

[FULL COMMITTEE PRINT]

Union Calendar No. _____

116TH CONGRESS
2D SESSION

H. R. _____

[Report No. 116-____]

Making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2021, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

____ --, 2020

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, 2021, and for other purposes.

1 \$712,000,000 shall be available for the period
2 October 1, 2021 through June 30, 2022;

3 (B) \$925,130,000 for youth activities,
4 which shall be available for the period April 1,
5 2021 through June 30, 2022; and

6 (C) \$1,080,053,000 for dislocated worker
7 employment and training activities, of which
8 \$220,053,000 shall be available for the period
9 July 1, 2021 through June 30, 2022, and of
10 which \$860,000,000 shall be available for the
11 period October 1, 2021 through June 30, 2022:

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 the
17 WIOA, the Secretary may waive certain require-
18 ments to permit the outlying areas to submit a sin-
19 gle application for a consolidated grant that awards
20 funds that would otherwise be available to such
21 areas to carry out the activities described in subtitle
22 B of title I of the WIOA: *Provided further*, That
23 upon receipt of a waiver, an application shall be sub-
24 mitted to the Secretary at such time, in such man-
25 ner and containing respective spending plans with a

1 funding floor for each program and activity author-
2 ized under such subtitle B of title I of the WIOA as
3 the Secretary may require: *Provided further*, That
4 outlying areas awarded a consolidated grant de-
5 scribed in the preceding provisos may use identified
6 excess funding above the funding floor for each ac-
7 tivity for any of the other programs and activities
8 authorized under such subtitle B of title I of the
9 WIOA subject to such reporting requirements issued
10 by the Secretary; and

11 (2) for national programs, \$826,868,000 as fol-
12 lows:

13 (A) \$280,859,000 for the dislocated work-
14 ers assistance national reserve, of which
15 \$80,859,000 shall be available for the period
16 July 1, 2021 through September 30, 2022, and
17 of which \$200,000,000 shall be available for the
18 period October 1, 2021 through September 30,
19 2022: *Provided*, That funds provided to carry
20 out section 132(a)(2)(A) of the WIOA may be
21 used to provide assistance to a State for state-
22 wide or local use in order to address cases
23 where there have been worker dislocations
24 across multiple sectors or across multiple local
25 areas and such workers remain dislocated; co-

1 ordinate the State workforce development plan
2 with emerging economic development needs; and
3 train such eligible dislocated workers: *Provided*
4 *further*, That funds provided to carry out sec-
5 tions 168(b) and 169(c) of the WIOA may be
6 used for technical assistance and demonstration
7 projects, respectively, that provide assistance to
8 new entrants in the workforce and incumbent
9 workers: *Provided further*, That notwithstanding
10 section 168(b) of the WIOA, of the funds pro-
11 vided under this subparagraph, the Secretary of
12 Labor (referred to in this title as “Secretary”)
13 may reserve not more than 10 percent of such
14 funds to provide technical assistance and carry
15 out additional activities related to the transition
16 to the WIOA: *Provided further*, That of the
17 funds provided under this subparagraph,
18 \$50,000,000 shall be for training and employ-
19 ment assistance under sections 168(b), 169(c)
20 (notwithstanding the 10 percent limitation in
21 such section) and 170 of the WIOA for the pur-
22 pose of developing, offering, or improving edu-
23 cational or career training programs at commu-
24 nity colleges, defined as public institutions of
25 higher education, as described in section 101(a)

1 of the Higher Education Act of 1965 and at
2 which the associate's degree is primarily the
3 highest degree awarded, with other eligible in-
4 stitutions of higher education, as defined in sec-
5 tion 101(a) of the Higher Education Act of
6 1965, eligible to participate through consortia,
7 with community colleges as the lead grantee:
8 *Provided further*, That the Secretary shall fol-
9 low the requirements for the program in House
10 Report 116-62: *Provided further*, That any
11 grant funds used for apprenticeships shall be
12 used to support only apprenticeship programs
13 registered under the National Apprenticeship
14 Act and as referred to in section 3(7)(B) of the
15 WIOA: *Provided further*, That the Department
16 shall issue a Solicitation for Grant Applications
17 (SGA) within 120 days of enactment of this
18 Act: *Provided further*, That the funds made
19 available in this title under the heading "DE-
20 PARTMENTAL MANAGEMENT" for Execu-
21 tive Direction shall be reduced by \$100,000 for
22 each day the SGA is not issued beyond the 120
23 day requirement and such funds shall be re-
24 scinded in the amount for each such reduction:
25 *Provided further*, That the reduction required

1 by the preceding proviso shall be taken only
2 from the “Executive Direction” line in the table
3 at the end of the committee report accom-
4 panying this Act;

5 (B) \$55,500,000 for Native American pro-
6 grams under section 166 of the WIOA, which
7 shall be available for the period July 1, 2021
8 through June 30, 2022;

9 (C) \$95,896,000 for migrant and seasonal
10 farmworker programs under section 167 of the
11 WIOA, including \$88,938,000 for formula
12 grants (of which not less than 70 percent shall
13 be for employment and training services),
14 \$6,389,000 for migrant and seasonal housing
15 (of which not less than 70 percent shall be for
16 permanent housing), and \$569,000 for other
17 discretionary purposes, which shall be available
18 for the period April 1, 2021 through June 30,
19 2022: *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) of the WIOA, an individual is
3 eligible for migrant and seasonal farmworker
4 programs under section 167 of the WIOA if
5 such individual is a member of a family with a
6 total family income equal to or less than 150
7 percent of the poverty line;

8 (D) \$100,534,000 for YouthBuild activi-
9 ties as described in section 171 of the WIOA,
10 which shall be available for the period April 1,
11 2021 through June 30, 2022;

12 (E) \$103,079,000 for ex-offender activi-
13 ties, under the authority of section 169 of the
14 WIOA, which shall be available for the period
15 April 1, 2021 through June 30, 2022: *Provided,*
16 That of this amount, \$25,000,000 shall be for
17 competitive grants to national and regional
18 intermediaries for activities that prepare for
19 employment young adults with criminal records
20 or young adults who have been justice system-
21 involved or who have dropped out of school or
22 other educational programs, with a priority for
23 projects serving high-crime, high-poverty areas;

24 (F) \$6,000,000 for the Workforce Data
25 Quality Initiative, under the authority of section

1 169 of the WIOA, which shall be available for
2 the period July 1, 2021 through June 30,
3 2022; and

4 (G) \$185,000,000 to expand opportunities
5 through apprenticeships only registered under
6 the National Apprenticeship Act and as referred
7 to in section 3(7)(B) of the WIOA, to be avail-
8 able to the Secretary to carry out activities
9 through grants, cooperative agreements, con-
10 tracts and other arrangements, with States and
11 other appropriate entities, including equity
12 intermediaries and business and labor industry
13 partner intermediaries, which shall be available
14 for the period July 1, 2021 through June 30,
15 2022: *Provided*, That of the funds provided to
16 carry out this subparagraph, not less than 20
17 percent shall be for making competitive con-
18 tracts, grants, and cooperative agreements to
19 national apprenticeship intermediaries, not less
20 than 20 percent shall be for competitive con-
21 tracts, grants, and cooperative agreements to
22 local apprenticeship intermediaries, and not less
23 than 50 percent shall be used to fund grants to
24 States: *Provided further*, That the Secretary
25 shall require any information publicly disclosed

1 related to the credentials and competencies
2 earned through registered apprenticeships, in-
3 cluding through Apprenticeship.gov, its suc-
4 cessor website or any data or website published
5 by the Secretary for a similar function, to be
6 published using an open source description lan-
7 guage that is designed to allow for public
8 search and comparison of such data. Such in-
9 formation may be published through open data
10 formats such as the credential transparency de-
11 scription language specifications or substan-
12 tially similar approach.

13 JOB CORPS

14 (INCLUDING TRANSFER OF FUNDS)

15 To carry out subtitle C of title I of the WIOA, includ-
16 ing Federal administrative expenses, the purchase and
17 hire of passenger motor vehicles, the construction, alter-
18 ation, and repairs of buildings and other facilities, and the
19 purchase of real property for training centers as author-
20 ized by the WIOA, \$1,755,655,000, plus reimbursements,
21 as follows:

22 (1) \$1,603,325,000 for Job Corps Operations,
23 which shall be available for the period July 1, 2021
24 through June 30, 2022;

1 (2) \$120,000,000 for construction, rehabilita-
2 tion and acquisition of Job Corps Centers, which
3 shall be available for the period July 1, 2021
4 through June 30, 2024, and which may include the
5 acquisition, maintenance, and repair of major items
6 of equipment: *Provided*, That the Secretary may
7 transfer up to 15 percent of such funds to meet the
8 operational needs of such centers or to achieve ad-
9 ministrative efficiencies: *Provided further*, That any
10 funds transferred pursuant to the preceding provi-
11 sion shall not be available for obligation after June
12 30, 2022: *Provided further*, That the Committees on
13 Appropriations of the House of Representatives and
14 the Senate are notified at least 15 days in advance
15 of any transfer; and

16 (3) \$32,330,000 for necessary expenses of Job
17 Corps, which shall be available for obligation for the
18 period October 1, 2020 through September 30,
19 2021:

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

1 Act, any part of the appropriation provided under this
2 heading may remain available for obligation beyond the
3 current fiscal year pursuant to the authorities of section
4 245(c) of the Trade Act of 1974 (19 U.S.C. 2317(c)).

5 STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT
6 SERVICE OPERATIONS

7 (INCLUDING TRANSFER OF FUNDS)

8 For authorized administrative expenses,
9 \$84,066,000, together with not to exceed \$3,421,953,000
10 which may be expended from the Employment Security
11 Administration Account in the Unemployment Trust Fund
12 (“the Trust Fund”), of which:

13 (1) \$2,649,686,000 from the Trust Fund is for
14 grants to States for the administration of State un-
15 employment insurance laws as authorized under title
16 III of the Social Security Act (including not less
17 than \$200,000,000 to carry out reemployment serv-
18 ices and eligibility assessments under section 306 of
19 such Act, any claimants of regular compensation, as
20 defined in such section, including those who are
21 profiled as most likely to exhaust their benefits, may
22 be eligible for such services and assessments: *Pro-*
23 *vided*, That of such amount, \$117,000,000 is speci-
24 fied for grants under section 306 of the Social Secu-
25 rity Act and is provided to meet the terms of section

1 251(b)(2)(E)(ii) of the Balanced Budget and Emer-
2 gency Deficit Control Act of 1985, as amended, and
3 \$83,000,000 is additional new budget authority
4 specified for purposes of section 251(b)(2)(E)(i)(II)
5 of such Act; and \$9,000,000 for continued support
6 of the Unemployment Insurance Integrity Center of
7 Excellence), the administration of unemployment in-
8 surance for Federal employees and for ex-service
9 members as authorized under 5 U.S.C. 8501–8523,
10 and the administration of trade readjustment allow-
11 ances, reemployment trade adjustment assistance,
12 and alternative trade adjustment assistance under
13 the Trade Act of 1974 and under section 231(a) of
14 the Trade Adjustment Assistance Extension Act of
15 2011 and section 405(a) of the Trade Preferences
16 Extension Act of 2015, and shall be available for ob-
17 ligation by the States through December 31, 2021,
18 except that funds used for automation shall be avail-
19 able for Federal obligation through December 31,
20 2021, and for State obligation through September
21 30, 2023, or, if the automation is being carried out
22 through consortia of States, for State obligation
23 through September 30, 2027, and for expenditure
24 through September 30, 2028, and funds for competi-
25 tive grants awarded to States for improved oper-

1 ations and to conduct in-person reemployment and
2 eligibility assessments and unemployment insurance
3 improper payment reviews and provide reemploy-
4 ment services and referrals to training, as appro-
5 priate, shall be available for Federal obligation
6 through December 31, 2021, and for obligation by
7 the States through September 30, 2023, and funds
8 for the Unemployment Insurance Integrity Center of
9 Excellence shall be available for obligation by the
10 State through September 30, 2022, and funds used
11 for unemployment insurance workloads experienced
12 through September 30, 2021 shall be available for
13 Federal obligation through December 31, 2021;

14 (2) \$18,000,000 from the Trust Fund is for na-
15 tional activities necessary to support the administra-
16 tion of the Federal-State unemployment insurance
17 system;

18 (3) \$651,639,000 from the Trust Fund, to-
19 gether with \$21,413,000 from the General Fund of
20 the Treasury, is for grants to States in accordance
21 with section 6 of the Wagner-Peyser Act, and shall
22 be available for Federal obligation for the period
23 July 1, 2021 through June 30, 2022;

24 (4) \$24,818,000 from the Trust Fund is for na-
25 tional activities of the Employment Service, includ-

1 ing administration of the work opportunity tax cred-
2 it under section 51 of the Internal Revenue Code of
3 1986 (including assisting States in adopting or mod-
4 ernizing information technology for use in the proc-
5 essing of certification requests), and the provision of
6 technical assistance and staff training under the
7 Wagner-Peyser Act;

8 (5) \$77,810,000 from the Trust Fund is for the
9 administration of foreign labor certifications and re-
10 lated activities under the Immigration and Nation-
11 ality Act and related laws, of which \$57,528,000
12 shall be available for the Federal administration of
13 such activities, and \$20,282,000 shall be available
14 for grants to States for the administration of such
15 activities; and

16 (6) \$62,653,000 from the General Fund is to
17 provide workforce information, national electronic
18 tools, and one-stop system building under the Wag-
19 ner-Peyser Act and shall be available for Federal ob-
20 ligation for the period July 1, 2021 through June
21 30, 2022: *Provided*, That the Secretary shall require
22 publicly disclosed information contained in ongoing,
23 nationwide datasets funded by the Department of
24 Labor relating to licenses and credentials to be pub-
25 lished using an open source description language

1 that is designed to allow for public search and com-
2 parison of such data, including any such data on
3 credentials and competencies. Such information may
4 be published through open data formats such as the
5 credential transparency description language speci-
6 fications or substantially similar approach:

7 *Provided*, That to the extent that the Average Weekly In-
8 sured Unemployment (“AWIU”) for fiscal year 2021 is
9 projected by the Department of Labor to exceed
10 1,728,000, an additional \$28,600,000 from the Trust
11 Fund shall be available for obligation for every 100,000
12 increase in the AWIU level (including a pro rata amount
13 for any increment less than 100,000) to carry out title
14 III of the Social Security Act: *Provided further*, That
15 funds appropriated in this Act that are allotted to a State
16 to carry out activities under title III of the Social Security
17 Act may be used by such State to assist other States in
18 carrying out activities under such title III if the other
19 States include areas that have suffered a major disaster
20 declared by the President under the Robert T. Stafford
21 Disaster Relief and Emergency Assistance Act: *Provided*
22 *further*, That the Secretary may use funds appropriated
23 for grants to States under title III of the Social Security
24 Act to make payments on behalf of States for the use of
25 the National Directory of New Hires under section

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

1 eral Awards” at part 200 of title 2, Code of Federal Regu-
2 lations: *Provided further*, That the Secretary, at the re-
3 quest of a State participating in a consortium with other
4 States, may reallocate funds allotted to such State under title
5 III of the Social Security Act to other States participating
6 in the consortium or to the entity operating the Unemploy-
7 ment Insurance Information Technology Support Center
8 in order to carry out activities that benefit the administra-
9 tion of the unemployment compensation law of the State
10 making the request: *Provided further*, That the Secretary
11 may collect fees for the costs associated with additional
12 data collection, analyses, and reporting services relating
13 to the National Agricultural Workers Survey requested by
14 State and local governments, public and private institu-
15 tions of higher education, and nonprofit organizations and
16 may utilize such sums, in accordance with the provisions
17 of 29 U.S.C. 9a, for the National Agricultural Workers
18 Survey infrastructure, methodology, and data to meet the
19 information collection and reporting needs of such entities,
20 which shall be credited to this appropriation and shall re-
21 main available until September 30, 2022, for such pur-
22 poses.

1 ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND
2 OTHER FUNDS

3 For repayable advances to the Unemployment Trust
4 Fund as authorized by sections 905(d) and 1203 of the
5 Social Security Act, and to the Black Lung Disability
6 Trust Fund as authorized by section 9501(c)(1) of the In-
7 ternal Revenue Code of 1986; and for nonrepayable ad-
8 vances to the revolving fund established by section 901(e)
9 of the Social Security Act, to the Unemployment Trust
10 Fund as authorized by 5 U.S.C. 8509, and to the “Federal
11 Unemployment Benefits and Allowances” account, such
12 sums as may be necessary, which shall be available for
13 obligation through September 30, 2022.

14 PROGRAM ADMINISTRATION

15 For expenses of administering employment and train-
16 ing programs, \$108,674,000, together with not to exceed
17 \$49,982,000 which may be expended from the Employ-
18 ment Security Administration Account in the Unemploy-
19 ment Trust Fund: *Provided*, That funds made available
20 for the Office of Apprenticeship shall only be used for the
21 administration of apprenticeship programs only registered
22 under the National Apprenticeship Act and as referred to
23 in section 3(7)(B) of the WIOA and to provide for the
24 full and adequate staffing of the Federal Office of Appren-
25 ticeship and each of the State Offices of Apprenticeship.

1 100,000 in fiscal year 2021, an amount not to exceed an
2 additional \$9,200,000 shall be available through Sep-
3 tember 30, 2025, for obligations for administrative ex-
4 penses for every 20,000 additional terminated partici-
5 pants: *Provided further*, That obligations in excess of the
6 amounts provided for administrative expenses in this para-
7 graph may be incurred and shall be available through Sep-
8 tember 30, 2025 for obligation for unforeseen and extraor-
9 dinary pre-termination or termination expenses or extraor-
10 dinary multiemployer program related expenses after ap-
11 proval by the Office of Management and Budget and noti-
12 fication of the Committees on Appropriations of the House
13 of Representatives and the Senate: *Provided further*, That
14 an additional amount shall be available for obligation
15 through September 30, 2025 to the extent the Corpora-
16 tion's costs exceed \$250,000 for the provision of credit or
17 identity monitoring to affected individuals upon suffering
18 a security incident or privacy breach, not to exceed an ad-
19 ditional \$100 per affected individual.

20 WAGE AND HOUR DIVISION

21 SALARIES AND EXPENSES

22 For necessary expenses for the Wage and Hour Divi-
23 sion, including reimbursement to State, Federal, and local
24 agencies and their employees for inspection services ren-
25 dered, \$246,283,000.

1 OFFICE OF LABOR-MANAGEMENT STANDARDS

2 SALARIES AND EXPENSES

3 For necessary expenses for the Office of Labor-Man-
4 agement Standards, \$42,187,000.

5 OFFICE OF FEDERAL CONTRACT COMPLIANCE

6 PROGRAMS

7 SALARIES AND EXPENSES

8 For necessary expenses for the Office of Federal Con-
9 tract Compliance Programs, \$105,976,000.

10 OFFICE OF WORKERS' COMPENSATION PROGRAMS

11 SALARIES AND EXPENSES

12 For necessary expenses for the Office of Workers'
13 Compensation Programs, \$115,424,000, together with
14 \$2,177,000 which may be expended from the Special Fund
15 in accordance with sections 39(c), 44(d), and 44(j) of the
16 Longshore and Harbor Workers' Compensation Act.

17 SPECIAL BENEFITS

18 (INCLUDING TRANSFER OF FUNDS)

19 For the payment of compensation, benefits, and ex-
20 penses (except administrative expenses) accruing during
21 the current or any prior fiscal year authorized by 5 U.S.C.
22 81; continuation of benefits as provided for under the
23 heading "Civilian War Benefits" in the Federal Security
24 Agency Appropriation Act, 1947; the Employees' Com-
25 pensation Commission Appropriation Act, 1944; section

1 5(f) of the War Claims Act (50 U.S.C. App. 2012); obliga-
2 tions incurred under the War Hazards Compensation Act
3 (42 U.S.C. 1701 et seq.); and 50 percent of the additional
4 compensation and benefits required by section 10(h) of the
5 Longshore and Harbor Workers' Compensation Act,
6 \$239,000,000, together with such amounts as may be nec-
7 essary to be charged to the subsequent year appropriation
8 for the payment of compensation and other benefits for
9 any period subsequent to August 15 of the current year,
10 for deposit into and to assume the attributes of the Em-
11 ployees' Compensation Fund established under 5 U.S.C.
12 8147(a): *Provided*, That amounts appropriated may be
13 used under 5 U.S.C. 8104 by the Secretary to reimburse
14 an employer, who is not the employer at the time of injury,
15 for portions of the salary of a re-employed, disabled bene-
16 ficiary: *Provided further*, That balances of reimbursements
17 unobligated on September 30, 2020, shall remain available
18 until expended for the payment of compensation, benefits,
19 and expenses: *Provided further*, That in addition there
20 shall be transferred to this appropriation from the Postal
21 Service and from any other corporation or instrumentality
22 required under 5 U.S.C. 8147(c) to pay an amount for
23 its fair share of the cost of administration, such sums as
24 the Secretary determines to be the cost of administration
25 for employees of such fair share entities through Sep-

1 tember 30, 2021: *Provided further*, That of those funds
2 transferred to this account from the fair share entities to
3 pay the cost of administration of the Federal Employees'
4 Compensation Act, \$80,257,000 shall be made available
5 to the Secretary as follows:

6 (1) For enhancement and maintenance of auto-
7 mated data processing systems operations and tele-
8 communications systems, \$27,220,000;

9 (2) For automated workload processing oper-
10 ations, including document imaging, centralized mail
11 intake, and medical bill processing, \$25,647,000;

12 (3) For periodic roll disability management and
13 medical review, \$25,648,000;

14 (4) For program integrity, \$1,742,000; and

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

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

1 SPECIAL BENEFITS FOR DISABLED COAL MINERS

2 For carrying out title IV of the Federal Mine Safety
3 and Health Act of 1977, as amended by Public Law 107–
4 275, \$40,970,000, to remain available until expended.

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

9 For making benefit payments under title IV for the
10 first quarter of fiscal year 2022, \$14,000,000, to remain
11 available until expended.

12 ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES

13 OCCUPATIONAL ILLNESS COMPENSATION FUND

14 For necessary expenses to administer the Energy
15 Employees Occupational Illness Compensation Program
16 Act, \$62,507,000, to remain available until expended: *Pro-*
17 *vided*, That the Secretary may require that any person fil-
18 ing a claim for benefits under the Act provide as part of
19 such claim such identifying information (including Social
20 Security account number) as may be prescribed.

21 BLACK LUNG DISABILITY TRUST FUND

22 (INCLUDING TRANSFER OF FUNDS)

23 Such sums as may be necessary from the Black Lung
24 Disability Trust Fund (the “Fund”), to remain available
25 until expended, for payment of all benefits authorized by

1 section 9501(d)(1), (2), (6), and (7) of the Internal Rev-
2 enue Code of 1986; and repayment of, and payment of
3 interest on advances, as authorized by section 9501(d)(4)
4 of that Act. In addition, the following amounts may be
5 expended from the Fund for fiscal year 2021 for expenses
6 of operation and administration of the Black Lung Bene-
7 fits program, as authorized by section 9501(d)(5): not to
8 exceed \$40,643,000 for transfer to the Office of Workers'
9 Compensation Programs, "Salaries and Expenses"; not to
10 exceed \$33,033,000 for transfer to Departmental Manage-
11 ment, "Salaries and Expenses"; not to exceed \$333,000
12 for transfer to Departmental Management, "Office of In-
13 spector General"; and not to exceed \$356,000 for pay-
14 ments into miscellaneous receipts for the expenses of the
15 Department of the Treasury.

16 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
17 SALARIES AND EXPENSES

18 For necessary expenses for the Occupational Safety
19 and Health Administration, \$593,787,000, including not
20 to exceed \$108,575,000 which shall be the maximum
21 amount available for grants to States under section 23(g)
22 of the Occupational Safety and Health Act (the "Act"),
23 which grants shall be no less than 50 percent of the costs
24 of State occupational safety and health programs required
25 to be incurred under plans approved by the Secretary

1 under section 18 of the Act; and, in addition, notwith-
2 standing 31 U.S.C. 3302, the Occupational Safety and
3 Health Administration may retain up to \$499,000 per fis-
4 cal year of training institute course tuition and fees, other-
5 wise authorized by law to be collected, and may utilize
6 such sums for occupational safety and health training and
7 education: *Provided*, That notwithstanding 31 U.S.C.
8 3302, the Secretary is authorized, during the fiscal year
9 ending September 30, 2021, to collect and retain fees for
10 services provided to Nationally Recognized Testing Lab-
11 oratories, and may utilize such sums, in accordance with
12 the provisions of 29 U.S.C. 9a, to administer national and
13 international laboratory recognition programs that ensure
14 the safety of equipment and products used by workers in
15 the workplace: *Provided further*, That \$13,537,000 shall
16 be available for Susan Harwood training grants, of which
17 not less than \$4,500,000 is for Susan Harwood Training
18 Capacity Building Developmental grants, as described in
19 Funding Opportunity Number SHTG–FY–16–02 (ref-
20 erenced in the notice of availability of funds published in
21 the Federal Register on May 3, 2016 (81 Fed. Reg.
22 30568)) for program activities starting not later than Sep-
23 tember 30, 2021 and lasting for a period of 12 months:
24 *Provided further*, That not more than \$3,500,000 shall be
25 for Voluntary Protection Programs.

