 fidential nature, to be allocated and expended under the
11 direction of the Inspector General of the Treasury; of
12 which up to \$2,800,000 to remain available until Sep-
13 tember 30, 2023, shall be for audits and investigations
14 conducted pursuant to section 1608 of the Resources and
15 Ecosystems Sustainability, Tourist Opportunities, and Re-
16 vived Economies of the Gulf Coast States Act of 2012 (33
17 U.S.C. 1321 note); and of which not to exceed \$1,000
18 shall be available for official reception and representation
19 expenses.

20 TREASURY INSPECTOR GENERAL FOR TAX

21 ADMINISTRATION

22 SALARIES AND EXPENSES

23 For necessary expenses of the Treasury Inspector
24 General for Tax Administration in carrying out the In-
25 spector General Act of 1978, as amended, including pur-

1 chase and hire of passenger motor vehicles (31 U.S.C.
2 1343(b)); and services authorized by 5 U.S.C. 3109, at
3 such rates as may be determined by the Inspector General
4 for Tax Administration; \$175,762,000, of which
5 \$5,000,000 shall remain available until September 30,
6 2023; of which not to exceed \$6,000,000 shall be available
7 for official travel expenses; of which not to exceed
8 \$500,000 shall be available for unforeseen emergencies of
9 a confidential nature, to be allocated and expended under
10 the direction of the Inspector General for Tax Administra-
11 tion; and of which not to exceed \$1,500 shall be available
12 for official reception and representation expenses.

13 SPECIAL INSPECTOR GENERAL FOR THE TROUBLED

14 ASSET RELIEF PROGRAM

15 SALARIES AND EXPENSES

16 For necessary expenses of the Office of the Special
17 Inspector General in carrying out the provisions of the
18 Emergency Economic Stabilization Act of 2008 (Public
19 Law 110–343), \$17,000,000.

20 FINANCIAL CRIMES ENFORCEMENT NETWORK

21 SALARIES AND EXPENSES

22 For necessary expenses of the Financial Crimes En-
23 forcement Network, including hire of passenger motor ve-
24 hicles; travel and training expenses of non-Federal and
25 foreign government personnel to attend meetings and

1 training concerned with domestic and foreign financial in-
2 telligence activities, law enforcement, and financial regula-
3 tion; services authorized by 5 U.S.C. 3109; not to exceed
4 \$30,000 for official reception and representation expenses;
5 and for assistance to Federal law enforcement agencies,
6 with or without reimbursement, \$190,539,000 (reduced by
7 \$1,000,000) (increased by \$1,000,000), of which not to
8 exceed \$55,000,000 shall remain available until Sep-
9 tember 30, 2024.

10 BUREAU OF THE FISCAL SERVICE

11 SALARIES AND EXPENSES

12 For necessary expenses of operations of the Bureau
13 of the Fiscal Service, \$360,266,000; of which not to ex-
14 ceed \$8,000,000, to remain available until September 30,
15 2024, is for information systems modernization initiatives;
16 and of which \$5,000 shall be available for official reception
17 and representation expenses.

18 In addition, \$165,000, to be derived from the Oil
19 Spill Liability Trust Fund to reimburse administrative
20 and personnel expenses for financial management of the
21 Fund, as authorized by section 1012 of Public Law 101–
22 380.

20 UNITED STATES MINT

Pursuant to section 5136 of title 31, United States Code, the United States Mint is provided funding through the United States Mint Public Enterprise Fund for costs associated with the production of circulating coins, numis-

1 matic coins, and protective services, including both oper-
2 ating expenses and capital investments: *Provided*, That
3 the aggregate amount of new liabilities and obligations in-
4 curred during fiscal year 2022 under such section 5136
5 for circulating coinage and protective service capital in-
6 vestments of the United States Mint shall not exceed
7 \$50,000,000.

8 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS
9 FUND PROGRAM ACCOUNT

10 To carry out the Riegle Community Development and
11 Regulatory Improvement Act of 1994 (subtitle A of title
12 I of Public Law 103–325), including services authorized
13 by section 3109 of title 5, United States Code, but at rates
14 for individuals not to exceed the per diem rate equivalent
15 to the rate for EX–III, \$330,000,000. Of the amount ap-
16 propriated under this heading—

17 (1) not less than \$211,883,000, notwith-
18 standing section 108(e) of Public Law 103–325 (12
19 U.S.C. 4707(e)) with regard to Small and/or Emerg-
20 ing Community Development Financial Institutions
21 Assistance awards, is available until September 30,
22 2023, for financial assistance and technical assist-
23 ance under subparagraphs (A) and (B) of section
24 108(a)(1), respectively, of Public Law 103–325 (12
25 U.S.C. 4707(a)(1)(A) and (B)), of which up to

1 \$1,600,000 may be available for training and out-
2 reach under section 109 of Public Law 103–325 (12
3 U.S.C. 4708), of which up to \$3,153,750 may be
4 used for the cost of direct loans, and of which up
5 to \$8,000,000 (increased by \$2,000,000), notwith-
6 standing subsection (d) of section 108 of Public Law
7 103–325 (12 U.S.C. 4707 (d)), may be available to
8 provide financial assistance, technical assistance,
9 training, and outreach to community development fi-
10 nancial institutions to expand investments that ben-
11 efit individuals with disabilities, and of which not
12 less than \$2,000,000 shall be for the Economic Mo-
13 bility Corps pursuant to section 121 of the National
14 and Community Service Act of 1990 (42 U.S.C.
15 12571): *Provided*, That the cost of direct and guar-
16 anteed loans, including the cost of modifying such
17 loans, shall be as defined in section 502 of the Con-
18 gressional Budget Act of 1974: *Provided further*,
19 That these funds are available to subsidize gross ob-
20 ligations for the principal amount of direct loans not
21 to exceed \$25,000,000: *Provided further*, That of the
22 funds provided under this paragraph, excluding
23 those made to community development financial in-
24 stitutions to expand investments that benefit individ-
25 uals with disabilities and those made to community

1 development financial institutions that serve popu-
2 lations living in persistent poverty counties, the
3 CDFI Fund shall prioritize Financial Assistance
4 awards to organizations that invest and lend in high-
5 poverty areas: *Provided further*, That for purposes of
6 this section, the term “high-poverty area” means
7 any census tract with a poverty rate of at least 20
8 percent as measured by the 2011–2015 5-year data
9 series available from the American Community Sur-
10 vey of the Bureau of the Census for all States and
11 Puerto Rico or with a poverty rate of at least 20
12 percent as measured by the 2010 Island areas De-
13 cennial Census data for any territory or possession
14 of the United States;

15 (2) not less than \$21,500,000, notwithstanding
16 section 108(e) of Public Law 103–325 (12 U.S.C.
17 4707(e)), is available until September 30, 2023, for
18 financial assistance, technical assistance, training,
19 and outreach programs designed to benefit Native
20 American, Native Hawaiian, and Alaska Native com-
21 munities and provided primarily through qualified
22 community development lender organizations with
23 experience and expertise in community development
24 banking and lending in Indian country, Native

1 American organizations, tribes and tribal organiza-
2 tions, and other suitable providers;

3 (3) not less than \$28,000,000 is available until
4 September 30, 2023, for the Bank Enterprise Award
5 program;

6 (4) not less than \$25,000,000, notwithstanding
7 subsections (d) and (e) of section 108 of Public Law
8 103–325 (12 U.S.C. 4707(d) and (e)), is available
9 until September 30, 2023, for a Healthy Food Fi-
10 nancing Initiative to provide financial assistance,
11 technical assistance, training, and outreach to com-
12 munity development financial institutions for the
13 purpose of offering affordable financing and tech-
14 nical assistance to expand the availability of healthy
15 food options in distressed communities;

16 (5) not less than \$10,000,000 is available until
17 September 30, 2023, to provide grants for loan loss
18 reserve funds and to provide technical assistance for
19 small dollar loan programs under section 122 of
20 Public Law 103–325 (12 U.S.C. 4719): *Provided*,
21 That sections 108(d) and 122(b)(2) of such Public
22 Law shall not apply to the provision of such grants
23 and technical assistance;

24 (6) up to \$33,617,000 is available until Sep-
25 tember 30, 2022, for administrative expenses, in-

cluding administration of CDFI Fund programs and the New Markets Tax Credit Program, of which not less than \$1,000,000 is for the development of tools to better assess and inform CDFI investment performance and CDFI Fund program impacts, and up to \$300,000 is for administrative expenses to carry out the direct loan program; and

(7) during fiscal year 2022, none of the funds available under this heading are available for the cost, as defined in section 502 of the Congressional Budget Act of 1974, of commitments to guarantee bonds and notes under section 114A of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4713a): *Provided*, That commitments to guarantee bonds and notes under such section 114A shall not exceed \$500,000,000: *Provided further*, That such section 114A shall remain in effect until December 31, 2022: *Provided further*, That of the funds awarded under this heading, except those provided for the Economic Mobility Corps, not less than 10 percent shall be used for awards that support investments that serve populations living in persistent poverty counties: *Provided further*, That for the purposes of this paragraph and paragraph (1), the term “per-

1 sistent poverty counties” means any county, includ-
2 ing county equivalent areas in Puerto Rico, that has
3 had 20 percent or more of its population living in
4 poverty over the past 30 years, as measured by the
5 1990 and 2000 decennial censuses and the 2011–
6 2015 5-year data series available from the American
7 Community Survey of the Bureau of the Census or
8 any other territory or possession of the United
9 States that has had 20 percent or more of its popu-
10 lation living in poverty over the past 30 years, as
11 measured by the 1990, 2000 and 2010 Island Areas
12 Decennial Censuses, or equivalent data, of the Bu-
13 reau of the Census.

14 INTERNAL REVENUE SERVICE

15 TAXPAYER SERVICES

16 For necessary expenses of the Internal Revenue Serv-
17 ice to provide taxpayer services, including pre-filing assist-
18 ance and education, filing and account services, taxpayer
19 advocacy services, and other services as authorized by 5
20 U.S.C. 3109, at such rates as may be determined by the
21 Commissioner, \$2,940,876,000 (reduced by
22 \$1,000,000,000) (increased by \$1,000,000,000), of which
23 not less than \$11,000,000 shall be for the Tax Counseling
24 for the Elderly Program, of which not less than
25 \$13,000,000 shall be available for low-income taxpayer

1 clinic grants, of which not less than \$30,000,000 (reduced
2 by \$1,000,000) (increased by \$1,000,000), to remain
3 available until September 30, 2023, shall be available for
4 the Community Volunteer Income Tax Assistance Match-
5 ing Grants Program for tax return preparation assistance,
6 and of which not less than \$213,000,000 shall be available
7 for operating expenses of the Taxpayer Advocate Service:
8 *Provided*, That of the amounts made available for the Tax-
9 payer Advocate Service, not less than \$5,500,000 shall be
10 for identity theft and refund fraud casework.

11 ENFORCEMENT

12 For necessary expenses for tax enforcement activities
13 of the Internal Revenue Service to determine and collect
14 owed taxes, to provide legal and litigation support, to con-
15 duct criminal investigations, to enforce criminal statutes
16 related to violations of internal revenue laws and other fi-
17 nancial crimes, to purchase and hire passenger motor vehi-
18 cles (31 U.S.C. 1343(b)), and to provide other services
19 as authorized by 5 U.S.C. 3109, at such rates as may be
20 determined by the Commissioner, \$5,462,823,000, of
21 which not to exceed \$250,000,000 shall remain available
22 until September 30, 2023; and of which not less than
23 \$60,257,000 shall be for the Interagency Crime and Drug
24 Enforcement program; and of which not to exceed
25 \$21,000,000 shall be for investigative technology for the

1 Criminal Investigation Division: *Provided*, That the
2 amount made available for investigative technology for the
3 Criminal Investigation Division shall be in addition to
4 amounts made available for the Criminal Investigation Di-
5 vision under the “Operations Support” heading: *Provided*
6 *further*, That the total amount made available in this para-
7 graph is provided to meet the terms of section 1(i) of H.
8 Res. 467 of the 117th Congress as engrossed in the House
9 of Representatives on June 14, 2021.

10 In addition, \$287,452,000, for an additional amount
11 for tax enforcement activities under this heading, includ-
12 ing tax compliance to address the Federal tax gap: *Pro-*
13 *vided*, That such amount is additional new budget author-
14 ity for purposes of section 1(i) of H. Res. 467 of the 117th
15 Congress as engrossed in the House of Representatives on
16 June 14, 2021: *Provided further*, That such additional
17 amounts may not be transferred for any other activity.

18 OPERATIONS SUPPORT

19 For necessary expenses of the Internal Revenue Serv-
20 ice to support taxpayer services and enforcement pro-
21 grams, including rent payments; facilities services; print-
22 ing; postage; physical security; headquarters and other
23 IRS-wide administration activities; research and statistics
24 of income; telecommunications; information technology de-
25 velopment, enhancement, operations, maintenance, and se-

1 curity; the hire of passenger motor vehicles (31 U.S.C.
2 1343(b)); the operations of the Internal Revenue Service
3 Oversight Board; and other services as authorized by 5
4 U.S.C. 3109, at such rates as may be determined by the
5 Commissioner; \$4,448,195,000, of which not to exceed
6 \$275,000,000 shall remain available until September 30,
7 2023; of which not to exceed \$10,000,000 shall remain
8 available until expended for acquisition of equipment and
9 construction, repair and renovation of facilities; of which
10 not to exceed \$1,000,000 shall remain available until Sep-
11 tember 30, 2024, for research; of which not less than
12 \$10,000,000, to remain available until expended, shall be
13 available for establishment of an application through
14 which entities registering and renewing registrations in
15 the System for Award Management may request an au-
16 thenticated electronic certification stating that the entity
17 does or does not have a seriously delinquent tax debt; of
18 which not to exceed \$20,000 shall be for official reception
19 and representation expenses: *Provided*, That not later
20 than 30 days after the end of each quarter, the Internal
21 Revenue Service shall submit a report to the Committees
22 on Appropriations of the House of Representatives and the
23 Senate and the Comptroller General of the United States
24 detailing major information technology investments in the
25 Internal Revenue Service Integrated Modernization Busi-

1 ness Plan portfolio, including detailed, plain language
2 summaries on the status of plans, costs, and results; prior
3 results and actual expenditures of the prior quarter; up-
4 coming deliverables and costs for the fiscal year; risks and
5 mitigation strategies associated with ongoing work; rea-
6 sons for any cost or schedule variances; and total expendi-
7 tures by fiscal year: *Provided further*, That the Internal
8 Revenue Service shall include, in its budget justification
9 for fiscal year 2023, a summary of cost and schedule per-
10 formance information for its major information technology
11 systems: *Provided further*, That the total amount made
12 available in this paragraph is provided to meet the terms
13 of section 1(i) of H. Res. 467 of the 117th Congress as
14 engrossed in the House of Representatives on June 14,
15 2021.

16 In addition, \$129,445,000, for an additional amount
17 to meet the terms of a concurrent resolution on the budget
18 for tax enforcement activities under this heading, includ-
19 ing tax compliance to address the Federal tax gap: *Pro-*
20 *vided*, That such amount is additional new budget author-
21 ity for purposes of section 1(i) of H. Res. 467 of the 117th
22 Congress as engrossed in the House of Representatives on
23 June 14, 2021: *Provided further*, That such additional
24 amounts may not be transferred for any other activity.

1 BUSINESS SYSTEMS MODERNIZATION

2 For necessary expenses of the Internal Revenue Serv-
3 ice's business systems modernization program,
4 \$305,032,000, to remain available until September 30,
5 2024, for the capital asset acquisition of information tech-
6 nology systems, including management and related con-
7 tractual costs of said acquisitions, including related Inter-
8 nal Revenue Service labor costs, and contractual costs as-
9 sociated with operations authorized by 5 U.S.C. 3109:
10 *Provided*, That not later than 30 days after the end of
11 each quarter, the Internal Revenue Service shall submit
12 a report to the Committees on Appropriations of the
13 House of Representatives and the Senate and the Comp-
14 troller General of the United States major information
15 technology investments in the Internal Revenue Service
16 Integrated Modernization Business Plan portfolio, includ-
17 ing detailed, plain language summaries on the status of
18 plans, costs, and results; prior results and actual expendi-
19 tures of the prior quarter; upcoming deliverables and costs
20 for the fiscal year; risks and mitigation strategies associ-
21 ated with ongoing work; reasons for any cost or schedule
22 variances; and total expenditures by fiscal year.

1 ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE

2 SERVICE

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 101. Not to exceed 4 percent of the appropria-
5 tion made available in this Act to the Internal Revenue
6 Service under the “Enforcement” heading, and not to ex-
7 ceed 5 percent of any other appropriation made available
8 in this Act to the Internal Revenue Service, may be trans-
9 ferred to any other Internal Revenue Service appropria-
10 tion upon the advance approval of the Committees on Ap-
11 propriations of the House of Representatives and the Sen-
12 ate.

13 SEC. 102. The Internal Revenue Service shall main-
14 tain an employee training program, which shall include the
15 following topics: taxpayers’ rights, dealing courteously
16 with taxpayers, cross-cultural relations, ethics, and the im-
17 partial application of tax law.

18 SEC. 103. The Internal Revenue Service shall insti-
19 tute and enforce policies and procedures that will safe-
20 guard the confidentiality of taxpayer information and pro-
21 tect taxpayers against identity theft.

22 SEC. 104. Funds made available by this or any other
23 Act to the Internal Revenue Service shall be available for
24 improved facilities and increased staffing to provide suffi-
25 cient and effective 1–800 help line service for taxpayers.

1 The Commissioner shall continue to make improvements
2 to the Internal Revenue Service 1–800 help line service
3 a priority and allocate resources necessary to enhance the
4 response time to taxpayer communications, particularly
5 with regard to victims of tax-related crimes.

6 SEC. 105. The Internal Revenue Service shall issue
7 a notice of confirmation of any address change relating
8 to an employer making employment tax payments, and
9 such notice shall be sent to both the employer’s former
10 and new address and an officer or employee of the Internal
11 Revenue Service shall give special consideration to an
12 offer-in-compromise from a taxpayer who has been the vic-
13 tim of fraud by a third party payroll tax preparer.

14 SEC. 106. None of the funds made available under
15 this Act may be used by the Internal Revenue Service to
16 target citizens of the United States for exercising any
17 right guaranteed under the First Amendment to the Con-
18 stitution of the United States.

19 SEC. 107. None of the funds made available in this
20 Act may be used by the Internal Revenue Service to target
21 groups for regulatory scrutiny based on their ideological
22 beliefs, including any political affiliation.

23 SEC. 108. None of funds made available by this Act
24 to the Internal Revenue Service shall be obligated or ex-
25 pended on conferences that do not adhere to the proce-

1 dures, verification processes, documentation requirements,
2 and policies issued by the Chief Financial Officer, Human
3 Capital Office, and Agency-Wide Shared Services as a re-
4 sult of the recommendations in the report published on
5 May 31, 2013, by the Treasury Inspector General for Tax
6 Administration entitled “Review of the August 2010 Small
7 Business/Self-Employed Division’s Conference in Ana-
8 heim, California” (Reference Number 2013–10–037).

9 SEC. 109. None of the funds made available in this
10 Act to the Internal Revenue Service may be obligated or
11 expended—

12 (1) to make a payment to any employee under
13 a bonus, award, or recognition program; or

14 (2) under any hiring or personnel selection
15 process with respect to re-hiring a former employee;
16 unless such program or process takes into account the
17 conduct and Federal tax compliance of such employee or
18 former employee.

19 SEC. 110. None of the funds made available by this
20 Act may be used in contravention of section 6103 of the
21 Internal Revenue Code of 1986 (relating to confidentiality
22 and disclosure of returns and return information).

1 ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE
2 TREASURY

3 (INCLUDING TRANSFERS OF FUNDS)

4 SEC. 111. Appropriations to the Department of the
5 Treasury in this Act shall be available for uniforms or al-
6 lowances therefor, as authorized by law (5 U.S.C. 5901),
7 including maintenance, repairs, and cleaning; purchase of
8 insurance for official motor vehicles operated in foreign
9 countries; purchase of motor vehicles without regard to the
10 general purchase price limitations for vehicles purchased
11 and used overseas for the current fiscal year; entering into
12 contracts with the Department of State for the furnishing
13 of health and medical services to employees and their de-
14 pendants serving in foreign countries; and services author-
15 ized by 5 U.S.C. 3109.

16 SEC. 112. Not to exceed 2 percent of any appropria-
17 tions in this title made available under the headings “De-
18 partmental Offices—Salaries and Expenses”, “Office of
19 Inspector General”, “Special Inspector General for the
20 Troubled Asset Relief Program”, “Financial Crimes En-
21 forcement Network”, “Bureau of the Fiscal Service”, and
22 “Alcohol and Tobacco Tax and Trade Bureau” may be
23 transferred between such appropriations upon the advance
24 approval of the Committees on Appropriations of the
25 House of Representatives and the Senate: *Provided*, That

1 no transfer under this section may increase or decrease
2 any such appropriation by more than 2 percent.

3 SEC. 113. Of the amounts made available to the In-
4 ternal Revenue Service in this Act, \$4,000,000 shall be
5 transferred to “Treasury Inspector General for Tax Ad-
6 ministration” upon the advance approval of the Commit-
7 tees on Appropriations of the House of Representatives
8 and the Senate.

9 SEC. 114. None of the funds appropriated in this Act
10 or otherwise available to the Department of the Treasury
11 or the Bureau of Engraving and Printing may be used
12 to redesign the \$1 Federal Reserve note.

13 SEC. 115. The Secretary of the Treasury may trans-
14 fer funds from the “Bureau of the Fiscal Service—Sala-
15 ries and Expenses” to the Debt Collection Fund as nec-
16 essary to cover the costs of debt collection: *Provided*, That
17 such amounts shall be reimbursed to such salaries and ex-
18 penses account from debt collections received in the Debt
19 Collection Fund.

20 SEC. 116. None of the funds appropriated or other-
21 wise made available by this or any other Act may be used
22 by the United States Mint to construct or operate any mu-
23 seum without the explicit approval of the Committees on
24 Appropriations of the House of Representatives and the
25 Senate, the House Committee on Financial Services, and

1 the Senate Committee on Banking, Housing, and Urban
2 Affairs.

3 SEC. 117. None of the funds appropriated or other-
4 wise made available by this or any other Act or source
5 to the Department of the Treasury, the Bureau of Engrav-
6 ing and Printing, and the United States Mint, individually
7 or collectively, may be used to consolidate any or all func-
8 tions of the Bureau of Engraving and Printing and the
9 United States Mint without the explicit approval of the
10 House Committee on Financial Services; the Senate Com-
11 mittee on Banking, Housing, and Urban Affairs; and the
12 Committees on Appropriations of the House of Represent-
13 atives and the Senate.

14 SEC. 118. Funds appropriated by this Act, or made
15 available by the transfer of funds in this Act, for the De-
16 partment of the Treasury's intelligence or intelligence re-
17 lated activities are deemed to be specifically authorized by
18 the Congress for purposes of section 504 of the National
19 Security Act of 1947 (50 U.S.C. 414) during fiscal year
20 2022 until the enactment of the Intelligence Authorization
21 Act for Fiscal Year 2022.

22 SEC. 119. Not to exceed \$5,000 shall be made avail-
23 able from the Bureau of Engraving and Printing's Indus-
24 trial Revolving Fund for necessary official reception and
25 representation expenses.

1 SEC. 120. The Secretary of the Treasury shall submit
2 a Capital Investment Plan to the Committees on Appro-
3 priations of the House of Representatives and the Senate
4 not later than 30 days following the submission of the an-
5 nual budget submitted by the President: *Provided*, That
6 such Capital Investment Plan shall include capital invest-
7 ment spending from all accounts within the Department
8 of the Treasury, including but not limited to the Depart-
9 ment-wide Systems and Capital Investment Programs ac-
10 count, Treasury Franchise Fund account, and the Treas-
11 ury Forfeiture Fund account: *Provided further*, That such
12 Capital Investment Plan shall include expenditures occur-
13 ring in previous fiscal years for each capital investment
14 project that has not been fully completed.

15 SEC. 121. Within 45 days after the date of enactment
16 of this Act, the Secretary of the Treasury shall submit
17 an itemized report to the Committees on Appropriations
18 of the House of Representatives and the Senate on the
19 amount of total funds charged to each office by the Fran-
20 chise Fund including the amount charged for each service
21 provided by the Franchise Fund to each office, a detailed
22 description of the services, a detailed explanation of how
23 each charge for each service is calculated, and a descrip-
24 tion of the role customers have in governing in the Fran-
25 chise Fund.

1 SEC. 122. (a) Not later than 60 days after the end
2 of each quarter, the Office of Financial Stability and the
3 Office of Financial Research shall submit reports on their
4 activities to the Committees on Appropriations of the
5 House of Representatives and the Senate, the Committee
6 on Financial Services of the House of Representatives,
7 and the Senate Committee on Banking, Housing, and
8 Urban Affairs.

9 (b) The reports required under subsection (a) shall
10 include—

11 (1) the obligations made during the previous
12 quarter by object class, office, and activity;

13 (2) the estimated obligations for the remainder
14 of the fiscal year by object class, office, and activity;

15 (3) the number of full-time equivalents within
16 each office during the previous quarter;

17 (4) the estimated number of full-time equiva-
18 lents within each office for the remainder of the fis-
19 cal year; and

20 (5) actions taken to achieve the goals, objec-
21 tives, and performance measures of each office.

22 (c) At the request of any such Committees specified
23 in subsection (a), the Office of Financial Stability and the
24 Office of Financial Research shall make officials available

1 to testify on the contents of the reports required under
2 subsection (a).

3 This title may be cited as the “Department of the
4 Treasury Appropriations Act, 2022”.

5 TITLE II
6 EXECUTIVE OFFICE OF THE PRESIDENT AND
7 FUNDS APPROPRIATED TO THE PRESIDENT
8 THE WHITE HOUSE
9 SALARIES AND EXPENSES

10 For necessary expenses for the White House as au-
11 thorized by law, including not to exceed \$3,850,000 for
12 services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105;
13 subsistence expenses as authorized by 3 U.S.C. 105, which
14 shall be expended and accounted for as provided in that
15 section; hire of passenger motor vehicles, and travel (not
16 to exceed \$100,000 to be expended and accounted for as
17 provided by 3 U.S.C. 103); and not to exceed \$19,000 for
18 official reception and representation expenses, to be avail-
19 able for allocation within the Executive Office of the Presi-
20 dent; and for necessary expenses of the Office of Policy
21 Development, including services as authorized by 5 U.S.C.
22 3109 and 3 U.S.C. 107, \$76,262,000.

1 EXECUTIVE RESIDENCE AT THE WHITE HOUSE

2 OPERATING EXPENSES

3 For necessary expenses of the Executive Residence
4 at the White House, \$15,077,000, to be expended and ac-
5 counted for as provided by 3 U.S.C. 105, 109, 110, and
6 112–114.

7 REIMBURSABLE EXPENSES

8 For the reimbursable expenses of the Executive Resi-
9 dence at the White House, such sums as may be nec-
10 essary: *Provided*, That all reimbursable operating expenses
11 of the Executive Residence shall be made in accordance
12 with the provisions of this paragraph: *Provided further*,
13 That, notwithstanding any other provision of law, such
14 amount for reimbursable operating expenses shall be the
15 exclusive authority of the Executive Residence to incur ob-
16 ligations and to receive offsetting collections, for such ex-
17 penses: *Provided further*, That the Executive Residence
18 shall require each person sponsoring a reimbursable polit-
19 ical event to pay in advance an amount equal to the esti-
20 mated cost of the event, and all such advance payments
21 shall be credited to this account and remain available until
22 expended: *Provided further*, That the Executive Residence
23 shall require the national committee of the political party
24 of the President to maintain on deposit \$25,000, to be
25 separately accounted for and available for expenses relat-

1 ing to reimbursable political events sponsored by such
2 committee during such fiscal year: *Provided further*, That
3 the Executive Residence shall ensure that a written notice
4 of any amount owed for a reimbursable operating expense
5 under this paragraph is submitted to the person owing
6 such amount within 60 days after such expense is in-
7 curred, and that such amount is collected within 30 days
8 after the submission of such notice: *Provided further*, That
9 the Executive Residence shall charge interest and assess
10 penalties and other charges on any such amount that is
11 not reimbursed within such 30 days, in accordance with
12 the interest and penalty provisions applicable to an out-
13 standing debt on a United States Government claim under
14 31 U.S.C. 3717: *Provided further*, That each such amount
15 that is reimbursed, and any accompanying interest and
16 charges, shall be deposited in the Treasury as miscella-
17 neous receipts: *Provided further*, That the Executive Resi-
18 dence shall prepare and submit to the Committees on Ap-
19 propriations, by not later than 90 days after the end of
20 the fiscal year covered by this Act, a report setting forth
21 the reimbursable operating expenses of the Executive Res-
22 idence during the preceding fiscal year, including the total
23 amount of such expenses, the amount of such total that
24 consists of reimbursable official and ceremonial events, the
25 amount of such total that consists of reimbursable political

1 events, and the portion of each such amount that has been
2 reimbursed as of the date of the report: *Provided further*,
3 That the Executive Residence shall maintain a system for
4 the tracking of expenses related to reimbursable events
5 within the Executive Residence that includes a standard
6 for the classification of any such expense as political or
7 nonpolitical: *Provided further*, That no provision of this
8 paragraph may be construed to exempt the Executive Res-
9 idence from any other applicable requirement of sub-
10 chapter I or II of chapter 37 of title 31, United States
11 Code.

12 WHITE HOUSE REPAIR AND RESTORATION

13 For the repair, alteration, and improvement of the
14 Executive Residence at the White House pursuant to 3
15 U.S.C. 105(d), \$2,500,000, to remain available until ex-
16 pended, for required maintenance, resolution of safety and
17 health issues, and continued preventative maintenance.

18 COUNCIL OF ECONOMIC ADVISERS

19 SALARIES AND EXPENSES

20 For necessary expenses of the Council of Economic
21 Advisers in carrying out its functions under the Employ-
22 ment Act of 1946 (15 U.S.C. 1021 et seq.), \$4,732,000.

1 NATIONAL SECURITY COUNCIL AND HOMELAND
2 SECURITY COUNCIL
3 SALARIES AND EXPENSES

4 For necessary expenses of the National Security
5 Council and the Homeland Security Council, including
6 services as authorized by 5 U.S.C. 3109, \$12,894,000, of
7 which not to exceed \$5,000 shall be available for official
8 reception and representation expenses.

9 OFFICE OF ADMINISTRATION
10 SALARIES AND EXPENSES

11 For necessary expenses of the Office of Administra-
12 tion, including services as authorized by 5 U.S.C. 3109
13 and 3 U.S.C. 107, and hire of passenger motor vehicles,
14 \$110,768,000, of which not to exceed \$12,800,000 shall
15 remain available until expended for continued moderniza-
16 tion of information resources within the Executive Office
17 of the President: *Provided* , That of the amounts provided
18 under this heading, up to \$4,500,000 shall be available
19 for a program to provide payments (such as stipends, sub-
20 sistence allowances, cost reimbursements, or awards) to
21 students, recent graduates, and veterans recently dis-
22 charged from active duty who are performing voluntary
23 services in the Executive Office of the President under sec-
24 tion 3111(b) of title 5, United States Code, or comparable
25 authority and shall be in addition to amounts otherwise

1 available to pay or compensate such individuals: *Provided*
2 *further*, That such payments shall not be considered com-
3 pensation for purposes of such section 3111(b) and may
4 be paid in advance.

5 OFFICE OF MANAGEMENT AND BUDGET

6 SALARIES AND EXPENSES

7 For necessary expenses of the Office of Management
8 and Budget, including hire of passenger motor vehicles
9 and services as authorized by 5 U.S.C. 3109, to carry out
10 the provisions of chapter 35 of title 44, United States
11 Code, and to prepare and submit the budget of the United
12 States Government, in accordance with section 1105(a) of
13 title 31, United States Code, \$122,854,000 (increased by
14 \$2,500,000), of which not to exceed \$3,000 shall be avail-
15 able for official representation expenses: *Provided*, That
16 none of the funds appropriated in this Act for the Office
17 of Management and Budget may be used for the purpose
18 of reviewing any agricultural marketing orders or any ac-
19 tivities or regulations under the provisions of the Agricul-
20 tural Marketing Agreement Act of 1937 (7 U.S.C. 601
21 et seq.): *Provided further*, That none of the funds made
22 available for the Office of Management and Budget by this
23 Act may be expended for the altering of the transcript of
24 actual testimony of witnesses, except for testimony of offi-
25 cials of the Office of Management and Budget, before the

1 Committees on Appropriations or their subcommittees:
2 *Provided further*, That none of the funds made available
3 for the Office of Management and Budget by this Act may
4 be expended for the altering of the annual work plan devel-
5 oped by the Corps of Engineers for submission to the
6 Committees on Appropriations: *Provided further*, That
7 none of the funds provided in this or prior Acts shall be
8 used, directly or indirectly, by the Office of Management
9 and Budget, for evaluating or determining if water re-
10 source project or study reports submitted by the Chief of
11 Engineers acting through the Secretary of the Army are
12 in compliance with all applicable laws, regulations, and re-
13 quirements relevant to the Civil Works water resource
14 planning process: *Provided further*, That the Office of
15 Management and Budget shall have not more than 60
16 days in which to perform budgetary policy reviews of water
17 resource matters on which the Chief of Engineers has re-
18 ported: *Provided further*, That the Director of the Office
19 of Management and Budget shall notify the appropriate
20 authorizing and appropriating committees when the 60-
21 day review is initiated: *Provided further*, That if water re-
22 source reports have not been transmitted to the appro-
23 priate authorizing and appropriating committees within
24 15 days after the end of the Office of Management and
25 Budget review period based on the notification from the

1 Director, Congress shall assume Office of Management
2 and Budget concurrence with the report and act accord-
3 ingly: *Provided further*, That no later than 14 days after
4 the submission of the budget of the United States Govern-
5 ment for fiscal year 2023, the Director of the Office of
6 Management and Budget shall make publicly available on
7 a website a tabular list for each agency that submits budg-
8 et justification materials (as defined in section 3 of the
9 Federal Funding Accountability and Transparency Act of
10 2006) that shall include, at minimum, the name of the
11 agency, the date on which the budget justification mate-
12 rials of the agency were submitted to Congress, and a uni-
13 form resource locator where the budget justification mate-
14 rials are published on the website of the agency.

15 INTELLECTUAL PROPERTY ENFORCEMENT

16 COORDINATOR

17 For necessary expenses of the Office of the Intellec-
18 tual Property Enforcement Coordinator, as authorized by
19 title III of the Prioritizing Resources and Organization for
20 Intellectual Property Act of 2008 (Public Law 110–403),
21 including services authorized by 5 U.S.C. 3109,
22 \$1,838,000.

1 OFFICE OF THE NATIONAL CYBER DIRECTOR

2 SALARIES AND EXPENSES

3 For necessary expenses of the Office of the National
4 Cyber Director, as authorized by section 1752 of the Wil-
5 liam M. (Mac) Thornberry National Defense Authoriza-
6 tion Act for Fiscal Year 2021 (Public Law 116–283),
7 \$18,750,000 (increased by \$6,250,000), of which not to
8 exceed \$5,000 shall be available for official reception and
9 representation expenses.

10 OFFICE OF NATIONAL DRUG CONTROL POLICY

11 SALARIES AND EXPENSES

12 For necessary expenses of the Office of National
13 Drug Control Policy; for research activities pursuant to
14 the Office of National Drug Control Policy Reauthoriza-
15 tion Act of 1998, as amended; not to exceed \$10,000 for
16 official reception and representation expenses; and for par-
17 ticipation in joint projects or in the provision of services
18 on matters of mutual interest with nonprofit, research, or
19 public organizations or agencies, with or without reim-
20 bursement, \$21,300,000: *Provided*, That the Office is au-
21 thorized to accept, hold, administer, and utilize gifts, both
22 real and personal, public and private, without fiscal year
23 limitation, for the purpose of aiding or facilitating the
24 work of the Office.

1 FEDERAL DRUG CONTROL PROGRAMS

2 HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

3 (INCLUDING TRANSFERS OF FUNDS)

4 For necessary expenses of the Office of National
5 Drug Control Policy's High Intensity Drug Trafficking
6 Areas Program, \$300,000,000, to remain available until
7 September 30, 2023, for drug control activities consistent
8 with the approved strategy for each of the designated
9 High Intensity Drug Trafficking Areas ("HIDTAs"), of
10 which not less than 51 percent shall be transferred to
11 State and local entities for drug control activities and shall
12 be obligated not later than 120 days after enactment of
13 this Act: *Provided*, That up to 49 percent may be trans-
14 ferred to Federal agencies and departments in amounts
15 determined by the Director of the Office of National Drug
16 Control Policy, of which up to \$2,700,000 may be used
17 for auditing services and associated activities and
18 \$3,500,000 shall be for a new Grants Management System
19 for use by the Office of National Drug Control Policy: *Pro-*
20 *vided further*, That any unexpended funds obligated prior
21 to fiscal year 2020 may be used for any other approved
22 activities of that HIDTA, subject to reprogramming re-
23 quirements: *Provided further*, That each HIDTA des-
24 ignated as of September 30, 2021, shall be funded at not
25 less than the fiscal year 2021 base level, unless the Direc-

1 tor submits to the Committees on Appropriations of the
2 House of Representatives and the Senate justification for
3 changes to those levels based on clearly articulated prior-
4 ities and published Office of National Drug Control Policy
5 performance measures of effectiveness: *Provided further*,
6 That the Director shall notify the Committees on Appro-
7 priations of the initial allocation of fiscal year 2022 fund-
8 ing among HIDTAs not later than 45 days after enact-
9 ment of this Act, and shall notify the Committees of
10 planned uses of discretionary HIDTA funding, as deter-
11 mined in consultation with the HIDTA Directors, not
12 later than 90 days after enactment of this Act: *Provided*
13 *further*, That upon a determination that all or part of the
14 funds so transferred from this appropriation are not nec-
15 essary for the purposes provided herein and upon notifica-
16 tion to the Committees on Appropriations of the House
17 of Representatives and the Senate, such amounts may be
18 transferred back to this appropriation.

19 OTHER FEDERAL DRUG CONTROL PROGRAMS

20 (INCLUDING TRANSFERS OF FUNDS)

21 For other drug control activities authorized by the
22 Anti-Drug Abuse Act of 1988 and the Office of National
23 Drug Control Policy Reauthorization Act of 1998, as
24 amended, \$136,617,000, to remain available until ex-
25 pended, which shall be available as follows: \$110,000,000

1 for the Drug-Free Communities Program, of which
2 \$2,500,000 shall be made available as directed by section
3 4 of Public Law 107–82, as amended by section 8204 of
4 Public Law 115–271; \$3,000,000 for drug court training
5 and technical assistance; \$14,000,000 for anti-doping ac-
6 tivities; up to \$3,167,000 for the United States member-
7 ship dues to the World Anti-Doping Agency; \$1,250,000
8 for the Model Acts Program; and \$5,200,000 for activities
9 authorized by section 103 of Public Law 114–198: *Pro-*
10 *vided*, That amounts made available under this heading
11 may be transferred to other Federal departments and
12 agencies to carry out such activities: *Provided further*,
13 That the Director of the Office of National Drug Control
14 Policy shall, not fewer than 30 days prior to obligating
15 funds under this heading for United States membership
16 dues to the World Anti-Doping Agency, submit to the
17 Committees on Appropriations of the House of Represent-
18 atives and the Senate a spending plan and explanation of
19 the proposed uses of these funds.

20 UNANTICIPATED NEEDS

21 For expenses necessary to enable the President to
22 meet unanticipated needs, in furtherance of the national
23 interest, security, or defense which may arise at home or
24 abroad during the current fiscal year, as authorized by

1 3 U.S.C. 108, \$1,000,000, to remain available until Sep-
2 tember 30, 2023.

3 INFORMATION TECHNOLOGY OVERSIGHT AND REFORM
4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses for the furtherance of inte-
6 grated, efficient, secure, and effective uses of information
7 technology in the Federal Government, \$10,442,000, to
8 remain available until expended: *Provided*, That the Direc-
9 tor of the Office of Management and Budget may transfer
10 these funds to one or more other agencies to carry out
11 projects to meet these purposes.

12 SPECIAL ASSISTANCE TO THE PRESIDENT
13 SALARIES AND EXPENSES

14 For necessary expenses to enable the Vice President
15 to provide assistance to the President in connection with
16 specially assigned functions; services as authorized by 5
17 U.S.C. 3109 and 3 U.S.C. 106, including subsistence ex-
18 penses as authorized by 3 U.S.C. 106, which shall be ex-
19 pended and accounted for as provided in that section; and
20 hire of passenger motor vehicles, \$5,726,000.

21 OFFICIAL RESIDENCE OF THE VICE PRESIDENT
22 OPERATING EXPENSES
23 (INCLUDING TRANSFER OF FUNDS)

24 For the care, operation, refurnishing, improvement,
25 and to the extent not otherwise provided for, heating and

1 lighting, including electric power and fixtures, of the offi-
2 cial residence of the Vice President; the hire of passenger
3 motor vehicles; and not to exceed \$90,000 pursuant to 3
4 U.S.C. 106(b)(2), \$313,000: *Provided*, That advances, re-
5 payments, or transfers from this appropriation may be
6 made to any department or agency for expenses of car-
7 rying out such activities.

8 ADMINISTRATIVE PROVISIONS—EXECUTIVE OFFICE OF
9 THE PRESIDENT AND FUNDS APPROPRIATED TO
10 THE PRESIDENT

11 (INCLUDING TRANSFER OF FUNDS)

12 SEC. 201. From funds made available in this Act
13 under the headings “The White House”, “Executive Resi-
14 dence at the White House”, “White House Repair and
15 Restoration”, “Council of Economic Advisers”, “National
16 Security Council and Homeland Security Council”, “Of-
17 fice of Administration”, “Special Assistance to the Presi-
18 dent”, and “Official Residence of the Vice President”, the
19 Director of the Office of Management and Budget (or
20 such other officer as the President may designate in writ-
21 ing), may, with advance approval of the Committees on
22 Appropriations of the House of Representatives and the
23 Senate, transfer not to exceed 10 percent of any such ap-
24 propriation to any other such appropriation, to be merged
25 with and available for the same time and for the same

1 purposes as the appropriation to which transferred: *Pro-*
2 *vided*, That the amount of an appropriation shall not be
3 increased by more than 50 percent by such transfers: *Pro-*
4 *vided further*, That no amount shall be transferred from
5 “Special Assistance to the President” or “Official Resi-
6 dence of the Vice President” without the approval of the
7 Vice President.

8 SEC. 202. (a) During fiscal year 2022, any Executive
9 order or Presidential memorandum issued or revoked by
10 the President shall be accompanied by a written statement
11 from the Director of the Office of Management and Budg-
12 et on the budgetary impact, including costs, benefits, and
13 revenues, of such order or memorandum.

14 (b) Any such statement shall include—

15 (1) a narrative summary of the budgetary im-
16 pact of such order or memorandum on the Federal
17 Government;

18 (2) the impact on mandatory and discretionary
19 obligations and outlays as the result of such order
20 or memorandum, listed by Federal agency, for each
21 year in the 5-fiscal-year period beginning in fiscal
22 year 2022; and

23 (3) the impact on revenues of the Federal Gov-
24 ernment as the result of such order or memorandum

1 over the 5-fiscal-year period beginning in fiscal year
2 2022.

3 (c) If an Executive order or Presidential memo-
4 randum is issued during fiscal year 2022 due to a national
5 emergency, the Director of the Office of Management and
6 Budget may issue the statement required by subsection
7 (a) not later than 15 days after the date that such order
8 or memorandum is issued.

9 (d) The requirement for cost estimates for Presi-
10 dential memoranda shall only apply for Presidential
11 memoranda estimated to have a regulatory cost in excess
12 of \$100,000,000.

13 SEC. 203. Not later than 30 days after the date of
14 enactment of this Act, the Director of the Office of Man-
15 agement and Budget shall issue a memorandum to all
16 Federal departments, agencies, and corporations directing
17 compliance with the provisions in title VII of this Act.

18 SEC. 204. (a) Beginning not later than 10 days after
19 the date of enactment of this Act and until the require-
20 ments of subsection (b) are completed, the Office of Man-
21 agement and Budget shall provide to the Committees on
22 Appropriations and the Budget of the House of Represent-
23 atives and the Senate each document apportioning an ap-
24 propriation, pursuant to section 1513(b) of title 31,
25 United States Code, approved by the Office of Manage-

1 ment and Budget, including any associated footnotes, not
2 later than 2 business days after the date of approval of
3 such apportionment by the Office of Management and
4 Budget.

5 (b) Not later than 120 days after the date of enact-
6 ment of this Act, the Office of Management and Budget
7 shall complete implementation of an automated system to
8 post each document apportioning an appropriation, pursu-
9 ant to section 1513(b) of title 31, United States Code,
10 including any associated footnotes, in a format that quali-
11 fies each such document as an Open Government Data
12 Asset (as defined in section 3502 of title 44, United States
13 Code), not later than 2 business days after the date of
14 approval of such apportionment, and shall place on such
15 website each document apportioning an appropriation,
16 pursuant to such section 1513(b), including any associated
17 footnotes, already approved the current fiscal year, and
18 shall report the date of completion of such requirements
19 to the Committees on Appropriations and the Budget of
20 the House of Representatives and Senate.

21 (c) Each document apportioning an appropriation
22 pursuant to section 1513(b) of title 31, United States
23 Code, that is posted on a publicly accessible website pursu-
24 ant to such section shall also include a written explanation
25 by the official approving each such apportionment stating

1 the rationale for the apportionment schedule and for any
2 footnotes for apportioned amounts: *Provided*, That the Of-
3 fice of Management and Budget or the applicable depart-
4 ment or agency shall make available classified documenta-
5 tion referenced in any apportionment at the request of the
6 chair or ranking member of any appropriate congressional
7 committee or subcommittee.

8 (d)(1) Not later than 15 days after the date of enact-
9 ment of this Act, any delegation of apportionment author-
10 ity pursuant to section 1513(b) of title 31, United States
11 Code, that is in effect as of such date shall be submitted
12 for publication in the Federal Register: *Provided*, That
13 any delegation of such apportionment authority after the
14 date of enactment of this section shall, on the date of such
15 delegation, be submitted for publication in the Federal
16 Register: *Provided further*, That the Office of Management
17 and Budget shall publish such delegations in a format that
18 qualifies such publications as an Open Government Data
19 Asset (as defined in section 3502 of title 44, United States
20 Code) on a public Internet website, which shall be continu-
21 ously updated with the position of each Federal officer or
22 employee to whom apportionment authority has been dele-
23 gated.

24 (2) Not later than 5 days after any change in the
25 position of the approving official with respect to such dele-

1 gated apportionment authority for any account is made,
2 the Office shall submit a report to the appropriate con-
3 gressional committees explaining why such change was
4 made.

5 This title may be cited as the “Executive Office of
6 the President Appropriations Act, 2022”.

7 TITLE III

8 THE JUDICIARY

9 SUPREME COURT OF THE UNITED STATES

10 SALARIES AND EXPENSES

11 For expenses necessary for the operation of the Su-
12 preme Court, as required by law, excluding care of the
13 building and grounds, including hire of passenger motor
14 vehicles as authorized by 31 U.S.C. 1343 and 1344; not
15 to exceed \$10,000 for official reception and representation
16 expenses; and for miscellaneous expenses, to be expended
17 as the Chief Justice may approve, \$98,338,000, of which
18 \$1,500,000 shall remain available until expended.

19 In addition, there are appropriated such sums as may
20 be necessary under current law for the salaries of the chief
21 justice and associate justices of the court.

22 CARE OF THE BUILDING AND GROUNDS

23 For such expenditures as may be necessary to enable
24 the Architect of the Capitol to carry out the duties im-

1 posed upon the Architect by 40 U.S.C. 6111 and 6112,
2 \$10,309,000, to remain available until expended.

3 UNITED STATES COURT OF APPEALS FOR THE FEDERAL
4 CIRCUIT

5 SALARIES AND EXPENSES

6 For salaries of officers and employees, and for nec-
7 essary expenses of the court, as authorized by law,
8 \$34,506,000.

9 In addition, there are appropriated such sums as may
10 be necessary under current law for the salaries of the chief
11 judge and judges of the court.

12 UNITED STATES COURT OF INTERNATIONAL TRADE

13 SALARIES AND EXPENSES

14 For salaries of officers and employees of the court,
15 services, and necessary expenses of the court, as author-
16 ized by law, \$20,766,000.

17 In addition, there are appropriated such sums as may
18 be necessary under current law for the salaries of the chief
19 judge and judges of the court.

20 COURTS OF APPEALS, DISTRICT COURTS, AND OTHER

21 JUDICIAL SERVICES

22 SALARIES AND EXPENSES

23 For the salaries of judges of the United States Court
24 of Federal Claims, magistrate judges, and all other offi-
25 cers and employees of the Federal Judiciary not otherwise

1 specifically provided for, necessary expenses of the courts,
2 and the purchase, rental, repair, and cleaning of uniforms
3 for Probation and Pretrial Services Office staff, as author-
4 ized by law, \$5,724,360,000 (including the purchase of
5 firearms and ammunition); of which not to exceed
6 \$27,817,000 shall remain available until expended for
7 space alteration projects and for furniture and furnishings
8 related to new space alteration and construction projects.

9 In addition, there are appropriated such sums as may
10 be necessary under current law for the salaries of circuit
11 and district judges (including judges of the territorial
12 courts of the United States), bankruptcy judges, and jus-
13 tices and judges retired from office or from regular active
14 service.

15 In addition, for expenses of the United States Court
16 of Federal Claims associated with processing cases under
17 the National Childhood Vaccine Injury Act of 1986 (Pub-
18 lic Law 99–660), not to exceed \$9,850,000, to be appro-
19 priated from the Vaccine Injury Compensation Trust
20 Fund.

21 DEFENDER SERVICES

22 For the operation of Federal Defender organizations;
23 the compensation and reimbursement of expenses of attor-
24 neys appointed to represent persons under 18 U.S.C.
25 3006A and 3599, and for the compensation and reim-

1 bursement of expenses of persons furnishing investigative,
2 expert, and other services for such representations as au-
3 thorized by law; the compensation (in accordance with the
4 maximums under 18 U.S.C. 3006A) and reimbursement
5 of expenses of attorneys appointed to assist the court in
6 criminal cases where the defendant has waived representa-
7 tion by counsel; the compensation and reimbursement of
8 expenses of attorneys appointed to represent jurors in civil
9 actions for the protection of their employment, as author-
10 ized by 28 U.S.C. 1875(d)(1); the compensation and reim-
11 bursement of expenses of attorneys appointed under 18
12 U.S.C. 983(b)(1) in connection with certain judicial civil
13 forfeiture proceedings; the compensation and reimburse-
14 ment of travel expenses of guardians ad litem appointed
15 under 18 U.S.C. 4100(b); and for necessary training and
16 general administrative expenses, \$1,368,175,000 to re-
17 main available until expended.

18 FEES OF JURORS AND COMMISSIONERS

19 For fees and expenses of jurors as authorized by 28
20 U.S.C. 1871 and 1876; compensation of jury commis-
21 sioners as authorized by 28 U.S.C. 1863; and compensa-
22 tion of commissioners appointed in condemnation cases
23 pursuant to rule 71.1(h) of the Federal Rules of Civil Pro-
24 cedure (28 U.S.C. Appendix Rule 71.1(h)), \$46,957,000,
25 to remain available until expended: *Provided*, That the

1 compensation of land commissioners shall not exceed the
2 daily equivalent of the highest rate payable under 5 U.S.C.
3 5332.

4 COURT SECURITY

5 (INCLUDING TRANSFER OF FUNDS)

6 For necessary expenses, not otherwise provided for,
7 incident to the provision of protective guard services for
8 United States courthouses and other facilities housing
9 Federal court operations, and the procurement, installa-
10 tion, and maintenance of security systems and equipment
11 for United States courthouses and other facilities housing
12 Federal court operations, including building ingress-egress
13 control, inspection of mail and packages, directed security
14 patrols, perimeter security, basic security services provided
15 by the Federal Protective Service, and other similar activi-
16 ties as authorized by section 1010 of the Judicial Improve-
17 ment and Access to Justice Act (Public Law 100–702),
18 \$682,265,000, of which not to exceed \$20,000,000 shall
19 remain available until expended, to be expended directly
20 or transferred to the United States Marshals Service,
21 which shall be responsible for administering the Judicial
22 Facility Security Program consistent with standards or
23 guidelines agreed to by the Director of the Administrative
24 Office of the United States Courts and the Attorney Gen-
25 eral.

1 ADMINISTRATIVE OFFICE OF THE UNITED STATES

2 COURTS

3 SALARIES AND EXPENSES

4 For necessary expenses of the Administrative Office
5 of the United States Courts as authorized by law, includ-
6 ing travel as authorized by 31 U.S.C. 1345, hire of a pas-
7 senger motor vehicle as authorized by 31 U.S.C. 1343(b),
8 advertising and rent in the District of Columbia and else-
9 where, \$103,628,000, of which not to exceed \$8,500 is au-
10 thorized for official reception and representation expenses.

11 FEDERAL JUDICIAL CENTER

12 SALARIES AND EXPENSES

13 For necessary expenses of the Federal Judicial Cen-
14 ter, as authorized by Public Law 90–219, \$32,151,000;
15 of which \$1,800,000 shall remain available through Sep-
16 tember 30, 2023, to provide education and training to
17 Federal court personnel; and of which not to exceed
18 \$1,500 is authorized for official reception and representa-
19 tion expenses.

20 UNITED STATES SENTENCING COMMISSION

21 SALARIES AND EXPENSES

22 For the salaries and expenses necessary to carry out
23 the provisions of chapter 58 of title 28, United States
24 Code, \$20,829,000, of which not to exceed \$1,000 is au-
25 thorized for official reception and representation expenses.

1 ADMINISTRATIVE PROVISIONS—THE JUDICIARY

2 (INCLUDING TRANSFER OF FUNDS)

3 SEC. 301. Appropriations and authorizations made in
4 this title which are available for salaries and expenses shall
5 be available for services as authorized by 5 U.S.C. 3109.

6 SEC. 302. Not to exceed 5 percent of any appropria-
7 tion made available for the current fiscal year for the Judi-
8 ciary in this Act may be transferred between such appro-
9 priations, but no such appropriation, except “Courts of
10 Appeals, District Courts, and Other Judicial Services, De-
11 fender Services” and “Courts of Appeals, District Courts,
12 and Other Judicial Services, Fees of Jurors and Commis-
13 sioners”, shall be increased by more than 10 percent by
14 any such transfers: *Provided*, That any transfer pursuant
15 to this section shall be treated as a reprogramming of
16 funds under sections 604 and 608 of this Act and shall
17 not be available for obligation or expenditure except in
18 compliance with the procedures set forth in section 608.

19 SEC. 303. Notwithstanding any other provision of
20 law, the salaries and expenses appropriation for “Courts
21 of Appeals, District Courts, and Other Judicial Services”
22 shall be available for official reception and representation
23 expenses of the Judicial Conference of the United States:
24 *Provided*, That such available funds shall not exceed
25 \$11,000 and shall be administered by the Director of the

1 Administrative Office of the United States Courts in the
2 capacity as Secretary of the Judicial Conference.

3 SEC. 304. Section 3315(a) of title 40, United States
4 Code, shall be applied by substituting “Federal” for “exec-
5 utive” each place it appears.

6 SEC. 305. In accordance with 28 U.S.C. 561–569,
7 and notwithstanding any other provision of law, the
8 United States Marshals Service shall provide, for such
9 courthouses as its Director may designate in consultation
10 with the Director of the Administrative Office of the
11 United States Courts, for purposes of a pilot program, the
12 security services that 40 U.S.C. 1315 authorizes the De-
13 partment of Homeland Security to provide, except for the
14 services specified in 40 U.S.C. 1315(b)(2)(E). For build-
15 ing-specific security services at these courthouses, the Di-
16 rector of the Administrative Office of the United States
17 Courts shall reimburse the United States Marshals Service
18 rather than the Department of Homeland Security.

19 SEC. 306. (a) Section 203(c) of the Judicial Improve-
20 ments Act of 1990 (Public Law 101–650; 28 U.S.C. 133
21 note), is amended in the matter following paragraph 12—

22 (1) in the second sentence (relating to the Dis-
23 trict of Kansas), by striking “30 years and 6
24 months” and inserting “31 years and 6 months”;
25 and

1 (2) in the sixth sentence (relating to the Dis-
2 trict of Hawaii), by striking “27 years and 6
3 months” and inserting “28 years and 6 months”.

4 (b) Section 406 of the Transportation, Treasury,
5 Housing and Urban Development, the Judiciary, the Dis-
6 trict of Columbia, and Independent Agencies Appropria-
7 tions Act, 2006 (Public Law 109–115; 119 Stat. 2470;
8 28 U.S.C. 133 note) is amended in the second sentence
9 (relating to the eastern District of Missouri) by striking
10 “28 years and 6 months” and inserting “29 years and
11 6 months”.

12 (c) Section 312(c)(2) of the 21st Century Depart-
13 ment of Justice Appropriations Authorization Act (Public
14 Law 107–273; 28 U.S.C. 133 note), is amended—

15 (1) in the first sentence by striking “19 years”
16 and inserting “20 years”;

17 (2) in the second sentence (relating to the cen-
18 tral District of California), by striking “18 years
19 and 6 months” and inserting “19 years and 6
20 months”; and

21 (3) in the third sentence (relating to the west-
22 ern district of North Carolina), by striking “17
23 years” and inserting “18 years”.

24 This title may be cited as the “Judiciary Appropria-
25 tions Act, 2022”.

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TITLE IV

DISTRICT OF COLUMBIA

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia,

to be deposited into a dedicated account, for a nationwide

program to be administered by the Mayor, for District of

Columbia resident tuition support, \$40,000,000, to remain

available until expended: *Provided*, That such funds, in-

cluding any interest accrued thereon, may be used on be-

half of eligible District of Columbia residents to pay an

amount based upon the difference between in-State and

out-of-State tuition at public institutions of higher edu-

cation, or to pay up to \$2,500 each year at eligible private

institutions of higher education: *Provided further*, That the

awarding of such funds may be prioritized on the basis

of a resident's academic merit, the income and need of

eligible students and such other factors as may be author-

ized: *Provided further*, That the District of Columbia gov-

ernment shall maintain a dedicated account for the Resi-

dent Tuition Support Program that shall consist of the

Federal funds appropriated to the Program in this Act

and any subsequent appropriations, any unobligated bal-

ances from prior fiscal years, and any interest earned in

this or any fiscal year: *Provided further*, That the account

1 shall be under the control of the District of Columbia
2 Chief Financial Officer, who shall use those funds solely
3 for the purposes of carrying out the Resident Tuition Sup-
4 port Program: *Provided further*, That the Office of the
5 Chief Financial Officer shall provide a quarterly financial
6 report to the Committees on Appropriations of the House
7 of Representatives and the Senate for these funds show-
8 ing, by object class, the expenditures made and the pur-
9 pose therefor.

10 FEDERAL PAYMENT FOR EMERGENCY PLANNING AND
11 SECURITY COSTS IN THE DISTRICT OF COLUMBIA

12 For a Federal payment of necessary expenses, as de-
13 termined by the Mayor of the District of Columbia in writ-
14 ten consultation with the elected county or city officials
15 of surrounding jurisdictions, \$25,000,000, to remain
16 available until expended, for the costs of providing public
17 safety at events related to the presence of the National
18 Capital in the District of Columbia, including support re-
19 quested by the Director of the United States Secret Serv-
20 ice in carrying out protective duties under the direction
21 of the Secretary of Homeland Security, and for the costs
22 of providing support to respond to immediate and specific
23 terrorist threats or attacks in the District of Columbia or
24 surrounding jurisdictions.

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1 Code, sec. 1–204.50): *Provided further*, That notwith-
2 standing any other provision of law, all amounts under
3 this heading shall be apportioned quarterly by the Office
4 of Management and Budget and obligated and expended
5 in the same manner as funds appropriated for salaries and
6 expenses of other Federal agencies: *Provided further*, That
7 30 days after providing written notice to the Committees
8 on Appropriations of the House of Representatives and the
9 Senate, the District of Columbia Courts may reallocate
10 not more than \$9,000,000 of the funds provided under
11 this heading among the items and entities funded under
12 this heading: *Provided further*, That the Joint Committee
13 on Judicial Administration in the District of Columbia
14 may, by regulation, establish a program substantially simi-
15 lar to the program set forth in subchapter II of chapter
16 35 of title 5, United States Code, for employees of the
17 District of Columbia Courts.

18 FEDERAL PAYMENT FOR DEFENDER SERVICES IN

19 DISTRICT OF COLUMBIA COURTS

20 For payments authorized under section 11–2604 and
21 section 11–2605, D.C. Official Code (relating to represen-
22 tation provided under the District of Columbia Criminal
23 Justice Act), payments for counsel appointed in pro-
24 ceedings in the Family Court of the Superior Court of the
25 District of Columbia under chapter 23 of title 16, D.C.

1 Official Code, or pursuant to contractual agreements to
2 provide guardian ad litem representation, training, tech-
3 nical assistance, and such other services as are necessary
4 to improve the quality of guardian ad litem representation,
5 payments for counsel appointed in adoption proceedings
6 under chapter 3 of title 16, D.C. Official Code, and pay-
7 ments authorized under section 21–2060, D.C. Official
8 Code (relating to services provided under the District of
9 Columbia Guardianship, Protective Proceedings, and Du-
10 rable Power of Attorney Act of 1986), \$46,005,000, to
11 remain available until expended: *Provided*, That funds
12 provided under this heading shall be administered by the
13 Joint Committee on Judicial Administration in the Dis-
14 trict of Columbia: *Provided further*, That, notwithstanding
15 any other provision of law, this appropriation shall be ap-
16 portioned quarterly by the Office of Management and
17 Budget and obligated and expended in the same manner
18 as funds appropriated for expenses of other Federal agen-
19 cies.

20 FEDERAL PAYMENT TO THE COURT SERVICES AND OF-
21 FENDER SUPERVISION AGENCY FOR THE DISTRICT
22 OF COLUMBIA

23 For salaries and expenses, including the transfer and
24 hire of motor vehicles, of the Court Services and Offender
25 Supervision Agency for the District of Columbia, as au-

1 thorized by the National Capital Revitalization and Self-
2 Government Improvement Act of 1997, \$283,425,000, of
3 which not to exceed \$2,000 is for official reception and
4 representation expenses related to Community Supervision
5 and Pretrial Services Agency programs, and of which not
6 to exceed \$25,000 is for dues and assessments relating
7 to the implementation of the Court Services and Offender
8 Supervision Agency Interstate Supervision Act of 2002:
9 *Provided*, That, of the funds appropriated under this head-
10 ing, \$206,006,000 shall be for necessary expenses of Com-
11 munity Supervision and Sex Offender Registration, to in-
12 clude expenses relating to the supervision of adults subject
13 to protection orders or the provision of services for or re-
14 lated to such persons, of which \$14,747,000 shall remain
15 available until September 30, 2024, for costs associated
16 with the relocation under replacement leases for head-
17 quarters offices, field offices and related facilities: *Pro-*
18 *vided further*, That, of the funds appropriated under this
19 heading, \$77,419,000 shall be available to the Pretrial
20 Services Agency, of which \$7,304,000 shall remain avail-
21 able until September 30, 2023, for costs associated with
22 relocation under a replacement lease for headquarters of-
23 fices, field offices, and related facilities: *Provided further*,
24 That notwithstanding any other provision of law, all
25 amounts under this heading shall be apportioned quarterly

1 by the Office of Management and Budget and obligated
2 and expended in the same manner as funds appropriated
3 for salaries and expenses of other Federal agencies: *Pro-*
4 *vided further*, That amounts under this heading may be
5 used for programmatic incentives for defendants to suc-
6 cessfully complete their terms of supervision.

7 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

8 PUBLIC DEFENDER SERVICE

9 For salaries and expenses, including the transfer and
10 hire of motor vehicles, of the District of Columbia Public
11 Defender Service, as authorized by the National Capital
12 Revitalization and Self-Government Improvement Act of
13 1997, \$57,676,000, of which \$8,107,000 shall remain
14 available until September 30, 2024, for salaries and ex-
15 penses associated with providing representation pursuant
16 to title III of the Comprehensive Youth Justice Amend-
17 ment Act of 2016 (D.C. Law 21–238; D.C. Official Code,
18 sec. 24–403.03), as amended by title VI of the Omnibus
19 Public Safety and Justice Amendment Act of 2020 (D.C.
20 Law 23–274): *Provided*, That notwithstanding any other
21 provision of law, all amounts under this heading shall be
22 apportioned quarterly by the Office of Management and
23 Budget and obligated and expended in the same manner
24 as funds appropriated for salaries and expenses of Federal
25 agencies: *Provided further*, That the District of Columbia

1 Public Defender Service may establish for employees of
2 the District of Columbia Public Defender Service a pro-
3 gram substantially similar to the program set forth in sub-
4 chapter II of chapter 35 of title 5, United States Code,
5 except that the maximum amount of the payment made
6 under the program to any individual may not exceed the
7 amount referred to in section 3523(b)(3)(B) of title 5,
8 United States Code: *Provided further*, That the District
9 of Columbia Public Defender Service may be deemed an
10 “agency” for purposes of engaging with and receiving
11 services from Federal Franchise Fund Programs estab-
12 lished in accordance with section 403 of the Government
13 Management Reform Act of 1994 (Public Law 103–356),
14 as amended: *Provided further*, That the District of Colum-
15 bia Public Defender Service may enter into contracts for
16 the procurement of severable services and multiyear con-
17 tracts for the acquisition of property and services to the
18 same extent and under the same conditions as an executive
19 agency under sections 3902 and 3903 of title 41, United
20 States Code.

21 FEDERAL PAYMENT TO THE CRIMINAL JUSTICE

22 COORDINATING COUNCIL

23 For a Federal payment to the Criminal Justice Co-
24 ordinating Council, \$2,150,000, to remain available until
25 expended, to support initiatives related to the coordination

1 of Federal and local criminal justice resources in the Dis-
2 trict of Columbia.

3 FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS

4 For a Federal payment, to remain available until
5 September 30, 2023, to the Commission on Judicial Dis-
6 abilities and Tenure, \$330,000, and for the Judicial Nomi-
7 nation Commission, \$300,000.

8 FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

9 For a Federal payment for a school improvement pro-
10 gram in the District of Columbia, \$52,500,000, to remain
11 available until expended, for payments authorized under
12 the Scholarships for Opportunity and Results Act (division
13 C of Public Law 112–10): *Provided*, That, to the extent
14 that funds are available for opportunity scholarships and
15 following the priorities included in section 3006 of such
16 Act, the Secretary of Education shall make scholarships
17 available to students eligible under section 3013(3) of such
18 Act (Public Law 112–10; 125 Stat. 211) including stu-
19 dents who were not offered a scholarship during any pre-
20 vious school year: *Provided further*, That within funds pro-
21 vided for opportunity scholarships up to \$1,200,000 shall
22 be for the activities specified in sections 3007(b) through
23 3007(d) of the Act and up to \$500,000 shall be for the
24 activities specified in section 3009 of the Act: *Provided*
25 *further*, That none of the funds made available under this

1 heading may be used for an opportunity scholarship for
2 a student to attend a school which does not certify to the
3 Secretary of Education that the student will be provided
4 with the same protections under the Federal laws which
5 are enforced by the Office for Civil Rights of the Depart-
6 ment of Education which are provided to a student of a
7 public elementary or secondary school in the District of
8 Columbia and which does not certify to the Secretary of
9 Education that the student and the student's parents will
10 be provided with the same services, rights, and protections
11 under the Individuals With Disabilities Education Act (20
12 U.S.C. 1400 et seq.) which are provided to a student and
13 a student's parents of a public elementary or secondary
14 school in the District of Columbia, as enumerated in Table
15 2 of Government Accountability Office Report 18–94 (en-
16 titled “Federal Actions Needed to Ensure Parents Are
17 Notified About Changes in Rights for Students with Dis-
18 abilities”), issued November 2017.

19 FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA
20 NATIONAL GUARD

21 For a Federal payment to the District of Columbia
22 National Guard, \$600,000, to remain available until ex-
23 pended for the Major General David F. Wherley, Jr. Dis-
24 trict of Columbia National Guard Retention and College
25 Access Program.

8 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA
9 WATER AND SEWER AUTHORITY

16 This title may be cited as the “District of Columbia
17 Appropriations Act, 2022”.

19 INDEPENDENT AGENCIES

21 SALARIES AND EXPENSES

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1 30, 2023, of which not to exceed \$1,000 is for official re-
2 ception and representation expenses.

3 CONSUMER PRODUCT SAFETY COMMISSION

4 SALARIES AND EXPENSES

5 For necessary expenses of the Consumer Product
6 Safety Commission, including hire of passenger motor ve-
7 hicles, services as authorized by 5 U.S.C. 3109, but at
8 rates for individuals not to exceed the per diem rate equiv-
9 alent to the maximum rate payable under 5 U.S.C. 5376,
10 purchase of nominal awards to recognize non-Federal offi-
11 cials' contributions to Commission activities, and not to
12 exceed \$4,000 for official reception and representation ex-
13 penses, \$172,000,000, of which \$2,000,000 shall remain
14 available until expended to carry out the program, includ-
15 ing administrative costs, required by section 1405 of the
16 Virginia Graeme Baker Pool and Spa Safety Act (Public
17 Law 110–140; 15 U.S.C. 8004).

18 ADMINISTRATIVE PROVISION—CONSUMER PRODUCT

19 SAFETY COMMISSION

20 SEC. 501. During fiscal year 2022, none of the
21 amounts made available by this Act may be used to final-
22 ize or implement the Safety Standard for Recreational
23 Off-Highway Vehicles published by the Consumer Product
24 Safety Commission in the Federal Register on November
25 19, 2014 (79 Fed. Reg. 68964) until after—

1 (1) the National Academy of Sciences, in con-
2 sultation with the National Highway Traffic Safety
3 Administration and the Department of Defense,
4 completes a study to determine—

5 (A) the technical validity of the lateral sta-
6 bility and vehicle handling requirements pro-
7 posed by such standard for purposes of reduc-
8 ing the risk of Recreational Off-Highway Vehi-
9 cle (referred to in this section as “ROV”) roll-
10 overs in the off-road environment, including the
11 repeatability and reproducibility of testing for
12 compliance with such requirements;

13 (B) the number of ROV rollovers that
14 would be prevented if the proposed require-
15 ments were adopted;

16 (C) whether there is a technical basis for
17 the proposal to provide information on a point-
18 of-sale hangtag about a ROV’s rollover resist-
19 ance on a progressive scale; and

20 (D) the effect on the utility of ROVs used
21 by the United States military if the proposed
22 requirements were adopted; and

23 (2) a report containing the results of the study
24 completed under paragraph (1) is delivered to—

1 (A) the Committee on Commerce, Science,
2 and Transportation of the Senate;

3 (B) the Committee on Energy and Com-
4 merce of the House of Representatives;

5 (C) the Committee on Appropriations of
6 the Senate; and

7 (D) the Committee on Appropriations of
8 the House of Representatives.

9 ELECTION ASSISTANCE COMMISSION

10 SALARIES AND EXPENSES

11 (INCLUDING TRANSFER OF FUNDS)

12 For necessary expenses to carry out the Help Amer-
13 ica Vote Act of 2002 (Public Law 107–252), \$22,834,000,
14 of which \$1,500,000 shall be transferred to the National
15 Institute of Standards and Technology for election reform
16 activities authorized under the Help America Vote Act of
17 2002.

18 ELECTION SECURITY GRANTS

19 Notwithstanding section 104(c)(2)(B) of the Help
20 America Vote Act of 2002 (52 U.S.C. 20904(c)(2)(B)),
21 \$500,000,000 (reduced by \$4,000,000) (increased by
22 \$4,000,000) is provided to the Election Assistance Com-
23 mission for necessary expenses to make payments to
24 States for activities to improve the administration of elec-
25 tions for Federal office, including to enhance election tech-

1 nology and make election security improvements, as au-
2 thorized by sections 101, 103, and 104 of such Act: *Pro-*
3 *vided*, That for purposes of applying such sections, the
4 Commonwealth of the Northern Mariana Islands shall be
5 deemed to be a State and, for purposes of sections
6 101(d)(2) and 103(a), shall be treated in the same manner
7 as the Commonwealth of Puerto Rico, Guam, American
8 Samoa, and the United States Virgin Islands: *Provided*
9 *further*, That each reference to the “Administrator of Gen-
10 eral Services” or the “Administrator” in sections 101 and
11 103 shall be deemed to refer to the “Election Assistance
12 Commission”: *Provided further*, That each reference to
13 “\$5,000,000” in section 103 shall be deemed to refer to
14 “\$3,000,000” and each reference to “\$1,000,000” in sec-
15 tion 103 shall be deemed to refer to “\$600,000”: *Provided*
16 *further*, That not later than 45 days after the date of en-
17 actment of this Act, the Election Assistance Commission
18 shall make the payments to States under this heading:
19 *Provided further*, That a State shall use such payment to
20 replace voting systems which use direct-recording elec-
21 tronic voting machines with a voting system which uses
22 an individual, durable, voter-verified paper ballot which is
23 marked by the voter by hand or through the use of a non-
24 tabulating ballot-marking device or system, so long as the
25 voter shall have the option to mark his or her ballot by

1 hand, and provides the voter with an opportunity to in-
2 spect and confirm the marked ballot before casting (in this
3 heading referred to as a “qualified voting system”): *Pro-*
4 *vided further*, That for purposes of determining whether
5 a voting system is a qualified voting system, a voter-
6 verified paper audit trail receipt generated by a direct-re-
7 cording electronic voting machine is not a paper ballot:
8 *Provided further*, That none of the funds made available
9 under this heading may be used to purchase or obtain any
10 voting system which is not a qualified voting system: *Pro-*
11 *vided further*, That a State may use such payment to carry
12 out other authorized activities to improve the administra-
13 tion of elections for Federal office only if the State cer-
14 tifies to the Election Assistance Commission that the
15 State has replaced all voting systems which use direct-re-
16 cording electronic voting machines with qualified voting
17 systems: *Provided further*, That not less than 50 percent
18 of the amount of the payment made to a State under this
19 heading shall be allocated in cash or in kind to the units
20 of local government which are responsible for the adminis-
21 tration of elections for Federal office in the State: *Pro-*
22 *vided further*, That States shall submit semi-annual finan-
23 cial reports and annual progress reports.

1 FEDERAL COMMUNICATIONS COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Federal Communica-
4 tions Commission, as authorized by law, including uni-
5 forms and allowances therefor, as authorized by 5 U.S.C.
6 5901–5902; not to exceed \$4,000 for official reception and
7 representation expenses; purchase and hire of motor vehi-
8 cles; special counsel fees; and services as authorized by
9 5 U.S.C. 3109, \$387,950,000 (increased by \$1,000,000),
10 to remain available until expended: *Provided*, That
11 \$387,950,000 (increased by \$1,000,000) of offsetting col-
12 lections shall be assessed and collected pursuant to section
13 9 of title I of the Communications Act of 1934, shall be
14 retained and used for necessary expenses, and shall re-
15 main available until expended: *Provided further*, That the
16 sum herein appropriated shall be reduced as such offset-
17 ting collections are received during fiscal year 2022 so as
18 to result in a final fiscal year 2022 appropriation esti-
19 mated at \$0: *Provided further*, That, notwithstanding 47
20 U.S.C. 309(j)(8)(B), proceeds from the use of a competi-
21 tive bidding system that may be retained and made avail-
22 able for obligation shall not exceed \$128,621,000 for fiscal
23 year 2022: *Provided further*, That, of the amount appro-
24 priated under this heading, not less than \$11,854,000

1 shall be for the salaries and expenses of the Office of In-
2 spector General.

3 ADMINISTRATIVE PROVISIONS—FEDERAL

4 COMMUNICATIONS COMMISSION

5 SEC. 510. Section 302 of the Universal Service
6 Antideficiency Temporary Suspension Act is amended by
7 striking “December 31, 2021” each place it appears and
8 inserting “December 31, 2022”.

9 SEC. 511. None of the funds appropriated by this Act
10 may be used by the Federal Communications Commission
11 to modify, amend, or change its rules or regulations for
12 universal service support payments to implement the Feb-
13 ruary 27, 2004, recommendations of the Federal-State
14 Joint Board on Universal Service regarding single connec-
15 tion or primary line restrictions on universal service sup-
16 port payments.

17 SEC. 512. None of the funds appropriated by this Act
18 may be used by the Federal Communications Commission
19 to modify, amend, or change the rules or regulations of
20 the Commission for universal service high-cost support for
21 competitive eligible telecommunications carriers in a way
22 that is inconsistent with paragraph (e)(5) or (e)(6) of sec-
23 tion 54.307 of title 47, Code of Federal Regulations, as
24 in effect on July 15, 2015: *Provided*, That this section
25 shall not prohibit the Commission from considering, devel-

1 oping, or adopting other support mechanisms as an alter-
2 native to Mobility Fund Phase II.

3 FEDERAL DEPOSIT INSURANCE CORPORATION

4 OFFICE OF THE INSPECTOR GENERAL

5 For necessary expenses of the Office of Inspector
6 General in carrying out the provisions of the Inspector
7 General Act of 1978, \$46,500,000, to be derived from the
8 Deposit Insurance Fund or, only when appropriate, the
9 FSLIC Resolution Fund.

10 FEDERAL ELECTION COMMISSION

11 SALARIES AND EXPENSES

12 For necessary expenses to carry out the provisions
13 of the Federal Election Campaign Act of 1971,
14 \$76,500,000, of which not to exceed \$5,000 shall be avail-
15 able for reception and representation expenses: *Provided*,
16 That not less than \$1,962,000 shall be for the salaries
17 and expenses of the Office of the Inspector General.

18 FEDERAL LABOR RELATIONS AUTHORITY

19 SALARIES AND EXPENSES

20 For necessary expenses to carry out functions of the
21 Federal Labor Relations Authority, pursuant to Reorga-
22 nization Plan Numbered 2 of 1978, and the Civil Service
23 Reform Act of 1978, including services authorized by 5
24 U.S.C. 3109, and including hire of experts and consult-
25 ants, hire of passenger motor vehicles, and including offi-

17 ENVIRONMENTAL REVIEW IMPROVEMENT FUND

18 For necessary expenses of the Environmental Review
19 Improvement Fund established pursuant to 42 U.S.C.
20 4370m-8(d), \$10,000,000, to remain available until ex-
21 pended.

24 For necessary expenses of the Federal Trade Com-
25 mission, including uniforms or allowances therefor, as au-

1 thorized by 5 U.S.C. 5901–5902; services as authorized
2 by 5 U.S.C. 3109; hire of passenger motor vehicles; and
3 not to exceed \$2,000 for official reception and representa-
4 tion expenses, \$389,800,000, to remain available until ex-
5 pended: *Provided*, That not to exceed \$300,000 shall be
6 available for use to contract with a person or persons for
7 collection services in accordance with the terms of 31
8 U.S.C. 3718: *Provided further*, That, notwithstanding any
9 other provision of law, not to exceed \$138,000,000 of off-
10 setting collections derived from fees collected for
11 premerger notification filings under the Hart-Scott-Ro-
12 dino Antitrust Improvements Act of 1976 (15 U.S.C.
13 18a), regardless of the year of collection, shall be retained
14 and used for necessary expenses in this appropriation:
15 *Provided further*, That, notwithstanding any other provi-
16 sion of law, not to exceed \$20,000,000 in offsetting collec-
17 tions derived from fees sufficient to implement and enforce
18 the Telemarketing Sales Rule, promulgated under the
19 Telemarketing and Consumer Fraud and Abuse Preven-
20 tion Act (15 U.S.C. 6101 et seq.), shall be credited to this
21 account, and be retained and used for necessary expenses
22 in this appropriation: *Provided further*, That the sum here-
23 in appropriated from the general fund shall be reduced
24 as such offsetting collections are received during fiscal
25 year 2022, so as to result in a final fiscal year 2022 appro-

1 priation from the general fund estimated at not more than
2 \$231,800,000: *Provided further*, That none of the funds
3 made available to the Federal Trade Commission may be
4 used to implement subsection (e)(2)(B) of section 43 of
5 the Federal Deposit Insurance Act (12 U.S.C. 1831t).

6 GENERAL SERVICES ADMINISTRATION

7 REAL PROPERTY ACTIVITIES

8 FEDERAL BUILDINGS FUND

9 LIMITATIONS ON AVAILABILITY OF REVENUE

10 (INCLUDING TRANSFERS OF FUNDS)

11 Amounts in the Fund, including revenues and collec-
12 tions deposited into the Fund, shall be available for nec-
13 essary expenses of real property management and related
14 activities not otherwise provided for, including operation,
15 maintenance, and protection of Federally owned and
16 leased buildings; rental of buildings in the District of Co-
17 lumbia; restoration of leased premises; moving govern-
18 mental agencies (including space adjustments and tele-
19 communications relocation expenses) in connection with
20 the assignment, allocation, and transfer of space; contrac-
21 tual services incident to cleaning or servicing buildings,
22 and moving; repair and alteration of Federally owned
23 buildings, including grounds, approaches, and appur-
24 tenances; care and safeguarding of sites; maintenance,
25 preservation, demolition, and equipment; acquisition of

1 buildings and sites by purchase, condemnation, or as oth-
2 erwise authorized by law; acquisition of options to pur-
3 chase buildings and sites; conversion and extension of
4 Federally owned buildings; preliminary planning and de-
5 sign of projects by contract or otherwise; construction of
6 new buildings (including equipment for such buildings);
7 and payment of principal, interest, and any other obliga-
8 tions for public buildings acquired by installment purchase
9 and purchase contract; in the aggregate amount of
10 \$10,405,316,000 (reduced by \$8,200,000) (reduced by
11 \$5,000,000) (reduced by \$6,250,000) (reduced by
12 \$2,500,000), of which—

13 (1) \$616,702,000 shall remain available until
14 expended for construction and acquisition (including
15 funds for sites and expenses, and associated design
16 and construction services) as follows:

17 (A) \$103,376,000 shall be for Calexico
18 West Land Port of Entry Phase IIB, Calexico,
19 California;

20 (B) \$253,797,000 shall be for the Depart-
21 ment of Homeland Security Consolidation at St.
22 Elizabeths, Washington, DC;

23 (C) \$9,000,000 shall be for the Southeast
24 Federal Center Remediation, Washington, DC;

1 (D) \$28,553,000 shall be for the Former
2 Hardesty Federal Complex Remediation, Wash-
3 ington, DC; and

4 (E) \$221,976,000 shall be for new con-
5 struction projects of the Federal Judiciary as
6 prioritized in the “Federal Judiciary Court-
7 house Project Priorities” plan approved by the
8 Judicial Conference of the United States in
9 September 2020:

10 *Provided*, That each of the foregoing limits of costs
11 on new construction and acquisition projects may be
12 exceeded to the extent that savings are effected in
13 other such projects, but not to exceed 10 percent of
14 the amounts included in a transmitted prospectus, if
15 required, unless advance approval is obtained from
16 the Committees on Appropriations of the House of
17 Representatives and the Senate of a greater amount;

18 (2) \$1,037,585,000 (reduced by \$2,500,000)
19 shall remain available until expended for repairs and
20 alterations, including associated design and con-
21 struction services, of which—

22 (A) \$432,625,000 is for Major Repairs and
23 Alterations;

24 (B) \$384,960,000 (reduced by \$2,500,000)
25 is for Basic Repairs and Alterations; and

1 (C) \$220,000,000 is for the Special Em-
2 phasis Programs:

3 *Provided*, That funds made available in this or any
4 previous Act in the Federal Buildings Fund for Re-
5 pairs and Alterations shall, for prospectus projects,
6 be limited to the amount identified for each project,
7 except each project in this or any previous Act may
8 be increased by an amount not to exceed 10 percent
9 unless advance approval is obtained from the Com-
10 mittees on Appropriations of the House of Rep-
11 resentatives and the Senate of a greater amount:

12 *Provided further*, That additional projects for which
13 prospectuses have been fully approved may be fund-
14 ed under this category only if advance approval is
15 obtained from the Committees on Appropriations of
16 the House of Representatives and the Senate: *Pro-*
17 *vided further*, That the amounts provided in this or
18 any prior Act for “Repairs and Alterations” may be
19 used to fund costs associated with implementing se-
20 curity improvements to buildings necessary to meet
21 the minimum standards for security in accordance
22 with current law and in compliance with the re-
23 programming guidelines of the appropriate commit-
24 tees of the House and Senate: *Provided further*,
25 That the difference between the funds appropriated

1 and expended on any projects in this or any prior
2 Act, under the heading “Repairs and Alterations”,
3 may be transferred to “Basic Repairs and Alter-
4 ations” or used to fund authorized increases in pro-
5 spectus projects: *Provided further*, That the amount
6 provided in this or any prior Act for “Basic Repairs
7 and Alterations” may be used to pay claims against
8 the Government arising from any projects under the
9 heading “Repairs and Alterations” or used to fund
10 authorized increases in prospectus projects;

11 (3) \$5,906,024,000 (reduced by \$8,200,000)
12 (reduced by \$6,250,000) for rental of space to re-
13 main available until expended; and

14 (4) \$2,845,005,000 (reduced by \$5,000,000)
15 for building operations to remain available until ex-
16 pended: *Provided*, That the total amount of funds
17 made available from this Fund to the General Serv-
18 ices Administration shall not be available for ex-
19 penses of any construction, repair, alteration and ac-
20 quisition project for which a prospectus, if required
21 by 40 U.S.C. 3307(a), has not been approved, except
22 that necessary funds may be expended for each
23 project for required expenses for the development of
24 a proposed prospectus: *Provided further*, That funds
25 available in the Federal Buildings Fund may be ex-

1 pended for emergency repairs when advance ap-
2 proval is obtained from the Committees on Appro-
3 priations of the House of Representatives and the
4 Senate: *Provided further*, That amounts necessary to
5 provide reimbursable special services to other agen-
6 cies under 40 U.S.C. 592(b)(2) and amounts to pro-
7 vide such reimbursable fencing, lighting, guard
8 booths, and other facilities on private or other prop-
9 erty not in Government ownership or control as may
10 be appropriate to enable the United States Secret
11 Service to perform its protective functions pursuant
12 to 18 U.S.C. 3056, shall be available from such rev-
13 enues and collections: *Provided further*, That reve-
14 nues and collections and any other sums accruing to
15 this Fund during fiscal year 2022, excluding reim-
16 bursements under 40 U.S.C. 592(b)(2), in excess of
17 the aggregate new obligational authority authorized
18 for Real Property Activities of the Federal Buildings
19 Fund in this Act shall remain in the Fund and shall
20 not be available for expenditure except as authorized
21 in appropriations Acts.

22 GENERAL ACTIVITIES

23 GOVERNMENT-WIDE POLICY

24 For expenses authorized by law, not otherwise pro-
25 vided for, for Government-wide policy and evaluation ac-

1 tivities associated with the management of real and per-
2 sonal property assets and certain administrative services;
3 Government-wide policy support responsibilities relating to
4 acquisition, travel, motor vehicles, information technology
5 management, and related technology activities; and serv-
6 ices as authorized by 5 U.S.C. 3109; \$71,820,000.

7 OPERATING EXPENSES

8 For expenses authorized by law, not otherwise pro-
9 vided for, for Government-wide activities associated with
10 utilization and donation of surplus personal property; dis-
11 posal of real property; agency-wide policy direction, and
12 management; and services as authorized by 5 U.S.C.
13 3109; \$52,440,000, of which not to exceed \$7,500 is for
14 official reception and representation expenses.

15 CIVILIAN BOARD OF CONTRACT APPEALS

16 For expenses authorized by law, not otherwise pro-
17 vided for, for the activities associated with the Civilian
18 Board of Contract Appeals, \$10,080,000, of which
19 \$2,000,000 shall remain available until September 30,
20 2023.

21 OFFICE OF INSPECTOR GENERAL

22 For necessary expenses of the Office of Inspector
23 General and service authorized by 5 U.S.C. 3109,
24 \$69,000,000: *Provided*, That not to exceed \$50,000 shall
25 be available for payment for information and detection of

9 For carrying out the provisions of the Act of August
10 25, 1958 (3 U.S.C. 102 note), and Public Law 95-138,
11 \$5,000,000.

For necessary expenses of the Office of Products and Programs, including services authorized by 40 U.S.C. 323 and 44 U.S.C. 3604; and for necessary expenses authorized by law, not otherwise provided for, in support of inter-agency projects that enable the Federal Government to enhance its ability to conduct activities electronically, through the development and implementation of innovative uses of information technology; \$59,200,000, to be deposited into the Federal Citizen Services Fund: *Provided*, That the previous amount may be transferred to Federal agencies to carry out the purpose of the Federal Citizen Services Fund: *Provided further*, That the appropriations,

1 revenues, reimbursements, and collections deposited into
2 the Fund shall be available until expended for necessary
3 expenses of Federal Citizen Services and other activities
4 that enable the Federal Government to enhance its ability
5 to conduct activities electronically in the aggregate
6 amount not to exceed \$100,000,000: *Provided further*,
7 That appropriations, revenues, reimbursements, and col-
8 lections accruing to this Fund during fiscal year 2022 in
9 excess of such amount shall remain in the Fund and shall
10 not be available for expenditure except as authorized in
11 appropriations Acts: *Provided further*, That, of the total
12 amount appropriated, up to \$5,000,000 shall be available
13 for support functions and full-time hires to support activi-
14 ties related to the Administration's requirements under
15 title II of the Foundations for Evidence-Based Policy-
16 making Act (Public Law 115–435): *Provided further*, That
17 the transfer authorities provided herein shall be in addi-
18 tion to any other transfer authority provided in this Act.

19 TECHNOLOGY MODERNIZATION FUND

20 For the Technology Modernization Fund,
21 \$50,000,000, to remain available until expended, for tech-
22 nology-related modernization activities.

1 ASSET PROCEEDS AND SPACE MANAGEMENT FUND

2 For carrying out section 16(b)(2) of the Federal As-
3 sets Sale and Transfer Act of 2016 (Public Law 114–
4 287), \$4,000,000, to remain available until expended.

5 WORKING CAPITAL FUND

6 (INCLUDING TRANSFER OF FUNDS)

7 For the Working Capital Fund of the General Serv-
8 ices Administration, \$28,500,000, to remain available
9 until expended, of which \$8,500,000 is available for nec-
10 essary costs incurred by the Administrator to modernize
11 rulemaking systems and to provide support services for
12 Federal rulemaking agencies, and of which \$20,000,000
13 is available for work related to human resources informa-
14 tion technology modernization, including costs associated
15 with facilitating the development and finalization of
16 human capital data standards: *Provided*, That such funds
17 for human resources information technology moderniza-
18 tion may be transferred and credited to other appropria-
19 tions, including those of the Office of Personnel Manage-
20 ment, in amounts necessary to cover or reimburse costs
21 incurred for the purposes provided herein: *Provided fur-*
22 *ther*, That amounts made available under this heading
23 shall be in addition to any other amounts available for
24 such purposes.

1 ELECTRIC VEHICLES FUND

2 (INCLUDING TRANSFER OF FUNDS)

3 For the procurement of zero emission and electric
4 passenger motor vehicles and the associated charging in-
5 frastructure, notwithstanding section 303(c) of the En-
6 ergy Policy Act of 1992 (42 U.S.C. 13212(c)),
7 \$300,000,000, to remain available until expended: *Pro-*
8 *vided*, That amounts made available under this heading
9 shall be in addition to any other amounts available for
10 such purposes: *Provided further*, That amounts available
11 under this heading may be transferred to and merged with
12 appropriations at other Federal agencies, at the discretion
13 of the Administrator, for carrying out the purposes under
14 this heading, including for the procurement of charging
15 infrastructure for the United States Postal Service.

16 ADMINISTRATIVE PROVISIONS—GENERAL SERVICES

17 ADMINISTRATION

18 (INCLUDING TRANSFER OF FUNDS)

19 SEC. 520. Funds available to the General Services
20 Administration shall be available for the hire of passenger
21 motor vehicles.

22 SEC. 521. Funds in the Federal Buildings Fund
23 made available for fiscal year 2022 for Federal Buildings
24 Fund activities may be transferred between such activities
25 only to the extent necessary to meet program require-

1 ments: *Provided*, That any proposed transfers shall be ap-
2 proved in advance by the Committees on Appropriations
3 of the House of Representatives and the Senate.

4 SEC. 522. Except as otherwise provided in this title,
5 funds made available by this Act shall be used to transmit
6 a fiscal year 2023 request for United States Courthouse
7 construction only if the request: (1) meets the design guide
8 standards for construction as established and approved by
9 the General Services Administration, the Judicial Con-
10 ference of the United States, and the Office of Manage-
11 ment and Budget; (2) reflects the priorities of the Judicial
12 Conference of the United States as set out in its approved
13 Courthouse Project Priorities plan; and (3) includes a
14 standardized courtroom utilization study of each facility
15 to be constructed, replaced, or expanded.

16 SEC. 523. None of the funds provided in this Act may
17 be used to increase the amount of occupiable square feet,
18 provide cleaning services, security enhancements, or any
19 other service usually provided through the Federal Build-
20 ings Fund, to any agency that does not pay the rate per
21 square foot assessment for space and services as deter-
22 mined by the General Services Administration in consider-
23 ation of the Public Buildings Amendments Act of 1972
24 (Public Law 92–313).

1 SEC. 524. From funds made available under the
2 heading “Federal Buildings Fund, Limitations on Avail-
3 ability of Revenue”, claims against the Government of less
4 than \$250,000 arising from direct construction projects
5 and acquisition of buildings may be liquidated from sav-
6 ings effected in other construction projects with prior noti-
7 fication to the Committees on Appropriations of the House
8 of Representatives and the Senate.

9 SEC. 525. In any case in which the Committee on
10 Transportation and Infrastructure of the House of Rep-
11 resentatives and the Committee on Environment and Pub-
12 lic Works of the Senate adopt a resolution granting lease
13 authority pursuant to a prospectus transmitted to Con-
14 gress by the Administrator of the General Services Admin-
15 istration under 40 U.S.C. 3307, the Administrator shall
16 ensure that the delineated area of procurement is identical
17 to the delineated area included in the prospectus for all
18 lease agreements, except that, if the Administrator deter-
19 mines that the delineated area of the procurement should
20 not be identical to the delineated area included in the pro-
21 spectus, the Administrator shall provide an explanatory
22 statement to each of such committees and the Committees
23 on Appropriations of the House of Representatives and the
24 Senate prior to exercising any lease authority provided in
25 the resolution.

1 SEC. 526. With respect to each project funded under
2 the heading “Major Repairs and Alterations”, and with
3 respect to E–Government projects funded under the head-
4 ing “Federal Citizen Services Fund”, the Administrator
5 of General Services shall submit a spending plan and ex-
6 planation for each project to be undertaken to the Com-
7 mittees on Appropriations of the House of Representatives
8 and the Senate not later than 60 days after the date of
9 enactment of this Act.

10 SEC. 527. Section 3173(d)(1) of title 40, United
11 States Code, is amended by inserting before the period the
12 following: “or for agency-wide acquisition of equipment or
13 systems or the acquisition of services in lieu thereof, as
14 necessary to implement the Act”.

