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[Report No. 117-____]

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.

____ --, 2022

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

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 \$712,000,000 shall be available for the period
2 October 1, 2023 through June 30, 2024;

3 (B) \$1,033,130,000 for youth activities,
4 which shall be available for the period April 1,
5 2023 through June 30, 2024; and

6 (C) \$1,161,553,000 for dislocated worker
7 employment and training activities, of which
8 \$301,553,000 shall be available for the period
9 July 1, 2023 through June 30, 2024, and of
10 which \$860,000,000 shall be available for the
11 period October 1, 2023 through June 30, 2024:

12 *Provided*, That the funds available for allotment to
13 outlying areas to carry out subtitle B of title I of the
14 WIOA shall not be subject to the requirements of
15 section 127(b)(1)(B)(ii) of such Act: *Provided fur-*
16 *ther*, That notwithstanding the requirements of
17 WIOA, outlying areas may submit a single applica-
18 tion for a consolidated grant that awards funds that
19 would otherwise be available to such areas to carry
20 out the activities described in subtitle B of title I of
21 the WIOA: *Provided further*, That such application
22 shall be submitted to the Secretary at such time, in
23 such manner, and containing such information, as
24 the Secretary may require: *Provided further*, That
25 outlying areas awarded a consolidated grant de-

1 scribed in the preceding provisos may use the funds
2 for any of the programs and activities authorized
3 under such subtitle B of title I of the WIOA subject
4 to approval of the application and such reporting re-
5 quirements issued by the Secretary; and

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

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

1 used for technical assistance and demonstration
2 projects, respectively, that provide assistance to
3 new entrants in the workforce and incumbent
4 workers: *Provided further*, That notwithstanding
5 section 168(b) of the WIOA, of the funds pro-
6 vided under this subparagraph, the Secretary of
7 Labor (referred to in this title as “Secretary”)
8 may reserve not more than 10 percent of such
9 funds to provide technical assistance and carry
10 out additional activities related to the transition
11 to the WIOA: *Provided further*, That of the
12 funds provided under this subparagraph,
13 \$195,000,000 shall be for training and employ-
14 ment assistance under sections 168(b), 169(c)
15 (notwithstanding the 10 percent limitation in
16 such section) and 170 of the WIOA as follows:

17 (i) \$45,000,000 shall be for workers
18 in the Appalachian region, as defined by
19 40 U.S.C. 14102(a)(1), workers in the
20 Lower Mississippi, as defined in section
21 4(2) of the Delta Development Act (Public
22 Law 100–460, 102 Stat. 2246; 7 U.S.C.
23 2009aa(2)), and workers in the region
24 served by the Northern Border Regional

1 Commission, as defined by 40 U.S.C.
2 15733; and

3 (ii) \$100,000,000 shall be for the pur-
4 pose of developing, offering, or improving
5 educational or career training programs at
6 community colleges, defined as public insti-
7 tutions of higher education, as described in
8 section 101(a) of the Higher Education
9 Act of 1965 and at which the associate's
10 degree is primarily the highest degree
11 awarded, with other eligible institutions of
12 higher education, as defined in section
13 101(a) of the Higher Education Act of
14 1965, eligible to participate through con-
15 sortia, with community colleges as the lead
16 grantee: *Provided*, That the Secretary shall
17 follow the requirements for the program in
18 House Report 116–62: *Provided further*,
19 That any grant funds used for apprentice-
20 ships shall be used to support only appren-
21 ticeship programs registered under the Na-
22 tional Apprenticeship Act and as referred
23 to in section 3(7)(B) of the WIOA;

24 (iii) \$50,000,000 shall be for training
25 and employment assistance for workers in

1 communities that have experienced job
2 losses due to dislocations in industries re-
3 lated to fossil fuel extraction or energy
4 production;

5 (B) \$63,800,000 for Native American pro-
6 grams under section 166 of the WIOA, which
7 shall be available for the period July 1, 2023
8 through June 30, 2024;

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

1 definition of “eligible seasonal farmworker” in
2 section 167(i)(3)(A) of the WIOA relating to an
3 individual being “low-income”, an individual is
4 eligible for migrant and seasonal farmworker
5 programs under section 167 of the WIOA under
6 that definition if, in addition to meeting the re-
7 quirements of clauses (i) and (ii) of section
8 167(i)(3)(A), such individual is a member of a
9 family with a total family income equal to or
10 less than 150 percent of the poverty line;

11 (D) \$145,000,000 for YouthBuild activi-
12 ties as described in section 171 of the WIOA,
13 which shall be available for the period April 1,
14 2023 through June 30, 2024;

15 (E) \$150,000,000 for ex-offender activi-
16 ties, under the authority of section 169 of the
17 WIOA, which shall be available for the period
18 April 1, 2023 through June 30, 2024: *Provided*,
19 That of this amount, \$50,000,000 shall be for
20 competitive grants to national and regional
21 intermediaries for activities that prepare for
22 employment young adults with criminal legal
23 histories, young adults who have been justice
24 system-involved, or young adults who have
25 dropped out of school or other educational pro-

1 grams, with a priority for projects serving high-
2 crime, high-poverty areas;

3 (F) \$6,000,000 for the Workforce Data
4 Quality Initiative, under the authority of section
5 169 of the WIOA, which shall be available for
6 the period July 1, 2023 through June 30,
7 2024;

8 (G) \$303,000,000 to expand opportunities
9 through apprenticeships only registered under
10 the National Apprenticeship Act and as referred
11 to in section 3(7)(B) of the WIOA, to be avail-
12 able to the Secretary to carry out activities
13 through grants, cooperative agreements, con-
14 tracts and other arrangements, with States and
15 other appropriate entities, including equity
16 intermediaries and business and labor industry
17 partner intermediaries, which shall be available
18 for the period July 1, 2023 through June 30,
19 2024;

20 (H) \$75,000,000 for a National Youth
21 Employment Program, under the authority of
22 section 169 of the WIOA, including the expan-
23 sion of summer and year-round job opportuni-
24 ties for disadvantaged youth, which shall be

1 available for the period April 1, 2023 through
2 June 30, 2024;

3 (I) \$10,000,000 for a national training
4 program for veterans, members of the armed
5 forces who are separating from active duty, and
6 the spouses of veterans and such members, fo-
7 cused on training related to employment in
8 clean energy sectors and occupations, under the
9 authority of section 169 of the WIOA, which
10 shall be available for the period July 1, 2023
11 through June 30, 2024;

12 (J) \$15,000,000 for employment and
13 training activities for youth related to high-
14 quality employment opportunities in industry
15 sectors or occupations related to climate resil-
16 ience or mitigation, to be provided through the
17 award of grants, contracts, or cooperative
18 agreements to State or local public agencies or
19 private nonprofit entities and which may in-
20 clude paid work experiences in public agencies
21 or private nonprofit entities, pre-apprenticeship
22 and registered apprenticeship programs, includ-
23 ing but not limited to work experiences and
24 programs offered in public agencies notwith-
25 standing section 194(10) of the WIOA, and

1 other appropriate activities in coordination with
2 climate resilience or mitigation activities under-
3 taken by other federal agencies, under the au-
4 thority of section 169 of the WIOA, which shall
5 be available for the period July 1, 2023 through
6 June 30, 2024; and

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

1 That sections 102 and 107 of this Act shall not
2 apply to such funds.

3 JOB CORPS

4 (INCLUDING TRANSFER OF FUNDS)

5 To carry out subtitle C of title I of the WIOA, includ-
6 ing Federal administrative expenses, the purchase and
7 hire of passenger motor vehicles, the construction, alter-
8 ation, and repairs of buildings and other facilities, and the
9 purchase of real property for training centers as author-
10 ized by the WIOA, \$1,798,655,000, plus reimbursements,
11 as follows:

12 (1) \$1,627,325,000 for Job Corps Operations,
13 which shall be available for the period July 1, 2023
14 through June 30, 2024;

15 (2) \$133,000,000 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: *Provided further*, That any
24 funds transferred pursuant to the preceding provi-
25 sion shall not be available for obligation after June

1 30, 2023: *Provided further*, That the Committees on
2 Appropriations of the House of Representatives and
3 the Senate are notified at least 15 days in advance
4 of any transfer; and

5 (3) \$38,330,000 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”), \$450,000,000,
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 \$4,124,894,000
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 section
22 1(j)(2) of H. Res. 1151 (117th Congress), as en-
23 grossed in the House of Representatives on June 8,
24 2022, and \$258,000,000 is additional new budget
25 authority specified for purposes of section 1(j) of

1 such resolution; and \$9,000,000 for continued sup-
2 port of the Unemployment Insurance Integrity Cen-
3 ter of Excellence), the administration of unemploy-
4 ment insurance for Federal employees and for ex-
5 service members as authorized under 5 U.S.C.
6 8501–8523, and the administration of trade read-
7 justment allowances, reemployment trade adjustment
8 assistance, and alternative trade adjustment assist-
9 ance under the Trade Act of 1974 and under section
10 231(a) of the Trade Adjustment Assistance Exten-
11 sion Act of 2011, and sections 405(a) and 406 of
12 the Trade Preferences Extension Act of 2015 (ex-
13 cept that the termination provisions in sections
14 246(b) and 285(a) of the Trade Act of 1974, as
15 amended, including the application of those provi-
16 sions described in paragraphs (4) and (7) of section
17 406 of the Trade Preferences Extension Act of
18 2015, shall not apply), and shall be available for ob-
19 ligation by the States through December 31, 2023,
20 except that funds used for automation shall be avail-
21 able for Federal obligation through December 31,
22 2023, and for State obligation through September
23 30, 2025, or, if the automation is being carried out
24 through consortia of States, for State obligation
25 through September 30, 2029, and for expenditure

1 through September 30, 2030, and funds for competi-
2 tive grants awarded to States for improved oper-
3 ations and to conduct in-person reemployment and
4 eligibility assessments and unemployment insurance
5 improper payment reviews and provide reemploy-
6 ment services and referrals to training, as appro-
7 priate, shall be available for Federal obligation
8 through December 31, 2023 (except that funds for
9 outcome payments pursuant to section 306(f)(2) of
10 the Social Security Act shall be available for Federal
11 obligation through March 31, 2024), and for obliga-
12 tion by the States through September 30, 2025, and
13 funds for the Unemployment Insurance Integrity
14 Center of Excellence shall be available for obligation
15 by the State through September 30, 2024, and
16 funds used for unemployment insurance workloads
17 experienced through September 30, 2023 shall be
18 available for Federal obligation through December
19 31, 2023;

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

24 (3) \$702,449,000 from the Trust Fund, to-
25 gether with \$21,413,000 from the General Fund of

1 the Treasury, is for grants to States in accordance
2 with section 6 of the Wagner-Peyser Act, and shall
3 be available for Federal obligation for the period
4 July 1, 2023 through June 30, 2024;

5 (4) \$25,000,000 from the Trust Fund is for na-
6 tional activities of the Employment Service, includ-
7 ing administration of the work opportunity tax cred-
8 it under section 51 of the Internal Revenue Code of
9 1986 (including assisting States in adopting or mod-
10 ernizing information technology for use in the proc-
11 essing of certification requests), and the provision of
12 technical assistance and staff training under the
13 Wagner-Peyser Act;

14 (5) \$94,810,000 from the Trust Fund is for the
15 administration of foreign labor certifications and re-
16 lated activities under the Immigration and Nation-
17 ality Act and related laws, of which \$68,528,000
18 shall be available for the Federal administration of
19 such activities, and \$26,282,000 shall be available
20 for grants to States for the administration of such
21 activities; and

22 (6) \$67,653,000 from the General Fund is to
23 provide workforce information, national electronic
24 tools, and one-stop system building under the Wag-
25 ner-Peyser Act and shall be available for Federal ob-

1 ligation for the period July 1, 2023 through June
2 30, 2024, of which up to \$9,800,000 may be used
3 to carry out research and demonstration projects re-
4 lated to testing effective ways to promote greater
5 labor force participation of people with disabilities:
6 *Provided*, That the Secretary may transfer amounts
7 made available for research and demonstration
8 projects under this paragraph to the “Office of Dis-
9 ability Employment Policy” account for such pur-
10 poses:

11 *Provided*, That to the extent that the Average Weekly In-
12 sured Unemployment (“AWIU”) for fiscal year 2023 is
13 projected by the Department of Labor to exceed
14 1,778,000, an additional \$28,600,000 from the Trust
15 Fund shall be available for obligation for every 100,000
16 increase in the AWIU level (including a pro rata amount
17 for any increment less than 100,000) to carry out title
18 III of the Social Security Act: *Provided further*, That
19 funds appropriated in this Act that are allotted to a State
20 to carry out activities under title III of the Social Security
21 Act may be used by such State to assist other States in
22 carrying out activities under such title III if the other
23 States include areas that have suffered a major disaster
24 declared by the President under the Robert T. Stafford
25 Disaster Relief and Emergency Assistance Act: *Provided*

1 *further*, That the Secretary may use funds appropriated
2 for grants to States under title III of the Social Security
3 Act to make payments on behalf of States for the use of
4 the National Directory of New Hires under section
5 453(j)(8) of such Act: *Provided further*, That the Sec-
6 retary may use funds appropriated for grants to States
7 under title III of the Social Security Act to make pay-
8 ments on behalf of States to the entity operating the State
9 Information Data Exchange System: *Provided further*,
10 That funds appropriated in this Act which are used to es-
11 tablish a national one-stop career center system, or which
12 are used to support the national activities of the Federal-
13 State unemployment insurance, employment service, or
14 immigration programs, may be obligated in contracts,
15 grants, or agreements with States and non-State entities:
16 *Provided further*, That States awarded competitive grants
17 for improved operations under title III of the Social Secu-
18 rity Act, or awarded grants to support the national activi-
19 ties of the Federal-State unemployment insurance system,
20 may award subgrants to other States and non-State enti-
21 ties under such grants, subject to the conditions applicable
22 to the grants: *Provided further*, That funds appropriated
23 under this Act for activities authorized under title III of
24 the Social Security Act and the Wagner-Peyser Act may
25 be used by States to fund integrated Unemployment In-

1 surance and Employment Service automation efforts, not-
2 withstanding cost allocation principles prescribed under
3 the final rule entitled “Uniform Administrative Require-
4 ments, Cost Principles, and Audit Requirements for Fed-
5 eral Awards” at part 200 of title 2, Code of Federal Regu-
6 lations: *Provided further*, That the Secretary, at the re-
7 quest of a State participating in a consortium with other
8 States, may reallocate funds allotted to such State under title
9 III of the Social Security Act to other States participating
10 in the consortium or to the entity operating the Unemploy-
11 ment Insurance Information Technology Support Center
12 in order to carry out activities that benefit the administra-
13 tion of the unemployment compensation law of the State
14 making the request: *Provided further*, That the Secretary
15 may collect fees for the costs associated with additional
16 data collection, analyses, and reporting services relating
17 to the National Agricultural Workers Survey requested by
18 State and local governments, public and private institu-
19 tions of higher education, and nonprofit organizations and
20 may utilize such sums, in accordance with the provisions
21 of 29 U.S.C. 9a, for the National Agricultural Workers
22 Survey infrastructure, methodology, and data to meet the
23 information collection and reporting needs of such entities,
24 which shall be credited to this appropriation and shall re-

1 quate staffing of the Federal Office of Apprenticeship and
2 each of the State Offices of Apprenticeship.

3 EMPLOYEE BENEFITS SECURITY ADMINISTRATION

4 SALARIES AND EXPENSES

5 For necessary expenses for the Employee Benefits
6 Security Administration, \$233,867,000, of which up to
7 \$3,000,000 shall be made available through September 30,
8 2024, for the procurement of expert witnesses for enforce-
9 ment litigation.

10 PENSION BENEFIT GUARANTY CORPORATION

11 PENSION BENEFIT GUARANTY CORPORATION FUND

12 The Pension Benefit Guaranty Corporation (“Cor-
13 poration”) is authorized to make such expenditures, in-
14 cluding financial assistance authorized by subtitle E of
15 title IV of the Employee Retirement Income Security Act
16 of 1974, within limits of funds and borrowing authority
17 available to the Corporation, and in accord with law, and
18 to make such contracts and commitments without regard
19 to fiscal year limitations, as provided by 31 U.S.C. 9104,
20 as may be necessary in carrying out the program, includ-
21 ing associated administrative expenses, through Sep-
22 tember 30, 2023, for the Corporation: *Provided*, That
23 none of the funds available to the Corporation for fiscal
24 year 2023 shall be available for obligations for administra-
25 tive expenses in excess of \$493,314,000: *Provided further*,

1 That to the extent that the number of new plan partici-
2 pants in plans terminated by the Corporation exceeds
3 100,000 in fiscal year 2023, an amount not to exceed an
4 additional \$9,200,000 shall be available through Sep-
5 tember 30, 2027, for obligations for administrative ex-
6 penses for every 20,000 additional terminated partici-
7 pants: *Provided further*, That obligations in excess of the
8 amounts provided for administrative expenses in this para-
9 graph may be incurred and shall be available through Sep-
10 tember 30, 2027 for obligation for unforeseen and extraor-
11 dinary pre-termination or termination expenses or extraor-
12 dinary multiemployer program related expenses after ap-
13 proval by the Office of Management and Budget and noti-
14 fication of the Committees on Appropriations of the House
15 of Representatives and the Senate: *Provided further*, That
16 an additional amount shall be available for obligation
17 through September 30, 2027 to the extent the Corpora-
18 tion's costs exceed \$250,000 for the provision of credit or
19 identity monitoring to affected individuals upon suffering
20 a security incident or privacy breach, not to exceed an ad-
21 ditional \$100 per affected individual.

22 WAGE AND HOUR DIVISION

23 SALARIES AND EXPENSES

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

1 agencies and their employees for inspection services ren-
2 dered, \$312,678,000: *Provided*, That the Secretary of
3 Labor shall use funds made available under this heading
4 to establish a national hotline to support domestic work-
5 ers.

6 OFFICE OF LABOR-MANAGEMENT STANDARDS

7 SALARIES AND EXPENSES

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

10 OFFICE OF FEDERAL CONTRACT COMPLIANCE

11 PROGRAMS

12 SALARIES AND EXPENSES

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

15 OFFICE OF WORKERS' COMPENSATION PROGRAMS

16 SALARIES AND EXPENSES

17 For necessary expenses for the Office of Workers'
18 Compensation Programs, \$143,772,000, together with
19 \$2,205,000 which may be expended from the Special Fund
20 in accordance with sections 39(c), 44(d), and 44(j) of the
21 Longshore and Harbor Workers' Compensation Act.

22 SPECIAL BENEFITS

23 (INCLUDING TRANSFER OF FUNDS)

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

1 thorized) accruing during the current or any prior fiscal
2 year authorized by 5 U.S.C. 81; continuation of benefits
3 as provided for under the heading “Civilian War Benefits”
4 in the Federal Security Agency Appropriation Act, 1947;
5 the Employees’ Compensation Commission Appropriation
6 Act, 1944; section 5(f) of the War Claims Act (50 U.S.C.
7 App. 2012); obligations incurred under the War Hazards
8 Compensation Act (42 U.S.C. 1701 et seq.); and 50 per-
9 cent of the additional compensation and benefits required
10 by section 10(h) of the Longshore and Harbor Workers’
11 Compensation Act, \$250,000,000, together with such
12 amounts as may be necessary to be charged to the subse-
13 quent year appropriation for the payment of compensation
14 and other benefits for any period subsequent to August
15 15 of the current year, for deposit into and to assume
16 the attributes of the Employees’ Compensation Fund es-
17 tablished under 5 U.S.C. 8147(a): *Provided*, That
18 amounts appropriated may be used under 5 U.S.C. 8104
19 by the Secretary to reimburse an employer, who is not the
20 employer at the time of injury, for portions of the salary
21 of a re-employed, disabled beneficiary: *Provided further*,
22 That balances of reimbursements unobligated on Sep-
23 tember 30, 2022, shall remain available until expended for
24 the payment of compensation, benefits, and expenses: *Pro-*
25 *vided further*, That in addition there shall be transferred

1 to this appropriation from the Postal Service and from
2 any other corporation or instrumentality required under
3 5 U.S.C. 8147(c) to pay an amount for its fair share of
4 the cost of administration, such sums as the Secretary de-
5 termines to be the cost of administration for employees
6 of such fair share entities through September 30, 2023:
7 *Provided further*, That of those funds transferred to this
8 account from the fair share entities to pay the cost of ad-
9 ministration of the Federal Employees' Compensation Act,
10 \$81,752,000 shall be made available to the Secretary as
11 follows:

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

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

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

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

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

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

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

4 SPECIAL BENEFITS FOR DISABLED COAL MINERS

5 For carrying out title IV of the Federal Mine Safety
6 and Health Act of 1977, as amended by Public Law 107-
7 275, \$36,031,000, to remain available until expended.

