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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. DELAUNOY, 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.
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, 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, namely:

TITLE I
DEPARTMENT OF LABOR
EMPLOYMENT AND TRAINING ADMINISTRATION
TRAINING AND EMPLOYMENT SERVICES

For necessary expenses of the Workforce Innovation and Opportunity Act (referred to in this Act as “WIOA”) and the National Apprenticeship Act, $3,696,700,000, plus reimbursements, shall be available. Of the amounts provided:

(1) for grants to States for adult employment and training activities, youth activities, and dislocated worker employment and training activities, $2,869,832,000 as follows:

(A) $864,649,000 for adult employment and training activities, of which $152,649,000 shall be available for the period July 1, 2021 through June 30, 2022, and of which
$712,000,000 shall be available for the period October 1, 2021 through June 30, 2022;

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

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

Provided, That the funds available for allotment to outlying areas to carry out subtitle B of title I of the WIOA shall not be subject to the requirements of section 127(b)(1)(B)(ii) of such Act: Provided further, That notwithstanding the requirements of the WIOA, the Secretary may waive certain requirements to permit the outlying areas to submit a single application for a consolidated grant that awards funds that would otherwise be available to such areas to carry out the activities described in subtitle B of title I of the WIOA: Provided further, That upon receipt of a waiver, an application shall be submitted to the Secretary at such time, in such manner and containing respective spending plans with a
funding floor for each program and activity authorized under such subtitle B of title I of the WIOA as the Secretary may require: Provided further, That outlying areas awarded a consolidated grant described in the preceding provisos may use identified excess funding above the funding floor for each activity for any of the other programs and activities authorized under such subtitle B of title I of the WIOA subject to such reporting requirements issued by the Secretary; and

(2) for national programs, $826,868,000 as follows:

(A) $280,859,000 for the dislocated workers assistance national reserve, of which $80,859,000 shall be available for the period July 1, 2021 through September 30, 2022, and of which $200,000,000 shall be available for the period October 1, 2021 through September 30, 2022: Provided, That funds provided to carry out section 132(a)(2)(A) of the WIOA may be used to provide assistance to a State for statewide or local use in order to address cases where there have been worker dislocations across multiple sectors or across multiple local areas and such workers remain dislocated; co-
ordinate the State workforce development plan with emerging economic development needs; and train such eligible dislocated workers: Provided further, That funds provided to carry out sections 168(b) and 169(c) of the WIOA may be used for technical assistance and demonstration projects, respectively, that provide assistance to new entrants in the workforce and incumbent workers: Provided further, That notwithstanding section 168(b) of the WIOA, of the funds provided under this subparagraph, the Secretary of Labor (referred to in this title as “Secretary”) may reserve not more than 10 percent of such funds to provide technical assistance and carry out additional activities related to the transition to the WIOA: Provided further, That of the funds provided under this subparagraph, $50,000,000 shall be for training and employment assistance under sections 168(b), 169(c) (notwithstanding the 10 percent limitation in such section) and 170 of the WIOA for the purpose of developing, offering, or improving educational or career training programs at community colleges, defined as public institutions of higher education, as described in section 101(a)
of the Higher Education Act of 1965 and at which the associate’s degree is primarily the highest degree awarded, with other eligible institutions of higher education, as defined in section 101(a) of the Higher Education Act of 1965, eligible to participate through consortia, with community colleges as the lead grantee: Provided further, That the Secretary shall follow the requirements for the program in House Report 116–62: Provided further, That any grant funds used for apprenticeships shall be used to support only apprenticeship programs registered under the National Apprenticeship Act and as referred to in section 3(7)(B) of the WIOA: Provided further, That the Department shall issue a Solicitation for Grant Applications (SGA) within 120 days of enactment of this Act: Provided further, That the funds made available in this title under the heading “DEPARTMENTAL MANAGEMENT” for Executive Direction shall be reduced by $100,000 for each day the SGA is not issued beyond the 120 day requirement and such funds shall be rescinded in the amount for each such reduction: Provided further, That the reduction required
by the preceding proviso shall be taken only
from the “Executive Direction” line in the table
at the end of the committee report accom-
panying this Act;

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

(C) $95,896,000 for migrant and seasonal
farmworker programs under section 167 of the
WIOA, including $88,938,000 for formula
grants (of which not less than 70 percent shall
be for employment and training services),
$6,389,000 for migrant and seasonal housing
(of which not less than 70 percent shall be for
permanent housing), and $569,000 for other
discretionary purposes, which shall be available
for the period April 1, 2021 through June 30,
2022: Provided, That notwithstanding any
other provision of law or related regulation, the
Department of Labor shall take no action lim-
iting the number or proportion of eligible par-
ticipants receiving related assistance services or
discouraging grantees from providing such serv-
ices: Provided further, That notwithstanding the
definition of “eligible seasonal farmworker” in section 167(i)(3) of the WIOA, an individual is eligible for migrant and seasonal farmworker programs under section 167 of the WIOA if such individual is a member of a family with a total family income equal to or less than 150 percent of the poverty line;

(D) $100,534,000 for YouthBuild activities as described in section 171 of the WIOA, which shall be available for the period April 1, 2021 through June 30, 2022;

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

(F) $6,000,000 for the Workforce Data Quality Initiative, under the authority of section
of the WIOA, which shall be available for
the period July 1, 2021 through June 30,
2022; and

(G) $185,000,000 to expand opportunities
through apprenticeships only registered under
the National Apprenticeship Act and as referred
to in section 3(7)(B) of the WIOA, to be avail-
able to the Secretary to carry out activities
through grants, cooperative agreements, con-
tracts and other arrangements, with States and
other appropriate entities, including equity
intermediaries and business and labor industry
partner intermediaries, which shall be available
for the period July 1, 2021 through June 30,
2022: Provided, That of the funds provided to
carry out this subparagraph, not less than 20
percent shall be for making competitive con-
tracts, grants, and cooperative agreements to
national apprenticeship intermediaries, not less
than 20 percent shall be for competitive con-
tracts, grants, and cooperative agreements to
local apprenticeship intermediaries, and not less
than 50 percent shall be used to fund grants to
States: Provided further, That the Secretary
shall require any information publicly disclosed
related to the credentials and competencies earned through registered apprenticeships, including through Apprenticeship.gov, its successor website or any data or website published by the Secretary for a similar function, to be published using an open source description language that is designed to allow for public search and comparison of such data. Such information may be published through open data formats such as the credential transparency description language specifications or substantially similar approach.

JOB CORPS

(INCLUDING TRANSFER OF FUNDS)

To carry out subtitle C of title I of the WIOA, including Federal administrative expenses, the purchase and hire of passenger motor vehicles, the construction, alteration, and repairs of buildings and other facilities, and the purchase of real property for training centers as authorized by the WIOA, $1,755,655,000, plus reimbursements, as follows:

(1) $1,603,325,000 for Job Corps Operations, which shall be available for the period July 1, 2021 through June 30, 2022;
(2) $120,000,000 for construction, rehabilitation and acquisition of Job Corps Centers, which shall be available for the period July 1, 2021 through June 30, 2024, and which may include the acquisition, maintenance, and repair of major items of equipment: Provided, That the Secretary may transfer up to 15 percent of such funds to meet the operational needs of such centers or to achieve administrative efficiencies: Provided further, That any funds transferred pursuant to the preceding provision shall not be available for obligation after June 30, 2022: Provided further, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer; and

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

Provided, That no funds from any other appropriation shall be used to provide meal services at or for Job Corps centers.
COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

To carry out title V of the Older Americans Act of 1965 (referred to in this Act as “OAA”), $410,000,000, which shall be available for the period April 1, 2021 through June 30, 2022, and may be recaptured and reobligated in accordance with section 517(c) of the OAA.

FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

For payments during fiscal year 2021 of trade adjustment benefit payments and allowances under part I of subchapter B of chapter 2 of title II of the Trade Act of 1974, and section 246 of that Act; and for training, employment and case management services, allowances for job search and relocation, and related State administrative expenses under part II of subchapter B of chapter 2 of title II of the Trade Act of 1974, and including benefit payments, allowances, training, employment and case management services, and related State administration provided pursuant to section 231(a) of the Trade Adjustment Assistance Extension Act of 2011 and section 405(a) of the Trade Preferences Extension Act of 2015, $633,600,000 together with such amounts as may be necessary to be charged to the subsequent appropriation for payments for any period subsequent to September 15, 2021: Provided, That notwithstanding section 502 of this
Act, any part of the appropriation provided under this heading may remain available for obligation beyond the current fiscal year pursuant to the authorities of section 245(c) of the Trade Act of 1974 (19 U.S.C. 2317(c)).

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

(INCLUDING TRANSFER OF FUNDS)

For authorized administrative expenses, $84,066,000, together with not to exceed $3,421,953,000 which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund ("the Trust Fund"), of which:

(1) $2,649,686,000 from the Trust Fund is for grants to States for the administration of State unemployment insurance laws as authorized under title III of the Social Security Act (including not less than $200,000,000 to carry out reemployment services and eligibility assessments under section 306 of such Act, any claimants of regular compensation, as defined in such section, including those who are profiled as most likely to exhaust their benefits, may be eligible for such services and assessments: Provided, That of such amount, $117,000,000 is specified for grants under section 306 of the Social Security Act and is provided to meet the terms of section
251(b)(2)(E)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, and $83,000,000 is additional new budget authority specified for purposes of section 251(b)(2)(E)(i)(II) of such Act; and $9,000,000 for continued support of the Unemployment Insurance Integrity Center of Excellence), the administration of unemployment insurance for Federal employees and for ex-service members as authorized under 5 U.S.C. 8501–8523, and the administration of trade readjustment allowances, reemployment trade adjustment assistance, and alternative trade adjustment assistance under the Trade Act of 1974 and under section 231(a) of the Trade Adjustment Assistance Extension Act of 2011 and section 405(a) of the Trade Preferences Extension Act of 2015, and shall be available for obligation by the States through December 31, 2021, except that funds used for automation shall be available for Federal obligation through December 31, 2021, and for State obligation through September 30, 2023, or, if the automation is being carried out through consortia of States, for State obligation through September 30, 2027, and for expenditure through September 30, 2028, and funds for competitive grants awarded to States for improved oper-
ations and to conduct in-person reemployment and
eligibility assessments and unemployment insurance
improper payment reviews and provide reemploy-
ment services and referrals to training, as appro-
priate, shall be available for Federal obligation
through December 31, 2021, and for obligation by
the States through September 30, 2023, and funds
for the Unemployment Insurance Integrity Center of
Excellence shall be available for obligation by the
State through September 30, 2022, and funds used
for unemployment insurance workloads experienced
through September 30, 2021 shall be available for
Federal obligation through December 31, 2021;

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

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

(4) $24,818,000 from the Trust Fund is for na-
tional activities of the Employment Service, includ-
ing administration of the work opportunity tax credit under section 51 of the Internal Revenue Code of 1986 (including assisting States in adopting or modernizing information technology for use in the processing of certification requests), and the provision of technical assistance and staff training under the Wagner-Peyser Act;

(5) $77,810,000 from the Trust Fund is for the administration of foreign labor certifications and related activities under the Immigration and Nationality Act and related laws, of which $57,528,000 shall be available for the Federal administration of such activities, and $20,282,000 shall be available for grants to States for the administration of such activities; and

(6) $62,653,000 from the General Fund is to provide workforce information, national electronic tools, and one-stop system building under the Wagner-Peyser Act and shall be available for Federal obligation for the period July 1, 2021 through June 30, 2022: Provided, That the Secretary shall require publicly disclosed information contained in ongoing, nationwide datasets funded by the Department of Labor relating to licenses and credentials to be published using an open source description language.
that is designed to allow for public search and comparison of such data, including any such data on credentials and competencies. Such information may be published through open data formats such as the credential transparency description language specifications or substantially similar approach:

Provided, That to the extent that the Average Weekly Insured Unemployment ("AWIU") for fiscal year 2021 is projected by the Department of Labor to exceed 1,728,000, an additional $28,600,000 from the Trust Fund shall be available for obligation for every 100,000 increase in the AWIU level (including a pro rata amount for any increment less than 100,000) to carry out title III of the Social Security Act: Provided further, That funds appropriated in this Act that are allotted to a State to carry out activities under title III of the Social Security Act may be used by such State to assist other States in carrying out activities under such title III if the other States include areas that have suffered a major disaster declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act: Provided further, That the Secretary may use funds appropriated for grants to States under title III of the Social Security Act to make payments on behalf of States for the use of the National Directory of New Hires under section
453(j)(8) of such Act: Provided further, That the Secretary may use funds appropriated for grants to States under title III of the Social Security Act to make payments on behalf of States to the entity operating the State Information Data Exchange System: Provided further, That funds appropriated in this Act which are used to establish a national one-stop career center system, or which are used to support the national activities of the Federal-State unemployment insurance, employment service, or immigration programs, may be obligated in contracts, grants, or agreements with States and non-State entities: Provided further, That States awarded competitive grants for improved operations under title III of the Social Security Act, or awarded grants to support the national activities of the Federal-State unemployment insurance system, may award subgrants to other States and non-State entities under such grants, subject to the conditions applicable to the grants: Provided further, That funds appropriated under this Act for activities authorized under title III of the Social Security Act and the Wagner-Peyser Act may be used by States to fund integrated Unemployment Insurance and Employment Service automation efforts, notwithstanding cost allocation principles prescribed under the final rule entitled “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Fed-
eral Awards” at part 200 of title 2, Code of Federal Regulations: Provided further, That the Secretary, at the request of a State participating in a consortium with other States, may reallocate funds allotted to such State under title III of the Social Security Act to other States participating in the consortium or to the entity operating the Unemployment Insurance Information Technology Support Center in order to carry out activities that benefit the administration of the unemployment compensation law of the State making the request: Provided further, That the Secretary may collect fees for the costs associated with additional data collection, analyses, and reporting services relating to the National Agricultural Workers Survey requested by State and local governments, public and private institutions of higher education, and nonprofit organizations and may utilize such sums, in accordance with the provisions of 29 U.S.C. 9a, for the National Agricultural Workers Survey infrastructure, methodology, and data to meet the information collection and reporting needs of such entities, which shall be credited to this appropriation and shall remain available until September 30, 2022, for such purposes.
ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND OTHER FUNDS

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

PROGRAM ADMINISTRATION

For expenses of administering employment and training programs, $108,674,000, together with not to exceed $49,982,000 which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund: Provided, That funds made available for the Office of Apprenticeship shall only be used for the administration of apprenticeship programs only registered under the National Apprenticeship Act and as referred to in section 3(7)(B) of the WIOA and to provide for the full and adequate staffing of the Federal Office of Apprenticeship and each of the State Offices of Apprenticeship.
EMPLOYEE BENEFITS SECURITY ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Employee Benefits Security Administration, $181,000,000, of which up to $3,000,000 shall be made available through September 30, 2022, for the procurement of expert witnesses for enforcement litigation.

PENSION BENEFIT GUARANTY CORPORATION

PENSION BENEFIT GUARANTY CORPORATION FUND

The Pension Benefit Guaranty Corporation ("Corporation") is authorized to make such expenditures, including financial assistance authorized by subtitle E of title IV of the Employee Retirement Income Security Act of 1974, within limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by 31 U.S.C. 9104, as may be necessary in carrying out the program, including associated administrative expenses, through September 30, 2021, for the Corporation: Provided, That none of the funds available to the Corporation for fiscal year 2021 shall be available for obligations for administrative expenses in excess of $465,289,000: Provided further, That to the extent that the number of new plan participants in plans terminated by the Corporation exceeds
100,000 in fiscal year 2021, an amount not to exceed an additional $9,200,000 shall be available through September 30, 2025, for obligations for administrative expenses for every 20,000 additional terminated participants: *Provided further*, That obligations in excess of the amounts provided for administrative expenses in this paragraph may be incurred and shall be available through September 30, 2025 for obligation for unforeseen and extraordinary pre-termination or termination expenses or extraordinary multiemployer program related expenses after approval by the Office of Management and Budget and notification of the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That an additional amount shall be available for obligation through September 30, 2025 to the extent the Corporation’s costs exceed $250,000 for the provision of credit or identity monitoring to affected individuals upon suffering a security incident or privacy breach, not to exceed an additional $100 per affected individual.

WAGE AND HOUR DIVISION

SALARIES AND EXPENSES

For necessary expenses for the Wage and Hour Division, including reimbursement to State, Federal, and local agencies and their employees for inspection services rendered, $246,283,000.
OFFICE OF LABOR-MANAGEMENT STANDARDS

SALARIES AND EXPENSES

For necessary expenses for the Office of Labor-Management Standards, $42,187,000.

OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS

SALARIES AND EXPENSES

For necessary expenses for the Office of Federal Contract Compliance Programs, $105,976,000.

OFFICE OF WORKERS’ COMPENSATION PROGRAMS

SALARIES AND EXPENSES

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

SPECIAL BENEFITS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation, benefits, and expenses (except administrative expenses) accruing during the current or any prior fiscal year authorized by 5 U.S.C. 81; continuation of benefits as provided for under the heading “Civilian War Benefits” in the Federal Security Agency Appropriation Act, 1947; the Employees’ Compensation Commission Appropriation Act, 1944; section
5(f) of the War Claims Act (50 U.S.C. App. 2012); obligations incurred under the War Hazards Compensation Act (42 U.S.C. 1701 et seq.); and 50 percent of the additional compensation and benefits required by section 10(h) of the Longshore and Harbor Workers’ Compensation Act, $239,000,000, together with such amounts as may be necessary to be charged to the subsequent year appropriation for the payment of compensation and other benefits for any period subsequent to August 15 of the current year, for deposit into and to assume the attributes of the Employees’ Compensation Fund established under 5 U.S.C. 8147(a): Provided, That amounts appropriated may be used under 5 U.S.C. 8104 by the Secretary to reimburse an employer, who is not the employer at the time of injury, for portions of the salary of a re-employed, disabled beneficiary: Provided further, That balances of reimbursements unobligated on September 30, 2020, shall remain available until expended for the payment of compensation, benefits, and expenses: Provided further, That in addition there shall be transferred to this appropriation from the Postal Service and from any other corporation or instrumentality required under 5 U.S.C. 8147(e) to pay an amount for its fair share of the cost of administration, such sums as the Secretary determines to be the cost of administration for employees of such fair share entities through Sep-
Provided further, That of those funds transferred to this account from the fair share entities to pay the cost of administration of the Federal Employees’ Compensation Act, $80,257,000 shall be made available to the Secretary as follows:

(1) For enhancement and maintenance of automated data processing systems operations and telecommunications systems, $27,220,000;

(2) For automated workload processing operations, including document imaging, centralized mail intake, and medical bill processing, $25,647,000;

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

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

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

Provided further, That the Secretary may require that any person filing a notice of injury or a claim for benefits under 5 U.S.C. 81, or the Longshore and Harbor Workers’ Compensation Act, provide as part of such notice and claim, such identifying information (including Social Security account number) as such regulations may prescribe.
SPECIAL BENEFITS FOR DISABLED COAL MINERS

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

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

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

ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION FUND

For necessary expenses to administer the Energy Employees Occupational Illness Compensation Program Act, $62,507,000, to remain available until expended: Provided, That the Secretary may require that any person filing a claim for benefits under the Act provide as part of such claim such identifying information (including Social Security account number) as may be prescribed.