1 MINE SAFETY AND HEALTH ADMINISTRATION

2 SALARIES AND EXPENSES

3 For necessary expenses for the Mine Safety and
4 Health Administration, \$379,816,000, including purchase
5 and bestowal of certificates and trophies in connection
6 with mine rescue and first-aid work, and the hire of pas-
7 senger motor vehicles, including up to \$2,000,000 for
8 mine rescue and recovery activities and not less than
9 \$10,537,000 for State assistance grants: *Provided*, That
10 notwithstanding 31 U.S.C. 3302, not to exceed \$750,000
11 may be collected by the National Mine Health and Safety
12 Academy for room, board, tuition, and the sale of training
13 materials, otherwise authorized by law to be collected, to
14 be available for mine safety and health education and
15 training activities: *Provided further*, That notwithstanding
16 31 U.S.C. 3302, the Mine Safety and Health Administra-
17 tion is authorized to collect and retain up to \$2,499,000
18 from fees collected for the approval and certification of
19 equipment, materials, and explosives for use in mines, and
20 may utilize such sums for such activities: *Provided further*,
21 That the Secretary is authorized to accept lands, build-
22 ings, equipment, and other contributions from public and
23 private sources and to prosecute projects in cooperation
24 with other agencies, Federal, State, or private: *Provided*
25 *further*, That the Mine Safety and Health Administration

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

15 BUREAU OF LABOR STATISTICS

16 SALARIES AND EXPENSES

17 For necessary expenses for the Bureau of Labor Sta-
18 tistics, including advances or reimbursements to State,
19 Federal, and local agencies and their employees for serv-
20 ices rendered, \$587,000,000, together with not to exceed
21 \$68,000,000 which may be expended from the Employ-
22 ment Security Administration account in the Unemploy-
23 ment Trust Fund.

24 Within this amount, \$13,000,000 to remain available
25 until September 30, 2024, for costs associated with the

1 physical move of the Bureau of Labor Statistics' head-
2 quarters, including replication of space, furniture, fix-
3 tures, equipment, and related costs, as well as relocation
4 of the data center to a shared facility.

5 OFFICE OF DISABILITY EMPLOYMENT POLICY

6 SALARIES AND EXPENSES

7 For necessary expenses for the Office of Disability
8 Employment Policy to provide leadership, develop policy
9 and initiatives, and award grants furthering the objective
10 of eliminating barriers to the training and employment of
11 people with disabilities, \$38,500,000.

12 DEPARTMENTAL MANAGEMENT

13 SALARIES AND EXPENSES

14 (INCLUDING TRANSFER OF FUNDS)

15 For necessary expenses for Departmental Manage-
16 ment, including the hire of three passenger motor vehicles,
17 \$349,056,000, together with not to exceed \$308,000,
18 which may be expended from the Employment Security
19 Administration account in the Unemployment Trust
20 Fund: *Provided*, That \$67,325,000 for the Bureau of
21 International Labor Affairs shall be available for obliga-
22 tion through December 31, 2021: *Provided further*, That
23 funds available to the Bureau of International Labor Af-
24 fairs may be used to administer or operate international
25 labor activities, bilateral and multilateral technical assist-

1 ance, and microfinance programs, by or through contracts,
2 grants, subgrants and other arrangements: *Provided fur-*
3 *ther*, That not more than \$53,825,000 shall be for pro-
4 grams to combat exploitative child labor internationally
5 and not less than \$13,500,000 shall be used to implement
6 model programs that address worker rights issues through
7 technical assistance in countries with which the United
8 States has free trade agreements or trade preference pro-
9 grams: *Provided further*, That \$8,040,000 shall be used
10 for program evaluation and shall be available for obliga-
11 tion through September 30, 2022: *Provided further*, That
12 funds available for program evaluation may be used to ad-
13 minister grants for the purpose of evaluation: *Provided*
14 *further*, That grants made for the purpose of evaluation
15 shall be awarded through fair and open competition: *Pro-*
16 *vided further*, That funds available for program evaluation
17 may be transferred to any other appropriate account in
18 the Department for such purpose: *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: *Provided further*, That the
22 funds available to the Women's Bureau may be used for
23 grants to serve and promote the interests of women in the
24 workforce: *Provided further*, That of the amounts made
25 available to the Women's Bureau, not less than

1 \$1,794,000 shall be used for grants authorized by the
2 Women in Apprenticeship and Nontraditional Occupations
3 Act.

4 VETERANS EMPLOYMENT AND TRAINING

5 Not to exceed \$256,341,000 may be derived from the
6 Employment Security Administration account in the Un-
7 employment Trust Fund to carry out the provisions of
8 chapters 41, 42, and 43 of title 38, United States Code,
9 of which:

10 (1) \$180,000,000 is for Jobs for Veterans State
11 grants under 38 U.S.C. 4102A(b)(5) to support dis-
12 abled veterans' outreach program specialists under
13 section 4103A of such title and local veterans' em-
14 ployment representatives under section 4104(b) of
15 such title, and for the expenses described in section
16 4102A(b)(5)(C), which shall be available for obliga-
17 tion by the States through December 31, 2021, and
18 not to exceed 3 percent for the necessary Federal ex-
19 penditures for data systems and contract support to
20 allow for the tracking of participant and perform-
21 ance information: *Provided*, That, in addition, such
22 funds may be used to support such specialists and
23 representatives in the provision of services to
24 transitioning members of the Armed Forces who
25 have participated in the Transition Assistance Pro-

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

7 (2) \$29,379,000 is for carrying out the Transi-
8 tion Assistance Program under 38 U.S.C. 4113 and
9 10 U.S.C. 1144;

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

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

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

23 In addition, from the General Fund of the Treasury,
24 \$57,500,000 is for carrying out programs to assist home-
25 less veterans and veterans at risk of homelessness who are

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

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

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

11 IT MODERNIZATION

12 For necessary expenses for Department of Labor cen-
13 tralized infrastructure technology investment activities re-
14 lated to support systems and modernization, \$25,269,000,
15 which shall be available through September 30, 2022.

16 OFFICE OF INSPECTOR GENERAL

17 For salaries and expenses of the Office of Inspector
18 General in carrying out the provisions of the Inspector
19 General Act of 1978, \$86,187,000, together with not to
20 exceed \$5,660,000 which may be expended from the Em-
21 ployment Security Administration account in the Unem-
22 ployment Trust Fund.

23 GENERAL PROVISIONS

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

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

4 (TRANSFER OF FUNDS)

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

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

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

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

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

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

6 (TRANSFER OF FUNDS)

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

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

1 account to carry out program integrity activities related
2 to the Job Corps program: *Provided further*, That funds
3 transferred under the authority provided by this sub-
4 section shall be available for obligation through September
5 30, 2022.

6 (TRANSFER OF FUNDS)

7 SEC. 107. (a) The Secretary may reserve not more
8 than 0.75 percent from each appropriation made available
9 in this Act identified in subsection (b) in order to carry
10 out evaluations of any of the programs or activities that
11 are funded under such accounts. Any funds reserved under
12 this section shall be transferred to “Departmental Man-
13 agement” for use by the Office of the Chief Evaluation
14 Officer within the Department of Labor, and shall be
15 available for obligation through September 30, 2022: *Pro-*
16 *vided*, That such funds shall only be available if the Chief
17 Evaluation Officer of the Department of Labor submits
18 a plan to the Committees on Appropriations of the House
19 of Representatives and the Senate describing the evalua-
20 tions to be carried out 15 days in advance of any transfer.

21 (b) The accounts referred to in subsection (a) are:
22 “Training and Employment Services”, “Job Corps”,
23 “Community Service Employment for Older Americans”,
24 “State Unemployment Insurance and Employment Service
25 Operations”, “Employee Benefits Security Administra-

1 tion”, “Office of Workers’ Compensation Programs”,
2 “Wage and Hour Division”, “Office of Federal Contract
3 Compliance Programs”, “Office of Labor Management
4 Standards”, “Occupational Safety and Health Adminis-
5 tration”, “Mine Safety and Health Administration”, “Of-
6 fice of Disability Employment Policy”, funding made
7 available to the “Bureau of International Labor Affairs”
8 and “Women’s Bureau” within the “Departmental Man-
9 agement, Salaries and Expenses” account, and “Veterans
10 Employment and Training”.

11 SEC. 108. Notwithstanding any other provision of
12 law, the Secretary may furnish through grants, coopera-
13 tive agreements, contracts, and other arrangements, up to
14 \$2,000,000 of excess personal property, at a value deter-
15 mined by the Secretary, to apprenticeship programs for
16 the purpose of training apprentices in those programs.

17 SEC. 109. (a) The Act entitled “An Act to create a
18 Department of Labor”, approved March 4, 1913 (37 Stat.
19 736, chapter 141) shall be applied as if the following text
20 is part of such Act:

21 **“SEC. 12. SECURITY DETAIL.**

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

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

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

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

18 “(4) provide protection to the Deputy Secretary
19 of Labor at the Secretary’s direction in the perform-
20 ance of his official duties at a public event outside
21 of the United States if there is a significant and
22 articulable threat of physical harm and protective
23 services are not provided as part of an official U.S.
24 visit.

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

5 “(1) carry firearms;

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

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

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

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

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

23 “(1) guidelines issued by the Attorney General;
24 and

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

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

11 SEC. 113. None of the funds made available by this
12 Act may be used to implement or enforce, or take any
13 actions in furtherance of, the final regulations on “Joint
14 Employer Status under the Fair Labor Standards Act”
15 published by the Department of Labor in the Federal Reg-
16 ister on January 16, 2020 (85 Fed. Reg. 2820 et seq.).

17 SEC. 114. None of the funds made available by this
18 Act may be used to develop, promulgate, issue, or imple-
19 ment a final rule, or take any actions in furtherance of
20 the proposed rule, on “Implementing Legal Requirements
21 Regarding the Equal Opportunity Clause’s Religious Ex-
22 emption” published by Department of Labor in the Fed-
23 eral Register on August 15, 2019 (84 Fed. Reg. 41677
24 et seq.).

1 in this Act as “HHS”) pertaining to administrative claims
2 made under such law.

3 HEALTH WORKFORCE

4 For carrying out titles III, VII, and VIII of the PHS
5 Act with respect to the health workforce, sections 1128E
6 and 1921 of the Social Security Act, and the Health Care
7 Quality Improvement Act of 1986, \$1,242,505,000: *Pro-*
8 *vided*, That sections 751(j)(2) and 762(k) of the PHS Act
9 and the proportional funding amounts in paragraphs (1)
10 through (4) of section 756(f) of the PHS Act shall not
11 apply to funds made available under this heading: *Pro-*
12 *vided further*, That for any program operating under sec-
13 tion 751 of the PHS Act on or before January 1, 2009,
14 the Secretary of Health and Human Services (referred to
15 in this title as the “Secretary”) may hereafter waive any
16 of the requirements contained in sections 751(d)(2)(A)
17 and 751(d)(2)(B) of such Act for the full project period
18 of a grant under such section: *Provided further*, That no
19 funds shall be available for section 340G–1 of the PHS
20 Act: *Provided further*, That fees collected for the disclosure
21 of information under section 427(b) of the Health Care
22 Quality Improvement Act of 1986 and sections
23 1128E(d)(2) and 1921 of the Social Security Act shall be
24 sufficient to recover the full costs of operating the pro-
25 grams authorized by such sections and shall remain avail-

1 able until expended for the National Practitioner Data
2 Bank: *Provided further*, That funds transferred to this ac-
3 count to carry out section 846 and subpart 3 of part D
4 of title III of the PHS Act may be used to make prior
5 year adjustments to awards made under such section and
6 subpart: *Provided further*, That \$120,000,000 shall re-
7 main available until expended for the purposes of pro-
8 viding primary health services, assigning National Health
9 Service Corps (“NHSC”) members to expand the delivery
10 of substance use disorder treatment services, notwith-
11 standing the assignment priorities and limitations under
12 sections 333(a)(1)(D), 333(b), and 333A(a)(1)(B)(ii) of
13 the PHS Act, and making payments under the NHSC
14 Loan Repayment Program under section 338B of such
15 Act: *Provided further*, That, within the amount made
16 available in the previous proviso, \$15,000,000 shall re-
17 main available until expended for the purposes of making
18 payments under the NHSC Loan Repayment Program
19 under section 338B of the PHS Act to individuals partici-
20 pating in such program who provide primary health serv-
21 ices in Indian Health Service facilities, Tribally-Operated
22 638 Health Programs, and Urban Indian Health Pro-
23 grams (as those terms are defined by the Secretary), not-
24 withstanding the assignment priorities and limitations
25 under section 333(b) of such Act: *Provided further*, That

1 for purposes of the previous two provisos, section
2 331(a)(3)(D) of the PHS Act shall be applied as if the
3 term “primary health services” includes clinical substance
4 use disorder treatment services, including those provided
5 by masters level, licensed substance use disorder treat-
6 ment counselors: *Provided further*, That of the funds made
7 available under this heading, \$5,000,000 shall be available
8 to make grants to establish or expand optional commu-
9 nity-based nurse practitioner fellowship programs that are
10 accredited or in the accreditation process, with a pref-
11 erence for those in Federally Qualified Health Centers, for
12 practicing postgraduate nurse practitioners in primary
13 care or behavioral health.

14 Of the funds made available under this heading,
15 \$55,000,000 shall remain available until expended for
16 grants to public institutions of higher education to expand
17 or support graduate education for physicians provided by
18 such institutions: *Provided*, That, in awarding such
19 grants, the Secretary shall give priority to public institu-
20 tions of higher education located in States with a projected
21 primary care provider shortage in 2025, as determined by
22 the Secretary: *Provided further*, That grants so awarded
23 are limited to such public institutions of higher education
24 in States in the top quintile of States with a projected
25 primary care provider shortage in 2025, as determined by

1 the Secretary: *Provided further*, That the minimum
2 amount of a grant so awarded to such an institution shall
3 be not less than \$1,000,000 per year: *Provided further*,
4 That such a grant may be awarded for a period not to
5 exceed 5 years: *Provided further*, That such a grant award-
6 ed with respect to a year to such an institution shall be
7 subject to a matching requirement of non-Federal funds
8 in an amount that is not less than 10 percent of the total
9 amount of Federal funds provided in the grant to such
10 institution with respect to such year.

11 MATERNAL AND CHILD HEALTH

12 For carrying out titles III, XI, XII, and XIX of the
13 PHS Act with respect to maternal and child health and
14 title V of the Social Security Act, \$980,784,000: *Provided*,
15 That notwithstanding sections 502(a)(1) and 502(b)(1) of
16 the Social Security Act, not more than \$123,116,000 shall
17 be available for carrying out special projects of regional
18 and national significance pursuant to section 501(a)(2) of
19 such Act and \$10,276,000 shall be available for projects
20 described in subparagraphs (A) through (F) of section
21 501(a)(3) of such Act.

22 RYAN WHITE HIV/AIDS PROGRAM

23 For carrying out title XXVI of the PHS Act with
24 respect to the Ryan White HIV/AIDS program,
25 \$2,413,781,000, of which \$1,970,881,000 shall remain

1 available to the Secretary through September 30, 2023,
2 for parts A and B of title XXVI of the PHS Act, and
3 of which not less than \$900,313,000 shall be for State
4 AIDS Drug Assistance Programs under the authority of
5 section 2616 or 311(c) of such Act; and of which
6 \$95,000,000, to remain available until expended, shall be
7 available to the Secretary for carrying out a program of
8 grants and contracts under title XXVI or section 311(c)
9 of such Act focused on ending the nationwide HIV/AIDS
10 epidemic, with any grants issued under such section
11 311(c) administered in conjunction with title XXVI of the
12 PHS Act, including the limitation on administrative ex-
13 penses.

14 HEALTH CARE SYSTEMS

15 For carrying out titles III and XII of the PHS Act
16 with respect to health care systems, and the Stem Cell
17 Therapeutic and Research Act of 2005, \$129,093,000, of
18 which \$122,000 shall be available until expended for facili-
19 ties renovations at the Gillis W. Long Hansen's Disease
20 Center.

21 RURAL HEALTH

22 For carrying out titles III and IV of the PHS Act
23 with respect to rural health, section 427(a) of the Federal
24 Coal Mine Health and Safety Act of 1969, and sections
25 711 and 1820 of the Social Security Act, \$334,294,000,

1 of which \$55,609,000 from general revenues, notwith-
2 standing section 1820(j) of the Social Security Act, shall
3 be available for carrying out the Medicare rural hospital
4 flexibility grants program: *Provided*, That of the funds
5 made available under this heading for Medicare rural hos-
6 pital flexibility grants, \$21,942,000 shall be available for
7 the Small Rural Hospital Improvement Grant Program
8 for quality improvement and adoption of health informa-
9 tion technology and up to \$1,000,000 shall be to carry
10 out section 1820(g)(6) of the Social Security Act, with
11 funds provided for grants under section 1820(g)(6) avail-
12 able for the purchase and implementation of telehealth
13 services, including pilots and demonstrations on the use
14 of electronic health records to coordinate rural veterans
15 care between rural providers and the Department of Vet-
16 erans Affairs electronic health record system: *Provided*
17 *further*, That notwithstanding section 338J(k) of the PHS
18 Act, \$12,500,000 shall be available for State Offices of
19 Rural Health: *Provided further*, That \$11,000,000 shall
20 remain available through September 30, 2023, to support
21 the Rural Residency Development Program: *Provided fur-*
22 *ther*, That \$110,000,000 shall be for the Rural Commu-
23 nities Opioids Response Program.

1 FAMILY PLANNING

2 For carrying out the program under title X of the
3 PHS Act to provide for voluntary family planning
4 projects, \$286,479,000: *Provided*, That the Secretary shall
5 carry out section 1001 of the PHS Act solely in accord-
6 ance with any regulations or other conditions or instruc-
7 tions established by the Secretary pursuant to the author-
8 ity under section 1006 of the PHS Act that applied as
9 of January 18, 2017, to grants and contracts awarded
10 under section 1001 of the PHS Act: *Provided further*,
11 That amounts provided to said projects under such title
12 shall not be expended for abortions, that all pregnancy
13 counseling shall be nondirective, and that such amounts
14 shall not be expended for any activity (including the publi-
15 cation or distribution of literature) that in any way tends
16 to promote public support or opposition to any legislative
17 proposal or candidate for public office: *Provided further*,
18 That for each entity that, in fiscal year 2019, received
19 an award under section 1001 of the PHS Act and whose
20 award was terminated or relinquished before the planned
21 end of the period of performance, the Secretary shall, not
22 later than 60 days after the date of enactment of this Act,
23 issue a new award to such entity using funds made avail-
24 able herein, equal to the amount of the award that was
25 terminated or relinquished and consistent with any terms

1 and conditions that applied at the time that the fiscal year
2 2019 award was made except as modified by this Act, but
3 only if—

4 (1) the Secretary has not, prior to the enact-
5 ment of this Act, awarded grants or contracts for
6 the performance of substantially similar activities in
7 the geographical areas that were served by the ter-
8 minated or relinquished award, but if such grants or
9 contracts awarded prior to the enactment of this Act
10 would only partially replace the activities or areas
11 covered by the terminated or relinquished award, the
12 Secretary shall seek to restore the terminated award
13 with respect to the remaining activities or areas;

14 (2) the Secretary has secured assurance from
15 the entity that its termination or relinquishment was
16 due to its inability or unwillingness to comply with
17 the provisions of the final rule titled “Compliance
18 with Statutory Program Integrity Requirements”,
19 published on March 4, 2019 (84 Fed. Reg. 7714 et
20 seq.); and

21 (3) the Secretary has secured assurance from
22 the entity that it is willing to resume project activi-
23 ties consistent with the terms and conditions that
24 applied at the time that the terminated or relin-

1 quished award was made except as modified by this

2 Act:

3 *Provided further*, That the provisos under this heading are
4 not intended to limit the equitable powers of the courts
5 to further protect historical providers previously awarded
6 grants or contracts in fiscal year 2019 or prior fiscal years
7 under Title X of the PHS: *Provided further*, That all pa-
8 tients under Title X of the PHS Act with a positive preg-
9 nancy test—

10 (A) are given the opportunity to be pro-
11 vided information and counseling regarding
12 each of the following options—

- 13 (i) prenatal care and delivery;
14 (ii) infant care, foster care, and adop-
15 tion; and
16 (iii) pregnancy termination;

17 (B) if a patient requests such information
18 and counseling, such patient shall be provided
19 with neutral, factual information and nondirec-
20 tive counseling on each such option, including
21 referral upon request, except with respect to
22 any option about which the patient indicates no
23 interest in receiving such information and coun-
24 seling.

1 PROGRAM MANAGEMENT

2 For program support in the Health Resources and
3 Services Administration, \$155,300,000: *Provided*, That
4 funds made available under this heading may be used to
5 supplement program support funding provided under the
6 headings “Primary Health Care”, “Health Workforce”,
7 “Maternal and Child Health”, “Ryan White HIV/AIDS
8 Program”, “Health Care Systems”, and “Rural Health”.

9 VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

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

19 CENTERS FOR DISEASE CONTROL AND PREVENTION

20 IMMUNIZATION AND RESPIRATORY DISEASES

21 For carrying out titles II, III, XVII, and XXI, and
22 section 2821 of the PHS Act, titles II and IV of the Immi-
23 gration and Nationality Act, and section 501 of the Ref-
24 ugee Education Assistance Act, with respect to immuniza-
25 tion and respiratory diseases, \$469,705,000.

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

3 For carrying out titles II, III, XVII, and XXIII of
4 the PHS Act with respect to HIV/AIDS, viral hepatitis,
5 sexually transmitted diseases, and tuberculosis prevention,
6 \$1,287,556,000.

7 EMERGING AND ZOOONOTIC INFECTIOUS DISEASES

8 For carrying out titles II, III, and XVII, and section
9 2821 of the PHS Act, titles II and IV of the Immigration
10 and Nationality Act, and section 501 of the Refugee Edu-
11 cation Assistance Act, with respect to emerging and
12 zoonotic infectious diseases, \$593,972,000: *Provided*, That
13 of the amounts made available under this heading, up to
14 \$1,000,000 shall remain available until expended to pay
15 for the transportation, medical care, treatment, and other
16 related costs of persons quarantined or isolated under
17 Federal or State quarantine law.

18 CHRONIC DISEASE PREVENTION AND HEALTH

19 PROMOTION

20 For carrying out titles II, III, XI, XV, XVII, and
21 XIX of the PHS Act with respect to chronic disease pre-
22 vention and health promotion, \$1,049,564,000: *Provided*,
23 That funds made available under this heading may be
24 available for making grants under section 1509 of the
25 PHS Act for not less than 21 States, tribes, or tribal orga-

1 nizations: *Provided further*, That of the funds made avail-
2 able under this heading, \$15,000,000 shall be available to
3 continue and expand community specific extension and
4 outreach programs to combat obesity in counties with the
5 highest levels of obesity: *Provided further*, That the pro-
6 portional funding requirements under section 1503(a) of
7 the PHS Act shall not apply to funds made available
8 under this heading.

9 BIRTH DEFECTS, DEVELOPMENTAL DISABILITIES,
10 DISABILITIES AND HEALTH

11 For carrying out titles II, III, XI, and XVII of the
12 PHS Act with respect to birth defects, developmental dis-
13 abilities, disabilities and health, \$162,810,000.

14 PUBLIC HEALTH SCIENTIFIC SERVICES

15 For carrying out titles II, III, and XVII of the PHS
16 Act with respect to health statistics, surveillance, health
17 informatics, and workforce development, \$593,497,000.

18 ENVIRONMENTAL HEALTH

19 For carrying out titles II, III, and XVII of the PHS
20 Act with respect to environmental health, \$219,850,000,
21 of which \$10,000,000 shall be available until September
22 30, 2023, for carrying out activities under section 2203(b)
23 of the Water Infrastructure Improvements for the Nation
24 Act (Public Law 114–322).

1 INJURY PREVENTION AND CONTROL

2 For carrying out titles II, III, and XVII of the PHS
3 Act with respect to injury prevention and control,
4 \$694,879,000, of which \$25,000,000 shall be for firearm
5 injury and mortality prevention research.

6 NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND

7 HEALTH

8 For carrying out titles II, III, and XVII of the PHS
9 Act, sections 101, 102, 103, 201, 202, 203, 301, and 501
10 of the Federal Mine Safety and Health Act, section 13
11 of the Mine Improvement and New Emergency Response
12 Act, and sections 20, 21, and 22 of the Occupational Safe-
13 ty and Health Act, with respect to occupational safety and
14 health, \$344,700,000.