15 SEC. 528. (a) Not later than 180 days after the date
16 of enactment of this Act, the Administrator of the General
17 Services Administration shall transmit to the Committees
18 on Appropriations of the House of Representatives and the
19 Senate, the Committee on Transportation and Infrastruc-
20 ture of the House of Representatives, and the Committee
21 on Environment and Public Works of the Senate, a report
22 on the construction of a new headquarters for the Federal
23 Bureau of Investigation in the National Capital Region.

24 (b) The report transmitted under subsection (a) shall
25 be consistent with the requirements of section 3307(b) of

1 title 40, United States Code, and include a summary of
2 the material provisions of the construction and full con-
3 solidation of the Federal Bureau of Investigation in a new
4 headquarters facility, including all the costs associated
5 with site acquisition, design, management, and inspection,
6 and a description of all buildings and infrastructure need-
7 ed to complete the project.

8 SEC. 529. None of the funds made available in this
9 Act may be used by the General Services Administration
10 to award or facilitate the award of any contract for the
11 provision of architectural, engineering, and related serv-
12 ices in a manner inconsistent with the procedures in the
13 Brooks Act (40 U.S.C. 1101 et seq.) and part 36.6 of the
14 Federal Acquisition Regulation.

15 SEC. 530. None of the funds made available in this
16 Act may be used to implement or otherwise carry out di-
17 rectives contained in any Executive order that would es-
18 tablish a preferred architectural style for Federal build-
19 ings and courthouses or that would otherwise conflict with
20 the Guiding Principles of Federal Architecture as estab-
21 lished by the Ad Hoc Committee on Federal Space on
22 June 1, 1962.

1 HARRY S TRUMAN SCHOLARSHIP FOUNDATION

2 SALARIES AND EXPENSES

3 For payment to the Harry S Truman Scholarship
4 Foundation Trust Fund, established by section 10 of Pub-
5 lic Law 93–642, \$2,400,000, to remain available until ex-
6 pended.

7 MERIT SYSTEMS PROTECTION BOARD

8 SALARIES AND EXPENSES

9 (INCLUDING TRANSFER OF FUNDS)

10 For necessary expenses to carry out functions of the
11 Merit Systems Protection Board pursuant to Reorganiza-
12 tion Plan Numbered 2 of 1978, the Civil Service Reform
13 Act of 1978, and the Whistleblower Protection Act of
14 1989 (5 U.S.C. 5509 note), including services as author-
15 ized by 5 U.S.C. 3109, rental of conference rooms in the
16 District of Columbia and elsewhere, hire of passenger
17 motor vehicles, direct procurement of survey printing, and
18 not to exceed \$2,000 for official reception and representa-
19 tion expenses, \$46,027,000, to remain available until Sep-
20 tember 30, 2023, and in addition not to exceed
21 \$2,345,000, to remain available until September 30, 2023,
22 for administrative expenses to adjudicate retirement ap-
23 peals to be transferred from the Civil Service Retirement
24 and Disability Fund in amounts determined by the Merit
25 Systems Protection Board.

1 MORRIS K. UDALL AND STEWART L. UDALL
2 FOUNDATION

3 MORRIS K. UDALL AND STEWART L. UDALL TRUST FUND
4 (INCLUDING TRANSFER OF FUNDS)

5 For payment to the Morris K. Udall and Stewart L.
6 Udall Trust Fund, pursuant to the Morris K. Udall and
7 Stewart L. Udall Foundation Act (20 U.S.C. 5601 et
8 seq.), \$1,800,000, to remain available until expended, of
9 which, notwithstanding sections 8 and 9 of such Act, up
10 to \$1,000,000 shall be available to carry out the activities
11 authorized by section 6(7) of Public Law 102-259 and
12 section 817(a) of Public Law 106-568 (20 U.S.C.
13 5604(7)): *Provided*, That all current and previous
14 amounts transferred to the Office of Inspector General of
15 the Department of the Interior will remain available until
16 expended for audits and investigations of the Morris K.
17 Udall and Stewart L. Udall Foundation, consistent with
18 the Inspector General Act of 1978 (5 U.S.C. App.), as
19 amended, and for annual independent financial audits of
20 the Morris K. Udall and Stewart L. Udall Foundation
21 pursuant to the Accountability of Tax Dollars Act of 2002
22 (Public Law 107-289): *Provided further*, That previous
23 amounts transferred to the Office of Inspector General of
24 the Department of the Interior may be transferred to the
25 Morris K. Udall and Stewart L. Udall Foundation for an-

1 nual independent financial audits pursuant to the Ac-
2 countability of Tax Dollars Act of 2002 (Public Law 107–
3 289).

4 ENVIRONMENTAL DISPUTE RESOLUTION FUND

5 For payment to the Environmental Dispute Resolu-
6 tion Fund to carry out activities under sections 10 and
7 11 of the Morris K. Udall and Stewart L. Udall Founda-
8 tion Act (Public Law 111–90), \$3,586,000, to remain
9 available until expended: *Provided*, That during fiscal year
10 2022 and each fiscal year thereafter, any amounts in such
11 Fund shall, pursuant to section 1557 of title 31, United
12 State Code, be exempt from the provisions of subchapter
13 IV of chapter 15 of such title.

14 NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

15 OPERATING EXPENSES

16 For necessary expenses in connection with the admin-
17 istration of the National Archives and Records Adminis-
18 tration and archived Federal records and related activities,
19 as provided by law, and for expenses necessary for the re-
20 view and declassification of documents, the activities of
21 the Public Interest Declassification Board, the operations
22 and maintenance of the electronic records archives, the
23 hire of passenger motor vehicles, and for uniforms or al-
24 lowances therefor, as authorized by law (5 U.S.C. 5901),
25 including maintenance, repairs, and cleaning,

1 \$403,677,000 (increased by \$5,000,000) (reduced by
2 \$5,000,000), of which \$29,000,000 shall remain available
3 until expended for expenses necessary to enhance the Fed-
4 eral Government's ability to electronically preserve, man-
5 age, and store Government records, and of which up to
6 \$2,000,000 shall remain available until expended to imple-
7 ment the Civil Rights Cold Case Records Collection Act
8 of 2018 (Public Law 115–426).

9 OFFICE OF INSPECTOR GENERAL

10 For necessary expenses of the Office of Inspector
11 General in carrying out the provisions of the Inspector
12 General Reform Act of 2008, Public Law 110–409, 122
13 Stat. 4302–16 (2008), and the Inspector General Act of
14 1978 (5 U.S.C. App.), and for the hire of passenger motor
15 vehicles, \$5,323,000.

16 REPAIRS AND RESTORATION

17 For the repair, alteration, and improvement of ar-
18 chives facilities, and to provide adequate storage for hold-
19 ings, \$37,500,000, to remain available until expended.

20 NATIONAL HISTORICAL PUBLICATIONS AND RECORDS

21 COMMISSION

22 GRANTS PROGRAM

23 For necessary expenses for allocations and grants for
24 historical publications and records as authorized by 44

1 U.S.C. 2504, \$9,500,000, to remain available until ex-
2 pended.

3 NATIONAL CREDIT UNION ADMINISTRATION

4 COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

5 For the Community Development Revolving Loan
6 Fund program as authorized by 42 U.S.C. 9812, 9822
7 and 9910, \$4,000,000 shall be available until September
8 30, 2023, for technical assistance to low-income des-
9 ignated credit unions.

10 OFFICE OF GOVERNMENT ETHICS

11 SALARIES AND EXPENSES

12 For necessary expenses to carry out functions of the
13 Office of Government Ethics pursuant to the Ethics in
14 Government Act of 1978, the Ethics Reform Act of 1989,
15 and the Representative Louise McIntosh Slaughter Stop
16 Trading on Congressional Knowledge Act of 2012, includ-
17 ing services as authorized by 5 U.S.C. 3109, rental of con-
18 ference rooms in the District of Columbia and elsewhere,
19 hire of passenger motor vehicles, and not to exceed \$1,500
20 for official reception and representation expenses,
21 \$20,371,000.

1 OFFICE OF PERSONNEL MANAGEMENT

2 SALARIES AND EXPENSES

3 (INCLUDING TRANSFERS OF TRUST FUNDS)

4 For necessary expenses to carry out functions of the
5 Office of Personnel Management (OPM) pursuant to Re-
6 organization Plan Numbered 2 of 1978 and the Civil Serv-
7 ice Reform Act of 1978, including services as authorized
8 by 5 U.S.C. 3109; medical examinations performed for
9 veterans by private physicians on a fee basis; rental of con-
10 ference rooms in the District of Columbia and elsewhere;
11 hire of passenger motor vehicles; not to exceed \$2,500 for
12 official reception and representation expenses; and pay-
13 ment of per diem and/or subsistence allowances to employ-
14 ees where Voting Rights Act activities require an employee
15 to remain overnight at his or her post of duty,
16 \$197,000,000: *Provided*, That of the total amount made
17 available under this heading, \$8,842,000 shall remain
18 available until expended, for information technology infra-
19 structure modernization and Trust Fund Federal Finan-
20 cial System migration or modernization, and shall be in
21 addition to funds otherwise made available for such pur-
22 poses: *Provided further*, That of the total amount made
23 available under this heading, \$1,073,201 may be made
24 available for strengthening the capacity and capabilities
25 of the acquisition workforce (as defined by the Office of

1 Federal Procurement Policy Act, as amended (41 U.S.C.
2 4001 et seq.)), including the recruitment, hiring, training,
3 and retention of such workforce and information tech-
4 nology in support of acquisition workforce effectiveness or
5 for management solutions to improve acquisition manage-
6 ment; and in addition \$175,000,000 for administrative ex-
7 penses, to be transferred from the appropriate trust funds
8 of OPM without regard to other statutes, including direct
9 procurement of printed materials, for the retirement and
10 insurance programs: *Provided further*, That the provisions
11 of this appropriation shall not affect the authority to use
12 applicable trust funds as provided by sections
13 8348(a)(1)(B), 8958(f)(2)(A), 8988(f)(2)(A), and
14 9004(f)(2)(A) of title 5, United States Code: *Provided fur-*
15 *ther*, That no part of this appropriation shall be available
16 for salaries and expenses of the Legal Examining Unit of
17 OPM established pursuant to Executive Order No. 9358
18 of July 1, 1943, or any successor unit of like purpose:
19 *Provided further*, That the President's Commission on
20 White House Fellows, established by Executive Order No.
21 11183 of October 3, 1964, may, during fiscal year 2022,
22 accept donations of money, property, and personal serv-
23 ices: *Provided further*, That such donations, including
24 those from prior years, may be used for the development
25 of publicity materials to provide information about the

1 White House Fellows, except that no such donations shall
2 be accepted for travel or reimbursement of travel expenses,
3 or for the salaries of employees of such Commission: *Pro-*
4 *vided further*, That not to exceed 3 percent of amounts
5 made available under this heading may be transferred to
6 an information technology working capital fund estab-
7 lished for purposes authorized by subtitle G of title X of
8 division A of the National Defense Authorization Act for
9 Fiscal Year 2018 (Public Law 115–91; 40 U. S. C. 11301
10 note) upon the advance approval of the Committees on Ap-
11 propriations of the House of Representatives and the Sen-
12 ate: *Provided further*, That amounts transferred to such
13 a fund pursuant to the preceding proviso shall remain
14 available for obligation through September 30, 2025, and
15 shall not exceed 3 percent of any program office of the
16 Office of Personnel Management as defined in the fiscal
17 year 2022 OPM Congressional Budget Justification sub-
18 mitted to Congress.

19 OFFICE OF INSPECTOR GENERAL

20 SALARIES AND EXPENSES

21 (INCLUDING TRANSFER OF TRUST FUNDS)

22 For necessary expenses of the Office of Inspector
23 General in carrying out the provisions of the Inspector
24 General Act of 1978, including services as authorized by
25 5 U.S.C. 3109, hire of passenger motor vehicles,

1 \$5,345,000, and in addition, not to exceed \$30,565,000
2 for administrative expenses to audit, investigate, and pro-
3 vide other oversight of the Office of Personnel Manage-
4 ment's retirement and insurance programs, to be trans-
5 ferred from the appropriate trust funds of the Office of
6 Personnel Management, as determined by the Inspector
7 General: *Provided*, That the Inspector General is author-
8 ized to rent conference rooms in the District of Columbia
9 and elsewhere.

10 OFFICE OF SPECIAL COUNSEL

11 SALARIES AND EXPENSES

12 For necessary expenses to carry out functions of the
13 Office of Special Counsel, including services as authorized
14 by 5 U.S.C. 3109, payment of fees and expenses for wit-
15 nesses, rental of conference rooms in the District of Co-
16 lumbia and elsewhere, and hire of passenger motor vehi-
17 cles, \$31,500,000.

18 POSTAL REGULATORY COMMISSION

19 SALARIES AND EXPENSES

20 (INCLUDING TRANSFER OF FUNDS)

21 For necessary expenses of the Postal Regulatory
22 Commission in carrying out the provisions of the Postal
23 Accountability and Enhancement Act (Public Law 109-
24 435), \$19,585,000, to be derived by transfer from the

1 Postal Service Fund and expended as authorized by sec-
2 tion 603(a) of such Act.

3 PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

4 SALARIES AND EXPENSES

5 For necessary expenses of the Privacy and Civil Lib-
6 erties Oversight Board, as authorized by section 1061 of
7 the Intelligence Reform and Terrorism Prevention Act of
8 2004 (42 U.S.C. 2000ee), \$9,600,000, to remain available
9 until September 30, 2023.

10 PUBLIC BUILDINGS REFORM BOARD

11 SALARIES AND EXPENSES

12 For salaries and expenses of the Public Buildings Re-
13 form Board in carrying out the Federal Assets Sale and
14 Transfer Act of 2016 (Public Law 114–287), \$4,500,000,
15 to remain available until expended.

16 SECURITIES AND EXCHANGE COMMISSION

17 SALARIES AND EXPENSES

18 For necessary expenses for the Securities and Ex-
19 change Commission, including services as authorized by
20 5 U.S.C. 3109, the rental of space (to include multiple
21 year leases) in the District of Columbia and elsewhere, and
22 not to exceed \$3,500 for official reception and representa-
23 tion expenses, \$1,992,917,000, to remain available until
24 expended; of which not less than \$17,649,400 shall be for
25 the Office of Inspector General; of which not to exceed

1 \$75,000 shall be available for a permanent secretariat for
2 the International Organization of Securities Commissions;
3 and of which not to exceed \$100,000 shall be available
4 for expenses for consultations and meetings hosted by the
5 Commission with foreign governmental and other regu-
6 latory officials, members of their delegations and staffs to
7 exchange views concerning securities matters, such ex-
8 penses to include necessary logistic and administrative ex-
9 penses and the expenses of Commission staff and foreign
10 invitees in attendance including: (1) incidental expenses
11 such as meals; (2) travel and transportation; and (3) re-
12 lated lodging or subsistence.

13 In addition to the foregoing appropriation, for move,
14 replication, and related costs associated with a replace-
15 ment lease for the Commission's Fort Worth Regional Of-
16 fice facilities, not to exceed \$6,745,900, to remain avail-
17 able until expended.

18 For purposes of calculating the fee rate under section
19 31(j) of the Securities Exchange Act of 1934 (15 U.S.C.
20 78ee(j)) for fiscal year 2022, all amounts appropriated
21 under this heading shall be deemed to be the regular ap-
22 propriation to the Commission for fiscal year 2022: *Pro-*
23 *vided*, That fees and charges authorized by section 31 of
24 the Securities Exchange Act of 1934 (15 U.S.C. 78ee)
25 shall be credited to this account as offsetting collections:

1 *Provided further*, That not to exceed \$1,992,917,000 of
2 such offsetting collections shall be available until expended
3 for necessary expenses of this account; and not to exceed
4 \$6,745,900 of such offsetting collections shall be available
5 until expended for move, replication, and related costs
6 under this heading associated with a replacement lease for
7 the Commission's Fort Worth Regional Office facilities:
8 *Provided further*, That the total amount appropriated
9 under this heading from the general fund for fiscal year
10 2022 shall be reduced as such offsetting fees are received
11 so as to result in a final total fiscal year 2022 appropria-
12 tion from the general fund estimated at not more than
13 \$0: *Provided further*, That if any amount of the appropria-
14 tion for move, replication, and related costs associated
15 with a replacement lease for the Commission's Fort Worth
16 Regional Office facilities is subsequently de-obligated by
17 the Commission, such amount that was derived from the
18 general fund shall be returned to the general fund, and
19 such amounts that were derived from fees or assessments
20 collected for such purpose shall be paid to each national
21 securities exchange and national securities association, re-
22 spectively, in proportion to any fees or assessments paid
23 by such national securities exchange or national securities
24 association under section 31 of the Securities Exchange
25 Act of 1934 (15 U.S.C. 78ee) in fiscal year 2022.

1 ADMINISTRATIVE PROVISION—SECURITIES AND
2 EXCHANGE COMMISSION

3 SEC. 540. None of the funds made available by this
4 Act may be used to implement the amendments to sections
5 240.14a-1(l), 240.14a-2, or 240.14a-9 of title 17, Code
6 of Federal Regulations, that were adopted by the Securi-
7 ties and Exchange Commission on July 22, 2020.

8 SELECTIVE SERVICE SYSTEM
9 SALARIES AND EXPENSES

10 For necessary expenses of the Selective Service Sys-
11 tem, including expenses of attendance at meetings and of
12 training for uniformed personnel assigned to the Selective
13 Service System, as authorized by 5 U.S.C. 4101–4118 for
14 civilian employees; hire of passenger motor vehicles; serv-
15 ices as authorized by 5 U.S.C. 3109; and not to exceed
16 \$750 for official reception and representation expenses;
17 \$29,200,000: *Provided*, That during the current fiscal
18 year, the President may exempt this appropriation from
19 the provisions of 31 U.S.C. 1341, whenever the President
20 deems such action to be necessary in the interest of na-
21 tional defense: *Provided further*, That none of the funds
22 appropriated by this Act may be expended for or in con-
23 nection with the induction of any person into the Armed
24 Forces of the United States.

1 SMALL BUSINESS ADMINISTRATION

2 SALARIES AND EXPENSES

3 For necessary expenses, not otherwise provided for,
4 of the Small Business Administration, including hire of
5 passenger motor vehicles as authorized by sections 1343
6 and 1344 of title 31, United States Code, and not to ex-
7 ceed \$3,500 for official reception and representation ex-
8 penses, \$293,625,000 (reduced by \$1,000,000) (increased
9 by \$1,000,000), of which not less than \$12,000,000 shall
10 be available for examinations, reviews, and other lender
11 oversight activities: *Provided*, That the Administrator is
12 authorized to charge fees to cover the cost of publications
13 developed by the Small Business Administration, and cer-
14 tain loan program activities, including fees authorized by
15 section 5(b) of the Small Business Act: *Provided further*,
16 That, notwithstanding 31 U.S.C. 3302, revenues received
17 from all such activities shall be credited to this account,
18 to remain available until expended, for carrying out these
19 purposes without further appropriations: *Provided further*,
20 That the Small Business Administration may accept gifts
21 in an amount not to exceed \$4,000,000 and may co-spon-
22 sor activities, each in accordance with section 132(a) of
23 division K of Public Law 108–447, during fiscal year
24 2022: *Provided further*, That \$6,100,000 shall be available

1 for the Loan Modernization and Accounting System, to
2 be available until September 30, 2023.

3 ENTREPRENEURIAL DEVELOPMENT PROGRAMS

4 For necessary expenses of programs supporting en-
5 trepreneurial and small business development,
6 \$323,800,000 (increased by \$8,200,000) (increased by
7 \$5,000,000), to remain available until September 30,
8 2023: *Provided*, That \$140,000,000 (increased by
9 \$5,000,000) shall be available to fund grants for perform-
10 ance in fiscal year 2022 or fiscal year 2023 as authorized
11 by section 21 of the Small Business Act: *Provided further*,
12 That \$41,000,000 shall be for marketing, management,
13 and technical assistance under section 7(m) of the Small
14 Business Act (15 U.S.C. 636(m)(4)) by intermediaries
15 that make microloans under the microloan program: *Pro-*
16 *vided further*, That \$20,000,000 shall be available for
17 grants to States to carry out export programs that assist
18 small business concerns authorized under section 22(l) of
19 the Small Business Act (15 U.S.C. 649(l)).

20 OFFICE OF INSPECTOR GENERAL

21 For necessary expenses of the Office of Inspector
22 General in carrying out the provisions of the Inspector
23 General Act of 1978, \$24,905,000.

1 OFFICE OF ADVOCACY

2 For necessary expenses of the Office of Advocacy in
3 carrying out the provisions of title II of Public Law 94–
4 305 (15 U.S.C. 634a et seq.) and the Regulatory Flexi-
5 bility Act of 1980 (5 U.S.C. 601 et seq.), \$9,620,000, to
6 remain available until expended.

7 BUSINESS LOANS PROGRAM ACCOUNT

8 (INCLUDING TRANSFER OF FUNDS)

9 For the cost of direct loans, \$6,000,000, to remain
10 available until expended: *Provided*, That such costs, in-
11 cluding the cost of modifying such loans, shall be as de-
12 fined in section 502 of the Congressional Budget Act of
13 1974: *Provided further*, That subject to section 502 of the
14 Congressional Budget Act of 1974, during fiscal year
15 2022 commitments to guarantee loans under section 503
16 of the Small Business Investment Act of 1958 shall not
17 exceed \$8,250,000,000: *Provided further*, That during fis-
18 cal year 2022 commitments for general business loans au-
19 thorized under paragraphs (1) through (35) of section
20 7(a) of the Small Business Act shall not exceed
21 \$30,000,000,000 for a combination of amortizing term
22 loans and the aggregated maximum line of credit provided
23 by revolving loans: *Provided further*, That during fiscal
24 year 2022 commitments for loans authorized under sub-
25 paragraph (C) of section 502(7) of the Small Business In-

1 vestment Act of 1958 (15 U.S.C. 696(7)) shall not exceed
2 \$7,500,000,000: *Provided further*, That during fiscal year
3 2022 commitments to guarantee loans for debentures
4 under section 303(b) of the Small Business Investment
5 Act of 1958 shall not exceed \$4,000,000,000: *Provided*
6 *further*, That during fiscal year 2022, guarantees of trust
7 certificates authorized by section 5(g) of the Small Busi-
8 ness Act shall not exceed a principal amount of
9 \$13,000,000,000. In addition, for administrative expenses
10 to carry out the direct and guaranteed loan programs,
11 \$165,300,000, which may be transferred to and merged
12 with the appropriations for Salaries and Expenses.

13 DISASTER LOANS PROGRAM ACCOUNT

14 (INCLUDING TRANSFERS OF FUNDS)

15 For administrative expenses to carry out the direct
16 loan program authorized by section 7(b) of the Small
17 Business Act, \$178,000,000 (reduced by \$1,000,000) (in-
18 creased by \$1,000,000), to be available until expended, of
19 which \$1,600,000 is for the Office of Inspector General
20 of the Small Business Administration for audits and re-
21 views of disaster loans and the disaster loan programs and
22 shall be transferred to and merged with the appropriations
23 for the Office of Inspector General; of which \$168,000,000
24 is for direct administrative expenses of loan making and
25 servicing to carry out the direct loan program, which may

1 be transferred to and merged with the appropriations for
2 Salaries and Expenses; and of which \$8,400,000 is for in-
3 direct administrative expenses for the direct loan program,
4 which may be transferred to and merged with the appro-
5 priations for Salaries and Expenses: *Provided*, That, of the
6 funds provided under this heading, \$143,000,000 shall be
7 for major disasters declared pursuant to the Robert T.
8 Stafford Disaster Relief and Emergency Assistance Act
9 (42 U.S.C. 5122(2)): *Provided further*, That the amount
10 for major disasters under this heading is designated by
11 Congress as being for disaster relief pursuant to section
12 1(g) of H. Res. 467 of the 117th Congress as engrossed
13 in the House of Representatives on June 14, 2021.

14 ADMINISTRATIVE PROVISIONS—SMALL BUSINESS

15 ADMINISTRATION

16 (INCLUDING TRANSFERS OF FUNDS)

17 SEC. 550. Not to exceed 5 percent of any appropria-
18 tion made available for the current fiscal year for the
19 Small Business Administration in this Act may be trans-
20 ferred between such appropriations, but no such appro-
21 priation shall be increased by more than 10 percent by
22 any such transfers: *Provided*, That any transfer pursuant
23 to this paragraph shall be treated as a reprogramming of
24 funds under section 608 of this Act and shall not be avail-

1 able for obligation or expenditure except in compliance
2 with the procedures set forth in that section.

3 SEC. 551. Not to exceed 3 percent of any appropria-
4 tion made available in this Act for the Small Business Ad-
5 ministration under the headings “Salaries and Expenses”
6 and “Business Loans Program Account” may be trans-
7 ferred to the Administration’s information technology sys-
8 tem modernization and working capital fund (IT WCF),
9 as authorized by section 1077(b)(1) of title X of division
10 A of the National Defense Authorization Act for Fiscal
11 Year 2018, for the purposes specified in section
12 1077(b)(3) of such Act, upon the advance approval of the
13 Committees on Appropriations of the House of Represent-
14 atives and the Senate: *Provided*, That amounts transferred
15 to the IT WCF under this section shall remain available
16 for obligation through September 30, 2025.

17 SEC. 552. For an additional amount under the head-
18 ing “Small Business Administration—Salaries and Ex-
19 penses”, \$32,424,945, which shall be for initiatives related
20 to small business development and entrepreneurship, in-
21 cluding programmatic and construction activities, in the
22 amounts and for the projects specified in the table that
23 appears under the heading “Administrative Provisions—
24 Small Business Administration” in the report accom-
25 panying this Act: *Provided*, That, notwithstanding sections

1 2701.92 and 2701.93 of title 2, Code of Federal Regula-
2 tions, the Administrator of the Small Business Adminis-
3 tration may permit awards to subrecipients for initiatives
4 funded under this section: *Provided further*, That none of
5 the funds made available by this section may be trans-
6 ferred for any other purpose.

7 UNITED STATES POSTAL SERVICE

8 PAYMENT TO THE POSTAL SERVICE FUND

9 For payment to the Postal Service Fund for revenue
10 forgone on free and reduced rate mail, pursuant to sub-
11 sections (c) and (d) of section 2401 of title 39, United
12 States Code, \$58,570,000 (reduced by \$1,000,000) (in-
13 creased by \$1,000,000): *Provided*, That mail for overseas
14 voting and mail for the blind shall continue to be free:
15 *Provided further*, That 6-day delivery and rural delivery
16 of mail shall continue at not less than the 1983 level: *Pro-*
17 *vided further*, That none of the funds made available to
18 the Postal Service by this Act shall be used to implement
19 any rule, regulation, or policy of charging any officer or
20 employee of any State or local child support enforcement
21 agency, or any individual participating in a State or local
22 program of child support enforcement, a fee for informa-
23 tion requested or provided concerning an address of a
24 postal customer: *Provided further*, That none of the funds
25 provided in this Act shall be used to consolidate or close

1 small rural and other small post offices: *Provided further*,
2 That the Postal Service may not destroy, and shall con-
3 tinue to offer for sale, any copies of the Multinational Spe-
4 cies Conservation Funds Semipostal Stamp, as authorized
5 under the Multinational Species Conservation Funds
6 Semipostal Stamp Act of 2010 (Public Law 111–241).

7 OFFICE OF INSPECTOR GENERAL

8 SALARIES AND EXPENSES

9 (INCLUDING TRANSFER OF FUNDS)

10 For necessary expenses of the Office of Inspector
11 General in carrying out the provisions of the Inspector
12 General Act of 1978, \$263,000,000, to be derived by
13 transfer from the Postal Service Fund and expended as
14 authorized by section 603(b)(3) of the Postal Account-
15 ability and Enhancement Act (Public Law 109–435).

16 UNITED STATES TAX COURT

17 SALARIES AND EXPENSES

18 For necessary expenses, including contract reporting
19 and other services as authorized by 5 U.S.C. 3109, and
20 not to exceed \$3,000 for official reception and representa-
21 tion expenses; \$58,200,000, of which \$1,000,000 shall re-
22 main available until expended: *Provided*, That travel ex-
23 penses of the judges shall be paid upon the written certifi-
24 cate of the judge.

1 TITLE VI
2 GENERAL PROVISIONS—THIS ACT
3 (INCLUDING RESCISSION OF FUNDS)

4 SEC. 601. None of the funds in this Act shall be used
5 for the planning or execution of any program to pay the
6 expenses of, or otherwise compensate, non-Federal parties
7 intervening in regulatory or adjudicatory proceedings
8 funded in this Act.

9 SEC. 602. None of the funds appropriated in this Act
10 shall remain available for obligation beyond the current
11 fiscal year, nor may any be transferred to other appropria-
12 tions, unless expressly so provided herein.

13 SEC. 603. The expenditure of any appropriation
14 under this Act for any consulting service through procure-
15 ment contract pursuant to 5 U.S.C. 3109, shall be limited
16 to those contracts where such expenditures are a matter
17 of public record and available for public inspection, except
18 where otherwise provided under existing law, or under ex-
19 isting Executive order issued pursuant to existing law.

20 SEC. 604. None of the funds made available in this
21 Act may be transferred to any department, agency, or in-
22 strumentality of the United States Government, except
23 pursuant to a transfer made by, or transfer authority pro-
24 vided in, this Act or any other appropriations Act.

1 SEC. 605. None of the funds made available by this
2 Act shall be available for any activity or for paying the
3 salary of any Government employee where funding an ac-
4 tivity or paying a salary to a Government employee would
5 result in a decision, determination, rule, regulation, or pol-
6 icy that would prohibit the enforcement of section 307 of
7 the Tariff Act of 1930 (19 U.S.C. 1307).

8 SEC. 606. No funds appropriated pursuant to this
9 Act may be expended by an entity unless the entity agrees
10 that in expending the assistance the entity will comply
11 with chapter 83 of title 41, United States Code.

12 SEC. 607. No funds appropriated or otherwise made
13 available under this Act shall be made available to any
14 person or entity that has been convicted of violating chap-
15 ter 83 of title 41, United States Code.

16 SEC. 608. Except as otherwise provided in this Act,
17 none of the funds provided in this Act, provided by pre-
18 vious appropriations Acts to the agencies or entities fund-
19 ed in this Act that remain available for obligation or ex-
20 penditure in fiscal year 2022, or provided from any ac-
21 counts in the Treasury derived by the collection of fees
22 and available to the agencies funded by this Act, shall be
23 available for obligation or expenditure through a re-
24 programming of funds that: (1) creates a new program;
25 (2) eliminates a program, project, or activity; (3) increases

1 funds or personnel for any program, project, or activity
2 for which funds have been denied or restricted by the Con-
3 gress; (4) proposes to use funds directed for a specific ac-
4 tivity by the Committee on Appropriations of either the
5 House of Representatives or the Senate for a different
6 purpose; (5) augments existing programs, projects, or ac-
7 tivities in excess of \$5,000,000 or 10 percent, whichever
8 is less; (6) reduces existing programs, projects, or activi-
9 ties by \$5,000,000 or 10 percent, whichever is less; or (7)
10 creates or reorganizes offices, programs, or activities un-
11 less prior approval is received from the Committees on Ap-
12 propriations of the House of Representatives and the Sen-
13 ate: *Provided*, That prior to any significant reorganization,
14 restructuring, relocation, or closing of offices, programs,
15 or activities, each agency or entity funded in this Act shall
16 consult with the Committees on Appropriations of the
17 House of Representatives and the Senate: *Provided fur-*
18 *ther*, That not later than 60 days after the date of enact-
19 ment of this Act, each agency funded by this Act shall
20 submit a report to the Committees on Appropriations of
21 the House of Representatives and the Senate to establish
22 the baseline for application of reprogramming and trans-
23 fer authorities for the current fiscal year: *Provided further*,
24 That at a minimum the report shall include: (1) a table
25 for each appropriation, detailing both full-time employee

1 equivalents and budget authority, with separate columns
2 to display the prior year enacted level, the President's
3 budget request, adjustments made by Congress, adjust-
4 ments due to enacted rescissions, if appropriate, and the
5 fiscal year enacted level; (2) a delineation in the table for
6 each appropriation and its respective prior year enacted
7 level by object class and program, project, and activity as
8 detailed in this Act, in the accompanying report, or in the
9 budget appendix for the respective appropriation, which-
10 ever is more detailed, and which shall apply to all items
11 for which a dollar amount is specified and to all programs
12 for which new budget authority is provided, as well as to
13 discretionary grants and discretionary grant allocations;
14 and (3) an identification of items of special congressional
15 interest: *Provided further*, That the amount appropriated
16 or limited for salaries and expenses for an agency shall
17 be reduced by \$100,000 per day for each day after the
18 required date that the report has not been submitted to
19 the Congress.

20 SEC. 609. Except as otherwise specifically provided
21 by law, not to exceed 50 percent of unobligated balances
22 remaining available at the end of fiscal year 2022 from
23 appropriations made available for salaries and expenses
24 for fiscal year 2022 in this Act, shall remain available
25 through September 30, 2023, for each such account for

1 the purposes authorized: *Provided*, That a request shall
2 be submitted to the Committees on Appropriations of the
3 House of Representatives and the Senate for approval
4 prior to the expenditure of such funds: *Provided further*,
5 That these requests shall be made in compliance with re-
6 programming guidelines.

7 SEC. 610. (a) None of the funds made available in
8 this Act may be used by the Executive Office of the Presi-
9 dent to request—

10 (1) any official background investigation report
11 on any individual from the Federal Bureau of Inves-
12 tigation; or

13 (2) a determination with respect to the treat-
14 ment of an organization as described in section
15 501(c) of the Internal Revenue Code of 1986 and
16 exempt from taxation under section 501(a) of such
17 Code from the Department of the Treasury or the
18 Internal Revenue Service.

19 (b) Subsection (a) shall not apply—

20 (1) in the case of an official background inves-
21 tigation report, if such individual has given express
22 written consent for such request not more than 6
23 months prior to the date of such request and during
24 the same presidential administration; or

1 (2) if such request is required due to extraor-
2 dinary circumstances involving national security.

3 SEC. 611. The cost accounting standards promul-
4 gated under chapter 15 of title 41, United States Code
5 shall not apply with respect to a contract under the Fed-
6 eral Employees Health Benefits Program established
7 under chapter 89 of title 5, United States Code.

8 SEC. 612. For the purpose of resolving litigation and
9 implementing any settlement agreements regarding the
10 nonforeign area cost-of-living allowance program, the Of-
11 fice of Personnel Management may accept and utilize
12 (without regard to any restriction on unanticipated travel
13 expenses imposed in an Appropriations Act) funds made
14 available to the Office of Personnel Management pursuant
15 to court approval.

16 SEC. 613. In order to promote Government access to
17 commercial information technology, the restriction on pur-
18 chasing nondomestic articles, materials, and supplies set
19 forth in chapter 83 of title 41, United States Code (popu-
20 larly known as the Buy American Act), shall not apply
21 to the acquisition by the Federal Government of informa-
22 tion technology (as defined in section 11101 of title 40,
23 United States Code), that is a commercial item (as defined
24 in section 103 of title 41, United States Code).

1 SEC. 614. Notwithstanding section 1353 of title 31,
2 United States Code, no officer or employee of any regu-
3 latory agency or commission funded by this Act may ac-
4 cept on behalf of that agency, nor may such agency or
5 commission accept, payment or reimbursement from a
6 non-Federal entity for travel, subsistence, or related ex-
7 penses for the purpose of enabling an officer or employee
8 to attend and participate in any meeting or similar func-
9 tion relating to the official duties of the officer or em-
10 ployee when the entity offering payment or reimbursement
11 is a person or entity subject to regulation by such agency
12 or commission, or represents a person or entity subject
13 to regulation by such agency or commission, unless the
14 person or entity is an organization described in section
15 501(c)(3) of the Internal Revenue Code of 1986 and ex-
16 empt from tax under section 501(a) of such Code.

17 SEC. 615. Notwithstanding section 708 of this Act,
18 funds made available to the Commodity Futures Trading
19 Commission and the Securities and Exchange Commission
20 by this or any other Act may be used for the interagency
21 funding and sponsorship of a joint advisory committee to
22 advise on emerging regulatory issues.

23 SEC. 616. (a)(1) Notwithstanding any other provision
24 of law, an Executive agency covered by this Act otherwise
25 authorized to enter into contracts for either leases or the

1 construction or alteration of real property for office, meet-
2 ing, storage, or other space must consult with the General
3 Services Administration before issuing a solicitation for of-
4 fers of new leases or construction contracts, and in the
5 case of succeeding leases, before entering into negotiations
6 with the current lessor.

7 (2) Any such agency with authority to enter into an
8 emergency lease may do so during any period declared by
9 the President to require emergency leasing authority with
10 respect to such agency.

11 (b) For purposes of this section, the term “Executive
12 agency covered by this Act” means any Executive agency
13 provided funds by this Act, but does not include the Gen-
14 eral Services Administration or the United States Postal
15 Service.

16 SEC. 617. (a) There are appropriated for the fol-
17 lowing activities the amounts required under current law:

18 (1) Compensation of the President (3 U.S.C.
19 102).

20 (2) Payments to—

21 (A) the Judicial Officers’ Retirement Fund
22 (28 U.S.C. 377(o));

23 (B) the Judicial Survivors’ Annuities Fund
24 (28 U.S.C. 376(c)); and

1 (C) the United States Court of Federal
2 Claims Judges' Retirement Fund (28 U.S.C.
3 178(l)).

4 (3) Payment of Government contributions—

5 (A) with respect to the health benefits of
6 retired employees, as authorized by chapter 89
7 of title 5, United States Code, and the Retired
8 Federal Employees Health Benefits Act (74
9 Stat. 849); and

10 (B) with respect to the life insurance bene-
11 fits for employees retiring after December 31,
12 1989 (5 U.S.C. ch. 87).

13 (4) Payment to finance the unfunded liability of
14 new and increased annuity benefits under the Civil
15 Service Retirement and Disability Fund (5 U.S.C.
16 8348).

17 (5) Payment of annuities authorized to be paid
18 from the Civil Service Retirement and Disability
19 Fund by statutory provisions other than subchapter
20 III of chapter 83 or chapter 84 of title 5, United
21 States Code.

22 (b) Nothing in this section may be construed to ex-
23 empt any amount appropriated by this section from any
24 otherwise applicable limitation on the use of funds con-
25 tained in this Act.

1 SEC. 618. None of the funds made available in this
2 Act may be used by the Federal Trade Commission to
3 complete the draft report entitled “Interagency Working
4 Group on Food Marketed to Children: Preliminary Pro-
5 posed Nutrition Principles to Guide Industry Self-Regu-
6 latory Efforts” unless the Interagency Working Group on
7 Food Marketed to Children complies with Executive Order
8 No. 13563.

9 SEC. 619. (a) The head of each executive branch
10 agency funded by this Act shall ensure that the Chief In-
11 formation Officer of the agency has the authority to par-
12 ticipate in decisions regarding the budget planning process
13 related to information technology.

14 (b) Amounts appropriated for any executive branch
15 agency funded by this Act that are available for informa-
16 tion technology shall be allocated within the agency, con-
17 sistent with the provisions of appropriations Acts and
18 budget guidelines and recommendations from the Director
19 of the Office of Management and Budget, in such manner
20 as specified by, or approved by, the Chief Information Of-
21 ficer of the agency in consultation with the Chief Financial
22 Officer of the agency and budget officials.

23 SEC. 620. None of the funds made available in this
24 Act may be used in contravention of chapter 29, 31, or
25 33 of title 44, United States Code.

1 SEC. 621. None of the funds made available in this
2 Act may be used by a governmental entity to require the
3 disclosure by a provider of electronic communication serv-
4 ice to the public or remote computing service of the con-
5 tents of a wire or electronic communication that is in elec-
6 tronic storage with the provider (as such terms are defined
7 in sections 2510 and 2711 of title 18, United States Code)
8 in a manner that violates the Fourth Amendment to the
9 Constitution of the United States.

10 SEC. 622. No funds provided in this Act shall be used
11 to deny an Inspector General funded under this Act timely
12 access to any records, documents, or other materials avail-
13 able to the department or agency over which that Inspec-
14 tor General has responsibilities under the Inspector Gen-
15 eral Act of 1978, or to prevent or impede that Inspector
16 General's access to such records, documents, or other ma-
17 terials, under any provision of law, except a provision of
18 law that expressly refers to the Inspector General and ex-
19 pressly limits the Inspector General's right of access. A
20 department or agency covered by this section shall provide
21 its Inspector General with access to all such records, docu-
22 ments, and other materials in a timely manner. Each In-
23 spector General shall ensure compliance with statutory
24 limitations on disclosure relevant to the information pro-
25 vided by the establishment over which that Inspector Gen-

1 eral has responsibilities under the Inspector General Act
2 of 1978. Each Inspector General covered by this section
3 shall report to the Committees on Appropriations of the
4 House of Representatives and the Senate within 5 cal-
5 endar days any failures to comply with this requirement.

6 SEC. 623. (a) None of the funds made available in
7 this Act may be used to maintain or establish a computer
8 network unless such network blocks the viewing,
9 downloading, and exchanging of pornography.

10 (b) Nothing in subsection (a) shall limit the use of
11 funds necessary for any Federal, State, tribal, or local law
12 enforcement agency or any other entity carrying out crimi-
13 nal investigations, prosecution, adjudication activities, or
14 other law enforcement- or victim assistance-related activ-
15 ity.

16 SEC. 624. None of the funds appropriated or other-
17 wise made available by this Act may be used to pay award
18 or incentive fees for contractors whose performance has
19 been judged to be below satisfactory, behind schedule, over
20 budget, or has failed to meet the basic requirements of
21 a contract, unless the Agency determines that any such
22 deviations are due to unforeseeable events, government-
23 driven scope changes, or are not significant within the
24 overall scope of the project and/or program and unless

1 such awards or incentive fees are consistent with
2 16.401(e)(2) of the Federal Acquisition Regulation.

3 SEC. 625. (a) None of the funds made available under
4 this Act may be used to pay for travel and conference ac-
5 tivities that result in a total cost to an Executive branch
6 department, agency, board or commission funded by this
7 Act of more than \$500,000 at any single conference unless
8 the agency or entity determines that such attendance is
9 in the national interest and advance notice is transmitted
10 to the Committees on Appropriations of the House of Rep-
11 resentatives and the Senate that includes the basis of that
12 determination.

13 (b) None of the funds made available under this Act
14 may be used to pay for the travel to or attendance of more
15 than 50 employees, who are stationed in the United
16 States, at any single conference occurring outside the
17 United States unless the agency or entity determines that
18 such attendance is in the national interest and advance
19 notice is transmitted to the Committees on Appropriations
20 of the House of Representatives and the Senate that in-
21 cludes the basis of that determination.

22 SEC. 626. None of the funds made available by this
23 Act may be used for first-class or business-class travel by
24 the employees of executive branch agencies funded by this

1 Act in contravention of sections 301–10.122 through 301–
2 10.125 of title 41, Code of Federal Regulations.

3 SEC. 627. In addition to any amounts appropriated
4 or otherwise made available for expenses related to en-
5 hancements to www.oversight.gov, \$850,000, to remain
6 available until expended, shall be provided for an addi-
7 tional amount for such purpose to the Inspectors General
8 Council Fund established pursuant to section 11(c)(3)(B)
9 of the Inspector General Act of 1978 (5 U.S.C. App.):
10 *Provided*, That these amounts shall be in addition to any
11 amounts or any authority available to the Council of the
12 Inspectors General on Integrity and Efficiency under sec-
13 tion 11 of the Inspector General Act of 1978 (5 U.S.C.
14 App.).

15 SEC. 628. None of the funds made available by this
16 Act may be obligated on contracts in excess of \$5,000 for
17 public relations, as that term is defined in Office and Man-
18 agement and Budget Circular A–87 (revised May 10,
19 2004), unless advance notice of such an obligation is
20 transmitted to the Committees on Appropriations of the
21 House of Representatives and the Senate.

22 SEC. 629. None of the funds made available in this
23 Act may be used to penalize a financial institution solely
24 because the institution provides financial services to an en-
25 tity that is a manufacturer, a producer, or a person that

1 participates in any business or organized activity that in-
2 volves handling hemp, hemp-derived cannabidiol products,
3 other hemp-derived cannabinoid products, marijuana,
4 marijuana products, or marijuana proceeds, and engages
5 in such activity pursuant to a law established by a State,
6 political subdivision of a State, or Indian Tribe. In this
7 section, the term “State” means each of the several
8 States, the District of Columbia, and any territory or pos-
9 session of the United States.

10 SEC. 630. Of the unobligated balances available in
11 the Department of the Treasury, Treasury Forfeiture
12 Fund, established by section 9703 of title 31, United
13 States Code, \$20,000,000 shall be permanently rescinded
14 not later than September 30, 2022.

15 TITLE VII

16 GENERAL PROVISIONS—GOVERNMENT-WIDE

17 DEPARTMENTS, AGENCIES, AND CORPORATIONS

18 (INCLUDING TRANSFER OF FUNDS)

19 SEC. 701. No department, agency, or instrumentality
20 of the United States receiving appropriated funds under
21 this or any other Act for fiscal year 2022 shall obligate
22 or expend any such funds, unless such department, agen-
23 cy, or instrumentality has in place, and will continue to
24 administer in good faith, a written policy designed to en-
25 sure that all of its workplaces are free from the illegal

1 use, possession, or distribution of controlled substances
2 (as defined in the Controlled Substances Act (21 U.S.C.
3 802)) by the officers and employees of such department,
4 agency, or instrumentality.

5 SEC. 702. Unless otherwise specifically provided, the
6 maximum amount allowable during the current fiscal year
7 in accordance with subsection 1343(c) of title 31, United
8 States Code, for the purchase of any passenger motor ve-
9 hicle (exclusive of buses, ambulances, law enforcement ve-
10 hicles, protective vehicles, and undercover surveillance ve-
11 hicles), is hereby fixed at \$19,947 except station wagons
12 for which the maximum shall be \$19,997: *Provided*, That
13 these limits may be exceeded by not to exceed \$7,250 for
14 police-type vehicles: *Provided further*, That the limits set
15 forth in this section may not be exceeded by more than
16 5 percent for electric or hybrid vehicles purchased for
17 demonstration under the provisions of the Electric and
18 Hybrid Vehicle Research, Development, and Demonstra-
19 tion Act of 1976: *Provided further*, That the limits set
20 forth in this section may be exceeded by the incremental
21 cost of clean alternative fuels vehicles acquired pursuant
22 to Public Law 101–549 over the cost of comparable con-
23 ventionally fueled vehicles: *Provided further*, That the lim-
24 its set forth in this section shall not apply to any vehicle
25 that is a commercial item and which operates on alter-

1 native fuel, including but not limited to electric, plug-in
2 hybrid electric, and hydrogen fuel cell vehicles.

3 SEC. 703. Appropriations of the executive depart-
4 ments and independent establishments for the current fis-
5 cal year available for expenses of travel, or for the ex-
6 penses of the activity concerned, are hereby made available
7 for quarters allowances and cost-of-living allowances, in
8 accordance with 5 U.S.C. 5922–5924.

9 SEC. 704. Unless otherwise specified in law during
10 the current fiscal year, no part of any appropriation con-
11 tained in this or any other Act shall be used to pay the
12 compensation of any officer or employee of the Govern-
13 ment of the United States (including any agency the ma-
14 jority of the stock of which is owned by the Government
15 of the United States) whose post of duty is in the conti-
16 nental United States unless such person: (1) is a citizen
17 of the United States; (2) is a person who is lawfully admit-
18 ted for permanent residence and is seeking citizenship as
19 outlined in 8 U.S.C. 1324b(a)(3)(B); (3) is a person who
20 is admitted as a refugee under 8 U.S.C. 1157 or is grant-
21 ed asylum under 8 U.S.C. 1158 and has filed a declaration
22 of intention to become a lawful permanent resident and
23 then a citizen when eligible; (4) is a person who owes alle-
24 giance to the United States; or (5) is a person who is au-
25 thorized to be employed in the United States pursuant to

1 the Deferred Action for Childhood Arrivals program estab-
2 lished under the memorandum of the Secretary of Home-
3 land Security dated June 15, 2012: *Provided*, That for
4 purposes of this section, affidavits signed by any such per-
5 son shall be considered prima facie evidence that the re-
6 quirements of this section with respect to his or her status
7 are being complied with: *Provided further*, That for pur-
8 poses of subsections (2) and (3) such affidavits shall be
9 submitted prior to employment and updated thereafter as
10 necessary: *Provided further*, That any person making a
11 false affidavit shall be guilty of a felony, and upon convic-
12 tion, shall be fined no more than \$4,000 or imprisoned
13 for not more than 1 year, or both: *Provided further*, That
14 the above penal clause shall be in addition to, and not in
15 substitution for, any other provisions of existing law: *Pro-*
16 *vided further*, That any payment made to any officer or
17 employee contrary to the provisions of this section shall
18 be recoverable in action by the Federal Government: *Pro-*
19 *vided further*, That this section shall not apply to any per-
20 son who is an officer or employee of the Government of
21 the United States on the date of enactment of this Act,
22 or to international broadcasters employed by the Broad-
23 casting Board of Governors, or to temporary employment
24 of translators, or to temporary employment in the field
25 service (not to exceed 60 days) as a result of emergencies:

1 *Provided further*, That this section does not apply to the
2 employment as Wildland firefighters for not more than
3 120 days of nonresident aliens employed by the Depart-
4 ment of the Interior or the USDA Forest Service pursuant
5 to an agreement with another country.

6 SEC. 705. Appropriations available to any depart-
7 ment or agency during the current fiscal year for nec-
8 essary expenses, including maintenance or operating ex-
9 penses, shall also be available for payment to the General
10 Services Administration for charges for space and services
11 and those expenses of renovation and alteration of build-
12 ings and facilities which constitute public improvements
13 performed in accordance with the Public Buildings Act of
14 1959 (73 Stat. 479), the Public Buildings Amendments
15 of 1972 (86 Stat. 216), or other applicable law.

16 SEC. 706. In addition to funds provided in this or
17 any other Act, all Federal agencies are authorized to re-
18 ceive and use funds resulting from the sale of materials,
19 including Federal records disposed of pursuant to a
20 records schedule recovered through recycling or waste pre-
21 vention programs. Such funds shall be available until ex-
22 pended for the following purposes:

23 (1) Acquisition, waste reduction and prevention,
24 and recycling programs as described in Executive
25 Order No. 13834 (May 17, 2018), including any

1 such programs adopted prior to the effective date of
2 the Executive order.

3 (2) Other Federal agency environmental man-
4 agement programs, including, but not limited to, the
5 development and implementation of hazardous waste
6 management and pollution prevention programs.

7 (3) Other employee programs as authorized by
8 law or as deemed appropriate by the head of the
9 Federal agency.

10 SEC. 707. Funds made available by this or any other
11 Act for administrative expenses in the current fiscal year
12 of the corporations and agencies subject to chapter 91 of
13 title 31, United States Code, shall be available, in addition
14 to objects for which such funds are otherwise available,
15 for rent in the District of Columbia; services in accordance
16 with 5 U.S.C. 3109; and the objects specified under this
17 head, all the provisions of which shall be applicable to the
18 expenditure of such funds unless otherwise specified in the
19 Act by which they are made available: *Provided*, That in
20 the event any functions budgeted as administrative ex-
21 penses are subsequently transferred to or paid from other
22 funds, the limitations on administrative expenses shall be
23 correspondingly reduced.

24 SEC. 708. No part of any appropriation contained in
25 this or any other Act shall be available for interagency

1 financing of boards (except Federal Executive Boards),
2 commissions, councils, committees, or similar groups
3 (whether or not they are interagency entities) which do
4 not have a prior and specific statutory approval to receive
5 financial support from more than one agency or instru-
6 mentality.

7 SEC. 709. None of the funds made available pursuant
8 to the provisions of this or any other Act shall be used
9 to implement, administer, or enforce any regulation which
10 has been disapproved pursuant to a joint resolution duly
11 adopted in accordance with the applicable law of the
12 United States.

13 SEC. 710. During the period in which the head of
14 any department or agency, or any other officer or civilian
15 employee of the Federal Government appointed by the
16 President of the United States, holds office, no funds may
17 be obligated or expended in excess of \$5,000 to furnish
18 or redecorate the office of such department head, agency
19 head, officer, or employee, or to purchase furniture or
20 make improvements for any such office, unless advance
21 notice of such furnishing or redecoration is transmitted
22 to the Committees on Appropriations of the House of Rep-
23 resentatives and the Senate. For the purposes of this sec-
24 tion, the term “office” shall include the entire suite of of-
25 fices assigned to the individual, as well as any other space

1 used primarily by the individual or the use of which is
2 directly controlled by the individual.

3 SEC. 711. Notwithstanding 31 U.S.C. 1346, or sec-
4 tion 708 of this Act, funds made available for the current
5 fiscal year by this or any other Act shall be available for
6 the interagency funding of national security and emer-
7 gency preparedness telecommunications initiatives which
8 benefit multiple Federal departments, agencies, or enti-
9 ties, as provided by Executive Order No. 13618 (July 6,
10 2012).

11 SEC. 712. (a) None of the funds made available by
12 this or any other Act may be obligated or expended by
13 any department, agency, or other instrumentality of the
14 Federal Government to pay the salaries or expenses of any
15 individual appointed to a position of a confidential or pol-
16 icy-determining character that is excepted from the com-
17 petitive service under section 3302 of title 5, United
18 States Code, (pursuant to schedule C of subpart C of part
19 213 of title 5 of the Code of Federal Regulations) unless
20 the head of the applicable department, agency, or other
21 instrumentality employing such schedule C individual cer-
22 tifies to the Director of the Office of Personnel Manage-
23 ment that the schedule C position occupied by the indi-
24 vidual was not created solely or primarily in order to detail
25 the individual to the White House.

1 (b) The provisions of this section shall not apply to
2 Federal employees or members of the armed forces de-
3 tailed to or from an element of the intelligence community
4 (as that term is defined under section 3(4) of the National
5 Security Act of 1947 (50 U.S.C. 3003(4))).

6 SEC. 713. No part of any appropriation contained in
7 this or any other Act shall be available for the payment
8 of the salary of any officer or employee of the Federal
9 Government, who—

10 (1) prohibits or prevents, or attempts or threat-
11 ens to prohibit or prevent, any other officer or em-
12 ployee of the Federal Government from having any
13 direct oral or written communication or contact with
14 any Member, committee, or subcommittee of the
15 Congress in connection with any matter pertaining
16 to the employment of such other officer or employee
17 or pertaining to the department or agency of such
18 other officer or employee in any way, irrespective of
19 whether such communication or contact is at the ini-
20 tiative of such other officer or employee or in re-
21 sponse to the request or inquiry of such Member,
22 committee, or subcommittee; or

23 (2) removes, suspends from duty without pay,
24 demotes, reduces in rank, seniority, status, pay, or
25 performance or efficiency rating, denies promotion

1 to, relocates, reassigns, transfers, disciplines, or dis-
2 criminates in regard to any employment right, enti-
3 tlement, or benefit, or any term or condition of em-
4 ployment of, any other officer or employee of the
5 Federal Government, or attempts or threatens to
6 commit any of the foregoing actions with respect to
7 such other officer or employee, by reason of any
8 communication or contact of such other officer or
9 employee with any Member, committee, or sub-
10 committee of the Congress as described in paragraph
11 (1).

12 SEC. 714. (a) None of the funds made available in
13 this or any other Act may be obligated or expended for
14 any employee training that—

15 (1) does not meet identified needs for knowl-
16 edge, skills, and abilities bearing directly upon the
17 performance of official duties;

18 (2) contains elements likely to induce high lev-
19 els of emotional response or psychological stress in
20 some participants;

21 (3) does not require prior employee notification
22 of the content and methods to be used in the train-
23 ing and written end of course evaluation;

24 (4) contains any methods or content associated
25 with religious or quasi-religious belief systems or

1 “new age” belief systems as defined in Equal Em-
2 ployment Opportunity Commission Notice N-
3 915.022, dated September 2, 1988; or

4 (5) is offensive to, or designed to change, par-
5 ticipants’ personal values or lifestyle outside the
6 workplace.

7 (b) Nothing in this section shall prohibit, restrict, or
8 otherwise preclude an agency from conducting training
9 bearing directly upon the performance of official duties.

10 SEC. 715. No part of any funds appropriated in this
11 or any other Act shall be used by an agency of the execu-
12 tive branch, other than for normal and recognized execu-
13 tive-legislative relationships, for publicity or propaganda
14 purposes, and for the preparation, distribution or use of
15 any kit, pamphlet, booklet, publication, radio, television,
16 or film presentation designed to support or defeat legisla-
17 tion pending before the Congress, except in presentation
18 to the Congress itself.

19 SEC. 716. None of the funds appropriated by this or
20 any other Act may be used by an agency to provide a Fed-
21 eral employee’s home address to any labor organization
22 except when the employee has authorized such disclosure
23 or when such disclosure has been ordered by a court of
24 competent jurisdiction.

1 SEC. 717. None of the funds made available in this
2 or any other Act may be used to provide any non-public
3 information such as mailing, telephone, or electronic mail-
4 ing lists to any person or any organization outside of the
5 Federal Government without the approval of the Commit-
6 tees on Appropriations of the House of Representatives
7 and the Senate.

8 SEC. 718. No part of any appropriation contained in
9 this or any other Act shall be used directly or indirectly,
10 including by private contractor, for publicity or propa-
11 ganda purposes within the United States not heretofore
12 authorized by Congress.

13 SEC. 719. (a) In this section, the term “agency”—

14 (1) means an Executive agency, as defined
15 under 5 U.S.C. 105; and

16 (2) includes a military department, as defined
17 under section 102 of such title, the United States
18 Postal Service, and the Postal Regulatory Commis-
19 sion.

20 (b) Unless authorized in accordance with law or regu-
21 lations to use such time for other purposes, an employee
22 of an agency shall use official time in an honest effort
23 to perform official duties. An employee not under a leave
24 system, including a Presidential appointee exempted under
25 5 U.S.C. 6301(2), has an obligation to expend an honest

1 effort and a reasonable proportion of such employee's time
2 in the performance of official duties.

3 SEC. 720. Notwithstanding 31 U.S.C. 1346 and sec-
4 tion 708 of this Act, funds made available for the current
5 fiscal year by this or any other Act to any department
6 or agency, which is a member of the Federal Accounting
7 Standards Advisory Board (FASAB), shall be available to
8 finance an appropriate share of FASAB administrative
9 costs.

10 SEC. 721. Notwithstanding 31 U.S.C. 1346 and sec-
11 tion 708 of this Act, the head of each Executive depart-
12 ment and agency is hereby authorized to transfer to or
13 reimburse "General Services Administration, Government-
14 wide Policy" with the approval of the Director of the Of-
15 fice of Management and Budget, funds made available for
16 the current fiscal year by this or any other Act, including
17 rebates from charge card and other contracts: *Provided*,
18 That these funds shall be administered by the Adminis-
19 trator of General Services to support Government-wide
20 and other multi-agency financial, information technology,
21 procurement, and other management innovations, initia-
22 tives, and activities, including improving coordination and
23 reducing duplication, as approved by the Director of the
24 Office of Management and Budget, in consultation with
25 the appropriate interagency and multi-agency groups des-

1 ignated by the Director (including the President’s Man-
2 agement Council for overall management improvement ini-
3 tiatives, the Chief Financial Officers Council for financial
4 management initiatives, the Chief Information Officers
5 Council for information technology initiatives, the Chief
6 Human Capital Officers Council for human capital initia-
7 tives, the Chief Acquisition Officers Council for procure-
8 ment initiatives, and the Performance Improvement Coun-
9 cil for performance improvement initiatives): *Provided fur-*
10 *ther*, That the total funds transferred or reimbursed shall
11 not exceed \$15,000,000 to improve coordination, reduce
12 duplication, and for other activities related to Federal
13 Government Priority Goals established by 31 U.S.C. 1120,
14 and not to exceed \$17,000,000 for Government-Wide inno-
15 vations, initiatives, and activities: *Provided further*, That
16 the funds transferred to or for reimbursement of “General
17 Services Administration, Government-wide Policy” during
18 fiscal year 2022 shall remain available for obligation
19 through September 30, 2023: *Provided further*, That such
20 transfers or reimbursements may only be made after 15
21 days following notification of the Committees on Appro-
22 priations of the House of Representatives and the Senate
23 by the Director of the Office of Management and Budget.

24 SEC. 722. Notwithstanding any other provision of
25 law, a woman may breastfeed her child at any location

1 in a Federal building or on Federal property, if the woman
2 and her child are otherwise authorized to be present at
3 the location.

4 SEC. 723. Notwithstanding 31 U.S.C. 1346, or sec-
5 tion 708 of this Act, funds made available for the current
6 fiscal year by this or any other Act shall be available for
7 the interagency funding of specific projects, workshops,
8 studies, and similar efforts to carry out the purposes of
9 the National Science and Technology Council (authorized
10 by Executive Order No. 12881), which benefit multiple
11 Federal departments, agencies, or entities: *Provided*, That
12 the Office of Management and Budget shall provide a re-
13 port describing the budget of and resources connected with
14 the National Science and Technology Council to the Com-
15 mittees on Appropriations, the House Committee on
16 Science, Space, and Technology, and the Senate Com-
17 mittee on Commerce, Science, and Transportation 90 days
18 after enactment of this Act.

19 SEC. 724. Any request for proposals, solicitation,
20 grant application, form, notification, press release, or
21 other publications involving the distribution of Federal
22 funds shall comply with any relevant requirements in part
23 200 of title 2, Code of Federal Regulations: *Provided*,
24 That this section shall apply to direct payments, formula

1 funds, and grants received by a State receiving Federal
2 funds.

3 SEC. 725. (a) PROHIBITION OF FEDERAL AGENCY
4 MONITORING OF INDIVIDUALS' INTERNET USE.—None of
5 the funds made available in this or any other Act may
6 be used by any Federal agency—

7 (1) to collect, review, or create any aggregation
8 of data, derived from any means, that includes any
9 personally identifiable information relating to an in-
10 dividual's access to or use of any Federal Govern-
11 ment Internet site of the agency; or

12 (2) to enter into any agreement with a third
13 party (including another government agency) to col-
14 lect, review, or obtain any aggregation of data, de-
15 rived from any means, that includes any personally
16 identifiable information relating to an individual's
17 access to or use of any nongovernmental Internet
18 site.

19 (b) EXCEPTIONS.—The limitations established in
20 subsection (a) shall not apply to—

21 (1) any record of aggregate data that does not
22 identify particular persons;

23 (2) any voluntary submission of personally iden-
24 tifiable information;

1 (3) any action taken for law enforcement, regu-
2 latory, or supervisory purposes, in accordance with
3 applicable law; or

4 (4) any action described in subsection (a)(1)
5 that is a system security action taken by the oper-
6 ator of an Internet site and is necessarily incident
7 to providing the Internet site services or to pro-
8 tecting the rights or property of the provider of the
9 Internet site.

10 (c) DEFINITIONS.—For the purposes of this section:

11 (1) The term “regulatory” means agency ac-
12 tions to implement, interpret or enforce authorities
13 provided in law.

14 (2) The term “supervisory” means examina-
15 tions of the agency’s supervised institutions, includ-
16 ing assessing safety and soundness, overall financial
17 condition, management practices and policies and
18 compliance with applicable standards as provided in
19 law.

20 SEC. 726. (a) None of the funds appropriated by this
21 Act may be used to enter into or renew a contract which
22 includes a provision providing prescription drug coverage,
23 except where the contract also includes a provision for con-
24 traceptive coverage.

1 (b) Nothing in this section shall apply to a contract
2 with—

3 (1) any of the following religious plans—

4 (A) Personal Care’s HMO; and

5 (B) OSF HealthPlans, Inc.; and

6 (2) any existing or future plan, if the carrier
7 for the plan objects to such coverage on the basis of
8 religious beliefs.

9 (c) In implementing this section, any plan that enters
10 into or renews a contract under this section may not sub-
11 ject any individual to discrimination on the basis that the
12 individual refuses to prescribe or otherwise provide for
13 contraceptives because such activities would be contrary
14 to the individual’s religious beliefs or moral convictions.

15 (d) Nothing in this section shall be construed to re-
16 quire coverage of abortion or abortion-related services.

17 SEC. 727. The United States is committed to ensur-
18 ing the health of its Olympic, Pan American, and
19 Paralympic athletes, and supports the strict adherence to
20 anti-doping in sport through testing, adjudication, edu-
21 cation, and research as performed by nationally recognized
22 oversight authorities.

23 SEC. 728. Notwithstanding any other provision of
24 law, funds appropriated for official travel to Federal de-
25 partments and agencies may be used by such departments

1 and agencies, if consistent with Office of Management and
2 Budget Circular A-126 regarding official travel for Gov-
3 ernment personnel, to participate in the fractional aircraft
4 ownership pilot program.

5 SEC. 729. Notwithstanding any other provision of
6 law, none of the funds appropriated or made available
7 under this or any other appropriations Act may be used
8 to implement or enforce restrictions or limitations on the
9 Coast Guard Congressional Fellowship Program, or to im-
10 plement the proposed regulations of the Office of Per-
11 sonnel Management to add sections 300.311 through
12 300.316 to part 300 of title 5 of the Code of Federal Reg-
13 ulations, published in the Federal Register, volume 68,
14 number 174, on September 9, 2003 (relating to the detail
15 of executive branch employees to the legislative branch).

16 SEC. 730. Notwithstanding any other provision of
17 law, no executive branch agency shall purchase, construct,
18 or lease any additional facilities, except within or contig-
19 uous to existing locations, to be used for the purpose of
20 conducting Federal law enforcement training without the
21 advance approval of the Committees on Appropriations of
22 the House of Representatives and the Senate, except that
23 the Federal Law Enforcement Training Centers is author-
24 ized to obtain the temporary use of additional facilities

1 by lease, contract, or other agreement for training which
2 cannot be accommodated in existing Centers facilities.

3 SEC. 731. Unless otherwise authorized by existing
4 law, none of the funds provided in this or any other Act
5 may be used by an executive branch agency to produce
6 any prepackaged news story intended for broadcast or dis-
7 tribution in the United States, unless the story includes
8 a clear notification within the text or audio of the pre-
9 packaged news story that the prepackaged news story was
10 prepared or funded by that executive branch agency.

11 SEC. 732. None of the funds made available in this
12 Act may be used in contravention of section 552a of title
13 5, United States Code (popularly known as the Privacy
14 Act), and regulations implementing that section.

15 SEC. 733. (a) IN GENERAL.—None of the funds ap-
16 propriated or otherwise made available by this or any
17 other Act may be used for any Federal Government con-
18 tract with any foreign incorporated entity which is treated
19 as an inverted domestic corporation under section 835(b)
20 of the Homeland Security Act of 2002 (6 U.S.C. 395(b))
21 or any subsidiary of such an entity.

22 (b) WAIVERS.—

23 (1) IN GENERAL.—Any Secretary shall waive
24 subsection (a) with respect to any Federal Govern-
25 ment contract under the authority of such Secretary

1 if the Secretary determines that the waiver is re-
2 quired in the interest of national security.

3 (2) REPORT TO CONGRESS.—Any Secretary
4 issuing a waiver under paragraph (1) shall report
5 such issuance to Congress.

6 (c) EXCEPTION.—This section shall not apply to any
7 Federal Government contract entered into before the date
8 of the enactment of this Act, or to any task order issued
9 pursuant to such contract.

10 SEC. 734. During fiscal year 2022, for each employee
11 who—

12 (1) retires under section 8336(d)(2) or
13 8414(b)(1)(B) of title 5, United States Code; or

14 (2) retires under any other provision of sub-
15 chapter III of chapter 83 or chapter 84 of such title
16 5 and receives a payment as an incentive to sepa-
17 rate, the separating agency shall remit to the Civil
18 Service Retirement and Disability Fund an amount
19 equal to the Office of Personnel Management's aver-
20 age unit cost of processing a retirement claim for
21 the preceding fiscal year. Such amounts shall be
22 available until expended to the Office of Personnel
23 Management and shall be deemed to be an adminis-
24 trative expense under section 8348(a)(1)(B) of title
25 5, United States Code.

1 SEC. 735. None of the funds made available in this
2 or any other Act may be used to pay for the painting of
3 a portrait of an officer or employee of the Federal govern-
4 ment, including the President, the Vice President, a mem-
5 ber of Congress (including a Delegate or a Resident Com-
6 missioner to Congress), the head of an executive branch
7 agency (as defined in section 133 of title 41, United States
8 Code), or the head of an office of the legislative branch.

9 SEC. 736. (a)(1) Notwithstanding any other provision
10 of law, and except as otherwise provided in this section,
11 no part of any of the funds appropriated for fiscal year
12 2022, by this or any other Act, may be used to pay any
13 prevailing rate employee described in section
14 5342(a)(2)(A) of title 5, United States Code—

15 (A) during the period from the date of expira-
16 tion of the limitation imposed by the comparable sec-
17 tion for the previous fiscal years until the normal ef-
18 fective date of the applicable wage survey adjust-
19 ment that is to take effect in fiscal year 2022, in an
20 amount that exceeds the rate payable for the appli-
21 cable grade and step of the applicable wage schedule
22 in accordance with such section; and

23 (B) during the period consisting of the remain-
24 der of fiscal year 2022, in an amount that exceeds,
25 as a result of a wage survey adjustment, the rate

1 payable under subparagraph (A) by more than the
2 sum of—

3 (i) the percentage adjustment taking effect
4 in fiscal year 2022 under section 5303 of title
5 5, United States Code, in the rates of pay
6 under the General Schedule; and

7 (ii) the difference between the overall aver-
8 age percentage of the locality-based com-
9 parability payments taking effect in fiscal year
10 2022 under section 5304 of such title (whether
11 by adjustment or otherwise), and the overall av-
12 erage percentage of such payments which was
13 effective in the previous fiscal year under such
14 section.

15 (2) Notwithstanding any other provision of law, no
16 prevailing rate employee described in subparagraph (B) or
17 (C) of section 5342(a)(2) of title 5, United States Code,
18 and no employee covered by section 5348 of such title,
19 may be paid during the periods for which paragraph (1)
20 is in effect at a rate that exceeds the rates that would
21 be payable under paragraph (1) were paragraph (1) appli-
22 cable to such employee.

23 (3) For the purposes of this subsection, the rates pay-
24 able to an employee who is covered by this subsection and
25 who is paid from a schedule not in existence on September

1 30, 2021, shall be determined under regulations pre-
2 scribed by the Office of Personnel Management.

3 (4) Notwithstanding any other provision of law, rates
4 of premium pay for employees subject to this subsection
5 may not be changed from the rates in effect on September
6 30, 2021, except to the extent determined by the Office
7 of Personnel Management to be consistent with the pur-
8 pose of this subsection.

9 (5) This subsection shall apply with respect to pay
10 for service performed after September 30, 2021.

11 (6) For the purpose of administering any provision
12 of law (including any rule or regulation that provides pre-
13 mium pay, retirement, life insurance, or any other em-
14 ployee benefit) that requires any deduction or contribu-
15 tion, or that imposes any requirement or limitation on the
16 basis of a rate of salary or basic pay, the rate of salary
17 or basic pay payable after the application of this sub-
18 section shall be treated as the rate of salary or basic pay.

19 (7) Nothing in this subsection shall be considered to
20 permit or require the payment to any employee covered
21 by this subsection at a rate in excess of the rate that would
22 be payable were this subsection not in effect.

23 (8) The Office of Personnel Management may provide
24 for exceptions to the limitations imposed by this sub-
25 section if the Office determines that such exceptions are

1 necessary to ensure the recruitment or retention of quali-
2 fied employees.

3 (b) Notwithstanding subsection (a), the adjustment
4 in rates of basic pay for the statutory pay systems that
5 take place in fiscal year 2022 under sections 5344 and
6 5348 of title 5, United States Code, shall be—

7 (1) not less than the percentage received by em-
8 ployees in the same location whose rates of basic pay
9 are adjusted pursuant to the statutory pay systems
10 under sections 5303 and 5304 of title 5, United
11 States Code: *Provided*, That prevailing rate employ-
12 ees at locations where there are no employees whose
13 pay is increased pursuant to sections 5303 and 5304
14 of title 5, United States Code, and prevailing rate
15 employees described in section 5343(a)(5) of title 5,
16 United States Code, shall be considered to be located
17 in the pay locality designated as “Rest of United
18 States” pursuant to section 5304 of title 5, United
19 States Code, for purposes of this subsection; and

20 (2) effective as of the first day of the first ap-
21 plicable pay period beginning after September 30,
22 2021.

23 SEC. 737. (a) The head of any Executive branch de-
24 partment, agency, board, commission, or office funded by
25 this or any other appropriations Act shall submit annual

1 reports to the Inspector General or senior ethics official
2 for any entity without an Inspector General, regarding the
3 costs and contracting procedures related to each con-
4 ference held by any such department, agency, board, com-
5 mission, or office during fiscal year 2022 for which the
6 cost to the United States Government was more than
7 \$100,000.

8 (b) Each report submitted shall include, for each con-
9 ference described in subsection (a) held during the applica-
10 ble period—

11 (1) a description of its purpose;

12 (2) the number of participants attending;

13 (3) a detailed statement of the costs to the
14 United States Government, including—

15 (A) the cost of any food or beverages;

16 (B) the cost of any audio-visual services;

17 (C) the cost of employee or contractor
18 travel to and from the conference; and

19 (D) a discussion of the methodology used
20 to determine which costs relate to the con-
21 ference; and

22 (4) a description of the contracting procedures
23 used including—

24 (A) whether contracts were awarded on a
25 competitive basis; and

1 (B) a discussion of any cost comparison
2 conducted by the departmental component or
3 office in evaluating potential contractors for the
4 conference.

5 (c) Within 15 days after the end of a quarter, the
6 head of any such department, agency, board, commission,
7 or office shall notify the Inspector General or senior ethics
8 official for any entity without an Inspector General, of the
9 date, location, and number of employees attending a con-
10 ference held by any Executive branch department, agency,
11 board, commission, or office funded by this or any other
12 appropriations Act during fiscal year 2022 for which the
13 cost to the United States Government was more than
14 \$20,000.

15 (d) A grant or contract funded by amounts appro-
16 priated by this or any other appropriations Act may not
17 be used for the purpose of defraying the costs of a con-
18 ference described in subsection (c) that is not directly and
19 programmatically related to the purpose for which the
20 grant or contract was awarded, such as a conference held
21 in connection with planning, training, assessment, review,
22 or other routine purposes related to a project funded by
23 the grant or contract.

24 (e) None of the funds made available in this or any
25 other appropriations Act may be used for travel and con-

1 ference activities that are not in compliance with Office
2 of Management and Budget Memorandum M-12-12
3 dated May 11, 2012 or any subsequent revisions to that
4 memorandum.

5 SEC. 738. None of the funds made available in this
6 or any other appropriations Act may be used to increase,
7 eliminate, or reduce funding for a program, project, or ac-
8 tivity as proposed in the President's budget request for
9 a fiscal year until such proposed change is subsequently
10 enacted in an appropriation Act, or unless such change
11 is made pursuant to the reprogramming or transfer provi-
12 sions of this or any other appropriations Act.

13 SEC. 739. None of the funds made available by this
14 or any other Act may be used to implement, administer,
15 enforce, or apply the rule entitled "Competitive Area"
16 published by the Office of Personnel Management in the
17 Federal Register on April 15, 2008 (73 Fed. Reg. 20180
18 et seq.).

19 SEC. 740. None of the funds appropriated or other-
20 wise made available by this or any other Act may be used
21 to begin or announce a study or public-private competition
22 regarding the conversion to contractor performance of any
23 function performed by Federal employees pursuant to Of-
24 fice of Management and Budget Circular A-76 or any
25 other administrative regulation, directive, or policy.

1 SEC. 741. (a) None of the funds appropriated or oth-
2 erwise made available by this or any other Act may be
3 available for a contract, grant, or cooperative agreement
4 with an entity that requires employees or contractors of
5 such entity seeking to report fraud, waste, or abuse to sign
6 internal confidentiality agreements or statements prohib-
7 iting or otherwise restricting such employees or contrac-
8 tors from lawfully reporting such waste, fraud, or abuse
9 to a designated investigative or law enforcement represent-
10 ative of a Federal department or agency authorized to re-
11 ceive such information.

12 (b) The limitation in subsection (a) shall not con-
13 travene requirements applicable to Standard Form 312,
14 Form 4414, or any other form issued by a Federal depart-
15 ment or agency governing the nondisclosure of classified
16 information.

17 SEC. 742. (a) No funds appropriated in this or any
18 other Act may be used to implement or enforce the agree-
19 ments in Standard Forms 312 and 4414 of the Govern-
20 ment or any other nondisclosure policy, form, or agree-
21 ment if such policy, form, or agreement does not contain
22 the following provisions: “These provisions are consistent
23 with and do not supersede, conflict with, or otherwise alter
24 the employee obligations, rights, or liabilities created by
25 existing statute or Executive order relating to (1) classi-

1 fied information, (2) communications to Congress, (3) the
2 reporting to an Inspector General of a violation of any
3 law, rule, or regulation, or mismanagement, a gross waste
4 of funds, an abuse of authority, or a substantial and spe-
5 cific danger to public health or safety, or (4) any other
6 whistleblower protection. The definitions, requirements,
7 obligations, rights, sanctions, and liabilities created by
8 controlling Executive orders and statutory provisions are
9 incorporated into this agreement and are controlling.”:
10 *Provided*, That notwithstanding the preceding provision of
11 this section, a nondisclosure policy form or agreement that
12 is to be executed by a person connected with the conduct
13 of an intelligence or intelligence-related activity, other
14 than an employee or officer of the United States Govern-
15 ment, may contain provisions appropriate to the particular
16 activity for which such document is to be used. Such form
17 or agreement shall, at a minimum, require that the person
18 will not disclose any classified information received in the
19 course of such activity unless specifically authorized to do
20 so by the United States Government. Such nondisclosure
21 forms shall also make it clear that they do not bar dislo-
22 sures to Congress, or to an authorized official of an execu-
23 tive agency or the Department of Justice, that are essen-
24 tial to reporting a substantial violation of law.

1 (b) A nondisclosure agreement may continue to be
2 implemented and enforced notwithstanding subsection (a)
3 if it complies with the requirements for such agreement
4 that were in effect when the agreement was entered into.

5 (c) No funds appropriated in this or any other Act
6 may be used to implement or enforce any agreement en-
7 tered into during fiscal year 2014 which does not contain
8 substantially similar language to that required in sub-
9 section (a).

10 SEC. 743. None of the funds made available by this
11 or any other Act may be used to enter into a contract,
12 memorandum of understanding, or cooperative agreement
13 with, make a grant to, or provide a loan or loan guarantee
14 to, any corporation that has any unpaid Federal tax liabil-
15 ity that has been assessed, for which all judicial and ad-
16 ministrative remedies have been exhausted or have lapsed,
17 and that is not being paid in a timely manner pursuant
18 to an agreement with the authority responsible for col-
19 lecting the tax liability, where the awarding agency is
20 aware of the unpaid tax liability, unless a Federal agency
21 has considered suspension or debarment of the corporation
22 and has made a determination that this further action is
23 not necessary to protect the interests of the Government.

24 SEC. 744. None of the funds made available by this
25 or any other Act may be used to enter into a contract,

1 memorandum of understanding, or cooperative agreement
2 with, make a grant to, or provide a loan or loan guarantee
3 to, any corporation that was convicted of a felony criminal
4 violation under any Federal law within the preceding 24
5 months, where the awarding agency is aware of the convic-
6 tion, unless a Federal agency has considered suspension
7 or debarment of the corporation and has made a deter-
8 mination that this further action is not necessary to pro-
9 tect the interests of the Government.

10 SEC. 745. (a) During fiscal year 2022, on the date
11 on which a request is made for a transfer of funds in ac-
12 cordance with section 1017 of Public Law 111–203, the
13 Bureau of Consumer Financial Protection shall notify the
14 Committees on Appropriations of the House of Represent-
15 atives and the Senate, the Committee on Financial Serv-
16 ices of the House of Representatives, and the Committee
17 on Banking, Housing, and Urban Affairs of the Senate
18 of such request.

19 (b) Any notification required by this section shall be
20 made available on the Bureau’s public Web site.

21 SEC. 746. (a) Notwithstanding the official rate ad-
22 justed under section 104 of title 3, United States Code,
23 the rate payable to the Vice President during calendar
24 year 2022 shall be the rate payable to the Vice President

1 on December 31, 2021, by operation of section 748 of divi-
2 sion E of Public Law 116–260.

3 (b) Notwithstanding the official rate adjusted under
4 section 5318 of title 5, United States Code, or any other
5 provision of law, the payable rate during calendar year
6 2022 for an employee serving in an Executive Schedule
7 position, or in a position for which the rate of pay is fixed
8 by statute at an Executive Schedule rate, shall be the rate
9 payable for the applicable Executive Schedule level on De-
10 cember 31, 2021, by operation of section 748 of division
11 E of Public Law 116–260. Such an employee may not re-
12 ceive a pay rate increase during calendar year 2022, ex-
13 cept as provided in subsection (i).

14 (c) Notwithstanding section 401 of the Foreign Serv-
15 ice Act of 1980 (Public Law 96–465) or any other provi-
16 sion of law, a chief of mission or ambassador at large is
17 subject to subsection (b) in the same manner as other em-
18 ployees who are paid at an Executive Schedule rate.

19 (d)(1) This subsection applies to—

20 (A) a noncareer appointee in the Senior
21 Executive Service paid a rate of basic pay at or
22 above the official rate for level IV of the Execu-
23 tive Schedule; or

24 (B) a limited term appointee or limited
25 emergency appointee in the Senior Executive

1 Service serving under a political appointment
2 and paid a rate of basic pay at or above the of-
3 ficial rate for level IV of the Executive Sched-
4 ule.

5 (2) Notwithstanding sections 5382 and 5383 of
6 title 5, United States Code, an employee described
7 in paragraph (1) may not receive a pay rate increase
8 during calendar year 2022, except as provided in
9 subsection (i).

10 (e) Notwithstanding any other provision of law, any
11 employee paid a rate of basic pay (including any locality-
12 based payments under section 5304 of title 5, United
13 States Code, or similar authority) at or above the official
14 rate for level IV of the Executive Schedule who serves
15 under a political appointment may not receive a pay rate
16 increase during calendar year 2022, except as provided in
17 subsection (i). This subsection does not apply to employees
18 in the General Schedule pay system or the Foreign Service
19 pay system, to employees appointed under section 3161
20 of title 5, United States Code, or to employees in another
21 pay system whose position would be classified at GS-15
22 or below if chapter 51 of title 5, United States Code, ap-
23 plied to them.

24 (f) Nothing in subsections (b) through (e) shall pre-
25 vent employees who do not serve under a political appoint-

1 ment from receiving pay increases as otherwise provided
2 under applicable law.

3 (g) This section does not apply to an individual who
4 makes an election to retain Senior Executive Service basic
5 pay under section 3392(c) of title 5, United States Code,
6 for such time as that election is in effect.

7 (h) This section does not apply to an individual who
8 makes an election to retain Senior Foreign Service pay
9 entitlements under section 302(b) of the Foreign Service
10 Act of 1980 (Public Law 96–465) for such time as that
11 election is in effect.

12 (i) Notwithstanding subsections (b) through (e), an
13 employee in a covered position may receive a pay rate in-
14 crease upon an authorized movement to a different cov-
15 ered position only if that new position has higher-level du-
16 ties and a pre-established level or range of pay higher than
17 the level or range for the position held immediately before
18 the movement. Any such increase must be based on the
19 rates of pay and applicable limitations on payable rates
20 of pay in effect on December 31, 2021, by operation of
21 section 748 of division E of Public Law 116–260.

22 (j) Notwithstanding any other provision of law, for
23 an individual who is newly appointed to a covered position
24 during the period of time subject to this section, the initial
25 pay rate shall be based on the rates of pay and applicable

1 limitations on payable rates of pay in effect on December
2 31, 2021, by operation of section 748 of division E of Pub-
3 lic Law 116–260.

4 (k) If an employee affected by this section is subject
5 to a biweekly pay period that begins in calendar year 2022
6 but ends in calendar year 2023, the bar on the employee’s
7 receipt of pay rate increases shall apply through the end
8 of that pay period.

9 (l) For the purpose of this section, the term “covered
10 position” means a position occupied by an employee whose
11 pay is restricted under this section.

12 (m) This section takes effect on the first day of the
13 first applicable pay period beginning on or after January
14 1, 2022.

15 SEC. 747. During the current fiscal year— (a) with
16 respect to budget authority proposed to be rescinded or
17 that is set to be reserved or proposed to be deferred in
18 a special message transmitted under section 1012 or 1013
19 of the Congressional Budget and Impoundment Control
20 Act of 1974, such budget authority—

21 (1) shall be made available for obligation in suf-
22 ficient time to be prudently obligated as required
23 under section 1012(b) or 1013 of such Act; and

24 (2) may not be deferred or otherwise withheld
25 from obligation during the 90-day period before the

1 expiration of the period of availability of such budget
2 authority, including, if applicable, the 90-day period
3 before the expiration of an initial period of avail-
4 ability for which such budget authority was pro-
5 vided.

6 (b) With respect to an apportionment of an appro-
7 priation made pursuant to section 1513(b) of title 31,
8 United States Code, an appropriation (as that term is de-
9 fined in section 1511 of title 31, United States Code) shall
10 be apportioned—

11 (1) to make available all amounts for obligation
12 in sufficient time to be prudently obligated; and

13 (2) to make available all amounts for obligation,
14 without precondition (including footnotes) that shall
15 be met prior to obligation, not later than 90 days be-
16 fore the expiration of the period of availability of
17 such appropriation, including, if applicable, 90 days
18 before the expiration of an initial period of avail-
19 ability for which such appropriation was provided.

20 (c) As used in this section, the term “budget author-
21 ity” includes budget authority made available by this or
22 any other Act, by prior appropriations Acts, or by any law
23 other than an appropriations Act.

24 (d)(1) The Comptroller General shall review compli-
25 ance with this section and shall submit to the Committees

1 on Appropriations and the Budget, and any other appro-
2 priate congressional committees of the House of Rep-
3 resentatives and Senate a report, and any relevant infor-
4 mation related to the report, on any noncompliance with
5 this section or the Impoundment Control Act of 1974.

6 (2) The President or the head of the relevant depart-
7 ment or agency of the United States shall provide informa-
8 tion, documentation, and views to the Comptroller Gen-
9 eral, as is determined by the Comptroller General to be
10 necessary to determine such compliance, not later than 20
11 days after the date on which the request from the Comp-
12 troller General is received, or if the Comptroller General
13 determines that a shorter or longer period is appropriate
14 based on the specific circumstances, within such shorter
15 or longer period.

16 (3) To carry out the responsibilities of this section
17 and the Impoundment Control Act of 1974, the Comp-
18 troller General shall also have access to interview the offi-
19 cers, employees, contractors, and other agents and rep-
20 resentatives of a department, agency, or office of the
21 United States at any reasonable time as the Comptroller
22 General may request.

23 (e)(1) An officer or employee of the Executive Branch
24 of the United States Government violating this section
25 shall be subject to appropriate administrative discipline in-

cluding, when circumstances warrant, suspension from
duty without pay or removal from office.

(2) In the event of a violation of this section or the
Impoundment Control Act of 1974, or in the case that
the Government Accountability Office issues a legal deci-
sion concluding that a department, agency, or office of the
United States violated this section or the Impoundment
Control Act of 1974, the President or the head of the rel-
evant department or agency as the case may be, shall re-
port immediately to the Congress all relevant facts and
a statement of actions taken: *Provided*, That a copy of
each report shall also be transmitted to the Comptroller
General and the relevant inspector general on the same
date the report is transmitted to the Congress.

(3) Any such report shall include a summary of the
facts pertaining to the violation, the title and Treasury
Appropriation Fund Symbol of the appropriation or fund
account, the amount involved for each violation, the date
on which the violation occurred, the position of any indi-
viduals responsible for the violation, a statement of the
administrative discipline imposed and any further action
taken with respect to any officer or employee involved in
the violation, a statement of any additional action taken
to prevent recurrence of the same type of violation, and
any written response by any officer or employee identified

1 by position as involved in the violation: *Provided*, That in
2 the case that the Government Accountability Office issues
3 a legal decision concluding that a department, agency, or
4 office of the United States violated this section and the
5 relevant department, agency, or office does not agree that
6 a violation has occurred, the report provided to Congress,
7 the Comptroller General, and relevant inspector general
8 will explain such department, agency, or office's position.

9 SEC. 748. (a) If an executive agency or the District
10 of Columbia government receives a written request for in-
11 formation, documentation, or views from the Government
12 Accountability Office relating to a decision or opinion on
13 budget or appropriations law, the executive agency or the
14 District of Columbia government shall provide the re-
15 quested information, documentation, or views not later
16 than 20 days after receiving the written request, unless
17 such written request specifically provides otherwise.

18 (b) If an executive agency or the District of Columbia
19 government fails to respond to the request for information,
20 documentation, or views within the time required by this
21 section—

22 (1) the Comptroller General shall notify, in
23 writing, the Committee on Oversight and Reform of
24 the House of Representatives, the Committee on
25 Homeland Security and Governmental Affairs of the

1 Senate, and any other appropriate congressional
2 committee of the House of Representatives and the
3 Senate of such failure; and

4 (2) the Comptroller General is hereby expressly
5 empowered, through attorneys of their own selection,
6 to bring a civil action in the United States District
7 Court for the District of Columbia to require such
8 information, documentation, or views to be pro-
9 duced, and such court is expressly empowered to
10 enter in such civil action, against any department,
11 agency, officer, or employee of the United States,
12 any decree, judgment, or order which may be nec-
13 essary or appropriate to require such production.

14 (c) If the Government Accountability Office deter-
15 mines that an officer or employee of an executive agency
16 or an officer or employee of the District of Columbia gov-
17 ernment has violated section 1341(a), 1342, or 1517(a)
18 of title 31, United States Code, the head of the agency
19 or the Mayor of the District of Columbia, as the case may
20 be, shall report immediately to the President and Congress
21 all relevant facts and a statement of actions taken: *Pro-*
22 *vided*, That a copy of each report shall also be transmitted
23 to the Comptroller General on the same date the report
24 is transmitted to the President and Congress: *Provided*
25 *further*, That in the case that the Government Account-

1 ability Office issues a legal decision concluding that sec-
2 tion 1341(a), 1342, or 1517(a) of title 31, United States
3 Code was violated, and the executive agency or District
4 of Columbia government, as applicable, does not agree
5 that a violation has occurred, the report provided to the
6 President, the Congress, and the Comptroller General will
7 explain its position.

8 (d) The report required by subsection (c) and any re-
9 port required by section 1351 or section 1517(b) of title
10 31, United States Code, shall include a summary of the
11 facts pertaining to the violation, the title and Treasury
12 Appropriation Fund Symbol of the appropriation or fund
13 account, the amount involved for each violation, the date
14 on which the violation occurred, the position of any officer
15 or employee responsible for the violation, a statement of
16 the administrative discipline imposed and any further ac-
17 tion taken with respect to any officer or employee involved
18 in the violation, a statement of any additional action taken
19 to prevent recurrence of the same type of violation, a
20 statement of any determination that the violation was not
21 knowing and willful that has been made by the executive
22 agency or District of Columbia government, and any writ-
23 ten response by any officer or employee identified by posi-
24 tion as involved in the violation.

1 SEC. 749. (a) Each department or agency of the execu-
2 utive branch of the United States Government shall notify
3 the Committees on Appropriations and the Budget of the
4 House of Representatives and the Senate and any other
5 appropriate congressional committees if—

6 (1) an apportionment is not made in the re-
7 quired time period provided in section 1513(b) of
8 title 31, United States Code;

9 (2) an approved apportionment received by the
10 department or agency conditions the availability of
11 an appropriation on further action; or

12 (3) an approved apportionment received by the
13 department or agency may hinder the prudent obli-
14 gation of such appropriation or the execution of a
15 program, project, or activity by such department or
16 agency.

17 (b) Any notification submitted to a congressional
18 committee pursuant to this section shall contain informa-
19 tion identifying the bureau, account name, appropriation
20 name, and Treasury Appropriation Fund Symbol or fund
21 account.

22 SEC. 750. None of the funds made available by this
23 or any other Act may be used to prevent Federal workers
24 from—

25 (1) using official time for union activities;

1 (2) teleworking for telework deemed positions
2 or when the health or safety of an employee is in
3 question; or

4 (3) using space in Federal buildings for union
5 activities.

6 SEC. 751. (a) ESTABLISHMENT.—There is hereby es-
7 tablished the Commission on Federal Naming and Dis-
8 plays (hereafter referred to as the “Commission”).

9 (b) DUTIES.—

10 (1) DEVELOPMENT OF LIST.—Not later than
11 180 days after the day by which all of its members
12 have been appointed, the Commission, with input
13 from the general public, shall develop and publish a
14 list of property names, monuments, statues, public
15 artworks, historical markers, and other symbols
16 owned by the Federal government or located on
17 property owned by the Federal government (includ-
18 ing the legislative branch and the judicial branch)
19 which the Commission identifies as inconsistent with
20 the values of diversity, equity, and inclusion, includ-
21 ing those that do not represent the demographic di-
22 versity and history of the community.

23 (2) RECOMMENDATIONS.—Not later than 180
24 days after publishing the list under paragraph (1),
25 and after holding not fewer than two public meet-

1 ings, the Commission shall submit to the President
2 and Congress a report containing the following in-
3 formation:

4 (A) A recommendation regarding whether
5 each property name, monument, statue, public
6 artwork, historical marker, or other symbol on
7 the list developed under paragraph (1) should
8 remain unchanged or should be renamed or re-
9 moved.

10 (B) Supporting materials and context in-
11 formation for each recommendation under sub-
12 paragraph (A).

13 (C) Such other recommendations as the
14 Commission may consider appropriate, includ-
15 ing recommendations for educational programs,
16 supplemental historical markers, or other activi-
17 ties to promote diversity, equity, and inclusion
18 and to promote national reconciliation.

19 (3) SEPARATE VIEWS OF MEMBERS.—The Com-
20 mission may include in the report submitted under
21 paragraph (2) supplemental or dissenting rec-
22 ommendations from individual members of the Com-
23 mission.

24 (c) MEMBERSHIP.—

1 (1) APPOINTMENT.—The Commission shall con-
2 sist of the following:

3 (A) Two members appointed by the Presi-
4 dent.

5 (B) Two members appointed by the Speak-
6 er of the House of Representatives.

7 (C) Two members appointed by the Major-
8 ity Leader of the Senate.

9 (D) One member appointed by the Minor-
10 ity Leader of the House of Representatives.

11 (E) One member appointed by the Minor-
12 ity Leader of the Senate.

13 (F) Each of the following individuals:

14 (i) The Secretary of the Smithsonian
15 Institution.

16 (ii) The Historian of the House of
17 Representatives.

18 (iii) The Historian of the Senate.

19 (2) QUALIFICATIONS.—Each member of the
20 Commission appointed under subparagraphs (A)
21 through (E) of paragraph (1) shall have 10 or more
22 years of educational and professional experience in
23 one or more of the following disciplines:

24 (A) History.