BLACK LUNG DISABILITY TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

Such sums as may be necessary from the Black Lung Disability Trust Fund (the “Fund”), to remain available until expended, for payment of all benefits authorized by
section 9501(d)(1), (2), (6), and (7) of the Internal Revenue Code of 1986; and repayment of, and payment of interest on advances, as authorized by section 9501(d)(4) of that Act. In addition, the following amounts may be expended from the Fund for fiscal year 2021 for expenses of operation and administration of the Black Lung Benefits program, as authorized by section 9501(d)(5): not to exceed $40,643,000 for transfer to the Office of Workers’ Compensation Programs, “Salaries and Expenses”; not to exceed $33,033,000 for transfer to Departmental Management, “Salaries and Expenses”; not to exceed $333,000 for transfer to Departmental Management, “Office of Inspector General”; and not to exceed $356,000 for payments into miscellaneous receipts for the expenses of the Department of the Treasury.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Occupational Safety and Health Administration, $593,787,000, including not to exceed $108,575,000 which shall be the maximum amount available for grants to States under section 23(g) of the Occupational Safety and Health Act (the “Act”), which grants shall be no less than 50 percent of the costs of State occupational safety and health programs required to be incurred under plans approved by the Secretary
under section 18 of the Act; and, in addition, notwithstanding 31 U.S.C. 3302, the Occupational Safety and Health Administration may retain up to $499,000 per fiscal year of training institute course tuition and fees, otherwise authorized by law to be collected, and may utilize such sums for occupational safety and health training and education: Provided, That notwithstanding 31 U.S.C. 3302, the Secretary is authorized, during the fiscal year ending September 30, 2021, to collect and retain fees for services provided to Nationally Recognized Testing Laboratories, and may utilize such sums, in accordance with the provisions of 29 U.S.C. 9a, to administer national and international laboratory recognition programs that ensure the safety of equipment and products used by workers in the workplace: Provided further, That $13,537,000 shall be available for Susan Harwood training grants, of which not less than $4,500,000 is for Susan Harwood Training Capacity Building Developmental grants, as described in Funding Opportunity Number SHTG–FY–16–02 (referenced in the notice of availability of funds published in the Federal Register on May 3, 2016 (81 Fed. Reg. 30568)) for program activities starting not later than September 30, 2021 and lasting for a period of 12 months: Provided further, That not more than $3,500,000 shall be for Voluntary Protection Programs.
Mine Safety and Health Administration

Salaries and Expenses

For necessary expenses for the Mine Safety and Health Administration, $379,816,000, including purchase and bestowal of certificates and trophies in connection with mine rescue and first-aid work, and the hire of passenger motor vehicles, including up to $2,000,000 for mine rescue and recovery activities and not less than $10,537,000 for State assistance grants: Provided, That notwithstanding 31 U.S.C. 3302, not to exceed $750,000 may be collected by the National Mine Health and Safety Academy for room, board, tuition, and the sale of training materials, otherwise authorized by law to be collected, to be available for mine safety and health education and training activities: Provided further, That notwithstanding 31 U.S.C. 3302, the Mine Safety and Health Administration is authorized to collect and retain up to $2,499,000 from fees collected for the approval and certification of equipment, materials, and explosives for use in mines, and may utilize such sums for such activities: Provided further, That the Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private: Provided further, That the Mine Safety and Health Administration...
is authorized to promote health and safety education and training in the mining community through cooperative programs with States, industry, and safety associations: Provided further, That the Secretary is authorized to recognize the Joseph A. Holmes Safety Association as a principal safety association and, notwithstanding any other provision of law, may provide funds and, with or without reimbursement, personnel, including service of Mine Safety and Health Administration officials as officers in local chapters or in the national organization: Provided further, That any funds available to the Department of Labor may be used, with the approval of the Secretary, to provide for the costs of mine rescue and survival operations in the event of a major disaster.

Bureau of Labor Statistics

Salaries and Expenses

For necessary expenses for the Bureau of Labor Statistics, including advances or reimbursements to State, Federal, and local agencies and their employees for services rendered, $587,000,000, together with not to exceed $68,000,000 which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

Within this amount, $13,000,000 to remain available until September 30, 2024, for costs associated with the
physical move of the Bureau of Labor Statistics’ head-
quaters, including replication of space, furniture, fix-
tures, equipment, and related costs, as well as relocation
of the data center to a shared facility.

OFFICE OF DISABILITY EMPLOYMENT POLICY

SALARIES AND EXPENSES

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

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for Departmental Manage-
ment, including the hire of three passenger motor vehicles,
$349,056,000, together with not to exceed $308,000,
which may be expended from the Employment Security
Administration account in the Unemployment Trust
Fund: Provided, That $67,325,000 for the Bureau of
International Labor Affairs shall be available for obliga-
tion through December 31, 2021: Provided further, That
funds available to the Bureau of International Labor Af-
fairs may be used to administer or operate international
labor activities, bilateral and multilateral technical assist-
ance, and microfinance programs, by or through contracts, grants, subgrants and other arrangements: Provided further, That not more than $53,825,000 shall be for programs to combat exploitative child labor internationally and not less than $13,500,000 shall be used to implement model programs that address worker rights issues through technical assistance in countries with which the United States has free trade agreements or trade preference programs: Provided further, That $8,040,000 shall be used for program evaluation and shall be available for obligation through September 30, 2022: Provided further, That funds available for program evaluation may be used to administer grants for the purpose of evaluation: Provided further, That grants made for the purpose of evaluation shall be awarded through fair and open competition: Provided further, That funds available for program evaluation may be transferred to any other appropriate account in the Department for such purpose: Provided further, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer: Provided further, That the funds available to the Women's Bureau may be used for grants to serve and promote the interests of women in the workforce: Provided further, That of the amounts made available to the Women's Bureau, not less than
$1,794,000 shall be used for grants authorized by the Women in Apprenticeship and Nontraditional Occupations Act.

VETERANS EMPLOYMENT AND TRAINING

Not to exceed $256,341,000 may be derived from the Employment Security Administration account in the Unemployment Trust Fund to carry out the provisions of chapters 41, 42, and 43 of title 38, United States Code, of which:

(1) $180,000,000 is for Jobs for Veterans State grants under 38 U.S.C. 4102A(b)(5) to support disabled veterans’ outreach program specialists under section 4103A of such title and local veterans’ employment representatives under section 4104(b) of such title, and for the expenses described in section 4102A(b)(5)(C), which shall be available for obligation by the States through December 31, 2021, and not to exceed 3 percent for the necessary Federal expenditures for data systems and contract support to allow for the tracking of participant and performance information: Provided, That, in addition, such funds may be used to support such specialists and representatives in the provision of services to transitioning members of the Armed Forces who have participated in the Transition Assistance Pro-
gram and have been identified as in need of intensive services, to members of the Armed Forces who are wounded, ill, or injured and receiving treatment in military treatment facilities or warrior transition units, and to the spouses or other family caregivers of such wounded, ill, or injured members;

(2) $29,379,000 is for carrying out the Transition Assistance Program under 38 U.S.C. 4113 and 10 U.S.C. 1144;

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

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

Provided, That the Secretary may reallocate among the appropriations provided under paragraphs (1) through (4) above an amount not to exceed 3 percent of the appropriation from which such reallocation is made.

In addition, from the General Fund of the Treasury, $57,500,000 is for carrying out programs to assist homeless veterans and veterans at risk of homelessness who are
transitioning from certain institutions under sections 2021, 2021A, and 2023 of title 38, United States Code: Provided, That notwithstanding subsections (c)(3) and (d) of section 2023, the Secretary may award grants through September 30, 2021, to provide services under such section: Provided further, That services provided under sections 2021 or under 2021A may include, in addition to services to homeless veterans described in section 2002(a)(1), services to veterans who were homeless at some point within the 60 days prior to program entry or veterans who are at risk of homelessness within the next 60 days, and that services provided under section 2023 may include, in addition to services to the individuals described in subsection (e) of such section, services to veterans recently released from incarceration who are at risk of homelessness: Provided further, That notwithstanding paragraph (3) under this heading, funds appropriated in this paragraph may be used for data systems and contract support to allow for the tracking of participant and performance information: Provided further, That notwithstanding sections 2021(e)(2) and 2021A(f)(2) of title 38, United States Code, such funds shall be available for expenditure pursuant to 31 U.S.C. 1553.

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

**IT MODERNIZATION**

For necessary expenses for Department of Labor centralized infrastructure technology investment activities related to support systems and modernization, $25,269,000, which shall be available through September 30, 2022.

**OFFICE OF INSPECTOR GENERAL**

For salaries and expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $86,187,000, together with not to exceed $5,660,000 which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

**GENERAL PROVISIONS**

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

(TRANSFER OF FUNDS)

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

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

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

Sec. 105. None of the funds made available by this Act under the heading “Employment and Training Administration” shall be used by a recipient or subrecipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of Executive Level II. This limitation shall not apply to vendors providing goods and services as defined in Office of Management and Budget Circular A–133. Where States are recipients of such funds, States may establish a lower limit for salaries and bonuses of those receiving salaries and bonuses from subrecipients of such funds, taking into account factors including the relative
cost-of-living in the State, the compensation levels for comparable State or local government employees, and the size of the organizations that administer Federal programs involved including Employment and Training Administration programs.

(TRANSFER OF FUNDS)

SEC. 106. (a) Notwithstanding section 102, the Secretary may transfer funds made available to the Employment and Training Administration by this Act, either directly or through a set-aside, for technical assistance services to grantees to “Program Administration” when it is determined that those services will be more efficiently performed by Federal employees: Provided, That this section shall not apply to section 171 of the WIOA.

(b) Notwithstanding section 102, the Secretary may transfer not more than 0.5 percent of each discretionary appropriation made available to the Employment and Training Administration by this Act to “Program Administration” in order to carry out program integrity activities relating to any of the programs or activities that are funded under any such discretionary appropriations: Provided, That notwithstanding section 102 and the preceding proviso, the Secretary may transfer not more than 0.5 percent of funds made available in paragraphs (1) and (2) of the “Office of Job Corps” account to paragraph (3) of such
account to carry out program integrity activities related
to the Job Corps program: Provided further, That funds
transferred under the authority provided by this sub-
section shall be available for obligation through September
30, 2022.

(TRANSFER OF FUNDS)

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

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

SEC. 108. Notwithstanding any other provision of law, the Secretary may furnish through grants, cooperative agreements, contracts, and other arrangements, up to $2,000,000 of excess personal property, at a value determined by the Secretary, to apprenticeship programs for the purpose of training apprentices in those programs.

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

“SEC. 12. SECURITY DETAIL.

“(a) IN GENERAL.—The Secretary of Labor is authorized to employ law enforcement officers or special agents to—
“(1) provide protection for the Secretary of Labor during the workday of the Secretary and during any activity that is preliminary or postliminary to the performance of official duties by the Secretary;

“(2) provide protection, incidental to the protection provided to the Secretary, to a member of the immediate family of the Secretary who is participating in an activity or event relating to the official duties of the Secretary;

“(3) provide continuous protection to the Secretary (including during periods not described in paragraph (1)) and to the members of the immediate family of the Secretary if there is a significant and articulable threat of physical harm, in accordance with guidelines established by the Secretary; and

“(4) provide protection to the Deputy Secretary of Labor at the Secretary’s direction in the performance of his official duties at a public event outside of the United States if there is a significant and articulable threat of physical harm and protective services are not provided as part of an official U.S. visit.
“(b) AUTHORITIES.—The Secretary of Labor may authorize a law enforcement officer or special agent employed under subsection (a), for the purpose of performing the duties authorized under subsection (a), to—

“(1) carry firearms;

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

“(3) perform protective intelligence work, including identifying and mitigating potential threats and conducting advance work to review security matters relating to sites and events;

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

“(5) initiate criminal and other investigations into potential threats to the security of the Secretary, in coordination with the Inspector General of the Department of Labor.

“(c) COMPLIANCE WITH GUIDELINES.—A law enforcement officer or special agent employed under subsection (a) shall exercise any authority provided under this section in accordance with any—

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

(b) This section shall be effective on the date of enactment of this Act.

SEC. 110. The Secretary is authorized to dispose of or divest, by any means the Secretary determines appropriate, including an agreement or partnership to construct a new Job Corps center, all or a portion of the real property on which the Treasure Island Job Corps Center is situated. Any sale or other disposition will not be subject to any requirement of any Federal law or regulation relating to the disposition of Federal real property, including but not limited to subchapter III of chapter 5 of title 40 of the United States Code and subchapter V of chapter 119 of title 42 of the United States Code. The net proceeds of such a sale shall be transferred to the Secretary, which shall be available until expended to carry out the Job Corps Program on Treasure Island.

(RESCISSION)

SEC. 111. Of the unobligated funds available under section 286(s)(2) of the Immigration and Nationality Act (8 U.S.C. 1356(s)(2)), $349,000,000 are hereby rescinded.

SEC. 112. None of the funds made available by this Act may be used to—
(1) alter or terminate the Interagency Agreement between the United States Department of Labor and the United States Department of Agriculture; or

(2) close any of the Civilian Conservation Centers, except if such closure is necessary to prevent the endangerment of the health and safety of the students, the capacity of the program is retained, and the requirements of section 159(j) of the WIOA are met.

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

Sec. 114. None of the funds made available by this Act may be used to develop, promulgate, issue, or implement a final rule, or take any actions in furtherance of the proposed rule, on “Implementing Legal Requirements Regarding the Equal Opportunity Clause’s Religious Exemption” published by Department of Labor in the Federal Register on August 15, 2019 (84 Fed. Reg. 41677 et seq.).
SEC. 115. None of the funds made available by this Act may be used to implement or enforce or take any actions in furtherance of, the final rule on “Wagner-Peyser Act Staffing Flexibility” published by the Department of Labor in the Federal Register on January 06, 2020 (85 Fed. Reg. 592 et seq.).

This title may be cited as the “Department of Labor Appropriations Act, 2021”.

TITLE II

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

PRIMARY HEALTH CARE

For carrying out titles II and III of the Public Health Service Act (referred to in this Act as the “PHS Act”) with respect to primary health care and the Native Hawaiian Health Care Act of 1988, $1,651,522,000: Provided, That no more than $1,000,000 shall be available until expended for carrying out the provisions of section 224(o) of the PHS Act: Provided further, That no more than $120,000,000 shall be available until expended for carrying out subsections (g) through (n) and (q) of section 224 of the PHS Act, and for expenses incurred by the Department of Health and Human Services (referred to
in this Act as “HHS”) pertaining to administrative claims made under such law.

HEALTH WORKFORCE

For carrying out titles III, VII, and VIII of the PHS Act with respect to the health workforce, sections 1128E and 1921 of the Social Security Act, and the Health Care Quality Improvement Act of 1986, $1,242,505,000: Provided, That sections 751(j)(2) and 762(k) of the PHS Act and the proportional funding amounts in paragraphs (1) through (4) of section 756(f) of the PHS Act shall not apply to funds made available under this heading: Provided further, That for any program operating under section 751 of the PHS Act on or before January 1, 2009, the Secretary of Health and Human Services (referred to in this title as the “Secretary”) may hereafter waive any of the requirements contained in sections 751(d)(2)(A) and 751(d)(2)(B) of such Act for the full project period of a grant under such section: Provided further, That no funds shall be available for section 340G–1 of the PHS Act: Provided further, That fees collected for the disclosure of information under section 427(b) of the Health Care Quality Improvement Act of 1986 and sections 1128E(d)(2) and 1921 of the Social Security Act shall be sufficient to recover the full costs of operating the programs authorized by such sections and shall remain avail-
able until expended for the National Practitioner Data Bank: *Provided further*, That funds transferred to this account to carry out section 846 and subpart 3 of part D of title III of the PHS Act may be used to make prior year adjustments to awards made under such section and subpart: *Provided further*, That $120,000,000 shall remain available until expended for the purposes of providing primary health services, assigning National Health Service Corps ("NHSC") members to expand the delivery of substance use disorder treatment services, notwithstanding the assignment priorities and limitations under sections 333(a)(1)(D), 333(b), and 333A(a)(1)(B)(ii) of the PHS Act, and making payments under the NHSC Loan Repayment Program under section 338B of such Act: *Provided further*, That, within the amount made available in the previous proviso, $15,000,000 shall remain available until expended for the purposes of making payments under the NHSC Loan Repayment Program under section 338B of the PHS Act to individuals participating in such program who provide primary health services in Indian Health Service facilities, Tribally-Operated 638 Health Programs, and Urban Indian Health Programs (as those terms are defined by the Secretary), notwithstanding the assignment priorities and limitations under section 333(b) of such Act: *Provided further*, That
for purposes of the previous two provisos, section 331(a)(3)(D) of the PHS Act shall be applied as if the term “primary health services” includes clinical substance use disorder treatment services, including those provided by masters level, licensed substance use disorder treatment counselors: Provided further, That of the funds made available under this heading, $5,000,000 shall be available to make grants to establish or expand optional community-based nurse practitioner fellowship programs that are accredited or in the accreditation process, with a preference for those in Federally Qualified Health Centers, for practicing postgraduate nurse practitioners in primary care or behavioral health.

Of the funds made available under this heading, $55,000,000 shall remain available until expended for grants to public institutions of higher education to expand or support graduate education for physicians provided by such institutions: Provided, That, in awarding such grants, the Secretary shall give priority to public institutions of higher education located in States with a projected primary care provider shortage in 2025, as determined by the Secretary: Provided further, That grants so awarded are limited to such public institutions of higher education in States in the top quintile of States with a projected primary care provider shortage in 2025, as determined by
the Secretary: Provided further, That the minimum amount of a grant so awarded to such an institution shall be not less than $1,000,000 per year: Provided further, That such a grant may be awarded for a period not to exceed 5 years: Provided further, That such a grant awarded with respect to a year to such an institution shall be subject to a matching requirement of non-Federal funds in an amount that is not less than 10 percent of the total amount of Federal funds provided in the grant to such institution with respect to such year.

MATERNAL AND CHILD HEALTH

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

RYAN WHITE HIV/AIDS PROGRAM

For carrying out title XXVI of the PHS Act with respect to the Ryan White HIV/AIDS program, $2,413,781,000, of which $1,970,881,000 shall remain
available to the Secretary through September 30, 2023,
for parts A and B of title XXVI of the PHS Act, and
of which not less than $900,313,000 shall be for State
AIDS Drug Assistance Programs under the authority of
section 2616 or 311(c) of such Act; and of which
$95,000,000, to remain available until expended, shall be
available to the Secretary for carrying out a program of
grants and contracts under title XXVI or section 311(c)
of such Act focused on ending the nationwide HIV/AIDS
epidemic, with any grants issued under such section
311(c) administered in conjunction with title XXVI of the
PHS Act, including the limitation on administrative ex-
penses.

HEALTH CARE SYSTEMS

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

RURAL HEALTH

For carrying out titles III and IV of the PHS Act
with respect to rural health, section 427(a) of the Federal
Coal Mine Health and Safety Act of 1969, and sections
711 and 1820 of the Social Security Act, $334,294,000,
of which $55,609,000 from general revenues, notwithstanding section 1820(j) of the Social Security Act, shall be available for carrying out the Medicare rural hospital flexibility grants program: *Provided*, That of the funds made available under this heading for Medicare rural hospital flexibility grants, $21,942,000 shall be available for the Small Rural Hospital Improvement Grant Program for quality improvement and adoption of health information technology and up to $1,000,000 shall be to carry out section 1820(g)(6) of the Social Security Act, with funds provided for grants under section 1820(g)(6) available for the purchase and implementation of telehealth services, including pilots and demonstrations on the use of electronic health records to coordinate rural veterans care between rural providers and the Department of Veterans Affairs electronic health record system: *Provided further*, That notwithstanding section 338J(k) of the PHS Act, $12,500,000 shall be available for State Offices of Rural Health: *Provided further*, That $11,000,000 shall remain available through September 30, 2023, to support the Rural Residency Development Program: *Provided further*, That $110,000,000 shall be for the Rural Communities Opioids Response Program.
For carrying out the program under title X of the PHS Act to provide for voluntary family planning projects, $286,479,000: Provided, That the Secretary shall carry out section 1001 of the PHS Act solely in accordance with any regulations or other conditions or instructions established by the Secretary pursuant to the authority under section 1006 of the PHS Act that applied as of January 18, 2017, to grants and contracts awarded under section 1001 of the PHS Act: Provided further, That amounts provided to said projects under such title shall not be expended for abortions, that all pregnancy counseling shall be nondirective, and that such amounts shall not be expended for any activity (including the publication or distribution of literature) that in any way tends to promote public support or opposition to any legislative proposal or candidate for public office: Provided further, That for each entity that, in fiscal year 2019, received an award under section 1001 of the PHS Act and whose award was terminated or relinquished before the planned end of the period of performance, the Secretary shall, not later than 60 days after the date of enactment of this Act, issue a new award to such entity using funds made available herein, equal to the amount of the award that was terminated or relinquished and consistent with any terms
and conditions that applied at the time that the fiscal year 2019 award was made except as modified by this Act, but only if—

(1) the Secretary has not, prior to the enactment of this Act, awarded grants or contracts for the performance of substantially similar activities in the geographical areas that were served by the terminated or relinquished award, but if such grants or contracts awarded prior to the enactment of this Act would only partially replace the activities or areas covered by the terminated or relinquished award, the Secretary shall seek to restore the terminated award with respect to the remaining activities or areas;

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

(3) the Secretary has secured assurance from the entity that it is willing to resume project activities consistent with the terms and conditions that applied at the time that the terminated or relin-
quished award was made except as modified by this

Act:

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

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

(i) prenatal care and delivery;

(ii) infant care, foster care, and adop-
tion; and

(iii) pregnancy termination;

(B) if a patient requests such information
and counseling, such patient shall be provided
with neutral, factual information and nondirec-
tive counseling on each such option, including
referral upon request, except with respect to
any option about which the patient indicates no
interest in receiving such information and coun-
seling.
For program support in the Health Resources and Services Administration, $155,300,000: Provided, That funds made available under this heading may be used to supplement program support funding provided under the headings “Primary Health Care”, “Health Workforce”, “Maternal and Child Health”, “Ryan White HIV/AIDS Program”, “Health Care Systems”, and “Rural Health”.