15 ENERGY EMPLOYEES OCCUPATIONAL ILLNESS

16 COMPENSATION PROGRAM

17 For necessary expenses to administer the Energy
18 Employees Occupational Illness Compensation Program
19 Act, \$55,358,000, to remain available until expended: *Pro-*
20 *vided*, That this amount shall be available consistent with
21 the provision regarding administrative expenses in section
22 151(b) of division B, title I of Public Law 106–554.

23 GLOBAL HEALTH

24 For carrying out titles II, III, and XVII of the PHS
25 Act with respect to global health, \$572,843,000, of which:

1 (1) \$128,421,000 shall remain available through Sep-
2 tember 30, 2022 for international HIV/AIDS; and (2)
3 \$183,200,000 shall remain available through September
4 30, 2023 for global public health protection: *Provided*,
5 That funds may be used for purchase and insurance of
6 official motor vehicles in foreign countries.

7 PUBLIC HEALTH PREPAREDNESS AND RESPONSE

8 For carrying out titles II, III, and XVII of the PHS
9 Act with respect to public health preparedness and re-
10 sponse, and for expenses necessary to support activities
11 related to countering potential biological, nuclear, radio-
12 logical, and chemical threats to civilian populations,
13 \$852,200,000: *Provided*, That the Director of the Centers
14 for Disease Control and Prevention (referred to in this
15 title as “CDC”) or the Administrator of the Agency for
16 Toxic Substances and Disease Registry may detail staff
17 without reimbursement for up to 180 days to support an
18 activation of the CDC Emergency Operations Center, so
19 long as the Director or Administrator, as applicable, pro-
20 vides a notice to the Committees on Appropriations of the
21 House of Representatives and the Senate within 15 days
22 of the use of this authority and a full report within 30
23 days after use of this authority which includes the number
24 of staff and funding level broken down by the originating
25 center and number of days detailed: *Provided further*,

1 That funds appropriated under this heading may be used
2 to support a contract for the operation and maintenance
3 of an aircraft in direct support of activities throughout
4 CDC to ensure the agency is prepared to address public
5 health preparedness emergencies.

6 BUILDINGS AND FACILITIES

7 (INCLUDING TRANSFER OF FUNDS)

8 For acquisition of real property, equipment, construc-
9 tion, installation, demolition, and renovation of facilities,
10 \$30,000,000, which shall remain available until September
11 30, 2025: *Provided*, That funds made available to this ac-
12 count in this or any prior Act that are available for the
13 acquisition of real property or for construction or improve-
14 ment of facilities shall be available to make improvements
15 on non-federally owned property, provided that any im-
16 provements that are not adjacent to federally owned prop-
17 erty do not exceed \$2,500,000, and that the primary ben-
18 efit of such improvements accrues to CDC: *Provided fur-*
19 *ther*, That funds previously set-aside by CDC for repair
20 and upgrade of the Lake Lynn Experimental Mine and
21 Laboratory shall be used to acquire a replacement mine
22 safety research facility: *Provided further*, That in addition,
23 the prior year unobligated balance of any amounts as-
24 signed to former employees in accounts of CDC made
25 available for Individual Learning Accounts shall be cred-

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

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

6 For carrying out titles II, III, XVII and XIX, and
7 section 2821 of the PHS Act and for cross-cutting activi-
8 ties and program support for activities funded in other
9 appropriations included in this Act for the Centers for
10 Disease Control and Prevention, \$198,570,000, of which
11 up to \$5,000,000 may be transferred to the reserve of the
12 Working Capital Fund authorized under this heading in
13 division F of Public Law 112–74: *Provided*, That para-
14 graphs (1) through (3) of subsection (b) of section 2821
15 of the PHS Act shall not apply to funds appropriated
16 under this heading and in all other accounts of the CDC:
17 *Provided further*, That of the amounts made available
18 under this heading, \$85,000,000, to remain available until
19 expended, shall be available to the Director of the CDC
20 for deposit in the Infectious Diseases Rapid Response Re-
21 serve Fund established by section 231 of division B of
22 Public Law 115–245: *Provided further*, That employees of
23 CDC or the Public Health Service, both civilian and com-
24 missioned officers, detailed to States, municipalities, or
25 other organizations under authority of section 214 of the

1 PHS Act, or in overseas assignments, shall be treated as
2 non-Federal employees for reporting purposes only and
3 shall not be included within any personnel ceiling applica-
4 ble to the Agency, Service, or HHS during the period of
5 detail or assignment: *Provided further*, That CDC may use
6 up to \$10,000 from amounts appropriated to CDC in this
7 Act for official reception and representation expenses
8 when specifically approved by the Director of CDC: *Pro-*
9 *vided further*, That in addition, such sums as may be de-
10 rived from authorized user fees, which shall be credited
11 to the appropriation charged with the cost thereof: *Pro-*
12 *vided further*, That with respect to the previous proviso,
13 authorized user fees from the Vessel Sanitation Program
14 and the Respirator Certification Program shall be avail-
15 able through September 30, 2022.

16 NATIONAL INSTITUTES OF HEALTH

17 NATIONAL CANCER INSTITUTE

18 For carrying out section 301 and title IV of the PHS
19 Act with respect to cancer, \$6,299,155,000, of which up
20 to \$30,000,000 may be used for facilities repairs and im-
21 provements at the National Cancer Institute—Frederick
22 Federally Funded Research and Development Center in
23 Frederick, Maryland.

1 NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

2 For carrying out section 301 and title IV of the PHS
3 Act with respect to cardiovascular, lung, and blood dis-
4 eases, and blood and blood products, \$3,655,428,000.

5 NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL
6 RESEARCH

7 For carrying out section 301 and title IV of the PHS
8 Act with respect to dental and craniofacial diseases,
9 \$481,535,000.

10 NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND
11 KIDNEY DISEASES

12 For carrying out section 301 and title IV of the PHS
13 Act with respect to diabetes and digestive and kidney dis-
14 ease, \$2,132,498,000.

15 NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS
16 AND STROKE

17 For carrying out section 301 and title IV of the PHS
18 Act with respect to neurological disorders and stroke,
19 \$2,415,110,000.

20 NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS
21 DISEASES

22 For carrying out section 301 and title IV of the PHS
23 Act with respect to allergy and infectious diseases,
24 \$6,013,087,000.

1 NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

2 For carrying out section 301 and title IV of the PHS
3 Act with respect to general medical sciences,
4 \$2,972,479,000, of which \$1,341,313,000 shall be from
5 funds available under section 241 of the PHS Act: *Pro-*
6 *vided*, That not less than \$396,573,000 is provided for
7 the Institutional Development Awards program.

8 EUNICE KENNEDY SHRIVER NATIONAL INSTITUTE OF
9 CHILD HEALTH AND HUMAN DEVELOPMENT

10 For carrying out section 301 and title IV of the PHS
11 Act with respect to child health and human development,
12 \$1,570,269,000.

13 NATIONAL EYE INSTITUTE

14 For carrying out section 301 and title IV of the PHS
15 Act with respect to eye diseases and visual disorders,
16 \$831,177,000.

17 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH
18 SCIENCES

19 For carrying out section 301 and title IV of the PHS
20 Act with respect to environmental health sciences,
21 \$809,501,000.

22 NATIONAL INSTITUTE ON AGING

23 For carrying out section 301 and title IV of the PHS
24 Act with respect to aging, \$3,609,150,000.

1 NATIONAL INSTITUTE OF ARTHRITIS AND
2 MUSCULOSKELETAL AND SKIN DISEASES

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to arthritis and musculoskeletal and skin
5 diseases, \$630,263,000.

6 NATIONAL INSTITUTE ON DEAFNESS AND OTHER
7 COMMUNICATION DISORDERS

8 For carrying out section 301 and title IV of the PHS
9 Act with respect to deafness and other communication dis-
10 orders, \$494,912,000.

11 NATIONAL INSTITUTE OF NURSING RESEARCH

12 For carrying out section 301 and title IV of the PHS
13 Act with respect to nursing research, \$170,567,000.

14 NATIONAL INSTITUTE ON ALCOHOL ABUSE AND
15 ALCOHOLISM

16 For carrying out section 301 and title IV of the PHS
17 Act with respect to alcohol abuse and alcoholism,
18 \$550,063,000.

19 NATIONAL INSTITUTE ON DRUG ABUSE

20 For carrying out section 301 and title IV of the PHS
21 Act with respect to drug abuse, \$1,474,590,000.

22 NATIONAL INSTITUTE OF MENTAL HEALTH

23 For carrying out section 301 and title IV of the PHS
24 Act with respect to mental health, \$2,005,303,000.

1 NATIONAL HUMAN GENOME RESEARCH INSTITUTE

2 For carrying out section 301 and title IV of the PHS
3 Act with respect to human genome research,
4 \$611,564,000.

5 NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND
6 BIOENGINEERING

7 For carrying out section 301 and title IV of the PHS
8 Act with respect to biomedical imaging and bioengineering
9 research, \$407,109,000.

10 NATIONAL CENTER FOR COMPLEMENTARY AND
11 INTEGRATIVE HEALTH

12 For carrying out section 301 and title IV of the PHS
13 Act with respect to complementary and integrative health,
14 \$153,045,000.

15 NATIONAL INSTITUTE ON MINORITY HEALTH AND
16 HEALTH DISPARITIES

17 For carrying out section 301 and title IV of the PHS
18 Act with respect to minority health and health disparities
19 research, \$343,700,000: *Provided*, That funds may be
20 used to implement a reorganization that is presented to
21 an advisory council in a public meeting and for which the
22 Committees on Appropriations of the House of Represent-
23 atives and the Senate have been notified 30 days in ad-
24 vance.

1 JOHN E. FOGARTY INTERNATIONAL CENTER

2 For carrying out the activities of the John E. Fogarty
3 International Center (described in subpart 2 of part E of
4 title IV of the PHS Act), \$86,455,000.

5 NATIONAL LIBRARY OF MEDICINE

6 For carrying out section 301 and title IV of the PHS
7 Act with respect to health information communications,
8 \$460,841,000: *Provided*, That of the amounts available for
9 improvement of information systems, \$4,000,000 shall be
10 available until September 30, 2022: *Provided further*, That
11 in fiscal year 2021, the National Library of Medicine may
12 enter into personal services contracts for the provision of
13 services in facilities owned, operated, or constructed under
14 the jurisdiction of the National Institutes of Health (re-
15 ferred to in this title as “NIH”).

16 NATIONAL CENTER FOR ADVANCING TRANSLATIONAL
17 SCIENCES

18 For carrying out section 301 and title IV of the PHS
19 Act with respect to translational sciences, \$840,051,000:
20 *Provided*, That up to \$60,000,000 shall be available to im-
21 plement section 480 of the PHS Act, relating to the Cures
22 Acceleration Network: *Provided further*, That at least
23 \$578,141,000 is provided to the Clinical and Translational
24 Sciences Awards program.

1 OFFICE OF THE DIRECTOR

2 (INCLUDING TRANSFER OF FUNDS)

3 For carrying out the responsibilities of the Office of
4 the Director, NIH, \$2,324,548,000: *Provided*, That fund-
5 ing shall be available for the purchase of not to exceed
6 29 passenger motor vehicles for replacement only: *Pro-*
7 *vided further*, That all funds credited to the NIH Manage-
8 ment Fund shall remain available for one fiscal year after
9 the fiscal year in which they are deposited: *Provided fur-*
10 *ther*, That \$180,000,000 shall be for the Environmental
11 Influences on Child Health Outcomes study: *Provided fur-*
12 *ther*, That \$631,899,000 shall be available for the Com-
13 mon Fund established under section 402A(c)(1) of the
14 PHS Act: *Provided further*, That of the funds provided,
15 \$10,000 shall be for official reception and representation
16 expenses when specifically approved by the Director of the
17 NIH: *Provided further*, That the Office of AIDS Research
18 within the Office of the Director of the NIH may spend
19 up to \$8,000,000 to make grants for construction or ren-
20 ovation of facilities as provided for in section
21 2354(a)(5)(B) of the PHS Act: *Provided further*, That
22 \$50,000,000 shall be used to carry out section 404I of
23 the PHS Act (42 U.S.C. 283K), relating to biomedical and
24 behavioral research facilities: *Provided further*, That
25 \$5,000,000 shall be transferred to and merged with the

1 appropriation for the “Office of Inspector General” for
2 oversight of grant programs and operations of the NIH,
3 including agency efforts to ensure the integrity of its grant
4 application evaluation and selection processes, and shall
5 be in addition to funds otherwise made available for over-
6 sight of the NIH: *Provided further*, That the funds pro-
7 vided in the previous proviso may be transferred from one
8 specified activity to another with 15 days prior approval
9 of the Committees on Appropriations of the House of Rep-
10 resentatives and the Senate: *Provided further*, That the In-
11 spector General shall consult with the Committees on Ap-
12 propriations of the House of Representatives and the Sen-
13 ate before submitting to the Committees an audit plan for
14 fiscal years 2021 and 2022 no later than 30 days after
15 the date of enactment of this Act: *Provided further*, That
16 amounts available under this heading are also available
17 to establish, operate, and support the Research Policy
18 Board authorized by section 2034(f) of the 21st Century
19 Cures Act.

20 In addition to other funds appropriated for the Com-
21 mon Fund established under section 402A(c) of the PHS
22 Act, \$12,600,000 is appropriated to the Common Fund
23 from the 10-year Pediatric Research Initiative Fund de-
24 scribed in section 9008 of title 26, United States Code,
25 for the purpose of carrying out section 402(b)(7)(B)(ii)

1 of the PHS Act (relating to pediatric research), as author-
2 ized in the Gabriella Miller Kids First Research Act.

3 BUILDINGS AND FACILITIES

4 For the study of, construction of, demolition of, ren-
5 ovation of, and acquisition of equipment for, facilities of
6 or used by NIH, including the acquisition of real property,
7 \$200,000,000, to remain available through September 30,
8 2025.

9 NIH INNOVATION ACCOUNT, CURES ACT

10 (INCLUDING TRANSFER OF FUNDS)

11 For necessary expenses to carry out the purposes de-
12 scribed in section 1001(b)(4) of the 21st Century Cures
13 Act, in addition to amounts available for such purposes
14 in the appropriations provided to the NIH in this Act,
15 \$404,000,000, to remain available until expended: *Pro-*
16 *vided*, That such amounts are appropriated pursuant to
17 section 1001(b)(3) of such Act, are to be derived from
18 amounts transferred under section 1001(b)(2)(A) of such
19 Act, and may be transferred by the Director of the Na-
20 tional Institutes of Health to other accounts of the Na-
21 tional Institutes of Health solely for the purposes provided
22 in such Act: *Provided further*, That upon a determination
23 by the Director that funds transferred pursuant to the
24 previous proviso are not necessary for the purposes pro-
25 vided, such amounts may be transferred back to the Ac-

1 count: *Provided further*, That the transfer authority pro-
2 vided under this heading is in addition to any other trans-
3 fer authority provided by law.

4 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

5 ADMINISTRATION

6 MENTAL HEALTH

7 For carrying out titles III, V, and XIX of the PHS
8 Act with respect to mental health, and the Protection and
9 Advocacy for Individuals with Mental Illness Act,
10 \$1,727,974,000: *Provided*, That of the funds made avail-
11 able under this heading, \$71,887,000 shall be for the Na-
12 tional Child Traumatic Stress Initiative: *Provided further*,
13 That notwithstanding section 520A(f)(2) of the PHS Act,
14 no funds appropriated for carrying out section 520A shall
15 be available for carrying out section 1971 of the PHS Act:
16 *Provided further*, That in addition to amounts provided
17 herein, \$21,039,000 shall be available under section 241
18 of the PHS Act to supplement funds otherwise available
19 for mental health activities and to carry out subpart I of
20 part B of title XIX of the PHS Act to fund section
21 1920(b) technical assistance, national data, data collection
22 and evaluation activities, and further that the total avail-
23 able under this Act for section 1920(b) activities shall not
24 exceed 5 percent of the amounts appropriated for subpart
25 I of part B of title XIX: *Provided further*, That of the

1 funds made available under this heading for subpart I of
2 part B of title XIX of the PHS Act, \$35,000,000 shall
3 be available to support evidence-based crisis systems: *Pro-*
4 *vided further*, That up to 10 percent of the amounts made
5 available to carry out the Children’s Mental Health Serv-
6 ices program may be used to carry out demonstration
7 grants or contracts for early interventions with persons
8 not more than 25 years of age at clinical high risk of de-
9 veloping a first episode of psychosis: *Provided further*,
10 That section 520E(b)(2) of the PHS Act shall not apply
11 to funds appropriated in this Act for fiscal year 2021: *Pro-*
12 *vided further*, That States shall expend at least 10 percent
13 of the amount each receives for carrying out section 1911
14 of the PHS Act to support evidence-based programs that
15 address the needs of individuals with early serious mental
16 illness, including psychotic disorders, regardless of the age
17 of the individual at onset: *Provided further*, That
18 \$225,000,000 shall be available until September 30, 2023
19 for grants to communities and community organizations
20 who meet criteria for Certified Community Behavioral
21 Health Clinics pursuant to section 223(a) of Public Law
22 113–93: *Provided further*, That none of the funds provided
23 for section 1911 of the PHS Act shall be subject to section
24 241 of such Act: *Provided further*, That of the funds made
25 available under this heading, \$19,000,000 shall be to

1 carry out section 224 of the Protecting Access to Medicare
2 Act of 2014 (Public Law 113–93; 42 U.S.C. 290aa 22
3 note).

4 SUBSTANCE ABUSE TREATMENT

5 For carrying out titles III and V of the PHS Act
6 with respect to substance abuse treatment and title XIX
7 of such Act with respect to substance abuse treatment and
8 prevention, and the SUPPORT for Patients and Commu-
9 nities Act, \$3,766,556,000: *Provided*, That
10 \$1,500,000,000 shall be for State Opioid Response Grants
11 for carrying out activities pertaining to opioids and stimu-
12 lants undertaken by the State agency responsible for ad-
13 ministering the substance abuse prevention and treatment
14 block grant under subpart II of part B of title XIX of
15 the PHS Act (42 U.S.C. 300x–21 et seq.): *Provided fur-*
16 *ther*, That of such amount \$50,000,000 shall be made
17 available to Indian Tribes or tribal organizations: *Provided*
18 *further*, That 15 percent of the remaining amount shall
19 be for the States with the highest mortality rate related
20 to opioid use disorders: *Provided further*, That of the
21 amounts provided for State Opioid Response Grants not
22 more than 2 percent shall be available for Federal admin-
23 istrative expenses, training, technical assistance, and eval-
24 uation: *Provided further*, That of the amount not reserved
25 by the previous three provisos, the Secretary shall make

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

1 \$2,000,000 to evaluate substance abuse treatment pro-
2 grams: *Provided further*, That none of the funds provided
3 for section 1921 of the PHS Act or State Opioid Response
4 Grants shall be subject to section 241 of such Act.

5 SUBSTANCE ABUSE PREVENTION

6 For carrying out titles III and V of the PHS Act
7 with respect to substance abuse prevention, \$209,469,000.

8 HEALTH SURVEILLANCE AND PROGRAM SUPPORT

9 For program support and cross-cutting activities that
10 supplement activities funded under the headings “Mental
11 Health”, “Substance Abuse Treatment”, and “Substance
12 Abuse Prevention” in carrying out titles III, V, and XIX
13 of the PHS Act and the Protection and Advocacy for Indi-
14 viduals with Mental Illness Act in the Substance Abuse
15 and Mental Health Services Administration,
16 \$128,830,000: *Provided*, That in addition to amounts pro-
17 vided herein, \$31,428,000 shall be available under section
18 241 of the PHS Act to supplement funds available to
19 carry out national surveys on drug abuse and mental
20 health, to collect and analyze program data, and to con-
21 duct public awareness and technical assistance activities:
22 *Provided further*, That, in addition, fees may be collected
23 for the costs of publications, data, data tabulations, and
24 data analysis completed under title V of the PHS Act and
25 provided to a public or private entity upon request, which

1 shall be credited to this appropriation and shall remain
2 available until expended for such purposes: *Provided fur-*
3 *ther*, That amounts made available in this Act for carrying
4 out section 501(o) of the PHS Act shall remain available
5 through September 30, 2022: *Provided further*, That funds
6 made available under this heading may be used to supple-
7 ment program support funding provided under the head-
8 ings “Mental Health”, “Substance Abuse Treatment”,
9 and “Substance Abuse Prevention”.

10 AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

11 HEALTHCARE RESEARCH AND QUALITY

12 For carrying out titles III and IX of the PHS Act,
13 part A of title XI of the Social Security Act, and section
14 1013 of the Medicare Prescription Drug, Improvement,
15 and Modernization Act of 2003, \$143,091,000: *Provided*,
16 That in addition to amounts provided herein,
17 \$199,909,000 shall be available from amounts available
18 under section 241 of the PHS Act: *Provided further*, That
19 section 947(c) of the PHS Act shall not apply in fiscal
20 year 2021: *Provided further*, That in addition, amounts
21 received from Freedom of Information Act fees, reimburs-
22 able and interagency agreements, and the sale of data
23 shall be credited to this appropriation and shall remain
24 available until September 30, 2022.

1 CENTERS FOR MEDICARE & MEDICAID SERVICES

2 GRANTS TO STATES FOR MEDICAID

3 For carrying out, except as otherwise provided, titles
4 XI and XIX of the Social Security Act, \$313,904,098,000,
5 to remain available until expended.

6 In addition, for carrying out such titles after May 31,
7 2021, for the last quarter of fiscal year 2021 for unantici-
8 pated costs incurred for the current fiscal year, such sums
9 as may be necessary, to remain available until expended.

10 In addition, for carrying out such titles for the first
11 quarter of fiscal year 2022, \$148,732,315,000, to remain
12 available until expended.

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

18 PAYMENTS TO THE HEALTH CARE TRUST FUNDS

19 For payment to the Federal Hospital Insurance
20 Trust Fund and the Federal Supplementary Medical In-
21 surance Trust Fund, as provided under sections 217(g),
22 1844, and 1860D–16 of the Social Security Act, sections
23 103(c) and 111(d) of the Social Security Amendments of
24 1965, section 278(d)(3) of Public Law 97–248, and for

1 administrative expenses incurred pursuant to section
2 201(g) of the Social Security Act, \$439,514,000,000.

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

7 PROGRAM MANAGEMENT

8 For carrying out, except as otherwise provided, titles
9 XI, XVIII, XIX, and XXI of the Social Security Act, titles
10 XIII and XXVII of the PHS Act, the Clinical Laboratory
11 Improvement Amendments of 1988, and other responsibil-
12 ities of the Centers for Medicare & Medicaid Services, not
13 to exceed \$3,984,744,000, to be transferred from the Fed-
14 eral Hospital Insurance Trust Fund and the Federal Sup-
15 plementary Medical Insurance Trust Fund, as authorized
16 by section 201(g) of the Social Security Act; together with
17 all funds collected in accordance with section 353 of the
18 PHS Act and section 1857(e)(2) of the Social Security
19 Act, funds retained by the Secretary pursuant to section
20 1893(h) of the Social Security Act, and such sums as may
21 be collected from authorized user fees and the sale of data,
22 which shall be credited to this account and remain avail-
23 able until expended: *Provided*, That all funds derived in
24 accordance with 31 U.S.C. 9701 from organizations estab-
25 lished under title XIII of the PHS Act shall be credited

1 to and available for carrying out the purposes of this ap-
2 propriation: *Provided further*, That the Secretary is di-
3 rected to collect fees in fiscal year 2021 from Medicare
4 Advantage organizations pursuant to section 1857(e)(2)
5 of the Social Security Act and from eligible organizations
6 with risk-sharing contracts under section 1876 of that Act
7 pursuant to section 1876(k)(4)(D) of that Act: *Provided*
8 *further*, That of the amount made available under this
9 heading, \$407,334,000 shall remain available until Sep-
10 tember 30, 2022, and shall be available for the Survey
11 and Certification Program: *Provided further*, That
12 amounts available under this heading to support quality
13 improvement organizations (as defined in section 1152 of
14 the Social Security Act) shall not exceed the amount spe-
15 cifically provided for such purpose under this heading in
16 division H of the Consolidated Appropriations Act, 2018
17 (Public Law 115-141).

