

[COMMITTEE PRINT]

NOTICE: This bill is a draft for use of the Committee and its Staff only, in preparation for markup.

Calendar No. 000117TH CONGRESS
2D SESSION**S. 0000****[Report No. 117-000]**

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

IN THE SENATE OF THE UNITED STATES

JULY _____, 2022

Mrs. MURRAY, from the Committee on Appropriations, reported the following original bill; which was read twice and placed on the calendar

A BILL

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

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

1 That the following sums are appropriated, out of any
2 money in the Treasury not otherwise appropriated, for the
3 Departments of Labor, Health and Human Services, and
4 Education, and related agencies for the fiscal year ending
5 September 30, 2023, and for other purposes, namely:

6

TITLE I

7

DEPARTMENT OF LABOR

8

EMPLOYMENT AND TRAINING ADMINISTRATION

9

TRAINING AND EMPLOYMENT SERVICES

10 For necessary expenses of the Workforce Innovation
11 and Opportunity Act (referred to in this Act as “WIOA”)
12 and the National Apprenticeship Act, \$4,083,437,000,
13 plus reimbursements, shall be available. Of the amounts
14 provided:

15 (1) for grants to States for adult employment
16 and training activities, youth activities, and dis-
17 located worker employment and training activities,
18 \$2,959,332,000 as follows:

19 (A) \$885,649,000 for adult employment
20 and training activities, of which \$173,649,000
21 shall be available for the period July 1, 2023
22 through June 30, 2024, and of which
23 \$712,000,000 shall be available for the period
24 October 1, 2023 through June 30, 2024;

1 (B) \$958,130,000 for youth activities,
2 which shall be available for the period April 1,
3 2023 through June 30, 2024; and

4 (C) \$1,115,553,000 for dislocated worker
5 employment and training activities, of which
6 \$255,553,000 shall be available for the period
7 July 1, 2023 through June 30, 2024, and of
8 which \$860,000,000 shall be available for the
9 period October 1, 2023 through June 30, 2024:

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: *Provided fur-*
14 *ther*, That notwithstanding the requirements of
15 WIOA, outlying areas may submit a single applica-
16 tion for a consolidated grant that awards funds that
17 would otherwise be available to such areas to carry
18 out the activities described in subtitle B of title I of
19 the WIOA: *Provided further*, That such application
20 shall be submitted to the Secretary of Labor (re-
21 ferred to in this title as “Secretary”), at such time,
22 in such manner and containing such information as
23 the Secretary may require: *Provided further*, That
24 outlying areas awarded a consolidated grant de-
25 scribed in the preceding provisos may use the funds

1 for any of the programs and activities authorized
2 under such subtitle B of title I of the WIOA subject
3 to approval of the application and such reporting re-
4 quirements issued by the Secretary; and

5 (2) for national programs, \$1,124,105,000 as
6 follows:

7 (A) \$330,859,000 for the dislocated work-
8 ers assistance national reserve, of which
9 \$130,859,000 shall be available for the period
10 July 1, 2023 through September 30, 2024, and
11 of which \$200,000,000 shall be available for the
12 period October 1, 2023 through September 30,
13 2024: *Provided*, That funds provided to carry
14 out section 132(a)(2)(A) of the WIOA may be
15 used to provide assistance to a State for state-
16 wide or local use in order to address cases
17 where there have been worker dislocations
18 across multiple sectors or across multiple local
19 areas and such workers remain dislocated; co-
20 ordinate the State workforce development plan
21 with emerging economic development needs; and
22 train such eligible dislocated workers: *Provided*
23 *further*, That funds provided to carry out sec-
24 tions 168(b) and 169(c) of the WIOA may be
25 used for technical assistance and demonstration

1 projects, respectively, that provide assistance to
2 new entrants in the workforce and incumbent
3 workers: *Provided further*, That notwithstanding
4 section 168(b) of the WIOA, of the funds pro-
5 vided under this subparagraph, the Secretary
6 may reserve not more than 10 percent of such
7 funds to provide technical assistance and carry
8 out additional activities related to the transition
9 to the WIOA: *Provided further*, That of the
10 funds provided under this subparagraph,
11 \$120,000,000 shall be for training and employ-
12 ment assistance under sections 168(b), 169(c)
13 (notwithstanding the 10 percent limitation in
14 such section) and 170 of the WIOA as follows:

15 (i) \$50,000,000 shall be for workers
16 in the Appalachian region, as defined by
17 40 U.S.C. 14102(a)(1), workers in the
18 Lower Mississippi, as defined in section
19 4(2) of the Delta Development Act (Public
20 Law 100–460, 102 Stat. 2246; 7 U.S.C.
21 2009aa(2)), and workers in the region
22 served by the Northern Border Regional
23 Commission, as defined by 40 U.S.C.
24 15733;

1 (ii) \$50,000,000 shall be for the pur-
2 pose of developing, offering, or improving
3 educational or career training programs at
4 community colleges, defined as public insti-
5 tutions of higher education, as described in
6 section 101(a) of the Higher Education
7 Act of 1965 and at which the associate's
8 degree is primarily the highest degree
9 awarded, with other eligible institutions of
10 higher education, as defined in section
11 101(a) of the Higher Education Act of
12 1965, eligible to participate through con-
13 sortia, with community colleges as the lead
14 grantee: *Provided*, That the Secretary shall
15 follow the requirements for the program in
16 House Report 116-62: *Provided further*,
17 That any grant funds used for apprentice-
18 ships shall be used to support only appren-
19 ticeship programs registered under the Na-
20 tional Apprenticeship Act and as referred
21 to in section 3(7)(B) of the WIOA;

22 (iii) \$10,000,000 shall be for grants
23 for developing and implementing innovative
24 strategies to significantly expand, stabilize,
25 and retain direct support workers who pro-

1 vide home and community-based services
2 to people with disabilities and older adults;
3 and

4 (iv) \$10,000,000 shall be for training
5 and employment assistance for workers in
6 communities that have experienced job
7 losses due to dislocations in the coal indus-
8 try;

9 (B) \$60,000,000 for Native American pro-
10 grams under section 166 of the WIOA, which
11 shall be available for the period July 1, 2023
12 through June 30, 2024;

13 (C) \$96,711,000 for migrant and seasonal
14 farmworker programs under section 167 of the
15 WIOA, including \$89,315,000 for formula
16 grants (of which not less than 70 percent shall
17 be for employment and training services),
18 \$6,556,000 for migrant and seasonal housing
19 (of which not less than 70 percent shall be for
20 permanent housing), and \$840,000 for other
21 discretionary purposes, which shall be available
22 for the period April 1, 2023 through June 30,
23 2024: *Provided*, That notwithstanding any
24 other provision of law or related regulation, the
25 Department of Labor shall take no action lim-

1 iting the number or proportion of eligible par-
2 ticipants receiving related assistance services or
3 discouraging grantees from providing such serv-
4 ices: *Provided further*, That notwithstanding the
5 definition of “eligible seasonal farmworker” in
6 section 167(i)(3)(A) of the WIOA relating to an
7 individual being “low-income”, an individual is
8 eligible for migrant and seasonal farmworker
9 programs under section 167 of the WIOA under
10 that definition if, in addition to meeting the re-
11 quirements of clauses (i) and (ii) of section
12 167(i)(3)(A), such individual is a member of a
13 family with a total family income equal to or
14 less than 150 percent of the poverty line;

15 (D) \$113,000,000 for YouthBuild activi-
16 ties as described in section 171 of the WIOA,
17 which shall be available for the period April 1,
18 2023 through June 30, 2024;

19 (E) \$125,000,000 for ex-offender activi-
20 ties, under the authority of section 169 of the
21 WIOA, which shall be available for the period
22 April 1, 2023 through June 30, 2024: *Provided*,
23 That of this amount, \$25,000,000 shall be for
24 competitive grants to national and regional
25 intermediaries for activities that prepare for

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

7 (F) \$6,000,000 for the Workforce Data
8 Quality Initiative, under the authority of section
9 169 of the WIOA, which shall be available for
10 the period July 1, 2023 through June 30,
11 2024;

12 (G) \$300,000,000 to expand opportunities
13 through apprenticeships only registered under
14 the National Apprenticeship Act and as referred
15 to in section 3(7)(B) of the WIOA, to be avail-
16 able to the Secretary to carry out activities
17 through grants, cooperative agreements, con-
18 tracts and other arrangements, with States and
19 other appropriate entities, including equity
20 intermediaries and business and labor industry
21 partner intermediaries, which shall be available
22 for the period July 1, 2023 through June 30,
23 2024; and

24 (H) \$92,535,000 for carrying out Dem-
25 onstration and Pilot projects under section

1 169(c) of the WIOA, which shall be available
2 for the period April 1, 2023 through June 30,
3 2024, in addition to funds available for such ac-
4 tivities under subparagraph (A) for the
5 projects, and in the amounts, specified in the
6 table titled “Congressionally Directed Spending
7 Items” included in the explanatory statement
8 accompanying this Act: *Provided*, That such
9 funds may be used for projects that are related
10 to the employment and training needs of dis-
11 located workers, other adults, or youth: *Pro-*
12 *vided further*, That the 10 percent funding limi-
13 tation under such section shall not apply to
14 such funds: *Provided further*, That section
15 169(b)(6)(C) of the WIOA shall not apply to
16 such funds: *Provided further*, That sections 102
17 and 107 of this Act shall not apply to such
18 funds.

19 JOB CORPS

20 (INCLUDING TRANSFER OF FUNDS)

21 To carry out subtitle C of title I of the WIOA, includ-
22 ing Federal administrative expenses, the purchase and
23 hire of passenger motor vehicles, the construction, alter-
24 ation, and repairs of buildings and other facilities, and the
25 purchase of real property for training centers as author-

1 ized by the WIOA, \$1,773,655,000, plus reimbursements,
2 as follows:

3 (1) \$1,603,325,000 for Job Corps Operations,
4 which shall be available for the period July 1, 2023
5 through June 30, 2024: *Provided*, That the Sec-
6 retary may transfer up to 3 percent of such funds
7 for construction, rehabilitation, and acquisition of
8 Job Corps Centers pursuant to paragraph (2): *Pro-*
9 *vided further*, That any funds transferred pursuant
10 to the preceding proviso shall not be available for ob-
11 ligation after June 30, 2026: *Provided further*, That
12 the Committees on Appropriations of the House of
13 Representatives and the Senate are notified at least
14 15 days in advance of any transfer;

15 (2) \$135,000,000 for construction, rehabilita-
16 tion and acquisition of Job Corps Centers, which
17 shall be available for the period July 1, 2023
18 through June 30, 2026, and which may include the
19 acquisition, maintenance, and repair of major items
20 of equipment: *Provided*, That the Secretary may
21 transfer up to 15 percent of such funds to meet the
22 operational needs of such centers or to achieve ad-
23 ministrative efficiencies pursuant to paragraph (1):
24 *Provided further*, That any funds transferred pursu-
25 ant to the preceding proviso shall not be available

1 for obligation after June 30, 2023: *Provided further*,
2 That the Committees on Appropriations of the
3 House of Representatives and the Senate are noti-
4 fied at least 15 days in advance of any transfer; and
5 (3) \$35,330,000 for necessary expenses of Job
6 Corps, which shall be available for obligation for the
7 period October 1, 2022 through September 30,
8 2023:

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

12 COMMUNITY SERVICE EMPLOYMENT FOR OLDER

13 AMERICANS

14 To carry out title V of the Older Americans Act of
15 1965 (referred to in this Act as “OAA”), \$405,000,000,
16 which shall be available for the period April 1, 2023
17 through June 30, 2024, and may be recaptured and reobli-
18 gated in accordance with section 517(c) of the OAA.

19 FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

20 For payments during fiscal year 2023 of trade ad-
21 justment benefit payments and allowances under part I
22 of subchapter B of chapter 2 of title II of the Trade Act
23 of 1974, and section 246 of that Act; and for training,
24 employment and case management services, allowances for
25 job search and relocation, and related State administrative

1 expenses under part II of subchapter B of chapter 2 of
2 title II of the Trade Act of 1974, and including benefit
3 payments, allowances, training, employment and case
4 management services, and related State administration
5 provided pursuant to section 231(a) of the Trade Adjust-
6 ment Assistance Extension Act of 2011, and sections
7 405(a) and 406 of the Trade Preferences Extension Act
8 of 2015, \$494,400,000 together with such amounts as
9 may be necessary to be charged to the subsequent appro-
10 priation for payments for any period subsequent to Sep-
11 tember 15, 2023: *Provided*, That notwithstanding section
12 502 of this Act, any part of the appropriation provided
13 under this heading may remain available for obligation be-
14 yond the current fiscal year pursuant to the authorities
15 of section 245(c) of the Trade Act of 1974 (19 U.S.C.
16 2317(c)): *Provided further*, That the termination provi-
17 sions in sections 246(b) and 285(a) of the Trade Act of
18 1974, as amended, including the application of those pro-
19 visions described in paragraphs (4) and (7) of section
20 406(a) of the Trade Preferences Extension Act of 2015,
21 shall not apply.

1 STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT
2 SERVICE OPERATIONS
3 (INCLUDING TRANSFER OF FUNDS)

4 For authorized administrative expenses,
5 \$89,066,000, together with not to exceed \$3,998,084,000
6 which may be expended from the Employment Security
7 Administration Account in the Unemployment Trust Fund
8 (“the Trust Fund”), of which—

9 (1) \$3,184,635,000 from the Trust Fund is for
10 grants to States for the administration of State un-
11 employment insurance laws as authorized under title
12 III of the Social Security Act (including not less
13 than \$375,000,000 to carry out reemployment serv-
14 ices and eligibility assessments under section 306 of
15 such Act, any claimants of regular compensation, as
16 defined in such section, including those who are
17 profiled as most likely to exhaust their benefits, may
18 be eligible for such services and assessments: *Pro-*
19 *vided*, That of such amount, \$117,000,000 is speci-
20 fied for grants under section 306 of the Social Secu-
21 rity Act and is provided to meet the terms of a con-
22 current resolution on the budget, and \$258,000,000
23 is additional new budget authority specified for pur-
24 poses of a concurrent resolution on the budget; and
25 \$9,000,000 for continued support of the Unemploy-

1 ment Insurance Integrity Center of Excellence), the
2 administration of unemployment insurance for Fed-
3 eral employees and for ex-service members as au-
4 thorized under 5 U.S.C. 8501–8523, and the admin-
5 istration of trade readjustment allowances, reem-
6 ployment trade adjustment assistance, and alter-
7 native trade adjustment assistance under the Trade
8 Act of 1974 and under section 231(a) of the Trade
9 Adjustment Assistance Extension Act of 2011, sec-
10 tions 405(a) and 406 of the Trade Preferences Ex-
11 tension Act of 2015 (except that the termination
12 provisions in sections 246(b) and 285(a) of the
13 Trade Act of 1974, as amended, including the appli-
14 cation of those provisions described in paragraphs
15 (4) and (7) of section 406 of the Trade Preferences
16 Extension Act of 2015, shall not apply), and shall
17 be available for obligation by the States through De-
18 cember 31, 2023, except that funds used for auto-
19 mation shall be available for Federal obligation
20 through December 31, 2023, and for State obliga-
21 tion through September 30, 2025, or, if the automa-
22 tion is being carried out through consortia of States,
23 for State obligation through September 30, 2029,
24 and for expenditure through September 30, 2030,
25 and funds for competitive grants awarded to States

1 for improved operations and to conduct in-person re-
2 employment and eligibility assessments and unem-
3 ployment insurance improper payment reviews and
4 provide reemployment services and referrals to train-
5 ing, as appropriate, shall be available for Federal ob-
6 ligation through December 31, 2023 (except that
7 funds for outcome payments pursuant to section
8 306(f)(2) of the Social Security Act shall be avail-
9 able for Federal obligation through March 31,
10 2024), and for obligation by the States through Sep-
11 tember 30, 2025, and funds for the Unemployment
12 Insurance Integrity Center of Excellence shall be
13 available for obligation by the State through Sep-
14 tember 30, 2024, and funds used for unemployment
15 insurance workloads experienced through September
16 30, 2023 shall be available for Federal obligation
17 through December 31, 2023;

18 (2) \$36,000,000 from the Trust Fund is for na-
19 tional activities necessary to support the administra-
20 tion of the Federal-State unemployment insurance
21 system;

22 (3) \$663,639,000 from the Trust Fund, to-
23 gether with \$21,413,000 from the General Fund of
24 the Treasury, is for grants to States in accordance
25 with section 6 of the Wagner-Peyser Act, and shall

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

3 (4) \$25,000,000 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) \$88,810,000 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 \$64,528,000
16 shall be available for the Federal administration of
17 such activities, and \$24,282,000 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, 2023 through June
25 30, 2024, of which up to \$9,800,000 may 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 2023 is
11 projected by the Department of Labor to exceed
12 1,778,000, 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, 2024, for such pur-
24 poses.

21

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, 2024.

14 PROGRAM ADMINISTRATION

15 For expenses of administering employment and train-
16 ing programs, \$133,287,000, together with not to exceed
17 \$60,128,000 which may be expended from the Employ-
18 ment Security Administration Account in the Unemploy-
19 ment Trust Fund.

20 EMPLOYEE BENEFITS SECURITY ADMINISTRATION

21 SALARIES AND EXPENSES

22 For necessary expenses for the Employee Benefits
23 Security Administration, \$217,761,000, of which up to
24 \$3,000,000 shall be made available through September 30,

1 2024, for the procurement of expert witnesses for enforce-
2 ment litigation.

3 PENSION BENEFIT GUARANTY CORPORATION

4 PENSION BENEFIT GUARANTY CORPORATION FUND

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

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

15 WAGE AND HOUR DIVISION

16 SALARIES AND EXPENSES

17 For necessary expenses for the Wage and Hour Divi-
18 sion, including reimbursement to State, Federal, and local
19 agencies and their employees for inspection services ren-
20 dered, \$288,120,000.

21 OFFICE OF LABOR-MANAGEMENT STANDARDS

22 SALARIES AND EXPENSES

23 For necessary expenses for the Office of Labor-Man-
24 agement Standards, \$48,515,000.

1 OFFICE OF FEDERAL CONTRACT COMPLIANCE

2 PROGRAMS

3 SALARIES AND EXPENSES

4 For necessary expenses for the Office of Federal Con-
5 tract Compliance Programs, \$120,500,000.

6 OFFICE OF WORKERS' COMPENSATION PROGRAMS

7 SALARIES AND EXPENSES

8 For necessary expenses for the Office of Workers'
9 Compensation Programs, \$127,395,000, together with
10 \$2,205,000 which may be expended from the Special Fund
11 in accordance with sections 39(c), 44(d), and 44(j) of the
12 Longshore and Harbor Workers' Compensation Act.

13 SPECIAL BENEFITS

14 (INCLUDING TRANSFER OF FUNDS)

15 For the payment of compensation, benefits, and ex-
16 penses (except administrative expenses not otherwise au-
17 thorized) accruing during the current or any prior fiscal
18 year authorized by 5 U.S.C. 81; continuation of benefits
19 as provided for under the heading "Civilian War Benefits"
20 in the Federal Security Agency Appropriation Act, 1947;
21 the Employees' Compensation Commission Appropriation
22 Act, 1944; section 5(f) of the War Claims Act (50 U.S.C.
23 App. 2012); obligations incurred under the War Hazards
24 Compensation Act (42 U.S.C. 1701 et seq.); and 50 per-
25 cent of the additional compensation and benefits required

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

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

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

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

9 (3) for periodic roll disability management and
10 medical review, \$26,126,000;

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

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

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

20 SPECIAL BENEFITS FOR DISABLED COAL MINERS

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

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

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

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

6 ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES

7 OCCUPATIONAL ILLNESS COMPENSATION FUND

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

15 BLACK LUNG DISABILITY TRUST FUND

16 (INCLUDING TRANSFER OF FUNDS)

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

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

10 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

11 SALARIES AND EXPENSES

12 For necessary expenses for the Occupational Safety
13 and Health Administration, \$679,809,000, including not
14 to exceed \$121,000,000 which shall be the maximum
15 amount available for grants to States under section 23(g)
16 of the Occupational Safety and Health Act (the "Act"),
17 which grants shall be no less than 50 percent of the costs
18 of State occupational safety and health programs required
19 to be incurred under plans approved by the Secretary
20 under section 18 of the Act; and, in addition, notwith-
21 standing 31 U.S.C. 3302, the Occupational Safety and
22 Health Administration may retain up to \$499,000 per fis-
23 cal year of training institute course tuition and fees, other-
24 wise authorized by law to be collected, and may utilize
25 such sums for occupational safety and health training and

1 education: *Provided*, That notwithstanding 31 U.S.C.
2 3302, the Secretary is authorized, during the fiscal year
3 ending September 30, 2023, to collect and retain fees for
4 services provided to Nationally Recognized Testing Lab-
5 oratories, and may utilize such sums, in accordance with
6 the provisions of 29 U.S.C. 9a, to administer national and
7 international laboratory recognition programs that ensure
8 the safety of equipment and products used by workers in
9 the workplace: *Provided further*, That none of the funds
10 appropriated under this paragraph shall be obligated or
11 expended to prescribe, issue, administer, or enforce any
12 standard, rule, regulation, or order under the Act which
13 is applicable to any person who is engaged in a farming
14 operation which does not maintain a temporary labor
15 camp and employs 10 or fewer employees: *Provided fur-*
16 *ther*, That no funds appropriated under this paragraph
17 shall be obligated or expended to administer or enforce
18 any standard, rule, regulation, or order under the Act with
19 respect to any employer of 10 or fewer employees who is
20 included within a category having a Days Away, Re-
21 stricted, or Transferred (“DART”) occupational injury
22 and illness rate, at the most precise industrial classifica-
23 tion code for which such data are published, less than the
24 national average rate as such rates are most recently pub-
25 lished by the Secretary, acting through the Bureau of

1 Labor Statistics, in accordance with section 24 of the Act,
2 except—

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

6 (2) to conduct an inspection or investigation in
7 response to an employee complaint, to issue a cita-
8 tion for violations found during such inspection, and
9 to assess a penalty for violations which are not cor-
10 rected within a reasonable abatement period and for
11 any willful violations found;

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

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

16 (5) to take any action authorized by the Act
17 with respect to a report of an employment accident
18 which is fatal to one or more employees or which re-
19 sults in hospitalization of two or more employees,
20 and to take any action pursuant to such investiga-
21 tion authorized by the Act; and

22 (6) to take any action authorized by the Act
23 with respect to complaints of discrimination against
24 employees for exercising rights under the Act:

1 *Provided further*, That the foregoing proviso shall not
2 apply to any person who is engaged in a farming operation
3 which does not maintain a temporary labor camp and em-
4 ploys 10 or fewer employees: *Provided further*, That
5 \$12,787,000 shall be available for Susan Harwood train-
6 ing grants, of which not more than \$6,500,000 is for
7 Susan Harwood Training Capacity Building Develop-
8 mental grants, for program activities starting not later
9 than September 30, 2023 and lasting for a period of 12
10 months: *Provided further*, That not less than \$3,500,000
11 shall be for Voluntary Protection Programs.

12 MINE SAFETY AND HEALTH ADMINISTRATION

13 SALARIES AND EXPENSES

14 For necessary expenses for the Mine Safety and
15 Health Administration, \$409,551,000, including purchase
16 and bestowal of certificates and trophies in connection
17 with mine rescue and first-aid work, and the hire of pas-
18 senger motor vehicles, including up to \$2,000,000 for
19 mine rescue and recovery activities and not less than
20 \$10,537,000 for State assistance grants: *Provided*, That
21 notwithstanding 31 U.S.C. 3302, not to exceed \$750,000
22 may be collected by the National Mine Health and Safety
23 Academy for room, board, tuition, and the sale of training
24 materials, otherwise authorized by law to be collected, to
25 be available for mine safety and health education and

1 training activities: *Provided further*, That notwithstanding
2 31 U.S.C. 3302, the Mine Safety and Health Administra-
3 tion is authorized to collect and retain up to \$2,499,000
4 from fees collected for the approval and certification of
5 equipment, materials, and explosives for use in mines, and
6 may utilize such sums for such activities: *Provided further*,
7 That the Secretary is authorized to accept lands, build-
8 ings, equipment, and other contributions from public and
9 private sources and to prosecute projects in cooperation
10 with other agencies, Federal, State, or private: *Provided*
11 *further*, That the Mine Safety and Health Administration
12 is authorized to promote health and safety education and
13 training in the mining community through cooperative
14 programs with States, industry, and safety associations:
15 *Provided further*, That the Secretary is authorized to rec-
16 ognize the Joseph A. Holmes Safety Association as a prin-
17 cipal safety association and, notwithstanding any other
18 provision of law, may provide funds and, with or without
19 reimbursement, personnel, including service of Mine Safe-
20 ty and Health Administration officials as officers in local
21 chapters or in the national organization: *Provided further*,
22 That any funds available to the Department of Labor may
23 be used, with the approval of the Secretary, to provide
24 for the costs of mine rescue and survival operations in the
25 event of a major disaster.

