

1 components and charging equipment for the vehicles de-  
2 scribed in paragraph (1) of such section 131(b) in the  
3 United States.

4 **PART 5—DOE LOAN AND GRANT PROGRAMS**

5 **SEC. 30451. FUNDING FOR DEPARTMENT OF ENERGY LOAN**  
6 **PROGRAMS OFFICE.**

7 (a) COMMITMENT AUTHORITY.—In addition to com-  
8 mitment authority otherwise available and previously pro-  
9 vided, the Secretary of Energy may make commitments  
10 to guarantee loans for eligible projects under section 1703  
11 of the Energy Policy Act of 2005 up to a total principal  
12 amount of \$30,000,000,000, to remain available until Sep-  
13 tember 30, 2031, except that no commitments shall be  
14 made using the authority provided by this section after  
15 September 30, 2031: *Provided*, That for amounts collected  
16 pursuant to section 1702(b)(2) of the Energy Policy Act  
17 of 2005, the source of such payment received from bor-  
18 rowers may not be a loan or other debt obligation that  
19 is guaranteed by the Federal Government: *Provided fur-*  
20 *ther*, That none of the loan guarantee authority made  
21 available by this section shall be available for any project  
22 unless the Director of the Office of Management and  
23 Budget has certified in advance in writing that the loan  
24 guarantee and the project comply with the provisions  
25 under this section: *Provided further*, That none of such

1 loan guarantee authority made available by this section  
2 shall be available for commitments to guarantee loans for  
3 any projects where funds, personnel, or property (tangible  
4 or intangible) of any Federal agency, instrumentality, per-  
5 sonnel, or affiliated entity are expected to be used (directly  
6 or indirectly) through acquisitions, contracts, demonstra-  
7 tions, exchanges, grants, incentives, leases, procurements,  
8 sales, other transaction authority, or other arrangements,  
9 to support the project or to obtain goods or services from  
10 the project: *Provided further*, That the previous proviso  
11 shall not be interpreted as precluding the use of the loan  
12 guarantee authority provided by this section for commit-  
13 ments to guarantee loans for—

14 (1) projects as a result of such projects benefit-  
15 ting from otherwise allowable Federal tax benefits;

16 (2) projects as a result of such projects benefit-  
17 ting from being located on Federal land pursuant to  
18 a lease or right-of-way agreement for which all con-  
19 sideration for all uses is—

20 (A) paid exclusively in cash;

21 (B) deposited in the Treasury as offsetting  
22 receipts; and

23 (C) equal to the fair market value as deter-  
24 mined by the head of the relevant Federal agen-  
25 cy;

1           (3) projects as a result of such projects benefit-  
2           ting from Federal insurance programs; or

3           (4) electric generation projects using trans-  
4           mission facilities owned or operated by a Federal  
5           Power Marketing Administration or the Tennessee  
6           Valley Authority that have been authorized, ap-  
7           proved, and financed independent of the project re-  
8           ceiving the guarantee.

9           (b) APPROPRIATION.—In addition to amounts other-  
10          wise available and previously provided, there is appro-  
11          priated to the Secretary of Energy for fiscal year 2022,  
12          out of any money in the Treasury not otherwise appro-  
13          priated, \$700,000,000, to remain available until expended  
14          (except that no funds shall be disbursed after September  
15          30, 2031), for the costs of guarantees made under section  
16          1703 of the Energy Policy Act of 2005, using the loan  
17          guarantee authority provided under subsection (a) of this  
18          section, for renewable or energy efficient systems and  
19          manufacturing, and distributed energy generation, trans-  
20          mission, and distribution.

21          (c) ADMINISTRATIVE EXPENSES.—Of the amount  
22          made available under subsection (b), the Secretary of En-  
23          ergy shall reserve 3 percent for administrative expenses  
24          to carry out title XVII of the Energy Policy Act of 2005  
25          and for carrying out section 1702(h)(3) of such Act.

1 **SEC. 30452. ADVANCED TECHNOLOGY VEHICLE MANUFAC-**  
2 **TURING.**

3 (a) APPROPRIATION.—In addition to amounts other-  
4 wise available, there is appropriated to the Secretary of  
5 Energy for fiscal year 2022, out of any money in the  
6 Treasury not otherwise appropriated, \$3,000,000,000, to  
7 remain available until expended (except that no funds  
8 shall be disbursed after September 30, 2031), for the costs  
9 of—

10 (1) providing direct loans under subsection (d)  
11 of section 136 of the Energy Independence and Se-  
12 curity Act of 2007 (42 U.S.C. 17013); and

13 (2) providing direct loans in accordance with  
14 such section 136, for reequipping, expanding, or es-  
15 tablishing a manufacturing facility in the United  
16 States to produce, or for engineering integration  
17 performed in the United States of, any of the fol-  
18 lowing that emit, under any possible operational  
19 mode or condition, zero exhaust emissions of any  
20 greenhouse gas:

21 (A) A medium duty vehicle or a heavy duty  
22 vehicle.

23 (B) A train or locomotive.

24 (C) A maritime vessel.

25 (D) An aircraft.

26 (E) Hyperloop technology.

1 (b) ADMINISTRATIVE COSTS.—The Secretary shall  
2 reserve \$12,000,000 of amounts made available under  
3 subsection (a) for administrative costs of providing loans  
4 as described in subsection (a).

5 (c) ELIMINATION OF LOAN PROGRAM CAP.—Section  
6 136(d)(1) of the Energy Independence and Security Act  
7 of 2007 (42 U.S.C. 17013(d)(1)) is amended by striking  
8 “a total of not more than \$25,000,000,000 in”.

9 **SEC. 30453. DOMESTIC MANUFACTURING CONVERSION**  
10 **GRANTS.**

11 (a) APPROPRIATION.—In addition to amounts other-  
12 wise available, there is appropriated to the Secretary of  
13 Energy for fiscal year 2022, out of any money in the  
14 Treasury not otherwise appropriated, \$1,000,000,000, to  
15 remain available until expended (except that no funds  
16 shall be disbursed after September 30, 2031), for grants  
17 relating to domestic production of zero-emission vehicles  
18 under section 712 of the Energy Policy Act of 2005 (42  
19 U.S.C. 16062).

20 (b) ADMINISTRATIVE COSTS.—The Secretary shall  
21 reserve 2 percent of amounts made available under sub-  
22 section (a) for administrative costs of making grants de-  
23 scribed in such subsection (a) pursuant to section 712 of  
24 the Energy Policy Act of 2005 (42 U.S.C. 16062).

1 **SEC. 30454. ENERGY COMMUNITY REINVESTMENT FINANC-**  
2 **ING.**

3 (a) APPROPRIATION.—In addition to amounts other-  
4 wise available, there is appropriated to the Secretary for  
5 fiscal year 2022, out of any money in the Treasury not  
6 otherwise appropriated, \$2,000,000,000, to remain avail-  
7 able until expended (except that no funds shall be dis-  
8 bursed after September 30, 2031), for the cost of pro-  
9 viding financial support under section 1706 of the Energy  
10 Policy Act of 2005.

11 (b) AMENDMENT.—Title XVII of the Energy Policy  
12 Act of 2005 (42 U.S.C. 16511 et seq.) is amended by add-  
13 ing at the end the following:

14 **“SEC. 1706. ENERGY COMMUNITY REINVESTMENT FINANC-**  
15 **ING PROGRAM.**

16 “(a) ESTABLISHMENT.—Notwithstanding section  
17 1702(f) and section 1703, and not later than 180 days  
18 after the date of enactment of this section, the Secretary  
19 shall establish a program to provide financial support, in  
20 such form and on such terms and conditions as the Sec-  
21 retary determines appropriate, to eligible entities for the  
22 purpose of enabling low-carbon reinvestments in energy  
23 communities, which such reinvestments may include—

24 “(1) supporting workers who are or have been  
25 engaged in providing, or have been affected by the  
26 provision of, energy-intensive goods or services by

1 helping such workers find employment opportunities,  
2 including by providing training and education;

3 “(2) redeveloping a community that is or was  
4 engaged in providing, or has been affected by the  
5 provision of, energy-intensive goods or services;

6 “(3) accelerating remediation of environmental  
7 damage caused by the provision of energy-intensive  
8 goods or services; and

9 “(4) mitigating the effects on customers of any  
10 significant reduction in the carbon intensity of goods  
11 or services provided by the eligible entity, including  
12 by the cost-effective abatement of greenhouse gas  
13 emissions from continuing operations and the  
14 repowering, retooling, repurposing, redeveloping, or  
15 remediating of any long-lived assets, lands, or infra-  
16 structure currently or previously used by the eligible  
17 entity primarily to support the provision of energy-  
18 intensive goods or services.

19 “(b) APPLICATION REQUIREMENT.—To apply for fi-  
20 nancial support provided under this section, an eligible en-  
21 tity shall submit to the Secretary an application at such  
22 time, in such manner, and containing such information as  
23 the Secretary may require, which such application shall  
24 include—

1           “(1) a detailed plan describing the activities to  
2           be carried out in accordance with subsection (a), in-  
3           cluding activities for the measurement, monitoring,  
4           and verification of emissions of greenhouse gases;  
5           and

6           “(2) if the eligible entity is a utility subject to  
7           regulation by a State commission or other State reg-  
8           ulatory authority, assurances, as determined appro-  
9           priate by the Secretary, that such eligible entity  
10          shall pass through any financial benefit from the  
11          provision of any financial support under this section  
12          to its customers or energy communities.

13          “(c) OTHER REQUIREMENTS.—

14                 “(1)         FEES.—Notwithstanding         section  
15                 1702(h)(1), the Secretary shall charge and collect a  
16                 fee from each eligible entity that received financial  
17                 support provided under this section in an amount  
18                 the Secretary determines sufficient to cover applica-  
19                 ble administrative expenses (including any costs as-  
20                 sociated with third party consultants engaged by the  
21                 Secretary).

22                 “(2) USE OF APPROPRIATED FUNDS.—Any cost  
23                 for any financial support provided under this section  
24                 shall be paid by the Secretary using appropriated  
25                 funds.



1           “(3) APPLICATION OF OTHER LAW.—Section  
2           20320(a) of division B of Public Law 109-289 (42  
3           U.S.C. 16515(a)) shall not apply to this section.

4           “(d) DEFINITIONS.—In this section:

5           “(1) COST; DIRECT LOAN.—The terms ‘cost’  
6           and ‘direct loan’ have the meanings given such  
7           terms in section 502 of the Federal Credit Reform  
8           Act of 1990 (2 U.S.C. 661a).

9           “(2) ELIGIBLE ENTITY.—The term ‘eligible en-  
10          tity’ means any entity that is directly affiliated with  
11          the provision of energy-intensive goods or services.

12          “(3) ENERGY COMMUNITY.—The term ‘energy  
13          community’ means a community whose members are  
14          or were engaged in providing, or have been affected  
15          by the provision of, energy-intensive goods and serv-  
16          ices.

17          “(4) FINANCIAL SUPPORT.—The term ‘financial  
18          support’ means any credit product or support the  
19          Secretary determines appropriate to implement this  
20          section, including—

21                 “(A) a direct loan;

22                 “(B) a line of credit; and

23                 “(C) a guarantee, including of a letter of  
24                 credit for the purposes of subsection (a)(3).

1           “(5) GUARANTEE.—The term ‘guarantee’ has  
2           the meaning given such term in section 1701.”.

3           **PART 6—ELECTRIC TRANSMISSION**

4           **SEC. 30461. TRANSMISSION LINE AND INTERTIE GRANTS**  
5           **AND LOANS.**

6           (a) APPROPRIATION.—

7           (1) IN GENERAL.—In addition to amounts oth-  
8           erwise available, there is appropriated to the Sec-  
9           retary of Energy for fiscal year 2022, out of any  
10          money in the Treasury not otherwise appropriated,  
11          \$8,000,000,000, to remain available until September  
12          30, 2031 (except that no funds shall be disbursed  
13          after September 30, 2031), for purposes of providing  
14          grants and direct loans under subsection (b), and for  
15          administrative expenses associated with carrying out  
16          this section: *Provided*, That none of such loan au-  
17          thority made available by this section shall be avail-  
18          able for loans for any projects where funds, per-  
19          sonnel, or property (tangible or intangible) of any  
20          Federal agency, instrumentality, personnel, or affili-  
21          ated entity are expected to be used (directly or indi-  
22          rectly) through acquisitions, contracts, demonstra-  
23          tions, exchanges, grants, incentives, leases, procure-  
24          ments, sales, other transaction authority, or other  
25          arrangements to support the project or to obtain

1 goods or services from the project: *Provided further,*  
2 That the previous proviso shall not be interpreted as  
3 precluding the use of the loan authority provided by  
4 this section for commitments to loans for: (1)  
5 projects benefitting from otherwise allowable Federal  
6 tax benefits; (2) projects benefitting from being lo-  
7 cated on Federal land pursuant to a lease or right-  
8 of-way agreement for which all consideration for all  
9 uses is: (A) paid exclusively in cash; (B) deposited  
10 in the Treasury as offsetting receipts; and (C) equal  
11 to the fair market value as determined by the head  
12 of the relevant Federal agency; (3) projects benefit-  
13 ting from Federal insurance programs; or (4) elec-  
14 tric generation projects using transmission facilities  
15 owned or operated by a Federal Power Marketing  
16 Administration or the Tennessee Valley Authority  
17 that have been authorized, approved, and financed  
18 independent of the project receiving the guarantee:  
19 *Provided further,* That none of the loan authority  
20 made available by this section shall be available for  
21 any project unless the Director of the Office of Man-  
22 agement and Budget has certified in advance in  
23 writing that the loan and the project comply with  
24 the provisions under this section.

1           (2) LIMIT.—Not more than \$1,000,000,000 of  
2           the amount appropriated under paragraph (1) may  
3           be used to pay for the costs of providing direct loans  
4           under subsection (b).

5           (b) IN GENERAL.—Except as provided in subsection  
6 (c), the Secretary of Energy may provide grants and direct  
7 loans to eligible entities to construct new, or make up-  
8 grades to existing, eligible transmission lines or eligible  
9 interties, including the related facilities thereof, if the Sec-  
10 retary of Energy determines that such construction or up-  
11 grade would support—

12           (1) a more robust and resilient electric grid;  
13           and

14           (2) the integration of electricity from a clean  
15           energy facility into the electric grid.

16           (c) OTHER REQUIREMENTS.—

17           (1) INTEREST RATES.—The Secretary of En-  
18           ergy shall determine the rate of interest to charge on  
19           direct loans provided under subsection (b) by taking  
20           into consideration market yields on outstanding mar-  
21           ketable obligations of the United States of com-  
22           parable maturities as of the date the loan is dis-  
23           bursed.

24           (2) TERMS AND CONDITIONS.—In providing di-  
25           rect loans under subsection (b), the Secretary may

1       require such terms and conditions the Secretary de-  
2       termines appropriate.

3           (3) RECOVERY OF COSTS FOR GRANTS.—A  
4       grant provided under this section may not be used  
5       to construct new, or make upgrades to existing, eli-  
6       gible transmission lines or eligible interties if the  
7       costs for such construction or upgrade are approved  
8       for recovery through a Transmission Organization  
9       (as defined in section 3 of the Federal Power Act  
10      (16 U.S.C. 796)).

11      (d) DEFINITIONS.—In this section:

12           (1) CLEAN ENERGY FACILITY.—The term  
13      “clean energy facility” means any electric generating  
14      unit that does not emit carbon dioxide.

15           (2) DIRECT LOAN.—The term “direct loan”  
16      means a disbursement of funds by the Government  
17      to a non-Federal borrower under a contract that re-  
18      quires the repayment of such funds with or without  
19      interest. The term includes the purchase of, or par-  
20      ticipation in, a loan made by another lender and fi-  
21      nancing arrangements that defer payment for more  
22      than 90 days, including the sale of a government  
23      asset on credit terms.

24           (3) ELIGIBLE ENTITY.—The term “eligible enti-  
25      ty” means a non-Federal entity.

1           (4) ELIGIBLE INTERTIE.—The term “eligible  
2           intertie” means—

3                   (A) any interties across the seam between  
4           the Western Interconnection and the Eastern  
5           Interconnection;

6                   (B) the Pacific Northwest-Pacific South-  
7           west Intertie;

8                   (C) any interties between the Electric Reli-  
9           ability Council of Texas and the Western Inter-  
10          connection or the Eastern Interconnection; or

11                   (D) such other interties that the Secretary  
12          determines contribute to—

13                           (i) a more robust and resilient electric  
14                           grid; and

15                           (ii) the integration of electricity from  
16                           a clean energy facility into the electric  
17                           grid.

18           (5) ELIGIBLE TRANSMISSION LINE.—The term  
19           “eligible transmission line” means an electric power  
20           transmission line that—

21                   (A) in the case of new construction under  
22           subsection (b), has a transmitting capacity of  
23           not less than 1,000 megawatts;

24                   (B) in the case of an upgrade made under  
25           subsection (b), the upgrade to which will in-

1           crease its transmitting capacity by not less than  
2           500 megawatts; and

3           (C) is capable of transmitting electricity—

4           (i) across any eligible intertie;

5           (ii) from an offshore wind generating  
6           facility; or

7           (iii) along a route, or in a corridor,

8           determined by the Secretary of Energy to

9           be necessary to meet interregional or na-

10          tional electricity transmission needs.

11 **SEC. 30462. GRANTS TO FACILITATE THE SITING OF INTER-**  
12 **STATE ELECTRICITY TRANSMISSION LINES.**

13          (a) APPROPRIATION.—In addition to amounts other-  
14 wise available, there is appropriated to the Secretary of  
15 Energy for fiscal year 2022, out of any money in the  
16 Treasury not otherwise appropriated, \$800,000,000, to re-  
17 main available until September 30, 2031 (provided no  
18 funds shall be disbursed after such date), for making  
19 grants in accordance with this section and for administra-  
20 tive expenses associated with carrying out this section.

21          (b) USE OF FUNDS.—

22           (1) IN GENERAL.—The Secretary may make a  
23 grant under this section to a siting authority for,  
24 with respect to a covered transmission project, any  
25 of the following activities:

1 (A) Studies and analyses of the impacts of  
2 the covered transmission project, including the  
3 environmental, reliability, wildlife, cultural, his-  
4 torical, water, land-use, public health, employ-  
5 ment, tax-revenue, market, cost, and rate regu-  
6 lation impacts.

7 (B) Examination of up to 3 alternate  
8 siting corridors within which the covered trans-  
9 mission project feasibly could be sited.

10 (C) Hosting and facilitation of negotiations  
11 in settlement meetings involving the siting au-  
12 thority, the covered transmission project appli-  
13 cant, and opponents of the covered transmission  
14 project, for the purpose of identifying and ad-  
15 dressing issues that are preventing approval of  
16 the application relating to the siting or permit-  
17 ting of the covered transmission project.

18 (D) Participation by the siting authority in  
19 regulatory proceedings or negotiations in an-  
20 other jurisdiction, or under the auspices of a  
21 Transmission Organization (as defined in sec-  
22 tion 3 of the Federal Power Act (16 U.S.C.  
23 796)) that is also considering the siting or per-  
24 mitting of the covered transmission project.



1           (E) Participation by the siting authority in  
2 regulatory proceedings at the Federal Energy  
3 Regulatory Commission or a State regulatory  
4 commission for determining applicable rates  
5 and cost allocation for the covered transmission  
6 project.

7           (F) Other measures and actions that may  
8 improve the chances of, and shorten the time  
9 required for, approval by the siting authority of  
10 the application relating to the siting or permit-  
11 ting of the covered transmission project, as the  
12 Secretary determines appropriate.

13           (2) ECONOMIC DEVELOPMENT.—The Secretary  
14 may make a grant under this section to a siting au-  
15 thority, or other State, local, or Tribal governmental  
16 entity, for economic development activities for com-  
17 munities that may be affected by the construction  
18 and operation of a covered transmission project.

19           (c) CONDITIONS.—

20           (1) FINAL DECISION ON APPLICATION.—In  
21 order to receive a grant for an activity described in  
22 subsection (b)(1), the Secretary shall require a siting  
23 authority to agree, in writing, to reach a final deci-  
24 sion on the application relating to the siting or per-  
25 mitting of the applicable covered transmission

1 project not later than 2 years after the date on  
2 which such grant is provided, unless the Secretary  
3 authorizes an extension for good cause.

4 (2) FEDERAL SHARE.—The Federal share of  
5 the cost of an activity described in subparagraph  
6 (D) or (E) of subsection (b)(1) shall not exceed 50  
7 percent.

8 (3) ECONOMIC DEVELOPMENT.—The Secretary  
9 may only disburse grant funds for economic develop-  
10 ment activities under subsection (b)(2)—

11 (A) to a siting authority upon approval by  
12 the siting authority of the applicable covered  
13 transmission project; and

14 (B) to any other State, local, or Tribal  
15 governmental entity upon commencement of  
16 construction of the applicable covered trans-  
17 mission project in the area under the jurisdic-  
18 tion of the entity.

19 (d) RETURNING FUNDS.—If a siting authority that  
20 receives a grant for an activity described in subsection  
21 (b)(1) fails to use all grant funds within 2 years of receipt,  
22 the siting authority shall return to the Secretary any such  
23 unused funds.