18 In addition, the Secretary shall obligate not less than
19 \$100,000,000 in fiscal year 2021 out of amounts collected
20 through the user fees on participating health insurance
21 issuers pursuant to section 156.50 of title 45, Code of
22 Federal Regulations (or any successor regulations) to
23 carry out the navigator program (as described in section
24 1311(i) of the Patient Protection and Affordable Care Act
25 (42 U.S.C. 18031(i)), and to carry out outreach and edu-

1 cational activities, for purposes of informing potential en-
2 rollees in qualified health plans (as defined in section
3 1301(a) of such Act (42 U.S.C. 18021(a)) offered through
4 an Exchange established or operated by the Secretary
5 within a State, of the availability of coverage under such
6 plans and financial assistance for coverage under such
7 plans: *Provided*, That awards under such program shall
8 be based solely on an entity's demonstrated capacity to
9 carry out each of the duties specified in section 1311(i)(3)
10 of such Act: *Provided further*, That not less than
11 \$15,000,000 shall be obligated for national television and
12 not less than \$15,000,000 shall be obligated for internet
13 search advertising for purposes of carrying out such out-
14 reach and educational activities: *Provided further*, That
15 not less than \$30,000,000 of the funds made available in
16 this paragraph shall be obligated for advertising during
17 the final two weeks of the open enrollment period specified
18 by the Secretary pursuant to section 1311(c)(6)(B) of
19 such Act occurring during 2019: *Provided further*, That
20 no amounts collected through such user fees shall be avail-
21 able for expenditures for promoting health insurance cov-
22 erage or a group health plan (as such terms are defined
23 in section 2791 of the PHS Act (42 U.S.C. 300gg-91))
24 that is not a qualified health plan.

1 HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT

2 In addition to amounts otherwise available for pro-
3 gram integrity and program management, \$807,000,000,
4 to remain available through September 30, 2022, to be
5 transferred from the Federal Hospital Insurance Trust
6 Fund and the Federal Supplementary Medical Insurance
7 Trust Fund, as authorized by section 201(g) of the Social
8 Security Act, of which \$615,000,000 shall be for the Cen-
9 ters for Medicare & Medicaid Services program integrity
10 activities, of which \$98,000,000 shall be for the Depart-
11 ment of Health and Human Services Office of Inspector
12 General to carry out fraud and abuse activities authorized
13 by section 1817(k)(3) of such Act, and of which
14 \$94,000,000 shall be for the Department of Justice to
15 carry out fraud and abuse activities authorized by section
16 1817(k)(3) of such Act: *Provided*, That the report re-
17 quired by section 1817(k)(5) of the Social Security Act
18 for fiscal year 2021 shall include measures of the oper-
19 ational efficiency and impact on fraud, waste, and abuse
20 in the Medicare, Medicaid, and CHIP programs for the
21 funds provided by this appropriation: *Provided further*,
22 That of the amount provided under this heading,
23 \$311,000,000 is provided to meet the terms of section
24 251(b)(2)(C)(ii) of the Balanced Budget and Emergency
25 Deficit Control Act of 1985, as amended, and

1 \$496,000,000 is additional new budget authority specified
2 for purposes of section 251(b)(2)(C) of such Act: *Provided*
3 *further*, That the Secretary shall provide not less than
4 \$20,000,000 from amounts made available under this
5 heading and amounts made available for fiscal year 2021
6 under section 1817(k)(3)(A) of the Social Security Act for
7 the Senior Medicare Patrol program to combat health care
8 fraud and abuse.

9 ADMINISTRATION FOR CHILDREN AND FAMILIES

10 PAYMENTS TO STATES FOR CHILD SUPPORT

11 ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

12 For carrying out, except as otherwise provided, titles
13 I, IV–D, X, XI, XIV, and XVI of the Social Security Act
14 and the Act of July 5, 1960, \$3,039,000,000, to remain
15 available until expended; and for such purposes for the
16 first quarter of fiscal year 2022, \$1,400,000,000, to re-
17 main available until expended.

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

1 LOW INCOME HOME ENERGY ASSISTANCE

2 For making payments under subsections (b) and (d)
3 of section 2602 of the Low-Income Home Energy Assist-
4 ance Act of 1981 (42 U.S.C. 8621 et seq.),
5 \$3,765,304,000: *Provided*, That notwithstanding section
6 2609A(a) of such Act, not more than \$2,988,000 may be
7 reserved by the Secretary of Health and Human Services
8 for technical assistance, training, and monitoring of pro-
9 gram activities for compliance with internal controls, poli-
10 cies and procedures and the Secretary may, in addition
11 to the authorities provided in section 2609A(a)(1), use
12 such funds through contracts with private entities that do
13 not qualify as nonprofit organizations: *Provided further*,
14 That \$3,737,316,000 of the amount appropriated under
15 this heading shall be allocated to each State and territory
16 in amounts equal to the amount each State and territory
17 was allocated in fiscal year 2020 pursuant to allocations
18 made from amounts appropriated under this heading in
19 title II of division A of the Further Consolidated Appro-
20 priations Act, 2020 (Public Law 116–94): *Provided fur-*
21 *ther*, That of the remaining amount made available under
22 this heading that is not designated for allocation in the
23 preceding two provisos, \$12,500,000 shall be allocated as
24 though the total appropriation for such payments for fiscal
25 year 2021 was less than \$1,975,000,000.

1 REFUGEE AND ENTRANT ASSISTANCE

2 For necessary expenses for refugee and entrant as-
3 sistance activities authorized by section 414 of the Immi-
4 gration and Nationality Act and section 501 of the Ref-
5 ugee Education Assistance Act of 1980, and for carrying
6 out section 462 of the Homeland Security Act of 2002,
7 section 235 of the William Wilberforce Trafficking Victims
8 Protection Reauthorization Act of 2008, the Trafficking
9 Victims Protection Act of 2000 (“TVPA”), and the Tor-
10 ture Victims Relief Act of 1998, \$1,911,201,000, of which
11 \$1,864,446,000 shall remain available through September
12 30, 2023 for carrying out such sections 414, 501, 462,
13 and 235: *Provided*, That amounts available under this
14 heading to carry out the TVPA shall also be available for
15 research and evaluation with respect to activities under
16 such Act: *Provided further*, That not less than
17 \$190,000,000 shall be used for legal services, child advo-
18 cates, and post-release services: *Provided further*, That the
19 contribution of funds requirement under section
20 235(e)(6)(C)(iii) of the William Wilberforce Trafficking
21 Victims Protection Reauthorization Act of 2008 shall not
22 apply to funds made available under this heading.

1 PAYMENTS TO STATES FOR THE CHILD CARE AND
2 DEVELOPMENT BLOCK GRANT

3 For carrying out the Child Care and Development
4 Block Grant Act of 1990 (“CCDBG Act”),
5 \$5,926,000,000 shall be used to supplement, not supplant
6 State general revenue funds for child care assistance for
7 low-income families: *Provided*, That technical assistance
8 under section 658I(a)(3) of such Act may be provided di-
9 rectly, or through the use of contracts, grants, cooperative
10 agreements, or interagency agreements: *Provided further*,
11 That all funds made available to carry out section 418
12 of the Social Security Act (42 U.S.C. 618), including
13 funds appropriated for that purpose in such section 418
14 or any other provision of law, shall be subject to the res-
15 ervation of funds authority in paragraphs (4) and (5) of
16 section 658O(a) of the CCDBG Act: *Provided further*,
17 That in addition to the amounts required to be reserved
18 by the Secretary under section 658O(a)(2)(A) of such Act,
19 \$174,780,000 shall be for Indian tribes and tribal organi-
20 zations.

21 SOCIAL SERVICES BLOCK GRANT

22 For making grants to States pursuant to section
23 2002 of the Social Security Act, \$1,700,000,000: *Pro-*
24 *vided*, That notwithstanding subparagraph (B) of section
25 404(d)(2) of such Act, the applicable percent specified

1 under such subparagraph for a State to carry out State
2 programs pursuant to title XX–A of such Act shall be 10
3 percent.

4 CHILDREN AND FAMILIES SERVICES PROGRAMS

5 For carrying out, except as otherwise provided, the
6 Runaway and Homeless Youth Act, the Head Start Act,
7 the Every Student Succeeds Act, the Child Abuse Preven-
8 tion and Treatment Act, sections 303 and 313 of the
9 Family Violence Prevention and Services Act, the Native
10 American Programs Act of 1974, title II of the Child
11 Abuse Prevention and Treatment and Adoption Reform
12 Act of 1978 (adoption opportunities), part B–1 of title IV
13 and sections 429, 473A, 477(i), 1110, 1114A, and 1115
14 of the Social Security Act, and the Community Services
15 Block Grant Act (“CSBG Act”); and for necessary admin-
16 istrative expenses to carry out titles I, IV, V, X, XI, XIV,
17 XVI, and XX–A of the Social Security Act, the Act of
18 July 5, 1960, the Low-Income Home Energy Assistance
19 Act of 1981, the Child Care and Development Block Grant
20 Act of 1990, the Assets for Independence Act, title IV of
21 the Immigration and Nationality Act, and section 501 of
22 the Refugee Education Assistance Act of 1980,
23 \$13,098,181,000, of which \$75,000,000, to remain avail-
24 able through September 30, 2022, shall be for grants to
25 States for adoption and legal guardianship incentive pay-

1 ments, as defined by section 473A of the Social Security
2 Act and may be made for adoptions and legal
3 guardianships completed before September 30, 2021: *Pro-*
4 *vided*, That \$10,763,095,000 shall be for making pay-
5 ments under the Head Start Act, including for Early Head
6 Start-Child Care Partnerships, and, of which, notwith-
7 standing section 640 of such Act:

8 (1) \$135,000,000 shall be available for a cost
9 of living adjustment, and with respect to any con-
10 tinuing appropriations act, funding available for a
11 cost of living adjustment shall not be construed as
12 an authority or condition under this Act;

13 (2) \$25,000,000 shall be available for allocation
14 by the Secretary to supplement activities described
15 in paragraphs (7)(B) and (9) of section 641(c) of
16 the Head Start Act under the Designation Renewal
17 System, established under the authority of sections
18 641(c)(7), 645A(b)(12), and 645A(d) of such Act,
19 and such funds shall not be included in the calcula-
20 tion of “base grant” in subsequent fiscal years, as
21 such term is used in section 640(a)(7)(A) of such
22 Act;

23 (3) \$15,000,000 shall be available to migrant
24 and seasonal Head Start programs, in addition to
25 funds made available for migrant and seasonal Head

1 Start programs under section 640(a) of the Head
2 Start Act, for the purposes of quality improvement
3 consistent with section 640(a)(5) of such Act except
4 that any amount of the funds may be used on any
5 of the activities in such section (5): *Provided further*,
6 that funds derived from a migrant and seasonal
7 Head Start program held by the Secretary as a re-
8 sult of recapturing, withholding, or reducing a base
9 grant that were unable to be redistributed consistent
10 with Section 641A(h)(6)(A)(ii) of such Act shall be
11 added to the amount in the previous proviso;

12 (4) \$4,000,000 shall be available for the pur-
13 poses of the Tribal Colleges and Universities Head
14 Start Partnership Program consistent with section
15 648(g) of such Act; and

16 (5) \$19,000,000 shall be available to supple-
17 ment funding otherwise available for research, eval-
18 uation, and Federal administrative costs:

19 *Provided further*, That the Secretary may reduce the res-
20 ervation of funds under section 640(a)(2)(C) of such Act
21 in lieu of reducing the reservation of funds under sections
22 640(a)(2)(B), 640(a)(2)(D), and 640(a)(2)(E) of such
23 Act: *Provided further*, That \$300,000,000 shall be avail-
24 able until December 31, 2021 for carrying out sections
25 9212 and 9213 of the Every Student Succeeds Act: *Pro-*

1 *vided further*, That up to 3 percent of the funds in the
2 preceding proviso shall be available for technical assist-
3 ance and evaluation related to grants awarded under such
4 section 9212: *Provided further*, That \$780,383,000 shall
5 be for making payments under the CSBG Act: *Provided*
6 *further*, That for the purposes of carrying out the CSBG
7 Act, the term “poverty line” as defined in section 673(2)
8 of the CSBG Act means 200 percent of the poverty line
9 otherwise applicable under such section (excluding the last
10 sentence of such section) without regard to such section:
11 *Provided further*, That \$30,383,000 shall be for section
12 680 of the CSBG Act, of which not less than \$20,383,000
13 shall be for section 680(a)(2) and not less than
14 \$10,000,000 shall be for section 680(a)(3)(B) of such Act:
15 *Provided further*, That, notwithstanding section
16 675C(a)(3) of such Act, to the extent Community Services
17 Block Grant funds are distributed as grant funds by a
18 State to an eligible entity as provided under such Act, and
19 have not been expended by such entity, they shall remain
20 with such entity for carryover into the next fiscal year for
21 expenditure by such entity consistent with program pur-
22 poses: *Provided further*, That the Secretary shall establish
23 procedures regarding the disposition of intangible assets
24 and program income that permit such assets acquired
25 with, and program income derived from, grant funds au-

1 thORIZED under section 680 of the CSBG Act to become
2 the sole property of such grantees after a period of not
3 more than 12 years after the end of the grant period for
4 any activity consistent with section 680(a)(2)(A) of the
5 CSBG Act: *Provided further*, That intangible assets in the
6 form of loans, equity investments and other debt instru-
7 ments, and program income may be used by grantees for
8 any eligible purpose consistent with section 680(a)(2)(A)
9 of the CSBG Act: *Provided further*, That these procedures
10 shall apply to such grant funds made available after No-
11 vember 29, 1999: *Provided further*, That funds appro-
12 priated for section 680(a)(2) of the CSBG Act shall be
13 available for financing construction and rehabilitation and
14 loans or investments in private business enterprises owned
15 by community development corporations: *Provided further*,
16 That \$185,000,000 shall be for carrying out section
17 303(a) of the Family Violence Prevention and Services
18 Act, of which \$7,000,000 shall be allocated notwith-
19 standing section 303(a)(2) of such Act for carrying out
20 section 309 of such Act: *Provided further*, That the per-
21 centages specified in section 112(a)(2) of the Child Abuse
22 Prevention and Treatment Act shall not apply to funds
23 appropriated under this heading: *Provided further*, That
24 \$1,864,000 shall be for a human services case manage-
25 ment system for federally declared disasters, to include a

1 comprehensive national case management contract and
2 Federal costs of administering the system: *Provided fur-*
3 *ther*, That up to \$2,000,000 shall be for improving the
4 Public Assistance Reporting Information System, includ-
5 ing grants to States to support data collection for a study
6 of the system's effectiveness.

7 PROMOTING SAFE AND STABLE FAMILIES

8 For carrying out, except as otherwise provided, sec-
9 tion 436 of the Social Security Act, \$345,000,000 and,
10 for carrying out, except as otherwise provided, section 437
11 of such Act, \$59,765,000.

12 PAYMENTS FOR FOSTER CARE AND PERMANENCY

13 For carrying out, except as otherwise provided, title
14 IV–E of the Social Security Act, \$7,012,000,000.

15 For carrying out, except as otherwise provided, title
16 IV–E of the Social Security Act, for the first quarter of
17 fiscal year 2022, \$3,000,000,000.

18 For carrying out, after May 31 of the current fiscal
19 year, except as otherwise provided, section 474 of title IV–
20 E of the Social Security Act, for the last 3 months of the
21 current fiscal year for unanticipated costs, incurred for the
22 current fiscal year, such sums as may be necessary.

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

4 For carrying out, to the extent not otherwise pro-
5 vided, the Older Americans Act of 1965 (“OAA”), the
6 RAISE Family Caregivers Act, the Supporting Grand-
7 parents Raising Grandchildren Act, titles III and XXIX
8 of the PHS Act, sections 1252 and 1253 of the PHS Act,
9 section 119 of the Medicare Improvements for Patients
10 and Providers Act of 2008, title XX–B of the Social Secu-
11 rity Act, the Developmental Disabilities Assistance and
12 Bill of Rights Act, parts 2 and 5 of subtitle D of title
13 II of the Help America Vote Act of 2002, the Assistive
14 Technology Act of 1998, titles II and VII (and section
15 14 with respect to such titles) of the Rehabilitation Act
16 of 1973, and for Department-wide coordination of policy
17 and program activities that assist individuals with disabil-
18 ities, \$2,225,390,000, together with \$54,115,000 to be
19 transferred from the Federal Hospital Insurance Trust
20 Fund and the Federal Supplementary Medical Insurance
21 Trust Fund to carry out section 4360 of the Omnibus
22 Budget Reconciliation Act of 1990: *Provided*, That
23 amounts appropriated under this heading may be used for
24 grants to States under section 361 of the OAA only for
25 disease prevention and health promotion programs and ac-

1 tivities which have been demonstrated through rigorous
2 evaluation to be evidence-based and effective: *Provided*
3 *further*, That of amounts made available under this head-
4 ing to carry out sections 311, 331, and 336 of the OAA,
5 up to one percent of such amounts shall be available for
6 developing and implementing evidence-based practices for
7 enhancing senior nutrition, including medically-tailored
8 meals: *Provided further*, That notwithstanding any other
9 provision of this Act, funds made available under this
10 heading to carry out section 311 of the OAA may be trans-
11 ferred to the Secretary of Agriculture in accordance with
12 such section: *Provided further*, That \$2,000,000 shall be
13 for competitive grants to support alternative financing
14 programs that provide for the purchase of assistive tech-
15 nology devices, such as a low-interest loan fund; an inter-
16 est buy-down program; a revolving loan fund; a loan guar-
17 antee; or an insurance program: *Provided further*, That
18 applicants shall provide an assurance that, and informa-
19 tion describing the manner in which, the alternative fi-
20 nancing program will expand and emphasize consumer
21 choice and control: *Provided further*, That State agencies
22 and community-based disability organizations that are di-
23 rected by and operated for individuals with disabilities
24 shall be eligible to compete: *Provided further*, That none
25 of the funds made available under this heading may be

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

1 individuals who are a ward of the State or subject to pub-
2 lic guardianship.

3 OFFICE OF THE SECRETARY

4 GENERAL DEPARTMENTAL MANAGEMENT

5 For necessary expenses, not otherwise provided, for
6 general departmental management, including hire of six
7 passenger motor vehicles, and for carrying out titles III,
8 XVII, XXI, and section 229 of the PHS Act, the United
9 States-Mexico Border Health Commission Act, and re-
10 search studies under section 1110 of the Social Security
11 Act, \$459,959,000, together with \$64,828,000 from the
12 amounts available under section 241 of the PHS Act to
13 carry out national health or human services research and
14 evaluation activities: *Provided*, That of the funds made
15 available under this heading, \$56,900,000 shall be for mi-
16 nority AIDS prevention and treatment activities: *Provided*
17 *further*, That of the funds made available under this head-
18 ing, \$101,000,000 shall be for making competitive grants
19 to public and private entities to fund medically accurate
20 and complete and age-appropriate (as those terms are de-
21 fined in section 513(e) of the Social Security Act (42
22 U.S.C. 713(e))) programs that reduce teen pregnancy and
23 that do not withhold information about the effectiveness
24 and benefits of correct and consistent use of condoms and
25 other contraceptives, and for the Federal costs associated

1 with administering and evaluating such grants, of which
2 not more than 10 percent of the available funds shall be
3 for training and technical assistance, outreach, and addi-
4 tional program support activities, and of the remaining
5 amount 75 percent shall be for replicating programs that
6 have been proven effective through rigorous evaluation to
7 reduce teenage pregnancy, behavioral risk factors under-
8 lying teenage pregnancy, or other associated risk factors,
9 and 25 percent shall be available for research and dem-
10 onstration grants to develop, replicate, refine, and rigor-
11 ously test (defined as randomized control trial, quasi-ex-
12 perimental design, or regression discontinuity design) ad-
13 ditional models and innovative strategies for preventing
14 teenage pregnancy: *Provided further*, That amounts made
15 available under this heading for programs to reduce teen
16 pregnancy shall meet the requirements listed in clauses
17 (ii) through (vi) of section 513(b)(2)(B) of the Social Se-
18 curity Act (42 U.S.C. 713(b)(2)(B)(ii)-(vi)) and shall not
19 be made available by interagency agreement or otherwise
20 to any agency within the Department of Health and
21 Human Services other than the Office of the Secretary
22 to carry out or support such programs: *Provided further*,
23 That of the amounts provided under this heading from
24 amounts available under section 241 of the PHS Act,
25 \$6,800,000 shall be available to carry out evaluations (in-

1 cluding longitudinal evaluations) of teenage pregnancy
2 prevention approaches: *Provided further*, That funds pro-
3 vided in this Act for embryo adoption activities may be
4 used to provide to individuals adopting embryos, through
5 grants and other mechanisms, medical and administrative
6 services deemed necessary for such adoptions: *Provided*
7 *further*, That such services shall be provided consistent
8 with 42 CFR 59.5(a)(4): *Provided further*, That of the
9 funds made available under this heading, \$5,000,000 shall
10 be for carrying out prize competitions sponsored by the
11 Office of the Secretary to accelerate innovation in the pre-
12 vention, diagnosis, and treatment of kidney diseases (as
13 authorized by section 24 of the Stevenson-Wydler Tech-
14 nology Innovation Act of 1980 (15 U.S.C. 3719)). *Pro-*
15 *vided further*, That of the funds made available under this
16 heading, \$3,000,000 shall be for establishing a National
17 Health Care Workforce Commission (as authorized by sec-
18 tion 5101 of Public Law 111–148).

19 MEDICARE HEARINGS AND APPEALS

20 For expenses necessary for Medicare hearings and
21 appeals in the Office of the Secretary, \$191,881,000 shall
22 remain available until September 30, 2022, to be trans-
23 ferred in appropriate part from the Federal Hospital In-
24 surance Trust Fund and the Federal Supplementary Med-
25 ical Insurance Trust Fund.

1 OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH
2 INFORMATION TECHNOLOGY

3 For expenses necessary for the Office of the National
4 Coordinator for Health Information Technology, including
5 grants, contracts, and cooperative agreements for the de-
6 velopment and advancement of interoperable health infor-
7 mation technology, \$60,367,000.

8 OFFICE OF INSPECTOR GENERAL

9 For expenses necessary for the Office of Inspector
10 General, including the hire of passenger motor vehicles for
11 investigations, in carrying out the provisions of the Inspec-
12 tor General Act of 1978, \$80,000,000: *Provided*, That of
13 such amount, necessary sums shall be available for pro-
14 viding protective services to the Secretary and inves-
15 tigating non-payment of child support cases for which non-
16 payment is a Federal offense under 18 U.S.C. 228: *Pro-*
17 *vided further*, That of the amount made available under
18 this heading, \$5,300,000 shall be available through Sep-
19 tember 30, 2022, for activities authorized under section
20 3022 of the PHS Act relating to information blocking.

21 OFFICE FOR CIVIL RIGHTS

22 For expenses necessary for the Office for Civil
23 Rights, \$38,798,000.

1 RETIREMENT PAY AND MEDICAL BENEFITS FOR
2 COMMISSIONED OFFICERS

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

10 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY
11 FUND

12 For expenses necessary to support activities related
13 to countering potential biological, nuclear, radiological,
14 chemical, and cybersecurity threats to civilian populations,
15 and for other public health emergencies, \$1,077,458,000,
16 of which \$561,700,000 shall remain available through
17 September 30, 2022, for expenses necessary to support
18 advanced research and development pursuant to section
19 319L of the PHS Act and other administrative expenses
20 of the Biomedical Advanced Research and Development
21 Authority: *Provided*, That funds provided under this head-
22 ing for the purpose of acquisition of security counter-
23 measures shall be in addition to any other funds available
24 for such purpose: *Provided further*, That products pur-
25 chased with funds provided under this heading may, at

1 the discretion of the Secretary, be deposited in the Stra-
2 tegic National Stockpile pursuant to section 319F-2 of
3 the PHS Act: *Provided further*, That \$5,000,000 of the
4 amounts made available to support emergency operations
5 shall remain available through September 30, 2023: *Pro-*
6 *vided further*, That of the amount made available under
7 this heading for policy and planning, \$5,000,000 shall re-
8 main available until expended for implementation activi-
9 ties related to the National Biodefense Strategy.

10 For expenses necessary for procuring security coun-
11 termeasures (as defined in section 319F-2(c)(1)(B) of the
12 PHS Act), \$735,000,000, to remain available until ex-
13 pended.

14 For expenses necessary to carry out section 319F-
15 2(a) of the PHS Act, \$705,000,000, to remain available
16 until expended.

17 For an additional amount for expenses necessary to
18 prepare for or respond to an influenza pandemic,
19 \$310,000,000; of which \$275,000,000 shall be available
20 until expended, for activities including the development
21 and purchase of vaccine, antivirals, necessary medical sup-
22 plies, diagnostics, and other surveillance tools: *Provided*,
23 That notwithstanding section 496(b) of the PHS Act,
24 funds may be used for the construction or renovation of
25 privately owned facilities for the production of pandemic

1 influenza vaccines and other biologics, if the Secretary
2 finds such construction or renovation necessary to secure
3 sufficient supplies of such vaccines or biologics.

4 GENERAL PROVISIONS

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

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

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

24 SEC. 204. Notwithstanding section 241(a) of the
25 PHS Act, such portion as the Secretary shall determine,

1 but not more than 3 percent, of any amounts appropriated
2 for programs authorized under such Act shall be made
3 available for the evaluation (directly, or by grants or con-
4 tracts) and the implementation and effectiveness of pro-
5 grams funded in this title.