25 (B) Art and antiquities.

1 (C) Historic preservation.

2 (D) Cultural heritage.

3 (E) Education.

4 (3) NO COMPENSATION FOR SERVICE; TRAVEL
5 EXPENSES.—Members of the Commission shall serve
6 without pay, but each member shall receive travel
7 expenses, including per diem in lieu of subsistence,
8 in accordance with applicable provisions under sub-
9 chapter I of chapter 57 of title 5, United States
10 Code.

11 (4) DEADLINE FOR APPOINTMENT.—The mem-
12 bers of the Commission shall be appointed not later
13 than 45 days after the date of the enactment of this
14 Act.

15 (5) CO-CHAIRS.—Not later than 10 days after
16 the first meeting of the Commission, the members of
17 the Commission shall select two co-chairs from
18 among the members.

19 (d) POWERS.—

20 (1) HEARINGS AND SESSIONS.—The Commis-
21 sion may, for the purpose of carrying out this Act,
22 hold hearings, sit and act at times and places, take
23 testimony, and receive evidence as the Commission
24 considers appropriate, except that the Commission
25 shall hold its initial meeting not later than 10 days

1 after the day by which all of its members have been
2 appointed.

3 (2) OBTAINING OFFICIAL DATA.—The Commis-
4 sion may secure directly from any department or
5 agency of the United States information necessary
6 to enable it to carry out its duties. Upon request of
7 the Commission, the head of that department or
8 agency shall furnish that information to the Com-
9 mission.

10 (3) MAILS.—The Commission may use the
11 United States mails in the same manner and under
12 the same conditions as other departments and agen-
13 cies of the United States.

14 (4) ADMINISTRATIVE SUPPORT SERVICES.—
15 Upon the request of the Commission, the Librarian
16 of Congress shall provide to the Commission, on a
17 reimbursable basis, the administrative support serv-
18 ices necessary for the Commission to carry out its
19 duties.

20 (5) STAFF OF FEDERAL AGENCIES.—Upon the
21 request of the Commission, the head of any Federal
22 department or agency may detail any of the per-
23 sonnel of that department or agency to the Commis-
24 sion to assist it in carrying out its duties. Any per-
25 sonnel detailed to the Commission under this para-

1 graph may receive travel expenses, including per
2 diem in lieu of subsistence, in accordance with appli-
3 cable provisions under subchapter I of chapter 57 of
4 title 5, United States Code.

5 (6) CONTRACT AUTHORITY.—The Commission
6 may contract with and compensate government and
7 private agencies or persons for goods and services,
8 without regard to section 6101 of title 41, United
9 States Code.

10 (e) FUNDING.—There is appropriated to carry out
11 this section \$1,500,000, to remain available until ex-
12 pended.

13 (f) TERMINATION.—The Commission shall terminate
14 60 days after submitting the report under subsection
15 (b)(2).

16 SEC. 752. Notwithstanding section 1346 of title 31,
17 United States Code, or section 708 of this Act, funds
18 made available by this or any other Act to any Federal
19 agency may be used by that Federal agency for inter-
20 agency funding for coordination with, participation in, or
21 recommendations involving, activities of the U.S. Army
22 Medical Research and Development Command, the Con-
23 gressionally Directed Medical Research Programs and the
24 National Institutes of Health research programs.

1 SEC. 753. Section 15010(a)(6) of division B of the
2 Coronavirus Aid, Relief, and Economic Security Act (Public
3 Law 116–136) is amended—

4 (1) in subparagraph (D), by striking “or”;

5 (2) in subparagraph (E), by striking “; and”
6 and inserting “; or”; and

7 (3) by inserting after subparagraph (E), the
8 following:

9 “(F) the American Rescue Plan Act of
10 2021 (Public Law 117–2); and”.

11 SEC. 754. (a) As a condition of receiving funds provided in this or any other appropriations Act for fiscal
12 year 2022 that are specified in the disclosure table submitted in compliance with clause 9 of rule XXI of the
13 Rules of the House of Representatives that is included in
14 the report or explanatory statement accompanying any
15 such Act, any non-Federal entity shall, to the extent practicable—
16 the report or explanatory statement accompanying any
17 such Act, any non-Federal entity shall, to the extent practicable—
18 licable—

19 (1) retain until the date that is 3 years after the date
20 on which such entity has expended such funds any records
21 related to the planned or actual obligation or expenditure
22 of such funds, and make available any such records to the
23 Comptroller General of the United States, upon request;
24 and

1 (2) subject to reasonable advance notification by the
2 Comptroller General—

3 (A) make available to the Comptroller General
4 or their designee for interview, any officers, employ-
5 ees, or staff of such entity involved in the obligation
6 or expenditure of such funds; and

7 (B) grant access to the Comptroller General or
8 their designee for inspection, any facilities, work
9 sites, offices, or other locations, as the Comptroller
10 General deems necessary, at which the individuals
11 referenced in subparagraph (A) carry out their re-
12 sponsibilities related to such funds. The Comptroller
13 General may make and retain copies of these records
14 as the Comptroller General determines necessary.

15 (b) Access, rights, and authority provided to the
16 Comptroller General or their designee under this section
17 shall be in addition to any other authority vested in the
18 Comptroller General, and nothing in this section shall be
19 construed to limit, amend, supersede, or restrict in any
20 manner any existing authority of the Comptroller General.

21 SEC. 755. (a) Except as provided in subsection (b),
22 none of the funds made available by this Act may be used
23 to purchase remote computing services except remote com-
24 puting services determined by the Government to—

1 (1) not store or transmit images which depict appar-
2 ent violations of section 2251, 2251A, 2252, 2252A,
3 2252B, or 2260 of title 18, United States Code, with re-
4 spect to child pornography; and

5 (2) comply with the reporting requirements under
6 section 2258A of such title for such violations.

7 (b) The limitation in subsection (a) shall not apply
8 to such services used for bona fide law enforcement ac-
9 tions.

10 SEC. 756. Except as expressly provided otherwise,
11 any reference to “this Act” contained in any title other
12 than title IV or VIII shall not apply to such title IV or
13 VIII.

14 TITLE VIII

15 GENERAL PROVISIONS—DISTRICT OF

16 COLUMBIA

17 SEC. 801. None of the Federal funds provided under
18 this Act to the agencies funded by this Act, both Federal
19 and District government agencies, that remain available
20 for obligation or expenditure in fiscal year 2022, or pro-
21 vided from any accounts in the Treasury of the United
22 States derived by the collection of fees available to the
23 agencies funded by this Act, shall be available for obliga-
24 tion or expenditures for an agency through a reprogram-
25 ming of funds which—

1 (1) creates new programs;

2 (2) eliminates a program, project, or responsi-
3 bility center;

4 (3) establishes or changes allocations specifi-
5 cally denied, limited or increased under this Act;

6 (4) increases funds or personnel by any means
7 for any program, project, or responsibility center for
8 which funds have been denied or restricted;

9 (5) re-establishes any program or project pre-
10 viously deferred through reprogramming;

11 (6) augments any existing program, project, or
12 responsibility center through a reprogramming of
13 funds in excess of \$3,000,000 or 10 percent, which-
14 ever is less; or

15 (7) increases by 20 percent or more personnel
16 assigned to a specific program, project or responsi-
17 bility center,

18 unless prior approval is received from the Committees on
19 Appropriations of the House of Representatives and the
20 Senate.

21 SEC. 802. None of the Federal funds appropriated
22 in this Act shall remain available for obligation beyond
23 the current fiscal year, nor may any be transferred to
24 other appropriations, unless expressly so provided herein.

1 SEC. 803. Except as otherwise specifically provided
2 by law or under this Act, not to exceed 50 percent of unob-
3 ligated balances remaining available at the end of fiscal
4 year 2022 from appropriations of Federal funds made
5 available for salaries and expenses for fiscal year 2022 in
6 this Act, shall remain available through September 30,
7 2023, for each such account for the purposes authorized:
8 *Provided*, That a request shall be submitted to the Com-
9 mittees on Appropriations of the House of Representatives
10 and the Senate for approval prior to the expenditure of
11 such funds: *Provided further*, That these requests shall be
12 made in compliance with reprogramming guidelines out-
13 lined in section 801 of this Act.

14 SEC. 804. (a)(1) During fiscal year 2023, during a
15 period in which neither a District of Columbia continuing
16 resolution or a regular District of Columbia appropriation
17 bill is in effect, local funds are appropriated in the amount
18 provided for any project or activity for which local funds
19 are provided in the Act referred to in paragraph (2) (sub-
20 ject to any modifications enacted by the District of Colum-
21 bia as of the beginning of the period during which this
22 subsection is in effect) at the rate set forth by such Act.

23 (2) The Act referred to in this paragraph is the Act
24 of the Council of the District of Columbia pursuant to
25 which a proposed budget is approved for fiscal year 2023

1 which (subject to the requirements of the District of Co-
2 lumbia Home Rule Act) will constitute the local portion
3 of the annual budget for the District of Columbia govern-
4 ment for fiscal year 2023 for purposes of section 446 of
5 the District of Columbia Home Rule Act (sec. 1–204.46,
6 D.C. Official Code).

7 (b) Appropriations made by subsection (a) shall cease
8 to be available—

9 (1) during any period in which a District of Co-
10 lumbia continuing resolution for fiscal year 2023 is
11 in effect; or

12 (2) upon the enactment into law of the regular
13 District of Columbia appropriation bill for fiscal year
14 2023.

15 (c) An appropriation made by subsection (a) is pro-
16 vided under the authority and conditions as provided
17 under this Act and shall be available to the extent and
18 in the manner that would be provided by this Act.

19 (d) An appropriation made by subsection (a) shall
20 cover all obligations or expenditures incurred for such
21 project or activity during the portion of fiscal year 2023
22 for which this section applies to such project or activity.

23 (e) This section shall not apply to a project or activity
24 during any period of fiscal year 2023 if any other provi-

1 sion of law (other than an authorization of appropria-
2 tions)—

3 (1) makes an appropriation, makes funds avail-
4 able, or grants authority for such project or activity
5 to continue for such period; or

6 (2) specifically provides that no appropriation
7 shall be made, no funds shall be made available, or
8 no authority shall be granted for such project or ac-
9 tivity to continue for such period.

10 (f) Nothing in this section shall be construed to affect
11 obligations of the government of the District of Columbia
12 mandated by other law.

13 SEC. 805. (a) Section 3(c)(2)(G) of the District of
14 Columbia College Access Act of 1999 (sec. 38–
15 2702(c)(2)(G), D.C. Official Code) is amended to read as
16 follows:

17 “(G) is from a family with a taxable an-
18 nual income of less than the applicable family
19 income limit, as defined in paragraph (7).”.

20 (b) Section 3(c) of such Act (sec. 38–2702(c), D.C.
21 Official Code) is amended by adding at the end the fol-
22 lowing new paragraph:

23 “(7) APPLICABLE FAMILY INCOME LIMIT.—The
24 term ‘applicable family income limit’ means, with re-
25 spect to an individual, the following:

1 “(A) In the case of an individual who
2 began an undergraduate course of study prior
3 to school year 2015–2016, \$1,000,000.

4 “(B) In the case of an individual who be-
5 gins an undergraduate course of study in school
6 year 2016–2017, \$750,000.

7 “(C) In the case of an individual who be-
8 gins an undergraduate course of study in school
9 year 2017–2018 or school year 2018–2019, the
10 applicable family income limit under this para-
11 graph for an individual who began an under-
12 graduate course of study in the previous school
13 year, adjusted by the Mayor for inflation, as
14 measured by the percentage increase, if any,
15 from the preceding fiscal year in the Consumer
16 Price Index for All Urban Consumers, pub-
17 lished by the Bureau of Labor Statistics of the
18 Department of Labor.

19 “(D) In the case of an individual who be-
20 gins an undergraduate course of study in school
21 year 2019–2020, \$500,000.

22 “(E) In the case of an individual who be-
23 gins an undergraduate course of study in school
24 year 2020–2021, the amount described in sub-
25 paragraph (D), adjusted by the Mayor for infla-

tion, as measured by the percentage increase, if any, from the preceding fiscal year in the Consumer Price Index for All Urban Consumers, published by the Bureau of Labor Statistics of the Department of Labor.

“(F) In the case of an individual who begins an undergraduate course of study in school year 2021–2022, \$750,000.

“(G) In the case of an individual who begins an undergraduate course of study in school year 2022–2023 or any succeeding school year, the applicable family income limit under this paragraph for an individual who began an undergraduate course of study in the previous school year, adjusted by the Mayor for inflation, as measured by the percentage increase, if any, from the preceding fiscal year in the Consumer Price Index for All Urban Consumers, published by the Bureau of Labor Statistics of the Department of Labor.”.

(c) The amendments made by this section shall take effect as if included in the enactment of the Financial Services and General Government Appropriations Act, 2019 (division D of Public Law 116–6).

1 SEC. 806. Nothing in this Act may be construed to
2 prevent the Council or Mayor of the District of Columbia
3 from addressing the issue of the provision of contraceptive
4 coverage by health insurance plans, but it is the intent
5 of Congress that any legislation enacted on such issue
6 should include a “conscience clause” which provides excep-
7 tions for religious beliefs and moral convictions.

8 SEC. 807. (a) Section 244 of the Revised Statutes
9 of the United States relating to the District of Columbia
10 (sec. 9–1201.03, D.C. Official Code) does not apply with
11 respect to any railroads installed pursuant to the Long
12 Bridge Project.

13 (b) In this section, the term “Long Bridge Project”
14 means the project carried out by the District of Columbia
15 and the Commonwealth of Virginia to construct a new
16 Long Bridge adjacent to the existing Long Bridge over
17 the Potomac River, including related infrastructure and
18 other related projects, to expand commuter and regional
19 passenger rail service and to provide bike and pedestrian
20 access crossings over the Potomac River.

21 SEC. 808. No services may be made available in ac-
22 cordance with section 740(a) of the District of Columbia
23 Home Rule Act (sec. 1–207.40(a), D.C. Official Code) at
24 any time during fiscal year 2022.

1 SEC. 809. Section 3 of the District of Columbia Col-
2 lege Access Act of 1999 (sec. 38–2702, D.C. Official
3 Code), is amended—

4 (1) in subsection (a)(2)(A), by striking
5 “\$10,000” and inserting “\$15,000”;

6 (2) in subsection (a)(2)(B), by striking
7 “\$50,000” and inserting “\$75,000”;

8 (3) in subsection (b)(1)(A), by striking “and”
9 at the end;

10 (4) in subsection (b)(1), by redesignating sub-
11 paragraph (B) as subparagraph (C) and inserting
12 after subparagraph (A) the following new subpara-
13 graph; “(B) after making reductions under subpara-
14 graph (A), ratably reduce the amount of the tuition
15 and fee payment of each eligible student who re-
16 ceives more than \$10,000 for the award year; and”;
17 and

18 (5) in subparagraph (C) of subsection (b)(1), as
19 so redesignated, by striking “subparagraph (A)” and
20 inserting “subparagraphs (A) and (B)”.

21 SEC. 810. Except as expressly provided otherwise,
22 any reference to “this Act” contained in this title or in
23 title IV shall be treated as referring only to the provisions
24 of this title or of title IV.

1 TITLE IX—ADDITIONAL PROVISIONS

2 SEC. 901. None of the funds made available by this
3 Act may be used to fill a vacancy on the Public Company
4 Accounting Oversight Board under section 101(e)(4) of
5 the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7211(e)(4))
6 until the date on which the Commission issues the rule
7 required under section 104(i)(4) of such Act (15 U.S.C.
8 7214(i)(4)), as added by the Holding Foreign Companies
9 Accountable Act.

10 SEC. 902. None of the funds made available by this
11 division may be used by the Securities and Exchange Com-
12 mission to enter directly into leases for real property for
13 a headquarters.

14 This division may be cited as the “Financial Services
15 and General Government Appropriations Act, 2022”.

16 **DIVISION E—DEPARTMENT OF THE INTE-**
17 **RIOR, ENVIRONMENT, AND RELATED**
18 **AGENCIES APPROPRIATIONS ACT, 2022**

19 TITLE I

20 DEPARTMENT OF THE INTERIOR

21 BUREAU OF LAND MANAGEMENT

22 MANAGEMENT OF LANDS AND RESOURCES

23 (INCLUDING TRANSFER OF FUNDS)

24 For necessary expenses for protection, use, improve-
25 ment, development, disposal, cadastral surveying, classi-

1 fication, acquisition of easements and other interests in
2 lands, and performance of other functions, including main-
3 tenance of facilities, as authorized by law, in the manage-
4 ment of lands and their resources under the jurisdiction
5 of the Bureau of Land Management, including the general
6 administration of the Bureau, and assessment of mineral
7 potential of public lands pursuant to section 1010(a) of
8 Public Law 96–487 (16 U.S.C. 3150(a)), \$1,458,414,000
9 (increased by \$1,000,000) (reduced by \$1,000,000), to re-
10 main available until September 30, 2023; of which
11 \$78,724,000 for annual and deferred maintenance and
12 \$162,093,000 for the wild horse and burro program, as
13 authorized by Public Law 92–195 (16 U.S.C. 1331 et
14 seq.), shall remain available until expended: *Provided*,
15 That amounts in the fee account of the BLM Permit Proc-
16 essing Improvement Fund may be used for any bureau-
17 related expenses associated with the processing of oil and
18 gas applications for permits to drill and related use of au-
19 thorizations: *Provided further*, That the Bureau of Land
20 Management may accept transfers of funds from U.S.
21 Customs and Border Protection for mitigation activities,
22 including land acquisition, related to construction of bor-
23 der barriers on Federal lands.

24 In addition, \$39,696,000 is for Mining Law Adminis-
25 tration program operations, including the cost of admin-

1 istering the mining claim fee program, to remain available
2 until expended, to be reduced by amounts collected by the
3 Bureau and credited to this appropriation from mining
4 claim maintenance fees and location fees that are hereby
5 authorized for fiscal year 2022, so as to result in a final
6 appropriation estimated at not more than \$1,458,414,000,
7 and \$2,000,000, to remain available until expended, from
8 communication site rental fees established by the Bureau
9 for the cost of administering communication site activities.

10 OREGON AND CALIFORNIA GRANT LANDS

11 For expenses necessary for management, protection,
12 and development of resources and for construction, oper-
13 ation, and maintenance of access roads, reforestation, and
14 other improvements on the revested Oregon and California
15 Railroad grant lands, on other Federal lands in the Or-
16 egon and California land-grant counties of Oregon, and
17 on adjacent rights-of-way; and acquisition of lands or in-
18 terests therein, including existing connecting roads on or
19 adjacent to such grant lands; \$124,471,000, to remain
20 available until expended: *Provided*, That 25 percent of the
21 aggregate of all receipts during the current fiscal year
22 from the revested Oregon and California Railroad grant
23 lands is hereby made a charge against the Oregon and
24 California land-grant fund and shall be transferred to the
25 General Fund in the Treasury in accordance with the sec-

1 ond paragraph of subsection (b) of title II of the Act of
2 August 28, 1937 (43 U.S.C. 2605).

3 RANGE IMPROVEMENTS

4 For rehabilitation, protection, and acquisition of
5 lands and interests therein, and improvement of Federal
6 rangelands pursuant to section 401 of the Federal Land
7 Policy and Management Act of 1976 (43 U.S.C. 1751),
8 notwithstanding any other Act, sums equal to 50 percent
9 of all moneys received during the prior fiscal year under
10 sections 3 and 15 of the Taylor Grazing Act (43 U.S.C.
11 315b, 315m) and the amount designated for range im-
12 provements from grazing fees and mineral leasing receipts
13 from Bankhead-Jones lands transferred to the Depart-
14 ment of the Interior pursuant to law, but not less than
15 \$10,000,000, to remain available until expended: *Pro-*
16 *vided*, That not to exceed \$600,000 shall be available for
17 administrative expenses.

18 SERVICE CHARGES, DEPOSITS, AND FORFEITURES

19 For administrative expenses and other costs related
20 to processing application documents and other authoriza-
21 tions for use and disposal of public lands and resources,
22 for costs of providing copies of official public land docu-
23 ments, for monitoring construction, operation, and termi-
24 nation of facilities in conjunction with use authorizations,
25 and for rehabilitation of damaged property, such amounts

1 as may be collected under Public Law 94–579 (43 U.S.C.
2 1701 et seq.), and under section 28 of the Mineral Leasing
3 Act (30 U.S.C. 185), to remain available until expended:
4 *Provided*, That notwithstanding any provision to the con-
5 trary of section 305(a) of Public Law 94–579 (43 U.S.C.
6 1735(a)), any moneys that have been or will be received
7 pursuant to that section, whether as a result of forfeiture,
8 compromise, or settlement, if not appropriate for refund
9 pursuant to section 305(c) of that Act (43 U.S.C.
10 1735(c)), shall be available and may be expended under
11 the authority of this Act by the Secretary of the Interior
12 to improve, protect, or rehabilitate any public lands ad-
13 ministered through the Bureau of Land Management
14 which have been damaged by the action of a resource de-
15 veloper, purchaser, permittee, or any unauthorized person,
16 without regard to whether all moneys collected from each
17 such action are used on the exact lands damaged which
18 led to the action: *Provided further*, That any such moneys
19 that are in excess of amounts needed to repair damage
20 to the exact land for which funds were collected may be
21 used to repair other damaged public lands.

22 MISCELLANEOUS TRUST FUNDS

23 In addition to amounts authorized to be expended
24 under existing laws, there is hereby appropriated such
25 amounts as may be contributed under section 307 of Pub-

1 lie Law 94–579 (43 U.S.C. 1737), and such amounts as
2 may be advanced for administrative costs, surveys, ap-
3 praisals, and costs of making conveyances of omitted lands
4 under section 211(b) of that Act (43 U.S.C. 1721(b)), to
5 remain available until expended.

6 ADMINISTRATIVE PROVISIONS

7 The Bureau of Land Management may carry out the
8 operations funded under this Act by direct expenditure,
9 contracts, grants, cooperative agreements, and reimburs-
10 able agreements with public and private entities, including
11 with States. Appropriations for the Bureau shall be avail-
12 able for purchase, erection, and dismantlement of tem-
13 porary structures, and alteration and maintenance of nec-
14 essary buildings and appurtenant facilities to which the
15 United States has title; up to \$100,000 for payments, at
16 the discretion of the Secretary, for information or evidence
17 concerning violations of laws administered by the Bureau;
18 miscellaneous and emergency expenses of enforcement ac-
19 tivities authorized or approved by the Secretary and to be
20 accounted for solely on the Secretary’s certificate, not to
21 exceed \$10,000: *Provided*, That notwithstanding Public
22 Law 90–620 (44 U.S.C. 501), the Bureau may, under co-
23 operative cost-sharing and partnership arrangements au-
24 thorized by law, procure printing services from cooperators
25 in connection with jointly produced publications for which

1 the cooperators share the cost of printing either in cash
2 or in services, and the Bureau determines the cooperator
3 is capable of meeting accepted quality standards: *Provided*
4 *further*, That projects to be funded pursuant to a written
5 commitment by a State government to provide an identi-
6 fied amount of money in support of the project may be
7 carried out by the Bureau on a reimbursable basis.

8 UNITED STATES FISH AND WILDLIFE SERVICE

9 RESOURCE MANAGEMENT

10 (INCLUDING TRANSFER OF FUNDS)

11 For necessary expenses of the United States Fish and
12 Wildlife Service, as authorized by law, and for scientific
13 and economic studies, general administration, and for the
14 performance of other authorized functions related to such
15 resources, \$1,651,795,000 (increased by \$2,000,000) to
16 remain available until September 30, 2023: *Provided*,
17 That not to exceed \$22,279,000 shall be used for imple-
18 menting subsections (a), (b), (c), and (e) of section 4 of
19 the Endangered Species Act of 1973 (16 U.S.C. 1533)
20 (except for processing petitions, developing and issuing
21 proposed and final regulations, and taking any other steps
22 to implement actions described in subsection (c)(2)(A),
23 (c)(2)(B)(i), or (c)(2)(B)(ii)): *Provided further*, That the
24 United States Fish and Wildlife Service may accept trans-
25 fers of funds from U.S. Customs and Border Protection

1 for mitigation activities, including land acquisition, related
2 to construction of border barriers on Federal lands.

3 CONSTRUCTION

4 For construction, improvement, acquisition, or re-
5 moval of buildings and other facilities required in the con-
6 servation, management, investigation, protection, and uti-
7 lization of fish and wildlife resources, and the acquisition
8 of lands and interests therein; \$34,620,000, to remain
9 available until expended.

10 COOPERATIVE ENDANGERED SPECIES CONSERVATION

11 FUND

12 For expenses necessary to carry out section 6 of the
13 Endangered Species Act of 1973 (16 U.S.C. 1535),
14 \$24,064,000, to remain available until expended, of which
15 \$24,064,000 is to be derived from the Cooperative Endan-
16 gered Species Conservation Fund.

17 NATIONAL WILDLIFE REFUGE FUND

18 For expenses necessary to implement the Act of Octo-
19 ber 17, 1978 (16 U.S.C. 715s), \$13,228,000.

20 NORTH AMERICAN WETLANDS CONSERVATION FUND

21 For expenses necessary to carry out the provisions
22 of the North American Wetlands Conservation Act (16
23 U.S.C. 4401 et seq.), \$50,000,000, to remain available
24 until expended.

1 NEOTROPICAL MIGRATORY BIRD CONSERVATION

2 For expenses necessary to carry out the Neotropical
3 Migratory Bird Conservation Act (16 U.S.C. 6101 et
4 seq.), \$6,500,000, to remain available until expended.

5 MULTINATIONAL SPECIES CONSERVATION FUND

6 For expenses necessary to carry out the African Ele-
7 phant Conservation Act (16 U.S.C. 4201 et seq.), the
8 Asian Elephant Conservation Act of 1997 (16 U.S.C.
9 4261 et seq.), the Rhinoceros and Tiger Conservation Act
10 of 1994 (16 U.S.C. 5301 et seq.), the Great Ape Con-
11 servation Act of 2000 (16 U.S.C. 6301 et seq.), and the
12 Marine Turtle Conservation Act of 2004 (16 U.S.C. 6601
13 et seq.), \$22,000,000, to remain available until expended.

14 STATE AND TRIBAL WILDLIFE GRANTS

15 For wildlife conservation grants to States and to the
16 District of Columbia, Puerto Rico, Guam, the United
17 States Virgin Islands, the Northern Mariana Islands,
18 American Samoa, and Indian tribes under the provisions
19 of the Fish and Wildlife Act of 1956 and the Fish and
20 Wildlife Coordination Act, for the development and imple-
21 mentation of programs for the benefit of wildlife and their
22 habitat, including species that are not hunted or fished,
23 \$82,362,000, to remain available until expended: *Pro-*
24 *vided*, That of the amount provided herein, \$8,000,000 is
25 for a competitive grant program for Indian tribes not sub-

1 ject to the remaining provisions of this appropriation: *Pro-*
2 *vided further*, That \$10,362,000 is for a competitive grant
3 program to implement approved plans for States, terri-
4 tories, and other jurisdictions and at the discretion of af-
5 fected States, the regional Associations of fish and wildlife
6 agencies, not subject to the remaining provisions of this
7 appropriation: *Provided further*, That the Secretary shall,
8 after deducting \$18,362,000 and administrative expenses,
9 apportion the amount provided herein in the following
10 manner: (1) to the District of Columbia and to the Com-
11 monwealth of Puerto Rico, each a sum equal to not more
12 than one-half of 1 percent thereof; and (2) to Guam,
13 American Samoa, the United States Virgin Islands, and
14 the Commonwealth of the Northern Mariana Islands, each
15 a sum equal to not more than one-fourth of 1 percent
16 thereof: *Provided further*, That the Secretary of the Inte-
17 rior shall apportion the remaining amount in the following
18 manner: (1) one-third of which is based on the ratio to
19 which the land area of such State bears to the total land
20 area of all such States; and (2) two-thirds of which is
21 based on the ratio to which the population of such State
22 bears to the total population of all such States: *Provided*
23 *further*, That the amounts apportioned under this para-
24 graph shall be adjusted equitably so that no State shall
25 be apportioned a sum which is less than 1 percent of the

1 amount available for apportionment under this paragraph
2 for any fiscal year or more than 5 percent of such amount:
3 *Provided further*, That the Federal share of planning
4 grants shall not exceed 75 percent of the total costs of
5 such projects and the Federal share of implementation
6 grants shall not exceed 65 percent of the total costs of
7 such projects: *Provided further*, That the non-Federal
8 share of such projects may not be derived from Federal
9 grant programs: *Provided further*, That any amount ap-
10 portioned in 2022 to any State, territory, or other jurisdic-
11 tion that remains unobligated as of September 30, 2023,
12 shall be reapportioned, together with funds appropriated
13 in 2024, in the manner provided herein.

14 ADMINISTRATIVE PROVISIONS

15 The United States Fish and Wildlife Service may
16 carry out the operations of Service programs by direct ex-
17 penditure, contracts, grants, cooperative agreements and
18 reimbursable agreements with public and private entities.
19 Appropriations and funds available to the United States
20 Fish and Wildlife Service shall be available for repair of
21 damage to public roads within and adjacent to reservation
22 areas caused by operations of the Service; options for the
23 purchase of land at not to exceed one dollar for each op-
24 tion; facilities incident to such public recreational uses on
25 conservation areas as are consistent with their primary

1 purpose; and the maintenance and improvement of aquar-
2 ia, buildings, and other facilities under the jurisdiction of
3 the Service and to which the United States has title, and
4 which are used pursuant to law in connection with man-
5 agement, and investigation of fish and wildlife resources:
6 *Provided*, That notwithstanding 44 U.S.C. 501, the Serv-
7 ice may, under cooperative cost sharing and partnership
8 arrangements authorized by law, procure printing services
9 from cooperators in connection with jointly produced pub-
10 lications for which the cooperators share at least one-half
11 the cost of printing either in cash or services and the Serv-
12 ice determines the cooperator is capable of meeting accept-
13 ed quality standards: *Provided further*, That the Service
14 may accept donated aircraft as replacements for existing
15 aircraft: *Provided further*, That notwithstanding 31 U.S.C.
16 3302, all fees collected for non-toxic shot review and ap-
17 proval shall be deposited under the heading “United
18 States Fish and Wildlife Service—Resource Management”
19 and shall be available to the Secretary, without further
20 appropriation, to be used for expenses of processing of
21 such non-toxic shot type or coating applications and revis-
22 ing regulations as necessary, and shall remain available
23 until expended.

1 NATIONAL PARK SERVICE

2 OPERATION OF THE NATIONAL PARK SYSTEM

3 (INCLUDING TRANSFER OF FUNDS)

4 For expenses necessary for the management, oper-
5 ation, and maintenance of areas and facilities adminis-
6 tered by the National Park Service and for the general
7 administration of the National Park Service,
8 \$2,965,756,000, to remain available until September 30,
9 2023, of which \$11,452,000 shall be for planning and
10 interagency coordination in support of Everglades restora-
11 tion and \$135,980,000 shall be for maintenance, repair,
12 or rehabilitation projects for constructed assets and
13 \$188,184,000 shall be for cyclic maintenance projects for
14 constructed assets and cultural resources and \$5,000,000
15 shall be for uses authorized by section 101122 of title 54,
16 United States Code: *Provided*, That funds appropriated
17 under this heading in this Act are available for the pur-
18 poses of section 5 of Public Law 95–348: *Provided further*,
19 That notwithstanding section 9 of the 400 Years of Afri-
20 can-American History Commission Act (36 U.S.C. note
21 prec. 101; Public Law 115–102), as amended, \$3,300,000
22 of the funds provided under this heading shall be made
23 available for the purposes specified by that Act: *Provided*
24 *further*, That sections 7(b) and 8 of that Act shall be
25 amended by striking “July 1, 2022” and inserting “July

1 1, 2023”: *Provided further*, That the National Park Serv-
2 ice may accept transfers of funds from U.S. Customs and
3 Border Protection for mitigation activities, including land
4 acquisition, related to construction of border barriers on
5 Federal lands.

6 In addition, for purposes described in section 2404
7 of Public Law 116–9, an amount equal to the amount de-
8 posited in this fiscal year into the National Park Medical
9 Services Fund established pursuant to such section of
10 such Act, to remain available until expended, shall be de-
11 rived from such Fund.

12 NATIONAL RECREATION AND PRESERVATION

13 For expenses necessary to carry out recreation pro-
14 grams, natural programs, cultural programs, heritage
15 partnership programs, environmental compliance and re-
16 view, international park affairs, and grant administration,
17 not otherwise provided for, \$80,410,000, to remain avail-
18 able until September 30, 2023.

19 HISTORIC PRESERVATION FUND

20 For expenses necessary in carrying out the National
21 Historic Preservation Act (division A of subtitle III of title
22 54, United States Code), \$155,800,000, to be derived
23 from the Historic Preservation Fund and to remain avail-
24 able until September 30, 2023, of which \$30,000,000 shall
25 be for Save America’s Treasures grants for preservation

1 of nationally significant sites, structures and artifacts as
2 authorized by section 7303 of the Omnibus Public Land
3 Management Act of 2009 (54 U.S.C. 3089): *Provided*,
4 That an individual Save America's Treasures grant shall
5 be matched by non-Federal funds: *Provided further*, That
6 individual projects shall only be eligible for one grant: *Pro-*
7 *vided further*, That all projects to be funded shall be ap-
8 proved by the Secretary of the Interior in consultation
9 with the House and Senate Committees on Appropria-
10 tions: *Provided further*, That of the funds provided for the
11 Historic Preservation Fund, \$1,250,000 is for competitive
12 grants for the survey and nomination of properties to the
13 National Register of Historic Places and as National His-
14 toric Landmarks associated with communities currently
15 under-represented, as determined by the Secretary,
16 \$26,375,000 is for competitive grants to preserve the sites
17 and stories of the Civil Rights movement; \$10,000,000 is
18 for grants to Historically Black Colleges and Universities;
19 \$7,500,000 is for competitive grants for the restoration
20 of historic properties of national, State, and local signifi-
21 cance listed on or eligible for inclusion on the National
22 Register of Historic Places, to be made without imposing
23 the usage or direct grant restrictions of section 101(e)(3)
24 (54 U.S.C. 302904) of the National Historical Preserva-
25 tion Act: *Provided further*, That such competitive grants

1 shall be made without imposing the matching require-
2 ments in section 302902(b)(3) of title 54, United States
3 Code to States and Indian tribes as defined in chapter
4 3003 of such title, Native Hawaiian organizations, local
5 governments, including Certified Local Governments, and
6 non-profit organizations.

7 CONSTRUCTION

8 For construction, improvements, repair, or replace-
9 ment of physical facilities, and compliance and planning
10 for programs and areas administered by the National
11 Park Service, \$252,613,000, to remain available until ex-
12 pended: *Provided*, That notwithstanding any other provi-
13 sion of law, for any project initially funded in fiscal year
14 2022 with a future phase indicated in the National Park
15 Service 5–Year Line Item Construction Plan, a single pro-
16 curement may be issued which includes the full scope of
17 the project: *Provided further*, That the solicitation and
18 contract shall contain the clause availability of funds
19 found at 48 CFR 52.232–18: *Provided further*, That Na-
20 tional Park Service Donations, Park Concessions Fran-
21 chise Fees, and Recreation Fees may be made available
22 for the cost of adjustments and changes within the origi-
23 nal scope of effort for projects funded by the National
24 Park Service Construction appropriation: *Provided further*,
25 That the Secretary of the Interior shall consult with the

1 Committees on Appropriations, in accordance with current
2 reprogramming thresholds, prior to making any charges
3 authorized by this section.

4 CENTENNIAL CHALLENGE

5 For expenses necessary to carry out the provisions
6 of section 101701 of title 54, United States Code, relating
7 to challenge cost share agreements, \$15,000,000, to re-
8 main available until expended, for Centennial Challenge
9 projects and programs: *Provided*, That not less than 50
10 percent of the total cost of each project or program shall
11 be derived from non-Federal sources in the form of do-
12 nated cash, assets, or a pledge of donation guaranteed by
13 an irrevocable letter of credit.

14 ADMINISTRATIVE PROVISIONS

15 (INCLUDING TRANSFER OF FUNDS)

16 In addition to other uses set forth in section
17 101917(c)(2) of title 54, United States Code, franchise
18 fees credited to a sub-account shall be available for ex-
19 penditure by the Secretary, without further appropriation,
20 for use at any unit within the National Park System to
21 extinguish or reduce liability for Possessory Interest or
22 leasehold surrender interest. Such funds may only be used
23 for this purpose to the extent that the benefitting unit an-
24 ticipated franchise fee receipts over the term of the con-
25 tract at that unit exceed the amount of funds used to ex-

1 tinguish or reduce liability. Franchise fees at the benefit-
2 ting unit shall be credited to the sub-account of the origi-
3 nating unit over a period not to exceed the term of a single
4 contract at the benefitting unit, in the amount of funds
5 so expended to extinguish or reduce liability.

6 For the costs of administration of the Land and
7 Water Conservation Fund grants authorized by section
8 105(a)(2)(B) of the Gulf of Mexico Energy Security Act
9 of 2006 (Public Law 109–432), the National Park Service
10 may retain up to 3 percent of the amounts which are au-
11 thorized to be disbursed under such section, such retained
12 amounts to remain available until expended.

13 National Park Service funds may be transferred to
14 the Federal Highway Administration (FHWA), Depart-
15 ment of Transportation, for purposes authorized under 23
16 U.S.C. 203. Transfers may include a reasonable amount
17 for FHWA administrative support costs.

18 UNITED STATES GEOLOGICAL SURVEY

19 SURVEYS, INVESTIGATIONS, AND RESEARCH

20 For expenses necessary for the United States Geo-
21 logical Survey to perform surveys, investigations, and re-
22 search covering topography, geology, hydrology, biology,
23 and the mineral and water resources of the United States,
24 its territories and possessions, and other areas as author-
25 ized by 43 U.S.C. 31, 1332, and 1340; classify lands as

1 to their mineral and water resources; give engineering su-
2 pervision to power permittees and Federal Energy Regu-
3 latory Commission licensees; administer the minerals ex-
4 ploration program (30 U.S.C. 641); conduct inquiries into
5 the economic conditions affecting mining and materials
6 processing industries (30 U.S.C. 3, 21a, and 1603; 50
7 U.S.C. 98g(a)(1)) and related purposes as authorized by
8 law; and to publish and disseminate data relative to the
9 foregoing activities; \$1,642,437,000 (reduced by
10 \$650,000) (increased by \$650,000) (increased by
11 \$5,000,000) (reduced by \$5,000,000) (increased by
12 \$2,000,000) (increased by \$2,000,000) (reduced by
13 \$15,000,000) (increased by \$15,000,000), to remain avail-
14 able until September 30, 2023; of which \$84,788,000 shall
15 remain available until expended for satellite operations;
16 and of which \$84,664,000 shall be available until ex-
17 pended for deferred maintenance and capital improvement
18 projects that exceed \$100,000 in cost: *Provided*, That
19 none of the funds provided for the ecosystem research ac-
20 tivity shall be used to conduct new surveys on private
21 property, unless specifically authorized in writing by the
22 property owner: *Provided further*, That no part of this ap-
23 propriation shall be used to pay more than one-half the
24 cost of topographic mapping or water resources data col-

1 lection and investigations carried on in cooperation with
2 States and municipalities.

3 ADMINISTRATIVE PROVISIONS

4 From within the amount appropriated for activities
5 of the United States Geological Survey such sums as are
6 necessary shall be available for contracting for the fur-
7 nishing of topographic maps and for the making of geo-
8 physical or other specialized surveys when it is administra-
9 tively determined that such procedures are in the public
10 interest; construction and maintenance of necessary build-
11 ings and appurtenant facilities; acquisition of lands for
12 gauging stations, observation wells, and seismic equip-
13 ment; expenses of the United States National Committee
14 for Geological Sciences; and payment of compensation and
15 expenses of persons employed by the Survey duly ap-
16 pointed to represent the United States in the negotiation
17 and administration of interstate compacts: *Provided*, That
18 activities funded by appropriations herein made may be
19 accomplished through the use of contracts, grants, or co-
20 operative agreements as defined in section 6302 of title
21 31, United States Code: *Provided further*, That the United
22 States Geological Survey may enter into contracts or coop-
23 erative agreements directly with individuals or indirectly
24 with institutions or nonprofit organizations, without re-
25 gard to 41 U.S.C. 6101, for the temporary or intermittent

1 services of students or recent graduates, who shall be con-
2 sidered employees for the purpose of chapters 57 and 81
3 of title 5, United States Code, relating to compensation
4 for travel and work injuries, and chapter 171 of title 28,
5 United States Code, relating to tort claims, but shall not
6 be considered to be Federal employees for any other pur-
7 poses.

8 BUREAU OF OCEAN ENERGY MANAGEMENT

9 OCEAN ENERGY MANAGEMENT

10 For expenses necessary for granting and admin-
11 istering leases, easements, rights-of-way, and agreements
12 for use for oil and gas, other minerals, energy, and ma-
13 rine-related purposes on the Outer Continental Shelf and
14 approving operations related thereto, as authorized by law;
15 for environmental studies, as authorized by law; for imple-
16 menting other laws and to the extent provided by Presi-
17 dential or Secretarial delegation; and for matching grants
18 or cooperative agreements, \$223,932,000, of which
19 \$180,932,000 is to remain available until September 30,
20 2023, and of which \$43,000,000 is to remain available
21 until expended: *Provided*, That this total appropriation
22 shall be reduced by amounts collected by the Secretary of
23 the Interior and credited to this appropriation from addi-
24 tions to receipts resulting from increases to lease rental
25 rates in effect on August 5, 1993, and from cost recovery

1 fees from activities conducted by the Bureau of Ocean En-
2 ergy Management pursuant to the Outer Continental Shelf
3 Lands Act, including studies, assessments, analysis, and
4 miscellaneous administrative activities: *Provided further*,
5 That the sum herein appropriated shall be reduced as such
6 collections are received during the fiscal year, so as to re-
7 sult in a final fiscal year 2022 appropriation estimated
8 at not more than \$180,932,000: *Provided further*, That
9 not to exceed \$3,000 shall be available for reasonable ex-
10 penses related to promoting volunteer beach and marine
11 cleanup activities.

12 BUREAU OF SAFETY AND ENVIRONMENTAL
13 ENFORCEMENT

14 OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT

15 For expenses necessary for the regulation of oper-
16 ations related to leases, easements, rights-of-way, and
17 agreements for use for oil and gas, other minerals, energy,
18 and marine-related purposes on the Outer Continental
19 Shelf, as authorized by law; for enforcing and imple-
20 menting laws and regulations as authorized by law and
21 to the extent provided by Presidential or Secretarial dele-
22 gation; and for matching grants or cooperative agree-
23 ments, \$181,030,000, of which \$155,273,000 is to remain
24 available until September 30, 2023, and of which
25 \$25,757,000 is to remain available until expended, includ-

1 ing \$5,000,000 for offshore decommissioning activities:
2 *Provided*, That this total appropriation shall be reduced
3 by amounts collected by the Secretary of the Interior and
4 credited to this appropriation from additions to receipts
5 resulting from increases to lease rental rates in effect on
6 August 5, 1993, and from cost recovery fees from activi-
7 ties conducted by the Bureau of Safety and Environmental
8 Enforcement pursuant to the Outer Continental Shelf
9 Lands Act, including studies, assessments, analysis, and
10 miscellaneous administrative activities: *Provided further*,
11 That the sum herein appropriated shall be reduced as such
12 collections are received during the fiscal year, so as to re-
13 sult in a final fiscal year 2022 appropriation estimated
14 at not more than \$155,273,000.

15 For an additional amount, \$32,243,000, to remain
16 available until expended, to be reduced by amounts col-
17 lected by the Secretary and credited to this appropriation,
18 which shall be derived from non-refundable inspection fees
19 collected in fiscal year 2022, as provided in this Act: *Pro-*
20 *vided*, That to the extent that amounts realized from such
21 inspection fees exceed \$32,243,000, the amounts realized
22 in excess of \$32,243,000 shall be credited to this appro-
23 priation and remain available until expended: *Provided*
24 *further*, That for fiscal year 2022, not less than 50 percent
25 of the inspection fees expended by the Bureau of Safety

1 and Environmental Enforcement will be used to fund per-
2 sonnel and mission-related costs to expand capacity and
3 expedite the orderly development, subject to environmental
4 safeguards, of the Outer Continental Shelf pursuant to the
5 Outer Continental Shelf Lands Act (43 U.S.C. 1331 et
6 seq.), including the review of applications for permits to
7 drill.

8 OIL SPILL RESEARCH

9 For necessary expenses to carry out title I, section
10 1016; title IV, sections 4202 and 4303; title VII; and title
11 VIII, section 8201 of the Oil Pollution Act of 1990,
12 \$15,099,000, which shall be derived from the Oil Spill Li-
13 ability Trust Fund, to remain available until expended.

14 OFFICE OF SURFACE MINING RECLAMATION AND
15 ENFORCEMENT

16 REGULATION AND TECHNOLOGY

17 For necessary expenses to carry out the provisions
18 of the Surface Mining Control and Reclamation Act of
19 1977, Public Law 95–87, \$119,257,000, to remain avail-
20 able until September 30, 2023, of which \$65,000,000 shall
21 be available for state and tribal regulatory grants: *Pro-*
22 *vided*, That appropriations for the Office of Surface Min-
23 ing Reclamation and Enforcement may provide for the
24 travel and per diem expenses of State and tribal personnel

1 attending Office of Surface Mining Reclamation and En-
2 forcement sponsored training.

3 In addition, for costs to review, administer, and en-
4 force permits issued by the Office pursuant to section 507
5 of Public Law 95–87 (30 U.S.C. 1257), \$40,000, to re-
6 main available until expended: *Provided*, That fees as-
7 sessed and collected by the Office pursuant to such section
8 507 shall be credited to this account as discretionary off-
9 setting collections, to remain available until expended:
10 *Provided further*, That the sum herein appropriated from
11 the general fund shall be reduced as collections are re-
12 ceived during the fiscal year, so as to result in a fiscal
13 year 2022 appropriation estimated at not more than
14 \$119,257,000.

15 ABANDONED MINE RECLAMATION FUND

16 For necessary expenses to carry out title IV of the
17 Surface Mining Control and Reclamation Act of 1977,
18 Public Law 95–87, \$27,765,000, to be derived from re-
19 ceipts of the Abandoned Mine Reclamation Fund and to
20 remain available until expended: *Provided*, That pursuant
21 to Public Law 97–365, the Department of the Interior is
22 authorized to use up to 20 percent from the recovery of
23 the delinquent debt owed to the United States Government
24 to pay for contracts to collect these debts: *Provided fur-*
25 *ther*, That funds made available under title IV of Public

1 Law 95–87 may be used for any required non-Federal
2 share of the cost of projects funded by the Federal Gov-
3 ernment for the purpose of environmental restoration re-
4 lated to treatment or abatement of acid mine drainage
5 from abandoned mines: *Provided further*, That such
6 projects must be consistent with the purposes and prior-
7 ities of the Surface Mining Control and Reclamation Act:
8 *Provided further*, That amounts provided under this head-
9 ing may be used for the travel and per diem expenses of
10 State and tribal personnel attending Office of Surface
11 Mining Reclamation and Enforcement sponsored training.

12 In addition, \$165,000,000, to remain available until
13 expended, for grants to States and federally recognized In-
14 dian Tribes for reclamation of abandoned mine lands and
15 other related activities: *Provided*, That such additional
16 amount shall be used for economic and community devel-
17 opment in conjunction with the priorities in section 403(a)
18 of the Surface Mining Control and Reclamation Act of
19 1977 (30 U.S.C. 1233(a)): *Provided further*, That of such
20 additional amount, \$105,000,000 shall be distributed in
21 equal amounts to the three Appalachian States with the
22 greatest amount of unfunded needs to meet the priorities
23 described in paragraphs (1) and (2) of such section,
24 \$45,000,000 shall be distributed in equal amounts to the
25 three Appalachian States with the subsequent greatest

1 amount of unfunded needs to meet such priorities, and
2 \$15,000,000 shall be for grants to federally recognized In-
3 dian Tribes without regard to their status as certified or
4 uncertified under the Surface Mining Control and Rec-
5 lamation Act of 1977 (30 U.S.C. 1233(a)), for reclama-
6 tion of abandoned mine lands and other related activities
7 and shall be used for economic and community develop-
8 ment in conjunction with the priorities in section 403(a)
9 of the Surface Mining Control and Reclamation Act of
10 1977: *Provided further*, That such additional amount shall
11 be allocated to States and Indian Tribes within 60 days
12 after the date of enactment of this Act.

13 INDIAN AFFAIRS

14 BUREAU OF INDIAN AFFAIRS

15 OPERATION OF INDIAN PROGRAMS

16 (INCLUDING TRANSFERS OF FUNDS)

17 For expenses necessary for the operation of Indian
18 programs, as authorized by law, including the Snyder Act
19 of November 2, 1921 (25 U.S.C. 13) and the Indian Self-
20 Determination and Education Assistance Act of 1975 (25
21 U.S.C. 5301 et seq.), \$1,924,089,000 (increased by
22 \$1,200,000), to remain available until September 30,
23 2023, except as otherwise provided herein; of which not
24 to exceed \$8,500 may be for official reception and rep-
25 resentation expenses; of which not to exceed \$78,494,000

1 shall be for welfare assistance payments: *Provided*, That
2 in cases of designated Federal disasters, the Secretary of
3 the Interior may exceed such cap for welfare payments
4 from the amounts provided herein, to provide for disaster
5 relief to Indian communities affected by the disaster: *Pro-*
6 *vided further*, That federally recognized Indian tribes and
7 tribal organizations of federally recognized Indian tribes
8 may use their tribal priority allocations for unmet welfare
9 assistance costs: *Provided further*, That not to exceed
10 \$60,182,000 shall remain available until expended for
11 housing improvement, road maintenance, attorney fees,
12 litigation support, land records improvement, and the
13 Navajo-Hopi Settlement Program: *Provided further*, That
14 any forestry funds allocated to a federally recognized tribe
15 which remain unobligated as of September 30, 2023, may
16 be transferred during fiscal year 2024 to an Indian forest
17 land assistance account established for the benefit of the
18 holder of the funds within the holder's trust fund account:
19 *Provided further*, That any such unobligated balances not
20 so transferred shall expire on September 30, 2024: *Pro-*
21 *vided further*, That in order to enhance the safety of Bu-
22 reau field employees, the Bureau may use funds to pur-
23 chase uniforms or other identifying articles of clothing for
24 personnel: *Provided further*, That the Bureau of Indian
25 Affairs may accept transfers of funds from United States

1 Customs and Border Protection to supplement any other
2 funding available for reconstruction or repair of roads
3 owned by the Bureau of Indian Affairs as identified on
4 the National Tribal Transportation Facility Inventory, 23
5 U.S.C. 202(b)(1): *Provided further*, That section 5 of the
6 Indian Reorganization Act of June 18, 1934 (25 U.S.C.
7 5108) shall be applied by substituting “\$2,500,000” for
8 “\$2,000,000”.

9 INDIAN LAND CONSOLIDATION

10 For the acquisition of fractional interests to further
11 land consolidation as authorized under the Indian Land
12 Consolidation Act Amendments of 2000 (Public Law 106–
13 462), and the American Indian Probate Reform Act of
14 2004 (Public Law 108–374), \$75,000,000, to remain
15 available until expended: *Provided*, That any provision of
16 the Indian Land Consolidation Act Amendments of 2000
17 (Public Law 106–462) that requires or otherwise relates
18 to application of a lien shall not apply to the acquisitions
19 funded herein.

20 CONTRACT SUPPORT COSTS

21 For payments to tribes and tribal organizations for
22 contract support costs associated with Indian Self-Deter-
23 mination and Education Assistance Act agreements with
24 the Bureau of Indian Affairs and the Bureau of Indian
25 Education for fiscal year 2022, such sums as may be nec-

1 essary, which shall be available for obligation through Sep-
2 tember 30, 2023: *Provided*, That notwithstanding any
3 other provision of law, no amounts made available under
4 this heading shall be available for transfer to another
5 budget account.

6 PAYMENTS FOR TRIBAL LEASES

7 For payments to tribes and tribal organizations for
8 leases pursuant to section 105(l) of the Indian Self-Deter-
9 mination and Education Assistance Act (25 U.S.C.
10 5324(l)) for fiscal year 2022, such sums as may be nec-
11 essary, which shall be available for obligation through Sep-
12 tember 30, 2023: *Provided*, That notwithstanding any
13 other provision of law, no amounts made available under
14 this heading shall be available for transfer to another
15 budget account.

16 CONSTRUCTION

17 (INCLUDING TRANSFER OF FUNDS)

18 For construction, repair, improvement, and mainte-
19 nance of irrigation and power systems, buildings, utilities,
20 and other facilities, including architectural and engineer-
21 ing services by contract; acquisition of lands, and interests
22 in lands; and preparation of lands for farming, and for
23 construction of the Navajo Indian Irrigation Project pur-
24 suant to Public Law 87-483; \$187,992,000, to remain
25 available until expended: *Provided*, That such amounts as

1 may be available for the construction of the Navajo Indian
2 Irrigation Project may be transferred to the Bureau of
3 Reclamation: *Provided further*, That any funds provided
4 for the Safety of Dams program pursuant to the Act of
5 November 2, 1921 (25 U.S.C. 13), shall be made available
6 on a nonreimbursable basis: *Provided further*, That this
7 appropriation may be reimbursed from the Office of the
8 Special Trustee for American Indians appropriation for
9 the appropriate share of construction costs for space ex-
10 pansion needed in agency offices to meet trust reform im-
11 plementation: *Provided further*, That of the funds made
12 available under this heading, \$10,000,000 shall be derived
13 from the Indian Irrigation Fund established by section
14 3211 of the WIIN Act (Public Law 114–322; 130 Stat.
15 1749).

16 INDIAN LAND AND WATER CLAIM SETTLEMENTS AND
17 MISCELLANEOUS PAYMENTS TO INDIANS

18 For payments and necessary administrative expenses
19 for implementation of Indian land and water claim settle-
20 ments pursuant to Public Laws 99–264, 114–322, and
21 116–260 and for implementation of other land and water
22 rights settlements, \$75,844,000, to remain available until
23 expended, of which up to \$25,000,000 shall be available
24 for deposit into the Séliš-Qlispé Ksanka Settlement Trust
25 Fund established by Public Law 116–260.

1 INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

2 For the cost of guaranteed loans and insured loans,
3 \$11,833,000, to remain available until September 30,
4 2023, of which \$1,629,000 is for administrative expenses,
5 as authorized by the Indian Financing Act of 1974: *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 or insured, not to
11 exceed \$103,456,940.

12 BUREAU OF INDIAN EDUCATION

13 OPERATION OF INDIAN EDUCATION PROGRAMS

14 For expenses necessary for the operation of Indian
15 education programs, as authorized by law, including the
16 Snyder Act of November 2, 1921 (25 U.S.C. 13), the In-
17 dian Self-Determination and Education Assistance Act of
18 1975 (25 U.S.C. 5301 et seq.), the Education Amend-
19 ments of 1978 (25 U.S.C. 2001–2019), and the Tribally
20 Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.),
21 \$1,083,463,000 to remain available until September 30,
22 2023, except as otherwise provided herein: *Provided*, That
23 federally recognized Indian tribes and tribal organizations
24 of federally recognized Indian tribes may use their tribal
25 priority allocations for unmet welfare assistance costs:

1 *Provided further*, That not to exceed \$797,911,000 for
2 school operations costs of Bureau-funded schools and
3 other education programs shall become available on July
4 1, 2022, and shall remain available until September 30,
5 2023: *Provided further*, That notwithstanding any other
6 provision of law, including but not limited to the Indian
7 Self-Determination Act of 1975 (25 U.S.C. 5301 et seq.)
8 and section 1128 of the Education Amendments of 1978
9 (25 U.S.C. 2008), not to exceed \$92,285,000 within and
10 only from such amounts made available for school oper-
11 ations shall be available for administrative cost grants as-
12 sociated with grants approved prior to July 1, 2022: *Pro-*
13 *vided further*, That in order to enhance the safety of Bu-
14 reau field employees, the Bureau may use funds to pur-
15 chase uniforms or other identifying articles of clothing for
16 personnel.

17 EDUCATION CONSTRUCTION

18 For construction, repair, improvement, and mainte-
19 nance of buildings, utilities, and other facilities necessary
20 for the operation of Indian education programs, including
21 architectural and engineering services by contract; acquisi-
22 tion of lands, and interests in lands; \$267,330,000 (re-
23 duced by \$5,000,000) (increased by \$5,000,000) to re-
24 main available until expended: *Provided*, That in order to
25 ensure timely completion of construction projects, the Sec-

1 retary of the Interior may assume control of a project and
2 all funds related to the project, if, not later than 18
3 months after the date of the enactment of this Act, any
4 Public Law 100–297 (25 U.S.C. 2501, et seq.) grantee
5 receiving funds appropriated in this Act or in any prior
6 Act, has not completed the planning and design phase of
7 the project and commenced construction.

8 ADMINISTRATIVE PROVISIONS

9 The Bureau of Indian Affairs and the Bureau of In-
10 dian Education may carry out the operation of Indian pro-
11 grams by direct expenditure, contracts, cooperative agree-
12 ments, compacts, and grants, either directly or in coopera-
13 tion with States and other organizations.

14 Notwithstanding Public Law 87–279 (25 U.S.C. 15),
15 the Bureau of Indian Affairs may contract for services in
16 support of the management, operation, and maintenance
17 of the Power Division of the San Carlos Irrigation Project.

18 Notwithstanding any other provision of law, no funds
19 available to the Bureau of Indian Affairs or the Bureau
20 of Indian Education for central office oversight and Exec-
21 utive Direction and Administrative Services (except Exec-
22 utive Direction and Administrative Services funding for
23 Tribal Priority Allocations, regional offices, and facilities
24 operations and maintenance) shall be available for con-
25 tracts, grants, compacts, or cooperative agreements with

1 the Bureau of Indian Affairs or the Bureau of Indian
2 Education under the provisions of the Indian Self-Deter-
3 mination Act or the Tribal Self-Governance Act of 1994
4 (Public Law 103–413).

5 In the event any tribe returns appropriations made
6 available by this Act to the Bureau of Indian Affairs or
7 the Bureau of Indian Education, this action shall not di-
8 minish the Federal Government’s trust responsibility to
9 that tribe, or the government-to-government relationship
10 between the United States and that tribe, or that tribe’s
11 ability to access future appropriations.

12 Notwithstanding any other provision of law, no funds
13 available to the Bureau of Indian Education, other than
14 the amounts provided herein for assistance to public
15 schools under 25 U.S.C. 452 et seq., shall be available to
16 support the operation of any elementary or secondary
17 school in the State of Alaska.

18 No funds available to the Bureau of Indian Edu-
19 cation shall be used to support expanded grades for any
20 school or dormitory beyond the grade structure in place
21 or approved by the Secretary of the Interior at each school
22 in the Bureau of Indian Education school system as of
23 October 1, 1995, except that the Secretary of the Interior
24 may waive this prohibition to support expansion of up to
25 one additional grade when the Secretary determines such

1 waiver is needed to support accomplishment of the mission
2 of the Bureau of Indian Education, or more than one
3 grade to expand the elementary grade structure for Bu-
4 reau-funded schools with a K–2 grade structure on Octo-
5 ber 1, 1996. Appropriations made available in this or any
6 prior Act for schools funded by the Bureau shall be avail-
7 able, in accordance with the Bureau’s funding formula,
8 only to the schools in the Bureau school system as of Sep-
9 tember 1, 1996, and to any school or school program that
10 was reinstated in fiscal year 2012. Funds made available
11 under this Act may not be used to establish a charter
12 school at a Bureau-funded school (as that term is defined
13 in section 1141 of the Education Amendments of 1978
14 (25 U.S.C. 2021)), except that a charter school that is
15 in existence on the date of the enactment of this Act and
16 that has operated at a Bureau-funded school before Sep-
17 tember 1, 1999, may continue to operate during that pe-
18 riod, but only if the charter school pays to the Bureau
19 a pro rata share of funds to reimburse the Bureau for
20 the use of the real and personal property (including buses
21 and vans), the funds of the charter school are kept sepa-
22 rate and apart from Bureau funds, and the Bureau does
23 not assume any obligation for charter school programs of
24 the State in which the school is located if the charter
25 school loses such funding. Employees of Bureau-funded

1 schools sharing a campus with a charter school and per-
2 forming functions related to the charter school's operation
3 and employees of a charter school shall not be treated as
4 Federal employees for purposes of chapter 171 of title 28,
5 United States Code.

6 Notwithstanding any other provision of law, including
7 section 113 of title I of appendix C of Public Law 106–
8 113, if in fiscal year 2003 or 2004 a grantee received indi-
9 rect and administrative costs pursuant to a distribution
10 formula based on section 5(f) of Public Law 101–301, the
11 Secretary shall continue to distribute indirect and admin-
12 istrative cost funds to such grantee using the section 5(f)
13 distribution formula.

14 Funds available under this Act may not be used to
15 establish satellite locations of schools in the Bureau school
16 system as of September 1, 1996, except that the Secretary
17 may waive this prohibition in order for an Indian tribe
18 to provide language and cultural immersion educational
19 programs for non-public schools located within the juris-
20 dictional area of the tribal government which exclusively
21 serve tribal members, do not include grades beyond those
22 currently served at the existing Bureau-funded school,
23 provide an educational environment with educator pres-
24 ence and academic facilities comparable to the Bureau-
25 funded school, comply with all applicable Tribal, Federal,

1 or State health and safety standards, and the Americans
2 with Disabilities Act, and demonstrate the benefits of es-
3 tablishing operations at a satellite location in lieu of incur-
4 ring extraordinary costs, such as for transportation or
5 other impacts to students such as those caused by busing
6 students extended distances: *Provided*, That no funds
7 available under this Act may be used to fund operations,
8 maintenance, rehabilitation, construction, or other facili-
9 ties-related costs for such assets that are not owned by
10 the Bureau: *Provided further*, That the term “satellite
11 school” means a school location physically separated from
12 the existing Bureau school by more than 50 miles but that
13 forms part of the existing school in all other respects.

14 Funds made available for Tribal Priority Allocations
15 within Operation of Indian Programs and Operation of In-
16 dian Education Programs may be used to execute re-
17 quested adjustments in tribal priority allocations initiated
18 by an Indian Tribe.

19 OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN
20 INDIANS
21 FEDERAL TRUST PROGRAMS
22 (INCLUDING TRANSFER OF FUNDS)

23 For the operation of trust programs for Indians by
24 direct expenditure, contracts, cooperative agreements,
25 compacts, and grants, \$109,572,000, to remain available

1 until expended, of which not to exceed \$17,536,000 from
2 this or any other Act, may be available for historical ac-
3 counting: *Provided*, That funds for trust management im-
4 provements and litigation support may, as needed, be
5 transferred to or merged with the Bureau of Indian Af-
6 fairs, “Operation of Indian Programs” and Bureau of In-
7 dian Education, “Operation of Indian Education Pro-
8 grams” accounts; the Office of the Solicitor, “Salaries and
9 Expenses” account; and the Office of the Secretary, “De-
10 partmental Operations” account: *Provided further*, That
11 funds made available through contracts or grants obli-
12 gated during fiscal year 2022, as authorized by the Indian
13 Self-Determination Act of 1975 (25 U.S.C. 5301 et seq.),
14 shall remain available until expended by the contractor or
15 grantee: *Provided further*, That notwithstanding any other
16 provision of law, the Secretary shall not be required to
17 provide a quarterly statement of performance for any In-
18 dian trust account that has not had activity for at least
19 15 months and has a balance of \$15 or less: *Provided fur-*
20 *ther*, That the Secretary shall issue an annual account
21 statement and maintain a record of any such accounts and
22 shall permit the balance in each such account to be with-
23 drawn upon the express written request of the account
24 holder: *Provided further*, That not to exceed \$100,000 is
25 available for the Secretary to make payments to correct

1 administrative errors of either disbursements from or de-
2 posits to Individual Indian Money or Tribal accounts after
3 September 30, 2002: *Provided further*, That erroneous
4 payments that are recovered shall be credited to and re-
5 main available in this account for this purpose: *Provided*
6 *further*, That the Secretary shall not be required to rec-
7 oncile Special Deposit Accounts with a balance of less than
8 \$500 unless the Office of the Special Trustee receives
9 proof of ownership from a Special Deposit Accounts claim-
10 ant: *Provided further*, That notwithstanding section 102
11 of the American Indian Trust Fund Management Reform
12 Act of 1994 (Public Law 103–412) or any other provision
13 of law, the Secretary may aggregate the trust accounts
14 of individuals whose whereabouts are unknown for a con-
15 tinuous period of at least 5 years and shall not be required
16 to generate periodic statements of performance for the in-
17 dividual accounts: *Provided further*, That with respect to
18 the eighth proviso, the Secretary shall continue to main-
19 tain sufficient records to determine the balance of the indi-
20 vidual accounts, including any accrued interest and in-
21 come, and such funds shall remain available to the indi-
22 vidual account holders.

1 DEPARTMENTAL OFFICES

2 OFFICE OF THE SECRETARY

3 DEPARTMENTAL OPERATIONS

4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses for management of the De-
6 partment of the Interior and for grants and cooperative
7 agreements, as authorized by law, \$130,887,000 (reduced
8 by \$1,000,000) (reduced by \$2,000,000) (reduced by
9 \$3,000,000) (increased by \$3,000,000) (reduced by
10 \$2,000,000) (reduced by \$2,000,000) (reduced by
11 \$2,000,000) (reduced by \$2,000,000) (reduced by
12 \$2,000,000) (reduced by \$1,200,000), to remain available
13 until September 30, 2023; of which not to exceed \$15,000
14 may be for official reception and representation expenses;
15 of which up to \$1,000,000 shall be available for workers
16 compensation payments and unemployment compensation
17 payments associated with the orderly closure of the United
18 States Bureau of Mines; and of which \$13,591,000 for
19 Indian land, mineral, and resource valuation activities
20 shall remain available until expended: *Provided*, That
21 funds for Indian land, mineral, and resource valuation ac-
22 tivities may, as needed, be transferred to and merged with
23 the Bureau of Indian Affairs “Operation of Indian Pro-
24 grams” and Bureau of Indian Education “Operation of
25 Indian Education Programs” accounts and the Office of

1 the Special Trustee “Federal Trust Programs” account:
2 *Provided further*, That funds made available through con-
3 tracts or grants obligated during fiscal year 2022, as au-
4 thorized by the Indian Self-Determination Act of 1975 (25
5 U.S.C. 5301 et seq.), shall remain available until expended
6 by the contractor or grantee.

7 ADMINISTRATIVE PROVISIONS

8 For fiscal year 2022, up to \$400,000 of the payments
9 authorized by chapter 69 of title 31, United States Code,
10 may be retained for administrative expenses of the Pay-
11 ments in Lieu of Taxes Program: *Provided*, That the
12 amounts provided under this Act specifically for the Pay-
13 ments in Lieu of Taxes program are the only amounts
14 available for payments authorized under chapter 69 of
15 title 31, United States Code: *Provided further*, That in the
16 event the sums appropriated for any fiscal year for pay-
17 ments pursuant to this chapter are insufficient to make
18 the full payments authorized by that chapter to all units
19 of local government, then the payment to each local gov-
20 ernment shall be made proportionally: *Provided further*,
21 That the Secretary may make adjustments to payment to
22 individual units of local government to correct for prior
23 overpayments or underpayments: *Provided further*, That
24 no payment shall be made pursuant to that chapter to oth-

1 erwise eligible units of local government if the computed
2 amount of the payment is less than \$100.

3 INSULAR AFFAIRS

4 ASSISTANCE TO TERRITORIES

5 For expenses necessary for assistance to territories
6 under the jurisdiction of the Department of the Interior
7 and other jurisdictions identified in section 104(e) of Pub-
8 lic Law 108–188, \$119,477,000, of which: (1)
9 \$109,640,000 shall remain available until expended for
10 territorial assistance, including general technical assist-
11 ance, maintenance assistance, disaster assistance, coral
12 reef initiative and natural resources activities, and brown
13 tree snake control and research; grants to the judiciary
14 in American Samoa for compensation and expenses, as au-
15 thorized by law (48 U.S.C. 1661(c)); grants to the Govern-
16 ment of American Samoa, in addition to current local rev-
17 enues, for construction and support of governmental func-
18 tions; grants to the Government of the Virgin Islands, as
19 authorized by law; grants to the Government of Guam,
20 as authorized by law; and grants to the Government of
21 the Northern Mariana Islands, as authorized by law (Pub-
22 lic Law 94–241; 90 Stat. 272); and (2) \$9,837,000 shall
23 be available until September 30, 2023, for salaries and
24 expenses of the Office of Insular Affairs: *Provided*, That
25 all financial transactions of the territorial and local gov-

1 ernments herein provided for, including such transactions
2 of all agencies or instrumentalities established or used by
3 such governments, may be audited by the Government Ac-
4 countability Office, at its discretion, in accordance with
5 chapter 35 of title 31, United States Code: *Provided fur-*
6 *ther*, That Northern Mariana Islands Covenant grant
7 funding shall be provided according to those terms of the
8 Agreement of the Special Representatives on Future
9 United States Financial Assistance for the Northern Mar-
10 iana Islands approved by Public Law 104–134: *Provided*
11 *further*, That the funds for the program of operations and
12 maintenance improvement are appropriated to institu-
13 tionalize routine operations and maintenance improvement
14 of capital infrastructure with territorial participation and
15 cost sharing to be determined by the Secretary based on
16 the grantee’s commitment to timely maintenance of its
17 capital assets: *Provided further*, That any appropriation
18 for disaster assistance under this heading in this Act or
19 previous appropriations Acts may be used as non–Federal
20 matching funds for the purpose of hazard mitigation
21 grants provided pursuant to section 404 of the Robert T.
22 Stafford Disaster Relief and Emergency Assistance Act
23 (42 U.S.C. 5170c).

1 COMPACT OF FREE ASSOCIATION

2 For grants and necessary expenses, \$8,463,000, to
3 remain available until expended, as provided for in sec-
4 tions 221(a)(2) and 233 of the Compact of Free Associa-
5 tion for the Republic of Palau; and section 221(a)(2) of
6 the Compacts of Free Association for the Government of
7 the Republic of the Marshall Islands and the Federated
8 States of Micronesia, as authorized by Public Law 99-
9 658 and Public Law 108-188: *Provided*, That of the funds
10 appropriated under this heading, \$5,000,000 is for deposit
11 into the Compact Trust Fund of the Republic of the Mar-
12 shall Islands as compensation authorized by Public Law
13 108-188 for adverse financial and economic impacts.

14 ADMINISTRATIVE PROVISIONS

15 (INCLUDING TRANSFER OF FUNDS)

16 At the request of the Governor of Guam, the Sec-
17 retary may transfer discretionary funds or mandatory
18 funds provided under section 104(e) of Public Law 108-
19 188 and Public Law 104-134, that are allocated for
20 Guam, to the Secretary of Agriculture for the subsidy cost
21 of direct or guaranteed loans, plus not to exceed three per-
22 cent of the amount of the subsidy transferred for the cost
23 of loan administration, for the purposes authorized by the
24 Rural Electrification Act of 1936 and section 306(a)(1)
25 of the Consolidated Farm and Rural Development Act for

1 construction and repair projects in Guam, and such funds
2 shall remain available until expended: *Provided*, That such
3 costs, including the cost of modifying such loans, shall be
4 as defined in section 502 of the Congressional Budget Act
5 of 1974: *Provided further*, That such loans or loan guaran-
6 tees may be made without regard to the population of the
7 area, credit elsewhere requirements, and restrictions on
8 the types of eligible entities under the Rural Electrifica-
9 tion Act of 1936 and section 306(a)(1) of the Consolidated
10 Farm and Rural Development Act: *Provided further*, That
11 any funds transferred to the Secretary of Agriculture shall
12 be in addition to funds otherwise made available to make
13 or guarantee loans under such authorities.

14 OFFICE OF THE SOLICITOR

15 SALARIES AND EXPENSES

16 For necessary expenses of the Office of the Solicitor,
17 \$95,498,000, to remain available until September 30,
18 2023.

19 OFFICE OF INSPECTOR GENERAL

20 SALARIES AND EXPENSES

21 For necessary expenses of the Office of Inspector
22 General, \$66,382,000, to remain available until September
23 30, 2023.

1 DEPARTMENT-WIDE PROGRAMS

2 WILDLAND FIRE MANAGEMENT

3 (INCLUDING TRANSFERS OF FUNDS)

4 For necessary expenses for fire preparedness, fire
5 suppression operations, fire science and research, emer-
6 gency rehabilitation, fuels management activities, and
7 rural fire assistance by the Department of the Interior,
8 \$1,110,061,000 (increased by \$1,000,000) (increased by
9 \$2,000,000), to remain available until expended, of which
10 not to exceed \$18,427,000 shall be for the renovation or
11 construction of fire facilities: *Provided*, That such funds
12 are also available for repayment of advances to other ap-
13 propriation accounts from which funds were previously
14 transferred for such purposes: *Provided further*, That of
15 the funds provided \$303,964,000 is for fuels management
16 activities: *Provided further*, That of the funds provided
17 \$40,470,000 is for burned area rehabilitation: *Provided*
18 *further*, That persons hired pursuant to 43 U.S.C. 1469
19 may be furnished subsistence and lodging without cost
20 from funds available from this appropriation: *Provided*
21 *further*, That notwithstanding 42 U.S.C. 1856d, sums re-
22 ceived by a bureau or office of the Department of the Inte-
23 rior for fire protection rendered pursuant to 42 U.S.C.
24 1856 et seq., protection of United States property, may
25 be credited to the appropriation from which funds were

1 expended to provide that protection, and are available
2 without fiscal year limitation: *Provided further*, That using
3 the amounts designated under this title of this Act, the
4 Secretary of the Interior may enter into procurement con-
5 tracts, grants, or cooperative agreements, for fuels man-
6 agement activities, and for training and monitoring associ-
7 ated with such fuels management activities on Federal
8 land, or on adjacent non-Federal land for activities that
9 benefit resources on Federal land: *Provided further*, That
10 the costs of implementing any cooperative agreement be-
11 tween the Federal Government and any non-Federal entity
12 may be shared, as mutually agreed on by the affected par-
13 ties: *Provided further*, That notwithstanding requirements
14 of the Competition in Contracting Act, the Secretary, for
15 purposes of fuels management activities, may obtain max-
16 imum practicable competition among: (1) local private,
17 nonprofit, or cooperative entities; (2) Youth Conservation
18 Corps crews, Public Lands Corps (Public Law 109–154),
19 or related partnerships with State, local, or nonprofit
20 youth groups; (3) small or micro-businesses; or (4) other
21 entities that will hire or train locally a significant percent-
22 age, defined as 50 percent or more, of the project work-
23 force to complete such contracts: *Provided further*, That
24 in implementing this section, the Secretary shall develop
25 written guidance to field units to ensure accountability

1 and consistent application of the authorities provided here-
2 in: *Provided further*, That funds appropriated under this
3 heading may be used to reimburse the United States Fish
4 and Wildlife Service and the National Marine Fisheries
5 Service for the costs of carrying out their responsibilities
6 under the Endangered Species Act of 1973 (16 U.S.C.
7 1531 et seq.) to consult and conference, as required by
8 section 7 of such Act, in connection with wildland fire
9 management activities: *Provided further*, That the Sec-
10 retary of the Interior may use wildland fire appropriations
11 to enter into leases of real property with local govern-
12 ments, at or below fair market value, to construct capital-
13 ized improvements for fire facilities on such leased prop-
14 erties, including but not limited to fire guard stations, re-
15 tardant stations, and other initial attack and fire support
16 facilities, and to make advance payments for any such
17 lease or for construction activity associated with the lease:
18 *Provided further*, That the Secretary of the Interior and
19 the Secretary of Agriculture may authorize the transfer
20 of funds appropriated for wildland fire management, in
21 an aggregate amount not to exceed \$50,000,000 between
22 the Departments when such transfers would facilitate and
23 expedite wildland fire management programs and projects:
24 *Provided further*, That funds provided for wildfire suppres-
25 sion shall be available for support of Federal emergency

1 response actions: *Provided further*, That funds appro-
2 priated under this heading shall be available for assistance
3 to or through the Department of State in connection with
4 forest and rangeland research, technical information, and
5 assistance in foreign countries, and, with the concurrence
6 of the Secretary of State, shall be available to support for-
7 estry, wildland fire management, and related natural re-
8 source activities outside the United States and its terri-
9 tories and possessions, including technical assistance, edu-
10 cation and training, and cooperation with United States
11 and international organizations: *Provided further*, That of
12 the funds provided under this heading \$383,657,000 shall
13 be available for wildfire suppression operations, and is pro-
14 vided to meet the terms of section 1(h) of H. Res. 467
15 of the 117th Congress as engrossed in the House of Rep-
16 resentatives on June 14, 2021.

17 WILDFIRE SUPPRESSION OPERATIONS RESERVE FUND
18 (INCLUDING TRANSFERS OF FUNDS)

19 In addition to the amounts provided under the head-
20 ing “Department of the Interior—Department-Wide Pro-
21 grams—Wildland Fire Management” for wildfire suppres-
22 sion operations, \$330,000,000, to remain available until
23 transferred, is additional new budget authority for pur-
24 poses of section 1(h) of H. Res. 467 of the 117th Congress
25 as engrossed in the House of Representatives on June 14,

1 2021: *Provided*, That such amounts may be transferred
2 to and merged with amounts made available under the
3 headings “Department of Agriculture—Forest Service—
4 Wildland Fire Management” and “Department of the In-
5 terior—Department-Wide Programs—Wildland Fire
6 Management” for wildfire suppression operations in the
7 fiscal year in which such amounts are transferred: *Pro-*
8 *vided further*, That amounts may be transferred to the
9 “Wildland Fire Management” accounts in the Department
10 of Agriculture or the Department of the Interior only upon
11 the notification of the House and Senate Committees on
12 Appropriations that all wildfire suppression operations
13 funds appropriated under that heading in this and prior
14 appropriations Acts to the agency to which the funds will
15 be transferred will be obligated within 30 days: *Provided*
16 *further*, That the transfer authority provided under this
17 heading is in addition to any other transfer authority pro-
18 vided by law: *Provided further*, That, in determining
19 whether all wildfire suppression operations funds appro-
20 priated under the heading “Wildland Fire Management”
21 in this and prior appropriations Acts to either the Depart-
22 ment of Agriculture or the Department of the Interior will
23 be obligated within 30 days pursuant to the previous pro-
24 viso, any funds transferred or permitted to be transferred

1 pursuant to any other transfer authority provided by law
2 shall be excluded.

3 CENTRAL HAZARDOUS MATERIALS FUND

4 For necessary expenses of the Department of the In-
5 terior and any of its component offices and bureaus for
6 the response action, including associated activities, per-
7 formed pursuant to the Comprehensive Environmental Re-
8 sponse, Compensation, and Liability Act (42 U.S.C. 9601
9 et seq.), \$10,036,000, to remain available until expended.

10 ENERGY COMMUNITY REVITALIZATION PROGRAM

11 (INCLUDING TRANSFERS OF FUNDS)

12 For necessary expenses of the Department of the In-
13 terior and any of its component offices and bureaus to
14 inventory, assess, decommission, reclaim, respond to haz-
15 ardous substance releases, and remediate abandoned hard
16 rock mines, orphaned oil and gas wells, and orphaned in-
17 frastructure, including, but not limited to, facilities, pipe-
18 lines, structures or equipment used in energy production
19 operations, \$120,000,000, to remain available until ex-
20 pended: *Provided*, That such amount shall be in addition
21 to amounts otherwise available for such purposes: *Pro-*
22 *vided further*, That amounts appropriated under this head-
23 ing are available for grants and cooperative agreements
24 to States to inventory, assess, decommission, reclaim, and
25 remediate abandoned hard rock mines, orphaned oil and

1 gas wells, and associated infrastructure on State and pri-
2 vate lands: *Provided further*, That amounts appropriated
3 under this heading are available for grants or cooperative
4 agreements to tribes to inventory, assess, decommission,
5 reclaim, and remediate abandoned hard rock mines, or-
6 phaned oil and gas wells, and their associated infrastruc-
7 ture on tribal lands, including grants management capac-
8 ity within tribes: *Provided further*, That amounts appro-
9 priated under this heading are available for program man-
10 agement and oversight of these activities: *Provided further*,
11 That the Secretary may transfer the funds provided under
12 this heading in this Act to any other account in the De-
13 partment to carry out such purposes, and may expend
14 such funds directly, or through grants or cooperative
15 agreements: *Provided further*, That the Secretary may im-
16 plement the grant and cooperative agreement programs
17 authorized herein on a formula or competitive basis: *Pro-*
18 *vided further*, That these amounts are not available to ful-
19 fill Comprehensive Environmental Response, Compensa-
20 tion, and Liability Act (42 U.S.C. 9601 et seq.) obliga-
21 tions agreed to in settlement or imposed by a court, wheth-
22 er for payment of funds or for work to be performed.

4 To conduct natural resource damage assessment, res-
5 toration activities, and onshore oil spill preparedness by
6 the Department of the Interior necessary to carry out the
7 provisions of the Comprehensive Environmental Response,
8 Compensation, and Liability Act (42 U.S.C. 9601 et seq.),
9 the Federal Water Pollution Control Act (33 U.S.C. 1251
10 et seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701
11 et seq.), and 54 U.S.C. 100721 et seq., \$7,933,000, to
12 remain available until expended.

14 For the operation and maintenance of a departmental
15 financial and business management system, information
16 technology improvements of general benefit to the Depart-
17 ment, cybersecurity, and the consolidation of facilities and
18 operations throughout the Department, \$91,436,000 (re-
19 duced by \$2,000,000), to remain available until expended:
20 *Provided*, That none of the funds appropriated in this Act
21 or any other Act may be used to establish reserves in the
22 Working Capital Fund account other than for accrued an-
23 nual leave and depreciation of equipment without prior ap-
24 proval of the Committees on Appropriations of the House
25 of Representatives and the Senate: *Provided further*, That

1 the Secretary of the Interior may assess reasonable
2 charges to State, local, and tribal government employees
3 for training services provided by the National Indian Pro-
4 gram Training Center, other than training related to Pub-
5 lic Law 93–638: *Provided further*, That the Secretary may
6 lease or otherwise provide space and related facilities,
7 equipment, or professional services of the National Indian
8 Program Training Center to State, local and tribal govern-
9 ment employees or persons or organizations engaged in
10 cultural, educational, or recreational activities (as defined
11 in section 3306(a) of title 40, United States Code) at the
12 prevailing rate for similar space, facilities, equipment, or
13 services in the vicinity of the National Indian Program
14 Training Center: *Provided further*, That all funds received
15 pursuant to the two preceding provisos shall be credited
16 to this account, shall be available until expended, and shall
17 be used by the Secretary for necessary expenses of the
18 National Indian Program Training Center: *Provided fur-*
19 *ther*, That the Secretary may enter into grants and cooper-
20 ative agreements to support the Office of Natural Re-
21 source Revenue’s collection and disbursement of royalties,
22 fees, and other mineral revenue proceeds, as authorized
23 by law.

1 ADMINISTRATIVE PROVISION

2 There is hereby authorized for acquisition from avail-
3 able resources within the Working Capital Fund, aircraft
4 which may be obtained by donation, purchase, or through
5 available excess surplus property: *Provided*, That existing
6 aircraft being replaced may be sold, with proceeds derived
7 or trade-in value used to offset the purchase price for the
8 replacement aircraft.

9 OFFICE OF NATURAL RESOURCES REVENUE

10 For necessary expenses for management of the collec-
11 tion and disbursement of royalties, fees, and other mineral
12 revenue proceeds, and for grants and cooperative agree-
13 ments, as authorized by law, \$153,474,000, to remain
14 available until September 30, 2023; of which \$51,985,000
15 shall remain available until expended for the purpose of
16 mineral revenue management activities: *Provided*, That
17 notwithstanding any other provision of law, \$15,000 shall
18 be available for refunds of overpayments in connection
19 with certain Indian leases in which the Secretary of the
20 Interior concurred with the claimed refund due, to pay
21 amounts owed to Indian allottees or tribes, or to correct
22 prior unrecoverable erroneous payments.

1 GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR
2 (INCLUDING TRANSFERS OF FUNDS)

3 EMERGENCY TRANSFER AUTHORITY—INTRA—BUREAU

4 SEC. 101. Appropriations made in this title shall be
5 available for expenditure or transfer (within each bureau
6 or office), with the approval of the Secretary of the Inte-
7 rior, for the emergency reconstruction, replacement, or re-
8 pair of aircraft, buildings, utilities, or other facilities or
9 equipment damaged or destroyed by fire, flood, storm, or
10 other unavoidable causes: *Provided*, That no funds shall
11 be made available under this authority until funds specifi-
12 cally made available to the Department of the Interior for
13 emergencies shall have been exhausted: *Provided further*,
14 That all funds used pursuant to this section must be re-
15 plenished by a supplemental appropriation, which must be
16 requested as promptly as possible.

17 EMERGENCY TRANSFER AUTHORITY—DEPARTMENT—
18 WIDE

19 SEC. 102. The Secretary of the Interior may author-
20 ize the expenditure or transfer of any no year appropria-
21 tion in this title, in addition to the amounts included in
22 the budget programs of the several agencies, for the sup-
23 pression or emergency prevention of wildland fires on or
24 threatening lands under the jurisdiction of the Depart-
25 ment of the Interior; for the emergency rehabilitation of

1 burned-over lands under its jurisdiction; for emergency ac-
2 tions related to potential or actual earthquakes, floods,
3 volcanoes, storms, or other unavoidable causes; for contin-
4 gency planning subsequent to actual oil spills; for response
5 and natural resource damage assessment activities related
6 to actual oil spills or releases of hazardous substances into
7 the environment; for the prevention, suppression, and con-
8 trol of actual or potential grasshopper and Mormon cricket
9 outbreaks on lands under the jurisdiction of the Secretary,
10 pursuant to the authority in section 417(b) of Public Law
11 106–224 (7 U.S.C. 7717(b)); for emergency reclamation
12 projects under section 410 of Public Law 95–87; and shall
13 transfer, from any no year funds available to the Office
14 of Surface Mining Reclamation and Enforcement, such
15 funds as may be necessary to permit assumption of regu-
16 latory authority in the event a primacy State is not car-
17 rying out the regulatory provisions of the Surface Mining
18 Act: *Provided*, That appropriations made in this title for
19 wildland fire operations shall be available for the payment
20 of obligations incurred during the preceding fiscal year,
21 and for reimbursement to other Federal agencies for de-
22 struction of vehicles, aircraft, or other equipment in con-
23 nection with their use for wildland fire operations, with
24 such reimbursement to be credited to appropriations cur-
25 rently available at the time of receipt thereof: *Provided*

1 *further*, That for wildland fire operations, no funds shall
2 be made available under this authority until the Secretary
3 determines that funds appropriated for “wildland fire sup-
4 pression” shall be exhausted within 30 days: *Provided fur-*
5 *ther*, That all funds used pursuant to this section must
6 be replenished by a supplemental appropriation, which
7 must be requested as promptly as possible: *Provided fur-*
8 *ther*, That such replenishment funds shall be used to reim-
9 burse, on a pro rata basis, accounts from which emergency
10 funds were transferred.

11 AUTHORIZED USE OF FUNDS

12 SEC. 103. Appropriations made to the Department
13 of the Interior in this title shall be available for services
14 as authorized by section 3109 of title 5, United States
15 Code, when authorized by the Secretary of the Interior,
16 in total amount not to exceed \$500,000; purchase and re-
17 placement of motor vehicles, including specially equipped
18 law enforcement vehicles; hire, maintenance, and oper-
19 ation of aircraft; hire of passenger motor vehicles; pur-
20 chase of reprints; payment for telephone service in private
21 residences in the field, when authorized under regulations
22 approved by the Secretary; and the payment of dues, when
23 authorized by the Secretary, for library membership in so-
24 cieties or associations which issue publications to members

1 only or at a price to members lower than to subscribers
2 who are not members.

3 AUTHORIZED USE OF FUNDS, INDIAN TRUST

4 MANAGEMENT

5 SEC. 104. Appropriations made in this Act under the
6 headings Bureau of Indian Affairs and Bureau of Indian
7 Education, and Office of the Special Trustee for American
8 Indians and any unobligated balances from prior appro-
9 priations Acts made under the same headings shall be
10 available for expenditure or transfer for Indian trust man-
11 agement and reform activities. Total funding for historical
12 accounting activities shall not exceed amounts specifically
13 designated in this Act for such purpose. The Secretary
14 shall notify the House and Senate Committees on Appro-
15 priations within 60 days of the expenditure or transfer of
16 any funds under this section, including the amount ex-
17 pended or transferred and how the funds will be used.

18 REDISTRIBUTION OF FUNDS, BUREAU OF INDIAN

19 AFFAIRS

20 SEC. 105. Notwithstanding any other provision of
21 law, the Secretary of the Interior is authorized to redis-
22 tribute any Tribal Priority Allocation funds, including
23 tribal base funds, to alleviate tribal funding inequities by
24 transferring funds to address identified, unmet needs,
25 dual enrollment, overlapping service areas or inaccurate

1 distribution methodologies. No tribe shall receive a reduc-
2 tion in Tribal Priority Allocation funds of more than 10
3 percent in fiscal year 2022. Under circumstances of dual
4 enrollment, overlapping service areas or inaccurate dis-
5 tribution methodologies, the 10 percent limitation does not
6 apply.

7 ELLIS, GOVERNORS, AND LIBERTY ISLANDS

8 SEC. 106. Notwithstanding any other provision of
9 law, the Secretary of the Interior is authorized to acquire
10 lands, waters, or interests therein, including the use of all
11 or part of any pier, dock, or landing within the State of
12 New York and the State of New Jersey, for the purpose
13 of operating and maintaining facilities in the support of
14 transportation and accommodation of visitors to Ellis,
15 Governors, and Liberty Islands, and of other program and
16 administrative activities, by donation or with appropriated
17 funds, including franchise fees (and other monetary con-
18 sideration), or by exchange; and the Secretary is author-
19 ized to negotiate and enter into leases, subleases, conces-
20 sion contracts, or other agreements for the use of such
21 facilities on such terms and conditions as the Secretary
22 may determine reasonable.

23 OUTER CONTINENTAL SHELF INSPECTION FEES

24 SEC. 107. (a) In fiscal year 2022, the Secretary of
25 the Interior shall collect a nonrefundable inspection fee,

1 which shall be deposited in the “Offshore Safety and Envi-
2 ronmental Enforcement” account, from the designated op-
3 erator for facilities subject to inspection under 43 U.S.C.
4 1348(c).

5 (b) Annual fees shall be collected for facilities that
6 are above the waterline, excluding drilling rigs, and are
7 in place at the start of the fiscal year. Fees for fiscal year
8 2022 shall be—

9 (1) \$11,725 for facilities with no wells, but with
10 processing equipment or gathering lines;

11 (2) \$18,984 for facilities with 1 to 10 wells,
12 with any combination of active or inactive wells; and

13 (3) \$35,176 for facilities with more than 10
14 wells, with any combination of active or inactive
15 wells.

16 (c) Fees for drilling rigs shall be assessed for all in-
17 spections completed in fiscal year 2022. Fees for fiscal
18 year 2022 shall be—

19 (1) \$34,059 per inspection for rigs operating in
20 water depths of 500 feet or more; and

21 (2) \$18,649 per inspection for rigs operating in
22 water depths of less than 500 feet.

23 (d) Fees for inspection of well operations conducted
24 via non-rig units as outlined in title 30 CFR 250 subparts
25 D, E, F, and Q shall be assessed for all inspections com-

1 pleted in fiscal year 2022. Fees for fiscal year 2022 shall
2 be—

3 (1) \$13,260 per inspection for non-rig units op-
4 erating in water depths of 2,500 feet or more;

5 (2) \$11,530 per inspection for non-rig units op-
6 erating in water depths between 500 and 2,499 feet;
7 and

8 (3) \$4,470 per inspection for non-rig units op-
9 erating in water depths of less than 500 feet.

10 (e) The Secretary shall bill designated operators
11 under subsection (b) quarterly, with payment required
12 within 30 days of billing. The Secretary shall bill des-
13 ignated operators under subsection (c) within 30 days of
14 the end of the month in which the inspection occurred,
15 with payment required within 30 days of billing. The Sec-
16 retary shall bill designated operators under subsection (d)
17 with payment required by the end of the following quarter.

18 CONTRACTS AND AGREEMENTS FOR WILD HORSE AND

19 BURRO HOLDING FACILITIES

20 SEC. 108. Notwithstanding any other provision of
21 this Act, the Secretary of the Interior may enter into
22 multiyear cooperative agreements with nonprofit organiza-
23 tions and other appropriate entities, and may enter into
24 multiyear contracts in accordance with the provisions of
25 section 3903 of title 41, United States Code (except that

1 the 5-year term restriction in subsection (a) shall not
2 apply), for the long-term care and maintenance of excess
3 wild free roaming horses and burros by such organizations
4 or entities on private land. Such cooperative agreements
5 and contracts may not exceed 10 years, subject to renewal
6 at the discretion of the Secretary.

7 MASS MARKING OF SALMONIDS

8 SEC. 109. The United States Fish and Wildlife Serv-
9 ice shall, in carrying out its responsibilities to protect
10 threatened and endangered species of salmon, implement
11 a system of mass marking of salmonid stocks, intended
12 for harvest, that are released from federally operated or
13 federally financed hatcheries including but not limited to
14 fish releases of coho, chinook, and steelhead species.
15 Marked fish must have a visible mark that can be readily
16 identified by commercial and recreational fishers.

17 CONTRACTS AND AGREEMENTS WITH INDIAN AFFAIRS

18 SEC. 110. Notwithstanding any other provision of
19 law, during fiscal year 2022, in carrying out work involv-
20 ing cooperation with State, local, and tribal governments
21 or any political subdivision thereof, Indian Affairs may
22 record obligations against accounts receivable from any
23 such entities, except that total obligations at the end of
24 the fiscal year shall not exceed total budgetary resources
25 available at the end of the fiscal year.

1 DEPARTMENT OF THE INTERIOR EXPERIENCED SERVICES
2 PROGRAM

3 SEC. 111. (a) Notwithstanding any other provision
4 of law relating to Federal grants and cooperative agree-
5 ments, the Secretary of the Interior is authorized to make
6 grants to, or enter into cooperative agreements with, pri-
7 vate nonprofit organizations designated by the Secretary
8 of Labor under title V of the Older Americans Act of 1965
9 to utilize the talents of older Americans in programs au-
10 thorized by other provisions of law administered by the
11 Secretary and consistent with such provisions of law.

12 (b) Prior to awarding any grant or agreement under
13 subsection (a), the Secretary shall ensure that the agree-
14 ment would not—

15 (1) result in the displacement of individuals
16 currently employed by the Department, including
17 partial displacement through reduction of non-over-
18 time hours, wages, or employment benefits;

19 (2) result in the use of an individual under the
20 Department of the Interior Experienced Services
21 Program for a job or function in a case in which a
22 Federal employee is in a layoff status from the same
23 or substantially equivalent job within the Depart-
24 ment; or

25 (3) affect existing contracts for services.