24 (e) DEFINITIONS.—In this section:

1           (1) COVERED TRANSMISSION PROJECT.—The  
2 term “covered transmission project” means a high-  
3 voltage interstate electricity transmission line—

4           (A) that is proposed to be constructed and  
5 to operate at a minimum of 275 kilovolts of ei-  
6 ther alternating-current or direct-current elec-  
7 tric energy by an entity; and

8           (B) for which such entity has applied, or  
9 informed a siting authority of such entity’s in-  
10 tent to apply, for regulatory approval.

11          (2) SITING AUTHORITY.—The term “siting au-  
12 thority” means a State, local, or Tribal govern-  
13 mental entity with authority to make a final deter-  
14 mination regarding the siting, permitting, or regu-  
15 latory status of a covered transmission project that  
16 is proposed to be located in an area under the juris-  
17 diction of the entity.

18 **SEC. 30463. ORGANIZED WHOLESALE ELECTRICITY MAR-**  
19 **KET TECHNICAL ASSISTANCE GRANTS.**

20          (a) APPROPRIATION.—In addition to amounts other-  
21 wise available, there is appropriated to the Secretary for  
22 fiscal year 2022, out of any money in the Treasury not  
23 otherwise appropriated, \$100,000,000, to remain available  
24 until fiscal year 2031 (except that no funds shall be dis-  
25 bursed after September 30, 2031), for purposes of pro-

1 viding technical assistance and grants under subsection  
2 (b).

3 (b) TECHNICAL ASSISTANCE AND GRANTS.—The  
4 Secretary shall use amounts made available under sub-  
5 section (a) to—

6 (1) provide grants to States to pay for—

7 (A) technical assistance for any of the ac-  
8 tivities described in subsection (c); or

9 (B) the procurement of data or technology  
10 systems related to any of the activities de-  
11 scribed in subsection (c); and

12 (2) provide technical assistance for the activities  
13 described in subsection (c).

14 (c) ACTIVITIES.—The activities described in this sub-  
15 section are—

16 (1) forming, expanding, or improving an orga-  
17 nized wholesale electricity market, including with re-  
18 spect to—

19 (A) market governance assistance;

20 (B) planning and policy assistance; and

21 (C) regulatory development assistance;

22 (2) aligning the policies of an organized whole-  
23 sale electricity market with relevant State policies;  
24 and

1           (3) evaluating the economic, operational, reli-  
2           ability, environmental, and other benefits of orga-  
3           nized wholesale electricity markets.

4           (d) APPLICATIONS.—

5           (1) IN GENERAL.—To apply for technical as-  
6           sistance or a grant provided under this section, a  
7           State shall submit to the Secretary an application at  
8           such time, in such manner, and containing such in-  
9           formation as the Secretary may require.

10          (2) GRANTS.—An application for a grant sub-  
11          mitted under paragraph (1) shall certify how the  
12          State will use the grant in accordance with sub-  
13          section (b).

14          (e) PRIORITY.—In evaluating applications submitted  
15          under subsection (c), the Secretary shall give priority to  
16          applications that are submitted by more than one State.

17          (f) DEFINITIONS.—In this section:

18           (1) INDEPENDENT SYSTEM OPERATOR; RE-  
19           GIONAL TRANSMISSION ORGANIZATION.—The terms  
20           “Independent System Operator” and “Regional  
21           Transmission Organization” have the meanings  
22           given such terms in section 3 of the Federal Power  
23           Act (16 U.S.C. 796).

24           (2) ORGANIZED WHOLESALE ELECTRICITY MAR-  
25           KET.—The term “organized wholesale electricity

1 market” means an Independent System Operator or  
2 a Regional Transmission Organization.

3 (3) SECRETARY.—The term “Secretary” means  
4 the Secretary of Energy.

5 (4) STATE.—The term “State” means any  
6 State of the United States, the District of Columbia,  
7 the Commonwealth of Puerto Rico, the Virgin Is-  
8 lands, American Samoa, the Commonwealth of the  
9 Northern Mariana Islands, and Guam.

10 **SEC. 30464. INTERREGIONAL AND OFFSHORE WIND ELEC-**  
11 **TRICITY TRANSMISSION PLANNING, MOD-**  
12 **ELING, AND ANALYSIS.**

13 (a) APPROPRIATION.—In addition to amounts other-  
14 wise available, there is appropriated to the Secretary of  
15 Energy for fiscal year 2022, out of any money in the  
16 Treasury not otherwise appropriated, \$100,000,000, to re-  
17 main available until September 30, 2031 (except that no  
18 funds shall be disbursed after such date), to carry out this  
19 section.

20 (b) USE OF FUNDS.—The Secretary of Energy shall  
21 use amounts made available under subsection (a) to—

22 (1) pay expenses associated with convening rel-  
23 evant stakeholders, including States, generation and  
24 transmission developers, regional transmission orga-  
25 nizations, independent system operators, environ-

1 mental organizations, Indian Tribes, and other  
2 stakeholders the Secretary determines appropriate,  
3 to address the development of interregional elec-  
4 tricity transmission and transmission of electricity  
5 that is generated by offshore wind; and

6 (2) conduct planning, modeling, and analysis  
7 regarding interregional electricity transmission and  
8 transmission of electricity that is generated by off-  
9 shore wind, taking into account the local, regional,  
10 and national economic, reliability, resilience, secu-  
11 rity, public policy, and environmental benefits of  
12 interregional electricity transmission and trans-  
13 mission of electricity that is generated by offshore  
14 wind, including planning, modeling, and analysis, as  
15 the Secretary determines appropriate, pertaining  
16 to—

17 (A) clean energy integration into the elec-  
18 tric grid, including the identification of renew-  
19 able energy zones;

20 (B) the effects of changes in weather due  
21 to climate change on the reliability and resil-  
22 ience of the electric grid;

23 (C) cost allocation methodologies that fa-  
24 cilitate the expansion of the bulk power system;

1 (D) the benefits of coordination between  
2 generator interconnection processes and trans-  
3 mission planning processes;

4 (E) the effect of increased electrification  
5 on the electric grid;

6 (F) power flow modeling;

7 (G) the benefits of increased interconnec-  
8 tions or interties between or among the West-  
9 ern Interconnection, the Eastern Interconnec-  
10 tion, the Electric Reliability Council of Texas,  
11 and other interconnections, as applicable;

12 (H) the cooptimization of transmission and  
13 generation, including variable energy resources,  
14 energy storage, and demand-side management;

15 (I) the opportunities for use of nontrans-  
16 mission alternatives and grid-enhancing tech-  
17 nologies;

18 (J) economic development opportunities for  
19 communities arising from development of inter-  
20 regional electricity transmission and trans-  
21 mission of electricity that is generated by off-  
22 shore wind; and

23 (K) evaluation of existing rights-of-way  
24 and the need for additional transmission cor-  
25 ridors.



1           **PART 7—ENVIRONMENTAL REVIEWS**

2   **SEC. 30471. DEPARTMENT OF ENERGY.**

3           In addition to amounts otherwise available, there is  
4 appropriated to the Department of Energy for fiscal year  
5 2022, out of any money in the Treasury not otherwise ap-  
6 propriated, \$200,000,000, to remain available until Sep-  
7 tember 30, 2031 (except that no amounts may be dis-  
8 bursed after September 30, 2031), to provide for more ef-  
9 ficient and more effective environmental reviews under the  
10 National Environmental Policy Act of 1969 through the  
11 hiring and training of additional personnel, the develop-  
12 ment of programmatic assessments or templates, the pro-  
13 curement of technical or scientific services, the develop-  
14 ment of data or technology systems, stakeholder and com-  
15 munity engagement, and the purchase of new equipment.

16   **SEC. 30472. FEDERAL ENERGY REGULATORY COMMISSION.**

17           In addition to amounts otherwise available, there is  
18 appropriated to the Federal Energy Regulatory Commis-  
19 sion for fiscal year 2022, out of any money in the Treas-  
20 ury not otherwise appropriated, \$100,000,000, to remain  
21 available until September 30, 2031 (except that no  
22 amounts may be disbursed after September 30, 2031), to  
23 provide for more efficient and more effective environ-  
24 mental reviews under the National Environmental Policy  
25 Act of 1969 through the hiring and training of additional  
26 personnel, the development of programmatic assessments

1 or templates, the procurement of technical or scientific  
2 services, the development of data or technology systems,  
3 stakeholder and community engagement, and the purchase  
4 of new equipment.

5 **PART 8—OTHER ENERGY MATTERS**

6 **SEC. 30481. FEDERAL ENERGY EFFICIENCY FUND.**

7 (a) APPROPRIATION.—In addition to amounts other-  
8 wise available, there is appropriated to the Secretary of  
9 Energy for fiscal year 2022, out of any money in the  
10 Treasury not otherwise appropriated, \$17,500,000,000, to  
11 remain available until expended (except that no funds  
12 shall be disbursed after September 30, 2031), to provide  
13 grants to agencies to assist them in meeting the require-  
14 ments of section 543 of the National Energy Conservation  
15 Policy Act (42 U.S.C. 8253) or to assist agencies in reduc-  
16 ing the carbon emissions of new or existing Federal build-  
17 ings and Federal fleets.

18 (b) USE OF FUNDS.—The Secretary shall use the  
19 funds made available pursuant to subsection (a) to provide  
20 grants to agencies pursuant to section 546(b) of the Na-  
21 tional Energy Conservation Policy Act (42 U.S.C.  
22 8256(b)), and to establish a program to provide competi-  
23 tive grants to agencies, to carry out projects for onsite  
24 or offsite measures that—

1           (1) are applied to or serve a Federal building  
2 or Federal fleet; and

3           (2) involve energy conservation, cogeneration  
4 facilities, renewable energy sources, low carbon ma-  
5 terials, improvements in operations and maintenance  
6 efficiencies, retrofit activities, automotive supply  
7 equipment, building electrification, energy storage  
8 devices, energy consuming devices and required sup-  
9 port structures, or carbon-pollution free electricity.

10          (c) CONSIDERATIONS.—In providing grants under  
11 subsection (b), the Secretary may consider—

12           (1) the cost-effectiveness of the project;

13           (2) the extent to which a project promotes the  
14 integration of clean energy, carbon pollution-free  
15 electricity, low carbon materials, automotive supply  
16 equipment, and such other onsite or offsite measures  
17 as the Secretary determines to be appropriate;

18           (3) the amount of energy and cost savings an-  
19 ticipated to the Federal Government;

20           (4) the amount of funding committed to the  
21 project by the agency requesting the grant;

22           (5) the extent that a proposal leverages financ-  
23 ing from other non-Federal sources; and

24           (6) any other factor which the Secretary deter-  
25 mines is in furtherance of this section.

1 (d) DEFINITIONS.—In this section:

2 (1) AUTOMOTIVE SUPPLY EQUIPMENT.—The  
3 term “automotive supply equipment” means any  
4 conductors, including ungrounded, grounded, and  
5 equipment grounding conductors, electric vehicle  
6 connectors, attachment plugs, and all other fittings,  
7 devices, power outlets, electrical equipment, or  
8 apparatuses installed specifically for the purpose of  
9 delivering energy to an electric vehicle or to a bat-  
10 tery intended to be used in an electric vehicle.

11 (2) LOW CARBON MATERIAL.—The term “low  
12 carbon material” means any material for which the  
13 quantity of greenhouse gases (measured in kilograms  
14 of carbon dioxide equivalent) emitted to the atmos-  
15 phere by the manufacture, transportation, installa-  
16 tion, maintenance, and disposal of the material is  
17 significantly lower than such quantity for another,  
18 similar material, as measured and reported in an en-  
19 vironmental product declaration.

20 **SEC. 30482. ENERGY EFFICIENCY AND CONSERVATION**  
21 **BLOCK GRANTS.**

22 (a) IN GENERAL.—In addition to amounts otherwise  
23 available, there is appropriated to the Secretary of Energy  
24 for fiscal year 2022, out of any money in the Treasury  
25 not otherwise appropriated, \$5,000,000,000, to remain

1 available until September 30, 2031 (except that no funds  
2 shall be disbursed after September 30, 2031), to carry out  
3 the Energy Efficiency and Conservation Block Grant Pro-  
4 gram established under section 542(a) of the Energy Inde-  
5 pendence and Security Act of 2007 (42 U.S.C. 17152(a)),  
6 of which—

7 (1) \$2,500,000,000 shall be distributed in ac-  
8 cordance with section 543 of such Act (42 U.S.C.  
9 17153); and

10 (2) \$2,500,000,000 shall be awarded to eligi-  
11 ble entities on a competitive basis.

12 (b) PROGRAM.—In carrying out subsection (a), in ad-  
13 dition to providing assistance described in section  
14 542(b)(1) of the Energy Independence and Security Act  
15 of 2007 (42 U.S.C. 17152(b)(1)), the Secretary may also  
16 provide assistance to eligible entities for implementing  
17 strategies to reduce fossil fuel emissions created as a re-  
18 sult of activities within the jurisdictions of eligible entities  
19 in a manner that diversifies energy supplies, including by  
20 facilitating and promoting the use of alternative fuels.

21 (c) USE OF FUNDS.—In carrying out subsection (a),  
22 for purposes of section 544 of the Energy Independence  
23 and Security Act of 2007 (42 U.S.C. 17154), the Sec-  
24 retary may also consider to be activities that achieve the

1 purposes of the Energy Efficiency and Conservation Block  
2 Grant Program—

3 (1) the deployment of energy distribution tech-  
4 nologies that significantly increase energy efficiency  
5 or expand access to alternative fuels, including dis-  
6 tributed resources, district heating and cooling sys-  
7 tems, and infrastructure for delivering alternative  
8 fuels; and

9 (2) programs for financing energy efficiency, re-  
10 newable energy, and zero-emission transportation  
11 (and associated infrastructure) capital investments,  
12 projects, and programs—

13 (A) which may include loan programs and  
14 performance contracting programs for  
15 leveraging of additional public and private sec-  
16 tor funds, and programs that allow rebates,  
17 grants, or other incentives for the purchase and  
18 installation of energy efficiency, renewable en-  
19 ergy, and zero-emission transportation (and as-  
20 sociated infrastructure) measures; or

21 (B) which may be used or implemented in  
22 connection with buildings owned and operated  
23 by a State, a political subdivision of a State, an  
24 agency or instrumentality of a State, or an or-  
25 ganization exempt from taxation under section

1           501(c)(3) of the Internal Revenue Code of 1986  
2           (26 U.S.C. 501(c)(3)).

3           (d) **COMPETITIVE GRANTS.**—In carrying out sub-  
4 section (a), for purposes of section 546(c)(2) of the En-  
5 ergy Independence and Security Act of 2007 (42 U.S.C.  
6 17156(c)(2)), the Secretary may give priority to units of  
7 local government that plan to carry out projects to expand  
8 the use of alternative fuels that would result in significant  
9 energy efficiency improvements or reductions in fossil fuel  
10 use.

11          (e) **ADMINISTRATIVE EXPENSES.**—Of the amount  
12 made available under subsection (a), the Secretary shall  
13 reserve 10 percent for administrative expenses to carry out  
14 this section.

15          (f) **TECHNICAL AMENDMENTS.**—Section 543 of the  
16 Energy Independence and Security Act of 2007 (42  
17 U.S.C. 17153) is amended—

18           (1) in subsection (c), by striking “subsection  
19 (a)(2)” and inserting “subsection (a)(3)”; and

20           (2) in subsection (d), by striking “subsection  
21 (a)(3)” and inserting “subsection (a)(4)”.

22 **SEC. 30483. LOW-INCOME SOLAR.**

23          (a) **APPROPRIATION.**—In addition to amounts other-  
24 wise available, there is appropriated to the Department  
25 of Energy for fiscal year 2022, out of any amounts in the

1 Treasury not otherwise appropriated, \$2,500,000,000, to  
2 remain available until expended (except that no funds  
3 shall be disbursed after September 30, 2031), to carry out  
4 this section.

5 (b) IN GENERAL.—The Secretary shall use funds ap-  
6 propriated by subsection (a) to provide financial assistance  
7 to eligible entities to—

8 (1) carry out eligible planning projects; or

9 (2) carry out eligible installation projects.

10 (c) APPLICATIONS.—

11 (1) IN GENERAL.—To be eligible to receive as-  
12 sistance under this section, an eligible entity shall  
13 submit to the Secretary an application at such time,  
14 in such manner, and containing such information as  
15 the Secretary may require.

16 (2) INCLUSION FOR INSTALLATION ASSIST-  
17 ANCE.—For an eligible entity to receive assistance  
18 for an eligible installation project, the Secretary  
19 shall require the eligible entity to include in an ap-  
20 plication under paragraph (1)—

21 (A) information that demonstrates that the  
22 eligible entity has obtained, or has the capacity  
23 to obtain, necessary permits, subscribers, access  
24 to an installation site, and any other items or



1 agreements necessary to complete the installa-  
2 tion of the applicable covered facility;

3 (B) information that demonstrates that the  
4 covered facility installed using such assistance  
5 will comply with local building and safety codes  
6 and standards;

7 (C) a description of the mechanism  
8 through which financial benefits will be distrib-  
9 uted to beneficiaries or subscribers; and

10 (D) an estimate of the anticipated finan-  
11 cial benefit for beneficiaries or subscribers.

12 (3) CONSIDERATION OF PLANNING  
13 PROJECTS.—The Secretary may consider the com-  
14 pletion of an eligible planning project pursuant to  
15 subsection (b)(1) by the eligible entity to be suffi-  
16 cient to demonstrate the ability of the eligible entity  
17 to meet the requirements of paragraph (2)(A).

18 (d) SELECTION.—

19 (1) IN GENERAL.—In selecting eligible projects  
20 to receive assistance under this section, the Sec-  
21 retary shall—

22 (A) prioritize—

23 (i) eligible installation projects that  
24 will result in the most financial benefit for

1 beneficiaries, as determined by the Sec-  
2 retary;

3 (ii) eligible installation projects that  
4 will result in development of covered facili-  
5 ties in underserved areas; and

6 (iii) eligible projects that include ap-  
7 prenticeship, job training, or community  
8 participation as part of their application;  
9 and

10 (B) ensure that such assistance is provided  
11 in a manner that results in eligible projects  
12 being carried out on a geographically diverse  
13 basis within and among States.

14 (2) DETERMINATION OF FINANCIAL BEN-  
15 EFIT.—In determining the amount of financial ben-  
16 efit for low-income households of an eligible installa-  
17 tion project, the Secretary shall ensure that all cal-  
18 culations for estimated household energy savings are  
19 based solely on electricity offsets from the applicable  
20 covered facility and use formulas established by the  
21 State or local government with jurisdiction over the  
22 applicable covered facility for verifiable household  
23 energy savings estimates that accrue to low-income  
24 households.

25 (e) ASSISTANCE.—

1           (1) FORM.—The Secretary may provide assist-  
2           ance under this section in the form of a grant, re-  
3           bate, or low-interest loan.

4           (2) MULTIPLE PROJECTS FOR SAME FACIL-  
5           ITY.—

6           (A) IN GENERAL.—An eligible entity may  
7           apply for assistance under this section for an el-  
8           igible planning project and an eligible installa-  
9           tion project for the same covered facility.

10          (B) SEPARATE SELECTIONS.—Selection by  
11          the Secretary for assistance under this section  
12          of an eligible planning project does not require  
13          the Secretary to select for assistance under this  
14          section an eligible installation project for the  
15          same covered facility.

16          (f) USE OF ASSISTANCE.—

17          (1) ELIGIBLE PLANNING PROJECTS.—An eligi-  
18          ble entity receiving assistance for an eligible plan-  
19          ning project under this section may use such assist-  
20          ance to pay the costs of pre-installation activities as-  
21          sociated with an applicable covered facility, includ-  
22          ing—

23                  (A) feasibility studies;

24                  (B) permitting;

25                  (C) site assessment;

1 (D) identification of beneficiaries or sub-  
2 sscribers; or

3 (E) such other costs determined by the  
4 Secretary to be appropriate.

5 (2) ELIGIBLE INSTALLATION PROJECTS.—An  
6 eligible entity receiving assistance for an eligible in-  
7 stallation project under this section may use such  
8 assistance to pay the costs of—

9 (A) installation and operation of a covered  
10 facility, including costs associated with mate-  
11 rials, permitting, labor, or site preparation;

12 (B) storage technology sited at a covered  
13 facility;

14 (C) interconnection service expenses;

15 (D) offsetting the cost of a subscription for  
16 a covered facility described in subsection  
17 (h)(4)(A) for subscribers that are members of a  
18 low-income household; or

19 (E) such other costs determined by the  
20 Secretary to be appropriate.

21 (g) USE OF FUNDS.—Of the funds appropriated by  
22 this section, the Secretary shall use not less than 85 per-  
23 cent to provide assistance for eligible installation projects.

24 (h) DEFINITIONS.—In this section:

1           (1) BENEFICIARY.—The term “beneficiary”  
2 means a low-income household that receives a finan-  
3 cial benefit from the installation and operation of a  
4 covered facility.