6 (TRANSFER OF FUNDS)

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

21 SEC. 206. In lieu of the timeframe specified in section
22 338E(c)(2) of the PHS Act, terminations described in
23 such section may occur up to 60 days after the effective
24 date of a contract awarded in fiscal year 2021 under sec-
25 tion 338B of such Act, or at any time if the individual

1 who has been awarded such contract has not received
2 funds due under the contract.

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

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

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

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

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

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

17 SEC. 212. In order for HHS to carry out inter-
18 national health activities, including HIV/AIDS and other
19 infectious disease, chronic and environmental disease, and
20 other health activities abroad during fiscal year 2021:

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

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

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

1 tious diseases, chronic and environmental diseases,
2 and other health activities abroad.

3 (3) The Secretary is authorized to provide to
4 personnel appointed or assigned by the Secretary to
5 serve abroad, allowances and benefits similar to
6 those provided under chapter 9 of title I of the For-
7 eign Service Act of 1980, and 22 U.S.C. 4081
8 through 4086 and subject to such regulations pre-
9 scribed by the Secretary. The Secretary is further
10 authorized to provide locality-based comparability
11 payments (stated as a percentage) up to the amount
12 of the locality-based comparability payment (stated
13 as a percentage) that would be payable to such per-
14 sonnel under section 5304 of title 5, United States
15 Code if such personnel's official duty station were in
16 the District of Columbia. Leaves of absence for per-
17 sonnel under this subsection shall be on the same
18 basis as that provided under subchapter I of chapter
19 63 of title 5, United States Code, or section 903 of
20 the Foreign Service Act of 1980, to individuals serv-
21 ing in the Foreign Service.

22 (TRANSFER OF FUNDS)

23 SEC. 213. The Director of the NIH, jointly with the
24 Director of the Office of AIDS Research, may transfer up
25 to 3 percent among institutes and centers from the total

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 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 SEC. 219. (a) The Secretary shall publish in the fiscal
2 year 2021 budget justification and on Departmental Web
3 sites information concerning the employment of full-time
4 equivalent Federal employees or contractors for the pur-
5 poses of implementing, administering, enforcing, or other-
6 wise carrying out the provisions of the ACA, and the
7 amendments made by that Act, in the proposed fiscal year
8 and each fiscal year since the enactment of the ACA.

9 (b) With respect to employees or contractors sup-
10 ported by all funds appropriated for purposes of carrying
11 out the ACA (and the amendments made by that Act),
12 the Secretary shall include, at a minimum, the following
13 information:

14 (1) For each such fiscal year, the section of
15 such Act under which such funds were appropriated,
16 a statement indicating the program, project, or ac-
17 tivity receiving such funds, the Federal operating di-
18 vision or office that administers such program, and
19 the amount of funding received in discretionary or
20 mandatory appropriations.

21 (2) For each such fiscal year, the number of
22 full-time equivalent employees or contracted employ-
23 ees assigned to each authorized and funded provision
24 detailed in accordance with paragraph (1).

1 (c) In carrying out this section, the Secretary may
2 exclude from the report employees or contractors who—

3 (1) are supported through appropriations en-
4 acted in laws other than the ACA and work on pro-
5 grams that existed prior to the passage of the ACA;

6 (2) spend less than 50 percent of their time on
7 activities funded by or newly authorized in the ACA;
8 or

9 (3) work on contracts for which FTE reporting
10 is not a requirement of their contract, such as fixed-
11 price contracts.

12 SEC. 220. The Secretary shall publish, as part of the
13 fiscal year 2022 budget of the President submitted under
14 section 1105(a) of title 31, United States Code, informa-
15 tion that details the uses of all funds used by the Centers
16 for Medicare & Medicaid Services specifically for Health
17 Insurance Exchanges for each fiscal year since the enact-
18 ment of the ACA and the proposed uses for such funds
19 for fiscal year 2022. Such information shall include, for
20 each such fiscal year, the amount of funds used for each
21 activity specified under the heading “Health Insurance
22 Exchange Transparency” in the explanatory statement de-
23 scribed in section 4 (in the matter preceding division A
24 of this consolidated Act).

1 SEC. 221. None of the funds made available by this
2 Act from the Federal Hospital Insurance Trust Fund or
3 the Federal Supplemental Medical Insurance Trust Fund,
4 or transferred from other accounts funded by this Act to
5 the “Centers for Medicare & Medicaid Services—Program
6 Management” account, may be used for payments under
7 section 1342(b)(1) of Public Law 111–148 (relating to
8 risk corridors).

9 (TRANSFER OF FUNDS)

10 SEC. 222. (a) Within 45 days of enactment of this
11 Act, the Secretary shall transfer funds appropriated under
12 section 4002 of the ACA to the accounts specified, in the
13 amounts specified, and for the activities specified under
14 the heading “Prevention and Public Health Fund” in the
15 committee report accompanying this Act.

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

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

21 SEC. 223. Effective during the period beginning on
22 November 1, 2015 and ending January 1, 2025, any pro-
23 vision of law that refers (including through cross-reference
24 to another provision of law) to the current recommenda-
25 tions of the United States Preventive Services Task Force

1 with respect to breast cancer screening, mammography,
2 and prevention shall be administered by the Secretary in-
3 volved as if—

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

9 (2) such recommendations last issued before
10 2009 applied to any screening mammography modal-
11 ity under section 1861(jj) of the Social Security Act
12 (42 U.S.C. 1395x(jj)).

13 SEC. 224. In making Federal financial assistance, the
14 provisions relating to indirect costs in part 75 of title 45,
15 Code of Federal Regulations, including with respect to the
16 approval of deviations from negotiated rates, shall con-
17 tinue to apply to the National Institutes of Health to the
18 same extent and in the same manner as such provisions
19 were applied in the third quarter of fiscal year 2017. None
20 of the funds appropriated in this or prior Acts or otherwise
21 made available to the Department of Health and Human
22 Services or to any department or agency may be used to
23 develop or implement a modified approach to such provi-
24 sions, or to intentionally or substantially expand the fiscal
25 effect of the approval of such deviations from negotiated

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

3 (TRANSFER OF FUNDS)

4 SEC. 225. The NIH Director may transfer discre-
5 tionary amounts identified by the Director as funding for
6 opioid addiction, opioid alternatives, pain management,
7 and addiction treatment among Institutes and Centers of
8 the NIH to be used for the same purpose 15 days after
9 notifying the Committees on Appropriations: *Provided*,
10 That the transfer authority provided in the previous pro-
11 viso is in addition to any other transfer authority provided
12 by law.

13 SEC. 226. (a) The Secretary shall provide to the
14 Committees on Appropriations of the House of Represent-
15 atives and the Senate:

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

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

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

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

3 SEC. 227. The Department of Health and Human
4 Services shall provide the Committees on Appropriations
5 of the House of Representatives and Senate a biannual
6 report 30 days after enactment of this Act on staffing de-
7 scribed in the committee report accompanying this Act.

8 SEC. 228. Funds appropriated in this Act that are
9 available for salaries and expenses of employees of the De-
10 partment of Health and Human Services shall also be
11 available to pay travel and related expenses of such an
12 employee or of a member of his or her family, when such
13 employee is assigned to duty, in the United States or in
14 a U.S. territory, during a period and in a location that
15 are the subject of a determination of a public health emer-
16 gency under section 319 of the Public Health Service Act
17 and such travel is necessary to obtain medical care for
18 an illness, injury, or medical condition that cannot be ade-
19 quately addressed in that location at that time. For pur-
20 poses of this section, the term “U.S. territory” means
21 Guam, the Commonwealth of Puerto Rico, the Northern
22 Mariana Islands, the Virgin Islands, American Samoa, or
23 the Trust Territory of the Pacific Islands.

24 SEC. 229. The Department of Health and Human
25 Services may accept donations from the private sector,

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

11 SEC. 230. None of the funds provided by this or any
12 prior appropriations Act may be used to reverse changes
13 in procedures made by operational directives issued to pro-
14 viders by the Office of Refugee Resettlement on December
15 18, 2018, March 23, 2019, and June 10, 2019 regarding
16 the Memorandum of Agreement on Information Sharing
17 executed April 13, 2018.

18 SEC. 231. None of the funds made available in this
19 Act under the heading “Department of Health and
20 Human Services—Administration for Children and Fami-
21 lies—Refugee and Entrant Assistance” may be obligated
22 to a grantee or contractor to house unaccompanied alien
23 children (as such term is defined in section 462(g)(2) of
24 the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2))

1 in any facility that is not State-licensed for the care of
2 unaccompanied alien children.

3 SEC. 232. None of the funds made available in this
4 Act may be used to prevent a United States Senator or
5 Member of the House of Representatives from entering,
6 for the purpose of conducting oversight, any facility in the
7 United States used for the purpose of maintaining custody
8 of, or otherwise housing, unaccompanied alien children (as
9 defined in section 462(g)(2) of the Homeland Security Act
10 of 2002 (6 U.S.C. 279(g)(2))). Nothing in this section
11 shall be construed to require such a Senator or Member
12 to provide prior notice of the intent to enter such a facility
13 for such purpose.

14 SEC. 233. Not later than 14 days after the date of
15 enactment of this Act, and monthly thereafter, the Sec-
16 retary shall submit to the Committees on Appropriations
17 of the House of Representatives and the Senate, and make
18 publicly available online, a report with respect to children
19 who were separated from their parents or legal guardians
20 by the Department of Homeland Security (DHS) (regard-
21 less of whether or not such separation was pursuant to
22 an option selected by the children, parents, or guardians),
23 subsequently classified as unaccompanied alien children,
24 and transferred to the care and custody of ORR during

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

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

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

9 (3) the length of any such separation;

10 (4) the status of any efforts undertaken by the
11 Secretary to reunify such children with a parent or
12 legal guardian; and

13 (5) the number of any such reunifications, and
14 whether the reunified families were placed in family
15 detention.

16 SEC. 234. None of the funds made available in this
17 or any prior appropriations Act may be used to implement
18 or enforce the Memorandum of Agreement Among the Of-
19 fice of Refugee Resettlement of the Department of Health
20 and Human Services and U.S. Immigration and Customs
21 Enforcement and U.S. Customs and Border Protection of
22 the Department of Homeland Security Regarding Con-
23 sultation and Information Sharing in Unaccompanied
24 Alien Children Matters, dated April 13, 2018. Nothing in
25 this section shall be construed to prohibit or restrict the

1 continued implementation of interagency agreements or
2 coordination of policy memoranda issued prior to April 13,
3 2018.

4 SEC. 235. None of the funds made available in this
5 Act or any other Act may be used by the Secretary of
6 Health and Human Services to share information provided
7 by unaccompanied alien children (as defined in section
8 462(g)(2) of the Homeland Security Act of 2002 (6
9 U.S.C. 279(g)(2))) during mental health or therapeutic
10 services with the Department of Homeland Security or the
11 Department of Justice for immigration enforcement.

12 SEC. 236. To the extent practicable, and so long as
13 it is appropriate and in the best interest of the child, in
14 cases where the Office of Refugee Resettlement of the De-
15 partment of Health and Human Services is responsible for
16 the care of siblings who are unaccompanied alien children
17 (as defined in section 462(g)(2) of the Homeland Security
18 Act of 2002 (6 U.S.C. 279(g)(2)), the Director of the Of-
19 fice shall place the siblings—

20 (1) in the same facility; or

21 (2) with the same sponsor.

22 SEC. 237. The Secretary of Health and Human Serv-
23 ices is directed to report the death of any unaccompanied
24 alien child in Office of Refugee Resettlement (ORR) cus-
25 tody or in the custody of any grantee on behalf of ORR

1 within 24 hours, including relevant details regarding the
2 circumstances of the fatality, to the Committees on Appro-
3 priations of the House of Representatives and the Senate.

4 SEC. 238. Not later than 30 days after the date of
5 enactment of this Act, the Secretary shall submit to the
6 Committees on Appropriations of the House of Represent-
7 atives and the Senate a detailed spend plan of anticipated
8 uses of all funds made available under the heading “De-
9 partment of Health and Human Services—Administration
10 for Children and Families—Refugee and Entrant Assist-
11 ance”, including the following: a list of existing grants and
12 contracts for both permanent and influx facilities, includ-
13 ing their costs, capacity, and timelines; costs for expand-
14 ing capacity through the use of community-based residen-
15 tial care placements (including long-term and transitional
16 foster care and small group homes) through new or modi-
17 fied grants and contracts; current and planned efforts to
18 expand small-scale shelters and available foster care place-
19 ments, including collaboration with State child welfare
20 providers; influx facilities being assessed for possible use;
21 costs and services to be provided for legal services, child
22 advocates, and post-release services; program administra-
23 tion; and the average number of weekly referrals and dis-
24 charge rate assumed in the spend plan: *Provided*, That
25 such plan shall be updated to reflect changes and expendi-

1 tures and submitted to the Committees on Appropriations
2 of the House of Representatives and the Senate every 60
3 days until all funds are expended or expired.

4 SEC. 239. Funds appropriated in this Act that are
5 available for salaries and expenses of employees of the
6 Centers for Disease Control and Prevention shall also be
7 available for the primary and secondary schooling of eligi-
8 ble dependents of personnel stationed in a U.S. territory
9 as defined in section 228 at costs not in excess of those
10 paid for or reimbursed by the Department of Defense.

11 SEC. 240. Amounts made available in section 238 of
12 division A of Public Law 116–94 shall remain available
13 until September 30, 2024, for installation expenses, in-
14 cluding moving expenses, relating to the Centers for Dis-
15 ease Control and Prevention’s Chamblee Campus.

16 (RESCISSION)

17 SEC. 241. Of the unobligated balances in the “Non-
18 recurring Expenses Fund” established in section 223 of
19 division G of Public Law 110–161, \$600,000,000 are
20 hereby rescinded not later than September 30, 2021.

21 SEC. 242. Funds made available in Public Law 113–
22 235 to the accounts of the National Institutes of Health
23 that were available for obligation through fiscal year 2015
24 and were obligated for multi-year research grants shall be
25 available through fiscal year 2021 for the liquidation of

1 valid obligations if the Director of the National Institutes
2 of Health determines the project suffered an interruption
3 of activities attributable to SARS-CoV-2.

4 SEC. 243. Not later than seven days after the date
5 of enactment of this Act, and weekly thereafter until the
6 public health emergency related to COVID-19 is no longer
7 in effect, the Secretary of Health and Human Services
8 shall report to the Committees on Appropriations of the
9 House of Representatives and the Senate on the current
10 inventory of ventilators and personal protective equipment
11 in the Strategic National Stockpile, including the numbers
12 of face shields, gloves, goggles and glasses, gowns, head
13 covers, masks, and respirators, as well as deployment of
14 ventilators and personal protective equipment during the
15 previous week, reported by State and other jurisdiction:
16 *Provided*, That after the date that a report is required
17 to be submitted by the preceding proviso, amounts made
18 available for “Department of Health and Human Serv-
19 ices—Office of the Secretary—General Departmental
20 Management” in Public Law 116–94 for salaries and ex-
21 penses of the immediate Office of the Secretary shall be
22 reduced by \$250,000 for each day that such report has
23 not been submitted: *Provided further*, That not later than
24 the first Monday in February of fiscal year 2021 and each
25 fiscal year thereafter, the Secretary shall include in the

1 annual budget submission for the Department of Health
2 and Human Services, and submit to the Congress, a pro-
3 fessional judgment budget with respect to expenditures
4 necessary to maintain the minimum level of relevant sup-
5 plies in the Strategic National Stockpile, including in case
6 of a significant pandemic, in consultation with the working
7 group under section 319F(a) of the Public Health Service
8 Act and the Public Health Emergency Medical Counter-
9 measures Enterprise established under section 2811–1 of
10 such Act.

11 SEC. 244. None of the funds made available by this
12 Act may be used to implement, enforce, or otherwise give
13 effect to the final rule entitled “Protecting Statutory Con-
14 science Rights in Health Care; Delegations of Authority”
15 (84 Fed. Reg. 23170-23272, May 21, 2019).

16 SEC. 245. None of the funds made available by this
17 Act may be used to implement, enforce, or otherwise give
18 effect to the rule entitled “Nondiscrimination in Health
19 and Health Education Programs or Activities” published
20 in the Federal Register on June 19, 2020 (85 Fed. Reg.
21 37160 et seq.).

22 SEC. 246. None of the funds appropriated in this Act
23 or otherwise made available to the Department of Health
24 and Human Services shall be used to publish the proposed
25 regulation in the Budget of the United States Govern-

1 ment, Fiscal Year 2021 relating to the Medicaid Non-
2 emergency Medical Transportation benefit for Medicaid
3 beneficiaries.

4 SEC. 247. None of the funds made available in this
5 Act may be used to Act may be used to implement, en-
6 force, or otherwise give effect to the revision to section
7 447.10 of title 42, Code of Federal Regulations, contained
8 in the final rule entitled “Medicaid Program; Reassign-
9 ment of Medicaid Provider Claims” (84 Fed. Reg. 19718
10 (May 6, 2019)).

11 SEC. 248. (a) None of the funds made available by
12 this Act may be awarded to any organization, including
13 under the Federal Foster Care program under part E of
14 title IV of the Social Security Act, that does not comply
15 with paragraphs (c) and (d) of section 75.300 of title 45,
16 Code of Federal Regulations (prohibiting discrimination
17 on the basis of age, disability, sex, race, color, national
18 origin, religion, gender identity, or sexual orientation), as
19 in effect on October 1, 2019.

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

24 SEC. 249. None of the funds made available by this
25 Act or any other Act may be used to relocate any facility

1 providing call center operations for the Centers for Medi-
2 care & Medicaid Services unless the Comptroller General
3 has submitted to the Committees on Appropriations of the
4 House of Representatives and the Senate an evaluation
5 of relocation options, which shall include any impact on
6 wages and benefits for employees, contractors, or sub-
7 contractors in connection with call center operations.

8 This title may be cited as the “Department of Health
9 and Human Services Appropriations Act, 2021”.

10

TITLE III

11

DEPARTMENT OF EDUCATION

12

EDUCATION FOR THE DISADVANTAGED

13 For carrying out title I and subpart 2 of part B of
14 title II of the Elementary and Secondary Education Act
15 of 1965 (referred to in this Act as “ESEA”) and section
16 418A of the Higher Education Act of 1965 (referred to
17 in this Act as “HEA”), \$17,258,290,000, of which
18 \$6,336,990,000 shall become available on July 1, 2021,
19 and shall remain available through September 30, 2022,
20 and of which \$10,841,177,000 shall become available on
21 October 1, 2021, and shall remain available through Sep-
22 tember 30, 2022, for academic year 2021–2022: *Provided*,
23 That \$6,459,401,000 shall be for basic grants under sec-
24 tion 1124 of the ESEA: *Provided further*, That up to
25 \$5,000,000 of these funds shall be available to the Sec-

1 retary of Education (referred to in this title as “Sec-
2 retary”) on October 1, 2020, to obtain annually updated
3 local educational agency-level census poverty data from
4 the Bureau of the Census: *Provided further*, That
5 \$1,362,301,000 shall be for concentration grants under
6 section 1124A of the ESEA: *Provided further*, That
7 \$4,371,050,000 shall be for targeted grants under section
8 1125 of the ESEA: *Provided further*, That
9 \$4,371,050,000 shall be for education finance incentive
10 grants under section 1125A of the ESEA: *Provided fur-*
11 *ther*, That \$220,500,000 shall be for carrying out subpart
12 2 of part B of title II: *Provided further*, That \$46,623,000
13 shall be for carrying out section 418A of the HEA.

14 IMPACT AID

15 For carrying out programs of financial assistance to
16 federally affected schools authorized by title VII of the
17 ESEA, \$1,491,112,000, of which \$1,345,242,000 shall be
18 for basic support payments under section 7003(b),
19 \$48,316,000 shall be for payments for children with dis-
20 abilities under section 7003(d), \$17,406,000 shall be for
21 construction under section 7007(b), \$75,313,000 shall be
22 for Federal property payments under section 7002, and
23 \$4,835,000, to remain available until expended, shall be
24 for facilities maintenance under section 7008: *Provided*,
25 That for purposes of computing the amount of a payment

1 for an eligible local educational agency under section
2 7003(a) for school year 2020–2021, children enrolled in
3 a school of such agency that would otherwise be eligible
4 for payment under section 7003(a)(1)(B) of such Act, but
5 due to the deployment of both parents or legal guardians,
6 or a parent or legal guardian having sole custody of such
7 children, or due to the death of a military parent or legal
8 guardian while on active duty (so long as such children
9 reside on Federal property as described in section
10 7003(a)(1)(B)), are no longer eligible under such section,
11 shall be considered as eligible students under such section,
12 provided such students remain in average daily attendance
13 at a school in the same local educational agency they at-
14 tended prior to their change in eligibility status.

15 SCHOOL IMPROVEMENT PROGRAMS

16 For carrying out school improvement activities au-
17 thorized by part B of title I, part A of title II, subpart
18 1 of part A of title IV, part B of title IV, part B of title
19 V, and parts B and C of title VI of the ESEA; the McKin-
20 ney-Vento Homeless Assistance Act; section 203 of the
21 Educational Technical Assistance Act of 2002; the Com-
22 pact of Free Association Amendments Act of 2003; and
23 the Civil Rights Act of 1964, \$5,453,617,000, of which
24 \$3,623,052,000 shall become available on July 1, 2021,
25 and remain available through September 30, 2022, and

1 of which \$1,681,441,000 shall become available on Octo-
2 ber 1, 2021, and shall remain available through September
3 30, 2022, for academic year 2021–2022: *Provided*, That
4 \$378,000,000 shall be for part B of title I: *Provided fur-*
5 *ther*, That \$1,262,673,000 shall be for part B of title IV:
6 *Provided further*, That \$37,897,000 shall be for part B
7 of title VI, which may be used for construction, renova-
8 tion, and modernization of any public elementary school,
9 secondary school, or structure related to a public elemen-
10 tary school or secondary school that serves a predomi-
11 nantly Native Hawaiian student body, and that the 5 per-
12 cent limitation in section 6205(b) of the ESEA on the use
13 of funds for administrative purposes shall apply only to
14 direct administrative costs: *Provided further*, That
15 \$35,953,000 shall be for part C of title VI, which shall
16 be awarded on a competitive basis, and may be used for
17 construction, and that the 5 percent limitation in section
18 6305 of the ESEA on the use of funds for administrative
19 purposes shall apply only to direct administrative costs:
20 *Provided further*, That \$52,000,000 shall be available to
21 carry out section 203 of the Educational Technical Assist-
22 ance Act of 2002 and the Secretary shall make such ar-
23 rangements as determined to be necessary to ensure that
24 the Bureau of Indian Education has access to services pro-
25 vided under this section: *Provided further*, That

1 \$16,699,000 shall be available to carry out the Supple-
2 mental Education Grants program for the Federated
3 States of Micronesia and the Republic of the Marshall Is-
4 lands: *Provided further*, That the Secretary may reserve
5 up to 5 percent of the amount referred to in the previous
6 proviso to provide technical assistance in the implementa-
7 tion of these grants: *Provided further*, That \$186,840,000
8 shall be for part B of title V: *Provided further*, That
9 \$1,220,000,000 shall be available for grants under sub-
10 part 1 of part A of title IV.

11 INDIAN EDUCATION

12 For expenses necessary to carry out, to the extent
13 not otherwise provided, title VI, part A of the ESEA,
14 \$181,239,000, of which \$67,993,000 shall be for subpart
15 2 of part A of title VI and \$7,865,000 shall be for subpart
16 3 of part A of title VI: *Provided*, That the 5 percent limita-
17 tion in sections 6115(d), 6121(e), and 6133(g) of the
18 ESEA on the use of funds for administrative purposes
19 shall apply only to direct administrative costs.

20 INNOVATION AND IMPROVEMENT

21 For carrying out activities authorized by subparts 1,
22 3 and 4 of part B of title II, and parts C, D, and E and
23 subparts 1 and 4 of part F of title IV of the ESEA,
24 \$1,074,815,000: *Provided*, That \$285,815,000 shall be for
25 subparts 1, 3 and 4 of part B of title II and shall be made

1 available without regard to sections 2201, 2231(b) and
2 2241: *Provided further*, That \$594,000,000 shall be for
3 parts C, D, and E and subpart 4 of part F of title IV,
4 and shall be made available without regard to sections
5 4311, 4409(a), and 4601 of the ESEA: *Provided further*,
6 That notwithstanding section 4601(b), \$195,000,000 shall
7 be available through December 31, 2021 for subpart 1 of
8 part F of title IV, of which \$110,000,000 shall be for so-
9 cial and emotional learning grants, and \$85,000,000 shall
10 be used for science, technology, engineering, arts, and
11 mathematics, including computer science education
12 grants.

13 SAFE SCHOOLS AND CITIZENSHIP EDUCATION

14 For carrying out activities authorized by subparts 2
15 and 3 of part F of title IV of the ESEA, \$218,000,000:
16 *Provided*, That \$106,000,000 shall be available for section
17 4631, of which up to \$5,000,000, to remain available until
18 expended, shall be for the Project School Emergency Re-
19 sponse to Violence (Project SERV) program: *Provided fur-*
20 *ther*, That \$30,000,000 shall be available for section 4625:
21 *Provided further*, That \$82,000,000 shall be available
22 through December 31, 2021, for section 4624.