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

For carrying out titles II, III, XVII, and XXI, and section 2821 of the PHS Act, titles II and IV of the Immigration and Nationality Act, and section 501 of the Refugee Education Assistance Act, with respect to immunization and respiratory diseases, $469,705,000.
HIV/AIDS, VIRAL HEPATITIS, SEXUALLY TRANSMITTED DISEASES, AND TUBERCULOSIS PREVENTION

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

EMERGING AND ZOONOTIC INFECTIOUS DISEASES

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

CHRONIC DISEASE PREVENTION AND HEALTH PROMOTION

For carrying out titles II, III, XI, XV, XVII, and XIX of the PHS Act with respect to chronic disease prevention and health promotion, $1,049,564,000: Provided, That funds made available under this heading may be available for making grants under section 1509 of the PHS Act for not less than 21 States, tribes, or tribal orga-
organizations: Provided further, That of the funds made available under this heading, $15,000,000 shall be available to continue and expand community specific extension and outreach programs to combat obesity in counties with the highest levels of obesity: Provided further, That the proportional funding requirements under section 1503(a) of the PHS Act shall not apply to funds made available under this heading.

BIRTH DEFECTS, DEVELOPMENTAL DISABILITIES, DISABILITIES AND HEALTH

For carrying out titles II, III, XI, and XVII of the PHS Act with respect to birth defects, developmental disabilities, disabilities and health, $162,810,000.

PUBLIC HEALTH SCIENTIFIC SERVICES

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

ENVIRONMENTAL HEALTH

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

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

NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND HEALTH

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

ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM

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

GLOBAL HEALTH

For carrying out titles II, III, and XVII of the PHS Act with respect to global health, $572,843,000, of which:
(1) $128,421,000 shall remain available through September 30, 2022 for international HIV/AIDS; and (2) $183,200,000 shall remain available through September 30, 2023 for global public health protection: Provided, That funds may be used for purchase and insurance of official motor vehicles in foreign countries.

PUBLIC HEALTH PREPAREDNESS AND RESPONSE

For carrying out titles II, III, and XVII of the PHS Act with respect to public health preparedness and response, and for expenses necessary to support activities related to countering potential biological, nuclear, radiological, and chemical threats to civilian populations, $852,200,000: Provided, That the Director of the Centers for Disease Control and Prevention (referred to in this title as “CDC”) or the Administrator of the Agency for Toxic Substances and Disease Registry may detail staff without reimbursement for up to 180 days to support an activation of the CDC Emergency Operations Center, so long as the Director or Administrator, as applicable, provides a notice to the Committees on Appropriations of the House of Representatives and the Senate within 15 days of the use of this authority and a full report within 30 days after use of this authority which includes the number of staff and funding level broken down by the originating center and number of days detailed: Provided further,
That funds appropriated under this heading may be used to support a contract for the operation and maintenance of an aircraft in direct support of activities throughout CDC to ensure the agency is prepared to address public health preparedness emergencies.

BUILDINGS AND FACILITIES

(INCLUDING TRANSFER OF FUNDS)

For acquisition of real property, equipment, construction, installation, demolition, and renovation of facilities, $30,000,000, which shall remain available until September 30, 2025: Provided, That funds made available to this account in this or any prior Act that are available for the acquisition of real property or for construction or improvement of facilities shall be available to make improvements on non-federally owned property, provided that any improvements that are not adjacent to federally owned property do not exceed $2,500,000, and that the primary benefit of such improvements accrues to CDC: Provided further, That funds previously set-aside by CDC for repair and upgrade of the Lake Lynn Experimental Mine and Laboratory shall be used to acquire a replacement mine safety research facility: Provided further, That in addition, the prior year unobligated balance of any amounts assigned to former employees in accounts of CDC made available for Individual Learning Accounts shall be cred-
ited to and merged with the amounts made available under
this heading to support the replacement of the mine safety
research facility.

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

For carrying out titles II, III, XVII and XIX, and
section 2821 of the PHS Act and for cross-cutting activi-
ties and program support for activities funded in other
appropriations included in this Act for the Centers for
Disease Control and Prevention, $198,570,000, of which
up to $5,000,000 may be transferred to the reserve of the
Working Capital Fund authorized under this heading in
division F of Public Law 112–74: Provided, That para-
graphs (1) through (3) of subsection (b) of section 2821
of the PHS Act shall not apply to funds appropriated
under this heading and in all other accounts of the CDC:
Provided further, That of the amounts made available
under this heading, $85,000,000, to remain available until
expended, shall be available to the Director of the CDC
for deposit in the Infectious Diseases Rapid Response Re-
serve Fund established by section 231 of division B of
Public Law 115–245: Provided further, That employees of
CDC or the Public Health Service, both civilian and com-
missioned officers, detailed to States, municipalities, or
other organizations under authority of section 214 of the
PHS Act, or in overseas assignments, shall be treated as non-Federal employees for reporting purposes only and shall not be included within any personnel ceiling applicable to the Agency, Service, or HHS during the period of detail or assignment: Provided further, That CDC may use up to $10,000 from amounts appropriated to CDC in this Act for official reception and representation expenses when specifically approved by the Director of CDC: Provided further, That in addition, such sums as may be derived from authorized user fees, which shall be credited to the appropriation charged with the cost thereof: Provided further, That with respect to the previous proviso, authorized user fees from the Vessel Sanitation Program and the Respirator Certification Program shall be available through September 30, 2022.

NATIONAL INSTITUTES OF HEALTH

NATIONAL CANCER INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to cancer, $6,299,155,000, of which up to $30,000,000 may be used for facilities repairs and improvements at the National Cancer Institute—Frederick Federally Funded Research and Development Center in Frederick, Maryland.
NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to cardiovascular, lung, and blood diseases, and blood and blood products, $3,655,428,000.

NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL RESEARCH

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

NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND KIDNEY DISEASES

For carrying out section 301 and title IV of the PHS Act with respect to diabetes and digestive and kidney disease, $2,132,498,000.

NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

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

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

For carrying out section 301 and title IV of the PHS Act with respect to allergy and infectious diseases, $6,013,087,000.
NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

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

EUNICE KENNEDY SHIRVER NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

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

NATIONAL EYE INSTITUTE

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

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

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

NATIONAL INSTITUTE ON AGING

For carrying out section 301 and title IV of the PHS Act with respect to aging, $3,609,150,000.
NATIONAL INSTITUTE OF ARTHRITIS AND
MUSCULOSKELETAL AND SKIN DISEASES
For carrying out section 301 and title IV of the PHS
Act with respect to arthritis and musculoskeletal and skin
diseases, $630,263,000.

NATIONAL INSTITUTE ON DEAFNESS AND OTHER
COMMUNICATION DISORDERS
For carrying out section 301 and title IV of the PHS
Act with respect to deafness and other communication dis-
orders, $494,912,000.

NATIONAL INSTITUTE OF NURSING RESEARCH
For carrying out section 301 and title IV of the PHS
Act with respect to nursing research, $170,567,000.

NATIONAL INSTITUTE ON ALCOHOL ABUSE AND
ALCOHOLISM
For carrying out section 301 and title IV of the PHS
Act with respect to alcohol abuse and alcoholism,
$550,063,000.

NATIONAL INSTITUTE ON DRUG ABUSE
For carrying out section 301 and title IV of the PHS
Act with respect to drug abuse, $1,474,590,000.

NATIONAL INSTITUTE OF MENTAL HEALTH
For carrying out section 301 and title IV of the PHS
Act with respect to mental health, $2,005,303,000.
NATIONAL HUMAN GENOME RESEARCH INSTITUTE
For carrying out section 301 and title IV of the PHS Act with respect to human genome research, $611,564,000.

NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND BIOENGINEERING
For carrying out section 301 and title IV of the PHS Act with respect to biomedical imaging and bioengineering research, $407,109,000.

NATIONAL CENTER FOR COMPLEMENTARY AND INTEGRATIVE HEALTH
For carrying out section 301 and title IV of the PHS Act with respect to complementary and integrative health, $153,045,000.

NATIONAL INSTITUTE ON MINORITY HEALTH AND HEALTH DISPARITIES
For carrying out section 301 and title IV of the PHS Act with respect to minority health and health disparities research, $343,700,000: Provided, That funds may be used to implement a reorganization that is presented to an advisory council in a public meeting and for which the Committees on Appropriations of the House of Representatives and the Senate have been notified 30 days in advance.
JOHN E. FOGARTY INTERNATIONAL CENTER

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

NATIONAL LIBRARY OF MEDICINE

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

NATIONAL CENTER FOR ADVANCING TRANSLATIONAL SCIENCES

For carrying out section 301 and title IV of the PHS Act with respect to translational sciences, $840,051,000: Provided, That up to $60,000,000 shall be available to implement section 480 of the PHS Act, relating to the Cures Acceleration Network: Provided further, That at least $578,141,000 is provided to the Clinical and Translational Sciences Awards program.
OFFICE OF THE DIRECTOR

(INCLUDING TRANSFER OF FUNDS)

For carrying out the responsibilities of the Office of the Director, NIH, $2,324,548,000: Provided, That funding shall be available for the purchase of not to exceed 29 passenger motor vehicles for replacement only: Provided further, That all funds credited to the NIH Management Fund shall remain available for one fiscal year after the fiscal year in which they are deposited: Provided further, That $180,000,000 shall be for the Environmental Influences on Child Health Outcomes study: Provided further, That $631,899,000 shall be available for the Common Fund established under section 402A(c)(1) of the PHS Act: Provided further, That of the funds provided, $10,000 shall be for official reception and representation expenses when specifically approved by the Director of the NIH: Provided further, That the Office of AIDS Research within the Office of the Director of the NIH may spend up to $8,000,000 to make grants for construction or renovation of facilities as provided for in section 2354(a)(5)(B) of the PHS Act: Provided further, That $50,000,000 shall be used to carry out section 404I of the PHS Act (42 U.S.C. 283K), relating to biomedical and behavioral research facilities: Provided further, That $5,000,000 shall be transferred to and merged with the
appropriation for the “Office of Inspector General” for oversight of grant programs and operations of the NIH, including agency efforts to ensure the integrity of its grant application evaluation and selection processes, and shall be in addition to funds otherwise made available for oversight of the NIH: Provided further, That the funds provided in the previous proviso may be transferred from one specified activity to another with 15 days prior approval of the Committees on Appropriations of the House of Representatives and the Senate: Provided further, That the Inspector General shall consult with the Committees on Appropriations of the House of Representatives and the Senate before submitting to the Committees an audit plan for fiscal years 2021 and 2022 no later than 30 days after the date of enactment of this Act: Provided further, That amounts available under this heading are also available to establish, operate, and support the Research Policy Board authorized by section 2034(f) of the 21st Century Cures Act.

In addition to other funds appropriated for the Common Fund established under section 402A(c) of the PHS Act, $12,600,000 is appropriated to the Common Fund from the 10-year Pediatric Research Initiative Fund described in section 9008 of title 26, United States Code, for the purpose of carrying out section 402(b)(7)(B)(ii)
of the PHS Act (relating to pediatric research), as authorized in the Gabriella Miller Kids First Research Act.

BUILDINGS AND FACILITIES

For the study of, construction of, demolition of, renovation of, and acquisition of equipment for, facilities of or used by NIH, including the acquisition of real property, $200,000,000, to remain available through September 30, 2025.

NIH INNOVATION ACCOUNT, CURES ACT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the purposes described in section 1001(b)(4) of the 21st Century Cures Act, in addition to amounts available for such purposes in the appropriations provided to the NIH in this Act, $404,000,000, to remain available until expended: Provided, That such amounts are appropriated pursuant to section 1001(b)(3) of such Act, are to be derived from amounts transferred under section 1001(b)(2)(A) of such Act, and may be transferred by the Director of the National Institutes of Health to other accounts of the National Institutes of Health solely for the purposes provided in such Act: Provided further, That upon a determination by the Director that funds transferred pursuant to the previous proviso are not necessary for the purposes provided, such amounts may be transferred back to the Act-
Provided further, That the transfer authority pro-
vided under this heading is in addition to any other trans-
fer authority provided by law.

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES
ADMINISTRATION
MENTAL HEALTH

For carrying out titles III, V, and XIX of the PHS
Act with respect to mental health, and the Protection and
Advocacy for Individuals with Mental Illness Act,
$1,727,974,000: Provided, That of the funds made avail-
able under this heading, $71,887,000 shall be for the Na-
tional Child Traumatic Stress Initiative: Provided further,
That notwithstanding section 520A(f)(2) of the PHS Act,
no funds appropriated for carrying out section 520A shall
be available for carrying out section 1971 of the PHS Act:
Provided further, That in addition to amounts provided
herein, $21,039,000 shall be available under section 241
of the PHS Act to supplement funds otherwise available
for mental health activities and to carry out subpart I of
part B of title XIX of the PHS Act to fund section
1920(b) technical assistance, national data, data collection
and evaluation activities, and further that the total avail-
able under this Act for section 1920(b) activities shall not
exceed 5 percent of the amounts appropriated for subpart
I of part B of title XIX: Provided further, That of the
funds made available under this heading for subpart I of part B of title XIX of the PHS Act, $35,000,000 shall be available to support evidence-based crisis systems: Provided further, That up to 10 percent of the amounts made available to carry out the Children’s Mental Health Services program may be used to carry out demonstration grants or contracts for early interventions with persons not more than 25 years of age at clinical high risk of developing a first episode of psychosis: Provided further, That section 520E(b)(2) of the PHS Act shall not apply to funds appropriated in this Act for fiscal year 2021: Provided further, That States shall expend at least 10 percent of the amount each receives for carrying out section 1911 of the PHS Act to support evidence-based programs that address the needs of individuals with early serious mental illness, including psychotic disorders, regardless of the age of the individual at onset: Provided further, That $225,000,000 shall be available until September 30, 2023 for grants to communities and community organizations who meet criteria for Certified Community Behavioral Health Clinics pursuant to section 223(a) of Public Law 113–93: Provided further, That none of the funds provided for section 1911 of the PHS Act shall be subject to section 241 of such Act: Provided further, That of the funds made available under this heading, $19,000,000 shall be to

**SUBSTANCE ABUSE TREATMENT**

For carrying out titles III and V of the PHS Act with respect to substance abuse treatment and title XIX of such Act with respect to substance abuse treatment and prevention, and the SUPPORT for Patients and Communities Act, $3,766,556,000: Provided, That $1,500,000,000 shall be for State Opioid Response Grants for carrying out activities pertaining to opioids and stimulants undertaken by the State agency responsible for administering the substance abuse prevention and treatment block grant under subpart II of part B of title XIX of the PHS Act (42 U.S.C. 300x–21 et seq.): Provided further, That of such amount $50,000,000 shall be made available to Indian Tribes or tribal organizations: Provided further, That 15 percent of the remaining amount shall be for the States with the highest mortality rate related to opioid use disorders: Provided further, That of the amounts provided for State Opioid Response Grants not more than 2 percent shall be available for Federal administrative expenses, training, technical assistance, and evaluation: Provided further, That of the amount not reserved by the previous three provisos, the Secretary shall make
allocations to States, territories, and the District of Columbia according to a formula using national survey results that the Secretary determines are the most objective and reliable measure of drug use and drug-related deaths: Provided further, That the Secretary shall submit the formula methodology to the Committees on Appropriations of the House of Representatives and the Senate not less than 15 days prior to publishing a Funding Opportunity Announcement: Provided further, That prevention and treatment activities funded through such grants may include education, treatment (including the provision of medication), behavioral health services for individuals in treatment programs, referral to treatment services, recovery support, and medical screening associated with such treatment: Provided further, That each State, as well as the District of Columbia, shall receive not less than $4,000,000: Provided further, That in addition to amounts provided herein, the following amounts shall be available under section 241 of the PHS Act: (1) $79,200,000 to carry out subpart II of part B of title XIX of the PHS Act to fund section 1935(b) technical assistance, national data, data collection and evaluation activities, and further that the total available under this Act for section 1935(b) activities shall not exceed 5 percent of the amounts appropriated for subpart II of part B of title XIX; and (2)
$2,000,000 to evaluate substance abuse treatment programs: Provided further, That none of the funds provided for section 1921 of the PHS Act or State Opioid Response Grants shall be subject to section 241 of such Act.

SUBSTANCE ABUSE PREVENTION

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

HEALTH SURVEILLANCE AND PROGRAM SUPPORT

For program support and cross-cutting activities that supplement activities funded under the headings “Mental Health”, “Substance Abuse Treatment”, and “Substance Abuse Prevention” in carrying out titles III, V, and XIX of the PHS Act and the Protection and Advocacy for Individuals with Mental Illness Act in the Substance Abuse and Mental Health Services Administration, $128,830,000: Provided, That in addition to amounts provided herein, $31,428,000 shall be available under section 241 of the PHS Act to supplement funds available to carry out national surveys on drug abuse and mental health, to collect and analyze program data, and to conduct public awareness and technical assistance activities: Provided further, That, in addition, fees may be collected for the costs of publications, data, data tabulations, and data analysis completed under title V of the PHS Act and provided to a public or private entity upon request, which...
shall be credited to this appropriation and shall remain available until expended for such purposes: *Provided further*, That amounts made available in this Act for carrying out section 501(o) of the PHS Act shall remain available through September 30, 2022: *Provided further*, That funds made available under this heading may be used to supplement program support funding provided under the headings “Mental Health”, “Substance Abuse Treatment”, and “Substance Abuse Prevention”.

**Agency for Healthcare Research and Quality**

Healthcare Research and Quality

For carrying out titles III and IX of the PHS Act, part A of title XI of the Social Security Act, and section 1013 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003, $143,091,000: *Provided*, that in addition to amounts provided herein, $199,909,000 shall be available from amounts available under section 241 of the PHS Act: *Provided further*, that section 947(c) of the PHS Act shall not apply in fiscal year 2021: *Provided further*, that in addition, amounts received from Freedom of Information Act fees, reimbursable and interagency agreements, and the sale of data shall be credited to this appropriation and shall remain available until September 30, 2022.
Centers for Medicare & Medicaid Services

Grants to States for Medicaid

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

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

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

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

Payments to the Health Care Trust Funds

For payment to the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, as provided under sections 217(g), 1844, and 1860D–16 of the Social Security Act, sections 103(e) and 111(d) of the Social Security Amendments of 1965, section 278(d)(3) of Public Law 97–248, and for
administrative expenses incurred pursuant to section 201(g) of the Social Security Act, $439,514,000,000.

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

PROGRAM MANAGEMENT

For carrying out, except as otherwise provided, titles XI, XVIII, XIX, and XXI of the Social Security Act, titles XIII and XXVII of the PHS Act, the Clinical Laboratory Improvement Amendments of 1988, and other responsibilities of the Centers for Medicare & Medicaid Services, not to exceed $3,984,744,000, to be transferred from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, as authorized by section 201(g) of the Social Security Act; together with all funds collected in accordance with section 353 of the PHS Act and section 1857(e)(2) of the Social Security Act, funds retained by the Secretary pursuant to section 1893(h) of the Social Security Act, and such sums as may be collected from authorized user fees and the sale of data, which shall be credited to this account and remain available until expended: Provided, That all funds derived in accordance with 31 U.S.C. 9701 from organizations established under title XIII of the PHS Act shall be credited
to and available for carrying out the purposes of this ap-
propriation: *Provided further,* That the Secretary is di-
rected to collect fees in fiscal year 2021 from Medicare
Advantage organizations pursuant to section 1857(e)(2)
of the Social Security Act and from eligible organizations
with risk-sharing contracts under section 1876 of that Act
pursuant to section 1876(k)(4)(D) of that Act: *Provided
further,* That of the amount made available under this
heading, $407,334,000 shall remain available until Sep-
tember 30, 2022, and shall be available for the Survey
and Certification Program: *Provided further,* That
amounts available under this heading to support quality
improvement organizations (as defined in section 1152 of
the Social Security Act) shall not exceed the amount spe-
cifically provided for such purpose under this heading in
division H of the Consolidated Appropriations Act, 2018
(Public Law 115-141).