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

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

15 ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES

16 OCCUPATIONAL ILLNESS COMPENSATION FUND

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

1 BLACK LUNG DISABILITY TRUST FUND
2 (INCLUDING TRANSFER OF FUNDS)

3 Such sums as may be necessary from the Black Lung
4 Disability Trust Fund (the “Fund”), to remain available
5 until expended, for payment of all benefits authorized by
6 section 9501(d)(1), (2), (6), and (7) of the Internal Rev-
7 enue Code of 1986; and repayment of, and payment of
8 interest on advances, as authorized by section 9501(d)(4)
9 of that Act. In addition, the following amounts may be
10 expended from the Fund for fiscal year 2023 for expenses
11 of operation and administration of the Black Lung Bene-
12 fits program, as authorized by section 9501(d)(5): not to
13 exceed \$42,194,000 for transfer to the Office of Workers’
14 Compensation Programs, “Salaries and Expenses”; not to
15 exceed \$38,407,000 for transfer to Departmental Manage-
16 ment, “Salaries and Expenses”; not to exceed \$353,000
17 for transfer to Departmental Management, “Office of In-
18 spector General”; and not to exceed \$356,000 for pay-
19 ments into miscellaneous receipts for the expenses of the
20 Department of the Treasury.

21 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
22 SALARIES AND EXPENSES

23 For necessary expenses for the Occupational Safety
24 and Health Administration, \$712,015,000, including not
25 to exceed \$121,075,000 which shall be the maximum

1 amount available for grants to States under section 23(g)
2 of the Occupational Safety and Health Act (the “Act”),
3 which grants shall be no less than 50 percent of the costs
4 of State occupational safety and health programs required
5 to be incurred under plans approved by the Secretary
6 under section 18 of the Act; and, in addition, notwith-
7 standing 31 U.S.C. 3302, the Occupational Safety and
8 Health Administration may retain up to \$499,000 per fis-
9 cal year of training institute course tuition and fees, other-
10 wise authorized by law to be collected, and may utilize
11 such sums for occupational safety and health training and
12 education: *Provided*, That notwithstanding 31 U.S.C.
13 3302, the Secretary is authorized, during the fiscal year
14 ending September 30, 2023, to collect and retain fees for
15 services provided to Nationally Recognized Testing Lab-
16 oratories, and may utilize such sums, in accordance with
17 the provisions of 29 U.S.C. 9a, to administer national and
18 international laboratory recognition programs that ensure
19 the safety of equipment and products used by workers in
20 the workplace:
21 *Provided further*, That \$14,287,000 shall be available for
22 Susan Harwood training grants, of which not more than
23 \$6,500,000 is for Susan Harwood Training Capacity
24 Building Developmental grants, for program activities
25 starting not later than September 30, 2023 and lasting

1 for a period of 12 months: *Provided further*, That not less
2 than \$3,500,000 shall be for Voluntary Protection Pro-
3 grams.

4 MINE SAFETY AND HEALTH ADMINISTRATION

5 SALARIES AND EXPENSES

6 For necessary expenses for the Mine Safety and
7 Health Administration, \$403,816,000, including purchase
8 and bestowal of certificates and trophies in connection
9 with mine rescue and first-aid work, and the hire of pas-
10 senger motor vehicles, including up to \$2,000,000 for
11 mine rescue and recovery activities and not less than
12 \$10,537,000 for State assistance grants: *Provided*, That
13 notwithstanding 31 U.S.C. 3302, not to exceed \$750,000
14 may be collected by the National Mine Health and Safety
15 Academy for room, board, tuition, and the sale of training
16 materials, otherwise authorized by law to be collected, to
17 be available for mine safety and health education and
18 training activities: *Provided further*, That notwithstanding
19 31 U.S.C. 3302, the Mine Safety and Health Administra-
20 tion is authorized to collect and retain up to \$2,499,000
21 from fees collected for the approval and certification of
22 equipment, materials, and explosives for use in mines, and
23 may utilize such sums for such activities: *Provided further*,
24 That the Secretary is authorized to accept lands, build-
25 ings, equipment, and other contributions from public and

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

18 BUREAU OF LABOR STATISTICS

19 SALARIES AND EXPENSES

20 For necessary expenses for the Bureau of Labor Sta-
21 tistics, including advances or reimbursements to State,
22 Federal, and local agencies and their employees for serv-
23 ices rendered, \$658,334,000, together with not to exceed
24 \$68,000,000 which may be expended from the Employ-

1 ment Security Administration account in the Unemploy-
2 ment Trust Fund.

3 OFFICE OF DISABILITY EMPLOYMENT POLICY

4 SALARIES AND EXPENSES

5 (INCLUDING TRANSFER OF FUNDS)

6 For necessary expenses for the Office of Disability
7 Employment Policy to provide leadership, develop policy
8 and initiatives, and award grants furthering the objective
9 of eliminating barriers to the training and employment of
10 people with disabilities, \$58,566,000, of which not less
11 than \$9,000,000 shall be for research and demonstration
12 projects related to testing effective ways to promote great-
13 er labor force participation of people with disabilities: *Pro-*
14 *vided*, That the Secretary may transfer amounts made
15 available under this heading for research and demonstra-
16 tion projects to the “State Unemployment Insurance and
17 Employment Service Operations” account for such pur-
18 poses.

19 DEPARTMENTAL MANAGEMENT

20 SALARIES AND EXPENSES

21 (INCLUDING TRANSFER OF FUNDS)

22 For necessary expenses for Departmental Manage-
23 ment, including the hire of three passenger motor vehicles,
24 \$498,609,000, together with not to exceed \$308,000,
25 which may be expended from the Employment Security

1 Administration account in the Unemployment Trust
2 Fund: *Provided*, That \$101,325,000 for the Bureau of
3 International Labor Affairs shall be available for obliga-
4 tion through December 31, 2023: *Provided further*, That
5 funds available to the Bureau of International Labor Af-
6 fairs may be used to administer or operate international
7 labor activities, bilateral and multilateral technical assist-
8 ance, and microfinance programs, by or through contracts,
9 grants, subgrants and other arrangements: *Provided fur-*
10 *ther*, That not less than \$40,500,000 shall be for programs
11 to combat exploitative child labor internationally and not
12 less than \$40,500,000 shall be used to implement model
13 programs that address worker rights issues through tech-
14 nical assistance in countries with which the United States
15 has free trade agreements or trade preference programs:
16 *Provided further*, That the Secretary of Labor may waive
17 the application of section 505 of this Act to awards made
18 from funds available to the Bureau of International Labor
19 Affairs if the Secretary determines that the waiver is nec-
20 essary to protect human health, safety, or welfare: *Pro-*
21 *vided further*, That \$10,351,000 shall be used for program
22 evaluation and shall be available for obligation through
23 September 30, 2024: *Provided further*, That funds avail-
24 able for program evaluation may be used to administer
25 grants for the purpose of evaluation: *Provided further*,

1 That grants made for the purpose of evaluation shall be
2 awarded through fair and open competition: *Provided fur-*
3 *ther*, That funds available for program evaluation may be
4 transferred to any other appropriate account in the De-
5 partment for such purpose: *Provided further*, That the
6 Committees on Appropriations of the House of Represent-
7 atives and the Senate are notified at least 15 days in ad-
8 vance of any transfer: *Provided further*, That the funds
9 available to the Women's Bureau may be used for grants
10 to serve and promote the interests of women in the work-
11 force: *Provided further*, That of the amounts made avail-
12 able to the Women's Bureau, not less than \$7,500,000
13 shall be used for grants authorized by the Women in Ap-
14 prenticeship and Nontraditional Occupations Act.

15 VETERANS' EMPLOYMENT AND TRAINING

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

21 (1) \$183,000,000 is for Jobs for Veterans State
22 grants under 38 U.S.C. 4102A(b)(5) to support dis-
23 abled veterans' outreach program specialists under
24 section 4103A of such title and local veterans' em-
25 ployment representatives under section 4104(b) of

1 such title, and for the expenses described in section
2 4102A(b)(5)(C), which shall be available for expend-
3 iture by the States through September 30, 2025,
4 and not to exceed 3 percent for the necessary Fed-
5 eral expenditures for data systems and contract sup-
6 port to allow for the tracking of participant and per-
7 formance information: *Provided*, That, in addition,
8 such funds may be used to support such specialists
9 and representatives in the provision of services to
10 transitioning members of the Armed Forces who
11 have participated in the Transition Assistance Pro-
12 gram and have been identified as in need of inten-
13 sive services, to members of the Armed Forces who
14 are wounded, ill, or injured and receiving treatment
15 in military treatment facilities or warrior transition
16 units, and to the spouses or other family caregivers
17 of such wounded, ill, or injured members, and to
18 Gold Star spouses;

19 (2) \$32,379,000 is for carrying out the Transi-
20 tion Assistance Program under 38 U.S.C. 4113 and
21 10 U.S.C. 1144;

22 (3) \$49,548,000 is for Federal administration
23 of chapters 41, 42, and 43 of title 38, and sections
24 2021, 2021A and 2023 of title 38, United States
25 Code: *Provided*, That, up to \$500,000 may be used

1 to carry out the Hire VETS Act (division O of Pub-
2 lic Law 115–31); and

3 (4) \$3,414,000 is for the National Veterans'
4 Employment and Training Services Institute under
5 38 U.S.C. 4109:

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

10 In addition, from the General Fund of the Treasury,
11 \$70,500,000 is for carrying out programs to assist home-
12 less veterans and veterans at risk of homelessness who are
13 transitioning from certain institutions under sections
14 2021, 2021A, and 2023 of title 38, United States Code:

15 *Provided*, That notwithstanding subsections (c)(3) and (d)
16 of section 2023, the Secretary may award grants through
17 September 30, 2023, to provide services under such sec-
18 tion: *Provided further*, That services provided under sec-
19 tions 2021 or under 2021A may include, in addition to
20 services to homeless veterans described in section
21 2002(a)(1), services to veterans who were homeless at
22 some point within the 60 days prior to program entry or
23 veterans who are at risk of homelessness within the next
24 60 days, and that services provided under section 2023
25 may include, in addition to services to the individuals de-

1 scribed in subsection (e) of such section, services to vet-
2 erans recently released from incarceration who are at risk
3 of homelessness: *Provided further*, That notwithstanding
4 paragraph (3) under this heading, funds appropriated in
5 this paragraph may be used for data systems and contract
6 support to allow for the tracking of participant and per-
7 formance information: *Provided further*, That notwith-
8 standing sections 2021(e)(2) and 2021A(f)(2) of title 38,
9 United States Code, such funds shall be available for ex-
10 penditure pursuant to 31 U.S.C. 1553.

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

23 IT MODERNIZATION

24 For necessary expenses for Department of Labor cen-
25 tralized infrastructure technology investment activities re-

1 lated to support systems and modernization, \$38,269,000,
2 which shall be available through September 30, 2024.

3 OFFICE OF INSPECTOR GENERAL

4 For salaries and expenses of the Office of Inspector
5 General in carrying out the provisions of the Inspector
6 General Act of 1978, \$93,187,000, together with not to
7 exceed \$5,841,000 which may be expended from the Em-
8 ployment Security Administration account in the Unem-
9 ployment Trust Fund.

10 GENERAL PROVISIONS

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

16 (TRANSFER OF FUNDS)

17 SEC. 102. Not to exceed 1 percent of any discre-
18 tionary funds (pursuant to the Balanced Budget and
19 Emergency Deficit Control Act of 1985) which are appro-
20 priated for the current fiscal year for the Department of
21 Labor in this Act may be transferred between a program,
22 project, or activity, but no such program, project, or activ-
23 ity shall be increased by more than 3 percent by any such
24 transfer: *Provided*, That the transfer authority granted by
25 this section shall not be used to create any new program

1 or to fund any project or activity for which no funds are
2 provided in this Act: *Provided further*, That the Commit-
3 tees on Appropriations of the House of Representatives
4 and the Senate are notified at least 15 days in advance
5 of any transfer.

6 SEC. 103. In accordance with Executive Order
7 13126, none of the funds appropriated or otherwise made
8 available pursuant to this Act shall be obligated or ex-
9 pended for the procurement of goods mined, produced,
10 manufactured, or harvested or services rendered, in whole
11 or in part, by forced or indentured child labor in industries
12 and host countries already identified by the United States
13 Department of Labor prior to enactment of this Act.

14 SEC. 104. Except as otherwise provided in this sec-
15 tion, none of the funds made available to the Department
16 of Labor for grants under section 414(c) of the American
17 Competitiveness and Workforce Improvement Act of 1998
18 (29 U.S.C. 2916a) may be used for any purpose other
19 than competitive grants for training individuals who are
20 older than 16 years of age and are not currently enrolled
21 in school within a local educational agency in the occupa-
22 tions and industries for which employers are using H-1B
23 visas to hire foreign workers, and the related activities
24 necessary to support such training.

1 formed by Federal employees: *Provided*, That this section
2 shall not apply to section 171 of the WIOA.

3 (b) Notwithstanding section 102, the Secretary may
4 transfer not more than 0.5 percent of each discretionary
5 appropriation made available to the Employment and
6 Training Administration by this Act to “Program Admin-
7 istration” in order to carry out program integrity activities
8 relating to any of the programs or activities that are fund-
9 ed under any such discretionary appropriations: *Provided*,
10 That notwithstanding section 102 and the preceding pro-
11 viso, the Secretary may transfer not more than 0.5 percent
12 of funds made available in paragraphs (1) and (2) of the
13 “Office of Job Corps” account to paragraph (3) of such
14 account to carry out program integrity activities related
15 to the Job Corps program: *Provided further*, That funds
16 transferred under this subsection shall be available to the
17 Secretary to carry out program integrity activities directly
18 or through grants, cooperative agreements, contracts and
19 other arrangements with States and other appropriate en-
20 tities: *Provided further*, That funds transferred under the
21 authority provided by this subsection shall be available for
22 obligation through September 30, 2024.

23 (TRANSFER OF FUNDS)

24 SEC. 107. (a) The Secretary may reserve not more
25 than 0.75 percent from each appropriation made available

1 in this Act identified in subsection (b) in order to carry
2 out evaluations of any of the programs or activities that
3 are funded under such accounts. Any funds reserved under
4 this section shall be transferred to “Departmental Man-
5 agement” for use by the Office of the Chief Evaluation
6 Officer within the Department of Labor, and shall be
7 available for obligation through September 30, 2024: *Pro-*
8 *vided*, That such funds shall only be available if the Chief
9 Evaluation Officer of the Department of Labor submits
10 a plan to the Committees on Appropriations of the House
11 of Representatives and the Senate describing the evalua-
12 tions to be carried out 15 days in advance of any transfer.

13 (b) The accounts referred to in subsection (a) are:
14 “Training and Employment Services”, “Job Corps”,
15 “Community Service Employment for Older Americans”,
16 “State Unemployment Insurance and Employment Service
17 Operations”, “Employee Benefits Security Administra-
18 tion”, “Office of Workers’ Compensation Programs”,
19 “Wage and Hour Division”, “Office of Federal Contract
20 Compliance Programs”, “Office of Labor Management
21 Standards”, “Occupational Safety and Health Adminis-
22 tration”, “Mine Safety and Health Administration”, “Of-
23 fice of Disability Employment Policy”, funding made
24 available to the “Bureau of International Labor Affairs”
25 and “Women’s Bureau” within the “Departmental Man-

1 agement, Salaries and Expenses” account, and “Veterans’
2 Employment and Training”.

3 SEC. 108. Notwithstanding any other provision of
4 law, the Secretary may furnish through grants, coopera-
5 tive agreements, contracts, and other arrangements, up to
6 \$2,000,000 of excess personal property, at a value deter-
7 mined by the Secretary, to apprenticeship programs for
8 the purpose of training apprentices in those programs.

9 SEC. 109. (a) The Act entitled “An Act to create a
10 Department of Labor”, approved March 4, 1913 (37 Stat.
11 736, chapter 141) shall be applied as if the following text
12 is part of such Act:

13 **“SEC. 12. SECURITY DETAIL.**

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

17 “(1) provide protection for the Secretary of
18 Labor during the workday of the Secretary and dur-
19 ing any activity that is preliminary or postliminary
20 to the performance of official duties by the Sec-
21 retary;

22 “(2) provide protection, incidental to the protec-
23 tion provided to the Secretary, to a member of the
24 immediate family of the Secretary who is partici-

1 pating in an activity or event relating to the official
2 duties of the Secretary;

3 “(3) provide continuous protection to the Sec-
4 retary (including during periods not described in
5 paragraph (1)) and to the members of the imme-
6 diate family of the Secretary if there is a significant
7 and articulable threat of physical harm, in accord-
8 ance with guidelines established by the Secretary;
9 and

10 “(4) provide protection to the Deputy Secretary
11 of Labor in the performance of official duties at a
12 public event outside of the United States if there is
13 a significant and articulable threat of physical harm
14 and protective services are not provided as part of
15 an official U.S. visit.

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

20 “(1) carry firearms;

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

24 “(3) perform protective intelligence work, in-
25 cluding identifying and mitigating potential threats

1 and conducting advance work to review security mat-
2 ters relating to sites and events;

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

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

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

13 “(1) guidelines issued by the Attorney General;
14 and

15 “(2) guidelines prescribed by the Secretary of
16 Labor.”.

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

19 SEC. 110. The Secretary is authorized to dispose of
20 or divest, by any means the Secretary determines appro-
21 priate, including an agreement or partnership to construct
22 a new Job Corps center, all or a portion of the real prop-
23 erty on which the Treasure Island Job Corps Center is
24 situated. Any sale or other disposition will not be subject
25 to any requirement of any Federal law or regulation relat-

1 ing to the disposition of Federal real property, including
2 but not limited to subchapter III of chapter 5 of title 40
3 of the United States Code and subchapter V of chapter
4 119 of title 42 of the United States Code. The net pro-
5 ceeds of such a sale shall be transferred to the Secretary,
6 which shall be available until expended to carry out the
7 Job Corps Program on Treasure Island.

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

10 (1) alter or terminate the Interagency Agree-
11 ment between the United States Department of
12 Labor and the United States Department of Agri-
13 culture; or

14 (2) close any of the Civilian Conservation Cen-
15 ters, except if such closure is necessary to prevent
16 the endangerment of the health and safety of the
17 students, the capacity of the program is retained,
18 and the requirements of section 159(j) of the WIOA
19 are met.

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

1 for expenses incurred by the Department of Health and
2 Human Services (referred to in this Act as “HHS”) per-
3 taining to administrative claims made under such law.

4 HEALTH WORKFORCE

5 For carrying out titles III, VII, and VIII of the PHS
6 Act with respect to the health workforce, sections 1128E
7 and 1921 of the Social Security Act, and the Health Care
8 Quality Improvement Act of 1986, \$1,543,566,000: *Pro-*
9 *vided*, That section 751(j)(2) of the PHS Act and the pro-
10 portional funding amounts in paragraphs (1) through (4)
11 of section 756(f) of the PHS Act shall not apply to funds
12 made available under this heading: *Provided further*, That
13 for any program operating under section 751 of the PHS
14 Act on or before January 1, 2009, the Secretary of Health
15 and Human Services (referred to in this title as the “Sec-
16 retary”) may hereafter waive any of the requirements con-
17 tained in sections 751(d)(2)(A) and 751(d)(2)(B) of such
18 Act for the full project period of a grant under such sec-
19 tion: *Provided further*, That section 756(c) of the PHS Act
20 shall apply to paragraphs (1) through (4) of section
21 756(a) of such Act: *Provided further*, That fees collected
22 for the disclosure of information under section 427(b) of
23 the Health Care Quality Improvement Act of 1986 and
24 sections 1128E(d)(2) and 1921 of the Social Security Act
25 shall be sufficient to recover the full costs of operating

1 the programs authorized by such sections and shall remain
2 available until expended for the National Practitioner
3 Data Bank: *Provided further*, That funds transferred to
4 this account to carry out section 846 and subpart 3 of
5 part D of title III of the PHS Act may be used to make
6 prior year adjustments to awards made under such section
7 and subpart: *Provided further*, That \$155,600,000 shall
8 remain available until expended for the purposes of pro-
9 viding primary health services, assigning National Health
10 Service Corps (“NHSC”) participants to expand the deliv-
11 ery of substance use disorder treatment services, notwith-
12 standing the assignment priorities and limitations under
13 sections 333(a)(1)(D), 333(b), and 333A(a)(1)(B)(ii) of
14 the PHS Act, and making payments under the NHSC
15 Loan Repayment Program under section 338B of such
16 Act: *Provided further*, That, within the amount made
17 available in the preceding proviso, \$15,600,000 shall re-
18 main available until expended for the purposes of making
19 payments under the NHSC Loan Repayment Program
20 under section 338B of the PHS Act to individuals partici-
21 pating in such program who provide primary health serv-
22 ices in Indian Health Service facilities, Tribally-Operated
23 638 Health Programs, and Urban Indian Health Pro-
24 grams (as those terms are defined by the Secretary), not-
25 withstanding the assignment priorities and limitations

1 under section 333(b) of such Act: *Provided further*, That
2 within the amount made available in the sixth proviso
3 under this heading, \$10,000,000 shall remain available
4 until expended for the purposes of making loan repayment
5 awards to mental and behavioral health providers, includ-
6 ing peer support specialists, in accordance with section
7 338B of the PHS Act, notwithstanding the assignment
8 priorities and limitations under sections 333(a)(1)(D),
9 333(b), 333A(a)(1)(B)(ii), and 334 of the PHS Act: *Pro-*
10 *vided further*, That for purposes of the preceding three
11 provisos, section 331(a)(3)(D) of the PHS Act shall be
12 applied as if the term “primary health services” includes
13 clinical substance use disorder treatment services, includ-
14 ing those provided by masters level, licensed substance use
15 disorder treatment counselors, and services provided by
16 certified peer support specialists: *Provided further*, That
17 of the funds made available under this heading,
18 \$6,000,000 shall be available to make grants to establish,
19 expand, or maintain optional community-based nurse
20 practitioner fellowship programs that are accredited or in
21 the accreditation process, with a preference for those in
22 Federally Qualified Health Centers, for practicing post-
23 graduate nurse practitioners in primary care or behavioral
24 health: *Provided further*, That of the funds made available
25 under this heading, \$15,000,000 shall remain available

1 until expended for activities under section 775 of the PHS
2 Act: *Provided further*, That the United States may recover
3 liquidated damages in an amount determined by the for-
4 mula under section 338E(c)(1) of the PHS Act if an indi-
5 vidual either fails to begin or complete the service obli-
6 gated by a contract under section 775(b) of the PHS Act:
7 *Provided further*, That for purposes of section 775(c)(1)
8 of the PHS Act, the Secretary may include other mental
9 and behavioral health disciplines as the Secretary deems
10 appropriate: *Provided further*, That the Secretary may ter-
11 minate a contract entered into under section 775 of the
12 PHS Act in the same manner articulated in section 206
13 of this title for fiscal year 2023 contracts entered into
14 under section 338B of the PHS Act.