5           (2) COMMUNITY SOLAR FACILITY.—The term  
6 “community solar facility” means a solar generating  
7 facility that—

8                   (A) has multiple subscribers that receive fi-  
9 nancial benefits that are directly attributable to  
10 the facility; and

11                   (B) has a nameplate rating of 5 megawatts  
12 AC or less.

13           (3) COMMUNITY SOLAR SUBSCRIPTION.—The  
14 term “community solar subscription” means a share  
15 in the capacity, or a proportional interest in the elec-  
16 tricity generation, of a community solar facility.

17           (4) COVERED FACILITY.—The term “covered  
18 facility” means—

19                   (A) a community solar facility at least 50  
20 percent of the capacity of which is reserved for  
21 low-income households;

22                   (B) a solar generating facility located at a  
23 residence of a low-income household; or

24                   (C) a solar generating facility located at a  
25 multi-family affordable housing complex.

1           (5) ELIGIBLE ENTITY.—The term “eligible enti-  
2           ty” means—

3                   (A) a nonprofit organization that provides  
4                   services to low-income households or multi-fam-  
5                   ily affordable housing complexes;

6                   (B) a developer, owner, or operator of a  
7                   covered facility;

8                   (C) a State, or political subdivision thereof;

9                   (D) an Indian Tribe, tribally owned electric  
10                  utility, or tribal energy development organiza-  
11                  tion;

12                  (E) a Native Hawaiian community-based  
13                  organization;

14                  (F) any other national or regional entity  
15                  that has experience developing or installing  
16                  solar generating facilities for low-income house-  
17                  holds that maximize financial benefits to those  
18                  households; and

19                  (G) an electric cooperative or a munici-  
20                  pality that is an electric utility (as such terms  
21                  are defined in section 3 of the Federal Power  
22                  Act).

23           (6) ELIGIBLE INSTALLATION PROJECT.—The  
24           term “eligible installation project” means a project  
25           to install and operate a covered facility.

1           (7) ELIGIBLE PLANNING PROJECT.—The term  
2           “eligible planning project” means a project to carry  
3           out pre-installation activities for the development of  
4           a covered facility.

5           (8) ELIGIBLE PROJECT.—The term “eligible  
6           project” means—

7                   (A) an eligible planning project; or

8                   (B) an eligible installation project.

9           (9) FEASIBILITY STUDY.—The term “feasibility  
10          study” means a study or assessment that determines  
11          the feasibility of a specific solar generating facility,  
12          including a customer interest assessment and a  
13          siting assessment, as determined by the Secretary.

14          (10) INDIAN TRIBE.—The term “Indian Tribe”  
15          means any Indian Tribe, band, nation, Tribal Orga-  
16          nization, or other organized group or community, in-  
17          cluding any Alaska Native village, Regional Corpora-  
18          tion, or Village Corporation, that is recognized as el-  
19          igible for the special programs and services provided  
20          by the United States to Indians because of their sta-  
21          tus as Indians.

22          (11) INTERCONNECTION SERVICE.—The term  
23          “interconnection service” has the meaning given  
24          such term in section 111(d)(15) of the Public Utility

1 Regulatory Policies Act of 1978 (16 U.S.C.  
2 2621(d)(15)).

3 (12) LOW-INCOME HOUSEHOLD.—The term  
4 “low-income household” means a household with an  
5 income that—

6 (A) is at or below 80 percent of the area  
7 median income, or 200 percent of the Federal  
8 poverty level, whichever is higher, except that  
9 the Secretary may establish a higher level if the  
10 Secretary determines that such a higher level is  
11 necessary to carry out the purposes of this sec-  
12 tion; or

13 (B) if the State in which the household is  
14 located elects, is the basis for eligibility for as-  
15 sistance under the Low-Income Home Energy  
16 Assistance Act of 1981 (42 U.S.C. 8621 et  
17 seq.), provided that such basis is at least 200  
18 percent of the Federal poverty level.

19 (13) MULTI-FAMILY AFFORDABLE HOUSING  
20 COMPLEX.—The term “multi-family affordable hous-  
21 ing complex” means any federally subsidized afford-  
22 able housing complex in which at least 50 percent of  
23 the units are reserved for low-income households.

24 (14) NATIVE HAWAIIAN COMMUNITY-BASED OR-  
25 GANIZATION.—The term “Native Hawaiian commu-



1 nity-based organization” means any organization  
2 that is composed primarily of Native Hawaiians  
3 from a specific community and that assists in the  
4 social, cultural, and educational development of Na-  
5 tive Hawaiians in that community.

6 (15) SECRETARY.—The term “Secretary”  
7 means the Secretary of Energy.

8 (16) SOLAR GENERATING FACILITY.—The term  
9 “solar generating facility” means—

10 (A) a generator that creates electricity  
11 from photons; and

12 (B) the accompanying hardware enabling  
13 that electricity to flow—

14 (i) onto the electric grid;

15 (ii) into a facility or structure; or

16 (iii) into an energy storage device.

17 (17) STATE.—The term “State” means each of  
18 the 50 States, the District of Columbia, Guam, the  
19 Commonwealth of Puerto Rico, the Northern Mar-  
20 iana Islands, the Virgin Islands, and American  
21 Samoa.

22 (18) SUBSCRIBER.—The term “subscriber”  
23 means a person who—

1 (A) owns a community solar subscription,  
2 or an equivalent unit or share of the capacity  
3 or generation of a community solar facility; or

4 (B) is a member of a low-income household  
5 that financially benefits from a community solar  
6 facility, even if the person does not own a com-  
7 munity solar subscription for the facility.

8 (19) UNDERSERVED AREA.—The term “under-  
9 served area” means—

10 (A) a geographical area with low or no  
11 photovoltaic solar deployment, as determined by  
12 the Secretary;

13 (B) a geographical area that has low or no  
14 access to electricity, as determined by the Sec-  
15 retary;

16 (C) a geographical area with a high energy  
17 burden, as determined by the Secretary; or

18 (D) trust land, as defined in section 3765  
19 of title 38, United States Code.

20 **SEC. 30484. OVERSIGHT.**

21 In addition to amounts otherwise available, there is  
22 appropriated to the Department of Energy for fiscal year  
23 2022, out of any money in the Treasury not otherwise ap-  
24 propriated, \$50,000,000, to remain available until Sep-  
25 tember 30, 2031 (except that no funds shall be disbursed

1 after September 30, 2031), for oversight by the Depart-  
2 ment of Energy Office of Inspector General of the Depart-  
3 ment of Energy activities for which funding is appro-  
4 priated in this subtitle.

5 **Subtitle F—Affordable Health Care**  
6 **Coverage**

7 **SEC. 30601. ENSURING AFFORDABILITY OF COVERAGE FOR**  
8 **CERTAIN LOW-INCOME POPULATIONS.**

9 (a) REDUCING COST SHARING UNDER QUALIFIED  
10 HEALTH PLANS.—Section 1402 of the Patient Protection  
11 and Affordable Care Act (42 U.S.C. 18071) is amended—

12 (1) in subsection (b)—

13 (A) in paragraph (2), by inserting “(or,  
14 with respect to plan years 2023 and 2024,  
15 whose household income does not exceed 400  
16 percent of the poverty line for a family of the  
17 size involved)” before the period; and

18 (B) in the matter following paragraph (2),  
19 by adding at the end the following new sen-  
20 tence: “In the case of an individual with a  
21 household income that does not exceed 138 per-  
22 cent of the poverty line for a family of the size  
23 involved for any month occurring during the pe-  
24 riod beginning on January 1, 2022, and ending  
25 on December 31, 2022, such individual shall,

1 for such month and for each succeeding month  
2 during such period, be treated as having house-  
3 hold income equal to 100 percent for purposes  
4 of applying this section.”; and

5 (2) in subsection (c)—

6 (A) in paragraph (1)(A), in the matter  
7 preceding clause (i), by inserting “, with respect  
8 to eligible insureds (other than, with respect to  
9 plan years 2023 and 2024, specified enrollees  
10 (as defined in paragraph (6)(C))),” after “first  
11 be achieved”;

12 (B) in paragraph (2), in the matter pre-  
13 ceding subparagraph (A), by inserting “with re-  
14 spect to eligible insureds (other than, with re-  
15 spect to plan years 2023 and 2024, specified  
16 enrollees)” after “under the plan”;

17 (C) in paragraph (3)—

18 (i) in subparagraph (A), by striking  
19 “this subsection” and inserting “paragraph  
20 (1) or (2)”;

21 (ii) in subparagraph (B), by striking  
22 “this section” and inserting “paragraphs  
23 (1) and (2)”;

24 (D) by adding at the end the following new  
25 paragraph:

1           “(6) SPECIAL RULE FOR SPECIFIED ENROLL-  
2           EES.—

3                   “(A) IN GENERAL.—The Secretary shall  
4           establish procedures under which the issuer of  
5           a qualified health plan to which this section ap-  
6           plies shall reduce cost-sharing under the plan  
7           with respect to months occurring during plan  
8           years 2023 and 2024 for enrollees who are  
9           specified enrollees (as defined in subparagraph  
10          (C)) in a manner sufficient to increase the  
11          plan’s share of the total allowed costs of bene-  
12          fits provided under the plan to 99 percent of  
13          such costs.

14                   “(B) METHODS FOR REDUCING COST  
15          SHARING.—

16                   “(i) IN GENERAL.—An issuer of a  
17          qualified health plan making reductions  
18          under this paragraph shall notify the Sec-  
19          retary of such reductions and the Sec-  
20          retary shall, out of funds made available  
21          under clause (ii), make periodic and timely  
22          payments to the issuer equal to 12 percent  
23          of the total allowed costs of benefits pro-  
24          vided under each such plan to specified en-  
25          rollees during plan years 2023 and 2024.

1                   “(ii) APPROPRIATION.—In addition to  
2                   amounts otherwise available, there are ap-  
3                   propriated, out of any money in the Treas-  
4                   ury not otherwise appropriated, such sums  
5                   as may be necessary to the Secretary to  
6                   make payments under clause (i).

7                   “(C) SPECIFIED ENROLLEE DEFINED.—  
8                   For purposes of this section, the term ‘specified  
9                   enrollee’ means, with respect to a month occur-  
10                  ring during a plan year, an eligible insured with  
11                  a household income that does not exceed 138  
12                  percent of the poverty line for a family of the  
13                  size involved during such month. Such insured  
14                  shall be deemed to be a specified enrollee for  
15                  each succeeding month in such plan year.”.

16                  (b) OPEN ENROLLMENTS APPLICABLE TO CERTAIN  
17                  LOWER-INCOME POPULATIONS.—Section 1311(c) of the  
18                  Patient Protection and Affordable Care Act (42 U.S.C.  
19                  18031(c)) is amended—

20                  (1) in paragraph (6)—

21                          (A) in subparagraph (C), by striking at the  
22                          end “and”;

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

1 (C) by adding at the end the following new  
2 subparagraph:

3 “(E) with respect to a qualified health plan  
4 with respect to which section 1402 applies, for  
5 months occurring during the period beginning  
6 on January 1, 2022, and ending on December  
7 31, 2024, enrollment periods described in sub-  
8 paragraph (A) of paragraph (8) for individuals  
9 described in subparagraph (B) of such para-  
10 graph.”; and

11 (2) by adding at the end the following new  
12 paragraph:

13 “(8) SPECIAL ENROLLMENT PERIOD FOR CER-  
14 TAIN LOW-INCOME POPULATIONS.—

15 “(A) IN GENERAL.—The enrollment period  
16 described in this paragraph is, in the case of an  
17 individual described in subparagraph (B), the  
18 continuous period beginning on the first day  
19 that such individual is so described.

20 “(B) INDIVIDUAL DESCRIBED.—For pur-  
21 poses of subparagraph (A), an individual de-  
22 scribed in this subparagraph is an individual—

23 “(i) with a household income that  
24 does not exceed 138 percent of the poverty  
25 line for a family of the size involved; and

1                   “(ii) who is not eligible for minimum  
2                   essential coverage (as defined in section  
3                   5000A(f) of the Internal Revenue Code of  
4                   1986), other than for coverage described in  
5                   any of subparagraphs (B) through (E) of  
6                   paragraph (1) of such section.”.

7           (c) ADDITIONAL BENEFITS FOR CERTAIN LOW-IN-  
8 COME INDIVIDUALS FOR PLAN YEAR 2024.—Section  
9 1301(a) of the Patient Protection and Affordable Care Act  
10 (42 U.S.C. 18021(a)) is amended—

11           (1) in paragraph (1)—

12                   (A) in subparagraph (B), by striking  
13                   “and” at the end;

14                   (B) in subparagraph (C)(iv), by striking  
15                   the period and inserting “; and”; and

16                   (C) by adding at the end the following new  
17                   subparagraph:

18                   “(D) provides, with respect to a plan of-  
19                   fered in the silver level of coverage to which sec-  
20                   tion 1402 applies during plan year 2024, for  
21                   benefits described in paragraph (5) in the case  
22                   of an individual who, for a month during such  
23                   plan year, has a household income that does not  
24                   exceed 138 percent of the poverty line for a  
25                   family of the size involved, and who is eligible



1 to receive cost-sharing reductions under section  
2 1402.”; and

3 (2) by adding at the end the following new  
4 paragraph:

5 “(5) ADDITIONAL BENEFITS FOR CERTAIN  
6 LOW-INCOME INDIVIDUALS FOR PLAN YEAR 2024.—

7 “(A) IN GENERAL.—For purposes of para-  
8 graph (1)(D), the benefits described in this  
9 paragraph to be provided by a qualified health  
10 plan are benefits consisting of non-emergency  
11 medical transportation services (as described in  
12 section 1902(a)(4)) and services described in  
13 subsection (a)(4)(C) of section 1905 of the So-  
14 cial Security Act, without any restriction on the  
15 choice of a qualified provider from whom such  
16 an individual so enrolled in such plan may re-  
17 ceive such services described in such subsection,  
18 and without any imposition of cost sharing,  
19 which are not otherwise provided under such  
20 plan as part of the essential health benefits  
21 package described in section 1302(a).

22 “(B) PAYMENTS FOR ADDITIONAL BENE-  
23 FITS.—

24 “(i) IN GENERAL.—An issuer of a  
25 qualified health plan making payments for

1 services described in subparagraph (A) fur-  
2 nished to individuals described in para-  
3 graph (1)(D) during plan year 2024 shall  
4 notify the Secretary of such payments and  
5 the Secretary shall, out of funds made  
6 available under clause (ii), make periodic  
7 and timely payments to the issuer equal to  
8 payments for such services so furnished.

9 “(ii) APPROPRIATION.—In addition to  
10 amounts otherwise available, there is ap-  
11 propriated, out of any money in the Treas-  
12 ury not otherwise appropriated, such sums  
13 as may be necessary to the Secretary to  
14 make payments under clause (i).”

15 (d) EDUCATION AND OUTREACH ACTIVITIES.—

16 (1) IN GENERAL.—Section 1321(c) of the Pa-  
17 tient Protection and Affordable Care Act (42 U.S.C.  
18 18041(c)) is amended by adding at the end the fol-  
19 lowing new paragraph:

20 “(3) OUTREACH AND EDUCATIONAL ACTIVI-  
21 TIES.—

22 “(A) IN GENERAL.—In the case of an Ex-  
23 change established or operated by the Secretary  
24 within a State pursuant to this subsection, the  
25 Secretary shall carry out outreach and edu-

1           cational activities for purposes of informing in-  
2           dividuals           described           in           section  
3           1902(a)(10)(A)(i)(VIII) of the Social Security  
4           Act who reside in States that have not ex-  
5           pended amounts under a State plan (or waiver  
6           of such plan) under title XIX of such Act for  
7           all such individuals about qualified health plans  
8           offered through the Exchange, including by in-  
9           forming such individuals of the availability of  
10          coverage under such plans and financial assist-  
11          ance for coverage under such plans. Such out-  
12          reach and educational activities shall be pro-  
13          vided in a manner that is culturally and linguis-  
14          tically appropriate to the needs of the popu-  
15          lations being served by the Exchange (including  
16          hard-to-reach populations, such as racial and  
17          sexual minorities, limited English proficient  
18          populations, individuals residing in areas where  
19          the unemployment rates exceeds the national  
20          average unemployment rate, individuals in rural  
21          areas, veterans, and young adults).

22                   “(B) LIMITATION ON USE OF FUNDS.—No  
23                   funds appropriated under this paragraph shall  
24                   be used for expenditures for promoting non-  
25                   ACA compliant health insurance coverage.

1                   “(C) NON-ACA COMPLIANT HEALTH INSUR-  
2 ANCE COVERAGE.—For purposes of subpara-  
3 graph (B):

4                   “(i) The term ‘non-ACA compliant  
5 health insurance coverage’ means health  
6 insurance coverage, or a group health plan,  
7 that is not a qualified health plan.

8                   “(ii) Such term includes the following:

9                   “(I) An association health plan.

10                   “(II) Short-term limited duration  
11 insurance.

12                   “(D) FUNDING.—In addition to amounts  
13 otherwise available, there is appropriated, out of  
14 any money in the Treasury not otherwise ap-  
15 propriated, to remain available until expended,  
16 \$15,000,000 for fiscal year 2022, and  
17 \$30,000,000 for each of fiscal years 2023 and  
18 2024, to carry out this paragraph.”.

19                   (2) NAVIGATOR PROGRAM.—Section 1311(i)(6)  
20 of the Patient Protection and Affordable Care Act  
21 (42 U.S.C. 18031(i)(6)) is amended—

22                   (A) by striking “FUNDING.—Grants  
23 under” and inserting “FUNDING.—

24                   “(A) STATE EXCHANGES.—Grants under”;  
25 and

1 (B) by adding at the end the following new  
2 subparagraph:

3 “(B) FEDERAL EXCHANGES.—For pur-  
4 poses of carrying out this subsection, with re-  
5 spect to an Exchange established and operated  
6 by the Secretary within a State pursuant to sec-  
7 tion 1321(c), the Secretary shall obligate  
8 \$10,000,000 out of amounts collected through  
9 the user fees on participating health insurance  
10 issuers pursuant to section 156.50 of title 45,  
11 Code of Federal Regulations (or any successor  
12 regulations) for fiscal year 2022, and  
13 \$20,000,000 for each of fiscal years 2023 and  
14 2024. Such amount so obligated for a fiscal  
15 year shall remain available until expended.”.

16 **SEC. 30602. TEMPORARY EXPANSION OF HEALTH INSUR-**  
17 **ANCE PREMIUM TAX CREDITS FOR CERTAIN**  
18 **LOW-INCOME POPULATIONS.**

19 (a) IN GENERAL.—Section 36B is amended by redес-  
20 ignating subsection (h) as subsection (i) and by inserting  
21 after subsection (g) the following new subsection:

22 “(h) CERTAIN TEMPORARY RULES FOR 2022  
23 THROUGH 2024.—With respect to any taxable year begin-  
24 ning after December 31, 2021, and before January 1,  
25 2025—

1           “(1) ELIGIBILITY FOR CREDIT NOT LIMITED  
2           BASED ON INCOME.—Section 36B(c)(1)(A) shall be  
3           disregarded in determining whether a taxpayer is an  
4           applicable taxpayer.

5           “(2) CREDIT ALLOWED TO CERTAIN LOW-IN-  
6           COME EMPLOYEES OFFERED EMPLOYER-PROVIDED  
7           COVERAGE.—Subclause (II) of subsection  
8           (c)(2)(C)(i) shall not apply if the taxpayer’s house-  
9           hold income does not exceed 138 percent of the pov-  
10          erty line for a family of the size involved. The last  
11          sentence of such subsection shall also apply for pur-  
12          poses of this paragraph. Subclause (II) of subsection  
13          (c)(2)(C)(i) shall also not apply to an individual de-  
14          scribed in the last sentence of such subsection if the  
15          taxpayer’s household income does not exceed 138  
16          percent of the poverty line for a family of the size  
17          involved.

18          “(3) CREDIT ALLOWED TO CERTAIN LOW-IN-  
19          COME EMPLOYEES OFFERED QUALIFIED SMALL EM-  
20          PLOYER HEALTH REIMBURSEMENT ARRANGE-  
21          MENTS.—A qualified small employer health reim-  
22          bursement arrangement shall not be treated as con-  
23          stituting affordable coverage for an employee (or any  
24          spouse or dependent of such employee) for any  
25          months of a taxable year if the employee’s household

1 income for such taxable year does not exceed 138  
2 percent of the poverty line for a family of the size  
3 involved.

4 “(4) LIMITATIONS ON RECAPTURE.—

5 “(A) IN GENERAL.—In the case of a tax-  
6 payer whose household income is less than 200  
7 percent of the poverty line for the size of the  
8 family involved for the taxable year, the amount  
9 of the increase under subsection (f)(2)(A) shall  
10 in no event exceed \$300 (one-half of such  
11 amount in the case of a taxpayer whose tax is  
12 determined under section 1(c) for the taxable  
13 year).