1 OBLIGATION OF FUNDS

2 SEC. 112. Amounts appropriated by this Act to the
3 Department of the Interior shall be available for obligation
4 and expenditure not later than 60 days after the date of
5 enactment of this Act.

6 SEPARATION OF ACCOUNTS

7 SEC. 113. The Secretary of the Interior, in order to
8 implement an orderly transition to separate accounts of
9 the Bureau of Indian Affairs and the Bureau of Indian
10 Education, may transfer funds among and between the
11 successor offices and bureaus affected by the reorganiza-
12 tion only in conformance with the reprogramming guide-
13 lines described in this Act.

14 PAYMENTS IN LIEU OF TAXES (PILT)

15 SEC. 114. Section 6906 of title 31, United States
16 Code, shall be applied by substituting “fiscal year 2022”
17 for “fiscal year 2019”.

18 DISCLOSURE OF DEPARTURE OR ALTERNATE PROCEDURE

19 APPROVAL

20 SEC. 115. (a) Subject to subsection (b), in any case
21 in which the Bureau of Safety and Environmental En-
22 forcement or the Bureau of Ocean Energy Management
23 prescribes or approves any departure or use of alternate
24 procedure or equipment, in regards to a plan or permit,
25 under 30 CFR 585.103; 30 CFR 550.141; 30 CFR

1 550.142; 30 CFR 250.141; or 30 CFR 250.142, the head
2 of such bureau shall post a description of such departure
3 or alternate procedure or equipment use approval on such
4 bureau's publicly available website not more than 15 busi-
5 ness days after such issuance.

6 (b) The head of each bureau may exclude confidential
7 business information.

8 LONG BRIDGE PROJECT

9 SEC. 116. (a) AUTHORIZATION OF CONVEYANCE.—
10 On request by the State of Virginia or the District of Co-
11 lumbia for the purpose of the construction of rail and
12 other infrastructure relating to the Long Bridge Project,
13 the Secretary of the Interior may convey to the State or
14 the District of Columbia, as applicable, all right, title, and
15 interest of the United States in and to any portion of the
16 approximately 4.4 acres of National Park Service land de-
17 picted as “Permanent Impact to NPS Land” on the Map
18 dated May 15, 2020, that is identified by the State or
19 the District of Columbia.

20 (b) TERMS AND CONDITIONS.—Such conveyance of
21 the National Park Service land under subsection (a) shall
22 be subject to any terms and conditions that the Secretary
23 may require. If such conveyed land is no longer being used
24 for the purposes specified in this section, the lands or in-
25 terests therein shall revert to the National Park Service

1 after they have been restored or remediated to the satis-
2 faction of the Secretary.

3 (c) CORRECTIONS.—The Secretary and the State or
4 the District of Columbia, as applicable, by mutual agree-
5 ment, may—

6 (1) make minor boundary adjustments to the
7 National Park Service land to be conveyed to the
8 State or the District of Columbia under subsection
9 (a); and

10 (2) correct any minor errors in the Map re-
11 ferred to in subsection (a).

12 (d) DEFINITIONS.—For purposes of this section:

13 (1) LONG BRIDGE PROJECT.—The term “Long
14 Bridge Project” means the rail project, as identified
15 by the Federal Railroad Administration, from
16 Rosslyn (RO) Interlocking in Arlington, Virginia, to
17 L’Enfant (LE) Interlocking in Washington, DC,
18 which includes a bicycle and pedestrian bridge.

19 (2) SECRETARY.—The term “Secretary” means
20 the Secretary of the Interior, acting through the Di-
21 rector of the National Park Service.

22 (3) STATE.—The term “State” means the State
23 of Virginia.

INTERAGENCY MOTOR POOL

SEC. 117. Notwithstanding any other provision of law or Federal regulation, federally recognized Indian tribes or authorized tribal organizations that receive Tribally-Controlled School Grants pursuant to Public Law 100–297 may obtain interagency motor vehicles and related services for performance of any activities carried out under such grants to the same extent as if they were contracting under the Indian Self-Determination and Education Assistance Act.

ALYCE SPOTTED BEAR AND WALTER SOBOLEFF

COMMISSION ON NATIVE AMERICAN CHILDREN

SEC. 118. Section 3(f) of Public Law 114–244 is amended by striking “3 years” and inserting “5 years”.

INDIAN RESERVATION GAMING REGULATIONS

SEC. 119. The Ysleta del Sur Pueblo and Alabama and Coushatta Indian Tribes of Texas Restoration Act (Public Law 100–89; 101 Stat. 666) is amended by adding at the end the following:

“SEC. 301. RULE OF CONSTRUCTION.

“Nothing in this Act shall be construed to preclude or limit the applicability of the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.).”.

1 DELAWARE WATER GAP AUTHORITY

2 SEC. 120. Section 4(b) of The Delaware Water Gap
3 National Recreation Area Improvement Act, as amended
4 by section 1 of Public Law 115–101, is further amended
5 by striking “2021” and inserting “2022”.

6 NATIONAL HERITAGE AREAS AND CORRIDORS

7 SEC. 121. (a) Section 126 of Public Law 98–398, as
8 amended (98 Stat. 1456; 120 Stat. 1853), is further
9 amended by striking “the date that is 15 years after the
10 date of enactment of this section” and inserting “Sep-
11 tember 30, 2023”.

12 (b) Section 10 of Public Law 99–647, as amended
13 (100 Stat. 3630; 104 Stat. 1018; 120 Stat. 1858; 128
14 Stat. 3804), is further amended by striking “2021” and
15 inserting “2023”.

16 (c) Section 12 of Public Law 100–692, as amended
17 (102 Stat. 4558; 112 Stat. 3258; 123 Stat. 1292; 127
18 Stat. 420; 128 Stat. 314; 128 Stat. 3801), is further
19 amended—

20 (1) in subsection (c)(1), by striking “2021” and
21 inserting “2023”; and

22 (2) in subsection (d), by striking “2021” and
23 inserting “2023”.

24 (d) Section 106(b) of Public Law 103–449, as
25 amended (108 Stat. 4755; 113 Stat. 1726; 123 Stat.

1 1291; 128 Stat. 3802), is further amended by striking
2 “2021” and inserting “2023”.

3 (e) Division II of Public Law 104–333 (54 U.S.C.
4 320101 note), as amended, is further amended by striking
5 “2021” each place it appears in the following sections and
6 inserting “2023”:

7 (1) in subsection 107 (110 Stat. 4244; 127
8 Stat. 420; 128 Stat. 314; 128 Stat. 3801);

9 (2) in subsection 408 (110 Stat. 4256; 127
10 Stat. 420; 128 Stat. 314; 128 Stat. 3801);

11 (3) in subsection 507 (110 Stat. 4260; 127
12 Stat. 420; 128 Stat. 314; 128 Stat. 3801);

13 (4) in subsection 707 (110 Stat. 4267; 127
14 Stat. 420; 128 Stat. 314; 128 Stat. 3801);

15 (5) in subsection 809 (110 Stat. 4275; 122
16 Stat. 826; 127 Stat. 420; 128 Stat. 314; 128 Stat.
17 3801);

18 (6) in subsection 910 (110 Stat. 4281; 127
19 Stat. 420; 128 Stat. 314; 128 Stat. 3801);

20 (7) in subsection 310 (110 Stat. 4252; 127
21 Stat. 420; 128 Stat. 314; 129 Stat. 2551; 132 Stat.
22 661; 133 Stat. 778);

23 (8) in subsection 607 (110 Stat. 4264; 127
24 Stat. 420; 128 Stat. 314; 129 Stat. 2551; 132 Stat.
25 661; 133 Stat. 778–779); and

1 (9) in subsection 208 (110 Stat. 4248; 127
2 Stat. 420; 128 Stat. 314; 129 Stat. 2551; 132 Stat.
3 661; 133 Stat. 778).

4 (f) Section 109 of Public Law 105–355, as amended
5 (112 Stat. 3252; 128 Stat. 3802), is further amended by
6 striking “2021” and inserting “2023”.

7 (g) Public Law 106–278 (54 U.S.C. 320101 note),
8 as amended, is further amended:

9 (1) in section 108 (114 Stat. 818; 127 Stat.
10 420; 128 Stat. 314; 128 Stat. 3802) by striking
11 “2021” and inserting “2023”; and

12 (2) in section 209 (114 Stat. 824; 128 Stat.
13 3802) by striking “2021” and inserting “2023”.

14 (h) Section 157(i) of Public Law 106–291, as amend-
15 ed (114 Stat. 967; 128 Stat. 3082), is further amended
16 by striking “2021” and inserting “2023”.

17 (i) Section 7 of Public Law 106–319, as amended
18 (114 Stat. 1284; 128 Stat. 3082), is further amended by
19 striking “2021” and inserting “2023”.

20 (j) Section 811 of Title VIII of appendix D of Public
21 Law 106–554, as amended (114 Stat. 2763, 2763A–295;
22 128 Stat. 3802), is further amended by striking “2021”
23 and inserting “2023”.

24 (k) Section 140(j) Public Law 108–108, as amended
25 (117 Stat. 1274; 131 Stat. 461; 132 Stat. 661; 133 Stat.

1 778), is further amended by striking “2021” and inserting
2 “2023”.

3 (l) Title II of Public Law 109–338 (54 U.S.C.
4 320101 note; 120 Stat. 1787–1845), as amended, is fur-
5 ther amended:

6 (1) in each of sections 208, 221, 240, 260, 269,
7 289, 291J, 295L and 297H by striking “the date
8 that is 15 years after the date of enactment of this
9 Act” and inserting “September 30, 2023”; and

10 (2) in section 280B by striking “the day occur-
11 ring 15 years after the date of the enactment of this
12 subtitle” and inserting “September 30, 2023”.

13 (m) Section 810(a)(1) of title VIII of division B of
14 appendix D of Public Law 106–554, as amended (114
15 Stat. 2763; 123 Stat. 1295; 131 Stat. 461; 133 Stat.
16 2714), is further amended by striking “\$14,000,000” and
17 inserting “\$16,000,000”.

18 (n) Section 125(a) of Public Law 98–398, as amend-
19 ed by section 402 of Public Law 109–338 (120 Stat.
20 1853), is amended by striking “\$10,000,000” and insert-
21 ing “\$12,000,000”.

22 (o) Section 210(a) of title II of Public Law 106–278
23 (114 Stat. 824) is amended by striking “\$10,000,000”
24 and inserting “\$12,000,000”.

1 STUDY FOR SELMA TO MONTGOMERY NATIONAL HISTORIC
2 TRAIL

3 SEC. 122. (a) STUDY.—The Secretary of the Interior
4 (Secretary) shall conduct a study to evaluate—

5 (1) resources associated with the 1965 Voting Rights
6 March from Selma to Montgomery not currently part of
7 the Selma to Montgomery National Historic Trail (Trail)
8 (16 U.S.C. 1244(a)(20)) that would be appropriate for ad-
9 dition to the Trail; and

10 (2) the potential designation of the Trail as a unit
11 of the National Park System instead of, or in addition to,
12 remaining a designated part of the National Trails Sys-
13 tem.

14 (b) REPORT.—Not later than 1 year after the date
15 of enactment of this Act, the Secretary shall submit to
16 the House and Senate Committees on Appropriations, the
17 Committee on Natural Resources of the House of Rep-
18 resentatives and the Committee on Energy and Natural
19 Resources of the Senate a report that describes the results
20 of the study and the conclusions and recommendations of
21 the study.

22 RESTRICTION ON USE OF FUNDS

23 SEC. 123. (a) None of the funds made available in
24 this Act may be used by the Secretary of the Interior or
25 the Bureau of Ocean Energy Management to conduct or

1 authorize oil and gas preleasing, leasing, or related activi-
2 ties, including but not limited to the issuance of permits
3 for geological and geophysical exploration, in any planning
4 area where the 2017–2022 Outer Continental Shelf Oil
5 and Gas Leasing Proposed Final Program (November
6 2016) did not schedule leases.

7 (b) The restrictions under subsection (a) apply to the
8 formal steps identified by the Department of the Interior
9 and the enabling steps prior to leasing, including the
10 issuance of permits for geological and geophysical explo-
11 ration.

12 INDIAN REORGANIZATION ACT

13 SEC. 124. (a) MODIFICATION.—(1) IN GENERAL.—
14 The first sentence of section 19 of the Act of June 18,
15 1934 (commonly known as the “Indian Reorganization
16 Act”) (25 U.S.C. 5129), is amended—

17 (A) by striking “The term” and inserting “Effective
18 beginning on June 18, 1934, the term”; and

19 (B) by striking “any recognized Indian tribe now
20 under Federal jurisdiction” and inserting “any federally
21 recognized Indian tribe”.

22 (2) EFFECTIVE DATE.— The amendments made by
23 paragraph (1) shall take effect as if included in the Act
24 of June 18, 1934 (commonly known as the “Indian Reor-

ganization Act”) (25 U.S.C. 5129), on the date of enactment of that Act.

(b) RATIFICATION AND CONFIRMATION OF ACTIONS.— Any action taken by the Secretary of the Interior pursuant to the Act of June 18, 1934 (commonly known as the “Indian Reorganization Act”) (25 U.S.C. 5101 et seq.) for any Indian tribe that was federally recognized on the date of the action is ratified and confirmed, to the extent such action is subjected to challenge based on whether the Indian tribe was federally recognized or under Federal jurisdiction on June 18, 1934, as if the action had, by prior act of Congress, been specifically authorized and directed.

(c) EFFECT ON OTHER LAWS.—(1) IN GENERAL.— Nothing in this section or the amendments made by this section affects—

(A) the application or effect of any Federal law other than the Act of June 18, 1934 (25 U.S.C. 5101 et seq.) (as amended by subsection (a)); or

(B) any limitation on the authority of the Secretary of the Interior under any Federal law or regulation other than the Act of June 18, 1934 (25 U.S.C. 5101 et seq.) (as so amended).

(2) REFERENCES IN OTHER LAWS.— An express reference to the Act of June 18, 1934 (25 U.S.C. 5101 et

1 seq.) contained in any other Federal law shall be consid-
2 ered to be a reference to that Act as amended by sub-
3 section (a).

4 BIG CYPRESS NATIONAL PRESERVE

5 SEC. 125. The Secretary of the Interior, acting
6 through the Director of the National Park Service, shall
7 prepare an environmental impact statement under the Na-
8 tional Environmental Policy Act of 1969 (42 U.S.C. 4321
9 et seq.), prior to approving an operations permit, as de-
10 scribed in 36 Code of Federal Regulations, subpart B
11 §§9.80 through 9.90, for the purpose of conducting or pro-
12 posing to conduct non-federal oil or gas operations within
13 the Big Cypress National Preserve.

14 OFFSHORE DECOMMISSIONING

15 SEC. 126. (a) Effective upon the date of enactment
16 of this Act, the fifth and sixth provisos under the amended
17 heading “Royalty and Offshore Minerals Management”
18 for the Minerals Management Service in Public Law 101–
19 512 shall have no force or effect.

20 (b) Beginning on the date of enactment of this Act,
21 and in each fiscal year hereafter:

22 (1) That notwithstanding section 3302 of title
23 31, any moneys hereafter received as a result of the
24 forfeiture of a bond or other security by an Outer
25 Continental Shelf permittee, lessee, or right-of-way

1 holder that does not fulfill the requirements of its
2 permit, lease, or right-of-way or does not comply
3 with the regulations of the Secretary, or as a bank-
4 ruptcy distribution or settlement associated with
5 such failure or noncompliance, shall be credited to a
6 separate account established in the Treasury for de-
7 commissioning activities and shall be available to the
8 Bureau of Ocean Energy Management without fur-
9 ther appropriation or fiscal year limitation to cover
10 the cost to the United States of any improvement,
11 protection, rehabilitation, or decommissioning work
12 rendered necessary by the action or inaction that led
13 to the forfeiture or bankruptcy distribution or settle-
14 ment, to remain available until expended.

15 (2) That amounts deposited into the decommis-
16 sioning account may be allocated to the Bureau of
17 Safety and Environmental Enforcement for such
18 costs.

19 (3) That any moneys received for such costs
20 currently held in the Ocean Energy Management ac-
21 count shall be transferred to the decommissioning
22 account.

23 (4) That any portion of the moneys so credited
24 shall be returned to the bankruptcy estate, per-
25 mittee, lessee, or right-of-way holder to the extent

1 that the money is in excess of the amount expended
2 in performing the work necessitated by the action or
3 inaction which led to their receipt or, if the bond or
4 security was forfeited for failure to pay the civil pen-
5 alty, in excess of the civil penalty imposed.

6 EXHAUSTION OF ADMINISTRATIVE REVIEW

7 SEC. 127. Paragraph (1) of section 122(a) of division
8 E of Public Law 112–74 (125 Stat. 1013) is amended
9 by striking “through 2022,” in the first sentence and in-
10 serting “through 2027.”.

11 TITLE II

12 ENVIRONMENTAL PROTECTION AGENCY

13 SCIENCE AND TECHNOLOGY

14 For science and technology, including research and
15 development activities, which shall include research and
16 development activities under the Comprehensive Environ-
17 mental Response, Compensation, and Liability Act of
18 1980; necessary expenses for personnel and related costs
19 and travel expenses; procurement of laboratory equipment
20 and supplies; hire, maintenance, and operation of aircraft;
21 and other operating expenses in support of research and
22 development, \$807,262,000 (increased by \$2,000,000)
23 (reduced by \$1,000,000) (increased by \$1,000,000), to re-
24 main available until September 30, 2023: *Provided*, That
25 of the funds included under this heading, \$8,500,000 shall

1 be for Research: National Priorities as specified in the re-
2 port accompanying this Act.

3 ENVIRONMENTAL PROGRAMS AND MANAGEMENT

4 For environmental programs and management, in-
5 cluding necessary expenses not otherwise provided for, for
6 personnel and related costs and travel expenses; hire of
7 passenger motor vehicles; hire, maintenance, and oper-
8 ation of aircraft; purchase of reprints; library member-
9 ships in societies or associations which issue publications
10 to members only or at a price to members lower than to
11 subscribers who are not members; administrative costs of
12 the brownfields program under the Small Business Liabil-
13 ity Relief and Brownfields Revitalization Act of 2002; im-
14 plementation of a coal combustion residual permit pro-
15 gram under section 2301 of the Water and Waste Act of
16 2016; and not to exceed \$9,000 for official reception and
17 representation expenses, \$3,364,206,000 (reduced by
18 \$2,000,000) (increased by \$2,000,000) (reduced by
19 \$1,000,000) (increased by \$1,000,000) (reduced by
20 \$5,000,000) (increased by \$5,000,000), to remain avail-
21 able until September 30, 2023: *Provided*, That of the
22 funds included under this heading, \$23,700,000 shall be
23 for Environmental Protection: National Priorities as speci-
24 fied in the report accompanying this Act: *Provided further*,
25 That of the funds included under this heading,

1 \$642,747,000 (increased by \$5,000,000) shall be for Geo-
2 graphic Programs specified in the report accompanying
3 this Act: *Provided further*, That of the funds provided
4 under this heading, the Chemical Risk Review and Reduc-
5 tion program project shall be allocated funds for this fiscal
6 year not less than the amount of appropriations for that
7 program project for fiscal year 2014.

8 OFFICE OF INSPECTOR GENERAL

9 For necessary expenses of the Office of Inspector
10 General in carrying out the provisions of the Inspector
11 General Act of 1978, \$54,347,000, to remain available
12 until September 30, 2023.

13 BUILDINGS AND FACILITIES

14 For construction, repair, improvement, extension, al-
15 teration, and purchase of fixed equipment or facilities of,
16 or for use by, the Environmental Protection Agency,
17 \$62,752,000, to remain available until expended.

18 HAZARDOUS SUBSTANCE SUPERFUND

19 (INCLUDING TRANSFERS OF FUNDS)

20 For necessary expenses to carry out the Comprehen-
21 sive Environmental Response, Compensation, and Liabil-
22 ity Act of 1980 (CERCLA), including sections 111(c)(3),
23 (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611), and hire,
24 maintenance, and operation of aircraft, \$1,536,308,000,
25 to remain available until expended, consisting of such

1 sums as are available in the Trust Fund on September
2 30, 2021, as authorized by section 517(a) of the Super-
3 fund Amendments and Reauthorization Act of 1986
4 (SARA) and up to \$1,536,308,000 as a payment from
5 general revenues to the Hazardous Substance Superfund
6 for purposes as authorized by section 517(b) of SARA:
7 *Provided*, That funds appropriated under this heading
8 may be allocated to other Federal agencies in accordance
9 with section 111(a) of CERCLA: *Provided further*, That
10 of the funds appropriated under this heading,
11 \$11,800,000 shall be paid to the “Office of Inspector Gen-
12 eral” appropriation to remain available until September
13 30, 2023, and \$32,985,000 shall be paid to the “Science
14 and Technology” appropriation to remain available until
15 September 30, 2023.

16 LEAKING UNDERGROUND STORAGE TANK TRUST FUND
17 PROGRAM

18 For necessary expenses to carry out leaking under-
19 ground storage tank cleanup activities authorized by sub-
20 title I of the Solid Waste Disposal Act, \$92,376,000, to
21 remain available until expended, of which \$67,007,000
22 shall be for carrying out leaking underground storage tank
23 cleanup activities authorized by section 9003(h) of the
24 Solid Waste Disposal Act; \$25,369,000 shall be for car-
25 rying out the other provisions of the Solid Waste Disposal

1 Act specified in section 9508(c) of the Internal Revenue
2 Code: *Provided*, That the Administrator is authorized to
3 use appropriations made available under this heading to
4 implement section 9013 of the Solid Waste Disposal Act
5 to provide financial assistance to federally recognized In-
6 dian tribes for the development and implementation of
7 programs to manage underground storage tanks.

8 INLAND OIL SPILL PROGRAMS

9 For expenses necessary to carry out the Environ-
10 mental Protection Agency's responsibilities under the Oil
11 Pollution Act of 1990, including hire, maintenance, and
12 operation of aircraft, \$22,409,000, to be derived from the
13 Oil Spill Liability trust fund, to remain available until ex-
14 pended.

15 STATE AND TRIBAL ASSISTANCE GRANTS

16 For environmental programs and infrastructure as-
17 sistance, including capitalization grants for State revolv-
18 ing funds and performance partnership grants,
19 \$5,324,303,000 (increased by \$1,000,000), to remain
20 available until expended, of which—

21 (1) \$1,870,680,000 shall be for making capital-
22 ization grants for the Clean Water State Revolving
23 Funds under title VI of the Federal Water Pollution
24 Control Act; and of which \$1,357,934,000 (reduced
25 by \$8,804,000) (increased by \$8,804,000) shall be

1 for making capitalization grants for the Drinking
2 Water State Revolving Funds under section 1452 of
3 the Safe Drinking Water Act: *Provided*, That
4 \$222,431,651 of the funds made available for cap-
5 italization grants for the Clean Water State Revolv-
6 ing Funds and \$206,146,044 of the funds made
7 available for capitalization grants for the Drinking
8 Water State Revolving Funds shall be for Commu-
9 nity Project Funding grants for the construction of
10 drinking water, wastewater, and storm water infra-
11 structure and for water quality protection in accord-
12 ance with the terms and conditions specified for
13 such grants in the report accompanying this Act,
14 and, for purposes of these grants, each grantee shall
15 contribute not less than 20 percent of the cost of the
16 project unless the grantee is approved for a waiver
17 by the Agency: *Provided further*, That for fiscal year
18 2022, to the extent there are sufficient eligible
19 project applications and projects are consistent with
20 State Intended Use Plans, not less than 10 percent
21 of the funds made available under this title to each
22 State for Clean Water State Revolving Fund capital-
23 ization grants shall be used by the State for projects
24 to address green infrastructure, water or energy effi-
25 ciency improvements, or other environmentally inno-

1 vative activities: *Provided further*, That for fiscal
2 year 2022, funds made available under this title to
3 each State for Drinking Water State Revolving
4 Fund capitalization grants may, at the discretion of
5 each State, be used for projects to address green in-
6 frastructure, water or energy efficiency improve-
7 ments, or other environmentally innovative activities:
8 *Provided further*, That notwithstanding section
9 603(d)(7) of the Federal Water Pollution Control
10 Act, the limitation on the amounts in a State water
11 pollution control revolving fund that may be used by
12 a State to administer the fund shall not apply to
13 amounts included as principal in loans made by such
14 fund in fiscal year 2022 and prior years where such
15 amounts represent costs of administering the fund
16 to the extent that such amounts are or were deemed
17 reasonable by the Administrator, accounted for sepa-
18 rately from other assets in the fund, and used for
19 eligible purposes of the fund, including administra-
20 tion: *Provided further*, That for fiscal year 2022,
21 notwithstanding the provisions of subsections (g)(1),
22 (h), and (l) of section 201 of the Federal Water Pol-
23 lution Control Act, grants made under title II of
24 such Act for American Samoa, Guam, the Common-
25 wealth of the Northern Marianas, the United States

1 Virgin Islands, and the District of Columbia may
2 also be made for the purpose of providing assistance:
3 (1) solely for facility plans, design activities, or
4 plans, specifications, and estimates for any proposed
5 project for the construction of treatment works; and
6 (2) for the construction, repair, or replacement of
7 privately owned treatment works serving one or
8 more principal residences or small commercial estab-
9 lishments: *Provided further*, That for fiscal year
10 2022, notwithstanding the provisions of such sub-
11 sections (g)(1), (h), and (l) of section 201 and sec-
12 tion 518(c) of the Federal Water Pollution Control
13 Act, funds reserved by the Administrator for grants
14 under section 518(c) of the Federal Water Pollution
15 Control Act may also be used to provide assistance:
16 (1) solely for facility plans, design activities, or
17 plans, specifications, and estimates for any proposed
18 project for the construction of treatment works; and
19 (2) for the construction, repair, or replacement of
20 privately owned treatment works serving one or
21 more principal residences or small commercial estab-
22 lishments: *Provided further*, That for fiscal year
23 2022, notwithstanding any provision of the Federal
24 Water Pollution Control Act and regulations issued
25 pursuant thereof, up to a total of \$2,000,000 of the

1 funds reserved by the Administrator for grants
2 under section 518(c) of such Act may also be used
3 for grants for training, technical assistance, and
4 educational programs relating to the operation and
5 management of the treatment works specified in sec-
6 tion 518(c) of such Act: *Provided further*, That for
7 fiscal year 2022, funds reserved under section
8 518(c) of such Act shall be available for grants only
9 to Indian tribes, as defined in section 518(h) of such
10 Act and former Indian reservations in Oklahoma (as
11 determined by the Secretary of the Interior) and Na-
12 tive Villages as defined in Public Law 92–203: *Pro-*
13 *vided further*, That for fiscal year 2022, notwith-
14 standing the limitation on amounts in section 518(c)
15 of the Federal Water Pollution Control Act, up to a
16 total of 2 percent of the funds appropriated, or
17 \$30,000,000, whichever is greater, and notwith-
18 standing the limitation on amounts in section
19 1452(i) of the Safe Drinking Water Act, up to a
20 total of 2 percent of the funds appropriated, or
21 \$20,000,000, whichever is greater, for State Revolv-
22 ing Funds under such Acts may be reserved by the
23 Administrator for grants under section 518(c) and
24 section 1452(i) of such Acts: *Provided further*, That
25 for fiscal year 2022, notwithstanding the amounts

1 specified in section 205(c) of the Federal Water Pol-
2 lution Control Act, up to 1.5 percent of the aggre-
3 gate funds appropriated for the Clean Water State
4 Revolving Fund program under the Act less any
5 sums reserved under section 518(c) of the Act, may
6 be reserved by the Administrator for grants made
7 under title II of the Federal Water Pollution Control
8 Act for American Samoa, Guam, the Commonwealth
9 of the Northern Marianas, and United States Virgin
10 Islands: *Provided further*, That for fiscal year 2022,
11 notwithstanding the limitations on amounts specified
12 in section 1452(j) of the Safe Drinking Water Act,
13 up to 1.5 percent of the funds appropriated for the
14 Drinking Water State Revolving Fund programs
15 under the Safe Drinking Water Act may be reserved
16 by the Administrator for grants made under section
17 1452(j) of the Safe Drinking Water Act: *Provided*
18 *further*, That 10 percent of the funds made available
19 under this title to each State for Clean Water State
20 Revolving Fund capitalization grants and 14 percent
21 of the funds made available under this title to each
22 State for Drinking Water State Revolving Fund cap-
23 italization grants shall be used by the State to pro-
24 vide additional subsidy to eligible recipients in the
25 form of forgiveness of principal, negative interest

1 loans, or grants (or any combination of these), and
2 shall be so used by the State only where such funds
3 are provided as initial financing for an eligible re-
4 cipient or to buy, refinance, or restructure the debt
5 obligations of eligible recipients only where such debt
6 was incurred on or after the date of enactment of
7 this Act, or where such debt was incurred prior to
8 the date of enactment of this Act if the State, with
9 concurrence from the Administrator, determines that
10 such funds could be used to help address a threat
11 to public health from heightened exposure to lead in
12 drinking water or if a Federal or State emergency
13 declaration has been issued due to a threat to public
14 health from heightened exposure to lead in a munic-
15 ipal drinking water supply before the date of enact-
16 ment of this Act: *Provided further*, That in a State
17 in which such an emergency declaration has been
18 issued, the State may use more than 14 percent of
19 the funds made available under this title to the
20 State for Drinking Water State Revolving Fund cap-
21 italization grants to provide additional subsidy to eli-
22 gible recipients;

23 (2) \$35,000,000 shall be for architectural, engi-
24 neering, planning, design, construction and related
25 activities in connection with the construction of high

1 priority water and wastewater facilities in the area
2 of the United States-Mexico Border, after consulta-
3 tion with the appropriate border commission: *Pro-*
4 *vided*, That no funds provided by this appropriations
5 Act to address the water, wastewater and other crit-
6 ical infrastructure needs of the colonias in the
7 United States along the United States-Mexico bor-
8 der shall be made available to a county or municipal
9 government unless that government has established
10 an enforceable local ordinance, or other zoning rule,
11 which prevents in that jurisdiction the development
12 or construction of any additional colonia areas, or
13 the development within an existing colonia the con-
14 struction of any new home, business, or other struc-
15 ture which lacks water, wastewater, or other nec-
16 essary infrastructure;

17 (3) \$36,186,000 shall be for grants to the State
18 of Alaska to address drinking water and wastewater
19 infrastructure needs of rural and Alaska Native Vil-
20 lages: *Provided*, That of these funds: (A) the State
21 of Alaska shall provide a match of 25 percent; (B)
22 no more than 5 percent of the funds may be used
23 for administrative and overhead expenses; and (C)
24 the State of Alaska shall make awards consistent
25 with the Statewide priority list established in con-

1 junction with the Agency and the U.S. Department
2 of Agriculture for all water, sewer, waste disposal,
3 and similar projects carried out by the State of Alas-
4 ka that are funded under section 221 of the Federal
5 Water Pollution Control Act (33 U.S.C. 1301) or
6 the Consolidated Farm and Rural Development Act
7 (7 U.S.C. 1921 et seq.) which shall allocate not less
8 than 25 percent of the funds provided for projects
9 in regional hub communities;

10 (4) \$130,982,000 shall be to carry out section
11 104(k) of the Comprehensive Environmental Re-
12 sponse, Compensation, and Liability Act of 1980
13 (CERCLA), including grants, interagency agree-
14 ments, and associated program support costs: *Pro-*
15 *vided*, That at least 10 percent shall be allocated for
16 assistance in persistent poverty counties: *Provided*
17 *further*, That for purposes of this section, the term
18 “persistent poverty counties” means any county that
19 has had 20 percent or more of its population living
20 in poverty over the past 30 years, as measured by
21 the 1993 Small Area Income and Poverty Estimates,
22 the 2000 decennial census, and the most recent
23 Small Area Income and Poverty Estimates, or any
24 territory or possession of the United States;

1 (5) \$150,000,000 shall be for grants under title
2 VII, subtitle G of the Energy Policy Act of 2005;

3 (6) \$70,000,000 (increased by \$1,000,000)
4 shall be for targeted airshed grants in accordance
5 with the terms and conditions in the report accom-
6 panying this Act;

7 (7) \$4,000,000 shall be to carry out the water
8 quality program authorized in section 5004(d) of the
9 Water Infrastructure Improvements for the Nation
10 Act (Public Law 114–322);

11 (8) \$40,000,000 shall be for grants under sub-
12 sections (a) through (j) of section 1459A of the Safe
13 Drinking Water Act (42 U.S.C. 300j–19a);

14 (9) \$36,500,000 shall be for grants under sec-
15 tion 1464(d) of the Safe Drinking Water Act (42
16 U.S.C. 300j–24(d));

17 (10) \$81,515,000 shall be for grants under sec-
18 tion 1459B of the Safe Drinking Water Act (42
19 U.S.C. 300j–19b);

20 (11) \$9,000,000 shall be for grants under sec-
21 tion 1459A(l) of the Safe Drinking Water Act (42
22 U.S.C. 300j–19a(l));

23 (12) \$20,000,000 shall be for grants under sec-
24 tion 104(b)(8) of the Federal Water Pollution Con-
25 trol Act (33 U.S.C. 1254(b)(8));

1 (13) \$60,000,000 shall be for grants under sec-
2 tion 221 of the Federal Water Pollution Control Act
3 (33 U.S.C. 1301);

4 (14) \$5,000,000 shall be for grants under sec-
5 tion 4304(b) of the America's Water Infrastructure
6 Act of 2018 (Public Law 115–270);

7 (15) \$55,000,000 shall be for carrying out sec-
8 tion 302(a) of the Save Our Seas 2.0 Act (33 U.S.C.
9 4282(a)), of which not more than 2 percent shall be
10 for administrative costs to carry out such section:
11 *Provided*, That grants made pursuant to such au-
12 thority may also be used for the construction, main-
13 tenance, and operation of postconsumer materials
14 management or recycling facilities: *Provided further*,
15 That notwithstanding section 302(a) of such Act,
16 the Administrator may also provide grants pursuant
17 to such authority to intertribal consortia consistent
18 with the requirements in 40 C.F.R. 35.504(a), to
19 former Indian reservations in Oklahoma (as deter-
20 mined by the Secretary of the Interior), and Alaska
21 Native Villages as defined in Public Law 92–203;

22 (16) \$1,262,506,000 shall be for grants, includ-
23 ing associated program support costs, to States, fed-
24 erally recognized tribes, interstate agencies, tribal
25 consortia, and air pollution control agencies for

1 multi-media or single media pollution prevention,
2 control and abatement, and related activities, includ-
3 ing activities pursuant to the provisions set forth
4 under this heading in Public Law 104–134, and for
5 making grants under section 103 of the Clean Air
6 Act for particulate matter monitoring and data col-
7 lection activities subject to terms and conditions
8 specified by the Administrator, and under section
9 2301 of the Water and Waste Act of 2016 to assist
10 States in developing and implementing programs for
11 control of coal combustion residuals, of which:
12 \$49,000,000 shall be for carrying out section 128 of
13 CERCLA; \$9,525,000 shall be for Environmental
14 Information Exchange Network grants, including as-
15 sociated program support costs; \$1,505,000 shall be
16 for grants to States under section 2007(f)(2) of the
17 Solid Waste Disposal Act, which shall be in addition
18 to funds appropriated under the heading “Leaking
19 Underground Storage Tank Trust Fund Program”
20 to carry out the provisions of the Solid Waste Dis-
21 posal Act specified in section 9508(c) of the Internal
22 Revenue Code other than section 9003(h) of the
23 Solid Waste Disposal Act; \$18,000,000 of the funds
24 available for grants under section 106 of the Federal
25 Water Pollution Control Act shall be for State par-

1 participation in national- and State-level statistical sur-
2 veys of water resources and enhancements to State
3 monitoring programs; and

4 (17) \$100,000,000 shall be for environmental
5 justice implementation and training grants, includ-
6 ing Environmental Justice Competitive Grant Pro-
7 gram grants for grants to reduce the dispropor-
8 tionate health impacts of environmental pollution in
9 the environmental justice community; Environmental
10 Justice Community Grant Program grants for
11 grants to local governments and nonprofits to reduce
12 the disproportionate health impacts of environmental
13 pollution in environmental justice communities; En-
14 vironmental Justice State Grant Program grants for
15 grants to states to create or support state environ-
16 mental justice programs; Environmental Justice
17 Tribal Grant Program grants for grants to tribes or
18 intertribal consortia to support tribal work to elimi-
19 nate disproportionately adverse human health or en-
20 vironmental effects on environmental justice commu-
21 nities in tribal and indigenous communities; Commu-
22 nity-based Participatory Research Grant Program
23 grants for competitive grants to institutions of high-
24 er education to develop partnerships with commu-
25 nity-based organizations to improve the health out-

1 comes of residents and workers in environmental
2 justice communities; and Environmental Justice
3 Training Program grants for grants to nonprofits
4 for multi-media or single media activities to increase
5 the capacity of residents of underserved communities
6 to identify and address disproportionately adverse
7 human health or environmental effects of pollution.

8 WATER INFRASTRUCTURE FINANCE AND INNOVATION
9 PROGRAM ACCOUNT

10 For the cost of direct loans and for the cost of guar-
11 anteed loans, as authorized by the Water Infrastructure
12 Finance and Innovation Act of 2014, \$72,108,000, to re-
13 main available until expended: *Provided*, That such costs,
14 including the cost of modifying such loans, shall be as de-
15 fined in section 502 of the Congressional Budget Act of
16 1974: *Provided further*, That these funds are available to
17 subsidize gross obligations for the principal amount of di-
18 rect loans, including capitalized interest, and total loan
19 principal, including capitalized interest, any part of which
20 is to be guaranteed, not to exceed \$12,500,000,000: *Pro-*
21 *vided further*, That of the funds made available under this
22 heading, \$5,000,000 shall be used solely for the cost of
23 direct loans and for the cost of guaranteed loans for
24 projects described in section 5026(9) of the Water Infra-
25 structure Finance and Innovation Act of 2014 to State

1 infrastructure financing authorities, as authorized by sec-
2 tion 5033(e) of such Act: *Provided further*, That the use
3 of direct loans or loan guarantee authority under this
4 heading for direct loans or commitments to guarantee
5 loans for any project shall be in accordance with the cri-
6 teria published in the Federal Register on June 30, 2020
7 (85 FR 39189) pursuant to the fourth proviso under the
8 heading “Water Infrastructure Finance and Innovation
9 Program Account” in division D of the Further Consoli-
10 dated Appropriations Act, 2020 (Public Law 116–94):
11 *Provided further*, That none of the direct loans or loan
12 guarantee authority made available under this heading
13 shall be available for any project unless the Administrator
14 and the Director of the Office of Management and Budget
15 have certified in advance in writing that the direct loan
16 or loan guarantee, as applicable, and the project comply
17 with the criteria referenced in the previous proviso: *Pro-*
18 *vided further*, That, for the purposes of carrying out the
19 Congressional Budget Act of 1974, the Director of the
20 Congressional Budget Office may request, and the Admin-
21 istrator shall promptly provide, documentation and infor-
22 mation relating to a project identified in a Letter of Inter-
23 est submitted to the Administrator pursuant to a Notice
24 of Funding Availability for applications for credit assist-
25 ance under the Water Infrastructure Finance and Innova-

tion Act Program, including with respect to a project that was initiated or completed before the date of enactment of this Act.

In addition, fees authorized to be collected pursuant to sections 5029 and 5030 of the Water Infrastructure Finance and Innovation Act of 2014 shall be deposited in this account, to remain available until expended.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, notwithstanding section 5033 of the Water Infrastructure Finance and Innovation Act of 2014, \$8,000,000, to remain available until September 30, 2023.

ADMINISTRATIVE PROVISIONS—ENVIRONMENTAL

PROTECTION AGENCY

(INCLUDING TRANSFERS OF FUNDS)

For fiscal year 2022, notwithstanding 31 U.S.C. 6303(1) and 6305(1), the Administrator of the Environmental Protection Agency, in carrying out the Agency's function to implement directly Federal environmental programs required or authorized by law in the absence of an acceptable tribal program, may award cooperative agreements to federally recognized Indian tribes or Intertribal consortia, if authorized by their member tribes, to assist the Administrator in implementing Federal environmental programs for Indian tribes required or authorized by law,

1 except that no such cooperative agreements may be award-
2 ed from funds designated for State financial assistance
3 agreements.

4 The Administrator of the Environmental Protection
5 Agency is authorized to collect and obligate pesticide reg-
6 istration service fees in accordance with section 33 of the
7 Federal Insecticide, Fungicide, and Rodenticide Act (7
8 U.S.C. 136w–8), to remain available until expended.

9 Notwithstanding section 33(d)(2) of the Federal In-
10 secticide, Fungicide, and Rodenticide Act (FIFRA) (7
11 U.S.C. 136w–8(d)(2)), the Administrator of the Environ-
12 mental Protection Agency may assess fees under section
13 33 of FIFRA (7 U.S.C. 136w–8) for fiscal year 2022.

14 The Administrator of the Environmental Protection
15 Agency is authorized to collect and obligate fees in accord-
16 ance with section 3024 of the Solid Waste Disposal Act
17 (42 U.S.C. 6939g) for fiscal year 2022, to remain avail-
18 able until expended.

19 The Administrator of the Environmental Protection
20 Agency is authorized to collect and obligate fees in accord-
21 ance with section 26(b) of the Toxic Substances Control
22 Act (15 U.S.C. 2625(b)) for fiscal year 2022, to remain
23 available until expended.

24 The Administrator is authorized to transfer up to
25 \$375,000,000 of the funds appropriated for the Great

1 Lakes Restoration Initiative under the heading “Environ-
2 mental Programs and Management” to the head of any
3 Federal department or agency, with the concurrence of
4 such head, to carry out activities that would support the
5 Great Lakes Restoration Initiative and Great Lakes
6 Water Quality Agreement programs, projects, or activities;
7 to enter into an interagency agreement with the head of
8 such Federal department or agency to carry out these ac-
9 tivities; and to make grants to governmental entities, non-
10 profit organizations, institutions, and individuals for plan-
11 ning, research, monitoring, outreach, and implementation
12 in furtherance of the Great Lakes Restoration Initiative
13 and the Great Lakes Water Quality Agreement.

14 The Science and Technology, Environmental Pro-
15 grams and Management, Office of Inspector General, Haz-
16 ardous Substance Superfund, and Leaking Underground
17 Storage Tank Trust Fund Program Accounts, are avail-
18 able for the construction, alteration, repair, rehabilitation,
19 and renovation of facilities, provided that the cost does
20 not exceed \$150,000 per project.

21 For fiscal year 2022, and notwithstanding section
22 518(f) of the Federal Water Pollution Control Act (33
23 U.S.C. 1377(f)), the Administrator is authorized to use
24 the amounts appropriated for any fiscal year under section

1 319 of the Act to make grants to Indian tribes pursuant
2 to sections 319(h) and 518(e) of that Act.

3 The Administrator is authorized to use the amounts
4 appropriated under the heading “Environmental Pro-
5 grams and Management” for fiscal year 2022 to provide
6 grants to implement the Southeastern New England Wa-
7 tershed Restoration Program.

8 Notwithstanding the limitations on amounts in sec-
9 tion 320(i)(2)(B) of the Federal Water Pollution Control
10 Act, not less than \$2,000,000 of the funds made available
11 under this title for the National Estuary Program shall
12 be for making competitive awards described in section
13 320(g)(4).

14 Section 122(b)(3) of the Comprehensive Environ-
15 mental Response, Compensation, and Liability Act of
16 1980 (42 U.S.C. 9622(b)(3)), shall be applied by inserting
17 before the period: “, including for the hire, maintenance,
18 and operation of aircraft.”.

19 The Environmental Protection Agency Working Cap-
20 ital Fund, established by Public Law 104–204 (42 U.S.C.
21 4370e), is available for expenses and equipment necessary
22 for modernization and development of information tech-
23 nology of, or for use by, the Environmental Protection
24 Agency.

1 For fiscal year 2022, the Office of Chemical Safety
2 and Pollution Prevention and the Office of Water may,
3 using funds appropriated under the headings “Environ-
4 mental Programs and Management” and “Science and
5 Technology”, contract directly with individuals or indi-
6 rectly with institutions or nonprofit organizations, without
7 regard to 41 U.S.C. 5, for the temporary or intermittent
8 personal services of students or recent graduates, who
9 shall be considered employees for the purposes of chapters
10 57 and 81 of title 5, United States Code, relating to com-
11 pensation for travel and work injuries, and chapter 171
12 of title 28, United States Code, relating to tort claims,
13 but shall not be considered to be Federal employees for
14 any other purpose: *Provided*, That amounts used for this
15 purpose by the Office of Chemical Safety and Pollution
16 Prevention and the Office of Water collectively may not
17 exceed \$2,000,000.

18 During each of fiscal years 2022 through 2025, the
19 Administrator may, after consultation with the Office of
20 Personnel and Management, employ up to seventy-five
21 persons at any one time in the Office of Research and
22 Development and twenty-five persons at any one time in
23 the Office of Chemical Safety and Pollution Prevention
24 under the authority provided in 42 U.S.C. 209.

1 TITLE III
2 RELATED AGENCIES
3 DEPARTMENT OF AGRICULTURE
4 OFFICE OF THE UNDER SECRETARY FOR NATURAL
5 RESOURCES AND ENVIRONMENT

6 For necessary expenses of the Office of the Under
7 Secretary for Natural Resources and Environment,
8 \$1,396,000: *Provided*, That funds made available by this
9 Act to any agency in the Natural Resources and Environ-
10 ment mission area for salaries and expenses are available
11 to fund up to one administrative support staff for the of-
12 fice.

13 FOREST SERVICE
14 FOREST SERVICE OPERATIONS
15 (INCLUDING TRANSFERS OF FUNDS)

16 For necessary expenses of the Forest Service, not
17 otherwise provided for, \$1,074,086,000, to remain avail-
18 able through September 30, 2025: *Provided*, That a por-
19 tion of the funds made available under this heading shall
20 be for the base salary and expenses of employees in the
21 Chief's Office, the Work Environment and Performance
22 Office, the Business Operations Deputy Area, and the
23 Chief Financial Officer's Office to carry out administra-
24 tive and general management support functions: *Provided*
25 *further*, That funds provided under this heading shall be

1 available for the costs of facility maintenance, repairs, and
2 leases for buildings and sites where these administrative,
3 general management and other Forest Service support
4 functions take place; the costs of all utility and tele-
5 communication expenses of the Forest Service, as well as
6 business services; and, for information technology, includ-
7 ing cyber security requirements: *Provided further*, That
8 funds provided under this heading may be used for nec-
9 essary expenses to carry out administrative and general
10 management support functions of the Forest Service not
11 otherwise provided for and necessary for its operation.

12 FOREST AND RANGELAND RESEARCH

13 For necessary expenses of forest and rangeland re-
14 search as authorized by law, \$363,797,000, to remain
15 available through September 30, 2025: *Provided*, That of
16 the funds provided, \$22,197,000 is for the forest inventory
17 and analysis program: *Provided further*, That all authori-
18 ties for the use of funds, including the use of contracts,
19 grants, and cooperative agreements, available to execute
20 the Forest and Rangeland Research appropriation, are
21 also available in the utilization of these funds for Fire
22 Science Research.

23 STATE AND PRIVATE FORESTRY

24 For necessary expenses of cooperating with and pro-
25 viding technical and financial assistance to States, terri-

1 tories, possessions, and others, and for forest health man-
2 agement, and conducting an international program and
3 trade compliance activities as authorized, \$324,876,000,
4 to remain available through September 30, 2025, as au-
5 thorized by law.

6 NATIONAL FOREST SYSTEM

7 For necessary expenses of the Forest Service, not
8 otherwise provided for, for management, protection, im-
9 provement, and utilization of the National Forest System,
10 and for hazardous fuels management on or adjacent to
11 such lands, \$2,232,344,000 (increased by \$2,000,000)
12 (reduced by \$13,050,000) (increased by \$13,050,000), to
13 remain available through September 30, 2025: *Provided*,
14 That of the funds provided, \$60,000,000 shall be depos-
15 ited in the Collaborative Forest Landscape Restoration
16 Fund for ecological restoration treatments as authorized
17 by 16 U.S.C. 7303(f): *Provided further*, That of the funds
18 provided, \$39,017,000 shall be for forest products: *Pro-*
19 *vided further*, That of the funds provided, \$321,388,000
20 (increased by \$2,000,000) shall be for hazardous fuels
21 management activities, of which not to exceed
22 \$15,000,000 may be used to make grants, using any au-
23 thorities available to the Forest Service under the “State
24 and Private Forestry” appropriation, for the purpose of
25 creating incentives for increased use of biomass from Na-

1 tional Forest System lands: *Provided further*, That
2 \$20,000,000 may be used by the Secretary of Agriculture
3 to enter into procurement contracts or cooperative agree-
4 ments or to issue grants for hazardous fuels management
5 activities, and for training or monitoring associated with
6 such hazardous fuels management activities on Federal
7 land, or on non-Federal land if the Secretary determines
8 such activities benefit resources on Federal land: *Provided*
9 *further*, That funds made available to implement the Com-
10 munity Forest Restoration Act, Public Law 106–393, title
11 VI, shall be available for use on non-Federal lands in ac-
12 cordance with authorities made available to the Forest
13 Service under the “State and Private Forestry” appro-
14 priation: *Provided further*, That notwithstanding section
15 33 of the Bankhead Jones Farm Tenant Act (7 U.S.C.
16 1012), the Secretary of Agriculture, in calculating a fee
17 for grazing on a National Grassland, may provide a credit
18 of up to 50 percent of the calculated fee to a Grazing As-
19 sociation or direct permittee for a conservation practice
20 approved by the Secretary in advance of the fiscal year
21 in which the cost of the conservation practice is incurred,
22 and that the amount credited shall remain available to the
23 Grazing Association or the direct permittee, as appro-
24 priate, in the fiscal year in which the credit is made and
25 each fiscal year thereafter for use on the project for con-

1 servation practices approved by the Secretary: *Provided*
2 *further*, That funds appropriated to this account shall be
3 available for the base salary and expenses of employees
4 that carry out the functions funded by the “Capital Im-
5 provement and Maintenance” account, the “Range Better-
6 ment Fund” account, and the “Management of National
7 Forests for Subsistence Uses” account.

8 CAPITAL IMPROVEMENT AND MAINTENANCE

9 (INCLUDING TRANSFER OF FUNDS)

10 For necessary expenses of the Forest Service, not
11 otherwise provided for, \$153,302,000 (reduced by
12 \$153,302,000) (increased by \$153,302,000) (reduced by
13 \$3,000,000), to remain available through September 30,
14 2025, for construction, capital improvement, maintenance,
15 and acquisition of buildings and other facilities and infra-
16 structure; and for construction, reconstruction, decommis-
17 sioning of roads that are no longer needed, including un-
18 authorized roads that are not part of the transportation
19 system, and maintenance of forest roads and trails by the
20 Forest Service as authorized by 16 U.S.C. 532–538 and
21 23 U.S.C. 101 and 205: *Provided*, That funds becoming
22 available in fiscal year 2022 under the Act of March 4,
23 1913 (16 U.S.C. 501) shall be transferred to the General
24 Fund of the Treasury and shall not be available for trans-

1 fer or obligation for any other purpose unless the funds
2 are appropriated.

3 ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL
4 ACTS

5 For acquisition of lands within the exterior bound-
6 aries of the Cache, Uinta, and Wasatch National Forests,
7 Utah; the Toiyabe National Forest, Nevada; and the An-
8 geles, San Bernardino, Sequoia, and Cleveland National
9 Forests, California; and the Ozark-St. Francis and
10 Ouachita National Forests, Arkansas; as authorized by
11 law, \$664,000, to be derived from forest receipts.

12 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

13 For acquisition of lands, such sums, to be derived
14 from funds deposited by State, county, or municipal gov-
15 ernments, public school districts, or other public school au-
16 thorities, and for authorized expenditures from funds de-
17 posited by non-Federal parties pursuant to Land Sale and
18 Exchange Acts, pursuant to the Act of December 4, 1967
19 (16 U.S.C. 484a), to remain available through September
20 30, 2025, (16 U.S.C. 516–617a, 555a; Public Law 96–
21 586; Public Law 76–589, Public Law 76–591; and Public
22 Law 78–310).

23 RANGE BETTERMENT FUND

24 For necessary expenses of range rehabilitation, pro-
25 tection, and improvement, 50 percent of all moneys re-

1 ceived during the prior fiscal year, as fees for grazing do-
2 mestic livestock on lands in National Forests in the 16
3 Western States, pursuant to section 401(b)(1) of Public
4 Law 94–579, to remain available through September 30,
5 2025, of which not to exceed 6 percent shall be available
6 for administrative expenses associated with on-the-ground
7 range rehabilitation, protection, and improvements.

8 GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND
9 RANGELAND RESEARCH

10 For expenses authorized by 16 U.S.C. 1643(b),
11 \$45,000, to remain available through September 30, 2025,
12 to be derived from the fund established pursuant to the
13 above Act.

14 MANAGEMENT OF NATIONAL FOREST LANDS FOR
15 SUBSISTENCE USES

16 For necessary expenses of the Forest Service to man-
17 age Federal lands in Alaska for subsistence uses under
18 title VIII of the Alaska National Interest Lands Conserva-
19 tion Act (16 U.S.C. 3111 et seq.), \$1,099,000, to remain
20 available through September 30, 2025.

21 WILDLAND FIRE MANAGEMENT
22 (INCLUDING TRANSFERS OF FUNDS)

23 For necessary expenses for forest fire presuppression
24 activities on National Forest System lands, for emergency
25 wildland fire suppression on or adjacent to such lands or

1 other lands under fire protection agreement, and for emer-
2 gency rehabilitation of burned-over National Forest Sys-
3 tem lands and water, \$2,097,622,000 (increased by
4 \$1,000,000), to remain available until expended: *Provided*,
5 That such funds including unobligated balances under this
6 heading, are available for repayment of advances from
7 other appropriations accounts previously transferred for
8 such purposes: *Provided further*, That any unobligated
9 funds appropriated in a previous fiscal year for hazardous
10 fuels management may be transferred to the “National
11 Forest System” account: *Provided further*, That such
12 funds shall be available to reimburse State and other co-
13 operating entities for services provided in response to wild-
14 fire and other emergencies or disasters to the extent such
15 reimbursements by the Forest Service for non-fire emer-
16 gencies are fully repaid by the responsible emergency man-
17 agement agency: *Provided further*, That funds provided
18 shall be available for support to Federal emergency re-
19 sponse: *Provided further*, That the costs of implementing
20 any cooperative agreement between the Federal Govern-
21 ment and any non-Federal entity may be shared, as mutu-
22 ally agreed on by the affected parties: *Provided further*,
23 That of the funds provided under this heading,
24 \$1,011,000,000 shall be available for wildfire suppression
25 operations, and is provided to the meet the terms of sec-

tion 1(h) of H. Res. 467 of the 117th Congress as en-
grossed in the House of Representatives on June 14,
2021.

WILDFIRE SUPPRESSION OPERATIONS RESERVE FUND
(INCLUDING TRANSFERS OF FUNDS)

In addition to the amounts provided under the head-
ing “Department of Agriculture—Forest Service—
Wildland Fire Management” for wildfire suppression oper-
ations, \$2,120,000,000, to remain available until trans-
ferred, is additional new budget authority for purposes of
section 1(h) of H. Res. 467 of the 117th Congress as en-
grossed in the House of Representatives on June 14,
2021: *Provided*, That such amounts may be transferred
to and merged with amounts made available under the
headings “Department of the Interior—Department-Wide
Programs—Wildland Fire Management” and “Depart-
ment of Agriculture—Forest Service—Wildland Fire
Management” for wildfire suppression operations in the
fiscal year in which such amounts are transferred: *Pro-
vided further*, That amounts may be transferred to the
“Wildland Fire Management” accounts in the Department
of the Interior or the Department of Agriculture only upon
the notification of the House and Senate Committees on
Appropriations that all wildfire suppression operations
funds appropriated under that heading in this and prior

1 appropriations Acts to the agency to which the funds will
2 be transferred will be obligated within 30 days: *Provided*
3 *further*, That the transfer authority provided under this
4 heading is in addition to any other transfer authority pro-
5 vided by law: *Provided further*, That, in determining
6 whether all wildfire suppression operations funds appro-
7 priated under the heading “Wildland Fire Management”
8 in this and prior appropriations Acts to either the Depart-
9 ment of Agriculture or the Department of the Interior will
10 be obligated within 30 days pursuant to the previous pro-
11 viso, any funds transferred or permitted to be transferred
12 pursuant to any other transfer authority provided by law
13 shall be excluded.

14 COMMUNICATIONS SITE ADMINISTRATION

15 (INCLUDING TRANSFER OF FUNDS)

16 Amounts collected in this fiscal year pursuant to sec-
17 tion 8705(f)(2) of the Agriculture Improvement Act of
18 2018 (Public Law 115–334), shall be deposited in the spe-
19 cial account established by section 8705(f)(1) of such Act,
20 shall be available to cover the costs described in subsection
21 (c)(3) of such section of such Act, and shall remain avail-
22 able until expended: *Provided*, That such amounts shall
23 be transferred to the “National Forest System” account.

1 ADMINISTRATIVE PROVISIONS—FOREST SERVICE
2 (INCLUDING TRANSFERS OF FUNDS)

3 Appropriations to the Forest Service for the current
4 fiscal year shall be available for: (1) purchase of passenger
5 motor vehicles; acquisition of passenger motor vehicles
6 from excess sources, and hire of such vehicles; purchase,
7 lease, operation, maintenance, and acquisition of aircraft
8 to maintain the operable fleet for use in Forest Service
9 wildland fire programs and other Forest Service programs;
10 notwithstanding other provisions of law, existing aircraft
11 being replaced may be sold, with proceeds derived or
12 trade-in value used to offset the purchase price for the
13 replacement aircraft; (2) services pursuant to 7 U.S.C.
14 2225, and not to exceed \$100,000 for employment under
15 5 U.S.C. 3109; (3) purchase, erection, and alteration of
16 buildings and other public improvements (7 U.S.C. 2250);
17 (4) acquisition of land, waters, and interests therein pur-
18 suant to 7 U.S.C. 428a; (5) for expenses pursuant to the
19 Volunteers in the National Forest Act of 1972 (16 U.S.C.
20 558a, 558d, and 558a note); (6) the cost of uniforms as
21 authorized by 5 U.S.C. 5901–5902; and (7) for debt col-
22 lection contracts in accordance with 31 U.S.C. 3718(c).
23 Funds made available to the Forest Service in this
24 Act may be transferred between accounts affected by the
25 Forest Service budget restructure outlined in section 435

1 of division D of the Further Consolidated Appropriations
2 Act, 2020 (Public Law 116–94): *Provided*, That any
3 transfer of funds pursuant to this paragraph shall not in-
4 crease or decrease the funds appropriated to any account
5 in this fiscal year by more than ten percent: *Provided fur-*
6 *ther*, That such transfer authority is in addition to any
7 other transfer authority provided by law.

8 Any appropriations or funds available to the Forest
9 Service may be transferred to the Wildland Fire Manage-
10 ment appropriation for forest firefighting, emergency re-
11 habilitation of burned-over or damaged lands or waters
12 under its jurisdiction, and fire preparedness due to severe
13 burning conditions upon the Secretary of Agriculture’s no-
14 tification of the House and Senate Committees on Appro-
15 priations that all fire suppression funds appropriated
16 under the heading “Wildland Fire Management” will be
17 obligated within 30 days: *Provided*, That all funds used
18 pursuant to this paragraph must be replenished by a sup-
19 plemental appropriation which must be requested as
20 promptly as possible.

21 Not more than \$50,000,000 of funds appropriated to
22 the Forest Service shall be available for expenditure or
23 transfer to the Department of the Interior for wildland
24 fire management, hazardous fuels management, and State

1 fire assistance when such transfers would facilitate and
2 expedite wildland fire management programs and projects.

3 Notwithstanding any other provision of this Act, the
4 Forest Service may transfer unobligated balances of dis-
5 cretionary funds appropriated to the Forest Service by
6 this Act to or within the National Forest System Account,
7 or reprogram funds to be used for the purposes of haz-
8 ardous fuels management and urgent rehabilitation of
9 burned-over National Forest System lands and water,
10 such transferred funds shall remain available through Sep-
11 tember 30, 2025: *Provided*, That none of the funds trans-
12 ferred pursuant to this section shall be available for obli-
13 gation without written notification to and the prior ap-
14 proval of the Committees on Appropriations of both
15 Houses of Congress.

16 Funds appropriated to the Forest Service shall be
17 available for assistance to or through the Agency for Inter-
18 national Development in connection with forest and range-
19 land research, technical information, and assistance in for-
20 eign countries, and shall be available to support forestry
21 and related natural resource activities outside the United
22 States and its territories and possessions, including tech-
23 nical assistance, education and training, and cooperation
24 with United States, private, and international organiza-
25 tions. The Forest Service, acting for the International

1 Program, may sign direct funding agreements with foreign
2 governments and institutions as well as other domestic
3 agencies (including the U.S. Agency for International De-
4 velopment, the Department of State, and the Millennium
5 Challenge Corporation), United States private sector
6 firms, institutions and organizations to provide technical
7 assistance and training programs overseas on forestry and
8 rangeland management.

9 Funds appropriated to the Forest Service shall be
10 available for expenditure or transfer to the Department
11 of the Interior, Bureau of Land Management, for removal,
12 preparation, and adoption of excess wild horses and burros
13 from National Forest System lands, and for the perform-
14 ance of cadastral surveys to designate the boundaries of
15 such lands.

16 None of the funds made available to the Forest Serv-
17 ice in this Act or any other Act with respect to any fiscal
18 year shall be subject to transfer under the provisions of
19 section 702(b) of the Department of Agriculture Organic
20 Act of 1944 (7 U.S.C. 2257), section 442 of Public Law
21 106–224 (7 U.S.C. 7772), or section 10417(b) of Public
22 Law 107–171 (7 U.S.C. 8316(b)).

23 Not more than \$82,000,000 of funds available to the
24 Forest Service shall be transferred to the Working Capital
25 Fund of the Department of Agriculture and not more than

1 \$14,500,000 of funds available to the Forest Service shall
2 be transferred to the Department of Agriculture for De-
3 partment Reimbursable Programs, commonly referred to
4 as Greenbook charges. Nothing in this paragraph shall
5 prohibit or limit the use of reimbursable agreements re-
6 quested by the Forest Service in order to obtain informa-
7 tion technology services, including telecommunications and
8 system modifications or enhancements, from the Working
9 Capital Fund of the Department of Agriculture.

10 Of the funds available to the Forest Service, up to
11 \$5,000,000 shall be available for priority projects within
12 the scope of the approved budget, which shall be carried
13 out by the Youth Conservation Corps and shall be carried
14 out under the authority of the Public Lands Corps Act
15 of 1993 (16 U.S.C. 1721 et seq.).

16 Of the funds available to the Forest Service, \$4,000
17 is available to the Chief of the Forest Service for official
18 reception and representation expenses.

19 Pursuant to sections 405(b) and 410(b) of Public
20 Law 101–593, of the funds available to the Forest Service,
21 up to \$3,000,000 may be advanced in a lump sum to the
22 National Forest Foundation to aid conservation partner-
23 ship projects in support of the Forest Service mission,
24 without regard to when the Foundation incurs expenses,
25 for projects on or benefitting National Forest System

1 lands or related to Forest Service programs: *Provided*,
2 That of the Federal funds made available to the Founda-
3 tion, no more than \$300,000 shall be available for admin-
4 istrative expenses: *Provided further*, That the Foundation
5 shall obtain, by the end of the period of Federal financial
6 assistance, private contributions to match funds made
7 available by the Forest Service on at least a one-for-one
8 basis: *Provided further*, That the Foundation may transfer
9 Federal funds to a Federal or a non-Federal recipient for
10 a project at the same rate that the recipient has obtained
11 the non-Federal matching funds.

12 Pursuant to section 2(b)(2) of Public Law 98-244,
13 up to \$3,000,000 of the funds available to the Forest
14 Service may be advanced to the National Fish and Wildlife
15 Foundation in a lump sum to aid cost-share conservation
16 projects, without regard to when expenses are incurred,
17 on or benefitting National Forest System lands or related
18 to Forest Service programs: *Provided*, That such funds
19 shall be matched on at least a one-for-one basis by the
20 Foundation or its sub-recipients: *Provided further*, That
21 the Foundation may transfer Federal funds to a Federal
22 or non-Federal recipient for a project at the same rate
23 that the recipient has obtained the non-Federal matching
24 funds.

1 Funds appropriated to the Forest Service shall be
2 available for interactions with and providing technical as-
3 sistance to rural communities and natural resource-based
4 businesses for sustainable rural development purposes.

5 Funds appropriated to the Forest Service shall be
6 available for payments to counties within the Columbia
7 River Gorge National Scenic Area, pursuant to section
8 14(c)(1) and (2), and section 16(a)(2) of Public Law 99–
9 663.

10 Any funds appropriated to the Forest Service may
11 be used to meet the non-Federal share requirement in sec-
12 tion 502(c) of the Older Americans Act of 1965 (42
13 U.S.C. 3056(c)(2)).

14 The Forest Service shall not assess funds for the pur-
15 pose of performing fire, administrative, and other facilities
16 maintenance and decommissioning.

17 Notwithstanding any other provision of law, of any
18 appropriations or funds available to the Forest Service,
19 not to exceed \$500,000 may be used to reimburse the Of-
20 fice of the General Counsel (OGC), Department of Agri-
21 culture, for travel and related expenses incurred as a re-
22 sult of OGC assistance or participation requested by the
23 Forest Service at meetings, training sessions, management
24 reviews, land purchase negotiations, and similar matters
25 unrelated to civil litigation. Future budget justifications

1 for both the Forest Service and the Department of Agri-
2 culture should clearly display the sums previously trans-
3 ferred and the sums requested for transfer.

4 An eligible individual who is employed in any project
5 funded under title V of the Older Americans Act of 1965
6 (42 U.S.C. 3056 et seq.) and administered by the Forest
7 Service shall be considered to be a Federal employee for
8 purposes of chapter 171 of title 28, United States Code.

9 Funds appropriated to the Forest Service shall be
10 available to pay, from a single account, the base salary
11 and expenses of employees who carry out functions funded
12 by other accounts for Enterprise Program, Geospatial
13 Technology and Applications Center, remnant Natural Re-
14 source Manager, and National Technology and Develop-
15 ment Program.

16 DEPARTMENT OF HEALTH AND HUMAN
17 SERVICES

18 INDIAN HEALTH SERVICE

19 INDIAN HEALTH SERVICES

20 For expenses necessary to carry out the Act of Au-
21 gust 5, 1954 (68 Stat. 674), the Indian Self-Determina-
22 tion and Education Assistance Act, the Indian Health
23 Care Improvement Act, and titles II and III of the Public
24 Health Service Act with respect to the Indian Health Serv-
25 ice, \$5,799,102,000, to remain available until September

1 30, 2023, except as otherwise provided herein, together
2 with payments received during the fiscal year pursuant to
3 sections 231(b) and 233 of the Public Health Service Act
4 (42 U.S.C. 238(b) and 238b), for services furnished by
5 the Indian Health Service: *Provided*, That funds made
6 available to tribes and tribal organizations through con-
7 tracts, grant agreements, or any other agreements or com-
8 pacts authorized by the Indian Self-Determination and
9 Education Assistance Act of 1975 (25 U.S.C. 450), shall
10 be deemed to be obligated at the time of the grant or con-
11 tract award and thereafter shall remain available to the
12 tribe or tribal organization without fiscal year limitation:
13 *Provided further*, That \$2,500,000 shall be available for
14 grants or contracts with public or private institutions to
15 provide alcohol or drug treatment services to Indians, in-
16 cluding alcohol detoxification services: *Provided further*,
17 That \$1,191,824,000 for Purchased/Referred Care, in-
18 cluding \$54,000,000 for the Indian Catastrophic Health
19 Emergency Fund, shall remain available until expended:
20 *Provided further*, That of the funds provided, up to
21 \$54,800,000 shall remain available until expended for im-
22 plementation of the loan repayment program under section
23 108 of the Indian Health Care Improvement Act: *Provided*
24 *further*, That of the funds provided, \$58,000,000 shall be
25 for costs related to or resulting from accreditation emer-

1 gencies, including supplementing activities funded under
2 the heading “Indian Health Facilities,” of which up to
3 \$4,000,000 may be used to supplement amounts otherwise
4 available for Purchased/Referred Care: *Provided further,*
5 That the amounts collected by the Federal Government
6 as authorized by sections 104 and 108 of the Indian
7 Health Care Improvement Act (25 U.S.C. 1613a and
8 1616a) during the preceding fiscal year for breach of con-
9 tracts shall be deposited in the Fund authorized by section
10 108A of that Act (25 U.S.C. 1616a–1) and shall remain
11 available until expended and, notwithstanding section
12 108A(c) of that Act (25 U.S.C. 1616a–1(c)), funds shall
13 be available to make new awards under the loan repay-
14 ment and scholarship programs under sections 104 and
15 108 of that Act (25 U.S.C. 1613a and 1616a): *Provided*
16 *further,* That the amounts made available within this ac-
17 count for the Substance Abuse and Suicide Prevention
18 Program, for Opioid Prevention, Treatment and Recovery
19 Services, for the Domestic Violence Prevention Program,
20 for the Zero Suicide Initiative, for the housing subsidy au-
21 thority for civilian employees, for Aftercare Pilot Pro-
22 grams at Youth Regional Treatment Centers, for trans-
23 formation and modernization costs of the Indian Health
24 Service Electronic Health Record system, for national
25 quality and oversight activities, to improve collections from

1 public and private insurance at Indian Health Service and
2 tribally operated facilities, for an initiative to treat or re-
3 duce the transmission of HIV and HCV, for a maternal
4 health initiative, for the Telebehaviorial Health Center of
5 Excellence, for Alzheimer's grants, for Village Built Clin-
6 ics, for a produce prescription pilot, and for accreditation
7 emergencies shall be allocated at the discretion of the Di-
8 rector of the Indian Health Service and shall remain avail-
9 able until expended: *Provided further*, That funds provided
10 in this Act may be used for annual contracts and grants
11 that fall within 2 fiscal years, provided the total obligation
12 is recorded in the year the funds are appropriated: *Pro-*
13 *vided further*, That the amounts collected by the Secretary
14 of Health and Human Services under the authority of title
15 IV of the Indian Health Care Improvement Act (25 U.S.C.
16 1613) shall remain available until expended for the pur-
17 pose of achieving compliance with the applicable condi-
18 tions and requirements of titles XVIII and XIX of the So-
19 cial Security Act, except for those related to the planning,
20 design, or construction of new facilities: *Provided further*,
21 That funding contained herein for scholarship programs
22 under the Indian Health Care Improvement Act (25
23 U.S.C. 1613) shall remain available until expended: *Pro-*
24 *vided further*, That amounts received by tribes and tribal
25 organizations under title IV of the Indian Health Care Im-

1 improvement Act shall be reported and accounted for and
2 available to the receiving tribes and tribal organizations
3 until expended: *Provided further*, That the Bureau of In-
4 dian Affairs may collect from the Indian Health Service,
5 and from tribes and tribal organizations operating health
6 facilities pursuant to Public Law 93–638, such individ-
7 ually identifiable health information relating to disabled
8 children as may be necessary for the purpose of carrying
9 out its functions under the Individuals with Disabilities
10 Education Act (20 U.S.C. 1400 et seq.): *Provided further*,
11 That of the funds provided, \$317,306,000 is for the In-
12 dian Health Care Improvement Fund and may be used,
13 as needed, to carry out activities typically funded under
14 the Indian Health Facilities account: *Provided further*,
15 That none of the funds appropriated by this Act, or any
16 other Act, to the Indian Health Service for the Electronic
17 Health Record system shall be available for obligation or
18 expenditure for the selection or implementation of a new
19 Information Technology infrastructure system, unless the
20 Committees on Appropriations of the House of Represent-
21 atives and the Senate are consulted 90 days in advance
22 of such obligation.

23 CONTRACT SUPPORT COSTS

24 For payments to tribes and tribal organizations for
25 contract support costs associated with Indian Self-Deter-

1 mination and Education Assistance Act agreements with
2 the Indian Health Service for fiscal year 2022, such sums
3 as may be necessary: *Provided*, That notwithstanding any
4 other provision of law, no amounts made available under
5 this heading shall be available for transfer to another
6 budget account: *Provided further*, That amounts obligated
7 but not expended by a tribe or tribal organization for con-
8 tract support costs for such agreements for the current
9 fiscal year shall be applied to contract support costs due
10 for such agreements for subsequent fiscal years.

11 PAYMENTS FOR TRIBAL LEASES

12 For payments to tribes and tribal organizations for
13 leases pursuant to section 105(l) of the Indian Self-Deter-
14 mination and Education Assistance Act (25 U.S.C.
15 5324(l)) for fiscal year 2022, such sums as may be nec-
16 essary, which shall be available for obligation through Sep-
17 tember 30, 2023: *Provided*, That notwithstanding any
18 other provision of law, no amounts made available under
19 this heading shall be available for transfer to another
20 budget account.

21 INDIAN HEALTH FACILITIES

22 For construction, repair, maintenance, demolition,
23 improvement, and equipment of health and related auxil-
24 iary facilities, including quarters for personnel; prepara-
25 tion of plans, specifications, and drawings; acquisition of

1 sites, purchase and erection of modular buildings, and
2 purchases of trailers; and for provision of domestic and
3 community sanitation facilities for Indians, as authorized
4 by section 7 of the Act of August 5, 1954 (42 U.S.C.
5 2004a), the Indian Self-Determination Act, and the In-
6 dian Health Care Improvement Act, and for expenses nec-
7 essary to carry out such Acts and titles II and III of the
8 Public Health Service Act with respect to environmental
9 health and facilities support activities of the Indian Health
10 Service, \$1,285,064,000, to remain available until ex-
11 pended: *Provided*, That notwithstanding any other provi-
12 sion of law, funds appropriated for the planning, design,
13 construction, renovation, or expansion of health facilities
14 for the benefit of an Indian tribe or tribes may be used
15 to purchase land on which such facilities will be located:
16 *Provided further*, That not to exceed \$500,000 may be
17 used by the Indian Health Service to purchase TRANSAM
18 equipment from the Department of Defense for distribu-
19 tion to the Indian Health Service and tribal facilities: *Pro-*
20 *vided further*, That none of the funds appropriated to the
21 Indian Health Service may be used for sanitation facilities
22 construction for new homes funded with grants by the
23 housing programs of the United States Department of
24 Housing and Urban Development.

1 ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE

2 Appropriations provided in this Act to the Indian
3 Health Service shall be available for services as authorized
4 by 5 U.S.C. 3109 at rates not to exceed the per diem rate
5 equivalent to the maximum rate payable for senior-level
6 positions under 5 U.S.C. 5376; hire of passenger motor
7 vehicles and aircraft; purchase of medical equipment; pur-
8 chase of reprints; purchase, renovation, and erection of
9 modular buildings and renovation of existing facilities;
10 payments for telephone service in private residences in the
11 field, when authorized under regulations approved by the
12 Secretary of Health and Human Services; uniforms, or al-
13 lowances therefor as authorized by 5 U.S.C. 5901–5902;
14 and for expenses of attendance at meetings that relate to
15 the functions or activities of the Indian Health Service:
16 *Provided*, That in accordance with the provisions of the
17 Indian Health Care Improvement Act, non-Indian patients
18 may be extended health care at all tribally administered
19 or Indian Health Service facilities, subject to charges, and
20 the proceeds along with funds recovered under the Federal
21 Medical Care Recovery Act (42 U.S.C. 2651–2653) shall
22 be credited to the account of the facility providing the
23 service and shall be available without fiscal year limitation:
24 *Provided further*, That notwithstanding any other law or
25 regulation, funds transferred from the Department of

1 Housing and Urban Development to the Indian Health
2 Service shall be administered under Public Law 86–121,
3 the Indian Sanitation Facilities Act and Public Law 93–
4 638: *Provided further*, That funds appropriated to the In-
5 dian Health Service in this Act, except those used for ad-
6 ministrative and program direction purposes, shall not be
7 subject to limitations directed at curtailing Federal travel
8 and transportation: *Provided further*, That none of the
9 funds made available to the Indian Health Service in this
10 Act shall be used for any assessments or charges by the
11 Department of Health and Human Services unless identi-
12 fied in the budget justification and provided in this Act,
13 or approved by the House and Senate Committees on Ap-
14 propriations through the reprogramming process: *Pro-*
15 *vided further*, That notwithstanding any other provision
16 of law, funds previously or herein made available to a tribe
17 or tribal organization through a contract, grant, or agree-
18 ment authorized by title I or title V of the Indian Self-
19 Determination and Education Assistance Act of 1975 (25
20 U.S.C. 450 et seq.), may be deobligated and reobligated
21 to a self-determination contract under title I, or a self-
22 governance agreement under title V of such Act and there-
23 after shall remain available to the tribe or tribal organiza-
24 tion without fiscal year limitation: *Provided further*, That
25 none of the funds made available to the Indian Health

1 Service in this Act shall be used to implement the final
2 rule published in the Federal Register on September 16,
3 1987, by the Department of Health and Human Services,
4 relating to the eligibility for the health care services of
5 the Indian Health Service until the Indian Health Service
6 has submitted a budget request reflecting the increased
7 costs associated with the proposed final rule, and such re-
8 quest has been included in an appropriations Act and en-
9 acted into law: *Provided further*, That with respect to func-
10 tions transferred by the Indian Health Service to tribes
11 or tribal organizations, the Indian Health Service is au-
12 thorized to provide goods and services to those entities on
13 a reimbursable basis, including payments in advance with
14 subsequent adjustment, and the reimbursements received
15 therefrom, along with the funds received from those enti-
16 ties pursuant to the Indian Self-Determination Act, may
17 be credited to the same or subsequent appropriation ac-
18 count from which the funds were originally derived, with
19 such amounts to remain available until expended: *Provided*
20 *further*, That reimbursements for training, technical as-
21 sistance, or services provided by the Indian Health Service
22 will contain total costs, including direct, administrative,
23 and overhead costs associated with the provision of goods,
24 services, or technical assistance: *Provided further*, That
25 the Indian Health Service may provide to civilian medical

1 personnel serving in hospitals operated by the Indian
2 Health Service housing allowances equivalent to those that
3 would be provided to members of the Commissioned Corps
4 of the United States Public Health Service serving in simi-
5 lar positions at such hospitals: *Provided further*, That the
6 appropriation structure for the Indian Health Service may
7 not be altered without advance notification to the House
8 and Senate Committees on Appropriations.

9 NATIONAL INSTITUTES OF HEALTH

10 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH

11 SCIENCES

12 For necessary expenses for the National Institute of
13 Environmental Health Sciences in carrying out activities
14 set forth in section 311(a) of the Comprehensive Environ-
15 mental Response, Compensation, and Liability Act of
16 1980 (42 U.S.C. 9660(a)) and section 126(g) of the
17 Superfund Amendments and Reauthorization Act of 1986,
18 \$83,540,000.

19 AGENCY FOR TOXIC SUBSTANCES AND DISEASE

20 REGISTRY

21 TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC

22 HEALTH

23 For necessary expenses for the Agency for Toxic Sub-
24 stances and Disease Registry (ATSDR) in carrying out
25 activities set forth in sections 104(i) and 111(c)(4) of the

1 Comprehensive Environmental Response, Compensation,
2 and Liability Act of 1980 (CERCLA) and section 3019
3 of the Solid Waste Disposal Act, \$84,000,000: *Provided*,
4 That notwithstanding any other provision of law, in lieu
5 of performing a health assessment under section 104(i)(6)
6 of CERCLA, the Administrator of ATSDR may conduct
7 other appropriate health studies, evaluations, or activities,
8 including, without limitation, biomedical testing, clinical
9 evaluations, medical monitoring, and referral to accredited
10 healthcare providers: *Provided further*, That in performing
11 any such health assessment or health study, evaluation,
12 or activity, the Administrator of ATSDR shall not be
13 bound by the deadlines in section 104(i)(6)(A) of
14 CERCLA: *Provided further*, That none of the funds appro-
15 priated under this heading shall be available for ATSDR
16 to issue in excess of 40 toxicological profiles pursuant to
17 section 104(i) of CERCLA during fiscal year 2022, and
18 existing profiles may be updated as necessary.

19 OTHER RELATED AGENCIES

20 EXECUTIVE OFFICE OF THE PRESIDENT

21 COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF

22 ENVIRONMENTAL QUALITY

23 For necessary expenses to continue functions as-
24 signed to the Council on Environmental Quality and Office
25 of Environmental Quality pursuant to the National Envi-

1 ronmental Policy Act of 1969, the Environmental Quality
2 Improvement Act of 1970, and Reorganization Plan No.
3 1 of 1977, and not to exceed \$750 for official reception
4 and representation expenses, \$4,200,000: *Provided*, That
5 notwithstanding section 202 of the National Environ-
6 mental Policy Act of 1970, the Council shall consist of
7 one member, appointed by the President, by and with the
8 advice and consent of the Senate, serving as chairman and
9 exercising all powers, functions, and duties of the Council.

10 CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

11 SALARIES AND EXPENSES

12 For necessary expenses in carrying out activities pur-
13 suant to section 112(r)(6) of the Clean Air Act, including
14 hire of passenger vehicles, uniforms or allowances there-
15 for, as authorized by 5 U.S.C. 5901–5902, and for serv-
16 ices authorized by 5 U.S.C. 3109 but at rates for individ-
17 uals not to exceed the per diem equivalent to the maximum
18 rate payable for senior level positions under 5 U.S.C.
19 5376, \$13,400,000: *Provided*, That the Chemical Safety
20 and Hazard Investigation Board (Board) shall have not
21 more than three career Senior Executive Service positions:
22 *Provided further*, That notwithstanding any other provi-
23 sion of law, the individual appointed to the position of In-
24 spector General of the Environmental Protection Agency
25 (EPA) shall, by virtue of such appointment, also hold the

1 position of Inspector General of the Board: *Provided fur-*
2 *ther*, That notwithstanding any other provision of law, the
3 Inspector General of the Board shall utilize personnel of
4 the Office of Inspector General of EPA in performing the
5 duties of the Inspector General of the Board, and shall
6 not appoint any individuals to positions within the Board.

7 OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

8 SALARIES AND EXPENSES

9 For necessary expenses of the Office of Navajo and
10 Hopi Indian Relocation as authorized by Public Law 93–
11 531, \$3,150,000, to remain available until expended,
12 which shall be derived from unobligated balances from
13 prior year appropriations available under this heading:
14 *Provided*, That funds provided in this or any other appro-
15 priations Act are to be used to relocate eligible individuals
16 and groups including evictees from District 6, Hopi-parti-
17 tioned lands residents, those in significantly substandard
18 housing, and all others certified as eligible and not in-
19 cluded in the preceding categories: *Provided further*, That
20 none of the funds contained in this or any other Act may
21 be used by the Office of Navajo and Hopi Indian Reloca-
22 tion to evict any single Navajo or Navajo family who, as
23 of November 30, 1985, was physically domiciled on the
24 lands partitioned to the Hopi Tribe unless a new or re-
25 placement home is provided for such household: *Provided*

1 *further*, That no relocatee will be provided with more than
2 one new or replacement home: *Provided further*, That the
3 Office shall relocate any certified eligible relocatees who
4 have selected and received an approved homesite on the
5 Navajo reservation or selected a replacement residence off
6 the Navajo reservation or on the land acquired pursuant
7 to section 11 of Public Law 93–531 (88 Stat. 1716).

8 INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE
9 CULTURE AND ARTS DEVELOPMENT

10 PAYMENT TO THE INSTITUTE

11 For payment to the Institute of American Indian and
12 Alaska Native Culture and Arts Development, as author-
13 ized by part A of title XV of Public Law 99–498 (20
14 U.S.C. 4411 et seq.), \$11,772,000, which shall become
15 available on July 1, 2022, and shall remain available until
16 September 30, 2023.

17 SMITHSONIAN INSTITUTION

18 SALARIES AND EXPENSES

19 For necessary expenses of the Smithsonian Institu-
20 tion, as authorized by law, including research in the fields
21 of art, science, and history; development, preservation, and
22 documentation of the National Collections; presentation of
23 public exhibits and performances; collection, preparation,
24 dissemination, and exchange of information and publica-
25 tions; conduct of education, training, and museum assist-

1 ance programs; maintenance, alteration, operation, lease
2 agreements of no more than 30 years, and protection of
3 buildings, facilities, and approaches; not to exceed
4 \$100,000 for services as authorized by 5 U.S.C. 3109; and
5 purchase, rental, repair, and cleaning of uniforms for em-
6 ployees, \$872,000,000, to remain available until Sep-
7 tember 30, 2023, except as otherwise provided herein; of
8 which not to exceed \$12,798,000 for the instrumentation
9 program, collections acquisition, exhibition reinstallation,
10 Smithsonian American Women’s History Museum, Na-
11 tional Museum of the American Latino, and the repatri-
12 ation of skeletal remains program shall remain available
13 until expended; and including such funds as may be nec-
14 essary to support American overseas research centers:
15 *Provided*, That funds appropriated herein are available for
16 advance payments to independent contractors performing
17 research services or participating in official Smithsonian
18 presentations: *Provided further*, That the Smithsonian In-
19 stitution may expend Federal appropriations designated in
20 this Act for lease or rent payments, as rent payable to
21 the Smithsonian Institution, and such rent payments may
22 be deposited into the general trust funds of the Institution
23 to be available as trust funds for expenses associated with
24 the purchase of a portion of the building at 600 Maryland
25 Avenue, SW, Washington, DC, to the extent that federally

1 supported activities will be housed there: *Provided further,*
2 That the use of such amounts in the general trust funds
3 of the Institution for such purpose shall not be construed
4 as Federal debt service for, a Federal guarantee of, a
5 transfer of risk to, or an obligation of the Federal Govern-
6 ment: *Provided further,* That no appropriated funds may
7 be used directly to service debt which is incurred to fi-
8 nance the costs of acquiring a portion of the building at
9 600 Maryland Avenue, SW, Washington, DC, or of plan-
10 ning, designing, and constructing improvements to such
11 building: *Provided further,* That any agreement entered
12 into by the Smithsonian Institution for the sale of its own-
13 ership interest, or any portion thereof, in such building
14 so acquired may not take effect until the expiration of a
15 30 day period which begins on the date on which the Sec-
16 retary of the Smithsonian submits to the Committees on
17 Appropriations of the House of Representatives and Sen-
18 ate, the Committees on House Administration and Trans-
19 portation and Infrastructure of the House of Representa-
20 tives, and the Committee on Rules and Administration of
21 the Senate a report, as outlined in the explanatory state-
22 ment described in section 4 of the Further Consolidated
23 Appropriations Act, 2020 (Public Law 116–94; 133 Stat.
24 2536) on the intended sale.

1 FACILITIES CAPITAL

2 For necessary expenses of repair, revitalization, and
3 alteration of facilities owned or occupied by the Smithso-
4 nian Institution, by contract or otherwise, as authorized
5 by section 2 of the Act of August 22, 1949 (63 Stat. 623),
6 and for construction, including necessary personnel,
7 \$230,000,000, to remain available until expended, of
8 which not to exceed \$10,000 shall be for services as au-
9 thorized by 5 U.S.C. 3109.

10 NATIONAL GALLERY OF ART

11 SALARIES AND EXPENSES

12 For the upkeep and operations of the National Gal-
13 lery of Art, the protection and care of the works of art
14 therein, and administrative expenses incident thereto, as
15 authorized by the Act of March 24, 1937 (50 Stat. 51),
16 as amended by the public resolution of April 13, 1939
17 (Public Resolution 9, 76th Congress), including services
18 as authorized by 5 U.S.C. 3109; payment in advance when
19 authorized by the treasurer of the Gallery for membership
20 in library, museum, and art associations or societies whose
21 publications or services are available to members only, or
22 to members at a price lower than to the general public;
23 purchase, repair, and cleaning of uniforms for guards, and
24 uniforms, or allowances therefor, for other employees as
25 authorized by law (5 U.S.C. 5901–5902); purchase or

1 rental of devices and services for protecting buildings and
2 contents thereof, and maintenance, alteration, improve-
3 ment, and repair of buildings, approaches, and grounds;
4 and purchase of services for restoration and repair of
5 works of art for the National Gallery of Art by contracts
6 made, without advertising, with individuals, firms, or or-
7 ganizations at such rates or prices and under such terms
8 and conditions as the Gallery may deem proper,
9 \$157,500,000, to remain available until September 30,
10 2023, of which not to exceed \$3,775,000 for the special
11 exhibition program shall remain available until expended.

12 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

13 For necessary expenses of repair, restoration, and
14 renovation of buildings, grounds and facilities owned or
15 occupied by the National Gallery of Art, by contract or
16 otherwise, for operating lease agreements of no more than
17 10 years, with no extensions or renewals beyond the 10
18 years, that address space needs created by the ongoing
19 renovations in the Master Facilities Plan, as authorized,
20 \$26,000,000, to remain available until expended: *Pro-*
21 *vided*, That of this amount, \$11,458,000 shall be available
22 for design of an off-site art storage facility in partnership
23 with the Smithsonian Institution: *Provided further*, That
24 contracts awarded for environmental systems, protection
25 systems, and exterior repair or renovation of buildings of

1 the National Gallery of Art may be negotiated with se-
2 lected contractors and awarded on the basis of contractor
3 qualifications as well as price.

4 JOHN F. KENNEDY CENTER FOR THE PERFORMING
5 ARTS

6 OPERATIONS AND MAINTENANCE

7 For necessary expenses for the operation, mainte-
8 nance, and security of the John F. Kennedy Center for
9 the Performing Arts, \$27,000,000, to remain available
10 until September, 30, 2023.

11 CAPITAL REPAIR AND RESTORATION

12 For necessary expenses for capital repair and restora-
13 tion of the existing features of the building and site of
14 the John F. Kennedy Center for the Performing Arts,
15 \$13,440,000, to remain available until expended.

16 WOODROW WILSON INTERNATIONAL CENTER FOR
17 SCHOLARS

18 SALARIES AND EXPENSES

19 For expenses necessary in carrying out the provisions
20 of the Woodrow Wilson Memorial Act of 1968 (82 Stat.
21 1356) including hire of passenger vehicles and services as
22 authorized by 5 U.S.C. 3109, \$14,095,000, to remain
23 available until September 30, 2023.

5 For necessary expenses to carry out the National
6 Foundation on the Arts and the Humanities Act of 1965,
7 \$201,000,000 (increased by \$1,000,000) (reduced by
8 \$1,000,000) shall be available to the National Endowment
9 for the Arts for the support of projects and productions
10 in the arts, including arts education and public outreach
11 activities, through assistance to organizations and individ-
12 uals pursuant to section 5 of the Act, for program support,
13 and for administering the functions of the Act, to remain
14 available until expended.

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, \$201,000,000 to remain available until expended, of which \$185,400,000 shall be available for support of activities in the humanities, pursuant to section 7(c) of the Act and for administering the functions of the Act; and \$15,600,000 shall be available to carry out the matching grants program pursuant to section 10(a)(2) of the Act, including \$13,600,000 for the purposes of section 7(h):

1 *Provided*, That appropriations for carrying out section
2 10(a)(2) shall be available for obligation only in such
3 amounts as may be equal to the total amounts of gifts,
4 bequests, devises of money, and other property accepted
5 by the chairman or by grantees of the National Endow-
6 ment for the Humanities under the provisions of sections
7 11(a)(2)(B) and 11(a)(3)(B) during the current and pre-
8 ceding fiscal years for which equal amounts have not pre-
9 viously been appropriated.

10 ADMINISTRATIVE PROVISIONS

11 None of the funds appropriated to the National
12 Foundation on the Arts and the Humanities may be used
13 to process any grant or contract documents which do not
14 include the text of 18 U.S.C. 1913: *Provided*, That none
15 of the funds appropriated to the National Foundation on
16 the Arts and the Humanities may be used for official re-
17 ception and representation expenses: *Provided further*,
18 That funds from nonappropriated sources may be used as
19 necessary for official reception and representation ex-
20 penses: *Provided further*, That the Chairperson of the Na-
21 tional Endowment for the Arts may approve grants of up
22 to \$10,000, if in the aggregate the amount of such grants
23 does not exceed 5 percent of the sums appropriated for
24 grantmaking purposes per year: *Provided further*, That
25 such small grant actions are taken pursuant to the terms

1 of an expressed and direct delegation of authority from
2 the National Council on the Arts to the Chairperson.

3 COMMISSION OF FINE ARTS

4 SALARIES AND EXPENSES

5 For expenses of the Commission of Fine Arts under
6 chapter 91 of title 40, United States Code, \$3,328,000:
7 *Provided*, That the Commission is authorized to charge
8 fees to cover the full costs of its publications, and such
9 fees shall be credited to this account as an offsetting col-
10 lection, to remain available until expended without further
11 appropriation: *Provided further*, That the Commission is
12 authorized to accept gifts, including objects, papers, art-
13 work, drawings and artifacts, that pertain to the history
14 and design of the Nation's Capital or the history and ac-
15 tivities of the Commission of Fine Arts, for the purpose
16 of artistic display, study, or education: *Provided further*,
17 That one-tenth of one percent of the funds provided under
18 this heading may be used for official reception and rep-
19 resentation expenses.

20 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

21 For necessary expenses as authorized by Public Law
22 99–190 (20 U.S.C. 956a), \$5,000,000.

1 ADVISORY COUNCIL ON HISTORIC PRESERVATION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Advisory Council on
4 Historic Preservation (Public Law 89–665), \$8,255,000.

5 NATIONAL CAPITAL PLANNING COMMISSION

6 SALARIES AND EXPENSES

7 For necessary expenses of the National Capital Plan-
8 ning Commission under chapter 87 of title 40, United
9 States Code, including services as authorized by 5 U.S.C.
10 3109, \$8,382,000: *Provided*, That one-quarter of 1 per-
11 cent of the funds provided under this heading may be used
12 for official reception and representational expenses associ-
13 ated with hosting international visitors engaged in the
14 planning and physical development of world capitals.

15 UNITED STATES HOLOCAUST MEMORIAL MUSEUM

16 HOLOCAUST MEMORIAL MUSEUM

17 For expenses of the Holocaust Memorial Museum, as
18 authorized by Public Law 106–292 (36 U.S.C. 2301–
19 2310), \$62,616,000 (increased by \$2,000,000) (increased
20 by \$1,000,000) (reduced by \$1,000,000), of which
21 \$715,000 shall remain available until September 30, 2024,
22 for the Museum’s equipment replacement program; and
23 of which \$3,000,000 for the Museum’s repair and rehabili-
24 tation program and \$1,264,000 for the Museum’s out-

1 reach initiatives program shall remain available until ex-
2 pended.

3 PRESIDIO TRUST

4 For necessary expenses to carry out title I of the Om-
5 nibus Parks and Public Lands Management Act of 1996
6 (Public Law 104–333), \$40,000,000 shall be available to
7 the Presidio Trust, to remain available until expended.