In addition, the Secretary shall obligate not less than
$100,000,000 in fiscal year 2021 out of amounts collected
through the user fees on participating health insurance
issuers pursuant to section 156.50 of title 45, Code of
Federal Regulations (or any successor regulations) to
carry out the navigator program (as described in section
1311(i) of the Patient Protection and Affordable Care Act
(42 U.S.C. 18031(i)), and to carry out outreach and edu-
cational activities, for purposes of informing potential enrollees in qualified health plans (as defined in section 1301(a) of such Act (42 U.S.C. 18021(a)) offered through an Exchange established or operated by the Secretary within a State, of the availability of coverage under such plans and financial assistance for coverage under such plans: Provided, That awards under such program shall be based solely on an entity’s demonstrated capacity to carry out each of the duties specified in section 1311(i)(3) of such Act: Provided further, That not less than $15,000,000 shall be obligated for national television and not less than $15,000,000 shall be obligated for internet search advertising for purposes of carrying out such outreach and educational activities: Provided further, That not less than $30,000,000 of the funds made available in this paragraph shall be obligated for advertising during the final two weeks of the open enrollment period specified by the Secretary pursuant to section 1311(c)(6)(B) of such Act occurring during 2019: Provided further, That no amounts collected through such user fees shall be available for expenditures for promoting health insurance coverage or a group health plan (as such terms are defined in section 2791 of the PHS Act (42 U.S.C. 300gg-91)) that is not a qualified health plan.
HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT

In addition to amounts otherwise available for program integrity and program management, $807,000,000, to remain available through September 30, 2022, to be transferred from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, as authorized by section 201(g) of the Social Security Act, of which $615,000,000 shall be for the Centers for Medicare & Medicaid Services program integrity activities, of which $98,000,000 shall be for the Department of Health and Human Services Office of Inspector General to carry out fraud and abuse activities authorized by section 1817(k)(3) of such Act, and of which $94,000,000 shall be for the Department of Justice to carry out fraud and abuse activities authorized by section 1817(k)(3) of such Act: Provided, That the report required by section 1817(k)(5) of the Social Security Act for fiscal year 2021 shall include measures of the operational efficiency and impact on fraud, waste, and abuse in the Medicare, Medicaid, and CHIP programs for the funds provided by this appropriation: Provided further, That of the amount provided under this heading, $311,000,000 is provided to meet the terms of section 251(b)(2)(C)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, and
$496,000,000 is additional new budget authority specified for purposes of section 251(b)(2)(C) of such Act: Provided further, That the Secretary shall provide not less than $20,000,000 from amounts made available under this heading and amounts made available for fiscal year 2021 under section 1817(k)(3)(A) of the Social Security Act for the Senior Medicare Patrol program to combat health care fraud and abuse.

ADMINISTRATION FOR CHILDREN AND FAMILIES
PAYMENTS TO STATES FOR CHILD SUPPORT
ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

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

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

For making payments under subsections (b) and (d) of section 2602 of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 et seq.), $3,765,304,000: Provided, That notwithstanding section 2609A(a) of such Act, not more than $2,988,000 may be reserved by the Secretary of Health and Human Services for technical assistance, training, and monitoring of program activities for compliance with internal controls, policies and procedures and the Secretary may, in addition to the authorities provided in section 2609A(a)(1), use such funds through contracts with private entities that do not qualify as nonprofit organizations: Provided further, That $3,737,316,000 of the amount appropriated under this heading shall be allocated to each State and territory in amounts equal to the amount each State and territory was allocated in fiscal year 2020 pursuant to allocations made from amounts appropriated under this heading in title II of division A of the Further Consolidated Appropriations Act, 2020 (Public Law 116–94): Provided further, That of the remaining amount made available under this heading that is not designated for allocation in the preceding two provisos, $12,500,000 shall be allocated as though the total appropriation for such payments for fiscal year 2021 was less than $1,975,000,000.
REFUGEE AND ENTRANT ASSISTANCE

For necessary expenses for refugee and entrant assistance activities authorized by section 414 of the Immigration and Nationality Act and section 501 of the Refugee Education Assistance Act of 1980, and for carrying out section 462 of the Homeland Security Act of 2002, section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, the Trafficking Victims Protection Act of 2000 ("TVPA"), and the Torture Victims Relief Act of 1998, $1,911,201,000, of which $1,864,446,000 shall remain available through September 30, 2023 for carrying out such sections 414, 501, 462, and 235: Provided, That amounts available under this heading to carry out the TVPA shall also be available for research and evaluation with respect to activities under such Act: Provided further, That not less than $190,000,000 shall be used for legal services, child advocates, and post-release services: Provided further, That the contribution of funds requirement under section 235(c)(6)(C)(iii) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 shall not apply to funds made available under this heading.
PAYMENTS TO STATES FOR THE CHILD CARE AND
DEVELOPMENT BLOCK GRANT

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

SOCIAL SERVICES BLOCK GRANT

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

CHILDREN AND FAMILIES SERVICES PROGRAMS

For carrying out, except as otherwise provided, the
Runaway and Homeless Youth Act, the Head Start Act,
the Every Student Succeeds Act, the Child Abuse Preven-
tion and Treatment Act, sections 303 and 313 of the
Family Violence Prevention and Services Act, the Native
American Programs Act of 1974, title II of the Child
Abuse Prevention and Treatment and Adoption Reform
Act of 1978 (adoption opportunities), part B–1 of title IV
and sections 429, 473A, 477(i), 1110, 1114A, and 1115
of the Social Security Act, and the Community Services
Block Grant Act (“CSBG Act”); and for necessary admin-
istrative expenses to carry out titles I, IV, V, X, XI, XIV,
XVI, and XX–A of the Social Security Act, the Act of
July 5, 1960, the Low-Income Home Energy Assistance
Act of 1981, the Child Care and Development Block Grant
Act of 1990, the Assets for Independence Act, title IV of
the Immigration and Nationality Act, and section 501 of
the Refugee Education Assistance Act of 1980,
$13,098,181,000, of which $75,000,000, to remain avail-
able through September 30, 2022, shall be for grants to
States for adoption and legal guardianship incentive pay-
ments, as defined by section 473A of the Social Security Act and may be made for adoptions and legal guardianships completed before September 30, 2021: Provided, That $10,763,095,000 shall be for making payments under the Head Start Act, including for Early Head Start-Child Care Partnerships, and, of which, notwithstanding section 640 of such Act:

1. $135,000,000 shall be available for a cost of living adjustment, and with respect to any continuing appropriations act, funding available for a cost of living adjustment shall not be construed as an authority or condition under this Act;

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

3. $15,000,000 shall be available to migrant and seasonal Head Start programs, in addition to funds made available for migrant and seasonal Head
Start programs under section 640(a) of the Head Start Act, for the purposes of quality improvement consistent with section 640(a)(5) of such Act except that any amount of the funds may be used on any of the activities in such section (5): Provided further, that funds derived from a migrant and seasonal Head Start program held by the Secretary as a result of recapturing, withholding, or reducing a base grant that were unable to be redistributed consistent with Section 641A(h)(6)(A)(ii) of such Act shall be added to the amount in the previous proviso;

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

(5) $19,000,000 shall be available to supplement funding otherwise available for research, evaluation, and Federal administrative costs:

Provided further, That the Secretary may reduce the reservation of funds under section 640(a)(2)(C) of such Act in lieu of reducing the reservation of funds under sections 640(a)(2)(B), 640(a)(2)(D), and 640(a)(2)(E) of such Act: Provided further, That $300,000,000 shall be available until December 31, 2021 for carrying out sections 9212 and 9213 of the Every Student Succeeds Act: Pro-
Provided further, That up to 3 percent of the funds in the preceding proviso shall be available for technical assistance and evaluation related to grants awarded under such section 9212: Provided further, That $780,383,000 shall be for making payments under the CSBG Act: Provided further, That for the purposes of carrying out the CSBG Act, the term “poverty line” as defined in section 673(2) of the CSBG Act means 200 percent of the poverty line otherwise applicable under such section (excluding the last sentence of such section) without regard to such section: Provided further, That $30,383,000 shall be for section 680 of the CSBG Act, of which not less than $20,383,000 shall be for section 680(a)(2) and not less than $10,000,000 shall be for section 680(a)(3)(B) of such Act: Provided further, That, notwithstanding section 675C(a)(3) of such Act, to the extent Community Services Block Grant funds are distributed as grant funds by a State to an eligible entity as provided under such Act, and have not been expended by such entity, they shall remain with such entity for carryover into the next fiscal year for expenditure by such entity consistent with program purposes: Provided further, That the Secretary shall establish procedures regarding the disposition of intangible assets and program income that permit such assets acquired with, and program income derived from, grant funds au-
authorized under section 680 of the CSBG Act to become
the sole property of such grantees after a period of not
more than 12 years after the end of the grant period for
any activity consistent with section 680(a)(2)(A) of the
CSBG Act: Provided further, That intangible assets in the
form of loans, equity investments and other debt instru-
ments, and program income may be used by grantees for
any eligible purpose consistent with section 680(a)(2)(A)
of the CSBG Act: Provided further, That these procedures
shall apply to such grant funds made available after No-
vember 29, 1999: Provided further, That funds appro-
priated for section 680(a)(2) of the CSBG Act shall be
available for financing construction and rehabilitation and
loans or investments in private business enterprises owned
by community development corporations: Provided further,
That $185,000,000 shall be for carrying out section
303(a) of the Family Violence Prevention and Services
Act, of which $7,000,000 shall be allocated notwith-
standing section 303(a)(2) of such Act for carrying out
section 309 of such Act: Provided further, That the per-
centages specified in section 112(a)(2) of the Child Abuse
Prevention and Treatment Act shall not apply to funds
appropriated under this heading: Provided further, That
$1,864,000 shall be for a human services case manage-
ment system for federally declared disasters, to include a
comprehensive national case management contract and
Federal costs of administering the system: Provided fur-
ther, That up to $2,000,000 shall be for improving the
Public Assistance Reporting Information System, includ-
ing grants to States to support data collection for a study
of the system’s effectiveness.

PROMOTING SAFE AND STABLE FAMILIES
For carrying out, except as otherwise provided, sec-
tion 436 of the Social Security Act, $345,000,000 and,
for carrying out, except as otherwise provided, section 437
of such Act, $59,765,000.

PAYMENTS FOR FOSTER CARE AND PERMANENCY
For carrying out, except as otherwise provided, title
IV–E of the Social Security Act, $7,012,000,000.
For carrying out, except as otherwise provided, title
IV–E of the Social Security Act, for the first quarter of
fiscal year 2022, $3,000,000,000.
For carrying out, after May 31 of the current fiscal
year, except as otherwise provided, section 474 of title IV–
E of the Social Security Act, for the last 3 months of the
current fiscal year for unanticipated costs, incurred for the
current fiscal year, such sums as may be necessary.
Administration for Community Living

Aging and Disability Services Programs
(Including Transfer of Funds)

For carrying out, to the extent not otherwise provided, the Older Americans Act of 1965 (“OAA”), the RAISE Family Caregivers Act, the Supporting Grandparents Raising Grandchildren Act, titles III and XXIX of the PHS Act, sections 1252 and 1253 of the PHS Act, section 119 of the Medicare Improvements for Patients and Providers Act of 2008, title XX–B of the Social Security Act, the Developmental Disabilities Assistance and Bill of Rights Act, parts 2 and 5 of subtitle D of title II of the Help America Vote Act of 2002, the Assistive Technology Act of 1998, titles II and VII (and section 14 with respect to such titles) of the Rehabilitation Act of 1973, and for Department-wide coordination of policy and program activities that assist individuals with disabilities, $2,225,390,000, together with $54,115,000 to be transferred from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund to carry out section 4360 of the Omnibus Budget Reconciliation Act of 1990: Provided, That amounts appropriated under this heading may be used for grants to States under section 361 of the OAA only for disease prevention and health promotion programs and ac-
tivities which have been demonstrated through rigorous
evaluation to be evidence-based and effective: Provided
further, That of amounts made available under this head-
ing to carry out sections 311, 331, and 336 of the OAA,
up to one percent of such amounts shall be available for
developing and implementing evidence-based practices for
enhancing senior nutrition, including medically-tailored
meals: Provided further, That notwithstanding any other
provision of this Act, funds made available under this
heading to carry out section 311 of the OAA may be trans-
ferred to the Secretary of Agriculture in accordance with
such section: Provided further, That $2,000,000 shall be
for competitive grants to support alternative financing
programs that provide for the purchase of assistive tech-
nology devices, such as a low-interest loan fund; an inter-
est buy-down program; a revolving loan fund; a loan guar-
antee; or an insurance program: Provided further, That
applicants shall provide an assurance that, and informa-
tion describing the manner in which, the alternative fi-
nancing program will expand and emphasize consumer
choice and control: Provided further, That State agencies
and community-based disability organizations that are di-
rected by and operated for individuals with disabilities
shall be eligible to compete: Provided further, That none
of the funds made available under this heading may be
used by an eligible system (as defined in section 102 of the Protection and Advocacy for Individuals with Mental Illness Act (42 U.S.C. 10802)) to continue to pursue any legal action in a Federal or State court on behalf of an individual or group of individuals with a developmental disability (as defined in section 102(8)(A) of the Developmental Disabilities and Assistance and Bill of Rights Act of 2000 (20 U.S.C. 15002(8)(A)) that is attributable to a mental impairment (or a combination of mental and physical impairments), that has as the requested remedy the closure of State operated intermediate care facilities for people with intellectual or developmental disabilities, unless reasonable public notice of the action has been provided to such individuals (or, in the case of mental incapacitation, the legal guardians who have been specifically awarded authority by the courts to make healthcare and residential decisions on behalf of such individuals) who are affected by such action, within 90 days of instituting such legal action, which informs such individuals (or such legal guardians) of their legal rights and how to exercise such rights consistent with current Federal Rules of Civil Procedure: Provided further, That the limitations in the immediately preceding proviso shall not apply in the case of an individual who is neither competent to consent nor has a legal guardian, nor shall the proviso apply in the case of
individuals who are a ward of the State or subject to public guardianship.

Office of the Secretary

General Departmental Management

For necessary expenses, not otherwise provided, for general departmental management, including hire of six passenger motor vehicles, and for carrying out titles III, XVII, XXI, and section 229 of the PHS Act, the United States-Mexico Border Health Commission Act, and research studies under section 1110 of the Social Security Act, $459,959,000, together with $64,828,000 from the amounts available under section 241 of the PHS Act to carry out national health or human services research and evaluation activities: Provided, That of the funds made available under this heading, $56,900,000 shall be for minority AIDS prevention and treatment activities: Provided further, That of the funds made available under this heading, $101,000,000 shall be for making competitive grants to public and private entities to fund medically accurate and complete and age-appropriate (as those terms are defined in section 513(e) of the Social Security Act (42 U.S.C. 713(e))) programs that reduce teen pregnancy and that do not withhold information about the effectiveness and benefits of correct and consistent use of condoms and other contraceptives, and for the Federal costs associated
with administering and evaluating such grants, of which
not more than 10 percent of the available funds shall be
for training and technical assistance, outreach, and addi-
tional program support activities, and of the remaining
amount 75 percent shall be for replicating programs that
have been proven effective through rigorous evaluation to
reduce teenage pregnancy, behavioral risk factors under-
lying teenage pregnancy, or other associated risk factors,
and 25 percent shall be available for research and dem-
onstration grants to develop, replicate, refine, and rigor-
ously test (defined as randomized control trial, quasi-ex-
perimental design, or regression discontinuity design) ad-
ditional models and innovative strategies for preventing
teenage pregnancy: Provided further, That amounts made
available under this heading for programs to reduce teen
pregnancy shall meet the requirements listed in clauses
(ii) through (vi) of section 513(b)(2)(B) of the Social Se-
curity Act (42 U.S.C. 713(b)(2)(B)(ii)-(vi)) and shall not
be made available by interagency agreement or otherwise
to any agency within the Department of Health and
Human Services other than the Office of the Secretary
to carry out or support such programs: Provided further,
That of the amounts provided under this heading from
amounts available under section 241 of the PHS Act,
$6,800,000 shall be available to carry out evaluations (in-
eluding longitudinal evaluations) of teenage pregnancy
prevention approaches: Provided further, That funds pro-
vided in this Act for embryo adoption activities may be
used to provide to individuals adopting embryos, through
grants and other mechanisms, medical and administrative
services deemed necessary for such adoptions: Provided
further, That such services shall be provided consistent
with 42 CFR 59.5(a)(4): Provided further, That of the
funds made available under this heading, $5,000,000 shall
be for carrying out prize competitions sponsored by the
Office of the Secretary to accelerate innovation in the pre-
vention, diagnosis, and treatment of kidney diseases (as
authorized by section 24 of the Stevenson-Wydler Tech-
nology Innovation Act of 1980 (15 U.S.C. 3719)). Pro-
vided further, That of the funds made available under this
heading, $3,000,000 shall be for establishing a National
Health Care Workforce Commission (as authorized by sec-
tion 5101 of Public Law 111–148).

MEDICARE HEARINGS AND APPEALS

For expenses necessary for Medicare hearings and
appeals in the Office of the Secretary, $191,881,000 shall
remain available until September 30, 2022, to be trans-
ferred in appropriate part from the Federal Hospital In-
surance Trust Fund and the Federal Supplementary Med-
ical Insurance Trust Fund.
OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH INFORMATION TECHNOLOGY

For expenses necessary for the Office of the National Coordinator for Health Information Technology, including grants, contracts, and cooperative agreements for the development and advancement of interoperable health information technology, $60,367,000.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General, including the hire of passenger motor vehicles for investigations, in carrying out the provisions of the Inspector General Act of 1978, $80,000,000: Provided, That of such amount, necessary sums shall be available for providing protective services to the Secretary and investigating non-payment of child support cases for which non-payment is a Federal offense under 18 U.S.C. 228: Provided further, That of the amount made available under this heading, $5,300,000 shall be available through September 30, 2022, for activities authorized under section 3022 of the PHS Act relating to information blocking.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, $38,798,000.
100

RETIREMENT PAY AND MEDICAL BENEFITS FOR
COMMISSIONED OFFICERS

For retirement pay and medical benefits of Public Health Service Commissioned Officers as authorized by law, for payments under the Retired Serviceman’s Family Protection Plan and Survivor Benefit Plan, and for medical care of dependents and retired personnel under the Dependents’ Medical Care Act, such amounts as may be required during the current fiscal year.

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

For expenses necessary to support activities related to countering potential biological, nuclear, radiological, chemical, and cybersecurity threats to civilian populations, and for other public health emergencies, $1,077,458,000, of which $561,700,000 shall remain available through September 30, 2022, for expenses necessary to support advanced research and development pursuant to section 319L of the PHS Act and other administrative expenses of the Biomedical Advanced Research and Development Authority. Provided, That funds provided under this heading for the purpose of acquisition of security countermeasures shall be in addition to any other funds available for such purpose: Provided further, That products purchased with funds provided under this heading may, at
the discretion of the Secretary, be deposited in the Strategic National Stockpile pursuant to section 319F–2 of the PHS Act: Provided further, That $5,000,000 of the amounts made available to support emergency operations shall remain available through September 30, 2023: Provided further, That of the amount made available under this heading for policy and planning, $5,000,000 shall remain available until expended for implementation activities related to the National Biodefense Strategy.

For expenses necessary for procuring security countermeasures (as defined in section 319F–2(e)(1)(B) of the PHS Act), $735,000,000, to remain available until expended.