1 BUREAU OF LABOR STATISTICS

2 SALARIES AND EXPENSES

3 For necessary expenses for the Bureau of Labor Sta-
4 tistics, including advances or reimbursements to State,
5 Federal, and local agencies and their employees for serv-
6 ices rendered, \$655,454,000, together with not to exceed
7 \$68,000,000 which may be expended from the Employ-
8 ment Security Administration account in the Unemploy-
9 ment Trust Fund.

10 OFFICE OF DISABILITY EMPLOYMENT POLICY

11 SALARIES AND EXPENSES

12 (INCLUDING TRANSFER OF FUNDS)

13 For necessary expenses for the Office of Disability
14 Employment Policy to provide leadership, develop policy
15 and initiatives, and award grants furthering the objective
16 of eliminating barriers to the training and employment of
17 people with disabilities, \$42,928,000, of which not less
18 than \$9,000,000 shall be for research and demonstration
19 projects related to testing effective ways to promote great-
20 er labor force participation of people with disabilities: *Pro-*
21 *vided*, That the Secretary may transfer amounts made
22 available under this heading for research and demonstra-
23 tion projects to the “State Unemployment Insurance and
24 Employment Service Operations” account for such pur-
25 poses.

1 DEPARTMENTAL MANAGEMENT

2 SALARIES AND EXPENSES

3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses for Departmental Manage-
5 ment, including the hire of three passenger motor vehicles,
6 \$429,672,000, together with not to exceed \$308,000,
7 which may be expended from the Employment Security
8 Administration account in the Unemployment Trust
9 Fund: *Provided*, That \$83,000,000 for the Bureau of
10 International Labor Affairs shall be available for obliga-
11 tion through December 31, 2023: *Provided further*, That
12 funds available to the Bureau of International Labor Af-
13 fairs may be used to administer or operate international
14 labor activities, bilateral and multilateral technical assist-
15 ance, and microfinance programs, by or through contracts,
16 grants, subgrants and other arrangements: *Provided fur-*
17 *ther*, That not less than \$30,175,000 shall be for programs
18 to combat exploitative child labor internationally and not
19 less than \$30,175,000 shall be used to implement model
20 programs that address worker rights issues through tech-
21 nical assistance in countries with which the United States
22 has free trade agreements or trade preference programs:
23 *Provided further*, That the Secretary may waive the appli-
24 cation of section 505 of this Act to awards made from
25 funds available to the Bureau of International Labor Af-

1 fairs if the Secretary determines that the waiver is nec-
2 essary to protect human health, safety or welfare: *Pro-*
3 *vided further*, That \$9,564,000 shall be used for program
4 evaluation and shall be available for obligation through
5 September 30, 2024: *Provided further*, That funds avail-
6 able for program evaluation may be used to administer
7 grants for the purpose of evaluation: *Provided further*,
8 That grants made for the purpose of evaluation shall be
9 awarded through fair and open competition: *Provided fur-*
10 *ther*, That funds available for program evaluation may be
11 transferred to any other appropriate account in the De-
12 partment for such purpose: *Provided further*, That the
13 Committees on Appropriations of the House of Represent-
14 atives and the Senate are notified at least 15 days in ad-
15 vance of any transfer: *Provided further*, That the funds
16 available to the Women’s Bureau may be used for grants
17 to serve and promote the interests of women in the work-
18 force: *Provided further*, That of the amounts made avail-
19 able to the Women’s Bureau, not less than \$2,500,000
20 shall be used for grants authorized by the Women in Ap-
21 prenticeship and Nontraditional Occupations Act.

22 VETERANS’ EMPLOYMENT AND TRAINING

23 Not to exceed \$267,841,000 may be derived from the
24 Employment Security Administration account in the Un-
25 employment Trust Fund to carry out the provisions of

1 chapters 41, 42, and 43 of title 38, United States Code,
2 of which—

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

1 (2) \$33,379,000 is for carrying out the Transi-
2 tion Assistance Program under 38 U.S.C. 4113 and
3 10 U.S.C. 1144;

4 (3) \$48,048,000 is for Federal administration
5 of chapters 41, 42, and 43 of title 38, and sections
6 2021, 2021A and 2023 of title 38, United States
7 Code: *Provided*, That, up to \$500,000 may be used
8 to carry out the Hire VETS Act (division O of Pub-
9 lic Law 115–31); and

10 (4) \$3,414,000 is for the National Veterans’
11 Employment and Training Services Institute under
12 38 U.S.C. 4109:

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

17 In addition, from the General Fund of the Treasury,
18 \$64,500,000 is for carrying out programs to assist home-
19 less veterans and veterans at risk of homelessness who are
20 transitioning from certain institutions under sections
21 2021, 2021A, and 2023 of title 38, United States Code:
22 *Provided*, That notwithstanding subsections (c)(3) and (d)
23 of section 2023, the Secretary may award grants through
24 September 30, 2023, to provide services under such sec-
25 tion: *Provided further*, That services provided under sec-

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

18 In addition, fees may be assessed and deposited in
19 the HIRE Vets Medallion Award Fund pursuant to sec-
20 tion 5(b) of the HIRE Vets Act, and such amounts shall
21 be available to the Secretary to carry out the HIRE Vets
22 Medallion Award Program, as authorized by such Act, and
23 shall remain available until expended: *Provided,* That such
24 sums shall be in addition to any other funds available for
25 such purposes, including funds available under paragraph

1 (3) of this heading: *Provided further*, That section 2(d)
2 of division O of the Consolidated Appropriations Act, 2017
3 (Public Law 115–31; 38 U.S.C. 4100 note) shall not
4 apply.

5
6 IT MODERNIZATION

6 For necessary expenses for Department of Labor cen-
7 tralized infrastructure technology investment activities re-
8 lated to support systems and modernization, \$33,380,000,
9 which shall be available through September 30, 2024.

10 OFFICE OF INSPECTOR GENERAL

11 For salaries and expenses of the Office of Inspector
12 General in carrying out the provisions of the Inspector
13 General Act of 1978, \$96,757,000, together with not to
14 exceed \$5,660,000 which may be expended from the Em-
15 ployment Security Administration account in the Unem-
16 ployment Trust Fund: *Provided*, That not more than
17 \$2,000,000 of the amount provided under this heading
18 may be available until expended.

19 GENERAL PROVISIONS

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

1 (TRANSFER OF FUNDS)

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

16 SEC. 103. In accordance with Executive Order
17 13126, none of the funds appropriated or otherwise made
18 available pursuant to this Act shall be obligated or ex-
19 pended for the procurement of goods mined, produced,
20 manufactured, or harvested or services rendered, in whole
21 or in part, by forced or indentured child labor in industries
22 and host countries already identified by the United States
23 Department of Labor prior to enactment of this Act.

24 SEC. 104. Except as otherwise provided in this sec-
25 tion, none of the funds made available to the Department

1 of Labor for grants under section 414(c) of the American
2 Competitiveness and Workforce Improvement Act of 1998
3 (29 U.S.C. 2916a) may be used for any purpose other
4 than competitive grants for training individuals who are
5 older than 16 years of age and are not currently enrolled
6 in school within a local educational agency in the occupa-
7 tions and industries for which employers are using H-1B
8 visas to hire foreign workers, and the related activities
9 necessary to support such training.

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

1 grams involved including Employment and Training Ad-
2 ministration programs.

3 (TRANSFER OF FUNDS)

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

12 (b) Notwithstanding section 102, the Secretary may
13 transfer not more than 0.5 percent of each discretionary
14 appropriation made available to the Employment and
15 Training Administration by this Act to “Program Admin-
16 istration” in order to carry out program integrity activities
17 that lead to a reduction in improper payments or prevent
18 the unauthorized use of funds in any of the programs or
19 activities that are funded under any such discretionary ap-
20 propriations: *Provided*, That notwithstanding section 102
21 and the preceding proviso, the Secretary may transfer not
22 more than 0.5 percent of funds made available in para-
23 graphs (1) and (2) of the “Office of Job Corps” account
24 to paragraph (3) of such account to carry out program
25 integrity activities that lead to a reduction in improper

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

10 (TRANSFER OF FUNDS)

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

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

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

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

22 “(A) employed to adjust or evaluate claims re-
23 sulting from or relating to such major disaster, by
24 an employer not engaged, directly or through an af-
25 filiate, in underwriting, selling, or marketing prop-

1 erty, casualty, or liability insurance policies or con-
2 tracts;

3 “(B) who receives from such employer on aver-
4 age weekly compensation of not less than \$591.00
5 per week or any minimum weekly amount estab-
6 lished by the Secretary, whichever is greater, for the
7 number of weeks such employee is engaged in any
8 of the activities described in subparagraph (C); and

9 “(C) whose duties include any of the following:

10 “(i) interviewing insured individuals, indi-
11 viduals who suffered injuries or other damages
12 or losses arising from or relating to a disaster,
13 witnesses, or physicians;

14 “(ii) inspecting property damage or review-
15 ing factual information to prepare damage esti-
16 mates;

17 “(iii) evaluating and making recommenda-
18 tions regarding coverage or compensability of
19 claims or determining liability or value aspects
20 of claims;

21 “(iv) negotiating settlements; or

22 “(v) making recommendations regarding
23 litigation.

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

1 “(3) For purposes of this subsection—

2 “(A) the term ‘major disaster’ means any dis-
3 aster or catastrophe declared or designated by any
4 State or Federal agency or department;

5 “(B) the term ‘employee employed to adjust or
6 evaluate claims resulting from or relating to such
7 major disaster’ means an individual who timely se-
8 cured or secures a license required by applicable law
9 to engage in and perform the activities described in
10 clauses (i) through (v) of paragraph (1)(C) relating
11 to a major disaster, and is employed by an employer
12 that maintains worker compensation insurance cov-
13 erage or protection for its employees, if required by
14 applicable law, and withholds applicable Federal,
15 State, and local income and payroll taxes from the
16 wages, salaries and any benefits of such employees;
17 and

18 “(C) the term ‘affiliate’ means a company that,
19 by reason of ownership or control of 25 percent or
20 more of the outstanding shares of any class of voting
21 securities of one or more companies, directly or indi-
22 rectly, controls, is controlled by, or is under common
23 control with, another company.”.

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

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

4 (1) IN GENERAL.—Subject to paragraph (2), if
5 a petition for H-2B nonimmigrants filed by an em-
6 ployer in the seafood industry is granted, the em-
7 ployer may bring the nonimmigrants described in
8 the petition into the United States at any time dur-
9 ing the 120-day period beginning on the start date
10 for which the employer is seeking the services of the
11 nonimmigrants without filing another petition.

12 (2) REQUIREMENTS FOR CROSSINGS AFTER
13 90TH DAY.—An employer in the seafood industry
14 may not bring H-2B nonimmigrants into the United
15 States after the date that is 90 days after the start
16 date for which the employer is seeking the services
17 of the nonimmigrants unless the employer—

18 (A) completes a new assessment of the
19 local labor market by—

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

22 (ii) posting the job opportunity on the
23 appropriate Department of Labor Elec-
24 tronic Job Registry and at the employer's
25 place of employment; and

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

3 (i) applies for the job; and

4 (ii) will be available at the time and
5 place of need.

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

14 (b) H-2B NONIMMIGRANTS DEFINED.—In this sec-
15 tion, the term “H-2B nonimmigrants” means aliens ad-
16 mitted to the United States pursuant to section
17 101(a)(15)(H)(ii)(B) of the Immigration and Nationality
18 Act (8 U.S.C. 1101(a)(15)(H)(ii)(B)).

19 SEC. 110. The determination of prevailing wage for
20 the purposes of the H-2B program shall be the greater
21 of—(1) the actual wage level paid by the employer to other
22 employees with similar experience and qualifications for
23 such position in the same location; or (2) the prevailing
24 wage level for the occupational classification of the posi-
25 tion in the geographic area in which the H-2B non-

1 immigrant will be employed, based on the best information
2 available at the time of filing the petition. In the deter-
3 mination of prevailing wage for the purposes of the H-
4 2B program, the Secretary shall accept private wage sur-
5 veys even in instances where Occupational Employment
6 Statistics survey data are available unless the Secretary
7 determines that the methodology and data in the provided
8 survey are not statistically supported.

9 SEC. 111. None of the funds in this Act shall be used
10 to enforce the definition of corresponding employment
11 found in 20 CFR 655.5 or the three-fourths guarantee
12 rule definition found in 20 CFR 655.20, or any references
13 thereto. Further, for the purpose of regulating admission
14 of temporary workers under the H-2B program, the defi-
15 nition of temporary need shall be that provided in 8 CFR
16 214.2(h)(6)(ii)(B).

17 SEC. 112. Notwithstanding any other provision of
18 law, the Secretary may furnish through grants, coopera-
19 tive agreements, contracts, and other arrangements, up to
20 \$2,000,000 of excess personal property, at a value deter-
21 mined by the Secretary, to apprenticeship programs for
22 the purpose of training apprentices in those programs.

23 SEC. 113. (a) The Act entitled “An Act to create a
24 Department of Labor”, approved March 4, 1913 (37 Stat.

1 736, chapter 141) shall be applied as if the following text
2 is part of such Act:

3 **“SEC. 12. SECURITY DETAIL.**

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

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

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

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

24 “(4) provide protection to the Deputy Secretary
25 of Labor in the performance of official duties at a

1 public event outside of the United States if there is
2 a significant and articulable threat of physical harm
3 and protective services are not provided as part of
4 an official U.S. visit.

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

9 “(1) carry firearms;

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

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

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

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

23 “(c) COMPLIANCE WITH GUIDELINES.—A law en-
24 forcement officer or special agent employed under sub-

1 section (a) shall exercise any authority provided under this
2 section in accordance with any—

3 “(1) guidelines issued by the Attorney General;

4 and

5 “(2) guidelines prescribed by the Secretary of
6 Labor.”.

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

9 SEC. 114. The Secretary is authorized to dispose of
10 or divest, by any means the Secretary determines appro-
11 priate, including an agreement or partnership to construct
12 a new Job Corps center, all or a portion of the real prop-
13 erty on which the Treasure Island Job Corps Center is
14 situated. Any sale or other disposition will not be subject
15 to any requirement of any Federal law or regulation relat-
16 ing to the disposition of Federal real property, including
17 but not limited to subchapter III of chapter 5 of title 40
18 of the United States Code and subchapter V of chapter
19 119 of title 42 of the United States Code. The net pro-
20 ceeds of such a sale shall be transferred to the Secretary,
21 which shall be available until expended to carry out the
22 Job Corps Program on Treasure Island.

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

1 (1) alter or terminate the Interagency Agree-
2 ment between the United States Department of
3 Labor and the United States Department of Agri-
4 culture; or

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

11 (RESCISSION)

12 SEC. 116. Of the unobligated funds available under
13 section 286(s)(2) of the Immigration and Nationality Act
14 (8 U.S.C. 1356(s)(2)), \$60,000,000 are hereby perma-
15 nently rescinded.

16 SEC. 117. Funds made available to the Employment
17 and Training Administration by this Act, either directly
18 or through a set-aside, to provide technical assistance
19 services to grantees may also be used by the Employment
20 and Training Administration to assist in the establishment
21 and operation of workforce development technical assist-
22 ance centers, through grants, contracts, or cooperative
23 agreements, to provide technical assistance relating to any
24 of the activities administered by the Employment and
25 Training Administration.

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

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

6 For carrying out titles II and III of the Public Health
7 Service Act (referred to in this Act as the “PHS Act”) *with respect to primary health care and the Native Hawaiian Health Care Act of 1988, \$1,918,772,000: Provided,*
8 *That no more than \$1,000,000 shall be available until expended for carrying out the provisions of section 224(o)*
9 *of the PHS Act: Provided further, That no more than*
10 *\$120,000,000 shall be available until expended for carrying out subsections (g) through (n) and (q) of section*
11 *224 of the PHS Act, and for expenses incurred by the*
12 *Department of Health and Human Services (referred to*
13 *in this Act as “HHS”) pertaining to administrative claims*
14 *made under such law.*

19 HEALTH WORKFORCE

20 For carrying out titles III, VII, and VIII of the PHS
21 Act with respect to the health workforce, sections 1128E
22 and 1921 of the Social Security Act, and the Health Care
23 Quality Improvement Act of 1986, \$1,515,876,000: *Pro-*
24 *vided, That section 751(j)(2) of the PHS Act and the pro-*
25 *portional funding amounts in paragraphs (1) through (4)*

1 of section 756(f) of the PHS Act shall not apply to funds
2 made available under this heading: *Provided further*, That
3 for any program operating under section 751 of the PHS
4 Act on or before January 1, 2009, the Secretary of Health
5 and Human Services (referred to in this title as the “Sec-
6 retary”) may hereafter waive any of the requirements con-
7 tained in sections 751(d)(2)(A) and 751(d)(2)(B) of such
8 Act for the full project period of a grant under such sec-
9 tion: *Provided further*, That fees collected for the dislo-
10 sure of information under section 427(b) of the Health
11 Care Quality Improvement Act of 1986 and sections
12 1128E(d)(2) and 1921 of the Social Security Act shall be
13 sufficient to recover the full costs of operating the pro-
14 grams authorized by such sections and shall remain avail-
15 able until expended for the National Practitioner Data
16 Bank: *Provided further*, That funds transferred to this ac-
17 count to carry out section 846 and subpart 3 of part D
18 of title III of the PHS Act may be used to make prior
19 year adjustments to awards made under such section and
20 subpart: *Provided further*, That \$135,600,000 shall re-
21 main available until expended for the purposes of pro-
22 viding primary health services, assigning National Health
23 Service Corps (“NHSC”) members to expand the delivery
24 of substance use disorder treatment services, notwith-
25 standing the assignment priorities and limitations under

1 sections 333(a)(1)(D), 333(b), and 333A(a)(1)(B)(ii) of
2 the PHS Act, and making payments under the NHSC
3 Loan Repayment Program under section 338B of such
4 Act: *Provided further*, That, within the amount made
5 available in the previous proviso, \$15,600,000 shall re-
6 main available until expended for the purposes of making
7 payments under the NHSC Loan Repayment Program
8 under section 338B of the PHS Act to individuals partici-
9 pating in such program who provide primary health serv-
10 ices in Indian Health Service facilities, Tribally-Operated
11 638 Health Programs, and Urban Indian Health Pro-
12 grams (as those terms are defined by the Secretary), not-
13 withstanding the assignment priorities and limitations
14 under section 333(b) of such Act: *Provided further*, That
15 for purposes of the previous two provisos, section
16 331(a)(3)(D) of the PHS Act shall be applied as if the
17 term “primary health services” includes clinical substance
18 use disorder treatment services, including those provided
19 by masters level, licensed substance use disorder treat-
20 ment counselors: *Provided further*, That of the funds made
21 available under this heading, \$6,000,000 shall be available
22 to make grants to establish, expand, or maintain optional
23 community-based nurse practitioner fellowship programs
24 that are accredited or in the accreditation process, with
25 a preference for those in Federally Qualified Health Cen-

1 ters, for practicing postgraduate nurse practitioners in
2 primary care or behavioral health: *Provided further*, That
3 of the funds made available under this heading,
4 \$15,000,000 shall remain available until expended for ac-
5 tivities under section 775 of the PHS Act: *Provided fur-*
6 *ther*, That the United States may recover liquidated dam-
7 ages in an amount determined by the formula under sec-
8 tion 338E(c)(1) of the PHS Act if an individual either
9 fails to begin or complete the service obligated by a con-
10 tract under section 775(b) of the PHS Act: *Provided fur-*
11 *ther*, That for purposes of section 775(c)(1) of the PHS
12 Act, the Secretary may include other mental and behav-
13 ioral health disciplines as the Secretary deems appro-
14 priate: *Provided further*, That the Secretary may termi-
15 nate a contract entered into under section 775 of the PHS
16 Act in the same manner articulated in section 206 of this
17 title for fiscal year 2023 contracts entered into under sec-
18 tion 338B of the PHS Act.

19 Of the funds made available under this heading,
20 \$55,000,000 shall remain available until expended for
21 grants to public institutions of higher education to expand
22 or support graduate education for physicians provided by
23 such institutions: *Provided*, That, in awarding such
24 grants, the Secretary shall give priority to public institu-
25 tions of higher education located in States with a projected

1 primary care provider shortage in 2026, as determined by
2 the Secretary: *Provided further*, That grants so awarded
3 are limited to such public institutions of higher education
4 in States in the top quintile of States with a projected
5 primary care provider shortage in 2026, as determined by
6 the Secretary: *Provided further*, That the minimum
7 amount of a grant so awarded to such an institution shall
8 be not less than \$1,000,000 per year: *Provided further*,
9 That such a grant may be awarded for a period not to
10 exceed 5 years: *Provided further*, That such a grant award-
11 ed with respect to a year to such an institution shall be
12 subject to a matching requirement of non-Federal funds
13 in an amount that is not less than 10 percent of the total
14 amount of Federal funds provided in the grant to such
15 institution with respect to such year.

16 MATERNAL AND CHILD HEALTH

17 For carrying out titles III, XI, XII, and XIX of the
18 PHS Act with respect to maternal and child health and
19 title V of the Social Security Act, \$1,251,284,000: *Pro-*
20 *vided*, That notwithstanding sections 502(a)(1) and
21 502(b)(1) of the Social Security Act, not more than
22 \$342,116,000 shall be available for carrying out special
23 projects of regional and national significance pursuant to
24 section 501(a)(2) of such Act and \$10,276,000 shall be

1 available for projects described in subparagraphs (A)
2 through (F) of section 501(a)(3) of such Act.

3 RYAN WHITE HIV/AIDS PROGRAM

4 For carrying out title XXVI of the PHS Act with
5 respect to the Ryan White HIV/AIDS program,
6 \$2,630,306,000, of which \$2,014,698,000 shall remain
7 available to the Secretary through September 30, 2025,
8 for parts A and B of title XXVI of the PHS Act, and
9 of which not less than \$900,313,000 shall be for State
10 AIDS Drug Assistance Programs under the authority of
11 section 2616 or 311(c) of such Act; and of which
12 \$260,000,000, to remain available until expended, shall be
13 available to the Secretary for carrying out a program of
14 grants and contracts under title XXVI or section 311(c)
15 of such Act focused on ending the nationwide HIV/AIDS
16 epidemic, with any grants issued under such section
17 311(c) administered in conjunction with title XXVI of the
18 PHS Act, including the limitation on administrative ex-
19 penses.

20 HEALTH CARE SYSTEMS

21 For carrying out titles III and XII of the PHS Act
22 with respect to health care systems, and the Stem Cell
23 Therapeutic and Research Act of 2005, \$139,093,000, of
24 which \$122,000 shall be available until expended for facili-

1 ties-related expenses of the National Hansen's Disease
2 Program.

3 RURAL HEALTH

4 For carrying out titles III and IV of the PHS Act
5 with respect to rural health, section 427(a) of the Federal
6 Coal Mine Health and Safety Act of 1969, and sections
7 711 and 1820 of the Social Security Act, \$392,137,000,
8 of which \$62,277,000 from general revenues, notwith-
9 standing section 1820(j) of the Social Security Act, shall
10 be available for carrying out the Medicare rural hospital
11 flexibility grants program: *Provided*, That of the funds
12 made available under this heading for Medicare rural hos-
13 pital flexibility grants, \$20,942,000 shall be available for
14 the Small Rural Hospital Improvement Grant Program
15 for quality improvement and adoption of health informa-
16 tion technology, up to \$5,000,000 shall be available to es-
17 tablish by grant to public or non-profit private entities the
18 Rural Emergency Hospital Technical Assistance Program,
19 and up to \$1,000,000 shall be to carry out section
20 1820(g)(6) of the Social Security Act, with funds provided
21 for grants under section 1820(g)(6) available for the pur-
22 chase and implementation of telehealth services, including
23 pilots and demonstrations on the use of electronic health
24 records to coordinate rural veterans care between rural
25 providers and the Department of Veterans Affairs elec-

1 tronic health record system: *Provided further*, That not-
2 withstanding section 338J(k) of the PHS Act,
3 \$12,500,000 shall be available for State Offices of Rural
4 Health: *Provided further*, That \$12,500,000 shall remain
5 available through September 30, 2025, to support the
6 Rural Residency Development Program: *Provided further*,
7 That \$145,000,000 shall be for the Rural Communities
8 Opioids Response Program.