8 WORLD WAR I CENTENNIAL COMMISSION

9 SALARIES AND EXPENSES

10 Notwithstanding section 9 of the World War I Cen-
11 tennial Commission Act, as authorized by the World War
12 I Centennial Commission Act (Public Law 112–272) and
13 the Carl Levin and Howard P. “Buck” McKeon National
14 Defense Authorization Act for Fiscal Year 2015 (Public
15 Law 113–291), for necessary expenses of the World War
16 I Centennial Commission, \$1,000,000, to remain available
17 until September 30, 2023: *Provided*, That in addition to
18 the authority provided by section 6(g) of such Act, the
19 World War I Commission may accept money, in-kind per-
20 sonnel services, contractual support, or any appropriate
21 support from any executive branch agency for activities
22 of the Commission.

1 UNITED STATES SEMIQUINCENTENNIAL COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the United States
4 Semiquincentennial Commission to plan and coordinate
5 observances and activities associated with the 250th anni-
6 versary of the founding of the United States, as authorized
7 by Public Law 114–196, as amended by Public Law 116–
8 282, \$8,000,000, to remain available until September 30,
9 2023.

10 TITLE IV

11 GENERAL PROVISIONS

12 (INCLUDING TRANSFERS OF FUNDS)

13 RESTRICTION ON USE OF FUNDS

14 SEC. 401. No part of any appropriation contained in
15 this Act shall be available for any activity or the publica-
16 tion or distribution of literature that in any way tends to
17 promote public support or opposition to any legislative
18 proposal on which Congressional action is not complete
19 other than to communicate to Members of Congress as
20 described in 18 U.S.C. 1913.

21 OBLIGATION OF APPROPRIATIONS

22 SEC. 402. No part of any appropriation contained in
23 this Act shall remain available for obligation beyond the
24 current fiscal year unless expressly so provided herein.

1 DISCLOSURE OF ADMINISTRATIVE EXPENSES

2 SEC. 403. The amount and basis of estimated over-
3 head charges, deductions, reserves, or holdbacks, including
4 working capital fund and cost pool charges, from pro-
5 grams, projects, activities and subactivities to support gov-
6 ernment-wide, departmental, agency, or bureau adminis-
7 trative functions or headquarters, regional, or central op-
8 erations shall be presented in annual budget justifications
9 and subject to approval by the Committees on Appropria-
10 tions of the House of Representatives and the Senate.
11 Changes to such estimates shall be presented to the Com-
12 mittees on Appropriations for approval.

13 MINING APPLICATIONS

14 SEC. 404. (a) LIMITATION OF FUNDS.—None of the
15 funds appropriated or otherwise made available pursuant
16 to this Act shall be obligated or expended to accept or
17 process applications for a patent for any mining or mill
18 site claim located under the general mining laws.

19 (b) EXCEPTIONS.—Subsection (a) shall not apply if
20 the Secretary of the Interior determines that, for the claim
21 concerned: (1) a patent application was filed with the Sec-
22 retary on or before September 30, 1994; and (2) all re-
23 quirements established under sections 2325 and 2326 of
24 the Revised Statutes (30 U.S.C. 29 and 30) for vein or
25 lode claims, sections 2329, 2330, 2331, and 2333 of the

1 Revised Statutes (30 U.S.C. 35, 36, and 37) for placer
2 claims, and section 2337 of the Revised Statutes (30
3 U.S.C. 42) for mill site claims, as the case may be, were
4 fully complied with by the applicant by that date.

5 (c) REPORT.—On September 30, 2023, the Secretary
6 of the Interior shall file with the House and Senate Com-
7 mittees on Appropriations and the Committee on Natural
8 Resources of the House and the Committee on Energy and
9 Natural Resources of the Senate a report on actions taken
10 by the Department under the plan submitted pursuant to
11 section 314(c) of the Department of the Interior and Re-
12 lated Agencies Appropriations Act, 1997 (Public Law
13 104–208).

14 (d) MINERAL EXAMINATIONS.—In order to process
15 patent applications in a timely and responsible manner,
16 upon the request of a patent applicant, the Secretary of
17 the Interior shall allow the applicant to fund a qualified
18 third-party contractor to be selected by the Director of the
19 Bureau of Land Management to conduct a mineral exam-
20 ination of the mining claims or mill sites contained in a
21 patent application as set forth in subsection (b). The Bu-
22 reau of Land Management shall have the sole responsi-
23 bility to choose and pay the third-party contractor in ac-
24 cordance with the standard procedures employed by the

1 Bureau of Land Management in the retention of third-
2 party contractors.

3 CONTRACT SUPPORT COSTS, PRIOR YEAR LIMITATION

4 SEC. 405. Sections 405 and 406 of division F of the
5 Consolidated and Further Continuing Appropriations Act,
6 2015 (Public Law 113–235) shall continue in effect in fis-
7 cal year 2022.

8 CONTRACT SUPPORT COSTS, FISCAL YEAR 2022

9 LIMITATION

10 SEC. 406. Amounts provided by this Act for fiscal
11 year 2022 under the headings “Department of Health and
12 Human Services, Indian Health Service, Contract Support
13 Costs” and “Department of the Interior, Bureau of Indian
14 Affairs and Bureau of Indian Education, Contract Sup-
15 port Costs” are the only amounts available for contract
16 support costs arising out of self-determination or self-gov-
17 ernance contracts, grants, compacts, or annual funding
18 agreements for fiscal year 2022 with the Bureau of Indian
19 Affairs, Bureau of Indian Education, and the Indian
20 Health Service: *Provided*, That such amounts provided by
21 this Act are not available for payment of claims for con-
22 tract support costs for prior years, or for repayments of
23 payments for settlements or judgments awarding contract
24 support costs for prior years.

FOREST MANAGEMENT PLANS

1
2 SEC. 407. The Secretary of Agriculture shall not be
3 considered to be in violation of subparagraph 6(f)(5)(A)
4 of the Forest and Rangeland Renewable Resources Plan-
5 ning Act of 1974 (16 U.S.C. 1604(f)(5)(A)) solely because
6 more than 15 years have passed without revision of the
7 plan for a unit of the National Forest System. Nothing
8 in this section exempts the Secretary from any other re-
9 quirement of the Forest and Rangeland Renewable Re-
10 sources Planning Act (16 U.S.C. 1600 et seq.) or any
11 other law: *Provided*, That if the Secretary is not acting
12 expeditiously and in good faith, within the funding avail-
13 able, to revise a plan for a unit of the National Forest
14 System, this section shall be void with respect to such plan
15 and a court of proper jurisdiction may order completion
16 of the plan on an accelerated basis.

PROHIBITION WITHIN NATIONAL MONUMENTS

17
18 SEC. 408. No funds provided in this Act may be ex-
19 pended to conduct preleasing, leasing and related activities
20 under either the Mineral Leasing Act (30 U.S.C. 181 et
21 seq.) or the Outer Continental Shelf Lands Act (43 U.S.C.
22 1331 et seq.) within the boundaries of a National Monu-
23 ment established pursuant to the Act of June 8, 1906 (16
24 U.S.C. 431 et seq.) as such boundary existed on January
25 20, 2001, except where such activities are allowed under

1 the Presidential proclamation establishing such monu-
2 ment.

3 LIMITATION ON TAKINGS

4 SEC. 409. Unless otherwise provided herein, no funds
5 appropriated in this Act for the acquisition of lands or
6 interests in lands may be expended for the filing of dec-
7 larations of taking or complaints in condemnation without
8 the approval of the House and Senate Committees on Ap-
9 propriations: *Provided*, That this provision shall not apply
10 to funds appropriated to implement the Everglades Na-
11 tional Park Protection and Expansion Act of 1989, or to
12 funds appropriated for Federal assistance to the State of
13 Florida to acquire lands for Everglades restoration pur-
14 poses.

15 PROHIBITION ON NO-BID CONTRACTS

16 SEC. 410. None of the funds appropriated or other-
17 wise made available by this Act to executive branch agen-
18 cies may be used to enter into any Federal contract unless
19 such contract is entered into in accordance with the re-
20 quirements of Chapter 33 of title 41, United States Code,
21 or Chapter 137 of title 10, United States Code, and the
22 Federal Acquisition Regulation, unless—

23 (1) Federal law specifically authorizes a con-
24 tract to be entered into without regard for these re-

(2) such contract is authorized by the Indian Self-Determination and Education Assistance Act (Public Law 93–638, 25 U.S.C. 450 et seq.) or by any other Federal laws that specifically authorize a contract within an Indian tribe as defined in section 4(e) of that Act (25 U.S.C. 450b(e)); or

9 (3) such contract was awarded prior to the date
10 of enactment of this Act.

SEC. 411. (a) Any agency receiving funds made avail-
able in this Act, shall, subject to subsections (b) and (c),
post on the public website of that agency any report re-
quired to be submitted by the Congress in this or any
other Act, upon the determination by the head of the agen-
cy that it shall serve the national interest.

18 (b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

21 (2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

3 SEC. 412. Of the funds provided to the National En-
4 dowment for the Arts—

(1) The Chairperson shall only award a grant to an individual if such grant is awarded to such individual for a literature fellowship, National Heritage Fellowship, or American Jazz Masters Fellowship.

(2) The Chairperson shall establish procedures to ensure that no funding provided through a grant, except a grant made to a State or local arts agency, or regional group, may be used to make a grant to any other organization or individual to conduct activity independent of the direct grant recipient. Nothing in this subsection shall prohibit payments made in exchange for goods and services.

(3) No grant shall be used for seasonal support to a group, unless the application is specific to the contents of the season, including identified programs or projects.

22 NATIONAL ENDOWMENT FOR THE ARTS PROGRAM

23 PRIORITIES

24 SEC. 413. (a) In providing services or awarding fi-
25 nancial assistance under the National Foundation on the

1 Arts and the Humanities Act of 1965 from funds appro-
2 priated under this Act, the Chairperson of the National
3 Endowment for the Arts shall ensure that priority is given
4 to providing services or awarding financial assistance for
5 projects, productions, workshops, or programs that serve
6 underserved populations.

7 (b) In this section:

8 (1) The term “underserved population” means
9 a population of individuals, including urban minori-
10 ties, who have historically been outside the purview
11 of arts and humanities programs due to factors such
12 as a high incidence of income below the poverty line
13 or to geographic isolation.

14 (2) The term “poverty line” means the poverty
15 line (as defined by the Office of Management and
16 Budget, and revised annually in accordance with sec-
17 tion 673(2) of the Community Services Block Grant
18 Act (42 U.S.C. 9902(2))) applicable to a family of
19 the size involved.

20 (c) In providing services and awarding financial as-
21 sistance under the National Foundation on the Arts and
22 Humanities Act of 1965 with funds appropriated by this
23 Act, the Chairperson of the National Endowment for the
24 Arts shall ensure that priority is given to providing serv-
25 ices or awarding financial assistance for projects, produc-

1 tions, workshops, or programs that will encourage public
2 knowledge, education, understanding, and appreciation of
3 the arts.

4 (d) With funds appropriated by this Act to carry out
5 section 5 of the National Foundation on the Arts and Hu-
6 manities Act of 1965—

7 (1) the Chairperson shall establish a grant cat-
8 egory for projects, productions, workshops, or pro-
9 grams that are of national impact or availability or
10 are able to tour several States;

11 (2) the Chairperson shall not make grants ex-
12 ceeding 15 percent, in the aggregate, of such funds
13 to any single State, excluding grants made under the
14 authority of paragraph (1);

15 (3) the Chairperson shall report to the Con-
16 gress annually and by State, on grants awarded by
17 the Chairperson in each grant category under sec-
18 tion 5 of such Act; and

19 (4) the Chairperson shall encourage the use of
20 grants to improve and support community-based
21 music performance and education.

22 STATUS OF BALANCES OF APPROPRIATIONS

23 SEC. 414. The Department of the Interior, the Envi-
24 ronmental Protection Agency, the Forest Service, and the
25 Indian Health Service shall provide the Committees on

1 Appropriations of the House of Representatives and Sen-
2 ate quarterly reports on the status of balances of appro-
3 priations including all uncommitted, committed, and unob-
4 ligated funds in each program and activity within 60 days
5 of enactment of this Act.

6 EXTENSION OF GRAZING PERMITS

7 SEC. 415. The terms and conditions of section 325
8 of Public Law 108–108 (117 Stat. 1307), regarding graz-
9 ing permits issued by the Forest Service on any lands not
10 subject to administration under section 402 of the Federal
11 Lands Policy and Management Act (43 U.S.C. 1752),
12 shall remain in effect for fiscal year 2022.

13 FUNDING PROHIBITION

14 SEC. 416. (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 is designed to block access
17 to pornography websites.

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 HUMANE TRANSFER AND TREATMENT OF ANIMALS

23 SEC. 417. (a) Notwithstanding any other provision
24 of law, the Secretary of the Interior, with respect to land
25 administered by the Bureau of Land Management, or the

1 Secretary of Agriculture, with respect to land adminis-
2 tered by the Forest Service (referred to in this section as
3 the “Secretary concerned”), may transfer excess wild
4 horses and burros that have been removed from land ad-
5 ministered by the Secretary concerned to other Federal,
6 State, and local government agencies for use as work ani-
7 mals.

8 (b) The Secretary concerned may make a transfer
9 under subsection (a) immediately on the request of a Fed-
10 eral, State, or local government agency.

11 (c) An excess wild horse or burro transferred under
12 subsection (a) shall lose status as a wild free-roaming
13 horse or burro (as defined in section 2 of Public Law 92–
14 195 (commonly known as the “Wild Free-Roaming Horses
15 and Burros Act”) (16 U.S.C. 1332)).

16 (d) A Federal, State, or local government agency re-
17 ceiving an excess wild horse or burro pursuant to sub-
18 section (a) shall not—

19 (1) destroy the horse or burro in a manner that
20 results in the destruction of the horse or burro into
21 a commercial product;

22 (2) sell or otherwise transfer the horse or burro
23 in a manner that results in the destruction of the
24 horse or burro for processing into a commercial
25 product; or

1 (3) euthanize the horse or burro, except on the
2 recommendation of a licensed veterinarian in a case
3 of severe injury, illness, or advanced age.

4 (e) Amounts appropriated by this Act shall not be
5 available for—

6 (1) the destruction of any healthy, unadopted,
7 and wild horse or burro under the jurisdiction of the
8 Secretary concerned (including a contractor); or

9 (2) the sale of a wild horse or burro that results
10 in the destruction of the wild horse or burro for
11 processing into a commercial product.

12 FOREST SERVICE FACILITY REALIGNMENT AND
13 ENHANCEMENT AUTHORIZATION EXTENSION

14 SEC. 418. Section 503(f) of Public Law 109–54 (16
15 U.S.C. 580d note) shall be applied by substituting “Sep-
16 tember 30, 2022” for “September 30, 2019”.

17 USE OF AMERICAN IRON AND STEEL

18 SEC. 419. (a)(1) None of the funds made available
19 by a State water pollution control revolving fund as au-
20 thorized by section 1452 of the Safe Drinking Water Act
21 (42 U.S.C. 300j–12) shall be used for a project for the
22 construction, alteration, maintenance, or repair of a public
23 water system or treatment works unless all of the iron and
24 steel products used in the project are produced in the
25 United States.

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

7 (b) Subsection (a) shall not apply in any case or cat-
8 egory of cases in which the Administrator of the Environ-
9 mental Protection Agency (in this section referred to as
10 the “Administrator”) finds that—

11 (1) applying subsection (a) would be incon-
12 sistent with the public interest;

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

16 (3) inclusion of iron and steel products pro-
17 duced in the United States will increase the cost of
18 the overall project by more than 25 percent.

19 (c) If the Administrator receives a request for a waiv-
20 er under this section, the Administrator shall make avail-
21 able to the public on an informal basis a copy of the re-
22 quest and information available to the Administrator con-
23 cerning the request, and shall allow for informal public
24 input on the request for at least 15 days prior to making
25 a finding based on the request. The Administrator shall

1 make the request and accompanying information available
2 by electronic means, including on the official public Inter-
3 net Web site of the Environmental Protection Agency.

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

7 (e) The Administrator may retain up to 0.25 percent
8 of the funds appropriated in this Act for the Clean and
9 Drinking Water State Revolving Funds for carrying out
10 the provisions described in subsection (a)(1) for manage-
11 ment and oversight of the requirements of this section.

12 LOCAL COOPERATOR TRAINING AGREEMENTS AND TRANS-
13 FERS OF EXCESS EQUIPMENT AND SUPPLIES FOR
14 WILDFIRES

15 SEC. 420. The Secretary of the Interior is authorized
16 to enter into grants and cooperative agreements with vol-
17 unteer fire departments, rural fire departments, rangeland
18 fire protection associations, and similar organizations to
19 provide for wildland fire training and equipment, including
20 supplies and communication devices. Notwithstanding sec-
21 tion 121(c) of title 40, United States Code, or section 521
22 of title 40, United States Code, the Secretary is further
23 authorized to transfer title to excess Department of the
24 Interior firefighting equipment no longer needed to carry

1 out the functions of the Department’s wildland fire man-
2 agement program to such organizations.

3 RECREATION FEES

4 SEC. 421. Section 810 of the Federal Lands Recre-
5 ation Enhancement Act (16 U.S.C. 6809) shall be applied
6 by substituting “October 1, 2023” for “September 30,
7 2019”.

8 REPROGRAMMING GUIDELINES

9 SEC. 422. None of the funds made available in this
10 Act, in this and prior fiscal years, may be reprogrammed
11 without the advance approval of the House and Senate
12 Committees on Appropriations in accordance with the re-
13 programming procedures contained in the explanatory
14 statement described in section 4 of the Further Consoli-
15 dated Appropriations Act, 2020 (Public Law 116–94; 133
16 Stat. 2536).

17 LOCAL CONTRACTORS

18 SEC. 423. Section 412 of division E of Public Law
19 112–74 shall be applied by substituting “fiscal year 2022”
20 for “fiscal year 2019”.

21 SHASTA–TRINITY MARINA FEE AUTHORITY

22 AUTHORIZATION EXTENSION

23 SEC. 424. Section 422 of division F of Public Law
24 110–161 (121 Stat 1844), as amended, shall be applied
25 by substituting “fiscal year 2022” for “fiscal year 2019”.

1 INTERPRETIVE ASSOCIATION AUTHORIZATION EXTENSION

2 SEC. 425. Section 426 of division G of Public Law
3 113–76 (16 U.S.C. 565a–1 note) shall be applied by sub-
4 stituting “September 30, 2022” for “September 30,
5 2019”.

6 PUERTO RICO SCHOOLING AUTHORIZATION EXTENSION

7 SEC. 426. The authority provided by the 19th un-
8 numbered paragraph under heading “Administrative Pro-
9 visions, Forest Service” in title III of Public Law 109–
10 54, as amended, shall be applied by substituting “fiscal
11 year 2022” for “fiscal year 2019”.

12 FOREST BOTANICAL PRODUCTS FEE COLLECTION

13 AUTHORIZATION EXTENSION

14 SEC. 427. Section 339 of the Department of the Inte-
15 rior and Related Agencies Appropriations Act, 2000 (as
16 enacted into law by Public Law 106–113; 16 U.S.C. 528
17 note), as amended by section 335(6) of Public Law 108–
18 108 and section 432 of Public Law 113–76, shall be ap-
19 plied by substituting “fiscal year 2022” for “fiscal year
20 2019”.

21 CHACO CANYON

22 SEC. 428. None of the funds made available by this
23 Act may be used to accept a nomination for oil and gas
24 leasing under 43 CFR 3120.3 et seq., or to offer for oil
25 and gas leasing, any Federal lands within the withdrawal

1 area identified on the map of the Chaco Culture National
2 Historical Park prepared by the Bureau of Land Manage-
3 ment and dated April 2, 2019, prior to the completion of
4 the cultural resources investigation identified in the ex-
5 planatory statement described in section 4 (in the matter
6 preceding division A of the Consolidated Appropriations
7 Act, 2021 (Public Law 116–260)).

8 TRIBAL LEASES

9 SEC. 429. Notwithstanding any other provision of
10 law, in the case of any lease under section 105(l) of the
11 Indian Self-Determination and Education Assistance Act
12 (25 U.S.C. 5324(l)), the initial lease term shall commence
13 no earlier than the date of receipt of the lease proposal.

14 FOREST ECOSYSTEM HEALTH AND RECOVERY FUND

15 SEC. 430. The authority provided under the heading
16 “Forest Ecosystem Health and Recovery Fund” in title
17 I of Public Law 111–88, as amended by section 117 of
18 division F of Public Law 113–235, shall be applied by sub-
19 stituting “fiscal year 2022” for “fiscal year 2020” each
20 place it appears.

21 ALLOCATION OF PROJECTS

22 SEC. 431. (a) Within 45 days of enactment of this
23 Act, the Secretary of the Interior shall allocate amounts
24 available from the National Parks and Public Land Leg-
25 acy Restoration Fund for fiscal year pursuant to sub-

1 section (c) of section 200402 of title 54, United States
2 Code, and as provided in subsection (e) of such section
3 of such title, to the agencies of the Department of the
4 Interior and the Department of Agriculture specified, in
5 the amounts specified, and for the projects and activities
6 specified in the table titled “Allocation of Funds from the
7 National Parks and Public Land Legacy Restoration
8 Fund—Fiscal Year 2022” in the report accompanying this
9 Act.

10 (b) Within 45 days of enactment of this Act, the Sec-
11 retary of the Interior and the Secretary of Agriculture,
12 as appropriate, shall allocate amounts made available for
13 expenditure from the Land and Water Conservation Fund
14 for fiscal year 2022 pursuant to subsection (a) of section
15 200303 of title 54, United States Code, to the agencies
16 and accounts specified, in the amounts specified, and for
17 the projects and activities specified in the table titled “Al-
18 location of Funds from the Land and Water Conservation
19 Fund—Fiscal Year 2022” in the report accompanying this
20 Act.

21 (c) Neither the President nor his designee may allo-
22 cate any amounts that are made available for any fiscal
23 year under subsection (c) of section 200402 of title 54,
24 United States Code, or subsection (a) of section 200303
25 of title 54, United States Code, other than amounts that

1 are allocated by subsections (a) and (b) of this section of
2 this Act.

3 (d)(1) Concurrent with the annual budget submission
4 of the President for fiscal year 2023, the Secretary of the
5 Interior and the Secretary of Agriculture shall each sub-
6 mit to the Committees on Appropriations of the House
7 of Representatives and the Senate a list of supplementary
8 allocations for Federal land acquisition and Forest Legacy
9 projects at the National Park Service, the U.S. Fish and
10 Wildlife Service, the Bureau of Land Management, and
11 the U.S. Forest Service that are in addition to the “Sub-
12 mission of Cost Estimates” required by section
13 200303(c)(1) of title 54, United States Code, that are
14 prioritized and detailed by account, program, and project,
15 and that total no less than half the full amount allocated
16 to each account for that land management agency under
17 the allocations submitted under section 200303(c)(1) of
18 title 54, United States Code.

19 (2) The Federal land acquisition and Forest Legacy
20 projects in the “Submission of Cost Estimates” required
21 by section 200303(c)(1) of title 54, United States Code,
22 and on the list of supplementary allocations required by
23 paragraph (1) shall be comprised only of projects for
24 which a willing seller has been identified and for which
25 an appraisal or market research has been initiated.

1 (3) Concurrent with the annual budget submission of
2 the President for fiscal year 2023, the Secretary of the
3 Interior and the Secretary of Agriculture shall each sub-
4 mit to the Committees on Appropriations of the House
5 of Representatives and the Senate project data sheets in
6 the same format and containing the same level of detailed
7 information that is found on such sheets in the Budget
8 Justifications annually submitted by the Department of
9 the Interior with the President’s Budget for the projects
10 in the “Submission of Cost Estimates” required by section
11 200303(c)(1) of title 54, United States Code, and in the
12 same format and containing the same level of detailed in-
13 formation that is found on such sheets submitted to the
14 Committees pursuant to section 427 of division D of the
15 Further Consolidated Appropriations Act, 2020 (Public
16 Law 116–94) for the list of supplementary allocations re-
17 quired by paragraph (1), and for the projects in the “Sub-
18 mission of Annual List of Projects to Congress” required
19 by section 200402(h) of title 54, United States Code.

20 (e) The Department of the Interior and the Depart-
21 ment of Agriculture shall provide the Committees on Ap-
22 propriations of the House of Representatives and Senate
23 quarterly reports on the status of balances for amounts
24 allocated pursuant to subsections (a) and (b) of this sec-

1 tion, including all uncommitted, committed, and unobli-
2 gated funds.

3 POLICIES RELATING TO BIOMASS ENERGY

4 SEC. 432. To support the key role that forests in the
5 United States can play in addressing the energy needs of
6 the United States, the Secretary of Energy, the Secretary
7 of Agriculture, and the Administrator of the Environ-
8 mental Protection Agency shall, consistent with their mis-
9 sions, jointly—

10 (1) ensure that Federal policy relating to forest
11 bioenergy—

12 (A) is consistent across all Federal depart-
13 ments and agencies; and

14 (B) using the best available science, recog-
15 nizes the benefits of the use of forest biomass
16 for energy, conservation, and responsible forest
17 management; and

18 (2) establish clear and simple policies for the
19 use of forest biomass as an energy solution, includ-
20 ing policies that—

21 (A) reflect the carbon benefits of forest
22 bioenergy and recognize biomass as a renewable
23 energy source, provided the use of forest bio-
24 mass for energy production does not cause con-
25 version of forests to non-forest use;

1 (B) encourage private investment through-
2 out the forest biomass supply chain, including
3 in—

- 4 (i) working forests;
5 (ii) harvesting operations;
6 (iii) forest improvement operations;
7 (iv) forest bioenergy production;
8 (v) wood products manufacturing; or
9 (vi) paper manufacturing;

10 (C) encourage forest management to im-
11 prove forest health; and

12 (D) recognize State initiatives to produce
13 and use forest biomass.

14 INCORPORATION OF COMMUNITY PROJECT FUNDING

15 SEC. 433. Within the amounts appropriated in the
16 Act, funding shall be allocated in the amounts specified
17 for those projects and purposes delineated in the table ti-
18 tled “Incorporation of Community Project Funding” in-
19 cluded in the report accompanying this Act.

20 FACILITIES RENOVATION FOR URBAN INDIAN ORGANIZA-
21 TIONS TO THE EXTENT AUTHORIZED FOR OTHER
22 GOVERNMENT CONTRACTORS

23 SEC. 434. The Secretary of Health and Human Serv-
24 ices may authorize an urban Indian organization (as de-
25 fined in section 4 of the Indian Health Care Improvement

1 Act (25 U.S.C. 1603)) that is awarded a grant or contract
2 under title V of that Act (25 U.S.C. 1651 et seq.) to use
3 funds provided in such grant or contract for minor renova-
4 tions to facilities or construction or expansion of facilities,
5 including leased facilities, to assist the urban Indian orga-
6 nization in meeting or maintaining standards issued by
7 Federal or State governments or by accreditation organi-
8 zations.

9 RAINY RIVER WATERSHED

10 SEC. 435. None of the funds appropriated or other-
11 wise made available by this Act may be used to review
12 or approve a mine plan proposed within the Rainy River
13 Watershed of the Superior National Forest.

14 PERMIT PROHIBITION

15 SEC. 436. None of the funds made available by this
16 Act may be used to issue a permit for the import of a
17 sport-hunted trophy of an elephant or lion taken in Tan-
18 zania, Zimbabwe, or Zambia. The limitation described in
19 this section shall not apply in the case of the administra-
20 tion of a tax or tariff.

21 TONGASS NATIONAL FOREST

22 SEC. 437. None of the funds made available by this
23 Act may be used to plan, design, study, or construct, for
24 the purpose of harvesting timber by private entities or in-

1 individuals, a forest development road in the Tongass Na-
2 tional Forest.

3 SEC. 438. None of the funds made available by this
4 division may be used to implement the Presidential Memo-
5 randum entitled “Memorandum on the Withdrawal of Cer-
6 tain Areas of the United States Outer Continental Shelf
7 from Leasing Disposition” (issued September 8, 2020) or
8 the Presidential Memorandum entitled “Presidential De-
9 termination on the Withdrawal of Certain Areas of the
10 United States Outer Continental Shelf from Leasing Dis-
11 position” (issued September 25, 2020), with respect to off-
12 shore wind leasing activities or review of construction and
13 operating plans.

14 This division may be cited as the “Department of the
15 Interior, Environment, and Related Agencies Appropria-
16 tions Act, 2022”.

17 **DIVISION F—MILITARY CONSTRUCTION,**
18 **VETERANS AFFAIRS, AND RELATED**
19 **AGENCIES APPROPRIATIONS ACT, 2022**

20 **TITLE I**

21 **DEPARTMENT OF DEFENSE**

22 **MILITARY CONSTRUCTION, ARMY**

23 For acquisition, construction, installation, and equip-
24 ment of temporary or permanent public works, military
25 installations, facilities, and real property for the Army as

1 currently authorized by law, including personnel in the
2 Army Corps of Engineers and other personal services nec-
3 essary for the purposes of this appropriation, and for con-
4 struction and operation of facilities in support of the func-
5 tions of the Commander in Chief, \$898,692,000 (reduced
6 by \$898,692,000) (increased by \$898,692,000) (increased
7 by \$15,000,000,000) (reduced by \$15,000,000,000), to re-
8 main available until September 30, 2026: *Provided*, That,
9 of this amount, not to exceed \$181,649,000 shall be avail-
10 able for study, planning, design, architect and engineer
11 services, and host nation support, as authorized by law,
12 unless the Secretary of the Army determines that addi-
13 tional obligations are necessary for such purposes and no-
14 tifies the Committees on Appropriations of both Houses
15 of Congress of the determination and the reasons therefor:
16 *Provided further*, That of the amount made available
17 under this heading, \$62,010,000 shall be for the projects
18 and activities, and in the amounts, specified under the
19 heading “Military Construction, Army” in the report to
20 accompany this Act, in addition to amounts otherwise
21 available for such purposes.

22 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

23 For acquisition, construction, installation, and equip-
24 ment of temporary or permanent public works, naval in-
25 stallations, facilities, and real property for the Navy and

1 Marine Corps as currently authorized by law, including
2 personnel in the Naval Facilities Engineering Command
3 and other personal services necessary for the purposes of
4 this appropriation, \$1,937,428,000, to remain available
5 until September 30, 2026: *Provided*, That, of this amount,
6 not to exceed \$413,252,000 shall be available for study,
7 planning, design, and architect and engineer services, as
8 authorized by law, unless the Secretary of the Navy deter-
9 mines that additional obligations are necessary for such
10 purposes and notifies the Committees on Appropriations
11 of both Houses of Congress of the determination and the
12 reasons therefor: *Provided further*, That of the amount
13 made available under this heading, \$7,000,000 shall be
14 for the projects and activities, and in the amounts, speci-
15 fied under the heading “Military Construction, Navy and
16 Marine Corps” in the report to accompany this Act, in
17 addition to amounts otherwise available for such purposes.

18 MILITARY CONSTRUCTION, AIR FORCE

19 For acquisition, construction, installation, and equip-
20 ment of temporary or permanent public works, military
21 installations, facilities, and real property for the Air Force
22 as currently authorized by law, \$1,893,690,000 (reduced
23 by \$2,000,000) (increased by \$2,000,000) (reduced by
24 \$45,000,000) (increased by \$45,000,000), to remain avail-
25 able until September 30, 2026: *Provided*, That, of this

1 amount, not to exceed \$279,301,000 shall be available for
2 study, planning, design, and architect and engineer serv-
3 ices, as authorized by law, unless the Secretary of the Air
4 Force determines that additional obligations are necessary
5 for such purposes and notifies the Committees on Appro-
6 priations of both Houses of Congress of the determination
7 and the reasons therefor: *Provided further*, That of the
8 amount made available under this heading, \$82,000,000
9 shall be for the projects and activities, and in the amounts,
10 specified under the heading “Military Construction, Air
11 Force” in the report to accompany this Act, in addition
12 to amounts otherwise available for such purposes.

13 MILITARY CONSTRUCTION, DEFENSE-WIDE

14 (INCLUDING TRANSFER OF FUNDS)

15 For acquisition, construction, installation, and equip-
16 ment of temporary or permanent public works, installa-
17 tions, facilities, and real property for activities and agen-
18 cies of the Department of Defense (other than the military
19 departments), as currently authorized by law,
20 \$2,023,416,000, to remain available until September 30,
21 2026: *Provided*, That such amounts of this appropriation
22 as may be determined by the Secretary of Defense may
23 be transferred to such appropriations of the Department
24 of Defense available for military construction or family
25 housing as the Secretary may designate, to be merged with

1 and to be available for the same purposes, and for the
2 same time period, as the appropriation or fund to which
3 transferred: *Provided further*, That, of the amount, not to
4 exceed \$261,313,000 shall be available for study, plan-
5 ning, design, and architect and engineer services, as au-
6 thorized by law, unless the Secretary of Defense deter-
7 mines that additional obligations are necessary for such
8 purposes and notifies the Committees on Appropriations
9 of both Houses of Congress of the determination and the
10 reasons therefor.

11 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

12 For construction, acquisition, expansion, rehabilita-
13 tion, and conversion of facilities for the training and ad-
14 ministration of the Army National Guard, and contribu-
15 tions therefor, as authorized by chapter 1803 of title 10,
16 United States Code, and Military Construction Authoriza-
17 tion Acts, \$335,603,000 (reduced by \$5,000,000) (in-
18 creased by \$5,000,000) (reduced by \$4,000,000) (in-
19 creased by \$4,000,000) (reduced by \$1,000,000) (in-
20 creased by \$1,000,000), to remain available until Sep-
21 tember 30, 2026: *Provided*, That, of the amount, not to
22 exceed \$72,000,000 shall be available for study, planning,
23 design, and architect and engineer services, as authorized
24 by law, unless the Director of the Army National Guard
25 determines that additional obligations are necessary for

1 such purposes and notifies the Committees on Appropria-
2 tions of both Houses of Congress of the determination and
3 the reasons therefor: *Provided further*, That of the amount
4 made available under this heading, \$15,500,000 shall be
5 for the projects and activities, and in the amounts, speci-
6 fied under the heading “Military Construction, Army Na-
7 tional Guard” in the report to accompany this Act, in ad-
8 dition to amounts otherwise available for such purposes.

9 MILITARY CONSTRUCTION, AIR NATIONAL GUARD

10 For construction, acquisition, expansion, rehabilita-
11 tion, and conversion of facilities for the training and ad-
12 ministration of the Air National Guard, and contributions
13 therefor, as authorized by chapter 1803 of title 10, United
14 States Code, and Military Construction Authorization
15 Acts, \$246,770,000, to remain available until September
16 30, 2026: *Provided*, That, of the amount, not to exceed
17 \$28,402,000 shall be available for study, planning, design,
18 and architect and engineer services, as authorized by law,
19 unless the Director of the Air National Guard determines
20 that additional obligations are necessary for such purposes
21 and notifies the Committees on Appropriations of both
22 Houses of Congress of the determination and the reasons
23 therefor: *Provided further*, That of the amount made avail-
24 able under this heading, \$24,000,000 shall be for the
25 projects and activities, and in the amounts, specified

1 under the heading “Military Construction, Air National
2 Guard” in the report to accompany this Act, in addition
3 to amounts otherwise available for such purposes.

4 MILITARY CONSTRUCTION, ARMY RESERVE

5 For construction, acquisition, expansion, rehabilita-
6 tion, and conversion of facilities for the training and ad-
7 ministration of the Army Reserve as authorized by chapter
8 1803 of title 10, United States Code, and Military Con-
9 struction Authorization Acts, \$77,411,000, to remain
10 available until September 30, 2026: *Provided*, That, of the
11 amount, not to exceed \$12,167,000 shall be available for
12 study, planning, design, and architect and engineer serv-
13 ices, as authorized by law, unless the Chief of the Army
14 Reserve determines that additional obligations are nec-
15 essary for such purposes and notifies the Committees on
16 Appropriations of both Houses of Congress of the deter-
17 mination and the reasons therefor.

18 MILITARY CONSTRUCTION, NAVY RESERVE

19 For construction, acquisition, expansion, rehabilita-
20 tion, and conversion of facilities for the training and ad-
21 ministration of the reserve components of the Navy and
22 Marine Corps as authorized by chapter 1803 of title 10,
23 United States Code, and Military Construction Authoriza-
24 tion Acts, \$84,804,000, to remain available until Sep-
25 tember 30, 2026: *Provided*, That, of the amount, not to

1 exceed \$13,005,000 shall be available for study, planning,
2 design, and architect and engineer services, as authorized
3 by law, unless the Secretary of the Navy determines that
4 additional obligations are necessary for such purposes and
5 notifies the Committees on Appropriations of both Houses
6 of Congress of the determination and the reasons therefor.

7 MILITARY CONSTRUCTION, AIR FORCE RESERVE

8 For construction, acquisition, expansion, rehabilita-
9 tion, and conversion of facilities for the training and ad-
10 ministration of the Air Force Reserve as authorized by
11 chapter 1803 of title 10, United States Code, and Military
12 Construction Authorization Acts, \$104,574,000, to remain
13 available until September 30, 2026: *Provided*, That, of the
14 amount, not to exceed \$12,330,000 shall be available for
15 study, planning, design, and architect and engineer serv-
16 ices, as authorized by law, unless the Chief of the Air
17 Force Reserve determines that additional obligations are
18 necessary for such purposes and notifies the Committees
19 on Appropriations of both Houses of Congress of the de-
20 termination and the reasons therefor: *Provided further*,
21 That of the amount made available under this heading,
22 \$8,700,000 shall be for the projects and activities, and in
23 the amounts, specified under the heading “Military Con-
24 struction, Army” in the report to accompany this Act, in
25 addition to amounts otherwise available for such purposes.

1 NORTH ATLANTIC TREATY ORGANIZATION
2 SECURITY INVESTMENT PROGRAM

3 For the United States share of the cost of the North
4 Atlantic Treaty Organization Security Investment Pro-
5 gram for the acquisition and construction of military fa-
6 cilities and installations (including international military
7 headquarters) and for related expenses for the collective
8 defense of the North Atlantic Treaty Area as authorized
9 by section 2806 of title 10, United States Code, and Mili-
10 tary Construction Authorization Acts, \$205,853,000, to
11 remain available until expended.

12 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

13 For deposit into the Department of Defense Base
14 Closure Account, established by section 2906(a) of the De-
15 fense Base Closure and Realignment Act of 1990 (10
16 U.S.C. 2687 note), \$564,639,000, to remain available
17 until expended.

18 FAMILY HOUSING CONSTRUCTION, ARMY

19 For expenses of family housing for the Army for con-
20 struction, including acquisition, replacement, addition, ex-
21 pansion, extension, and alteration, as authorized by law,
22 \$99,849,000, to remain available until September 30,
23 2026.

7 FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE
8 CORPS

14 FAMILY HOUSING OPERATION AND MAINTENANCE,
15 NAVY AND MARINE CORPS

21 FAMILY HOUSING CONSTRUCTION, AIR FORCE

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1 \$115,716,000, to remain available until September 30,
2 2026.

3 FAMILY HOUSING OPERATION AND MAINTENANCE, AIR
4 FORCE

5 For expenses of family housing for the Air Force for
6 operation and maintenance, including debt payment, leas-
7 ing, minor construction, principal and interest charges,
8 and insurance premiums, as authorized by law,
9 \$325,445,000.

10 FAMILY HOUSING OPERATION AND MAINTENANCE,
11 DEFENSE-WIDE

12 For expenses of family housing for the activities and
13 agencies of the Department of Defense (other than the
14 military departments) for operation and maintenance,
15 leasing, and minor construction, as authorized by law,
16 \$49,785,000.

17 DEPARTMENT OF DEFENSE

18 FAMILY HOUSING IMPROVEMENT FUND

19 For the Department of Defense Family Housing Im-
20 provement Fund, \$6,081,000, to remain available until ex-
21 pended, for family housing initiatives undertaken pursu-
22 ant to section 2883 of title 10, United States Code, pro-
23 viding alternative means of acquiring and improving mili-
24 tary family housing and supporting facilities.

1 DEPARTMENT OF DEFENSE
2 MILITARY UNACCOMPANIED HOUSING IMPROVEMENT
3 FUND

4 For the Department of Defense Military Unaccom-
5 panied Housing Improvement Fund, \$494,000, to remain
6 available until expended, for unaccompanied housing ini-
7 tiatives undertaken pursuant to section 2883 of title 10,
8 United States Code, providing alternative means of acquir-
9 ing and improving military unaccompanied housing and
10 supporting facilities.

11 ADMINISTRATIVE PROVISIONS

12 SEC. 101. None of the funds made available in this
13 title shall be expended for payments under a cost-plus-a-
14 fixed-fee contract for construction, where cost estimates
15 exceed \$25,000, to be performed within the United States,
16 except Alaska, without the specific approval in writing of
17 the Secretary of Defense setting forth the reasons there-
18 for.

19 SEC. 102. Funds made available in this title for con-
20 struction shall be available for hire of passenger motor ve-
21 hicles.

22 SEC. 103. Funds made available in this title for con-
23 struction may be used for advances to the Federal High-
24 way Administration, Department of Transportation, for
25 the construction of access roads as authorized by section

1 210 of title 23, United States Code, when projects author-
2 ized therein are certified as important to the national de-
3 fense by the Secretary of Defense.

4 SEC. 104. None of the funds made available in this
5 title may be used to begin construction of new bases in
6 the United States for which specific appropriations have
7 not been made.

8 SEC. 105. None of the funds made available in this
9 title shall be used for purchase of land or land easements
10 in excess of 100 percent of the value as determined by
11 the Army Corps of Engineers or the Naval Facilities Engi-
12 neering Command, except: (1) where there is a determina-
13 tion of value by a Federal court; (2) purchases negotiated
14 by the Attorney General or the designee of the Attorney
15 General; (3) where the estimated value is less than
16 \$25,000; or (4) as otherwise determined by the Secretary
17 of Defense to be in the public interest.

18 SEC. 106. None of the funds made available in this
19 title shall be used to: (1) acquire land; (2) provide for site
20 preparation; or (3) install utilities for any family housing,
21 except housing for which funds have been made available
22 in annual Acts making appropriations for military con-
23 struction.

24 SEC. 107. None of the funds made available in this
25 title for minor construction may be used to transfer or

1 relocate any activity from one base or installation to an-
2 other, without prior notification to the Committees on Ap-
3 propriations of both Houses of Congress.

4 SEC. 108. None of the funds made available in this
5 title may be used for the procurement of steel for any con-
6 struction project or activity for which American steel pro-
7 ducers, fabricators, and manufacturers have been denied
8 the opportunity to compete for such steel procurement.

9 SEC. 109. None of the funds available to the Depart-
10 ment of Defense for military construction or family hous-
11 ing during the current fiscal year may be used to pay real
12 property taxes in any foreign nation.

13 SEC. 110. None of the funds made available in this
14 title may be used to initiate a new installation overseas
15 without prior notification to the Committees on Appro-
16 priations of both Houses of Congress.

17 SEC. 111. None of the funds made available in this
18 title may be obligated for architect and engineer contracts
19 estimated by the Government to exceed \$500,000 for
20 projects to be accomplished in Japan, in any North Atlan-
21 tic Treaty Organization member country, or in countries
22 bordering the Arabian Gulf, unless such contracts are
23 awarded to United States firms or United States firms
24 in joint venture with host nation firms.

1 SEC. 112. None of the funds made available in this
2 title for military construction in the United States terri-
3 tories and possessions in the Pacific and on Kwajalein
4 Atoll, or in countries bordering the Arabian Gulf, may be
5 used to award any contract estimated by the Government
6 to exceed \$1,000,000 to a foreign contractor: *Provided*,
7 That this section shall not be applicable to contract
8 awards for which the lowest responsive and responsible bid
9 of a United States contractor exceeds the lowest respon-
10 sive and responsible bid of a foreign contractor by greater
11 than 20 percent: *Provided further*, That this section shall
12 not apply to contract awards for military construction on
13 Kwajalein Atoll for which the lowest responsive and re-
14 sponsible bid is submitted by a Marshallese contractor.

15 SEC. 113. The Secretary of Defense shall inform the
16 appropriate committees of both Houses of Congress, in-
17 cluding the Committees on Appropriations, of plans and
18 scope of any proposed military exercise involving United
19 States personnel 30 days prior to its occurring, if amounts
20 expended for construction, either temporary or permanent,
21 are anticipated to exceed \$100,000.

22 SEC. 114. Funds appropriated to the Department of
23 Defense for construction in prior years shall be available
24 for construction authorized for each such military depart-

1 ment by the authorizations enacted into law during the
2 current session of Congress.

3 SEC. 115. For military construction or family housing
4 projects that are being completed with funds otherwise ex-
5 pired or lapsed for obligation, expired or lapsed funds may
6 be used to pay the cost of associated supervision, inspec-
7 tion, overhead, engineering and design on those projects
8 and on subsequent claims, if any.

9 SEC. 116. Notwithstanding any other provision of
10 law, any funds made available to a military department
11 or defense agency for the construction of military projects
12 may be obligated for a military construction project or
13 contract, or for any portion of such a project or contract,
14 at any time before the end of the fourth fiscal year after
15 the fiscal year for which funds for such project were made
16 available, if the funds obligated for such project: (1) are
17 obligated from funds available for military construction
18 projects; and (2) do not exceed the amount appropriated
19 for such project, plus any amount by which the cost of
20 such project is increased pursuant to law.

21 (INCLUDING TRANSFER OF FUNDS)

22 SEC. 117. Subject to 30 days prior notification, or
23 14 days for a notification provided in an electronic me-
24 dium pursuant to sections 480 and 2883 of title 10,
25 United States Code, to the Committees on Appropriations

1 of both Houses of Congress, such additional amounts as
2 may be determined by the Secretary of Defense may be
3 transferred to: (1) the Department of Defense Family
4 Housing Improvement Fund from amounts appropriated
5 for construction in “Family Housing” accounts, to be
6 merged with and to be available for the same purposes
7 and for the same period of time as amounts appropriated
8 directly to the Fund; or (2) the Department of Defense
9 Military Unaccompanied Housing Improvement Fund
10 from amounts appropriated for construction of military
11 unaccompanied housing in “Military Construction” ac-
12 counts, to be merged with and to be available for the same
13 purposes and for the same period of time as amounts ap-
14 propriated directly to the Fund: *Provided*, That appropria-
15 tions made available to the Funds shall be available to
16 cover the costs, as defined in section 502(5) of the Con-
17 gressional Budget Act of 1974, of direct loans or loan
18 guarantees issued by the Department of Defense pursuant
19 to the provisions of subchapter IV of chapter 169 of title
20 10, United States Code, pertaining to alternative means
21 of acquiring and improving military family housing, mili-
22 tary unaccompanied housing, and supporting facilities.

23 (INCLUDING TRANSFER OF FUNDS)

24 SEC. 118. In addition to any other transfer authority
25 available to the Department of Defense, amounts may be

1 transferred from the Department of Defense Base Closure
2 Account to the fund established by section 1013(d) of the
3 Demonstration Cities and Metropolitan Development Act
4 of 1966 (42 U.S.C. 3374) to pay for expenses associated
5 with the Homeowners Assistance Program incurred under
6 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall
7 be merged with and be available for the same purposes
8 and for the same time period as the fund to which trans-
9 ferred.

10 SEC. 119. Notwithstanding any other provision of
11 law, funds made available in this title for operation and
12 maintenance of family housing shall be the exclusive
13 source of funds for repair and maintenance of all family
14 housing units, including general or flag officer quarters:
15 *Provided*, That not more than \$15,000 per unit may be
16 spent annually for the maintenance and repair of any gen-
17 eral or flag officer quarters without 30 days prior notifica-
18 tion, or 14 days for a notification provided in an electronic
19 medium pursuant to sections 480 and 2883 of title 10,
20 United States Code, to the Committees on Appropriations
21 of both Houses of Congress, except that an after-the-fact
22 notification shall be submitted if the limitation is exceeded
23 solely due to costs associated with environmental remedi-
24 ation that could not be reasonably anticipated at the time
25 of the budget submission.

1 SEC. 120. Amounts contained in the Ford Island Im-
2 provement Account established by subsection (h) of sec-
3 tion 2814 of title 10, United States Code, are appro-
4 priated and shall be available until expended for the pur-
5 poses specified in subsection (i)(1) of such section or until
6 transferred pursuant to subsection (i)(3) of such section.

7 (INCLUDING TRANSFER OF FUNDS)

8 SEC. 121. During the 5-year period after appropria-
9 tions available in this Act to the Department of Defense
10 for military construction and family housing operation and
11 maintenance and construction have expired for obligation,
12 upon a determination that such appropriations will not be
13 necessary for the liquidation of obligations or for making
14 authorized adjustments to such appropriations for obliga-
15 tions incurred during the period of availability of such ap-
16 propriations, unobligated balances of such appropriations
17 may be transferred into the appropriation “Foreign Cur-
18 rency Fluctuations, Construction, Defense”, to be merged
19 with and to be available for the same time period and for
20 the same purposes as the appropriation to which trans-
21 ferred.

22 SEC. 122. None of the funds made available in this
23 title may be obligated or expended for planning and design
24 and construction of projects at Arlington National Ceme-
25 tery.

1 SEC. 123. All amounts appropriated to the “Depart-
2 ment of Defense—Military Construction, Army”, “De-
3 partment of Defense—Military Construction, Navy and
4 Marine Corps”, “Department of Defense—Military Con-
5 struction, Air Force”, and “Department of Defense—Mili-
6 tary Construction, Defense-Wide” accounts pursuant to
7 the authorization of appropriations in a National Defense
8 Authorization Act specified for fiscal year 2022 in the
9 funding table in section 4601 of that Act shall be imme-
10 diately available and allotted to contract for the full scope
11 of authorized projects.

12 SEC. 124. For the purposes of this Act, the term
13 “congressional defense committees” means the Commit-
14 tees on Armed Services of the House of Representatives
15 and the Senate, the Subcommittee on Military Construc-
16 tion and Veterans Affairs of the Committee on Appropria-
17 tions of the Senate, and the Subcommittee on Military
18 Construction and Veterans Affairs of the Committee on
19 Appropriations of the House of Representatives.

20 SEC. 125. For an additional amount for the accounts
21 and in the amounts specified, to remain available until
22 September 30, 2024:

23 “Military Construction, Army”, \$54,200,000;
24 “Military Construction, Air Force”,
25 \$50,100,000;

1 “Family Housing Construction, Army”,
2 \$31,500,000; and
3 “Military Construction, Army Reserve”,
4 \$14,000,000:

5 *Provided*, That such funds may only be obligated to carry
6 out construction projects identified in the respective mili-
7 tary department’s cost to complete projects list of pre-
8 viously appropriated projects submitted to Congress: *Pro-*
9 *vided further*, That such projects are subject to authoriza-
10 tion prior to obligation and expenditure of funds to carry
11 out construction: *Provided further*, That not later than 30
12 days after enactment of this Act, the Secretary of the mili-
13 tary department concerned, or a duly authorized designee,
14 shall submit to the Committees on Appropriations of both
15 Houses of Congress an expenditure plan for funds pro-
16 vided under this section.

17 SEC. 126. Notwithstanding any other provision of
18 law, none of the funds appropriated or otherwise made
19 available by this or any other Act may be used to consoli-
20 date or relocate any element of a United States Air Force
21 Rapid Engineer Deployable Heavy Operational Repair
22 Squadron Engineer (RED HORSE) outside of the United
23 States until the Secretary of the Air Force: (1) completes
24 an analysis and comparison of the cost and infrastructure
25 investment required to consolidate or relocate a RED

1 HORSE squadron outside of the United States versus
2 within the United States; (2) provides to the Committees
3 on Appropriations of both Houses of Congress (“the Com-
4 mittees”) a report detailing the findings of the cost anal-
5 ysis; and (3) certifies in writing to the Committees that
6 the preferred site for the consolidation or relocation yields
7 the greatest savings for the Air Force: *Provided*, That the
8 term “United States” in this section does not include any
9 territory or possession of the United States.

10 SEC. 127. For an additional amount for the accounts
11 and in the amounts specified, for military construction and
12 planning and design for improving resilience and the ef-
13 fects of climate change on military installations, to remain
14 available until September 30, 2026:

15 “Military Construction, Army”, \$25,000,000;

16 “Military Construction, Navy and Marine
17 Corps”, \$25,000,000;

18 “Military Construction, Air Force”,
19 \$25,000,000; and

20 “Military Construction, Defense-Wide”,
21 \$25,000,000:

22 *Provided*, That not later than 60 days after enactment of
23 this Act, the Secretary of the military department con-
24 cerned, or a duly authorized designee, shall submit to the
25 Committees on Appropriations of both Houses of Congress

1 an expenditure plan for funds provided under this section:
2 *Provided further*, That the Secretary of the military de-
3 partment concerned may not obligate or expend any funds
4 prior to approval by the Committees on Appropriations of
5 both Houses of Congress of the expenditure plan required
6 by this section.

7 SEC. 128. For an additional amount for the accounts
8 and in the amounts specified for child development cen-
9 ters, to remain available until September 30, 2026:

10 “Military Construction, Army”, \$72,000,000;
11 “Military Construction, Navy and Marine
12 Corps”, \$11,000,000; and
13 “Military Construction, Air Force”,
14 \$64,000,000:

15 *Provided*, That such funds may only be obligated to carry
16 out construction projects and planning and design identi-
17 fied in the respective military department’s unfunded pri-
18 ority list for fiscal year 2022 submitted to Congress: *Pro-*
19 *vided further*, That not later than 60 days after enactment
20 of this Act, the Secretary of the military department con-
21 cerned, or a duly authorized designee, shall submit to the
22 Committees on Appropriations of both Houses of Congress
23 an expenditure plan for funds provided under this section.

1 SEC. 129. For an additional amount for the accounts
2 and in the amounts specified for barracks, to remain avail-
3 able until September 30, 2026:

4 “Military Construction, Army”, \$90,200,000
5 (increased by \$90,200,000) (reduced by
6 \$90,200,000);

7 “Military Construction, Army National Guard”,
8 \$24,800,000; and

9 “Military Construction, Army Reserve”,
10 \$122,200,000:

11 *Provided*, That such funds may only be obligated to carry
12 out construction projects identified in the respective mili-
13 tary department’s unfunded priority list for fiscal year
14 2022 submitted to Congress: *Provided further*, That not
15 later than 60 days after enactment of this Act, the Sec-
16 retary of the military department concerned, or a duly au-
17 thorized designee, shall submit to the Committees on Ap-
18 propriations of both Houses of Congress an expenditure
19 plan for funds provided under this section.

20 SEC. 130. For an additional amount for “Military
21 Construction, Navy and Marine Corps”, \$225,000,000, to
22 remain available until September 30, 2026, for Shipyard
23 Infrastructure Optimization Plan unspecified worldwide
24 construction: *Provided*, That such funds may only be obli-
25 gated to carry out construction projects identified in the

1 respective military department’s unfunded priority list for
2 fiscal year 2022 submitted to Congress: *Provided further*,
3 That not later than 60 days after enactment of this Act,
4 the Secretary of the military department concerned, or a
5 duly authorized designee, shall submit to the Committees
6 on Appropriations of both Houses of Congress an expendi-
7 ture plan for funds provided under this section.

8 SEC. 131. For an additional amount for “Military
9 Construction, Army National Guard”, \$100,000,000, to
10 remain available until September 30, 2026, for construc-
11 tion associated with the Army National Guard Trans-
12 formation Plan: *Provided*, That not later than 60 days
13 after enactment of this Act, the Secretary of the military
14 department concerned, or a duly authorized designee, shall
15 submit to the Committees on Appropriations of both
16 Houses of Congress an expenditure plan for funds pro-
17 vided under this section.

18 SEC. 132. For an additional amount for the accounts
19 and in the amounts specified for expenses incurred as a
20 result of natural disasters, to remain available until Sep-
21 tember 30, 2026:

22 “Military Construction, Navy and Marine
23 Corps”, \$62,966,000; and

24 “Military Construction, Air Force”,
25 \$100,000,000:

1 *Provided*, That not later than 60 days after enactment of
2 this Act, the Secretary of the military department con-
3 cerned, or a duly authorized designee, shall submit to the
4 Committees on Appropriations of both Houses of Congress
5 an expenditure plan for funds provided under this section.

6 SEC. 133. None of the funds made available by this
7 Act may be used to construct any facilities, nor obligate
8 planning and design, associated with Space Force until the
9 Department of Defense Office of Inspector General and
10 the Government Accountability Office complete the site se-
11 lection reviews.

12 TITLE II

13 DEPARTMENT OF VETERANS AFFAIRS

14 VETERANS BENEFITS ADMINISTRATION

15 COMPENSATION AND PENSIONS

16 (INCLUDING TRANSFER OF FUNDS)

17 For the payment of compensation benefits to or on
18 behalf of veterans and a pilot program for disability ex-
19 aminations as authorized by section 107 and chapters 11,
20 13, 18, 51, 53, 55, and 61 of title 38, United States Code;
21 pension benefits to or on behalf of veterans as authorized
22 by chapters 15, 51, 53, 55, and 61 of title 38, United
23 States Code; and burial benefits, the Reinstated Entitle-
24 ment Program for Survivors, emergency and other offi-
25 cers' retirement pay, adjusted-service credits and certifi-

1 cates, payment of premiums due on commercial life insur-
2 ance policies guaranteed under the provisions of title IV
3 of the Servicemembers Civil Relief Act (50 U.S.C. App.
4 541 et seq.) and for other benefits as authorized by sec-
5 tions 107, 1312, 1977, and 2106, and chapters 23, 51,
6 53, 55, and 61 of title 38, United States Code,
7 \$7,347,837,000, which shall be in addition to funds pre-
8 viously appropriated under this heading that became avail-
9 able on October 1, 2021, to remain available until ex-
10 pended; and, in addition, \$147,569,474,000, which shall
11 become available on October 1, 2022, to remain available
12 until expended: *Provided*, That not to exceed \$20,115,000
13 of the amount made available for fiscal year 2023 under
14 this heading shall be reimbursed to “General Operating
15 Expenses, Veterans Benefits Administration”, and “Infor-
16 mation Technology Systems” for necessary expenses in
17 implementing the provisions of chapters 51, 53, and 55
18 of title 38, United States Code, the funding source for
19 which is specifically provided as the “Compensation and
20 Pensions” appropriation: *Provided further*, That such
21 sums as may be earned on an actual qualifying patient
22 basis, shall be reimbursed to “Medical Care Collections
23 Fund” to augment the funding of individual medical facili-
24 ties for nursing home care provided to pensioners as au-
25 thorized.

1 READJUSTMENT BENEFITS

2 For the payment of readjustment and rehabilitation
3 benefits to or on behalf of veterans as authorized by chap-
4 ters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and
5 61 of title 38, United States Code, \$8,906,851,000 (in-
6 creased by \$45,000,000) (reduced by \$45,000,000), which
7 shall become available on October 1, 2022, to remain
8 available until expended: *Provided*, That expenses for re-
9 habilitation program services and assistance which the
10 Secretary is authorized to provide under subsection (a) of
11 section 3104 of title 38, United States Code, other than
12 under paragraphs (1), (2), (5), and (11) of that sub-
13 section, shall be charged to this account.

14 VETERANS INSURANCE AND INDEMNITIES

15 For military and naval insurance, national service life
16 insurance, servicemen's indemnities, service-disabled vet-
17 erans insurance, and veterans mortgage life insurance as
18 authorized by chapters 19 and 21 of title 38, United
19 States Code, \$109,865,000, which shall become available
20 on October 1, 2022, to remain available until expended.

21 VETERANS HOUSING BENEFIT PROGRAM FUND

22 For the cost of direct and guaranteed loans, such
23 sums as may be necessary to carry out the program, as
24 authorized by subchapters I through III of chapter 37 of
25 title 38, United States Code: *Provided*, That such costs,

1 including the cost of modifying such loans, shall be as de-
2 fined in section 502 of the Congressional Budget Act of
3 1974: *Provided further*, That, during fiscal year 2022,
4 within the resources available, not to exceed \$500,000 in
5 gross obligations for direct loans are authorized for spe-
6 cially adapted housing loans.

7 In addition, for administrative expenses to carry out
8 the direct and guaranteed loan programs, \$229,500,000.

9 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

10 For the cost of direct loans, \$2,838, as authorized
11 by chapter 31 of title 38, United States Code: *Provided*,
12 That such costs, including the cost of modifying such
13 loans, shall be as defined in section 502 of the Congres-
14 sional Budget Act of 1974: *Provided further*, That funds
15 made available under this heading are available to sub-
16 sidize gross obligations for the principal amount of direct
17 loans not to exceed \$1,662,758.

18 In addition, for administrative expenses necessary to
19 carry out the direct loan program, \$429,467, which may
20 be paid to the appropriation for “General Operating Ex-
21 penses, Veterans Benefits Administration”.

1 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM
2 ACCOUNT

3 For administrative expenses to carry out the direct
4 loan program authorized by subchapter V of chapter 37
5 of title 38, United States Code, \$1,400,000.

6 GENERAL OPERATING EXPENSES, VETERANS BENEFITS
7 ADMINISTRATION

8 For necessary operating expenses of the Veterans
9 Benefits Administration, not otherwise provided for, in-
10 cluding hire of passenger motor vehicles, reimbursement
11 of the General Services Administration for security guard
12 services, and reimbursement of the Department of De-
13 fense for the cost of overseas employee mail,
14 \$3,419,400,000 (reduced by \$2,000,000): *Provided*, That
15 expenses for services and assistance authorized under
16 paragraphs (1), (2), (5), and (11) of section 3104(a) of
17 title 38, United States Code, that the Secretary of Vet-
18 erans Affairs determines are necessary to enable entitled
19 veterans: (1) to the maximum extent feasible, to become
20 employable and to obtain and maintain suitable employ-
21 ment; or (2) to achieve maximum independence in daily
22 living, shall be charged to this account: *Provided further*,
23 That, of the funds made available under this heading, not
24 to exceed 10 percent shall remain available until Sep-
25 tember 30, 2023.

1 VETERANS HEALTH ADMINISTRATION

2 MEDICAL SERVICES

3 For necessary expenses for furnishing, as authorized
4 by law, inpatient and outpatient care and treatment to
5 beneficiaries of the Department of Veterans Affairs and
6 veterans described in section 1705(a) of title 38, United
7 States Code, including care and treatment in facilities not
8 under the jurisdiction of the Department, and including
9 medical supplies and equipment, bioengineering services,
10 food services, and salaries and expenses of healthcare em-
11 ployees hired under title 38, United States Code, assist-
12 ance and support services for caregivers as authorized by
13 section 1720G of title 38, United States Code, loan repay-
14 ments authorized by section 604 of the Caregivers and
15 Veterans Omnibus Health Services Act of 2010 (Public
16 Law 111–163; 124 Stat. 1174; 38 U.S.C. 7681 note),
17 monthly assistance allowances authorized by section
18 322(d) of title 38, United States Code, grants authorized
19 by section 521A of title 38, United States Code, and ad-
20 ministrative expenses necessary to carry out sections
21 322(d) and 521A of title 38, United States Code, and hos-
22 pital care and medical services authorized by section 1787
23 of title 38, United States Code; \$100,000,000 (increased
24 by \$5,000,000) (increased by \$5,000,000) (reduced by
25 \$5,000,000) (reduced by \$5,000,000) (increased by

1 \$5,000,000) (reduced by \$10,000,000) (increased by
2 \$10,000,000) (increased by \$1,000,000), to remain avail-
3 able until September 30, 2023, which shall be in addition
4 to funds previously appropriated under this heading that
5 become available on October 1, 2021; and, in addition,
6 \$70,323,116,000, plus reimbursements, shall become
7 available on October 1, 2022, and shall remain available
8 until September 30, 2023: *Provided*, That, of the amount
9 made available on October 1, 2022, under this heading,
10 \$1,500,000,000 shall remain available until September 30,
11 2024: *Provided further*, That, notwithstanding any other
12 provision of law, the Secretary of Veterans Affairs shall
13 establish a priority for the provision of medical treatment
14 for veterans who have service-connected disabilities, lower
15 income, or have special needs: *Provided further*, That, not-
16 withstanding any other provision of law, the Secretary of
17 Veterans Affairs shall give priority funding for the provi-
18 sion of basic medical benefits to veterans in enrollment
19 priority groups 1 through 6: *Provided further*, That, not-
20 withstanding any other provision of law, the Secretary of
21 Veterans Affairs may authorize the dispensing of prescrip-
22 tion drugs from Veterans Health Administration facilities
23 to enrolled veterans with privately written prescriptions
24 based on requirements established by the Secretary: *Pro-*
25 *vided further*, That the implementation of the program de-

1 scribed in the previous proviso shall incur no additional
2 cost to the Department of Veterans Affairs: *Provided fur-*
3 *ther*, That the Secretary of Veterans Affairs shall ensure
4 that sufficient amounts appropriated under this heading
5 for medical supplies and equipment are available for the
6 acquisition of prosthetics designed specifically for female
7 veterans.

8 MEDICAL COMMUNITY CARE

9 For necessary expenses for furnishing health care to
10 individuals pursuant to chapter 17 of title 38, United
11 States Code, at non-Department facilities, \$3,269,000,000
12 (reduced by \$5,000,000), which shall be in addition to
13 funds previously appropriated under this heading that be-
14 come available on October 1, 2021; and, in addition,
15 \$24,156,659,000, plus reimbursements, shall become
16 available on October 1, 2022, and shall remain available
17 until September 30, 2023: *Provided*, That, of the amount
18 made available on October 1, 2022, under this heading,
19 \$2,000,000,000 shall remain available until September 30,
20 2024.

21 MEDICAL SUPPORT AND COMPLIANCE

22 For necessary expenses in the administration of the
23 medical, hospital, nursing home, domiciliary, construction,
24 supply, and research activities, as authorized by law; ad-
25 ministrative expenses in support of capital policy activi-

1 ties; and administrative and legal expenses of the Depart-
2 ment for collecting and recovering amounts owed the De-
3 partment as authorized under chapter 17 of title 38,
4 United States Code, and the Federal Medical Care Recov-
5 ery Act (42 U.S.C. 2651 et seq.), \$9,673,409,000, plus
6 reimbursements, shall become available on October 1,
7 2022, and shall remain available until September 30,
8 2023: *Provided*, That, of the amount made available on
9 October 1, 2022, under this heading, \$200,000,000 shall
10 remain available until September 30, 2024.

11 MEDICAL FACILITIES

12 For necessary expenses for the maintenance and op-
13 eration of hospitals, nursing homes, domiciliary facilities,
14 and other necessary facilities of the Veterans Health Ad-
15 ministration; for administrative expenses in support of
16 planning, design, project management, real property ac-
17 quisition and disposition, construction, and renovation of
18 any facility under the jurisdiction or for the use of the
19 Department; for oversight, engineering, and architectural
20 activities not charged to project costs; for repairing, alter-
21 ing, improving, or providing facilities in the several hos-
22 pitals and homes under the jurisdiction of the Depart-
23 ment, not otherwise provided for, either by contract or by
24 the hire of temporary employees and purchase of mate-
25 rials; for leases of facilities; and for laundry services;

1 \$7,133,816,000, plus reimbursements, shall become avail-
2 able on October 1, 2022, and shall remain available until
3 September 30, 2023: *Provided*, That, of the amount made
4 available on October 1, 2022, under this heading,
5 \$350,000,000 shall remain available until September 30,
6 2024.

7 MEDICAL AND PROSTHETIC RESEARCH

8 For necessary expenses in carrying out programs of
9 medical and prosthetic research and development as au-
10 thorized by chapter 73 of title 38, United States Code,
11 \$902,000,000 (increased by \$2,000,000), plus reimburse-
12 ments, shall remain available until September 30, 2023:
13 *Provided*, That the Secretary of Veterans Affairs shall en-
14 sure that sufficient amounts appropriated under this
15 heading are available for prosthetic research specifically
16 for female veterans, and for toxic exposure research.

17 NATIONAL CEMETERY ADMINISTRATION

18 For necessary expenses of the National Cemetery Ad-
19 ministration for operations and maintenance, not other-
20 wise provided for, including uniforms or allowances there-
21 for; cemeterial expenses as authorized by law; purchase
22 of one passenger motor vehicle for use in cemeterial oper-
23 ations; hire of passenger motor vehicles; and repair, alter-
24 ation or improvement of facilities under the jurisdiction
25 of the National Cemetery Administration, \$392,000,000,

1 of which not to exceed 10 percent shall remain available
2 until September 30, 2023.

3 DEPARTMENTAL ADMINISTRATION

4 GENERAL ADMINISTRATION

5 (INCLUDING TRANSFER OF FUNDS)

6 For necessary operating expenses of the Department
7 of Veterans Affairs, not otherwise provided for, including
8 administrative expenses in support of Department-wide
9 capital planning, management and policy activities, uni-
10 forms, or allowances therefor; not to exceed \$25,000 for
11 official reception and representation expenses; hire of pas-
12 senger motor vehicles; and reimbursement of the General
13 Services Administration for security guard services,
14 \$396,911,000 (increased by \$1,000,000) (reduced by
15 \$1,000,000) (increased by \$1,000,000) (reduced by
16 \$1,000,000), of which not to exceed 10 percent shall re-
17 main available until September 30, 2023: *Provided*, That
18 funds provided under this heading may be transferred to
19 “General Operating Expenses, Veterans Benefits Adminis-
20 tration”.

21 ASSET AND INFRASTRUCTURE REVIEW

22 For carrying out the VA Asset and Infrastructure
23 Review Act of 2018 (subtitle A of title II of Public Law
24 115–182), \$5,000,000, to remain available until Sep-
25 tember 30, 2023.

1 BOARD OF VETERANS APPEALS

2 For necessary operating expenses of the Board of
3 Veterans Appeals, \$228,000,000, of which not to exceed
4 10 percent shall remain available until September 30,
5 2023.

6 INFORMATION TECHNOLOGY SYSTEMS

7 (INCLUDING TRANSFER OF FUNDS)

8 For necessary expenses for information technology
9 systems and telecommunications support, including devel-
10 opmental information systems and operational information
11 systems; for pay and associated costs; and for the capital
12 asset acquisition of information technology systems, in-
13 cluding management and related contractual costs of said
14 acquisitions, including contractual costs associated with
15 operations authorized by section 3109 of title 5, United
16 States Code, \$4,842,800,000 (reduced by \$1,000,000),
17 plus reimbursements: *Provided*, That \$1,414,215,000 (re-
18 duced by \$1,000,000) shall be for pay and associated
19 costs, of which not to exceed 3 percent shall remain avail-
20 able until September 30, 2023: *Provided further*, That
21 \$3,131,585,000 shall be for operations and maintenance,
22 of which not to exceed 5 percent shall remain available
23 until September 30, 2023: *Provided further*, That
24 \$297,000,000 shall be for information technology systems
25 development, and shall remain available until September

1 30, 2023: *Provided further*, That amounts made available
2 for salaries and expenses, operations and maintenance,
3 and information technology systems development may be
4 transferred among the three subaccounts after the Sec-
5 retary of Veterans Affairs requests from the Committees
6 on Appropriations of both Houses of Congress the author-
7 ity to make the transfer and an approval is issued: *Pro-*
8 *vided further*, That amounts made available for the “Infor-
9 mation Technology Systems” account for development
10 may be transferred among projects or to newly defined
11 projects: *Provided further*, That no project may be in-
12 creased or decreased by more than \$3,000,000 of cost
13 prior to submitting a request to the Committees on Appro-
14 priations of both Houses of Congress to make the transfer
15 and an approval is issued, or absent a response, a period
16 of 30 days has elapsed: *Provided further*, That the funds
17 made available under this heading for information tech-
18 nology systems development shall be for the projects, and
19 in the amounts, specified under this heading in the report
20 accompanying this Act.

21 VETERANS ELECTRONIC HEALTH RECORD

22 For activities related to implementation, preparation,
23 development, interface, management, rollout, and mainte-
24 nance of a Veterans Electronic Health Record system, in-
25 cluding contractual costs associated with operations au-

1 thorized by section 3109 of title 5, United States Code,
2 and salaries and expenses of employees hired under titles
3 5 and 38, United States Code, \$2,637,000,000, to remain
4 available until September 30, 2024: *Provided*, That the
5 Secretary of Veterans Affairs shall submit to the Commit-
6 tees on Appropriations of both Houses of Congress quar-
7 terly reports detailing obligations, expenditures, and de-
8 ployment implementation by facility, including any
9 changes from the deployment plan or schedule: *Provided*
10 *further*, That the funds provided in this account shall only
11 be available to the Office of the Deputy Secretary, to be
12 administered by that Office: *Provided further*, That 25
13 percent of the funds made available under this heading
14 shall not be available until July 1, 2022, and are contin-
15 gent upon the Secretary of Veterans Affairs providing a
16 certification within 7 days prior to that date to the Com-
17 mittees on Appropriations of any changes to the deploy-
18 ment schedules.

19 OFFICE OF INSPECTOR GENERAL

20 For necessary expenses of the Office of Inspector
21 General, to include information technology, in carrying out
22 the provisions of the Inspector General Act of 1978 (5
23 U.S.C. App.), \$239,000,000 (reduced by \$1,000,000) (in-
24 creased by \$1,000,000), of which not to exceed 10 percent
25 shall remain available until September 30, 2023.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States Code, not otherwise provided for, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, \$1,611,000,000, of which \$657,326,000 shall remain available until September 30, 2026, and of which \$953,674,000 shall remain available until expended, of which \$100,000,000 shall be available for seismic improvement projects and seismic program management activities, including for projects that would otherwise be funded by the Construction, Minor Projects, Medical Facilities or National Cemetery Administration accounts: *Provided*, That except for advance planning activities, including

1 needs assessments which may or may not lead to capital
2 investments, and other capital asset management related
3 activities, including portfolio development and manage-
4 ment activities, and planning, cost estimating, and design
5 for major medical facility projects and major medical facil-
6 ity leases and investment strategy studies funded through
7 the advance planning fund and the planning and design
8 activities funded through the design fund, staffing ex-
9 penses, and funds provided for the purchase, security, and
10 maintenance of land for the National Cemetery Adminis-
11 tration through the land acquisition line item, none of the
12 funds made available under this heading shall be used for
13 any project that has not been notified to Congress through
14 the budgetary process or that has not been approved by
15 the Congress through statute, joint resolution, or in the
16 explanatory statement accompanying such Act and pre-
17 sented to the President at the time of enrollment: *Provided*
18 *further*, That such sums as may be necessary shall be
19 available to reimburse the “General Administration” ac-
20 count for payment of salaries and expenses of all Office
21 of Construction and Facilities Management employees to
22 support the full range of capital infrastructure services
23 provided, including minor construction and leasing serv-
24 ices: *Provided further*, That funds made available under
25 this heading for fiscal year 2022, for each approved

1 project shall be obligated: (1) by the awarding of a con-
2 struction documents contract by September 30, 2022; and
3 (2) by the awarding of a construction contract by Sep-
4 tember 30, 2023: *Provided further*, That the Secretary of
5 Veterans Affairs shall promptly submit to the Committees
6 on Appropriations of both Houses of Congress a written
7 report on any approved major construction project for
8 which obligations are not incurred within the time limita-
9 tions established above: *Provided further*, That notwith-
10 standing the requirements of section 8104(a) of title 38,
11 United States Code, amounts made available under this
12 heading for seismic improvement projects and seismic pro-
13 gram management activities shall be available for the com-
14 pletion of both new and existing seismic projects of the
15 Department.

16 CONSTRUCTION, MINOR PROJECTS

17 For constructing, altering, extending, and improving
18 any of the facilities, including parking projects, under the
19 jurisdiction or for the use of the Department of Veterans
20 Affairs, including planning and assessments of needs
21 which may lead to capital investments, architectural and
22 engineering services, maintenance or guarantee period
23 services costs associated with equipment guarantees pro-
24 vided under the project, services of claims analysts, offsite
25 utility and storm drainage system construction costs, and

1 site acquisition, or for any of the purposes set forth in
2 sections 316, 2404, 2406 and chapter 81 of title 38,
3 United States Code, not otherwise provided for, where the
4 estimated cost of a project is equal to or less than the
5 amount set forth in section 8104(a)(3)(A) of title 38,
6 United States Code, \$553,000,000, of which
7 \$497,700,000 shall remain available until September 30,
8 2026, and of which \$55,300,000 shall remain available
9 until expended, along with unobligated balances of pre-
10 vious “Construction, Minor Projects” appropriations
11 which are hereby made available for any project where the
12 estimated cost is equal to or less than the amount set forth
13 in such section: *Provided*, That funds made available
14 under this heading shall be for: (1) repairs to any of the
15 nonmedical facilities under the jurisdiction or for the use
16 of the Department which are necessary because of loss or
17 damage caused by any natural disaster or catastrophe;
18 and (2) temporary measures necessary to prevent or to
19 minimize further loss by such causes.

20 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE
21 FACILITIES

22 For grants to assist States to acquire or construct
23 State nursing home and domiciliary facilities and to re-
24 model, modify, or alter existing hospital, nursing home,
25 and domiciliary facilities in State homes, for furnishing

1 care to veterans as authorized by sections 8131 through
2 8137 of title 38, United States Code, \$90,000,000, to re-
3 main available until expended.

4 GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

5 For grants to assist States and tribal organizations
6 in establishing, expanding, or improving veterans ceme-
7 teries as authorized by section 2408 of title 38, United
8 States Code, \$47,097,000, to remain available until ex-
9 pended.

10 ADMINISTRATIVE PROVISIONS

11 (INCLUDING TRANSFER OF FUNDS)

12 SEC. 201. Any appropriation for fiscal year 2022 for
13 “Compensation and Pensions”, “Readjustment Benefits”,
14 and “Veterans Insurance and Indemnities” may be trans-
15 ferred as necessary to any other of the mentioned appro-
16 priations: *Provided*, That, before any such transfer may
17 take place, the Secretary of Veterans Affairs shall request
18 from the Committees on Appropriations of both Houses
19 of Congress the authority to make the transfer and such
20 Committees issue an approval, or absent a response, a pe-
21 riod of 30 days has elapsed.

22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 202. Amounts made available for the Depart-
24 ment of Veterans Affairs for fiscal year 2022, in this or
25 any other Act, under the “Medical Services”, “Medical

1 Community Care”, “Medical Support and Compliance”,
2 and “Medical Facilities” accounts may be transferred
3 among the accounts: *Provided*, That any transfers among
4 the “Medical Services”, “Medical Community Care”, and
5 “Medical Support and Compliance” accounts of 1 percent
6 or less of the total amount appropriated to the account
7 in this or any other Act may take place subject to notifica-
8 tion from the Secretary of Veterans Affairs to the Com-
9 mittees on Appropriations of both Houses of Congress of
10 the amount and purpose of the transfer: *Provided further*,
11 That any transfers among the “Medical Services”, “Med-
12 ical Community Care”, and “Medical Support and Compli-
13 ance” accounts in excess of 1 percent, or exceeding the
14 cumulative 1 percent for the fiscal year, may take place
15 only after the Secretary requests from the Committees on
16 Appropriations of both Houses of Congress the authority
17 to make the transfer and an approval is issued: *Provided*
18 *further*, That any transfers to or from the “Medical Facili-
19 ties” account may take place only after the Secretary re-
20 quests from the Committees on Appropriations of both
21 Houses of Congress the authority to make the transfer
22 and an approval is issued.

23 SEC. 203. Appropriations available in this title for
24 salaries and expenses shall be available for services au-
25 thorized by section 3109 of title 5, United States Code;

1 hire of passenger motor vehicles; lease of a facility or land
2 or both; and uniforms or allowances therefore, as author-
3 ized by sections 5901 through 5902 of title 5, United
4 States Code.

5 SEC. 204. No appropriations in this title (except the
6 appropriations for “Construction, Major Projects”, and
7 “Construction, Minor Projects”) shall be available for the
8 purchase of any site for or toward the construction of any
9 new hospital or home.

10 SEC. 205. No appropriations in this title shall be
11 available for hospitalization or examination of any persons
12 (except beneficiaries entitled to such hospitalization or ex-
13 amination under the laws providing such benefits to vet-
14 erans, and persons receiving such treatment under sec-
15 tions 7901 through 7904 of title 5, United States Code,
16 or the Robert T. Stafford Disaster Relief and Emergency
17 Assistance Act (42 U.S.C. 5121 et seq.)), unless reim-
18 bursement of the cost of such hospitalization or examina-
19 tion is made to the “Medical Services” account at such
20 rates as may be fixed by the Secretary of Veterans Affairs.

21 SEC. 206. Appropriations available in this title for
22 “Compensation and Pensions”, “Readjustment Benefits”,
23 and “Veterans Insurance and Indemnities” shall be avail-
24 able for payment of prior year accrued obligations re-
25 quired to be recorded by law against the corresponding

1 prior year accounts within the last quarter of fiscal year
2 2021.

3 SEC. 207. Appropriations available in this title shall
4 be available to pay prior year obligations of corresponding
5 prior year appropriations accounts resulting from sections
6 3328(a), 3334, and 3712(a) of title 31, United States
7 Code, except that if such obligations are from trust fund
8 accounts they shall be payable only from “Compensation
9 and Pensions”.

10 (INCLUDING TRANSFER OF FUNDS)

11 SEC. 208. Notwithstanding any other provision of
12 law, during fiscal year 2022, the Secretary of Veterans
13 Affairs shall, from the National Service Life Insurance
14 Fund under section 1920 of title 38, United States Code,
15 the Veterans’ Special Life Insurance Fund under section
16 1923 of title 38, United States Code, and the United
17 States Government Life Insurance Fund under section
18 1955 of title 38, United States Code, reimburse the “Gen-
19 eral Operating Expenses, Veterans Benefits Administra-
20 tion” and “Information Technology Systems” accounts for
21 the cost of administration of the insurance programs fi-
22 nanced through those accounts: *Provided*, That reimburse-
23 ment shall be made only from the surplus earnings accu-
24 mulated in such an insurance program during fiscal year
25 2022 that are available for dividends in that program after

1 claims have been paid and actuarially determined reserves
2 have been set aside: *Provided further*, That if the cost of
3 administration of such an insurance program exceeds the
4 amount of surplus earnings accumulated in that program,
5 reimbursement shall be made only to the extent of such
6 surplus earnings: *Provided further*, That the Secretary
7 shall determine the cost of administration for fiscal year
8 2022 which is properly allocable to the provision of each
9 such insurance program and to the provision of any total
10 disability income insurance included in that insurance pro-
11 gram.

12 SEC. 209. Amounts deducted from enhanced-use
13 lease proceeds to reimburse an account for expenses in-
14 curred by that account during a prior fiscal year for pro-
15 viding enhanced-use lease services, shall be available until
16 expended.

17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 210. Funds available in this title or funds for
19 salaries and other administrative expenses shall also be
20 available to reimburse the Office of Resolution Manage-
21 ment, Diversity and Inclusion, the Office of Employment
22 Discrimination Complaint Adjudication, and the Alter-
23 native Dispute Resolution function within the Office of
24 Human Resources and Administration for all services pro-
25 vided at rates which will recover actual costs but not to

1 exceed \$78,417,225 for the Office of Resolution Manage-
2 ment, Diversity and Inclusion, \$6,609,000 for the Office
3 of Employment Discrimination Complaint Adjudication,
4 and \$3,822,000 for the Alternative Dispute Resolution
5 function within the Office of Human Resources and Ad-
6 ministration: *Provided*, That payments may be made in
7 advance for services to be furnished based on estimated
8 costs: *Provided further*, That amounts received shall be
9 credited to the “General Administration” and “Informa-
10 tion Technology Systems” accounts for use by the office
11 that provided the service.

12 SEC. 211. No funds of the Department of Veterans
13 Affairs shall be available for hospital care, nursing home
14 care, or medical services provided to any person under
15 chapter 17 of title 38, United States Code, for a non-serv-
16 ice-connected disability described in section 1729(a)(2) of
17 such title, unless that person has disclosed to the Sec-
18 retary of Veterans Affairs, in such form as the Secretary
19 may require, current, accurate third-party reimbursement
20 information for purposes of section 1729 of such title: *Pro-*
21 *vided*, That the Secretary may recover, in the same man-
22 ner as any other debt due the United States, the reason-
23 able charges for such care or services from any person who
24 does not make such disclosure as required: *Provided fur-*
25 *ther*, That any amounts so recovered for care or services

1 provided in a prior fiscal year may be obligated by the
2 Secretary during the fiscal year in which amounts are re-
3 ceived.

4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 212. Notwithstanding any other provision of
6 law, proceeds or revenues derived from enhanced-use leas-
7 ing activities (including disposal) may be deposited into
8 the “Construction, Major Projects” and “Construction,
9 Minor Projects” accounts and be used for construction
10 (including site acquisition and disposition), alterations,
11 and improvements of any medical facility under the juris-
12 diction or for the use of the Department of Veterans Af-
13 fairs. Such sums as realized are in addition to the amount
14 provided for in “Construction, Major Projects” and “Con-
15 struction, Minor Projects”.

16 SEC. 213. Amounts made available under “Medical
17 Services” are available—

18 (1) for furnishing recreational facilities, sup-
19 plies, and equipment; and

20 (2) for funeral expenses, burial expenses, and
21 other expenses incidental to funerals and burials for
22 beneficiaries receiving care in the Department.

23 (INCLUDING TRANSFER OF FUNDS)

24 SEC. 214. Such sums as may be deposited in the
25 Medical Care Collections Fund pursuant to section 1729A

1 of title 38, United States Code, may be transferred to the
2 “Medical Services” and “Medical Community Care” ac-
3 counts to remain available until expended for the purposes
4 of these accounts.

5 SEC. 215. The Secretary of Veterans Affairs may
6 enter into agreements with Federally Qualified Health
7 Centers in the State of Alaska and Indian tribes and tribal
8 organizations which are party to the Alaska Native Health
9 Compact with the Indian Health Service, to provide
10 healthcare, including behavioral health and dental care, to
11 veterans in rural Alaska. The Secretary shall require par-
12 ticipating veterans and facilities to comply with all appro-
13 priate rules and regulations, as established by the Sec-
14 retary. The term “rural Alaska” shall mean those lands
15 which are not within the boundaries of the municipality
16 of Anchorage or the Fairbanks North Star Borough.

17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 216. Such sums as may be deposited to the De-
19 partment of Veterans Affairs Capital Asset Fund pursu-
20 ant to section 8118 of title 38, United States Code, may
21 be transferred to the “Construction, Major Projects” and
22 “Construction, Minor Projects” accounts, to remain avail-
23 able until expended for the purposes of these accounts.

24 SEC. 217. Not later than 30 days after the end of
25 each fiscal quarter, the Secretary of Veterans Affairs shall

1 submit to the Committees on Appropriations of both
2 Houses of Congress a report on the financial status of the
3 Department of Veterans Affairs for the preceding quarter:
4 *Provided*, That, at a minimum, the report shall include
5 the direction contained in the paragraph entitled “Quar-
6 terly reporting”, under the heading “General Administra-
7 tion” in the joint explanatory statement accompanying
8 Public Law 114–223.

9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 218. Amounts made available under the “Med-
11 ical Services”, “Medical Community Care”, “Medical Sup-
12 port and Compliance”, “Medical Facilities”, “General Op-
13 erating Expenses, Veterans Benefits Administration”,
14 “Board of Veterans Appeals”, “General Administration”,
15 and “National Cemetery Administration” accounts for fis-
16 cal year 2022 may be transferred to or from the “Informa-
17 tion Technology Systems” account: *Provided*, That such
18 transfers may not result in a more than 10 percent aggre-
19 gate increase in the total amount made available by this
20 Act for the “Information Technology Systems” account:
21 *Provided further*, That, before a transfer may take place,
22 the Secretary of Veterans Affairs shall request from the
23 Committees on Appropriations of both Houses of Congress
24 the authority to make the transfer and an approval is
25 issued.

(INCLUDING TRANSFER OF FUNDS)

SEC. 219. Of the amounts appropriated to the Department of Veterans Affairs for fiscal year 2022 for “Medical Services”, “Medical Community Care”, “Medical Support and Compliance”, “Medical Facilities”, “Construction, Minor Projects”, and “Information Technology Systems”, up to \$379,009,000, plus reimbursements, may be transferred to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500): *Provided*, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress: *Provided further*, That section 220 of title II of division J of Public Law 116–260 is repealed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 220. Of the amounts appropriated to the Department of Veterans Affairs which become available on October 1, 2022, for “Medical Services”, “Medical Community Care”, “Medical Support and Compliance”, and “Medical Facilities”, up to \$323,242,000, plus reimbursements, may be transferred to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500): *Provided*, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 221. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, for healthcare provided

1 at facilities designated as combined Federal medical facili-
2 ties as described by section 706 of the Duncan Hunter
3 National Defense Authorization Act for Fiscal Year 2009
4 (Public Law 110–417; 122 Stat. 4500) shall also be avail-
5 able: (1) for transfer to the Joint Department of De-
6 fense—Department of Veterans Affairs Medical Facility
7 Demonstration Fund, established by section 1704 of the
8 National Defense Authorization Act for Fiscal Year 2010
9 (Public Law 111–84; 123 Stat. 3571); and (2) for oper-
10 ations of the facilities designated as combined Federal
11 medical facilities as described by section 706 of the Dun-
12 can Hunter National Defense Authorization Act for Fiscal
13 Year 2009 (Public Law 110–417; 122 Stat. 4500): *Pro-*
14 *vided*, That, notwithstanding section 1704(b)(3) of the
15 National Defense Authorization Act for Fiscal Year 2010
16 (Public Law 111–84; 123 Stat. 2573), amounts trans-
17 ferred to the Joint Department of Defense—Department
18 of Veterans Affairs Medical Facility Demonstration Fund
19 shall remain available until expended.

20 (INCLUDING TRANSFER OF FUNDS)

21 SEC. 222. Of the amounts available in this title for
22 “Medical Services”, “Medical Community Care”, “Medical
23 Support and Compliance”, and “Medical Facilities”, a
24 minimum of \$15,000,000 shall be transferred to the
25 DOD–VA Health Care Sharing Incentive Fund, as au-

1 thorized by section 8111(d) of title 38, United States
2 Code, to remain available until expended, for any purpose
3 authorized by section 8111 of title 38, United States Code.

4 SEC. 223. The Secretary of Veterans Affairs shall no-
5 tify the Committees on Appropriations of both Houses of
6 Congress of all bid savings in a major construction project
7 that total at least \$5,000,000, or 5 percent of the pro-
8 grammed amount of the project, whichever is less: *Pro-*
9 *vided*, That such notification shall occur within 14 days
10 of a contract identifying the programmed amount: *Pro-*
11 *vided further*, That the Secretary shall notify the Commit-
12 tees on Appropriations of both Houses of Congress 14
13 days prior to the obligation of such bid savings and shall
14 describe the anticipated use of such savings.

15 SEC. 224. None of the funds made available for
16 “Construction, Major Projects” may be used for a project
17 in excess of the scope specified for that project in the origi-
18 nal justification data provided to the Congress as part of
19 the request for appropriations unless the Secretary of Vet-
20 erans Affairs receives approval from the Committees on
21 Appropriations of both Houses of Congress.

22 SEC. 225. Not later than 30 days after the end of
23 each fiscal quarter, the Secretary of Veterans Affairs shall
24 submit to the Committees on Appropriations of both
25 Houses of Congress a quarterly report containing perform-

1 ance measures and data from each Veterans Benefits Ad-
2 ministration Regional Office: *Provided*, That, at a min-
3 imum, the report shall include the direction contained in
4 the section entitled “Disability claims backlog”, under the
5 heading “General Operating Expenses, Veterans Benefits
6 Administration” in the joint explanatory statement accom-
7 panying Public Law 114–223: *Provided further*, That the
8 report shall also include information on the number of ap-
9 peals pending at the Veterans Benefits Administration as
10 well as the Board of Veterans Appeals on a quarterly
11 basis.

12 SEC. 226. The Secretary of Veterans Affairs shall
13 provide written notification to the Committees on Appro-
14 priations of both Houses of Congress 15 days prior to or-
15 ganizational changes which result in the transfer of 25 or
16 more full-time equivalents from one organizational unit of
17 the Department of Veterans Affairs to another.

18 SEC. 227. The Secretary of Veterans Affairs shall
19 provide on a quarterly basis to the Committees on Appro-
20 priations of both Houses of Congress notification of any
21 single national outreach and awareness marketing cam-
22 paign in which obligations exceed \$1,000,000.

23 (INCLUDING TRANSFER OF FUNDS)

24 SEC. 228. The Secretary of Veterans Affairs, upon
25 determination that such action is necessary to address

1 needs of the Veterans Health Administration, may trans-
2 fer to the “Medical Services” account any discretionary
3 appropriations made available for fiscal year 2022 in this
4 title (except appropriations made to the “General Oper-
5 ating Expenses, Veterans Benefits Administration” ac-
6 count) or any discretionary unobligated balances within
7 the Department of Veterans Affairs, including those ap-
8 propriated for fiscal year 2022, that were provided in ad-
9 vance by appropriations Acts: *Provided*, That transfers
10 shall be made only with the approval of the Office of Man-
11 agement and Budget: *Provided further*, That the transfer
12 authority provided in this section is in addition to any
13 other transfer authority provided by law: *Provided further*,
14 That no amounts may be transferred from amounts that
15 were designated by Congress as an emergency requirement
16 pursuant to a concurrent resolution on the budget or the
17 Balanced Budget and Emergency Deficit Control Act of
18 1985: *Provided further*, That such authority to transfer
19 may not be used unless for higher priority items, based
20 on emergent healthcare requirements, than those for
21 which originally appropriated and in no case where the
22 item for which funds are requested has been denied by
23 Congress: *Provided further*, That, upon determination that
24 all or part of the funds transferred from an appropriation
25 are not necessary, such amounts may be transferred back

1 to that appropriation and shall be available for the same
2 purposes as originally appropriated: *Provided further*,
3 That before a transfer may take place, the Secretary of
4 Veterans Affairs shall request from the Committees on
5 Appropriations of both Houses of Congress the authority
6 to make the transfer and receive approval of that request.

7 (INCLUDING TRANSFER OF FUNDS)

8 SEC. 229. Amounts made available for the Depart-
9 ment of Veterans Affairs for fiscal year 2022, under the
10 “Board of Veterans Appeals” and the “General Operating
11 Expenses, Veterans Benefits Administration” accounts
12 may be transferred between such accounts: *Provided*, That
13 before a transfer may take place, the Secretary of Vet-
14 erans Affairs shall request from the Committees on Appro-
15 priations of both Houses of Congress the authority to
16 make the transfer and receive approval of that request.

17 SEC. 230. The Secretary of Veterans Affairs may not
18 reprogram funds among major construction projects or
19 programs if such instance of reprogramming will exceed
20 \$7,000,000, unless such reprogramming is approved by
21 the Committees on Appropriations of both Houses of Con-
22 gress.

23 SEC. 231. (a) The Secretary of Veterans Affairs shall
24 ensure that the toll-free suicide hotline under section
25 1720F(h) of title 38, United States Code—

1 (1) provides to individuals who contact the hot-
2 line immediate assistance from a trained profes-
3 sional; and

4 (2) adheres to all requirements of the American
5 Association of Suicidology.

6 (b)(1) None of the funds made available by this Act
7 may be used to enforce or otherwise carry out any Execu-
8 tive action that prohibits the Secretary of Veterans Affairs
9 from appointing an individual to occupy a vacant civil
10 service position, or establishing a new civil service position,
11 at the Department of Veterans Affairs with respect to
12 such a position relating to the hotline specified in sub-
13 section (a).