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

For an additional amount for expenses necessary to prepare for or respond to an influenza pandemic, $310,000,000; of which $275,000,000 shall be available until expended, for activities including the development and purchase of vaccine, antivirals, necessary medical supplies, diagnostics, and other surveillance tools: Provided, That notwithstanding section 496(b) of the PHS Act, funds may be used for the construction or renovation of privately owned facilities for the production of pandemic
influenza vaccines and other biologics, if the Secretary finds such construction or renovation necessary to secure sufficient supplies of such vaccines or biologics.

GENERAL PROVISIONS

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

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

SEC. 203. None of the funds appropriated in this Act may be expended pursuant to section 241 of the PHS Act, except for funds specifically provided for in this Act, or for other taxes and assessments made by any office located in HHS, prior to the preparation and submission of a report by the Secretary to the Committees on Appropriations of the House of Representatives and the Senate detailing the planned uses of such funds.

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

(TRANSFER OF FUNDS)

SEC. 205. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985) which are appropriated for the current fiscal year for HHS in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: Provided, That the transfer authority granted by this section shall be available only to meet emergency needs and shall not be used to create any new program or to fund any project or activity for which no funds are provided in this Act: Provided further, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

SEC. 206. In lieu of the timeframe specified in section 338E(c)(2) of the PHS Act, terminations described in such section may occur up to 60 days after the effective date of a contract awarded in fiscal year 2021 under section 338B of such Act, or at any time if the individual
who has been awarded such contract has not received funds due under the contract.

Sec. 207. None of the funds appropriated in this Act may be made available to any entity under title X of the PHS Act unless the applicant for the award certifies to the Secretary that it encourages family participation in the decision of minors to seek family planning services and that it provides counseling to minors on how to resist attempts to coerce minors into engaging in sexual activities.

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

Sec. 209. None of the funds appropriated by this Act (including funds appropriated to any trust fund) may be used to carry out the Medicare Advantage program if the Secretary denies participation in such program to an otherwise eligible entity (including a Provider Sponsored Organization) because the entity informs the Secretary that it will not provide, pay for, provide coverage of, or provide referrals for abortions: Provided, That the Secretary shall make appropriate prospective adjustments to the capitation payment to such an entity (based on an actuarially sound estimate of the expected costs of providing the serv-
ice to such entity’s enrollees): *Provided further*, That noth-
ing in this section shall be construed to change the Medi-
care program’s coverage for such services and a Medicare
Advantage organization described in this section shall be
responsible for informing enrollees where to obtain infor-
mation about all Medicare covered services.

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

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

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

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

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

(3) The Secretary is authorized to provide to 
personnel appointed or assigned by the Secretary to 
serve abroad, allowances and benefits similar to 
those provided under chapter 9 of title I of the For-
through 4086 and subject to such regulations pre-
scribed by the Secretary. The Secretary is further 
authorized to provide locality-based comparability 
payments (stated as a percentage) up to the amount 
of the locality-based comparability payment (stated 
as a percentage) that would be payable to such per-
sonnel under section 5304 of title 5, United States 
Code if such personnel’s official duty station were in 
the District of Columbia. Leaves of absence for per-
sonnel under this subsection shall be on the same 
basis as that provided under subchapter I of chapter 
63 of title 5, United States Code, or section 903 of 
the Foreign Service Act of 1980, to individuals serv-
ing in the Foreign Service.

(TRANSFER OF FUNDS)

Sec. 213. The Director of the NIH, jointly with the 
Director of the Office of AIDS Research, may transfer up 
to 3 percent among institutes and centers from the total
amounts identified by these two Directors as funding for research pertaining to the human immunodeficiency virus:

Provided, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

(TRANSFER OF FUNDS)

SEC. 214. Of the amounts made available in this Act for NIH, the amount for research related to the human immunodeficiency virus, as jointly determined by the Director of NIH and the Director of the Office of AIDS Research, shall be made available to the “Office of AIDS Research” account. The Director of the Office of AIDS Research shall transfer from such account amounts necessary to carry out section 2353(d)(3) of the PHS Act.

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

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

SEC. 216. Not to exceed $45,000,000 of funds appro-
priated by this Act to the institutes and centers of the
National Institutes of Health may be used for alteration,
repair, or improvement of facilities, as necessary for the
proper and efficient conduct of the activities authorized
herein, at not to exceed $3,500,000 per project.

(TRANSFER OF FUNDS)

SEC. 217. Of the amounts made available for NIH,
1 percent of the amount made available for National Re-
search Service Awards (“NRSA”) shall be made available
to the Administrator of the Health Resources and Services
Administration to make NRSA awards for research in pri-
mary medical care to individuals affiliated with entities
who have received grants or contracts under sections 736,
739, or 747 of the PHS Act, and 1 percent of the amount
made available for NRSA shall be made available to the
Director of the Agency for Healthcare Research and Qual-
ity to make NRSA awards for health service research.
SEC. 218. (a) The Biomedical Advanced Research and Development Authority (‘‘BARDA’’) may enter into a contract, for more than one but no more than 10 program years, for purchase of research services or of security countermeasures, as that term is defined in section 319F–2(c)(1)(B) of the PHS Act (42 U.S.C. 247d–6b(c)(1)(B)), if—

(1) funds are available and obligated—

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

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

(2) the Secretary determines that a multi-year contract will serve the best interests of the Federal Government by encouraging full and open competition or promoting economy in administration, performance, and operation of BARDA’s programs.

(b) A contract entered into under this section—

(1) shall include a termination clause as described by subsection (c) of section 3903 of title 41, United States Code; and

(2) shall be subject to the congressional notice requirement stated in subsection (d) of such section.
Sec. 219. (a) The Secretary shall publish in the fiscal year 2021 budget justification and on Departmental Web sites information concerning the employment of full-time equivalent Federal employees or contractors for the purposes of implementing, administering, enforcing, or otherwise carrying out the provisions of the ACA, and the amendments made by that Act, in the proposed fiscal year and each fiscal year since the enactment of the ACA.

(b) With respect to employees or contractors supported by all funds appropriated for purposes of carrying out the ACA (and the amendments made by that Act), the Secretary shall include, at a minimum, the following information:

(1) For each such fiscal year, the section of such Act under which such funds were appropriated, a statement indicating the program, project, or activity receiving such funds, the Federal operating division or office that administers such program, and the amount of funding received in discretionary or mandatory appropriations.

(2) For each such fiscal year, the number of full-time equivalent employees or contracted employees assigned to each authorized and funded provision detailed in accordance with paragraph (1).
(c) In carrying out this section, the Secretary may exclude from the report employees or contractors who—

(1) are supported through appropriations enacted in laws other than the ACA and work on programs that existed prior to the passage of the ACA;

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

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

Sec. 220. The Secretary shall publish, as part of the fiscal year 2022 budget of the President submitted under section 1105(a) of title 31, United States Code, information that details the uses of all funds used by the Centers for Medicare & Medicaid Services specifically for Health Insurance Exchanges for each fiscal year since the enactment of the ACA and the proposed uses for such funds for fiscal year 2022. Such information shall include, for each such fiscal year, the amount of funds used for each activity specified under the heading “Health Insurance Exchange Transparency” in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).
SEC. 221. None of the funds made available by this Act from the Federal Hospital Insurance Trust Fund or the Federal Supplemental Medical Insurance Trust Fund, or transferred from other accounts funded by this Act to the “Centers for Medicare & Medicaid Services—Program Management” account, may be used for payments under section 1342(b)(1) of Public Law 111–148 (relating to risk corridors).

(TRANSFER OF FUNDS)

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

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

(c) Funds transferred for activities authorized under section 2821 of the PHS Act shall be made available without reference to section 2821(b) of such Act.

SEC. 223. Effective during the period beginning on November 1, 2015 and ending January 1, 2025, any provision of law that refers (including through cross-reference to another provision of law) to the current recommendations of the United States Preventive Services Task Force
with respect to breast cancer screening, mammography, and prevention shall be administered by the Secretary involved as if—

(1) such reference to such current recommendations were a reference to the recommendations of such Task Force with respect to breast cancer screening, mammography, and prevention last issued before 2009; and

(2) such recommendations last issued before 2009 applied to any screening mammography modality under section 1861(jj) of the Social Security Act (42 U.S.C. 1395x(jj)).

SEC. 224. In making Federal financial assistance, the provisions relating to indirect costs in part 75 of title 45, Code of Federal Regulations, including with respect to the approval of deviations from negotiated rates, shall continue to apply to the National Institutes of Health to the same extent and in the same manner as such provisions were applied in the third quarter of fiscal year 2017. None of the funds appropriated in this or prior Acts or otherwise made available to the Department of Health and Human Services or to any department or agency may be used to develop or implement a modified approach to such provisions, or to intentionally or substantially expand the fiscal effect of the approval of such deviations from negotiated
rates beyond the proportional effect of such approvals in such quarter.

(TRANSFER OF FUNDS)

Sec. 225. The NIH Director may transfer discretionary amounts identified by the Director as funding for opioid addiction, opioid alternatives, pain management, and addiction treatment among Institutes and Centers of the NIH to be used for the same purpose 15 days after notifying the Committees on Appropriations: Provided, That the transfer authority provided in the previous proviso is in addition to any other transfer authority provided by law.

Sec. 226. (a) The Secretary shall provide to the Committees on Appropriations of the House of Representatives and the Senate:

(1) Detailed monthly enrollment figures from the Exchanges established under the Patient Protection and Affordable Care Act of 2010 pertaining to enrollments during the open enrollment period; and

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

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

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

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

Sec. 229. The Department of Health and Human
Services may accept donations from the private sector,
nongovernmental organizations, and other groups independent of the Federal Government for the care of unaccompanied alien children (as defined in section 462(g)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2))) in the care of the Office of Refugee Resettlement of the Administration for Children and Families, including medical goods and services, which may include early childhood developmental screenings, school supplies, toys, clothing, and any other items intended to promote the wellbeing of such children.

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

SEC. 231. None of the funds made available in this Act under the heading “Department of Health and Human Services—Administration for Children and Families—Refugee and Entrant Assistance” may be obligated to a grantee or contractor to house unaccompanied alien children (as such term is defined in section 462(g)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2)))
in any facility that is not State-licensed for the care of
unaccompanied alien children.

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

SEC. 233. Not later than 14 days after the date of
enactment of this Act, and monthly thereafter, the Sec-
retary shall submit to the Committees on Appropriations
of the House of Representatives and the Senate, and make
publicly available online, a report with respect to children
who were separated from their parents or legal guardians
by the Department of Homeland Security (DHS) (regard-
less of whether or not such separation was pursuant to
an option selected by the children, parents, or guardians),
subsequently classified as unaccompanied alien children,
and transferred to the care and custody of ORR during
the previous month. Each report shall contain the follow-
(1) the number and ages of children so separated subsequent to apprehension at or between
ports of entry, to be reported by sector where separation occurred;
(2) the documented cause of separation, as reported by DHS when each child was referred;
(3) the length of any such separation;
(4) the status of any efforts undertaken by the Secretary to reunify such children with a parent or legal guardian; and
(5) the number of any such reunifications, and whether the reunified families were placed in family detention.

Sec. 234. None of the funds made available in this or any prior appropriations Act may be used to implement or enforce the Memorandum of Agreement Among the Office of Refugee Resettlement of the Department of Health and Human Services and U.S. Immigration and Customs Enforcement and U.S. Customs and Border Protection of the Department of Homeland Security Regarding Consultation and Information Sharing in Unaccompanied Alien Children Matters, dated April 13, 2018. Nothing in this section shall be construed to prohibit or restrict the
continued implementation of interagency agreements or
coordination of policy memoranda issued prior to April 13,
2018.

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

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

(1) in the same facility; or

(2) with the same sponsor.

Sec. 237. The Secretary of Health and Human Serv-
ices is directed to report the death of any unaccompanied
alien child in Office of Refugee Resettlement (ORR) cus-
tody or in the custody of any grantee on behalf of ORR
within 24 hours, including relevant details regarding the circumstances of the fatality, to the Committees on Appropriations of the House of Representatives and the Senate.

Sec. 238. Not later than 30 days after the date of enactment of this Act, the Secretary shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed spend plan of anticipated uses of all funds made available under the heading “Department of Health and Human Services—Administration for Children and Families—Refugee and Entrant Assistance”, including the following: a list of existing grants and contracts for both permanent and influx facilities, including their costs, capacity, and timelines; costs for expanding capacity through the use of community-based residential care placements (including long-term and transitional foster care and small group homes) through new or modified grants and contracts; current and planned efforts to expand small-scale shelters and available foster care placements, including collaboration with State child welfare providers; influx facilities being assessed for possible use; costs and services to be provided for legal services, child advocates, and post-release services; program administration; and the average number of weekly referrals and discharge rate assumed in the spend plan: Provided, That such plan shall be updated to reflect changes and expendi-
tures and submitted to the Committees on Appropriations of the House of Representatives and the Senate every 60 days until all funds are expended or expired.

Sec. 239. Funds appropriated in this Act that are available for salaries and expenses of employees of the Centers for Disease Control and Prevention shall also be available for the primary and secondary schooling of eligible dependents of personnel stationed in a U.S. territory as defined in section 228 at costs not in excess of those paid for or reimbursed by the Department of Defense.

Sec. 240. Amounts made available in section 238 of division A of Public Law 116–94 shall remain available until September 30, 2024, for installation expenses, including moving expenses, relating to the Centers for Disease Control and Prevention’s Chamblee Campus.

(RESCission)

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

Sec. 242. Funds made available in Public Law 113–235 to the accounts of the National Institutes of Health that were available for obligation through fiscal year 2015 and were obligated for multi-year research grants shall be available through fiscal year 2021 for the liquidation of
valid obligations if the Director of the National Institutes of Health determines the project suffered an interruption of activities attributable to SARS–CoV–2.

SEC. 243. Not later than seven days after the date of enactment of this Act, and weekly thereafter until the public health emergency related to COVID-19 is no longer in effect, the Secretary of Health and Human Services shall report to the Committees on Appropriations of the House of Representatives and the Senate on the current inventory of ventilators and personal protective equipment in the Strategic National Stockpile, including the numbers of face shields, gloves, goggles and glasses, gowns, head covers, masks, and respirators, as well as deployment of ventilators and personal protective equipment during the previous week, reported by State and other jurisdiction:

Provided, That after the date that a report is required to be submitted by the preceding proviso, amounts made available for “Department of Health and Human Services—Office of the Secretary—General Departmental Management” in Public Law 116–94 for salaries and expenses of the immediate Office of the Secretary shall be reduced by $250,000 for each day that such report has not been submitted: Provided further, That not later than the first Monday in February of fiscal year 2021 and each fiscal year thereafter, the Secretary shall include in the
annual budget submission for the Department of Health
and Human Services, and submit to the Congress, a pro-
fessional judgment budget with respect to expenditures
necessary to maintain the minimum level of relevant sup-
plies in the Strategic National Stockpile, including in case
of a significant pandemic, in consultation with the working
group under section 319F(a) of the Public Health Service
Act and the Public Health Emergency Medical Counter-
measures Enterprise established under section 2811–1 of
such Act.

Sec. 244. None of the funds made available by this
Act may be used to implement, enforce, or otherwise give
effect to the final rule entitled “Protecting Statutory Con-
science Rights in Health Care; Delegations of Authority”

Sec. 245. None of the funds made available by this
Act may be used to implement, enforce, or otherwise give
effect to the rule entitled “Nondiscrimination in Health
and Health Education Programs or Activities” published
37160 et seq.).

Sec. 246. None of the funds appropriated in this Act
or otherwise made available to the Department of Health
and Human Services shall be used to publish the proposed
regulation in the Budget of the United States Govern-
ment, Fiscal Year 2021 relating to the Medicaid Non-
emergency Medical Transportation benefit for Medicaid
beneficiaries.

SEC. 247. None of the funds made available in this
Act may be used to implement, enforce, or otherwise give effect to the revision to section 447.10 of title 42, Code of Federal Regulations, contained in the final rule entitled “Medicaid Program; Reassignment of Medicaid Provider Claims” (84 Fed. Reg. 19718 (May 6, 2019)).

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

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

SEC. 249. None of the funds made available by this Act or any other Act may be used to relocate any facility
providing call center operations for the Centers for Medicare & Medicaid Services unless the Comptroller General has submitted to the Committees on Appropriations of the House of Representatives and the Senate an evaluation of relocation options, which shall include any impact on wages and benefits for employees, contractors, or subcontractors in connection with call center operations.

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

TITLE III

DEPARTMENT OF EDUCATION

EDUCATION FOR THE DISADVANTAGED

For carrying out title I and subpart 2 of part B of title II of the Elementary and Secondary Education Act of 1965 (referred to in this Act as “ESEA”) and section 418A of the Higher Education Act of 1965 (referred to in this Act as “HEA”), $17,258,290,000, of which $6,336,990,000 shall become available on July 1, 2021, and shall remain available through September 30, 2022, and of which $10,841,177,000 shall become available on October 1, 2021, and shall remain available through September 30, 2022, for academic year 2021–2022: Provided, That $6,459,401,000 shall be for basic grants under section 1124 of the ESEA: Provided further, That up to $5,000,000 of these funds shall be available to the Sec-
Secretary of Education (referred to in this title as “Secretary”) on October 1, 2020, to obtain annually updated local educational agency-level census poverty data from the Bureau of the Census: Provided further, That $1,362,301,000 shall be for concentration grants under section 1124A of the ESEA: Provided further, That $4,371,050,000 shall be for targeted grants under section 1125 of the ESEA: Provided further, That $4,371,050,000 shall be for education finance incentive grants under section 1125A of the ESEA: Provided further, That $220,500,000 shall be for carrying out subpart 2 of part B of title II: Provided further, That $46,623,000 shall be for carrying out section 418A of the HEA.

IMPACT AID

For carrying out programs of financial assistance to federally affected schools authorized by title VII of the ESEA, $1,491,112,000, of which $1,345,242,000 shall be for basic support payments under section 7003(b), $48,316,000 shall be for payments for children with disabilities under section 7003(d), $17,406,000 shall be for construction under section 7007(b), $75,313,000 shall be for Federal property payments under section 7002, and $4,835,000, to remain available until expended, shall be for facilities maintenance under section 7008: Provided, That for purposes of computing the amount of a payment
for an eligible local educational agency under section 7003(a) for school year 2020–2021, children enrolled in a school of such agency that would otherwise be eligible for payment under section 7003(a)(1)(B) of such Act, but due to the deployment of both parents or legal guardians, or a parent or legal guardian having sole custody of such children, or due to the death of a military parent or legal guardian while on active duty (so long as such children reside on Federal property as described in section 7003(a)(1)(B)), are no longer eligible under such section, shall be considered as eligible students under such section, provided such students remain in average daily attendance at a school in the same local educational agency they attended prior to their change in eligibility status.

SCHOOL IMPROVEMENT PROGRAMS

For carrying out school improvement activities authorized by part B of title I, part A of title II, subpart 1 of part A of title IV, part B of title IV, part B of title V, and parts B and C of title VI of the ESEA; the McKinney-Vento Homeless Assistance Act; section 203 of the Educational Technical Assistance Act of 2002; the Compact of Free Association Amendments Act of 2003; and the Civil Rights Act of 1964, $5,453,617,000, of which $3,623,052,000 shall become available on July 1, 2021, and remain available through September 30, 2022, and
of which $1,681,441,000 shall become available on October 1, 2021, and shall remain available through September 30, 2022, for academic year 2021–2022: Provided, That $378,000,000 shall be for part B of title I: Provided further, That $1,262,673,000 shall be for part B of title IV: Provided further, That $37,897,000 shall be for part B of title VI, which may be used for construction, renovation, and modernization of any public elementary school, secondary school, or structure related to a public elementary school or secondary school that serves a predominantly Native Hawaiian student body, and that the 5 percent limitation in section 6205(b) of the ESEA on the use of funds for administrative purposes shall apply only to direct administrative costs: Provided further, That $35,953,000 shall be for part C of title VI, which shall be awarded on a competitive basis, and may be used for construction, and that the 5 percent limitation in section 6305 of the ESEA on the use of funds for administrative purposes shall apply only to direct administrative costs: Provided further, That $52,000,000 shall be available to carry out section 203 of the Educational Technical Assistance Act of 2002 and the Secretary shall make such arrangements as determined to be necessary to ensure that the Bureau of Indian Education has access to services provided under this section: Provided further, That
$16,699,000 shall be available to carry out the Supplemental Education Grants program for the Federated States of Micronesia and the Republic of the Marshall Islands: Provided further, That the Secretary may reserve up to 5 percent of the amount referred to in the previous proviso to provide technical assistance in the implementation of these grants: Provided further, That $186,840,000 shall be for part B of title V: Provided further, That $1,220,000,000 shall be available for grants under subpart 1 of part A of title IV.