23 ENGLISH LANGUAGE ACQUISITION

24 For carrying out part A of title III of the ESEA,
25 \$797,400,000, which shall become available on July 1,

1 2021, and shall remain available through September 30,
2 2022, except that 6.5 percent of such amount shall be
3 available on October 1, 2020, and shall remain available
4 through September 30, 2022, to carry out activities under
5 section 3111(c)(1)(C).

6 SPECIAL EDUCATION

7 For carrying out the Individuals with Disabilities
8 Education Act (IDEA) and the Special Olympics Sport
9 and Empowerment Act of 2004, \$14,092,995,000, of
10 which \$4,553,979,000 shall become available on July 1,
11 2021, and shall remain available through September 30,
12 2022, and of which \$9,283,383,000 shall become available
13 on October 1, 2021, and shall remain available through
14 September 30, 2022, for academic year 2021–2022: *Pro-*
15 *vided*, That the amount for section 611(b)(2) of the IDEA
16 shall be equal to the lesser of the amount available for
17 that activity during fiscal year 2020, increased by the
18 amount of inflation as specified in section 619(d)(2)(B)
19 of the IDEA, or the percent change in the funds appro-
20 priated under section 611(i) of the IDEA, but not less
21 than the amount for that activity during fiscal year 2020:
22 *Provided further*, That the Secretary shall, without regard
23 to section 611(d) of the IDEA, distribute to all other
24 States (as that term is defined in section 611(g)(2)), sub-
25 ject to the third proviso, any amount by which a State's

1 allocation under section 611, from funds appropriated
2 under this heading, is reduced under section
3 612(a)(18)(B), according to the following: 85 percent on
4 the basis of the States' relative populations of children
5 aged 3 through 21 who are of the same age as children
6 with disabilities for whom the State ensures the avail-
7 ability of a free appropriate public education under this
8 part, and 15 percent to States on the basis of the States'
9 relative populations of those children who are living in pov-
10 erty: *Provided further*, That the Secretary may not dis-
11 tribute any funds under the previous proviso to any State
12 whose reduction in allocation from funds appropriated
13 under this heading made funds available for such a dis-
14 tribution: *Provided further*, That the States shall allocate
15 such funds distributed under the second proviso to local
16 educational agencies in accordance with section 611(f):
17 *Provided further*, That the amount by which a State's allo-
18 cation under section 611(d) of the IDEA is reduced under
19 section 612(a)(18)(B) and the amounts distributed to
20 States under the previous provisos in fiscal year 2012 or
21 any subsequent year shall not be considered in calculating
22 the awards under section 611(d) for fiscal year 2013 or
23 for any subsequent fiscal years: *Provided further*, That,
24 notwithstanding the provision in section 612(a)(18)(B) re-
25 garding the fiscal year in which a State's allocation under

1 section 611(d) is reduced for failure to comply with the
2 requirement of section 612(a)(18)(A), the Secretary may
3 apply the reduction specified in section 612(a)(18)(B) over
4 a period of consecutive fiscal years, not to exceed five,
5 until the entire reduction is applied: *Provided further*,
6 That the Secretary may, in any fiscal year in which a
7 State's allocation under section 611 is reduced in accord-
8 ance with section 612(a)(18)(B), reduce the amount a
9 State may reserve under section 611(e)(1) by an amount
10 that bears the same relation to the maximum amount de-
11 scribed in that paragraph as the reduction under section
12 612(a)(18)(B) bears to the total allocation the State
13 would have received in that fiscal year under section
14 611(d) in the absence of the reduction: *Provided further*,
15 That the Secretary shall either reduce the allocation of
16 funds under section 611 for any fiscal year following the
17 fiscal year for which the State fails to comply with the
18 requirement of section 612(a)(18)(A) as authorized by
19 section 612(a)(18)(B), or seek to recover funds under sec-
20 tion 452 of the General Education Provisions Act (20
21 U.S.C. 1234a): *Provided further*, That the funds reserved
22 under 611(c) of the IDEA may be used to provide tech-
23 nical assistance to States to improve the capacity of the
24 States to meet the data collection requirements of sections
25 616 and 618 and to administer and carry out other serv-

1 ices and activities to improve data collection, coordination,
2 quality, and use under parts B and C of the IDEA: *Pro-*
3 *vided further*, That the Secretary may use funds made
4 available for the State Personnel Development Grants pro-
5 gram under part D, subpart 1 of IDEA to evaluate pro-
6 gram performance under such subpart: *Provided further*,
7 That States may use funds reserved for other State-level
8 activities under sections 611(e)(2) and 619(f) of the IDEA
9 to make subgrants to local educational agencies, institu-
10 tions of higher education, other public agencies, and pri-
11 vate non-profit organizations to carry out activities au-
12 thorized by those sections: *Provided further*, That, not-
13 withstanding section 643(e)(2)(A) of the IDEA, if 5 or
14 fewer States apply for grants pursuant to section 643(e)
15 of such Act, the Secretary shall provide a grant to each
16 State in an amount equal to the maximum amount de-
17 scribed in section 643(e)(2)(B) of such Act: *Provided fur-*
18 *ther*, That if more than 5 States apply for grants pursuant
19 to section 643(e) of the IDEA, the Secretary shall award
20 funds to those States on the basis of the States' relative
21 populations of infants and toddlers except that no such
22 State shall receive a grant in excess of the amount de-
23 scribed in section 643(e)(2)(B) of such Act: *Provided fur-*
24 *ther*, That States may use funds received under part C
25 of the IDEA to make subgrants to local educational agen-

1 cies, institutions of higher education, other public agencies
2 and private nonprofit organizations to carry out activities
3 authorized by such part.

4 REHABILITATION SERVICES

5 For carrying out, to the extent not otherwise pro-
6 vided, the Rehabilitation Act of 1973, the Helen Keller
7 National Center Act, and the Randolph-Sheppard Act,
8 \$3,827,500,000, of which \$3,667,801,000 shall be for
9 grants for vocational rehabilitation services under title I
10 of the Rehabilitation Act: *Provided*, That the Secretary
11 may use amounts provided in this Act that remain avail-
12 able subsequent to the reallocation of funds to States pur-
13 suant to section 110(b) of the Rehabilitation Act for inno-
14 vative activities aimed at improving the outcomes of indi-
15 viduals with disabilities as defined in section 7(20)(B) of
16 the Rehabilitation Act, including activities aimed at im-
17 proving the education and post-school outcomes of chil-
18 dren receiving Supplemental Security Income (“SSI”) and
19 their families that may result in long-term improvement
20 in the SSI child recipient’s economic status and self-suffi-
21 ciency: *Provided further*, That States may award sub-
22 grants for a portion of the funds to other public and pri-
23 vate, nonprofit entities: *Provided further*, That any funds
24 made available subsequent to reallocation for innovative
25 activities aimed at improving the outcomes of individuals

1 with disabilities shall remain available until September 30,
2 2022: *Provided further*, That \$20,000,000 of these funds
3 shall be available to the Secretary for one-time emergency
4 relief and restoration grants consistent with the purposes
5 of the Randolph-Sheppard Act as authorized under 20
6 U.S.C. 107f: *Provided further*, That the Secretary shall
7 use such funds to make grants to each State licensing
8 agency in the same proportion as the number of blind ven-
9 dors in such State as compared to the number of blind
10 vendors operating a vending facility in such State as com-
11 pared to the number of blind vendors operating a vending
12 facility in all the States on September 30, 2019: *Provided*
13 *further*, That the State licensing agency shall use these
14 grants to make financial relief and restoration payments
15 to offset losses of blind vendors resulting from the
16 COVID-19 emergency, but only to the extent that such
17 losses are not otherwise compensated: *Provided further*,
18 That any funds in excess of the amount needed for relief
19 and restoration payments to blind vendors shall be used
20 by the State licensing agency for other purposes author-
21 ized by section 395.9 of title 34, Code of Federal Regula-
22 tions, as in effect on the date of enactment of this Act,
23 and determined through active participation with the
24 State committee of blind vendors as required.

1 SPECIAL INSTITUTIONS FOR PERSONS WITH
2 DISABILITIES

3 AMERICAN PRINTING HOUSE FOR THE BLIND

4 For carrying out the Act to Promote the Education
5 of the Blind of March 3, 1879, \$32,931,000.

6 NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

7 For the National Technical Institute for the Deaf
8 under titles I and II of the Education of the Deaf Act
9 of 1986, \$81,000,000: *Provided*, That from the total
10 amount available, the Institute may at its discretion use
11 funds for the endowment program as authorized under
12 section 207 of such Act.

13 GALLAUDET UNIVERSITY

14 For the Kendall Demonstration Elementary School,
15 the Model Secondary School for the Deaf, and the partial
16 support of Gallaudet University under titles I and II of
17 the Education of the Deaf Act of 1986, \$139,861,000:
18 *Provided*, That from the total amount available, the Uni-
19 versity may at its discretion use funds for the endowment
20 program as authorized under section 207 of such Act.

21 CAREER, TECHNICAL, AND ADULT EDUCATION

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

1 \$1,985,686,000, of which \$1,194,686,000 shall become
2 available on July 1, 2021, and shall remain available
3 through September 30, 2022, and of which \$791,000,000
4 shall become available on October 1, 2021, and shall re-
5 main available through September 30, 2022: *Provided*,
6 That of the amounts made available for AEFILA,
7 \$13,712,000 shall be for national leadership activities
8 under section 242.

9 STUDENT FINANCIAL ASSISTANCE

10 For carrying out subparts 1, 3, and 10 of part A,
11 and part C of title IV of the HEA, \$24,565,352,000 which
12 shall remain available through September 30, 2022.

13 The maximum Pell Grant for which a student shall
14 be eligible during award year 2021–2022 shall be \$5,435.

15 STUDENT AID ADMINISTRATION

16 For Federal administrative expenses to carry out part
17 D of title I, and subparts 1, 3, 9, and 10 of part A, and
18 parts B, C, D, and E of title IV of the HEA, and subpart
19 1 of part A of title VII of the Public Health Service Act,
20 \$1,768,943,000, to remain available through September
21 30, 2022: *Provided*, That the Secretary shall allocate new
22 student loan borrower accounts to eligible student loan
23 servicers on the basis of their past performance compared
24 to all loan servicers utilizing established common metrics,
25 and on the basis of the capacity of each servicer to process

1 new and existing accounts and compliance with Federal
2 and State law: *Provided further*, That for student loan
3 contracts awarded prior to October 1, 2017, the Secretary
4 shall allow student loan borrowers who are consolidating
5 Federal student loans to select from any student loan
6 servicer to service their new consolidated student loan:
7 *Provided further*, That in order to promote accountability
8 and high-quality service to borrowers, the Secretary shall
9 not award funding for any contract solicitation for a new
10 Federal student loan servicing environment, including the
11 solicitation for the Federal Student Aid (FSA) Next Gen-
12 eration Processing and Servicing Environment, unless
13 such an environment provides for the participation of mul-
14 tiple student loan servicers that contract directly with the
15 Department of Education: *Provided further*, That the FSA
16 Next Generation Processing and Servicing Environment,
17 or any new Federal student loan servicing environment,
18 shall include accountability measures that account for the
19 performance of the portfolio and contractor compliance
20 with FSA guidelines: *Provided further*, That the Depart-
21 ment shall re-allocate accounts from servicers for recur-
22 ring non-compliance with FSA guidelines, contractual re-
23 quirements, and Federal and State law, including for fail-
24 ure to sufficiently inform borrowers of available repayment
25 options: *Provided further*, That such servicers shall be

1 evaluated based on their ability to meet contract require-
2 ments (including an understanding of Federal and State
3 law), future performance on the contracts, and history of
4 compliance with applicable consumer protections laws, in-
5 cluding Federal and State law: *Provided further*, That to
6 the extent FSA permits student loan servicing subcon-
7 tracting, FSA shall hold prime contractors accountable for
8 meeting the requirements of the contract, and the per-
9 formance and expectations of subcontractors shall be ac-
10 counted for in the prime contract and in the overall per-
11 formance of the prime contractor: *Provided further*, That
12 FSA shall ensure that the Next Generation Processing
13 and Servicing Environment, or any new Federal loan serv-
14 icing environment, incentivize more support to borrowers
15 at risk of delinquency or default: *Provided further*, That
16 FSA shall ensure that in such environment contractors
17 have the capacity to meet and are held accountable for
18 performance on service levels; are held accountable for and
19 have a history of compliance with applicable consumer pro-
20 tection laws, including Federal and State law; and have
21 relevant experience and demonstrated effectiveness: *Pro-
22 vided further*, That the Secretary shall not delay, prevent,
23 or otherwise obstruct, directly or indirectly, State over-
24 sight of the Department's contractors conducting business
25 in such State, including loan servicers: *Provided further*,

1 That the Secretary shall provide quarterly briefings to the
2 Committees on Appropriations and Education and Labor
3 of the House of Representatives and the Committees on
4 Appropriations and Health, Education, Labor, and Pen-
5 sions of the Senate on general progress related to solicita-
6 tions for Federal student loan servicing contracts: *Pro-*
7 *vided further*, That FSA shall strengthen transparency
8 through expanded publication of aggregate data on stu-
9 dent loan and servicer performance: *Provided further*,
10 That FSA shall provide a detailed strategic plan for Next
11 Gen to the Committees on Appropriations of the House
12 of Representatives and the Senate within 60 days of enact-
13 ment of this Act, accounting for the cost of all activities
14 associated with the full implementation of Next Gen, in-
15 cluding transition costs, the amount of funding that has
16 been used from Student Aid Administration in each of the
17 previous three fiscal years on Next Gen, including an ex-
18 planation of each cost and activity, details about contracts
19 awarded, including any change request issued prior to en-
20 actment: *Provided further*, That not later than 30 days
21 after enactment of this Act, FSA shall provide to the Com-
22 mittees on Appropriations of the House of Representatives
23 and the Senate a detailed spend plan of anticipated uses
24 made available in this account for fiscal year 2021, includ-
25 ing the following: contracts awarded, change requests, bo-

1 nuses paid to staff, reorganization costs, and any other
2 activity supported by this appropriation.

3 HIGHER EDUCATION

4 For carrying out, to the extent not otherwise pro-
5 vided, titles II, III, IV, V, VI, VII, and VIII of the HEA,
6 the Mutual Educational and Cultural Exchange Act of
7 1961, and section 117 of the Perkins Act,
8 \$2,556,815,000, of which \$31,000,000 shall remain avail-
9 able through December 31, 2021: *Provided*, That notwith-
10 standing any other provision of law, funds made available
11 in this Act to carry out title VI of the HEA and section
12 102(b)(6) of the Mutual Educational and Cultural Ex-
13 change Act of 1961 may be used to support visits and
14 study in foreign countries by individuals who are partici-
15 pating in advanced foreign language training and inter-
16 national studies in areas that are vital to United States
17 national security and who plan to apply their language
18 skills and knowledge of these countries in the fields of gov-
19 ernment, the professions, or international development:
20 *Provided further*, That of the funds referred to in the pre-
21 ceding proviso up to 1 percent may be used for program
22 evaluation, national outreach, and information dissemina-
23 tion activities: *Provided further*, That up to 1.5 percent
24 of the funds made available under chapter 2 of subpart
25 2 of part A of title IV of the HEA may be used for evalua-

1 tion: *Provided further*, That section 313(d) of the HEA
2 shall not apply to an institution of higher education that
3 is eligible to receive funding under section 318 of the
4 HEA.

5 HOWARD UNIVERSITY

6 For partial support of Howard University,
7 \$254,018,000, of which not less than \$3,405,000 shall be
8 for a matching endowment grant pursuant to the Howard
9 University Endowment Act and shall remain available
10 until expended.

11 COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS
12 PROGRAM

13 For Federal administrative expenses to carry out ac-
14 tivities related to existing facility loans pursuant to section
15 121 of the HEA, \$435,000.

16 HISTORICALLY BLACK COLLEGE AND UNIVERSITY
17 CAPITAL FINANCING PROGRAM ACCOUNT

18 For the cost of guaranteed loans, \$22,150,000, as au-
19 thorized pursuant to part D of title III of the HEA, which
20 shall remain available through September 30, 2022: *Pro-*
21 *vided*, That such costs, including the cost of modifying
22 such loans, shall be as defined in section 502 of the Con-
23 gressional Budget Act of 1974: *Provided further*, That
24 these funds are available to subsidize total loan principal,
25 any part of which is to be guaranteed, not to exceed

1 \$278,266,000: *Provided further*, That these funds may be
2 used to support loans to public and private Historically
3 Black Colleges and Universities without regard to the limi-
4 tations within section 344(a) of the HEA.

5 In addition, \$16,000,000 shall be made available to
6 provide for the deferment of loans made under part D of
7 title III of the HEA to eligible institutions that are private
8 Historically Black Colleges and Universities, which apply
9 for the deferment of such a loan and demonstrate financial
10 need for such deferment by having a score of 2.6 or less
11 on the Department of Education's financial responsibility
12 test: *Provided*, That the loan has not been paid in full and
13 is not paid in full during the period of deferment: *Provided*
14 *further*, That during the period of deferment of such a
15 loan, interest on the loan will not accrue or be capitalized,
16 and the period of deferment shall be for at least a period
17 of 3-fiscal years and not more than 6-fiscal years: *Pro-*
18 *vided further*, That funds available under this paragraph
19 shall be used to fund eligible deferment requests submitted
20 for this purpose in fiscal year 2018: *Provided further*, That
21 the Secretary shall create and execute an outreach plan
22 to work with States and the Capital Financing Advisory
23 Board to improve outreach to States and help additional
24 public Historically Black Colleges and Universities partici-
25 pate in the program.

1 In addition, \$10,000,000 shall be made available to
2 provide for the deferment of loans made under part D of
3 title III of the HEA to eligible institutions that are public
4 Historically Black Colleges and Universities, which apply
5 for the deferment of such a loan and demonstrate financial
6 need for such deferment, which shall be determined by the
7 Secretary of Education based on factors including, but not
8 limited to, equal to or greater than 5 percent of the
9 school's operating revenue relative to its annual debt serv-
10 ice payment: *Provided*, That during the period of
11 deferment of such a loan, interest on the loan will not ac-
12 crue or be capitalized, and the period of deferment shall
13 be for at least a period of 3-fiscal years and not more
14 than 6-fiscal years.

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

19 INSTITUTE OF EDUCATION SCIENCES

20 For carrying out activities authorized by the Edu-
21 cation Sciences Reform Act of 2002, the National Assess-
22 ment of Educational Progress Authorization Act, section
23 208 of the Educational Technical Assistance Act of 2002,
24 and section 664 of the Individuals with Disabilities Edu-
25 cation Act, \$630,462,000, which shall remain available

1 through September 30, 2022: *Provided*, That funds avail-
2 able to carry out section 208 of the Educational Technical
3 Assistance Act may be used to link Statewide elementary
4 and secondary data systems with early childhood, postsec-
5 ondary, and workforce data systems, or to further develop
6 such systems: *Provided further*, That up to \$6,000,000 of
7 the funds available to carry out section 208 of the Edu-
8 cational Technical Assistance Act may be used for awards
9 to public or private organizations or agencies to support
10 activities to improve data coordination, quality, and use
11 at the local, State, and national levels.

12 DEPARTMENTAL MANAGEMENT

13 PROGRAM ADMINISTRATION

14 For carrying out, to the extent not otherwise pro-
15 vided, the Department of Education Organization Act, in-
16 cluding rental of conference rooms in the District of Co-
17 lumbia and hire of three passenger motor vehicles,
18 \$430,000,000: *Provided*, That, notwithstanding any other
19 provision of law, none of the funds provided by this Act
20 or provided by previous Appropriations Acts to the De-
21 partment of Education available for obligation or expendi-
22 ture in the current fiscal year may be used for any activity
23 relating to implementing a reorganization that decentral-
24 izes, reduces the staffing level, or alters the responsibil-
25 ities, structure, authority, or functionality of the Budget

1 Service of the Department of Education, relative to the
2 organization and operation of the Budget Service as in
3 effect on January 1, 2018.

4 OFFICE FOR CIVIL RIGHTS

5 For expenses necessary for the Office for Civil
6 Rights, as authorized by section 203 of the Department
7 of Education Organization Act, \$132,000,000.

8 OFFICE OF INSPECTOR GENERAL

9 For expenses necessary for the Office of Inspector
10 General, as authorized by section 212 of the Department
11 of Education Organization Act, \$64,000,000, of which
12 \$2,000,000 shall remain available until expended.

13 GENERAL PROVISIONS

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

17 (TRANSFER OF FUNDS)

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

1 emergency needs and shall not be used to create any new
2 program or to fund any project or activity for which no
3 funds are provided in this Act: *Provided further*, That the
4 Committees on Appropriations of the House of Represent-
5 atives and the Senate are notified at least 15 days in ad-
6 vance of any transfer.

7 SEC. 303. Funds appropriated in this Act and con-
8 solidated for evaluation purposes under section 8601(c) of
9 the ESEA shall be available from July 1, 2021, through
10 September 30, 2022.

11 SEC. 304. (a) An institution of higher education that
12 maintains an endowment fund supported with funds ap-
13 propriated for title III or V of the HEA for fiscal year
14 2021 may use the income from that fund to award schol-
15 arships to students, subject to the limitation in section
16 331(c)(3)(B)(i) of the HEA. The use of such income for
17 such purposes, prior to the enactment of this Act, shall
18 be considered to have been an allowable use of that in-
19 come, subject to that limitation.

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

22 SEC. 305. Section 114(f) of the HEA (20 U.S.C.
23 1011c(f)) is amended by striking “2020” and inserting
24 “2021”.

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

16 SEC. 310. None of the funds made available by this
17 Act may be used in contravention of section 203 of the
18 Department of Education Organization Act (20 U.S.C.
19 3413).

20 SEC. 311. For an additional amount for “Department
21 of Education—Federal Direct Student Loan Program Ac-
22 count”, \$50,000,000, to remain available until expended,
23 shall be for the cost, as defined under section 502 of the
24 Congressional Budget Act of 1974, of the Secretary of
25 Education providing loan cancellation in the same manner

1 as under section 455(m) of the Higher Education Act of
2 1965 (20 U.S.C. 1087e(m)), for borrowers of loans made
3 under part D of title IV of such Act who would qualify
4 for loan cancellation under section 455(m) except some,
5 or all, of the 120 required payments under section
6 455(m)(1)(A) do not qualify for purposes of the program
7 because they were monthly payments made in accordance
8 with graduated or extended repayment plans as described
9 under subparagraph (B) or (C) of section 455(d)(1) or
10 the corresponding repayment plan for a consolidation loan
11 made under section 455(g) and that were less than the
12 amount calculated under section 455(d)(1)(A), based on
13 a 10-year repayment period: *Provided*, That the monthly
14 payment made 12 months before the borrower applied for
15 loan cancellation as described in the matter preceding this
16 proviso and the most recent monthly payment made by
17 the borrower at the time of such application were each
18 not less than the monthly amount that would be calculated
19 under, and for which the borrower would otherwise qualify
20 for, clause (i) or (iv) of section 455(m)(1)(A) regarding
21 income-based or income-contingent repayment plans, with
22 exception for a borrower who would have otherwise been
23 eligible under this section but demonstrates an unusual
24 fluctuation of income over the past 5 years: *Provided fur-*
25 *ther*, That the total loan volume, including outstanding

1 principal, fees, capitalized interest, or accrued interest, at
2 application that is eligible for such loan cancellation by
3 such borrowers shall not exceed \$75,000,000: *Provided*
4 *further*, That the Secretary shall develop and make avail-
5 able a simple method for borrowers to apply for loan can-
6 cellation under this section within 60 days of enactment
7 of this Act: *Provided further*, That the Secretary shall pro-
8 vide loan cancellation under this section to eligible bor-
9 rowers on a first-come, first-serve basis, based on the date
10 of application and subject to both the limitation on total
11 loan volume at application for such loan cancellation speci-
12 fied in the second proviso and the availability of appropria-
13 tions under this section: *Provided further*, That no bor-
14 rower may, for the same service, receive a reduction of
15 loan obligations under both this section and section 428J,
16 428K, 428L, or 460 of such Act.

17 SEC. 312. (a) The General Education Provisions Act
18 (20 U.S.C. 1221 et seq.) is amended by striking section
19 426.

20 (b) Paragraph (9) of section 4407(a) of the Elemen-
21 tary and Secondary Education Act of 1965 (20 U.S.C.
22 7231f(a)) is amended by striking "notwithstanding section
23 426 of the General Education Provisions Act (20 U.S.C.
24 1228),".