14 “(B) LIMITATION ON INCREASE FOR CER-  
15 TAIN NON-FILERS.—In the case of any taxpayer  
16 who would not be required to file a return of  
17 tax for the taxable year but for any require-  
18 ment to reconcile advance credit payments  
19 under subsection (f), if an Exchange established  
20 under title I of the Patient Protection and Af-  
21 fordable Care Act has determined that—

22 “(i) such taxpayer is eligible for ad-  
23 vance payments under section 1412 of  
24 such Act for any portion of such taxable  
25 year, and

1                   “(ii) such taxpayer’s household in-  
2                   come for such taxable year is projected to  
3                   not exceed 138 percent of the poverty line  
4                   for a family of the size involved,  
5                   subsection (f)(2)(A) shall not apply to such tax-  
6                   payer for such taxable year and such taxpayer  
7                   shall not be required to file such return of tax.

8                   “(C) INFORMATION PROVIDED BY EX-  
9                   CHANGE.—The information required to be pro-  
10                  vided by an Exchange to the Secretary and to  
11                  the taxpayer under subsection (f)(3) shall in-  
12                  clude such information as is necessary to deter-  
13                  mine whether such Exchange has made the de-  
14                  terminations described in clauses (i) and (ii) of  
15                  subparagraph (B) with respect to such tax-  
16                  payer.”.

17                  (b) EMPLOYER SHARED RESPONSIBILITY PROVISION  
18                  NOT APPLICABLE WITH RESPECT TO CERTAIN LOW-IN-  
19                  COME TAXPAYERS RECEIVING PREMIUM ASSISTANCE.—  
20                  Section 4980H(c)(3) is amended to read as follows:

21                  “(3) APPLICABLE PREMIUM TAX CREDIT AND  
22                  COST-SHARING REDUCTION.—

23                  “(A) IN GENERAL.—The term ‘applicable  
24                  premium tax credit and cost-sharing reduction’  
25                  means—



1                   “(i) any premium tax credit allowed  
2                   under section 36B,

3                   “(ii) any cost-sharing reduction under  
4                   section 1402 of the Patient Protection and  
5                   Affordable Care Act, and

6                   “(iii) any advance payment of such  
7                   credit or reduction under section 1412 of  
8                   such Act.

9                   “(B) EXCEPTION WITH RESPECT TO CER-  
10                   TAIN LOW-INCOME TAXPAYERS.—Such term  
11                   shall not include any premium tax credit, cost-  
12                   sharing reduction, or advance payment other-  
13                   wise described in subparagraph (A) if such  
14                   credit, reduction, or payment is allowed or paid  
15                   for a taxable year of an employee (beginning  
16                   after December 31, 2021, and before January  
17                   1, 2025) with respect to which—

18                   “(i) an Exchange established under  
19                   title I of the Patient Protection and Af-  
20                   fordable Care Act has determined that  
21                   such employee’s household income for such  
22                   taxable year is projected to not exceed 138  
23                   percent of the poverty line for a family of  
24                   the size involved, or

1                   “(ii) such employee’s household in-  
2                   come for such taxable year does not exceed  
3                   138 percent of the poverty line for a family  
4                   of the size involved.”.

5           (c) EFFECTIVE DATE.—The amendments made by  
6 this section shall apply to taxable years beginning after  
7 December 31, 2021.

8   **SEC. 30603. ESTABLISHING A HEALTH INSURANCE AFFORD-**  
9                   **ABILITY FUND.**

10          (a) IN GENERAL.—Subtitle D of title I of the Patient  
11 Protection and Affordable Care Act is amended by insert-  
12 ing after part 5 (42 U.S.C. 18061 et seq.) the following  
13 new part:

14                   **“PART 6—IMPROVE HEALTH INSURANCE**  
15                   **AFFORDABILITY FUND**

16   **“SEC. 1351. ESTABLISHMENT OF PROGRAM.**

17           “‘There is hereby established the ‘Improve Health In-  
18 surance Affordability Fund’ to be administered by the Sec-  
19 retary of Health and Human Services, acting through the  
20 Administrator of the Centers for Medicare & Medicaid  
21 Services (in this section referred to as the ‘Adminis-  
22 trator’), to provide funding, in accordance with this part,  
23 to the 50 States and the District of Columbia (each re-  
24 ferred to in this section as a ‘State’) beginning on January  
25 1, 2023, for the purposes described in section 1352.

1 **“SEC. 1352. USE OF FUNDS.**

2 “(a) IN GENERAL.—A State shall use the funds allo-  
3 cated to the State under this part for one of the following  
4 purposes:

5 “(1) To provide reinsurance payments to health  
6 insurance issuers with respect to individuals enrolled  
7 under individual health insurance coverage (other  
8 than through a plan described in subsection (b)) of-  
9 fered by such issuers.

10 “(2) To provide assistance (other than through  
11 payments described in paragraph (1)) to reduce out-  
12 of-pocket costs, such as copayments, coinsurance,  
13 premiums, and deductibles, of individuals enrolled  
14 under qualified health plans offered on the indi-  
15 vidual market through an Exchange and of individ-  
16 uals enrolled under standard health plans offered  
17 through a basic health program established under  
18 section 1331.

19 “(b) EXCLUSION OF CERTAIN GRANDFATHERED  
20 PLANS, TRANSITIONAL PLANS, STUDENT HEALTH  
21 PLANS, AND EXCEPTED BENEFITS.—For purposes of  
22 subsection (a), a plan described in this subsection is the  
23 following:

24 “(1) A grandfathered health plan (as defined in  
25 section 1251).

1           “(2) A plan (commonly referred to as a ‘transi-  
2           tional plan’) continued under the letter issued by the  
3           Centers for Medicare & Medicaid Services on No-  
4           vember 14, 2013, to the State Insurance Commis-  
5           sioners outlining a transitional policy for coverage in  
6           the individual and small group markets to which sec-  
7           tion 1251 does not apply, and under the extension  
8           of the transitional policy for such coverage set forth  
9           in the Insurance Standards Bulletin Series guidance  
10          issued by the Centers for Medicare & Medicaid Serv-  
11          ices on March 5, 2014, February 29, 2016, Feb-  
12          ruary 13, 2017, April 9, 2018, March 25, 2019,  
13          January 31, 2020, and January 19, 2021, or under  
14          any subsequent extensions thereof.

15           “(3) Student health insurance coverage (as de-  
16          fined in section 147.145 of title 45, Code of Federal  
17          Regulations, or any successor regulation).

18           “(4) Excepted benefits (as defined in section  
19          2791(e) of the Public Health Service Act).

20          **“SEC. 1353. STATE ELIGIBILITY AND APPROVAL; DEFAULT**  
21                  **SAFEGUARD.**

22           “(a) ENCOURAGING STATE OPTIONS FOR ALLOCA-  
23          TIONS.—

24           “(1) IN GENERAL.—Subject to subsection (b),  
25          to be eligible for an allocation of funds under this

1 part for a year (beginning with 2023), a State shall  
2 submit to the Administrator an application at such  
3 time (but, in the case of allocations for 2023, not  
4 later than 120 days after the date of the enactment  
5 of this part and, in the case of allocations for a sub-  
6 sequent year, not later than January 1 of the pre-  
7 vious year) and in such form and manner as speci-  
8 fied by the Administrator containing—

9 “(A) a description of how the funds will be  
10 used; and

11 “(B) such other information as the Admin-  
12 istrator may require.

13 “(2) AUTOMATIC APPROVAL.—An application so  
14 submitted is approved (as outlined in the terms of  
15 the plan) unless the Administrator notifies the State  
16 submitting the application, not later than 90 days  
17 after the date of the submission of such application,  
18 that the application has been denied for not being in  
19 compliance with any requirement of this part and of  
20 the reason for such denial.

21 “(3) 5-YEAR APPLICATION APPROVAL.—If an  
22 application of a State is approved for a purpose de-  
23 scribed in section 1352 for a year, such application  
24 shall be treated as approved for such purpose for  
25 each of the subsequent 4 years.

1           “(4) OVERSIGHT AUTHORITY AND AUTHORITY  
2 TO REVOKE APPROVAL.—

3           “(A) OVERSIGHT.—The Secretary may  
4 conduct periodic reviews of the use of funds  
5 provided to a State under this section, with re-  
6 spect to a purpose described in section 1352, to  
7 ensure the State uses such funds for such pur-  
8 pose and otherwise complies with the require-  
9 ments of this section.

10           “(B) REVOCATION OF APPROVAL.—The  
11 approval of an application of a State, with re-  
12 spect to a purpose described in section 1352,  
13 may be revoked if the State fails to use funds  
14 provided to the State under this section for  
15 such purpose or otherwise fails to comply with  
16 the requirements of this section.

17           “(b) DEFAULT FEDERAL SAFEGUARD FOR 2023 AND  
18 2024 FOR CERTAIN STATES.—

19           “(1) IN GENERAL.—For 2023 and 2024, in the  
20 case of a State described in paragraph (5), with re-  
21 spect to such year, the State shall not be eligible to  
22 submit an application under subsection (a), and the  
23 Administrator, in consultation with the applicable  
24 State authority, shall from the amount calculated  
25 under paragraph (3) for such year, carry out the

1       purpose described in paragraph (2) in such State for  
2       such year.

3               “(2) SPECIFIED USE.—The amount described  
4       in paragraph (3), with respect to a State described  
5       in paragraph (5) for 2023 or 2024, shall be used to  
6       carry out the purpose described in section  
7       1352(a)(1) in such State for such year, as applica-  
8       ble, by providing reinsurance payments to health in-  
9       surance issuers with respect to attachment range  
10      claims (as defined in section 1354(b)(2), using the  
11      dollar amounts specified in subparagraph (B) of  
12      such section for such year) in an amount equal to,  
13      subject to paragraph (4), the percentage (specified  
14      for such year by the Secretary under such subpara-  
15      graph) of the amount of such claims.

16              “(3) AMOUNT DESCRIBED.—The amount de-  
17      scribed in this paragraph, with respect to 2023 or  
18      2024, is the amount equal to the total sum of  
19      amounts that the Secretary would otherwise esti-  
20      mate under section 1354(b)(2)(A)(i) for such year  
21      for each State described in paragraph (5) for such  
22      year, as applicable, if each such State were not so  
23      described for such year.

24              “(4) ADJUSTMENT.—For purposes of this sub-  
25      section, the Secretary may apply a percentage under

1 paragraph (3) with respect to a year that is less  
2 than the percentage otherwise specified in section  
3 1354(b)(2)(B) for such year, if the cost of paying  
4 the total eligible attachment range claims for States  
5 described in paragraph (5) for such year at such  
6 percentage otherwise specified would exceed the  
7 amount calculated under paragraph (3) for such  
8 year.

9 “(5) STATE DESCRIBED.—A State described in  
10 this paragraph, with respect to years 2023 and  
11 2024, is a State that, as of January 1 of 2022 or  
12 2023, respectively, was not expending amounts  
13 under the State plan (or waiver of such plan) for all  
14 individuals described in section  
15 1902(a)(10)(A)(i)(VIII) during such year.

16 **“SEC. 1354. ALLOCATIONS.**

17 “(a) APPROPRIATION.—In addition to amounts oth-  
18 erwise available, there is appropriated, out of any money  
19 in the Treasury not otherwise appropriated,  
20 \$10,000,000,000 for 2023 and each subsequent year to  
21 provide allocations for States under subsection (b) and  
22 payments under section 1353(b) .

23 “(b) ALLOCATIONS.—

24 “(1) PAYMENT.—



1           “(A) IN GENERAL.—From amounts appro-  
2           priated under subsection (a) for a year, the  
3           Secretary shall, with respect to a State not de-  
4           scribed in section 1353(b) for such year and  
5           not later than the date specified under subpara-  
6           graph (B) for such year, allocate for such State  
7           the amount determined for such State and year  
8           under paragraph (2).

9           “(B) SPECIFIED DATE.—For purposes of  
10          subparagraph (A), the date specified in this  
11          subparagraph is—

12                 “(i) for 2023, the date that is 90 days  
13                 after the date of the enactment of this  
14                 part; and

15                 “(ii) for 2024 or a subsequent year,  
16                 January 1 of the previous year.

17          “(C) NOTIFICATIONS OF ALLOCATION  
18          AMOUNTS.—For 2024 and each subsequent  
19          year, the Secretary shall notify each State of  
20          the amount determined for such State under  
21          paragraph (2) for such year by not later than  
22          January 1 of the previous year.

23          “(2) ALLOCATION AMOUNT DETERMINA-  
24          TIONS.—

1           “(A) IN GENERAL.—For purposes of para-  
2 graph (1), the amount determined under this  
3 paragraph for a year for a State described in  
4 paragraph (1)(A) for such year is the amount  
5 equal to—

6           “(i) the amount that the Secretary es-  
7 timates would be expended under this part  
8 for such year on attachment range claims  
9 of individuals residing in such State if such  
10 State used such funds only for the purpose  
11 described in paragraph (1) of section  
12 1352(a) at the dollar amounts and per-  
13 centage specified under subparagraph (B)  
14 for such year; minus

15           “(ii) the amount, if any, by which the  
16 Secretary determines—

17           “(I) the estimated amount of  
18 premium tax credits under section  
19 36B of the Internal Revenue Code of  
20 1986 that would be attributable to in-  
21 dividuals residing in such State for  
22 such year without application of this  
23 part; exceeds

24           “(II) the estimated amount of  
25 premium tax credits under section

1                   36B of the Internal Revenue Code of  
2                   1986 that would be attributable to in-  
3                   dividuals residing in such State for  
4                   such year if section 1353(b) applied  
5                   for such year and applied with respect  
6                   to such State for such year.

7                   For purposes of the previous sentence and sec-  
8                   tion 1353(b)(3), the term ‘attachment range  
9                   claims’ means, with respect to an individual, the  
10                  claims for such individual that exceed a dollar  
11                  amount specified by the Secretary for a year,  
12                  but do not exceed a ceiling dollar amount speci-  
13                  fied by the Secretary for such year, under sub-  
14                  paragraph (B).

15                  “(B) SPECIFICATIONS.—For purposes of  
16                  subparagraph (A) and section 1353(b)(3), the  
17                  Secretary shall determine the dollar amounts  
18                  and the percentage to be specified under this  
19                  subparagraph for a year in a manner to ensure  
20                  that the total amount of expenditures under  
21                  this part for such year is estimated to equal the  
22                  total amount appropriated for such year under  
23                  subsection (a) if such expenditures were used  
24                  solely for the purpose described in paragraph  
25                  (1) of section 1352(a) for attachment range

1 claims at the dollar amounts and percentage so  
2 specified for such year.

3 “(3) AVAILABILITY.—Funds allocated to a  
4 State under this subsection for a year shall remain  
5 available through the end of the subsequent year.”.

6 (b) BASIC HEALTH PROGRAM FUNDING ADJUST-  
7 MENTS.—Section 1331 of the Patient Protection and Af-  
8 fordable Care Act (42 U.S.C. 18051) is amended—

9 (1) in subsection (a), by adding at the end the  
10 following new paragraph:

11 “(3) PROVISION OF INFORMATION ON QUALI-  
12 FIED HEALTH PLAN PREMIUMS.—

13 “(A) IN GENERAL.—For plan years begin-  
14 ning on or after January 1, 2023, the program  
15 described in paragraph (1) shall provide that a  
16 State may not establish a basic health program  
17 unless such State furnishes to the Secretary,  
18 with respect to each qualified health plan of-  
19 fered in such State during a year that receives  
20 any reinsurance payment from funds made  
21 available under part 6 for such year, the ad-  
22 justed premium amount (as defined in subpara-  
23 graph (B)) for each such plan and year.

24 “(B) ADJUSTED PREMIUM AMOUNT DE-  
25 FINED.—For purposes of subparagraph (A), the

1 term ‘adjusted premium amount’ means, with  
2 respect to a qualified health plan and a year,  
3 the monthly premium for such plan and year  
4 that would have applied had such plan not re-  
5 ceived any payments described in subparagraph  
6 (A) for such year.’; and

7 (2) in subsection (d)(3)(A)(ii), by adding at the  
8 end the following new sentence: “In making such de-  
9 termination, the Secretary shall calculate the value  
10 of such premium tax credits that would have been  
11 provided to such individuals enrolled through a basic  
12 health program established by a State during a year  
13 using the adjusted premium amounts (as defined in  
14 subsection (a)(3)(B)) for qualified health plans of-  
15 fered in such State during such year.”.

## 16 **Subtitle G—Medicaid**

### 17 **PART 1—FEDERAL MEDICAID PROGRAM TO** 18 **CLOSE THE COVERAGE GAP**

#### 19 **SEC. 30701. CLOSING THE MEDICAID COVERAGE GAP.**

20 (a) FEDERAL MEDICAID PROGRAM TO CLOSE COV-  
21 ERAGE GAP IN NONEXPANSION STATES.—Title XIX of  
22 the Social Security Act (42 U.S.C. 1396 et seq.) is amend-  
23 ed by adding at the end the following new section:

1 **“SEC. 1948. FEDERAL MEDICAID PROGRAM TO CLOSE COV-**  
2 **ERAGE GAP IN NONEXPANSION STATES.**

3 “(a) ESTABLISHMENT.—Not later than January 1,  
4 2025, the Secretary shall establish a program (in this sec-  
5 tion referred to as the ‘Federal Medicaid program’ or the  
6 ‘Program’ under which, in the case of a State that the  
7 Secretary determines (based on the State plan under this  
8 title, waiver of such plan, or other relevant information)  
9 is not expected to expend amounts under the State plan  
10 (or waiver of such plan) for all individuals who would be  
11 entitled to medical assistance pursuant to section  
12 1902(a)(10)(A)(i)(VIII) during a year (beginning with  
13 2025), (in this section defined as ‘a coverage gap State’,  
14 with respect to such year), the Secretary shall (including  
15 through contract with eligible entities (as specified by the  
16 Secretary), consistent with subsection (b)) provide for the  
17 offering to such individuals residing in such State of  
18 health benefits. The Federal Medicaid program shall be  
19 offered in a coverage gap State for each quarter during  
20 the period beginning on January 1 of such year, and end-  
21 ing with the last day of the first quarter during which  
22 the State provides medical assistance to all such individ-  
23 uals under the State plan (or waiver of such plan). Under  
24 the Federal Medicaid program, the Secretary—

25 “(1) may use the Federally Facilitated Market-  
26 place to facilitate eligibility determinations and en-

1 rollments under the Federal Medicaid Program and  
2 shall establish a set of eligibility rules to be applied  
3 under the Program in a manner consistent with sec-  
4 tion 1902(e)(14);

5 “(2) shall establish benefits, beneficiary protec-  
6 tions, and access to care standards by, at a min-  
7 imum—

8 “(A) establishing a minimum set of health  
9 benefits to be provided (and providing such ben-  
10 efits) under the Federal Medicaid program,  
11 which shall be in compliance with the require-  
12 ments of section 1937 and shall consist of  
13 benchmark coverage described in section  
14 1937(b)(1) or benchmark equivalent coverage  
15 described in section 1937(b)(2) to the same ex-  
16 tent as medical assistance provided to such an  
17 individual under this title (without application  
18 of this section) is required under section  
19 1902(k)(1) to consist of such benchmark cov-  
20 erage or benchmark equivalent coverage;

21 “(B) applying the provisions of sections  
22 1902(a)(8), 1902(a)(34), and 1943 with respect  
23 to such an individual, health benefits under the  
24 Federal Medicaid program, and making applica-  
25 tion for such benefits in the same manner as

1 such provisions would apply to such an indi-  
2 vidual, medical assistance under this title (other  
3 than pursuant to this section), and making ap-  
4 plication for such medical assistance under this  
5 title (other than pursuant to this section); and  
6 providing that redeterminations and appeals of  
7 eligibility and coverage determinations of items  
8 and services (including benefit reductions, ter-  
9 minations, and suspension) shall be conducted  
10 under the Federal Medicaid program in accord-  
11 ance with a Federal fair hearing process estab-  
12 lished by the Secretary that is subject to the  
13 same requirements as applied under section  
14 1902(a)(3) with respect to redeterminations  
15 and appeals of eligibility, and with respect to  
16 coverage of items and services (including benefit  
17 reductions, terminations, and suspension),  
18 under a State plan under this title and that  
19 may provide for such fair hearings related to  
20 denials of eligibility (based on modified adjusted  
21 gross income eligibility determinations) to be  
22 conducted through the Federally Facilitated  
23 Marketplace for Exchanges;

24 “(C) applying, in accordance with sub-  
25 section (d), the provisions of section 1927



1 (other than subparagraphs (B) and (C) of sub-  
2 section (b)(1) of such section) with respect to  
3 the Secretary and payment under the Federal  
4 Medicaid program for covered outpatient drugs  
5 with respect to a rebate period in the same  
6 manner and to the same extent as such provi-  
7 sions apply with respect to a State and payment  
8 under the State plan for covered outpatient  
9 drugs with respect to the rebate period;

10 “(D) applying the provisions of sections  
11 1902(a)(14), 1902(a)(23), 1902(a)(47), and  
12 1920 through 1920C (as applicable) to the Fed-  
13 eral Medicaid program and such individuals en-  
14 rolled in and entitled to health benefits under  
15 such program in the same manner and to the  
16 same extent as such provisions apply to such in-  
17 dividuals eligible for medical assistance under  
18 the State plan, and applying the provisions of  
19 section 1902(a)(30)(A) with respect to medical  
20 assistance available under the Federal Medicaid  
21 program in the same manner and to the same  
22 extent as such provisions apply to medical as-  
23 sistance under a State plan under this title, ex-  
24 cept that—

1                   “(i) the Secretary shall provide that  
2                   no cost sharing shall be applied under the  
3                   Federal Medicaid program;

4                   “(ii) the Secretary may waive the pro-  
5                   visions of subparagraph (A) of section  
6                   1902(a)(23) to the extent deemed appro-  
7                   priate to facilitate the implementation of  
8                   managed care;

9                   “(iii) in applying the provisions of sec-  
10                  tion 1902(a)(47) and sections 1920  
11                  through 1920C, the Secretary—

12                   “(I) shall establish a single pre-  
13                   sumptive eligibility process for individ-  
14                   uals eligible under the Federal Med-  
15                   icaid program, under which the Sec-  
16                   retary may contract with entities to  
17                   carry out such process; and

18                   “(II) may apply such provisions  
19                   and process in accordance with such  
20                   phased-in implementation as the Sec-  
21                   retary deems necessary, but beginning  
22                   as soon as practicable); and

23                   “(E) prohibiting payment from being avail-  
24                   able under the Federal Medicaid program for

1 any item or service subject to a payment exclu-  
2 sion under this title or title XI.