9
10 FAMILY PLANNING

11 For carrying out the program under title X of the
12 PHS Act to provide for voluntary family planning
13 projects, \$512,000,000: *Provided*, That amounts provided
14 to said projects under such title shall not be expended for
15 abortions, that all pregnancy counseling shall be nondirec-
16 tive, and that such amounts shall not be expended for any
17 activity (including the publication or distribution of lit-
18 erature) that in any way tends to promote public support
19 or opposition to any legislative proposal or candidate for
20 public office: *Provided further*, That all entities funded
21 under this heading shall provide clinical services consistent
22 with nationally recognized clinical standards: *Provided fur-*
23 *ther*, That projects funded under section 1001 of the PHS
24 Act shall provide the full range of contraceptive products
25 approved by the Food and Drug Administration: *Provided*
further, That all patients served under title X of the PHS

1 Act with a positive pregnancy test shall be given the op-
2 portunity to be provided information and counseling re-
3 garding: (1) prenatal care and delivery; (2) infant care,
4 foster care, and adoption; and (3) pregnancy termination:
5 *Provided further*, That if such a patient requests informa-
6 tion specified in the preceding proviso, such patient shall
7 be provided with neutral, factual information consistent
8 with nationally recognized clinical standards and nondirec-
9 tive counseling on each such option, including upon re-
10 quest of a patient a referral to medical providers for the
11 purposes of terminating a pregnancy: *Provided further*,
12 That no information shall be provided under the preceding
13 proviso, with respect to any option about which the patient
14 indicates no interest in receiving such information and
15 counseling.

16 PROGRAM MANAGEMENT

17 For program support in the Health Resources and
18 Services Administration, \$1,029,152,000: *Provided*, That
19 funds made available under this heading may be used to
20 supplement program support funding provided under the
21 headings “Primary Health Care”, “Health Workforce”,
22 “Maternal and Child Health”, “Ryan White HIV/AIDS
23 Program”, “Health Care Systems”, and “Rural Health”:
24 *Provided further*, That of the amount made available
25 under this heading, \$860,181,000 shall be used for the

1 projects financing the construction and renovation (includ-
2 ing equipment) of health care and other facilities, and for
3 the projects financing one-time grants that support
4 health-related activities, including training and informa-
5 tion technology, and in the amounts specified in the table
6 titled “Congressionally Directed Spending Items” in the
7 explanatory statement accompanying this Act: *Provided*
8 *further*, That none of the funds made available for projects
9 described in the two preceding provisos shall be subject
10 to section 241 of the PHS 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 \$20,200,000 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 \$7,000,000, 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, \$698,780,000.

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 \$1,461,556,000.

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, \$741,772,000: *Provided*, That
20 of the amounts made available under this heading, up to
21 \$1,000,000 shall remain available until expended to pay
22 for the transportation, medical care, treatment, and other
23 related costs of persons quarantined or isolated under
24 Federal or State quarantine law.

1 CHRONIC DISEASE PREVENTION AND HEALTH

2 PROMOTION

3 For carrying out titles II, III, XI, XV, XVII, and
4 XIX of the PHS Act with respect to chronic disease pre-
5 vention and health promotion, \$1,340,464,000: *Provided*,
6 That funds made available under this heading may be
7 available for making grants under section 1509 of the
8 PHS Act for not less than 21 States, Tribes, or Tribal
9 organizations: *Provided further*, That of the funds made
10 available under this heading, \$16,500,000 shall be avail-
11 able to continue and expand community specific extension
12 and outreach programs to combat obesity in counties with
13 the highest levels of obesity: *Provided further*, That the
14 proportional funding requirements under section 1503(a)
15 of the PHS Act shall not apply to funds made available
16 under this heading.

17 BIRTH DEFECTS, DEVELOPMENTAL DISABILITIES,

18 DISABILITIES AND HEALTH

19 For carrying out titles II, III, XI, and XVII of the
20 PHS Act with respect to birth defects, developmental dis-
21 abilities, disabilities and health, \$231,060,000.

22 PUBLIC HEALTH SCIENTIFIC SERVICES

23 For carrying out titles II, III, and XVII of the PHS
24 Act with respect to health statistics, surveillance, health
25 informatics, and workforce development, \$797,997,000.

1 ENVIRONMENTAL HEALTH

2 For carrying out titles II, III, and XVII of the PHS
3 Act with respect to environmental health, \$376,850,000:
4 *Provided*, That of the amounts appropriated under this
5 heading up to \$3,000,000 may remain available until ex-
6 pended for carrying out the Vessel Sanitation Program,
7 in addition to user fee collections available for such pur-
8 pose: *Provided further*, That the Committees on Appro-
9 priations of the House of Representatives and the Senate
10 are notified at least 15 days in advance of any use of funds
11 pursuant to the preceding proviso.

12 INJURY PREVENTION AND CONTROL

13 For carrying out titles II, III, and XVII of the PHS
14 Act with respect to injury prevention and control,
15 \$1,025,279,000.

16 NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND
17 HEALTH

18 For carrying out titles II, III, and XVII of the PHS
19 Act, sections 101, 102, 103, 201, 202, 203, 301, and 501
20 of the Federal Mine Safety and Health Act, section 13
21 of the Mine Improvement and New Emergency Response
22 Act, and sections 20, 21, and 22 of the Occupational Safe-
23 ty and Health Act, with respect to occupational safety and
24 health, \$367,300,000.

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, \$760,843,000, of which:
12 (1) \$128,921,000 shall remain available through Sep-
13 tember 30, 2024 for international HIV/AIDS; and (2)
14 \$353,200,000 shall remain available through September
15 30, 2025 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 \$888,200,000: *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 \$35,000,000, which shall remain available until September
19 30, 2027: *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, \$817,070,000, of which:
19 (1) \$600,000,000 shall remain available through Sep-
20 tember 30, 2024, for public health infrastructure and ca-
21 pacity; and (2) \$50,000,000 shall remain available
22 through September 30, 2024 for forecasting epidemics
23 and outbreak analytics: *Provided*, That paragraphs (1)
24 through (3) of subsection (b) of section 2821 of the PHS
25 Act shall not apply to funds appropriated under this head-

1 ing and in all other accounts of the CDC: *Provided further,*
2 That of the amounts made available under this heading,
3 \$35,000,000, to remain available until expended, shall be
4 available to the Director of the CDC for deposit in the
5 Infectious Diseases Rapid Response Reserve Fund estab-
6 lished by section 231 of division B of Public Law 115-
7 245: *Provided further,* That funds appropriated under this
8 heading may be used to support a contract for the oper-
9 ation and maintenance of an aircraft in direct support of
10 activities throughout CDC to ensure the agency is pre-
11 pared to address public health preparedness emergencies:
12 *Provided further,* That employees of CDC or the Public
13 Health Service, both civilian and commissioned officers,
14 detailed to States, municipalities, or other organizations
15 under authority of section 214 of the PHS Act, or in over-
16 seas assignments, shall be treated as non-Federal employ-
17 ees for reporting purposes only and shall not be included
18 within any personnel ceiling applicable to the Agency,
19 Service, or HHS during the period of detail or assignment:
20 *Provided further,* That CDC may use up to \$10,000 from
21 amounts appropriated to CDC in this Act for official re-
22 ception and representation expenses when specifically ap-
23 proved by the Director of CDC: *Provided further,* That in
24 addition, such sums as may be derived from authorized
25 user fees, which shall be credited to the appropriation

1 charged with the cost thereof: *Provided further*, That with
2 respect to the previous proviso, authorized user fees from
3 the Vessel Sanitation Program and the Respirator Certifi-
4 cation Program shall be available through September 30,
5 2024.

6 NATIONAL INSTITUTES OF HEALTH

7 NATIONAL CANCER INSTITUTE

8 For carrying out section 301 and title IV of the PHS
9 Act with respect to cancer, \$6,987,064,000, of which up
10 to \$30,000,000 may be used for facilities repairs and im-
11 provements at the National Cancer Institute—Frederick
12 Federally Funded Research and Development Center in
13 Frederick, Maryland.

14 NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

15 For carrying out section 301 and title IV of the PHS
16 Act with respect to cardiovascular, lung, and blood dis-
17 eases, and blood and blood products, \$3,946,557,000.

18 NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL

19 RESEARCH

20 For carrying out section 301 and title IV of the PHS
21 Act with respect to dental and craniofacial diseases,
22 \$526,769,000.

1 NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND
2 KIDNEY DISEASES

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to diabetes and digestive and kidney dis-
5 ease, \$2,290,798,000.

6 NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS
7 AND STROKE

8 For carrying out section 301 and title IV of the PHS
9 Act with respect to neurological disorders and stroke,
10 \$2,540,918,000.

11 NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS
12 DISEASES

13 For carrying out section 301 and title IV of the PHS
14 Act with respect to allergy and infectious diseases,
15 \$6,449,804,000.

16 NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

17 For carrying out section 301 and title IV of the PHS
18 Act with respect to general medical sciences,
19 \$3,218,237,000, of which \$1,429,313,000 shall be from
20 funds available under section 241 of the PHS Act: *Pro-*
21 *vided*, That not less than \$423,177,000 is provided for the
22 Institutional Development Awards program.

1 EUNICE KENNEDY SHRIVER NATIONAL INSTITUTE OF
2 CHILD HEALTH AND HUMAN DEVELOPMENT

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to child health and human development,
5 \$1,745,682,000.

6 NATIONAL EYE INSTITUTE

7 For carrying out section 301 and title IV of the PHS
8 Act with respect to eye diseases and visual disorders,
9 \$890,700,000.

10 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH
11 SCIENCES

12 For carrying out section 301 and title IV of the PHS
13 Act with respect to environmental health sciences,
14 \$918,276,000.

15 NATIONAL INSTITUTE ON AGING

16 For carrying out section 301 and title IV of the PHS
17 Act with respect to aging, \$4,343,005,000.

18 NATIONAL INSTITUTE OF ARTHRITIS AND

19 MUSCULOSKELETAL AND SKIN DISEASES

20 For carrying out section 301 and title IV of the PHS
21 Act with respect to arthritis and musculoskeletal and skin
22 diseases, \$686,025,000.

1 NATIONAL INSTITUTE ON DEAFNESS AND OTHER
2 COMMUNICATION DISORDERS

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to deafness and other communication dis-
5 orders, \$530,847,000.

6 NATIONAL INSTITUTE OF NURSING RESEARCH

7 For carrying out section 301 and title IV of the PHS
8 Act with respect to nursing research, \$196,468,000.

9 NATIONAL INSTITUTE ON ALCOHOL EFFECTS AND
10 ALCOHOL-ASSOCIATED DISORDERS

11 For carrying out section 301 and title IV of the PHS
12 Act with respect to alcohol misuse, alcohol use disorder,
13 and other alcohol-associated disorders, \$591,434,000.

14 NATIONAL INSTITUTE ON DRUGS AND ADDICTION

15 For carrying out section 301 and title IV of the PHS
16 Act with respect to drugs and addiction, \$1,684,230,000.

17 NATIONAL INSTITUTE OF MENTAL HEALTH

18 For carrying out section 301 and title IV of the PHS
19 Act with respect to mental health, \$2,107,672,000.

20 NATIONAL HUMAN GENOME RESEARCH INSTITUTE

21 For carrying out section 301 and title IV of the PHS
22 Act with respect to human genome research,
23 \$658,873,000.

1 NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND
2 BIOENGINEERING

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to biomedical imaging and bioengineering
5 research, \$437,752,000.

6 NATIONAL CENTER FOR COMPLEMENTARY AND
7 INTEGRATIVE HEALTH

8 For carrying out section 301 and title IV of the PHS
9 Act with respect to complementary and integrative health,
10 \$174,305,000.

11 NATIONAL INSTITUTE ON MINORITY HEALTH AND
12 HEALTH DISPARITIES

13 For carrying out section 301 and title IV of the PHS
14 Act with respect to minority health and health disparities
15 research, \$534,287,000.

16 JOHN E. FOGARTY INTERNATIONAL CENTER

17 For carrying out the activities of the John E. Fogarty
18 International Center (described in subpart 2 of part E of
19 title IV of the PHS Act), \$89,574,000.

20 NATIONAL LIBRARY OF MEDICINE

21 For carrying out section 301 and title IV of the PHS
22 Act with respect to health information communications,
23 \$494,302,000: *Provided*, That of the amounts available for
24 improvement of information systems, \$4,000,000 shall be
25 available until September 30, 2024: *Provided further*, That

1 in fiscal year 2023, the National Library of Medicine may
2 enter into personal services contracts for the provision of
3 services in facilities owned, operated, or constructed under
4 the jurisdiction of the National Institutes of Health (re-
5 ferred to in this title as “NIH”).

6 NATIONAL CENTER FOR ADVANCING TRANSLATIONAL
7 SCIENCES

8 For carrying out section 301 and title IV of the PHS
9 Act with respect to translational sciences, \$907,756,000:
10 *Provided*, That up to \$90,000,000 shall be available to im-
11 plement section 480 of the PHS Act, relating to the Cures
12 Acceleration Network: *Provided further*, That at least
13 \$625,452,000 is provided to the Clinical and Translational
14 Sciences Awards program.

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

17 For carrying out the responsibilities of the Office of
18 the Director, NIH, \$2,560,065,000: *Provided*, That fund-
19 ing shall be available for the purchase of not to exceed
20 29 passenger motor vehicles for replacement only: *Pro-*
21 *vided further*, That all funds credited to the NIH Manage-
22 ment Fund shall remain available for one fiscal year after
23 the fiscal year in which they are deposited: *Provided fur-*
24 *ther*, That \$180,000,000 shall be for the Environmental
25 Influences on Child Health Outcomes study: *Provided fur-*

1 *ther*, That \$707,401,000 shall be available for the Com-
2 mon Fund established under section 402A(c)(1) of the
3 PHS Act: *Provided further*, That of the funds provided,
4 \$10,000 shall be for official reception and representation
5 expenses when specifically approved by the Director of the
6 NIH: *Provided further*, That the Office of AIDS Research
7 within the Office of the Director of the NIH may spend
8 up to \$8,000,000 to make grants for construction or ren-
9 ovation of facilities as provided for in section
10 2354(a)(5)(B) of the PHS Act: *Provided further*, That
11 \$70,000,000 shall be used to carry out section 404I of
12 the PHS Act (42 U.S.C. 283K), relating to biomedical and
13 behavioral research facilities: *Provided further*, That
14 \$5,000,000 shall be transferred to and merged with the
15 appropriation for the “Office of Inspector General” for
16 oversight of grant programs and operations of the NIH,
17 including agency efforts to ensure the integrity of its grant
18 application evaluation and selection processes, and shall
19 be in addition to funds otherwise made available for over-
20 sight of the NIH: *Provided further*, That the funds pro-
21 vided in the previous proviso may be transferred from one
22 specified activity to another with 15 days prior approval
23 of the Committees on Appropriations of the House of Rep-
24 resentatives and the Senate: *Provided further*, That the In-
25 spector General shall consult with the Committees on Ap-

1 appropriations of the House of Representatives and the Sen-
2 ate before submitting to the Committees an audit plan for
3 fiscal years 2023 and 2024 no later than 30 days after
4 the date of enactment of this Act: *Provided further*, That
5 amounts made available under this heading are also avail-
6 able to establish, operate, and support the Research Policy
7 Board authorized by section 2034(f) of the 21st Century
8 Cures Act: *Provided further*, That the funds made avail-
9 able under this heading for the Office of Research on
10 Women’s Health shall also be available for making grants
11 to serve and promote the interests of women in research,
12 and the Director of such Office may, in making such
13 grants, use the authorities available to NIH Institutes and
14 Centers.

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

1 ADVANCED RESEARCH PROJECTS AGENCY FOR HEALTH

2 For carrying out section 301 and title IV of the PHS
3 Act with respect to advanced research projects for health,
4 \$1,000,000,000, to remain available through September
5 30, 2025: *Provided*, That the President shall appoint in
6 the Department of Health and Human Services a director
7 of advanced research projects for health (Director): *Pro-*
8 *vided further*, That funds may be used to make or rescind
9 appointments of scientific, medical, and professional per-
10 sonnel without regard to any provision in title 5 governing
11 appointments under the civil service laws: *Provided fur-*
12 *ther*, That funds may be used to fix the compensation of
13 such personnel at a rate to be determined by the Director,
14 up to the amount of annual compensation (excluding ex-
15 penses) specified in section 102 of title 3, United States
16 Code: *Provided further*, That the Director may use funds
17 made available under this heading to make awards in the
18 form of grants, contracts, cooperative agreements, and
19 cash prizes, and enter into other transactions (as defined
20 in section 319L(a)(3) of the PHS Act): *Provided further*,
21 That activities supported with funds provided under this
22 heading shall not be subject to the requirements of section
23 406(a)(3)(A)(ii) or 492 of the PHS Act.

1 BUILDINGS AND FACILITIES

2 For the study of, construction of, demolition of, ren-
3 ovation of, and acquisition of equipment for, facilities of
4 or used by NIH, including the acquisition of real property,
5 \$350,000,000, to remain available through September 30,
6 2027.

7 NIH INNOVATION ACCOUNT, CURES ACT

8 (INCLUDING TRANSFER OF FUNDS)

9 For necessary expenses to carry out the purposes de-
10 scribed in section 1001(b)(4) of the 21st Century Cures
11 Act, in addition to amounts available for such purposes
12 in the appropriations provided to the NIH in this Act,
13 \$1,085,000,000, to remain available until expended: *Pro-*
14 *vided*, That such amounts are appropriated pursuant to
15 section 1001(b)(3) of such Act, are to be derived from
16 amounts transferred under section 1001(b)(2)(A) of such
17 Act, and may be transferred by the Director of the Na-
18 tional Institutes of Health to other accounts of the Na-
19 tional Institutes of Health solely for the purposes provided
20 in such Act: *Provided further*, That upon a determination
21 by the Director that funds transferred pursuant to the
22 previous proviso are not necessary for the purposes pro-
23 vided, such amounts may be transferred back to the Ac-
24 count: *Provided further*, That the transfer authority pro-

1 vided under this heading is in addition to any other trans-
2 fer authority provided by law.

3 SUBSTANCE USE 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, the Protection and Ad-
8 vocacy for Individuals with Mental Illness Act, and the
9 SUPPORT for Patients and Communities Act,
10 \$3,590,090,000: *Provided*, That of the funds made avail-
11 able under this heading, \$111,887,000 shall be for the Na-
12 tional Child Traumatic Stress Initiative: *Provided further*,
13 That notwithstanding section 520A(f)(2) of the PHS Act,
14 no funds appropriated for carrying out section 520A shall
15 be available for carrying out section 1971 of the PHS Act:
16 *Provided further*, That in addition to amounts provided
17 herein, \$21,039,000 shall be available under section 241
18 of the PHS Act to carry out subpart I of part B of title
19 XIX of the PHS Act to fund section 1920(b) technical
20 assistance, national data, data collection and evaluation
21 activities, and further that the total available under this
22 Act for section 1920(b) activities shall not exceed 5 per-
23 cent of the amounts appropriated for subpart I of part
24 B of title XIX: *Provided further*, That of the funds made
25 available under this heading for subpart I of part B of

1 title XIX of the PHS Act, at least 10 percent shall be
2 available to support evidence-based crisis systems: *Pro-*
3 *vided further*, That up to 10 percent of the amounts made
4 available to carry out the Children’s Mental Health Serv-
5 ices program may be used to carry out demonstration
6 grants or contracts for early interventions with persons
7 not more than 25 years of age at clinical high risk of de-
8 veloping a first episode of psychosis: *Provided further*,
9 That section 520E(b)(2) of the PHS Act shall not apply
10 to funds appropriated in this Act for fiscal year 2023: *Pro-*
11 *vided further*, That \$385,000,000 shall be available until
12 September 30, 2025 for grants to communities and com-
13 munity organizations who meet criteria for Certified Com-
14 munity Behavioral Health Clinics pursuant to section
15 223(a) of Public Law 113–93: *Provided further*, That none
16 of the funds provided for section 1911 of the PHS Act
17 shall be subject to section 241 of such Act: *Provided fur-*
18 *ther*, That of the funds made available under this heading,
19 \$21,420,000 shall be to carry out section 224 of the Pro-
20 tecting Access to Medicare Act of 2014 (Public Law 113–
21 93; 42 U.S.C. 290aa 22 note): *Provided further*, That not-
22 withstanding sections 1911(b) and 1912 of the PHS Act,
23 amounts made available under this heading for subpart
24 I of part B of title XIX of such Act shall also be available
25 to support evidence-based programs that address early

1 intervention and prevention of mental disorders among at-
2 risk children and adults: *Provided further*, That States
3 shall expend at least 10 percent of the amount each re-
4 ceives for carrying out section 1911 of the PHS Act to
5 support evidence-based programs that address early inter-
6 vention and prevention of mental disorders among at-risk
7 children and adults: *Provided further*, That notwith-
8 standing section 1912 of the PHS Act, the plan described
9 in such section and section 1911(b) of the PHS Act shall
10 also include the evidence-based programs described in the
11 preceding proviso, pursuant to plan criteria established by
12 the Secretary.

13 SUBSTANCE USE SERVICES

14 For carrying out titles III and V of the PHS Act
15 with respect to substance use treatment and title XIX of
16 such Act with respect to substance use treatment and pre-
17 vention, and the SUPPORT for Patients and Commu-
18 nities Act, \$4,963,889,000: *Provided*, That
19 \$2,025,000,000 shall be for State Opioid Response Grants
20 for carrying out activities pertaining to opioids and stimu-
21 lants undertaken by the State agency responsible for ad-
22 ministering the substance use prevention and treatment
23 block grant under subpart II of part B of title XIX of
24 the PHS Act (42 U.S.C. 300x-21 et seq.): *Provided fur-*
25 *ther*, That of such amount \$75,000,000 shall be made

1 available to Indian Tribes or Tribal organizations: *Pro-*
2 *vided further*, That 15 percent of the remaining amount
3 shall be for the States with the highest mortality rate re-
4 lated to opioid use disorders: *Provided further*, That in al-
5 locating the amount made available in the preceding pro-
6 viso, the Secretary shall ensure that the formula avoids
7 a significant cliff between States with similar mortality
8 rates related to opioid use disorders to prevent unusually
9 large funding changes in States when compared to prior
10 year allocations: *Provided further*, That of the amounts
11 provided for State Opioid Response Grants not more than
12 2 percent shall be available for Federal administrative ex-
13 penses, training, technical assistance, and evaluation: *Pro-*
14 *vided further*, That of the amount not reserved by the pre-
15 vious four provisos, the Secretary shall make allocations
16 to States, territories, and the District of Columbia accord-
17 ing to a formula using national survey results that the
18 Secretary determines are the most objective and reliable
19 measure of drug use and drug-related deaths: *Provided*
20 *further*, That the Secretary shall submit the formula meth-
21 odology to the Committees on Appropriations of the House
22 of Representatives and the Senate not less than 21 days
23 prior to publishing a Funding Opportunity Announce-
24 ment: *Provided further*, That prevention and treatment ac-
25 tivities funded through such grants may include education,

1 treatment (including the provision of medication), behav-
2 ioral health services for individuals in treatment programs,
3 referral to treatment services, recovery support, and med-
4 ical screening associated with such treatment: *Provided*
5 *further*, That each State, as well as the District of Colum-
6 bia, shall receive not less than \$5,000,000: *Provided fur-*
7 *ther*, That in addition to amounts provided herein, the fol-
8 lowing amounts shall be available under section 241 of the
9 PHS Act: (1) \$79,200,000 to carry out subpart II of part
10 B of title XIX of the PHS Act to fund section 1935(b)
11 technical assistance, national data, data collection and
12 evaluation activities, and further that the total available
13 under this Act for section 1935(b) activities shall not ex-
14 ceed 5 percent of the amounts appropriated for subpart
15 II of part B of title XIX; and (2) \$2,000,000 to evaluate
16 substance use treatment programs: *Provided further*, That
17 for purposes of calculating the HIV set-aside under sub-
18 part II of part B of title XIX, the rate of cases of HIV
19 shall be used instead of the rate of cases of AIDS: *Pro-*
20 *vided further*, That each State that receives funds appro-
21 priated under this heading for carrying out subpart II of
22 part B of title XIX of the PHS Act shall expend not less
23 than 10 percent of such funds for recovery support serv-
24 ices: *Provided further*, That none of the funds provided

1 for section 1921 of the PHS Act or State Opioid Response
2 Grants shall be subject to section 241 of such Act.