14 (2) In this subsection—

15 (A) the term “civil service” has the meaning
16 given such term in section 2101(1) of title 5, United
17 States Code; and

18 (B) the term “Executive action” includes—

19 (i) any Executive order, Presidential
20 memorandum, or other action by the President;
21 and

22 (ii) any agency policy, order, or other di-
23 rective.

24 (c)(1) The Secretary of Veterans Affairs shall con-
25 duct a study on the effectiveness of the hotline specified

1 in subsection (a) during the 5-year period beginning on
2 January 1, 2016, based on an analysis of national suicide
3 data and data collected from such hotline.

4 (2) At a minimum, the study required by paragraph
5 (1) shall—

6 (A) determine the number of veterans who con-
7 tact the hotline specified in subsection (a) and who
8 receive follow up services from the hotline or mental
9 health services from the Department of Veterans Af-
10 fairs thereafter;

11 (B) determine the number of veterans who con-
12 tact the hotline who are not referred to, or do not
13 continue receiving, mental health care who commit
14 suicide; and

15 (C) determine the number of veterans described
16 in subparagraph (A) who commit or attempt suicide.

17 SEC. 232. Effective during the period beginning on
18 October 1, 2018, and ending on January 1, 2024, none
19 of the funds made available to the Secretary of Veterans
20 Affairs by this or any other Act may be obligated or ex-
21 pended in contravention of the “Veterans Health Adminis-
22 tration Clinical Preventive Services Guidance Statement
23 on the Veterans Health Administration’s Screening for
24 Breast Cancer Guidance” published on May 10, 2017, as

1 issued by the Veterans Health Administration National
2 Center for Health Promotion and Disease Prevention.

3 SEC. 233. (a) Chapter 17 of title 38, United States
4 Code, is amended by inserting after section 1720J the fol-
5 lowing new section:

6 **“§ 1720K. Provision of assisted reproductive tech-**
7 **nology or adoption reimbursements for**
8 **certain disabled veterans**

9 “(a) PROVISION OF SERVICES.—Subject to the avail-
10 ability of appropriations, the Secretary may provide—

11 “(1) fertility counseling and treatment using as-
12 sisted reproductive technology to a covered veteran
13 or the spouse of a covered veteran; or

14 “(2) adoption reimbursement to a covered vet-
15 eran.

16 “(b) LIMITATIONS.—Amounts made available for the
17 purposes specified in subsection (a) are subject to the re-
18 quirements for funds contained in section 508 of division
19 H of the Consolidated Appropriations Act, 2017 (Public
20 Law 115–31).

21 “(c) DEFINITIONS.—In this section:

22 “(1) The term ‘adoption reimbursement’ means
23 reimbursement for the adoption-related expenses for
24 an adoption that is finalized after the date of the en-
25 actment of this section under the same terms as

1 apply under the adoption reimbursement program of
2 the Department of Defense, as authorized in De-
3 partment of Defense Instruction 1341.09, including
4 the reimbursement limits and requirements set forth
5 in such instruction, as in effect on the date of the
6 enactment of this section.

7 “(2) The term ‘assisted reproductive tech-
8 nology’ means benefits relating to reproductive as-
9 sistance provided to a member of the Armed Forces
10 who incurs a serious injury or illness on active duty
11 pursuant to section 1074(c)(4)(A) of title 10, as de-
12 scribed in the memorandum on the subject of ‘Policy
13 for Assisted Reproductive Services for the Benefit of
14 Seriously or Severely Ill/Injured (Category II or III)
15 Active Duty Service Members’ issued by the Assist-
16 ant Secretary of Defense for Health Affairs on April
17 3, 2012, and the guidance issued to implement such
18 policy, as in effect on the date of the enactment of
19 this section, including any limitations on the amount
20 of such benefits available to such a member, except
21 that—

22 “(A) the periods regarding embryo
23 cryopreservation and storage set forth in part
24 III(G) and in part IV(H) of the first part IV
25 of such memorandum shall not apply; and

1 “(B) such term includes embryo
2 cryopreservation and storage without limitation
3 on the duration of such cryopreservation and
4 storage.

5 “(3) The term ‘covered veteran’ means a vet-
6 eran who has a service-connected disability that re-
7 sults in the inability of the veteran to procreate
8 without the use of fertility treatment.”.

9 (b) The table of sections at the beginning of such
10 chapter is amended by inserting after the item relating
11 to section 1720J the following new item:

“1720K. Provision of assisted reproductive technology or adoption reimburse-
ments for certain disabled veterans.”.

12 SEC. 234. None of the funds appropriated or other-
13 wise made available by this Act or any other Act for the
14 Department of Veterans Affairs may be used in a manner
15 that is inconsistent with: (1) section 842 of the Transpor-
16 tation, Treasury, Housing and Urban Development, the
17 Judiciary, the District of Columbia, and Independent
18 Agencies Appropriations Act, 2006 (Public Law 109–115;
19 119 Stat. 2506); or (2) section 8110(a)(5) of title 38,
20 United States Code.

21 SEC. 235. Section 842 of Public Law 109–115 shall
22 not apply to conversion of an activity or function of the
23 Veterans Health Administration, Veterans Benefits Ad-
24 ministration, or National Cemetery Administration to con-

1 tractor performance by a business concern that is at least
2 51 percent owned by one or more Indian tribes as defined
3 in section 5304(e) of title 25, United States Code, or one
4 or more Native Hawaiian Organizations as defined in sec-
5 tion 637(a)(15) of title 15, United States Code.

6 SEC. 236. (a) Except as provided in subsection (b),
7 the Secretary of Veterans Affairs, in consultation with the
8 Secretary of Defense and the Secretary of Labor, shall dis-
9 continue using Social Security account numbers to identify
10 individuals in all information systems of the Department
11 of Veterans Affairs as follows:

12 (1) For all veterans submitting to the Secretary
13 of Veterans Affairs new claims for benefits under
14 laws administered by the Secretary, not later than
15 March 23, 2023.

16 (2) For all individuals not described in para-
17 graph (1), not later than March 23, 2026.

18 (b) The Secretary of Veterans Affairs may use a So-
19 cial Security account number to identify an individual in
20 an information system of the Department of Veterans Af-
21 fairs if and only if the use of such number is required
22 to obtain information the Secretary requires from an in-
23 formation system that is not under the jurisdiction of the
24 Secretary.

1 (c) The matter in subsections (a) and (b) shall super-
2 sede section 238 of Public Law 116–94.

3 SEC. 237. For funds provided to the Department of
4 Veterans Affairs for each of fiscal year 2022 and 2023
5 for “Medical Services”, section 239 of division A of Public
6 Law 114–223 shall apply.

7 SEC. 238. None of the funds appropriated in this or
8 prior appropriations Acts or otherwise made available to
9 the Department of Veterans Affairs may be used to trans-
10 fer any amounts from the Filipino Veterans Equity Com-
11 pensation Fund to any other account within the Depart-
12 ment of Veterans Affairs.

13 SEC. 239. Of the funds provided to the Department
14 of Veterans Affairs for each of fiscal year 2022 and fiscal
15 year 2023 for “Medical Services”, funds may be used in
16 each year to carry out and expand the child care program
17 authorized by section 205 of Public Law 111–163, not-
18 withstanding subsection (e) of such section.

19 SEC. 240. None of the funds appropriated or other-
20 wise made available in this title may be used by the Sec-
21 retary of Veterans Affairs to enter into an agreement re-
22 lated to resolving a dispute or claim with an individual
23 that would restrict in any way the individual from speak-
24 ing to members of Congress or their staff on any topic
25 not otherwise prohibited from disclosure by Federal law

1 or required by Executive order to be kept secret in the
2 interest of national defense or the conduct of foreign af-
3 fairs.

4 SEC. 241. For funds provided to the Department of
5 Veterans Affairs for each of fiscal year 2022 and 2023,
6 section 258 of division A of Public Law 114–223 shall
7 apply.

8 SEC. 242. (a) None of the funds appropriated or oth-
9 erwise made available by this Act may be used to deny
10 an Inspector General funded under this Act timely access
11 to any records, documents, or other materials available to
12 the department or agency of the United States Govern-
13 ment over which such Inspector General has responsibil-
14 ities under the Inspector General Act of 1978 (5 U.S.C.
15 App.), or to prevent or impede the access of such Inspector
16 General to such records, documents, or other materials,
17 under any provision of law, except a provision of law that
18 expressly refers to such Inspector General and expressly
19 limits the right of access of such Inspector General.

20 (b) A department or agency covered by this section
21 shall provide its Inspector General access to all records,
22 documents, and other materials in a timely manner.

23 (c) Each Inspector General covered by this section
24 shall ensure compliance with statutory limitations on dis-
25 closure relevant to the information provided by the depart-

1 ment or agency over which that Inspector General has re-
2 sponsibilities under the Inspector General Act of 1978 (5
3 U.S.C. App.).

4 (d) Each Inspector General covered by this section
5 shall report to the Committee on Appropriations of the
6 Senate and the Committee on Appropriations of the House
7 of Representatives within 5 calendar days of any failure
8 by any department or agency covered by this section to
9 comply with this section.

10 SEC. 243. None of the funds made available in this
11 Act may be used in a manner that would increase wait
12 times for veterans who seek care at medical facilities of
13 the Department of Veterans Affairs.

14 SEC. 244. None of the funds appropriated or other-
15 wise made available by this Act to the Veterans Health
16 Administration may be used in fiscal year 2022 to convert
17 any program which received specific purpose funds in fis-
18 cal year 2021 to a general purpose funded program unless
19 the Secretary of Veterans Affairs submits written notifica-
20 tion of any such proposal to the Committees on Appropria-
21 tions of both Houses of Congress at least 30 days prior
22 to any such action and an approval is issued by the Com-
23 mittees.

24 SEC. 245. (a) Except as provided by subsection (b),
25 none of the funds made available by this Act may be used

1 by the Secretary of Veterans Affairs to purchase, breed,
2 transport, house, feed, maintain, dispose of, or experiment
3 on, dogs or cats as part of the conduct of any study includ-
4 ing an assignment of pain category D or E, as defined
5 by the Pain and Distress Categories of the Department
6 of Agriculture (or such successor categories developed pur-
7 suant to section 13 of the Animal Welfare Act (7 U.S.C.
8 2143)).

9 (b) Subsection (a) shall not apply to training pro-
10 grams or studies of service dogs described in section 1714
11 of title 38, United States Code, or section 17.148 of title
12 38, Code of Federal Regulations.

13 SEC. 246. Amounts made available for the “Veterans
14 Health Administration, Medical Community Care” ac-
15 count in this or any other Act for fiscal years 2022 and
16 2023 may be used for expenses that would otherwise be
17 payable from the Veterans Choice Fund established by
18 section 802 of the Veterans Access, Choice, and Account-
19 ability Act, as amended (38 U.S.C. 1701 note).

20 SEC. 247. Obligations and expenditures applicable to
21 the “Medical Services” account in fiscal years 2017
22 through 2019 for aid to state homes (as authorized by
23 section 1741 of title 38, United States Code) shall remain
24 in the “Medical Community Care” account for such fiscal
25 years.

1 SEC. 248. Of the amounts made available for the De-
2 partment of Veterans Affairs for fiscal year 2022, in this
3 or any other Act, under the “Veterans Health Administra-
4 tion—Medical Services”, “Veterans Health Administra-
5 tion—Medical Community Care”, “Veterans Health Ad-
6 ministration—Medical Support and Compliance”, and
7 “Veterans Health Administration—Medical Facilities” ac-
8 counts, \$778,500,000 shall be made available for gender-
9 specific care for women.

10 SEC. 249. By no later than October 1, 2021, the Sec-
11 retary shall commence site preparation for the Commu-
12 nity-Based Outpatient Clinic in Bakersfield, California in
13 accordance with Lease No. 36C10F20L0008.

14 TITLE III

15 RELATED AGENCIES

16 AMERICAN BATTLE MONUMENTS COMMISSION

17 SALARIES AND EXPENSES

18 For necessary expenses, not otherwise provided for,
19 of the American Battle Monuments Commission, including
20 the acquisition of land or interest in land in foreign coun-
21 tries; purchases and repair of uniforms for caretakers of
22 national cemeteries and monuments outside of the United
23 States and its territories and possessions; rent of office
24 and garage space in foreign countries; purchase (one-for-
25 one replacement basis only) and hire of passenger motor

1 vehicles; not to exceed \$15,000 for official reception and
2 representation expenses; and insurance of official motor
3 vehicles in foreign countries, when required by law of such
4 countries, \$88,100,000, to remain available until ex-
5 pended.

6 FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

7 For necessary expenses, not otherwise provided for,
8 of the American Battle Monuments Commission, such
9 sums as may be necessary, to remain available until ex-
10 pended, for purposes authorized by section 2109 of title
11 36, United States Code.

12 UNITED STATES COURT OF APPEALS FOR VETERANS

13 CLAIMS

14 SALARIES AND EXPENSES

15 For necessary expenses for the operation of the
16 United States Court of Appeals for Veterans Claims as
17 authorized by sections 7251 through 7298 of title 38,
18 United States Code, \$41,700,000: *Provided*, That
19 \$3,385,104 shall be available for the purpose of providing
20 financial assistance as described and in accordance with
21 the process and reporting procedures set forth under this
22 heading in Public Law 102–229.

1 DEPARTMENT OF DEFENSE—CIVIL

2 CEMETERIAL EXPENSES, ARMY

3 SALARIES AND EXPENSES

4 For necessary expenses for maintenance, operation,
5 and improvement of Arlington National Cemetery and Sol-
6 diers' and Airmen's Home National Cemetery, including
7 the purchase or lease of passenger motor vehicles for re-
8 placement on a one-for-one basis only, and not to exceed
9 \$2,000 for official reception and representation expenses,
10 \$87,000,000, of which not to exceed \$15,000,000 shall re-
11 main available until September 30, 2024. In addition,
12 such sums as may be necessary for parking maintenance,
13 repairs and replacement, to be derived from the "Lease
14 of Department of Defense Real Property for Defense
15 Agencies" account.

16 CONSTRUCTION

17 For necessary expenses for planning and design and
18 construction at Arlington National Cemetery and Soldiers'
19 and Airmen's Home National Cemetery, \$141,000,000, to
20 remain available until expended, for planning and design
21 and construction associated with the Southern Expansion
22 project at Arlington National Cemetery.

ARMED FORCES RETIREMENT HOME

TRUST FUND

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, \$77,000,000, to remain available until September 30, 2023, of which \$9,000,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi: *Provided*, That of the amounts made available under this heading from funds available in the Armed Forces Retirement Home Trust Fund, \$25,000,000 shall be paid from the general fund of the Treasury to the Trust Fund.

ADMINISTRATIVE PROVISION

SEC. 301. Amounts deposited into the special account established under 10 U.S.C. 7727 are appropriated and shall be available until expended to support activities at the Army National Military Cemeteries.

1 TITLE IV

2 GENERAL PROVISIONS

3 SEC. 401. No part of any appropriation contained in
4 this Act shall remain available for obligation beyond the
5 current fiscal year unless expressly so provided herein.

6 SEC. 402. None of the funds made available in this
7 Act may be used for any program, project, or activity,
8 when it is made known to the Federal entity or official
9 to which the funds are made available that the program,
10 project, or activity is not in compliance with any Federal
11 law relating to risk assessment, the protection of private
12 property rights, or unfunded mandates.

13 SEC. 403. All departments and agencies funded under
14 this Act are encouraged, within the limits of the existing
15 statutory authorities and funding, to expand their use of
16 “E–Commerce” technologies and procedures in the con-
17 duct of their business practices and public service activi-
18 ties.

19 SEC. 404. Unless stated otherwise, all reports and no-
20 tifications required by this Act shall be submitted to the
21 Subcommittee on Military Construction and Veterans Af-
22 fairs, and Related Agencies of the Committee on Appro-
23 priations of the House of Representatives and the Sub-
24 committee on Military Construction and Veterans Affairs,

1 and Related Agencies of the Committee on Appropriations
2 of the Senate.

3 SEC. 405. None of the funds made available in this
4 Act may be transferred to any department, agency, or in-
5 strumentality of the United States Government except
6 pursuant to a transfer made by, or transfer authority pro-
7 vided in, this or any other appropriations Act.

8 SEC. 406. None of the funds made available in this
9 Act may be used for a project or program named for an
10 individual serving as a Member, Delegate, or Resident
11 Commissioner of the United States House of Representa-
12 tives.

13 SEC. 407. (a) Any agency receiving funds made avail-
14 able in this Act, shall, subject to subsections (b) and (c),
15 post on the public website of that agency any report re-
16 quired to be submitted by the Congress in this or any
17 other Act, upon the determination by the head of the agen-
18 cy that it shall serve the national interest.

19 (b) Subsection (a) shall not apply to a report if—

20 (1) the public posting of the report com-
21 promises national security; or

22 (2) the report contains confidential or propri-
23 etary information.

24 (c) The head of the agency posting such report shall
25 do so only after such report has been made available to

1 the requesting Committee or Committees of Congress for
2 no less than 45 days.

3 SEC. 408. (a) None of the funds made available in
4 this Act may be used to maintain or establish a computer
5 network unless such network blocks the viewing,
6 downloading, and exchanging of pornography.

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

11 SEC. 409. None of the funds made available in this
12 Act may be used by an agency of the executive branch
13 to pay for first-class travel by an employee of the agency
14 in contravention of sections 301–10.122 through 301–
15 10.124 of title 41, Code of Federal Regulations.

16 SEC. 410. None of the funds made available in this
17 Act may be used to execute a contract for goods or serv-
18 ices, including construction services, where the contractor
19 has not complied with Executive Order No. 12989.

20 SEC. 411. None of the funds made available by this
21 Act may be used in contravention of section 101(e)(8) of
22 title 10, United States Code.

23 This division may be cited as the “Military Construc-
24 tion, Veterans Affairs, and Related Agencies Appropria-
25 tions Act, 2022”.

1 **DIVISION G—TRANSPORTATION, HOUSING**
2 **AND URBAN DEVELOPMENT, AND RE-**
3 **LATED AGENCIES APPROPRIATIONS**
4 **ACT, 2022**

5 TITLE I

6 DEPARTMENT OF TRANSPORTATION

7 OFFICE OF THE SECRETARY

8 SALARIES AND EXPENSES

9 For necessary expenses of the Office of the Secretary,
10 \$143,030,000 (reduced by \$2,400,000) (reduced by
11 \$1,500,000) (reduced by \$1,500,000) (reduced by
12 \$1,000,000): *Provided*, That the Secretary of Transpor-
13 tation (referred to in this title as the “Secretary”) is au-
14 thorized to transfer funds appropriated for any office of
15 the Office of the Secretary to any other office of the Office
16 of the Secretary: *Provided further*, That no appropriation
17 for any office shall be increased or decreased by more than
18 7 percent by all such transfers: *Provided further*, That no-
19 tice of any change in funding greater than 7 percent shall
20 be submitted for approval to the House and Senate Com-
21 mittees on Appropriations: *Provided further*, That not to
22 exceed \$70,000 shall be for allocation within the Depart-
23 ment for official reception and representation expenses as
24 the Secretary may determine: *Provided further*, That not-
25 withstanding any other provision of law, there may be

1 credited to this appropriation up to \$2,500,000 in funds
2 received in user fees.

3 RESEARCH AND TECHNOLOGY

4 For necessary expenses related to the Office of the
5 Assistant Secretary for Research and Technology,
6 \$57,000,000: *Provided*, That of the amounts made avail-
7 able under this heading, \$50,000,000 shall remain avail-
8 able until expended, of which \$5,000,000 shall be for the
9 Highly Automated Systems Safety Center of Excellence
10 established by section 105 of title I of division H of the
11 Further Consolidated Appropriations Act, 2020 (Public
12 Law 116–94) and of which not more than \$10,000,000
13 shall be for a clearinghouse for new innovations in bridge
14 technology: *Provided further*, That there may be credited
15 to this appropriation, to be available until expended, funds
16 received from states, counties, municipalities, other public
17 authorities, and private sources for expenses incurred for
18 training: *Provided further*, That any reference in law, reg-
19 ulation, judicial proceedings, or elsewhere to the Research
20 and Innovative Technology Administration shall continue
21 to be deemed to be a reference to the Office of the Assist-
22 ant Secretary for Research and Technology of the Depart-
23 ment of Transportation.

1 NATIONAL INFRASTRUCTURE INVESTMENTS

2 (INCLUDING TRANSFER OF FUNDS)

3 For capital investments in surface transportation in-
4 frastructure, \$1,200,000,000 (increased by \$1,000,000)
5 (reduced by \$1,000,000) (increased by \$1,000,000) to re-
6 main available until expended: *Provided*, That the Sec-
7 retary shall distribute amounts made available under this
8 heading as discretionary grants to be awarded to a state,
9 local or tribal government, United States territory, transit
10 agency, port authority, metropolitan planning organiza-
11 tion, political subdivision of a state or local government,
12 or a collaboration among such entities on a competitive
13 basis for projects that will have a significant local or re-
14 gional impact: *Provided further*, That projects eligible for
15 amounts made available under this heading shall include,
16 but not be limited to, highway or bridge projects eligible
17 under title 23, United States Code; public transportation
18 projects eligible under chapter 53 of title 49, United
19 States Code; passenger and freight rail transportation
20 projects; port infrastructure investments (including inland
21 port infrastructure and land ports of entry); and projects
22 investing in surface transportation facilities that are lo-
23 cated on tribal land and for which title or maintenance
24 responsibility is vested in the Federal Government: *Pro-*
25 *vided further*, That of the amount made available under

1 this heading, the Secretary shall use an amount not more
2 than \$40,000,000 (increased by \$1,000,000) for the plan-
3 ning, preparation, or design of projects eligible for
4 amounts made available under this heading, and shall
5 prioritize transit, transit oriented development, and
6 multimodal projects: *Provided further*, That of the
7 amounts made available in the previous proviso, not less
8 than \$20,000,000 (increased by \$1,000,000) shall be for
9 projects eligible for amounts made available under this
10 heading located in or to directly benefit areas of persistent
11 poverty and not less than \$10,000,000 shall be for
12 projects in urbanized areas, as designated by the Bureau
13 of the Census, that had a population not greater than
14 2,000,000 in the most recent decennial census: *Provided*
15 *further*, That grants awarded under the previous two pro-
16 visos shall not be subject to a minimum grant size: *Pro-*
17 *vided further*, That the term “areas of persistent poverty”
18 means any county that has consistently had greater than
19 or equal to 20 percent of the population living in poverty
20 during the 30-year period preceding the date of enactment
21 of this Act, as measured by the 1990 and 2000 decennial
22 census and the most recent annual Small Area Income and
23 Poverty Estimates as estimated by the Bureau of the Cen-
24 sus; any census tract with a poverty rate of at least 20
25 percent as measured by the 2015–2019 5-year data series

1 available from the American Community Survey of the
2 Bureau of the Census; or any territory or possession of
3 the United States: *Provided further*, That the Secretary
4 may use up to 20 percent of the amounts made available
5 under this heading for the purpose of paying the subsidy
6 and administrative costs of projects eligible for Federal
7 credit assistance under chapter 6 of title 23, United States
8 Code, or sections 501 through 504 of the Railroad Revital-
9 ization and Regulatory Reform Act of 1976 (Public Law
10 94–210), if the Secretary finds that such use of the funds
11 would advance the purposes of this heading: *Provided fur-*
12 *ther*, That in distributing amounts made available under
13 this heading, the Secretary shall take such measures so
14 as to ensure an equitable geographic distribution of funds,
15 an appropriate balance in addressing the needs of urban
16 and rural areas, including tribal areas, and the investment
17 in a variety of transportation modes: *Provided further*,
18 That a grant award under this heading shall be not less
19 than \$5,000,000 and not greater than \$100,000,000: *Pro-*
20 *vided further*, That not more than 15 percent of the
21 amounts made available under this heading may be award-
22 ed to projects in a single state: *Provided further*, That the
23 Federal share of the costs for which an amount is provided
24 under this heading shall be, at the option of the recipient,
25 up to 80 percent: *Provided further*, That the Secretary

1 shall give priority to projects that require a contribution
2 of Federal funds in order to complete an overall financing
3 package: *Provided further*, That the Secretary shall give
4 priority to projects that promote connections amongst and
5 between transportation modes including improvements
6 over small distances that complete or expand transpor-
7 tation networks such as first and last mile solutions, facili-
8 tate improved health outcomes for communities, or de-
9 crease unequal access to mobility: *Provided further*, That
10 not less than 30 percent of the funds provided under this
11 heading shall be for projects located in rural areas: *Pro-*
12 *vided further*, That an award under this heading is a rural
13 award if it is not to a project located within or on the
14 boundary of an urbanized area, as designated by the Bu-
15 reau of the Census, that had a population greater than
16 200,000 in the most recent decennial census: *Provided fur-*
17 *ther*, That for the purpose of determining if an award for
18 planning, preparation or design is a rural award, the
19 project location is the location of the project being
20 planned, prepared or designed: *Provided further*, That for
21 rural awards, the minimum grant size shall be
22 \$1,000,000: *Provided further*, That for rural awards and
23 areas of persistent poverty awards the Secretary may in-
24 crease the Federal share of costs above 80 percent: *Pro-*
25 *vided further*, That projects conducted using amounts

1 made available under this heading shall comply with the
2 requirements of subchapter IV of chapter 31 of title 40,
3 United States Code: *Provided further*, That the Secretary
4 shall conduct a new competition to select the grants and
5 credit assistance awarded under this heading: *Provided*
6 *further*, That the Secretary may retain up to 2 percent
7 of the amounts made available under this heading, and
8 may transfer portions of such amounts to the Administra-
9 tors of the Federal Highway Administration, the Federal
10 Transit Administration, the Federal Railroad Administra-
11 tion and the Maritime Administration to fund the award
12 and oversight of grants and credit assistance made under
13 the National Infrastructure Investments program: *Pro-*
14 *vided further*, That the Secretary shall apply to projects
15 under this heading the Federal requirements that the Sec-
16 retary determines are appropriate based on the purpose
17 of the National Infrastructure Investments program, the
18 requirements expressly stated under this heading, and the
19 Federal requirements applicable to comparable projects
20 supported by other Department of Transportation finan-
21 cial assistance programs, including domestic preference re-
22 quirements, contracting opportunities for small and dis-
23 advantaged businesses, and labor protections: *Provided*
24 *further*, That the Secretary shall not use the Federal share
25 or an applicant's ability to generate non-Federal revenue

1 as a selection criteria in awarding projects: *Provided fur-*
2 *ther*, That the Secretary shall issue the Notice of Funding
3 Opportunity no later than 120 days after enactment of
4 this Act: *Provided further*, That such Notice of Funding
5 Opportunity shall require application submissions 90 days
6 after the publishing of such Notice: *Provided further*, That
7 of the applications submitted under the previous two pro-
8 visos, the Secretary shall make grants no later than 330
9 days after enactment of this Act in such amounts that
10 the Secretary determines.

11 THRIVING COMMUNITIES INITIATIVE

12 (INCLUDING TRANSFER OF FUNDS)

13 For necessary expenses for a thriving communities
14 program, \$100,000,000 (reduced by \$1,000,000) (in-
15 creased by \$1,000,000) to remain available until Sep-
16 tember 30, 2024: *Provided*, That the Secretary of Trans-
17 portation shall make such amounts available for competi-
18 tive grants or cooperative agreements to develop and im-
19 plement technical assistance, planning, and capacity build-
20 ing to improve equity and foster thriving communities
21 through transportation improvements: *Provided further*,
22 That the Secretary shall award grants to or enter into co-
23 operative agreements with state, local, or tribal govern-
24 ments, United States territories, metropolitan planning
25 organizations, or other political subdivisions of state or

1 local governments: *Provided further*, That to be eligible for
2 a grant or cooperative agreement under this heading, a
3 recipient shall engage in a public planning process with
4 residents, local businesses, nonprofit organizations, and to
5 the extent practicable, philanthropic organizations, edu-
6 cational institutions, or other community stakeholders:
7 *Provided further*, That such grants and cooperative agree-
8 ments shall be for developing transportation and commu-
9 nity revitalization projects that increase mobility, reduce
10 pollution from transportation sources, including green-
11 house gas emissions, expand affordable transportation op-
12 tions, and facilitate efficient land use: *Provided further*,
13 That such grants and cooperative agreements shall be for
14 transportation activities supported by the Department of
15 Transportation under titles 23, 46, and 49, United States
16 Code: *Provided further*, That the Secretary shall prioritize
17 projects that propose to preserve or expand jobs, improve
18 housing conditions, enhance connections to health care,
19 education, and food security and improve health outcomes:
20 *Provided further*, That the Secretary may give preference
21 to projects that remove or plan for the removal of infra-
22 structure barriers in communities that had unemployment
23 rates in 2020 at or above the national average, as defined
24 by the Bureau of the Census: *Provided further*, That the
25 Secretary shall prioritize awards that contribute to com-

1 munity resiliency, reduce greenhouse gas emissions, and
2 facilitate sustainable infrastructure in communities that
3 have disproportionate rates of pollution and poor air qual-
4 ity, overburdened communities (as defined by the Adminis-
5 trator of the Environmental Protection Agency), or com-
6 munities experiencing disproportionate effects (as defined
7 by Executive Order No. 12898, relating to environmental
8 justice): *Provided further*, That funds made available
9 under this heading may be used for charging infrastruc-
10 ture along corridor-ready or corridor-pending alternative
11 fuel corridors designated pursuant to section 151 of title
12 23, United States Code: *Provided further*, That planning
13 and technical assistance made available under this heading
14 shall include early project work, feasibility studies, and
15 other pre-design work for capital projects eligible under
16 titles 23, 46, and 49, United States Code: *Provided fur-*
17 *ther*, That not more than 10 percent of the amounts made
18 available under this heading may be awarded to grantees
19 in a single state: *Provided further*, That the Secretary may
20 retain up to 2 percent of the amounts made available
21 under this heading for necessary administrative expenses
22 of carrying out the provisions of this heading: *Provided*
23 *further*, That the Secretary shall consult with the Secre-
24 taries of Housing and Urban Development, Education,
25 Labor, Health and Human Services, the Chief of Engi-

1 neers of the Army Corps of Engineers, and the Adminis-
2 trator of the Environmental Protection Agency to coordi-
3 nate and leverage other appropriate Federal resources
4 prior to awarding grants or entering into cooperative
5 agreements using amounts made available under this
6 heading: *Provided further*, That such amounts and pay-
7 ments as may be necessary to carry out the thriving com-
8 munities program may be transferred and credited to ap-
9 propriate accounts of other operating administrations
10 within the Department of Transportation: *Provided fur-*
11 *ther*, That projects funded under this heading shall be for
12 not less than 90 percent of the net total project cost.

13 NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE
14 FINANCE BUREAU

15 For necessary expenses of the National Surface
16 Transportation and Innovative Finance Bureau as author-
17 ized by 49 U.S.C. 116, \$13,800,000, to remain available
18 until expended: *Provided*, That of the amounts made avail-
19 able under this heading, \$10,000,000 shall be for technical
20 assistance grants to areas of persistent poverty: *Provided*
21 *further*, That areas of persistent poverty means any county
22 that has consistently had 20 percent or more of the popu-
23 lation living in poverty over the 30 years preceding the
24 date of enactment of this Act, as measured by the 1990
25 and 2000 decennial census and the most recent Small

1 Area Income and Poverty Estimates, any census tract
2 with a poverty rate of at least 20 percent as measured
3 by the 2014–2019 5-year data series available from the
4 American Community Survey of the Bureau of the Census,
5 or any territory or possession of the United States: *Pro-*
6 *vided further*, That such technical assistance grants shall
7 be in the form of competitive grants to eligible entities
8 to support pre-construction activities including, but not
9 limited to, planning, engineering, design, environmental
10 work, feasibility studies, and financing plans for eligible
11 projects: *Provided further*, That eligible entities for tech-
12 nical assistance grants under this heading shall include
13 state, local or tribal governments, transit agencies, port
14 authorities or commissions, metropolitan planning organi-
15 zations, other political subdivisions of state or local gov-
16 ernments, or collaborations among such entities, that are
17 located in areas of persistent poverty: *Provided further*,
18 That eligible projects for technical assistance grants under
19 this heading shall include, but not be limited to, highway,
20 bridge, or bicycle and pedestrian projects eligible under
21 title 23, United States Code; public transportation
22 projects eligible under chapter 53 of title 49, United
23 States Code; passenger and freight rail transportation
24 projects; port infrastructure improvement projects; airport
25 improvement projects; and intermodal projects: *Provided*

1 *further*, That the Secretary of Transportation shall con-
2 duct outreach to eligible entities for technical assistance
3 grants through personal contact, webinars, web materials,
4 or other appropriate methods determined by the Sec-
5 retary: *Provided further*, That the Federal share of the
6 costs for which an amount is provided under this heading
7 for technical assistance grants shall be, at the option of
8 the recipient, not less than 90 percent of the net total
9 project cost: *Provided further*, That for technical assist-
10 ance grants under this heading priority consideration shall
11 be, without regard to rural or urban areas of persistent
12 poverty, based on project justification and demonstrated
13 need: *Provided further*, That the Secretary may collect and
14 spend fees, as authorized by title 23, United States Code,
15 to cover the costs of services of expert firms, including
16 counsel, in the field of municipal and project finance to
17 assist in the underwriting and servicing of Federal credit
18 instruments and all or a portion of the costs to the Federal
19 Government of servicing such credit instruments: *Provided*
20 *further*, That such fees are available until expended to pay
21 for such costs: *Provided further*, That such amounts are
22 in addition to other amounts made available for such pur-
23 poses and are not subject to any obligation limitation or
24 the limitation on administrative expenses under section
25 608 of title 23, United States Code.

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1 thority shall exist so long as any such direct loan or loan
2 guarantee is outstanding.

3 FINANCIAL MANAGEMENT CAPITAL

4 For necessary expenses for upgrading and enhancing
5 the Department of Transportation's financial systems and
6 re-engineering business processes, \$5,000,000, to remain
7 available through September 30, 2023.

8 CYBER SECURITY INITIATIVES

9 For necessary expenses for cyber security initiatives,
10 including necessary upgrades to network and information
11 technology infrastructure, improvement of identity man-
12 agement and authentication capabilities, securing and pro-
13 tecting data, implementation of Federal cyber security ini-
14 tiatives, and implementation of enhanced security controls
15 on agency computers and mobile devices, \$39,400,000, to
16 remain available until September 30, 2023.

17 OFFICE OF CIVIL RIGHTS

18 For necessary expenses of the Office of Civil Rights,
19 \$12,628,000.

20 TRANSPORTATION PLANNING, RESEARCH, AND

21 DEVELOPMENT

22 (INCLUDING TRANSFER OF FUNDS)

23 For necessary expenses for conducting transportation
24 planning, research, systems development, development ac-
25 tivities, and making grants, \$11,297,000, to remain avail-

1 able until expended: *Provided*, That of such amount,
2 \$1,000,000 shall be for necessary expenses of the Inter-
3 agency Infrastructure Permitting Improvement Center
4 (IIPIC): *Provided further*, That there may be transferred
5 to this appropriation, to remain available until expended,
6 amounts transferred from other Federal agencies for ex-
7 penses incurred under this heading for IIPIC activities not
8 related to transportation infrastructure: *Provided further*,
9 That the tools and analysis developed by the IIPIC shall
10 be available to other Federal agencies for the permitting
11 and review of major infrastructure projects not related to
12 transportation only to the extent that other Federal agen-
13 cies provide funding to the Department in accordance with
14 the preceding proviso.

15 WORKING CAPITAL FUND

16 (INCLUDING TRANSFER OF FUNDS)

17 For necessary expenses for operating costs and cap-
18 ital outlays of the Working Capital Fund, not to exceed
19 \$419,173,000, shall be paid from appropriations made
20 available to the Department of Transportation: *Provided*,
21 That such services shall be provided on a competitive basis
22 to entities within the Department of Transportation: *Pro-*
23 *vided further*, That the limitation in the preceding proviso
24 on operating expenses shall not apply to entities external
25 to the Department of Transportation: *Provided further*,

1 That no funds made available by this Act to an agency
2 of the Department shall be transferred to the Working
3 Capital Fund without majority approval of the Working
4 Capital Fund Steering Committee and approval of the
5 Secretary: *Provided further*, That no assessments may be
6 levied against any program, budget activity, subactivity,
7 or project funded by this Act unless notice of such assess-
8 ments and the basis therefor are presented to the House
9 and Senate Committees on Appropriations and are ap-
10 proved by such Committees.

11 SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND
12 OUTREACH

13 For necessary expenses for small and disadvantaged
14 business utilization and outreach activities, \$6,500,000, to
15 remain available until September 30, 2023: *Provided*,
16 That notwithstanding section 332 of title 49, United
17 States Code, such amounts may be used for business op-
18 portunities related to any mode of transportation: *Pro-*
19 *vided further*, That appropriations made available under
20 this heading shall be available for any purpose consistent
21 with prior year appropriations that were made available
22 under the heading “Office of the Secretary—Minority
23 Business Resource Center Program”.

1 PAYMENTS TO AIR CARRIERS

2 (AIRPORT AND AIRWAY TRUST FUND)

3 In addition to funds made available from any other
4 source to carry out the essential air service program under
5 sections 41731 through 41742 of title 49, United States
6 Code, \$247,700,000, to be derived from the Airport and
7 Airway Trust Fund, to remain available until expended:
8 *Provided*, That in determining between or among carriers
9 competing to provide service to a community, the Sec-
10 retary may consider the relative subsidy requirements of
11 the carriers: *Provided further*, That basic essential air
12 service minimum requirements shall not include the 15-
13 passenger capacity requirement under section 41732(b)(3)
14 of title 49, United States Code: *Provided further*, That
15 amounts authorized to be distributed for the essential air
16 service program under section 41742(b) of title 49, United
17 States Code, shall be made available immediately from
18 amounts otherwise provided to the Administrator of the
19 Federal Aviation Administration: *Provided further*, That
20 the Administrator may reimburse such amounts from fees
21 credited to the account established under section 45303
22 of title 49, United States Code.

1 ELECTRIC VEHICLE FLEET

2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses to transition to the General
4 Services Administration's leased vehicle fleet, for the pur-
5 chase of electric passenger motor vehicles, and to provide
6 necessary charging infrastructure, \$11,000,000, to remain
7 available until expended: *Provided*, That such amounts are
8 in addition to any other amounts available for such pur-
9 poses: *Provided further*, That amounts made available
10 under this heading may be transferred to other accounts
11 of the Department of Transportation for the purposes
12 specified under this heading: *Provided further*, That such
13 transfer authority is in addition to any other transfer au-
14 thority provided by law.

15 ADMINISTRATIVE PROVISIONS—OFFICE OF THE

16 SECRETARY OF TRANSPORTATION

17 SEC. 101. None of the funds made available by this
18 Act to the Department of Transportation may be obligated
19 for the Office of the Secretary of Transportation to ap-
20 prove assessments or reimbursable agreements pertaining
21 to funds appropriated to the operating administrations in
22 this Act, except for activities underway on the date of en-
23 actment of this Act, unless such assessments or agree-
24 ments have completed the normal reprogramming process
25 for congressional notification.

1 SEC. 102. The Secretary shall post on the web site
2 of the Department of Transportation a schedule of all
3 meetings of the Council on Credit and Finance, including
4 the agenda for each meeting, and require the Council on
5 Credit and Finance to record the decisions and actions
6 of each meeting.

7 SEC. 103. In addition to authority provided by section
8 327 of title 49, United States Code, the Department's
9 Working Capital Fund is authorized to provide partial or
10 full payments in advance and accept subsequent reim-
11 bursements from all Federal agencies from available funds
12 for transit benefit distribution services that are necessary
13 to carry out the Federal transit pass transportation fringe
14 benefit program under Executive Order No. 13150 and
15 section 3049 of SAFETEA-LU (5 U.S.C. 7905 note):
16 *Provided*, That the Department shall maintain a reason-
17 able operating reserve in the Working Capital Fund, to
18 be expended in advance to provide uninterrupted transit
19 benefits to Government employees: *Provided further*, That
20 such reserve shall not exceed 1 month of benefits payable
21 and may be used only for the purpose of providing for
22 the continuation of transit benefits: *Provided further*, That
23 the Working Capital Fund shall be fully reimbursed by
24 each customer agency from available funds for the actual
25 cost of the transit benefit.

1 SEC. 104. Receipts collected in the Department's
2 Working Capital Fund, as authorized by section 327 of
3 title 49, United States Code, for unused transit and van
4 pool benefits, in an amount not to exceed 10 percent of
5 fiscal year 2022 collections, shall be available until ex-
6 pended in the Department's Working Capital Fund to pro-
7 vide contractual services in support of section 189 of this
8 Act: *Provided*, That obligations in fiscal year 2022 of such
9 collections shall not exceed \$1,000,000.

10 SEC. 105. (a) Funds made available in division L of
11 the Consolidated Appropriations Act, 2014 (Public Law
12 113–76) under the heading “Department of Transpor-
13 tation—Office of the Secretary—National Infrastructure
14 Investments” for pedestrian safety and transit projects
15 that were available for obligation through fiscal year 2016
16 shall remain available through fiscal year 2028 for the liq-
17 uidation of valid obligations incurred during fiscal years
18 2014 through 2016 of active grants awarded with such
19 funds.

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

22 (2) If this Act is enacted after September 30,
23 2021, this section shall be applied as if it were in
24 effect on September 30, 2021.

1 SEC. 106. None of the funds in this title may be obli-
2 gated or expended for retention or senior executive bo-
3 nuses for an employee of the Department of Transpor-
4 tation without the prior written approval of the Assistant
5 Secretary for Administration.

6 SEC. 107. In addition to authority provided by section
7 327 of title 49, United States Code, the Department's Ad-
8 ministrative Working Capital Fund is hereby authorized
9 to transfer information technology equipment, software,
10 and systems from Departmental sources or other entities
11 and collect and maintain a reserve at rates which will re-
12 turn full cost of transferred assets.

13 SEC. 108. None of the funds provided in this Act to
14 the Department of Transportation may be used to provide
15 credit assistance unless not less than 3 days before any
16 application approval to provide credit assistance under
17 sections 603 and 604 of title 23, United States Code, the
18 Secretary provides notification in writing to the following
19 committees: the House and Senate Committees on Appro-
20 priations; the Committee on Environment and Public
21 Works and the Committee on Banking, Housing and
22 Urban Affairs of the Senate; and the Committee on Trans-
23 portation and Infrastructure of the House of Representa-
24 tives: *Provided*, That such notification shall include, but
25 not be limited to, the name of the project sponsor; a de-

1 scription of the project; whether credit assistance will be
2 provided as a direct loan, loan guarantee, or line of credit;
3 and the amount of credit assistance.

4 FEDERAL AVIATION ADMINISTRATION

5 OPERATIONS

6 (AIRPORT AND AIRWAY TRUST FUND)

7 For necessary expenses of the Federal Aviation Ad-
8 ministration, not otherwise provided for, including oper-
9 ations and research activities related to commercial space
10 transportation, administrative expenses for research and
11 development, establishment of air navigation facilities, the
12 operation (including leasing) and maintenance of aircraft,
13 subsidizing the cost of aeronautical charts and maps sold
14 to the public, the lease or purchase of passenger motor
15 vehicles for replacement only, \$11,434,100,000 (reduced
16 by \$1) (increased by \$1), to remain available until Sep-
17 tember 30, 2023, of which \$10,519,000,000 to be derived
18 from the Airport and Airway Trust Fund: *Provided*, That
19 of the amounts made available under this heading—

20 (1) not less than \$1,536,298,000 shall be avail-
21 able for aviation safety activities;

22 (2) \$8,489,585,000 shall be available for air
23 traffic organization activities;

24 (3) \$32,470,000 shall be available for commer-
25 cial space transportation activities;

1 (4) \$892,216,000 shall be available for finance
2 and management activities;

3 (5) \$63,955,000 shall be available for NextGen
4 and operations planning activities;

5 (6) \$139,466,000 shall be available for security
6 and hazardous materials safety; and

7 (7) \$280,110,000 shall be available for staff of-
8 fices:

9 *Provided further*, That not to exceed 5 percent of any
10 budget activity, except for aviation safety budget activity,
11 may be transferred to any budget activity under this head-
12 ing: *Provided further*, That no transfer may increase or
13 decrease any appropriation under this heading by more
14 than 5 percent: *Provided further*, That any transfer in ex-
15 cess of 5 percent shall be treated as a reprogramming of
16 funds under section 405 of this Act and shall not be avail-
17 able for obligation or expenditure except in compliance
18 with the procedures set forth in that section: *Provided fur-*
19 *ther*, That not later than 60 days after the submission of
20 the budget request, the Administrator of the Federal Avia-
21 tion Administration shall transmit to Congress an annual
22 update to the report submitted to Congress in December
23 2004 pursuant to section 221 of the Vision 100-Century
24 of Aviation Reauthorization Act (49 U.S.C. 40101 note):
25 *Provided further*, That the amounts made available under

1 this heading shall be reduced by \$100,000 for each day
2 after 60 days after the submission of the budget request
3 that such report has not been transmitted to Congress:
4 *Provided further*, That not later than 60 days after the
5 submission of the budget request, the Administrator shall
6 transmit to Congress a companion report that describes
7 a comprehensive strategy for staffing, hiring, and training
8 flight standards and aircraft certification staff in a format
9 similar to the one utilized for the controller staffing plan,
10 including stated attrition estimates and numerical hiring
11 goals by fiscal year: *Provided further*, That the amounts
12 made available under this heading shall be reduced by
13 \$100,000 for each day after the date that is 60 days after
14 the submission of the budget request that such report has
15 not been submitted to Congress: *Provided further*, That
16 funds may be used to enter into a grant agreement with
17 a nonprofit standard-setting organization to assist in the
18 development of aviation safety standards: *Provided fur-*
19 *ther*, That none of the funds made available by this Act
20 shall be available for new applicants for the second career
21 training program: *Provided further*, That none of the
22 funds made available by this Act shall be available for the
23 Federal Aviation Administration to finalize or implement
24 any regulation that would promulgate new aviation user
25 fees not specifically authorized by law after the date of

1 the enactment of this Act: *Provided further*, That there
2 may be credited to this appropriation, as offsetting collec-
3 tions, funds received from States, counties, municipalities,
4 foreign authorities, other public authorities, and private
5 sources for expenses incurred in the provision of agency
6 services, including receipts for the maintenance and oper-
7 ation of air navigation facilities, and for issuance, renewal
8 or modification of certificates, including airman, aircraft,
9 and repair station certificates, or for tests related thereto,
10 or for processing major repair or alteration forms: *Pro-*
11 *vided further*, That of the amounts made available under
12 this heading, not less than \$178,000,000 shall be used to
13 fund direct operations of the current air traffic control
14 towers in the contract tower program, including the con-
15 tract tower cost share program, and any airport that is
16 currently qualified or that will qualify for the program
17 during the fiscal year: *Provided further*, That none of the
18 funds made available by this Act for aeronautical charting
19 and cartography are available for activities conducted by,
20 or coordinated through, the Working Capital Fund: *Pro-*
21 *vided further*, That none of the funds appropriated or oth-
22 erwise made available by this Act or any other Act may
23 be used to eliminate the Contract Weather Observers pro-
24 gram at any airport.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, technical support services, improvement by contract or purchase, and hire of national airspace systems and experimental facilities and equipment, as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds made available under this heading, including aircraft for aviation regulation and certification; to be derived from the Airport and Airway Trust Fund, \$3,416,000,000, of which \$550,000,000 is for personnel and related expenses and shall remain available until September 30, 2023, \$1,865,569,000 is for equipment and shall remain available until September 30, 2024, and \$1,000,431,000 is for facilities and shall remain available until September 30, 2026: *Provided*, That there may be credited to this appropriation funds received from

1 States, counties, municipalities, other public authorities,
2 and private sources, for expenses incurred in the establish-
3 ment, improvement, and modernization of national air-
4 space systems: *Provided further*, That not later than 60
5 days after submission of the budget request, the Secretary
6 of Transportation shall transmit to the Congress an in-
7 vestment plan for the Federal Aviation Administration
8 which includes funding for each budget line item for fiscal
9 years 2023 through 2027, with total funding for each year
10 of the plan constrained to the funding targets for those
11 years as estimated and approved by the Office of Manage-
12 ment and Budget.

13 RESEARCH, ENGINEERING, AND DEVELOPMENT

14 (AIRPORT AND AIRWAY TRUST FUND)

15 For necessary expenses, not otherwise provided for,
16 for research, engineering, and development, as authorized
17 under part A of subtitle VII of title 49, United States
18 Code, including construction of experimental facilities and
19 acquisition of necessary sites by lease or grant,
20 \$260,500,000, to be derived from the Airport and Airway
21 Trust Fund and to remain available until September 30,
22 2024: *Provided*, That there may be credited to this appro-
23 priation as offsetting collections, funds received from
24 States, counties, municipalities, other public authorities,
25 and private sources, which shall be available for expenses

1 incurred for research, engineering, and development: *Pro-*
 2 *vided further*, That amounts made available under this
 3 heading shall be used in accordance with the report accom-
 4 panying this Act: *Provided further*, That not to exceed 10
 5 percent of any funding level specified under this heading
 6 in the report accompanying this Act may be transferred
 7 to any other funding level specified under this heading in
 8 the report accompanying this Act: *Provided further*, That
 9 no transfer may increase or decrease any funding level by
 10 more than 10 percent: *Provided further*, That any transfer
 11 in excess of 10 percent shall be treated as a reprogram-
 12 ming of funds under section 405 of this Act and shall not
 13 be available for obligation or expenditure except in compli-
 14 ance with the procedures set forth in that section.

15 GRANTS-IN-AID FOR AIRPORTS

16 (LIQUIDATION OF CONTRACT AUTHORIZATION)

17 (LIMITATION ON OBLIGATIONS)

18 (AIRPORT AND AIRWAY TRUST FUND)

19 (INCLUDING TRANSFER OF FUNDS)

20 For liquidation of obligations incurred for grants-in-
 21 aid for airport planning and development, and noise com-
 22 patibility planning and programs as authorized under sub-
 23 chapter I of chapter 471 and subchapter I of chapter 475
 24 of title 49, United States Code, and under other law au-
 25 thorizing such obligations; for procurement, installation,

1 and commissioning of runway incursion prevention devices
2 and systems at airports of such title; for grants authorized
3 under section 41743 of title 49, United States Code; and
4 for inspection activities and administration of airport safe-
5 ty programs, including those related to airport operating
6 certificates under section 44706 of title 49, United States
7 Code, \$3,350,000,000 (increased by \$10,000,000) (re-
8 duced by \$10,000,000), to be derived from the Airport and
9 Airway Trust Fund and to remain available until ex-
10 pended: *Provided*, That none of the amounts made avail-
11 able under this heading shall be available for the planning
12 or execution of programs the obligations for which are in
13 excess of \$3,350,000,000, in fiscal year 2022, notwith-
14 standing section 47117(g) of title 49, United States Code:
15 *Provided further*, That none of the amounts made available
16 under this heading shall be available for the replacement
17 of baggage conveyor systems, reconfiguration of terminal
18 baggage areas, or other airport improvements that are
19 necessary to install bulk explosive detection systems: *Pro-*
20 *vided further*, That notwithstanding section 47109(a) of
21 title 49, United States Code, the Government's share of
22 allowable project costs under paragraph (2) of such sec-
23 tion for subgrants or paragraph (3) of such section shall
24 be 95 percent for a project at other than a large or me-
25 dium hub airport that is a successive phase of a multi-

1 phased construction project for which the project sponsor
2 received a grant in fiscal year 2011 for the construction
3 project: *Provided further*, That notwithstanding any other
4 provision of law, of amounts limited under this heading,
5 not more than \$127,165,000 shall be available for admin-
6 istration, not less than \$15,000,000 shall be available for
7 the Airport Cooperative Research Program, not less than
8 \$40,961,000 shall be available for Airport Technology Re-
9 search, and \$10,000,000, to remain available until ex-
10 pended, shall be available and transferred to “Office of
11 the Secretary, Salaries and Expenses” to carry out the
12 Small Community Air Service Development Program: *Pro-*
13 *vided further*, That in addition to airports eligible under
14 section 41743 of title 49, United States Code, such pro-
15 gram may include the participation of an airport that
16 serves a community or consortium that is not larger than
17 a small hub airport, according to FAA hub classifications
18 effective at the time the Office of the Secretary issues a
19 request for proposals.

20 GRANTS—IN—AID FOR AIRPORTS

21 For an additional amount for “Grants-In-Aid for Air-
22 ports”, to enable the Secretary of Transportation to make
23 grants for projects as authorized by subchapter 1 of chap-
24 ter 471 and subchapter 1 of chapter 475 of title 49,
25 United States Code, \$400,000,000, to remain available

1 through September 30, 2024, of which \$79,959,135 is for
2 Community Project Funding grants for the purposes, and
3 in the amounts, specified for this account in the table ti-
4 tled “Incorporation of Community Project Funding” in-
5 cluded in the report accompanying this Act: *Provided*,
6 That amounts made available under this heading shall be
7 derived from the general fund, and such amounts shall not
8 be subject to apportionment formulas, special apportion-
9 ment categories, or minimum percentages under chapter
10 471 of such title: *Provided further*, That the Secretary
11 shall distribute amounts made available under this head-
12 ing as discretionary grants to airports: *Provided further*,
13 That the amount made available under this heading shall
14 not be subject to any limitation on obligations for the
15 Grants-in-Aid for Airports program set forth in any Act:
16 *Provided further*, That the Administrator of the Federal
17 Aviation Administration may retain up to 0.5 percent of
18 the amounts made available under this heading to fund
19 the award and oversight by the Administrator of grants
20 described under this heading.

21 ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION

22 ADMINISTRATION

23 SEC. 110. None of the funds made available by this
24 Act may be used to compensate in excess of 600 technical
25 staff-years under the federally funded research and devel-

1 opment center contract between the Federal Aviation Ad-
2 ministration and the Center for Advanced Aviation Sys-
3 tems Development during fiscal year 2022.

4 SEC. 111. None of the funds made available by this
5 Act shall be used to pursue or adopt guidelines or regula-
6 tions requiring airport sponsors to provide to the Federal
7 Aviation Administration without cost building construc-
8 tion, maintenance, utilities and expenses, or space in air-
9 port sponsor-owned buildings for services relating to air
10 traffic control, air navigation, or weather reporting: *Pro-*
11 *vided*, That the prohibition on the use of funds in this
12 section does not apply to negotiations between the agency
13 and airport sponsors to achieve agreement on “below-mar-
14 ket” rates for these items or to grant assurances that re-
15 quire airport sponsors to provide land without cost to the
16 Federal Aviation Administration for air traffic control fa-
17 cilities.

18 SEC. 112. The Administrator of the Federal Aviation
19 Administration may reimburse amounts made available to
20 satisfy section 41742(a)(1) of title 49, United States
21 Code, from fees credited under section 45303 of title 49,
22 United States Code, and any amount remaining in such
23 account at the close of any fiscal year may be made avail-
24 able to satisfy section 41742(a)(1) of title 49, United
25 States Code, for the subsequent fiscal year.

1 SEC. 113. Amounts collected under section 40113(e)
2 of title 49, United States Code, shall be credited to the
3 appropriation current at the time of collection, to be
4 merged with and available for the same purposes as such
5 appropriation.

6 SEC. 114. None of the funds made available by this
7 Act shall be available for paying premium pay under sub-
8 section 5546(a) of title 5, United States Code, to any Fed-
9 eral Aviation Administration employee unless such em-
10 ployee actually performed work during the time cor-
11 responding to such premium pay.

12 SEC. 115. None of the funds made available by this
13 Act may be obligated or expended for an employee of the
14 Federal Aviation Administration to purchase a store gift
15 card or gift certificate through use of a Government-issued
16 credit card.

17 SEC. 116. Notwithstanding any other provision of
18 law, none of the funds made available under this Act or
19 any prior Act may be used to implement or to continue
20 to implement any limitation on the ability of any owner
21 or operator of a private aircraft to obtain, upon a request
22 to the Administrator of the Federal Aviation Administra-
23 tion, a blocking of that owner's or operator's aircraft reg-
24 istration number, Mode S transponder code, flight identi-
25 fication, call sign, or similar identifying information from

1 any ground based display to the public that would allow
2 the real-time or near real-time flight tracking of that air-
3 craft's movements, except data made available to a Gov-
4 ernment agency, for the noncommercial flights of that
5 owner or operator.

6 SEC. 117. None of the funds made available by this
7 Act shall be available for salaries and expenses of more
8 than nine political and Presidential appointees in the Fed-
9 eral Aviation Administration.

10 SEC. 118. None of the funds made available by this
11 Act may be used to increase fees pursuant to section
12 44721 of title 49, United States Code, until the Federal
13 Aviation Administration provides to the House and Senate
14 Committees on Appropriations a report that justifies all
15 fees related to aeronautical navigation products and ex-
16 plains how such fees are consistent with Executive Order
17 No. 13642.

18 SEC. 119. None of the funds made available by this
19 Act may be used to close a regional operations center of
20 the Federal Aviation Administration or reduce its services
21 unless the Administrator notifies the House and Senate
22 Committees on Appropriations not less than 90 full busi-
23 ness days in advance.

24 SEC. 119A. None of the funds made available by or
25 limited by this Act may be used to change weight restric-

1 tions or prior permission rules at Teterboro airport in
2 Teterboro, New Jersey.

3 SEC. 119B. None of the funds made available by this
4 Act may be used by the Administrator of the Federal Avia-
5 tion Administration to withhold from consideration and
6 approval any new application for participation in the Con-
7 tract Tower Program, or for reevaluation of Cost-share
8 Program participants so long as the Federal Aviation Ad-
9 ministration has received an application from the airport,
10 and so long as the Administrator determines such tower
11 is eligible using the factors set forth in Federal Aviation
12 Administration published establishment criteria.

13 SEC. 119C. None of the funds made available by this
14 Act may be used to open, close, redesignate as a lesser
15 office, or reorganize a regional office, the aeronautical cen-
16 ter, or the technical center unless the Administrator sub-
17 mits a request for the reprogramming of funds under sec-
18 tion 405 of this Act.

19 SEC. 119D. Of the funds provided under the heading
20 “Grants-in-aid for Airports”, up to \$4,000,000 shall be
21 for necessary expenses, including an independent
22 verification regime, to provide reimbursement to airport
23 sponsors that do not provide gateway operations, providers
24 of general aviation ground support services, or other avia-
25 tion tenants located at those airports closed during a tem-

1 porary flight restriction (TFR) for any residence of the
 2 President that is designated or identified to be secured
 3 by the United States Secret Service, and for direct and
 4 incremental financial losses incurred while such airports
 5 are closed solely due to the actions of the Federal Govern-
 6 ment: *Provided*, That no funds shall be obligated or dis-
 7 tributed to airport sponsors that do not provide gateway
 8 operations and providers of general aviation ground sup-
 9 port services until an independent audit is completed: *Pro-*
 10 *vided further*, That losses incurred as a result of violations
 11 of law, or through fault or negligence, of such operators
 12 and service providers or of third parties (including air-
 13 ports) are not eligible for reimbursements: *Provided fur-*
 14 *ther*, That obligation and expenditure of funds are condi-
 15 tional upon full release of the United States Government
 16 for all claims for financial losses resulting from such ac-
 17 tions.

18 FEDERAL HIGHWAY ADMINISTRATION

19 LIMITATION ON ADMINISTRATIVE EXPENSES

20 (HIGHWAY TRUST FUND)

21 (INCLUDING TRANSFER OF FUNDS)

22 Not to exceed \$492,000,000, together with advances
 23 and reimbursements received by the Federal Highway Ad-
 24 ministration, shall be obligated for necessary expenses for
 25 administration and operation of the Federal Highway Ad-

1 ministration or transferred to the Appalachian Regional
2 Commission for administrative activities associated within
3 the Appalachian Development Highway System.

4 FEDERAL-AID HIGHWAYS

5 (LIMITATION ON OBLIGATIONS)

6 (HIGHWAY TRUST FUND)

7 Funds available for the implementation or execution
8 of Federal-aid highway and highway safety construction
9 programs authorized under titles 23 and 49, United States
10 Code, and the provisions of the Fixing America's Surface
11 Transportation Act (Public Law 114–94), or any suc-
12 cessor surface transportation reauthorization Act author-
13 izing appropriations for fiscal year 2022, shall not exceed
14 total obligations of \$61,143,102,951 (reduced by
15 \$1,000,000) (increased by \$1,000,000) (reduced by
16 \$1,000,000) (increased by \$1,000,000) for fiscal year
17 2022.

18 (LIQUIDATION OF CONTRACT AUTHORIZATION)

19 (HIGHWAY TRUST FUND)

20 For the payment of obligations incurred in carrying
21 out Federal-aid highway and highway safety construction
22 programs authorized under title 23, United States Code,
23 \$61,882,102,951 derived from the Highway Trust Fund
24 (other than the Mass Transit Account), to remain avail-
25 able until expended.

1 HIGHWAY INFRASTRUCTURE PROGRAMS

2 There is hereby appropriated to the Secretary
3 \$592,000,000 (increased by \$55,000,000) (reduced by
4 \$55,000,000): *Provided*, That the funds made available
5 under this heading shall be derived from the general fund,
6 shall be in addition to any funds provided for fiscal year
7 2022 in this or any other Act for: (1) “Federal-aid High-
8 ways” under chapter 1 of title 23, United States Code;
9 or (2) the Appalachian Development Highway System as
10 authorized under section 1069(y) of the Intermodal Sur-
11 face Transportation Efficiency Act of 1991 (Public Law
12 102–240), and shall not affect the distribution or amount
13 of funds provided in any other Act: *Provided further*, That
14 section 1101(b) of the FAST Act (Public Law 114–94)
15 shall apply to funds made available under this heading:
16 *Provided further*, That unless otherwise specified, amounts
17 made available under this heading shall be available until
18 September 30, 2025: *Provided further*, That of the funds
19 made available under this heading—

20 (1) Not more than \$427,500,000 shall be for
21 the purposes, and in the amounts, specified for local
22 transportation priorities in the table titled “Incorpo-
23 ration of Community Project Funding” included in
24 the report accompanying this Act;

1 (2) \$51,200,000 shall be for necessary expenses
2 for construction of the Appalachian Development
3 Highway System as authorized under section
4 1069(y) of the Intermodal Transportation Efficiency
5 Act of 1991 (Public Law 102–240);

6 (3) \$3,150,000 shall be for activities eligible
7 under the Puerto Rico Highway Program as de-
8 scribed in section 165(b)(2)(C) of title 23, United
9 States Code;

10 (4) \$650,000 shall be for activities eligible
11 under the Territorial Highway Program, as de-
12 scribed in section 165(c)(6) of title 23, United
13 States Code;

14 (5) \$45,000,000 shall be for the nationally sig-
15 nificant federal lands and tribal projects program
16 under section 1123 of the FAST Act (23 U.S.C. 201
17 note);

18 (6) \$20,000,000 shall be for activities eligible
19 under the tribal transportation program as described
20 in section 202 of title 23, United States Code;

21 (7) \$15,000,000 shall be for competitive grants
22 to State and Local governments to develop and ex-
23 pand the capacity to use and deploy Advanced Dig-
24 ital Construction Management Systems: *Provided*,
25 That the minimum grant amount shall be \$500,000;

1 (8) \$12,000,000 shall be for the regional infra-
2 structure accelerator demonstration program author-
3 ized under section 1441 of the FAST Act (23
4 U.S.C. 601 note);

5 (9) \$2,000,000 shall be for research that leads
6 to decreases in highway and pedestrian fatalities
7 among Tribal populations;

8 (10) \$7,500,000 shall be for a cooperative
9 agreement to conduct a comprehensive analysis of
10 highway corridors from ports of entry to inland
11 ports; and

12 (11) \$5,000,000 shall be for a cooperative se-
13 ries of agreements to examine the impacts of cul-
14 verts, roads, and bridges on threatened or endan-
15 gered salmon populations:

16 *Provided further*, That, except as otherwise provided under
17 this heading, funds made available under paragraph (1)
18 shall be administered as if apportioned under chapter 1
19 of title 23, United States Code: *Provided further*, That
20 funds made available under paragraph (1) that are used
21 for Tribal projects shall be administered as if allocated
22 under chapter 2 of title 23, United States Code, except
23 that the set-asides described in subparagraph (C) of sec-
24 tion 202(b)(3) of title 23, United States Code, and sub-
25 sections (a)(6), (c), (d), and (e) of section 202 of such

1 title shall not apply to such funds: *Provided further*, That
2 of the funds made available under this heading, the Fed-
3 eral Highway Administration may retain an amount of
4 \$3,000,000, to remain available until expended, to fund
5 the oversight of projects carried out with funds made
6 available under such paragraph: *Provided further*, That
7 funds made available under paragraphs (1), (2), (7), (8),
8 (9), (10), and (11) shall remain available until expended:
9 *Provided further*, That for funds made available under
10 paragraphs (2), (3), (4), (6), (7), (8), (9), (10), and (11),
11 the Federal share of the costs shall be, at the option of
12 the recipient, up to 100 percent: *Provided further*, That
13 except as provided in the preceding or following proviso,
14 the funds made available under this heading for activities
15 eligible under the Puerto Rico Highway Program and ac-
16 tivities eligible under the Territorial Highway Program
17 shall be administered as if allocated under sections 165(b)
18 and 165(c), respectively, of title 23, United States Code:
19 *Provided further*, That the funds made available under this
20 heading for activities eligible under the Puerto Rico High-
21 way Program shall not be subject to the requirements of
22 sections 165(b)(2)(A) or 165(b)(2)(B) of such title: *Pro-*
23 *vided further*, That the funds made available for the tribal
24 transportation program shall be distributed in the manner
25 described in section 202(b)(3)(A)(i)(IV) of such title, ex-

cept that the set-asides described in subparagraph (C) of section 202(b)(3) of such title and subsections (a)(6), (c), (d), and (e) of section 202 of such title shall not apply to funds made available under this heading: *Provided further*, That for the purposes of funds made available under this heading for construction of the Appalachian Development Highway System (hereinafter referred to as “ADHS”), the term “Appalachian State” means a State that contains one or more counties (including any political subdivision located within the area) in the Appalachian region as defined in section 14102(a) of title 40, United States Code: *Provided further*, That a project carried out with funds made available under this heading for construction of the ADHS shall be carried out in the same manner as a project under section 14501 of title 40, United States Code: *Provided further*, That subject to the following proviso, funds made available under this heading for construction of the ADHS shall be apportioned to Appalachian States according to the percentages derived from the 2012 Appalachian Development Highway System Cost-to-Complete Estimate adopted in Appalachian Regional Commission Resolution Number 736, and confirmed as each Appalachian State’s relative share of the estimated remaining need to complete the ADHS, adjusted to exclude corridors that such States have no cur-

1 rent plans to complete, as reported in the 2013 Appa-
2 lachian Development Highway System Completion Report,
3 unless such States have modified and assigned a higher
4 priority for completion of an ADHS corridor, as reported
5 in the 2020 ADHS Future Outlook: *Provided further*,
6 That the Secretary shall adjust apportionments made
7 under the preceding proviso so that no Appalachian State
8 shall be apportioned an amount in excess of 25 percent
9 of the amount made available for construction of the
10 ADHS under this heading: *Provided further*, That the Sec-
11 retary shall consult with the Appalachian Regional Com-
12 mission in making adjustments under the preceding two
13 provisos: *Provided further*, That funds made available
14 under this heading for Advanced Digital Construction
15 Management Systems shall be for competitive grants to
16 State and local governments to develop and expand the
17 capacity to use and deploy Advanced Digital Construction
18 Management Systems.

19 ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY

20 ADMINISTRATION

21 SEC. 120. (a) For fiscal year 2022, the Secretary of
22 Transportation shall—

23 (1) not distribute from the obligation limitation
24 for Federal-aid highways—

1 (A) amounts authorized for administrative
2 expenses and programs by section 104(a) of
3 title 23, United States Code;

4 (B) amounts authorized for the Bureau of
5 Transportation Statistics; and

6 (C) amounts authorized as “additional
7 amounts for the Federal-aid highway program”
8 or as “member designated project funds” (unre-
9 lated to amounts that had been previously au-
10 thorized to be appropriated for fiscal year
11 2021) under any successor surface transpor-
12 tation reauthorization Act authorizing appro-
13 priations for fiscal year 2022;

14 (2) not distribute an amount from the obliga-
15 tion limitation for Federal-aid highways that is equal
16 to the unobligated balance of amounts—

17 (A) made available from the Highway
18 Trust Fund (other than the Mass Transit Ac-
19 count) for Federal-aid highway and highway
20 safety construction programs for previous fiscal
21 years the funds for which are allocated by the
22 Secretary (or apportioned by the Secretary
23 under section 202 or 204 of title 23, United
24 States Code); and

1 (B) for which obligation limitation was
2 provided in a previous fiscal year;

3 (3) determine the proportion that—

4 (A) the obligation limitation for Federal-
5 aid highways, less the aggregate of amounts not
6 distributed under paragraphs (1) and (2) of
7 this subsection; bears to

8 (B) the total of the sums authorized to be
9 appropriated for the Federal-aid highway and
10 highway safety construction programs (other
11 than sums authorized to be appropriated for
12 provisions of law described in paragraphs (1)
13 through (11) of subsection (b) and sums au-
14 thorized to be appropriated for section 119 of
15 title 23, United States Code, equal to the
16 amount referred to in subsection (b)(12) for
17 such fiscal year), less the aggregate of the
18 amounts not distributed under paragraphs (1)
19 and (2) of this subsection;

20 (4) distribute the obligation limitation for Fed-
21 eral-aid highways, less the aggregate amounts not
22 distributed under paragraphs (1) and (2), for each
23 of the programs (other than programs to which
24 paragraph (1) applies) that are allocated by the Sec-
25 retary under the Fixing America's Surface Trans-

1 portation Act and title 23, United States Code, or
2 apportioned by the Secretary under sections 202 or
3 204 of that title, by multiplying—

4 (A) the proportion determined under para-
5 graph (3); by

6 (B) the amounts authorized to be appro-
7 priated for each such program for such fiscal
8 year; and

9 (5) distribute the obligation limitation for Fed-
10 eral-aid highways, less the aggregate amounts not
11 distributed under paragraphs (1) and (2) and the
12 amounts distributed under paragraph (4), for Fed-
13 eral-aid highway and highway safety construction
14 programs that are apportioned by the Secretary
15 under title 23, United States Code (other than the
16 amounts apportioned for the National Highway Per-
17 formance Program in section 119 of title 23, United
18 States Code, that are exempt from the limitation
19 under subsection (b)(12) and the amounts appor-
20 tioned under sections 202 and 204 of that title) in
21 the proportion that—

22 (A) amounts authorized to be appropriated
23 for the programs that are apportioned under
24 title 23, United States Code, to each State for
25 such fiscal year; bears to

1 (B) the total of the amounts authorized to
2 be appropriated for the programs that are ap-
3 portioned under title 23, United States Code, to
4 all States for such fiscal year.

5 (b) EXCEPTIONS FROM OBLIGATION LIMITATION.—

6 The obligation limitation for Federal-aid highways shall
7 not apply to obligations under or for—

8 (1) section 125 of title 23, United States Code;

9 (2) section 147 of the Surface Transportation
10 Assistance Act of 1978 (23 U.S.C. 144 note; 92
11 Stat. 2714);

12 (3) section 9 of the Federal-Aid Highway Act
13 of 1981 (95 Stat. 1701);

14 (4) subsections (b) and (j) of section 131 of the
15 Surface Transportation Assistance Act of 1982 (96
16 Stat. 2119);

17 (5) subsections (b) and (c) of section 149 of the
18 Surface Transportation and Uniform Relocation As-
19 sistance Act of 1987 (101 Stat. 198);

20 (6) sections 1103 through 1108 of the Inter-
21 modal Surface Transportation Efficiency Act of
22 1991 (105 Stat. 2027);

23 (7) section 157 of title 23, United States Code
24 (as in effect on June 8, 1998);

1 (8) section 105 of title 23, United States Code
2 (as in effect for fiscal years 1998 through 2004, but
3 only in an amount equal to \$639,000,000 for each
4 of those fiscal years);

5 (9) Federal-aid highway programs for which ob-
6 ligation authority was made available under the
7 Transportation Equity Act for the 21st Century
8 (112 Stat. 107) or subsequent Acts for multiple
9 years or to remain available until expended, but only
10 to the extent that the obligation authority has not
11 lapsed or been used;

12 (10) section 105 of title 23, United States Code
13 (as in effect for fiscal years 2005 through 2012, but
14 only in an amount equal to \$639,000,000 for each
15 of those fiscal years);

16 (11) section 1603 of SAFETEA-LU (23
17 U.S.C. 118 note; 119 Stat. 1248), to the extent that
18 funds obligated in accordance with that section were
19 not subject to a limitation on obligations at the time
20 at which the funds were initially made available for
21 obligation; and

22 (12) section 119 of title 23, United States Code
23 (but, for each of fiscal years 2013 through 2022,
24 only in an amount equal to \$639,000,000).

1 (c) REDISTRIBUTION OF UNUSED OBLIGATION AU-
2 THORITY.—Notwithstanding subsection (a), the Secretary
3 shall, after August 1 of such fiscal year—

4 (1) revise a distribution of the obligation limita-
5 tion made available under subsection (a), if an
6 amount distributed cannot be obligated during that
7 fiscal year; and

8 (2) redistribute sufficient amounts to those
9 States able to obligate amounts in addition to those
10 previously distributed during that fiscal year, giving
11 priority to those States having large unobligated bal-
12 ances of funds apportioned under sections 144 (as in
13 effect on the day before the date of enactment of
14 Public Law 112–141) and 104 of title 23, United
15 States Code.

16 (d) CERTAIN PROGRAMS.—

17 (1) TRANSPORTATION RESEARCH PROGRAMS.—

18 (A) IN GENERAL.—Except as provided in
19 subparagraph (B), the obligation limitation for
20 Federal-aid highways shall apply to contract
21 authority for transportation research programs
22 carried out under—

23 (i) chapter 5 of title 23, United States
24 Code; and

1 (ii) title VI of the Fixing America's
2 Surface Transportation Act.

3 (B) EXCEPTION.—Obligation authority
4 made available under subparagraph (A) shall—

5 (i) remain available for a period of 4
6 fiscal years; and

7 (ii) be in addition to the amount of
8 any limitation imposed on obligations for
9 Federal-aid highway and highway safety
10 construction programs for future fiscal
11 years.

12 (2) ADDITIONAL AMOUNTS FOR THE FEDERAL—
13 AID HIGHWAY PROGRAM AND MEMBER DESIGNATED
14 PROJECT FUNDS.—Obligation authority reserved
15 under subsection (a)(1)(C) for amounts authorized
16 as additional amounts for the Federal-aid highway
17 program or as member designated project funds (un-
18 related to amounts that had been previously author-
19 ized to be appropriated for fiscal year 2021) under
20 any successor surface transportation reauthorization
21 Act authorizing appropriations for fiscal year 2022
22 shall remain available until expended.

23 (e) REDISTRIBUTION OF CERTAIN AUTHORIZED
24 FUNDS.—

1 (1) IN GENERAL.—Not later than 30 days after
2 the date of distribution of obligation limitation
3 under subsection (a), the Secretary shall distribute
4 to the States any funds (excluding funds authorized
5 for the program under section 202 of title 23,
6 United States Code) that—

7 (A) are authorized to be appropriated for
8 such fiscal year for Federal-aid highway pro-
9 grams; and

10 (B) the Secretary determines will not be
11 allocated to the States (or will not be appor-
12 tioned to the States under section 204 of title
13 23, United States Code), and will not be avail-
14 able for obligation, for such fiscal year because
15 of the imposition of any obligation limitation for
16 such fiscal year.

17 (2) RATIO.—Funds shall be distributed under
18 paragraph (1) in the same proportion as the dis-
19 tribution of obligation authority under subsection
20 (a)(5).

21 (3) AVAILABILITY.—Funds distributed to each
22 State under paragraph (1) shall be available for any
23 purpose described in section 133(b) of title 23,
24 United States Code.

1 SEC. 121. Notwithstanding 31 U.S.C. 3302, funds re-
2 ceived by the Bureau of Transportation Statistics from the
3 sale of data products, for necessary expenses incurred pur-
4 suant to chapter 63 of title 49, United States Code, may
5 be credited to the Federal-aid highways account for the
6 purpose of reimbursing the Bureau for such expenses:
7 *Provided*, That such funds shall be subject to the obliga-
8 tion limitation for Federal-aid highway and highway safety
9 construction programs.

10 SEC. 122. Not less than 15 days prior to waiving,
11 under his or her statutory authority, any Buy America re-
12 quirement for Federal-aid highways projects, the Sec-
13 retary of Transportation shall make an informal public no-
14 tice and comment opportunity on the intent to issue such
15 waiver and the reasons therefor: *Provided*, That the Sec-
16 retary shall provide an annual report to the House and
17 Senate Committees on Appropriations on any waivers
18 granted under the Buy America requirements.

19 SEC. 123. None of the funds made available in this
20 Act may be used to make a grant for a project under sec-
21 tion 117 of title 23, United States Code, unless the Sec-
22 retary, at least 60 days before making a grant under that
23 section, provides written notification to the House and
24 Senate Committees on Appropriations of the proposed
25 grant, including an evaluation and justification for the

1 project and the amount of the proposed grant award: *Pro-*
2 *vided*, That the written notification required in the pre-
3 ceding proviso shall be made not later than 180 days after
4 the date of enactment of this Act.

5 SEC. 124. (a) A State or territory, as defined in sec-
6 tion 165 of title 23, United States Code, may use for any
7 project eligible under section 133(b) or 165 of such title,
8 and located within the boundary of the State or territory
9 any earmarked amount, and any associated obligation lim-
10 itation: *Provided*, That the Department of Transportation
11 for the State or territory for which the earmarked amount
12 was originally designated or directed notifies the Secretary
13 of Transportation of its intent to use its authority under
14 this section and submits an annual report to the Secretary
15 identifying the projects to which the funding would be ap-
16 plied. Notwithstanding the original period of availability
17 of funds to be obligated under this section, such funds
18 and associated obligation limitation shall remain available
19 for obligation for a period of 3 fiscal years after the fiscal
20 year in which the Secretary of Transportation is notified.
21 The Federal share of the cost of a project carried out with
22 funds made available under this section shall be the same
23 as associated with the earmark.

24 (b) In this section, the term “earmarked amount”
25 means—

1 (1) congressionally directed spending, as de-
2 fined in rule XLIV of the Standing Rules of the
3 Senate, identified in a prior law, report, or joint ex-
4 planatory statement, which was authorized to be ap-
5 propriated or appropriated more than 10 fiscal years
6 prior to the current fiscal year, and administered by
7 the Federal Highway Administration; or

8 (2) a congressional earmark, as defined in rule
9 XXI of the Rules of the House of Representatives,
10 identified in a prior law, report, or joint explanatory
11 statement, which was authorized to be appropriated
12 or appropriated more than 10 fiscal years prior to
13 the current fiscal year, and administered by the Fed-
14 eral Highway Administration.

15 (c) The authority under subsection (a) may be exer-
16 cised only for those projects or activities that have obli-
17 gated less than 10 percent of the amount made available
18 for obligation as of October 1 of the current fiscal year,
19 and shall be applied to projects within the same general
20 geographic area within 5 miles for which the funding was
21 designated, except that a State or territory may apply
22 such authority to unexpended balances of funds from
23 projects or activities the State or territory certifies have
24 been closed and for which payments have been made under
25 a final voucher.

1 (d) The Secretary shall submit consolidated reports
2 of the information provided by the States and territories
3 annually to the House and Senate Committees on Appro-
4 priations.

5 SEC. 125. Until final guidance is published, the Ad-
6 ministrator of the Federal Highway Administration shall
7 adjudicate requests for Buy America waivers under the
8 criteria that were in effect prior to April 17, 2018.

9 FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION
10 MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS
11 (LIQUIDATION OF CONTRACT AUTHORIZATION)

12 (LIMITATION ON OBLIGATIONS)

13 (HIGHWAY TRUST FUND)

14 For payment of obligations incurred in the implemen-
15 tation, execution and administration of motor carrier safe-
16 ty operations and programs pursuant to section 31110 of
17 title 49, United States Code, as amended by the Fixing
18 America's Surface Transportation Act (Public Law 114–
19 94) or any successor surface transportation reauthoriza-
20 tion Act authorizing appropriations for fiscal year 2022,
21 \$379,500,000, to be derived from the Highway Trust
22 Fund (other than the Mass Transit Account), together
23 with advances and reimbursements received by the Fed-
24 eral Motor Carrier Safety Administration, the sum of
25 which shall remain available until expended: *Provided*,

1 That funds available for implementation, execution, or ad-
2 ministration of motor carrier safety operations and pro-
3 grams authorized under title 49, United States Code, shall
4 not exceed total obligations of \$379,500,000, for “Motor
5 Carrier Safety Operations and Programs” for fiscal year
6 2022, of which \$13,073,000, to remain available for obli-
7 gation until September 30, 2024, is for the research and
8 technology program, and of which not less than
9 \$65,000,000, to remain available for obligation until Sep-
10 tember 30, 2024, is for development, modernization, en-
11 hancement, continued operation, and maintenance of in-
12 formation technology and information management.

13 MOTOR CARRIER SAFETY GRANTS

14 (LIQUIDATION OF CONTRACT AUTHORIZATION)

15 (LIMITATION ON OBLIGATIONS)

16 (HIGHWAY TRUST FUND)

17 For payment of obligations incurred in carrying out
18 sections 31102, 31103, 31104, and 31313 of title 49,
19 United States Code, as amended by the Fixing America’s
20 Surface Transportation Act (Public Law 114–94), or any
21 successor surface transportation reauthorization Act au-
22 thorizing appropriations for fiscal year 2022,
23 \$506,200,000, to be derived from the Highway Trust
24 Fund (other than the Mass Transit Account) and to re-
25 main available until expended: *Provided*, That funds avail-

1 able for the implementation or execution of motor carrier
2 safety programs shall not exceed total obligations of
3 \$506,200,000 in fiscal year 2022 for “Motor Carrier Safe-
4 ty Grants”: *Provided further*, That of the sums appro-
5 priated under this heading:

6 (1) \$389,212,000 shall be available for the
7 motor carrier safety assistance program;

8 (2) \$56,880,000 shall be available for the com-
9 mercial driver’s license program implementation pro-
10 gram;

11 (3) \$59,108,000 shall be available for the high
12 priority activities program; and

13 (4) \$1,000,000 shall be made available for com-
14 mercial motor vehicle operators grants.

15 ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR

16 CARRIER SAFETY ADMINISTRATION

17 SEC. 130. The Federal Motor Carrier Safety Admin-
18 istration shall send notice of section 385.308 of title 49,
19 Code of Federal Regulations, violations by certified mail,
20 registered mail, or another manner of delivery, which
21 records the receipt of the notice by the persons responsible
22 for the violations.

23 SEC. 131. The Federal Motor Carrier Safety Admin-
24 istration shall update annual inspection regulations under
25 Appendix G to subchapter B of chapter III of title 49,

1 Code of Federal Regulations, as recommended by GAO–
2 19–264.

3 SEC. 132. None of the funds appropriated or other-
4 wise made available to the Department of Transportation
5 by this Act or any other Act may be obligated or expended
6 to implement, administer, or enforce the requirements of
7 section 31137 of title 49, United States Code, or any regu-
8 lation issued by the Secretary pursuant to such section,
9 with respect to the use of electronic logging devices by op-
10 erators of commercial motor vehicles, as such term is de-
11 fined in section 31132 of such title, who are transporting
12 livestock, as such term is defined in section 602 of the
13 Emergency Livestock Feed Assistance Act of 1988 (7
14 U.S.C. 1471), or insects.

15 NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
16 OPERATIONS AND RESEARCH

17 For expenses necessary to discharge the functions of
18 the Secretary, with respect to traffic and highway safety
19 authorized under chapter 301 and part C of subtitle VI
20 of title 49, United States Code, \$245,550,000 shall remain
21 available through September 30, 2023.

1 OPERATIONS AND RESEARCH
2 (LIQUIDATION OF CONTRACT AUTHORIZATION)
3 (LIMITATION ON OBLIGATIONS)
4 (HIGHWAY TRUST FUND)
5 (INCLUDING TRANSFER OF FUNDS)

6 For payment of obligations incurred in carrying out
7 the provisions of 23 U.S.C. 403, including behavioral re-
8 search on Automated Driving Systems and Advanced
9 Driver Assistance Systems and improving consumer re-
10 sponses to safety recalls, section 4011 of the Fixing Amer-
11 ica's Surface Transportation Act (Public Law 114–94),
12 and chapter 303 of title 49, United States Code, or any
13 successor surface transportation reauthorization Act au-
14 thorizing appropriations for fiscal year 2022,
15 \$180,612,000, to be derived from the Highway Trust
16 Fund (other than the Mass Transit Account) and to re-
17 main available until expended: *Provided*, That none of the
18 funds in this Act shall be available for the planning or
19 execution of programs the total obligations for which, in
20 fiscal year 2022, are in excess of \$180,612,000: *Provided*
21 *further*, That of the sums appropriated under this head-
22 ing—

23 (1) \$165,112,000 shall be for programs author-
24 ized under section 403 of title 23, United States
25 Code, including behavioral research on Automated

1 Driving Systems and Advanced Driver Assistance
2 Systems and improving consumer responses to safety
3 recalls, and section 4011 of the Fixing America’s
4 Surface Transportation Act (Public Law 114–94) or
5 any successor surface transportation reauthorization
6 Act authorizing appropriations for fiscal year 2022;

7 (2) \$5,500,000 shall be for the National Driver
8 Register authorized under chapter 303 of title 49,
9 United States Code; and

10 (3) \$10,000,000 shall be available to continue
11 a high visibility enforcement paid-media campaign
12 regarding highway-rail grade crossing safety in col-
13 laboration with the Federal Railroad Administration:
14 *Provided*, That \$3,947,458 of such amounts are to
15 be made available from prior year unobligated con-
16 tract authority provided under the heading “Oper-
17 ations and Research (Liquidation of Contract Au-
18 thorization) (Limitation on Obligations) (Highway
19 Trust Fund)” in the Transportation Equity Act for
20 the 21st Century (Public Law 105–178),
21 SAFETEA–LU (Public Law 109–59), MAP–21
22 (Public Law 112–141), the FAST Act (Public Law
23 114–94), or other appropriations or authorization
24 Acts prior to fiscal year 2022: *Provided further*,
25 That of unobligated amounts provided under the

1 heading “Highway Traffic Safety Grants (Liquida-
2 tion of Contract Authorization) (Limitation on Obli-
3 gations) (Highway Trust Fund)” in the Transpor-
4 tation Equity Act for the 21st Century (Public Law
5 105–178), SAFETEA–LU (Public Law 109–59),
6 MAP–21 (Public Law 112–141), the FAST Act
7 (Public Law 114–94), or other appropriations or au-
8 thorization Acts prior to fiscal year 2022,
9 \$6,052,542, shall be transferred and merged with
10 this appropriation and made available for the pur-
11 poses of this paragraph:

12 *Provided further*, That within the \$180,612,000 obligation
13 limitation for operations and research, \$20,000,000 shall
14 remain available until September 30, 2023, and up to
15 \$7,000,000, for mobility research on older drivers, shall
16 remain available until expended, and shall be in addition
17 to the amount of any limitation imposed on obligations
18 for future years: *Provided further*, That amounts for be-
19 havioral research on Automated Driving Systems and Ad-
20 vanced Driver Assistance Systems and improving con-
21 sumer responses to safety recalls are in addition to any
22 other funds provided for those purposes for fiscal year
23 2022 in this Act.

1 HIGHWAY TRAFFIC SAFETY GRANTS
2 (LIQUIDATION OF CONTRACT AUTHORIZATION)
3 (LIMITATION ON OBLIGATIONS)
4 (HIGHWAY TRUST FUND)

5 For payment of obligations incurred in carrying out
6 provisions of sections 402, 404, and 405 of title 23,
7 United States Code, and section 4001(a)(6) of the Fixing
8 America’s Surface Transportation Act (Public Law 114–
9 94), or any successor surface transportation reauthoriza-
10 tion Act authorizing appropriations for fiscal year 2022,
11 to remain available until expended, \$855,488,000, to be
12 derived from the Highway Trust Fund (other than the
13 Mass Transit Account): *Provided*, That none of the funds
14 in this Act shall be available for the planning or execution
15 of programs for which the total obligations in fiscal year
16 2022 are in excess of \$855,488,000 for programs author-
17 ized under 23 U.S.C. 402, 404, and 405, and section
18 4001(a)(6) of the Fixing America’s Surface Transpor-
19 tation Act or any successor surface transportation reau-
20 thorization Act authorizing appropriations for fiscal year
21 2022: *Provided further*, That of the sums appropriated
22 under this heading—

23 (1) \$384,800,000 shall be for the highway safe-
24 ty program under section 402 of title 23, United
25 States Code;

1 (2) \$390,900,000 shall be for national priority
2 safety programs under section 405 of title 23,
3 United States Code;

4 (3) \$49,702,000 shall be for the high-visibility
5 enforcement program under section 404 of title 23,
6 United States Code; and

7 (4) \$30,086,000 shall be for administrative ex-
8 penses under section 4001(a)(6) of the Fixing Amer-
9 ica’s Surface Transportation Act:

10 *Provided further*, That none of these funds shall be used
11 for construction, rehabilitation, or remodeling costs, or for
12 office furnishings and fixtures for state, local or private
13 buildings or structures: *Provided further*, That not to ex-
14 ceed \$500,000 of the funds made available for “National
15 Priority Safety Programs” under 23 U.S.C. 405 for “Im-
16 paired Driving Countermeasures” (as described in sub-
17 section (d) of that section) shall be available for technical
18 assistance to the states: *Provided further*, That with re-
19 spect to the “Transfers” provision under 23 U.S.C.
20 405(a)(8), any amounts transferred to increase the
21 amounts made available under section 402 shall include
22 the obligation authority for such amounts: *Provided fur-*
23 *ther*, That the Administrator shall notify the House and
24 Senate Committees on Appropriations of any exercise of
25 the authority granted under the previous proviso or under

1 23 U.S.C. 405(a)(8) not later than 5 days after the date
2 of the transfer.

3 ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY

4 TRAFFIC SAFETY ADMINISTRATION

5 SEC. 140. An additional \$130,000 shall be made
6 available to the National Highway Traffic Safety Adminis-
7 tration, out of the amount limited for section 402 of title
8 23, United States Code, to pay for travel and related ex-
9 penses for state management reviews and to pay for core
10 competency development training and related expenses for
11 highway safety staff.

12 SEC. 141. The limitations on obligations for the pro-
13 grams of the National Highway Traffic Safety Adminis-
14 tration set in this Act shall not apply to obligations for
15 which obligation authority was made available in previous
16 public laws but only to the extent that the obligation au-
17 thority has not lapsed or been used.

18 SEC. 142. In addition to the amounts made available
19 under the heading, “Operations and Research (Liquida-
20 tion of Contract Authorization) (Limitation on Obliga-
21 tions) (Highway Trust Fund)” for carrying out the provi-
22 sions of section 403 of title 23, United States Code,
23 \$7,000,000, to remain available until September 30, 2023,
24 shall be made available to the National Highway Traffic
25 Safety Administration from the general fund to provide

1 funding for grants, pilot program activities, and innovative
2 solutions to reduce impaired-driving fatalities in collabora-
3 tion with eligible entities under section 403 of title 23,
4 United States Code.

5 SEC. 143. None of the funds in this Act or any other
6 Act shall be used to enforce the requirements of section
7 405(a)(9) of title 23, United States Code.

8 FEDERAL RAILROAD ADMINISTRATION
9 SAFETY AND OPERATIONS

10 For necessary expenses of the Federal Railroad Ad-
11 ministration, not otherwise provided for, \$247,700,000
12 (reduced by \$1,000,000) (increased by \$1,000,000), of
13 which \$30,000,000 shall remain available until expended:
14 *Provided*, That of the amounts made available under this
15 heading, not more than \$2,100,000, to remain available
16 until expended, shall be for the alteration and repair of
17 buildings and improvements for fire and life safety, emer-
18 gency power system, waste and potable water manage-
19 ment, and asbestos abatement projects, to carry out nec-
20 essary railroad safety, training, and research activities at
21 the Transportation Technology Center.

22 RAILROAD RESEARCH AND DEVELOPMENT

23 For necessary expenses for railroad research and de-
24 velopment, \$53,826,000, to remain available until ex-
25 pended.

1 PASSENGER RAIL IMPROVEMENT, MODERNIZATION, AND
2 EXPANSION

3 For investments in railroad infrastructure to improve
4 mobility, operational performance, or growth of intercity
5 rail passenger transportation (as defined in section 24102
6 of title 49, United States Code), \$625,000,000, to remain
7 available until expended: *Provided*, That the Secretary
8 shall distribute amounts made available under this head-
9 ing as discretionary grants to be awarded to a State; a
10 group of States; an Interstate Compact; a public agency
11 or publicly chartered authority established by 1 or more
12 States; a political subdivision of a State; a tribal govern-
13 ment; the National Railroad Passenger Corporation; or a
14 combination of such entities, on a competitive basis: *Pro-*
15 *vided further*, That capital projects eligible for amounts
16 made available under this heading shall be for—

17 (1) providing intercity rail passenger transpor-
18 tation;

19 (2) improving intercity rail passenger transpor-
20 tation performance (including congestion mitigation,
21 reliability improvements, achievement of on-time per-
22 formance standards established under section 207 of
23 the Passenger Rail Investment and Improvement
24 Act of 2008 (49 U.S.C. 24101 note), reduced trip
25 times, increased train frequencies, higher operating

1 speeds, electrification, and other improvements as
2 determined by the Secretary); or

3 (3) expanding or establishing intercity rail pas-
4 senger transportation and facilities, including activi-
5 ties defined in section 26105(2) of title 49, United
6 States Code:

7 *Provided further*, That projects eligible for amounts made
8 available under this heading shall include acquiring, con-
9 structing, or improving infrastructure assets, equipment,
10 or facilities of use in or for the primary benefit of intercity
11 rail passenger transportation (including tunnels, bridges,
12 stations, track and track structures, communication and
13 signalization improvements, electrification, highway-rail
14 grade crossing improvements, and passenger rolling
15 stock): *Provided further*, That projects eligible for amounts
16 made available under this heading shall include planning,
17 developing, designing, engineering, location surveying,
18 mapping, environmental analyses and studies, and acquir-
19 ing rights-of-way or making payments for railroad track-
20 age rights agreements for eligible projects in the second
21 proviso under this heading: *Provided further*, That the
22 Federal share of the costs for which an amount is provided
23 under this heading shall be, at the option of the recipient,
24 up to 90 percent: *Provided further*, That the proceeds of
25 Federal credit assistance under chapter 6 of title 23,

1 United States Code, or sections 501 through 504 of the
2 Railroad Revitalization and Regulatory Reform Act of
3 1976 (Public Law 94–210) shall be considered to be part
4 of the non-Federal share of project costs if the loan is
5 repayable from non-Federal funds, unless otherwise re-
6 quested: *Provided further*, That the National Railroad
7 Passenger Corporation may use ticket and other revenues
8 generated from its operations and other sources to satisfy
9 the non-Federal share of project costs for which an
10 amount is made available under this heading: *Provided*
11 *further*, That projects conducted using amounts made
12 available under this heading shall comply with the grant
13 conditions under section 22905 of title 49, United States
14 Code: *Provided further*, That, notwithstanding the pre-
15 ceding proviso, the Secretary shall apply the domestic buy-
16 ing preferences of section 24305(f) of title 49, United
17 States Code, to projects conducted by the National Rail-
18 road Passenger Corporation using amounts made available
19 under this heading, in lieu of the requirements of section
20 22905(a) of title 49, United States Code: *Provided further*,
21 That the Secretary may withhold up to 2 percent of the
22 amounts made available under this heading for the costs
23 of award and project management oversight of grants.