**INDIAN EDUCATION**

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

**INNOVATION AND IMPROVEMENT**

For carrying out activities authorized by subparts 1, 3 and 4 of part B of title II, and parts C, D, and E and subparts 1 and 4 of part F of title IV of the ESEA, $1,074,815,000: Provided, That $285,815,000 shall be for subparts 1, 3 and 4 of part B of title II and shall be made
provided further, That $594,000,000 shall be for
parts C, D, and E and subpart 4 of part F of title IV,

and shall be made available without regard to sections

4311, 4409(a), and 4601 of the ESEA: provided further,

That notwithstanding section 4601(b), $195,000,000 shall
be available through December 31, 2021 for subpart 1 of
part F of title IV, of which $110,000,000 shall be for so-
cial and emotional learning grants, and $85,000,000 shall
be used for science, technology, engineering, arts, and
mathematics, including computer science education

grants.

safe schools and citizenship education

for carrying out activities authorized by subparts 2
and 3 of part F of title IV of the ESEA, $218,000,000:

provided, That $106,000,000 shall be available for section
4631, of which up to $5,000,000, to remain available until
expended, shall be for the Project School Emergency Re-
sponse to Violence (Project SERV) program: provided fur-
ther, That $30,000,000 shall be available for section 4625:

provided further, That $82,000,000 shall be available
through December 31, 2021, for section 4624.

English language acquisition

For carrying out part A of title III of the ESEA,

$797,400,000, which shall become available on July 1,
2021, and shall remain available through September 30, 2022, except that 6.5 percent of such amount shall be available on October 1, 2020, and shall remain available through September 30, 2022, to carry out activities under section 3111(c)(1)(C).

**Special Education**

For carrying out the Individuals with Disabilities Education Act (IDEA) and the Special Olympics Sport and Empowerment Act of 2004, $14,092,995,000, of which $4,553,979,000 shall become available on July 1, 2021, and shall remain available through September 30, 2022, and of which $9,283,383,000 shall become available on October 1, 2021, and shall remain available through September 30, 2022, for academic year 2021–2022: Provided, That the amount for section 611(b)(2) of the IDEA shall be equal to the lesser of the amount available for that activity during fiscal year 2020, increased by the amount of inflation as specified in section 619(d)(2)(B) of the IDEA, or the percent change in the funds appropriated under section 611(i) of the IDEA, but not less than the amount for that activity during fiscal year 2020: Provided further, That the Secretary shall, without regard to section 611(d) of the IDEA, distribute to all other States (as that term is defined in section 611(g)(2)), subject to the third proviso, any amount by which a State’s
allocation under section 611, from funds appropriated under this heading, is reduced under section 612(a)(18)(B), according to the following: 85 percent on the basis of the States’ relative populations of children aged 3 through 21 who are of the same age as children with disabilities for whom the State ensures the availability of a free appropriate public education under this part, and 15 percent to States on the basis of the States’ relative populations of those children who are living in poverty: Provided further, That the Secretary may not distribute any funds under the previous proviso to any State whose reduction in allocation from funds appropriated under this heading made funds available for such a distribution: Provided further, That the States shall allocate such funds distributed under the second proviso to local educational agencies in accordance with section 611(f): Provided further, That the amount by which a State’s allocation under section 611(d) of the IDEA is reduced under section 612(a)(18)(B) and the amounts distributed to States under the previous provisos in fiscal year 2012 or any subsequent year shall not be considered in calculating the awards under section 611(d) for fiscal year 2013 or for any subsequent fiscal years: Provided further, That, notwithstanding the provision in section 612(a)(18)(B) regarding the fiscal year in which a State’s allocation under
section 611(d) is reduced for failure to comply with the requirement of section 612(a)(18)(A), the Secretary may apply the reduction specified in section 612(a)(18)(B) over a period of consecutive fiscal years, not to exceed five, until the entire reduction is applied: Provided further, That the Secretary may, in any fiscal year in which a State’s allocation under section 611 is reduced in accordance with section 612(a)(18)(B), reduce the amount a State may reserve under section 611(e)(1) by an amount that bears the same relation to the maximum amount described in that paragraph as the reduction under section 612(a)(18)(B) bears to the total allocation the State would have received in that fiscal year under section 611(d) in the absence of the reduction: Provided further, That the Secretary shall either reduce the allocation of funds under section 611 for any fiscal year following the fiscal year for which the State fails to comply with the requirement of section 612(a)(18)(A) as authorized by section 612(a)(18)(B), or seek to recover funds under section 452 of the General Education Provisions Act (20 U.S.C. 1234a): Provided further, That the funds reserved under 611(c) of the IDEA may be used to provide technical assistance to States to improve the capacity of the States to meet the data collection requirements of sections 616 and 618 and to administer and carry out other serv-
ices and activities to improve data collection, coordination, 
quality, and use under parts B and C of the IDEA: Provided further, That the Secretary may use funds made 
available for the State Personnel Development Grants pro-
gram under part D, subpart 1 of IDEA to evaluate pro-
gram performance under such subpart: Provided further, 
That States may use funds reserved for other State-level 
activities under sections 611(e)(2) and 619(f) of the IDEA 
to make subgrants to local educational agencies, institu-
tions of higher education, other public agencies, and pri-
ivate non-profit organizations to carry out activities au-
thorized by those sections: Provided further, That, not-
withstanding section 643(e)(2)(A) of the IDEA, if 5 or 
fewer States apply for grants pursuant to section 643(e) 
of such Act, the Secretary shall provide a grant to each 
State in an amount equal to the maximum amount de-
scribed in section 643(e)(2)(B) of such Act: Provided fur-
ther, That if more than 5 States apply for grants pursuant 
to section 643(e) of the IDEA, the Secretary shall award 
funds to those States on the basis of the States’ relative 
populations of infants and toddlers except that no such 
State shall receive a grant in excess of the amount de-
scribed in section 643(e)(2)(B) of such Act: Provided fur-
ther, That States may use funds received under part C 
of the IDEA to make subgrants to local educational agen-
cies, institutions of higher education, other public agencies and private nonprofit organizations to carry out activities authorized by such part.

**Rehabilitation Services**

For carrying out, to the extent not otherwise provided, the Rehabilitation Act of 1973, the Helen Keller National Center Act, and the Randolph-Sheppard Act, $3,827,500,000, of which $3,667,801,000 shall be for grants for vocational rehabilitation services under title I of the Rehabilitation Act: *Provided*, That the Secretary may use amounts provided in this Act that remain available subsequent to the reallocation of funds to States pursuant to section 110(b) of the Rehabilitation Act for innovative activities aimed at improving the outcomes of individuals with disabilities as defined in section 7(20)(B) of the Rehabilitation Act, including activities aimed at improving the education and post-school outcomes of children receiving Supplemental Security Income (‘‘SSI’’) and their families that may result in long-term improvement in the SSI child recipient’s economic status and self-sufficiency: *Provided further*, That States may award subgrants for a portion of the funds to other public and private, nonprofit entities: *Provided further*, That any funds made available subsequent to reallocation for innovative activities aimed at improving the outcomes of individuals
with disabilities shall remain available until September 30, 2022: *Provided further,* That $20,000,000 of these funds shall be available to the Secretary for one-time emergency relief and restoration grants consistent with the purposes of the Randolph-Sheppard Act as authorized under 20 U.S.C. 107f: *Provided further,* That the Secretary shall use such funds to make grants to each State licensing agency in the same proportion as the number of blind vendors in such State as compared to the number of blind vendors operating a vending facility in such State as compared to the number of blind vendors operating a vending facility in all the States on September 30, 2019: *Provided further,* That the State licensing agency shall use these grants to make financial relief and restoration payments to offset losses of blind vendors resulting from the COVID-19 emergency, but only to the extent that such losses are not otherwise compensated: *Provided further,* That any funds in excess of the amount needed for relief and restoration payments to blind vendors shall be used by the State licensing agency for other purposes authorized by section 395.9 of title 34, Code of Federal Regulations, as in effect on the date of enactment of this Act, and determined through active participation with the State committee of blind vendors as required.
SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

AMERICAN PRINTING HOUSE FOR THE BLIND

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

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

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

GALLAUDET UNIVERSITY

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

CAREER, TECHNICAL, AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, the Carl D. Perkins Career and Technical Education Act of 2006 ("Perkins Act") and the Adult Education and Family Literacy Act ("AEFLA"),
$1,985,686,000, of which $1,194,686,000 shall become available on July 1, 2021, and shall remain available through September 30, 2022, and of which $791,000,000 shall become available on October 1, 2021, and shall remain available through September 30, 2022: Provided, That of the amounts made available for AEFLA, $13,712,000 shall be for national leadership activities under section 242.

**Student Financial Assistance**

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

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

**Student Aid Administration**

For Federal administrative expenses to carry out part D of title I, and subparts 1, 3, 9, and 10 of part A, and parts B, C, D, and E of title IV of the HEA, and subpart 1 of part A of title VII of the Public Health Service Act, $1,768,943,000, to remain available through September 30, 2022: Provided, That the Secretary shall allocate new student loan borrower accounts to eligible student loan servicers on the basis of their past performance compared to all loan servicers utilizing established common metrics, and on the basis of the capacity of each servicer to process
new and existing accounts and compliance with Federal
and State law: Provided further, That for student loan
contracts awarded prior to October 1, 2017, the Secretary
shall allow student loan borrowers who are consolidating
Federal student loans to select from any student loan
servicer to service their new consolidated student loan:
Provided further, That in order to promote accountability
and high-quality service to borrowers, the Secretary shall
not award funding for any contract solicitation for a new
Federal student loan servicing environment, including the
solicitation for the Federal Student Aid (FSA) Next Gen-
eration Processing and Servicing Environment, unless
such an environment provides for the participation of mul-
tiple student loan servicers that contract directly with the
Department of Education: Provided further, That the FSA
Next Generation Processing and Servicing Environment, or any new Federal student loan servicing environment,
shall include accountability measures that account for the
performance of the portfolio and contractor compliance
with FSA guidelines: Provided further, That the Depart-
ment shall re-allocate accounts from servicers for recur-
ing non-compliance with FSA guidelines, contractual re-
quirements, and Federal and State law, including for fail-
ure to sufficiently inform borrowers of available repayment
options: Provided further, That such servicers shall be
evaluated based on their ability to meet contract requirements (including an understanding of Federal and State law), future performance on the contracts, and history of compliance with applicable consumer protections laws, including Federal and State law: Provided further, That to the extent FSA permits student loan servicing subcontracting, FSA shall hold prime contractors accountable for meeting the requirements of the contract, and the performance and expectations of subcontractors shall be accounted for in the prime contract and in the overall performance of the prime contractor: Provided further, That FSA shall ensure that the Next Generation Processing and Servicing Environment, or any new Federal loan servicing environment, incentivize more support to borrowers at risk of delinquency or default: Provided further, That FSA shall ensure that in such environment contractors have the capacity to meet and are held accountable for performance on service levels; are held accountable for and have a history of compliance with applicable consumer protection laws, including Federal and State law; and have relevant experience and demonstrated effectiveness: Provided further, That the Secretary shall not delay, prevent, or otherwise obstruct, directly or indirectly, State oversight of the Department’s contractors conducting business in such State, including loan servicers: Provided further,
That the Secretary shall provide quarterly briefings to the Committees on Appropriations and Education and Labor of the House of Representatives and the Committees on Appropriations and Health, Education, Labor, and Pensions of the Senate on general progress related to solicitations for Federal student loan servicing contracts: Provided further, That FSA shall strengthen transparency through expanded publication of aggregate data on student loan and servicer performance: Provided further, That FSA shall provide a detailed strategic plan for Next Gen to the Committees on Appropriations of the House of Representatives and the Senate within 60 days of enactment of this Act, accounting for the cost of all activities associated with the full implementation of Next Gen, including transition costs, the amount of funding that has been used from Student Aid Administration in each of the previous three fiscal years on Next Gen, including an explanation of each cost and activity, details about contracts awarded, including any change request issued prior to enactment: Provided further, That not later than 30 days after enactment of this Act, FSA shall provide to the Committees on Appropriations of the House of Representatives and the Senate a detailed spend plan of anticipated uses made available in this account for fiscal year 2021, including the following: contracts awarded, change requests, bo-
nuses paid to staff, reorganization costs, and any other activity supported by this appropriation.

**Higher Education**

For carrying out, to the extent not otherwise provided, titles II, III, IV, V, VI, VII, and VIII of the HEA, the Mutual Educational and Cultural Exchange Act of 1961, and section 117 of the Perkins Act, $2,556,815,000, of which $31,000,000 shall remain available through December 31, 2021: Provided, That notwithstanding any other provision of law, funds made available in this Act to carry out title VI of the HEA and section 102(b)(6) of the Mutual Educational and Cultural Exchange Act of 1961 may be used to support visits and study in foreign countries by individuals who are participating in advanced foreign language training and international studies in areas that are vital to United States national security and who plan to apply their language skills and knowledge of these countries in the fields of government, the professions, or international development: Provided further, That of the funds referred to in the preceding proviso up to 1 percent may be used for program evaluation, national outreach, and information dissemination activities: Provided further, That up to 1.5 percent of the funds made available under chapter 2 of subpart 2 of part A of title IV of the HEA may be used for evalua-
tion: Provided further, That section 313(d) of the HEA shall not apply to an institution of higher education that is eligible to receive funding under section 318 of the HEA.

Howard University

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

College Housing and Academic Facilities Loans Program

For Federal administrative expenses to carry out activities related to existing facility loans pursuant to section 121 of the HEA, $435,000.

Historically Black College and University Capital Financing Program Account

For the cost of guaranteed loans, $22,150,000, as authorized pursuant to part D of title III of the HEA, which shall remain available through September 30, 2022: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed
$278,266,000: Provided further, That these funds may be used to support loans to public and private Historically Black Colleges and Universities without regard to the limitations within section 344(a) of the HEA.

In addition, $16,000,000 shall be made available to provide for the deferment of loans made under part D of title III of the HEA to eligible institutions that are private Historically Black Colleges and Universities, which apply for the deferment of such a loan and demonstrate financial need for such deferment by having a score of 2.6 or less on the Department of Education’s financial responsibility test: Provided, That the loan has not been paid in full and is not paid in full during the period of deferment: Provided further, That during the period of deferment of such a loan, interest on the loan will not accrue or be capitalized, and the period of deferment shall be for at least a period of 3-fiscal years and not more than 6-fiscal years: Provided further, That funds available under this paragraph shall be used to fund eligible deferment requests submitted for this purpose in fiscal year 2018: Provided further, That the Secretary shall create and execute an outreach plan to work with States and the Capital Financing Advisory Board to improve outreach to States and help additional public Historically Black Colleges and Universities participate in the program.
In addition, $10,000,000 shall be made available to provide for the deferment of loans made under part D of title III of the HEA to eligible institutions that are public Historically Black Colleges and Universities, which apply for the deferment of such a loan and demonstrate financial need for such deferment, which shall be determined by the Secretary of Education based on factors including, but not limited to, equal to or greater than 5 percent of the school’s operating revenue relative to its annual debt service payment: Provided, That during the period of deferment of such a loan, interest on the loan will not accrue or be capitalized, and the period of deferment shall be for at least a period of 3-fiscal years and not more than 6-fiscal years.

In addition, for administrative expenses to carry out the Historically Black College and University Capital Financing Program entered into pursuant to part D of title III of the HEA, $334,000.

Institute of Education Sciences

For carrying out activities authorized by the Education Sciences Reform Act of 2002, the National Assessment of Educational Progress Authorization Act, section 208 of the Educational Technical Assistance Act of 2002, and section 664 of the Individuals with Disabilities Education Act, $630,462,000, which shall remain available
through September 30, 2022: Provided, That funds available to carry out section 208 of the Educational Technical Assistance Act may be used to link Statewide elementary and secondary data systems with early childhood, postsecondary, and workforce data systems, or to further develop such systems: Provided further, That up to $6,000,000 of the funds available to carry out section 208 of the Educational Technical Assistance Act may be used for awards to public or private organizations or agencies to support activities to improve data coordination, quality, and use at the local, State, and national levels.

DEPARTMENTAL MANAGEMENT

PROGRAM ADMINISTRATION

For carrying out, to the extent not otherwise provided, the Department of Education Organization Act, including rental of conference rooms in the District of Columbia and hire of three passenger motor vehicles, $430,000,000: Provided, That, notwithstanding any other provision of law, none of the funds provided by this Act or provided by previous Appropriations Acts to the Department of Education available for obligation or expenditure in the current fiscal year may be used for any activity relating to implementing a reorganization that decentralizes, reduces the staffing level, or alters the responsibilities, structure, authority, or functionality of the Budget
Service of the Department of Education, relative to the organization and operation of the Budget Service as in effect on January 1, 2018.

OFFICE FOR CIVIL RIGHTS
For expenses necessary for the Office for Civil Rights, as authorized by section 203 of the Department of Education Organization Act, $132,000,000.

OFFICE OF INSPECTOR GENERAL
For expenses necessary for the Office of Inspector General, as authorized by section 212 of the Department of Education Organization Act, $64,000,000, of which $2,000,000 shall remain available until expended.

GENERAL PROVISIONS
Sec. 301. No funds appropriated in this Act may be used to prevent the implementation of programs of voluntary prayer and meditation in the public schools.

(TRANSFER OF FUNDS)
Sec. 302. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985) which are appropriated for the Department of Education in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: Provided, That the transfer authority granted by this section shall be available only to meet
emergency needs and shall not be used to create any new
program or to fund any project or activity for which no
funds are provided in this Act: Provided further, That the
Committees on Appropriations of the House of Represent-
atives and the Senate are notified at least 15 days in ad-
vance of any transfer.

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

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

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

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

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SEC. 306. Section 458(a) of the HEA (20 U.S.C. 1087h(a)(4)) is amended by striking “2020” and inserting “2021”.

SEC. 307. Funds appropriated in this Act under the heading “Student Aid Administration” shall also be available for payments for student loan servicing to an institution of higher education that services outstanding Federal Perkins Loans under part E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087aa et seq.).

(RESCISSION)

SEC. 308. Of the amounts appropriated under Section 401(b)(7)(A)(iv)(XI) of the Higher Education Act of 1965 (20 U.S.C. 1070a(b)(7)(A)(iv)(XI)), $21,000,000 are hereby rescinded, to be derived from amounts made available by such section for fiscal year 2021.

SEC. 309. Of the amounts made available under this title under the heading “Student Aid Administration”, $2,300,000 shall be used by the Secretary of Education to conduct outreach to borrowers of loans made under part D of title IV of the Higher Education Act of 1965 who may intend to qualify for loan cancellation under section 455(m) of such Act (20 U.S.C. 1087e(m)), to ensure that borrowers are meeting the terms and conditions of such loan cancellation: Provided, That the Secretary shall specifically conduct outreach to assist borrowers who would
qualify for loan cancellation under section 455(m) of such Act except that the borrower has made some, or all, of the 120 required payments under a repayment plan that is not described under section 455(m)(A) of such Act, to encourage borrowers to enroll in a qualifying repayment plan: *Provided further*, That the Secretary shall also communicate to all Direct Loan borrowers the full requirements of section 455(m) of such Act and improve the filing of employment certification by providing improved outreach and information such as outbound calls, electronic communications, ensuring prominent access to program requirements and benefits on each servicer’s website, and creating an option for all borrowers to complete the entire payment certification process electronically and on a centralized website.