3 SUBSTANCE USE PREVENTION SERVICES

4 For carrying out titles III and V of the PHS Act
5 with respect to substance use prevention, \$248,219,000.

6 HEALTH SURVEILLANCE AND PROGRAM SUPPORT

7 For program support and cross-cutting activities that
8 supplement activities funded under the headings “Mental
9 Health”, “Substance Use Services”, and “Substance Use
10 Prevention Services” in carrying out titles III, V, and XIX
11 of the PHS Act and the Protection and Advocacy for Indi-
12 viduals with Mental Illness Act in the Substance Use And
13 Mental Health Services Administration, \$200,636,000:
14 *Provided*, That of the amount made available under this
15 heading, \$59,941,000 shall be used for the projects, and
16 in the amounts, specified in the table titled “Congression-
17 ally Directed Spending Items” in the explanatory state-
18 ment accompanying this Act: *Provided further*, That none
19 of the funds made available for projects described in the
20 preceding proviso shall be subject to section 241 of the
21 PHS Act or section 205 of this Act: *Provided further*, That
22 in addition to amounts provided herein, \$31,428,000 shall
23 be available under section 241 of the PHS Act to supple-
24 ment funds available to carry out national surveys on drug
25 use and mental health, to collect and analyze program

1 data, and to conduct public awareness and technical as-
2 sistance activities: *Provided further*, That, in addition, fees
3 may be collected for the costs of publications, data, data
4 tabulations, and data analysis completed under title V of
5 the PHS Act and provided to a public or private entity
6 upon request, which shall be credited to this appropriation
7 and shall remain available until expended for such pur-
8 poses: *Provided further*, That amounts made available in
9 this Act for carrying out section 501(o) of the PHS Act
10 shall remain available through September 30, 2024: *Pro-*
11 *vided further*, That funds made available under this head-
12 ing (other than amounts specified in the first proviso
13 under this heading) may be used to supplement program
14 support funding provided under the headings “Mental
15 Health”, “Substance Use Services”, and “Substance Use
16 Prevention Services”.

17 AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

18 HEALTHCARE RESEARCH AND QUALITY

19 For carrying out titles III and IX of the PHS Act,
20 part A of title XI of the Social Security Act, and section
21 1013 of the Medicare Prescription Drug, Improvement,
22 and Modernization Act of 2003, \$385,400,000: *Provided*,
23 That section 947(c) of the PHS Act shall not apply in
24 fiscal year 2023: *Provided further*, That in addition,
25 amounts received from Freedom of Information Act fees,

1 reimbursable and interagency agreements, and the sale of
2 data shall be credited to this appropriation and shall re-
3 main available until September 30, 2024.

4 CENTERS FOR MEDICARE & MEDICAID SERVICES

5 GRANTS TO STATES FOR MEDICAID

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

9 In addition, for carrying out such titles after May 31,
10 2023, for the last quarter of fiscal year 2023 for unantici-
11 pated costs incurred for the current fiscal year, such sums
12 as may be necessary, to remain available until expended.

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

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

21 PAYMENTS TO THE HEALTH CARE TRUST FUNDS

22 For payment to the Federal Hospital Insurance
23 Trust Fund and the Federal Supplementary Medical In-
24 surance Trust Fund, as provided under sections 217(g),
25 1844, and 1860D–16 of the Social Security Act, sections

1 103(c) and 111(d) of the Social Security Amendments of
2 1965, section 278(d)(3) of Public Law 97–248, and for
3 administrative expenses incurred pursuant to section
4 201(g) of the Social Security Act, \$548,130,000,000.

5 In addition, for making matching payments under
6 section 1844 and benefit payments under section 1860D–
7 16 of the Social Security Act that were not anticipated
8 in budget estimates, such sums as may be necessary.

9 PROGRAM MANAGEMENT

10 For carrying out, except as otherwise provided, titles
11 XI, XVIII, XIX, and XXI of the Social Security Act, titles
12 XIII and XXVII of the PHS Act, the Clinical Laboratory
13 Improvement Amendments of 1988, and other responsibil-
14 ities of the Centers for Medicare & Medicaid Services, not
15 to exceed \$4,186,399,000 to be transferred from the Fed-
16 eral Hospital Insurance Trust Fund and the Federal Sup-
17 plementary Medical Insurance Trust Fund, as authorized
18 by section 201(g) of the Social Security Act; together with
19 all funds collected in accordance with section 353 of the
20 PHS Act and section 1857(e)(2) of the Social Security
21 Act, funds retained by the Secretary pursuant to section
22 1893(h) of the Social Security Act, and such sums as may
23 be collected from authorized user fees and the sale of data,
24 which shall be credited to this account and remain avail-
25 able until expended: *Provided*, That all funds derived in

1 accordance with 31 U.S.C. 9701 from organizations estab-
2 lished under title XIII of the PHS Act shall be credited
3 to and available for carrying out the purposes of this ap-
4 propriation: *Provided further*, That the Secretary is di-
5 rected to collect fees in fiscal year 2023 from Medicare
6 Advantage organizations pursuant to section 1857(e)(2)
7 of the Social Security Act and from eligible organizations
8 with risk-sharing contracts under section 1876 of that Act
9 pursuant to section 1876(k)(4)(D) of that Act: *Provided*
10 *further*, That of the amount made available under this
11 heading, \$473,989,000 shall remain available until Sep-
12 tember 30, 2024, and shall be available for the Survey
13 and Certification Program: *Provided further*, That
14 amounts available under this heading to support quality
15 improvement organizations (as defined in section 1152 of
16 the Social Security Act) shall not exceed the amount spe-
17 cifically provided for such purpose under this heading in
18 division H of the Consolidated Appropriations Act, 2018
19 (Public Law 115–141).

20 HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT

21 In addition to amounts otherwise available for pro-
22 gram integrity and program management, \$893,000,000,
23 to remain available through September 30, 2024, to be
24 transferred from the Federal Hospital Insurance Trust
25 Fund and the Federal Supplementary Medical Insurance

1 Trust Fund, as authorized by section 201(g) of the Social
2 Security Act, of which \$668,648,000 shall be for the Cen-
3 ters for Medicare & Medicaid Services program integrity
4 activities, of which \$112,145,000 shall be for the Depart-
5 ment of Health and Human Services Office of Inspector
6 General to carry out fraud and abuse activities authorized
7 by section 1817(k)(3) of such Act, and of which
8 \$112,207,000 shall be for the Department of Justice to
9 carry out fraud and abuse activities authorized by section
10 1817(k)(3) of such Act: *Provided*, That the report re-
11 quired by section 1817(k)(5) of the Social Security Act
12 for fiscal year 2023 shall include measures of the oper-
13 ational efficiency and impact on fraud, waste, and abuse
14 in the Medicare, Medicaid, and CHIP programs for the
15 funds provided by this appropriation: *Provided further*,
16 That of the amount provided under this heading,
17 \$317,000,000 is provided to meet the terms of a concur-
18 rent resolution, and \$576,000,000 is additional new budg-
19 et authority specified for purposes of a concurrent resolu-
20 tion on the budget for additional health care fraud and
21 abuse control activities: *Provided further*, That the Sec-
22 retary shall provide not less than \$30,000,000 from
23 amounts made available under this heading and amounts
24 made available for fiscal year 2023 under section
25 1817(k)(3)(A) of the Social Security Act for the Senior

1 Medicare Patrol program to combat health care fraud and
2 abuse.

3 ADMINISTRATION FOR CHILDREN AND FAMILIES

4 PAYMENTS TO STATES FOR CHILD SUPPORT

5 ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

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

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

18 LOW-INCOME HOME ENERGY ASSISTANCE

19 For making payments under subsections (b) and (d)
20 of section 2602 of the Low-Income Home Energy Assist-
21 ance Act of 1981 (42 U.S.C. 8621 et seq.),
22 \$4,000,000,000: *Provided*, That notwithstanding section
23 2609A(a) of such Act, not more than \$7,300,000 may be
24 reserved by the Secretary for technical assistance, train-
25 ing, and monitoring of program activities for compliance

1 with internal controls, policies and procedures, and to sup-
2 plement funding otherwise available for necessary admin-
3 istrative expenses to carry out such Act, and the Secretary
4 may, in addition to the authorities provided in section
5 2609A(a)(1), use such funds through contracts with pri-
6 vate entities that do not qualify as nonprofit organiza-
7 tions: *Provided further*, That all but \$884,848,000 of the
8 amount appropriated under this heading shall be allocated
9 as though the total appropriation for such payments for
10 fiscal year 2023 was less than \$1,975,000,000: *Provided*
11 *further*, That, after applying all applicable provisions of
12 section 2604 of such Act and the previous proviso, each
13 State or territory that would otherwise receive an alloca-
14 tion that is less than 97 percent of the amount that it
15 received under this heading for fiscal year 2022 from
16 amounts appropriated in Public Law 117–103 shall have
17 its allocation increased to that 97 percent level, with the
18 portions of other States’ and territories’ allocations that
19 would exceed 100 percent of the amounts they respectively
20 received in such fashion for fiscal year 2022 being ratably
21 reduced.

22 REFUGEE AND ENTRANT ASSISTANCE
23 (INCLUDING TRANSFER OF FUNDS)

24 For necessary expenses for refugee and entrant as-
25 sistance activities authorized by section 414 of the Immi-

1 gration and Nationality Act and section 501 of the Ref-
2 ugee Education Assistance Act of 1980, and for carrying
3 out section 462 of the Homeland Security Act of 2002,
4 section 235 of the William Wilberforce Trafficking Victims
5 Protection Reauthorization Act of 2008, the Trafficking
6 Victims Protection Act of 2000 (“TVPA”), and the Tor-
7 ture Victims Relief Act of 1998, \$9,370,013,000, of which
8 \$9,316,258,000 shall remain available through September
9 30, 2025 for carrying out such sections 414, 501, 462,
10 and 235: *Provided*, That amounts available under this
11 heading to carry out the TVPA shall also be available for
12 research and evaluation with respect to activities under
13 such Act: *Provided further*, That the limitation in section
14 205 of this Act regarding transfers increasing any appro-
15 priation shall apply to transfers to appropriations under
16 this heading by substituting “15 percent” for “3 percent”:
17 *Provided further*, That the contribution of funds require-
18 ment under section 235(c)(6)(C)(iii) of the William Wil-
19 berforce Trafficking Victims Protection Reauthorization
20 Act of 2008 shall not apply to funds made available under
21 this heading: *Provided further*, That the Director of the
22 Office of Refugee Resettlement, in carrying out section
23 412(c)(1)(A) of the Immigration and Nationality Act (8
24 U.S.C. 1522(c)(1)(A)), may allocate amounts made avail-
25 able under this heading for such section among the States

1 in a manner that accounts for the most current data avail-
2 able.

3 PAYMENTS TO STATES FOR THE CHILD CARE AND
4 DEVELOPMENT BLOCK GRANT

5 For carrying out the Child Care and Development
6 Block Grant Act of 1990 (“CCDBG Act”),
7 \$7,165,330,000 shall be used to supplement, not supplant
8 State general revenue funds for child care assistance for
9 low-income families: *Provided*, That technical assistance
10 under section 658I(a)(3) of such Act may be provided di-
11 rectly, or through the use of contracts, grants, cooperative
12 agreements, or interagency agreements: *Provided further*,
13 That all funds made available to carry out section 418
14 of the Social Security Act (42 U.S.C. 618), including
15 funds appropriated for that purpose in such section 418
16 or any other provision of law, shall be subject to the res-
17 ervation of funds authority in paragraphs (4) and (5) of
18 section 658O(a) of the CCDBG Act: *Provided further*,
19 That in addition to the amounts required to be reserved
20 by the Secretary under section 658O(a)(2)(A) of such Act,
21 \$214,960,000 shall be for Indian Tribes and Tribal orga-
22 nizations: *Provided further*, That of the amounts made
23 available under this heading, the Secretary may reserve
24 up to 0.5 percent for Federal administrative expenses.

1 SOCIAL SERVICES BLOCK GRANT

2 For making grants to States pursuant to section
3 2002 of the Social Security Act, \$1,700,000,000: *Pro-*
4 *vided*, That notwithstanding subparagraph (B) of section
5 404(d)(2) of such Act, the applicable percent specified
6 under such subparagraph for a State to carry out State
7 programs pursuant to title XX–A of such Act shall be 10
8 percent.

9 CHILDREN AND FAMILIES SERVICES PROGRAMS

10 For carrying out, except as otherwise provided, the
11 Runaway and Homeless Youth Act, the Head Start Act,
12 the Every Student Succeeds Act, the Child Abuse Preven-
13 tion and Treatment Act, sections 303 and 313 of the
14 Family Violence Prevention and Services Act, the Native
15 American Programs Act of 1974, title II of the Child
16 Abuse Prevention and Treatment and Adoption Reform
17 Act of 1978 (adoption opportunities), part B–1 of title IV
18 and sections 429, 473A, 477(i), 1110, 1114A, and 1115
19 of the Social Security Act, and the Community Services
20 Block Grant Act (“CSBG Act”); and for necessary admin-
21 istrative expenses to carry out titles I, IV, V, X, XI, XIV,
22 XVI, and XX–A of the Social Security Act, the Act of
23 July 5, 1960, the Low-Income Home Energy Assistance
24 Act of 1981, and section 2204 of the American Rescue
25 Plan Act of 2021, \$14,765,967,000, of which

1 \$75,000,000, to remain available through September 30,
2 2024, shall be for grants to States for adoption and legal
3 guardianship incentive payments, as defined by section
4 473A of the Social Security Act and may be made for
5 adoptions and legal guardianships completed before Sep-
6 tember 30, 2023: *Provided*, That \$12,036,820,000 shall
7 be for making payments under the Head Start Act, includ-
8 ing for Early Head Start–Child Care Partnerships, and,
9 of which, notwithstanding section 640 of such Act:

10 (1) \$596,000,000 shall be available for a cost
11 of living adjustment, and with respect to any con-
12 tinuing appropriations Act, funding available for a
13 cost of living adjustment shall not be construed as
14 an authority or condition under this Act;

15 (2) \$25,000,000 shall be available for allocation
16 by the Secretary to supplement activities described
17 in paragraphs (7)(B) and (9) of section 641(c) of
18 the Head Start Act under the Designation Renewal
19 System, established under the authority of sections
20 641(c)(7), 645A(b)(12), and 645A(d) of such Act,
21 and such funds shall not be included in the calcula-
22 tion of “base grant” in subsequent fiscal years, as
23 such term is used in section 640(a)(7)(A) of such
24 Act;

1 (3) \$262,000,000 shall be available for quality
2 improvement consistent with section 640(a)(5) of
3 such Act except that any amount of the funds may
4 be used on any of the activities in such section, of
5 which not less than \$10,000,000 shall be available
6 to migrant and seasonal Head Start programs for
7 such activities, in addition to funds made available
8 for migrant and seasonal Head Start programs
9 under any other provision of section 640(a) of such
10 Act;

11 (4) \$140,000,000, in addition to funds other-
12 wise available for such purposes under section 640
13 of the Head Start Act, shall be available through
14 September 30, 2024, for awards to eligible entities
15 for Head Start and Early Head Start programs and
16 to entities defined as eligible under section 645A(d)
17 of such Act for high quality infant and toddler care
18 through Early Head Start–Child Care Partnerships,
19 and for training and technical assistance for such
20 activities: *Provided further*, That of the funds made
21 available in this paragraph, up to \$21,000,000 shall
22 be available to the Secretary for the administrative
23 costs of carrying out this paragraph;

24 (5) \$8,000,000 shall be available for the Tribal
25 Colleges and Universities Head Start Partnership

1 Program consistent with section 648(g) of such Act;
2 and

3 (6) \$21,000,000 shall be available to supple-
4 ment funding otherwise available for research, eval-
5 uation, and Federal administrative costs:

6 *Provided further*, That the Secretary may reduce the res-
7 ervation of funds under section 640(a)(2)(C) of such Act
8 in lieu of reducing the reservation of funds under sections
9 640(a)(2)(B), 640(a)(2)(D), and 640(a)(2)(E) of such
10 Act: *Provided further*, That \$350,000,000 shall be avail-
11 able until December 31, 2023 for carrying out sections
12 9212 and 9213 of the Every Student Succeeds Act: *Pro-*
13 *vided further*, That up to 3 percent of the funds in the
14 preceding proviso shall be available for technical assist-
15 ance and evaluation related to grants awarded under such
16 section 9212: *Provided further*, That in this fiscal year,
17 a renewal grant awarded under section 9212(g) of Public
18 Law 114-95 may be renewed for a period of not more than
19 3 years: *Provided further*, That \$806,383,000 shall be for
20 making payments under the CSBG Act: *Provided further*,
21 That for services furnished under the CSBG Act with
22 funds made available for such purpose in this fiscal year
23 and in fiscal year 2022, States may apply the last sentence
24 of section 673(2) of the CSBG Act by substituting “200
25 percent” for “125 percent”: *Provided further*, That

1 \$36,383,000 shall be for section 680 of the CSBG Act,
2 of which not less than \$23,383,000 shall be for section
3 680(a)(2) and not less than \$13,000,000 shall be for sec-
4 tion 680(a)(3)(B) of such Act: *Provided further*, That, not-
5 withstanding section 675C(a)(3) of the CSBG Act, to the
6 extent Community Services Block Grant funds are distrib-
7 uted as grant funds by a State to an eligible entity as
8 provided under such Act, and have not been expended by
9 such entity, they shall remain with such entity for carry-
10 over into the next fiscal year for expenditure by such enti-
11 ty consistent with program purposes: *Provided further*,
12 That the Secretary shall establish procedures regarding
13 the disposition of intangible assets and program income
14 that permit such assets acquired with, and program in-
15 come derived from, grant funds authorized under section
16 680 of the CSBG Act to become the sole property of such
17 grantees after a period of not more than 12 years after
18 the end of the grant period for any activity consistent with
19 section 680(a)(2)(A) of the CSBG Act: *Provided further*,
20 That intangible assets in the form of loans, equity invest-
21 ments and other debt instruments, and program income
22 may be used by grantees for any eligible purpose con-
23 sistent with section 680(a)(2)(A) of the CSBG Act: *Pro-*
24 *vided further*, That these procedures shall apply to such
25 grant funds made available after November 29, 1999: *Pro-*

1 *vided further*, That funds appropriated for section
2 680(a)(2) of the CSBG Act shall be available for financing
3 construction and rehabilitation and loans or investments
4 in private business enterprises owned by community devel-
5 opment corporations: *Provided further*, That
6 \$300,000,000 shall be for carrying out section 303(a) of
7 the Family Violence Prevention and Services Act, of which
8 \$7,000,000 shall be allocated notwithstanding section
9 303(a)(2) of such Act for carrying out section 309 of such
10 Act and of which \$6,750,000 shall be for necessary admin-
11 istrative expenses to carry out such Act and section 2204
12 of the American Rescue Plan Act of 2021, in addition to
13 amounts otherwise available for such purposes: *Provided*
14 *further*, That funds made available in the preceding pro-
15 viso may be used for direct payments to any victim of fam-
16 ily violence, domestic violence, or dating violence, or to any
17 dependent of such victim, notwithstanding section
18 308(d)(1) of the Family Violence Prevention and Services
19 Act: *Provided further*, That the percentages specified in
20 section 112(a)(2) of the Child Abuse Prevention and
21 Treatment Act shall not apply to funds appropriated
22 under this heading: *Provided further*, That \$3,000,000
23 shall be for a human services case management system
24 for federally declared disasters, to include a comprehensive
25 national case management contract and Federal costs of

1 administering the system: *Provided further*, That up to
2 \$2,000,000 shall be for improving the Public Assistance
3 Reporting Information System, including grants to States
4 to support data collection for a study of the system's effec-
5 tiveness: *Provided further*, That \$40,480,000 shall be used
6 for the projects, and in the amounts, specified in the table
7 titled "Congressionally Directed Spending Items" in the
8 explanatory statement accompanying this Act: *Provided*
9 *further*, That none of the funds made available for projects
10 described in the preceding proviso shall be subject to sec-
11 tion 241 of the PHS Act or section 205 of this Act.

12 PROMOTING SAFE AND STABLE FAMILIES

13 For carrying out, except as otherwise provided, sec-
14 tion 436 of the Social Security Act, \$345,000,000 and,
15 for carrying out, except as otherwise provided, section 437
16 of such Act, \$94,515,000: *Provided*, That of the funds
17 available to carry out section 437, \$59,765,000 shall be
18 allocated consistent with subsections (b) through (d) of
19 such section: *Provided further*, That of the funds available
20 to carry out section 437, to assist in meeting the require-
21 ments described in section 471(e)(4)(C), \$28,000,000
22 shall be for grants to each State, territory, and Indian
23 Tribe operating title IV–E plans for developing, enhance-
24 ing, or evaluating kinship navigator programs, as de-
25 scribed in section 427(a)(1) of such Act and \$6,750,000,

1 in addition to funds otherwise appropriated in section 476
2 for such purposes, shall be for the Family First Clearing-
3 house and to support evaluation and technical assistance
4 relating to the evaluation of child and family services: *Pro-*
5 *vided further*, That section 437(b)(1) shall be applied to
6 amounts in the previous proviso by substituting “5 per-
7 cent” for “3.3 percent”, and notwithstanding section
8 436(b)(1), such reserved amounts may be used for identi-
9 fying, establishing, and disseminating practices to meet
10 the criteria specified in section 471(e)(4)(C): *Provided fur-*
11 *ther*, That the reservation in section 437(b)(2) and the
12 limitations in section 437(d) shall not apply to funds spec-
13 ified in the second proviso: *Provided further*, That the min-
14 imum grant award for kinship navigator programs in the
15 case of States and territories shall be \$200,000, and, in
16 the case of Tribes, shall be \$25,000.

17 PAYMENTS FOR FOSTER CARE AND PERMANENCY

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

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

23 For carrying out, after May 31 of the current fiscal
24 year, except as otherwise provided, section 474 of title IV–
25 E of the Social Security Act, for the last 3 months of the

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

3 ADMINISTRATION FOR COMMUNITY LIVING
4 AGING AND DISABILITY SERVICES PROGRAMS
5 (INCLUDING TRANSFER OF FUNDS)

6 For carrying out, to the extent not otherwise pro-
7 vided, the Older Americans Act of 1965 (“OAA”), the
8 RAISE Family Caregivers Act, the Supporting Grand-
9 parents Raising Grandchildren Act, titles III and XXIX
10 of the PHS Act, sections 1252 and 1253 of the PHS Act,
11 section 119 of the Medicare Improvements for Patients
12 and Providers Act of 2008, title XX–B of the Social Secu-
13 rity Act, the Developmental Disabilities Assistance and
14 Bill of Rights Act, parts 2 and 5 of subtitle D of title
15 II of the Help America Vote Act of 2002, the Assistive
16 Technology Act of 1998, titles II and VII (and section
17 14 with respect to such titles) of the Rehabilitation Act
18 of 1973, and for Department-wide coordination of policy
19 and program activities that assist individuals with disabil-
20 ities, \$2,461,973,000, together with \$53,115,000 to be
21 transferred from the Federal Hospital Insurance Trust
22 Fund and the Federal Supplementary Medical Insurance
23 Trust Fund to carry out section 4360 of the Omnibus
24 Budget Reconciliation Act of 1990: *Provided*, That
25 amounts appropriated under this heading may be used for

1 grants to States under section 361 of the OAA only for
2 disease prevention and health promotion programs and ac-
3 tivities which have been demonstrated through rigorous
4 evaluation to be evidence-based and effective: *Provided*
5 *further*, That of amounts made available under this head-
6 ing to carry out sections 311, 331, and 336 of the OAA,
7 up to 1 percent of such amounts shall be available for de-
8 veloping and implementing evidence-based practices for
9 enhancing senior nutrition, including medically-tailored
10 meals: *Provided further*, That notwithstanding any other
11 provision of this Act, funds made available under this
12 heading to carry out section 311 of the OAA may be trans-
13 ferred to the Secretary of Agriculture in accordance with
14 such section: *Provided further*, That \$2,000,000 shall be
15 for competitive grants to support alternative financing
16 programs that provide for the purchase of assistive tech-
17 nology devices, such as a low-interest loan fund; an inter-
18 est buy-down program; a revolving loan fund; a loan guar-
19 antee; or an insurance program: *Provided further*, That
20 applicants shall provide an assurance that, and informa-
21 tion describing the manner in which, the alternative fi-
22 nancing program will expand and emphasize consumer
23 choice and control: *Provided further*, That State agencies
24 and community-based disability organizations that are di-
25 rected by and operated for individuals with disabilities

1 shall be eligible to compete: *Provided further*, That none
2 of the funds made available under this heading may be
3 used by an eligible system (as defined in section 102 of
4 the Protection and Advocacy for Individuals with Mental
5 Illness Act (42 U.S.C. 10802)) to continue to pursue any
6 legal action in a Federal or State court on behalf of an
7 individual or group of individuals with a developmental
8 disability (as defined in section 102(8)(A) of the Develop-
9 mental Disabilities and Assistance and Bill of Rights Act
10 of 2000 (20 U.S.C. 15002(8)(A)) that is attributable to
11 a mental impairment (or a combination of mental and
12 physical impairments), that has as the requested remedy
13 the closure of State operated intermediate care facilities
14 for people with intellectual or developmental disabilities,
15 unless reasonable public notice of the action has been pro-
16 vided to such individuals (or, in the case of mental inca-
17 pacitation, the legal guardians who have been specifically
18 awarded authority by the courts to make healthcare and
19 residential decisions on behalf of such individuals) who are
20 affected by such action, within 90 days of instituting such
21 legal action, which informs such individuals (or such legal
22 guardians) of their legal rights and how to exercise such
23 rights consistent with current Federal Rules of Civil Pro-
24 cedure: *Provided further*, That the limitations in the imme-
25 diately preceding proviso shall not apply in the case of an

1 individual who is neither competent to consent nor has a
2 legal guardian, nor shall the proviso apply in the case of
3 individuals who are a ward of the State or subject to pub-
4 lic guardianship: *Provided further*, That of the amount
5 made available under this heading, \$12,006,000 shall be
6 used for the projects, and in the amounts, specified in the
7 table titled “Congressionally Directed Spending Items” in
8 the explanatory statement accompanying this Act: *Pro-*
9 *vided further*, That none of the funds made available for
10 projects described in the preceding proviso shall be subject
11 to section 241 of the PHS Act or section 205 of this Act.