15 Of the funds made available under this heading,
16 \$60,000,000 shall remain available until expended for
17 grants to public institutions of higher education to expand
18 or support graduate education for physicians provided by
19 such institutions, including funding for infrastructure de-
20 velopment, maintenance, equipment, and minor renova-
21 tions or alterations: *Provided*, That, in awarding such
22 grants, the Secretary shall give priority to public institu-
23 tions of higher education located in States with a projected
24 primary care provider shortage in 2026, as determined by
25 the Secretary: *Provided further*, That grants so awarded

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

14 MATERNAL AND CHILD HEALTH

15 For carrying out titles III, XI, XII, and XIX of the
16 PHS Act with respect to maternal and child health and
17 title V of the Social Security Act, \$1,201,296,000: *Pro-*
18 *vided*, That notwithstanding sections 502(a)(1) and
19 502(b)(1) of the Social Security Act, not more than
20 \$277,416,000 shall be available for carrying out special
21 projects of regional and national significance pursuant to
22 section 501(a)(2) of such Act and \$10,276,000 shall be
23 available for projects described in subparagraphs (A)
24 through (F) of section 501(a)(3) of such Act.

1 RYAN WHITE HIV/AIDS PROGRAM

2 For carrying out title XXVI of the PHS Act with
3 respect to the Ryan White HIV/AIDS program,
4 \$2,694,776,000, of which \$2,076,562,000 shall remain
5 available to the Secretary through September 30, 2025,
6 for parts A and B of title XXVI of the PHS Act, and
7 of which not less than \$900,313,000 shall be for State
8 AIDS Drug Assistance Programs under the authority of
9 section 2616 or 311(c) of such Act; and of which
10 \$250,000,000, to remain available until expended, shall be
11 available to the Secretary for carrying out a program of
12 grants and contracts under title XXVI or section 311(c)
13 of such Act focused on ending the nationwide HIV/AIDS
14 epidemic, with any grants issued under such section
15 311(c) administered in conjunction with title XXVI of the
16 PHS Act, including the limitation on administrative ex-
17 penses.

18 HEALTH SYSTEMS

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

1 RURAL HEALTH

2 For carrying out titles III and IV of the PHS Act
3 with respect to rural health, section 427(a) of the Federal
4 Coal Mine Health and Safety Act of 1969, and sections
5 711 and 1820 of the Social Security Act, \$375,675,000,
6 of which \$68,500,000 from general revenues, notwith-
7 standing section 1820(j) of the Social Security Act, shall
8 be available for carrying out the Medicare rural hospital
9 flexibility grants program: *Provided*, That of the funds
10 made available under this heading for Medicare rural hos-
11 pital flexibility grants, \$20,942,000 shall be available for
12 the Small Rural Hospital Improvement Grant Program
13 for quality improvement and adoption of health informa-
14 tion technology, up to \$5,000,000 shall be available to
15 award grants to public or non-profit private entities for
16 the Rural Emergency Hospital Technical Assistance Pro-
17 gram, and up to \$1,000,000 shall be to carry out section
18 1820(g)(6) of the Social Security Act, with funds provided
19 for grants under section 1820(g)(6) available for the pur-
20 chase and implementation of telehealth services and other
21 efforts to improve health care coordination for rural vet-
22 erans between rural providers and the Department of Vet-
23 erans Affairs electronic health record system: *Provided*
24 *further*, That notwithstanding section 338J(k) of the PHS
25 Act, \$12,500,000 shall be available for State Offices of

1 Rural Health: *Provided further*, That \$12,700,000 shall
2 remain available through September 30, 2025, to support
3 the Rural Residency Development Program: *Provided fur-*
4 *ther*, That \$160,000,000 shall be for the Rural Commu-
5 nities Opioids Response Program.

6 FAMILY PLANNING

7 For carrying out the program under title X of the
8 PHS Act to provide for voluntary family planning
9 projects, \$500,000,000: *Provided*, That amounts provided
10 to said projects under such title shall not be expended for
11 abortions, that all pregnancy counseling shall be nondirec-
12 tive, and that such amounts shall not be expended for any
13 activity (including the publication or distribution of lit-
14 erature) that in any way tends to promote public support
15 or opposition to any legislative proposal or candidate for
16 public office: *Provided further*, That all entities funded
17 under this heading shall provide clinical services consistent
18 with nationally recognized clinical standards: *Provided fur-*
19 *ther*, That projects funded under section 1001 of the PHS
20 Act shall provide a broad range of contraceptive products
21 approved and cleared by the Food and Drug Administra-
22 tion: *Provided further*, That all patients served under title
23 X of the PHS Act with a positive pregnancy test shall
24 be given the opportunity to be provided information and
25 counseling regarding: (1) prenatal care and delivery; (2)

1 infant care, foster care, and adoption; and (3) pregnancy
2 termination: *Provided further*, That if such a patient re-
3 quests information specified in the preceding proviso, such
4 patient shall be provided with neutral, factual information
5 and nondirective counseling on each such option, including
6 referral upon request, except with respect to any option
7 about which the patient indicates no interest in receiving
8 such information and counseling.

9 HRSA-WIDE ACTIVITIES AND PROGRAM SUPPORT

10 For carrying out title III of the Public Health Service
11 Act and for cross-cutting activities and program support
12 for activities funded in other appropriations included in
13 this Act for the Health Resources and Services Adminis-
14 tration, \$934,857,000, of which \$37,050,000 shall be for
15 expenses necessary for the Office for the Advancement of
16 Telehealth, including grants, contracts, and cooperative
17 agreements for the advancement of telehealth activities:
18 *Provided*, That funds made available under this heading
19 may be used to supplement program support funding pro-
20 vided under the headings “Primary Health Care”,
21 “Health Workforce”, “Maternal and Child Health”,
22 “Ryan White HIV/AIDS Program”, “Health Systems”,
23 and “Rural Health”: *Provided further*, That of the amount
24 made available under this heading, \$726,569,000 shall be
25 used for the projects financing the construction and ren-

1 ovation (including equipment) of health care and other fa-
2 cilities, and for the projects financing one-time grants that
3 support health-related activities, including training and in-
4 formation technology, and in the amounts specified in the
5 table titled “Labor, HHS, Education Incorporation of
6 Community Project Funding Items” in the report accom-
7 panying this Act: *Provided further*, That of the funds
8 made available in the preceding proviso, up to \$6,000,000
9 may be used for related agency administrative expenses:
10 *Provided further*, That none of the funds made available
11 for projects described in the two preceding provisos shall
12 be subject to section 241 of the PHS Act or section 205
13 of this Act.

14 VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

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

1 COVERED COUNTERMEASURES PROCESS FUND

2 For carrying out section 319F–4 of the PHS Act,
3 \$7,000,000, to remain available until expended.

4 CENTERS FOR DISEASE CONTROL AND PREVENTION

5 IMMUNIZATION AND RESPIRATORY DISEASES

6 For carrying out titles II, III, XVII, and XXI, and
7 section 2821 of the PHS Act, titles II and IV of the Immi-
8 gration and Nationality Act, and section 501 of the Ref-
9 ugee Education Assistance Act, with respect to immuniza-
10 tion and respiratory diseases, \$663,805,000.

11 HIV/AIDS, VIRAL HEPATITIS, SEXUALLY TRANSMITTED

12 DISEASES, AND TUBERCULOSIS PREVENTION

13 For carrying out titles II, III, XVII, and XXIII of
14 the PHS Act with respect to HIV/AIDS, viral hepatitis,
15 sexually transmitted diseases, and tuberculosis prevention,
16 \$1,463,556,000.

17 EMERGING AND ZOOONOTIC INFECTIOUS DISEASES

18 For carrying out titles II, III, and XVII, and section
19 2821 of the PHS Act, titles II and IV of the Immigration
20 and Nationality Act, and section 501 of the Refugee Edu-
21 cation Assistance Act, with respect to emerging and
22 zoonotic infectious diseases, \$747,272,000: *Provided*, That
23 of the amounts made available under this heading, up to
24 \$1,000,000 shall remain available until expended to pay
25 for the transportation, medical care, treatment, and other

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

3 CHRONIC DISEASE PREVENTION AND HEALTH

4 PROMOTION

5 For carrying out titles II, III, XI, XV, XVII, and
6 XIX of the PHS Act with respect to chronic disease pre-
7 vention and health promotion, \$1,346,964,000: *Provided*,
8 That funds made available under this heading may be
9 available for making grants under section 1509 of the
10 PHS Act for not less than 21 States, tribes, or tribal orga-
11 nizations: *Provided further*, That of the funds made avail-
12 able under this heading, \$16,500,000 shall be available to
13 continue and expand community specific extension and
14 outreach programs to combat obesity in counties with the
15 highest levels of obesity: *Provided further*, That the pro-
16 portional funding requirements under section 1503(a) of
17 the PHS Act shall not apply to funds made available
18 under this heading.

19 BIRTH DEFECTS, DEVELOPMENTAL DISABILITIES,

20 DISABILITIES AND HEALTH

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

1 PUBLIC HEALTH SCIENTIFIC SERVICES

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

5 ENVIRONMENTAL HEALTH

6 For carrying out titles II, III, and XVII of the PHS
7 Act with respect to environmental health, \$311,850,000:
8 *Provided*, That of the amounts appropriated under this
9 heading up to \$4,000,000 may remain available until ex-
10 pended for carrying out the Vessel Sanitation Program,
11 in addition to amounts otherwise available for such pur-
12 poses: *Provided further*, That the Committees on Appro-
13 priations of the House of Representatives and the Senate
14 are notified at least 15 days in advance of any use of funds
15 pursuant to the preceding proviso.

16 INJURY PREVENTION AND CONTROL

17 For carrying out titles II, III, and XVII of the PHS
18 Act with respect to injury prevention and control,
19 \$897,779,000.

20 NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND

21 HEALTH

22 For carrying out titles II, III, and XVII of the PHS
23 Act, sections 101, 102, 103, 201, 202, 203, 301, and 501
24 of the Federal Mine Safety and Health Act, section 13
25 of the Mine Improvement and New Emergency Response

1 Act, and sections 20, 21, and 22 of the Occupational Safe-
2 ty and Health Act, with respect to occupational safety and
3 health, \$363,300,000.

4 ENERGY EMPLOYEES OCCUPATIONAL ILLNESS

5 COMPENSATION PROGRAM

6 For necessary expenses to administer the Energy
7 Employees Occupational Illness Compensation Program
8 Act, \$55,358,000, to remain available until expended: *Pro-*
9 *vided*, That this amount shall be available consistent with
10 the provision regarding administrative expenses in section
11 151(b) of division B, title I of Public Law 106–554.

12 GLOBAL HEALTH

13 For carrying out titles II, III, and XVII of the PHS
14 Act with respect to global health, \$757,843,000, of which:
15 (1) \$128,921,000 shall remain available through Sep-
16 tember 30, 2024 for international HIV/AIDS; and (2)
17 \$353,200,000 shall remain available through September
18 30, 2025 for global public health protection: *Provided*,
19 That funds may be used for purchase and insurance of
20 official motor vehicles in foreign countries.

21 PUBLIC HEALTH PREPAREDNESS AND RESPONSE

22 For carrying out titles II, III, and XVII of the PHS
23 Act with respect to public health preparedness and re-
24 sponse, and for expenses necessary to support activities
25 related to countering potential biological, nuclear, radio-

1 logical, and chemical threats to civilian populations,
2 \$882,200,000: *Provided*, That the Director of the Centers
3 for Disease Control and Prevention (referred to in this
4 title as “CDC”) or the Administrator of the Agency for
5 Toxic Substances and Disease Registry may detail staff
6 without reimbursement to support an activation of the
7 CDC Emergency Operations Center, so long as the Direc-
8 tor or Administrator, as applicable, provides a notice to
9 the Committees on Appropriations of the House of Rep-
10 resentatives and the Senate within 15 days of the use of
11 this authority, a full report within 30 days after use of
12 this authority which includes the number of staff and
13 funding level broken down by the originating center and
14 number of days detailed, and an update of such report
15 every 180 days until staff are no longer on detail without
16 reimbursement to the CDC Emergency Operations Center.

17 BUILDINGS AND FACILITIES

18 (INCLUDING TRANSFER OF FUNDS)

19 For acquisition of real property, equipment, construc-
20 tion, installation, demolition, and renovation of facilities,
21 \$55,000,000, which shall remain available until September
22 30, 2027: *Provided*, That funds made available to this ac-
23 count in this or any prior Act that are available for the
24 acquisition of real property or for construction or improve-
25 ment of facilities shall be available to make improvements

1 on non-federally owned property, provided that any im-
2 provements that are not adjacent to federally owned prop-
3 erty do not exceed \$2,500,000, and that the primary ben-
4 efit of such improvements accrues to CDC: *Provided fur-*
5 *ther*, That funds previously set-aside by CDC for repair
6 and upgrade of the Lake Lynn Experimental Mine and
7 Laboratory shall be used to acquire a replacement mine
8 safety research facility: *Provided further*, That in addition,
9 the prior year unobligated balance of any amounts as-
10 signed to former employees in accounts of CDC made
11 available for Individual Learning Accounts shall be cred-
12 ited to and merged with the amounts made available under
13 this heading to support the replacement of the mine safety
14 research facility.

15 CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

16 (INCLUDING TRANSFER OF FUNDS)

17 For carrying out titles II, III, XVII and XIX, and
18 section 2821 of the PHS Act and for cross-cutting activi-
19 ties and program support for activities funded in other
20 appropriations included in this Act for the Centers for
21 Disease Control and Prevention, \$958,570,000, of which:
22 (1) \$750,000,000 shall remain available through Sep-
23 tember 30, 2024, for public health infrastructure and ca-
24 pacity; and (2) \$50,000,000 shall remain available
25 through September 30, 2024 for forecasting epidemics

1 and outbreak analytics: *Provided*, That paragraphs (1)
2 through (3) of subsection (b) of section 2821 of the PHS
3 Act shall not apply to funds appropriated under this head-
4 ing and in all other accounts of the CDC: *Provided further*,
5 That of the amounts made available under this heading,
6 \$35,000,000, to remain available until expended, shall be
7 available to the Director of the CDC for deposit in the
8 Infectious Diseases Rapid Response Reserve Fund estab-
9 lished by section 231 of division B of Public Law 115–
10 245: *Provided further*, That funds appropriated under this
11 heading may be used to support a contract for the oper-
12 ation and maintenance of an aircraft in direct support of
13 activities throughout CDC to ensure the agency is pre-
14 pared to address public health preparedness emergencies:
15 *Provided further*, That employees of CDC or the Public
16 Health Service, both civilian and commissioned officers,
17 detailed to States, municipalities, or other organizations
18 under authority of section 214 of the PHS Act, or in over-
19 seas assignments, shall be treated as non-Federal employ-
20 ees for reporting purposes only and shall not be included
21 within any personnel ceiling applicable to the Agency,
22 Service, or HHS during the period of detail or assignment:
23 *Provided further*, That CDC may use up to \$10,000 from
24 amounts appropriated to CDC in this Act for official re-
25 ception and representation expenses when specifically ap-

1 proved by the Director of CDC: *Provided further*, That in
2 addition, such sums as may be derived from authorized
3 user fees, which shall be credited to the appropriation
4 charged with the cost thereof: *Provided further*, That with
5 respect to the previous proviso, authorized user fees from
6 the Vessel Sanitation Program and the Respirator Certifi-
7 cation Program shall be available through September 30,
8 2024.

9 NATIONAL INSTITUTES OF HEALTH

10 NATIONAL CANCER INSTITUTE

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

17 NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

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

21 NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL

22 RESEARCH

23 For carrying out section 301 and title IV of the PHS
24 Act with respect to dental and craniofacial diseases,
25 \$526,051,000.

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, \$2,283,489,000.

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 \$2,608,590,000.

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 \$6,642,608,000.

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 \$3,200,157,000, of which \$1,420,700,000 shall be from
20 funds available under section 241 of the PHS Act: *Pro-*
21 *vided*, That not less than \$423,076,000 is provided for
22 the 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 \$1,756,630,000.

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 \$891,186,000.

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 \$878,750,000.

15 NATIONAL INSTITUTE ON AGING

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

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, \$676,395,000.

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, \$531,136,000.

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, \$208,571,000.

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, \$591,757,000.

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, \$1,712,832,000.

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, \$2,203,775,000.

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 \$659,233,000.

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, \$437,991,000.

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 \$164,395,000.

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, \$505,292,000.

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), \$99,622,000.

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 \$494,572,000: *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, \$901,678,000:
10 *Provided*, That up to \$60,000,000 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 \$626,059,000 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, \$2,537,213,000: *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 \$678,151,000 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 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 \$300,000,000, 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 \$3,774,152,000: *Provided*, That of the funds made avail-
11 able under this heading, \$150,000,000 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 States shall expend at least 10 percent
12 of the amount each receives for carrying out section 1911
13 of the PHS Act to support evidence-based programs that
14 address the needs of individuals with early serious mental
15 illness, including psychotic disorders, regardless of the age
16 of the individual at onset: *Provided further*, That
17 \$400,000,000 shall be available until September 30, 2025
18 for grants to communities and community organizations
19 who meet criteria for Certified Community Behavioral
20 Health Clinics pursuant to section 223(a) of Public Law
21 113–93: *Provided further*, That none of the funds provided
22 for section 1911 of the PHS Act shall be subject to section
23 241 of such Act: *Provided further*, That of the funds made
24 available under this heading, \$21,420,000 shall be to
25 carry out section 224 of the Protecting Access to Medicare

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

18 SUBSTANCE USE SERVICES

19 For carrying out titles III and V of the PHS Act
20 with respect to substance use treatment and title XIX of
21 such Act with respect to substance use treatment and pre-
22 vention, and the SUPPORT for Patients and Commu-
23 nities Act, \$4,744,848,000: *Provided*, That
24 \$1,775,000,000 shall be for State Opioid Response Grants
25 for carrying out activities pertaining to opioids and stimu-

1 lants undertaken by the State agency responsible for ad-
2 ministering the substance use prevention and treatment
3 block grant under subpart II of part B of title XIX of
4 the PHS Act (42 U.S.C. 300x-21 et seq.): *Provided fur-*
5 *ther*, That of such amount \$65,000,000 shall be made
6 available to Indian Tribes or tribal organizations: *Provided*
7 *further*, That 15 percent of the remaining amount shall
8 be for the States with the highest mortality rate related
9 to opioid use disorders: *Provided further*, That of the
10 amounts provided for State Opioid Response Grants not
11 more than 2 percent shall be available for Federal admin-
12 istrative expenses, training, technical assistance, and eval-
13 uation: *Provided further*, That of the amount not reserved
14 by the previous three provisos, the Secretary shall make
15 allocations to States, territories, and the District of Co-
16 lumbia according to a formula using national survey re-
17 sults that the Secretary determines are the most objective
18 and reliable measure of drug use and drug-related deaths:
19 *Provided further*, That the Secretary shall submit the for-
20 mula methodology to the Committees on Appropriations
21 of the House of Representatives and the Senate not less
22 than 21 days prior to publishing a Funding Opportunity
23 Announcement: *Provided further*, That prevention and
24 treatment activities funded through such grants may in-
25 clude education, treatment (including the provision of

1 medication), behavioral health services for individuals in
2 treatment programs, referral to treatment services, recov-
3 ery support, and medical screening associated with such
4 treatment: *Provided further*, That each State, as well as
5 the District of Columbia, shall receive not less than
6 \$4,500,000: *Provided further*, That in addition to amounts
7 provided herein, the following amounts shall be available
8 under section 241 of the PHS Act: (1) \$79,200,000 to
9 carry out subpart II of part B of title XIX of the PHS
10 Act to fund section 1935(b) technical assistance, national
11 data, data collection and evaluation activities, and further
12 that the total available under this Act for section 1935(b)
13 activities shall not exceed 5 percent of the amounts appro-
14 priated for subpart II of part B of title XIX; and (2)
15 \$2,000,000 to evaluate substance use treatment programs:
16 *Provided further*, That for purposes of calculating the HIV
17 set-aside under subpart II of part B of title XIX, the rate
18 of cases of HIV shall be used instead of the rate of cases
19 of AIDS: *Provided further*, That each State that receives
20 funds appropriated under this heading in this Act for car-
21 rying out subpart II of part B of title XIX of the PHS
22 Act shall expend not less than 10 percent of such funds
23 for recovery support services: *Provided further*, That none
24 of the funds provided for section 1921 of the PHS Act

1 or State Opioid Response Grants shall be subject to sec-
2 tion 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, \$248,434,000.