1 SEC. 313. (a) Section 487(d) of the Higher Edu-
2 cation Act of 1965 (20 U.S.C. 1094(d)) is amended—

3 (1) in paragraph (1)(C), in the matter pre-
4 ceding clause (i), by striking “any funds for a pro-
5 gram under this title” and inserting “any Federal
6 education assistance funds”; and

7 (2) in paragraph (4)(A), by striking “sources
8 under this title” and inserting “Federal education
9 assistance funds”.

10 (b) Section 102(b) of the HEA is amended—

11 (1) in paragraph (1)—

12 (A) in subparagraph (D), by striking
13 “and” after the semicolon;

14 (B) in subparagraph (E), by striking the
15 period at the end and inserting “; and”; and

16 (C) by adding at the end the following:

17 “(F) meets the requirements of paragraph
18 (3),”; and

19 (2) by adding at the end the following:

20 “(3) REVENUE SOURCES.— In order to qualify
21 as a proprietary institution of higher education
22 under this subsection, an institution shall derive not
23 less than 15 percent of the institution’s revenues
24 from sources other than Federal education assist-

1 ance funds, as calculated in accordance with para-
2 graph (4).”.

3 (c) Paragraph (1) of section 487(d) of the HEA (as
4 amended by subsection (a)) is—

5 (1) transferred to section 102(b) of such Act;

6 (2) inserted so as to appear after paragraph (3)
7 of such section 102(b) (as added by subsection (b));

8 (3) redesignated as paragraph (4) of such sec-
9 tion 102(b); and

10 (4) further amended by striking “subsection
11 (a)(24)” and inserting “paragraph (3)”.

12 (d) Paragraph (3) of section 487(d) of the HEA is—

13 (1) transferred to section 102(b) of such Act;

14 (2) inserted so as to appear after paragraph (4)
15 of such section 102(b) (as added by subsection (c));

16 (3) redesignated as paragraph (5) of such sec-
17 tion 102(b); and

18 (4) further amended by striking “subsection
19 (a)(24)” and inserting “paragraph (3)”.

20 (e) Paragraph (4) of section 487(d) of the HEA (as
21 amended by subsection (a)) is—

22 (1) transferred to section 102(b) of such Act;

23 (2) inserted so as to appear after paragraph (5)
24 of such section 102(b) (as added by subsection (d));

1 (3) redesignated as paragraph (6) of such sec-
2 tion 102(b); and

3 (4) further amended by striking “subsection
4 (a)(24)” and inserting “paragraph (3)”.

5 (f) Section 103 of the HEA (20 U.S.C. 1003) is
6 amended by adding at the end the following:

7 “(25) FEDERAL EDUCATION ASSISTANCE
8 FUNDS.— The term ‘Federal education assistance
9 funds’—

10 “(A) except as provided in subparagraph
11 (B), means any Federal funds provided, under
12 this Act or any other Federal law, through a
13 grant, contract, subsidy, loan, or guarantee, or
14 through insurance or other means (including
15 Federal funds disbursed or delivered to an insti-
16 tution or on behalf of a student or to a student
17 to be used to attend the institution); and

18 “(B) does not include any monthly housing
19 stipend provided under the Post-9/11 Edu-
20 cational Assistance Program under chapter 33
21 of title 38, United States Code.”.

22 (g) Subsection (a)(24), the subsection designation
23 and heading of subsection (d), and subsection (d)(2) of
24 section 487 the Higher Education Act of 1965 (20 U.S.C.
25 1094) are repealed.

1 SEC. 314. (a) None of the funds appropriated by this
2 title may be used to—

3 (1) implement, enforce, or otherwise give effect
4 to the final rule entitled, “Nondiscrimination on the
5 Basis of Sex in Education Programs or Activities
6 Receiving Federal Financial Assistance” as pub-
7 lished in the Federal Register on May 19, 2020 (85
8 Fed. Reg. 30,026); or

9 (2) propose or issue any rule or guidance that
10 is in substantially the same form or substantially the
11 same as any of such proposed amendments.

12 (b) Nothing in this section shall prevent the Secretary
13 of Education or the Office for Civil Rights of the Depart-
14 ment of Education from enforcing the protection provided
15 by title IX of the Education Amendments of 1972 against
16 sexual harassment in accordance with the standards set
17 out in the guidance, entitled “Revised Sexual Harassment
18 Guidance: Harassment of Students by School Employees,
19 Other Students, or Third Parties” as published in the
20 Federal Register on January 19, 2001 (66 Fed. Reg.
21 5,512).

22 SEC. 315. (a) Notwithstanding section 401(b)(6) of
23 the HEA, a Federal Pell Grant under section 401 of the
24 HEA may be awarded to an incarcerated individual (or
25 on behalf of such individual) for each academic year dur-

1 ing which that individual is enrolled at an eligible institu-
2 tion that meets the criteria described in subsection (b).

3 (b) The criteria described in this subsection are as
4 follows:

5 (1) The eligible institution—

6 (A) is an institution of higher education (as de-
7 fined in section 101 of the HEA) or a postsecondary
8 vocational institution (as defined in section 102(c) of
9 the HEA); and

10 (B) during the preceding five years, has not
11 been subject to the denial, withdrawal, suspension,
12 or termination of accreditation.

13 (2) Such institution provides each incarcerated indi-
14 vidual, upon completion of a course offered by the institu-
15 tion, with academic credits that are the equivalent to cred-
16 its earned by non-incarcerated students for an equivalent
17 course of study.

18 (3) Such institution provides to the Secretary con-
19 firmation from each facility involved that the course of
20 study offered by the institution at such facility is acces-
21 sible to incarcerated individuals (including such individ-
22 uals who are individuals with disabilities).

23 (4) Such institution does not (directly or indirectly)
24 charge an incarcerated individual for an award year, an

1 amount that exceeds the total grant aid received by the
2 individual for such award year.

3 (5) Such institution makes available to incarcerated
4 individuals who are considering enrolling in a course of
5 study offered by the institution, in simple and understand-
6 able terms, the following:

7 (A) Information with respect to each course of
8 study at the institution for which such an individual
9 may receive a Federal Pell Grant, including—

10 (i) the cost of attendance (as defined in
11 section 472 of the HEA);

12 (ii) the mode of instruction (such as dis-
13 tance education, in-person instruction, or a
14 combination of such modes);

15 (iii) how enrollment in such course of
16 study will impact the period of eligibility for
17 Federal Pell Grants for such an individual, in-
18 cluding in a case in which the individual is
19 transferred to another facility or released before
20 the completion of such course;

21 (iv) the transferability of credits earned,
22 and the acceptability of such credits toward a
23 certificate or degree program offered by the in-
24 stitution;

1 (v) the process for continuing postsec-
2 ondary education—

3 (I) upon transfer to another facility;

4 or

5 (II) after the student's period of in-
6 carceration or confinement; and

7 (vi) the process for continuing enrollment
8 at the institution after the student's period of
9 incarceration or confinement, including any bar-
10 riers to admission (such as criminal history
11 questions on applications for admission to such
12 institution).

13 (B) In the case of an institution that offers a
14 program to prepare incarcerated individuals for
15 gainful employment in a recognized occupation (as
16 such term is used in sections 101(b)(1),
17 102(c)(1)(A), and 481(b)(1)(A)(i) of the HEA)—

18 (i) information on any applicable State li-
19 censure and certification requirements, includ-
20 ing the requirements of the State in which the
21 facility involved is located and each State in
22 which such individuals permanently reside; and

23 (ii) restrictions related to the employment
24 of formerly incarcerated individuals for each
25 recognized occupation for which the course of

1 study prepares students, including such restric-
2 tions—

3 (I) in Federal law; and

4 (II) in the laws of the State in which
5 the facility involved is located and each
6 State in which such individuals perma-
7 nently reside.

8 (c) In this section:

9 (1) The term “facility” means—

10 (A) a place used for the confinement of in-
11 dividuals convicted of a criminal offense that is
12 owned by, or under contract to, the Bureau of
13 Prisons, a State, or a unit of local government:
14 or

15 (B) a facility to which an individual sub-
16 ject to involuntary civil confinement is com-
17 mitted.

18 (2) The term “facility involved” means, when
19 used with respect to an institution of higher edu-
20 cation, a facility at which a course of study of the
21 institution is offered to incarcerated individuals.

22 (3) The term “incarcerated individual” means
23 an individual who is incarcerated in a facility or who
24 is subject to an involuntary civil commitment.

1 (4) The term “non-incarcerated student” means
2 a student at an institution of higher education who
3 is not an incarcerated individual.

4 (d) This section shall be in effect until titles I, II,
5 III, IV and V of the HEA are reauthorized.

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

11 SEC. 317. The Secretary shall require any informa-
12 tion required to be publicly disclosed for the purpose of
13 comparing institutions of higher education, programs and
14 credentials (including their competencies), to be published
15 using an open source description schema that is designed
16 to allow for public search and comparison through linked
17 open data, such as the credential transparency description
18 language specifications or substantially similar approach.

19 This title may be cited as the “Department of Edu-
20 cation Appropriations Act, 2021”.

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

6 For expenses necessary for the Committee for Pur-
7 chase From People Who Are Blind or Severely Disabled
8 (referred to in this title as “the Committee”) established
9 under section 8502 of title 41, United States Code,
10 \$10,000,000: *Provided*, That in order to authorize any
11 central nonprofit agency designated pursuant to section
12 8503(c) of title 41, United States Code, to perform re-
13 quirements of the Committee as prescribed under section
14 51–3.2 of title 41, Code of Federal Regulations, the Com-
15 mittee shall enter into a written agreement with any such
16 central nonprofit agency: *Provided further*, That such
17 agreement shall contain such auditing, oversight, and re-
18 porting provisions as necessary to implement chapter 85
19 of title 41, United States Code: *Provided further*, That
20 such agreement shall include the elements listed under the
21 heading “Committee For Purchase From People Who Are
22 Blind or Severely Disabled—Written Agreement Ele-
23 ments” in the explanatory statement described in section
24 4 of Public Law 114–113 (in the matter preceding division
25 A of that consolidated Act): *Provided further*, That any

1 such central nonprofit agency may not charge a fee under
2 section 51–3.5 of title 41, Code of Federal Regulations,
3 prior to executing a written agreement with the Com-
4 mittee: *Provided further*, That no less than \$1,650,000
5 shall be available for the Office of Inspector General.

6 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE
7 OPERATING EXPENSES

8 For necessary expenses for the Corporation for Na-
9 tional and Community Service (referred to in this title as
10 “CNCS”) to carry out the Domestic Volunteer Service Act
11 of 1973 (referred to in this title as “1973 Act”) and the
12 National and Community Service Act of 1990 (referred
13 to in this title as “1990 Act”), \$848,529,000, notwith-
14 standing sections 198B(b)(3), 198S(g), 501(a)(4)(C), and
15 501(a)(4)(F) of the 1990 Act: *Provided*, That of the
16 amounts provided under this heading: (1) up to 1 percent
17 of program grant funds may be used to defray the costs
18 of conducting grant application reviews, including the use
19 of outside peer reviewers and electronic management of
20 the grants cycle; (2) \$19,538,000 shall be available to pro-
21 vide assistance to State commissions on national and com-
22 munity service, under section 126(a) of the 1990 Act and
23 notwithstanding section 501(a)(5)(B) of the 1990 Act; (3)
24 \$34,500,000 shall be available to carry out subtitle E of
25 the 1990 Act; and (4) \$6,400,000 shall be available for

1 expenses authorized under section 501(a)(4)(F) of the
2 1990 Act, which, notwithstanding the provisions of section
3 198P shall be awarded by CNCS on a competitive basis:
4 *Provided further*, That for the purposes of carrying out
5 the 1990 Act, satisfying the requirements in section
6 122(c)(1)(D) may include a determination of need by the
7 local community.

8 PAYMENT TO THE NATIONAL SERVICE TRUST
9 (INCLUDING TRANSFER OF FUNDS)

10 For payment to the National Service Trust estab-
11 lished under subtitle D of title I of the 1990 Act,
12 \$212,342,000, to remain available until expended: *Pro-*
13 *vided*, That CNCS may transfer additional funds from the
14 amount provided within “Operating Expenses” allocated
15 to grants under subtitle C of title I of the 1990 Act to
16 the National Service Trust upon determination that such
17 transfer is necessary to support the activities of national
18 service participants and after notice is transmitted to the
19 Committees on Appropriations of the House of Represent-
20 atives and the Senate: *Provided further*, That amounts ap-
21 propriated for or transferred to the National Service Trust
22 may be invested under section 145(b) of the 1990 Act
23 without regard to the requirement to apportion funds
24 under 31 U.S.C. 1513(b).

1 SALARIES AND EXPENSES

2 For necessary expenses of administration as provided
3 under section 501(a)(5) of the 1990 Act and under section
4 504(a) of the 1973 Act, including payment of salaries, au-
5 thorized travel, hire of passenger motor vehicles, the rental
6 of conference rooms in the District of Columbia, the em-
7 ployment of experts and consultants authorized under 5
8 U.S.C. 3109, and not to exceed \$2,500 for official recep-
9 tion and representation expenses, \$86,737,000.

10 OFFICE OF INSPECTOR GENERAL

11 For necessary expenses of the Office of Inspector
12 General in carrying out the Inspector General Act of 1978,
13 \$6,750,000.

14 ADMINISTRATIVE PROVISIONS

15 SEC. 401. CNCS shall make any significant changes
16 to program requirements, service delivery or policy only
17 through public notice and comment rulemaking. For fiscal
18 year 2021, during any grant selection process, an officer
19 or employee of CNCS shall not knowingly disclose any cov-
20 ered grant selection information regarding such selection,
21 directly or indirectly, to any person other than an officer
22 or employee of CNCS that is authorized by CNCS to re-
23 ceive such information.

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

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

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

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

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

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

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

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

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

11 SEC. 406. Notwithstanding sections 139(b), 146 and
12 147 of the 1990 Act, an individual who successfully com-
13 pletes a term of service of not less than 1,200 hours dur-
14 ing a period of not more than one year may receive a na-
15 tional service education award having a value of 70 per-
16 cent of the value of a national service education award
17 determined under section 147(a) of the Act.

18 CORPORATION FOR PUBLIC BROADCASTING

19 For payment to the Corporation for Public Broad-
20 casting (“CPB”), as authorized by the Communications
21 Act of 1934, an amount which shall be available within
22 limitations specified by that Act, for the fiscal year 2023,
23 \$515,000,000: *Provided*, That none of the funds made
24 available to CPB by this Act shall be used to pay for re-
25 ceptions, parties, or similar forms of entertainment for

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

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

17 FEDERAL MEDIATION AND CONCILIATION SERVICE

18 SALARIES AND EXPENSES

19 For expenses necessary for the Federal Mediation
20 and Conciliation Service (“Service”) to carry out the func-
21 tions vested in it by the Labor-Management Relations Act,
22 1947, including hire of passenger motor vehicles; for ex-
23 penses necessary for the Labor-Management Cooperation
24 Act of 1978; and for expenses necessary for the Service
25 to carry out the functions vested in it by the Civil Service

1 Reform Act, \$48,600,000, including up to \$900,000 to re-
2 main available through September 30, 2022, for activities
3 authorized by the Labor-Management Cooperation Act of
4 1978: *Provided*, That notwithstanding 31 U.S.C. 3302,
5 fees charged, up to full-cost recovery, for special training
6 activities and other conflict resolution services and tech-
7 nical assistance, including those provided to foreign gov-
8 ernments and international organizations, and for arbitra-
9 tion services shall be credited to and merged with this ac-
10 count, and shall remain available until expended: *Provided*
11 *further*, That fees for arbitration services shall be available
12 only for education, training, and professional development
13 of the agency workforce: *Provided further*, That the Direc-
14 tor of the Service is authorized to accept and use on behalf
15 of the United States gifts of services and real, personal,
16 or other property in the aid of any projects or functions
17 within the Director's jurisdiction.

18 FEDERAL MINE SAFETY AND HEALTH REVIEW

19 COMMISSION

20 SALARIES AND EXPENSES

21 For expenses necessary for the Federal Mine Safety
22 and Health Review Commission, \$17,184,000.

1 INSTITUTE OF MUSEUM AND LIBRARY SERVICES

2 OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS

3 AND ADMINISTRATION

4 For carrying out the Museum and Library Services
5 Act of 1996 and the National Museum of African Amer-
6 ican History and Culture Act, \$257,000,000.

7 MEDICAID AND CHIP PAYMENT AND ACCESS

8 COMMISSION

9 SALARIES AND EXPENSES

10 For expenses necessary to carry out section 1900 of
11 the Social Security Act, \$8,780,000.

12 MEDICARE PAYMENT ADVISORY COMMISSION

13 SALARIES AND EXPENSES

14 For expenses necessary to carry out section 1805 of
15 the Social Security Act, \$12,905,000, to be transferred to
16 this appropriation from the Federal Hospital Insurance
17 Trust Fund and the Federal Supplementary Medical In-
18 surance Trust Fund.

19 NATIONAL COUNCIL ON DISABILITY

20 SALARIES AND EXPENSES

21 For expenses necessary for the National Council on
22 Disability as authorized by title IV of the Rehabilitation
23 Act of 1973, \$3,350,000.

1 NATIONAL LABOR RELATIONS BOARD

2 SALARIES AND EXPENSES

3 For expenses necessary for the National Labor Rela-
4 tions Board to carry out the functions vested in it by the
5 Labor-Management Relations Act, 1947, and other laws,
6 \$277,824,000 of which \$1,000,000 shall be used to de-
7 velop a system and procedures to conduct union represen-
8 tation elections electronically: *Provided*, That the National
9 Labor Relations Board shall use funds provided under this
10 heading to expand the number of regional full-time equiva-
11 lent staff above the amount on-board at the end of the
12 fourth quarter of fiscal year 2019: *Provided further*, That
13 the system and procedures described in the previous pro-
14 viso shall be available to conduct union representation
15 elections electronically no later than 30 days after the date
16 of enactment of this Act.

17 ADMINISTRATIVE PROVISIONS

18 SEC. 407. None of the funds made available by this
19 Act may be used to implement , enforce, or take any action
20 in furtherance of the final rule on “The Standard for De-
21 termining Joint-Employer Status” published by the Na-
22 tional Labor Relations Board in the Federal Register on
23 February 26, 2020 (85 Fed. Reg. 11184 et seq.).

24 SEC. 408. None of the funds made available by this
25 Act may be used to implement, enforce, or take any ac-

1 tions in furtherance of, the final rule on “Representation-
2 Case Procedures” published by the National Labor Rela-
3 tions Board in the Federal Register on December 18,
4 2019 (84 Fed. Reg. 69524 et seq.).

5 SEC. 409. (a) None of the funds made available by
6 this Act may be used to restructure or realign the National
7 Labor Relations Board until 240 days after the National
8 Labor Relations Board submits to the Committees on Ap-
9 propriations of the House of Representatives and the Sen-
10 ate (in this section referred to as the “Committees on Ap-
11 propriations”) and to the Comptroller General of the
12 United States, the proposed restructuring or realignment
13 plan of the National Labor Relations Board.

14 (b) Not later than 180 days after the National Labor
15 Relations Board submits to the Committees on Appropria-
16 tions the plan described in subsection (a), the Comptroller
17 General shall submit to the Committees on Appropriations
18 a report assessing such plan.

19 NATIONAL MEDIATION BOARD

20 SALARIES AND EXPENSES

21 For expenses necessary to carry out the provisions
22 of the Railway Labor Act, including emergency boards ap-
23 pointed by the President, \$14,300,000.

1 OCCUPATIONAL SAFETY AND HEALTH REVIEW

2 COMMISSION

3 SALARIES AND EXPENSES

4 For expenses necessary for the Occupational Safety
5 and Health Review Commission, \$13,225,000.

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, \$13,000,000, which shall include
11 amounts becoming available in fiscal year 2021 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, 2022, 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, \$126,500,000, 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:
 25 *Provided further*, That \$13,000,000, to remain available

1 until expended, shall be used to supplement, not supplant,
2 existing resources devoted to operations and improvements
3 for the Board's Information Technology Investment Initia-
4 tives.

5 LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

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

12 SOCIAL SECURITY ADMINISTRATION

13 PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

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

18 SUPPLEMENTAL SECURITY INCOME PROGRAM

19 For carrying out titles XI and XVI of the Social Se-
20 curity Act, section 401 of Public Law 92-603, section 212
21 of Public Law 93-66, as amended, and section 405 of
22 Public Law 95-216, including payment to the Social Secu-
23 rity trust funds for administrative expenses incurred pur-
24 suant to section 201(g)(1) of the Social Security Act,
25 \$40,172,492,000, to remain available until expended: *Pro-*

1 *vided*, That any portion of the funds provided to a State
2 in the current fiscal year and not obligated by the State
3 during that year shall be returned to the Treasury: *Pro-*
4 *vided further*, That not more than \$86,000,000 shall be
5 available for research and demonstrations under sections
6 1110, 1115, and 1144 of the Social Security Act, and re-
7 main available through September 30, 2023.

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

12 For making benefit payments under title XVI of the
13 Social Security Act for the first quarter of fiscal year
14 2022, \$19,600,000,000, to remain available until ex-
15 pended.

16 LIMITATION ON ADMINISTRATIVE EXPENSES

17 For necessary expenses, including the hire of two pas-
18 senger motor vehicles, and not to exceed \$20,000 for offi-
19 cial reception and representation expenses, not more than
20 \$12,834,945,000 may be expended, as authorized by sec-
21 tion 201(g)(1) of the Social Security Act, from any one
22 or all of the trust funds referred to in such section: *Pro-*
23 *vided*, That not less than \$2,500,000 shall be for the So-
24 cial Security Advisory Board: *Provided further*, That
25 \$45,000,000 shall remain available until expended for in-

1 formation technology modernization, including related
2 hardware and software infrastructure and equipment, and
3 for administrative expenses directly associated with infor-
4 mation technology modernization: *Provided further*, That
5 of the amount made available in the preceding proviso,
6 \$4,000,000 shall be transferred to the “Office of Inspector
7 General”, Social Security Administration, for information
8 technology modernization, including related hardware and
9 software infrastructure and equipment, and for adminis-
10 trative expenses directly associated with information tech-
11 nology modernization: *Provided further*, That such trans-
12 fer authority is in addition to any other transfer authority
13 provided by law: *Provided further*, That \$50,000,000 shall
14 remain available through September 30, 2022, for activi-
15 ties to address the disability hearings backlog within the
16 Office of Hearings Operations: *Provided further*, That un-
17 obligated balances of funds provided under this paragraph
18 at the end of fiscal year 2021 not needed for fiscal year
19 2021 shall remain available until expended to invest in the
20 Social Security Administration information technology
21 and telecommunications hardware and software infra-
22 structure, including related equipment and non-payroll ad-
23 ministrative expenses associated solely with this informa-
24 tion technology and telecommunications infrastructure:
25 *Provided further*, That the Commissioner of Social Secu-

1 rity shall notify the Committees on Appropriations of the
2 House of Representatives and the Senate prior to making
3 unobligated balances available under the authority in the
4 previous proviso: *Provided further*, That reimbursement to
5 the trust funds under this heading for expenditures for
6 official time for employees of the Social Security Adminis-
7 tration pursuant to 5 U.S.C. 7131, and for facilities or
8 support services for labor organizations pursuant to poli-
9 cies, regulations, or procedures referred to in section
10 7135(b) of such title shall be made by the Secretary of
11 the Treasury, with interest, from amounts in the general
12 fund not otherwise appropriated, as soon as possible after
13 such expenditures are made.

14 Of the total amount made available in the first para-
15 graph under this heading, not more than \$1,575,000,000,
16 to remain available through March 31, 2022, is for the
17 costs associated with continuing disability reviews under
18 titles II and XVI of the Social Security Act, including
19 work-related continuing disability reviews to determine
20 whether earnings derived from services demonstrate an in-
21 dividual's ability to engage in substantial gainful activity,
22 for the cost associated with conducting redeterminations
23 of eligibility under title XVI of the Social Security Act,
24 for the cost of co-operative disability investigation units,
25 and for the cost associated with the prosecution of fraud

1 in the programs and operations of the Social Security Ad-
2 ministration by Special Assistant United States Attorneys:
3 *Provided*, That, of such amount, \$273,000,000 is provided
4 to meet the terms of section 251(b)(2)(B)(ii)(III) of the
5 Balanced Budget and Emergency Deficit Control Act of
6 1985, as amended, and \$1,302,000,000 is additional new
7 budget authority specified for purposes of section
8 251(b)(2)(B) of such Act: *Provided further*, That, of the
9 additional new budget authority described in the preceding
10 proviso, up to \$11,200,000 may be transferred to the “Of-
11 fice of Inspector General”, Social Security Administration,
12 for the cost of jointly operated co-operative disability in-
13 vestigation units: *Provided further*, That such transfer au-
14 thority is in addition to any other transfer authority pro-
15 vided by law: *Provided further*, That the Commissioner
16 shall provide to the Congress (at the conclusion of the fis-
17 cal year) a report on the obligation and expenditure of
18 these funds, similar to the reports that were required by
19 section 103(d)(2) of Public Law 104–121 for fiscal years
20 1996 through 2002.