12 OFFICE OF THE SECRETARY

13 GENERAL DEPARTMENTAL MANAGEMENT

14 For necessary expenses, not otherwise provided, for
15 general departmental management, including hire of six
16 passenger motor vehicles, and for carrying out titles III,
17 XVII, XXI, and section 229 of the PHS Act, the United
18 States-Mexico Border Health Commission Act, and re-
19 search studies under section 1110 of the Social Security
20 Act, \$565,394,000, together with \$64,828,000 from the
21 amounts available under section 241 of the PHS Act to
22 carry out national health or human services research and
23 evaluation activities: *Provided*, That of this amount,
24 \$60,000,000 shall be for minority AIDS prevention and
25 treatment activities: *Provided further*, That of the funds

1 made available under this heading, \$130,000,000 shall be
2 for making competitive contracts and grants to public and
3 private entities to fund medically accurate and age appro-
4 priate programs that reduce teen pregnancy and for the
5 Federal costs associated with administering and evalu-
6 ating such contracts and grants, of which not more than
7 10 percent of the available funds shall be for training and
8 technical assistance, evaluation, outreach, and additional
9 program support activities, and of the remaining amount
10 75 percent shall be for replicating programs that have
11 been proven effective through rigorous evaluation to re-
12 duce teenage pregnancy, behavioral risk factors underlying
13 teenage pregnancy, or other associated risk factors, and
14 25 percent shall be available for research and demonstra-
15 tion grants to develop, replicate, refine, and test additional
16 models and innovative strategies for preventing teenage
17 pregnancy: *Provided further*, That of the amounts provided
18 under this heading from amounts available under section
19 241 of the PHS Act, \$6,800,000 shall be available to carry
20 out evaluations (including longitudinal evaluations) of
21 teenage pregnancy prevention approaches: *Provided fur-*
22 *ther*, That funds provided in this Act for embryo adoption
23 activities may be used to provide to individuals adopting
24 embryos, through grants and other mechanisms, medical
25 and administrative services deemed necessary for such

1 adoptions: *Provided further*, That such services shall be
2 provided consistent with 42 CFR 59.5(a)(4): *Provided fur-*
3 *ther*, That of the funds made available under this heading,
4 \$5,000,000 shall be for carrying out prize competitions
5 sponsored by the Office of the Secretary to accelerate in-
6 novation in the prevention, diagnosis, and treatment of
7 kidney diseases (as authorized by section 24 of the Steven-
8 son-Wydler Technology Innovation Act of 1980 (15 U.S.C.
9 3719)).

10 MEDICARE HEARINGS AND APPEALS

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

17 OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH
18 INFORMATION TECHNOLOGY

19 For expenses necessary for the Office of the National
20 Coordinator for Health Information Technology, including
21 grants, contracts, and cooperative agreements for the de-
22 velopment and advancement of interoperable health infor-
23 mation technology, \$74,238,000 shall be from amounts
24 made available under section 241 of the PHS Act.

1 OFFICE OF INSPECTOR GENERAL

2 For expenses necessary for the Office of Inspector
3 General, including the hire of passenger motor vehicles for
4 investigations, in carrying out the provisions of the Inspec-
5 tor General Act of 1978, \$87,400,000: *Provided*, That of
6 such amount, necessary sums shall be available for pro-
7 viding protective services to the Secretary and inves-
8 tigating non-payment of child support cases for which non-
9 payment is a Federal offense under 18 U.S.C. 228: *Pro-*
10 *vided further*, That of the amount appropriated under this
11 heading, necessary sums shall be available for carrying out
12 activities authorized under section 3022 of the PHS Act
13 (42 U.S.C. 300jj-52).

14 OFFICE FOR CIVIL RIGHTS

15 For expenses necessary for the Office for Civil
16 Rights, \$60,250,000.

17 RETIREMENT PAY AND MEDICAL BENEFITS FOR
18 COMMISSIONED OFFICERS

19 For retirement pay and medical benefits of Public
20 Health Service Commissioned Officers as authorized by
21 law, for payments under the Retired Serviceman's Family
22 Protection Plan and Survivor Benefit Plan, and for med-
23 ical care of dependents and retired personnel under the
24 Dependents' Medical Care Act, such amounts as may be
25 required during the current fiscal year.

112

1 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY

2 FUND

3 For expenses necessary to support activities related
4 to countering potential biological, nuclear, radiological,
5 chemical, and cybersecurity threats to civilian populations,
6 and for other public health emergencies, \$1,592,479,000,
7 of which \$818,505,000 shall remain available through
8 September 30, 2024, for expenses necessary to support
9 advanced research and development pursuant to section
10 319L of the PHS Act and other administrative expenses
11 of the Biomedical Advanced Research and Development
12 Authority: *Provided*, That funds provided under this head-
13 ing for the purpose of acquisition of security counter-
14 measures shall be in addition to any other funds available
15 for such purpose: *Provided further*, That products pur-
16 chased with funds provided under this heading may, at
17 the discretion of the Secretary, be deposited in the Stra-
18 tegic National Stockpile pursuant to section 319F-2 of
19 the PHS Act: *Provided further*, That \$5,000,000 of the
20 amounts made available to support emergency operations
21 shall remain available through September 30, 2025: *Pro-*
22 *vided further*, That \$82,801,000 of the amounts made
23 available to support coordination of the development, pro-
24 duction, and distribution of vaccines, therapeutics, and

1 other medical countermeasures shall remain available
2 through September 30, 2024.

3 For expenses necessary for procuring security coun-
4 termeasures (as defined in section 319F-2(c)(1)(B) of the
5 PHS Act), \$790,000,000, to remain available until ex-
6 pended.

7 For expenses necessary to carry out section 319F-
8 2(a) of the PHS Act, \$875,000,000, to remain available
9 until expended.

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

22 GENERAL PROVISIONS

23 SEC. 201. Funds appropriated in this title shall be
24 available for not to exceed \$50,000 for official reception

1 and representation expenses when specifically approved by
2 the Secretary.

3 SEC. 202. None of the funds appropriated in this title
4 shall be used to pay the salary of an individual, through
5 a grant or other extramural mechanism, at a rate in excess
6 of Executive Level II: *Provided*, That none of the funds
7 appropriated in this title shall be used to prevent the NIH
8 from paying up to 100 percent of the salary of an indi-
9 vidual at this rate.

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

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

1 (TRANSFER OF FUNDS)

2 SEC. 205. Not to exceed 1 percent of any discre-
3 tionary funds (pursuant to the Balanced Budget and
4 Emergency Deficit Control Act of 1985) which are appro-
5 priated for the current fiscal year for HHS in this Act
6 may be transferred between appropriations, but no such
7 appropriation shall be increased by more than 3 percent
8 by any such transfer: *Provided*, That the transfer author-
9 ity granted by this section shall not be used to create any
10 new program or to fund any project or activity for which
11 no funds are provided in this Act: *Provided further*, That
12 the Committees on Appropriations of the House of Rep-
13 resentatives and the Senate are notified at least 15 days
14 in advance of any transfer.

15 SEC. 206. In lieu of the timeframe specified in section
16 338E(c)(2) of the PHS Act, terminations described in
17 such section may occur up to 60 days after the effective
18 date of a contract awarded in fiscal year 2023 under sec-
19 tion 338B of such Act, or at any time if the individual
20 who has been awarded such contract has not received
21 funds due under the contract.

22 SEC. 207. None of the funds appropriated in this Act
23 may be made available to any entity under title X of the
24 PHS Act unless the applicant for the award certifies to
25 the Secretary that it encourages family participation in

1 the decision of minors to seek family planning services and
2 that it provides counseling to minors on how to resist at-
3 tempts to coerce minors into engaging in sexual activities.

4 SEC. 208. Notwithstanding any other provision of
5 law, no provider of services under title X of the PHS Act
6 shall be exempt from any State law requiring notification
7 or the reporting of child abuse, child molestation, sexual
8 abuse, rape, or incest.

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

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

4 SEC. 211. The Secretary shall make available through
5 assignment not more than 60 employees of the Public
6 Health Service to assist in child survival activities and to
7 work in AIDS programs through and with funds provided
8 by the Agency for International Development, the United
9 Nations International Children's Emergency Fund or the
10 World Health Organization.

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

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

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

22 (3) The Secretary is authorized to provide to
23 personnel appointed or assigned by the Secretary to
24 serve abroad, allowances and benefits similar to
25 those provided under chapter 9 of title I of the For-

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

16 (TRANSFER OF FUNDS)

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

1 (TRANSFER OF FUNDS)

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

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

17 (b) PEER REVIEW.—In entering into transactions
18 under subsection (a), the Director may utilize such peer
19 review procedures (including consultation with appropriate
20 scientific experts) as the Director determines to be appro-
21 priate to obtain assessments of scientific and technical
22 merit. Such procedures shall apply to such transactions
23 in lieu of the peer review and advisory council review pro-
24 cedures that would otherwise be required under sections

1 301(a)(3), 405(b)(1)(B), 405(b)(2), 406(a)(3)(A), 492,
2 and 494 of the PHS Act.

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

9 (TRANSFER OF FUNDS)

10 SEC. 217. Of the amounts made available for NIH,
11 1 percent of the amount made available for National Re-
12 search Service Awards (“NRSA”) shall be made available
13 to the Administrator of the Health Resources and Services
14 Administration to make NRSA awards for research in pri-
15 mary medical care to individuals affiliated with entities
16 who have received grants or contracts under sections 736,
17 739, or 747 of the PHS Act, and 1 percent of the amount
18 made available for NRSA shall be made available to the
19 Director of the Agency for Healthcare Research and Qual-
20 ity to make NRSA awards for health service research.

21 SEC. 218. (a) The Biomedical Advanced Research
22 and Development Authority (“BARDA”) may enter into
23 a contract, for more than one but no more than 10 pro-
24 gram years, for purchase of research services or of security
25 countermeasures, as that term is defined in section 319F–

1 2(c)(1)(B) of the PHS Act (42 U.S.C. 247d–6b(c)(1)(B)),
2 if—

3 (1) funds are available and obligated—

4 (A) for the full period of the contract or
5 for the first fiscal year in which the contract is
6 in effect; and

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

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

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

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

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

20 SEC. 219. The Secretary shall publish, as part of the
21 fiscal year 2024 budget of the President submitted under
22 section 1105(a) of title 31, United States Code, informa-
23 tion that details the uses of all funds used by the Centers
24 for Medicare & Medicaid Services specifically for Health
25 Insurance Exchanges for each fiscal year since the enact-

1 ment of the ACA and the proposed uses for such funds
2 for fiscal year 2024. Such information shall include, for
3 each such fiscal year, the amount of funds used for each
4 activity specified under the heading “Health Insurance
5 Exchange Transparency” in the explanatory statement ac-
6 companying this Act.

7 SEC. 220. None of the funds made available by this
8 Act from the Federal Hospital Insurance Trust Fund or
9 the Federal Supplemental Medical Insurance Trust Fund,
10 or transferred from other accounts funded by this Act to
11 the “Centers for Medicare & Medicaid Services—Program
12 Management” account, may be used for payments under
13 section 1342(b)(1) of Public Law 111–148 (relating to
14 risk corridors).

15 (TRANSFER OF FUNDS)

16 SEC. 221. (a) Within 45 days of enactment of this
17 Act, the Secretary shall transfer funds appropriated under
18 section 4002 of the ACA to the accounts specified, in the
19 amounts specified, and for the activities specified under
20 the heading “Prevention and Public Health Fund” in the
21 explanatory statement accompanying this Act.

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

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

4 SEC. 222. Effective during the period beginning on
5 November 1, 2015 and ending January 1, 2025, any pro-
6 vision of law that refers (including through cross-reference
7 to another provision of law) to the current recommenda-
8 tions of the United States Preventive Services Task Force
9 with respect to breast cancer screening, mammography,
10 and prevention shall be administered by the Secretary in-
11 volved as if—

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

17 (2) such recommendations last issued before
18 2009 applied to any screening mammography modal-
19 ity under section 1861(jj) of the Social Security Act
20 (42 U.S.C. 1395x(jj)).

21 SEC. 223. In making Federal financial assistance, the
22 provisions relating to indirect costs in part 75 of title 45,
23 Code of Federal Regulations, including with respect to the
24 approval of deviations from negotiated rates, shall con-
25 tinue to apply to the National Institutes of Health to the

1 same extent and in the same manner as such provisions
2 were applied in the third quarter of fiscal year 2017. None
3 of the funds appropriated in this or prior Acts or otherwise
4 made available to the Department of Health and Human
5 Services or to any department or agency may be used to
6 develop or implement a modified approach to such provi-
7 sions, or to intentionally or substantially expand the fiscal
8 effect of the approval of such deviations from negotiated
9 rates beyond the proportional effect of such approvals in
10 such quarter.

11 (TRANSFER OF FUNDS)

12 SEC. 224. The NIH Director may transfer funds for
13 opioid addiction, opioid alternatives, stimulant misuse and
14 addiction, pain management, and addiction treatment to
15 other Institutes and Centers of the NIH to be used for
16 the same purpose 15 days after notifying the Committees
17 on Appropriations of the House of Representatives and the
18 Senate: *Provided*, That the transfer authority provided in
19 the previous proviso is in addition to any other transfer
20 authority provided by law.

21 SEC. 225. (a) The Secretary shall provide to the
22 Committees on Appropriations of the House of Represent-
23 atives and the Senate:

24 (1) Detailed monthly enrollment figures from
25 the Exchanges established under the Patient Protec-

1 tion and Affordable Care Act of 2010 pertaining to
2 enrollments during the open enrollment period; and

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

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

10 SEC. 226. Funds appropriated in this Act that are
11 available for salaries and expenses of employees of the De-
12 partment of Health and Human Services shall also be
13 available to pay travel and related expenses of such an
14 employee or of a member of his or her family, when such
15 employee is assigned to duty, in the United States or in
16 a U.S. territory, during a period and in a location that
17 are the subject of a determination of a public health emer-
18 gency under section 319 of the Public Health Service Act
19 and such travel is necessary to obtain medical care for
20 an illness, injury, or medical condition that cannot be ade-
21 quately addressed in that location at that time. For pur-
22 poses of this section, the term “U.S. territory” means
23 Guam, the Commonwealth of Puerto Rico, the Northern
24 Mariana Islands, the Virgin Islands, American Samoa, or
25 the Trust Territory of the Pacific Islands.

1 SEC. 227. The Department of Health and Human
2 Services may accept donations from the private sector,
3 nongovernmental organizations, and other groups inde-
4 pendent of the Federal Government for the care of unac-
5 companied alien children (as defined in section 462(g)(2)
6 of the Homeland Security Act of 2002 (6 U.S.C.
7 279(g)(2))) in the care of the Office of Refugee Resettle-
8 ment of the Administration for Children and Families, in-
9 cluding monetary donations, medical goods and services,
10 which may include early childhood developmental
11 screenings, school supplies, toys, clothing, and any other
12 items intended to promote the wellbeing of such children.

13 SEC. 228. None of the funds made available in this
14 Act under the heading “Department of Health and
15 Human Services—Administration for Children and Fami-
16 lies—Refugee and Entrant Assistance” may be obligated
17 to a grantee or contractor to house unaccompanied alien
18 children (as such term is defined in section 462(g)(2) of
19 the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2)))
20 in any facility that is not State-licensed for the care of
21 unaccompanied alien children, except in the case that the
22 Secretary determines that housing unaccompanied alien
23 children in such a facility is necessary on a temporary
24 basis due to an influx of such children or an emergency,
25 provided that—

1 (1) the terms of the grant or contract for the
2 operations of any such facility that remains in oper-
3 ation for more than 6 consecutive months shall re-
4 quire compliance with—

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

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

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

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

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

5 (5) for any such unlicensed facility in operation
6 for more than 3 consecutive months, ORR shall con-
7 duct a minimum of one comprehensive monitoring
8 visit during the first 3 months of operation, with
9 quarterly monitoring visits thereafter; and

10 (6) not later than 60 days after the date of en-
11 actment of this Act, ORR shall brief the Committees
12 on Appropriations of the House of Representatives
13 and the Senate outlining the requirements of ORR
14 for influx facilities including any requirement listed
15 in paragraph (1)(A) that the Secretary has deter-
16 mined are not applicable to non-State licensed facili-
17 ties.

18 SEC. 229. In addition to the existing Congressional
19 notification for formal site assessments of potential influx
20 facilities, the Secretary shall notify the Committees on Ap-
21 propriations of the House of Representatives and the Sen-
22 ate at least 15 days before operationalizing an unlicensed
23 facility, and shall (1) specify whether the facility is hard-
24 sided or soft-sided, and (2) provide analysis that indicates
25 that, in the absence of the influx facility, the likely out-

1 come is that unaccompanied alien children will remain in
2 the custody of the Department of Homeland Security for
3 longer than 72 hours or that unaccompanied alien children
4 will be otherwise placed in danger. Within 60 days of
5 bringing such a facility online, and monthly thereafter, the
6 Secretary shall provide to the Committees on Appropria-
7 tions of the House of Representatives and the Senate a
8 report detailing the total number of children in care at
9 the facility, the average length of stay and average length
10 of care of children at the facility, and, for any child that
11 has been at the facility for more than 60 days, their length
12 of stay and reason for delay in release.

13 SEC. 230. None of the funds made available in this
14 Act may be used to prevent a United States Senator or
15 Member of the House of Representatives from entering,
16 for the purpose of conducting oversight, any facility in the
17 United States used for the purpose of maintaining custody
18 of, or otherwise housing, unaccompanied alien children (as
19 defined in section 462(g)(2) of the Homeland Security Act
20 of 2002 (6 U.S.C. 279(g)(2))), provided that such Senator
21 or Member has coordinated the oversight visit with the
22 Office of Refugee Resettlement not less than two business
23 days in advance to ensure that such visit would not inter-
24 fere with the operations (including child welfare and child
25 safety operations) of such facility.

1 SEC. 231. Not later than 14 days after the date of
2 enactment of this Act, and monthly thereafter, the Sec-
3 retary shall submit to the Committees on Appropriations
4 of the House of Representatives and the Senate, and make
5 publicly available online, a report with respect to children
6 who were separated from their parents or legal guardians
7 by the Department of Homeland Security (DHS) (regard-
8 less of whether or not such separation was pursuant to
9 an option selected by the children, parents, or guardians),
10 subsequently classified as unaccompanied alien children,
11 and transferred to the care and custody of ORR during
12 the previous month. Each report shall contain the fol-
13 lowing information:

14 (1) the number and ages of children so sepa-
15 rated subsequent to apprehension at or between
16 ports of entry, to be reported by sector where sepa-
17 ration occurred; and

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

20 SEC. 232. Amounts made available to the Depart-
21 ment of Health and Human Services in this or any other
22 Act under the heading “Administration for Children and
23 Families—Refugee and Entrant Assistance” may in this
24 fiscal year and hereafter be used to provide, including
25 through grants, contracts, or cooperative agreements,

1 mental health and other supportive services, including ac-
2 cess to legal services, to children, parents, and legal guard-
3 ians who were separated at the United States-Mexico bor-
4 der between January 20, 2017, and January 20, 2021:
5 *Provided*, That such services shall also be available to im-
6 mediate family members of such individuals if such family
7 members are in the United States and in the same house-
8 hold: *Provided further*, That the Secretary of Health and
9 Human Services may identify the children, parents, and
10 legal guardians eligible to receive mental health and other
11 supportive services described under this section through
12 reference to the identified members of the classes, and
13 their minor children, in the class-action lawsuits *Ms. J.P.*
14 *v. Barr* and *Ms. L. v. ICE*: *Provided further*, That the Sec-
15 retary has sole discretion to identify the individuals who
16 will receive services under this section due to their status
17 as immediate family members residing in the same house-
18 hold of class members or class members' minor children.

19 SEC. 233. Funds appropriated in this Act that are
20 available for salaries and expenses of employees of the
21 Centers for Disease Control and Prevention shall also be
22 available for the primary and secondary schooling of eligi-
23 ble dependents of personnel stationed in a U.S. territory
24 as defined in section 226 of this Act at costs not in excess

1 of those paid for or reimbursed by the Department of De-
2 fense.

3 (RESCISSION)

4 SEC. 234. Of the unobligated balances in the “Non-
5 recurring Expenses Fund” established in section 223 of
6 division G of Public Law 110–161, \$650,000,000 are
7 hereby rescinded not later than September 30, 2023.

8 SEC. 235. Of the unobligated balances available in
9 the “Nonrecurring Expenses Fund” established in section
10 223 of division G of Public Law 110–161, \$37,500,000,
11 in addition to any funds otherwise made available for such
12 purpose in this, previous, or subsequent fiscal years, shall
13 be available for acquisition of real property, equipment,
14 design, construction, installation, renovation, and repair
15 and improvement for the Centers for Disease Control and
16 Prevention to develop the replacement Lake Lynn Experi-
17 mental Mine and Laboratory facility.

18 SEC. 236. The Secretary of Health and Human Serv-
19 ices may waive penalties and administrative requirements
20 in title XXVI of the Public Health Service Act for awards
21 under such title from amounts provided under the heading
22 “Department of Health and Human Services—Health Re-
23 sources and Services Administration” in this or any other
24 appropriations Act for this fiscal year, including amounts
25 made available to such heading by transfer.

1 SEC. 237. (a) PREMIUM PAY AUTHORITY.—If serv-
2 ices performed by a Department of Health and Human
3 Services employee during a public health emergency de-
4 clared under section 319 of the Public Health Service Act
5 are determined by the Secretary of Health and Human
6 Services to be primarily related to the preparation for, pre-
7 vention of, or response to such public health emergency,
8 any premium pay that is provided for such services shall
9 be exempted from the aggregate of basic pay and premium
10 pay calculated under section 5547(a) of title 5, United
11 States Code, and any other provision of law limiting the
12 aggregate amount of premium payable on a biweekly or
13 calendar year basis.

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

18 (c) APPLICABILITY OF AGGREGATE LIMITATION ON
19 PAY.—In determining, for purposes of section 5307 of
20 title 5, United States Code, whether an employee’s total
21 pay exceeds the annual rate payable under such section,
22 the Secretary of Health and Human Services shall not in-
23 clude pay exempted under this section.

24 (d) LIMITATION OF PAY AUTHORITY.—Pay exempted
25 from otherwise applicable limits under subsection (a) shall

1 not cause the aggregate pay earned for the calendar year
2 in which the exempted pay is earned to exceed the rate
3 of basic pay payable for a position at level II of the Execu-
4 tive Schedule under section 5313 of title 5, United States
5 Code.