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, \$257,279,000:
14 *Provided*, That of the amount made available under this
15 heading, \$110,952,000 shall be used for the projects, and
16 in the amounts, specified in the table titled “Labor, HHS,
17 Education Incorporation of Community Project Funding
18 Items” in the report accompanying this Act: *Provided fur-*
19 *ther*, That none of the funds made available for projects
20 described in the preceding proviso shall be subject to sec-
21 tion 241 of the PHS Act or section 205 of this Act: *Pro-*
22 *vided further*, That in addition to amounts provided here-
23 in, \$31,428,000 shall be available under section 241 of
24 the PHS Act to supplement funds available to carry out
25 national surveys on drug use and mental health, to collect

1 and analyze program data, and to conduct public aware-
2 ness and technical assistance activities: *Provided further*,
3 That, in addition, fees may be collected for the costs of
4 publications, data, data tabulations, and data analysis
5 completed under title V of the PHS Act and provided to
6 a public or private entity upon request, which shall be
7 credited to this appropriation and shall remain available
8 until expended for such purposes: *Provided further*, That
9 amounts made available in this Act for carrying out sec-
10 tion 501(o) of the PHS Act shall remain available through
11 September 30, 2024: *Provided further*, That funds made
12 available under this heading (other than amounts specified
13 in the first proviso under this heading) may be used to
14 supplement program support funding provided under the
15 headings “Mental Health”, “Substance Use Services”,
16 and “Substance Use 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, \$385,000,000: *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 \$4,346,985,000 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, \$494,261,000 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, \$899,000,000,
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 \$667,181,000 shall be for the Cen-
3 ters for Medicare & Medicaid Services program integrity
4 activities, of which \$109,612,000 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 \$122,207,000 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 \$323,000,000 is provided to meet the terms of section
18 1(h)(2) of H. Res. 1151 (117th Congress), as engrossed
19 in the House of Representatives on June 8, 2022, and
20 \$576,000,000 is additional new budget authority specified
21 for purposes of such section 1(h) of such resolution: *Pro-*
22 *vided further*, That the Secretary shall provide not less
23 than \$35,000,000 from amounts made available under
24 this heading and amounts made available for fiscal year
25 2023 under section 1817(k)(3)(A) of the Social Security

1 Act for the Senior Medicare Patrol program to combat
2 health care fraud and 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 \$6,399,000 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 \$3,795,704,000 of the
8 amount appropriated under this heading shall be allocated
9 to each State and territory in amounts equal to the
10 amount each State and territory was allocated in fiscal
11 year 2022 pursuant to allocations made from amounts ap-
12 propriated under this heading in title II of division H of
13 the Consolidated Appropriations Act, 2022 (Public Law
14 117–103): *Provided further*, That \$100,000,000 of the
15 amount appropriated under this heading shall be allocated
16 as though the total appropriation for such payments for
17 fiscal year 2023 was less than \$1,975,000,000.

18 REFUGEE AND ENTRANT ASSISTANCE

19 For necessary expenses for refugee and entrant as-
20 sistance activities authorized by section 414 of the Immi-
21 gration and Nationality Act and section 501 of the Ref-
22 ugee Education Assistance Act of 1980, and for carrying
23 out section 462 of the Homeland Security Act of 2002,
24 section 235 of the William Wilberforce Trafficking Victims
25 Protection Reauthorization Act of 2008, the Trafficking

1 Victims Protection Act of 2000 (“TVPA”), and the Tor-
2 ture Victims Relief Act of 1998, \$7,979,346,000, of which
3 \$7,924,346,000 shall remain available through September
4 30, 2025 for carrying out such sections 414, 501, 462,
5 and 235: *Provided*, That amounts available under this
6 heading to carry out the TVPA shall also be available for
7 research and evaluation with respect to activities under
8 such Act: *Provided further*, That the contribution of funds
9 requirement under section 235(c)(6)(C)(iii) of the William
10 Wilberforce Trafficking Victims Protection Reauthoriza-
11 tion Act of 2008 shall not apply to funds made available
12 under this heading: *Provided further*, That the Director
13 of the Office of Refugee Resettlement, in carrying out sec-
14 tion 412(c)(1)(A) of the Immigration and Nationality Act
15 (8 U.S.C. 1522(c)(1)(A)), may allocate amounts made
16 available under this heading for such section among the
17 States in a manner that accounts for the most current
18 data available.

19 PAYMENTS TO STATES FOR THE CHILD CARE AND
20 DEVELOPMENT BLOCK GRANT

21 For carrying out the Child Care and Development
22 Block Grant Act of 1990 (“CCDBG Act”),
23 \$7,165,330,000 shall be used to supplement, not supplant
24 State general revenue funds for child care assistance for
25 low-income families: *Provided*, That technical assistance

1 under section 658I(a)(3) of such Act may be provided di-
2 rectly, or through the use of contracts, grants, cooperative
3 agreements, or interagency agreements: *Provided further*,
4 That all funds made available to carry out section 418
5 of the Social Security Act (42 U.S.C. 618), including
6 funds appropriated for that purpose in such section 418
7 or any other provision of law, shall be subject to the res-
8 ervation of funds authority in paragraphs (4) and (5) of
9 section 658O(a) of the CCDBG Act: *Provided further*,
10 That in addition to the amounts required to be reserved
11 by the Secretary under section 658O(a)(2)(A) of such Act,
12 \$184,960,000 shall be for Indian tribes and tribal organi-
13 zations: *Provided further*, That of the amounts made avail-
14 able under this heading, the Secretary may reserve up to
15 0.5 percent for Federal administrative expenses.

16 SOCIAL SERVICES BLOCK GRANT

17 For making grants to States pursuant to section
18 2002 of the Social Security Act, \$1,700,000,000: *Pro-*
19 *vided*, That notwithstanding subparagraph (B) of section
20 404(d)(2) of such Act, the applicable percent specified
21 under such subparagraph for a State to carry out State
22 programs pursuant to title XX–A of such Act shall be 10
23 percent.

1 CHILDREN AND FAMILIES SERVICES PROGRAMS

2 For carrying out, except as otherwise provided, the
3 Runaway and Homeless Youth Act, the Head Start Act,
4 the Every Student Succeeds Act, the Child Abuse Preven-
5 tion and Treatment Act, sections 303 and 313 of the
6 Family Violence Prevention and Services Act, the Native
7 American Programs Act of 1974, title II of the Child
8 Abuse Prevention and Treatment and Adoption Reform
9 Act of 1978 (adoption opportunities), part B–1 of title IV
10 and sections 429, 473A, 477(i), 1110, 1114A, and 1115
11 of the Social Security Act, the Community Services Block
12 Grant Act (“CSBG Act”), Grants to Support Culturally
13 Specific Populations, and Grants to Support Survivors of
14 Sexual Assault; and for necessary administrative expenses
15 to carry out titles I, IV, V, X, XI, XIV, XVI, and XX–
16 A of the Social Security Act, the Act of July 5, 1960 and
17 the Low-Income Home Energy Assistance Act of 1981,
18 \$15,167,344,000, of which \$75,000,000, to remain avail-
19 able through September 30, 2024, shall be for grants to
20 States for adoption and legal guardianship incentive pay-
21 ments, as defined by section 473A of the Social Security
22 Act and may be made for adoptions and legal
23 guardianships completed before September 30, 2023: *Pro-*
24 *vided*, That \$12,396,820,000 shall be for making pay-
25 ments under the Head Start Act, including for Early Head

1 Start–Child Care Partnerships, and, of which, notwith-
2 standing section 640 of such Act:

3 (1) \$596,000,000 shall be available for a cost
4 of living adjustment, and with respect to any con-
5 tinuing appropriations act, funding available for a
6 cost of living adjustment shall not be construed as
7 an authority or condition under this Act;

8 (2) \$25,000,000 shall be available for allocation
9 by the Secretary to supplement activities described
10 in paragraphs (7)(B) and (9) of section 641(c) of
11 the Head Start Act under the Designation Renewal
12 System, established under the authority of sections
13 641(c)(7), 645A(b)(12), and 645A(d) of such Act,
14 and such funds shall not be included in the calcula-
15 tion of “base grant” in subsequent fiscal years, as
16 such term is used in section 640(a)(7)(A) of such
17 Act;

18 (3) \$262,000,000 shall be available for quality
19 improvement consistent with section 640(a)(5) of
20 such Act except that any amount of the funds may
21 be used on any of the activities in such section, of
22 which not less than \$13,000,000 shall be available
23 to migrant and seasonal Head Start programs for
24 such activities, in addition to funds made available
25 for migrant and seasonal Head Start programs

1 under any other provision of section 640(a) of such
2 Act;

3 (4) \$500,000,000, in addition to funds other-
4 wise available for such purposes under section 640
5 of the Head Start Act, shall be available through
6 September 30, 2024, for awards to eligible entities
7 for Head Start and Early Head Start programs and
8 to entities defined as eligible under section 645A(d)
9 of such Act for high quality infant and toddler care
10 through Early Head Start – Child Care Partner-
11 ships, and for training and technical assistance for
12 such activities: *Provided further*, That of the funds
13 made available in this paragraph, up to \$21,000,000
14 shall be available to the Secretary for the adminis-
15 trative costs of carrying out this paragraph;

16 (5) \$8,000,000 shall be available for the Tribal
17 Colleges and Universities Head Start Partnership
18 Program consistent with section 648(g) of such Act;
19 and

20 (6) \$21,000,000 shall be available to supple-
21 ment funding otherwise available for research, eval-
22 uation, and Federal administrative costs:

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

1 640(a)(2)(B), 640(a)(2)(D), and 640(a)(2)(E) of such
2 Act: *Provided further*, That \$350,000,000 shall be avail-
3 able until December 31, 2023 for carrying out sections
4 9212 and 9213 of the Every Student Succeeds Act: *Pro-*
5 *vided further*, That up to 3 percent of the funds in the
6 preceding proviso shall be available for technical assist-
7 ance and evaluation related to grants awarded under such
8 section 9212: *Provided further*, That \$834,383,000 shall
9 be for making payments under the CSBG Act: *Provided*
10 *further*, That for services furnished under the CSBG Act
11 with funds made available for such purpose in this fiscal
12 year, States may apply the last sentence of section 673(2)
13 of the CSBG Act by substituting “200 percent” for “125
14 percent”: *Provided further*, That \$34,383,000 shall be for
15 section 680 of the CSBG Act, of which not less than
16 \$22,383,000 shall be for section 680(a)(2) and not less
17 than \$12,000,000 shall be for section 680(a)(3)(B) of
18 such Act: *Provided further*, That, notwithstanding section
19 675C(a)(3) of the CSBG Act, to the extent Community
20 Services Block Grant funds are distributed as grant funds
21 by a State to an eligible entity as provided under such
22 Act, and have not been expended by such entity, they shall
23 remain with such entity for carryover into the next fiscal
24 year for expenditure by such entity consistent with pro-
25 gram purposes: *Provided further*, That the Secretary shall

1 establish procedures regarding the disposition of intan-
2 gible assets and program income that permit such assets
3 acquired with, and program income derived from, grant
4 funds authorized under section 680 of the CSBG Act to
5 become the sole property of such grantees after a period
6 of not more than 12 years after the end of the grant pe-
7 riod for any activity consistent with section 680(a)(2)(A)
8 of the CSBG Act: *Provided further*, That intangible assets
9 in the form of loans, equity investments and other debt
10 instruments, and program income may be used by grant-
11 ees for any eligible purpose consistent with section
12 680(a)(2)(A) of the CSBG Act: *Provided further*, That
13 these procedures shall apply to such grant funds made
14 available after November 29, 1999: *Provided further*, That
15 funds appropriated for section 680(a)(2) of the CSBG Act
16 shall be available for financing construction and rehabili-
17 tation and loans or investments in private business enter-
18 prises owned by community development corporations:
19 *Provided further*, That \$300,000,000 shall be for carrying
20 out section 303(a) of the Family Violence Prevention and
21 Services Act, of which \$7,000,000 shall be allocated not-
22 withstanding section 303(a)(2) of such Act for carrying
23 out section 309 of such Act: *Provided further*, That funds
24 made available in the preceding proviso may be used for
25 direct payments to any victim of family violence, domestic

1 violence, or dating violence, or to any dependent of such
2 victim, notwithstanding section 308(d)(1) of the Family
3 Violence Prevention and Services Act: *Provided further*,
4 That the percentages specified in section 112(a)(2) of the
5 Child Abuse Prevention and Treatment Act shall not apply
6 to funds appropriated under this heading: *Provided fur-*
7 *ther*, That \$2,364,000 shall be for a human services case
8 management system for federally declared disasters, to in-
9 clude a comprehensive national case management contract
10 and Federal costs of administering the system: *Provided*
11 *further*, That up to \$2,000,000 shall be for improving the
12 Public Assistance Reporting Information System, includ-
13 ing grants to States to support data collection for a study
14 of the system’s effectiveness: *Provided further*, That
15 \$69,167,000 shall be used for the projects, and in the
16 amounts, specified in the table titled “Labor, HHS, Edu-
17 cation Incorporation of Community Project Funding
18 Items” included in the report accompanying this Act: *Pro-*
19 *vided further*, That none of the funds made available for
20 projects described in the preceding proviso shall be subject
21 to section 241 of the PHS Act or section 205 of this Act.

22 PROMOTING SAFE AND STABLE FAMILIES

23 For carrying out, except as otherwise provided, sec-
24 tion 436 of the Social Security Act, \$345,000,000 and,
25 for carrying out, except as otherwise provided, section 437

1 of such Act, \$82,515,000: *Provided*, That of the funds
2 available to carry out section 437, \$59,765,000 shall be
3 allocated consistent with subsections (b) through (d) of
4 such section: *Provided further*, That of the funds available
5 to carry out section 437, to assist in meeting the require-
6 ments described in section 471(e)(4)(C), \$20,000,000
7 shall be for grants to each State, territory, and Indian
8 tribe operating title IV–E plans for developing, enhancing,
9 or evaluating kinship navigator programs, as described in
10 section 427(a)(1) of such Act and \$2,750,000, in addition
11 to funds otherwise appropriated in section 476 for such
12 purposes, shall be for the Family First Clearinghouse and
13 to support evaluation and technical assistance relating to
14 the evaluation of child and family services: *Provided fur-*
15 *ther*, That section 437(b)(1) shall be applied to amounts
16 in the previous proviso by substituting “5 percent” for
17 “3.3 percent”, and notwithstanding section 436(b)(1),
18 such reserved amounts may be used for identifying, estab-
19 lishing, and disseminating practices to meet the criteria
20 specified in section 471(e)(4)(C): *Provided further*, That
21 the reservation in section 437(b)(2) and the limitations
22 in section 437(d) shall not apply to funds specified in the
23 second proviso: *Provided further*, That the minimum grant
24 award for kinship navigator programs in the case of States

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

3 PAYMENTS FOR FOSTER CARE AND PERMANENCY

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

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

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

14 ADMINISTRATION FOR COMMUNITY LIVING

15 AGING AND DISABILITY SERVICES PROGRAMS

16 (INCLUDING TRANSFER OF FUNDS)

17 For carrying out, to the extent not otherwise pro-
18 vided, the Older Americans Act of 1965 (“OAA”), the
19 RAISE Family Caregivers Act, the Supporting Grand-
20 parents Raising Grandchildren Act, titles III and XXIX
21 of the PHS Act, sections 1252 and 1253 of the PHS Act,
22 section 119 of the Medicare Improvements for Patients
23 and Providers Act of 2008, title XX–B of the Social Secu-
24 rity Act, the Developmental Disabilities Assistance and
25 Bill of Rights Act of 2000, parts 2 and 5 of subtitle D

1 of title II of the Help America Vote Act of 2002, the As-
2 sistive Technology Act of 1998, titles II and VII (and sec-
3 tion 14 with respect to such titles) of the Rehabilitation
4 Act of 1973, and for Department-wide coordination of pol-
5 icy and program activities that assist individuals with dis-
6 abilities, \$2,860,008,000, together with \$58,115,000 to be
7 transferred from the Federal Hospital Insurance Trust
8 Fund and the Federal Supplementary Medical Insurance
9 Trust Fund to carry out section 4360 of the Omnibus
10 Budget Reconciliation Act of 1990: *Provided*, That of
11 amounts made available under this heading to carry out
12 sections 311, 331, and 336 of the OAA, up to one percent
13 of such amounts shall be available for developing and im-
14 plementing evidence-based practices for enhancing senior
15 nutrition, including medically-tailored meals: *Provided fur-*
16 *ther*, That notwithstanding any other provision of this Act,
17 funds made available under this heading to carry out sec-
18 tion 311 of the OAA may be transferred to the Secretary
19 of Agriculture in accordance with such section: *Provided*
20 *further*, That up to 5 percent of the funds provided for
21 adult protective services grants under section 2042 of title
22 XX of the Social Security Act may be used to make grants
23 to Tribes and Tribal Organizations: *Provided further*, That
24 \$2,000,000 shall be for competitive grants to support al-
25 ternative financing programs that provide for the purchase

1 of assistive technology devices, such as a low-interest loan
2 fund; an interest buy-down program; a revolving loan
3 fund; a loan guarantee; or an insurance program: *Provided*
4 *further*, That applicants shall provide an assurance that,
5 and information describing the manner in which, the alter-
6 native financing program will expand and emphasize con-
7 sumer choice and control: *Provided further*, That State
8 agencies and community-based disability organizations
9 that are directed by and operated for individuals with dis-
10 abilities shall be eligible to compete: *Provided further*, That
11 none of the funds made available under this heading may
12 be used by an eligible system (as defined in section 102
13 of the Protection and Advocacy for Individuals with Men-
14 tal Illness Act (42 U.S.C. 10802)) to continue to pursue
15 any legal action in a Federal or State court on behalf of
16 an individual or group of individuals with a developmental
17 disability (as defined in section 102(8)(A) of the Develop-
18 mental Disabilities and Assistance and Bill of Rights Act
19 of 2000 (20 U.S.C. 15002(8)(A)) that is attributable to
20 a mental impairment (or a combination of mental and
21 physical impairments), that has as the requested remedy
22 the closure of State operated intermediate care facilities
23 for people with intellectual or developmental disabilities,
24 unless reasonable public notice of the action has been pro-
25 vided to such individuals (or, in the case of mental inca-

1 pacitation, the legal guardians who have been specifically
2 awarded authority by the courts to make healthcare and
3 residential decisions on behalf of such individuals) who are
4 affected by such action, within 90 days of instituting such
5 legal action, which informs such individuals (or such legal
6 guardians) of their legal rights and how to exercise such
7 rights consistent with current Federal Rules of Civil Pro-
8 cedure: *Provided further*, That the limitations in the imme-
9 diately preceding proviso shall not apply in the case of an
10 individual who is neither competent to consent nor has a
11 legal guardian, nor shall the proviso apply in the case of
12 individuals who are a ward of the State or subject to pub-
13 lic guardianship: *Provided further*, That of the amount
14 made available under this heading, \$30,446,000 shall be
15 used for the projects, and in the amounts, specified in the
16 table titled “Labor, HHS, Education Incorporation of
17 Community Project Funding Items” included in the report
18 accompanying this Act: *Provided further*, That none of the
19 funds made available for projects described in the pre-
20 ceding proviso shall be subject to section 241 of the PHS
21 Act or section 205 of this Act.

22 OFFICE OF THE SECRETARY

23 GENERAL DEPARTMENTAL MANAGEMENT

24 For necessary expenses, not otherwise provided, for
25 general departmental management, including hire of six

1 passenger motor vehicles, and for carrying out titles III,
2 XVII, XXI, and section 229 of the PHS Act, the United
3 States-Mexico Border Health Commission Act, and re-
4 search studies under section 1110 of the Social Security
5 Act, \$563,894,000, together with \$75,728,000 from the
6 amounts available under section 241 of the PHS Act to
7 carry out national health or human services research and
8 evaluation activities: *Provided*, That of this amount,
9 \$60,000,000 shall be for minority AIDS prevention and
10 treatment activities: *Provided further*, That of the funds
11 made available under this heading, \$130,000,000 shall be
12 for making competitive contracts and grants to public and
13 private entities to fund medically accurate and age appro-
14 priate programs that reduce teen pregnancy and for the
15 Federal costs associated with administering and evalu-
16 ating such contracts and grants, of which not more than
17 10 percent of the available funds shall be for training and
18 technical assistance, evaluation, outreach, and additional
19 program support activities, and of the remaining amount
20 75 percent shall be for replicating programs that have
21 been proven effective through rigorous evaluation to re-
22 duce teenage pregnancy, behavioral risk factors underlying
23 teenage pregnancy, or other associated risk factors, and
24 25 percent shall be available for research and demonstra-
25 tion grants to develop, replicate, refine, and test additional

1 models and innovative strategies for preventing teenage
2 pregnancy: *Provided further*, That of the amounts pro-
3 vided under this heading from amounts available under
4 section 241 of the PHS Act, \$7,700,000 shall be available
5 to carry out evaluations (including longitudinal evalua-
6 tions) of teenage pregnancy prevention approaches: *Pro-*
7 *vided further*, That funds provided in this Act for embryo
8 adoption activities may be used to provide to individuals
9 adopting embryos, through grants and other mechanisms,
10 medical and administrative services deemed necessary for
11 such adoptions: *Provided further*, That such services shall
12 be provided consistent with 42 CFR 59.5(a)(4): *Provided*
13 *further*, That of the funds made available under this head-
14 ing, \$5,000,000 shall be for carrying out prize competi-
15 tions sponsored by the Office of the Secretary to accelerate
16 innovation in the prevention, diagnosis, and treatment of
17 kidney diseases (as authorized by section 24 of the Steven-
18 son-Wydler Technology Innovation Act of 1980 (15 U.S.C.
19 3719)): *Provided further*, That the Secretary may use
20 \$5,000,000 of the amounts appropriated under this head-
21 ing to supplement funds otherwise available to the Sec-
22 retary for the hire and purchase of electric vehicles and
23 electric vehicle charging stations, and to cover other costs
24 related to electrifying the motor vehicle fleet within HHS.