3 “(b) ADMINISTRATION OF FEDERAL MEDICAID PRO-  
4 GRAM THROUGH CONTRACTS WITH MEDICAID MANAGED  
5 CARE ORGANIZATION AND THIRD PARTY PLAN ADMINIS-  
6 TRATOR REQUIREMENTS.—

7 “(1) IN GENERAL.—For the purpose of pro-  
8 viding medical assistance to individuals described in  
9 section 1902(a)(10)(A)(i)(VIII) enrolled under the  
10 Federal Medicaid program across all coverage gap  
11 geographic areas (as defined in paragraph (8)) in  
12 which such individuals reside, the Secretary shall so-  
13 licit bids described in paragraph (2) and enter into  
14 contracts with a total of at least 2 eligible entities  
15 (as specified by the Secretary, which may be a med-  
16 icaid managed care organization (in this section de-  
17 fined as a managed care organization described in  
18 section 1932(a)(1)(B)(i)), a third party plan admin-  
19 istrator, or both). An eligible entity entering into a  
20 contract with the Secretary under this paragraph  
21 may administer such benefits as a medicaid man-  
22 aged care organization (as so defined), in which case  
23 such contract shall be in accordance with paragraph  
24 (3) with respect to such geographic area, or as a  
25 third-party administrator, in which case such con-

1       tract shall be in accordance with paragraph (4) with  
2       respect to such geographic area. The Secretary may  
3       so contract with a Medicaid managed care organiza-  
4       tion or third party plan administrator in each cov-  
5       erage gap geographic area (and may specify which  
6       type of eligible entity may bid with respect to a cov-  
7       erage gap geographic area or areas) and may con-  
8       tract with more than one such eligible entity in the  
9       same coverage gap geographic area.

10           “(2) BIDS.—

11                   “(A) IN GENERAL.—To be eligible to enter  
12                   into a contract under this subsection, for a  
13                   year, an entity shall submit (at such time, in  
14                   such manner, and containing such information  
15                   as specified by the Secretary) one or more bids  
16                   to provide medical assistance under the Pro-  
17                   gram in one or more coverage gap geographic  
18                   areas, which are actuarially sound and reflect  
19                   the projected monthly cost to the entity of pro-  
20                   viding medical assistance under the Program to  
21                   an individual enrolled under the Program in  
22                   such a geographic area (or areas) for such year.

23                   “(B) SELECTION.—In selecting from bids  
24                   submitted under subparagraph (A) for purposes  
25                   of entering into contracts with eligible entities

1 under this subsection, with respect to a cov-  
2 erage gap geographic area, the Secretary shall  
3 take into account at least each of the following,  
4 with respect to each such bid:

5 “(i) Network adequacy (as proposed  
6 in the submitted bid).

7 “(ii) The amount, duration, and scope  
8 of benefits (such as value-added services  
9 offered in the submitted bid), as compared  
10 to the minimum set of benefits established  
11 by the Secretary under subsection  
12 (a)(2)(A).

13 “(iii) The amount of the bid, taking  
14 into account the average per member cost  
15 of providing medical assistance under  
16 State plans under this title (or waivers of  
17 such plans) to individuals enrolled in such  
18 plans (or waivers) who are at least 18  
19 years of age and residing in the coverage  
20 gap geographic area, as well as the average  
21 cost of providing medical assistance under  
22 State plans under this title (and waivers of  
23 such plans) to individuals described in sec-  
24 tion 1902(a)(10)(A)(i)(VIII).

1                   “(iv) The organizational capacity of  
2                   the entity, the experience of the entity with  
3                   Medicaid managed care, the experience of  
4                   the entity with Medicaid managed care for  
5                   individuals described in section  
6                   1902(a)(10)(A)(i)(VIII), the performance  
7                   of the entity (if available) on the adult core  
8                   set quality measures in States that are not  
9                   coverage gap States.

10                   “(3) CONTRACT WITH MEDICAID MANAGED  
11                   CARE ORGANIZATION.—In the case of a contract  
12                   under paragraph (1) between the Secretary and an  
13                   eligible entity administering benefits under the Pro-  
14                   gram as a Medicaid managed care organization, with  
15                   respect to one or more coverage gap geographic  
16                   areas, the following shall apply:

17                   “(A) The provisions of clauses (i) through  
18                   (xi) of section 1903(m)(2)(A), clause (xii) of  
19                   such section (to the extent such clause relates  
20                   to subsections (b), (d), (f), and (i) of section  
21                   1932), and clause (xiii) of such section  
22                   1903(m)(2)(A) shall, to the greatest extent  
23                   practicable, apply to the contract, to the Sec-  
24                   retary, and to the Medicaid managed care orga-  
25                   nization, with respect to providing medical as-

1           sistance under the Federal Medicaid program  
2           with respect to such area (or areas), in the  
3           same manner and to the same extent as such  
4           provisions apply to a contract under section  
5           1903(m) between a State and an entity that is  
6           a medicaid managed care organization (as de-  
7           fined in section 1903(m)(1)), to the State, and  
8           to the entity, with respect to providing medical  
9           assistance to individuals eligible for benefits  
10          under this title.

11           “(B) The provisions of section 1932(h)  
12          shall apply to the contract, Secretary, and Med-  
13          icaid managed care organization.

14           “(C) The contract shall provide that the  
15          entity pay claims in a timely manner and in ac-  
16          cordance with the provisions of section  
17          1902(a)(37).

18           “(D) The contract shall provide that the  
19          Secretary shall make payments under this sec-  
20          tion to the entity, with respect to coverage of  
21          each individual enrolled under the Program in  
22          such a coverage gap geographic area with re-  
23          spect to which the entity administers the Pro-  
24          gram in an amount specified in the contract,

1 subject to subparagraph (D)(ii) and paragraph  
2 (6).

3 “(E) The contract shall require—

4 “(i) the application of a minimum  
5 medical loss ratio (as calculated under sub-  
6 section (d) of section 438.8 of title 42,  
7 Code of Federal Regulations (or any suc-  
8 cessor regulation)) for payment for medical  
9 assistance administered by the managed  
10 care organization under the Program, with  
11 respect to a year, that is equal to or great-  
12 er than 85 percent (or such higher percent  
13 as specified by the Secretary); and

14 “(ii) in the case, with respect to a  
15 year, the minimum medical loss ratio (as  
16 so calculated) for payment for services  
17 under the benefits so administered is less  
18 than 85 percent (or such higher percent as  
19 specified by the Secretary under clause  
20 (i)), remittance by the organization to the  
21 Secretary of any payments (or portions of  
22 payments) made to the organization under  
23 this section in an amount equal to the dif-  
24 ference in payments for medical assistance,  
25 with respect to the year, resulting from the



1 organization's failure to meet such ratio  
2 for such year.

3 "(F) The contract shall require that the el-  
4 igible entity submit to the Secretary—

5 "(i) the number of individuals enrolled  
6 in the Program with respect to each cov-  
7 erage gap geographic area and month with  
8 respect to which the contract applies;

9 "(ii) encounter data (disaggregated by  
10 race, ethnicity, and age) with respect to  
11 each coverage gap geographic area and  
12 month with respect to which the contract  
13 applies; and

14 "(iii) such additional information as  
15 specified by the Secretary for purposes of  
16 payment, program integrity, oversight,  
17 quality measurement, or such other pur-  
18 pose specified by the Secretary.

19 "(G) The contract shall require that the el-  
20 igible entity perform any other activity identi-  
21 fied by the Secretary.

22 "(4) CONTRACT WITH A THIRD PARTY PLAN  
23 ADMINISTRATOR.—

24 "(A) IN GENERAL.—In the case of a con-  
25 tract under paragraph (1) between the Sec-

1           retary and an eligible entity to administer the  
2           Program as a third party plan administrator,  
3           with respect to one or more coverage gap geo-  
4           graphic areas, such contract shall provide that,  
5           with respect to medical assistance provided  
6           under the Federal Medicaid program to individ-  
7           uals who are enrolled in the Program with re-  
8           spect to such area (or areas)—

9                   “(i) the third party plan administrator  
10                   shall, consistent with such requirements as  
11                   may be established by the Secretary—

12                           “(I) establish provider networks,  
13                           payment rates, and utilization man-  
14                           agement, consistent with the provi-  
15                           sions of section 1902(a)(30)(A), as  
16                           applied by subsection (a)(4) of this  
17                           section;

18                           “(II) pay claims in a timely man-  
19                           ner and in accordance with the provi-  
20                           sions of section 1902(a)(37);

21                           “(III) submit to the Secretary—

22                                   “(aa) the number of individ-  
23                                   uals enrolled in the Program with  
24                                   respect to each coverage gap geo-  
25                                   graphic area and month with re-

1 spect to which the contract ap-  
2 plies;

3 “(bb) encounter data  
4 (disaggregated by race, ethnicity,  
5 and age) with respect to each  
6 coverage gap geographic area and  
7 month with respect to which the  
8 contract applies; and

9 “(cc) such additional infor-  
10 mation as specified by the Sec-  
11 retary for purposes of payment,  
12 program integrity, oversight,  
13 quality measurement, or such  
14 other purpose specified by the  
15 Secretary; and

16 “(IV) perform any other activity  
17 identified by the Secretary;

18 “(ii) the Secretary shall make pay-  
19 ments (for the claims submitted by the  
20 third party plan administrator and for an  
21 economic and efficient administrative fee)  
22 under this section to the third party plan  
23 administrator, with respect to coverage of  
24 each individual enrolled under the Program  
25 in a coverage gap geographic area with re-

1           spect to which the third party plan admin-  
2           istrator administers the Program in an  
3           amount determined under the contract,  
4           subject to subclause (VI)(bb) and para-  
5           graph (7); and

6           “ (iii) the provisions of clause (xii) of  
7           section 1903(m)(2)(A) (to the extent such  
8           clause relates to subsections (b), (d), (f),  
9           and (i) of section 1932) shall, to the great-  
10          est extent practicable, apply to the con-  
11          tract, to the Secretary, and to the third  
12          party plan administrator, with respect to  
13          providing medical assistance under the  
14          Federal Medicaid program with respect to  
15          such area (or areas), in the same manner  
16          and to the same extent as such provisions  
17          apply to a contract under section 1903(m)  
18          between a State and an entity that is a  
19          medicaid managed care organization (as  
20          defined in section 1903(m)(1)), to the  
21          State, and to the entity, with respect to  
22          providing medical assistance to individuals  
23          eligible for benefits under this title

24          “(B) THIRD PARTY PLAN ADMINISTRATOR  
25          DEFINED.—For purposes of this section, the

1 term ‘third party plan administrator’ means an  
2 entity that satisfies such requirements as estab-  
3 lished by the Secretary, which shall include at  
4 least that such an entity administers health  
5 plan benefits, pays claims under the plan, es-  
6 tablishes provider networks, sets payment rates,  
7 and are not risk-bearing entities.

8 “(5) ADMINISTRATIVE AUTHORITY.—The Sec-  
9 retary may take such actions as are necessary to ad-  
10 minister this subsection, including by setting net-  
11 work adequacy standards, establishing quality re-  
12 quirements, establishing reporting requirements, lim-  
13 iting administrative costs, and specifying any other  
14 program requirements or standards necessary in  
15 contracting with specified entities under this sub-  
16 section, and overseeing such entities, with respect to  
17 the administration of the Federal Medicaid program.

18 “(6) PREEMPTION.—In carrying out the duties  
19 under a contract entered into under paragraph (1)  
20 between the Secretary and a Medicaid managed care  
21 organization or a third party plan administrator,  
22 with respect to a coverage gap State—

23 “(A) the Secretary may establish minimum  
24 standards and licensure requirements for such a  
25 Medicaid managed care organization or third

1 party plan administrator for purposes of car-  
2 rying out such duties; and

3 “(B) any provisions of law of that State  
4 which relate to the licensing of the organization  
5 or administrator and which prohibit the organi-  
6 zation or administrator from providing coverage  
7 pursuant to a contract under this section shall  
8 be superseded.

9 “(7) PENALTIES.—In the case of an eligible en-  
10 tity with a contract under this section that fails to  
11 comply with the requirements of such entity pursu-  
12 ant to this section or such contract, the Secretary  
13 may withhold payment (or any portion of such pay-  
14 ment) to such entity under this section in accord-  
15 ance with a process specified by the Secretary, im-  
16 pose a corrective action plan on such entity, termi-  
17 nate the contract, or impose a civil monetary penalty  
18 on such entity in an amount not to exceed \$10,000  
19 for each such failure. In implementing this para-  
20 graph, the Secretary shall have the authorities pro-  
21 vided the Secretary under section 1932(e) and sub-  
22 parts F and I of part 438 of title 42, Code of Fed-  
23 eral Regulations.

24 “(8) COVERAGE GAP GEOGRAPHIC AREA.—For  
25 purposes of this section, the term ‘coverage gap geo-

1 graphic area' means an area of one or more coverage  
2 gap States, as specified by the Secretary, or any  
3 area within such a State, as specified by the Sec-  
4 retary.

5 “(c) PERIODIC DATA MATCHING.—The Secretary  
6 shall, including through contract, periodically verify the  
7 income of an individual enrolled in the Federal Medicaid  
8 program for a year, before the end of such year, to deter-  
9 mine if there has been any change in the individual’s eligi-  
10 bility for benefits under the program. For purposes of the  
11 previous sentence, in the case that, pursuant to such  
12 verification, an individual is determined to have had a  
13 change in income that results in such individual no longer  
14 be included as an individual described in section  
15 1902(a)(10)(A)(i)(VIII), the Secretary shall apply the  
16 same processes and protections as States are required  
17 under this title to apply with respect to an individual who  
18 is determined to have had a change in income that results  
19 in such individual no longer being included as eligible for  
20 medical assistance under this title (other than pursuant  
21 to this section).

22 “(d) DRUG REBATES.—For purposes of subsection  
23 (a)(2)(C), in applying section 1927, the Secretary shall  
24 (either directly or through contracts)—

1           “(1) require an eligible entity with a contract  
2           under subsection (b) to report the data required to  
3           be reported under section 1927(b)(2) by a State  
4           agency and require such entity to submit to the Sec-  
5           retary rebate data, utilization data, and any other  
6           information that would otherwise be required under  
7           section 1927 to be submitted to the Secretary by a  
8           State;

9           “(2) shall take such actions as are necessary  
10          and develop or adapt such processes and mecha-  
11          nisms as are necessary to report and collect data as  
12          is necessary and to bill and track rebates under sec-  
13          tion 1927, as applied pursuant to subsection  
14          (a)(2)(B) for drugs that are provided under the Fed-  
15          eral Medicaid program;

16          “(3) provide that the coverage requirements of  
17          prescription drugs under the Federal Medicaid pro-  
18          gram comply with the coverage requirements under  
19          section 1927;

20          “(4) require that in order for payment to be  
21          available under the Federal Medicaid program or  
22          under section 1903(a) for covered outpatient drugs  
23          of a manufacturer, the manufacturer must have en-  
24          tered into and have in effect a rebate agreement to  
25          provide rebates under section 1927 to the Federal



1 Medicaid program in the same form and manner as  
2 the manufacturer is required to provide rebates  
3 under an agreement described in section 1927(b) to  
4 a State Medicaid program under this title;

5 “(5) require an eligible entity with a contract  
6 under subsection (b) to provide for a drug use re-  
7 view program described in subsection (g) of section  
8 1927 in accordance with the requirements applicable  
9 to a State under such subsection (g) with respect to  
10 a drug use review program; and

11 “(6) adopt a mechanism to prevent the require-  
12 ments of section 1927 from applying to covered out-  
13 patient drugs under the Federal Medicaid program  
14 pursuant to this subsection and subsection (a)(2)(C)  
15 if such drugs are subject to discounts under section  
16 340B of the Public Health Service Act.

17 “(e) TRANSITIONS.—

18 “(1) FROM EXCHANGE PLANS ONTO FEDERAL  
19 MEDICAID PROGRAM.—The Secretary shall provide  
20 for a process under which, in the case of individuals  
21 entitled to medical assistance pursuant section  
22 1902(a)(10)(A)(i)(VIII) who are enrolled in qualified  
23 health plans through an Exchange in a coverage gap  
24 State, the Secretary takes such steps as are nec-  
25 essary to transition such individuals to coverage

1 under the Federal Medicaid program. Such process  
2 shall apply procedures described in section  
3 1943(b)(1)(C) to screen for eligibility and enroll-  
4 ment under the Federal Medicaid program in the  
5 same manner as such procedures screen for eligi-  
6 bility and enrollment under qualified health plans  
7 through an Exchange established under title I of the  
8 Patient Protection and Affordable Care Act.

9 “(2) IN CASE COVERAGE GAP STATE BEGINS  
10 PROVIDING COVERAGE UNDER STATE PLAN.—The  
11 Secretary shall provide for a process for, in the case  
12 of a coverage gap State in which the State begins  
13 to provide medical assistance to individuals described  
14 in section 1902(a)(10)(A)(i)(VIII) under the State  
15 plan (or waiver of such plan) and the Federal Med-  
16 icaid program ceases to be offered, transitioning in-  
17 dividuals from such program to the State plan (or  
18 waiver), as eligible, including a process for  
19 transitioning all eligibility redeterminations.

20 “(3) AUTHORITY FOR PHASE-IN.—The Sec-  
21 retary may apply section 1902(a)(34), pursuant to  
22 subsection (a)(2)(B) of this section, in accordance  
23 with such phased-in implementation as the Secretary  
24 deems necessary, but beginning as soon as prac-  
25 ticable.

1       “(f) COORDINATION WITH AND ENROLLMENT  
2 THROUGH EXCHANGES.—The Secretary shall take such  
3 actions as are necessary to provide, in the case of a cov-  
4 erage gap State in which the Federal Medicaid program  
5 is offered, for the availability of information on, deter-  
6 minations of eligibility for, and enrollment in such pro-  
7 gram through and coordinated with the Exchange estab-  
8 lished with respect to such State under title I of the Pa-  
9 tient Protection and Affordable Care Act.

10       “(g) THIRD PARTY LIABILITY.—The provisions of  
11 section 1902(a)(25) shall apply with respect to the Fed-  
12 eral Medicaid program, the Secretary, and the eligible en-  
13 tities with a contract under subsection (b) in the same  
14 manner as such provisions apply with respect to State  
15 plans under this title (or waiver of such plans) and the  
16 State or local agency administering such plan (or waiver).  
17 The Secretary may specify a timeline (which may include  
18 a phase-in) for implementing this subsection.

19       “(h) FRAUD AND ABUSE PROVISIONS.—Provisions of  
20 law (other than criminal law provisions) identified by the  
21 Secretary, in consultation (as appropriate) with the In-  
22 spector General of the Department of Health and Human  
23 Services, that impose sanctions with respect to waste,  
24 fraud, and abuse under this title or title XI, such as the  
25 False Claims Act (31 U.S.C. 3729 et seq.), as well as pro-

1 visions of law (other than criminal law provisions) identi-  
2 fied by the Secretary that provide oversight authority,  
3 shall also apply to the Federal Medicaid program.

4 “(i) MAINTENANCE OF EFFORT.—

5 “(1) PAYMENT.—

6 “(A) IN GENERAL.—In the case of a State  
7 that, as of January 1, 2022, is expending  
8 amounts for all individuals described in section  
9 1902(a)(10)(A)(i)(VIII) under the State plan  
10 (or waiver of such plan) and that stops expend-  
11 ing amounts for all such individuals under the  
12 State plan (or waiver of such plan), such State  
13 shall for each quarter beginning after January  
14 1, 2022, during which such State does not ex-  
15 pend amounts for all such individuals provide  
16 for payment under this subsection to the Sec-  
17 retary of the product of—

18 “(i) 10 percent of, subject to subpara-  
19 graph (B), the average monthly per capita  
20 costs expended under the State plan (or  
21 waiver of such plan) for such individuals  
22 during the most recent previous quarter  
23 with respect to which the State expended  
24 amounts for all such individuals; and

1                   “(ii) the sum, for each month during  
2                   such quarter, of the number of individuals  
3                   enrolled under such program in such State.