6 (e) DANGER PAY FOR SERVICE IN PUBLIC HEALTH
7 EMERGENCIES.—The Secretary of Health and Human
8 Services may grant a danger pay allowance under section
9 5928 of title 5, United States Code, without regard to the
10 conditions of the first sentence of such section, for work
11 that is performed by a Department of Health and Human
12 Services employee during a public health emergency de-
13 clared under section 319 of the Public Health Service Act
14 that the Secretary determines is primarily related to prep-
15 aration for, prevention of, or response to such public
16 health emergency and is performed under conditions that
17 threaten physical harm or imminent danger to the health
18 or well-being of the employee.

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

21 SEC. 238. (a) None of the funds made available by
22 this Act may be awarded to any organization, including
23 under the Child Welfare or Federal Foster Care programs
24 under part B or E of title IV of the Social Security Act,
25 that does not comply with subsections (c) and (d) of sec-

1 tion 75.300 of title 45, Code of Federal Regulations (pro-
2 hibiting discrimination on the basis of age, disability, sex,
3 race, color, national origin, religion, gender identity, or
4 sexual orientation), as in effect on October 1, 2019.

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

9 SEC. 239. Section 317G of the Public Health Service
10 Act (42 U.S.C. 247b–8) is amended by adding at the end
11 the following: “The Secretary may, no later than 120 days
12 after the end of an individual’s participation in such a fel-
13 lowship or training program, and without regard to those
14 provisions of title 5, United States Code, governing ap-
15 pointments in the competitive service, appoint a partici-
16 pant in such a fellowship or training program to a term
17 or permanent position in the Centers for Disease Control
18 and Prevention.”.

19 SEC. 240. (a) The Public Health Service Act (42
20 U.S.C. 201 et seq.), the Controlled Substances Act (21
21 U.S.C. 801 et seq.), the Comprehensive Smoking Edu-
22 cation Act (15 U.S.C. 1331 et seq.), the Comprehensive
23 Addiction and Recovery Act of 2016 (Public Law 114–
24 198), the Drug Abuse Prevention, Treatment, and Reha-
25 bilitation Act (21 U.S.C. 1101 et seq.), the Omnibus

1 Crime Control and Safe Streets Act of 1968 (34 U.S.C.
2 10101 et seq.), and title 5 of the United States Code are
3 each amended (including in headings)—

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

7 (2) by striking “National Advisory Council on
8 Drug Abuse” each place it appears and inserting
9 “National Advisory Council on Drugs and Addic-
10 tion”.

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

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

16 (2) in sections 464L, 464M(a), 464O, and
17 494A, by striking “drug abuse” each place it ap-
18 pears and inserting “drug use”;

19 (3) in section 464L(a), by striking “treatment
20 of drug abusers” and inserting “treatment of drug
21 addiction”;

22 (4) in section 464M(a), by striking “prevention
23 of such abuse” and inserting “prevention of such
24 use”;

25 (5) in section 464N—

1 (A) in the section heading, by striking
2 “DRUG ABUSE RESEARCH CENTERS” and insert-
3 ing “DRUGS AND ADDICTION RESEARCH CEN-
4 TERS”;

5 (B) in subsection (a)—

6 (i) in matter preceding paragraph (1),
7 by striking “National Drug Abuse Re-
8 search Centers” and inserting “National
9 Drugs and Addiction Research Centers”;
10 and

11 (ii) in paragraph (1)(C), by striking
12 “treatment of drug abuse” and inserting
13 “treatment of drug addiction”; and

14 (C) in subsection (c)—

15 (i) by striking “DRUG ABUSE AND
16 ADDICTION RESEARCH” and inserting
17 “DRUGS AND ADDICTION RESEARCH CEN-
18 TERS”;

19 (ii) in paragraph (1), by striking “Na-
20 tional Drug Abuse Treatment Clinical
21 Trials Network” and inserting “National
22 Drug Addiction Treatment Clinical Trials
23 Network”; and

24 (iii) in paragraph (2)(H), by striking
25 “reasons that individuals abuse drugs, or

1 refrain from abusing drugs” and inserting
2 “reasons that individuals use drugs or re-
3 frain from using drugs”; and

4 (6) in section 464P—

5 (A) in subsection (a)—

6 (i) in paragraph (1), by striking
7 “drug abuse treatments” and inserting
8 “drug addiction treatments”; and

9 (ii) in paragraph (6), by striking
10 “treatment of drug abuse” and inserting
11 “treatment of drug addiction”; and

12 (B) in subsection (d)—

13 (i) by striking “disease of drug
14 abuse” and inserting “disease of drug ad-
15 diction”;

16 (ii) by striking “abused drugs” each
17 place it appears and inserting “addictive
18 drugs”; and

19 (iii) by striking “drugs of abuse” and
20 inserting “drugs of addiction”.

21 (c) Section 464N of the Public Health Service Act
22 (42 U.S.C. 285o–2), as amended by subsection (b)(5), is
23 further amended by striking “drug abuse” each place it
24 appears and inserting “drug use”.

1 (d) Any reference in any law, regulation, map, docu-
2 ment, paper, or other record of the United States to the
3 National Institute on Drug Abuse shall be considered to
4 be a reference to the National Institute on Drugs and Ad-
5 diction.

6 SEC. 241. (a) The Public Health Service Act (42
7 U.S.C. 201 et seq.) and the Comprehensive Alcohol Abuse
8 and Alcoholism Prevention, Treatment, and Rehabilitation
9 Act of 1970 (42 U.S.C. 4541 et seq.) are each amended
10 (including in headings)—

11 (1) by striking “National Institute on Alcohol
12 Abuse and Alcoholism” each place it appears and in-
13 serting “National Institute on Alcohol Effects and
14 Alcohol-Associated Disorders”; and

15 (2) by striking “National Advisory Council on
16 Alcohol Abuse and Alcoholism” each place it appears
17 and inserting “National Advisory Council on Alcohol
18 Effects and Alcohol-Associated Disorders”.

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

21 (1) in section 464H—

22 (A) in subsection (a)—

23 (i) by striking “prevention of alcohol
24 abuse” and inserting “prevention of alco-
25 hol misuse”; and

1 (ii) by striking “treatment of alco-
2 holism” and inserting “treatment of alco-
3 hol-associated disorders”; and

4 (B) in subsection (b)—

5 (i) in paragraph (3)—

6 (I) in subparagraph (A), by strik-
7 ing “alcohol abuse and domestic vio-
8 lence” and inserting “alcohol misuse
9 and domestic violence”;

10 (II) in subparagraph (D), by
11 striking “abuse of alcohol” and insert-
12 ing “misuse of alcohol”;

13 (III) by amending subparagraph
14 (E) to read as follows:

15 “(E) the effect of social pressures, legal re-
16 quirements regarding the use of alcoholic bev-
17 erages, the cost of such beverages, and the eco-
18 nomic status and education of users of such
19 beverages on the incidence of alcohol misuse, al-
20 cohol use disorder, and other alcohol-associated
21 disorders,”; and

22 (ii) in paragraph (5), by striking “im-
23 pact of alcohol abuse” and inserting “im-
24 pact of alcohol misuse”;

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

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

9 (4) in section 464J(a)—

10 (A) by striking “alcoholism and other alco-
11 hol problems” each place it appears and insert-
12 ing “alcohol misuse, alcohol use disorder, and
13 other alcohol-associated disorders”;

14 (B) in the matter preceding paragraph (1),
15 by striking “interdisciplinary research related to
16 alcoholism” and inserting “interdisciplinary re-
17 search related to alcohol-associated disorders”;
18 and

19 (C) in paragraph (1)(E), by striking “alco-
20 hol problems” each place it appears and insert-
21 ing “alcohol misuse, alcohol use disorder, and
22 other alcohol-associated disorders”.

23 (c) Any reference in any law, regulation, map, docu-
24 ment, paper, or other record of the United States to the
25 National Institute on Alcohol Abuse and Alcoholism shall

1 be considered to be a reference to the National Institute
2 on Alcohol Effects and Alcohol-Associated Disorders.

3 SEC. 242. (a) The Public Health Service Act (42
4 U.S.C. 201 et seq.) is amended (including in headings)—

5 (1) by striking “Substance Abuse and Mental
6 Health Services Administration” each place it ap-
7 pears and inserting “Substance Use And Mental
8 Health Services Administration”;

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

12 (3) by striking “Center for Substance Abuse
13 Prevention” each place it appears and inserting
14 “Center for Substance Use Prevention Services”.

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

17 (1) in the title heading, by striking “**SUB-**
18 **STANCE ABUSE AND MENTAL HEALTH**
19 **SERVICES ADMINISTRATION**” and insert-
20 ing “**SUBSTANCE USE AND MENTAL**
21 **HEALTH SERVICES ADMINISTRATION**”;

22 (2) in section 501—

23 (A) in the section heading, by striking
24 “**SUBSTANCE ABUSE AND MENTAL HEALTH**
25 **SERVICES ADMINISTRATION**” and inserting

1 **“SUBSTANCE USE AND MENTAL HEALTH**
2 **SERVICES ADMINISTRATION”**; and

3 (B) in subsection (a), by striking “(here-
4 after referred to in this title as the ‘Administra-
5 tion’)” and inserting “(hereafter referred to in
6 this title as ‘SAMHSA’ or the ‘Administra-
7 tion’)”;

8 (3) in section 507, in the section heading, by
9 striking “CENTER FOR SUBSTANCE ABUSE TREAT-
10 MENT” and inserting “CENTER FOR SUBSTANCE USE
11 SERVICES”;

12 (4) in section 513(a), in the subsection heading,
13 by striking “CENTER FOR SUBSTANCE ABUSE
14 TREATMENT” and inserting “CENTER FOR SUB-
15 STANCE USE SERVICES”; and

16 (5) in section 515, in the section heading, by
17 striking “CENTER FOR SUBSTANCE ABUSE PREVEN-
18 TION” and inserting “CENTER FOR SUBSTANCE USE
19 PREVENTION SERVICES”.

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

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

6 (e) Subtitle C of title IV of Public Law 99–570, as
7 amended (25 U.S.C. 2401 et seq.) is amended (including
8 in headings) by striking “Substance Abuse and Mental
9 Health Services Administration” each place it appears and
10 inserting “Substance Use And Mental Health Services Ad-
11 ministration”.

12 (f) The Social Security Act is amended in sections
13 1861, 1866F, and 1945 (42 U.S.C. 1395x, 1395cc–6,
14 1396w–4) by striking “Substance Abuse and Mental
15 Health Services Administration” each place it appears and
16 inserting “Substance Use And Mental Health Services Ad-
17 ministration”.

18 (g) Section 105(a)(7)(C)(i)(III) of the Child Abuse
19 Prevention and Treatment Act (42 U.S.C.
20 5106(a)(7)(C)(i)(III)) is amended by striking “Substance
21 Abuse and Mental Health Services Administration” and
22 inserting “Substance Use And Mental Health Services Ad-
23 ministration”.

24 (h)(1) Except as provided in paragraph (2), any ref-
25 erence in any law, regulation, map, document, paper, or

1 other record of the United States to the Substance Abuse
2 and Mental Health Services Administration, the Center
3 for Substance Abuse Treatment of such Administration,
4 or the Center for Substance Abuse Prevention of such Ad-
5 ministration shall be considered to be a reference to the
6 Substance Use And Mental Health Services Administra-
7 tion, the Center for Substance Use Services of such Ad-
8 ministration, or the Center for Substance Use Prevention
9 Services of such Administration, respectively.

10 (2) Paragraph (1) shall not be construed to alter or
11 affect section 6001(d) of the 21st Century Cures Act (42
12 U.S.C. 290aa note), providing that a reference to the Ad-
13 ministrator of the Substance Abuse and Mental Health
14 Services Administration shall be construed to be a ref-
15 erence to the Assistant Secretary for Mental Health and
16 Substance Use.

17 (INCLUDING TRANSFER OF FUNDS)

18 SEC. 243. In addition to amounts otherwise appro-
19 priated by this Act under the heading “Office of the Sec-
20 retary—General Departmental Management” there are
21 hereby appropriated an additional \$350,000,000, to re-
22 main available until expended, for the Secretary to make
23 grants to, and enter into contracts with, public or non-
24 profit private entities that assist individuals in accessing
25 abortion services and overcoming barriers that might im-

1 pede access to such services, including by covering the
2 costs of travel, lodging, and childcare, through hiring, and
3 the construction and renovation (including equipment) of
4 health care and other facilities, and by otherwise assisting
5 providers: *Provided*, That the Secretary may transfer
6 amounts made available under this section to other ac-
7 counts of the Department of Health and Human Services
8 for such purposes.

9 SEC. 244. Of the amounts made available by this Act
10 under the heading “Department of Health and Human
11 Services—Administration for Children and Families—
12 Refugee and Entrant Assistance”, \$2,500,000,000 is des-
13 ignated by the Congress as being for an emergency re-
14 quirement pursuant to section 4001(a)(1) of S. Con. Res.
15 14 (117th Congress), the concurrent resolution on the
16 budget for fiscal year 2022, and section 1(e) of H. Res.
17 1151 (117th Congress), as engrossed in the House of Rep-
18 resentatives on June 8, 2022.

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

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”), \$20,852,667,000, of which
9 \$9,915,490,000 shall become available on July 1, 2023,
10 and shall remain available through September 30, 2024,
11 and of which \$10,841,177,000 shall become available on
12 October 1, 2023, and shall remain available through Sep-
13 tember 30, 2024, for academic year 2023–2024: *Provided*,
14 That \$6,459,401,000 shall be for basic grants under sec-
15 tion 1124 of the ESEA: *Provided further*, That up to
16 \$5,000,000 of these funds shall be available to the Sec-
17 retary of Education (referred to in this title as “Sec-
18 retary”) on October 1, 2022, to obtain annually updated
19 local educational agency-level census poverty data from
20 the Bureau of the Census: *Provided further*, That
21 \$1,362,301,000 shall be for concentration grants under
22 section 1124A of the ESEA: *Provided further*, That
23 \$6,157,550,000 shall be for targeted grants under section
24 1125 of the ESEA: *Provided further*, That
25 \$6,157,550,000 shall be for education finance incentive

1 grants under section 1125A of the ESEA: *Provided fur-*
2 *ther*, That of the amount available for section 1124 of the
3 ESEA, the Secretary may reserve up to \$50,000,000 for
4 grants to States for voluntary activities designed to im-
5 prove State performance on effort and equity factors de-
6 scribed in section 1125A of the ESEA: *Provided further*,
7 That \$229,000,000 shall be for carrying out subpart 2
8 of part B of title II: *Provided further*, That \$59,000,000
9 shall be for carrying out section 418A of the HEA: *Pro-*
10 *vided further*, That the Secretary may reduce, but not
11 eliminate, the percentage of funds available for new
12 awards for a program under such section if the Secretary
13 determines that there are not a sufficient number of high-
14 quality applications for that program: *Provided further*,
15 That the Committees on Appropriations of the House of
16 Representatives and the Senate are notified at least 15
17 days in advance of any such reduction: *Provided further*,
18 That subsection (b) of section 1004 of the ESEA shall
19 apply to amounts appropriated under this heading as if
20 the amount specified in such subsection is the amount ap-
21 propriated for such purposes in division H of Public Law
22 117–103: *Provided further*, That paragraph (2) of section
23 1004(a) of the ESEA shall apply to funds available under
24 this heading as if the amount specified for States in such
25 paragraph is \$800,000.

150

1 IMPACT AID

2 For carrying out programs of financial assistance to
3 federally affected schools authorized by title VII of the
4 ESEA, \$1,610,112,000, of which \$1,459,242,000 shall be
5 for basic support payments under section 7003(b),
6 \$48,316,000 shall be for payments for children with dis-
7 abilities under section 7003(d), \$18,406,000, to remain
8 available through September 30, 2024, shall be for con-
9 struction under section 7007(b), \$79,313,000 shall be for
10 Federal property payments under section 7002, and
11 \$4,835,000, to remain available until expended, shall be
12 for facilities maintenance under section 7008: *Provided,*
13 That for purposes of computing the amount of a payment
14 for an eligible local educational agency under section
15 7003(a) for school year 2022–2023, children enrolled in
16 a school of such agency that would otherwise be eligible
17 for payment under section 7003(a)(1)(B) of such Act, but
18 due to the deployment of both parents or legal guardians,
19 or a parent or legal guardian having sole custody of such
20 children, or due to the death of a military parent or legal
21 guardian while on active duty (so long as such children
22 reside on Federal property as described in section
23 7003(a)(1)(B)), are no longer eligible under such section,
24 shall be considered as eligible students under such section,
25 provided such students remain in average daily attendance

1 at a school in the same local educational agency they at-
2 tended prior to their change in eligibility status.

3 SCHOOL IMPROVEMENT PROGRAMS

4 For carrying out school improvement activities au-
5 thorized by part B of title I, part A of title II, subpart
6 1 of part A of title IV, part B of title IV, part B of title
7 V, and parts B and C of title VI of the ESEA; the McKin-
8 ney-Vento Homeless Assistance Act; section 203 of the
9 Educational Technical Assistance Act of 2002; the Com-
10 pact of Free Association Amendments Act of 2003; and
11 the Civil Rights Act of 1964, \$5,910,843,000, of which
12 \$4,047,513,000 shall become available on July 1, 2023,
13 and remain available through September 30, 2024, and
14 of which \$1,681,441,000 shall become available on Octo-
15 ber 1, 2023, and shall remain available through September
16 30, 2024, for academic year 2023–2024: *Provided*, That
17 \$390,000,000 shall be for part B of title I: *Provided fur-*
18 *ther*, That \$1,374,673,000 shall be for part B of title IV:
19 *Provided further*, That \$53,897,000 shall be for part B
20 of title VI, of which not less than \$10,000,000 shall be
21 used for construction, renovation, and modernization of
22 any public elementary school, secondary school, or struc-
23 ture related to a public elementary school or secondary
24 school that serves a predominantly Native Hawaiian stu-
25 dent body, and that the 5 percent limitation in section

1 6205(b) of the ESEA on the use of funds for administra-
2 tive purposes shall apply only to direct administrative
3 costs: *Provided further*, That \$39,953,000 shall be for part
4 C of title VI, which shall be awarded on a competitive
5 basis, and may be used for construction, and that the 5
6 percent limitation in section 6305 of the ESEA on the
7 use of funds for administrative purposes shall apply only
8 to direct administrative costs: *Provided further*, That
9 \$57,000,000 shall be available to carry out section 203
10 of the Educational Technical Assistance Act of 2002 and
11 the Secretary shall make such arrangements as deter-
12 mined to be necessary to ensure that the Bureau of Indian
13 Education has access to services provided under this sec-
14 tion: *Provided further*, That \$24,464,000 shall be available
15 to carry out the Supplemental Education Grants program
16 for the Federated States of Micronesia and the Republic
17 of the Marshall Islands: *Provided further*, That the Sec-
18 retary may reserve up to 5 percent of the amount referred
19 to in the previous proviso to provide technical assistance
20 in the implementation of these grants: *Provided further*,
21 That \$215,840,000 shall be for part B of title V: *Provided*
22 *further*, That \$1,345,000,000 shall be available for grants
23 under subpart 1 of part A of title IV.

1 INDIAN EDUCATION

2 For expenses necessary to carry out, to the extent
3 not otherwise provided, title VI, part A of the ESEA,
4 \$194,746,000, of which \$72,000,000 shall be for subpart
5 2 of part A of title VI and \$12,365,000 shall be for sub-
6 part 3 of part A of title VI: *Provided*, That not less than
7 \$5,500,000 shall be available for carrying out section
8 6133 of the ESEA: *Provided further*, That the 5 percent
9 limitation in sections 6115(d), 6121(e), and 6133(g) of
10 the ESEA on the use of funds for administrative purposes
11 shall apply only to direct administrative costs: *Provided*
12 *further*, That grants awarded under sections 6132 and
13 6133 of the ESEA with funds provided under this heading
14 may be for a period of up to 5 years.

15 INNOVATION AND IMPROVEMENT

16 For carrying out activities authorized by subparts 1,
17 3 and 4 of part B of title II, and parts C, D, and E and
18 subparts 1 and 4 of part F of title IV of the ESEA,
19 \$1,305,500,000: *Provided*, That \$245,500,000 shall be for
20 subparts 1, 3 and 4 of part B of title II and shall be made
21 available without regard to sections 2201, 2231(b) and
22 2241: *Provided further*, That \$700,000,000 shall be for
23 parts C, D, and E and subpart 4 of part F of title IV,
24 and shall be made available without regard to sections
25 4311, 4409(a), and 4601 of the ESEA: *Provided further*,

1 That section 4303(d)(3)(A)(i) shall not apply to the funds
2 available for part C of title IV: *Provided further*, That of
3 the funds available for part C of title IV, the Secretary
4 shall use not more than \$65,000,000 to carry out section
5 4304, of which not more than \$10,000,000 shall be avail-
6 able to carry out section 4304(k), \$140,000,000, to re-
7 main available through March 31, 2024, to carry out sec-
8 tion 4305(b), and not more than \$16,000,000 to carry out
9 the activities in section 4305(a)(3): *Provided further*, That
10 notwithstanding section 4601(b), \$360,000,000 shall be
11 available through December 31, 2023 for subpart 1 of
12 part F of title IV: *Provided further*, That of the funds
13 available for subpart 4 of part F of title IV, not less than
14 \$8,000,000 shall be for continuation grants for eligible na-
15 tional nonprofit organizations, as described in the Applica-
16 tions for New Awards; Assistance for Arts Education Pro-
17 gram published in the Federal Register on May 31, 2022,
18 for activities described under section 4642(a)(1)(C).

19 SAFE SCHOOLS AND CITIZENSHIP EDUCATION

20 For carrying out activities authorized by subparts 2
21 and 3 of part F of title IV of the ESEA, \$442,000,000,
22 to remain available through December 31, 2023: *Provided*,
23 That \$201,000,000 shall be available for section 4631, of
24 which up to \$5,000,000, to remain available until ex-
25 pended, shall be for the Project School Emergency Re-

1 sponse to Violence (Project SERV) program: *Provided fur-*
2 *ther*, That \$150,000,000 shall be available for section
3 4625: *Provided further*, That \$91,000,000 shall be for sec-
4 tion 4624.

5 ENGLISH LANGUAGE ACQUISITION

6 For carrying out part A of title III of the ESEA,
7 \$954,041,000, which shall become available on July 1,
8 2023, and shall remain available through September 30,
9 2024, except that 6.5 percent of such amount shall be
10 available on October 1, 2022, and shall remain available
11 through September 30, 2024, to carry out activities under
12 section 3111(c)(1)(C): *Provided*, That the Secretary may
13 reserve up to 2 percent of the amount made available
14 under this heading for technical assistance.