1 MEDICARE HEARINGS AND APPEALS

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

8 OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH
9 INFORMATION TECHNOLOGY

10 For expenses necessary for the Office of the National
11 Coordinator for Health Information Technology, including
12 grants, contracts, and cooperative agreements for the de-
13 velopment and advancement of interoperable health infor-
14 mation technology, \$86,614,000 shall be from amounts
15 made available under section 241 of the PHS Act.

16 OFFICE OF INSPECTOR GENERAL

17 For expenses necessary for the Office of Inspector
18 General, including the hire of passenger motor vehicles for
19 investigations, in carrying out the provisions of the Inspec-
20 tor General Act of 1978, \$94,400,000: *Provided*, That of
21 such amount, necessary sums shall be available for pro-
22 viding protective services to the Secretary and inves-
23 tigating non-payment of child support cases for which non-
24 payment is a Federal offense under 18 U.S.C. 228: *Pro-*
25 *vided further*, That of the amount appropriated under this

1 heading, necessary sums shall be available for carrying out
2 activities authorized under section 3022 of the PHS Act
3 (42 U.S.C. 300jj-52).

4 OFFICE FOR CIVIL RIGHTS

5 For expenses necessary for the Office for Civil
6 Rights, \$49,798,000.

7 RETIREMENT PAY AND MEDICAL BENEFITS FOR

8 COMMISSIONED OFFICERS

9 For retirement pay and medical benefits of Public
10 Health Service Commissioned Officers as authorized by
11 law, for payments under the Retired Serviceman's Family
12 Protection Plan and Survivor Benefit Plan, and for med-
13 ical care of dependents and retired personnel under the
14 Dependents' Medical Care Act, such amounts as may be
15 required during the current fiscal year.

16 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY

17 FUND

18 For expenses necessary to support activities related
19 to countering potential biological, nuclear, radiological,
20 chemical, and cybersecurity threats to civilian populations,
21 and for other public health emergencies, \$1,662,356,000,
22 of which \$845,005,000 shall remain available through
23 September 30, 2024, for expenses necessary to support
24 advanced research and development pursuant to section
25 319L of the PHS Act and other administrative expenses

1 of the Biomedical Advanced Research and Development
2 Authority: *Provided*, That funds provided under this head-
3 ing for the purpose of acquisition of security counter-
4 measures shall be in addition to any other funds available
5 for such purpose: *Provided further*, That products pur-
6 chased with funds provided under this heading may, at
7 the discretion of the Secretary, be deposited in the Stra-
8 tegic National Stockpile pursuant to section 319F–2 of
9 the PHS Act: *Provided further*, That \$5,000,000 of the
10 amounts made available to support emergency operations
11 shall remain available through September 30, 2025: *Pro-*
12 *vided further*, That \$132,801,000 of the amounts made
13 available to support coordination of the development, pro-
14 duction, and distribution of vaccines, therapeutics, and
15 other medical countermeasures shall remain available
16 through September 30, 2024.

17 For expenses necessary for procuring security coun-
18 termeasures (as defined in section 319F–2(c)(1)(B) of the
19 PHS Act), \$800,000,000, to remain available until ex-
20 pended.

21 For expenses necessary to carry out section 319F–
22 2(a) of the PHS Act, \$855,000,000, to remain available
23 until expended.

24 For an additional amount for expenses necessary to
25 prepare for or respond to an influenza pandemic,

1 \$382,000,000; of which \$347,000,000 shall be available
2 until expended, for activities including the development
3 and purchase of vaccine, antivirals, necessary medical sup-
4 plies, diagnostics, and other surveillance tools: *Provided*,
5 That notwithstanding section 496(b) of the PHS Act,
6 funds may be used for the construction or renovation of
7 privately owned facilities for the production of pandemic
8 influenza vaccines and other biologics, if the Secretary
9 finds such construction or renovation necessary to secure
10 sufficient supplies of such vaccines or biologics.

11 ADVANCED RESEARCH PROJECTS AGENCY FOR HEALTH

12 For carrying out section 301 and title IV of the PHS
13 Act with respect to advanced research projects for health,
14 \$2,750,000,000, to remain available through September
15 30, 2025: *Provided*, That the President shall appoint in
16 the Department of Health and Human Services a director
17 of advanced research projects for health (Director): *Pro-*
18 *vided further*, That funds may be used to make or rescind
19 appointments of scientific, medical, and professional per-
20 sonnel without regard to any provision in title 5 governing
21 appointments under the civil service laws: *Provided fur-*
22 *ther*, That funds may be used to fix the compensation of
23 such personnel at a rate to be determined by the Director,
24 up to the amount of annual compensation (excluding ex-
25 penses) specified in section 102 of title 3, United States

1 Code: *Provided further*, That the Director may use funds
2 made available under this heading to make awards in the
3 form of grants, contracts, cooperative agreements, and
4 cash prizes, and enter into other transactions (as defined
5 in section 319L(a)(3) of the PHS Act).

6 GENERAL PROVISIONS

7 SEC. 201. Funds appropriated in this title shall be
8 available for not to exceed \$50,000 for official reception
9 and representation expenses when specifically approved by
10 the Secretary.

11 SEC. 202. None of the funds appropriated in this title
12 shall be used to pay the salary of an individual, through
13 a grant or other extramural mechanism, at a rate in excess
14 of Executive Level II: *Provided*, That none of the funds
15 appropriated in this title shall be used to prevent the NIH
16 from paying up to 100 percent of the salary of an indi-
17 vidual at this rate.

18 SEC. 203. None of the funds appropriated in this Act
19 may be expended pursuant to section 241 of the PHS Act,
20 except for funds specifically provided for in this Act, or
21 for other taps and assessments made by any office located
22 in HHS, prior to the preparation and submission of a re-
23 port by the Secretary to the Committees on Appropria-
24 tions of the House of Representatives and the Senate de-
25 tailing the planned uses of such funds.

1 SEC. 204. Notwithstanding section 241(a) of the
2 PHS Act, such portion as the Secretary shall determine,
3 but not more than 2.5 percent, of any amounts appro-
4 priated for programs authorized under such Act shall be
5 made available for the evaluation (directly, or by grants
6 or contracts) and the implementation and effectiveness of
7 programs funded in this title.

8 (TRANSFER OF FUNDS)

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

22 SEC. 206. In lieu of the timeframe specified in section
23 338E(c)(2) of the PHS Act, terminations described in
24 such section may occur up to 60 days after the effective
25 date of a contract awarded in fiscal year 2023 under sec-

1 tion 338B of such Act, or at any time if the individual
2 who has been awarded such contract has not received
3 funds due under the contract.

4 SEC. 207. None of the funds appropriated in this Act
5 may be made available to any entity under title X of the
6 PHS Act unless the applicant for the award certifies to
7 the Secretary that it encourages family participation in
8 the decision of minors to seek family planning services and
9 that it provides counseling to minors on how to resist at-
10 tempts to coerce minors into engaging in sexual activities.

11 SEC. 208. Notwithstanding any other provision of
12 law, no provider of services under title X of the PHS Act
13 shall be exempt from any State law requiring notification
14 or the reporting of child abuse, child molestation, sexual
15 abuse, rape, or incest.

16 SEC. 209. None of the funds appropriated by this Act
17 (including funds appropriated to any trust fund) may be
18 used to carry out the Medicare Advantage program if the
19 Secretary denies participation in such program to an oth-
20 erwise eligible entity (including a Provider Sponsored Or-
21 ganization) because the entity informs the Secretary that
22 it will not provide, pay for, provide coverage of, or provide
23 referrals for abortions: *Provided*, That the Secretary shall
24 make appropriate prospective adjustments to the capita-
25 tion payment to such an entity (based on an actuarially

1 sound estimate of the expected costs of providing the serv-
2 ice to such entity's enrollees): *Provided further*, That noth-
3 ing in this section shall be construed to change the Medi-
4 care program's coverage for such services and a Medicare
5 Advantage organization described in this section shall be
6 responsible for informing enrollees where to obtain infor-
7 mation about all Medicare covered services.

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

11 SEC. 211. The Secretary shall make available through
12 assignment not more than 60 employees of the Public
13 Health Service to assist in child survival activities and to
14 work in AIDS programs through and with funds provided
15 by the Agency for International Development, the United
16 Nations International Children's Emergency Fund or the
17 World Health Organization.

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

22 (1) The Secretary may exercise authority equiv-
23 alent to that available to the Secretary of State in
24 section 2(c) of the State Department Basic Authori-
25 ties Act of 1956. The Secretary shall consult with

1 the Secretary of State and relevant Chief of Mission
2 to ensure that the authority provided in this section
3 is exercised in a manner consistent with section 207
4 of the Foreign Service Act of 1980 and other appli-
5 cable statutes administered by the Department of
6 State.

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

1 amounts identified by these two Directors as funding for
2 research pertaining to the human immunodeficiency virus:
3 *Provided*, That the Committees on Appropriations of the
4 House of Representatives and the Senate are notified at
5 least 15 days in advance of any transfer.

6 (TRANSFER OF FUNDS)

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

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

22 (b) PEER REVIEW.—In entering into transactions
23 under subsection (a), the Director may utilize such peer
24 review procedures (including consultation with appropriate
25 scientific experts) as the Director determines to be appro-

1 priate to obtain assessments of scientific and technical
2 merit. Such procedures shall apply to such transactions
3 in lieu of the peer review and advisory council review pro-
4 cedures that would otherwise be required under sections
5 301(a)(3), 405(b)(1)(B), 405(b)(2), 406(a)(3)(A), 492,
6 and 494 of the PHS Act.

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

13 (TRANSFER OF FUNDS)

14 SEC. 217. Of the amounts made available for NIH,
15 1 percent of the amount made available for National Re-
16 search Service Awards (“NRSA”) shall be made available
17 to the Administrator of the Health Resources and Services
18 Administration to make NRSA awards for research in pri-
19 mary medical care to individuals affiliated with entities
20 who have received grants or contracts under sections 736,
21 739, or 747 of the PHS Act, and 1 percent of the amount
22 made available for NRSA shall be made available to the
23 Director of the Agency for Healthcare Research and Qual-
24 ity to make NRSA awards for health service research.

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

8 (1) funds are available and obligated—

9 (A) for the full period of the contract or
10 for the first fiscal year in which the contract is
11 in effect; and

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

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

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

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

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

1 the heading “Prevention and Public Health Fund” in the
2 explanatory statement described in section 4 (in the mat-
3 ter preceding division A of this consolidated Act).

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

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

9 SEC. 222. (a) Effective during the period beginning
10 on November 1, 2015 and ending January 1, 2025, any
11 provision of law that refers (including through cross-ref-
12 erence to another provision of law) to the current rec-
13 ommendations of the United States Preventive Services
14 Task Force with respect to breast cancer screening, mam-
15 mography, and prevention shall be administered by the
16 Secretary involved as if—

17 (1) such reference to such current recommenda-
18 tions were a reference to the recommendations of
19 such Task Force with respect to breast cancer
20 screening, mammography, and prevention last issued
21 before 2009; and

22 (2) such recommendations last issued before
23 2009 applied to any screening mammography modal-
24 ity under section 1861(jj) of the Social Security Act
25 (42 U.S.C. 1395x(jj)).

1 (b) Effective during the period beginning November
2 1, 2023 and ending January 1, 2025, section 1861 (jj)
3 of the Social Security Act (42 U.S.C. 1395x(jj)) shall be
4 applied by inserting “, including any digital modality
5 (such as screening breast tomosynthesis) of such a proce-
6 dure,” after “radiological procedure”.

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

22 (TRANSFER OF FUNDS)

23 SEC. 224. The NIH Director may transfer funds for
24 opioid addiction, opioid alternatives, stimulant misuse and
25 addiction, pain management, and addiction treatment to

1 other Institutes and Centers of the NIH to be used for
2 the same purpose 15 days after notifying the Committees
3 on Appropriations of the House of Representatives and the
4 Senate: *Provided*, That the transfer authority provided in
5 the previous proviso is in addition to any other transfer
6 authority provided by law.

7 SEC. 225. (a) The Secretary shall provide to the
8 Committees on Appropriations of the House of Represent-
9 atives and the Senate:

10 (1) Detailed monthly enrollment figures from
11 the Exchanges established under the Patient Protec-
12 tion and Affordable Care Act of 2010 pertaining to
13 enrollments during the open enrollment period; and

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

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

21 SEC. 226. The Department of Health and Human
22 Services shall provide the Committees on Appropriations
23 of the House of Representatives and Senate a biannual
24 report 30 days after the date of enactment of this Act
25 on staffing described in report accompanying this Act.

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

17 SEC. 228. The Department of Health and Human
18 Services may accept donations from the private sector,
19 nongovernmental organizations, and other groups inde-
20 pendent of the Federal Government for the care of unac-
21 companied alien children (as defined in section 462(g)(2)
22 of the Homeland Security Act of 2002 (6 U.S.C.
23 279(g)(2))) in the care of the Office of Refugee Resettle-
24 ment of the Administration for Children and Families, in-
25 cluding monetary donations, medical goods and services,

1 which may include early childhood developmental
2 screenings, school supplies, toys, clothing, and any other
3 items or services intended to promote the wellbeing of such
4 children. Monetary donations received by the Department
5 of Health and Human Services under this section shall
6 be retained and credited to the Refugee and Entrant As-
7 sistance account and shall remain available until expended
8 for the purposes provided by this section.

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

22 (1) the terms of the grant or contract for the
23 operations of any such facility that remains in oper-
24 ation for more than three consecutive months shall
25 require compliance with—

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

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

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

19 (3) if the Secretary determines that a con-
20 tractor or grantee is not in compliance after the Sec-
21 retary has granted a 60-day waiver, the Secretary
22 shall not permit such contractor or grantee to con-
23 tinue to provide services beyond a reasonable period,
24 not to exceed 60 days, needed to award a contract
25 or grant to a new service provider, and the incum-

1 bent contractor or grantee shall not be eligible to
2 compete for the new contract or grant;

3 (4) ORR shall ensure full adherence to the
4 monitoring requirements set forth in section 5.5 of
5 its Policies and Procedures Guide as of May 15,
6 2019;

7 (5) for any such unlicensed facility in operation
8 for more than three consecutive months, ORR shall
9 conduct a minimum of one comprehensive moni-
10 toring visit during the first three months of oper-
11 ation, with quarterly monitoring visits thereafter;
12 and

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

21 SEC. 230. In addition to the existing Congressional
22 notification for formal site assessments of potential influx
23 facilities, the Secretary shall notify the Committees on Ap-
24 propriations of the House of Representatives and the Sen-
25 ate at least 15 days before operationalizing an unlicensed

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

16 SEC. 231. None of the funds made available in this
17 Act may be used to prevent a United States Senator or
18 Member of the House of Representatives from entering,
19 for the purpose of conducting oversight, any facility in the
20 United States used for the purpose of maintaining custody
21 of, or otherwise housing, unaccompanied alien children (as
22 defined in section 462(g)(2) of the Homeland Security Act
23 of 2002 (6 U.S.C. 279(g)(2))). Nothing in this section
24 shall be construed to require such a Senator or Member

1 to provide prior notice of the intent to enter such a facility
2 for such purpose.

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

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

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

22 SEC. 233. (a) None of the funds made available by
23 this Act may be used to share any information pertaining
24 to an unaccompanied alien child (as defined in section
25 462(g)(2) of the Homeland Security Act of 2002 (6

1 U.S.C. 279(g)(2))) for use or reference in any removal
2 proceeding or otherwise for enforcement of the immigra-
3 tion laws (as defined in section 101(a)(17) of the Immi-
4 gration and Nationality Act (8 U.S.C. 1101(a)(17))).

5 (b) Subsection (a) shall be construed to preclude the
6 transmission of information described in such subsection
7 to any individual, entity, or government agency with the
8 knowledge or intent that the information would be retrans-
9 mitted or otherwise shared for a purpose prohibited under
10 such subsection.

11 (c) All records for which Office of Refugee Resettle-
12 ment policies require the written release authorization of
13 the Office of Refugee Resettlement shall have the pre-
14 sumption of confidentiality and nondisclosure, including
15 unaccompanied alien child case files, specific information
16 contained in such case files, all information given to a case
17 manager, therapist, clinical worker, counselor, or social
18 worker by such a child during clinical or therapeutic work,
19 and other confidential information pertaining to such chil-
20 dren, their sponsors, or their potential sponsors.

21 (d) Nothing in this section shall be construed to pro-
22 hibit or restrict the continued implementation of inter-
23 agency agreements or coordination under section 235 of
24 the William Wilberforce Trafficking Victims Protection

1 Reauthorization Act of 2008 (8 U.S.C. 1232) pertinent
2 to a child's placement after attaining 18 years of age.

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

10 (1) in the same facility; or

11 (2) with the same sponsor.

12 SEC. 235. Not later than 30 days after the date of
13 enactment of this Act, the Secretary shall submit to the
14 Committees on Appropriations of the House of Represent-
15 atives and the Senate a detailed spend plan of anticipated
16 uses of all funds made available under the heading “De-
17 partment of Health and Human Services—Administration
18 for Children and Families—Refugee and Entrant Assist-
19 ance”, including the following: a list of existing grants and
20 contracts for both permanent and influx facilities, includ-
21 ing their costs, capacity, and timelines; costs for expand-
22 ing capacity through the use of community-based residen-
23 tial care placements (including long-term and transitional
24 foster care and small group homes) through new or modi-
25 fied grants and contracts; current and planned efforts to

1 expand small-scale shelters and available foster care place-
2 ments, including collaboration with State child welfare
3 providers; influx facilities being assessed for possible use;
4 costs and services to be provided for legal services, child
5 advocates, and post-release services; program administra-
6 tion; and the average number of weekly referrals and dis-
7 charge rate assumed in the spend plan: *Provided*, That
8 such plan shall be updated to reflect changes and expendi-
9 tures and submitted to the Committees on Appropriations
10 of the House of Representatives and the Senate every 60
11 days until all funds are expended or expired.

12 SEC. 236. Amounts made available to the Depart-
13 ment of Health and Human Services in this or any other
14 Act under the heading “Administration for Children and
15 Families—Refugee and Entrant Assistance” may in this
16 fiscal year and hereafter be used to provide, including
17 through grants, contracts, or cooperative agreements,
18 mental health and other supportive services, including ac-
19 cess to legal services, to children, parents, and legal guard-
20 ians who were separated at the United States-Mexico bor-
21 der between January 20, 2017, and January 20, 2021:
22 *Provided*, That such services shall also be available to im-
23 mediate family members of such individuals if such family
24 members are in the United States and in the same house-
25 hold: *Provided further*, That amounts made available to

1 the Department of Health and Human Services for ref-
2 ugee and entrant assistance activities in any other provi-
3 sion of law may be used to carry out the purposes of this
4 section: *Provided further*, That the Secretary of Health
5 and Human Services may identify the children, parents,
6 and legal guardians eligible to receive mental health and
7 other supportive services described under this section
8 through reference to the identified members of the classes,
9 and their minor children, in the class-action lawsuits Ms.
10 J.P. v. Barr and Ms. L. v. ICE: *Provided further*, the Sec-
11 retary has sole discretion to identify the individuals who
12 will receive services under this section due to their status
13 as immediate family members residing in the same house-
14 hold of class members or class members' minor children,
15 and such identification shall not be subject to judicial re-
16 view.

17 SEC. 237. Funds appropriated in this Act that are
18 available for salaries and expenses of employees of the
19 Centers for Disease Control and Prevention shall also be
20 available for the primary and secondary schooling of eligi-
21 ble dependents of personnel stationed in a U.S. territory
22 as defined in section 227 of this Act at costs not in excess
23 of those paid for or reimbursed by the Department of De-
24 fense.

1 (RESCISSION)

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

6 SEC. 239. The Secretary of Health and Human Serv-
7 ices may waive penalties and administrative requirements
8 in title XXVI of the Public Health Service Act for awards
9 under such title from amounts provided under the heading
10 “Department of Health and Human Services—Health Re-
11 sources and Services Administration” in this or any other
12 appropriations Act for this fiscal year, including amounts
13 made available to such heading by transfer.

14 SEC. 240. (a) None of the funds made available by
15 this Act may be awarded to any organization, including
16 under the Child Welfare or Federal Foster Care programs
17 under part B or E of title IV of the Social Security Act,
18 that does not comply with paragraphs (c) and (d) of sec-
19 tion 75.300 of title 45, Code of Federal Regulations (pro-
20 hibiting discrimination on the basis of age, disability, sex,
21 race, color, national origin, religion, gender identity, or
22 sexual orientation), as in effect on October 1, 2019.

23 (b) None of the funds made available by this Act may
24 be used by the Department of Health and Human Services

1 to grant an exception from either such paragraph for any
2 Federal grantee.