21 In addition, \$135,000,000 to be derived from admin-
22 istration fees in excess of \$5.00 per supplementary pay-
23 ment collected pursuant to section 1616(d) of the Social
24 Security Act or section 212(b)(3) of Public Law 93–66,
25 which shall remain available until expended: *Provided*,

1 That to the extent that the amounts collected pursuant
2 to such sections in fiscal year 2021 exceed \$135,000,000,
3 the amounts shall be available in fiscal year 2022 only
4 to the extent provided in advance in appropriations Acts.

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

9 OFFICE OF INSPECTOR GENERAL
10 (INCLUDING TRANSFER OF FUNDS)

11 For expenses necessary for the Office of Inspector
12 General in carrying out the provisions of the Inspector
13 General Act of 1978, \$30,000,000, together with not to
14 exceed \$75,500,000, to be transferred and expended as
15 authorized by section 201(g)(1) of the Social Security Act
16 from the Federal Old-Age and Survivors Insurance Trust
17 Fund and the Federal Disability Insurance Trust Fund.

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

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

3
4 TITLE V
5 GENERAL PROVISIONS
6 (TRANSFER OF FUNDS)

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

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

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

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

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

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

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

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

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

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

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

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

9 SEC. 506. (a) None of the funds appropriated in this
10 Act, and none of the funds in any trust fund to which
11 funds are appropriated in this Act, shall be expended for
12 any abortion.

13 (b) None of the funds appropriated in this Act, and
14 none of the funds in any trust fund to which funds are
15 appropriated in this Act, shall be expended for health ben-
16 efits coverage that includes coverage of abortion.

17 (c) The term “health benefits coverage” means the
18 package of services covered by a managed care provider
19 or organization pursuant to a contract or other arrange-
20 ment.

21 SEC. 507. (a) The limitations established in the pre-
22 ceding section shall not apply to an abortion—

23 (1) if the pregnancy is the result of an act of
24 rape or incest; or

1 (2) in the case where a woman suffers from a
2 physical disorder, physical injury, or physical illness,
3 including a life-endangering physical condition
4 caused by or arising from the pregnancy itself, that
5 would, as certified by a physician, place the woman
6 in danger of death unless an abortion is performed.

7 (b) Nothing in the preceding section shall be con-
8 strued as prohibiting the expenditure by a State, locality,
9 entity, or private person of State, local, or private funds
10 (other than a State's or locality's contribution of Medicaid
11 matching funds).

12 (c) Nothing in the preceding section shall be con-
13 strued as restricting the ability of any managed care pro-
14 vider from offering abortion coverage or the ability of a
15 State or locality to contract separately with such a pro-
16 vider for such coverage with State funds (other than a
17 State's or locality's contribution of Medicaid matching
18 funds).

19 (d)(1) None of the funds made available in this Act
20 may be made available to a Federal agency or program,
21 or to a State or local government, if such agency, program,
22 or government subjects any institutional or individual
23 health care entity to discrimination on the basis that the
24 health care entity does not provide, pay for, provide cov-
25 erage of, or refer for abortions.

1 (2) In this subsection, the term “health care entity”
2 includes an individual physician or other health care pro-
3 fessional, a hospital, a provider-sponsored organization, a
4 health maintenance organization, a health insurance plan,
5 or any other kind of health care facility, organization, or
6 plan.

7 SEC. 508. (a) None of the funds made available in
8 this Act may be used for—

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

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

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

23 SEC. 509. (a) None of the funds made available in
24 this Act may be used for any activity that promotes the
25 legalization of any drug or other substance included in

1 schedule I of the schedules of controlled substances estab-
2 lished under section 202 of the Controlled Substances Act
3 except for normal and recognized executive-congressional
4 communications.

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

10 SEC. 510. None of the funds made available in this
11 Act may be used to promulgate or adopt any final stand-
12 ard under section 1173(b) of the Social Security Act pro-
13 viding for, or providing for the assignment of, a unique
14 health identifier for an individual (except in an individ-
15 ual's capacity as an employer or a health care provider),
16 until legislation is enacted specifically approving the
17 standard.

18 SEC. 511. None of the funds made available in this
19 Act may be obligated or expended to enter into or renew
20 a contract with an entity if—

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

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

5 SEC. 512. None of the funds made available in this
6 Act may be transferred to any department, agency, or in-
7 strumentality of the United States Government, except
8 pursuant to a transfer made by, or transfer authority pro-
9 vided in, this Act or any other appropriation Act.

10 SEC. 513. None of the funds made available by this
11 Act to carry out the Library Services and Technology Act
12 may be made available to any library covered by para-
13 graph (1) of section 224(f) of such Act, as amended by
14 the Children's Internet Protection Act, unless such library
15 has made the certifications required by paragraph (4) of
16 such section.

17 SEC. 514. (a) None of the funds provided under this
18 Act, or provided under previous appropriations Acts to the
19 agencies funded by this Act that remain available for obli-
20 gation or expenditure in fiscal year 2021, or provided from
21 any accounts in the Treasury of the United States derived
22 by the collection of fees available to the agencies funded
23 by this Act, shall be available for obligation or expenditure
24 through a reprogramming of funds that—

25 (1) creates new programs;

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

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

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

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

13 (b) None of the funds provided under this Act, or
14 provided under previous appropriations Acts to the agen-
15 cies funded by this Act that remain available for obligation
16 or expenditure in fiscal year 2021, or provided from any
17 accounts in the Treasury of the United States derived by
18 the collection of fees available to the agencies funded by
19 this Act, shall be available for obligation or expenditure
20 through a reprogramming of funds in excess of \$500,000
21 or 10 percent, whichever is less, that—

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

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

4 (3) results from any general savings from a re-
5 duction in personnel which would result in a change
6 in existing programs, activities, or projects as ap-
7 proved by Congress;

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

14 (c) None of the funds provided under this Act, or pro-
15 vided under previous appropriations Acts to the agencies
16 funded by this Act that remain available for obligation or
17 expenditure in the current year fiscal year, or provided
18 from any accounts in the Treasury of the United States
19 derived by the collection of fees available to the agencies
20 funded by this Act, shall be available for obligation or ex-
21 penditure that—

22 (1) relocates an office or employees;

23 (2) reorganizes or renames offices; or

24 (3) reorganizes programs or activities;

1 unless the relocation, renaming, or reorganization was in-
2 cluded in the President's fiscal year 2021 budget proposal,
3 including the accompanying justification documents sub-
4 mitted to the Committees on Appropriations of the House
5 of Representatives and the Senate, and such committees
6 are consulted at least 15 days in advance of such reloca-
7 tion, renaming, or reorganization.

8 SEC. 515. (a) None of the funds made available in
9 this Act may be used to request that a candidate for ap-
10 pointment to a Federal scientific advisory committee dis-
11 close the political affiliation or voting history of the can-
12 didate or the position that the candidate holds with re-
13 spect to political issues not directly related to and nec-
14 essary for the work of the committee involved.

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

18 SEC. 516. Within 45 days of enactment of this Act,
19 each department and related agency funded through this
20 Act shall submit an operating plan that details at the pro-
21 gram, project, and activity level any funding allocations
22 for fiscal year 2021 that are different than those specified
23 in this Act, the detailed table in the committee report ac-
24 companying this Act, or the fiscal year 2021 budget re-
25 quest.

1 SEC. 517. The Secretaries of Labor, Health and
2 Human Services, and Education shall each prepare and
3 submit to the Committees on Appropriations of the House
4 of Representatives and the Senate a report on the number
5 and amount of contracts, grants, and cooperative agree-
6 ments exceeding \$500,000, individually or in total for a
7 particular project, activity, or programmatic initiative, in
8 value and awarded by the Department on a non-competi-
9 tive basis during each quarter of fiscal year 2021, but not
10 to include grants awarded on a formula basis or directed
11 by law. Such report shall include the name of the con-
12 tractor or grantee, the amount of funding, the govern-
13 mental purpose, including a justification for issuing the
14 award on a non-competitive basis. Such report shall be
15 transmitted to the Committees within 30 days after the
16 end of the quarter for which the report is submitted.

17 SEC. 518. None of the funds appropriated in this Act
18 shall be expended or obligated by the Commissioner of So-
19 cial Security, for purposes of administering Social Security
20 benefit payments under title II of the Social Security Act,
21 to process any claim for credit for a quarter of coverage
22 based on work performed under a social security account
23 number that is not the claimant's number and the per-
24 formance of such work under such number has formed the

1 basis for a conviction of the claimant of a violation of sec-
2 tion 208(a)(6) or (7) of the Social Security Act.

3 SEC. 519. None of the funds appropriated by this Act
4 may be used by the Commissioner of Social Security or
5 the Social Security Administration to pay the compensa-
6 tion of employees of the Social Security Administration
7 to administer Social Security benefit payments, under any
8 agreement between the United States and Mexico estab-
9 lishing totalization arrangements between the social secu-
10 rity system established by title II of the Social Security
11 Act and the social security system of Mexico, which would
12 not otherwise be payable but for such agreement.

13 SEC. 520. (a) None of the funds made available in
14 this Act may be used to maintain or establish a computer
15 network unless such network blocks the viewing,
16 downloading, and exchanging of pornography.

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

21 SEC. 521. For purposes of carrying out Executive
22 Order 13589, Office of Management and Budget Memo-
23 randum M-12-12 dated May 11, 2012, and requirements
24 contained in the annual appropriations bills relating to
25 conference attendance and expenditures:

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

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

6 SEC. 522. Federal agencies funded under this Act
7 shall clearly state within the text, audio, or video used for
8 advertising or educational purposes, including emails or
9 Internet postings, that the communication is printed, pub-
10 lished, or produced and disseminated at U.S. taxpayer ex-
11 pense. The funds used by a Federal agency to carry out
12 this requirement shall be derived from amounts made
13 available to the agency for advertising or other commu-
14 nications regarding the programs and activities of the
15 agency.

16 SEC. 523. (a) Federal agencies may use Federal dis-
17 cretionary funds that are made available in this Act to
18 carry out up to 10 Performance Partnership Pilots. Such
19 Pilots shall be governed by the provisions of section 526
20 of division H of Public Law 113–76, except that in car-
21 rying out such Pilots section 526 shall be applied by sub-
22 stituting “FISCAL YEAR 2021” for “FISCAL YEAR 2014”
23 in the title of subsection (b) and by substituting “Sep-
24 tember 30, 2025” for “September 30, 2018” each place

1 it appears: *Provided*, That such pilots shall include com-
2 munities that have experienced civil unrest.

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

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

17 SEC. 524. Not later than 30 days after the end of
18 each calendar quarter, beginning with the first month of
19 fiscal year 2021, the Departments of Labor, Health and
20 Human Services and Education and the Social Security
21 Administration shall provide the Committees on Appro-
22 priations of the House of Representatives and Senate a
23 report on the status of balances of appropriations: *Pro-*
24 *vided*, That for balances that are unobligated and uncom-
25 mitted, committed, and obligated but unexpended, the

1 monthly reports shall separately identify the amounts at-
2 tributable to each source year of appropriation (beginning
3 with fiscal year 2012, or, to the extent feasible, earlier
4 fiscal years) from which balances were derived.

5 SEC. 525. The Departments of Labor, Health and
6 Human Services, or Education shall provide to the Com-
7 mittees on Appropriations of the House of Representatives
8 and the Senate a comprehensive list of any new or com-
9 petitive grant award notifications, including supplements,
10 issued at the discretion of such Departments not less than
11 3 full business days before any entity selected to receive
12 a grant award is announced by the Department or its of-
13 fices (other than emergency response grants at any time
14 of the year or for grant awards made during the last 10
15 business days of the fiscal year, or if applicable, of the
16 program year).

17 SEC. 526. Each department and related agency fund-
18 ed through this Act shall provide answers to questions
19 submitted for the record by members of the Committee
20 within 45 business days after receipt.

21 SEC. 527. None of the funds appropriated in this Act
22 may be used to finalize or implement the proposed regula-
23 tion titled “Rules Regarding the Frequency and Notice of
24 Continuing Disability Reviews” published by the Social

1 Security Administration on November 18, 2019 (84 Fed.
2 Reg. 63588 et seq.).

3 SEC. 528. None of the funds appropriated in this Act
4 may be used to finalize or implement the notice of pro-
5 posed rulemaking titled “Hearings Held by Administrative
6 Appeals Judges of the Appeals Council” published by the
7 Social Security Administration on December 20, 2019 (84
8 Fed. Reg. 70080 et seq.).

9 (RESCISSION)

10 SEC. 529. Of the unobligated balances made available
11 by section 301(b)(3) of Public Law 114–10,
12 \$5,185,000,000 are hereby permanently rescinded.

13 SEC. 530. Of the unobligated balances made available
14 for purposes of carrying out section 2105(a)(3) of the So-
15 cial Security Act, \$6,566,000,000 shall not be available
16 for obligation in this fiscal year.

17 SEC. 531. (a) Any funds made available by this Act
18 that are used to fund an apprenticeship or apprenticeship
19 program shall only be used for, or provided to, an appren-
20 ticeship or apprenticeship program that meets the defini-
21 tion in subsection (b), including any funds awarded for
22 the purposes of grants, contracts, or cooperative agree-
23 ments, or the development, implementation, or administra-
24 tion, of an apprenticeship or an apprenticeship program.

1 (b) The term “apprenticeship” or “apprenticeship
2 program” means an apprenticeship program registered
3 under the Act of August 16, 1937 (commonly known as
4 the “National Apprenticeship Act”; 50 Stat. 664, chapter
5 663; 29 U.S.C. 50 et seq.), including any requirement,
6 standard, or rule promulgated under such Act, as such
7 requirement, standard, or rule was in effect on December
8 30, 2019.

9 TITLE VI

10 DEPARTMENT OF HEALTH AND HUMAN

11 SERVICES

12 CENTERS FOR DISEASE CONTROL AND PREVENTION

13 CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

14 For an additional amount for “CDC-Wide Activities
15 and Program Support”, \$9,000,000,000, to remain avail-
16 able until September 30, 2025, for public health and emer-
17 gency preparedness and response, domestically or inter-
18 nationally: *Provided*, That of the amount made available
19 under this heading, \$2,000,000,000 shall be for public
20 health emergency preparedness cooperative agreements
21 under section 319C–1 of the PHS Act: *Provided further*,
22 That of the amount made available under this heading,
23 \$1,000,000,000 shall be for epidemiology and laboratory
24 capacity cooperative agreements under section 2821 of the
25 PHS: *Provided further*, That funds made available in the

1 preceding proviso may be used for construction, alteration,
2 or renovation of non-federally owned facilities, or the pur-
3 chase of equipment: *Provided further*, That all construc-
4 tion, alteration, or renovation work, carried out in whole
5 or in part with funds appropriated under this heading in
6 this Act, shall be subject to the requirements of section
7 1621(b)(1)(I) of the PHS Act (42 U.S.C. 300s-
8 1(b)(1)(I)): *Provided further*, That of the amount made
9 available under this heading for specified programs, not
10 less than \$150,000,000 shall be allocated to Tribes, Tribal
11 organizations, urban Indian health organizations, or
12 health service providers to Tribes: *Provided further*, That
13 of the amount made available under this heading,
14 \$1,000,000,000 shall be for global disease detection and
15 emergency response: *Provided further*, That of the amount
16 made available under this heading, \$4,000,000,000 shall
17 be for a vaccination campaign, including preparedness, op-
18 erations, and distribution, and a comprehensive campaign
19 to achieve coverage goals, and for an enhanced influenza
20 vaccination campaign, including purchase of vaccine as
21 necessary to increase coverage: *Provided further*, That the
22 Director of the Centers for Disease Control and Preven-
23 tion shall provide a briefing to the Committees on Appro-
24 priations of the House of Representatives and the Senate
25 at least one week prior to obligating funds made available

1 in the preceding proviso on the CDC’s plans for vaccina-
2 tion campaigns in fiscal year 2021: *Provided further*, That
3 of the amount made available under this heading,
4 \$400,000,000 shall be for public health data surveillance
5 and analytics infrastructure modernization: *Provided fur-*
6 *ther*, That of the amount made available under this head-
7 ing, \$200,000,000 shall be for activities to support public
8 health workforce development, including the Epidemic In-
9 telligence Service fellowship program: *Provided further*,
10 That of the amount made available under this heading,
11 \$400,000,000 shall be transferred to and merged with
12 amounts in the Infectious Diseases Rapid Response Re-
13 serve Fund, established by section 231 of Division B of
14 Public Law 115–245: *Provided further*, That such amount
15 is designated by the Congress as being for an emergency
16 requirement pursuant to section 251(b)(2)(A)(i) of the
17 Balanced Budget and Emergency Deficit Control Act of
18 1985.

19 NATIONAL INSTITUTES OF HEALTH

20 OFFICE OF THE DIRECTOR

21 (INCLUDING TRANSFER OF FUNDS)

22 For an additional amount for “Office of the Direc-
23 tor”, \$5,000,000,000, to remain available until September
24 30, 2025: *Provided*, That funds made available under this
25 heading may be used to offset the costs related to reduc-

1 tions in laboratory productivity resulting from interrup-
2 tions or shutdowns of research activity in fiscal year 2020:
3 *Provided further*, That funds made available under this
4 heading may be transferred to the accounts of the Insti-
5 tutes and Centers of the National Institutes of Health
6 (“NIH”): *Provided further*, That the transfer authority in
7 the preceding proviso is in addition to any other transfer
8 authority available to the NIH: *Provided further*, That of
9 the amount made available under this heading, the Direc-
10 tor of NIH shall transfer not less than \$2,500,000,000
11 to the accounts of the Institutes and Centers of the NIH
12 in proportion to the amounts otherwise made available to
13 such Institutes and Centers under the heading “National
14 Institutes of Health” in division A of the Further Consoli-
15 dated Appropriations Act, 2020 (Public Law 116–94):
16 *Provided further*, That of the amount made available
17 under this heading, the Director of NIH shall transfer to
18 “Buildings and Facilities” an amount equal to the amount
19 made available for buildings and facilities at the NIH in
20 section 237 of division A of such Act: *Provided further*,
21 That the Director of the NIH shall provide a briefing to
22 the Committees on Appropriations of the House of Rep-
23 resentatives and the Senate at least one week prior to obli-
24 gating funds made available under this heading on the
25 NIH’s plans for obligating emergency funds: *Provided fur-*

1 *ther*, That such amount is designated by the Congress as
2 being for an emergency requirement pursuant to section
3 251(b)(2)(A)(i) of the Balanced Budget and Emergency
4 Deficit Control Act of 1985.

5 OFFICE OF THE SECRETARY
6 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY
7 FUND

8 For an additional amount for “Public Health and So-
9 cial Services Emergency Fund”, \$4,500,000,000, to re-
10 main available until September 30, 2025, for the develop-
11 ment of necessary countermeasures and vaccines,
12 prioritizing platform-based technologies with U.S.-based
13 manufacturing capabilities, the purchase of vaccines,
14 therapeutics, diagnostics, and necessary medical supplies,
15 as well as initial advance manufacturing and novel dis-
16 pensing: *Provided*, That funds made available under this
17 heading may be used to develop and demonstrate innova-
18 tions and enhancements to manufacturing platforms to
19 support such capabilities: *Provided further*, That products
20 purchased with funds appropriated under this heading
21 may, at the discretion of the Secretary of Health and
22 Human Services, be deposited in the Strategic National
23 Stockpile under section 319F–2 of the PHS Act: *Provided*
24 *further*, That funds made available under this heading
25 may be transferred to, and merged with, the fund author-

1 ized by section 319F–4, the Covered Countermeasure
2 Process Fund, of the PHS Act: *Provided further*, That of
3 the amount made available under this heading,
4 \$3,500,000,000 shall be available to the Biomedical Ad-
5 vanced Research and Development Authority for necessary
6 expenses of advanced research, development, manufac-
7 turing, production, and purchase of vaccines and thera-
8 peutics: *Provided further*, That the Director of the Bio-
9 medical Advanced Research and Development Authority
10 shall provide a briefing to the Committees on Appropria-
11 tions of the House of Representatives and the Senate at
12 least one week prior to obligating funds made available
13 in the preceding proviso on the Department’s plans to
14 produce a sufficient supply of vaccine for the U.S. popu-
15 lation: *Provided further*, That of the amount made avail-
16 able under this heading, \$500,000,000 shall be available
17 to the Biomedical Advanced Research and Development
18 Authority for the construction, renovation, or equipping
19 of U.S.-based next generation manufacturing facilities,
20 other than facilities owned by the United States Govern-
21 ment: *Provided further*, That of the amount made available
22 under this heading, \$500,000,000 shall be available to the
23 Biomedical Advanced Research and Development Author-
24 ity to promote innovation in antibacterial research and de-
25 velopment: *Provided further*, That funds made available

1 under this heading may be used for grants for the rent,
2 lease, purchase, acquisition, construction, alteration, or
3 renovation of non-federally owned facilities to improve pre-
4 paredness and response capability at the State and local
5 levels: *Provided further*, That funds made available under
6 this heading may be used for the construction, alteration,
7 renovation or equipping of non-federally owned facilities
8 for the production of vaccines, therapeutics, diagnostics,
9 and medicines and other items purchased under section
10 319F–2(a) of the PHS Act where the Secretary deter-
11 mines that such use is necessary to assure sufficient do-
12 mestic production of such supplies: *Provided further*, That
13 all construction, alteration, or renovation work, carried out
14 in whole or in part with funds made available under this
15 heading, shall be subject to the requirements of section
16 1621(b)(1)(I) of the PHS Act (42 U.S.C. 300s-
17 1(b)(1)(I)): *Provided further*, That such amount is des-
18 ignated by the Congress as being for an emergency re-
19 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
20 anced Budget and Emergency Deficit Control Act of 1985.

21 PUBLIC HEALTH EMERGENCY FUND

22 For an additional amount for “Public Health Emer-
23 gency Fund”, \$5,000,000,000, to remain available until
24 expended, to be deposited into the Public Health Emer-
25 gency Fund, as established under section 319(b) of the

1 Public Health Service Act: *Provided*, That products pur-
2 chased with funds appropriated under this heading may,
3 at the discretion of the Secretary of Health and Human
4 Services, be deposited in the Strategic National Stockpile
5 under section 319F-2 of the Public Health Service Act:
6 *Provided further*, That the Secretary of Health and
7 Human Services (or the Assistant Secretary for Prepared-
8 ness and Response on behalf of the Secretary) shall pro-
9 vide a briefing to the Committees on Appropriations of
10 the House of Representatives and the Senate at least one
11 week prior to obligating funds made available under this
12 heading on the Department's plans for obligating emer-
13 gency funds: *Provided further*, That such amount is des-
14 ignated by the Congress as being for an emergency re-
15 quirement pursuant to section 251(b)(2)(A)(i) of the Bal-
16 anced Budget and Emergency Deficit Control Act of 1985.

17
18 GENERAL PROVISIONS

19 SEC. 601. The amounts provided by the first proviso
20 following paragraph (6) under the heading "Department
21 of Labor—Employment and Training Administration—
22 State Unemployment Insurance and Employment Service
23 Operations" in title I of this Act are designated by the
24 Congress as being for an emergency requirement pursuant
25 to section 251(b)(2)(A)(i) of the Balanced Budget and
Emergency Deficit Control Act of 1985.

1 SEC. 602. Not later than 30 days after the date of
2 enactment of this Act, the Secretary of Health and
3 Human Services shall provide a detailed spend plan of an-
4 ticipated uses of funds made available to the Department
5 of Health and Human Services in this title, including esti-
6 mated personnel and administrative costs, to the Commit-
7 tees on Appropriations of the House of Representatives
8 and the Senate: *Provided*, That such plans shall be up-
9 dated and submitted to such Committees every 60 days
10 until September 30, 2025: *Provided further*, That the
11 spend plans shall be accompanied by a listing of each con-
12 tract obligation incurred that exceeds \$5,000,000 which
13 has not previously been reported, including the amount of
14 each such obligation.

15 SEC. 603. Each amount designated in this Act by the
16 Congress as being for an emergency requirement pursuant
17 to section 251(b)(2)(A)(i) of the Balanced Budget and
18 Emergency Deficit Control Act of 1985 shall be available
19 (or rescinded or transferred, if applicable) only if the
20 President subsequently so designates all such amounts
21 and transmits such designations to the Congress.

22 SEC. 604. Any amount appropriated by this Act, des-
23 igned by the Congress as an emergency requirement
24 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
25 et and Emergency Deficit Control Act of 1985 and subse-

1 quently so designated by the President, and transferred
2 pursuant to transfer authorities provided by this Act shall
3 retain such designation.

4 This Act may be cited as the “Departments of Labor,
5 Health and Human Services, and Education, and Related
6 Agencies Appropriations Act, 2021”.

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[FULL COMMITTEE PRINT]

Union Calendar No. _____

116TH CONGRESS
2^D Session

H. R. _____

[Report No. 116-_____] _____

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, 2021, and for other purposes.

, 2020

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