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

SEC. 311. For an additional amount for “Department of Education—Federal Direct Student Loan Program Account”, $50,000,000, to remain available until expended, shall be for the cost, as defined under section 502 of the Congressional Budget Act of 1974, of the Secretary of Education providing loan cancellation in the same manner
as under section 455(m) of the Higher Education Act of 1965 (20 U.S.C. 1087e(m)), for borrowers of loans made under part D of title IV of such Act who would qualify for loan cancellation under section 455(m) except some, or all, of the 120 required payments under section 455(m)(1)(A) do not qualify for purposes of the program because they were monthly payments made in accordance with graduated or extended repayment plans as described under subparagraph (B) or (C) of section 455(d)(1) or the corresponding repayment plan for a consolidation loan made under section 455(g) and that were less than the amount calculated under section 455(d)(1)(A), based on a 10-year repayment period: *Provided*, That the monthly payment made 12 months before the borrower applied for loan cancellation as described in the matter preceding this proviso and the most recent monthly payment made by the borrower at the time of such application were each not less than the monthly amount that would be calculated under, and for which the borrower would otherwise qualify for, clause (i) or (iv) of section 455(m)(1)(A) regarding income-based or income-contingent repayment plans, with exception for a borrower who would have otherwise been eligible under this section but demonstrates an unusual fluctuation of income over the past 5 years: *Provided further*, That the total loan volume, including outstanding
principal, fees, capitalized interest, or accrued interest, at
application that is eligible for such loan cancellation by
such borrowers shall not exceed $75,000,000: Provided
further, That the Secretary shall develop and make avail-
able a simple method for borrowers to apply for loan can-
cellation under this section within 60 days of enactment
of this Act: Provided further, That the Secretary shall pro-
vide loan cancellation under this section to eligible bor-
growers on a first-come, first-serve basis, based on the date
of application and subject to both the limitation on total
loan volume at application for such loan cancellation speci-
fied in the second proviso and the availability of appropri-
tions under this section: Provided further, That no bor-
rower may, for the same service, receive a reduction of
loan obligations under both this section and section 428J,
428K, 428L, or 460 of such Act.

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

(b) Paragraph (9) of section 4407(a) of the Element-
tary and Secondary Education Act of 1965 (20 U.S.C.
7231f(a)) is amended by striking "notwithstanding section
1228),".
SEC. 313. (a) Section 487(d) of the Higher Education Act of 1965 (20 U.S.C. 1094(d)) is amended—

(1) in paragraph (1)(C), in the matter preceding clause (i), by striking “any funds for a program under this title” and inserting “any Federal education assistance funds”; and

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

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

(1) in paragraph (1)—

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

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

(C) by adding at the end the following:

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

(2) by adding at the end the following:

“(3) REVENUE SOURCES.— In order to qualify as a proprietary institution of higher education under this subsection, an institution shall derive not less than 15 percent of the institution’s revenues from sources other than Federal education assist-
ance funds, as calculated in accordance with para-
graph (4)’.

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

(1) transferred to section 102(b) of such Act;
(2) inserted so as to appear after paragraph (3)
of such section 102(b) (as added by subsection (b));
(3) redesignated as paragraph (4) of such sec-
tion 102(b); and
(4) further amended by striking “subsection
(a)(24)” and inserting “paragraph (3)”.

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

(1) transferred to section 102(b) of such Act;
(2) inserted so as to appear after paragraph (4)
of such section 102(b) (as added by subsection (c));
(3) redesignated as paragraph (5) of such sec-
tion 102(b); and
(4) further amended by striking “subsection
(a)(24)” and inserting “paragraph (3)”.

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

(1) transferred to section 102(b) of such Act;
(2) inserted so as to appear after paragraph (5)
of such section 102(b) (as added by subsection (d));
(3) redesignated as paragraph (6) of such section 102(b); and

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

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

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

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

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

(g) Subsection (a)(24), the subsection designation and heading of subsection (d), and subsection (d)(2) of section 487 the Higher Education Act of 1965 (20 U.S.C. 1094) are repealed.
Sec. 314. (a) None of the funds appropriated by this title may be used to—

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

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

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

Sec. 315. (a) Notwithstanding section 401(b)(6) of the HEA, a Federal Pell Grant under section 401 of the HEA may be awarded to an incarcerated individual (or on behalf of such individual) for each academic year dur-
ing which that individual is enrolled at an eligible institution that meets the criteria described in subsection (b).

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

(1) The eligible institution—

(A) is an institution of higher education (as defined in section 101 of the HEA) or a postsecondary vocational institution (as defined in section 102(c) of the HEA); and

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

(2) Such institution provides each incarcerated individual, upon completion of a course offered by the institution, with academic credits that are the equivalent to credits earned by non-incarcerated students for an equivalent course of study.

(3) Such institution provides to the Secretary confirmation from each facility involved that the course of study offered by the institution at such facility is accessible to incarcerated individuals (including such individuals who are individuals with disabilities).

(4) Such institution does not (directly or indirectly) charge an incarcerated individual for an award year, an
amount that exceeds the total grant aid received by the
individual for such award year.

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

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

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

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

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

(iv) the transferability of credits earned,
and the acceptability of such credits toward a
certificate or degree program offered by the in-
stitution;
(v) the process for continuing postsecondary education—

(I) upon transfer to another facility;

or

(II) after the student’s period of incarceration or confinement; and

(vi) the process for continuing enrollment at the institution after the student’s period of incarceration or confinement, including any barriers to admission (such as criminal history questions on applications for admission to such institution).

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

(i) information on any applicable State licensure and certification requirements, including the requirements of the State in which the facility involved is located and each State in which such individuals permanently reside; and

(ii) restrictions related to the employment of formerly incarcerated individuals for each recognized occupation for which the course of
study prepares students, including such restrictions—

(I) in Federal law; and

(II) in the laws of the State in which the facility involved is located and each State in which such individuals permanently reside.

(c) In this section:

(1) The term “facility” means—

(A) a place used for the confinement of individuals convicted of a criminal offense that is owned by, or under contract to, the Bureau of Prisons, a State, or a unit of local government: or

(B) a facility to which an individual subject to involuntary civil confinement is committed.

(2) The term “facility involved” means, when used with respect to an institution of higher education, a facility at which a course of study of the institution is offered to incarcerated individuals.

(3) The term “incarcerated individual” means an individual who is incarcerated in a facility or who is subject to an involuntary civil commitment.
(4) The term “non-incarcerated student” means a student at an institution of higher education who is not an incarcerated individual.

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

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

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

This title may be cited as the “Department of Education Appropriations Act, 2021”.
TITLE IV
RELATED AGENCIES
COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE
BLIND OR SEVERELY DISABLED

For expenses necessary for the Committee for Purchase From People Who Are Blind or Severely Disabled (referred to in this title as “the Committee”) established under section 8502 of title 41, United States Code, $10,000,000: Provided, That in order to authorize any central nonprofit agency designated pursuant to section 8503(c) of title 41, United States Code, to perform requirements of the Committee as prescribed under section 51–3.2 of title 41, Code of Federal Regulations, the Committee shall enter into a written agreement with any such central nonprofit agency: Provided further, That such agreement shall contain such auditing, oversight, and reporting provisions as necessary to implement chapter 85 of title 41, United States Code: Provided further, That such agreement shall include the elements listed under the heading “Committee For Purchase From People Who Are Blind or Severely Disabled—Written Agreement Elements” in the explanatory statement described in section 4 of Public Law 114–113 (in the matter preceding division A of that consolidated Act): Provided further, That any
such central nonprofit agency may not charge a fee under section 51–3.5 of title 41, Code of Federal Regulations, prior to executing a written agreement with the Committee: Provided further, That no less than $1,650,000 shall be available for the Office of Inspector General.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

OPERATING EXPENSES

For necessary expenses for the Corporation for National and Community Service (referred to in this title as “CNCS”) to carry out the Domestic Volunteer Service Act of 1973 (referred to in this title as “1973 Act”) and the National and Community Service Act of 1990 (referred to in this title as “1990 Act”), $848,529,000, notwithstanding sections 198B(b)(3), 198S(g), 501(a)(4)(C), and 501(a)(4)(F) of the 1990 Act: Provided, That of the amounts provided under this heading: (1) up to 1 percent of program grant funds may be used to defray the costs of conducting grant application reviews, including the use of outside peer reviewers and electronic management of the grants cycle; (2) $19,538,000 shall be available to provide assistance to State commissions on national and community service, under section 126(a) of the 1990 Act and notwithstanding section 501(a)(5)(B) of the 1990 Act; (3) $34,500,000 shall be available to carry out subtitle E of the 1990 Act; and (4) $6,400,000 shall be available for
expenses authorized under section 501(a)(4)(F) of the
1990 Act, which, notwithstanding the provisions of section
198P shall be awarded by CNCS on a competitive basis:
Provided further, That for the purposes of carrying out
the 1990 Act, satisfying the requirements in section
122(c)(1)(D) may include a determination of need by the
local community.

PAYMENT TO THE NATIONAL SERVICE TRUST
(INCLUDING TRANSFER OF FUNDS)
For payment to the National Service Trust estab-
lished under subtitle D of title I of the 1990 Act,
$212,342,000, to remain available until expended: Pro-
vided, That CNCS may transfer additional funds from the
amount provided within “Operating Expenses” allocated
to grants under subtitle C of title I of the 1990 Act to
the National Service Trust upon determination that such
transfer is necessary to support the activities of national
service participants and after notice is transmitted to the
Committees on Appropriations of the House of Represent-
atives and the Senate: Provided further, That amounts ap-
propriated for or transferred to the National Service Trust
may be invested under section 145(b) of the 1990 Act
without regard to the requirement to apportion funds
under 31 U.S.C. 1513(b).
SALARIES AND EXPENSES

For necessary expenses of administration as provided under section 501(a)(5) of the 1990 Act and under section 504(a) of the 1973 Act, including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, the employment of experts and consultants authorized under 5 U.S.C. 3109, and not to exceed $2,500 for official reception and representation expenses, $86,737,000.

OFFICE OF INSPECTOR GENERAL

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

ADMINISTRATIVE PROVISIONS

Sec. 401. CNCS shall make any significant changes to program requirements, service delivery or policy only through public notice and comment rulemaking. For fiscal year 2021, during any grant selection process, an officer or employee of CNCS shall not knowingly disclose any covered grant selection information regarding such selection, directly or indirectly, to any person other than an officer or employee of CNCS that is authorized by CNCS to receive such information.

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

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

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

SEC. 405. For the purpose of carrying out section
189D of the 1990 Act—
(1) entities described in paragraph (a) of such
section shall be considered “qualified entities” under
section 3 of the National Child Protection Act of 1993 ("NCPA");

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

(3) State Commissions on National and Community Service established pursuant to section 178 of the 1990 Act, are authorized to receive criminal history record information, consistent with Public Law 92–544.

SEC. 406. Notwithstanding sections 139(b), 146 and 147 of the 1990 Act, an individual who successfully completes a term of service of not less than 1,200 hours during a period of not more than one year may receive a national service education award having a value of 70 percent of the value of a national service education award determined under section 147(a) of the Act.

CORPORATION FOR PUBLIC BROADCASTING

For payment to the Corporation for Public Broadcasting ("CPB"), as authorized by the Communications Act of 1934, an amount which shall be available within limitations specified by that Act, for the fiscal year 2023, $515,000,000: Provided, That none of the funds made available to CPB by this Act shall be used to pay for receptions, parties, or similar forms of entertainment for
Government officials or employees: Provided further, That none of the funds made available to CPB by this Act shall be available or used to aid or support any program or activity from which any person is excluded, or is denied benefits, or is discriminated against, on the basis of race, color, national origin, religion, or sex: Provided further, That none of the funds made available to CPB by this Act shall be used to apply any political test or qualification in selecting, appointing, promoting, or taking any other personnel action with respect to officers, agents, and employees of CPB.

In addition, for the costs associated with replacing and upgrading the public broadcasting interconnection system and other technologies and services that create infrastructure and efficiencies within the public media system, $20,000,000.

FEDERAL MEDIATION AND CONCILIATION SERVICE

SALARIES AND EXPENSES

For expenses necessary for the Federal Mediation and Conciliation Service ("Service") to carry out the functions vested in it by the Labor-Management Relations Act, 1947, including hire of passenger motor vehicles; for expenses necessary for the Labor-Management Cooperation Act of 1978; and for expenses necessary for the Service to carry out the functions vested in it by the Civil Service
Reform Act, $48,600,000, including up to $900,000 to remain available through September 30, 2022, for activities authorized by the Labor-Management Cooperation Act of 1978: Provided, That notwithstanding 31 U.S.C. 3302, fees charged, up to full-cost recovery, for special training activities and other conflict resolution services and technical assistance, including those provided to foreign governments and international organizations, and for arbitration services shall be credited to and merged with this account, and shall remain available until expended: Provided further, That fees for arbitration services shall be available only for education, training, and professional development of the agency workforce: Provided further, That the Director of the Service is authorized to accept and use on behalf of the United States gifts of services and real, personal, or other property in the aid of any projects or functions within the Director’s jurisdiction.

Federal Mine Safety and Health Review Commission

Salaries and Expenses

For expenses necessary for the Federal Mine Safety and Health Review Commission, $17,184,000.
Institute of Museum and Library Services

Office of Museum and Library Services: Grants and Administration

For carrying out the Museum and Library Services Act of 1996 and the National Museum of African American History and Culture Act, $257,000,000.

Medicaid and CHIP Payment and Access Commission

Salaries and Expenses

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

Medicare Payment Advisory Commission

Salaries and Expenses

For expenses necessary to carry out section 1805 of the Social Security Act, $12,905,000, to be transferred to this appropriation from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund.

National Council on Disability

Salaries and Expenses

For expenses necessary for the National Council on Disability as authorized by title IV of the Rehabilitation Act of 1973, $3,350,000.
NATIONAL LABOR RELATIONS BOARD

SALARIES AND EXPENSES

For expenses necessary for the National Labor Relations Board to carry out the functions vested in it by the Labor-Management Relations Act, 1947, and other laws, $277,824,000 of which $1,000,000 shall be used to develop a system and procedures to conduct union representation elections electronically: Provided, That the National Labor Relations Board shall use funds provided under this heading to expand the number of regional full-time equivalent staff above the amount on-board at the end of the fourth quarter of fiscal year 2019: Provided further, That the system and procedures described in the previous proviso shall be available to conduct union representation elections electronically no later than 30 days after the date of enactment of this Act.

ADMINISTRATIVE PROVISIONS

Sec. 407. None of the funds made available by this Act may be used to implement, enforce, or take any action in furtherance of the final rule on “The Standard for Determining Joint-Employer Status” published by the National Labor Relations Board in the Federal Register on February 26, 2020 (85 Fed. Reg. 11184 et seq.).

Sec. 408. None of the funds made available by this Act may be used to implement, enforce, or take any ac-
tions in furtherance of, the final rule on “Representation-
Case Procedures” published by the National Labor Rela-
tions Board in the Federal Register on December 18, 
2019 (84 Fed. Reg. 69524 et seq.).

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

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

NATIONAL MEDIATION BOARD

SALARIES AND EXPENSES

For expenses necessary to carry out the provisions 
of the Railway Labor Act, including emergency boards ap-
pointed by the President, $14,300,000.
For expenses necessary for the Occupational Safety and Health Review Commission, $13,225,000.

For payment to the Dual Benefits Payments Account, authorized under section 15(d) of the Railroad Retirement Act of 1974, $13,000,000, which shall include amounts becoming available in fiscal year 2021 pursuant to section 224(c)(1)(B) of Public Law 98–76; and in addition, an amount, not to exceed 2 percent of the amount provided herein, shall be available proportional to the amount by which the product of recipients and the average benefit received exceeds the amount available for payment of vested dual benefits: Provided, That the total amount provided herein shall be credited in 12 approximately equal amounts on the first day of each month in the fiscal year.

For payment to the accounts established in the Treasury for the payment of benefits under the Railroad Retirement Act for interest earned on unnegotiated
checks, $150,000, to remain available through September 30, 2022, which shall be the maximum amount available for payment pursuant to section 417 of Public Law 98–76.

LIMITATION ON ADMINISTRATION

For necessary expenses for the Railroad Retirement Board (“Board”) for administration of the Railroad Retirement Act and the Railroad Unemployment Insurance Act, $126,500,000, to be derived in such amounts as determined by the Board from the railroad retirement accounts and from moneys credited to the railroad unemployment insurance administration fund: Provided, That notwithstanding section 7(b)(9) of the Railroad Retirement Act this limitation may be used to hire attorneys only through the excepted service: Provided further, That the previous proviso shall not change the status under Federal employment laws of any attorney hired by the Railroad Retirement Board prior to January 1, 2013: Provided further, That notwithstanding section 7(b)(9) of the Railroad Retirement Act, this limitation may be used to hire students attending qualifying educational institutions or individuals who have recently completed qualifying educational programs using current excepted hiring authorities established by the Office of Personnel Management: Provided further, That $13,000,000, to remain available...
until expended, shall be used to supplement, not supplant, existing resources devoted to operations and improvements for the Board’s Information Technology Investment Initiatives.

LIMITATION ON THE OFFICE OF INSPECTOR GENERAL
For expenses necessary for the Office of Inspector General for audit, investigatory and review activities, as authorized by the Inspector General Act of 1978, not more than $11,000,000, to be derived from the railroad retirement accounts and railroad unemployment insurance account.

SOCIAL SECURITY ADMINISTRATION
PAYMENTS TO SOCIAL SECURITY TRUST FUNDS
For payment to the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, as provided under sections 201(m) and 1131(b)(2) of the Social Security Act, $11,000,000.

SUPPLEMENTAL SECURITY INCOME PROGRAM
For carrying out titles XI and XVI of the Social Security Act, section 401 of Public Law 92–603, section 212 of Public Law 93–66, as amended, and section 405 of Public Law 95–216, including payment to the Social Security trust funds for administrative expenses incurred pursuant to section 201(g)(1) of the Social Security Act, $40,172,492,000, to remain available until expended: Pro-
vided, That any portion of the funds provided to a State in the current fiscal year and not obligated by the State during that year shall be returned to the Treasury: Pro-
vided further, That not more than $86,000,000 shall be available for research and demonstrations under sections 1110, 1115, and 1144 of the Social Security Act, and re-
main available through September 30, 2023.

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

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

LIMITATION ON ADMINISTRATIVE EXPENSES

For necessary expenses, including the hire of two pas-
senger motor vehicles, and not to exceed $20,000 for offi-
cial reception and representation expenses, not more than $12,834,945,000 may be expended, as authorized by sec-
tion 201(g)(1) of the Social Security Act, from any one or all of the trust funds referred to in such section: Pro-
vided, That not less than $2,500,000 shall be for the So-
cial Security Advisory Board: Provided further, That $45,000,000 shall remain available until expended for in-
formation technology modernization, including related
hardware and software infrastructure and equipment, and
for administrative expenses directly associated with infor-
mation technology modernization: Provided further, That
of the amount made available in the preceding proviso,
$4,000,000 shall be transferred to the “Office of Inspector
General”, Social Security Administration, for information
technology modernization, including related hardware and
software infrastructure and equipment, and for adminis-
trative expenses directly associated with information tech-
nology modernization: Provided further, That such trans-
fer authority is in addition to any other transfer authority
provided by law: Provided further, That $50,000,000 shall
remain available through September 30, 2022, for activi-
ties to address the disability hearings backlog within the
Office of Hearings Operations: Provided further, That un-
obligated balances of funds provided under this paragraph
at the end of fiscal year 2021 not needed for fiscal year
2021 shall remain available until expended to invest in the
Social Security Administration information technology
and telecommunications hardware and software infra-
structure, including related equipment and non-payroll ad-
ministrative expenses associated solely with this informa-
tion technology and telecommunications infrastructure:
Provided further, That the Commissioner of Social Secu-
rity shall notify the Committees on Appropriations of the House of Representatives and the Senate prior to making unobligated balances available under the authority in the previous proviso: Provided further, That reimbursement to the trust funds under this heading for expenditures for official time for employees of the Social Security Administration pursuant to 5 U.S.C. 7131, and for facilities or support services for labor organizations pursuant to policies, regulations, or procedures referred to in section 7135(b) of such title shall be made by the Secretary of the Treasury, with interest, from amounts in the general fund not otherwise appropriated, as soon as possible after such expenditures are made.