(1) not less than \$150,000,000 shall be for projects eligible under section 22907(c)(2) of title 49, United States Code, that support the development of new intercity passenger rail service routes including alignments for existing routes;

24 (3) not more than \$5,000,000 shall be for
25 projects eligible under section 22907(c)(8) of title

1 49, United States Code: *Provided*, That for amounts
2 made available in this paragraph, eligible projects
3 under section 22907(c)(8) of title 49, United States
4 Code, shall also include railroad systems planning
5 (including the preparation of regional intercity pas-
6 senger rail plans and State Rail Plans) and railroad
7 project development activities (including railroad
8 project planning, preliminary engineering, design,
9 environmental analysis, feasibility studies, and the
10 development and analysis of project alternatives):

11 *Provided further*, That the Secretary shall not limit eligible
12 projects from consideration for funding for planning, engi-
13 neering, environmental, construction, and design elements
14 of the same project in the same application: *Provided fur-*
15 *ther*, That section 22907(e)(1)(A) of title 49, United
16 States Code, shall not apply to amounts made available
17 under this heading: *Provided further*, That section
18 22907(e)(1)(A) of title 49, United States Code, shall not
19 apply to amounts made available under this heading in
20 previous fiscal years if such funds are announced in a no-
21 tice of funding opportunity that includes funds made avail-
22 able under this heading: *Provided further*, That unobli-
23 gated balances remaining after 6 years from the date of
24 enactment of this Act may be used for any eligible project
25 under section 22907(c) of title 49, United States Code:

6 MAGNETIC LEVITATION TECHNOLOGY DEPLOYMENT
7 PROGRAM

8 For necessary expenses related to the deployment of
9 magnetic levitation transportation projects, consistent
10 with language in subsections (a) through (c) of section
11 1307 of SAFETEA-LU (Public Law 109-59), as amend-
12 ed by section 102 of the SAFETEA-LU Technical Correc-
13 tions Act of 2008 (Public Law 110-244) (23 U.S.C. 322
14 note), \$5,000,000, to remain available until expended.

15 NORTHEAST CORRIDOR GRANTS TO THE NATIONAL
16 RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for activities associated with the Northeast Corridor as authorized by section 11101(a) of the Fixing America's Surface Transportation Act (division A of Public Law 114-94), \$1,200,000,000 (reduced by \$5,000,000) (increased by \$5,000,000), to remain available until expended: *Provided*, That the Secretary may retain up to one-half of 1 percent of the amounts made available under both this

1 heading and the “National Network Grants to the Na-
2 tional Railroad Passenger Corporation” heading to fund
3 the costs of project management and oversight of activities
4 authorized by section 11101(c) of the Fixing America’s
5 Surface Transportation Act (division A of Public Law
6 114–94): *Provided further*, That in addition to the project
7 management oversight funds authorized under section
8 11101(c) of such Act, the Secretary may retain up to an
9 additional \$6,000,000 of the amounts made available
10 under this heading to fund expenses associated with the
11 Northeast Corridor Commission established under section
12 24905 of title 49, United States Code: *Provided further*,
13 That of the amounts made available under this heading
14 and the “National Network Grants to the National Rail-
15 road Passenger Corporation” heading, not less than
16 \$75,000,000 shall be made available to bring Amtrak-
17 served facilities and stations into compliance with the
18 Americans with Disabilities Act of 1990 (42 U.S.C. 12101
19 et seq.).

20 NATIONAL NETWORK GRANTS TO THE NATIONAL
21 RAILROAD PASSENGER CORPORATION

22 To enable the Secretary of Transportation to make
23 grants to the National Railroad Passenger Corporation for
24 activities associated with the National Network as author-
25 ized by section 11101(b) of the Fixing America’s Surface

1 Transportation Act (division A of Public Law 114–94),
2 \$1,500,000,000, to remain available until expended: *Pro-*
3 *vided*, That the Secretary may retain up to an additional
4 \$3,000,000 of the amounts made available under this
5 heading to fund expenses associated with the State-Sup-
6 ported Route Committee established under section 24712
7 of title 49, United States Code: *Provided further*, That
8 none of the funds made available under this heading shall
9 be used by the National Railroad Passenger Corporation
10 to give notice under subsection (a) or (b) of section 24706
11 of title 49, United States Code, with respect to long-dis-
12 tance routes (as defined in section 24102 of title 49,
13 United States Code) on which the National Railroad Pas-
14 senger Corporation is the sole operator on a host railroad’s
15 line and a positive train control system is not required by
16 law or regulation, or, except in an emergency or during
17 maintenance or construction outages impacting such
18 routes, to otherwise discontinue, reduce the frequency of,
19 suspend, or substantially alter the route of rail service on
20 any portion of such route operated in fiscal year 2018,
21 including implementation of service permitted by section
22 24305(a)(3)(A) of title 49, United States Code, in lieu of
23 rail service.

1 ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD

2 ADMINISTRATION

3 (INCLUDING RESCISSIONS)

4 SEC. 150. None of the funds made available to the
5 National Railroad Passenger Corporation may be used to
6 fund any overtime costs in excess of \$35,000 for any indi-
7 vidual employee: *Provided*, That the President of Amtrak
8 may waive the cap set in the preceding proviso for specific
9 employees when the President of Amtrak determines such
10 a cap poses a risk to the safety and operational efficiency
11 of the system: *Provided further*, That the President of Am-
12 trak shall report to the House and Senate Committees on
13 Appropriations no later than 60 days after the date of en-
14 actment of this Act, a summary of all overtime payments
15 incurred by Amtrak for 2021 and the 3 prior calendar
16 years: *Provided further*, That such summary shall include
17 the total number of employees that received waivers and
18 the total overtime payments Amtrak paid to employees re-
19 ceiving waivers for each month for 2021 and for the 3
20 prior calendar years.

21 SEC. 151. None of the funds made available by this
22 Act may be used by the National Railroad Passenger Cor-
23 poration in contravention of the Worker Adjustment and
24 Retraining Notification Act (29 U.S.C. 2101 et seq.).

1 SEC. 152. The amounts made available to the Sec-
2 retary or to the Federal Railroad Administration for the
3 costs of award and project management oversight of
4 grants which are administered by the Federal Railroad
5 Administration, in this and prior Acts, may be merged to
6 support activities relating to award and project manage-
7 ment oversight of grants administered by the Federal
8 Railroad Administration, in the same manner as appro-
9 priated for in this and prior Acts: *Provided*, That this sec-
10 tion shall not apply to the amounts made available under
11 the headings “Northeast Corridor Grants to the National
12 Railroad Passenger Corporation” and “National Network
13 Grants to the National Railroad Passenger Corporation”
14 in this and prior Acts: *Provided further*, That this section
15 shall not apply to amounts that were previously designated
16 by the Congress as an emergency requirement pursuant
17 to a concurrent resolution on the budget or section
18 251(b)(2)(A)(i) of the Balanced Budget and Emergency
19 Deficit Control Act of 1985.

20 SEC. 153. Of the unobligated balances of funds re-
21 maining from—

22 (1) “Railroad Safety Grants” accounts totaling
23 \$1,715,414.34 appropriated by the following public
24 laws are hereby permanently rescinded:

1 (A) Public Law 105–277 a total of
2 \$7,052.79 under the heading “Railroad Safe-
3 ty”;

4 (B) Public Law 113–235 a total of
5 \$190,265.91 from section 153 under the head-
6 ing “Administrative Provisions—Federal Rail-
7 road Administration”; and

8 (C) Public Law 114–113 a total of
9 \$1,518,095.64; and

10 (2) “Capital Assistance for High Speed Rail
11 Corridors and Intercity Passenger Rail Service” ac-
12 count totaling \$13,327,006.39 appropriated by Pub-
13 lic Law 111–117 is hereby permanently rescinded.

14 FEDERAL TRANSIT ADMINISTRATION

15 ADMINISTRATIVE EXPENSES

16 For necessary administrative expenses of the Federal
17 Transit Administration’s programs authorized by chapter
18 53 of title 49, United States Code, \$132,500,000 which
19 shall remain available until September 30, 2023: *Provided*,
20 That of the amounts made available under this heading,
21 no more than \$1,000,000 shall be available for the nec-
22 essary expenses of administering funds made available in
23 paragraph (1) under the heading “Highway Infrastructure
24 Programs” and shall remain available until expended: *Pro-*
25 *vided further*, That upon submission to the Congress of

1 the fiscal year 2023 President’s budget, the Secretary of
2 Transportation shall transmit to Congress the annual re-
3 port on capital investment grants, including proposed allo-
4 cations for fiscal year 2023.

5 TRANSIT FORMULA GRANTS

6 (LIQUIDATION OF CONTRACT AUTHORIZATION)

7 (LIMITATION ON OBLIGATIONS)

8 (HIGHWAY TRUST FUND)

9 For payment of obligations incurred in the Federal
10 Public Transportation Assistance Program in this ac-
11 count, and for payment of obligations incurred in carrying
12 out the provisions of 49 U.S.C. 5305, 5307, 5310, 5311,
13 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339, and
14 5340, as amended by the Fixing America’s Surface Trans-
15 portation Act, section 20005(b) of Public Law 112–141,
16 and section 3006(b) of the Fixing America’s Surface
17 Transportation Act, or any successor surface transpor-
18 tation reauthorization Act authorizing appropriations for
19 fiscal year 2022, \$13,000,000,000, to be derived from the
20 Mass Transit Account of the Highway Trust Fund and
21 to remain available until expended: *Provided*, That funds
22 available for the implementation or execution of programs
23 authorized under 49 U.S.C. 5305, 5307, 5310, 5311,
24 5312, 5314, 5318, 5329(e)(6), 5335, 5337, 5339, and
25 5340, as amended by the Fixing America’s Surface Trans-

1 portation Act, section 20005(b) of Public Law 112–141,
 2 and section 3006(b) of the Fixing America’s Surface
 3 Transportation Act, shall not exceed total obligations of
 4 \$12,150,348,462 in fiscal year 2022: *Provided further*,
 5 That the Federal share of the cost of activities carried
 6 out under 49 U.S.C. section 5312 shall not exceed 80 per-
 7 cent, except that if there is substantial public interest or
 8 benefit, the Secretary may approve a greater Federal
 9 share.

10 TRANSIT INFRASTRUCTURE GRANTS

11 For an additional amount for buses and bus facilities
 12 grants under section 5339 of title 49, United States Code,
 13 low or no emission grants under section 5339(c) of such
 14 title, technical assistance and workforce development
 15 under section 5314 of such title, competitive grants under
 16 sections 5307 and 5311 of such title related to planning
 17 for zero emission vehicles, ferry boats grants under section
 18 5307(h) of such title, bus testing facilities under section
 19 5318 of such title, innovative mobility solutions grants
 20 under section 5312 of such title and grants to improve
 21 the resilience of transit assets, \$580,000,000 (increased
 22 by \$2,400,000) (increased by \$1,500,000) (increased by
 23 \$1,500,000), to remain available until expended: *Provided*,
 24 That of the sums provided under this heading—

1 (1) \$203,000,000 shall be available for the
2 buses and bus facilities grants as authorized under
3 section 5339(b) of such title: *Provided*, That activi-
4 ties that increase green space surrounding a bus
5 transportation hub structure are eligible for a grant
6 under this paragraph;

7 (2) \$240,000,000 (increased by \$2,400,000)
8 (increased by \$1,500,000) shall be available for the
9 low or no emission grants as authorized under sec-
10 tion 5339(c) of such title: *Provided*, That the min-
11 imum grant award shall be not less than \$750,000:
12 *Provided further*, That grants authorized under this
13 paragraph shall only be available for zero-emission
14 buses and the facilities to support those buses;

15 (3) \$5,000,000 shall be provided under section
16 5314 of such title for two centers to provide tech-
17 nical assistance and coordinate the bus industry
18 transition to zero-emission buses;

19 (4) \$5,000,000 shall be available for competi-
20 tive grants to recipients eligible under sections 5307
21 and 5311 of such title for the planning of public
22 transportation service associated with the transition
23 to zero-emission bus fleets: *Provided*, That no less
24 than \$1,000,000 shall be available to recipients with
25 fewer than 150 buses within their bus fleets and no

1 less than \$2,000,000 shall be available to recipients
2 with at least 150 but not more than 500 buses with-
3 in their bus fleets;

4 (5) \$20,000,000 shall be available for ferry
5 boat grants as authorized under section 5307(h) of
6 such title: *Provided*, That amounts made available
7 under this subparagraph shall only be available for
8 low or zero-emission ferries or ferries using electric
9 battery or fuel cell components and the infrastruc-
10 ture to support such ferries;

11 (6) \$2,000,000 shall be available for the oper-
12 ation and maintenance of the bus testing facilities
13 selected under section 5318 of such title, and the
14 Federal cost share for such amounts shall be 100
15 percent;

16 (7) \$25,000,000 shall be available for the dem-
17 onstration and deployment of innovative mobility so-
18 lutions as authorized under section 5312 of title 49,
19 United States Code, and the Federal cost share for
20 such amounts shall be 100 percent: *Provided*, That
21 such amounts shall be available for competitive re-
22 search or cooperative agreements that will transform
23 transit systems by modeling, simulating, and imple-
24 menting scenario plans with an emphasis on projects
25 that use artificial intelligence to facilitate planning:

1 *Provided further*, That the Secretary shall provide
2 preference to projects that will improve access to
3 jobs, housing, health care, education, and address
4 food insecurity and shall also address how individ-
5 uals without access to advanced technology will ben-
6 efit from such solutions: *Provided further*, That any
7 applicant from an urbanized area shall integrate the
8 payment structures of all transit agencies within
9 that urbanized area and, to the extent possible,
10 other mobility solutions: *Provided further*, That
11 grants shall be awarded to no more than 5 recipients
12 and the Secretary shall require applicants to provide
13 initial plans before selecting finalists;

14 (8) \$50,000,000 shall be available for not more
15 than five competitive integrated smart mobility
16 grants to recipients eligible under sections 5307 and
17 5311 of title 49, United States Code, for planning
18 and capital projects that support the adoption of in-
19 novative approaches to mobility that will improve
20 safety, accessibility, air-quality, and equity in access
21 to community services and economic opportunities,
22 including first and last mile options such as opti-
23 mizing transit route planning and using integrated
24 travel planning and payment systems: *Provided*,
25 That the Secretary shall provide preference to

1 projects that will improve access to jobs, housing,
2 health care, education, and address food insecurity
3 and shall also address how individuals without ac-
4 cess to advanced technology will benefit from such
5 solutions: *Provided further*, That the Secretary shall
6 provide preference to projects that include job reten-
7 tion and retraining for current employees: *Provided*
8 *further*, That an eligible subrecipient is any entity el-
9 igible to be a recipient: *Provided further*, That the
10 Federal share for projects funded under this para-
11 graph shall not exceed 80 percent of the net project
12 cost; and

13 (9) \$30,000,000 (increased by \$1,500,000)
14 shall be available for competitive climate resilience
15 and adaptation grants to recipients eligible under
16 sections 5307 and 5311 of title 49, United States
17 Code, for capital projects that improve the resilience
18 of transit assets related to climate hazards by pro-
19 tecting transit infrastructure, including stations,
20 tunnels, and tracks, from flooding, extreme tempera-
21 tures, and other climate-related hazards: *Provided*,
22 That an eligible subrecipient is any entity eligible to
23 be a recipient: *Provided further*, That the Secretary
24 shall take such measures as to ensure an equitable
25 geographic distribution of funds and an equitable

1 distribution of funds among recipients eligible under
2 sections 5307, 5311, and 5337 of title 49, United
3 States Code: *Provided further*, That not more than
4 15 percent of the amounts made available under this
5 heading may be awarded to projects in a single
6 state: *Provided further*, That the Federal share for
7 projects funded under this paragraph shall not ex-
8 ceed 80 percent of the net project cost, except that
9 if there is a substantial public interest or benefit,
10 the Secretary may approve a greater Federal share:
11 *Provided further*, That amounts made available by this
12 heading shall be derived from the general fund: *Provided*
13 *further*, That the amounts made available under this head-
14 ing shall not be subject to any limitation on obligations
15 for transit programs set forth in any Act.

16 TECHNICAL ASSISTANCE AND TRAINING

17 For necessary expenses to carry out section 5314 of
18 title 49, United States Code, \$7,500,000, to remain avail-
19 able until September 30, 2023: *Provided*, That the assist-
20 ance provided under this heading does not duplicate the
21 activities of section 5311(b) or section 5312 of title 49,
22 United States Code.

23 CAPITAL INVESTMENT GRANTS

24 For necessary expenses to carry out fixed guideway
25 capital investment grants under section 5309 of title 49,

1 United States Code, and section 3005(b) of the Fixing
2 America's Surface Transportation Act (Public Law 114–
3 94), \$2,473,000,000, to remain available until September
4 30, 2025: *Provided*, That the Secretary shall continue to
5 administer the Capital Investment Grants Program in ac-
6 cordance with the procedural and substantive require-
7 ments of section 5309 of title 49, United States Code, and
8 of section 3005(b) of the Fixing America's Surface Trans-
9 portation Act: *Provided further*, That projects that receive
10 a grant agreement under the Expedited Project Delivery
11 for Capital Investment Grants Pilot Program under sec-
12 tion 3005(b) of the Fixing America's Surface Transpor-
13 tation Act shall be deemed eligible for funding provided
14 for projects under section 5309 of title 49, United States
15 Code, without further evaluation or rating under such sec-
16 tion: *Provided further*, That such funding shall not exceed
17 the Federal share under section 3005(b).

18 GRANTS TO THE WASHINGTON METROPOLITAN AREA

19 TRANSIT AUTHORITY

20 For grants to the Washington Metropolitan Area
21 Transit Authority as authorized under section 601 of divi-
22 sion B of the Passenger Rail Investment and Improvement
23 Act of 2008 (Public Law 110–432), \$150,000,000, to re-
24 main available until expended: *Provided*, That the Sec-
25 retary of Transportation shall approve grants for capital

1 and preventive maintenance expenditures for the Wash-
2 ington Metropolitan Area Transit Authority only after re-
3 ceiving and reviewing a request for each specific project:
4 *Provided further*, That the Secretary shall determine that
5 the Washington Metropolitan Area Transit Authority has
6 placed the highest priority on those investments that will
7 improve the safety of the system before approving such
8 grants.

9 ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT

10 ADMINISTRATION

11 (INCLUDING RESCISSIONS)

12 SEC. 160. The limitations on obligations for the pro-
13 grams of the Federal Transit Administration shall not
14 apply to any authority under 49 U.S.C. 5338, previously
15 made available for obligation, or to any other authority
16 previously made available for obligation.

17 SEC. 161. Notwithstanding any other provision of
18 law, funds appropriated or limited by this Act under the
19 heading “Capital Investment Grants” of the Federal
20 Transit Administration for projects specified in this Act
21 or identified in the report accompanying this Act not obli-
22 gated by September 30, 2025, and other recoveries, shall
23 be directed to projects eligible to use the funds for the
24 purposes for which they were originally provided.

1 SEC. 162. Notwithstanding any other provision of
2 law, any funds appropriated before October 1, 2021, under
3 any section of chapter 53 of title 49, United States Code,
4 that remain available for expenditure, may be transferred
5 to and administered under the most recent appropriation
6 heading for any such section.

7 SEC. 163. None of the funds made available by this
8 Act or any other Act shall be used to adjust apportion-
9 ments or withhold funds from apportionments pursuant
10 to section 9503(e)(4) of the Internal Revenue Code of
11 1986 (26 U.S.C. 9503(e)(4)).

12 SEC. 164. An eligible recipient of a grant under sec-
13 tion 5339(c) may submit an application in partnership
14 with other entities, including a transit vehicle manufac-
15 turer, that intend to participate in the implementation of
16 a project under section 5339(c) of title 49, United States
17 Code, and a project awarded with such partnership shall
18 be treated as satisfying the requirement for a competitive
19 procurement under section 5325(a) of title 49, United
20 States Code, for the named entity.

21 SEC. 165. None of the funds made available by this
22 Act or any other Act shall be used to impede or hinder
23 project advancement or approval for any project seeking
24 a Federal contribution from the capital investment grant
25 program of greater than 40 percent of project costs as

1 authorized under section 5309 of title 49, United States
2 Code.

3 SEC. 166. Of the unobligated amounts made available
4 for prior fiscal years to Formula Grants in Treasury Ac-
5 count 69–X–1129, a total of \$6,734,356 are hereby per-
6 manently rescinded: *Provided*, That no amounts may be
7 rescinded from amounts that were designated by the Con-
8 gress as an emergency or disaster relief requirement pur-
9 suant to a concurrent resolution on the budget or the Bal-
10 anced Budget and Emergency Deficit Control Act of 1985.

11 GREAT LAKES ST. LAWRENCE SEAWAY DEVELOPMENT
12 CORPORATION

13 The Great Lakes St. Lawrence Seaway Development
14 Corporation is hereby authorized to make such expendi-
15 tures, within the limits of funds and borrowing authority
16 available to the Corporation, and in accord with law, and
17 to make such contracts and commitments without regard
18 to fiscal year limitations, as provided by section 9104 of
19 title 31, United States Code, as may be necessary in car-
20 rying out the programs set forth in the Corporation’s
21 budget for the current fiscal year.

22 OPERATIONS AND MAINTENANCE
23 (HARBOR MAINTENANCE TRUST FUND)

24 For necessary expenses to conduct the operations,
25 maintenance, and capital infrastructure activities on por-

1 tions of the St. Lawrence Seaway owned, operated, and
2 maintained by the Great Lakes St. Lawrence Seaway De-
3 velopment Corporation, \$40,000,000, to be derived from
4 the Harbor Maintenance Trust Fund, pursuant to section
5 210 of the Water Resources Development Act of 1986 (33
6 U.S.C. 2238): *Provided*, That of the amounts made avail-
7 able under this heading, not more than \$14,500,000 shall
8 be for the seaway infrastructure program: *Provided fur-*
9 *ther*, That \$1,500,000 of the unobligated balances from
10 the amounts made available for capital asset renewal ac-
11 tivities under the heading “Saint Lawrence Seaway Devel-
12 opment Corporation—Operations and Maintenance” in
13 any prior Act may be used to conduct the operations and
14 maintenance of the Seaway International Bridge.

15 MARITIME ADMINISTRATION

16 MARITIME SECURITY PROGRAM

17 For necessary expenses to maintain and preserve a
18 U.S.-flag merchant fleet as authorized under chapter 531
19 of title 46, United States Code, to serve the national secu-
20 rity needs of the United States, \$318,000,000, to remain
21 available until expended.

22 CABLE SECURITY FLEET

23 For the cable security fleet program, as authorized
24 under chapter 532 of title 46, United States Code,
25 \$10,000,000, to remain available until expended.

TANKER SECURITY FLEET

For necessary expenses to establish and maintain a fleet of United States-flagged product tank vessels as authorized under chapter 534 of title 46, United States Code, \$60,000,000, to remain available until expended: *Provided*, That the amounts made available under this heading shall become available on the effective date specified in section 3511(d)(1) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283).

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, \$171,253,000: *Provided*, That of the amounts made available under this heading—

(1) \$83,675,000, to remain available until September 30, 2023, shall be for the operations of the United States Merchant Marine Academy;

(2) \$10,500,000, to remain available until expended, shall be for facilities maintenance and repair, equipment, and capital improvements at the United States Merchant Marine Academy;

(3) \$6,000,000, to remain available until September 30, 2023, shall be for the Maritime Environmental and Technical Assistance program authorized under section 50307 of title 46, United States Code:

1 *Provided*, That not less than \$4,000,000 shall be for
2 activities authorized under subparagraphs (A) and
3 (B) of section 50307(b)(1) of title 46, United States
4 Code, that reduce vessel and port air emissions; and
5 (4) \$14,819,000, to remain available until ex-
6 pended, shall be for the America's Marine Highway
7 Program to make grants for the purposes authorized
8 under paragraphs (1) and (3) of section 55601(b) of
9 title 46, United States Code: *Provided*, That the
10 Secretary shall give preference to those projects that
11 reduce air emissions and vehicle miles traveled:
12 *Provided further*, That the Administrator of the Maritime
13 Administration shall transmit to the House and Senate
14 Committees on Appropriations the annual report on sexual
15 assault and sexual harassment at the United States Mer-
16 chant Marine Academy as required pursuant to section
17 3510 of the National Defense Authorization Act for Fiscal
18 Year 2017 (46 U.S.C. 51318): *Provided further*, That
19 available balances under this heading for the Short Sea
20 Transportation Program (now known as the America's
21 Marine Highway Program) from prior year recoveries
22 shall be available to carry out activities authorized under
23 paragraphs (1) and (3) of section 55601(b) of title 46,
24 United States Code.

1 STATE MARITIME ACADEMY OPERATIONS

2 For necessary expenses of operations, support, and
3 training activities for State Maritime Academies,
4 \$363,300,000: *Provided*, That of the amounts made avail-
5 able under this heading—

6 (1) \$30,500,000, to remain available until ex-
7 pended, shall be for maintenance, repair, life exten-
8 sion, insurance, and capacity improvement of Na-
9 tional Defense Reserve Fleet training ships, and for
10 support of training ship operations at the State
11 Maritime Academies, of which not more than
12 \$8,000,000, to remain available until expended, shall
13 be for expenses related to training mariners; and for
14 costs associated with training vessel sharing pursu-
15 ant to section 51504(g)(3) of title 46, United States
16 Code, for costs associated with mobilizing, operating
17 and demobilizing the vessel, including travel costs
18 for students, faculty and crew, the costs of the gen-
19 eral agent, crew costs, fuel, insurance, operational
20 fees, and vessel hire costs, as determined by the Sec-
21 retary;

22 (2) \$320,600,000, to remain available until ex-
23 pended, shall be for the National Security Multi-Mis-
24 sion Vessel Program, including funds for construc-

1 tion, planning, administration, and design of school
2 ships;

3 (3) \$2,400,000, to remain available until Sep-
4 tember 30, 2026, shall be for the Student Incentive
5 Program;

6 (4) \$3,800,000, to remain available until ex-
7 pended, shall be for training ship fuel assistance;
8 and

9 (5) \$6,000,000, to remain available until Sep-
10 tember 30, 2023, shall be for direct payments for
11 State Maritime Academies.

12 ASSISTANCE TO SMALL SHIPYARDS

13 To make grants to qualified shipyards as authorized
14 under section 54101 of title 46, United States Code,
15 \$20,000,000, to remain available until expended.

16 SHIP DISPOSAL

17 For necessary expenses related to the disposal of ob-
18 solete vessels in the National Defense Reserve Fleet of the
19 Maritime Administration, \$7,508,000, to remain available
20 until expended.

21 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

22 ACCOUNT

23 (INCLUDING TRANSFER OF FUNDS)

24 For administrative expenses to carry out the guaran-
25 teed loan program, \$3,019,000, which shall be transferred

1 to and merged with the appropriations for “Maritime Ad-
2 ministration—Operations and Training”.

3 PORT INFRASTRUCTURE DEVELOPMENT PROGRAM

4 To make grants to improve port facilities as author-
5 ized under section 50302(c) of title 46, United States
6 Code, \$300,000,000, to remain available until expended:
7 *Provided*, That projects eligible for amounts made avail-
8 able under this heading shall be projects for coastal sea-
9 ports, inland river ports, or Great Lakes ports: *Provided*
10 *further*, That of the amounts made available under this
11 heading, not less than \$275,000,000 shall be for coastal
12 seaports or Great Lakes ports: *Provided further*, That the
13 Maritime Administration shall distribute amounts made
14 available under this heading as discretionary grants to
15 port authorities or commissions or their subdivisions and
16 agents under existing authority, as well as to a State or
17 political subdivision of a State or local government, a trib-
18 al government, a public agency or publicly chartered au-
19 thority established by one or more States, a special pur-
20 pose district with a transportation function, a multistate
21 or multijurisdictional group of entities, or a lead entity
22 described above jointly with a private entity or group of
23 private entities: *Provided further*, That projects eligible for
24 amounts made available under this heading shall be de-
25 signed to improve the safety, efficiency, or reliability of

1 the movement of goods into, out of, around, or within a
2 port and located—

3 (1) within the boundary of a port; or

4 (2) outside the boundary of a port, and directly
5 related to port operations, or to an intermodal con-
6 nection to a port:

7 *Provided further*, That projects eligible for amounts made
8 available under this heading shall be only for—

9 (1) port gate improvements;

10 (2) road improvements both within and con-
11 necting to the port;

12 (3) rail improvements both within and con-
13 necting to the port;

14 (4) berth improvements (including docks,
15 wharves, piers and dredging incidental to the im-
16 provement project);

17 (5) fixed landside improvements in support of
18 cargo operations (such as silos, elevators, conveyors,
19 container terminals, Ro/Ro structures including
20 parking garages necessary for intermodal freight
21 transfer, warehouses including refrigerated facilities,
22 lay-down areas, transit sheds, and other such facili-
23 ties);

24 (6) utilities necessary for safe operations (in-
25 cluding lighting, stormwater, and other such im-

1 improvements that are incidental to a larger infrastruc-
2 ture project);

3 (7) facilities improvements that reduce port air
4 emissions and environmental impacts (such as elec-
5 trification of port facilities, electric vehicle charging,
6 zero emission vehicle infrastructure, alternative fuel
7 infrastructure, shorepower, and non-road vehicles,
8 engines, and other such facilities used in support of
9 cargo operations);

10 (8) construction activities that improve natural
11 disaster preparedness and resiliency (including miti-
12 gation and adaptation planning); or

13 (9) a combination of activities described above:

14 *Provided further*, That projects eligible for amounts made
15 available under this heading may not include the purchase
16 or installation of fully automated cargo handling equip-
17 ment or terminal infrastructure that is designed for fully
18 automated cargo handling equipment: *Provided further*,
19 That for the purposes of the preceding proviso, “fully
20 automated cargo handling equipment” means cargo han-
21 dling equipment that is remotely operated or remotely
22 monitored and does not require the exercise of human
23 intervention or control: *Provided further*, That a grant
24 award under this heading shall be not less than
25 \$1,000,000: *Provided further*, That the proceeds of Fed-

1 eral credit assistance under chapter 6 of title 23, United
2 States Code, or sections 501 through 504 of the Railroad
3 Revitalization and Regulatory Reform Act of 1976 (Public
4 Law 94–210) shall be considered to be part of the non-
5 Federal share of project costs if the loan is repayable from
6 non-Federal funds, unless otherwise requested.

7 ADMINISTRATIVE PROVISION—MARITIME

8 ADMINISTRATION

9 SEC. 170. Notwithstanding any other provision of
10 this Act, in addition to any existing authority, the Mari-
11 time Administration is authorized to furnish utilities and
12 services and make necessary repairs in connection with
13 any lease, contract, or occupancy involving Government
14 property under control of the Maritime Administration:
15 *Provided*, That payments received therefor shall be cred-
16 ited to the appropriation charged with the cost thereof and
17 shall remain available until expended: *Provided further*,
18 That rental payments under any such lease, contract, or
19 occupancy for items other than such utilities, services, or
20 repairs shall be deposited into the Treasury as miscella-
21 neous receipts.

1 PIPELINE AND HAZARDOUS MATERIALS SAFETY

2 ADMINISTRATION

3 OPERATIONAL EXPENSES

4 For necessary operational expenses of the Pipeline
5 and Hazardous Materials Safety Administration,
6 \$29,100,000, of which \$4,500,000 shall remain available
7 until September 30, 2024: *Provided*, That the Secretary
8 of Transportation shall issue a final rule on automatic and
9 remote-controlled shut-off valves and hazardous liquid
10 pipeline facilities leak detection systems as required under
11 section 4 and section 8 of the Pipeline Safety, Regulatory
12 Certainty, and Job Creation Act of 2011 (Public Law
13 112–90), respectively, not later than 90 days after the
14 date of enactment of this Act: *Provided further*, That the
15 amounts made available under this heading shall be re-
16 duced by \$5,000 per day for each day that such rule has
17 not been issued following the expiration of the deadline
18 set forth in the preceding proviso.

19 HAZARDOUS MATERIALS SAFETY

20 For expenses necessary to discharge the hazardous
21 materials safety functions of the Pipeline and Hazardous
22 Materials Safety Administration, \$66,391,500, to remain
23 available until September 30, 2024: *Provided*, That up to
24 \$800,000 in fees collected under section 5108(g) of title
25 49, United States Code, shall be deposited in the general

1 fund of the Treasury as offsetting receipts: *Provided fur-*
 2 *ther*, That there may be credited to this appropriation, to
 3 be available until expended, funds received from States,
 4 counties, municipalities, other public authorities, and pri-
 5 vate sources for expenses incurred for training, for reports
 6 publication and dissemination, and for travel expenses in-
 7 curred in performance of hazardous materials exemptions
 8 and approvals functions.

9 PIPELINE SAFETY

10 (PIPELINE SAFETY FUND)

11 (OIL SPILL LIABILITY TRUST FUND)

12 For expenses necessary to carry out a pipeline safety
 13 program, as authorized by section 60107 of title 49,
 14 United States Code, and to discharge the pipeline program
 15 responsibilities of the Oil Pollution Act of 1990 (Public
 16 Law 101–380), \$182,650,000, to remain available until
 17 September 30, 2024, of which \$27,650,000 shall be de-
 18 rived from the Oil Spill Liability Trust Fund; of which
 19 \$146,600,000 shall be derived from the Pipeline Safety
 20 Fund; of which \$400,000 shall be derived from the fees
 21 collected under section 60303 of title 49, United States
 22 Code, and deposited in the Liquefied Natural Gas Siting
 23 Account for compliance reviews of liquefied natural gas
 24 facilities; and of which \$8,000,000 shall be derived from
 25 fees collected under section 60302 of title 49, United

1 States Code, and deposited in the Underground Natural
2 Gas Storage Facility Safety Account for the purpose of
3 carrying out section 60141 of title 49, United States Code:
4 *Provided*, That not less than \$1,058,000 of the amounts
5 made available under this heading shall be for the One-
6 Call State grant program: *Provided further*, That any
7 amounts made available under this heading in this Act or
8 in prior Acts for research contracts, grants, cooperative
9 agreements or research other transactions agreements
10 (“OTAs”) shall require written notification to the House
11 and Senate Committees on Appropriations not less than
12 3 full business days before such research contracts, grants,
13 cooperative agreements, or research OTAs are announced
14 by the Department of Transportation: *Provided further*,
15 That the Secretary shall transmit to the House and Sen-
16 ate Committees on Appropriations the report on pipeline
17 safety testing enhancement as required pursuant to sec-
18 tion 105 of the Protecting our Infrastructure of Pipelines
19 and Enhancing Safety Act of 2020 (division R of Public
20 Law 116–260): *Provided further*, That the Secretary may
21 obligate amounts made available under this heading to en-
22 gineer, erect, alter, and repair buildings or make any other
23 public improvements for research facilities at the Trans-
24 portation Technology Center after the Secretary submits
25 an updated research plan and the report in the preceding

1 proviso to the House and Senate Committees on Appro-
2 priations and after such plan and report in the preceding
3 proviso are approved by the House and Senate Commit-
4 tees on Appropriations.

5 EMERGENCY PREPAREDNESS GRANTS

6 (LIMITATION ON OBLIGATIONS)

7 (EMERGENCY PREPAREDNESS FUND)

8 For expenses necessary to carry out the Emergency
9 Preparedness Grants program, not more than
10 \$28,318,000 shall remain available until September 30,
11 2024, from amounts made available by section 5116(h)
12 and subsections (b) and (c) of section 5128 of title 49,
13 United States Code: *Provided*, That notwithstanding sec-
14 tion 5116(h)(4) of title 49, United States Code, not more
15 than 4 percent of the amounts made available from this
16 account shall be available to pay administrative costs of
17 carrying out sections 5116, 5107(e), and 5108(g)(2) of
18 title 49, United States Code: *Provided further*, That not-
19 withstanding subsections (b) and (c) of section 5128 of
20 title 49, United States Code, and the limitation on obliga-
21 tions provided under this heading, prior year recoveries
22 recognized in the current year shall be available to develop
23 and deliver hazardous materials emergency response train-
24 ing for emergency responders, including response activities
25 for the transportation of crude oil, ethanol, flammable liq-

1 uids, and other hazardous commodities by rail, consistent
2 with National Fire Protection Association standards, and
3 to make such training available through an electronic for-
4 mat: *Provided further*, That the prior year recoveries made
5 available under this heading shall also be available to carry
6 out sections 5116(a)(1)(C), 5116(h), 5116(i), and 5107(e)
7 of title 49, United States Code.

8 OFFICE OF INSPECTOR GENERAL

9 SALARIES AND EXPENSES

10 For necessary expenses of the Office of Inspector
11 General to carry out the provisions of the Inspector Gen-
12 eral Act of 1978, as amended, \$103,150,000: *Provided*,
13 That the Inspector General shall have all necessary au-
14 thority, in carrying out the duties specified in the Inspec-
15 tor General Act, as amended (5 U.S.C. App. 3), to inves-
16 tigate allegations of fraud, including false statements to
17 the government (18 U.S.C. 1001), by any person or entity
18 that is subject to regulation by the Department of Trans-
19 portation.

20 GENERAL PROVISIONS—DEPARTMENT OF

21 TRANSPORTATION

22 SEC. 180. (a) During the current fiscal year, applica-
23 ble appropriations to the Department of Transportation
24 shall be available for maintenance and operation of air-
25 craft; hire of passenger motor vehicles and aircraft; pur-

1 chase of liability insurance for motor vehicles operating
2 in foreign countries on official department business; and
3 uniforms or allowances therefor, as authorized by sections
4 5901 and 5902 of title 5, United States Code.

5 (b) During the current fiscal year, applicable appro-
6 priations to the Department and its operating administra-
7 tions shall be available for the purchase, maintenance, op-
8 eration, and deployment of unmanned aircraft systems
9 that advance the missions of the Department of Transpor-
10 tation or an operating administration of the Department
11 of Transportation.

12 (c) Any unmanned aircraft system purchased, pro-
13 cured, or contracted for by the Department prior to the
14 date of enactment of this Act shall be deemed authorized
15 by Congress as if this provision was in effect when the
16 system was purchased, procured, or contracted for.

17 SEC. 181. Appropriations contained in this Act for
18 the Department of Transportation shall be available for
19 services as authorized by section 3109 of title 5, United
20 States Code, but at rates for individuals not to exceed the
21 per diem rate equivalent to the rate for an Executive Level
22 IV.

23 SEC. 182. (a) No recipient of amounts made available
24 by this Act shall disseminate personal information (as de-
25 fined in section 2725(3) of title 18, United States Code)

1 obtained by a State department of motor vehicles in con-
2 nection with a motor vehicle record as defined in section
3 2725(1) of title 18, United States Code, except as pro-
4 vided in section 2721 of title 18, United States Code, for
5 a use permitted under section 2721 of title 18, United
6 States Code.

7 (b) Notwithstanding subsection (a), the Secretary
8 shall not withhold amounts made available by this Act for
9 any grantee if a State is in noncompliance with this provi-
10 sion.

11 SEC. 183. None of the funds made available by this
12 Act shall be available for salaries and expenses of more
13 than 125 political and Presidential appointees in the De-
14 partment of Transportation: *Provided*, That none of the
15 personnel covered by this provision may be assigned on
16 temporary detail outside the Department of Transpor-
17 tation.

18 SEC. 184. Funds received by the Federal Highway
19 Administration and Federal Railroad Administration from
20 States, counties, municipalities, other public authorities,
21 and private sources for expenses incurred for training may
22 be credited respectively to the Federal Highway Adminis-
23 tration's "Federal-Aid Highways" account and to the Fed-
24 eral Railroad Administration's "Safety and Operations"
25 account, except for State rail safety inspectors partici-

1 pating in training pursuant to section 20105 of title 49,
2 United States Code.

3 SEC. 185. None of the funds made available by this
4 Act to the Department of Transportation may be used to
5 make a loan, loan guarantee, line of credit, letter of intent,
6 federally funded cooperative agreement, full funding grant
7 agreement, or discretionary grant unless the Secretary of
8 Transportation notifies the House and Senate Committees
9 on Appropriations not less than 3 full business days before
10 any project competitively selected to receive any discre-
11 tionary grant award, letter of intent, loan commitment,
12 loan guarantee commitment, line of credit commitment,
13 federally funded cooperative agreement, or full funding
14 grant agreement is announced by the Department or its
15 operating administrations: *Provided*, That the Secretary
16 of Transportation shall provide the House and Senate
17 Committees on Appropriations with a comprehensive list
18 of all such loans, loan guarantees, lines of credit, letters
19 of intent, federally funded cooperative agreements, full
20 funding grant agreements, and discretionary grants prior
21 to the notification required under the preceding proviso:
22 *Provided further*, That the Secretary gives concurrent noti-
23 fication to the House and Senate Committees on Appro-
24 priations for any “quick release” of funds from the emer-
25 gency relief program: *Provided further*, That no notifica-

1 tion shall involve funds that are not available for obliga-
2 tion.

3 SEC. 186. Rebates, refunds, incentive payments,
4 minor fees, and other funds received by the Department
5 of Transportation from travel management centers,
6 charge card programs, the subleasing of building space,
7 and miscellaneous sources are to be credited to appropria-
8 tions of the Department of Transportation and allocated
9 to organizational units of the Department of Transpor-
10 tation using fair and equitable criteria and such funds
11 shall be available until expended.

12 SEC. 187. Notwithstanding any other provision of
13 law, if any funds provided by or limited by this Act are
14 subject to a reprogramming action that requires notice to
15 be provided to the House and Senate Committees on Ap-
16 propriations, transmission of such reprogramming notice
17 shall be provided solely to the House and Senate Commit-
18 tees on Appropriations, and such reprogramming action
19 shall be approved or denied solely by the House and Sen-
20 ate Committees on Appropriations: *Provided*, That the
21 Secretary of Transportation may provide notice to other
22 congressional committees of the action of the House and
23 Senate Committees on Appropriations on such reprogram-
24 ming but not sooner than 30 days after the date on which

1 the reprogramming action has been approved or denied by
2 the House and Senate Committees on Appropriations.

3 SEC. 188. Funds appropriated by this Act to the op-
4 erating administrations may be obligated for the Office of
5 the Secretary for the costs related to assessments or reim-
6 bursable agreements only when such amounts are for the
7 costs of goods and services that are purchased to provide
8 a direct benefit to the applicable operating administration
9 or administrations.

10 SEC. 189. The Secretary of Transportation is author-
11 ized to carry out a program that establishes uniform
12 standards for developing and supporting agency transit
13 pass and transit benefits authorized under section 7905
14 of title 5, United States Code, including distribution of
15 transit benefits by various paper and electronic media.

16 SEC. 190. The Department of Transportation may
17 use funds provided by this Act, or any other Act, to assist
18 a contract under title 49 or 23 of the United States Code
19 utilizing geographic, economic, or any other hiring pref-
20 erence not otherwise authorized by law, or to amend a
21 rule, regulation, policy or other measure that forbids a re-
22 cipient of a Federal Highway Administration or Federal
23 Transit Administration grant from imposing such hiring
24 preference on a contract or construction project with

1 which the Department of Transportation is assisting, only
2 if the grant recipient certifies the following:

3 (1) that except with respect to apprentices or
4 trainees, a pool of readily available but unemployed
5 individuals possessing the knowledge, skill, and abil-
6 ity to perform the work that the contract requires
7 resides in the jurisdiction;

8 (2) that the grant recipient will include appro-
9 priate provisions in its bid document ensuring that
10 the contractor does not displace any of its existing
11 employees in order to satisfy such hiring preference;
12 and

13 (3) that any increase in the cost of labor, train-
14 ing, or delays resulting from the use of such hiring
15 preference does not delay or displace any transpor-
16 tation project in the applicable Statewide Transpor-
17 tation Improvement Program or Transportation Im-
18 provement Program.

19 SEC. 191. The Secretary of Transportation shall co-
20 ordinate with the Secretary of Homeland Security to en-
21 sure that best practices for Industrial Control Systems
22 Procurement are up-to-date and shall ensure that systems
23 procured with funds provided under this title were pro-
24 cured using such practices.

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

3 TITLE II

4 DEPARTMENT OF HOUSING AND URBAN
5 DEVELOPMENT

6 MANAGEMENT AND ADMINISTRATION

7 EXECUTIVE OFFICES

8 For necessary salaries and expenses for Executive Of-
9 fices, which shall be comprised of the offices of the Sec-
10 retary, Deputy Secretary, Adjudicatory Services, Congres-
11 sional and Intergovernmental Relations, Public Affairs,
12 Small and Disadvantaged Business Utilization, and the
13 Center for Faith-Based and Neighborhood Partnerships,
14 \$15,000,000, to remain available until September 30,
15 2023: *Provided*, That not to exceed \$25,000 of the amount
16 made available under this heading shall be available to the
17 Secretary of Housing and Urban Development (referred
18 to in this title as the “Secretary”) for official reception
19 and representation expenses as the Secretary may deter-
20 mine.

21 ADMINISTRATIVE SUPPORT OFFICES

22 For necessary salaries and expenses for Administra-
23 tive Support Offices, \$594,418,000 (reduced by
24 \$2,000,000) (increased by \$594,418,000) (reduced by
25 \$594,418,000), to remain available until September 30,

1 2023: *Provided*, That of the sums appropriated under this
2 heading—

3 (1) \$77,906,000 shall be available for the Office
4 of the Chief Financial Officer;

5 (2) \$112,274,000 shall be available for the Of-
6 fice of the General Counsel, of which not less than
7 \$20,000,000 shall be for the Departmental Enforce-
8 ment Center;

9 (3) \$276,843,000 (reduced by \$2,000,000)
10 shall be available for the Office of the Assistant Sec-
11 retary for Administration (which includes the Office
12 of Administration, the Office of the Chief Human
13 Capital Officer, and the Office of the Chief Procure-
14 ment Officer), of which not more than \$5,143,000
15 may be for modernization and deferred maintenance
16 of the Weaver Building;

17 (4) \$59,652,000 shall be available for the Office
18 of Field Policy and Management;

19 (5) \$4,300,000 shall be available for the Office
20 of Departmental Equal Employment Opportunity;
21 and

22 (6) \$63,443,000 shall be available for the Office
23 of the Chief Information Officer:

24 *Provided further*, That funds made available under this
25 heading may be used for necessary administrative and

1 non-administrative expenses of the Department, not other-
2 wise provided for, including purchase of uniforms, or al-
3 lowances therefor, as authorized by sections 5901 and
4 5902 of title 5, United States Code; hire of passenger
5 motor vehicles; and services as authorized by section 3109
6 of title 5, United States Code: *Provided further*, That not-
7 withstanding any other provision of law, funds appro-
8 priated under this heading may be used for advertising
9 and promotional activities that directly support program
10 activities funded in this title: *Provided further*, That the
11 Secretary shall provide the House and Senate Committees
12 on Appropriations quarterly written notification regarding
13 the status of pending congressional reports: *Provided fur-*
14 *ther*, That the Secretary shall provide in electronic form
15 all signed reports required by Congress.

16 PROGRAM OFFICES

17 For necessary salaries and expenses for Program Of-
18 fices, \$950,329,000, to remain available until September
19 30, 2023: *Provided*, That of the sums appropriated under
20 this heading—

21 (1) \$258,896,000 shall be available for the Of-
22 fice of Public and Indian Housing, of which not less
23 than \$39,000,000 shall be for the Office of Native
24 American Programs;

1 (2) \$142,381,000 (reduced by \$1,000,000)
2 shall be available for the Office of Community Plan-
3 ning and Development;

4 (3) \$412,703,000 shall be available for the Of-
5 fice of Housing, of which not less than \$13,300,000
6 shall be for the Office of Recapitalization;

7 (4) \$37,320,000 shall be available for the Office
8 of Policy Development and Research;

9 (5) \$88,726,000 (increased by \$1,000,000)
10 shall be available for the Office of Fair Housing and
11 Equal Opportunity; and

12 (6) \$10,303,000 shall be available for the Office
13 of Lead Hazard Control and Healthy Homes.

14 WORKING CAPITAL FUND

15 (INCLUDING TRANSFER OF FUNDS)

16 For the working capital fund for the Department of
17 Housing and Urban Development (referred to in this para-
18 graph as the “Fund”), pursuant, in part, to section 7(f)
19 of the Department of Housing and Urban Development
20 Act (42 U.S.C. 3535(f)), amounts transferred, including
21 reimbursements pursuant to section 7(f), to the Fund
22 under this heading shall be available only for Federal
23 shared services used by offices and agencies of the Depart-
24 ment, and for any such portion of any office or agency’s
25 printing, records management, space renovation, fur-

1 niture, or supply services the Secretary has determined
 2 shall be provided through the Fund, and the operational
 3 expenses of the Fund: *Provided*, That amounts within the
 4 Fund shall not be available to provide services not specifi-
 5 cally authorized under this heading: *Provided further*,
 6 That upon a determination by the Secretary that any
 7 other service (or portion thereof) authorized under this
 8 heading shall be provided through the Fund, amounts
 9 made available in this title for salaries and expenses under
 10 the headings “Executive Offices”, “Administrative Sup-
 11 port Offices”, “Program Offices”, and “Government Na-
 12 tional Mortgage Association”, for such services shall be
 13 transferred to the Fund, to remain available until ex-
 14 pended: *Provided further*, That the Secretary shall notify
 15 the House and Senate Committees on Appropriations of
 16 its plans for executing such transfers at least 15 days in
 17 advance of such transfers.

18 PUBLIC AND INDIAN HOUSING

19 TENANT-BASED RENTAL ASSISTANCE

20 For activities and assistance for the provision of ten-
 21 ant-based rental assistance authorized under the United
 22 States Housing Act of 1937, as amended (42 U.S.C. 1437
 23 et seq.) (in this title “the Act”), not otherwise provided
 24 for, \$25,215,714,000, to remain available until expended,
 25 which shall be available on October 1, 2021 (in addition

1 to the \$4,000,000,000 previously appropriated under this
2 heading that shall be available on October 1, 2021), and
3 \$4,000,000,000, to remain available until expended, which
4 shall be available on October 1, 2022: *Provided*, That the
5 amounts made available under this heading are provided
6 as follows:

7 (1) \$24,950,926,000 shall be available for re-
8 newals of expiring section 8 tenant-based annual
9 contributions contracts (including renewals of en-
10 hanced vouchers under any provision of law author-
11 izing such assistance under section 8(t) of the Act)
12 and including renewal of other special purpose incre-
13 mental vouchers: *Provided*, That notwithstanding
14 any other provision of law, from amounts provided
15 under this paragraph and any carryover, the Sec-
16 retary for the calendar year 2022 funding cycle shall
17 provide renewal funding for each public housing
18 agency based on validated voucher management sys-
19 tem (VMS) leasing and cost data for the prior cal-
20 endar year and by applying an inflation factor as es-
21 tablished by the Secretary, by notice published in
22 the Federal Register, and by making any necessary
23 adjustments for the costs associated with the first-
24 time renewal of vouchers under this paragraph, in-
25 cluding tenant protection and Choice Neighborhoods

1 vouchers: *Provided further*, That costs associated
2 with any foregone increases in tenant rent payments
3 due to the implementation of rent incentives as au-
4 thorized pursuant to waivers or alternative require-
5 ments of the Jobs-Plus initiative as described under
6 the heading “Self-Sufficiency Programs” shall be re-
7 newed: *Provided further*, That funds provided under
8 this paragraph in this Act and prior Acts may be
9 used to fund a total number of unit months under
10 lease which exceeds a public housing agency’s au-
11 thorized level of units under contract, except for
12 public housing agencies participating in the Moving
13 to Work (MTW) demonstration, which are instead
14 governed in accordance with the requirements of the
15 MTW demonstration program or their MTW agree-
16 ments, if any: *Provided further*, That amounts
17 repurposed pursuant to the preceding proviso that
18 were previously designated by the Congress as an
19 emergency requirement pursuant to the Balanced
20 Budget and Emergency Deficit Control Act of 1985
21 or a concurrent resolution on the budget are des-
22 ignated by the Congress as an emergency require-
23 ment pursuant to section 1(f), or as being for dis-
24 aster relief pursuant to section 1(g), respectively, of
25 H. Res. 467 as engrossed in the House of Rep-

1 representatives on June 14, 2021: *Provided further*,
2 That the Secretary shall, to the extent necessary to
3 stay within the amount specified under this para-
4 graph (except as otherwise modified under this para-
5 graph), prorate each public housing agency's alloca-
6 tion otherwise established pursuant to this para-
7 graph: *Provided further*, That except as provided in
8 the following provisos, the entire amount specified
9 under this paragraph (except as otherwise modified
10 under this paragraph) shall be obligated to the pub-
11 lic housing agencies based on the allocation and pro
12 rata method described above, and the Secretary shall
13 notify public housing agencies of their annual budget
14 by the latter of 60 days after enactment of this Act
15 or March 1, 2022: *Provided further*, That the Sec-
16 retary may extend the notification period with the
17 prior written approval of the House and Senate
18 Committees on Appropriations: *Provided further*,
19 That public housing agencies participating in the
20 MTW demonstration shall be funded in accordance
21 with the requirements of the MTW demonstration
22 program or their MTW agreements, if any, and shall
23 be subject to the same pro rata adjustments under
24 the previous provisos: *Provided further*, That the
25 Secretary may offset public housing agencies' cal-

1 endar year 2022 allocations based on the excess
2 amounts of public housing agencies' net restricted
3 assets accounts, including HUD-held programmatic
4 reserves (in accordance with VMS data in calendar
5 year 2021 that is verifiable and complete), as deter-
6 mined by the Secretary: *Provided further*, That pub-
7 lic housing agencies participating in the MTW dem-
8 onstration shall also be subject to the offset, as de-
9 termined by the Secretary, excluding amounts sub-
10 ject to the single fund budget authority provisions of
11 their MTW agreements, from the agencies' calendar
12 year 2022 MTW funding allocation: *Provided fur-*
13 *ther*, That the Secretary shall use any offset referred
14 to in the previous two provisos throughout the cal-
15 endar year to prevent the termination of rental as-
16 sistance for families as the result of insufficient
17 funding, as determined by the Secretary, and to
18 avoid or reduce the proration of renewal funding al-
19 locations: *Provided further*, That up to \$100,000,000
20 shall be available only: (1) for adjustments in the al-
21 locations for public housing agencies, after applica-
22 tion for an adjustment by a public housing agency
23 that experienced a significant increase, as deter-
24 mined by the Secretary, in renewal costs of vouchers
25 (including Mainstream vouchers) resulting from un-

1 foreseen circumstances or from portability under
2 section 8(r) of the Act; (2) for vouchers that were
3 not in use during the previous 12-month period in
4 order to be available to meet a commitment pursu-
5 ant to section 8(o)(13) of the Act, or an adjustment
6 for a funding obligation not yet expended in the pre-
7 vious calendar year for a MTW-eligible activity to
8 develop affordable housing for an agency added to
9 the MTW demonstration under the expansion au-
10 thority provided in section 239 of the Transpor-
11 tation, Housing and Urban Development, and Re-
12 lated Agencies Appropriations Act, 2016 (division L
13 of Public Law 114–113); (3) for adjustments for
14 costs associated with HUD–Veterans Affairs Sup-
15 portive Housing (HUD–VASH) vouchers; (4) for
16 public housing agencies that despite taking reason-
17 able cost savings measures, as determined by the
18 Secretary, would otherwise be required to terminate
19 rental assistance for families, including Mainstream
20 families, as a result of insufficient funding; (5) for
21 adjustments in the allocations for public housing
22 agencies that (i) are leasing a lower-than-average
23 percentage of their authorized vouchers, (ii) have low
24 amounts of budget authority in their net restricted
25 assets accounts and HUD-held programmatic re-

1 serves, relative to other agencies, and (iii) are not
2 participating in the Moving to Work demonstration,
3 to enable such agencies to lease more vouchers; and
4 (6) for public housing agencies that have experi-
5 enced increased costs or loss of units in an area for
6 which the President declared a disaster under title
7 IV of the Robert T. Stafford Disaster Relief and
8 Emergency Assistance Act (42 U.S.C. 5170 et seq.):
9 *Provided further*, That the Secretary shall allocate
10 amounts under the previous proviso based on need,
11 as determined by the Secretary;

12 (2) \$100,000,000 shall be for section 8 rental
13 assistance for relocation and replacement of housing
14 units that are demolished or disposed of pursuant to
15 section 18 of the Act, conversion of section 23
16 projects to assistance under section 8, the family
17 unification program under section 8(x) of the Act,
18 relocation of witnesses (including victims of violent
19 crimes) in connection with efforts to combat crime
20 in public and assisted housing pursuant to a request
21 from a law enforcement or prosecution agency, en-
22 hanced vouchers under any provision of law author-
23 izing such assistance under section 8(t) of the Act,
24 Choice Neighborhood vouchers, mandatory and vol-
25 untary conversions, and tenant protection assistance

1 including replacement and relocation assistance or
2 for project-based assistance to prevent the displace-
3 ment of unassisted elderly tenants currently residing
4 in section 202 properties financed between 1959 and
5 1974 that are refinanced pursuant to Public Law
6 106–569, as amended, or under the authority as
7 provided under this Act: *Provided*, That of the
8 amounts made available under this paragraph, up to
9 \$10,000,000 shall be available to provide public
10 housing agencies with enhanced vouchers for fami-
11 lies residing in State-assisted projects financed be-
12 tween 1970 and 1979 that were subject to a use
13 agreement under the Low-Income Housing Preserva-
14 tion and Resident Homeownership Act of 1990 (title
15 VI of Public Law 101–625; LIHPRHA) or the
16 Emergency Low Income Housing Preservation Act
17 of 1987 (title II of Public Law 100–242; ELIHPA)
18 on the date the affordability protections at such
19 projects expire or terminate during calendar years
20 2021 and 2022: *Provided further*, That the State
21 housing finance agency shall submit the request to
22 the Secretary for enhanced vouchers for families re-
23 siding in such eligible State-assisted projects no
24 later than the latter of 120 days prior to the expira-
25 tion or termination of affordability protections at

1 such projects or 120 days after enactment of this
2 Act: *Provided further*, That such enhanced vouchers
3 shall not be considered replacement vouchers: *Pro-*
4 *vided further*, That when a public housing develop-
5 ment is submitted for demolition or disposition
6 under section 18 of the Act, the Secretary shall pro-
7 vide section 8 rental assistance when the units pose
8 an imminent health and safety risk to residents:
9 *Provided further*, That the Secretary may provide
10 section 8 rental assistance from amounts made
11 available under this paragraph for units assisted
12 under a project-based subsidy contract funded under
13 the “Project-Based Rental Assistance” heading
14 under this title where the owner has received a No-
15 tice of Default and the units pose an imminent
16 health and safety risk to residents: *Provided further*,
17 That to the extent that the Secretary determines
18 that such units are not feasible for continued rental
19 assistance payments or transfer of the subsidy con-
20 tract associated with such units to another project
21 or projects and owner or owners, any remaining
22 amounts associated with such units under such con-
23 tract shall be recaptured and such recaptured
24 amounts, in an amount equal to the cost of rental
25 assistance provided pursuant to the previous proviso,

1 up to the total amounts recaptured, shall be trans-
2 ferred to and merged with amounts used under this
3 paragraph: *Provided further*, That of the amounts
4 made available under this paragraph, no less than
5 \$5,000,000 may be available to provide tenant pro-
6 tection assistance, not otherwise provided under this
7 paragraph, to residents residing in low vacancy
8 areas and who may have to pay rents greater than
9 30 percent of household income, as the result of: (A)
10 the maturity of a HUD-insured, HUD-held, or sec-
11 tion 202 loan that requires the permission of the
12 Secretary prior to loan prepayment; (B) the expira-
13 tion of a rental assistance contract for which the
14 tenants are not eligible for enhanced voucher or ten-
15 ant protection assistance under existing law; or (C)
16 the expiration of affordability restrictions accom-
17 panying a mortgage or preservation program admin-
18 istered by the Secretary: *Provided further*, That such
19 tenant protection assistance made available under
20 the previous proviso may be provided under the au-
21 thority of section 8(t) or section 8(o)(13) of the
22 United States Housing Act of 1937 (42 U.S.C.
23 1437f(t)): *Provided further*, That the Secretary shall
24 issue guidance to implement the previous provisos,
25 including, but not limited to, requirements for defin-

1 ing eligible at-risk households not later than 60 days
2 after the date of enactment of this Act: *Provided*
3 *further*, That any tenant protection voucher made
4 available from amounts under this paragraph shall
5 not be reissued by any public housing agency, except
6 the replacement vouchers as defined by the Sec-
7 retary by notice, when the initial family that re-
8 ceived any such voucher no longer receives such
9 voucher, and the authority for any public housing
10 agency to issue any such voucher shall cease to exist:
11 *Provided further*, That the Secretary may only pro-
12 vide replacement vouchers for units that were occu-
13 pied within the previous 24 months that cease to be
14 available as assisted housing, subject only to the
15 availability of funds;

16 (3) \$2,469,535,000 (reduced by \$5,000,000)
17 shall be for administrative and other expenses of
18 public housing agencies in administering the section
19 8 tenant-based rental assistance program, of which
20 up to \$10,000,000 shall be available to the Secretary
21 to allocate to public housing agencies that need addi-
22 tional funds to administer their section 8 programs,
23 including fees associated with section 8 tenant pro-
24 tection rental assistance, the administration of dis-
25 aster related vouchers, HUD–VASH vouchers, and

1 other special purpose incremental vouchers: *Pro-*
2 *vided*, That no less than \$2,459,535,000 of the
3 amount provided in this paragraph shall be allocated
4 to public housing agencies for the calendar year
5 2022 funding cycle based on section 8(q) of the Act
6 (and related Appropriation Act provisions) as in ef-
7 fect immediately before the enactment of the Quality
8 Housing and Work Responsibility Act of 1998 (Pub-
9 lic Law 105–276): *Provided further*, That if the
10 amounts made available under this paragraph are
11 insufficient to pay the amounts determined under
12 the previous proviso, the Secretary may decrease the
13 amounts allocated to agencies by a uniform percent-
14 age applicable to all agencies receiving funding
15 under this paragraph or may, to the extent nec-
16 essary to provide full payment of amounts deter-
17 mined under the previous proviso, utilize unobligated
18 balances, including recaptures and carryover, re-
19 maining from funds appropriated to the Department
20 of Housing and Urban Development under this
21 heading from prior fiscal years, excluding special
22 purpose vouchers, notwithstanding the purposes for
23 which such amounts were appropriated: *Provided*
24 *further*, That all public housing agencies partici-
25 pating in the MTW demonstration shall be funded

1 in accordance with the requirements of the MTW
2 demonstration program or their MTW agreements,
3 if any, and shall be subject to the same uniform per-
4 centage decrease as under the previous proviso: *Pro-*
5 *vided further*, That amounts provided under this
6 paragraph shall be only for activities related to the
7 provision of tenant-based rental assistance author-
8 ized under section 8, including related development
9 activities;

10 (4) \$500,253,000 shall be for the renewal of
11 tenant-based assistance contracts under section 811
12 of the Cranston-Gonzalez National Affordable Hous-
13 ing Act (42 U.S.C. 8013), including necessary ad-
14 ministrative expenses: *Provided*, That administrative
15 and other expenses of public housing agencies in ad-
16 ministering the special purpose vouchers in this
17 paragraph shall be funded under the same terms
18 and be subject to the same pro rata reduction as the
19 percent decrease for administrative and other ex-
20 penses to public housing agencies under paragraph
21 (3) of this heading: *Provided further*, That up to
22 \$10,000,000 shall be available only for (1) adjust-
23 ments in the allocation for public housing agencies,
24 after applications for an adjustment by a public
25 housing agency that experienced a significant in-

1 crease, as determined by the Secretary, in Main-
2 stream renewal costs resulting from unforeseen cir-
3 cumstances, and (2) public housing agencies that de-
4 spite taking reasonable cost saving measures, as de-
5 termined by the Secretary, would otherwise be re-
6 quired to terminate the rental assistance for Main-
7 stream families as a result of insufficient funding:
8 *Provided further*, That the Secretary shall allocate
9 amounts under the previous proviso based on need,
10 as determined by the Secretary: *Provided further*,
11 That of the amounts made available under this para-
12 graph, up to \$5,000,000 shall be available for a pilot
13 program for public housing agencies that partner
14 with administering entities under the Projects for
15 Assistance in Transition from Homelessness
16 (PATH) program as authorized by the Stewart B.
17 McKinney Homeless Assistance Amendments Act of
18 1990 or other eligible entities, as determined by the
19 Secretary, to assist persons with serious mental ill-
20 ness: *Provided further*, That the amounts made
21 available in the previous proviso shall be for incre-
22 mental rental voucher assistance, including project-
23 based vouchers, under such section 811 for non-el-
24 derly persons with serious mental illness, and for ad-
25 ministrative and other expenses of public housing

1 agencies: *Provided further*, That in awarding assist-
2 ance under such pilot program the Secretary may
3 give bonus points to public housing agencies giving
4 preference to individuals referred from the Coordi-
5 nated Entry System (CES) or operating a Family
6 Self-Sufficiency program: *Provided further*, That in
7 administering such pilot program, the Secretary may
8 waive, or specify alternative requirements for, any
9 provision of any statute or regulation that the Sec-
10 retary administers in connection with the use of
11 funds made available under such pilot (except for re-
12 quirements related to fair housing, nondiscrimina-
13 tion, labor standards, and the environment), upon a
14 finding by the Secretary that any such waivers or al-
15 ternative requirements are necessary for the effective
16 delivery and administration of such voucher assist-
17 ance: *Provided further*, That upon turnover, section
18 811 special purpose vouchers funded under this
19 heading in this or prior Acts, or under any other
20 heading in prior Acts, shall be provided to non-elder-
21 ly persons with disabilities;

22 (5) Of the amounts provided under paragraph
23 (1) up to \$5,000,000 shall be for rental assistance
24 and associated administrative fees for Tribal HUD-
25 VASH to serve Native American veterans that are

1 homeless or at-risk of homelessness living on or near
2 a reservation or other Indian areas: *Provided*, That
3 such amount shall be made available for renewal
4 grants to recipients that received assistance under
5 prior Acts under the Tribal HUD–VASH program:
6 *Provided further*, That the Secretary shall be author-
7 ized to specify criteria for renewal grants, including
8 data on the utilization of assistance reported by
9 grant recipients: *Provided further*, That such assist-
10 ance shall be administered in accordance with pro-
11 gram requirements under the Native American
12 Housing Assistance and Self-Determination Act of
13 1996 and modeled after the HUD–VASH program:
14 *Provided further*, That the Secretary shall be author-
15 ized to waive, or specify alternative requirements for
16 any provision of any statute or regulation that the
17 Secretary administers in connection with the use of
18 funds made available under this paragraph (except
19 for requirements related to fair housing, non-
20 discrimination, labor standards, and the environ-
21 ment), upon a finding by the Secretary that any
22 such waivers or alternative requirements are nec-
23 essary for the effective delivery and administration
24 of such assistance: *Provided further*, That grant re-
25 cipients shall report to the Secretary on utilization

1 of such rental assistance and other program data, as
2 prescribed by the Secretary: *Provided further*, That
3 the Secretary may reallocate, as determined by the
4 Secretary, amounts returned or recaptured from
5 awards under the Tribal HUD–VASH program
6 under prior Acts to existing recipients under the
7 Tribal HUD–VASH program;

8 (6) \$20,000,000 shall be for incremental rental
9 voucher assistance for use through a supported
10 housing program administered in conjunction with
11 the Department of Veterans Affairs as authorized
12 under section 8(o)(19) of the United States Housing
13 Act of 1937: *Provided*, That the Secretary of Hous-
14 ing and Urban Development shall make such fund-
15 ing available, notwithstanding section 203 (competi-
16 tion provision) of this title, to public housing agen-
17 cies that partner with eligible VA Medical Centers or
18 other entities as designated by the Secretary of Vet-
19 erans Affairs, based on geographical need for such
20 assistance as identified by the Secretary of Veterans
21 Affairs, public housing agency administrative per-
22 formance, and other factors as specified by the Sec-
23 retary of Housing and Urban Development in con-
24 sultation with the Secretary of Veterans Affairs:
25 *Provided further*, That of the amounts made avail-

1 able under this paragraph, up to \$5,000,000 may be
2 allocated to public housing agencies administering
3 temporary case management and supportive services
4 to HUD–VASH eligible veterans that have not yet
5 received a referral from the Department of Veterans
6 Affairs: *Provided further*, That the Secretary of
7 Housing and Urban Development may waive, or
8 specify alternative requirements for (in consultation
9 with the Secretary of Veterans Affairs), any provi-
10 sion of any statute or regulation that the Secretary
11 of Housing and Urban Development administers in
12 connection with the use of funds made available
13 under this paragraph (except for requirements re-
14 lated to fair housing, nondiscrimination, labor stand-
15 ards, and the environment), upon a finding by the
16 Secretary that any such waivers or alternative re-
17 quirements are necessary for the effective delivery
18 and administration of such voucher assistance: *Pro-*
19 *vided further*, That assistance made available under
20 this paragraph shall continue to remain available for
21 homeless veterans upon turn-over;

22 (7) \$25,000,000 shall be made available for the
23 family unification program as authorized under sec-
24 tion 8(x) of the Act: *Provided*, That the amounts

1 made available under this paragraph are provided as
2 follows:

3 (A) \$5,000,000 shall be for new incre-
4 mental voucher assistance: *Provided*, That the
5 assistance made available under this subpara-
6 graph shall continue to remain available for
7 family unification upon turnover; and

8 (B) \$20,000,000 shall be for new incre-
9 mental voucher assistance to assist eligible
10 youth as defined by such section 8(x)(2)(B) of
11 the Act: *Provided*, That assistance made avail-
12 able under this subparagraph shall continue to
13 remain available for such eligible youth upon
14 turnover: *Provided further*, That of the total
15 amount made available under this subpara-
16 graph, up to \$10,000,000 shall be available on
17 a noncompetitive basis to public housing agen-
18 cies that partner with public child welfare agen-
19 cies to identify such eligible youth, that request
20 such assistance to timely assist such eligible
21 youth, and that meet any other criteria as spec-
22 ified by the Secretary: *Provided further*, That
23 the Secretary shall review utilization of the as-
24 sistance made available under the previous pro-
25 viso, at an interval to be determined by the Sec-

retary, and unutilized voucher assistance that is no longer needed shall be recaptured by the Secretary and reallocated pursuant to the previous proviso:

Provided further, That for any public housing agency administering voucher assistance appropriated in a prior Act under the family unification program, or made available and competitively selected under this paragraph, that determines that it no longer has an identified need for such assistance upon turnover, such agency shall notify the Secretary, and the Secretary shall recapture such assistance from the agency and reallocate it to any other public housing agency or agencies based on need for voucher assistance in connection with such specified program or eligible youth, as applicable;

(8) \$1,000,000,000 (increased by \$5,000,000) shall be made available for new incremental voucher assistance under section 8(o) of the United States Housing Act of 1937 to be allocated pursuant to a method, as determined by the Secretary, which may include a formula that may include such factors as severe cost burden, overcrowding, substandard housing for very low-income renters, homelessness, and administrative capacity, where such allocation meth-

1 od shall include both rural and urban areas: *Pro-*
2 *vided*, That the Secretary may specify additional
3 terms and conditions to ensure that public housing
4 agencies provide vouchers for use by survivors of do-
5 mestic violence, or individuals and families who are
6 homeless, as defined in section 103(a) of the McKin-
7 ney-Vento Homeless Assistance Act (42 U.S.C.
8 11302(a)), or at risk of homelessness, as defined in
9 section 401(1) of such Act (42 U.S.C. 11360(1));

10 (9) \$150,000,000 shall be for mobility-related
11 services, as defined by the Secretary, for voucher
12 families with children modeled after services pro-
13 vided in connection with the mobility demonstration
14 authorized under section 235 of division G of the
15 Consolidated Appropriations Act, 2019 (42 U.S.C.
16 1437f note; Public Law 116–6), *Provided*, That the
17 Secretary shall make funding available to public
18 housing agencies on a competitive basis and shall
19 give preference to public housing agencies with high-
20 er concentrations of housing choice voucher families
21 with children residing in high-poverty neighborhoods:
22 *Provided further*, That the Secretary may recapture
23 from the public housing agencies unused balances
24 based on utilization of such awards and reallocate
25 such amounts to any other public housing agency or

1 agencies based on need for such mobility-related
2 services as identified under such competition; and

3 (10) the Secretary shall separately track all
4 special purpose vouchers funded under this heading.

5 HOUSING CERTIFICATE FUND

6 (INCLUDING RESCISSIONS)

7 Unobligated balances, including recaptures and car-
8 ryover, remaining from funds appropriated to the Depart-
9 ment of Housing and Urban Development under this
10 heading, the heading “Annual Contributions for Assisted
11 Housing” and the heading “Project-Based Rental Assist-
12 ance”, for fiscal year 2022 and prior years may be used
13 for renewal of or amendments to section 8 project-based
14 contracts and for performance-based contract administra-
15 tors, notwithstanding the purposes for which such funds
16 were appropriated: *Provided*, That any obligated balances
17 of contract authority from fiscal year 1974 and prior fiscal
18 years that have been terminated shall be rescinded: *Pro-*
19 *vided further*, That amounts heretofore recaptured, or re-
20 captured during the current fiscal year, from section 8
21 project-based contracts from source years fiscal year 1975
22 through fiscal year 1987 are hereby rescinded, and an
23 amount of additional new budget authority, equivalent to
24 the amount rescinded is hereby appropriated, to remain

1 available until expended, for the purposes set forth under
2 this heading, in addition to amounts otherwise available.

3 PUBLIC HOUSING FUND

4 For 2022 payments to public housing agencies for the
5 operation and management of public housing, as author-
6 ized by section 9(e) of the United States Housing Act of
7 1937 (42 U.S.C. 1437g(e)) (in this heading “the Act”),
8 and to carry out capital and management activities for
9 public housing agencies, as authorized under section 9(d)
10 of the Act (42 U.S.C. 1437g(d)), \$8,640,000,000, to re-
11 main available until September 30, 2025: *Provided*, That
12 the amounts made available under this heading are pro-
13 vided as follows:

14 (1) \$4,897,000,000 shall be available to the
15 Secretary to allocate pursuant to the Operating
16 Fund formula at part 990 of title 24, Code of Fed-
17 eral Regulations, for 2022 payments: *Provided*, That
18 the amount of any forgone increases in tenant rent
19 payments due to the implementation of rent incen-
20 tives as authorized pursuant to waivers or alter-
21 native requirements of the Jobs-Plus initiative as de-
22 scribed under the heading “Self-Sufficiency Pro-
23 grams” shall be factored into the public housing
24 agencies’ general operating fund eligibility pursuant
25 to such formula;

1 (2) \$25,000,000 shall be available to the Sec-
2 retary to allocate pursuant to a need-based applica-
3 tion process notwithstanding section 203 of this title
4 and not subject to such Operating Fund formula to
5 public housing agencies that experience, or are at
6 risk of, financial shortfalls, as determined by the
7 Secretary: *Provided*, That after all such shortfall
8 needs are met, the Secretary may distribute any re-
9 maining funds to all public housing agencies on a
10 pro-rata basis pursuant to such Operating Fund for-
11 mula;

12 (3) \$3,400,000,000 shall be available to the
13 Secretary to allocate pursuant to the Capital Fund
14 formula at section 905.400 of title 24, Code of Fed-
15 eral Regulations: *Provided*, That for funds provided
16 under this paragraph, the limitation in section
17 9(g)(1) of the Act shall be 25 percent: *Provided fur-*
18 *ther*, That the Secretary may waive the limitation in
19 the previous proviso to allow public housing agencies
20 to fund activities authorized under section
21 9(e)(1)(C) of the Act: *Provided further*, That the
22 Secretary shall notify public housing agencies re-
23 questing waivers under the previous proviso if the
24 request is approved or denied within 14 days of sub-
25 mitting the request: *Provided further*, That from the

1 funds made available under this paragraph, the Sec-
2 retary shall provide bonus awards in fiscal year
3 2022 to public housing agencies that are designated
4 high performers: *Provided further*, That the Depart-
5 ment shall notify public housing agencies of their
6 formula allocation not later than 60 days after the
7 date of enactment of this Act;

8 (4) \$65,000,000 shall be available for the Sec-
9 retary to make grants, notwithstanding section 203
10 of this title, to public housing agencies for emer-
11 gency capital needs, including safety and security
12 measures necessary to address crime and drug-re-
13 lated activity, as well as needs resulting from unfore-
14 seen or unpreventable emergencies and natural dis-
15 asters excluding Presidentially declared emergencies
16 and natural disasters under the Robert T. Stafford
17 Disaster Relief and Emergency Act (42 U.S.C. 5121
18 et seq.) occurring in fiscal year 2022, of which
19 \$45,000,000 shall be available for public housing
20 agencies under administrative and judicial receiver-
21 ships or under the control of a Federal monitor:
22 *Provided*, That of the amount made available under
23 this paragraph, not less than \$10,000,000 shall be
24 for safety and security measures: *Provided further*,
25 That in addition to the amount in the previous pro-

1 viso for such safety and security measures, any
2 amounts that remain available, after all applications
3 received on or before September 30, 2023, for emer-
4 gency capital needs have been processed, shall be al-
5 located to public housing agencies for such safety
6 and security measures;

7 (5) \$65,000,000 shall be for competitive grants
8 to public housing agencies to evaluate and reduce
9 lead-based paint hazards in public housing by car-
10 rying out the activities of risk assessments, abate-
11 ment, and interim controls (as those terms are de-
12 fined in section 1004 of the Residential Lead-Based
13 Paint Hazard Reduction Act of 1992 (42 U.S.C.
14 4851b)) and for competitive grants to public housing
15 agencies for activities authorized under the Healthy
16 Homes Initiative, pursuant to sections 501 and 502
17 of the Housing and Urban Development Act of
18 1970, which shall include research, studies, testing,
19 and demonstration efforts, including education and
20 outreach concerning mold, radon, carbon monoxide
21 poisoning, fires, and other housing-related diseases
22 and hazards: *Provided*, That for purposes of environ-
23 mental review, a grant under this paragraph shall be
24 considered funds for projects or activities under title
25 I of the United States Housing Act of 1937 (42

1 U.S.C. 1437 et seq.) for purposes of section 26 of
2 such Act (42 U.S.C. 1437x) and shall be subject to
3 the regulations implementing such section: *Provided*
4 *further*, That amounts made available under this
5 paragraph may be combined with amounts made
6 available under this paragraph in the Consolidated
7 Appropriations Act, 2021 (Public Law 116–260)
8 and used in accordance with the purposes and re-
9 quirements under this paragraph: *Provided*, That of
10 the amounts made available under this paragraph,
11 up to \$5,000,000 may be used for a radon testing
12 and mitigation resident safety demonstration pro-
13 gram (the radon demonstration) in public housing
14 under the same terms and conditions under this
15 heading in paragraph (9) of the Consolidated Appro-
16 priations Act, 2021 (Public Law 116–260): *Provided*
17 *further*, That amounts made available under this
18 paragraph may be used for competitive grants to
19 public housing agencies that improve water and en-
20 ergy efficiency, or reduce the risk of harm to occu-
21 pants or property from natural hazards;

22 (6) \$15,000,000 shall be to support the costs of
23 administrative and judicial receiverships and for
24 competitive grants to PHAs in receivership, des-
25 ignated troubled or substandard, or otherwise at

1 risk, as determined by the Secretary, for costs asso-
2 ciated with public housing asset improvement, in ad-
3 dition to other amounts for that purpose provided
4 under any heading under this title;

5 (7) \$23,000,000 shall be to support ongoing
6 public housing financial and physical assessment ac-
7 tivities;

8 (8) \$100,000,000 shall be for competitive
9 grants to public housing agencies for capital im-
10 provements to reduce utility consumption or improve
11 the climate resilience of public housing: *Provided,*
12 That for purposes of environmental review, grants
13 under this paragraph shall be considered funds for
14 projects or activities under title I of the United
15 States Housing Act of 1937 (42 U.S.C. 1437 et
16 seq.) for purposes of section 26 of such Act (42
17 U.S.C. 1437x) and shall be subject to the regula-
18 tions implementing such section; and

19 (9) \$50,000,000 shall be available for public
20 housing to promote energy and water efficiency ini-
21 tiatives, including an Energy Performance Contract
22 Incentive pilot program for public housing author-
23 ized under section 9(e)(2)(C) of the United States
24 Housing Act of 1937 and utilities benchmarking re-
25 quired pursuant to sections 990.185(c) and 990.190

1 of title 24, Code of Federal Regulations: *Provided*,
2 That to enable innovative strategies within the En-
3 ergy Performance Contract Incentive pilot program,
4 the Secretary may waive such statutory and regu-
5 latory requirements as may be necessary to permit
6 public housing agencies to propose alternative energy
7 performance contract incentives or requirements and
8 to carry out innovative approaches to program ad-
9 ministration: *Provided further*, That for purposes of
10 environmental review, grants under this paragraph
11 shall be considered funds for projects or activities
12 under title I of the United States Housing Act of
13 1937 (42 U.S.C. 1437 et seq.) for purposes of sec-
14 tion 26 of such Act (42 U.S.C. 1437x) and shall be
15 subject to the regulations implementing such section:
16 *Provided further*, That notwithstanding any other provi-
17 sion of law or regulation, during fiscal year 2022, the Sec-
18 retary of Housing and Urban Development may not dele-
19 gate to any Department official other than the Deputy
20 Secretary and the Assistant Secretary for Public and In-
21 dian Housing any authority under paragraph (2) of sec-
22 tion 9(j) of the Act regarding the extension of the time
23 periods under such section: *Provided further*, That for pur-
24 poses of such section 9(j), the term “obligate” means, with
25 respect to amounts, that the amounts are subject to a

1 binding agreement that will result in outlays, immediately
2 or in the future.

3 CHOICE NEIGHBORHOODS INITIATIVE

4 For competitive grants under the Choice Neighbor-
5 hoods Initiative (subject to section 24 of the United States
6 Housing Act of 1937 (42 U.S.C. 1437v) unless otherwise
7 specified under this heading), for transformation, rehabili-
8 tation, and replacement housing needs of public and
9 HUD-assisted housing and to transform neighborhoods of
10 poverty into functioning, sustainable, mixed-income neigh-
11 borhoods with appropriate services, schools, public assets,
12 transportation, and access to jobs, \$400,000,000, to re-
13 main available until September 30, 2026: *Provided*, That
14 grant funds may be used for resident and community serv-
15 ices, community development, and affordable housing
16 needs in the community, and for conversion of vacant or
17 foreclosed properties to affordable housing: *Provided fur-*
18 *ther*, That not more than 20 percent of the amount of any
19 grant made with amounts made available under this head-
20 ing may be used for necessary supportive services notwith-
21 standing subsection (d)(1)(L) of such section 24: *Provided*
22 *further*, That the use of amounts made available under
23 this heading shall not be deemed to be for public housing,
24 notwithstanding section 3(b)(1) of such Act: *Provided fur-*
25 *ther*, That grantees shall commit to an additional period

1 of affordability determined by the Secretary of not fewer
2 than 20 years: *Provided further*, That the Secretary may
3 specify a period of affordability that is less than 20 years
4 with respect to homeownership units developed with
5 grants from amounts made available under this heading:
6 *Provided further*, That grantees shall provide a match in
7 State, local, other Federal, or private funds: *Provided fur-*
8 *ther*, That grantees may include local governments, tribal
9 entities, public housing agencies, and nonprofit organiza-
10 tions: *Provided further*, That for-profit developers may
11 apply jointly with a public entity: *Provided further*, That
12 for purposes of environmental review, a grantee shall be
13 treated as a public housing agency under section 26 of
14 the United States Housing Act of 1937 (42 U.S.C. 1437x)
15 and grants from amounts made available under this head-
16 ing shall be subject to the regulations issued by the Sec-
17 retary to implement such section: *Provided further*, That
18 of the amounts made available under this heading, not less
19 than \$200,000,000 shall be awarded to public housing
20 agencies: *Provided further*, That such grantees shall create
21 partnerships with other local organizations, including as-
22 sisted housing owners, service agencies, and resident orga-
23 nizations: *Provided further*, That the Secretary shall con-
24 sult with the Secretaries of Education, Labor, Transpor-
25 tation, Health and Human Services, Agriculture, and

1 Commerce, the Attorney General, and the Administrator
2 of the Environmental Protection Agency to coordinate and
3 leverage other appropriate Federal resources: *Provided*
4 *further*, That not more than \$10,000,000 of the amounts
5 made available under this heading may be provided as
6 grants to undertake comprehensive local planning with
7 input from residents and the community: *Provided further*,
8 That unobligated balances, including recaptures, remain-
9 ing from amounts made available under the heading “Re-
10 vitalization of Severely Distressed Public Housing (HOPE
11 VI)” in fiscal year 2011 and prior fiscal years may be used
12 for purposes under this heading, notwithstanding the pur-
13 poses for which such amounts were appropriated: *Provided*
14 *further*, That the Secretary shall issue the Notice of Fund-
15 ing Opportunity for amounts made available under this
16 heading not later than 90 days after the date of enactment
17 of this Act: *Provided further*, That the Secretary shall
18 make grant awards not later than 1 year after the date
19 of enactment of this Act in such amounts that the Sec-
20 retary determines: *Provided further*, That notwithstanding
21 section 24(o) of the United States Housing Act of 1937
22 (42 U.S.C. 1437v(o)), the Secretary may, until September
23 30, 2022, obligate any available unobligated balances
24 made available under this heading in this or any prior Act.

SELF-SUFFICIENCY PROGRAMS

For activities and assistance related to Self-Sufficiency Programs, to remain available until September 30, 2025, \$200,000,000 (increased by \$2,000,000): *Provided*, That the amounts made available under this heading are provided as follows:

(1) \$150,000,000 shall be for the Family Self-Sufficiency program to support family self-sufficiency coordinators under section 23 of the United States Housing Act of 1937 (42 U.S.C. 1437u), to promote the development of local strategies to coordinate the use of assistance under sections 8 and 9 of such Act with public and private resources, and to enable eligible families to achieve economic independence and self-sufficiency: *Provided*, That the Secretary may, by notice published in the Federal Register, waive or specify alternative requirements for the requirements under subsections (b)(3), (b)(4), (b)(5), or (c)(1) of section 23 of such Act in order to facilitate the operation of a unified self-sufficiency program for individuals receiving assistance under different provisions of such Act, as determined by the Secretary: *Provided further*, That upon the Secretary issuing a final rule for the proposed rule entitled “Streamlining and Implementation of

1 Economic Growth, Regulatory Relief, and Consumer
2 Protection Act Changes to Family Self-Sufficiency
3 (FSS) Program” published in the Federal Register
4 on September 21, 2020 (85 Fed. Reg. 59234) or
5 any final rule based substantially on such proposed
6 rule, an owner or sponsor of a multifamily property
7 receiving project-based rental assistance under sec-
8 tion 8 of such Act shall be eligible to receive awards
9 from the Secretary under this paragraph in this and
10 prior Acts to support family self-sufficiency coordi-
11 nators: *Provided further*, That owners or sponsors of
12 a multifamily property receiving project-based rental
13 assistance under section 8 of such Act may volun-
14 tarily make a Family Self-Sufficiency program avail-
15 able to the assisted tenants of such property in ac-
16 cordance with procedures established by the Sec-
17 retary: *Provided further*, That such procedures es-
18 tablished pursuant to the preceding proviso shall
19 permit participating tenants to accrue escrow funds
20 in accordance with section 23(d)(2) of such Act and
21 shall allow owners to use funding from residual re-
22 ceipt accounts to hire coordinators for their own
23 Family Self-Sufficiency program;
24 (2) \$35,000,000 (increased by \$1,000,000)
25 shall be for the Resident Opportunity and Self-Suffi-

1 ciency program to provide for supportive services,
2 service coordinators, and congregate services, as au-
3 thorized by section 34 of the United States Housing
4 Act of 1937 (42 U.S.C. 1437z–6) and the Native
5 American Housing Assistance and Self-Determina-
6 tion Act of 1996 (25 U.S.C. 4101 et seq.); and

7 (3) \$15,000,000 (increased by \$1,000,000)
8 shall be for a Jobs-Plus initiative modeled after the
9 Jobs-Plus demonstration: *Provided*, That amounts
10 made available in this paragraph shall be for com-
11 petitive grants to public housing agencies or owners
12 or sponsors of multifamily properties receiving
13 project-based rental assistance under section 8 that,
14 in partnership with, local workforce investment
15 boards established under section 107 of the Work-
16 force Innovation and Opportunity Act of 2014 (29
17 U.S.C. 3122), and other agencies and organizations
18 that provide support to help public housing resi-
19 dents, or tenants residing in a unit assisted under
20 a project-based section 8 contract (including section
21 8(o)(13) of the United States Housing Act of 1973),
22 obtain employment or increase earnings, or both:
23 *Provided further*, That applicants shall demonstrate
24 the ability to provide services to such residents or
25 tenants, partner with workforce investment boards,

1 and leverage service dollars: *Provided further*, That
2 the Secretary may allow public housing agencies to
3 request exemptions from rent and income limitation
4 requirements under sections 3 and 6 of the United
5 States Housing Act of 1937 (42 U.S.C. 1437a,
6 1437d), as necessary to implement the Jobs-Plus
7 program, on such terms and conditions as the Sec-
8 retary may approve upon a finding by the Secretary
9 that any such waivers or alternative requirements
10 are necessary for the effective implementation of the
11 Jobs-Plus initiative as a voluntary program for resi-
12 dents: *Provided further*, That the Secretary shall
13 publish a notice in the Federal Register of any waiv-
14 ers or alternative requirements pursuant to the pre-
15 ceding proviso not later than 10 days before the ef-
16 fective date of such notice: *Provided further*, That
17 the costs of any rent incentives as authorized pursu-
18 ant to such waivers or alternative requirements shall
19 not be charged against the competitive grant
20 amounts made available in this paragraph.

21 NATIVE AMERICAN PROGRAMS

22 For activities and assistance authorized under title
23 I of the Native American Housing Assistance and Self-
24 Determination Act of 1996 (in this heading
25 “NAHASDA”) (25 U.S.C. 4111 et seq.), title I of the

1 Housing and Community Development Act of 1974 (42
2 U.S.C. 5301 et seq.) with respect to Indian tribes, and
3 related training and technical assistance, \$950,000,000,
4 to remain available until September 30, 2026: *Provided*,
5 That the amounts made available under this heading are
6 provided as follows:

7 (1) \$722,000,000 shall be for the Native Amer-
8 ican Housing Block Grants program, as authorized
9 under title I of NAHASDA: *Provided*, That, not-
10 withstanding NAHASDA, to determine the amount
11 of the allocation under title I of such Act for each
12 Indian tribe, the Secretary shall apply the formula
13 under section 302 of such Act with the need compo-
14 nent based on single-race census data and with the
15 need component based on multi-race census data,
16 and the amount of the allocation for each Indian
17 tribe shall be the greater of the two resulting alloca-
18 tion amounts: *Provided further*, That the Secretary
19 shall notify grantees of their formula allocation not
20 later than 60 days after the date of enactment of
21 this Act;

22 (2) \$150,000,000 shall be for competitive
23 grants under the Native American Housing Block
24 Grants program, as authorized under title I of
25 NAHASDA: *Provided*, That the Secretary shall obli-

1 gate such amount for competitive grants to eligible
2 recipients authorized under NAHASDA that apply
3 for funds: *Provided further*, That in awarding
4 amounts made available in this paragraph, the Sec-
5 retary shall consider need and administrative capac-
6 ity, and shall give priority to projects that will spur
7 construction and rehabilitation of housing: *Provided*
8 *further*, That the Secretary may also give priority to
9 projects that improve water or energy efficiency or
10 increase resilience to natural hazards for housing
11 units owned, operated, or assisted by eligible recipi-
12 ents authorized under NAHASDA: *Provided further*,
13 That a grant funded pursuant to this paragraph
14 shall be in an amount not greater than \$5,000,000:
15 *Provided further*, That any amounts transferred for
16 the necessary costs of administering and overseeing
17 the obligation and expenditure of such additional
18 amounts in prior Acts may also be used for the nec-
19 essary costs of administering and overseeing such
20 additional amount;

21 (3) \$1,000,000 shall be for the cost of guaran-
22 teed notes and other obligations, as authorized by
23 title VI of NAHASDA: *Provided*, That such costs,
24 including the costs of modifying such notes and
25 other obligations, shall be as defined in section 502

1 of the Congressional Budget Act of 1974 (2 U.S.C.
2 661a): *Provided further*, That for fiscal year 2022
3 amounts made available in this Act for the cost of
4 guaranteed notes and other obligations and any un-
5 obligated balances, including recaptures and carry-
6 over, remaining from amounts made available for
7 this purpose under this heading or under the head-
8 ing “Native American Housing Block Grants” in
9 prior Acts shall be available to subsidize the total
10 principal amount of any notes and other obligations,
11 any part of which is to be guaranteed, not to exceed
12 \$50,000,000;

13 (4) \$70,000,000 shall be for grants to Indian
14 tribes for carrying out the Indian Community Devel-
15 opment Block Grant program under title I of the
16 Housing and Community Development Act of 1974,
17 notwithstanding section 106(a)(1) of such Act, of
18 which, notwithstanding any other provision of law
19 (including section 203 of this Act), not more than
20 \$4,000,000 may be used for emergencies that con-
21 stitute imminent threats to health and safety: *Pro-*
22 *vided*, That not to exceed 20 percent of any grant
23 made with amounts made available in this para-
24 graph shall be expended for planning and manage-
25 ment development and administration: *Provided fur-*

1 *ther*, That the Secretary may give priority to
2 projects that include activities that improve water or
3 energy efficiency or increase resilience to natural
4 hazards; and

5 (5) \$7,000,000 shall be for providing training
6 and technical assistance to Indian tribes, Indian
7 housing authorities, and tribally designated housing
8 entities, to support the inspection of Indian housing
9 units, for contract expertise, and for training and
10 technical assistance related to amounts made avail-
11 able under this heading and other headings in this
12 Act for the needs of Native American families and
13 Indian country: *Provided*, That of the amounts made
14 available in this paragraph, not less than \$2,000,000
15 shall be for a national organization as authorized
16 under section 703 of NAHASDA (25 U.S.C. 4212):
17 *Provided further*, That amounts made available in
18 this paragraph may be used, contracted, or com-
19 peted as determined by the Secretary: *Provided fur-*
20 *ther*, That notwithstanding chapter 63 of title 31,
21 United States Code (commonly known as the Fed-
22 eral Grant and Cooperative Agreements Act of
23 1977), the amounts made available in this para-
24 graph may be used by the Secretary to enter into co-
25 operative agreements with public and private organi-

ACCOUNT

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1 ryover, shall be available to subsidize total loan principal,
2 any part of which is to be guaranteed, not to exceed
3 \$1,400,000,000, to remain available until September 30,
4 2023.