15 SPECIAL EDUCATION

16 For carrying out the Individuals with Disabilities
17 Education Act (IDEA) and the Special Olympics Sport
18 and Empowerment Act of 2004, \$16,744,570,000, of
19 which \$7,071,627,000 shall become available on July 1,
20 2023, and shall remain available through September 30,
21 2024, and of which \$9,283,383,000 shall become available
22 on October 1, 2023, and shall remain available through
23 September 30, 2024, for academic year 2023–2024: *Pro-*
24 *vided*, That the amount for section 611(b)(2) of the IDEA
25 shall be equal to the lesser of the amount available for

1 that activity during fiscal year 2022, increased by the
2 amount of inflation as specified in section 619(d)(2)(B)
3 of the IDEA, or the percent change in the funds appro-
4 priated under section 611(i) of the IDEA, but not less
5 than the amount for that activity during fiscal year 2021:
6 *Provided further*, That the Secretary shall, without regard
7 to section 611(d) of the IDEA, distribute to all other
8 States (as that term is defined in section 611(g)(2)), sub-
9 ject to the third proviso, any amount by which a State's
10 allocation under section 611, from funds appropriated
11 under this heading, is reduced under section
12 612(a)(18)(B), according to the following: 85 percent on
13 the basis of the States' relative populations of children
14 aged 3 through 21 who are of the same age as children
15 with disabilities for whom the State ensures the avail-
16 ability of a free appropriate public education under this
17 part, and 15 percent to States on the basis of the States'
18 relative populations of those children who are living in pov-
19 erty: *Provided further*, That the Secretary may not dis-
20 tribute any funds under the previous proviso to any State
21 whose reduction in allocation from funds appropriated
22 under this heading made funds available for such a dis-
23 tribution: *Provided further*, That the States shall allocate
24 such funds distributed under the second proviso to local
25 educational agencies in accordance with section 611(f):

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

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

1 scribed in section 643(e)(2)(B) of such Act: *Provided fur-*
2 *ther*, That if more than five States apply for grants pursu-
3 ant to section 643(e) of the IDEA, the Secretary shall
4 award funds to those States on the basis of the States'
5 relative populations of infants and toddlers except that no
6 such State shall receive a grant in excess of the amount
7 described in section 643(e)(2)(B) of such Act: *Provided*
8 *further*, That States may use funds allotted under section
9 643(e) of the IDEA to make subgrants to local edu-
10 cational agencies, institutions of higher education, other
11 public agencies, and private non-profit organizations to
12 carry out activities authorized by section 638 of IDEA:
13 *Provided further*, That, notwithstanding section 638 of the
14 IDEA, a State may use funds it receives under section
15 633 of the IDEA to offer continued early intervention
16 services to a child who previously received services under
17 part C of the IDEA from age 3 until the beginning of
18 the school year following the child's third birthday with
19 parental consent and without regard to the procedures in
20 section 635(c) of the IDEA: *Provided further*, That, not-
21 withstanding section 643(e)(1) of the IDEA, the Secretary
22 may reserve up to \$45,000,000 of the funds appropriated
23 under part C of the IDEA to provide grants to States that
24 are either carrying out the policy described in sections
25 632(5)(B)(ii) and 635(c) or are serving at-risk infants and

1 toddlers as defined in section 632(1) and 632(5)(B)(i) in
2 order to facilitate the implementation of such policy: *Pro-*
3 *vided further*, That, notwithstanding section 638 of the
4 IDEA, any State receiving a grant under section 633 of
5 the IDEA may reserve from its award an amount nec-
6 essary for use in a manner described in a State plan, ap-
7 proved in the State, to ensure equitable access to and par-
8 ticipation in part C services in the State, particularly for
9 populations that have been traditionally underrepresented
10 in the program: *Provided further*, That any State seeking
11 to amend its eligibility criteria under section 635(a)(1) of
12 the IDEA in such a way that would have the effect of
13 reducing the number of infants and families who are eligi-
14 ble under part C must conduct the public participation
15 under section 637(a)(8) of the IDEA at least 24 months
16 prior to implementing such a change: *Provided further*,
17 That, notwithstanding section 638 of the IDEA, a State
18 may use funds appropriated under part C of the IDEA
19 to conduct child find, public awareness and referral activi-
20 ties for an individual who is expected to become a parent
21 of an infant with a disability (as that term is defined in
22 section 632(5)), as established by medical or other
23 records: *Provided further*, That any State electing to use
24 funds under the preceding proviso shall ensure, that as
25 soon as possible but not later than 45 days after the

1 child's birth, it completes the referral and eligibility pro-
2 cess under this part for that child: *Provided further*, That,
3 notwithstanding section 611 of the IDEA, the Secretary
4 may reserve up to \$5,000,000 to study issues related to
5 the creation and implementation of a comprehensive sys-
6 tem of services and supports for children with disabilities
7 from birth through age 5.

8 REHABILITATION SERVICES

9 (INCLUDING TRANSFER OF FUNDS)

10 For carrying out, to the extent not otherwise pro-
11 vided, the Rehabilitation Act of 1973 and the Helen Keller
12 National Center Act, \$4,093,406,000, of which
13 \$3,949,707,000 shall be for grants for vocational rehabili-
14 tation services under title I of the Rehabilitation Act: *Pro-*
15 *vided*, That the Secretary may use amounts provided in
16 this Act that remain available subsequent to the reallocot-
17 ment of funds to States pursuant to section 110(b) of the
18 Rehabilitation Act for innovative activities aimed at in-
19 creasing competitive integrated employment as defined in
20 section 7 of such Act for youth and other individuals with
21 disabilities: *Provided further*, That up to 15 percent of the
22 amounts available for innovative activities described in the
23 preceding proviso from funds provided under this para-
24 graph in this Act may be used for evaluation and technical
25 assistance related to such activities: *Provided further*, That

1 States may award subgrants for a portion of the funds
2 to other public and private, nonprofit entities: *Provided*
3 *further*, That any funds provided in this Act and made
4 available subsequent to reallocation for innovative activi-
5 ties aimed at improving the outcomes of individuals with
6 disabilities shall remain available until September 30,
7 2024: *Provided further*, That the Secretary may transfer
8 up to \$35,000,000 of the funds provided in this Act and
9 made available subsequent to reallocation for innovative
10 activities aimed at improving the outcomes of individuals
11 with disabilities to “Institute of Education Sciences” for
12 an evaluation of outcomes for students receiving services
13 and supports under IDEA and section 504 accommoda-
14 tions: *Provided further*, That the transfer authority in the
15 preceding proviso is in addition to any other transfer au-
16 thority in this Act.

17 SPECIAL INSTITUTIONS FOR PERSONS WITH
18 DISABILITIES

19 AMERICAN PRINTING HOUSE FOR THE BLIND

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

22 NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

23 For the National Technical Institute for the Deaf
24 under titles I and II of the Education of the Deaf Act
25 of 1986, \$92,500,000: *Provided*, That from the total

1 amount available, the Institute may at its discretion use
2 funds for the endowment program as authorized under
3 section 207 of such Act.

4 GALLAUDET UNIVERSITY

5 For the Kendall Demonstration Elementary School,
6 the Model Secondary School for the Deaf, and the partial
7 support of Gallaudet University under titles I and II of
8 the Education of the Deaf Act of 1986, \$180,361,000, of
9 which up to \$30,000,000, to remain available until ex-
10 pended, shall be for construction, as defined by section
11 201(2) of such Act: *Provided*, That from the total amount
12 available, the University may at its discretion use funds
13 for the endowment program as authorized under section
14 207 of such Act.

15 CAREER, TECHNICAL, AND ADULT EDUCATION

16 For carrying out, to the extent not otherwise pro-
17 vided, the Carl D. Perkins Career and Technical Edu-
18 cation Act of 2006 (“Perkins Act”) and the Adult Edu-
19 cation and Family Literacy Act (“AEFLA”),
20 \$2,246,436,000, of which \$1,445,436,000 shall become
21 available on July 1, 2023, and shall remain available
22 through September 30, 2024, and of which \$791,000,000
23 shall become available on October 1, 2023, and shall re-
24 main available through September 30, 2024: *Provided*,
25 That \$60,000,000 shall be available for innovation and

1 modernization grants under such section 114(e) of such
2 Act: *Provided further*, That of the amounts made available
3 for AEFLA, \$13,712,000 shall be for national leadership
4 activities under section 242.

5 STUDENT FINANCIAL ASSISTANCE

6 For carrying out subparts 1, 3, and 10 of part A,
7 and part C of title IV of the HEA, \$24,625,352,000 which
8 shall remain available through September 30, 2024.

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

11 STUDENT AID ADMINISTRATION

12 For Federal administrative expenses to carry out part
13 D of title I, and subparts 1, 3, 9, and 10 of part A, and
14 parts B, C, D, and E of title IV of the HEA, and subpart
15 1 of part A of title VII of the Public Health Service Act,
16 \$2,594,034,000, to remain available through September
17 30, 2024: *Provided*, That the Secretary shall allocate new
18 student loan borrower accounts to eligible student loan
19 servicers on the basis of their past performance compared
20 to all loan servicers utilizing established common metrics,
21 and on the basis of the capacity of each servicer to process
22 new and existing accounts: *Provided further*, That for stu-
23 dent loan contracts awarded prior to October 1, 2017, the
24 Secretary shall allow student loan borrowers who are con-
25 solidating Federal student loans to select from any stu-

1 dent loan servicer to service their new consolidated student
2 loan: *Provided further*, That in order to promote account-
3 ability and high-quality service to borrowers, the Secretary
4 shall not award funding for any contract solicitation for
5 a new Federal student loan servicing environment, includ-
6 ing the solicitation for the Federal Student Aid (FSA)
7 Next Generation Processing and Servicing Environment,
8 unless such an environment provides for the participation
9 of multiple student loan servicers that contract directly
10 with the Department of Education to manage a unique
11 portfolio of borrower accounts and the full life-cycle of
12 loans from disbursement to pay-off with certain limited
13 exceptions, and allocates student loan borrower accounts
14 to eligible student loan servicers based on performance:
15 *Provided further*, That the Department shall re-allocate
16 accounts from servicers for recurring non-compliance with
17 FSA guidelines, contractual requirements, and applicable
18 laws, including for failure to sufficiently inform borrowers
19 of available repayment options: *Provided further*, That
20 such servicers shall be evaluated based on their ability to
21 meet contract requirements (including an understanding
22 of Federal and State law), future performance on the con-
23 tracts, and history of compliance with applicable consumer
24 protections laws: *Provided further*, That to the extent FSA
25 permits student loan servicing subcontracting, FSA shall

1 hold prime contractors accountable for meeting the re-
2 quirements of the contract, and the performance and ex-
3 pectations of subcontractors shall be accounted for in the
4 prime contract and in the overall performance of the prime
5 contractor: *Provided further*, That FSA shall ensure that
6 the Next Generation Processing and Servicing Environ-
7 ment, or any new Federal loan servicing environment,
8 incentivize more support to borrowers at risk of delin-
9 quency or default: *Provided further*, That the Secretary
10 shall ensure that all contractors in the current and future
11 servicing environments are held accountable for perform-
12 ance on service levels, non-compliance with Department
13 guidelines, non-compliance with contractual requirements,
14 and non-compliance with applicable Federal and State
15 consumer protection law, including for failure to suffi-
16 ciently inform borrowers of available repayment, forgive-
17 ness, or discharge options: *Provided further*, That FSA
18 shall strengthen transparency through expanded publica-
19 tion of quarterly data on student loan discharges and for-
20 giveness, collections, and contractor performance and out-
21 comes: *Provided further*, That any new Federal student
22 loan servicing environment, shall include accountability
23 measures that account for the performance of the portfolio
24 and contractor compliance with FSA guidelines: *Provided*
25 *further*, That the Secretary shall not delay, prevent, or

1 otherwise obstruct, directly or indirectly, Federal or State
2 law enforcement, regulation, or information collection
3 from the Department's contractors: *Provided further*, That
4 the Secretary shall ensure that the future servicing envi-
5 ronment provides for a single, centralized website and
6 phone line with U.S. Department of Education branding
7 for all federally-held student loan borrowers to manage ac-
8 count information and make payments: *Provided further*,
9 That, in any future servicing environment, the Secretary
10 shall make available upon request or complaint from a
11 borrower or Federal or State law enforcement, or upon
12 finding of noncompliance with applicable Federal or State
13 consumer protection laws or contractual requirements, the
14 name and other identifying information of any contractor
15 that interacts directly with a borrower, including the na-
16 ture of such interaction with the borrower: *Provided fur-*
17 *ther*, That the Secretary shall provide quarterly briefings
18 to the Committees on Appropriations and Education and
19 Labor of the House of Representatives and the Commit-
20 tees on Appropriations and Health, Education, Labor, and
21 Pensions of the Senate on general progress related to so-
22 licitations for Federal student loan servicing contracts:
23 *Provided further*, That not later than 60 days after enact-
24 ment of this Act, FSA shall provide to the Committees
25 on Appropriations of the House of Representatives and the

1 Senate a detailed spend plan of anticipated uses of funds
2 made available in this account for fiscal year 2023 and
3 provide quarterly updates on this plan (including contracts
4 awarded, change orders, bonuses paid to staff, reorganiza-
5 tion costs, and any other activity carried out using
6 amounts provided under this heading for fiscal year 2023).

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,
12 \$3,547,681,000, of which \$214,000,000 shall remain
13 available through December 31, 2023: *Provided*, That not-
14 withstanding any other provision of law, funds made avail-
15 able in this Act to carry out title VI of the HEA and sec-
16 tion 102(b)(6) of the Mutual Educational and Cultural
17 Exchange Act of 1961 may be used to support visits and
18 study in foreign countries by individuals who are partici-
19 pating in advanced foreign language training and inter-
20 national studies in areas that are vital to United States
21 national security and who plan to apply their language
22 skills and knowledge of these countries in the fields of gov-
23 ernment, the professions, or international development:
24 *Provided further*, That of the funds referred to in the pre-
25 ceding proviso up to 1 percent may be used for program

1 evaluation, national outreach, and information dissemina-
2 tion activities: *Provided further*, That up to 1.5 percent
3 of the funds made available under chapter 2 of subpart
4 2 of part A of title IV of the HEA may be used for evalua-
5 tion: *Provided further*, That section 313(d) of the HEA
6 shall not apply to an institution of higher education that
7 is eligible to receive funding under section 318 of the
8 HEA: *Provided further*, That amounts made available for
9 carrying out section 419N of the HEA may be awarded
10 notwithstanding the limitations in section 419N(b)(2) of
11 the HEA: *Provided further*, That of the amounts made
12 available under this heading, \$218,593,000 shall be used
13 for the projects, and in the amounts, specified in the table
14 titled “Congressionally Directed Spending Items” in the
15 explanatory statement accompanying this Act: *Provided*
16 *further*, That none of the funds made available for projects
17 described in the preceding proviso shall be subject to sec-
18 tion 302 of this Act.

19 HOWARD UNIVERSITY

20 For partial support of Howard University,
21 \$359,018,000, of which not less than \$3,405,000 shall be
22 for a matching endowment grant pursuant to the Howard
23 University Endowment Act and shall remain available
24 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, \$298,000.

6 HISTORICALLY BLACK COLLEGE AND UNIVERSITY
7 CAPITAL FINANCING PROGRAM ACCOUNT

8 For the cost of guaranteed loans, \$20,150,000, as au-
9 thorized pursuant to part D of title III of the HEA, which
10 shall remain available through September 30, 2024: *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 \$752,065,725: *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, \$528,000.

1 INSTITUTE OF EDUCATION SCIENCES

2 For necessary expenses for the Institute of Education
3 Sciences as authorized by section 208 of the Department
4 of Education Organization Act and carrying out activities
5 authorized by the National Assessment of Educational
6 Progress Authorization Act, section 208 of the Edu-
7 cational Technical Assistance Act of 2002, and section
8 664 of the Individuals with Disabilities Education Act,
9 \$831,395,000, which shall remain available through Sep-
10 tember 30, 2024: *Provided*, That funds available to carry
11 out section 208 of the Educational Technical Assistance
12 Act may be used to link Statewide elementary and sec-
13 ondary data systems with early childhood, postsecondary,
14 and workforce data systems, or to further develop such
15 systems: *Provided further*, That up to \$6,000,000 of the
16 funds available to carry out section 208 of the Educational
17 Technical Assistance Act may be used for awards to public
18 or private organizations or agencies to support activities
19 to improve data coordination, quality, and use at the local,
20 State, and national levels.

21 DEPARTMENTAL MANAGEMENT

22 PROGRAM ADMINISTRATION

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

1 lumbia and hire of three passenger motor vehicles,
2 \$448,000,000, of which up to \$8,000,000, to remain avail-
3 able until expended, shall be available for relocation ex-
4 penses, and for the renovation and repair of leased build-
5 ings: *Provided*, That, notwithstanding any other provision
6 of law, none of the funds provided by this Act or provided
7 by previous Appropriations Acts to the Department of
8 Education available for obligation or expenditure in the
9 current fiscal year may be used for any activity relating
10 to implementing a reorganization that decentralizes, re-
11 duces the staffing level, or alters the responsibilities,
12 structure, authority, or functionality of the Budget Service
13 of the Department of Education, relative to the organiza-
14 tion and operation of the Budget Service as in effect on
15 January 1, 2018: *Provided further*, That, from the amount
16 available under this heading, the Secretary may use up
17 to \$5,000,000 to support a commission on supporting the
18 teaching profession that addresses the pressing needs of
19 elementary and secondary school students, public schools
20 and the field, including improving the racial, ethnic, and
21 linguistic diversity of the teaching profession, the recruit-
22 ment and retention of effective teachers, the equitable dis-
23 tribution of effective teachers in high-need local edu-
24 cational agencies and high-need schools, the provision of
25 professional support and growth opportunities, and how

1 states and local educational agencies can improve com-
2 pensation and working conditions of educators so that
3 their compensation is competitive with similarly educated
4 professionals.

5 OFFICE FOR CIVIL RIGHTS

6 For expenses necessary for the Office for Civil
7 Rights, as authorized by section 203 of the Department
8 of Education Organization Act, \$161,300,000.

9 OFFICE OF INSPECTOR GENERAL

10 For expenses necessary for the Office of Inspector
11 General, as authorized by section 212 of the Department
12 of Education Organization Act, \$77,000,000, of which
13 \$3,000,000 shall remain available until expended.

14 GENERAL PROVISIONS

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

18 (TRANSFER OF FUNDS)

19 SEC. 302. Not to exceed 1 percent of any discre-
20 tionary funds (pursuant to the Balanced Budget and
21 Emergency Deficit Control Act of 1985) which are appro-
22 priated for the Department of Education in this Act may
23 be transferred between appropriations, but no such appro-
24 priation shall be increased by more than 3 percent by any
25 such transfer: *Provided*, That the transfer authority grant-

1 ed by this section shall not be used to create any new pro-
2 gram or to fund any project or activity for which no funds
3 are provided in this Act: *Provided further*, That the Com-
4 mittees on Appropriations of the House of Representatives
5 and the Senate are notified at least 15 days in advance
6 of any transfer.

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

11 SEC. 304. (a) An institution of higher education that
12 maintains an endowment fund supported with funds ap-
13 propriated for title III or V of the HEA for fiscal year
14 2023 may use the income from that fund to award schol-
15 arships to students, subject to the limitation in section
16 331(c)(3)(B)(i) of the HEA. The use of such income for
17 such purposes, prior to the enactment of this Act, shall
18 be considered to have been an allowable use of that in-
19 come, subject to that limitation.

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

22 SEC. 305. Section 114(f) of the HEA (20 U.S.C.
23 1011c(f)) shall be applied by substituting “2023” for
24 “2021”.

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

15 SEC. 310. The Secretary may reserve not more than
16 0.5 percent from any amount made available in this Act
17 for an HEA program, except for any amounts made avail-
18 able for subpart 1 of part A of title IV of the HEA, to
19 carry out rigorous and independent evaluations and to col-
20 lect and analyze outcome data for any program authorized
21 by the HEA: *Provided*, That no funds made available in
22 this Act for the “Student Aid Administration” account
23 shall be subject to the reservation under this section: *Pro-*
24 *vided further*, That any funds reserved under this section
25 shall be available through September 30, 2025: *Provided*

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

19 SEC. 311. In addition to amounts otherwise appro-
20 priated by this Act under the heading “Innovation and
21 Improvement” for purposes authorized by the Elementary
22 and Secondary Education Act of 1965, there are hereby
23 appropriated an additional \$56,264,000 which shall be
24 used for the projects, and in the amounts, specified in the
25 table titled “Congressionally Directed Spending Items” in

1 the explanatory statement accompanying this Act: *Pro-*
2 *vided*, That none of the funds made available for such
3 projects shall be subject to section 302 of this Act.

4 SEC. 312. The Education Amendments Act of 1972
5 is amended by striking section 802.

6 SEC. 313. Of the amounts appropriated in this Act
7 for “Institute of Education Sciences”, \$18,000,000 shall
8 be available for the Secretary of Education (“the Sec-
9 retary”) to provide support services to the Institute of
10 Education Sciences (including, but not limited to informa-
11 tion technology services, lease or procurement of office
12 space, human resource services, financial management
13 services, financial systems support, budget formulation
14 and execution, legal counsel, equal employment oppor-
15 tunity services, physical security, facilities management,
16 acquisition and contract management, grants administra-
17 tion and policy, and enterprise risk management): *Pro-*
18 *vided*, That the Secretary shall calculate the actual
19 amounts obligated and expended for such support services
20 by using a standard Department of Education method-
21 ology for allocating the cost of all such support services:
22 *Provided further*, That the Secretary may transfer any
23 amounts available for IES support services in excess of
24 actual amounts needed for IES support services, as so cal-
25 culated, to the “Program Administration” account from

1 the “Institute of Education Sciences” account: *Provided*
2 *further*, That in order to address any shortfall between
3 amounts available for IES support services and amounts
4 needed for IES support services, as so calculated, the Sec-
5 retary may transfer necessary amounts to the “Institute
6 of Education Sciences” account from the “Program Ad-
7 ministration” account: *Provided further*, That the Com-
8 mittees on Appropriations of the House of Representatives
9 and the Senate are notified at least 14 days in advance
10 of any transfer made pursuant to this section.

11 SEC. 314. (a)(1) Section 484(a)(5) of the HEA of
12 1965 (20 U.S.C. 1091(a)(5)) is amended—(A) by insert-
13 ing “or a DACA recipient (as defined in subsection (u)),
14 have temporary protected status under section 244 of the
15 Immigration and Nationality Act (8 U.S.C. 1254a), be
16 subject to a grant of deferred enforced departure,” after
17 “a permanent resident of the United States,”; and (B)
18 by inserting “be” before “able”.

19 (2) Section 484(a) of such Act (20 U.S.C. 1091(a))
20 is amended by adding at the end the following:

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

1 migration laws (as defined in section 101(a)(17) of such
2 Act (8 U.S.C. 1101(a)(17)), and who the Secretary of
3 Homeland Security has, in his or her discretion, deter-
4 mined should be afforded a grant of deferred action under
5 the Deferred Action for Childhood Arrivals (DACA) pol-
6 icy.”.

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

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

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

18 This title may be cited as the “Department of Edu-
19 cation Appropriations Act, 2023”.

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

6 For expenses necessary for the Committee for Pur-
7 chase From People Who Are Blind or Severely Disabled
8 (referred to in this title as “the Committee”) established
9 under section 8502 of title 41, United States Code,
10 \$13,124,000: *Provided*, That in order to authorize any
11 central nonprofit agency designated pursuant to section
12 8503(c) of title 41, United States Code, to perform re-
13 quirements of the Committee as prescribed under section
14 51–3.2 of title 41, Code of Federal Regulations, the Com-
15 mittee shall enter into a written agreement with any such
16 central nonprofit agency: *Provided further*, That such
17 agreement shall contain such auditing, oversight, and re-
18 porting provisions as necessary to implement chapter 85
19 of title 41, United States Code: *Provided further*, That
20 such agreement shall include the elements listed under the
21 heading “Committee For Purchase From People Who Are
22 Blind or Severely Disabled—Written Agreement Ele-
23 ments” in the explanatory statement accompanying this
24 Act: *Provided further*, That any such central nonprofit
25 agency may not charge a fee under section 51–3.5 of title

1 41, Code of Federal Regulations, prior to executing a writ-
2 ten agreement with the Committee: *Provided further*, That
3 no less than \$3,124,000 shall be available for the Office
4 of Inspector General.

5 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE
6 OPERATING EXPENSES

7 For necessary expenses for the Corporation for Na-
8 tional and Community Service (referred to in this title as
9 “CNCS”) to carry out the Domestic Volunteer Service Act
10 of 1973 (referred to in this title as “1973 Act”) and the
11 National and Community Service Act of 1990 (referred
12 to in this title as “1990 Act”), \$912,690,000, notwith-
13 standing sections 198B(b)(3), 198S(g), 501(a)(4)(C), and
14 501(a)(4)(F) of the 1990 Act: *Provided*, That of the
15 amounts provided under this heading: (1) up to 1 percent
16 of program grant funds may be used to defray the costs
17 of conducting grant application reviews, including the use
18 of outside peer reviewers and electronic management of
19 the grants cycle; (2) \$19,538,000 shall be available to pro-
20 vide assistance to State commissions on national and com-
21 munity service, under section 126(a) of the 1990 Act and
22 notwithstanding section 501(a)(5)(B) of the 1990 Act; (3)
23 \$36,375,000 shall be available to carry out subtitle E of
24 the 1990 Act; and (4) \$8,558,000 shall be available for
25 expenses authorized under section 501(a)(4)(F) of the

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

7 PAYMENT TO THE NATIONAL SERVICE TRUST

8 (INCLUDING TRANSFER OF FUNDS)

9 For payment to the National Service Trust estab-
10 lished under subtitle D of title I of the 1990 Act,
11 \$210,550,000, to remain available until expended: *Pro-*
12 *vided*, That CNCS may transfer additional funds from the
13 amount provided within “Operating Expenses” allocated
14 to grants under subtitle C of title I of the 1990 Act to
15 the National Service Trust upon determination that such
16 transfer is necessary to support the activities of national
17 service participants and after notice is transmitted to the
18 Committees on Appropriations of the House of Represent-
19 atives and the Senate: *Provided further*, That amounts ap-
20 propriated for or transferred to the National Service Trust
21 may be invested under section 145(b) of the 1990 Act
22 without regard to the requirement to apportion funds
23 under 31 U.S.C. 1513(b).