4                   “(B) ANNUAL INCREASE.—For purposes of  
5                   subparagraph (A), in the case of a State with  
6                   respect to which such subparagraph applies  
7                   with respect to a period of consecutive quarters  
8                   occurring during more than one calendar year,  
9                   for such consecutive quarters occurring during  
10                  the second of such calendar years or a subse-  
11                  quent calendar year, the average monthly per  
12                  capita costs for each such quarter for such  
13                  State determined under subparagraph (A)(i), or  
14                  this subparagraph, shall be annually increased  
15                  by the Secretary by the percentage increase in  
16                  Medicaid spending under this title during the  
17                  preceding year (as determined based on the  
18                  most recent National Health Expenditure data  
19                  with respect to such year).

20                  “(2) FORM AND MANNER OF PAYMENT.—Pay-  
21                  ment under paragraph (1) shall be made in a form  
22                  and manner specified by the Secretary.

23                  “(3) COMPLIANCE.—If a State fails to pay to  
24                  the Secretary an amount required under paragraph  
25                  (1), interest shall accrue on such amount at the rate

1 provided under section 1903(d)(5). The amount so  
2 owed and applicable interest shall be immediately  
3 offset against amounts otherwise payable to the  
4 State under section 1903(a), in accordance with the  
5 Federal Claims Collection Act of 1996 and applica-  
6 ble regulations.

7 “(4) DATA MATCH.—The Secretary shall per-  
8 form such periodic data matches as may be nec-  
9 essary to identify and compute the number of indi-  
10 viduals enrolled under the Federal Medicaid pro-  
11 gram under section 1948 in a coverage gap State (as  
12 referenced in subsection (a) of such section) for pur-  
13 poses of computing the amount under paragraph  
14 (1).

15 “(5) NOTICE.—The Secretary shall notify each  
16 State described in paragraph (1) not later than a  
17 date specified by the Secretary that is before the be-  
18 ginning of each quarter (beginning with 2022) of the  
19 amount computed under paragraph (1) for the State  
20 for that year.

21 “(j) APPROPRIATIONS.—In addition to amounts oth-  
22 erwise available, there is appropriated, out of any funds  
23 in the Treasury not otherwise appropriated, for each fiscal  
24 year such sums as are necessary to carry out subsections  
25 (a) through (i) of this section.”.

1 (b) DRUG REBATE CONFORMING AMENDMENT.—  
2 Section 1927(a)(1) of the Social Security Act (42 U.S.C.  
3 1396r–8(a)(1)) is amended in the first sentence—

4 (1) by striking “or under part B of title XVIII”  
5 and inserting “, under the Federal Medicaid pro-  
6 gram under section 1948, or under part B of title  
7 XVIII”; and

8 (2) by inserting “including as such subsection is  
9 applied pursuant to subsections (a)(2)(C) and (d) of  
10 section 1948 with respect to the Federal Medicaid  
11 program,” before “and must meet”.

12 **PART 2—EXPANDING ACCESS TO MEDICAID**

13 **HOME AND COMMUNITY-BASED SERVICES**

14 **SEC. 30711. DEFINITIONS.**

15 In this part:

16 (1) APPROPRIATE COMMITTEES OF CON-  
17 GRESS.—The term “appropriate committees of Con-  
18 gress” means the Committee on Energy and Com-  
19 merce of the House of Representatives, the Com-  
20 mittee on Finance of the Senate, the Committee on  
21 Health, Education, Labor and Pensions of the Sen-  
22 ate, and the Special Committee on Aging of the Sen-  
23 ate.

24 (2) DIRECT CARE WORKER.—The term “direct  
25 care worker” means, with respect to a State, any of

1 the following individuals who by contract, by receipt  
2 of payment for care, or as a result of the operation  
3 of law, provides directly to Medicaid eligible individ-  
4 uals home and community-based services available  
5 under the State Medicaid program:

6 (A) A registered nurse, licensed practical  
7 nurse, nurse practitioner, or clinical nurse spe-  
8 cialist who provides licensed nursing services, or  
9 a licensed nursing assistant who provides such  
10 services under the supervision of a registered  
11 nurse, licensed practical nurse, nurse practi-  
12 tioner, or clinical nurse specialist.

13 (B) A direct support professional.

14 (C) A personal care attendant.

15 (D) A home health aide.

16 (E) Any other paid health care profes-  
17 sional or worker determined to be appropriate  
18 by the State and approved by the Secretary.

19 (3) HCBS PROGRAM IMPROVEMENT STATE.—  
20 The term “HCBS program improvement State”  
21 means a State that is awarded a planning grant  
22 under section 1011(a) and has an HCBS improve-  
23 ment plan approved by the Secretary under section  
24 1011(d).



1           (4) HEALTH PLAN.—The term “health plan”  
2 means any of the following entities that provide or  
3 arrange for home and community-based services for  
4 Medicaid eligible individuals who are enrolled with  
5 the entities under a contract with a State:

6           (A) A medicaid managed care organiza-  
7 tion, as defined in section 1903(m)(1)(A) of the  
8 Social Security Act (42 U.S.C.  
9 1396b(m)(1)(A)).

10          (B) A prepaid inpatient health plan or pre-  
11 paid ambulatory health plan, as defined in sec-  
12 tion 438.2 of title 42, Code of Federal Regula-  
13 tions (or any successor regulation)).

14          (C) Any other entity determined to be ap-  
15 propriate by the State and approved by the Sec-  
16 retary.

17           (5) HOME AND COMMUNITY-BASED SERV-  
18 ICES.—The term “home and community-based serv-  
19 ices” means any of the following (whether provided  
20 on a fee-for-service, risk, or other basis):

21           (A) Home health care services authorized  
22 under paragraph (7) of section 1905(a) of the  
23 Social Security Act (42 U.S.C. 1396d(a)).

24           (B) Private duty nursing services author-  
25 ized under paragraph (8) of such section, when

1 such services are provided in a Medicaid eligible  
2 individual's home.

3 (C) Personal care services authorized  
4 under paragraph (24) of such section.

5 (D) PACE services authorized under para-  
6 graph (26) of such section.

7 (E) Home and community-based services  
8 authorized under subsections (b), (c), (i), (j),  
9 and (k) of section 1915 of such Act (42 U.S.C.  
10 1396n), authorized under a waiver under sec-  
11 tion 1115 of such Act (42 U.S.C. 1315), or  
12 provided through coverage authorized under  
13 section 1937 of such Act (42 U.S.C. 1396u-7).

14 (F) Case management services authorized  
15 under section 1905(a)(19) of the Social Secu-  
16 rity Act (42 U.S.C. 1396d(a)(19)) and section  
17 1915(g) of such Act (42 U.S.C. 1396n(g)).

18 (G) Rehabilitative services, including those  
19 related to behavioral health, described in section  
20 1905(a)(13) of such Act (42 U.S.C.  
21 1396d(a)(13)).

22 (H) Self-directed personal assistance serv-  
23 ices authorized under section 1915(j) of the So-  
24 cial Security Act (42 U.S.C. 1396n(j)).

1 (I) School-based services when the school  
2 is the location for provision of services if the  
3 services are—

4 (i) authorized under section 1905(a)  
5 of such Act (42 U.S.C. 1396d(a)) (or  
6 under a waiver under section 1915(c) or  
7 demonstration under section 1115) ; and

8 (ii) described in another subparagraph  
9 of this paragraph.

10 (J) Such other services specified by the  
11 Secretary.

12 (6) INSTITUTIONAL SETTING.—The term “insti-  
13 tutional setting” means—

14 (A) a skilled nursing facility (as defined in  
15 section 1819(a) of the Social Security Act (42  
16 U.S.C. 1395i–3(a)));

17 (B) a nursing facility (as defined in section  
18 1919(a) of such Act (42 U.S.C. 1396r(a)));

19 (C) a long-term care hospital (as described  
20 in section 1886(d)(1)(B)(iv) of such Act (42  
21 U.S.C. 1395ww(d)(1)(B)(iv)));

22 (D) a facility (or distinct part thereof) de-  
23 scribed in section 1905(d) of such Act (42  
24 U.S.C. 1396d(d));

1           (E) an institution (or distinct part thereof)  
2           which is a psychiatric hospital (as defined in  
3           section 1861(f) of such Act (42 U.S.C.  
4           1395x(f))) or that provides inpatient psychiatric  
5           services in a residential setting specified by the  
6           Secretary;

7           (F) an institution (or distinct part thereof)  
8           described in section 1905(i) of such Act (42  
9           U.S.C. 1396d(i)); and

10          (G) any other relevant facility, as deter-  
11          mined by the Secretary.

12          (7) MEDICAID ELIGIBLE INDIVIDUAL.—The  
13          term “Medicaid eligible individual” means an indi-  
14          vidual who is eligible for and receiving medical as-  
15          sistance under a State Medicaid plan or a waiver  
16          such plan. Such term includes an individual who  
17          would become eligible for medical assistance and en-  
18          rolled under a State Medicaid plan, or waiver of  
19          such plan, upon removal from a waiting list.

20          (8) STATE MEDICAID PROGRAM.—The term  
21          “State Medicaid program” means, with respect to a  
22          State, the State program under title XIX of the So-  
23          cial Security Act (42 U.S.C. 1396 et seq.) (including  
24          any waiver or demonstration under such title or

1 under section 1115 of such Act (42 U.S.C. 1315) re-  
2 lating to such title).

3 (9) SECRETARY.—The term “Secretary” means  
4 the Secretary of Health and Human Services.

5 (10) STATE.—The term “State” means each of  
6 the 50 States, the District of Columbia, Puerto Rico,  
7 the Virgin Islands, Guam, the Northern Mariana Is-  
8 lands, and American Samoa.

9 **SEC. 30712. HCBS IMPROVEMENT PLANNING GRANTS.**

10 (a) FUNDING.—

11 (1) IN GENERAL.—In addition to amounts oth-  
12 erwise available, there is appropriated to the Sec-  
13 retary for fiscal year 2022, out of any money in the  
14 Treasury not otherwise appropriated, \$130,000,000,  
15 to remain available until expended, for carrying out  
16 this section.

17 (2) TECHNICAL ASSISTANCE AND GUIDANCE.—  
18 The Secretary shall reserve \$5,000,000 of the  
19 amount appropriated under paragraph (1) for pur-  
20 poses of issuing guidance and providing technical as-  
21 sistance to States intending to apply for, or award-  
22 ed, a planning grant under this section, and for  
23 other administrative expenses related to awarding  
24 planning grants under this section.

25 (b) AWARD AND USE OF GRANTS.—

1           (1) DEADLINE FOR AWARD OF GRANTS.—From  
2 the amount appropriated under subsection (a)(1),  
3 the Secretary, not later than 12 months after the  
4 date of enactment of this Act, shall solicit State re-  
5 quests for HCBS improvement planning grants and  
6 award such grants to all States that meet such re-  
7 quirements as determined by the Secretary.

8           (2) CRITERIA FOR DETERMINING AMOUNT OF  
9 GRANTS.—The Secretary shall take into account the  
10 improvements a State would propose to make, con-  
11 sistent with the areas of focus of the HCBS im-  
12 provement plan requirements described under sub-  
13 section (c) in determining the amount of the plan-  
14 ning grant to be awarded to each State that requests  
15 such a grant.

16           (3) USE OF FUNDS.—A State awarded a plan-  
17 ning grant under this section shall use the grant to  
18 carry out planning activities for purposes of devel-  
19 oping and submitting to the Secretary an HCBS im-  
20 provement plan for the State that meets the require-  
21 ments of subsections (c) and (d) in order to expand  
22 access to home and community-based services and  
23 strengthen the direct care workforce that provides  
24 such services. A State may use planning grant funds  
25 to support activities related to the implementation of

1 the HCBS improvement plan for the State, collect  
2 and report information described in subsection (c),  
3 identify areas for improvement to the service deliv-  
4 ery systems for home and community-based services,  
5 carry out activities related to evaluating payment  
6 rates for home and community-based services and  
7 identifying improvements to update the rate setting  
8 process, and for such other purposes as the Sec-  
9 retary shall specify, including the following:

10 (A) Caregiver supports.

11 (B) Addressing social determinants of  
12 health (other than housing or homelessness).

13 (C) Promoting equity and addressing  
14 health disparities.

15 (D) Promoting community integration and  
16 compliance with the home and community-based  
17 settings rule published on January 16, 2014, or  
18 any successor regulation.

19 (E) Building partnerships.

20 (F) Infrastructure investments (such as  
21 case management or other information tech-  
22 nology systems).

23 (c) HCBS IMPROVEMENT PLAN REQUIREMENTS.—

24 In order to meet the requirements of this subsection, an  
25 HCBS improvement plan developed using funds awarded

1 to a State under this section shall include, with respect  
2 to the State and subject to subsection (d), the following:

3 (1) EXISTING MEDICAID HCBS LANDSCAPE.—

4 (A) ELIGIBILITY AND BENEFITS.—A de-  
5 scription of the existing standards, pathways,  
6 and methodologies for eligibility (which shall be  
7 delineated by the State based on eligibility  
8 group under the State plan or waiver of such  
9 plan) for home and community-based services,  
10 including limits on assets and income, the home  
11 and community-based services available under  
12 the State Medicaid program and the types of  
13 settings in which they may be provided, and  
14 utilization management standards for such  
15 services.

16 (B) ACCESS.—

17 (i) BARRIERS.—A description of the  
18 barriers to accessing home and community-  
19 based services in the State identified by  
20 Medicaid eligible individuals, the families  
21 of such individuals, and providers of such  
22 services, such as barriers for individuals  
23 who wish to leave institutional settings, in-  
24 dividuals experiencing homelessness or  
25 housing instability, and individuals in geo-



1 graphical areas of the State with low or no  
2 access to such services.

3 (ii) AVAILABILITY; UNMET NEED.—A  
4 summary, in accordance with guidance  
5 issued by the Secretary, of the extent to  
6 which home and community-based services  
7 are available to all individuals in the State  
8 who would be eligible for such services  
9 under the State Medicaid program (includ-  
10 ing individuals who are on a waitlist for  
11 such services).

12 (C) UTILIZATION.—An assessment of the  
13 utilization of home and community-based serv-  
14 ices in the State during such period specified by  
15 the Secretary.

16 (D) SERVICE DELIVERY STRUCTURES AND  
17 SUPPORTS.—A description of the service deliv-  
18 ery structures for providing home and commu-  
19 nity-based services in the State, including  
20 whether models of self-direction are used and to  
21 which Medicaid eligible individuals such models  
22 are available, the share of total services that are  
23 administered by agencies, the use of managed  
24 care and fee-for-service to provide such services,  
25 and the supports provided for family caregivers.

1           (E) WORKFORCE.—A description of the di-  
2           rect care workforce that provides home and  
3           community-based services, including estimates  
4           (and a description of the methodology used to  
5           develop such estimates) of the number of full-  
6           and part-time direct care workers, the average  
7           and range of direct care worker wages, the ben-  
8           efits provided to direct care workers, the turn-  
9           over and vacancy rates of direct care worker po-  
10          sitions, the membership of direct care workers  
11          in labor organizations and, to the extent the  
12          State has access to such data, demographic in-  
13          formation about such workforce, including in-  
14          formation on race, ethnicity, and gender.

15                 (F) PAYMENT RATES.—

16                 (i) IN GENERAL.—A description of the  
17                 payment rates for home and community-  
18                 based services, including, to the extent ap-  
19                 plicable, how payments for such services  
20                 are factored into the development of man-  
21                 aged care capitation rates, and when the  
22                 State last updated payment rates for home  
23                 and community-based services, and the ex-  
24                 tent to which payment rates are passed  
25                 through to direct care worker wages.

1 (ii) ASSESSMENT.—An assessment of  
2 the relationship between payment rates for  
3 such services and average beneficiary wait  
4 times for such services, provider-to-bene-  
5 ficiary ratios in the geographic region.

6 (G) QUALITY.—A description of how the  
7 quality of home and community-based services  
8 is measured and monitored.

9 (H) LONG-TERM SERVICES AND SUPPORTS  
10 PROVIDED IN INSTITUTIONAL SETTINGS.—A de-  
11 scription of the number of individuals enrolled  
12 in the State Medicaid program who receive  
13 items and services for greater than 30 days in  
14 an institutional setting that is a nursing facility  
15 or intermediate care facility, and the demo-  
16 graphic information of such individuals who are  
17 provided such items and services in such set-  
18 tings.

19 (I) HCBS SHARE OF OVERALL MEDICAID  
20 LTSS SPENDING.—For the most recent State  
21 fiscal year for which complete data is available,  
22 the percentage of expenditures made by the  
23 State under the State Medicaid program for  
24 long-term services and supports that are for  
25 home and community-based services.

1           (J) DEMOGRAPHIC DATA.—To the extent  
2           available and as applicable with respect to the  
3           information required under subparagraphs  
4           (B),(C), and (H), demographic data for such  
5           information, disaggregated by age groups, pri-  
6           mary disability, income brackets, gender, race,  
7           ethnicity, geography, primary language, and  
8           type of service setting.

9           (2) GOALS FOR HCBS IMPROVEMENTS.—A de-  
10          scription of how the State will do the following:

11           (A) Conduct the activities required under  
12           subsection (jj) of section 1905 of the Social Se-  
13           curity Act(as added under section 30713).

14           (B) Reduce barriers and disparities in ac-  
15           cess or utilization of home and community-  
16           based services in the State.

17           (C) Monitor and report (with supporting  
18           data to the extent available and applicable  
19           disaggregated by age groups, primary disability,  
20           income brackets, gender, race, ethnicity, geog-  
21           raphy, primary language, and type of service  
22           setting, on—

23                   (i) access to home and community-  
24                   based services under the State Medicaid  
25                   program, disparities in access to such serv-

1                   ices, and the utilization of such services;  
2                   and

3                   (ii) the amount of State Medicaid ex-  
4                   penditures for home and community-based  
5                   services under the State Medicaid program  
6                   as a proportion of the total amount of  
7                   State expenditures under the State Med-  
8                   icaid program for long-term services and  
9                   supports.

10                  (D) Monitor and report on wages, benefits,  
11                  and vacancy and turnover rates for direct care  
12                  workers.

13                  (E) Assess and monitor the sufficiency of  
14                  payments under the State Medicaid program  
15                  for the specific types of home and community-  
16                  based services available under such program for  
17                  purposes of supporting direct care worker re-  
18                  cruitment and retention and ensuring the avail-  
19                  ability of home and community-based services.

20                  (F) Coordinate implementation of the  
21                  HCBS improvement plan among the State  
22                  Medicaid agency, agencies serving individuals  
23                  with disabilities, agencies serving the elderly,  
24                  and other relevant State and local agencies and  
25                  organizations that provide related supports,

1           such as those for housing, transportation, em-  
2           ployment, and other services and supports.

3           (d) DEVELOPMENT AND APPROVAL REQUIRE-  
4 MENTS.—

5           (1) DEVELOPMENT REQUIREMENTS.—In order  
6           to meet the requirements of this subsection, a State  
7           awarded a planning grant under this section shall  
8           develop an HCBS improvement plan for the State  
9           with input from stakeholders through a public notice  
10          and comment process that includes consultation with  
11          Medicaid eligible individuals who are recipients of  
12          home and community-based services, family care-  
13          givers of such recipients, providers, health plans, di-  
14          rect care workers, chosen representatives of direct  
15          care workers, and aging, disability, and workforce  
16          advocates.

17          (2) AUTHORITY TO ADJUST CERTAIN PLAN  
18          CONTENT REQUIREMENTS.—The Secretary may  
19          modify the requirements for any of the information  
20          specified in subsection (c)(1) if a State requests a  
21          modification and demonstrates to the satisfaction of  
22          the Secretary that it is impracticable for the State  
23          to collect and submit the information.

24          (3) SUBMISSION AND APPROVAL.—Not later  
25          than 24 months after the date on which a State is

1 awarded a planning grant under this section, the  
2 State shall submit an HCBS improvement plan for  
3 approval by the Secretary, along with assurances by  
4 the State that the State will implement the plan in  
5 accordance with the requirements of the HCBS Im-  
6 provement Program established under subsection (jj)  
7 of section 1905 of the Social Security Act (42  
8 U.S.C. 1396d) (as added by section 30713). The  
9 Secretary shall approve and make publicly available  
10 the HCBS improvement plan for a State after the  
11 plan and such assurances are submitted to the Sec-  
12 retary for approval and the Secretary determines the  
13 plan meets the requirements of subsection (c). A  
14 State may amend its HCBS improvement plan, sub-  
15 ject to the approval of the Secretary that the plan  
16 as so amended meets the requirements of subsection  
17 (c). The Secretary may withhold or recoup funds  
18 provided under this section to a State or pursuant  
19 to section 1905(jj) of the Social Security Act, as  
20 added by section 30713, if the State fails to imple-  
21 ment the HCBS improvement plan of the State or  
22 meet applicable deadlines under this section.