5 NATIVE HAWAIIAN HOUSING BLOCK GRANT

6 For the Native Hawaiian Housing Block Grant pro-
7 gram, as authorized under title VIII of the Native Amer-
8 ican Housing Assistance and Self-Determination Act of
9 1996 (25 U.S.C. 4221 et seq.), \$4,000,000, to remain
10 available until September 30, 2026: *Provided*, That not-
11 withstanding section 812(b) of such Act (25 U.S.C.
12 4231(b)), the Department of Hawaiian Home Lands may
13 not invest grant amounts made available under this head-
14 ing in investment securities and other obligations: *Pro-*
15 *vided further*, That amounts made available under this
16 heading in this and prior fiscal years may be used to pro-
17 vide rental assistance to eligible Native Hawaiian families
18 both on and off the Hawaiian Home Lands, notwith-
19 standing any other provision of law.

20 NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND

21 PROGRAM ACCOUNT

22 New commitments to guarantee loans, as authorized
23 by section 184A of the Housing and Community Develop-
24 ment Act of 1992 (12 U.S.C. 1715z–13b), any part of
25 which is to be guaranteed, shall not exceed \$28,000,000

1 in total loan principal: *Provided*, That the Secretary may
2 enter into commitments to guarantee loans used for refi-
3 nancing.

4 COMMUNITY PLANNING AND DEVELOPMENT

5 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

6 For carrying out the Housing Opportunities for Per-
7 sons with AIDS program, as authorized by the AIDS
8 Housing Opportunity Act (42 U.S.C. 12901 et seq.),
9 \$600,000,000, to remain available until September 30,
10 2023, except that amounts allocated pursuant to section
11 854(c)(5) of such Act shall remain available until Sep-
12 tember 30, 2024: *Provided*, That prior to allocating
13 amounts under this heading pursuant to the allocation for-
14 mula under section 854(c) of such Act, the Secretary shall
15 set aside no more than \$6,000,000 of the total amount
16 made available under this heading and shall allocate such
17 amount (notwithstanding such section 854(c)) as an addi-
18 tional amount to all grantees that would experience a re-
19 duced formula allocation in fiscal year 2022 when com-
20 pared to the fiscal year 2021 allocation, in an amount pro-
21 portional to the reduction: *Provided further*, That the Sec-
22 retary shall allocate amounts in the previous proviso such
23 that allocations to such grantees do not exceed 105 per-
24 cent of their fiscal year 2021 allocations: *Provided further*,
25 That any amounts remaining from the amount set aside

1 and allocated under the previous two provisos may be allo-
2 cated pursuant to section 854(c)(5) of such Act: *Provided*
3 *further*, That in awarding nonformula amounts the Sec-
4 retary shall give first priority to the renewal or replace-
5 ment of expiring contracts for permanent supportive hous-
6 ing that initially were funded under section 854(c)(5) of
7 such Act from funds made available under this heading
8 in fiscal year 2010 and prior fiscal years for grantees of
9 such expiring contracts that propose to integrate best
10 practices in a new or updated service model or dem-
11 onstrate the effectiveness of current service models: *Pro-*
12 *vided further*, That in the event a grantee's application
13 under the previous proviso does not meet the requirements
14 for such priority, the Secretary may renew such contract
15 for a period not to exceed 1 year and shall give priority
16 for new awards to applicants that propose to serve the
17 jurisdiction or jurisdictions previously served by such
18 grantee: *Provided further*, That the Secretary shall also
19 give priority to any applicants that propose models that
20 include a measurable demonstration outcome: *Provided*
21 *further*, That the application process for such nonformula
22 amounts that applies such priorities, including the process
23 for submitting and approving proposals for the renewal
24 or replacement of such contracts, shall be established by
25 the Secretary in a notice: *Provided further*, That the De-

1 partment shall notify grantees of their formula allocation
2 not later than 60 days after the date of enactment of this
3 Act.

4 COMMUNITY DEVELOPMENT FUND

5 For carrying out the community development block
6 grant program under title I of the Housing and Commu-
7 nity Development Act of 1974, as amended (42 U.S.C.
8 5301 et seq.) (in this heading “the 1974 Act”),
9 \$4,688,000,000, to remain available until September 30,
10 2024, unless otherwise specified: *Provided*, That unless ex-
11 plicitly provided for under this heading, not to exceed 20
12 percent of any grant made with funds made available
13 under this heading shall be expended for planning and
14 management development and administration: *Provided*
15 *further*, That a metropolitan city, urban county, unit of
16 general local government, or insular area that directly or
17 indirectly receives funds under this heading may not sell,
18 trade, or otherwise transfer all or any portion of such
19 funds to another such entity in exchange for any other
20 funds, credits, or non-Federal considerations, but shall use
21 such funds for activities eligible under title I of the 1974
22 Act: *Provided further*, That notwithstanding section
23 105(e)(1) of the 1974 Act, no funds made available under
24 this heading may be provided to a for-profit entity for an
25 economic development project under section 105(a)(17)

1 unless such project has been evaluated and selected in ac-
2 cordance with guidelines required under subsection (e)(2)
3 of section 105: *Provided further*, That of the total amount
4 provided under this heading, up to \$25,000,000 shall be
5 for activities authorized under section 8071 of the SUP-
6 PORT for Patients and Communities Act (Public Law
7 115–271): *Provided further*, That the funds allocated pur-
8 suant to the preceding proviso shall not adversely affect
9 the amount of any formula assistance received by a state
10 under this heading: *Provided further*, That the Secretary
11 shall allocate the funds for such activities based on the
12 notice establishing the funding formula published in the
13 Federal Register on April 17, 2019 (84 Fed. Reg. 16027)
14 except that the formula shall use age-adjusted rates of
15 drug overdose deaths for 2018 based on data from the
16 Centers for Disease Control and Prevention: *Provided fur-*
17 *ther*, That of the amount made available under this head-
18 ing, not more than \$935,500,000 shall be available for
19 grants for the Economic Development Initiative (EDI) to
20 finance a variety of targeted housing, economic, and com-
21 munity development investments for the purposes, and in
22 the amounts, specified for this account in the table titled
23 “Incorporation of Community Project Funding” included
24 in the report accompanying this Act and in accordance
25 with the terms and conditions specified in such report:

1 *Provided further*, That the Secretary shall not waive or
2 specify alternative requirements related to fair housing,
3 nondiscrimination, labor standards, and the environment
4 in connection with the obligation by the Secretary or the
5 use by the recipient of amounts made available in the pre-
6 ceding proviso: *Provided further*, That none of the
7 amounts made available in the previous two provisos shall
8 be used for reimbursement of expenses incurred prior to
9 the obligation of funds: *Provided further*, That the Depart-
10 ment of Housing and Urban Development shall notify
11 grantees of their formula allocation not later than 60 days
12 after the date of enactment of this Act.

13 COMMUNITY DEVELOPMENT LOAN GUARANTEES

14 PROGRAM ACCOUNT

15 Subject to section 502 of the Congressional Budget
16 Act of 1974 (2 U.S.C. 661a), during fiscal year 2022,
17 commitments to guarantee loans under section 108 of the
18 Housing and Community Development Act of 1974 (42
19 U.S.C. 5308), any part of which is guaranteed, shall not
20 exceed a total principal amount of \$300,000,000, notwith-
21 standing any aggregate limitation on outstanding obliga-
22 tions guaranteed in subsection (k) of such section 108:
23 *Provided*, That the Secretary shall collect fees from bor-
24 rowers, notwithstanding subsection (m) of such section
25 108, to result in a credit subsidy cost of zero for guaran-

1 teeing such loans, and any such fees shall be collected in
2 accordance with section 502(7) of the Congressional
3 Budget Act of 1974: *Provided further*, That such commit-
4 ment authority funded by fees may be used to guarantee,
5 or make commitments to guarantee, notes or other obliga-
6 tions issued by any State on behalf of non-entitlement
7 communities in the State in accordance with the require-
8 ments of such section 108: *Provided further*, That any
9 State receiving such a guarantee or commitment under the
10 preceding proviso shall distribute all funds subject to such
11 guarantee to the units of general local government in non-
12 entitlement areas that received the commitment.

13 HOME INVESTMENT PARTNERSHIPS PROGRAM

14 For the HOME Investment Partnerships program, as
15 authorized under title II of the Cranston-Gonzalez Na-
16 tional Affordable Housing Act, as amended (42 U.S.C.
17 12721 et seq.), \$1,850,000,000, to remain available until
18 September 30, 2025: *Provided*, That of the amount made
19 available under this heading, up to \$50,000,000 shall be
20 for awards to States and insular areas for assistance to
21 homebuyers as authorized under section 212(a)(1) of such
22 Act (42 U.S.C. 12742(a)(1)), in addition to amounts oth-
23 erwise available for such purpose: *Provided further*, That
24 amounts made available under the preceding proviso shall
25 be allocated in the same manner as amounts otherwise

1 made available under this heading, except that amounts
2 that would have been reserved and allocated to units of
3 general local government within the State pursuant to sec-
4 tion 217 of such Act (42 U.S.C. 12747) shall be provided
5 to the State: *Provided further*, That the Secretary may
6 waive or specify alternative requirements for any provision
7 of such Act in connection with the use of amounts made
8 available under the previous two provisos (except for re-
9 quirements related to fair housing, nondiscrimination,
10 labor standards, and the environment) upon a finding that
11 any such waivers or alternative requirements are nec-
12 essary to expedite or facilitate the use of amounts awarded
13 pursuant to the preceding provisos: *Provided further*, That
14 notwithstanding section 231(b) of such Act (42 U.S.C.
15 12771(b)), all unobligated balances remaining from
16 amounts recaptured pursuant to such section that remain
17 available until expended shall be combined with amounts
18 made available under this heading and allocated in accord-
19 ance with the formula under section 217(b)(1)(A) of such
20 Act (42 U.S.C. 12747(b)(1)(A)): *Provided further*, That
21 the Department shall notify grantees of their formula allo-
22 cations not later than 60 days after the date of enactment
23 of this Act: *Provided further*, That section 218(g) of such
24 Act (42 U.S.C. 12748(g)) shall not apply with respect to
25 the right of a jurisdiction to draw funds from its HOME

1 Investment Trust Fund that otherwise expired or would
 2 expire in 2016, 2017, 2018, 2019, 2020, 2021, 2022,
 3 2023, or 2024 under that section: *Provided further*, That
 4 section 231(b) of such Act (42 U.S.C. 12771(b)) shall not
 5 apply to any uninvested funds that otherwise were de-
 6 ducted or would be deducted from the line of credit in
 7 the participating jurisdiction's HOME Investment Trust
 8 Fund in 2018, 2019, 2020, 2021, 2022, 2023, or 2024
 9 under that section.

10 SELF-HELP AND ASSISTED HOMEOWNERSHIP

11 OPPORTUNITY PROGRAM

12 For the Self-Help and Assisted Homeownership Op-
 13 portunity Program, as authorized under section 11 of the
 14 Housing Opportunity Program Extension Act of 1996 (42
 15 U.S.C. 12805 note), and for related activities and assist-
 16 ance, \$65,000,000, to remain available until September
 17 30, 2024: *Provided*, That the amounts made available
 18 under this heading are provided as follows:

19 (1) \$15,000,000 (reduced by \$2,000,000) (in-
 20 creased by \$2,000,000) shall be for the Self-Help
 21 Homeownership Opportunity Program as authorized
 22 under such section 11;

23 (2) \$45,000,000 shall be for the second, third,
 24 and fourth capacity building entities specified in sec-
 25 tion 4(a) of the HUD Demonstration Act of 1993

1 (42 U.S.C. 9816 note), of which not less than
2 \$5,000,000 shall be for rural capacity building ac-
3 tivities; and

4 (3) \$5,000,000 shall be for capacity building by
5 national rural housing organizations having experi-
6 ence assessing national rural conditions and pro-
7 viding financing, training, technical assistance, infor-
8 mation, and research to local nonprofit organiza-
9 tions, local governments, and Indian tribes serving
10 high need rural communities.

11 HOMELESS ASSISTANCE GRANTS

12 For assistance under title IV of the McKinney-Vento
13 Homeless Assistance Act (42 U.S.C. 11360 et seq.),
14 \$3,420,000,000 (reduced by \$3,420,000,000) (increased
15 by \$3,420,000,000), to remain available until September
16 30, 2024: *Provided*, That of the amounts made available
17 under this heading—

18 (1) not less than \$290,000,000 shall be for the
19 Emergency Solutions Grants program authorized
20 under subtitle B of such title IV (42 U.S.C. 11371
21 et seq.): *Provided further*, That the Department shall
22 notify grantees of their formula allocation from
23 amounts allocated (which may represent initial or
24 final amounts allocated) for the Emergency Solu-

1 tions Grant program not later than 60 days after
2 enactment of this Act;

3 (2) not less than \$3,031,000,000 shall be for
4 the Continuum of Care program authorized under
5 subtitle C of such title IV (42 U.S.C. 11381 et seq.)
6 and the Rural Housing Stability Assistance pro-
7 grams authorized under subtitle D of such title IV
8 (42 U.S.C. 11408): *Provided further*, That the Sec-
9 retary shall prioritize funding under the Continuum
10 of Care program to continuums of care that have
11 demonstrated a capacity to reallocate funding from
12 lower performing projects to higher performing
13 projects: *Provided further*, That the Secretary shall
14 provide incentives to create projects that coordinate
15 with housing providers and healthcare organizations
16 to provide permanent supportive housing and rapid
17 re-housing services: *Provided further*, That the of the
18 amounts made available for the Continuum of Care
19 program under this paragraph, not less than
20 \$52,000,000 shall be for the grants for new rapid
21 re-housing and supportive service projects providing
22 coordinated entry, and for eligible activities that the
23 Secretary determines to be critical in order to assist
24 survivors of domestic violence, dating violence, sex-
25 ual assault or stalking: *Provided further*, That

1 amounts made available for the Continuum of Care
2 program under this heading in this Act and any re-
3 maining unobligated balances from prior Acts may
4 be used to competitively or non-competitively renew
5 or replace grants for youth homeless demonstration
6 projects under the Continuum of Care program, not-
7 withstanding any conflict with the requirements of
8 the Continuum of Care program;

9 (3) up to \$7,000,000 shall be for the national
10 homeless data analysis project: *Provided further*,
11 That notwithstanding the provisions of the Federal
12 Grant and Cooperative Agreements Act of 1977 (31
13 U.S.C. 6301–6308), the amounts made available
14 under this paragraph and any remaining unobligated
15 balances under this heading for such purposes in
16 prior Acts may be used by the Secretary to enter
17 into cooperative agreements with such entities as
18 may be determined by the Secretary, including pub-
19 lic and private organizations, agencies, and institu-
20 tions; and

21 (4) up to \$92,000,000 shall be to implement
22 projects to demonstrate how a comprehensive ap-
23 proach to serving homeless youth, age 24 and under,
24 in up to 25 communities with a priority for commu-
25 nities with substantial rural populations in up to

1 eight locations, can dramatically reduce youth home-
2 lessness: *Provided further*, That of the amount made
3 available under this paragraph, up to \$10,000,000
4 shall be to provide technical assistance on improving
5 system responses to youth homelessness, and collec-
6 tion, analysis, use, and reporting of data and per-
7 formance measures under the comprehensive ap-
8 proaches to serve homeless youth, in addition to and
9 in coordination with other technical assistance funds
10 provided under this title: *Provided further*, That the
11 Secretary may use up to 10 percent of the amount
12 made available under the previous proviso to build
13 the capacity of current technical assistance providers
14 or to train new technical assistance providers with
15 verifiable prior experience with systems and pro-
16 grams for youth experiencing homelessness:
17 *Provided further*, That youth aged 24 and under seeking
18 assistance under this heading shall not be required to pro-
19 vide third party documentation to establish their eligibility
20 under subsection (a) or (b) of section 103 of the McKin-
21 ney-Vento Homeless Assistance Act (42 U.S.C. 11302) to
22 receive services: *Provided further*, That unaccompanied
23 youth aged 24 and under or families headed by youth aged
24 24 and under who are living in unsafe situations may be
25 served by youth-serving providers funded under this head-

1 ing: *Provided further*, That persons eligible under section
2 103(a)(5) of the McKinney-Vento Homeless Assistance
3 Act may be served by any project funded under this head-
4 ing to provide both transitional housing and rapid re-hous-
5 ing: *Provided further*, That for all matching funds require-
6 ments applicable to funds made available under this head-
7 ing for this fiscal year and prior fiscal years, a grantee
8 may use (or could have used) as a source of match funds
9 other funds administered by the Secretary and other Fed-
10 eral agencies unless there is (or was) a specific statutory
11 prohibition on any such use of any such funds: *Provided*
12 *further*, That none of the funds made available under this
13 heading shall be available to provide funding for new
14 projects, except for projects created through reallocation,
15 unless the Secretary determines that the continuum of
16 care has demonstrated that projects are evaluated and
17 ranked based on the degree to which they improve the con-
18 tinuum of care's system performance: *Provided further*,
19 That any unobligated amounts remaining from funds
20 made available under this heading in fiscal year 2012 and
21 prior years for project-based rental assistance for rehabili-
22 tation projects with 10-year grant terms may be used for
23 purposes under this heading, notwithstanding the pur-
24 poses for which such funds were appropriated: *Provided*
25 *further*, That unobligated balances, including recaptures

1 and carryover, remaining from funds transferred to or ap-
2 propriated under this heading in fiscal year 2019 or prior
3 years, except for rental assistance amounts that were re-
4 captured and made available until expended, shall be avail-
5 able for the current purposes authorized under this head-
6 ing in addition to the purposes for which such funds origi-
7 nally were appropriated.

8 HOUSING PROGRAMS

9 PROJECT-BASED RENTAL ASSISTANCE

10 For activities and assistance for the provision of
11 project-based subsidy contracts under the United States
12 Housing Act of 1937 (42 U.S.C. 1437 et seq.) (in this
13 heading “the Act”), not otherwise provided for,
14 \$13,610,000,000, to remain available until expended,
15 which shall be available on October 1, 2021 (in addition
16 to the \$400,000,000 previously appropriated under this
17 heading that became available October 1, 2021), and
18 \$400,000,000, to remain available until expended, which
19 shall be available on October 1, 2022: *Provided*, That the
20 amounts made available under this heading shall be for
21 expiring or terminating section 8 project-based subsidy
22 contracts (including section 8 moderate rehabilitation con-
23 tracts), for amendments to section 8 project-based subsidy
24 contracts (including section 8 moderate rehabilitation con-
25 tracts), for contracts entered into pursuant to section 441

1 of the McKinney-Vento Homeless Assistance Act (42
2 U.S.C. 11401), for renewal of section 8 contracts for units
3 in projects that are subject to approved plans of action
4 under the Emergency Low Income Housing Preservation
5 Act of 1987 or the Low-Income Housing Preservation and
6 Resident Homeownership Act of 1990, and for administra-
7 tive and other expenses associated with project-based ac-
8 tivities and assistance funded under this heading: *Provided*
9 *further*, That the amount of any foregone increases in ten-
10 ant rent payments due to the implementation of rent in-
11 centives as authorized pursuant to waivers or alternative
12 requirements of the Jobs-Plus initiative as described
13 under the heading “Self-Sufficiency Programs” shall be
14 factored into housing assistance payments under project-
15 based subsidy contracts: *Provided further*, That of the
16 total amounts made available under this heading, not to
17 exceed \$355,000,000 shall be for performance-based con-
18 tract administrators or contractors for section 8 project-
19 based assistance, for carrying out 42 U.S.C. 1437f: *Pro-*
20 *vided further*, That the Secretary may also use such
21 amounts made available in the preceding proviso for per-
22 formance-based contract administrators or contractors for
23 the administration of:

1 (1) interest reduction payments pursuant to
2 section 236(a) of the National Housing Act (12
3 U.S.C. 1715z-1(a));

4 (2) rent supplement payments pursuant to sec-
5 tion 101 of the Housing and Urban Development
6 Act of 1965 (12 U.S.C. 1701s);

7 (3) rental assistance payments under section
8 236(f)(2) of the National Housing Act (12 U.S.C.
9 1715z-1(f)(2));

10 (4) project rental assistance contracts for hous-
11 ing for the elderly under section 202(c)(2) of the
12 Housing Act of 1959 (12 U.S.C. 1701q(c)(2));

13 (5) project rental assistance contracts for sup-
14 portive housing for persons with disabilities under
15 section 811(d)(2) of the Cranston-Gonzalez National
16 Affordable Housing Act (42 U.S.C. 8013(d)(2));

17 (6) project assistance contracts pursuant to sec-
18 tion 202(h) of the Housing Act of 1959 (Public Law
19 86-372; 73 Stat. 667); and

20 (7) loans under section 202 of the Housing Act
21 of 1959 (12 U.S.C. 1701q):

22 *Provided further*, That amounts recaptured under this
23 heading, the heading “Annual Contributions for Assisted
24 Housing”, or the heading “Housing Certificate Fund”,
25 may be used for renewals of or amendments to section

1 8 project-based contracts or for performance-based con-
2 tract administrators or contractors, notwithstanding the
3 purposes for which such amounts were appropriated: *Pro-*
4 *vided further*, That of the total amounts made available
5 under this heading, \$10,000,000 shall be for tenant capac-
6 ity-building and technical assistance activities authorized
7 under section 514(f) of the Multifamily Assisted Housing
8 Reform and Affordability Act of 1997, notwithstanding
9 the amount specified in such section: *Provided further*,
10 That, notwithstanding any other provision of law, upon
11 the request of the Secretary, project funds that are held
12 in residual receipts accounts for any project subject to a
13 section 8 project-based Housing Assistance Payments con-
14 tract that authorizes the Department or a housing finance
15 agency to require that surplus project funds be deposited
16 in an interest-bearing residual receipts account and that
17 are in excess of an amount to be determined by the Sec-
18 retary, shall be remitted to the Department and deposited
19 in this account, to be available until expended: *Provided*
20 *further*, That amounts deposited pursuant to the preceding
21 proviso shall be available in addition to the amount other-
22 wise provided under this heading for uses authorized
23 under this heading.

HOUSING FOR THE ELDERLY

1 For capital advances, including amendments to cap-
2 ital advance contracts, for housing for the elderly, as au-
3 thorized by section 202 of the Housing Act of 1959 (12
4 U.S.C. 1701q), for project rental assistance for the elderly
5 under section 202(c)(2) of such Act, including amend-
6 ments to contracts for such assistance and renewal of ex-
7 piring contracts for such assistance for up to a 5-year
8 term, for senior preservation rental assistance contracts,
9 including renewals, as authorized by section 811(e) of the
10 American Homeownership and Economic Opportunity Act
11 of 2000 (12 U.S.C. 1701q note), and for supportive serv-
12 ices associated with the housing, \$1,033,000,000 to re-
13 main available until September 30, 2025: *Provided*, That
14 the Secretary may give preference to capital advance
15 projects that promote water and energy efficiency or are
16 resilient to natural hazards: *Provided further*, That of the
17 amount made available under this heading, up to
18 \$125,000,000 shall be for service coordinators and the
19 continuation of existing congregate service grants for resi-
20 dents of assisted housing projects: *Provided further*, That
21 amounts made available under this heading shall be avail-
22 able for Real Estate Assessment Center inspections and
23 inspection-related activities associated with section 202
24 projects: *Provided further*, That the Secretary may waive
25

1 the provisions of section 202 governing the terms and con-
2 ditions of project rental assistance, except that the initial
3 contract term for such assistance shall not exceed 5 years
4 in duration: *Provided further*, That upon request of the
5 Secretary, project funds that are held in residual receipts
6 accounts for any project subject to a section 202 project
7 rental assistance contract, and that upon termination of
8 such contract are in excess of an amount to be determined
9 by the Secretary, shall be remitted to the Department and
10 deposited in this account, to remain available until Sep-
11 tember 30, 2025: *Provided further*, That amounts depos-
12 ited in this account pursuant to the previous proviso shall
13 be available, in addition to the amounts otherwise provided
14 by this heading, for the purposes authorized under this
15 heading: *Provided further*, That unobligated balances, in-
16 cluding recaptures and carryover, remaining from funds
17 transferred to or appropriated under this heading shall be
18 available for the current purposes authorized under this
19 heading in addition to the purposes for which such funds
20 originally were appropriated: *Provided further*, That of the
21 total amount made available under this heading, up to
22 \$10,000,000 shall be used to expand the supply of inter-
23 generational dwelling units (as such term is defined in sec-
24 tion 202 of the Legacy Act of 2003 (12 U.S.C. 1701q
25 note)) for elderly caregivers raising children: *Provided fur-*

1 *ther*, That for the purposes of the previous proviso the Sec-
2 retary may waive, or specify alternative requirements for,
3 any provision of section 202 of the Housing Act of 1959
4 (12 U.S.C. 1701q) in order to facilitate the development
5 of such units, except for requirements related to fair hous-
6 ing, nondiscrimination, labor standards, and the environ-
7 ment.

8 HOUSING FOR PERSONS WITH DISABILITIES

9 For capital advances, including amendments to cap-
10 ital advance contracts, for supportive housing for persons
11 with disabilities, as authorized by section 811 of the Cran-
12 ston-Gonzalez National Affordable Housing Act (42
13 U.S.C. 8013), for project rental assistance for supportive
14 housing for persons with disabilities under section
15 811(d)(2) of such Act, for project assistance contracts
16 pursuant to subsection (h) of section 202 of the Housing
17 Act of 1959, as added by section 205(a) of the Housing
18 and Community Development Amendments of 1978 (Pub-
19 lic Law 95–557: 92 Stat. 2090), including amendments
20 to contracts for such assistance and renewal of expiring
21 contracts for such assistance for up to a 1-year term, for
22 project rental assistance to State housing finance agencies
23 and other appropriate entities as authorized under section
24 811(b)(3) of the Cranston-Gonzalez National Affordable
25 Housing Act, and for supportive services associated with

1 the housing for persons with disabilities as authorized by
2 section 811(b)(1) of such Act, \$352,000,000, to remain
3 available until September 30, 2025: *Provided*, That the
4 Secretary may give preference to capital advance projects
5 that promote water and energy efficiency or are resilient
6 to natural hazards: *Provided further*, That amounts made
7 available under this heading shall be available for Real Es-
8 tate Assessment Center inspections and inspection-related
9 activities associated with section 811 projects: *Provided*
10 *further*, That unobligated balances, including recaptures
11 and carryover, remaining from funds transferred to or ap-
12 propriated under this heading shall be used for the current
13 purposes authorized under this heading in addition to the
14 purposes for which such funds originally were appro-
15 priated.

16 HOUSING COUNSELING ASSISTANCE

17 For contracts, grants, and other assistance excluding
18 loans, as authorized under section 106 of the Housing and
19 Urban Development Act of 1968 (12 U.S.C. 1701x)
20 \$100,000,000, to remain available until September 30,
21 2023, including up to \$4,500,000 for administrative con-
22 tract services: *Provided*, That funds shall be used for pro-
23 viding counseling and advice to tenants and homeowners,
24 both current and prospective, with respect to property
25 maintenance, financial management or literacy, and such

1 other matters as may be appropriate to assist them in im-
2 proving their housing conditions, meeting their financial
3 needs, and fulfilling the responsibilities of tenancy or
4 homeownership, for program administration, and for hous-
5 ing counselor training: *Provided further*, That for purposes
6 of awarding grants from amounts made available under
7 this heading, the Secretary may enter into multiyear
8 agreements, as appropriate, subject to the availability of
9 annual appropriations.

10 PAYMENT TO MANUFACTURED HOUSING FEES TRUST

11 FUND

12 For necessary expenses as authorized by the National
13 Manufactured Housing Construction and Safety Stand-
14 ards Act of 1974 (42 U.S.C. 5401 et seq.), up to
15 \$14,000,000, to remain available until expended, of which
16 \$14,000,000 (reduced by \$1,000,000) (increased by
17 \$1,000,000) shall be derived from the Manufactured
18 Housing Fees Trust Fund (established under section
19 620(e) of such Act (42 U.S.C. 5419(e)): *Provided*, That
20 not to exceed the total amount appropriated under this
21 heading shall be available from the general fund of the
22 Treasury to the extent necessary to incur obligations and
23 make expenditures pending the receipt of collections to the
24 Fund pursuant to section 620 of such Act: *Provided fur-*
25 *ther*, That the amount made available under this heading

1 from the general fund shall be reduced as such collections
2 are received during fiscal year 2022 so as to result in a
3 final fiscal year 2022 appropriation from the general fund
4 estimated at zero, and fees pursuant to such section 620
5 shall be modified as necessary to ensure such a final fiscal
6 year 2022 appropriation: *Provided further*, That for the
7 dispute resolution and installation programs, the Sec-
8 retary may assess and collect fees from any program par-
9 ticipant: *Provided further*, That such collections shall be
10 deposited into the Trust Fund, and the Secretary, as pro-
11 vided herein, may use such collections, as well as fees col-
12 lected under section 620 of such Act, for necessary ex-
13 penses of such Act: *Provided further*, That, notwith-
14 standing the requirements of section 620 of such Act, the
15 Secretary may carry out responsibilities of the Secretary
16 under such Act through the use of approved service pro-
17 viders that are paid directly by the recipients of their serv-
18 ices.

19 FEDERAL HOUSING ADMINISTRATION

20 MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

21 New commitments to guarantee single family loans
22 insured under the Mutual Mortgage Insurance Fund shall
23 not exceed \$400,000,000,000, to remain available until
24 September 30, 2023: *Provided*, That during fiscal year
25 2022, obligations to make direct loans to carry out the

1 purposes of section 204(g) of the National Housing Act
2 (12 U.S.C. 1710(g)), as amended, shall not exceed
3 \$1,000,000: *Provided further*, That the foregoing amount
4 in the previous proviso shall be for loans to nonprofit and
5 governmental entities in connection with sales of single
6 family real properties owned by the Secretary and for-
7 merly insured under the Mutual Mortgage Insurance
8 Fund: *Provided further*, That for administrative contract
9 expenses of the Federal Housing Administration,
10 \$150,000,000, to remain available until September 30,
11 2023: *Provided further*, That notwithstanding the limita-
12 tion in the first sentence of section 255(g) of the National
13 Housing Act (12 U.S.C. 1715z–20(g)), during fiscal year
14 2022 the Secretary may insure and enter into new com-
15 mitments to insure mortgages under section 255 of the
16 National Housing Act only to the extent that the net cred-
17 it subsidy cost for such insurance does not exceed zero.

18 GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

19 New commitments to guarantee loans insured under
20 the General and Special Risk Insurance Funds, as author-
21 ized by sections 238 and 519 of the National Housing Act
22 (12 U.S.C. 1715z–3 and 1735c), shall not exceed
23 \$30,000,000,000 in total loan principal, any part of which
24 is to be guaranteed, to remain available until September
25 30, 2023: *Provided*, That during fiscal year 2022, gross

1 obligations for the principal amount of direct loans, as au-
 2 thorized by sections 204(g), 207(l), 238, and 519(a) of
 3 the National Housing Act, shall not exceed \$1,000,000,
 4 which shall be for loans to nonprofit and governmental en-
 5 tities in connection with the sale of single family real prop-
 6 erties owned by the Secretary and formerly insured under
 7 such Act.

8 GOVERNMENT NATIONAL MORTGAGE ASSOCIATION
 9 GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN
 10 GUARANTEE PROGRAM ACCOUNT

11 New commitments to issue guarantees to carry out
 12 the purposes of section 306 of the National Housing Act,
 13 as amended (12 U.S.C. 1721(g)), shall not exceed
 14 \$900,000,000,000, to remain available until September
 15 30, 2023: *Provided*, That \$35,000,000, to remain avail-
 16 able until September 30, 2023, shall be for necessary sala-
 17 ries and expenses of the Government National Mortgage
 18 Association: *Provided further*, That to the extent that
 19 guaranteed loan commitments exceed \$155,000,000,000
 20 on or before April 1, 2022, an additional \$100 for nec-
 21 essary salaries and expenses shall be available until ex-
 22 pended for each \$1,000,000 in additional guaranteed loan
 23 commitments (including a pro rata amount for any
 24 amount below \$1,000,000), but in no case shall funds
 25 made available by this proviso exceed \$3,000,000: *Pro-*

1 *vided further*, That receipts from Commitment and
2 Multiclass fees collected pursuant to title III of the Na-
3 tional Housing Act (12 U.S.C. 1716 et seq.) shall be cred-
4 ited as offsetting collections to this account.

5 POLICY DEVELOPMENT AND RESEARCH

6 RESEARCH AND TECHNOLOGY

7 For contracts, grants, and necessary expenses of pro-
8 grams of research and studies relating to housing and
9 urban problems, not otherwise provided for, as authorized
10 by title V of the Housing and Urban Development Act
11 of 1970 (12 U.S.C. 1701z-1 et seq.), including carrying
12 out the functions of the Secretary of Housing and Urban
13 Development under section 1(a)(1)(i) of Reorganization
14 Plan No. 2 of 1968, and for technical assistance,
15 \$165,000,000, to remain available until September 30,
16 2023: *Provided*, That with respect to amounts made avail-
17 able under this heading, notwithstanding section 203 of
18 this title, the Secretary may enter into cooperative agree-
19 ments with philanthropic entities, other Federal agencies,
20 State or local governments and their agencies, Indian
21 Tribes, tribally designated housing entities, or colleges or
22 universities for research projects: *Provided further*, That
23 with respect to the preceding proviso, such partners to the
24 cooperative agreements shall contribute at least a 50 per-
25 cent match toward the cost of the project: *Provided fur-*

1 *ther*, That for non-competitive agreements entered into in
2 accordance with the preceding two provisos, the Secretary
3 shall comply with section 2(b) of the Federal Funding Ac-
4 countability and Transparency Act of 2006 (Public Law
5 109–282, 31 U.S.C. note) in lieu of compliance with sec-
6 tion 102(a)(4)(C) of the Department of Housing and
7 Urban Development Reform Act of 1989 (42 U.S.C.
8 3545(a)(4)(C)) with respect to documentation of award
9 decisions: *Provided further*, That prior to obligation of
10 technical assistance funding, the Secretary shall submit a
11 plan to the House and Senate Committees on Appropria-
12 tions on how the Secretary will allocate funding for this
13 activity at least 30 days prior to obligation: *Provided fur-*
14 *ther*, That none of the funds provided under this heading
15 may be available for the doctoral dissertation research
16 grant program: *Provided further*, That an additional
17 \$20,000,000, to remain available until September 30,
18 2024, shall be for competitive grants to nonprofit or gov-
19 ernmental entities to provide legal assistance (including
20 assistance related to pretrial activities, trial activities,
21 post-trial activities and alternative dispute resolution) at
22 no cost to eligible low-income tenants at risk of or subject
23 to eviction: *Provided further*, That in awarding grants
24 under the preceding proviso, the Secretary shall give pref-
25 erence to applicants that include a marketing strategy for

1 residents of areas with high rates of eviction, have experi-
2 ence providing no-cost legal assistance to low-income indi-
3 viduals, including those with limited English proficiency
4 or disabilities, and have sufficient capacity to administer
5 such assistance: *Provided further*, That the Secretary shall
6 ensure, to the extent practicable, that the proportion of
7 eligible tenants living in rural areas who will receive legal
8 assistance with grant funds made available under this
9 heading is not less than the overall proportion of eligible
10 tenants who live in rural areas.

11 FAIR HOUSING AND EQUAL OPPORTUNITY

12 FAIR HOUSING ACTIVITIES

13 For contracts, grants, and other assistance, not oth-
14 erwise provided for, as authorized by title VIII of the Civil
15 Rights Act of 1968 (42 U.S.C. 3601 et seq.), and section
16 561 of the Housing and Community Development Act of
17 1987 (42 U.S.C. 3616a), \$85,000,000, to remain available
18 until September 30, 2023: *Provided*, That notwithstanding
19 section 3302 of title 31, United States Code, the Secretary
20 may assess and collect fees to cover the costs of the Fair
21 Housing Training Academy, and may use such funds to
22 develop on-line courses and provide such training: *Pro-*
23 *vided further*, That none of the funds made available under
24 this heading may be used to lobby the executive or legisla-
25 tive branches of the Federal Government in connection

1 with a specific contract, grant, or loan: *Provided further*,
 2 That of the funds made available under this heading,
 3 \$1,000,000 shall be available to the Secretary for the cre-
 4 ation and promotion of translated materials and other pro-
 5 grams that support the assistance of persons with limited
 6 English proficiency in utilizing the services provided by
 7 the Department of Housing and Urban Development.

8 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY
 9 HOMES

10 LEAD HAZARD REDUCTION

11 (INCLUDING TRANSFER OF FUNDS)

12 For the Lead Hazard Reduction Program, as author-
 13 ized by section 1011 of the Residential Lead-Based Paint
 14 Hazard Reduction Act of 1992 (42 U.S.C. 4852), and for
 15 related activities and assistance, \$460,000,000, to remain
 16 available until September 30, 2024: *Provided*, That the
 17 amounts made available under this heading are provided
 18 as follows:

- 19 (1) \$310,000,000 shall be for the award of
 20 grants pursuant to such section 1011, of which not
 21 less than \$105,000,000 shall be provided to areas
 22 with the highest lead-based paint abatement needs;
 23 (2) \$85,000,000 shall be for the Healthy
 24 Homes Initiative, pursuant to sections 501 and 502
 25 of the Housing and Urban Development Act of

1 1970, which shall include research, studies, testing,
2 and demonstration efforts, including education and
3 outreach concerning lead-based paint poisoning and
4 other housing-related diseases and hazards, and
5 mitigating housing-related health and safety hazards
6 in housing of low-income families: *Provided*, That
7 \$5,000,000 of such amount shall be for the imple-
8 mentation of projects in up to five communities that
9 are served by both the Healthy Homes Initiative and
10 the Department of Energy weatherization programs
11 to demonstrate whether the coordination of Healthy
12 Homes remediation activities with weatherization ac-
13 tivities achieves cost savings and better outcomes in
14 improving the safety and quality of homes;

15 (3) \$5,000,000 shall be for the award of grants
16 and contracts for research pursuant to sections 1051
17 and 1052 of the Residential Lead-Based Paint Haz-
18 ard Reduction Act of 1992 (42 U.S.C. 4854,
19 4854a);

20 (4) Up to \$2,000,000 in total of the amounts
21 made available under paragraphs (2) and (3) may be
22 transferred to the heading “Research and Tech-
23 nology” for the purposes of conducting research and
24 studies and for use in accordance with the provisos

1 under that heading for non-competitive agreements;
2 and

3 (5) \$60,000,000 of the amounts made available
4 under this heading shall be for a lead-risk assess-
5 ment demonstration for public housing agencies to
6 conduct lead hazard screenings or lead-risk assess-
7 ments during housing quality standards inspections
8 of units in which a family receiving assistance under
9 section 8(o) of the U.S. Housing Act of 1937 (42
10 U.S.C. 1437f(o)) resides or expects to reside, and
11 has or expects to have a child under age 6 residing
12 in the unit, while preserving rental housing avail-
13 ability and affordability:

14 *Provided further*, That for purposes of environmental re-
15 view, pursuant to the National Environmental Policy Act
16 of 1969 (42 U.S.C. 4321 et seq.) and other provisions of
17 law that further the purposes of such Act, a grant under
18 the Healthy Homes Initiative, or the Lead Technical Stud-
19 ies program under this heading or under prior appropria-
20 tions Acts for such purposes under this heading, shall be
21 considered to be funds for a special project for purposes
22 of section 305(c) of the Multifamily Housing Property
23 Disposition Reform Act of 1994 (42 U.S.C. 3547): *Pro-*
24 *vided further*, That each applicant for a grant or coopera-
25 tive agreement under this heading shall certify adequate

1 capacity that is acceptable to the Secretary to carry out
2 the proposed use of funds pursuant to a notice of funding
3 opportunity: *Provided further*, That amounts made avail-
4 able under this heading in this or prior appropriations
5 Acts, still remaining available, may be used for any pur-
6 pose under this heading notwithstanding the purpose for
7 which such amounts were appropriated if a program com-
8 petition is undersubscribed and there are other program
9 competitions under this heading that are oversubscribed.

10 INFORMATION TECHNOLOGY FUND

11 (INCLUDING TRANSFER OF FUNDS)

12 For modifications to and infrastructure for Depart-
13 ment-wide and program-specific information technology
14 systems, for the continuing operation and maintenance of
15 both Department-wide and program-specific information
16 systems, and for program-related maintenance activities,
17 \$278,200,000 shall remain available until September 30,
18 2023: *Provided*, That any amounts transferred to this
19 Fund under this Act shall remain available until Sep-
20 tember 30, 2025.

21 OFFICE OF INSPECTOR GENERAL

22 For necessary salaries and expenses of the Office of
23 Inspector General in carrying out the Inspector General
24 Act of 1978, as amended, \$145,000,000: *Provided*, That

1 the Inspector General shall have independent authority
2 over all personnel and acquisition issues within this office.

3 GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND
4 URBAN DEVELOPMENT

5 (INCLUDING TRANSFER OF FUNDS)

6 (INCLUDING RESCISSIONS)

7 SEC. 201. Fifty percent of the amounts of budget au-
8 thority, or in lieu thereof 50 percent of the cash amounts
9 associated with such budget authority, that are recaptured
10 from projects described in section 1012(a) of the Stewart
11 B. McKinney Homeless Assistance Amendments Act of
12 1988 (42 U.S.C. 1437f note) shall be rescinded or in the
13 case of cash, shall be remitted to the Treasury, and such
14 amounts of budget authority or cash recaptured and not
15 rescinded or remitted to the Treasury shall be used by
16 State housing finance agencies or local governments or
17 local housing agencies with projects approved by the Sec-
18 retary of Housing and Urban Development for which set-
19 tlement occurred after January 1, 1992, in accordance
20 with such section. Notwithstanding the previous sentence,
21 the Secretary may award up to 15 percent of the budget
22 authority or cash recaptured and not rescinded or remitted
23 to the Treasury to provide project owners with incentives
24 to refinance their project at a lower interest rate.

1 SEC. 202. None of the funds made available by this
2 Act may be used during fiscal year 2022 to investigate
3 or prosecute under the Fair Housing Act any otherwise
4 lawful activity engaged in by one or more persons, includ-
5 ing the filing or maintaining of a nonfrivolous legal action,
6 that is engaged in solely for the purpose of achieving or
7 preventing action by a Government official or entity, or
8 a court of competent jurisdiction.

9 SEC. 203. Except as explicitly provided in law, any
10 grant, cooperative agreement or other assistance made
11 pursuant to title II of this Act shall be made on a competi-
12 tive basis and in accordance with section 102 of the De-
13 partment of Housing and Urban Development Reform Act
14 of 1989 (42 U.S.C. 3545).

15 SEC. 204. Funds of the Department of Housing and
16 Urban Development subject to the Government Corpora-
17 tion Control Act or section 402 of the Housing Act of
18 1950 shall be available, without regard to the limitations
19 on administrative expenses, for legal services on a contract
20 or fee basis, and for utilizing and making payment for
21 services and facilities of the Federal National Mortgage
22 Association, Government National Mortgage Association,
23 Federal Home Loan Mortgage Corporation, Federal Fi-
24 nancing Bank, Federal Reserve banks or any member
25 thereof, Federal Home Loan banks, and any insured bank

1 within the meaning of the Federal Deposit Insurance Cor-
2 poration Act, as amended (12 U.S.C. 1811–1).

3 SEC. 205. Unless otherwise provided for in this Act
4 or through a reprogramming of funds, no part of any ap-
5 propriation for the Department of Housing and Urban
6 Development shall be available for any program, project,
7 or activity in excess of amounts set forth in the budget
8 estimates submitted to Congress.

9 SEC. 206. Corporations and agencies of the Depart-
10 ment of Housing and Urban Development which are sub-
11 ject to the Government Corporation Control Act are here-
12 by authorized to make such expenditures, within the limits
13 of funds and borrowing authority available to each such
14 corporation or agency and in accordance with law, and to
15 make such contracts and commitments without regard to
16 fiscal year limitations as provided by section 104 of such
17 Act as may be necessary in carrying out the programs set
18 forth in the budget for 2022 for such corporation or agen-
19 cy except as hereinafter provided: *Provided*, That collec-
20 tions of these corporations and agencies may be used for
21 new loan or mortgage purchase commitments only to the
22 extent expressly provided for in this Act (unless such loans
23 are in support of other forms of assistance provided for
24 in this or prior appropriations Acts), except that this pro-
25 viso shall not apply to the mortgage insurance or guaranty

1 operations of these corporations, or where loans or mort-
2 gage purchases are necessary to protect the financial in-
3 terest of the United States Government.

4 SEC. 207. The Secretary shall provide quarterly re-
5 ports to the House and Senate Committees on Appropria-
6 tions regarding all uncommitted, unobligated, recaptured,
7 and excess funds in each program and activity within the
8 jurisdiction of the Department and shall submit addi-
9 tional, updated budget information to these Committees
10 upon request.

11 SEC. 208. None of the funds made available by this
12 title may be used for an audit of the Government National
13 Mortgage Association that makes applicable requirements
14 under the Federal Credit Reform Act of 1990 (2 U.S.C.
15 661 et seq.).

16 SEC. 209. (a) Notwithstanding any other provision
17 of law, subject to the conditions listed under this section,
18 for fiscal years 2022 and 2023, the Secretary of Housing
19 and Urban Development may authorize the transfer of
20 some or all project-based assistance, debt held or insured
21 by the Secretary and statutorily required low-income and
22 very low-income use restrictions if any, associated with one
23 or more multifamily housing project or projects to another
24 multifamily housing project or projects.

1 (b) PHASED TRANSFERS.—Transfers of project-
2 based assistance under this section may be done in phases
3 to accommodate the financing and other requirements re-
4 lated to rehabilitating or constructing the project or
5 projects to which the assistance is transferred, to ensure
6 that such project or projects meet the standards under
7 subsection (c).

8 (c) The transfer authorized in subsection (a) is sub-
9 ject to the following conditions:

10 (1) NUMBER AND BEDROOM SIZE OF UNITS.—

11 (A) For occupied units in the transferring
12 project: The number of low-income and very
13 low-income units and the configuration (i.e.,
14 bedroom size) provided by the transferring
15 project shall be no less than when transferred
16 to the receiving project or projects and the net
17 dollar amount of Federal assistance provided to
18 the transferring project shall remain the same
19 in the receiving project or projects.

20 (B) For unoccupied units in the transfer-
21 ring project: The Secretary may authorize a re-
22 duction in the number of dwelling units in the
23 receiving project or projects to allow for a re-
24 configuration of bedroom sizes to meet current
25 market demands, as determined by the Sec-

1 retary and provided there is no increase in the
2 project-based assistance budget authority.

3 (2) The transferring project shall, as deter-
4 mined by the Secretary, be either physically obsolete
5 or economically nonviable, or be reasonably expected
6 to become economically nonviable when complying
7 with state or Federal requirements for community
8 integration and reduced concentration of individuals
9 with disabilities.

10 (3) The receiving project or projects shall meet
11 or exceed applicable physical standards established
12 by the Secretary.

13 (4) The owner or mortgagor of the transferring
14 project shall notify and consult with the tenants re-
15 siding in the transferring project and provide a cer-
16 tification of approval by all appropriate local govern-
17 mental officials.

18 (5) The tenants of the transferring project who
19 remain eligible for assistance to be provided by the
20 receiving project or projects shall not be required to
21 vacate their units in the transferring project or
22 projects until new units in the receiving project are
23 available for occupancy.

24 (6) The Secretary determines that this transfer
25 is in the best interest of the tenants.

1 (7) If either the transferring project or the re-
2 ceiving project or projects meets the condition speci-
3 fied in subsection (d)(2)(A), any lien on the receiv-
4 ing project resulting from additional financing ob-
5 tained by the owner shall be subordinate to any
6 FHA-insured mortgage lien transferred to, or placed
7 on, such project by the Secretary, except that the
8 Secretary may waive this requirement upon deter-
9 mination that such a waiver is necessary to facilitate
10 the financing of acquisition, construction, and/or re-
11 habilitation of the receiving project or projects.

12 (8) If the transferring project meets the re-
13 quirements of subsection (d)(2), the owner or mort-
14 gagor of the receiving project or projects shall exe-
15 cute and record either a continuation of the existing
16 use agreement or a new use agreement for the
17 project where, in either case, any use restrictions in
18 such agreement are of no lesser duration than the
19 existing use restrictions.

20 (9) The transfer does not increase the cost (as
21 defined in section 502 of the Congressional Budget
22 Act of 1974(2 U.S.C. 661a)) of any FHA-insured
23 mortgage, except to the extent that appropriations
24 are provided in advance for the amount of any such
25 increased cost.

1 (d) For purposes of this section—

2 (1) the terms “low-income” and “very low-in-
3 come” shall have the meanings provided by the stat-
4 ute and/or regulations governing the program under
5 which the project is insured or assisted;

6 (2) the term “multifamily housing project”
7 means housing that meets one of the following con-
8 ditions—

9 (A) housing that is subject to a mortgage
10 insured under the National Housing Act;

11 (B) housing that has project-based assist-
12 ance attached to the structure including
13 projects undergoing mark to market debt re-
14 structuring under the Multifamily Assisted
15 Housing Reform and Affordability Housing Act;

16 (C) housing that is assisted under section
17 202 of the Housing Act of 1959 (12 U.S.C.
18 1701q);

19 (D) housing that is assisted under section
20 202 of the Housing Act of 1959 (12 U.S.C.
21 1701q), as such section existed before the en-
22 actment of the Cranston-Gonzales National Af-
23 fordable Housing Act;

1 (E) housing that is assisted under section
2 811 of the Cranston-Gonzales National Afford-
3 able Housing Act (42 U.S.C. 8013); or

4 (F) housing or vacant land that is subject
5 to a use agreement;

6 (3) the term “project-based assistance”
7 means—

8 (A) assistance provided under section 8(b)
9 of the United States Housing Act of 1937 (42
10 U.S.C. 1437f(b));

11 (B) assistance for housing constructed or
12 substantially rehabilitated pursuant to assist-
13 ance provided under section 8(b)(2) of such Act
14 (as such section existed immediately before Oc-
15 tober 1, 1983);

16 (C) rent supplement payments under sec-
17 tion 101 of the Housing and Urban Develop-
18 ment Act of 1965 (12 U.S.C. 1701s);

19 (D) interest reduction payments under sec-
20 tion 236 and/or additional assistance payments
21 under section 236(f)(2) of the National Hous-
22 ing Act (12 U.S.C. 1715z–1);

23 (E) assistance payments made under sec-
24 tion 202(c)(2) of the Housing Act of 1959 (12
25 U.S.C. 1701q(c)(2)); and

1 (F) assistance payments made under sec-
2 tion 811(d)(2) of the Cranston-Gonzalez Na-
3 tional Affordable Housing Act (42 U.S.C.
4 8013(d)(2));

5 (4) the term “receiving project or projects”
6 means the multifamily housing project or projects to
7 which some or all of the project-based assistance,
8 debt, and statutorily required low-income and very
9 low-income use restrictions are to be transferred;

10 (5) the term “transferring project” means the
11 multifamily housing project which is transferring
12 some or all of the project-based assistance, debt, and
13 the statutorily required low-income and very low-in-
14 come use restrictions to the receiving project or
15 projects; and

16 (6) the term “Secretary” means the Secretary
17 of Housing and Urban Development.

18 (e) RESEARCH REPORT.—The Secretary shall con-
19 duct an evaluation of the transfer authority under this sec-
20 tion, including the effect of such transfers on the oper-
21 ational efficiency, contract rents, physical and financial
22 conditions, and long-term preservation of the affected
23 properties.

1 SEC. 210. (a) No assistance shall be provided under
2 section 8 of the United States Housing Act of 1937 (42
3 U.S.C. 1437f) to any individual who—

4 (1) is enrolled as a student at an institution of
5 higher education (as defined under section 102 of
6 the Higher Education Act of 1965 (20 U.S.C.
7 1002));

8 (2) is under 24 years of age;

9 (3) is not a veteran;

10 (4) is unmarried;

11 (5) does not have a dependent child;

12 (6) is not a person with disabilities, as such
13 term is defined in section 3(b)(3)(E) of the United
14 States Housing Act of 1937 (42 U.S.C.
15 1437a(b)(3)(E)) and was not receiving assistance
16 under such section 8 as of November 30, 2005;

17 (7) is not a youth who left foster care at age
18 14 or older and is at risk of becoming homeless; and

19 (8) is not otherwise individually eligible, or has
20 parents who, individually or jointly, are not eligible,
21 to receive assistance under section 8 of the United
22 States Housing Act of 1937 (42 U.S.C. 1437f).

23 (b) For purposes of determining the eligibility of a
24 person to receive assistance under section 8 of the United
25 States Housing Act of 1937 (42 U.S.C. 1437f), any finan-

1 cial assistance (in excess of amounts received for tuition
2 and any other required fees and charges) that an indi-
3 vidual receives under the Higher Education Act of 1965
4 (20 U.S.C. 1001 et seq.), from private sources, or from
5 an institution of higher education (as defined under sec-
6 tion 102 of the Higher Education Act of 1965 (20 U.S.C.
7 1002)), shall be considered income to that individual, ex-
8 cept for a person over the age of 23 with dependent chil-
9 dren.

10 SEC. 211. The funds made available for Native Alas-
11 kans under paragraph (1) under the heading “Native
12 American Programs” in title II of this Act shall be allo-
13 cated to the same Native Alaskan housing block grant re-
14 cipients that received funds in fiscal year 2005, and only
15 such recipients shall be eligible to apply for funds made
16 available under paragraph (2) of such heading.

17 SEC. 212. Notwithstanding any other provision of
18 law, in fiscal year 2022, in managing and disposing of any
19 multifamily property that is owned or has a mortgage held
20 by the Secretary of Housing and Urban Development, and
21 during the process of foreclosure on any property with a
22 contract for rental assistance payments under section 8
23 of the United States Housing Act of 1937 (42 U.S.C.
24 1437f) or any other Federal programs, the Secretary shall
25 maintain any rental assistance payments under section 8

1 of the United States Housing Act of 1937 and other pro-
2 grams that are attached to any dwelling units in the prop-
3 erty. To the extent the Secretary determines, in consulta-
4 tion with the tenants and the local government that such
5 a multifamily property owned or having a mortgage held
6 by the Secretary is not feasible for continued rental assist-
7 ance payments under such section 8 or other programs,
8 based on consideration of (1) the costs of rehabilitating
9 and operating the property and all available Federal,
10 State, and local resources, including rent adjustments
11 under section 524 of the Multifamily Assisted Housing
12 Reform and Affordability Act of 1997 (in this section
13 “MAHRAA”) (42 U.S.C. 1437f note), and (2) environ-
14 mental conditions that cannot be remedied in a cost-effec-
15 tive fashion, the Secretary may, in consultation with the
16 tenants of that property, contract for project-based rental
17 assistance payments with an owner or owners of other ex-
18 isting housing properties, or provide other rental assist-
19 ance. The Secretary shall also take appropriate steps to
20 ensure that project-based contracts remain in effect prior
21 to foreclosure, subject to the exercise of contractual abate-
22 ment remedies to assist relocation of tenants for imminent
23 major threats to health and safety after written notice to
24 and informed consent of the affected tenants and use of
25 other available remedies, such as partial abatements or re-

1 ceivership. After disposition of any multifamily property
2 described in this section, the contract and allowable rent
3 levels on such properties shall be subject to the require-
4 ments under section 524 of MAHRAA.

5 SEC. 213. Public housing agencies that own and oper-
6 ate 400 or fewer public housing units may elect to be ex-
7 empt from any asset management requirement imposed by
8 the Secretary in connection with the operating fund rule:
9 *Provided*, That an agency seeking a discontinuance of a
10 reduction of subsidy under the operating fund formula
11 shall not be exempt from asset management requirements.

12 SEC. 214. With respect to the use of amounts pro-
13 vided in this Act and in future Acts for the operation, cap-
14 ital improvement, and management of public housing as
15 authorized by sections 9(d) and 9(e) of the United States
16 Housing Act of 1937 (42 U.S.C. 1437g(d),(e)), the Sec-
17 retary shall not impose any requirement or guideline relat-
18 ing to asset management that restricts or limits in any
19 way the use of capital funds for central office costs pursu-
20 ant to paragraph (1) or (2) of section 9(g) of the United
21 States Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)):
22 *Provided*, That a public housing agency may not use cap-
23 ital funds authorized under section 9(d) for activities that
24 are eligible under section 9(e) for assistance with amounts

1 from the operating fund in excess of the amounts per-
2 mitted under paragraph (1) or (2) of section 9(g).

3 SEC. 215. No official or employee of the Department
4 of Housing and Urban Development shall be designated
5 as an allotment holder unless the Office of the Chief Fi-
6 nancial Officer has determined that such allotment holder
7 has implemented an adequate system of funds control and
8 has received training in funds control procedures and di-
9 rectives. The Chief Financial Officer shall ensure that
10 there is a trained allotment holder for each HUD appro-
11 priation under the accounts “Executive Offices”, “Admin-
12 istrative Support Offices”, “Program Offices”, “Govern-
13 ment National Mortgage Association—Guarantees of
14 Mortgage-Backed Securities Loan Guarantee Program
15 Account”, and “Office of Inspector General” within the
16 Department of Housing and Urban Development.

17 SEC. 216. The Secretary shall, for fiscal year 2022,
18 notify the public through the Federal Register and other
19 means, as determined appropriate, of the issuance of a no-
20 tice of the availability of assistance or notice of funding
21 opportunity (NOFO) for any program or discretionary
22 fund administered by the Secretary that is to be competi-
23 tively awarded. Notwithstanding any other provision of
24 law, for fiscal year 2022, the Secretary may make the
25 NOFO available only on the Internet at the appropriate

1 Government website or through other electronic media, as
2 determined by the Secretary.

3 SEC. 217. Payment of attorney fees in program-re-
4 lated litigation shall be paid from the individual program
5 office and Office of General Counsel salaries and expenses
6 appropriations. The annual budget submission for the pro-
7 gram offices and the Office of General Counsel shall in-
8 clude any such projected litigation costs for attorney fees
9 as a separate line item request.

10 SEC. 218. (a)(1) Except as provided in paragraph
11 (2), the Secretary may transfer up to 10 percent or
12 \$5,000,000, whichever is less, of funds appropriated for
13 any office under the headings “Administrative Support
14 Offices” or “Program Offices” to any other such office
15 under such heading: *Provided*, That no appropriation for
16 any such office or account shall be increased or decreased
17 by more than 10 percent or \$5,000,000, whichever is less,
18 without prior written approval of the House and Senate
19 Committees on Appropriations: *Provided further*, That the
20 Secretary shall provide notification to such Committees
21 not less than 3 business days in advance of any such
22 transfers under this section up to 10 percent or
23 \$5,000,000, whichever is less.

24 (2) The authority under paragraph (1) to
25 transfer funds shall not apply to the Office of Fair

1 Housing and Equal Opportunity, the Office of Lead
2 Hazard Control and Healthy Homes, or the Office
3 of Departmental Equal Employment Opportunity.

4 (b) The Secretary is authorized to transfer up to 10
5 percent of funds appropriated for any office under the
6 headings “Administrative Support Offices” or “Program
7 Offices” to the Office of Fair Housing and Equal Oppor-
8 tunity, the Office of Lead Hazard Control and Healthy
9 Homes, or the Office of Departmental Equal Employment
10 Opportunity: *Provided*, That no amounts may be trans-
11 ferred pursuant to this subparagraph unless the Secretary
12 provides notification to such Committees not less than 3
13 business days in advance of any such transfers under this
14 subsection.

15 SEC. 219. (a) Any entity receiving housing assistance
16 payments shall maintain decent, safe, and sanitary condi-
17 tions, as determined by the Secretary, and comply with
18 any standards under applicable State or local laws, rules,
19 ordinances, or regulations relating to the physical condi-
20 tion of any property covered under a housing assistance
21 payment contract.

22 (b) The Secretary shall take action under subsection
23 (c) when a multifamily housing project with a contract
24 under section 8 of the United States Housing Act of 1937

1 (42 U.S.C. 1437f) or a contract for similar project-based
2 assistance—

3 (1) receives a Uniform Physical Condition
4 Standards (UPCS) score of 60 or less; or

5 (2) fails to certify in writing to the Secretary
6 within 3 days that all Exigent Health and Safety de-
7 ficiencies identified by the inspector at the project
8 have been corrected.

9 Such requirements shall apply to insured and noninsured
10 projects with assistance attached to the units under sec-
11 tion 8 of the United States Housing Act of 1937 (42
12 U.S.C. 1437f), but shall not apply to such units assisted
13 under section 8(o)(13) of such Act (42 U.S.C.
14 1437f(o)(13)) or to public housing units assisted with cap-
15 ital or operating funds under section 9 of the United
16 States Housing Act of 1937 (42 U.S.C. 1437g).

17 (c)(1) Within 15 days of the issuance of the Real Es-
18 tate Assessment Center (“REAC”) inspection, the Sec-
19 retary shall provide the owner with a Notice of Default
20 with a specified timetable, determined by the Secretary,
21 for correcting all deficiencies. The Secretary shall provide
22 a copy of the Notice of Default to the tenants, the local
23 government, any mortgagees, and any contract adminis-
24 trator. If the owner’s appeal results in a UPCS score of

1 60 or above, the Secretary may withdraw the Notice of
2 Default.

3 (2) At the end of the time period for correcting all
4 deficiencies specified in the Notice of Default, if the owner
5 fails to fully correct such deficiencies, the Secretary may—

6 (A) require immediate replacement of project
7 management with a management agent approved by
8 the Secretary;

9 (B) impose civil money penalties, which shall be
10 used solely for the purpose of supporting safe and
11 sanitary conditions at applicable properties, as des-
12 ignated by the Secretary, with priority given to the
13 tenants of the property affected by the penalty;

14 (C) abate the section 8 contract, including par-
15 tial abatement, as determined by the Secretary, until
16 all deficiencies have been corrected;

17 (D) pursue transfer of the project to an owner,
18 approved by the Secretary under established proce-
19 dures, who will be obligated to promptly make all re-
20 quired repairs and to accept renewal of the assist-
21 ance contract if such renewal is offered;

22 (E) transfer the existing section 8 contract to
23 another project or projects and owner or owners;

24 (F) pursue exclusionary sanctions, including
25 suspensions or debarments from Federal programs;

1 (G) seek judicial appointment of a receiver to
2 manage the property and cure all project deficiencies
3 or seek a judicial order of specific performance re-
4 quiring the owner to cure all project deficiencies;

5 (H) work with the owner, lender, or other re-
6 lated party to stabilize the property in an attempt
7 to preserve the property through compliance, trans-
8 fer of ownership, or an infusion of capital provided
9 by a third-party that requires time to effectuate; or

10 (I) take any other regulatory or contractual
11 remedies available as deemed necessary and appro-
12 priate by the Secretary.

13 (d) The Secretary shall take appropriate steps to en-
14 sure that project-based contracts remain in effect, subject
15 to the exercise of contractual abatement remedies to assist
16 relocation of tenants for major threats to health and safety
17 after written notice to the affected tenants. To the extent
18 the Secretary determines, in consultation with the tenants
19 and the local government, that the property is not feasible
20 for continued rental assistance payments under such sec-
21 tion 8 or other programs, based on consideration of—

22 (1) the costs of rehabilitating and operating the
23 property and all available Federal, State, and local
24 resources, including rent adjustments under section

1 524 of the Multifamily Assisted Housing Reform
2 and Affordability Act of 1997 (“MAHRAA”); and

3 (2) environmental conditions that cannot be
4 remedied in a cost-effective fashion, the Secretary
5 may contract for project-based rental assistance pay-
6 ments with an owner or owners of other existing
7 housing properties, or provide other rental assist-
8 ance.

9 (e) The Secretary shall report quarterly on all prop-
10 erties covered by this section that are assessed through
11 the Real Estate Assessment Center and have UPCS phys-
12 ical inspection scores of less than 60 or have received an
13 unsatisfactory management and occupancy review within
14 the past 36 months. The report shall include—

15 (1) identification of the enforcement actions
16 being taken to address such conditions, including
17 imposition of civil money penalties and termination
18 of subsidies, and identification of properties that
19 have such conditions multiple times;

20 (2) identification of actions that the Depart-
21 ment of Housing and Urban Development is taking
22 to protect tenants of such identified properties; and

23 (3) any administrative or legislative rec-
24 ommendations to further improve the living condi-

1 tions at properties covered under a housing assist-
2 ance payment contract.

3 This report shall be submitted to the Senate and House
4 Committees on Appropriations not later than 30 days
5 after the enactment of this Act, and on the first business
6 day of each Federal fiscal year quarter thereafter while
7 this section remains in effect.

8 SEC. 220. None of the funds made available by this
9 Act, or any other Act, for purposes authorized under sec-
10 tion 8 (only with respect to the tenant-based rental assist-
11 ance program) and section 9 of the United States Housing
12 Act of 1937 (42 U.S.C. 1437 et seq.), may be used by
13 any public housing agency for any amount of salary, in-
14 cluding bonuses, for the chief executive officer of which,
15 or any other official or employee of which, that exceeds
16 the annual rate of basic pay payable for a position at level
17 IV of the Executive Schedule at any time during any pub-
18 lic housing agency fiscal year 2022.

19 SEC. 221. None of the funds made available by this
20 Act and provided to the Department of Housing and
21 Urban Development may be used to make a grant award
22 unless the Secretary notifies the House and Senate Com-
23 mittees on Appropriations not less than 3 full business
24 days before any project, State, locality, housing authority,
25 Tribe, nonprofit organization, or other entity selected to

1 receive a grant award is announced by the Department
2 or its offices.

3 SEC. 222. None of the funds made available in this
4 Act shall be used by the Federal Housing Administration,
5 the Government National Mortgage Association, or the
6 Department of Housing and Urban Development to in-
7 sure, securitize, or establish a Federal guarantee of any
8 mortgage or mortgage backed security that refinances or
9 otherwise replaces a mortgage that has been subject to
10 eminent domain condemnation or seizure, by a State, mu-
11 nicipality, or any other political subdivision of a State.

12 SEC. 223. None of the funds made available by this
13 Act may be used to terminate the status of a unit of gen-
14 eral local government as a metropolitan city (as defined
15 in section 102 of the Housing and Community Develop-
16 ment Act of 1974 (42 U.S.C. 5302)) with respect to
17 grants under section 106 of such Act (42 U.S.C. 5306).

18 SEC. 224. Amounts made available by this Act that
19 are appropriated, allocated, advanced on a reimbursable
20 basis, or transferred to the Office of Policy Development
21 and Research of the Department of Housing and Urban
22 Development and functions thereof, for research, evalua-
23 tion, or statistical purposes, and that are unexpended at
24 the time of completion of a contract, grant, or cooperative
25 agreement, may be deobligated and shall immediately be-

1 come available and may be reobligated in that fiscal year
2 or the subsequent fiscal year for the research, evaluation,
3 or statistical purposes for which the amounts are made
4 available to that Office subject to reprogramming require-
5 ments in section 405 of this Act.

6 SEC. 225. None of the funds provided in this Act or
7 any other Act may be used for awards, including perform-
8 ance, special act, or spot, for any employee of the Depart-
9 ment of Housing and Urban Development subject to ad-
10 ministrative discipline (including suspension from work),
11 in this fiscal year, but this prohibition shall not be effec-
12 tive prior to the effective date of any such administrative
13 discipline or after any final decision over-turning such dis-
14 cipline.

15 SEC. 226. With respect to grant amounts awarded
16 under the heading “Homeless Assistance Grants” for fis-
17 cal years 2015 through 2022 for the Continuum of Care
18 (CoC) program as authorized under subtitle C of title IV
19 of the McKinney-Vento Homeless Assistance Act, costs
20 paid by program income of grant recipients may count to-
21 ward meeting the recipient’s matching requirements, pro-
22 vided the costs are eligible CoC costs that supplement the
23 recipient’s CoC program.

24 SEC. 227. (a) From amounts made available under
25 this title under the heading “Homeless Assistance

1 Grants”, the Secretary may award 1–year transition
2 grants to recipients of funds for activities under subtitle
3 C of the McKinney-Vento Homeless Assistance Act (42
4 U.S.C. 11381 et seq.) to transition from one Continuum
5 of Care program component to another.

6 (b) In order to be eligible to receive a transition
7 grant, the funding recipient shall have the consent of the
8 continuum of care and meet standards determined by the
9 Secretary.

10 SEC. 228. The Promise Zone designations and Prom-
11 ise Zone Designation Agreements entered into pursuant
12 to such designations, made by the Secretary in prior fiscal
13 years, shall remain in effect in accordance with the terms
14 and conditions of such agreements.

15 SEC. 229. None of the funds made available by this
16 Act may be used to establish and apply review criteria,
17 including rating factors or preference points, for participa-
18 tion in or coordination with EnVision Centers, in the eval-
19 uation, selection, and award of any funds made available
20 and requiring competitive selection under this Act, except
21 with respect to any such funds otherwise authorized for
22 EnVision Center purposes under this Act.

23 SEC. 230. None of the funds made available by this
24 or any prior Act may be used to require or enforce any
25 changes to the terms and conditions of the public housing

1 annual contributions contract between the Secretary and
2 any public housing agency, as such contract was in effect
3 as of December 31, 2017, unless such changes are mutu-
4 ally agreed upon by the Secretary and such agency: *Pro-*
5 *vided*, That such agreement by an agency may be indi-
6 cated only by a written amendment to the terms and con-
7 ditions containing the duly authorized signature of its
8 chief executive: *Provided further*, That the Secretary may
9 not withhold funds to compel such agreement by an agen-
10 cy which certifies to its compliance with its contract.

11 SEC. 231. (a) None of the amounts made available
12 in this Act may be used to consider Family Self-Suffi-
13 ciency performance measures or performance scores in de-
14 termining funding awards for programs receiving Family
15 Self-Sufficiency program coordinator funding provided in
16 this Act.

17 (b) Subsection (a) shall have no effect after the appli-
18 cability date established by the Secretary in a notice up-
19 dating the “Family Self-Sufficiency Performance Meas-
20 urement System (‘Composite Score’)” published in the
21 Federal Register on November 15, 2018 (83 Fed. Reg.
22 57493).

23 SEC. 232. Any public housing agency designated as
24 a Moving to Work agency pursuant to section 239 of divi-
25 sion L of Public Law 114–113 (42 U.S.C. 1437f note;

1 129 Stat. 2897) may, upon such designation, use funds
2 (except for special purpose funding, including special pur-
3 pose vouchers) previously allocated to any such public
4 housing agency under section 8 or 9 of the United States
5 Housing Act of 1937, including any reserve funds held by
6 the public housing agency or funds held by the Depart-
7 ment of Housing and Urban Development, pursuant to the
8 authority for use of section 8 or 9 funding provided under
9 such section and section 204 of title II of the Departments
10 of Veterans Affairs and Housing and Urban Development
11 and Independent Agencies Appropriations Act, 1996
12 (Public Law 104–134; 110 Stat. 1321–28), notwith-
13 standing the purposes for which such funds were appro-
14 priated.

15 SEC. 233. None of the amounts made available by
16 this Act may be used to prohibit any public housing agen-
17 cy under receivership or the direction of a Federal monitor
18 from applying for, receiving, or using funds made available
19 under the heading “Public Housing Fund” for competitive
20 grants to evaluate and reduce lead-based paint hazards in
21 this Act or that remain available and not awarded from
22 prior Acts, or be used to prohibit a public housing agency
23 from using such funds to carry out any required work pur-
24 suant to a settlement agreement, consent decree, vol-

1 untary agreement, or similar document for a violation of
2 the Lead Safe Housing or Lead Disclosure Rules.

3 SEC. 234. None of the funds made available by this
4 title may be used to issue rules or guidance in contraven-
5 tion of section 1210 of Public Law 115–254 (132 Stat.
6 3442) or section 312 of the Robert T. Stafford Disaster
7 Relief and Emergency Assistance Act (42 U.S.C. 5155).

8 SEC. 235. (a) Funds previously made available in the
9 Consolidated Appropriations Act, 2014 (Public Law 113–
10 76) for the “Choice Neighborhoods Initiative” that were
11 available for obligation through fiscal year 2016 are to re-
12 main available through fiscal year 2022 for the liquidation
13 of valid obligations incurred in fiscal years 2014 through
14 2016.

15 (b) Funds previously made available in the Consoli-
16 dated and Further Continuing Appropriations Act, 2015
17 (Public Law 113–235) for the “Choice Neighborhoods Ini-
18 tiative” that were available for obligation through fiscal
19 year 2017 are to remain available through fiscal year 2023
20 for the liquidation of valid obligations incurred in fiscal
21 years 2015 through 2017.

22 (c) Funds previously made available in the Consoli-
23 dated Appropriations Act, 2016 (Public Law 114–113) for
24 the “Choice Neighborhoods Initiative” that were available
25 for obligation through fiscal year 2018 are to remain avail-

1 able through fiscal year 2024 for the liquidation of valid
2 obligations incurred in fiscal years 2016 through 2018.

3 (d) Funds previously made available in the Consoli-
4 dated Appropriations Act, 2017 (Public Law 115–31) for
5 the “Choice Neighborhoods Initiative” that were available
6 for obligation through fiscal year 2019 are to remain avail-
7 able through fiscal year 2025 for the liquidation of valid
8 obligations incurred in fiscal years 2017 through 2019.

9 (e) Funds previously made available in the Consoli-
10 dated Appropriations Act, 2018 (Public Law 115–141) for
11 the “Choice Neighborhoods Initiative” that were available
12 for obligation through fiscal year 2020 are to remain avail-
13 able through fiscal year 2026 for the liquidation of valid
14 obligations incurred in fiscal years 2018 through 2020.

15 (f) Funds previously made available in the Consoli-
16 dated Appropriations Act, 2019 (Public Law 116–6) for
17 the “Choice Neighborhoods Initiative” that were available
18 for obligation through fiscal year 2021 are to remain avail-
19 able through fiscal year 2027 for the liquidation of valid
20 obligations incurred in fiscal years 2019 through 2021.

21 (g) Funds previously made available in the Further
22 Consolidated Appropriations Act, 2020 (Public Law 116–
23 94) for the “Choice Neighborhoods Initiative” that were
24 available for obligation through fiscal year 2022 are to re-
25 main available through fiscal year 2028 for the liquidation

1 of valid obligations incurred in fiscal years 2020 through
2 2022.

3 (h)(1) Subject to paragraph (2), this section shall be-
4 come effective immediately upon enactment of this Act.

5 (2) If this Act is enacted after September 30,
6 2021, subsection (a) shall be applied as if it were in
7 effect on September 30, 2021.

8 SEC. 236. (a) Amounts made available in paragraph
9 (1) under the heading “Native American Programs” in
10 title XII of division B of the Coronavirus Aid, Relief, and
11 Economic Security Act (Public Law 116–136) which were
12 allocated to Indian tribes or tribally designated housing
13 entities, and which are not accepted as of the date of en-
14 actment of this Act, are voluntarily returned, or otherwise
15 recaptured for any reason, may be used by the Secretary
16 to make additional grants for the same purpose and under
17 the same terms and conditions as amounts appropriated
18 by section 11003(a)(2) of the American Rescue Plan Act
19 of 2021 (Public Law 117–2).

20 (b) Amounts repurposed by this section that were
21 previously designated by the Congress as an emergency
22 requirement pursuant to the Balanced Budget and Emer-
23 gency Deficit Control Act of 1985 or a concurrent resolu-
24 tion on the budget are designated by the Congress as an
25 emergency requirement pursuant to section 1(f) of H. Res.

1 467 of the 117th Congress as engrossed in the House of
2 Representatives on June 14, 2021.

3 SEC. 237. (a) Funds previously made available in
4 chapter 9 of title X of the Disaster Relief Appropriations
5 Act, 2013 (Public Law 113–2, division A; 127 Stat. 36)
6 under the heading “Department of Housing and Urban
7 Development—Community Planning and Development—
8 Community Development Fund” that were available for
9 obligation through fiscal year 2017 are to remain available
10 until expended for the liquidation of valid obligations in-
11 curred in fiscal years 2013 through 2017.

12 (b) Notwithstanding any other provision of law, in the
13 case of any grantee of funds referred to in subsection (a)
14 of this section that provides assistance that duplicates
15 benefits available to a person for the same purpose from
16 another source, the grantee itself shall—

17 (1) be subject to remedies for noncompliance; or

18 (2) bear responsibility for absorbing such cost
19 of duplicative benefits and returning an amount
20 equal to any duplicative benefits paid to the grant-
21 ee’s funds available for use under such heading, un-
22 less the Secretary, upon the request of a grantee
23 issues a public determination by publication in the
24 Federal Register that it is not in the best interest
25 of the Federal Government to pursue such remedies.

1 (c) Notwithstanding any other provision of law, any
2 grantee of funds referred to in subsection (a) of this sec-
3 tion may request a waiver from the Secretary of Housing
4 and Urban Development of any recoupment by the Sec-
5 retary of such funds for amounts owed by persons who
6 have received such assistance from such funds and who
7 have been defrauded, or after receiving assistance, have
8 filed for bankruptcy, gone through a foreclosure procedure
9 on property that received such assistance, or are deceased.
10 If the grantee self-certifies to the Secretary in such re-
11 quest that it has verified that the individual conditions of
12 each person it is requesting a waiver for meets one of the
13 conditions specified in the preceding sentence, the Sec-
14 retary may grant such waivers on the basis of grantee self-
15 certification, issue a public determination by publication
16 in the Federal Register that it is not in the best interest
17 of the Federal Government to pursue such recoupment,
18 and may conduct oversight to verify grantee self-certifi-
19 cation and subject the grantee to remedies for noncompli-
20 ance for any amounts that have not met such require-
21 ments.

22 (d) Amounts repurposed pursuant to this section that
23 were previously designated by the Congress as an emer-
24 gency requirement pursuant to the Balanced Budget and
25 Emergency Deficit Control Act of 1985 or a concurrent

1 resolution on the budget are designated by the Congress
2 as an emergency requirement pursuant to section 1(f) of
3 H. Res. 467 of the 117th Congress as engrossed in the
4 House of Representatives on June 14, 2021.

5 SEC. 238. None of the funds made available to the
6 Department of Housing and Urban Development by this
7 or any other Act may be used to implement, administer,
8 enforce, or in any way make effective the proposed rule
9 entitled “Housing and Community Development Act of
10 1980: Verification of Eligible Status”, issued by the De-
11 partment of Housing and Urban Development on May 10,
12 2019 (Docket No. FR–6124–P–01), or any final rule
13 based substantially on such proposed rule.

14 This title may be cited as the “Department of Hous-
15 ing and Urban Development Appropriations Act, 2022”.

16 TITLE III

17 RELATED AGENCIES

18 ACCESS BOARD

19 SALARIES AND EXPENSES

20 For expenses necessary for the Access Board, as au-
21 thorized by section 502 of the Rehabilitation Act of 1973
22 (29 U.S.C. 792), \$9,750,000: *Provided*, That, notwith-
23 standing any other provision of law, there may be credited
24 to this appropriation funds received for publications and
25 training expenses.

1 FEDERAL MARITIME COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Federal Maritime
4 Commission as authorized by section 201(d) of the Mer-
5 chant Marine Act, 1936 (46 U.S.C. 46107), including
6 services as authorized by section 3109 of title 5, United
7 States Code; hire of passenger motor vehicles as author-
8 ized by section 1343(b) of title 31, United States Code;
9 and uniforms or allowances therefore, as authorized by
10 sections 5901 and 5902 of title 5, United States Code,
11 \$31,398,000 (reduced by \$1) (increased by \$1): *Provided*,
12 That not to exceed \$3,500 shall be for official reception
13 and representation expenses.

14 NATIONAL RAILROAD PASSENGER CORPORATION

15 OFFICE OF INSPECTOR GENERAL

16 SALARIES AND EXPENSES

17 For necessary expenses of the Office of Inspector
18 General for the National Railroad Passenger Corporation
19 to carry out the provisions of the Inspector General Act
20 of 1978 (5 U.S.C. App. 3), \$26,762,000: *Provided*, That
21 the Inspector General shall have all necessary authority,
22 in carrying out the duties specified in such Act, to inves-
23 tigate allegations of fraud, including false statements to
24 the Government under section 1001 of title 18, United
25 States Code, by any person or entity that is subject to

1 regulation by the National Railroad Passenger Corpora-
2 tion: *Provided further*, That the Inspector General may
3 enter into contracts and other arrangements for audits,
4 studies, analyses, and other services with public agencies
5 and with private persons, subject to the applicable laws
6 and regulations that govern the obtaining of such services
7 within the National Railroad Passenger Corporation: *Pro-*
8 *vided further*, That the Inspector General may select, ap-
9 point, and employ such officers and employees as may be
10 necessary for carrying out the functions, powers, and du-
11 ties of the Office of Inspector General, subject to the appli-
12 cable laws and regulations that govern such selections, ap-
13 pointments, and employment within the National Railroad
14 Passenger Corporation: *Provided further*, That concurrent
15 with the President's budget request for fiscal year 2023,
16 the Inspector General shall submit to the House and Sen-
17 ate Committees on Appropriations a budget request for
18 fiscal year 2023 in similar format and substance to budget
19 requests submitted by executive agencies of the Federal
20 Government.

21 NATIONAL TRANSPORTATION SAFETY BOARD

22 SALARIES AND EXPENSES

23 For necessary expenses of the National Transpor-
24 tation Safety Board, including hire of passenger motor ve-
25 hicles and aircraft; services as authorized by section 3109

1 of title 5, United States Code, but at rates for individuals
2 not to exceed the per diem rate equivalent to the rate for
3 a GS-15; uniforms, or allowances therefor, as authorized
4 by sections 5901 and 5902 of title 5, United States Code,
5 \$121,400,000, of which not to exceed \$2,000 may be used
6 for official reception and representation expenses: *Pro-*
7 *vided*, That the amounts made available to the National
8 Transportation Safety Board in this Act include amounts
9 necessary to make lease payments on an obligation in-
10 curred in fiscal year 2001 for a capital lease.

11 NEIGHBORHOOD REINVESTMENT CORPORATION
12 PAYMENT TO THE NEIGHBORHOOD REINVESTMENT
13 CORPORATION

14 For payment to the Neighborhood Reinvestment Cor-
15 poration for use in neighborhood reinvestment activities,
16 as authorized by the Neighborhood Reinvestment Corpora-
17 tion Act (42 U.S.C. 8101 et seq.), \$185,000,000, of which
18 \$5,000,000 shall be for a multi-family rental housing pro-
19 gram.

20 SURFACE TRANSPORTATION BOARD
21 SALARIES AND EXPENSES

22 For necessary expenses of the Surface Transpor-
23 tation Board, including services authorized by section
24 3109 of title 5, United States Code, \$39,152,000: *Pro-*
25 *vided*, That, notwithstanding any other provision of law,

1 not to exceed \$1,250,000 from fees established by the Sur-
2 face Transportation Board shall be credited to this appro-
3 priation as offsetting collections and used for necessary
4 and authorized expenses under this heading: *Provided fur-*
5 *ther*, That the amounts made available under this heading
6 from the general fund shall be reduced on a dollar-for-
7 dollar basis as such offsetting collections are received dur-
8 ing fiscal year 2022, to result in a final appropriation from
9 the general fund estimated at not more than \$37,902,000.

10 UNITED STATES INTERAGENCY COUNCIL ON
11 HOMELESSNESS
12 OPERATING EXPENSES

13 For necessary expenses, including payment of sala-
14 ries, authorized travel, hire of passenger motor vehicles,
15 the rental of conference rooms, and the employment of ex-
16 perts and consultants under section 3109 of title 5, United
17 States Code, of the United States Interagency Council on
18 Homelessness in carrying out the functions pursuant to
19 title II of the McKinney-Vento Homeless Assistance Act,
20 as amended, \$4,000,000.

21 TITLE IV
22 GENERAL PROVISIONS—THIS ACT

23 SEC. 401. None of the funds in this Act shall be used
24 for the planning or execution of any program to pay the
25 expenses of, or otherwise compensate, non-Federal parties

1 intervening in regulatory or adjudicatory proceedings
2 funded in this Act.

3 SEC. 402. None of the funds appropriated in this Act
4 shall remain available for obligation beyond the current
5 fiscal year, nor may any be transferred to other appropria-
6 tions, unless expressly so provided herein.

7 SEC. 403. The expenditure of any appropriation
8 under this Act for any consulting service through a pro-
9 curement contract pursuant to section 3109 of title 5,
10 United States Code, shall be limited to those contracts
11 where such expenditures are a matter of public record and
12 available for public inspection, except where otherwise pro-
13 vided under existing law, or under existing Executive order
14 issued pursuant to existing law.

15 SEC. 404. (a) None of the funds made available in
16 this Act may be obligated or expended for any employee
17 training that—

18 (1) does not meet identified needs for knowl-
19 edge, skills, and abilities bearing directly upon the
20 performance of official duties;

21 (2) contains elements likely to induce high lev-
22 els of emotional response or psychological stress in
23 some participants;

1 (3) does not require prior employee notification
2 of the content and methods to be used in the train-
3 ing and written end of course evaluation;

4 (4) contains any methods or content associated
5 with religious or quasi-religious belief systems or
6 “new age” belief systems as defined in Equal Em-
7 ployment Opportunity Commission Notice N-
8 915.022, dated September 2, 1988; or

9 (5) is offensive to, or designed to change, par-
10 ticipants’ personal values or lifestyle outside the
11 workplace.

12 (b) Nothing in this section shall prohibit, restrict, or
13 otherwise preclude an agency from conducting training
14 bearing directly upon the performance of official duties.

15 SEC. 405. Except as otherwise provided in this Act,
16 none of the funds provided in this Act, provided by pre-
17 vious appropriations Acts to the agencies or entities fund-
18 ed in this Act that remain available for obligation or ex-
19 penditure in fiscal year 2022, or provided from any ac-
20 counts in the Treasury derived by the collection of fees
21 and available to the agencies funded by this Act, shall be
22 available for obligation or expenditure through a re-
23 programming of funds that—

24 (1) creates a new program;

25 (2) eliminates a program, project, or activity;

1 (3) increases funds or personnel for any pro-
2 gram, project, or activity for which funds have been
3 denied or restricted by the Congress;

4 (4) proposes to use funds directed for a specific
5 activity by either the House or Senate Committees
6 on Appropriations for a different purpose;

7 (5) augments existing programs, projects, or ac-
8 tivities in excess of \$5,000,000 or 10 percent, which-
9 ever is less;

10 (6) reduces existing programs, projects, or ac-
11 tivities by \$5,000,000 or 10 percent, whichever is
12 less; or

13 (7) creates, reorganizes, or restructures a
14 branch, division, office, bureau, board, commission,
15 agency, administration, or department different from
16 the budget justifications submitted to the Commit-
17 tees on Appropriations or the table accompanying
18 the report accompanying this Act, whichever is more
19 detailed, unless prior approval is received from the
20 House and Senate Committees on Appropriations:
21 *Provided*, That not later than 60 days after the date
22 of enactment of this Act, each agency funded by this
23 Act shall submit a report to the Committees on Ap-
24 propriations of the Senate and of the House of Rep-
25 resentatives to establish the baseline for application

1 of reprogramming and transfer authorities for the
2 current fiscal year: *Provided further*, That the report
3 shall include—

4 (A) a table for each appropriation with a
5 separate column to display the prior year en-
6 acted level, the President's budget request, ad-
7 justments made by Congress, adjustments due
8 to enacted rescissions, if appropriate, and the
9 fiscal year enacted level;

10 (B) a delineation in the table for each ap-
11 propriation and its respective prior year enacted
12 level by object class and program, project, and
13 activity as detailed in this Act, the table accom-
14 panying the report accompanying this Act, ac-
15 companying reports of the House and Senate
16 Committee on Appropriations, or in the budget
17 appendix for the respective appropriations,
18 whichever is more detailed, and shall apply to
19 all items for which a dollar amount is specified
20 and to all programs for which new budget
21 (obligational) authority is provided, as well as
22 to discretionary grants and discretionary grant
23 allocations; and

24 (C) an identification of items of special
25 congressional interest.

1 SEC. 406. Except as otherwise specifically provided
2 by law, not to exceed 50 percent of unobligated balances
3 remaining available at the end of fiscal year 2022 from
4 appropriations made available for salaries and expenses
5 for fiscal year 2022 in this Act, shall remain available
6 through September 30, 2023, for each such account for
7 the purposes authorized: *Provided*, That a request shall
8 be submitted to the House and Senate Committees on Ap-
9 propriations for approval prior to the expenditure of such
10 funds: *Provided further*, That these requests shall be made
11 in compliance with reprogramming guidelines under sec-
12 tion 405 of this Act.

13 SEC. 407. No funds in this Act may be used to sup-
14 port any Federal, State, or local projects that seek to use
15 the power of eminent domain, unless eminent domain is
16 employed only for a public use: *Provided*, That for pur-
17 poses of this section, public use shall not be construed to
18 include economic development that primarily benefits pri-
19 vate entities: *Provided further*, That any use of funds for
20 mass transit, railroad, airport, seaport or highway
21 projects, as well as utility projects which benefit or serve
22 the general public (including energy-related, communica-
23 tion-related, water-related and wastewater-related infra-
24 structure), other structures designated for use by the gen-
25 eral public or which have other common-carrier or public-

1 utility functions that serve the general public and are sub-
2 ject to regulation and oversight by the government, and
3 projects for the removal of an immediate threat to public
4 health and safety or brownfields as defined in the Small
5 Business Liability Relief and Brownfields Revitalization
6 Act (Public Law 107–118) shall be considered a public
7 use for purposes of eminent domain.

8 SEC. 408. None of the funds made available in this
9 Act may be transferred to any department, agency, or in-
10 strumentality of the United States Government, except
11 pursuant to a transfer made by, or transfer authority pro-
12 vided in, this Act or any other appropriations Act.

13 SEC. 409. No funds appropriated pursuant to this
14 Act may be expended by an entity unless the entity agrees
15 that in expending the assistance the entity will comply
16 with sections 2 through 4 of the Act of March 3, 1933
17 (41 U.S.C. 8301–8305, popularly known as the “Buy
18 American Act”).

19 SEC. 410. No funds appropriated or otherwise made
20 available under this Act shall be made available to any
21 person or entity that has been convicted of violating the
22 Buy American Act (41 U.S.C. 8301–8305).

23 SEC. 411. None of the funds made available in this
24 Act may be used for first-class airline accommodations in

1 contravention of sections 301–10.122 and 301–10.123 of
2 title 41, Code of Federal Regulations.

3 SEC. 412. None of the funds made available in this
4 Act may be used to send or otherwise pay for the attend-
5 ance of more than 50 employees of a single agency or de-
6 partment of the United States Government, who are sta-
7 tioned in the United States, at any single international
8 conference unless the relevant Secretary reports to the
9 House and Senate Committees on Appropriations at least
10 5 days in advance that such attendance is important to
11 the national interest: *Provided*, That for purposes of this
12 section the term “international conference” shall mean a
13 conference occurring outside of the United States attended
14 by representatives of the United States Government and
15 of foreign governments, international organizations, or
16 nongovernmental organizations.

17 SEC. 413. None of the funds made available by this
18 Act may be used to approve a new foreign air carrier per-
19 mit under sections 41301 through 41305 of title 49,
20 United States Code, or exemption application under sec-
21 tion 40109 of that title, where such approval would con-
22 travene section 40101 (a)(5) and (15) of title 49, United
23 States Code.

24 SEC. 414. None of the funds appropriated or other-
25 wise made available under this Act may be used by the

1 Surface Transportation Board to charge or collect any fil-
2 ing fee for rate or practice complaints filed with the Board
3 in an amount in excess of the amount authorized for dis-
4 trict court civil suit filing fees under section 1914 of title
5 28, United States Code.

6 SEC. 415. (a) None of the funds made available in
7 this Act may be used to maintain or establish a computer
8 network unless such network blocks the viewing,
9 downloading, and exchanging of pornography.

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

14 SEC. 416. (a) None of the funds made available in
15 this Act may be used to deny an Inspector General funded
16 under this Act timely access to any records, documents,
17 or other materials available to the department or agency
18 over which that Inspector General has responsibilities
19 under the Inspector General Act of 1978 (5 U.S.C. App.),
20 or to prevent or impede that Inspector General's access
21 to such records, documents, or other materials, under any
22 provision of law, except a provision of law that expressly
23 refers to the Inspector General and expressly limits the
24 Inspector General's right of access.

1 (b) A department or agency covered by this section
2 shall provide its Inspector General with access to all such
3 records, documents, and other materials in a timely man-
4 ner.

5 (c) Each Inspector General shall ensure compliance
6 with statutory limitations on disclosure relevant to the in-
7 formation provided by the establishment over which that
8 Inspector General has responsibilities under the Inspector
9 General Act of 1978 (5 U.S.C. App.).

10 (d) Each Inspector General covered by this section
11 shall report to the Committees on Appropriations of the
12 House of Representatives and the Senate within 5 cal-
13 endar days any failures to comply with this requirement.

14 SEC. 417. None of the funds appropriated or other-
15 wise made available by this Act may be used to pay award
16 or incentive fees for contractors whose performance has
17 been judged to be below satisfactory, behind schedule, over
18 budget, or has failed to meet the basic requirements of
19 a contract, unless the Agency determines that any such
20 deviations are due to unforeseeable events, government-
21 driven scope changes, or are not significant within the
22 overall scope of the project and/or program unless such
23 awards or incentive fees are consistent with 16.401(e)(2)
24 of the Federal Acquisition Regulations.

1 SEC. 418. Within the amounts appropriated in this
2 Act, funding shall be allocated in the amounts specified
3 for those projects and purposes delineated in the table ti-
4 tled “Incorporation of Community Project Funding” in-
5 cluded in the report accompanying this Act.

6 SEC. 419. None of the funds made available in this
7 Act may be made available or used by employers or compa-
8 nies that have a contract with the Federal Government
9 to enter into a contract or agreement with an employee
10 or applicant, as a condition of employment, promotion,
11 compensation, benefits, or change in employment status
12 or contractual relationship, or as a term, condition, or
13 privilege of employment, if that contract or agreement
14 contains a nondisparagement or nondisclosure clause that
15 covers workplace harassment, including sexual harassment
16 or retaliation for reporting, resisting, opposing, or assist-
17 ing in the investigation of workplace harassment.

18 SEC. 420. Of the unobligated balances from amounts
19 made available under the heading “Maritime Administra-
20 tion—Maritime Security Program” in any prior Act,
21 \$5,000,000 is hereby rescinded: *Provided*, That no
22 amounts may be rescinded from amounts that were pre-
23 viously designated by the Congress as an emergency re-
24 quirement pursuant to a concurrent resolution on the

1 budget or section 251(b)(2)(A)(i) of the Balanced Budget
2 and Emergency Deficit Control Act of 1985.

3 SEC. 421. None of the funds made available by divi-
4 sion G of this Act to the Department of Transportation
5 may be used in contravention of section 306108 of title
6 54, United States Code.

7 This division may be cited as the “Transportation,
8 Housing and Urban Development, and Related Agencies
9 Appropriations Act, 2022”.

Passed the House of Representatives July 29, 2021.

Attest: CHERYL L. JOHNSON,
Clerk.