1 SALARIES AND EXPENSES

2 For necessary expenses of administration as provided
3 under section 501(a)(5) of the 1990 Act and under section
4 504(a) of the 1973 Act, including payment of salaries, au-
5 thorized travel, hire of passenger motor vehicles, the rental
6 of conference rooms in the District of Columbia, the em-
7 ployment of experts and consultants authorized under 5
8 U.S.C. 3109, and not to exceed \$2,500 for official recep-
9 tion and representation expenses, \$95,082,000.

10 OFFICE OF INSPECTOR GENERAL

11 For necessary expenses of the Office of Inspector
12 General in carrying out the Inspector General Act of 1978,
13 \$7,000,000.

14 ADMINISTRATIVE PROVISIONS

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

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

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

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

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

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

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

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

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

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

11 SEC. 406. Notwithstanding sections 139(b), 146 and
12 147 of the 1990 Act, CNCS may determine the number
13 of hours required to successfully complete any term of
14 service less than 1,700 hours, except that any reduction
15 of the required term of service below 1,700 hours shall
16 include a corresponding reduction in the amount of any
17 national service educational award that may be available
18 under subtitle D with regard to that service.

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

23 SEC. 408. (a) Section 137(a)(5) of the 1990 Act shall
24 be applied in fiscal year 2023 as if the following were in-
25 serted before the period: “, or has submitted a request

1 for administrative relief pursuant to the policy established
2 in the memorandum of the Secretary of Homeland Secu-
3 rity dated June 15, 2012, and entitled ‘Exercising Discre-
4 tion with Respect to Individuals Who Came to the United
5 States as Children’ (Deferred Action for Childhood Arriv-
6 als)’.

7 (b) Section 146(a)(3) of the 1990 Act shall be applied
8 in fiscal year 2023 as if the following were inserted before
9 the period: “, or has submitted a request for administra-
10 tive relief pursuant to the policy established in the memo-
11 randum of the Secretary of Homeland Security dated
12 June 15, 2012, and entitled ‘Exercising Discretion with
13 Respect to Individuals Who Came to the United States
14 as Children’ (Deferred Action for Childhood Arrivals)’.

15 (c) Notwithstanding sections 141 and 146 of the
16 1990 Act, or any other provision of law, a participant in
17 a national service program carried out under the authority
18 of the 1973 Act shall be eligible for the national service
19 educational award described in subtitle D of title I of the
20 1990 Act if the participant—

21 (1) meets the criteria specified in paragraphs
22 (1) through (4) of subsection (a) of section 137 of
23 the 1990 Act; and

24 (2) is a citizen or national of the United States
25 or lawful permanent resident alien of the United

1 States, is able to provide evidence from the Depart-
2 ment of Homeland Security that he or she is in the
3 United States for other than a temporary purpose
4 with the intention of becoming a citizen or perma-
5 nent resident, or has submitted a request for admin-
6 istrative relief pursuant to the policy established in
7 the memorandum of the Secretary of Homeland Se-
8 curity dated June 15, 2012, and entitled “Exer-
9 cising Discretion with Respect to Individuals Who
10 Came to the United States as Children” (Deferred
11 Action for Childhood Arrivals).

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

19 SEC. 410. (a) Notwithstanding sections 139, 147,
20 153, and 154 of the 1990 Act, the Director of the Na-
21 tional Civilian Community Corps may enter into agree-
22 ments with eligible individuals to participate in a National
23 Civilian Community Corps program for a period of not less
24 than 90 days and not more than 180 days.

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

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

12 SEC. 411. In carrying out section 198(i) of the 1990
13 Act, CNCS may make grants to, enter into cooperative
14 agreements with, and provide other support to eligible en-
15 tities, without regard to the limitation on Federal share
16 contained in section 198(i)(4) of the 1990 Act.

17 CORPORATION FOR PUBLIC BROADCASTING

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

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

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

21 FEDERAL MEDIATION AND CONCILIATION SERVICE

22 SALARIES AND EXPENSES

23 For expenses necessary for the Federal Mediation
24 and Conciliation Service (“Service”) to carry out the func-
25 tions vested in it by the Labor-Management Relations Act,

1 1947, including hire of passenger motor vehicles; for ex-
2 penses necessary for the Labor-Management Cooperation
3 Act of 1978; and for expenses necessary for the Service
4 to carry out the functions vested in it by the Civil Service
5 Reform Act, \$53,705,000, of which not to exceed
6 \$1,000,000 shall remain available through September 30,
7 2024, for assistance activities authorized by the Labor-
8 Management Cooperation Act of 1978: *Provided*, That
9 notwithstanding 31 U.S.C. 3302, fees charged, up to full-
10 cost recovery, for special training activities and other con-
11 flict resolution services and technical assistance, including
12 those provided to foreign governments and international
13 organizations, and for arbitration services shall be credited
14 to and merged with this account, and shall remain avail-
15 able until expended: *Provided further*, That fees for arbi-
16 tration services shall be available only for education, train-
17 ing, and professional development of the agency workforce:
18 *Provided further*, That the Director of the Service is au-
19 thorized to accept and use on behalf of the United States
20 gifts of services and real, personal, or other property in
21 the aid of any projects or functions within the Director's
22 jurisdiction.

192

1 FEDERAL MINE SAFETY AND HEALTH REVIEW

2 COMMISSION

3 SALARIES AND EXPENSES

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

6 INSTITUTE OF MUSEUM AND LIBRARY SERVICES

7 OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS

8 AND ADMINISTRATION

9 For carrying out the Museum and Library Services
10 Act of 1996 and the National Museum of African Amer-
11 ican History and Culture Act, \$301,800,000: *Provided*,
12 That notwithstanding section 210A of the Museum and
13 Library Services Act, \$20,000,000 shall be available
14 through September 30, 2024 for the purpose of making
15 grants to support improvements to public library and mu-
16 seum facilities: *Provided further*, That in awarding such
17 grants, the Director of the Institute of Museum and Li-
18 brary Services shall give priority to public libraries and
19 museums located or serving in rural and underserved com-
20 munities, including economically disadvantaged areas, as
21 determined by the Director: *Provided further*, That the Di-
22 rector shall reserve not more than \$2,000,000 of the funds
23 described in the first proviso to conduct a comprehensive
24 study of the physical condition of public libraries and mu-
25 seums in each State and outlying area.

193

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, \$9,727,000.

6 MEDICARE PAYMENT ADVISORY COMMISSION

7 SALARIES AND EXPENSES

8 For expenses necessary to carry out section 1805 of
9 the Social Security Act, \$13,440,000, 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, \$3,850,000.

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 \$319,424,000: *Provided*, That no part of this appropria-
24 tion shall be available to organize or assist in organizing
25 agricultural laborers or used in connection with investiga-

1 tions, hearings, directives, or orders concerning bargaining
2 units composed of agricultural laborers as referred to in
3 section 2(3) of the Act of July 5, 1935, and as amended
4 by the Labor-Management Relations Act, 1947, and as de-
5 fined in section 3(f) of the Act of June 25, 1938, and
6 including in said definition employees engaged in the
7 maintenance and operation of ditches, canals, reservoirs,
8 and waterways when maintained or operated on a mutual,
9 nonprofit basis and at least 95 percent of the water stored
10 or supplied thereby is used for farming purposes.

11 NATIONAL MEDIATION BOARD

12 SALARIES AND EXPENSES

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

16 OCCUPATIONAL SAFETY AND HEALTH REVIEW

17 COMMISSION

18 SALARIES AND EXPENSES

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

21 RAILROAD RETIREMENT BOARD

22 DUAL BENEFITS PAYMENTS ACCOUNT

23 For payment to the Dual Benefits Payments Ac-
24 count, authorized under section 15(d) of the Railroad Re-
25 tirement Act of 1974, \$9,000,000, which shall include

1 amounts becoming available in fiscal year 2023 pursuant
2 to section 224(c)(1)(B) of Public Law 98–76; and in addi-
3 tion, an amount, not to exceed 2 percent of the amount
4 provided herein, shall be available proportional to the
5 amount by which the product of recipients and the average
6 benefit received exceeds the amount available for payment
7 of vested dual benefits: *Provided*, That the total amount
8 provided herein shall be credited in 12 approximately
9 equal amounts on the first day of each month in the fiscal
10 year.

11 FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT

12 ACCOUNTS

13 For payment to the accounts established in the
14 Treasury for the payment of benefits under the Railroad
15 Retirement Act for interest earned on unnegotiated
16 checks, \$150,000, to remain available through September
17 30, 2024, which shall be the maximum amount available
18 for payment pursuant to section 417 of Public Law 98–
19 76.

20 LIMITATION ON ADMINISTRATION

21 For necessary expenses for the Railroad Retirement
22 Board (“Board”) for administration of the Railroad Re-
23 tirement Act and the Railroad Unemployment Insurance
24 Act, \$135,400,000, to be derived in such amounts as de-
25 termined by the Board from the railroad retirement ac-

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

15 LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

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

22 SOCIAL SECURITY ADMINISTRATION

23 PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

24 For payment to the Federal Old-Age and Survivors
25 Insurance Trust Fund and the Federal Disability Insur-

1 ance Trust Fund, as provided under sections 201(m) and
2 1131(b)(2) of the Social Security Act, \$11,000,000.

3 SUPPLEMENTAL SECURITY INCOME PROGRAM

4 For carrying out titles XI and XVI of the Social Se-
5 curity Act, section 401 of Public Law 92–603, section 212
6 of Public Law 93–66, as amended, and section 405 of
7 Public Law 95–216, including payment to the Social Secu-
8 rity trust funds for administrative expenses incurred pur-
9 suant to section 201(g)(1) of the Social Security Act,
10 \$48,644,795,000, to remain available until expended: *Pro-*
11 *vided*, That any portion of the funds provided to a State
12 in the current fiscal year and not obligated by the State
13 during that year shall be returned to the Treasury: *Pro-*
14 *vided further*, That not more than \$86,000,000 shall be
15 available for research and demonstrations under sections
16 1110, 1115, and 1144 of the Social Security Act, and re-
17 main available through September 30, 2025.

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

22 For making benefit payments under title XVI of the
23 Social Security Act for the first quarter of fiscal year
24 2024, \$15,800,000,000, to remain available until ex-
25 pended.

1 LIMITATION ON ADMINISTRATIVE EXPENSES
2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses, including the hire and pur-
4 chase of two passenger motor vehicles, and not to exceed
5 \$20,000 for official reception and representation expenses,
6 not more than \$14,103,014,000 may be expended, as au-
7 thorized by section 201(g)(1) of the Social Security Act,
8 from any one or all of the trust funds referred to in such
9 section: *Provided*, That not less than \$2,700,000 shall be
10 for the Social Security Advisory Board: *Provided further*,
11 That unobligated balances of funds provided under this
12 paragraph at the end of fiscal year 2023 not needed for
13 fiscal year 2023 shall remain available until expended to
14 invest in the Social Security Administration information
15 technology and telecommunications hardware and soft-
16 ware infrastructure, including related equipment and non-
17 payroll administrative expenses associated solely with this
18 information technology and telecommunications infra-
19 structure: *Provided further*, That the Commissioner of So-
20 cial Security shall notify the Committees on Appropria-
21 tions of the House of Representatives and the Senate prior
22 to making unobligated balances available under the au-
23 thority in the preceding proviso: *Provided further*, That re-
24 imbursement to the trust funds under this heading for ex-
25 penditures for official time for employees of the Social Se-

1 curity Administration pursuant to 5 U.S.C. 7131, and for
2 facilities or support services for labor organizations pursu-
3 ant to policies, regulations, or procedures referred to in
4 section 7135(b) of such title shall be made by the Sec-
5 retary of the Treasury, with interest, from amounts in the
6 general fund not otherwise appropriated, as soon as pos-
7 sible after such expenditures are made.

8 From funds provided under the first paragraph, not
9 more than \$1,784,000,000, to remain available through
10 March 31, 2024, is for the costs associated with con-
11 tinuing disability reviews under titles II and XVI of the
12 Social Security Act, including work-related continuing dis-
13 ability reviews to determine whether earnings derived from
14 services demonstrate an individual's ability to engage in
15 substantial gainful activity, for the cost associated with
16 conducting redeterminations of eligibility under title XVI
17 of the Social Security Act, for the cost of co-operative dis-
18 ability investigation units, and for the cost associated with
19 the prosecution of fraud in the programs and operations
20 of the Social Security Administration by Special Assistant
21 United States Attorneys: *Provided*, That, of such amount,
22 \$273,000,000 is provided to meet the terms of a concur-
23 rent resolution on the budget, and \$1,511,000,000 is addi-
24 tional new budget authority specified for purposes of a
25 concurrent resolution on the budget: *Provided further*,

1 That, of the additional new budget authority described in
2 the preceding proviso, up to \$15,100,000 may be trans-
3 ferred to the “Office of Inspector General”, Social Secu-
4 rity Administration, for the cost of jointly operated co-op-
5 erative disability investigation units: *Provided further*,
6 That such transfer authority is in addition to any other
7 transfer authority provided by law: *Provided further*, That
8 the Commissioner shall provide to the Congress (at the
9 conclusion of the fiscal year) a report on the obligation
10 and expenditure of these funds, similar to the reports that
11 were required by section 103(d)(2) of Public Law 104–
12 121 for fiscal years 1996 through 2002: *Provided further*,
13 That none of the funds described in this paragraph shall
14 be available for transfer or reprogramming except as spec-
15 ified in this paragraph.

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

201

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

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

7 For expenses necessary for the Office of Inspector
8 General in carrying out the provisions of the Inspector
9 General Act of 1978, \$32,000,000, together with not to
10 exceed \$82,665,000, to be transferred and expended as
11 authorized by section 201(g)(1) of the Social Security Act
12 from the Federal Old-Age and Survivors Insurance Trust
13 Fund and the Federal Disability Insurance Trust Fund:
14 *Provided*, That \$2,000,000 shall remain available until ex-
15 pended for information technology modernization, includ-
16 ing related hardware and software infrastructure and
17 equipment, and for administrative expenses directly asso-
18 ciated with information technology modernization.

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

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

203

1 TITLE V

2 GENERAL PROVISIONS

3 (TRANSFER OF FUNDS)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

17 SEC. 513. Within 45 days of enactment of this Act,
18 each department and related agency funded through this
19 Act shall submit an operating plan that details at the pro-
20 gram, project, and activity level any funding allocations
21 for fiscal year 2023 that are different than those specified
22 in this Act, the explanatory statement accompanying this
23 Act or the fiscal year 2023 budget request.

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

1 submit to the Committees on Appropriations of the House
2 of Representatives and the Senate a report on the number
3 and amount of contracts, grants, and cooperative agree-
4 ments exceeding \$500,000, individually or in total for a
5 particular project, activity, or programmatic initiative, in
6 value and awarded by the Department on a non-competi-
7 tive basis during each quarter of fiscal year 2023, but not
8 to include grants awarded on a formula basis or directed
9 by law. Such report shall include the name of the con-
10 tractor or grantee, the amount of funding, the govern-
11 mental purpose, including a justification for issuing the
12 award on a non-competitive basis. Such report shall be
13 transmitted to the Committees within 30 days after the
14 end of the quarter for which the report is submitted.

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

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

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

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

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

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

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

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

16 SEC. 520. (a) Federal agencies may use Federal dis-
17 cretionary funds that are made available in this Act to
18 carry out up to 10 Performance Partnership Pilots. Such
19 Pilots shall be governed by the provisions of section 526
20 of division H of Public Law 113–76, except that in car-
21 rying out such Pilots section 526 shall be applied by sub-
22 stituting “Fiscal Year 2023” for “Fiscal Year 2014” in
23 the title of subsection (b) and by substituting “September
24 30, 2027” for “September 30, 2018” each place it ap-

1 pears: *Provided*, That such pilots shall include commu-
2 nities that have experienced civil unrest.

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

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

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

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

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

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

23 SEC. 524. Of amounts deposited in the Child Enroll-
24 ment Contingency Fund under section 2104(n)(2) of the
25 Social Security Act and the income derived from invest-

1 ment of those funds pursuant to section 2104(n)(2)(C) of
2 that Act, \$14,561,000,000 shall not be available for obli-
3 gation in this fiscal year.

4 SEC. 525. (a) This section applies to: (1) the Admin-
5 istration for Children and Families in the Department of
6 Health and Human Services; and (2) the Chief Evaluation
7 Office and the statistical-related cooperative and inter-
8 agency agreements and contracting activities of the Bu-
9 reau of Labor Statistics in the Department of Labor.

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

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

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

1 TITLE VI
2 EMERGENCY CORONAVIRUS RESPONSE
3 SUPPLEMENTAL APPROPRIATIONS

4 The following sums are appropriated, out of any
5 money in the Treasury not otherwise appropriated, for the
6 fiscal year ending September 30, 2022, and for other pur-
7 poses, namely:

8 DEPARTMENT OF HEALTH AND HUMAN
9 SERVICES
10 OFFICE OF THE SECRETARY
11 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY
12 FUND
13 (INCLUDING TRANSFER OF FUNDS)

14 For an additional amount for “Public Health and So-
15 cial Services Emergency Fund”, \$16,000,000,000, to re-
16 main available until September 30, 2026, to prevent, pre-
17 pare for, and respond to coronavirus or any disease with
18 potential for creating a pandemic, including for necessary
19 expenses with respect to the research and development,
20 manufacturing, production, purchase, and distribution of
21 vaccines, therapeutics, diagnostics, and medical products,
22 services, and supplies: *Provided*, That of the amount pro-
23 vided under this heading in this title, up to
24 \$9,000,000,000 shall be available to the Biomedical Ad-
25 vanced Research and Development Authority for necessary

1 expenses of advanced research and development, manufac-
2 turing, production, and purchase, at the discretion of the
3 Secretary of Health and Human Services, of vaccines,
4 therapeutics, diagnostics, and supplies necessary for the
5 administration of such vaccines, therapeutics, and
6 diagnostics: *Provided further*, That from the amount made
7 available under this heading in this title, not less than
8 \$750,000,000 shall be available for research and clinical
9 trials related to research on, clinical trials for, and devel-
10 opment and procurement of, vaccines for emerging
11 coronavirus variants, and to support the sustainment and
12 expansion of vaccine manufacturing capacity, including
13 fill-finish capacity: *Provided further*, That products, sup-
14 plies, and equipment purchased with amounts provided
15 under this heading in this title may, at the discretion of
16 the Secretary of Health and Human Services, be deposited
17 in the Strategic National Stockpile under section 319F-
18 2(a) of the Public Health Service Act: *Provided further*,
19 That amounts provided under this heading in this title
20 may be used for the construction, alteration, or renovation
21 of non-federally owned U.S.-based facilities for the produc-
22 tion of vaccines, therapeutics, diagnostics, and ancillary
23 medical supplies where the Secretary determines that such
24 a contract is necessary to secure sufficient amounts of
25 such supplies: *Provided further*, That amounts provided

1 under this heading in this title may be transferred to, and
2 merged with, the fund authorized by section 319F–4, the
3 Covered Countermeasure Process Fund, of the Public
4 Health Service Act: *Provided further*, That the transfer
5 authority provided under this heading in this title is in
6 addition to any other transfer authority provided by law:
7 *Provided further*, That the Secretary shall notify the Com-
8 mittees on Appropriations of the House of Representatives
9 and the Senate at least 2 days in advance of any obligation
10 in excess of \$50,000,000, including but not limited to con-
11 tracts and interagency agreements, from amounts pro-
12 vided under this heading in this title: *Provided further*,
13 That the Secretary shall provide a report to the Commit-
14 tees on Appropriations of the House of Representatives
15 and the Senate not later than 30 days after the date of
16 enactment of this Act, and every 30 days thereafter until
17 all amounts provided under this heading in this title have
18 been expended, detailing obligations of such amounts in
19 excess of \$20,000,000, with annotation of which Depart-
20 ment or agency, and component thereof is managing the
21 contract; the current inventory of COVID–19 vaccines,
22 therapeutics, and diagnostics; and the distribution of
23 COVID–19 vaccines, therapeutics, and diagnostics during
24 the previous month, reported by State and other jurisdic-
25 tion.

1 GENERAL PROVISIONS—THIS TITLE

2 (INCLUDING TRANSFER OF FUNDS)

3 SEC. 601. Each amount appropriated or made avail-
4 able by this title is in addition to amounts otherwise ap-
5 propriated for fiscal year 2022.

6 SEC. 602. No part of any appropriation contained in
7 this title shall remain available for obligation beyond fiscal
8 year 2022 unless expressly so provided herein.

9 SEC. 603. Unless otherwise provided for by this title,
10 the additional amounts appropriated by this title to appro-
11 priations accounts shall be available under the authorities
12 and conditions applicable to such appropriations accounts
13 for funds appropriated in fiscal year 2022.

14 SEC. 604. Funds appropriated by this title under the
15 heading “Public Health and Social Services Emergency
16 Fund” may be transferred to, and merged with, other ap-
17 propriation accounts under the heading “National Insti-
18 tutes of Health” to prevent, prepare for, and respond to
19 coronavirus: *Provided*, That the Committees on Appropria-
20 tions of the House of Representatives and the Senate shall
21 be notified 10 days in advance of any such transfer: *Pro-*
22 *vided further*, That the transfer authority provided by this
23 section is in addition to any other transfer authority pro-
24 vided by law: *Provided further*, That, upon determination
25 that all or part of the funds transferred from an appro-

1 priation by this title are not necessary, such amounts may
2 be transferred back to that appropriation: *Provided fur-*
3 *ther*, That none of the funds made available by this title
4 may be transferred pursuant to the authority in section
5 205 of the Departments of Labor, Health and Human
6 Services, and Education, and Related Agencies Appropria-
7 tions Act, 2022 or section 241(a) of the Public Health
8 Service Act.

9 SEC. 605. Not later than 30 days after the date of
10 enactment of this Act, the Secretary of Health and
11 Human Services shall provide a detailed spend plan of an-
12 ticipated uses of funds made available in this title, includ-
13 ing estimated personnel and administrative costs, to the
14 Committees on Appropriations of the House of Represent-
15 atives and the Senate: *Provided*, That such plans shall be
16 updated and submitted to the Committees every 60 days
17 until all funds are expended: *Provided further*, That the
18 spend plans shall be accompanied by a listing of each con-
19 tract obligation incurred that exceeds \$5,000,000 which
20 has not previously been reported, including the amount of
21 such obligation: *Provided further*, That the Committees on
22 Appropriations of the House of Representatives and the
23 Senate shall be briefed on obligations quarterly until all
24 funds are expended.

1 SEC. 606. Not later than 60 days after the date of
2 enactment of this Act, the Secretary of Health and
3 Human Services shall provide biweekly obligation reports,
4 including anticipated use of funds made available in this
5 title, to the Committees on Appropriations of the House
6 of Representatives and the Senate: *Provided*, That such
7 reports shall be updated and submitted biweekly to the
8 Committees until all funds are expended.

9 SEC. 607. Not later than 30 days after the date of
10 enactment of this Act, the Secretary of Health and
11 Human Services shall provide monthly reports on obliga-
12 tions made with these supplemental funds related to: (1)
13 research; (2) advanced development; (3) procurement; or
14 (4) administration activities to the Committees on Appro-
15 priations of the House of Representatives and the Senate
16 and the Committee on Energy and Commerce of the
17 House of Representatives and Committee on Health, Edu-
18 cation, Labor, and Pensions of the Senate: *Provided*, That
19 such report shall include for procurement contracts: (1)
20 recipient; (2) total number of units purchased; (3) delivery
21 dates; (4) any options on such contracts; and (5) location
22 of manufactured product: *Provided further*, That such re-
23 port shall include projections of the supply of and domestic
24 need for vaccines, therapeutics, tests, and ancillary med-
25 ical supplies over the next 90 days to prepare for and re-

1 spond to coronavirus, to the extent such information is
2 available: *Provided further*, That such reports shall be up-
3 dated and submitted monthly to the Committees until all
4 funds are expended.

5 SEC. 608. This title shall become effective imme-
6 diately upon enactment of this Act.

7 SEC. 609. If this Act is enacted after September 30,
8 2022, this title shall be applied as if it were in effect on
9 September 30, 2022.

10 SEC. 610. Each amount made available by this title
11 is designated by the Congress as being for an emergency
12 requirement pursuant to section 4001(a)(1) and section
13 4001(b) of S. Con. Res. 14 (117th Congress), the concur-
14 rent resolution on the budget for fiscal year 2022.

15 SEC. 611. In this title, the term “coronavirus” means
16 SARS-CoV-2 or another coronavirus with pandemic po-
17 tential.

18 This Act may be cited as the “Departments of Labor,
19 Health and Human Services, and Education, and Related
20 Agencies Appropriations Act, 2023”.