Of the total amount made available in the first paragraph under this heading, not more than $1,575,000,000, to remain available through March 31, 2022, is for the costs associated with continuing disability reviews under titles II and XVI of the Social Security Act, including work-related continuing disability reviews to determine whether earnings derived from services demonstrate an individual’s ability to engage in substantial gainful activity, for the cost associated with conducting redeterminations of eligibility under title XVI of the Social Security Act, for the cost of co-operative disability investigation units, and for the cost associated with the prosecution of fraud
in the programs and operations of the Social Security Administration by Special Assistant United States Attorneys: 

Provided, That, of such amount, $273,000,000 is provided to meet the terms of section 251(b)(2)(B)(ii)(III) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, and $1,302,000,000 is additional new budget authority specified for purposes of section 251(b)(2)(B) of such Act: Provided further, That, of the additional new budget authority described in the preceding proviso, up to $11,200,000 may be transferred to the “Office of Inspector General”, Social Security Administration, for the cost of jointly operated co-operative disability investigation units: Provided further, That such transfer authority is in addition to any other transfer authority provided by law: Provided further, That the Commissioner shall provide to the Congress (at the conclusion of the fiscal year) a report on the obligation and expenditure of these funds, similar to the reports that were required by section 103(d)(2) of Public Law 104–121 for fiscal years 1996 through 2002.

In addition, $135,000,000 to be derived from administration fees in excess of $5.00 per supplementary payment collected pursuant to section 1616(d) of the Social Security Act or section 212(b)(3) of Public Law 93–66, which shall remain available until expended: Provided,
That to the extent that the amounts collected pursuant to such sections in fiscal year 2021 exceed $135,000,000, the amounts shall be available in fiscal year 2022 only to the extent provided in advance in appropriations Acts.

In addition, up to $1,000,000 to be derived from fees collected pursuant to section 303(e) of the Social Security Protection Act, which shall remain available until expended.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

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

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

TITLE V
GENERAL PROVISIONS
(TRANSFER OF FUNDS)

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

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

Sec. 503. (a) No part of any appropriation contained in this Act or transferred pursuant to section 4002 of Public Law 111–148 shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, electronic communication, radio, television, or video presentation designed to support or defeat the enactment of legislation before the Congress or any State or local legislature or legislative body, except in presentation to the
Congress or any State or local legislature itself, or designed to support or defeat any proposed or pending regulation, administrative action, or order issued by the executive branch of any State or local government, except in presentation to the executive branch of any State or local government itself.

(b) No part of any appropriation contained in this Act or transferred pursuant to section 4002 of Public Law 111–148 shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence the enactment of legislation, appropriations, regulation, administrative action, or Executive order proposed or pending before the Congress or any State government, State legislature or local legislature or legislative body, other than for normal and recognized executive-legislative relationships or participation by an agency or officer of a State, local or tribal government in policymaking and administrative processes within the executive branch of that government.

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

SEC. 504. The Secretaries of Labor and Education are authorized to make available not to exceed $28,000 and $20,000, respectively, from funds available for salaries and expenses under titles I and III, respectively, for official reception and representation expenses; the Director of the Federal Mediation and Conciliation Service is authorized to make available for official reception and representation expenses not to exceed $5,000 from the funds available for “Federal Mediation and Conciliation Service, Salaries and Expenses”; and the Chairman of the National Mediation Board is authorized to make available for official reception and representation expenses not to exceed $5,000 from funds available for “National Mediation Board, Salaries and Expenses”.

SEC. 505. When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal funds included in this Act, including but not limited to State and local governments and recipients of Federal research grants, shall clearly state—
(1) the percentage of the total costs of the program or project which will be financed with Federal money;
(2) the dollar amount of Federal funds for the project or program; and
(3) percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.

SEC. 506. (a) None of the funds appropriated in this Act, and none of the funds in any trust fund to which funds are appropriated in this Act, shall be expended for any abortion.
(b) None of the funds appropriated in this Act, and none of the funds in any trust fund to which funds are appropriated in this Act, shall be expended for health benefits coverage that includes coverage of abortion.
(c) The term “health benefits coverage” means the package of services covered by a managed care provider or organization pursuant to a contract or other arrangement.

SEC. 507. (a) The limitations established in the preceding section shall not apply to an abortion—
(1) if the pregnancy is the result of an act of rape or incest; or
(2) in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed.

(b) Nothing in the preceding section shall be construed as prohibiting the expenditure by a State, locality, entity, or private person of State, local, or private funds (other than a State’s or locality’s contribution of Medicaid matching funds).

(c) Nothing in the preceding section shall be construed as restricting the ability of any managed care provider from offering abortion coverage or the ability of a State or locality to contract separately with such a provider for such coverage with State funds (other than a State’s or locality’s contribution of Medicaid matching funds).

(d)(1) None of the funds made available in this Act may be made available to a Federal agency or program, or to a State or local government, if such agency, program, or government subjects any institutional or individual health care entity to discrimination on the basis that the health care entity does not provide, pay for, provide coverage of, or refer for abortions.
(2) In this subsection, the term “health care entity” includes an individual physician or other health care professional, a hospital, a provider-sponsored organization, a health maintenance organization, a health insurance plan, or any other kind of health care facility, organization, or plan.

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

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

(2) research in which a human embryo or embryos are destroyed, discarded, or knowingly subjected to risk of injury or death greater than that allowed for research on fetuses in utero under 45 CFR 46.204(b) and section 498(b) of the Public Health Service Act (42 U.S.C. 289g(b)).

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

SEC. 509. (a) None of the funds made available in this Act may be used for any activity that promotes the legalization of any drug or other substance included in
schedule I of the schedules of controlled substances established under section 202 of the Controlled Substances Act except for normal and recognized executive-congressional communications.

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

Sec. 510. None of the funds made available in this Act may be used to promulgate or adopt any final standard under section 1173(b) of the Social Security Act providing for, or providing for the assignment of, a unique health identifier for an individual (except in an individual’s capacity as an employer or a health care provider), until legislation is enacted specifically approving the standard.

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

(1) such entity is otherwise a contractor with the United States and is subject to the requirement in 38 U.S.C. 4212(d) regarding submission of an annual report to the Secretary of Labor concerning employment of certain veterans; and
(2) such entity has not submitted a report as required by that section for the most recent year for which such requirement was applicable to such entity.

SEC. 512. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

SEC. 513. None of the funds made available by this Act to carry out the Library Services and Technology Act may be made available to any library covered by paragraph (1) of section 224(f) of such Act, as amended by the Children’s Internet Protection Act, unless such library has made the certifications required by paragraph (4) of such section.

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

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

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

(4) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Committees on Appropriations of the House of Representatives and the Senate are consulted 15 days in advance of such reprogramming or of an announcement of intent relating to such reprogramming, whichever occurs earlier, and are notified in writing 10 days in advance of such reprogramming.

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

(1) augments existing programs, projects (including construction projects), or activities;
(2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or

(3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress;

unless the Committees on Appropriations of the House of Representatives and the Senate are consulted 15 days in advance of such reprogramming or of an announcement of intent relating to such reprogramming, whichever occurs earlier, and are notified in writing 10 days in advance of such reprogramming.

(e) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in the current year fiscal year, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure that—

(1) relocates an office or employees;

(2) reorganizes or renames offices; or

(3) reorganizes programs or activities;
unless the relocation, renaming, or reorganization was included in the President’s fiscal year 2021 budget proposal, including the accompanying justification documents submitted to the Committees on Appropriations of the House of Representatives and the Senate, and such committees are consulted at least 15 days in advance of such relocation, renaming, or reorganization.

Sec. 515. (a) None of the funds made available in this Act may be used to request that a candidate for appointment to a Federal scientific advisory committee disclose the political affiliation or voting history of the candidate or the position that the candidate holds with respect to political issues not directly related to and necessary for the work of the committee involved.

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

Sec. 516. Within 45 days of enactment of this Act, each department and related agency funded through this Act shall submit an operating plan that details at the program, project, and activity level any funding allocations for fiscal year 2021 that are different than those specified in this Act, the detailed table in the committee report accompanying this Act, or the fiscal year 2021 budget request.
SEC. 517. The Secretaries of Labor, Health and Human Services, and Education shall each prepare and submit to the Committees on Appropriations of the House of Representatives and the Senate a report on the number and amount of contracts, grants, and cooperative agreements exceeding $500,000, individually or in total for a particular project, activity, or programmatic initiative, in value and awarded by the Department on a non-competitive basis during each quarter of fiscal year 2021, but not to include grants awarded on a formula basis or directed by law. Such report shall include the name of the contractor or grantee, the amount of funding, the governmental purpose, including a justification for issuing the award on a non-competitive basis. Such report shall be transmitted to the Committees within 30 days after the end of the quarter for which the report is submitted.

SEC. 518. None of the funds appropriated in this Act shall be expended or obligated by the Commissioner of Social Security, for purposes of administering Social Security benefit payments under title II of the Social Security Act, to process any claim for credit for a quarter of coverage based on work performed under a social security account number that is not the claimant’s number and the performance of such work under such number has formed the
basis for a conviction of the claimant of a violation of section 208(a)(6) or (7) of the Social Security Act.

Sec. 519. None of the funds appropriated by this Act may be used by the Commissioner of Social Security or the Social Security Administration to pay the compensation of employees of the Social Security Administration to administer Social Security benefit payments, under any agreement between the United States and Mexico establishing totalization arrangements between the social security system established by title II of the Social Security Act and the social security system of Mexico, which would not otherwise be payable but for such agreement.

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

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

Sec. 521. For purposes of carrying out Executive Order 13589, Office of Management and Budget Memorandum M–12–12 dated May 11, 2012, and requirements contained in the annual appropriations bills relating to conference attendance and expenditures:
(1) the operating divisions of HHS shall be considered independent agencies; and

(2) attendance at and support for scientific conferences shall be tabulated separately from and not included in agency totals.

Sec. 522. Federal agencies funded under this Act shall clearly state within the text, audio, or video used for advertising or educational purposes, including emails or Internet postings, that the communication is printed, published, or produced and disseminated at U.S. taxpayer expense. The funds used by a Federal agency to carry out this requirement shall be derived from amounts made available to the agency for advertising or other communications regarding the programs and activities of the agency.

Sec. 523. (a) Federal agencies may use Federal discretionary funds that are made available in this Act to carry out up to 10 Performance Partnership Pilots. Such Pilots shall be governed by the provisions of section 526 of division H of Public Law 113–76, except that in carrying out such Pilots section 526 shall be applied by substituting “FISCAL YEAR 2021” for “FISCAL YEAR 2014” in the title of subsection (b) and by substituting “September 30, 2025” for “September 30, 2018” each place.
it appears: *Provided*, That such pilots shall include communities that have experienced civil unrest.

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

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

Sec. 524. Not later than 30 days after the end of each calendar quarter, beginning with the first month of fiscal year 2021, the Departments of Labor, Health and Human Services and Education and the Social Security Administration shall provide the Committees on Appropriations of the House of Representatives and Senate a report on the status of balances of appropriations: *Provided*, That for balances that are unobligated and uncommitted, committed, and obligated but unexpended, the
monthly reports shall separately identify the amounts attributable to each source year of appropriation (beginning with fiscal year 2012, or, to the extent feasible, earlier fiscal years) from which balances were derived.

Sec. 525. The Departments of Labor, Health and Human Services, or Education shall provide to the Committees on Appropriations of the House of Representatives and the Senate a comprehensive list of any new or competitive grant award notifications, including supplements, issued at the discretion of such Departments not less than 3 full business days before any entity selected to receive a grant award is announced by the Department or its offices (other than emergency response grants at any time of the year or for grant awards made during the last 10 business days of the fiscal year, or if applicable, of the program year).

Sec. 526. Each department and related agency funded through this Act shall provide answers to questions submitted for the record by members of the Committee within 45 business days after receipt.

Sec. 527. None of the funds appropriated in this Act may be used to finalize or implement the proposed regulation titled “Rules Regarding the Frequency and Notice of Continuing Disability Reviews” published by the Social
SEC. 528. None of the funds appropriated in this Act may be used to finalize or implement the notice of proposed rulemaking titled “Hearings Held by Administrative Appeals Judges of the Appeals Council” published by the Social Security Administration on December 20, 2019 (84 Fed. Reg. 70080 et seq.).

(RESCISSION)

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

SEC. 530. Of the unobligated balances made available for purposes of carrying out section 2105(a)(3) of the Social Security Act, $6,566,000,000 shall not be available for obligation in this fiscal year.

SEC. 531. (a) Any funds made available by this Act that are used to fund an apprenticeship or apprenticeship program shall only be used for, or provided to, an apprenticeship or apprenticeship program that meets the definition in subsection (b), including any funds awarded for the purposes of grants, contracts, or cooperative agreements, or the development, implementation, or administration, of an apprenticeship or an apprenticeship program.
(b) The term “apprenticeship” or “apprenticeship program” means an apprenticeship program registered under the Act of August 16, 1937 (commonly known as the “National Apprenticeship Act”; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.), including any requirement, standard, or rule promulgated under such Act, as such requirement, standard, or rule was in effect on December 30, 2019.

TITLE VI
DEPARTMENT OF HEALTH AND HUMAN SERVICES
CENTERS FOR DISEASE CONTROL AND PREVENTION
CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT
For an additional amount for “CDC-Wide Activities and Program Support”, $9,000,000,000, to remain available until September 30, 2025, for public health and emergency preparedness and response, domestically or internationally: Provided, That of the amount made available under this heading, $2,000,000,000 shall be for public health emergency preparedness cooperative agreements under section 319C–1 of the PHS Act: Provided further, That of the amount made available under this heading, $1,000,000,000 shall be for epidemiology and laboratory capacity cooperative agreements under section 2821 of the PHS: Provided further, That funds made available in the
preceding proviso may be used for construction, alteration, or renovation of non-federally owned facilities, or the purchase of equipment: Provided further, That all construction, alteration, or renovation work, carried out in whole or in part with funds appropriated under this heading in this Act, shall be subject to the requirements of section 1621(b)(1)(I) of the PHS Act (42 U.S.C. 300s-1(b)(1)(I)): Provided further, That of the amount made available under this heading for specified programs, not less than $150,000,000 shall be allocated to Tribes, Tribal organizations, urban Indian health organizations, or health service providers to Tribes: Provided further, That of the amount made available under this heading, $1,000,000,000 shall be for global disease detection and emergency response: Provided further, That of the amount made available under this heading, $4,000,000,000 shall be for a vaccination campaign, including preparedness, operations, and distribution, and a comprehensive campaign to achieve coverage goals, and for an enhanced influenza vaccination campaign, including purchase of vaccine as necessary to increase coverage: Provided further, That the Director of the Centers for Disease Control and Prevention shall provide a briefing to the Committees on Appropriations of the House of Representatives and the Senate at least one week prior to obligating funds made available
in the preceding proviso on the CDC’s plans for vaccination campaigns in fiscal year 2021: *Provided further*, That
of the amount made available under this heading, $400,000,000 shall be for public health data surveillance
and analytics infrastructure modernization: *Provided further*, That of the amount made available under this heading, $200,000,000 shall be for activities to support public health workforce development, including the Epidemic Intelligence Service fellowship program: *Provided further*, That of the amount made available under this heading, $400,000,000 shall be transferred to and merged with amounts in the Infectious Diseases Rapid Response Reserve Fund, established by section 231 of Division B of Public Law 115–245: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**National Institutes of Health**

**Office of the Director**

**(Including Transfer of Funds)**

For an additional amount for “Office of the Director”, $5,000,000,000, to remain available until September 30, 2025: *Provided*, That funds made available under this heading may be used to offset the costs related to reduc-
tions in laboratory productivity resulting from interruptions or shutdowns of research activity in fiscal year 2020: Provided further, That funds made available under this heading may be transferred to the accounts of the Institutes and Centers of the National Institutes of Health ("NIH"): Provided further, That the transfer authority in the preceding proviso is in addition to any other transfer authority available to the NIH: Provided further, That of the amount made available under this heading, the Director of NIH shall transfer not less than $2,500,000,000 to the accounts of the Institutes and Centers of the NIH in proportion to the amounts otherwise made available to such Institutes and Centers under the heading "National Institutes of Health" in division A of the Further Consolidated Appropriations Act, 2020 (Public Law 116–94): Provided further, That of the amount made available under this heading, the Director of NIH shall transfer to "Buildings and Facilities" an amount equal to the amount made available for buildings and facilities at the NIH in section 237 of division A of such Act: Provided further, That the Director of the NIH shall provide a briefing to the Committees on Appropriations of the House of Representativess and the Senate at least one week prior to obligating funds made available under this heading on the NIH’s plans for obligating emergency funds: Provided fur-
ther, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Office of the Secretary
PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

For an additional amount for “Public Health and Social Services Emergency Fund”, $4,500,000,000, to remain available until September 30, 2025, for the development of necessary countermeasures and vaccines, prioritizing platform-based technologies with U.S.-based manufacturing capabilities, the purchase of vaccines, therapeutics, diagnostics, and necessary medical supplies, as well as initial advance manufacturing and novel dispensing: Provided, That funds made available under this heading may be used to develop and demonstrate innovations and enhancements to manufacturing platforms to support such capabilities: Provided further, That products purchased with funds appropriated under this heading may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F–2 of the PHS Act: Provided further, That funds made available under this heading may be transferred to, and merged with, the fund author-
ized by section 319F–4, the Covered Countermeasure Process Fund, of the PHS Act: Provided further, That of
the amount made available under this heading, $3,500,000,000 shall be available to the Biomedical Advanced Research and Development Authority for necessary expenses of advanced research, development, manufacturing, production, and purchase of vaccines and therapeutics: Provided further, That the Director of the Biomedical Advanced Research and Development Authority shall provide a briefing to the Committees on Appropriations of the House of Representatives and the Senate at least one week prior to obligating funds made available in the preceding proviso on the Department’s plans to produce a sufficient supply of vaccine for the U.S. population: Provided further, That of the amount made available under this heading, $500,000,000 shall be available to the Biomedical Advanced Research and Development Authority for the construction, renovation, or equipping of U.S.-based next generation manufacturing facilities, other than facilities owned by the United States Government: Provided further, That of the amount made available under this heading, $500,000,000 shall be available to the Biomedical Advanced Research and Development Authority to promote innovation in antibacterial research and development: Provided further, That funds made available
under this heading may be used for grants for the rent, lease, purchase, acquisition, construction, alteration, or renovation of non-federally owned facilities to improve preparedness and response capability at the State and local levels: Provided further, That funds made available under this heading may be used for the construction, alteration, renovation or equipping of non-federally owned facilities for the production of vaccines, therapeutics, diagnostics, and medicines and other items purchased under section 319F–2(a) of the PHS Act where the Secretary determines that such use is necessary to assure sufficient domestic production of such supplies: Provided further, That all construction, alteration, or renovation work, carried out in whole or in part with funds made available under this heading, shall be subject to the requirements of section 1621(b)(1)(I) of the PHS Act (42 U.S.C. 300s-1(b)(1)(I)): Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PUBLIC HEALTH EMERGENCY FUND

For an additional amount for “Public Health Emergency Fund”, $5,000,000,000, to remain available until expended, to be deposited into the Public Health Emergency Fund, as established under section 319(b) of the
Public Health Service Act: Provided, That products purchased with funds appropriated under this heading may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F-2 of the Public Health Service Act: Provided further, That the Secretary of Health and Human Services (or the Assistant Secretary for Preparedness and Response on behalf of the Secretary) shall provide a briefing to the Committees on Appropriations of the House of Representatives and the Senate at least one week prior to obligating funds made available under this heading on the Department’s plans for obligating emergency funds: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS

Sec. 601. The amounts provided by the first proviso following paragraph (6) under the heading “Department of Labor—Employment and Training Administration—State Unemployment Insurance and Employment Service Operations” in title I of this Act are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
SEC. 602. Not later than 30 days after the date of enactment of this Act, the Secretary of Health and Human Services shall provide a detailed spend plan of anticipated uses of funds made available to the Department of Health and Human Services in this title, including estimated personnel and administrative costs, to the Committees on Appropriations of the House of Representatives and the Senate: Provided, That such plans shall be updated and submitted to such Committees every 60 days until September 30, 2025: Provided further, That the spend plans shall be accompanied by a listing of each contract obligation incurred that exceeds $5,000,000 which has not previously been reported, including the amount of each such obligation.

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

SEC. 604. Any amount appropriated by this Act, designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 and subse-
quently so designated by the President, and transferred pursuant to transfer authorities provided by this Act shall retain such designation.

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

Passed by the House of Representatives June 26, 2020, and ordered to be printed.

H. R. 116

Union Calendar No. 51

[Full Committee Print]