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

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

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

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

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

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

23 SEC. 242. (a) The Public Health Service Act (42
24 U.S.C. 201 et seq.), the Controlled Substances Act (21
25 U.S.C. 801 et seq.), the Comprehensive Smoking Edu-

1 cation Act (15 U.S.C. 1331 et seq.), the Comprehensive
2 Addiction and Recovery Act of 2016 (Public Law 114–
3 198), Public Law 92–255, as amended (21 U.S.C. 1101
4 et seq.), the Omnibus Crime Control and Safe Streets Act
5 of 1968 (34 U.S.C. 10101 et seq.), and title 5 of the
6 United States Code are each amended (including in head-
7 ings)—

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

11 (2) by striking “National Advisory Council on
12 Drug Abuse” each place it appears and inserting
13 “National Advisory Council on Drugs and Addic-
14 tion”.

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

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

20 (2) in sections 464L, 464M(a), 464O, and
21 494A, by striking “drug abuse” each place it ap-
22 pears and inserting “drug use”;

23 (3) in section 464L(a), by striking “treatment
24 of drug abusers” and inserting “treatment of drug
25 addiction”;

1 (4) in section 464M(a), by striking “prevention
2 of such abuse” and inserting “prevention of such
3 use”;

4 (5) in section 464N—

5 (A) in the section heading, by striking
6 “DRUG ABUSE RESEARCH CENTERS” and insert-
7 ing “DRUGS AND ADDICTION RESEARCH CEN-
8 TERS”;

9 (B) in subsection (a)—

10 (i) in matter preceding paragraph (1),
11 by striking “National Drug Abuse Re-
12 search Centers” and inserting “National
13 Drugs and Addiction Research Centers”;
14 and

15 (ii) in paragraph (1)(C), by striking
16 “treatment of drug abuse” and inserting
17 “treatment of drug addiction”; and

18 (C) in subsection (c)—

19 (i) in the subsection heading, by strik-
20 ing “DRUG ABUSE AND ADDITION RE-
21 SEARCH” and inserting “DRUGS AND AD-
22 DICTION RESEARCH CENTERS”;

23 (ii) in paragraph (1), by striking “Na-
24 tional Drug Abuse Treatment Clinical
25 Trials Network” and inserting “National

1 Drug Addiction Treatment Clinical Trials
2 Network”; and

3 (iii) in paragraph (2)(H), by striking
4 “reasons that individuals abuse drugs, or
5 refrain from abusing drugs” and inserting
6 “reasons that individuals use drugs or re-
7 frain from using drugs”; and

8 (6) in section 464P—

9 (A) in subsection (a)—

10 (i) in paragraph (1), by striking
11 “drug abuse treatments” and inserting
12 “drug addiction treatments”; and

13 (ii) in paragraph (6), by striking
14 “treatment of drug abuse” and inserting
15 “treatment of drug addiction”; and

16 (B) in subsection (d)—

17 (i) by striking “disease of drug
18 abuse” and inserting “disease of drug ad-
19 diction”;

20 (ii) by striking “abused drugs” each
21 place it appears and inserting “addictive
22 drugs”; and

23 (iii) by striking “drugs of abuse” and
24 inserting “drugs of addiction”.

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

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

10 SEC. 243. (a) The Public Health Service Act (42
11 U.S.C. 201 et seq.) and Public Law 91–616, as amended
12 (42 U.S.C. 4541 et seq.) are each amended (including in
13 headings)—

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

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

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

24 (1) in section 464H—

25 (A) in subsection (a)—

1 (i) by striking “prevention of alcohol
2 abuse” and inserting “prevention of alco-
3 hol misuse”; and

4 (ii) by striking “treatment of alco-
5 holism” and inserting “treatment of alco-
6 hol-associated disorders”; and

7 (B) in subsection (b)—

8 (i) in paragraph (3)—

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

13 (II) in subparagraph (D), by
14 striking “abuse of alcohol” and insert-
15 ing “misuse of alcohol”; and

16 (III) by amending subparagraph
17 (E) to read as follows:

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

1 (ii) in paragraph (5), by striking “im-
2 pact of alcohol abuse” and inserting “im-
3 pact of alcohol misuse”;

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

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

12 (4) in section 464J(a)—

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

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

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

1 (c) Any reference in any law, regulation, map, docu-
2 ment, paper, or other record of the United States to the
3 National Institute on Alcohol Abuse and Alcoholism shall
4 be considered to be a reference to the National Institute
5 on Alcohol Effects and Alcohol-Associated Disorders.

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

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

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

15 (3) by striking “Center for Substance Abuse
16 Prevention” each place it appears and inserting
17 “Center for Substance Use Prevention Services”.

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

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

25 (2) in section 501—

1 (A) in the section heading, by striking
2 “**SUBSTANCE ABUSE AND MENTAL HEALTH**
3 **SERVICES ADMINISTRATION**” and inserting
4 “**SUBSTANCE USE AND MENTAL HEALTH**
5 **SERVICES ADMINISTRATION**”; and

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

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

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

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

23 (c) Section 1932(b)(3) of the Public Health Service
24 Act (42 U.S.C. 300x–32(b)(3)) is amended in the para-
25 graph heading by striking “CENTER FOR SUBSTANCE

1 ABUSE PREVENTION” and inserting “CENTER FOR SUB-
2 STANCE USE PREVENTION SERVICES”.

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

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

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

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

1 (h)(1) Except as provided in paragraph (2), any ref-
2 erence in any law, regulation, map, document, paper, or
3 other record of the United States to the Substance Abuse
4 and Mental Health Services Administration, the Center
5 for Substance Abuse Treatment of such Administration,
6 or the Center for Substance Abuse Prevention of such Ad-
7 ministration shall be considered to be a reference to the
8 Substance Use And Mental Health Services Administra-
9 tion, the Center for Substance Use Services of such Ad-
10 ministration, or the Center for Substance Use Prevention
11 Services of such Administration, respectively.

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

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

24 SEC. 246. (a) Funds made available in Public Law
25 115–31 to the accounts of the National Institutes of

1 Health that were available for obligation through fiscal
2 year 2017 and were obligated for multi-year research
3 grants shall be available through fiscal year 2023 for the
4 liquidation of valid obligations incurred in fiscal year 2017
5 if the Director of the National Institutes of Health deter-
6 mines the project suffered an interruption of activities at-
7 tributable to SARS-CoV-2.

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

10 (2) If this Act is enacted after September 30,
11 2022, this section shall be applied as if it were in
12 effect on September 30, 2022.

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

23 This title may be cited as the “Department of Health
24 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”), \$21,260,551,000, of which
9 \$10,306,490,000 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 up to
21 \$50,000,000 of these funds shall be available to the Sec-
22 retary for grants to States for voluntary activities de-
23 signed to improve State funding formula equity and in-
24 crease support for high-poverty school districts: *Provided*
25 *further*, That \$1,362,301,000 shall be for concentration

1 grants under section 1124A of the ESEA: *Provided fur-*
2 *ther*, That \$6,357,550,000 shall be for targeted grants
3 under section 1125 of the ESEA: *Provided further*, That
4 \$6,357,550,000 shall be for education finance incentive
5 grants under section 1125A of the ESEA: *Provided fur-*
6 *ther*, That \$18,761,000 shall be for competitive grants to
7 support strong partnerships, which may include those
8 among State educational agencies, local educational agen-
9 cies and child welfare agencies, to create and implement
10 innovative strategies for improving the education of foster
11 children and youth under part D of title I of the ESEA:
12 *Provided further*, That the Secretary may reserve up to
13 3 percent of the amount in the preceding proviso to pro-
14 vide technical assistance in the implementation of these
15 grants: *Provided further*, That \$223,000,000 shall be for
16 carrying out subpart 2 of part B of title II: *Provided fur-*
17 *ther*, That \$58,123,000 shall be for carrying out section
18 418A of the HEA.

19 IMPACT AID

20 For carrying out programs of financial assistance to
21 federally affected schools authorized by title VII of the
22 ESEA, \$1,614,112,000, of which \$1,464,242,000 shall be
23 for basic support payments under section 7003(b),
24 \$48,316,000 shall be for payments for children with dis-
25 abilities under section 7003(d), \$17,406,000, to remain

1 available through September 30, 2024, shall be for con-
2 struction under section 7007(b), \$79,313,000 shall be for
3 Federal property payments under section 7002, and
4 \$4,835,000, to remain available until expended, shall be
5 for facilities maintenance under section 7008: *Provided,*
6 That for purposes of computing the amount of a payment
7 for an eligible local educational agency under section
8 7003(a) for school year 2022–2023, children enrolled in
9 a school of such agency that would otherwise be eligible
10 for payment under section 7003(a)(1)(B) of such Act, but
11 due to the deployment of both parents or legal guardians,
12 or a parent or legal guardian having sole custody of such
13 children, or due to the death of a military parent or legal
14 guardian while on active duty (so long as such children
15 reside on Federal property as described in section
16 7003(a)(1)(B)), are no longer eligible under such section,
17 shall be considered as eligible students under such section,
18 provided such students remain in average daily attendance
19 at a school in the same local educational agency they at-
20 tended prior to their change in eligibility status.

21 SCHOOL IMPROVEMENT PROGRAMS

22 For carrying out school improvement activities au-
23 thorized by part B of title I, part A of title II, subpart
24 1 of part A of title IV, part B of title IV, part B of title
25 V, and parts B and C of title VI of the ESEA; the McKin-

1 ney-Vento Homeless Assistance Act; section 203 of the
2 Educational Technical Assistance Act of 2002; the Com-
3 pact of Free Association Amendments Act of 2003; and
4 the Civil Rights Act of 1964, \$5,905,642,000, of which
5 \$4,060,312,000 shall become available on July 1, 2023,
6 and remain available through September 30, 2024, and
7 of which \$1,681,441,000 shall become available on Octo-
8 ber 1, 2023, and shall remain available through September
9 30, 2024, for academic year 2023-2024: *Provided*, That
10 \$390,000,000 shall be for part B of title I: *Provided fur-*
11 *ther*, That \$1,409,673,000 shall be for part B of title IV:
12 *Provided further*, That \$40,897,000 shall be for part B
13 of title VI, which may be used for construction, renova-
14 tion, and modernization of any public elementary school,
15 secondary school, or structure related to a public elemen-
16 tary school or secondary school that serves a predomi-
17 nantly Native Hawaiian student body, and that the 5 per-
18 cent limitation in section 6205(b) of the ESEA on the use
19 of funds for administrative purposes shall apply only to
20 direct administrative costs: *Provided further*, That
21 \$37,953,000 shall be for part C of title VI, which shall
22 be awarded on a competitive basis, and may be used for
23 construction, and that the 5 percent limitation in section
24 6305 of the ESEA on the use of funds for administrative
25 purposes shall apply only to direct administrative costs:

1 *Provided further*, That \$54,000,000 shall be available to
2 carry out section 203 of the Educational Technical Assist-
3 ance Act of 2002 and the Secretary shall make such ar-
4 rangements as determined to be necessary to ensure that
5 the Bureau of Indian Education has access to services pro-
6 vided under this section: *Provided further*, That
7 \$24,464,000 shall be available to carry out the Supple-
8 mental Education Grants program for the Federated
9 States of Micronesia and the Republic of the Marshall Is-
10 lands: *Provided further*, That the Secretary may reserve
11 up to 5 percent of the amount referred to in the previous
12 proviso to provide technical assistance in the implementa-
13 tion of these grants: *Provided further*, That \$195,000,000
14 shall be for part B of title V: *Provided further*, That
15 \$1,355,000,000 shall be available for grants under sub-
16 part 1 of part A of title IV.

17 INDIAN EDUCATION

18 For expenses necessary to carry out, to the extent
19 not otherwise provided, title VI, part A of the ESEA,
20 \$195,246,000, of which \$72,000,000 shall be for subpart
21 2 of part A of title VI and \$12,865,000 shall be for sub-
22 part 3 of part A of title VI: *Provided*, That the 5 percent
23 limitation in sections 6115(d), 6121(e), and 6133(g) of
24 the ESEA on the use of funds for administrative purposes
25 shall apply only to direct administrative costs: *Provided*

1 *further*, That grants awarded under sections 6132 and
2 6133 of the ESEA with funds provided under this heading
3 may be for a period of up to 5 years: *Provided further*,
4 That the Secretary may make awards under subpart 3 of
5 part A of title VI without regard to the funding limitation
6 in section 6133(b)(1) of the ESEA.

7 INNOVATION AND IMPROVEMENT

8 For carrying out activities authorized by subparts 1,
9 3 and 4 of part B of title II, and parts C, D, and E and
10 subparts 1 and 4 of part F of title IV of the ESEA,
11 \$1,330,500,000: *Provided*, That \$194,000,000 shall be for
12 subparts 1, 3 and 4 of part B of title II and shall be made
13 available without regard to sections 2201, 2231(b) and
14 2241: *Provided further*, That \$652,500,000 shall be for
15 parts C, D, and E and subpart 4 of part F of title IV,
16 and shall be made available without regard to sections
17 4311, 4409(a), and 4601 of the ESEA: *Provided further*,
18 That section 4303(d)(3)(A)(i) shall not apply to the funds
19 available for part C of title IV: *Provided further*, That not-
20 withstanding section 4601(b), \$384,000,000 shall be
21 available through December 31, 2023 for subpart 1 of
22 part F of title IV: *Provided further*, That of the funds
23 available for subpart 4 of part F of title I not less than
24 \$8,000,000 shall be for continuation grants for eligible na-
25 tional nonprofit organizations, as described in the Applica-

1 tions for New Awards; Assistance for Arts Education Pro-
2 gram—Arts in Education National Program published in
3 the Federal Register on May 7, 2018, for activities de-
4 scribed under section 4642(a)(1)(C): *Provided further*,
5 That \$100,000,000 shall be for competitive grants to local
6 educational agencies and State educational agencies to re-
7 duce racial and socioeconomic segregation across and
8 within school districts.

9 SAFE SCHOOLS AND CITIZENSHIP EDUCATION

10 For carrying out activities authorized by subparts 2
11 and 3 of part F of title IV of the ESEA, \$1,708,000,000,
12 to remain available through December 31, 2023: *Provided*,
13 That \$1,134,000,000 shall be available for section 4631,
14 of which up to \$5,000,000, to remain available until ex-
15 pended, shall be for the Project School Emergency Re-
16 sponse to Violence (Project SERV) program: *Provided fur-*
17 *ther*, That \$468,000,000 shall be available for section
18 4625: *Provided further*, That \$96,000,000 shall be for sec-
19 tion 4624: *Provided further*, That \$10,000,000 shall be for
20 grants to local educational agencies to provide integrated
21 student supports designed to improve student social, emo-
22 tional, physical, and mental health and academic out-
23 comes.

1 ENGLISH LANGUAGE ACQUISITION

2 For carrying out part A of title III of the ESEA,
3 \$1,000,000,000, which shall become available on July 1,
4 2023, and shall remain available through September 30,
5 2024, except that 6.5 percent of such amount shall be
6 available on October 1, 2022, and shall remain available
7 through September 30, 2024, to carry out activities under
8 section 3111(c)(1)(C): *Provided*, That the Secretary may
9 reserve up to 2 percent of such amount for technical as-
10 sistance and capacity building.

11 SPECIAL EDUCATION

12 For carrying out the Individuals with Disabilities
13 Education Act (IDEA), section 773 of the HEA, and the
14 Special Olympics Sport and Empowerment Act of 2004,
15 \$17,760,679,000, of which \$8,036,736,000 shall become
16 available on July 1, 2023, and shall remain available
17 through September 30, 2024, and of which
18 \$9,283,383,000 shall become available on October 1,
19 2023, and shall remain available through September 30,
20 2024, for academic year 2023–2024: *Provided*, That the
21 amount for section 611(b)(2) of the IDEA shall be equal
22 to the lesser of the amount available for that activity dur-
23 ing fiscal year 2022, increased by the amount of inflation
24 as specified in section 619(d)(2)(B) of the IDEA, or the
25 percent change in the funds appropriated under section

1 611(i) of the IDEA, but not less than the amount for that
2 activity during fiscal year 2022: *Provided further*, That the
3 Secretary shall, without regard to section 611(d) of the
4 IDEA, distribute to all other States (as that term is de-
5 fined in section 611(g)(2)), subject to the third proviso,
6 any amount by which a State's allocation under section
7 611, from funds appropriated under this heading, is re-
8 duced under section 612(a)(18)(B), according to the fol-
9 lowing: 85 percent on the basis of the States' relative pop-
10 ulations of children aged 3 through 21 who are of the
11 same age as children with disabilities for whom the State
12 ensures the availability of a free appropriate public edu-
13 cation under this part, and 15 percent to States on the
14 basis of the States' relative populations of those children
15 who are living in poverty: *Provided further*, That the Sec-
16 retary may not distribute any funds under the previous
17 proviso to any State whose reduction in allocation from
18 funds appropriated under this heading made funds avail-
19 able for such a distribution: *Provided further*, That the
20 States shall allocate such funds distributed under the sec-
21 ond proviso to local educational agencies in accordance
22 with section 611(f): *Provided further*, That the amount by
23 which a State's allocation under section 611(d) of the
24 IDEA is reduced under section 612(a)(18)(B) and the
25 amounts distributed to States under the previous provisos

1 in fiscal year 2012 or any subsequent year shall not be
2 considered in calculating the awards under section 611(d)
3 for fiscal year 2013 or for any subsequent fiscal years:
4 *Provided further*, That, notwithstanding the provision in
5 section 612(a)(18)(B) regarding the fiscal year in which
6 a State's allocation under section 611(d) is reduced for
7 failure to comply with the requirement of section
8 612(a)(18)(A), the Secretary may apply the reduction
9 specified in section 612(a)(18)(B) over a period of con-
10 secutive fiscal years, not to exceed 5, until the entire re-
11 duction is applied: *Provided further*, That the Secretary
12 may, in any fiscal year in which a State's allocation under
13 section 611 is reduced in accordance with section
14 612(a)(18)(B), reduce the amount a State may reserve
15 under section 611(e)(1) by an amount that bears the same
16 relation to the maximum amount described in that para-
17 graph as the reduction under section 612(a)(18)(B) bears
18 to the total allocation the State would have received in
19 that fiscal year under section 611(d) in the absence of the
20 reduction: *Provided further*, That the Secretary shall ei-
21 ther reduce the allocation of funds under section 611 for
22 any fiscal year following the fiscal year for which the State
23 fails to comply with the requirement of section
24 612(a)(18)(A) as authorized by section 612(a)(18)(B), or
25 seek to recover funds under section 452 of the General

1 Education Provisions Act (20 U.S.C. 1234a): *Provided*
2 *further*, That the funds reserved under 611(c) of the
3 IDEA may be used to provide technical assistance to
4 States to improve the capacity of the States to meet the
5 data collection requirements of sections 616 and 618 and
6 to administer and carry out other services and activities
7 to improve data collection, coordination, quality, and use
8 under parts B and C of the IDEA: *Provided further*, That
9 the Secretary may use funds made available for the State
10 Personnel Development Grants program under part D,
11 subpart 1 of IDEA to evaluate program performance
12 under such subpart: *Provided further*, That States may
13 use funds reserved for other State-level activities under
14 sections 611(e)(2) and 619(f) of the IDEA to make sub-
15 grants to local educational agencies, institutions of higher
16 education, other public agencies, and private non-profit or-
17 ganizations to carry out activities authorized by those sec-
18 tions: *Provided further*, That, notwithstanding section
19 643(e)(2)(A) of the IDEA, if 5 or fewer States apply for
20 grants pursuant to section 643(e) of such Act, the Sec-
21 retary shall provide a grant to each State in an amount
22 equal to the maximum amount described in section
23 643(e)(2)(B) of such Act: *Provided further*, That if more
24 than 5 States apply for grants pursuant to section 643(e)
25 of the IDEA, the Secretary shall award funds to those

1 States on the basis of the States' relative populations of
2 infants and toddlers except that no such State shall re-
3 ceive a grant in excess of the amount described in section
4 643(e)(2)(B) of such Act: *Provided further*, That States
5 may use funds allotted under section 643(c) of the IDEA
6 to make subgrants to local educational agencies, institu-
7 tions of higher education, other public agencies, and pri-
8 vate non-profit organizations to carry out activities au-
9 thorized by section 638 of IDEA: *Provided further*, That,
10 notwithstanding section 638 of the IDEA, a State may
11 use funds it receives under section 633 of the IDEA to
12 offer continued early intervention services to a child who
13 previously received services under part C of the IDEA
14 from age 3 until the beginning of the school year following
15 the child's third birthday with parental consent and with-
16 out regard to the procedures in section 635(c) of the
17 IDEA: *Provided further*, That, notwithstanding section
18 638 of the IDEA, any State receiving a grant under sec-
19 tion 633 of the IDEA must reserve not less than ten per-
20 cent of its award for use in a manner described in a State
21 plan, approved by the Secretary, to ensure equitable access
22 to and participation in part C services in the State, par-
23 ticularly for populations that have been traditionally
24 underrepresented in the program: *Provided further*, That,
25 notwithstanding section 632(4)(B) of the IDEA, a State

1 receiving a grant under section 633 of the IDEA may es-
2 tablish a system of payments but may not include in that
3 system family fees or out-of-pocket costs to families for
4 early intervention services: *Provided further*, That any
5 State seeking to amend its eligibility criteria under section
6 635(a)(1) of the IDEA in such a way that would have
7 the effect of reducing the number of infants and families
8 who are eligible under part C must conduct the public par-
9 ticipation under section 637(a)(8) of the IDEA at least
10 24 months prior to implementing such a change: *Provided*
11 *further*, That, notwithstanding section 638 of the IDEA,
12 a State may use funds appropriated under part C of the
13 IDEA to conduct child find, public awareness and referral
14 activities for an individual who is expected to become a
15 parent of an infant with a disability (as that term is de-
16 fined in section 632(5) of the IDEA), as established by
17 medical or other records.