1 **SEC. 30713. HCBS IMPROVEMENT PROGRAM.**

2 (a) INCREASED FMAP FOR HCBS PROGRAM IM-  
3 PROVEMENT STATES.—Section 1905 of the Social Secu-  
4 rity Act (42 U.S.C. 1396d) is amended—

5 (1) in subsection (b), by striking “and (ii)” and  
6 inserting “(ii), and (jj)”; and

7 (2) by adding at the end the following new sub-  
8 section:

9 “(jj) ADDITIONAL SUPPORT FOR HCBS PROGRAM  
10 IMPROVEMENT STATES.—

11 “(1) IN GENERAL.—

12 “(A) ADDITIONAL SUPPORT.—Subject to  
13 paragraph (5), in the case of a State that is an  
14 HCBS program improvement State, for each  
15 fiscal quarter that begins on or after the first  
16 date on which the State is an HCBS program  
17 improvement State—

18 “(i) and for which the State meets the  
19 requirements described in paragraphs (2)  
20 and (4), notwithstanding subsection (b) or  
21 (ff), subject to subparagraph (B), with re-  
22 spect to amounts expended during the  
23 quarter by such State for medical assist-  
24 ance for home and community-based serv-  
25 ices, the Federal medical assistance per-  
26 centage for such State and quarter (as de-



1           terminated for the State under subsection  
2           (b) and, if applicable, increased under sub-  
3           section (y), (z), (aa), or (ii), or section  
4           6008(a) of the Families First Coronavirus  
5           Response Act) shall be increased by 7 per-  
6           centage points; and

7                   “(ii) with respect to the State meeting  
8           the requirements described in paragraphs  
9           (2) and (4), notwithstanding section  
10          1903(a)(7), 1903(a)(3)(F), and 1903(t),  
11          with respect to amounts expended during  
12          the quarter and before October 1, 2031,  
13          for administrative costs for expanding and  
14          enhancing home and community-based  
15          services, including for enhancing Medicaid  
16          data and technology infrastructure, modi-  
17          fying rate setting processes, adopting or  
18          improving training programs for direct  
19          care workers and family caregivers, and  
20          adopting, carrying out, or enhancing pro-  
21          grams that register direct care workers or  
22          connect beneficiaries to direct care work-  
23          ers, the per centum specified in such sec-  
24          tion shall be increased to 80 percent.

1           In no case may the application of clause (i) re-  
2           sult in the Federal medical assistance percent-  
3           age determined for a State being more than 95  
4           percent with respect to such expenditures. In no  
5           case shall the application of clause (ii) result in  
6           a reduction to the per centum otherwise speci-  
7           fied without application of such clause. Any in-  
8           crease pursuant to clause (ii) shall be available  
9           to a State before the State meets the require-  
10          ments of paragraphs (2) and (4).

11                   “(B) ADDITIONAL HCBS IMPROVEMENT  
12                   EFFORTS.—Subject to paragraph (5), in addi-  
13                   tion to the increase to the Federal medical as-  
14                   sistance percentage under subparagraph (A)(i)  
15                   for amounts expended during a quarter for  
16                   medical assistance for home and community-  
17                   based services by an HCBS program improve-  
18                   ment State that meets the requirements of  
19                   paragraphs (2) and (4) for the quarter, the  
20                   Federal medical assistance percentage for  
21                   amounts expended by the State during the  
22                   quarter for medical assistance for home and  
23                   community-based services shall be further in-  
24                   creased by 2 percentage points (but not to ex-  
25                   ceed 95 percent) during the first 8 fiscal quar-

1           ters throughout which the State has imple-  
2           mented and has in effect a program to support  
3           self-directed care that meets the requirements  
4           of paragraph (3).

5           “(C) NONAPPLICATION OF TERRITORIAL  
6           FUNDING CAPS.—Any payment made to Puerto  
7           Rico, the Virgin Islands, Guam, the Northern  
8           Mariana Islands, or American Samoa for ex-  
9           penditures that are subject to an increase in the  
10          Federal medical assistance percentage under  
11          subparagraph (A)(i) or (B), or an increase in  
12          an applicable Federal matching percentage  
13          under subparagraph (A)(ii), shall not be taken  
14          into account for purposes of applying payment  
15          limits under subsections (f) and (g) of section  
16          1108.

17          “(D) NONAPPLICATION TO CHIP EFMAP.—  
18          Any increase described in subparagraph (A) (or  
19          payment made for expenditures on medical as-  
20          sistance that are subject to such increase) shall  
21          not be taken into account in calculating the en-  
22          hanced FMAP of a State under section 2105.

23          “(2) REQUIREMENTS.—As conditions for re-  
24          ceipt of the increase under paragraph (1) to the  
25          Federal medical assistance percentage determined

1 for a State, with respect to a fiscal year quarter, the  
2 State shall meet each of the following requirements:

3 “(A) NONSUPPLANTATION.—The State  
4 uses the Federal funds attributable to the in-  
5 crease in the Federal medical assistance per-  
6 centage for amounts expended during a quarter  
7 for medical assistance for home and commu-  
8 nity-based services under subparagraphs (A)  
9 and, if applicable, (B) of paragraph (1) to sup-  
10 plement, and not supplant, the level of State  
11 funds expended for home and community-based  
12 services for eligible individuals through pro-  
13 grams in effect as of the date the State is  
14 awarded a planning grant under section 30712  
15 of the Act titled ‘An Act to provide for rec-  
16 onciliation pursuant to title II of S. Con. Res.  
17 14’. In applying this subparagraph, the Sec-  
18 retary shall provide that a State shall have a 3-  
19 year period to spend any accumulated unspent  
20 State funds attributable to the increase de-  
21 scribed in clause (i) in the Federal medical as-  
22 sistance percentage.

23 “(B) MAINTENANCE OF EFFORT.—

24 “(i) IN GENERAL.—The State does  
25 not—

1                   “(I) reduce the amount, dura-  
2                   tion, or scope of home and commu-  
3                   nity-based services available under the  
4                   State plan or waiver (relative to the  
5                   home and community-based services  
6                   available under the plan or waiver as  
7                   of the date on which the State was  
8                   awarded a planning grant under sec-  
9                   tion 30712 of the Act titled ‘An Act  
10                  to provide for reconciliation pursuant  
11                  to title II of S. Con. Res. 14’;

12                  “(II) reduce payment rates for  
13                  home and community-based services  
14                  lower than such rates that were in  
15                  place as of the date described in sub-  
16                  clause (I), including, to the extent ap-  
17                  plicable, payment rates for such serv-  
18                  ices that are included in managed  
19                  care capitation rates; or

20                  “(III) except to the extent per-  
21                  mitted under clause (ii), adopt more  
22                  restrictive standards, methodologies,  
23                  or procedures for determining eligi-  
24                  bility, benefits, or services for receipt  
25                  of home and community-based serv-

1                   ices, including with respect to cost-  
2                   sharing, than the standards, meth-  
3                   odologies, or procedures applicable as  
4                   of such date.

5                   “(ii) FLEXIBILITY TO SUPPORT INNO-  
6                   VATIVE MODELS.—A State may make  
7                   modifications that would otherwise violate  
8                   the maintenance of effort described in  
9                   clause (i) if the State demonstrates to the  
10                  satisfaction of the Secretary that such  
11                  modifications shall not result in—

12                   “(I) home and community-based  
13                   services that are less comprehensive  
14                   or lower in amount, duration, or  
15                   scope;

16                   “(II) fewer individuals (overall  
17                   and within particular eligibility groups  
18                   and categories) receiving home and  
19                   community-based services; or

20                   “(III) increased cost-sharing for  
21                   home and community-based services.

22                   “(C) ACCESS TO SERVICES.—Not later  
23                   than an implementation date as specified by the  
24                   Secretary after the first day of the first fiscal  
25                   quarter for which a State receives an increase

1 to the Federal medical assistance percentage or  
2 other applicable Federal matching percentage  
3 under paragraph (1), the State does all of the  
4 following to improve access to services:

5 “(i) Reduce access barriers and dis-  
6 parities in access or utilization of home  
7 and community-based services, as de-  
8 scribed in the State HCBS improvement  
9 plan.

10 “(ii) Provides coverage of personal  
11 care services authorized under subsection  
12 (a)(24) for all individuals eligible for med-  
13 ical assistance in the State.

14 “(iii) Provides for navigation of home  
15 and community-based services through ‘no  
16 wrong door’ programs, provides expedited  
17 eligibility for home and community-based  
18 services, and improves home and commu-  
19 nity-based services counseling and edu-  
20 cation programs.

21 “(iv) Expands access to behavioral  
22 health services as defined in the State’s  
23 HCBS improvement plan.

24 “(v) Improves coordination of home  
25 and community-based services with em-

1                   employment, housing, and transportation sup-  
2                   ports.

3                   “(vi) Provides supports to family care-  
4                   givers, such as respite care, caregiver as-  
5                   sessments, peer supports, or paid family  
6                   caregiving.

7                   “(vii) Adopts, expands eligibility for,  
8                   or expands covered items and services pro-  
9                   vided under 1 or more eligibility categories  
10                  authorized under subclause (XIII), (XV),  
11                  or (XVI) of section 1902(a)(10)(A)(ii).

12                  “(D) STRENGTHENED AND EXPANDED  
13                  WORKFORCE.—

14                  “(i) IN GENERAL.—The State  
15                  strengthens and expands the direct care  
16                  workforce that provides home and commu-  
17                  nity-based services by—

18                         “(I) adopting processes to ensure  
19                         that payments for home and commu-  
20                         nity-based services are sufficient to  
21                         ensure that care and services are  
22                         available to the extent described in the  
23                         State HCBS improvement plan; and

24                         “(II) updating qualification  
25                         standards (as appropriate), and devel-



1           oping and adopting training opportu-  
2           nities, for the continuum of providers  
3           of home and community-based serv-  
4           ices, including programs for inde-  
5           pendent providers of such services and  
6           agency direct care workers, as well as  
7           unique programs and resources for  
8           family caregivers.

9           “(ii) PAYMENT RATES.—In carrying  
10          out clause (i)(I), the State shall—

11                 “(I) update and increase, as ap-  
12                 propriate, payment rates for delivery  
13                 of home and community-based serv-  
14                 ices to support the recruitment and  
15                 retention of the direct care workforce;

16                 “(II) review and, if necessary to  
17                 ensure sufficient access to care, in-  
18                 crease payment rates for home and  
19                 community-based services, not less  
20                 frequently than once every 3 years,  
21                 through a transparent process involv-  
22                 ing meaningful input from stake-  
23                 holders, including recipients of home  
24                 and community-based services, family  
25                 caregivers of such recipients, pro-

1                   viders, health plans, direct care work-  
2                   ers, chosen representatives of direct  
3                   care workers, and aging, disability,  
4                   and workforce advocates; and

5                   “(III) ensure that increases in  
6                   the payment rates for home and com-  
7                   munity-based services—

8                   “(aa) at a minimum, results  
9                   in a proportionate increase to  
10                  payments for direct care workers  
11                  and in a manner that is deter-  
12                  mined with input from the stake-  
13                  holders described in subclause  
14                  (II); and

15                  “(bb) incorporate into pro-  
16                  vider payment rates for home  
17                  and community-based services  
18                  provided under this title by a  
19                  managed care entity (as defined  
20                  in section 1932(a)(1)(B)) a pre-  
21                  paid inpatient health plan or pre-  
22                  paid ambulatory health plan, as  
23                  defined in section 438.2 of title  
24                  42, Code of Federal Regulations  
25                  (or any successor regulation)),

1 under a contract and paid  
2 through capitation rates with the  
3 State.

4 “(3) SELF-DIRECTED MODELS FOR THE DELIV-  
5 ERY OF SERVICES.—As conditions for receipt of the  
6 increase under paragraph (1)(B) to the Federal  
7 medical assistance percentage determined for a  
8 State, with respect to a fiscal year quarter, the State  
9 shall establish directly, or by contract with 1 or  
10 more non-profit entities, including an agency with  
11 choice or a similar service delivery model, a program  
12 for the performance of all of the following functions:

13 “(A) Registering qualified direct care  
14 workers and assisting beneficiaries in finding  
15 direct care workers.

16 “(B) Undertaking activities to recruit and  
17 train independent providers to enable bene-  
18 ficiaries to direct their own care, including by  
19 providing or coordinating training for bene-  
20 ficiaries on self-directed care.

21 “(C) Ensuring the safety of, and sup-  
22 porting the quality of, care provided to bene-  
23 ficiaries, such as by conducting background  
24 checks and addressing complaints reported by  
25 recipients of home and community-based serv-

1           ices consistent with Fair Hearing requirements  
2           and prior notice of service reductions, including  
3           under subpart F of part 438 of title 42, Code  
4           of Federal Regulations and section 438.71(d) of  
5           such title.

6           “(D) Facilitating coordination between  
7           State and local agencies and direct care workers  
8           for matters of public health, training opportuni-  
9           ties, changes in program requirements, work-  
10          place health and safety, or related matters.

11          “(E) Supporting beneficiary hiring, if se-  
12          lected by the beneficiary, of independent pro-  
13          viders of home and community-based services,  
14          including by processing applicable tax informa-  
15          tion, collecting and processing timesheets, sub-  
16          mitting claims and processing payments to such  
17          providers.

18          “(F) To the extent a State permits bene-  
19          ficiaries to hire a family member or individual  
20          with whom they have an existing relationship to  
21          provide home and community-based service,  
22          providing support to beneficiaries who wish to  
23          hire a caregiver who is a family member or in-  
24          dividual with whom they have an existing rela-  
25          tionship, such as by facilitating enrollment of

1           such family member or individual as a provider  
2           of home and community-based services under  
3           the State plan or a waiver of such plan.

4           “(G) Ensuring that such programs do not  
5           discriminate against labor organizations or  
6           workers who may join or decline to join a labor  
7           organization.

8           “(4) REPORTING AND OVERSIGHT.—As condi-  
9           tions for receipt of the increase under paragraph (1)  
10          to the Federal medical assistance percentage deter-  
11          mined for a State, with respect to a fiscal year quar-  
12          ter, the State shall meet each of the following re-  
13          quirements:

14                 “(A) The State designates (by a date spec-  
15                 ified by the Secretary) an HCBS ombudsman  
16                 office that—

17                         “(i) operates independently from the  
18                         State Medicaid agency and managed care  
19                         entities;

20                         “(ii) provides direct assistance to re-  
21                         cipients of home and community-based  
22                         services available under the State Medicaid  
23                         program and their families; and

1                   “(iii) identifies and reports systemic  
2                   problems to State officials, the public, and  
3                   the Secretary.

4                   “(B) Beginning with the 5th fiscal quarter  
5                   for which the State is an HCBS program im-  
6                   provement State, and annually thereafter, the  
7                   State reports to the Secretary on the state (as  
8                   of the last quarter before the report) of the  
9                   components of the home and community-based  
10                  services landscape described in the State HCBS  
11                  improvement plan, including with respect to—

12                   “(i) the availability and utilization of  
13                   home and community-based services,  
14                   disaggregated (to the extent available and  
15                   as applicable) by age groups, primary dis-  
16                   ability, income brackets, gender, race, eth-  
17                   nicity, geography, primary language, and  
18                   type of service setting;

19                   “(ii) wages, benefits, turnover and va-  
20                   cancy rates for the direct care workforce;

21                   “(iii) changes in payment rates for  
22                   home and community-based services;

23                   “(iv) implementation of the activities  
24                   to strengthen and expand access to home  
25                   and community-based services and the di-

1           rect care workforce that provides such  
2           services in accordance with the require-  
3           ments of subparagraphs (C) and (D) of  
4           paragraph (2);

5           “(v) if applicable, implementation of  
6           the activities described in paragraph (3);

7           “(vi) State expenditures for home and  
8           community-based services under the State  
9           plan or a waiver of such plan as a propor-  
10          tion of the total amount of State expendi-  
11          tures under the plan or waiver of such plan  
12          for long-term services and supports; and

13          “(vii) the challenges in, and best prac-  
14          tices for, expanding access to home and  
15          community-based services, reducing dis-  
16          parities, and supporting and expanding the  
17          direct care workforce.

18          “(5) BENCHMARKS FOR DEMONSTRATING IM-  
19          PROVEMENTS.—An HCBS program improvement  
20          State shall cease to be eligible for an increase in the  
21          Federal medical assistance percentage under para-  
22          graph (1)(A)(i) or (1)(B) or an increase in an appli-  
23          cable Federal matching percentage under paragraph  
24          (1)(A)(ii) at any time or beginning with the 29th fis-  
25          cal quarter that begins on or after the first date on

1       which a State is an HCBS program improvement  
2       State if the State is found to be out of compliance  
3       with paragraph (2)(B) or any other requirement of  
4       this subsection and, beginning with such 29th fiscal  
5       quarter, unless, not later than 90 days before the  
6       first day of such fiscal quarter, the State submits to  
7       the Secretary a report demonstrating the following  
8       improvements:

9               “(A) Increased availability (above a mar-  
10              ginal increase) of home and community-based  
11              services in the State relative to such availability  
12              as reported in the State HCBS improvement  
13              plan and adjusted for demographic changes in  
14              the State since the submission of such plan.

15             “(B) Reduced disparities in the utilization  
16              and availability of home and community-based  
17              services relative to the availability and utiliza-  
18              tion of such services by such populations as re-  
19              ported in such plan according to age groups,  
20              primary disability, income brackets, gender,  
21              race, ethnicity, geography, primary language,  
22              and type of service setting (to the extent avail-  
23              able and applicable), and adjusted for demo-  
24              graphic changes in the State since the submis-  
25              sion of such plan.



1           “(C) Evidence that rates are sufficient to  
2           ensure access to items and services for individ-  
3           uals eligible for HCBS in such State.

4           “(D) With respect to the percentage of ex-  
5           penditures made by the State for long-term  
6           services and supports that are for home and  
7           community-based services, in the case of an  
8           HCBS program improvement State for which  
9           such percentage (as reported in the State  
10          HCBS improvement plan) was—

11           “(i) less than 50 percent, the State  
12          demonstrates that the percentage of such  
13          expenditures has increased to at least 50  
14          percent since the plan was approved; and

15           “(ii) at least 50 percent, the State  
16          demonstrates that such percentage has not  
17          decreased since the plan was approved.

18          “(6) DEFINITIONS.—In this subsection, the  
19          terms ‘State Medicaid plan’, ‘direct care worker’,  
20          ‘HCBS program improvement State’, and ‘home and  
21          community-based services’ have the meaning given  
22          those terms in section 30711 of the Act titled ‘An  
23          Act to provide for reconciliation pursuant to title II  
24          of S. Con. Res. 14’.”.

1 **SEC. 30714. FUNDING FOR TECHNICAL ASSISTANCE AND**  
2 **OTHER ADMINISTRATIVE REQUIREMENTS**  
3 **RELATED TO MEDICAID HCBS.**

4 (a) IN GENERAL.—In addition to amounts otherwise  
5 available, there is appropriated to the Secretary for fiscal  
6 year 2022, out of any money in the Treasury not otherwise  
7 appropriated, \$35,000,000, to remain available until ex-  
8 pended, to carry out the following activities:

9 (1) To prepare and submit to the appropriate  
10 committees of Congress—

11 (A) not later than 4 years after the date  
12 of enactment of this Act, a report that in-  
13 cludes—

14 (i) a description of the HCBS im-  
15 provement plans approved by the Secretary  
16 under section 30712(d);

17 (ii) a description (which may be a  
18 narrative report with examples or other-  
19 wise) of the landscape, at both the national  
20 and State levels, with respect to gaps in  
21 coverage of home and community-based  
22 services, disparities in access to, and utili-  
23 zation of, such services, and barriers to ac-  
24 cessing such services; and

25 (iii) a description of the national land-  
26 scape with respect to the direct care work-

1 force that provides home and community-  
2 based services, including with respect to  
3 wages, benefits, and challenges to the  
4 availability of such workers; and

5 (B) not later than 7 years after the date  
6 of enactment of this Act, and every 3 years  
7 thereafter, a report that includes—

8 (i) the number of HCBS program im-  
9 provement States;

10 (ii) a summary of the progress being  
11 made by such States with respect to  
12 strengthening and expanding access to  
13 home and community-based services and  
14 the direct care workforce that provides  
15 such services and meeting the benchmarks  
16 for demonstrating improvements required  
17 under section 1905(jj)(5) of the Social Se-  
18 curity Act (as added by section 30713);

19 (iii) a summary of States' perform-  
20 ance measures as a part of the home and  
21 community-based services core quality  
22 measures and beneficiary and family care-  
23 giver surveys; and

24 (iv) a summary of the challenges and  
25 best practices reported by States in ex-

1           panding access to home and community-  
2           based services and supporting and expand-  
3           ing the direct care workforce that provides  
4           such services.

5           (2) To provide HCBS program improvement  
6           States with technical assistance related to carrying  
7           out the HCBS improvement plans approved by the  
8           Secretary under section 30712(d) and meeting the  
9           requirements and benchmarks for demonstrating im-  
10          provements required under section 1905(jj) of the  
11          Social Security Act (as added by section 30713),  
12          and to issue such guidance or regulations as nec-  
13          essary to carry out this subtitle and the amendments  
14          made by this subtitle, including guidance specifying  
15          how States shall assess and track access to home  
16          and community-based services over time.