18 REHABILITATION SERVICES

19 For carrying out, to the extent not otherwise pro-
20 vided, the Rehabilitation Act of 1973 and the Helen Keller
21 National Center Act, \$4,104,906,000, of which
22 \$3,949,707,000 shall be for grants for vocational rehabili-
23 tation services under title I of the Rehabilitation Act: *Pro-*
24 *vided*, That the Secretary may use amounts provided in
25 this Act that remain available subsequent to the reallocot-

1 ment of funds to States pursuant to section 110(b) of the
2 Rehabilitation Act for innovative activities aimed at in-
3 creasing competitive integrated employment as defined in
4 section 7 of such Act for youth and other individuals with
5 disabilities: *Provided further*, That up to 15 percent of the
6 amounts made available by this or prior Acts for innova-
7 tive activities as described in the preceding proviso may
8 be used for evaluation and technical assistance related to
9 such activities: *Provided further*, That States may award
10 subgrants for a portion of the funds to other public and
11 private, nonprofit entities: *Provided further*, That any
12 funds made available subsequent to reallocation for inno-
13 vative activities aimed at improving the outcomes of indi-
14 viduals with disabilities shall remain available until Sep-
15 tember 30, 2024.

16 SPECIAL INSTITUTIONS FOR PERSONS WITH
17 DISABILITIES

18 AMERICAN PRINTING HOUSE FOR THE BLIND

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

21 NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

22 For the National Technical Institute for the Deaf
23 under titles I and II of the Education of the Deaf Act
24 of 1986, \$91,500,000: *Provided*, That from the total
25 amount available, the Institute may at its discretion use

1 funds for the endowment program as authorized under
2 section 207 of such Act.

3 GALLAUDET UNIVERSITY

4 For the Kendall Demonstration Elementary School,
5 the Model Secondary School for the Deaf, and the partial
6 support of Gallaudet University under titles I and II of
7 the Education of the Deaf Act of 1986, \$156,361,000:
8 *Provided*, That from the total amount available, the Uni-
9 versity may at its discretion use funds for the endowment
10 program as authorized under section 207 of such Act.

11 CAREER, TECHNICAL, AND ADULT EDUCATION

12 For carrying out, to the extent not otherwise pro-
13 vided, the Carl D. Perkins Career and Technical Edu-
14 cation Act of 2006 (“Perkins Act”) and the Adult Edu-
15 cation and Family Literacy Act (“AEFLA”),
16 \$2,214,981,000, of which \$1,423,981,000 shall become
17 available on July 1, 2023, and shall remain available
18 through September 30, 2024, and of which \$791,000,000
19 shall become available on October 1, 2023, and shall re-
20 main available through September 30, 2024: *Provided*,
21 That \$50,000,000 shall be for competitive grants to con-
22 sortia of local educational agencies, institutions of higher
23 education, and employers to pilot evidence-based strategies
24 to increase the integration and alignment of the last two
25 years of high school and the first two years of postsec-

1 onduary education to improve postsecondary and career
2 outcomes for all students: *Provided further*, That section
3 3(20) of the Perkins Act shall be applied as if the term
4 “eligible institution” includes an apprenticeship program
5 that is registered under the National Apprenticeship Act
6 and accredited by an agency recognized by the United
7 States Department of Education: *Provided further*, That
8 of the amounts made available for AEFLA, \$18,712,000
9 shall be for national leadership activities under section
10 242.

11 STUDENT FINANCIAL ASSISTANCE

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

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

17 STUDENT AID ADMINISTRATION

18 For Federal administrative expenses to carry out part
19 D of title I, and subparts 1, 3, 9, and 10 of part A, and
20 parts B, C, D, and E of title IV of the HEA, and subpart
21 1 of part A of title VII of the Public Health Service Act,
22 \$2,579,034,000, to remain available through September
23 30, 2024: *Provided*, That student loan servicers and con-
24 tractors shall be evaluated based on their ability to meet
25 contract requirements (including an understanding of

1 Federal and State law), future performance on the con-
2 tracts, and history of compliance with applicable consumer
3 protections laws: *Provided further*, That to the extent Fed-
4 eral Student Aid (FSA) permits student loan servicing
5 subcontracting, FSA shall hold prime contractors account-
6 able for meeting the requirements of the contract, and the
7 performance and expectations of subcontractors shall be
8 accounted for in the prime contract and in the overall per-
9 formance of the prime contractor: *Provided further*, That
10 FSA shall ensure that contractors have the capacity to
11 meet and are held accountable for performance on service
12 levels; are held accountable for and have a history of com-
13 pliance with applicable consumer protection laws; and have
14 relevant experience and demonstrated effectiveness.

15 HIGHER EDUCATION

16 For carrying out, to the extent not otherwise pro-
17 vided, titles II, III, IV, V, VI, VII, and VIII of the HEA,
18 the Mutual Educational and Cultural Exchange Act of
19 1961, and section 117 of the Perkins Act,
20 \$3,959,485,000, of which \$520,000,000 shall remain
21 available through December 31, 2023: *Provided*, That not-
22 withstanding any other provision of law, funds made avail-
23 able in this Act to carry out title VI of the HEA and sec-
24 tion 102(b)(6) of the Mutual Educational and Cultural
25 Exchange Act of 1961 may be used to support visits and

1 study in foreign countries by individuals who are partici-
2 pating in advanced foreign language training and inter-
3 national studies in areas that are vital to United States
4 national security and who plan to apply their language
5 skills and knowledge of these countries in the fields of gov-
6 ernment, the professions, or international development:
7 *Provided further*, That of the funds referred to in the pre-
8 ceding proviso up to 1 percent may be used for program
9 evaluation, national outreach, and information dissemina-
10 tion activities: *Provided further*, That up to 1.5 percent
11 of the funds made available under chapter 2 of subpart
12 2 of part A of title IV of the HEA may be used for evalua-
13 tion: *Provided further*, That section 313(d) of the HEA
14 shall not apply to an institution of higher education that
15 is eligible to receive funding under section 318 of the
16 HEA: *Provided further*, That amounts made available for
17 carrying out section 419N of the HEA may be awarded
18 notwithstanding the limitations in section 419N(b)(2) of
19 the HEA: *Provided further*, That of the amounts made
20 available under this heading, \$209,301,000 shall be used
21 for the projects, and in the amounts, specified in the table
22 titled “Labor, HHS, Education Incorporation of Commu-
23 nity Project Funding Items” in the report accompanying
24 this Act: *Provided further*, That none of the funds made

1 Black Colleges and Universities without regard to the limi-
2 tations within section 344(a) of the HEA.

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

7 INSTITUTE OF EDUCATION SCIENCES

8 For necessary expenses for the Institute of Education
9 Sciences as authorized by section 208 of the Department
10 of Education Organization Act and carrying out activities
11 authorized by the National Assessment of Educational
12 Progress Authorization Act, section 208 of the Edu-
13 cational Technical Assistance Act of 2002, and section
14 664 of the Individuals with Disabilities Education Act,
15 \$844,075,000, which shall remain available through Sep-
16 tember 30, 2024: *Provided*, That funds available to carry
17 out section 208 of the Educational Technical Assistance
18 Act may be used to link Statewide elementary and sec-
19 ondary data systems with early childhood, postsecondary,
20 and workforce data systems, or to further develop such
21 systems: *Provided further*, That up to \$6,000,000 of the
22 funds available to carry out section 208 of the Educational
23 Technical Assistance Act may be used for awards to public
24 or private organizations or agencies to support activities

1 to improve data coordination, quality, and use at the local,
2 State, and national levels.

3 DEPARTMENTAL MANAGEMENT

4 PROGRAM ADMINISTRATION

5 For carrying out, to the extent not otherwise pro-
6 vided, the Department of Education Organization Act, in-
7 cluding rental of conference rooms in the District of Co-
8 lumbia and hire of three passenger motor vehicles,
9 \$462,500,000, of which up to \$17,500,000, to remain
10 available until expended, shall be available for relocation
11 expenses, and for the renovation and repair of leased
12 buildings: *Provided*, That, notwithstanding any other pro-
13 vision of law, none of the funds provided by this Act or
14 provided by previous Appropriations Acts to the Depart-
15 ment of Education available for obligation or expenditure
16 in the current fiscal year may be used for any activity re-
17 lating to implementing a reorganization that decentralizes,
18 reduces the staffing level, or alters the responsibilities,
19 structure, authority, or functionality of the Budget Service
20 of the Department of Education, relative to the organiza-
21 tion and operation of the Budget Service as in effect on
22 January 1, 2018.

1 OFFICE FOR CIVIL RIGHTS

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

5 OFFICE OF INSPECTOR GENERAL

6 For expenses necessary for the Office of Inspector
7 General, as authorized by section 212 of the Department
8 of Education Organization Act, \$76,452,000, of which
9 \$2,000,000 shall remain available until expended.

10 GENERAL PROVISIONS

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

14 (TRANSFER OF FUNDS)

15 SEC. 302. Not to exceed 1 percent of any discre-
16 tionary funds (pursuant to the Balanced Budget and
17 Emergency Deficit Control Act of 1985) which are appro-
18 priated for the Department of Education in this Act may
19 be transferred between appropriations, but no such appro-
20 priation shall be increased by more than 3 percent by any
21 such transfer: *Provided*, That the transfer authority
22 granted by this section shall not be used to create any
23 new program or to fund any project or activity for which
24 no funds are provided in this Act: *Provided further*, That
25 the Committees on Appropriations of the House of Rep-

1 representatives and the Senate are notified at least 15 days
2 in advance of any transfer.

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

7 SEC. 304. (a) An institution of higher education that
8 maintains an endowment fund supported with funds ap-
9 propriated for title III or V of the HEA for fiscal year
10 2023 may use the income from that fund to award schol-
11 arships to students, subject to the limitation in section
12 331(c)(3)(B)(i) of the HEA. The use of such income for
13 such purposes, prior to the enactment of this Act, shall
14 be considered to have been an allowable use of that in-
15 come, subject to that limitation.

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

18 SEC. 305. Section 114(f) of the HEA (20 U.S.C.
19 1011c(f)) shall be applied by substituting “2023” for
20 “2022”.

21 SEC. 306. Section 458(a)(4) of the HEA (20 U.S.C.
22 1087h(a)) shall be applied by substituting “2023” for
23 “2022”.

24 SEC. 307. Funds appropriated in this Act under the
25 heading “Student Aid Administration” may be available

1 for payments for student loan servicing to an institution
2 of higher education that services outstanding Federal Per-
3 kins Loans under part E of title IV of the Higher Edu-
4 cation Act of 1965 (20 U.S.C. 1087aa et seq.).

5 (RESCISSION)

6 SEC. 308. Of the amounts appropriated under section
7 401(b)(7)(A)(iv)(XI) of the Higher Education Act of 1965
8 (20 U.S.C. 1070a(b)(7)(A)(iv)(XI)) for fiscal year 2023,
9 \$221,000,000 are hereby rescinded.

10 SEC. 309. Of the amounts made available under this
11 title under the heading “Student Aid Administration”,
12 \$2,300,000 shall be used by the Secretary of Education
13 to conduct outreach to borrowers of loans made under part
14 D of title IV of the Higher Education Act of 1965 who
15 may intend to qualify for loan cancellation under section
16 455(m) of such Act (20 U.S.C. 1087e(m)), to ensure that
17 borrowers are meeting the terms and conditions of such
18 loan cancellation: *Provided*, That the Secretary shall spe-
19 cifically conduct outreach to assist borrowers who would
20 qualify for loan cancellation under section 455(m) of such
21 Act except that the borrower has made some, or all, of
22 the 120 required payments under a repayment plan that
23 is not described under section 455(m)(A) of such Act, to
24 encourage borrowers to enroll in a qualifying repayment
25 plan: *Provided further*, That the Secretary shall also com-

1 municate to all Direct Loan borrowers the full require-
2 ments of section 455(m) of such Act and improve the fil-
3 ing of employment certification by providing improved out-
4 reach and information such as outbound calls, electronic
5 communications, ensuring prominent access to program
6 requirements and benefits on each servicer's website, and
7 creating an option for all borrowers to complete the entire
8 payment certification process electronically and on a cen-
9 tralized website.

10 SEC. 310. In addition to amounts otherwise made
11 available, the unobligated balances of amounts made avail-
12 able in fiscal year 2018 and each fiscal year thereafter
13 for the Temporary Expanded Public Service Loan For-
14 giveness (TEPSLF) program carried out by the Depart-
15 ment of Education, shall be made available in accordance
16 with the following:

17 (1) Except as provided in paragraphs (2) and
18 (3), notwithstanding the terms and conditions for
19 such program required under such appropriations
20 Acts, such program shall be carried out in the same
21 manner, and with the same terms and conditions, as
22 the Limited PSLF Waiver program carried out by
23 the Department of Education beginning on October
24 6, 2021, and authorized by the Higher Education

1 Relief Opportunities for Students Act of 2003 (20
2 U.S.C. 1098bb), except that—

3 (A) the application and consolidation dead-
4 lines under the Limited PSLF Waiver program
5 shall not apply to the TEPSLF program; and

6 (B) a loan made under part B or E of title
7 22 IV of the Higher Education Act of 1965
8 (other than an excepted PLUS loan or an ex-
9 cepted consolidation loan (as such terms are de-
10 fined in section 493C(a) of such Act of 1965))
11 shall be eligible for forgiveness under the
12 TEPSLF program in the same manner and
13 with the same conditions as a Federal Direct
14 Loan, and a borrower of such a loan made
15 under part B or E may receive credit under
16 such program for any repayment on such loan
17 that would otherwise qualify under the
18 TEPSLF program (in accordance with this sec-
19 tion), without consolidating such loan into a
20 Federal Direct Consolidation Loan.

21 (2) The limitation relating to the total loan vol-
22 ume, including outstanding principal, fees, capital-
23 ized interest, or accrued interest, applicable with re-
24 spect to amounts initially made available in fiscal
25 year 2018 and each fiscal year thereafter shall con-

1 tinue to apply with respect to the corresponding un-
2 obligated balance from each such fiscal year.

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

9 SEC. 311. The Secretary may reserve not more than
10 0.5 percent from any amount made available in this Act
11 for an HEA program, except for any amounts made avail-
12 able for subpart 1 of part A of title IV of the HEA, to
13 carry out rigorous and independent evaluations and to col-
14 lect and analyze outcome data for any program authorized
15 by the HEA: *Provided*, That no funds made available in
16 this Act for the “Student Aid Administration” account
17 shall be subject to the reservation under this section: *Pro-*
18 *vided further*, That any funds reserved under this section
19 shall be available through September 30, 2025: *Provided*
20 *further*, That if, under any other provision of law, funds
21 are authorized to be reserved or used for evaluation activi-
22 ties with respect to a program or project, the Secretary
23 may also reserve funds for such program or project for
24 the purposes described in this section so long as the total
25 reservation of funds for such program or project does not

1 exceed any statutory limits on such reservations: *Provided*
2 *further*, That not later than 30 days prior to the initial
3 obligation of funds reserved under this section, the Sec-
4 retary shall submit to the Committees on Appropriations
5 of the Senate and the House of Representatives, the Com-
6 mittee on Health, Education, Labor and Pensions of the
7 Senate, and the Committee on Education and Labor of
8 the House of Representatives a plan that identifies the
9 source and amount of funds reserved under this section,
10 the impact on program grantees if funds are withheld for
11 the purposes of this section, and the activities to be carried
12 out with such funds.

13 SEC. 312. In addition to amounts otherwise appro-
14 priated by this Act under the heading “Innovation and
15 Improvement” for purposes authorized by the Elementary
16 and Secondary Education Act of 1965, there are hereby
17 appropriated an additional \$154,108,000 which shall be
18 used for the projects, and in the amounts, specified in the
19 table titled “Labor, HHS, Education Incorporation of
20 Community Project Funding Items” in the report accom-
21 panying this Act: *Provided*, That none of the funds made
22 available for such projects shall be subject to section 302
23 of this Act.

24 SEC. 313. None of the funds made available under
25 part C of title IV of the ESEA may be awarded to a char-

1 ter school that enters into a contract with a for-profit
2 management organization under which the management
3 organization and its related entities exercises full or sub-
4 stantial administrative control over the charter school, ex-
5 cept that this proviso does not limit the ability of a charter
6 school to contract with a for-profit entity for discrete pur-
7 poses other than managing or operating the charter
8 school, such as providing food services or payroll services.

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

14 SEC. 315. None of the funds made available by this
15 Act may be used by the Department of Education to sup-
16 port an educational institution that engages in the use of
17 electric shock devices and equipment for aversive condi-
18 tioning or disciplining of students.

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

22 SEC. 317. (a)(1) Section 484(a)(5) of the HEA of
23 1965 (20 U.S.C. 1091(a)(5)) is amended—

24

1 (A) by inserting “or a DACA recipient (as
2 defined in subsection (u)), have temporary pro-
3 tected status under section 244 of the Immigra-
4 tion and Nationality Act (8 U.S.C. 1254a),”
5 after “a permanent resident of the United
6 States,”; and

7 (B) by inserting “be” after “able”.

8 (2) Section 484(a) of such Act (20 U.S.C.
9 1091(a)) is amended by adding at the end the fol-
10 lowing:

11 “(u) DACA RECIPIENT.—In this sec-
12 tion, the term ‘DACA recipient’ means an alien
13 (as defined in section 101(a)(3) of the Immi-
14 gration and Nationality Act (8 U.S.C.
15 1101(a)(3)) who is inadmissible to the United
16 State or deportable from the United States
17 under the immigration laws (as defined in sec-
18 tion 101(a)(17) of such Act (8 U.S.C.
19 1101(a)(17)), and who the Secretary of Home-
20 land Security has, in his or her discretion, de-
21 termined should be afforded a grant of deferred
22 action under the Deferred Action for Childhood
23 Arrivals (DACA) policy.”.

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

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

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

11 SEC. 318. Section 344(a) of the HEA (20 U.S.C.
12 1066(c)(a)) is amended by striking “No institution of
13 higher education that has received assistance under sec-
14 tion 8 of the Act of March 2, 1867 (20 U.S.C. 123) shall
15 be eligible to receive assistance under this part.”.

16

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

19

TITLE IV

20

RELATED AGENCIES

21

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE

22

BLIND OR SEVERELY DISABLED

23

SALARIES AND EXPENSES

24

For expenses necessary for the Committee for Pur-

25 chase From People Who Are Blind or Severely Disabled

1 (referred to in this title as “the Committee”) established
2 under section 8502 of title 41, United States Code,
3 \$13,124,000: *Provided*, That in order to authorize any
4 central nonprofit agency designated pursuant to section
5 8503(c) of title 41, United States Code, to perform re-
6 quirements of the Committee as prescribed under section
7 51–3.2 of title 41, Code of Federal Regulations, the Com-
8 mittee shall enter into a written agreement with any such
9 central nonprofit agency: *Provided further*, That such
10 agreement shall contain such auditing, oversight, and re-
11 porting provisions as necessary to implement chapter 85
12 of title 41, United States Code: *Provided further*, That
13 such agreement shall include the elements listed under the
14 heading “Committee For Purchase From People Who Are
15 Blind or Severely Disabled—Written Agreement Ele-
16 ments” in the explanatory statement described in section
17 4 of Public Law 114–113 (in the matter preceding division
18 A of that consolidated Act): *Provided further*, That any
19 such central nonprofit agency may not charge a fee under
20 section 51–3.5 of title 41, Code of Federal Regulations,
21 prior to executing a written agreement with the Com-
22 mittee: *Provided further*, That no less than \$3,124,000
23 shall be available for the Office of Inspector General.

1 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE
2 OPERATING EXPENSES

3 For necessary expenses for the Corporation for Na-
4 tional and Community Service (referred to in this title as
5 “CNCS”) to carry out the Domestic Volunteer Service Act
6 of 1973 (referred to in this title as “1973 Act”) and the
7 National and Community Service Act of 1990 (referred
8 to in this title as “1990 Act”), \$947,829,000 , notwith-
9 standing sections 198B(b)(3), 198S(g), 501(a)(4)(C), and
10 501(a)(4)(F) of the 1990 Act: *Provided*, That of the
11 amounts provided under this heading: (1) up to 1 percent
12 of program grant funds may be used to defray the costs
13 of conducting grant application reviews, including the use
14 of outside peer reviewers and electronic management of
15 the grants cycle; (2) \$19,538,000 shall be available to pro-
16 vide assistance to State commissions on national and com-
17 munity service, under section 126(a) of the 1990 Act and
18 notwithstanding section 501(a)(5)(B) of the 1990 Act; (3)
19 \$37,735,000 shall be available to carry out subtitle E of
20 the 1990 Act; and (4) \$6,558,000 shall be available for
21 expenses authorized under section 501(a)(4)(F) of the
22 1990 Act, which, notwithstanding the provisions of section
23 198P shall be awarded by CNCS on a competitive basis:
24 *Provided further*, That for the purposes of carrying out
25 the 1990 Act, satisfying the requirements in section

1 122(c)(1)(D) may include a determination of need by the
2 local community.

3 PAYMENT TO THE NATIONAL SERVICE TRUST

4 (INCLUDING TRANSFER OF FUNDS)

5 For payment to the National Service Trust estab-
6 lished under subtitle D of title I of the 1990 Act,
7 \$235,000,000, to remain available until expended: *Pro-*
8 *vided*, That CNCS may transfer additional funds from the
9 amount provided within “Operating Expenses” allocated
10 to grants under subtitle C of title I of the 1990 Act to
11 the National Service Trust upon determination that such
12 transfer is necessary to support the activities of national
13 service participants and after notice is transmitted to the
14 Committees on Appropriations of the House of Represent-
15 atives and the Senate: *Provided further*, That amounts ap-
16 propriated for or transferred to the National Service Trust
17 may be invested under section 145(b) of the 1990 Act
18 without regard to the requirement to apportion funds
19 under 31 U.S.C. 1513(b).

20 SALARIES AND EXPENSES

21 For necessary expenses of administration as provided
22 under section 501(a)(5) of the 1990 Act and under section
23 504(a) of the 1973 Act, including payment of salaries, au-
24 thorized travel, hire of passenger motor vehicles, the rental
25 of conference rooms in the District of Columbia, the em-

1 ployment of experts and consultants authorized under 5
2 U.S.C. 3109, and not to exceed \$2,500 for official recep-
3 tion and representation expenses, \$109,686,000.

4 OFFICE OF INSPECTOR GENERAL

5 For necessary expenses of the Office of Inspector
6 General in carrying out the Inspector General Act of 1978,
7 \$8,121,000.

8 ADMINISTRATIVE PROVISIONS

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

18 SEC. 402. AmeriCorps programs receiving grants
19 under the National Service Trust program shall meet an
20 overall minimum share requirement of 24 percent for the
21 first 3 years that they receive AmeriCorps funding, and
22 thereafter shall meet the overall minimum share require-
23 ment as provided in section 2521.60 of title 45, Code of
24 Federal Regulations, without regard to the operating costs
25 match requirement in section 121(e) or the member sup-

1 port Federal share limitations in section 140 of the 1990
2 Act, and subject to partial waiver consistent with section
3 2521.70 of title 45, Code of Federal Regulations.

4 SEC. 403. Donations made to CNCS under section
5 196 of the 1990 Act for the purposes of financing pro-
6 grams and operations under titles I and II of the 1973
7 Act or subtitle B, C, D, or E of title I of the 1990 Act
8 shall be used to supplement and not supplant current pro-
9 grams and operations.

10 SEC. 404. In addition to the requirements in section
11 146(a) of the 1990 Act, use of an educational award for
12 the purpose described in section 148(a)(4) shall be limited
13 to individuals who are veterans as defined under section
14 101 of the Act.

15 SEC. 405. For the purpose of carrying out section
16 189D of the 1990 Act—

17 (1) entities described in paragraph (a) of such
18 section shall be considered “qualified entities” under
19 section 3 of the National Child Protection Act of
20 1993 (“NCPA”);

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

24 (3) State Commissions on National and Com-
25 munity Service established pursuant to section 178

1 of the 1990 Act, are authorized to receive criminal
2 history record information, consistent with Public
3 Law 92–544.

4 SEC. 406. Notwithstanding sections 139(b), 146 and
5 147 of the 1990 Act, an individual who successfully com-
6 pletes a term of service of not less than 1,200 hours dur-
7 ing a period of not more than one year may receive a na-
8 tional service education award having a value of 70 per-
9 cent of the value of a national service education award
10 determined under section 147(a) of the Act.

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

15 SEC. 408. (a) Section 137(a)(5) of the 1990 Act shall
16 be applied in fiscal year 2022 as if the following were in-
17 serted before the period: “, or has submitted a request
18 for administrative relief pursuant to the policy established
19 in the memorandum of the Secretary of Homeland Secu-
20 rity date June 15, 2012, and entitled ‘Exercising Prosecu-
21 torial Discretion with Respect to Individuals Who Came
22 to the United States as Children’ (Deferred Action for
23 Childhood Arrivals)”.

24 (b) Section 146(a)(3) of the 1990 Act shall be applied
25 in fiscal year 2022 as if the following were inserted before

1 the period: “, or has submitted a request for administra-
2 tive relief pursuant to the policy established in the memo-
3 randum of the Secretary of Homeland Security dated
4 June 15, 2012, and entitled ‘Exercising Discretion with
5 Respect to Individuals Who Came to the United States
6 as Children (Deferred Action for Childhood Arrivals)’”.

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

14 SEC. 410. (a) Notwithstanding sections 139, 147,
15 153, and 154 of the 1990 Act, the Director of the Na-
16 tional Civilian Community Corps may enter into agree-
17 ments with eligible individuals to participate in a National
18 Civilian Community Corps program for a period of not less
19 than 90 days and not more than 180 days.

20 (b) An eligible individual who enters into an agree-
21 ment with the Director under subsection (a) may receive
22 an educational award equivalent to a proportional amount
23 of the full-time national service educational award author-
24 ized under section 147(a) of the 1990 Act that cor-

1 responds to the term of service that such individual com-
2 pletes.

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

7 CORPORATION FOR PUBLIC BROADCASTING

8 For payment to the Corporation for Public Broad-
9 casting (“CPB”), as authorized by the Communications
10 Act of 1934, an amount which shall be available within
11 limitations specified by that Act, for the fiscal year 2025,
12 \$565,000,000: *Provided*, That none of the funds made
13 available to CPB by this Act shall be used to pay for re-
14 ceptions, parties, or similar forms of entertainment for
15 Government officials or employees: *Provided further*, That
16 none of the funds made available to CPB by this Act shall
17 be available or used to aid or support any program or ac-
18 tivity from which any person is excluded, or is denied ben-
19 efits, or is discriminated against, on the basis of race,
20 color, national origin, religion, or sex: *Provided further*,
21 That none of the funds made available to CPB by this
22 Act shall be used to apply any political test or qualification
23 in selecting, appointing, promoting, or taking any other
24 personnel action with respect to officers, agents, and em-
25 ployees of CPB.

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

11 FEDERAL MEDIATION AND CONCILIATION SERVICE

12 SALARIES AND EXPENSES

13 For expenses necessary for the Federal Mediation
14 and Conciliation Service (“Service”) to carry out the func-
15 tions vested in it by the Labor-Management Relations Act,
16 1947, including hire of passenger motor vehicles; for ex-
17 penses necessary for the Labor-Management Cooperation
18 Act of 1978; and for expenses necessary for the Service
19 to carry out the functions vested in it by the Civil Service
20 Reform Act, \$53,705,000: *Provided*, That notwithstanding
21 31 U.S.C. 3302, fees charged, up to full-cost recovery, for
22 special training activities and other conflict resolution
23 services and technical assistance, including those provided
24 to foreign governments and international organizations,
25 and for arbitration services shall be credited to and

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

10 FEDERAL MINE SAFETY AND HEALTH REVIEW

11 COMMISSION

12 SALARIES AND EXPENSES

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

15 INSTITUTE OF MUSEUM AND LIBRARY SERVICES

16 OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS

17 AND ADMINISTRATION

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

21 MEDICAID AND CHIP PAYMENT AND ACCESS

22 COMMISSION

23 SALARIES AND EXPENSES

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

1 MEDICARE PAYMENT ADVISORY COMMISSION

2 SALARIES AND EXPENSES

3 For expenses necessary to carry out section 1805 of
4 the Social Security Act, \$13,824,000, to be transferred to
5 this appropriation from the Federal Hospital Insurance
6 Trust Fund and the Federal Supplementary Medical In-
7 surance Trust Fund.

8 NATIONAL COUNCIL ON DISABILITY

9 SALARIES AND EXPENSES

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

13 NATIONAL LABOR RELATIONS BOARD

14 SALARIES AND EXPENSES

15 For expenses necessary for the National Labor Rela-
16 tions Board to carry out the functions vested in it by the
17 Labor-Management Relations Act, 1947, and other laws,
18 \$319,424,000, of which not less than \$1,000,000 shall be
19 used to develop a system and procedures to conduct union
20 representation elections electronically.

21 NATIONAL MEDIATION BOARD

22 SALARIES AND EXPENSES

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

1 OCCUPATIONAL SAFETY AND HEALTH REVIEW

2 COMMISSION

3 SALARIES AND EXPENSES

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

6 RAILROAD RETIREMENT BOARD

7 DUAL BENEFITS PAYMENTS ACCOUNT

8 For payment to the Dual Benefits Payments Ac-
9 count, authorized under section 15(d) of the Railroad Re-
10 tirement Act of 1974, \$9,000,000, which shall include
11 amounts becoming available in fiscal year 2023 pursuant
12 to section 224(c)(1)(B) of Public Law 98–76; and in addi-
13 tion, an amount, not to exceed 2 percent of the amount
14 provided herein, shall be available proportional to the
15 amount by which the product of recipients and the average
16 benefit received exceeds the amount available for payment
17 of vested dual benefits: *Provided*, That the total amount
18 provided herein shall be credited in 12 approximately
19 equal amounts on the first day of each month in the fiscal
20 year.

21 FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT

22 ACCOUNTS

23 For payment to the accounts established in the
24 Treasury for the payment of benefits under the Railroad
25 Retirement Act for interest earned on unnegotiated

1 checks, \$150,000, to remain available through September
2 30, 2023, which shall be the maximum amount available
3 for payment pursuant to section 417 of Public Law 98–
4 76.

5 LIMITATION ON ADMINISTRATION

6 For necessary expenses for the Railroad Retirement
7 Board (“Board”) for administration of the Railroad Re-
8 tirement Act and the Railroad Unemployment Insurance
9 Act, \$131,666,000, to be derived in such amounts as de-
10 termined by the Board from the railroad retirement ac-
11 counts and from moneys credited to the railroad unem-
12 ployment insurance administration fund: *Provided*, That
13 notwithstanding section 7(b)(9) of the Railroad Retire-
14 ment Act this limitation may be used to hire attorneys
15 only through the excepted service: *Provided further*, That
16 the previous proviso shall not change the status under
17 Federal employment laws of any attorney hired by the
18 Railroad Retirement Board prior to January 1, 2013: *Pro-*
19 *vided further*, That notwithstanding section 7(b)(9) of the
20 Railroad Retirement Act, this limitation may be used to
21 hire students attending qualifying educational institutions
22 or individuals who have recently completed qualifying edu-
23 cational programs using current excepted hiring authori-
24 ties established by the Office of Personnel Management.

1 LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

2 For expenses necessary for the Office of Inspector
3 General for audit, investigatory and review activities, as
4 authorized by the Inspector General Act of 1978, not more
5 than \$13,269,000, to be derived from the railroad retire-
6 ment accounts and railroad unemployment insurance ac-
7 count.

8 SOCIAL SECURITY ADMINISTRATION

9 PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

10 For payment to the Federal Old-Age and Survivors
11 Insurance Trust Fund and the Federal Disability Insur-
12 ance Trust Fund, as provided under sections 201(m) and
13 1131(b)(2) of the Social Security Act, \$11,000,000.

14 SUPPLEMENTAL SECURITY INCOME PROGRAM

15 For carrying out titles XI and XVI of the Social Se-
16 curity Act, section 401 of Public Law 92–603, section 212
17 of Public Law 93–66, as amended, and section 405 of
18 Public Law 95–216, including payment to the Social Secu-
19 rity trust funds for administrative expenses incurred pur-
20 suant to section 201(g)(1) of the Social Security Act,
21 \$48,713,576,000, to remain available until expended: *Pro-*
22 *vided*, That any portion of the funds provided to a State
23 in the current fiscal year and not obligated by the State
24 during that year shall be returned to the Treasury: *Pro-*
25 *vided further*, That not more than \$86,000,000 shall be

1 available for research and demonstrations under sections
2 1110, 1115, and 1144 of the Social Security Act, and re-
3 main available through September 30, 2025.

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

8 For making benefit payments under title XVI of the
9 Social Security Act for the first quarter of fiscal year
10 2024, \$15,800,000,000, to remain available until ex-
11 pended.

12 LIMITATION ON ADMINISTRATIVE EXPENSES

13 For necessary expenses, including the hire and pur-
14 chase of two passenger motor vehicles and charging or
15 fueling infrastructure for zero emission passenger motor
16 vehicles, and not to exceed \$20,000 for official reception
17 and representation expenses, not more than
18 \$14,300,945,000 may be expended, as authorized by sec-
19 tion 201(g)(1) of the Social Security Act, from any one
20 or all of the trust funds referred to in such section: *Pro-*
21 *vided*, That not less than \$2,700,000 shall be for the So-
22 cial Security Advisory Board: *Provided further*, That unob-
23 ligated balances of funds provided under this paragraph
24 at the end of fiscal year 2023 not needed for fiscal year
25 2023 shall remain available until expended to invest in the

1 Social Security Administration information technology
2 and telecommunications hardware and software infra-
3 structure, including related equipment and non-payroll ad-
4 ministrative expenses associated solely with this informa-
5 tion technology and telecommunications infrastructure:
6 *Provided further*, That the Commissioner of Social Secu-
7 rity shall notify the Committees on Appropriations of the
8 House of Representatives and the Senate prior to making
9 unobligated balances available under the authority in the
10 previous proviso: *Provided further*, That reimbursement to
11 the trust funds under this heading for expenditures for
12 official time for employees of the Social Security Adminis-
13 tration pursuant to 5 U.S.C. 7131, and for facilities or
14 support services for labor organizations pursuant to poli-
15 cies, regulations, or procedures referred to in section
16 7135(b) of such title shall be made by the Secretary of
17 the Treasury, with interest, from amounts in the general
18 fund not otherwise appropriated, as soon as possible after
19 such expenditures are made.

20 Of the total amount made available in the first para-
21 graph under this heading, not more than \$1,799,000,000,
22 to remain available through March 31, 2024, is for the
23 costs associated with continuing disability reviews under
24 titles II and XVI of the Social Security Act, including
25 work-related continuing disability reviews to determine

1 whether earnings derived from services demonstrate an in-
2 dividual's ability to engage in substantial gainful activity,
3 for the cost associated with conducting redeterminations
4 of eligibility under title XVI of the Social Security Act,
5 for the cost of co-operative disability investigation units,
6 and for the cost associated with the prosecution of fraud
7 in the programs and operations of the Social Security Ad-
8 ministration by Special Assistant United States Attorneys:
9 *Provided*, That, of such amount, \$288,000,000 is provided
10 to meet the terms of section 1(i)(2)(C) of H. Res. 1151
11 (117th Congress) as engrossed in the House of Represent-
12 atives on June 8, 2022, and \$1,511,000,000 is additional
13 new budget authority specified for purposes of section 1(i)
14 of such resolution: *Provided further*, That, of the addi-
15 tional new budget authority described in the preceding
16 proviso, up to \$15,100,000 may be transferred to the "Of-
17 fice of Inspector General", Social Security Administration,
18 for the cost of jointly operated co-operative disability in-
19 vestigation units: *Provided further*, That such transfer au-
20 thority is in addition to any other transfer authority pro-
21 vided by law: *Provided further*, That the Commissioner
22 shall provide to the Congress (at the conclusion of the fis-
23 cal year) a report on the obligation and expenditure of
24 these funds, similar to the reports that were required by

1 section 103(d)(2) of Public Law 104–121 for fiscal years
2 1996 through 2002.

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

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

16 OFFICE OF INSPECTOR GENERAL
17 (INCLUDING TRANSFER OF FUNDS)

18 For expenses necessary for the Office of Inspector
19 General in carrying out the provisions of the Inspector
20 General Act of 1978, \$33,000,000, together with not to
21 exceed \$84,500,000, to be transferred and expended as
22 authorized by section 201(g)(1) of the Social Security Act
23 from the Federal Old-Age and Survivors Insurance Trust
24 Fund and the Federal Disability Insurance Trust Fund:
25 *Provided*, That \$2,000,000 shall remain available until ex-

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

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

14 TITLE V

15 GENERAL PROVISIONS

16 (TRANSFER OF FUNDS)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22 SEC. 511. (a) None of the funds provided under this
23 Act, or provided under previous appropriations Acts to the
24 agencies funded by this Act that remain available for obli-
25 gation or expenditure in fiscal year 2023, or provided from

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

5 (1) creates new programs;

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

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

10 (4) relocates an office or employees;

11 (5) reorganizes or renames offices;

12 (6) reorganizes programs or activities; or

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

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

21 (b) None of the funds provided under this Act, or
22 provided under previous appropriations Acts to the agen-
23 cies funded by this Act that remain available for obligation
24 or expenditure in fiscal year 2023, or provided from any
25 accounts in the Treasury of the United States derived by

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

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

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

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

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

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

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

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

6 SEC. 513. Within 45 days of enactment of this Act,
7 each department and related agency funded through this
8 Act shall submit an operating plan that details at the pro-
9 gram, project, and activity level any funding allocations
10 for fiscal year 2023 that are different than those specified
11 in this Act, the report accompanying this Act or the fiscal
12 year 2023 budget request.

13 SEC. 514. The Secretaries of Labor, Health and
14 Human Services, and Education shall each prepare and
15 submit to the Committees on Appropriations of the House
16 of Representatives and the Senate a report on the number
17 and amount of contracts, grants, and cooperative agree-
18 ments exceeding \$500,000, individually or in total for a
19 particular project, activity, or programmatic initiative, in
20 value and awarded by the Department on a non-competi-
21 tive basis during each quarter of fiscal year 2023, but not
22 to include grants awarded on a formula basis or directed
23 by law. Such report shall include the name of the con-
24 tractor or grantee, the amount of funding, the govern-
25 mental purpose, including a justification for issuing the

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

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

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

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

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

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

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

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

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

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

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

3 SEC. 520. (a) Federal agencies may use Federal dis-
4 cretionary funds that are made available in this Act to
5 carry out up to 10 Performance Partnership Pilots. Such
6 Pilots shall be governed by the provisions of section 526
7 of division H of Public Law 113–76, except that in car-
8 rying out such Pilots section 526 shall be applied by sub-
9 stituting “Fiscal Year 2023” for “Fiscal Year 2014” in
10 the title of subsection (b) and by substituting “September
11 30, 2027” for “September 30, 2018” each place it ap-
12 pears: *Provided*, That such pilots shall include commu-
13 nities that have experienced civil unrest.

14 (b) In addition, Federal agencies may use Federal
15 discretionary funds that are made available in this Act to
16 participate in Performance Partnership Pilots that are
17 being carried out pursuant to the authority provided by
18 section 526 of division H of Public Law 113–76, section
19 524 of division G of Public Law 113–235, section 525 of
20 division H of Public Law 114–113, section 525 of division
21 H of Public Law 115–31, section 525 of division H of
22 Public Law 115–141, section 524 of division A of Public
23 Law 116–94, section 524 of division H of Public Law
24 116–260, and section 523 of division H of Public Law
25 117-103.

1 (c) Pilot sites selected under authorities in this Act
2 and prior appropriations Acts may be granted by relevant
3 agencies up to an additional 5 years to operate under such
4 authorities.

5 SEC. 521. Not later than 30 days after the end of
6 each calendar quarter, beginning with the first month of
7 fiscal year 2023 the Departments of Labor, Health and
8 Human Services and Education and the Social Security
9 Administration shall provide the Committees on Appro-
10 priations of the House of Representatives and Senate a
11 report on the status of balances of appropriations: *Pro-*
12 *vided*, That for balances that are unobligated and uncom-
13 mitted, committed, and obligated but unexpended, the
14 monthly reports shall separately identify the amounts at-
15 tributable to each source year of appropriation (beginning
16 with fiscal year 2012, or, to the extent feasible, earlier
17 fiscal years) from which balances were derived.

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

1 fices (other than emergency response grants at any time
2 of the year or for grant awards made during the last 10
3 business days of the fiscal year, or if applicable, of the
4 program year).

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

9 SEC. 524. Of amounts deposited in the Child Enroll-
10 ment Contingency Fund under section 2104(n)(2) of the
11 Social Security Act and the income derived from invest-
12 ment of those funds pursuant to section 2104(n)(2)(C) of
13 that Act, \$14,861,000,000 shall not be available for obli-
14 gation in this fiscal year.

15 SEC. 525. (a) This section applies to: (1) the Admin-
16 istration for Children and Families in the Department of
17 Health and Human Services; and (2) The Chief Evalua-
18 tion Office and the statistical-related cooperative and
19 interagency agreements and contracting activities of the
20 Bureau of Labor Statistics in the Department of Labor.

21 (b) Amounts made available under this Act which are
22 either appropriated, allocated, advanced on a reimbursable
23 basis, or transferred to the functions and organizations
24 identified in subsection (a) for research, evaluation, or sta-
25 tistical purposes shall be available for obligation through

1 September 30, 2027: *Provided*, That when an office ref-
2 erenced in subsection (a) receives research and evaluation
3 funding from multiple appropriations, such offices may
4 use a single Treasury account for such activities, with
5 funding advanced on a reimbursable basis.

6 (c) Amounts referenced in subsection (b) that are un-
7 expended at the time of completion of a contract, grant,
8 or cooperative agreement may be deobligated and shall im-
9 mediately become available and may be reobligated in that
10 fiscal year or the subsequent fiscal year for the research,
11 evaluation, or statistical purposes for which such amounts
12 are available.

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