17 **SEC. 30715. FUNDING FOR HCBS QUALITY MEASUREMENT**  
18 **AND IMPROVEMENT.**

19          (a) IN GENERAL.—Title XI of the Social Security Act  
20 (42 U.S.C. 1301 et seq.) is amended—

21           (1) in section 1139A—

22           (A) in subsection (a)(4)(B)—

23           (i) by striking “Beginning with the  
24           annual State report on fiscal year 2024”  
25           and inserting the following:

1                   “(i) IN GENERAL.—Subject to clause  
2                   (ii), beginning with the annual State report  
3                   on fiscal year 2024”; and

4                   (ii) by adding at the end the following  
5                   new clause:

6                   “(ii) REPORTING HCBS QUALITY  
7                   MEASURES.—With respect to reporting on  
8                   information regarding the quality of home  
9                   and community-based services provided to  
10                  children under title XIX, beginning with  
11                  the annual State report for the first fiscal  
12                  year that begins on or after the date that  
13                  is 2 years after the date that the Secretary  
14                  publishes the home and community-based  
15                  services quality measures developed under  
16                  subsection (b)(5)(B) the Secretary shall re-  
17                  quire States to report such information  
18                  using the standardized format for report-  
19                  ing information and procedures developed  
20                  under subparagraph (A) and using such  
21                  home and community-based quality meas-  
22                  ures developed under subsection (b)(5) (in-  
23                  cluding any updates or changes to such  
24                  measures).”;

25                  (B) in subsection (b)(5)—

1 (i) by striking “Beginning no later  
2 than January 1, 2013” and inserting the  
3 following:

4 “(A) IN GENERAL.—Beginning no later  
5 than January 1, 2013”; and

6 (ii) by adding at the end the following  
7 new subparagraph:

8 “(B) HCBS QUALITY MEASURES.—Begin-  
9 ning with the first year that begins on the date  
10 that is 2 years after the date of enactment of  
11 this subparagraph, the core measures described  
12 in subsection (a) (and any updates or changes  
13 to such measures) shall include home and com-  
14 munity-based services quality measures devel-  
15 oped by the Secretary in the manner described  
16 in section 1139B(b)(5)(D). The Secretary may  
17 determine which measures are to be included in  
18 the core set under this section and which in the  
19 core set under section 1139B, based on the dif-  
20 ferences in health care needs for the relevant  
21 populations.”; and

22 (2) in section 1139B—

23 (A) in subsection (b)—

24 (i) in paragraph (3), by adding at the  
25 end the following new subparagraph:

1           “(C) MANDATORY REPORTING WITH RE-  
2           SPECT TO HCBS QUALITY MEASURES.—Begin-  
3           ning with the State report required under sub-  
4           section (d)(1) for the first year that begins on  
5           or after the date that is 2 years after the date  
6           that the Secretary publishes the home and com-  
7           munity-based quality measures developed under  
8           paragraph (5)(D), the Secretary shall require  
9           States to report information, using the stand-  
10          ardized format for reporting information and  
11          procedures developed under subparagraph (A),  
12          regarding the quality of home and community-  
13          based services for Medicaid eligible adults using  
14          either—

15                 “(i) the home and community-based  
16                 services quality measures included in the  
17                 core set of adult health quality measures  
18                 under subparagraph (D), and any updates  
19                 or changes to such measures; or

20                 “(ii) an equivalent alternative set of  
21                 home and community-based services qual-  
22                 ity measures approved by the Secretary.”;  
23                 and

24                 (ii) in paragraph (5), by adding at the  
25                 end the following new subparagraph:

1 “(D) HCBS QUALITY MEASURES.—

2 “(i) IN GENERAL.—Beginning with  
3 respect to State reports required under  
4 subsection (d)(1) for the first year that be-  
5 gins on or after the date that is 2 years  
6 after the date of enactment of this sub-  
7 paragraph, the core set of adult health  
8 quality measures maintained under this  
9 paragraph (and any updates or changes to  
10 such measures) shall include home and  
11 community-based services quality measures  
12 developed in accordance with this subpara-  
13 graph.

14 “(ii) REQUIREMENTS.—

15 “(I) INTERAGENCY COLLABORA-  
16 TION; STAKEHOLDER INPUT.—In de-  
17 veloping (and subsequently reviewing  
18 and updating) the home and commu-  
19 nity-based services quality measures  
20 included in the core set of adult  
21 health quality measures maintained  
22 under this paragraph, the Secretary  
23 shall—

24 “(aa) collaborate with the  
25 Administrator of the Centers for



1 Medicare & Medicaid Services,  
2 the Administrator of the Admin-  
3 istration for Community Living,  
4 the Director of the Agency for  
5 Healthcare Research and Qual-  
6 ity, and the Assistant Secretary  
7 for Mental Health and Substance  
8 Use; and

9 “(bb) ensure that such home  
10 and community-based services  
11 quality measures are informed by  
12 input from stakeholders, includ-  
13 ing recipients of home and com-  
14 munity-based services, family  
15 caregivers of such recipients, pro-  
16 viders, health plans, direct care  
17 workers, chosen representatives  
18 of direct care workers, and aging,  
19 disability, and workforce advo-  
20 cates.

21 “(II) REFLECTIVE OF FULL  
22 ARRAY OF SERVICES.—Such home and  
23 community-based services quality  
24 measures shall—

1                   “(aa) reflect the full array  
2 of home and community-based  
3 services and recipients of such  
4 services; and

5                   “(bb) include—

6                   “(AA) outcomes-based  
7 measures;

8                   “(BB) measures of  
9 availability of services;

10                  “(CC) measures of pro-  
11 vider capacity and avail-  
12 ability;

13                  “(DD) measures re-  
14 lated to person-centered  
15 care;

16                  “(EE) measures spe-  
17 cific to self-directed care;

18                  “(FF) measures related  
19 to transitions to and from  
20 institutional care; and

21                  “(GG) beneficiary and  
22 family caregiver surveys.

23                  “(III) DEMOGRAPHICS.—Such  
24 home and community-based services  
25 quality measures shall allow for the

1 collection, to the extent available, of  
2 data that is disaggregated by age  
3 groups, primary disability, income  
4 brackets, gender, race, ethnicity, geog-  
5 raphy, primary language, and type of  
6 service setting.

7 “(IV) DEFINITIONS.—For pur-  
8 poses of this section and section  
9 1139A, the terms ‘home and commu-  
10 nity-based services’, ‘health plan’; and  
11 ‘direct care worker’ have the mean-  
12 ings given those terms in section  
13 30711 of the Act titled ‘An Act to  
14 provide for reconciliation pursuant to  
15 title II of S. Con. Res. 14’.

16 “(iii) FUNDING.—In addition to  
17 amounts otherwise available, there is ap-  
18 propriated to the Secretary for fiscal year  
19 2022, out of any money in the Treasury  
20 not otherwise appropriated, \$5,000,000, to  
21 remain available until expended, for car-  
22 rying out this subparagraph.”; and

23 (B) in subsection (d)(1)(A), by striking “;  
24 and” and inserting “and, beginning with the re-  
25 port for the first year that begins after the date

1           that is 2 years after the Secretary publishes the  
2           home and community-based quality measures  
3           developed under subsection (b)(5)(D), home  
4           and community-based services quality measures  
5           included in the core set of adult health quality  
6           measures maintained under subsection (b)(5)  
7           and any updates or changes to such measures  
8           or an equivalent alternative set of home and  
9           community-based services quality measures ap-  
10          proved by the Secretary; and”.

11          (b) INCREASED FEDERAL MATCHING RATE FOR  
12          ADOPTION AND REPORTING.—

13               (1) IN GENERAL.—Section 1903(a)(3) of the  
14          Social Security Act (42 U.S.C. 1396b(a)(3)) is  
15          amended—

16                       (A) in subparagraph (F)(ii), by striking  
17                       “plus” after the semicolon and inserting “and”;  
18                       and

19                       (B) by inserting after subparagraph (F),  
20          the following:

21                       “(G) 80 percent of so much of the sums  
22                       expended during such quarter as are attrib-  
23                       utable to the reporting of information regarding  
24                       the quality of home and community-based serv-

1           ices     in     accordance     with     sections  
2           1139A(a)(4)(B)(ii) and 1139B(b)(3)(C); and”.

3           (2) EXEMPTION FROM TERRITORIES’ PAYMENT  
4     LIMITS.—Section 1108(g)(4) of the Social Security  
5     Act is amended by adding at the end the following  
6     new subparagraph:

7                   “(C) ADDITIONAL EXEMPTION RELATING  
8                   TO HCBS QUALITY REPORTING.—Payments  
9                   under section 1903(a)(3)(G) shall not be taken  
10                   into account in applying payment limits under  
11                   subsection (f) and this subsection.”.

12                   **PART 3—OTHER MEDICAID**

13     **SEC. 30721. PERMANENT EXTENSION OF MEDICAID PRO-**  
14                   **TECTIONS AGAINST SPOUSAL IMPOVERISH-**  
15                   **MENT FOR RECIPIENTS OF HOME AND COM-**  
16                   **MUNITY-BASED SERVICES.**

17           Section 1924(h)(1)(A) of the Social Security Act (42  
18     U.S.C. 1396r–5(h)(1)(A)) is amended by striking “(at the  
19     option of the State) is described in section  
20     1902(a)(10)(A)(ii)(VI)” and inserting the following: “is  
21     eligible for medical assistance for home and community-  
22     based services provided under subsection (c), (d), or (i)  
23     of section 1915 or under a waiver approved under section  
24     1115, or who is eligible for such medical assistance by rea-  
25     son of being determined eligible under section

1 1902(a)(10)(C) or by reason of section 1902(f) or other-  
2 wise on the basis of a reduction of income based on costs  
3 incurred for medical or other remedial care, or who is eligi-  
4 ble for medical assistance for home and community-based  
5 attendant services and supports under section 1915(k)”.

6 **SEC. 30722. PERMANENT EXTENSION OF MONEY FOLLOWS**  
7 **THE PERSON REBALANCING DEMONSTRA-**  
8 **TION.**

9 (a) IN GENERAL.—Subsection (h) of section 6071 of  
10 the Deficit Reduction Act of 2005 (42 U.S.C. 1396a note)  
11 is amended—

12 (1) in paragraph (1)—

13 (A) in subparagraph (I), by inserting  
14 “and” after the semicolon;

15 (B) by amending subparagraph (J) to read  
16 as follows:

17 “(J) \$450,000,000 for each fiscal year  
18 after fiscal year 2021.”; and

19 (C) by striking subparagraph (K);

20 (2) in paragraph (2), by striking “September  
21 30, 2023” and inserting “September 30 of the sub-  
22 sequent fiscal year”; and

23 (3) by adding at the end the following new  
24 paragraph:

1           “(3) TECHNICAL ASSISTANCE.—Out of the  
 2           amounts made available under paragraph (1), for  
 3           the 3-year period beginning with fiscal year 2022  
 4           and for each subsequent 3-year period, \$5,000,000  
 5           shall be made available for carrying out subsection  
 6           (f) and (i).”.

7           (b) REDISTRIBUTION OF UNEXPENDED GRANT  
 8           AWARDS.—Subsection (e)(2) of section 6071 of the Deficit  
 9           Reduction Act of 2005 (42 U.S.C. 1396a note) is amended  
 10          by adding at the end the following new sentence: “Any  
 11          portion of a State grant award for a fiscal year under this  
 12          section that is unexpended by the State at the end of the  
 13          fourth succeeding fiscal year shall be rescinded by the Sec-  
 14          retary and added to the appropriation for the fifth suc-  
 15          ceeding fiscal year.”.

16 **SEC. 30723. EXTENDING CONTINUOUS MEDICAID COV-**  
 17                                       **ERAGE FOR PREGNANT AND POSTPARTUM**  
 18                                       **WOMEN.**

19          (a) REQUIRING FULL BENEFITS FOR PREGNANT  
 20          AND POSTPARTUM WOMEN FOR 12-MONTH PERIOD POST  
 21          PREGNANCY.—

22               (1) IN GENERAL.—Paragraph (5) of section  
 23               1902(e) of the Social Security Act (42 U.S.C.  
 24               1396a(e)) is amended—

1 (A) by striking “(5) A woman who” and  
2 inserting “(5)(A) For any fiscal year quarter  
3 with respect to which the amendments made by  
4 section 30723(a)(1)(B) of the Act titled ‘An  
5 Act to provide for reconciliation pursuant to  
6 title II of S. Con. Res. 14’ do not apply (begin-  
7 ning with the first fiscal year quarter beginning  
8 one year after the date of the enactment of  
9 such Act), a woman who”; and

10 (B) by adding at the end the following new  
11 subparagraph:

12 “(B) For any fiscal year quarter (beginning  
13 with the first fiscal year quarter beginning one year  
14 after the date of the enactment of this subpara-  
15 graph), any individual who, while pregnant, is eligi-  
16 ble for and received medical assistance under the  
17 State plan or a waiver of such plan (regardless of  
18 the basis for the individual’s eligibility for medical  
19 assistance and including during a period of retro-  
20 active eligibility under subsection (a)(34)), shall re-  
21 main eligible, notwithstanding section 1916(c)(3) or  
22 any other limitation under this title, for medical as-  
23 sistance through the end of the month in which the  
24 12-month period (beginning on the last day of preg-  
25 nancy of the individual) ends, and such medical as-



1           sistance shall be in accordance with clauses (i) and  
2           (ii) of paragraph (16)(B).”.

3           (2) CONFORMING AMENDMENTS.—Title XIX of  
4           the Social Security Act (42 U.S.C. 1396 et seq.) is  
5           amended—

6                   (A) in section 1902(a)(10), in the matter  
7                   following subparagraph (G), by striking “(VII)  
8                   the medical assistance” and all that follows  
9                   through “, (VIII)” and inserting “(VIII)”;

10                   (B) in section 1902(e)(6), by striking “In  
11                   the case of” and inserting “For any fiscal year  
12                   quarter with respect to which the amendments  
13                   made by section 30723(a)(1)(B) of the Act ti-  
14                   tled ‘An Act to provide for reconciliation pursu-  
15                   ant to title II of S. Con. Res. 14’ do not apply  
16                   (beginning with the first fiscal year quarter be-  
17                   ginning one year after the date of the enact-  
18                   ment of such Act), in the case of”;

19                   (C) in section 1902(l)(1)(A), by striking  
20                   “60-day period” and inserting “12-month pe-  
21                   riod”;

22                   (D) in section 1903(v)(4)(A)—

23                           (i) in clause (i), by striking “60-day  
24                           period” and inserting “12-month period  
25                           (or, for any fiscal year quarter with respect

1 to which the amendments made by section  
2 30723(a)(1)(B) of the Act titled ‘An Act  
3 to provide for reconciliation pursuant to  
4 title II of S. Con. Res. 14’ do not apply  
5 (beginning with the first fiscal year quar-  
6 ter beginning one year after the date of the  
7 enactment of such Act), 60-day period”);  
8 and

9 (ii) in clause (ii), by inserting “and  
10 including an individual to whom section  
11 1902(e)(5)(B) applies, in accordance with  
12 such section, through the end of the month  
13 in which the 12-month period (beginning  
14 on the last day of pregnancy of the indi-  
15 vidual) ends” before the period at the end;  
16 and

17 (E) in section 1905(a), in the 4th sentence  
18 in the matter following paragraph (31), by  
19 striking “60-day period” and inserting “12-  
20 month period (or, for any fiscal year quarter  
21 with respect to which the amendments made by  
22 section 30723(a)(1)(B) of the Act titled ‘An  
23 Act to provide for reconciliation pursuant to  
24 title II of S. Con. Res. 14’ do not apply (begin-  
25 ning with the first fiscal year quarter beginning

1           one year after the date of the enactment of  
2           such Act), 60-day period)”.

3           (b) TRANSITION FROM STATE OPTION.—Section  
4 1902(e)(16)(A) of the Social Security Act (42 U.S.C.  
5 1396a(e)(16)(A)) is amended by striking “At the option  
6 of the State” and inserting “For any fiscal year quarter  
7 with respect to which the amendments made by section  
8 30723(a)(1)(B) of the Act titled ‘An Act to provide for  
9 reconciliation pursuant to title II of S. Con. Res. 14’ do  
10 not apply (beginning with the first fiscal year quarter be-  
11 ginning one year after the date of the enactment of such  
12 Act), at the option of the State”.

13           (c) EFFECTIVE DATE.—

14           (1) IN GENERAL.—Subject to paragraph (2),  
15           the amendments made by this section shall take ef-  
16           fect on the 1st day of the 1st fiscal year quarter  
17           that begins one year after the date of the enactment  
18           of this Act and shall apply with respect to medical  
19           assistance provided on or after such date.

20           (2) EXCEPTION FOR STATE LEGISLATION.—In  
21           the case of a State plan under title XIX of the So-  
22           cial Security Act (42 U.S.C. 1396 et seq.) that the  
23           Secretary of Health and Human Services determines  
24           requires State legislation in order for the plan to  
25           meet any requirement imposed by amendments made

1 by this section, the plan shall not be regarded as  
2 failing to comply with the requirements of such title  
3 solely on the basis of its failure to meet such a re-  
4 quirement before the first day of the first calendar  
5 quarter beginning after the close of the first regular  
6 session of the State legislature that begins after the  
7 date of the enactment of this Act. For purposes of  
8 the previous sentence, in the case of a State that has  
9 a 2-year legislative session, each year of the session  
10 shall be considered to be a separate regular session  
11 of the State legislature.

12 **SEC. 30724. PROVIDING FOR 1 YEAR OF CONTINUOUS ELIGI-**  
13 **BILITY FOR CHILDREN UNDER THE MED-**  
14 **ICAID PROGRAM.**

15 (a) IN GENERAL.—Section 1902(e) of the Social Se-  
16 curity Act (42 U.S.C. 1396a(e)) is amended—

17 (1) in paragraph (12), by inserting “before the  
18 date of the enactment of paragraph (17)” after  
19 “subsection (a)(10)(A)”.

20 (2) by adding at the end following new para-  
21 graph:

22 “(17) 1 YEAR OF CONTINUOUS ELIGIBILITY FOR  
23 CHILDREN.—The State plan (or waiver of such  
24 State plan) shall provide that an individual who is  
25 under the age of 19 and who is determined to be eli-

1           gible for benefits under a State plan approved under  
2           subsection (a)(10)(A) shall remain eligible for such  
3           benefits until the earlier of—

4                   “(A) the end of the 12-month period begin-  
5                   ning on the date of such determination;

6                   “(B) the time that such individual attains  
7                   the age of 19; or

8                   “(C) the date that such individual ceases  
9                   to be a resident of such State.”.

10          (b) EFFECTIVE DATE.—

11               (1) IN GENERAL.—Subject to paragraph (2),  
12               the amendments made by subsection (a)(2) shall  
13               apply with respect to eligibility determinations or re-  
14               determinations made on or after the date of the en-  
15               actment of this Act.

16               (2) EXCEPTION FOR STATE LEGISLATION.—In  
17               the case of a State plan under title XIX of the So-  
18               cial Security Act (42 U.S.C. 1396 et seq.) that the  
19               Secretary of Health and Human Services determines  
20               requires State legislation in order for the plan to  
21               meet any requirement imposed by amendments made  
22               under subsection (a)(2), the plan shall not be re-  
23               garded as failing to comply with the requirements of  
24               such title solely on the basis of its failure to meet  
25               such a requirement before the first day of the first

1 calendar quarter beginning after the close of the  
2 first regular session of the State legislature that be-  
3 gins after the date of the enactment of this Act. For  
4 purposes of the previous sentence, in the case of a  
5 State that has a 2-year legislative session, each year  
6 of the session shall be considered to be a separate  
7 regular session of the State legislature.

8 **SEC. 30725. ALLOWING FOR MEDICAL ASSISTANCE UNDER**  
9 **MEDICAID FOR INMATES DURING 30-DAY PE-**  
10 **RIOD PRECEDING RELEASE.**

11 The subdivision (A) following paragraph (31) of sec-  
12 tion 1905(a) of the Social Security Act (42 U.S.C.  
13 1396d(a)) is amended by inserting “and, beginning on the  
14 first day of the first fiscal year quarter that begins one  
15 year after the date of the enactment of the Act titled ‘An  
16 Act to provide for reconciliation pursuant to title II of S.  
17 Con. Res. 14’, except during the 30-day period preceding  
18 the date of release of such individual from such public in-  
19 stitution” after “medical institution”.

20 **SEC. 30726. EXTENSION OF CERTAIN PROVISIONS.**

21 (b) EXPRESS LANE ELIGIBILITY OPTION.—Section  
22 1902(e)(13) of the Social Security Act (42 U.S.C.  
23 1396a(e)(13)) is amended by striking subparagraph (I).

24 (c) CONFORMING AMENDMENTS FOR ASSURANCE OF  
25 AFFORDABILITY STANDARD FOR CHILDREN AND FAMI-

1 LIES.—Section 1902(gg)(2) of the Social Security Act (42  
2 U.S.C. 1396a(gg)(2)) is amended—

3 (1) in the paragraph heading, by striking  
4 “THROUGH SEPTEMBER 30, 2027”; and

5 (2) by striking “through September 30” and all  
6 that follows through “ends on September 30, 2027”  
7 and inserting “(but beginning on October 1, 2019,”.

8 **Subtitle H—Children’s Health**  
9 **Insurance Program**

10 **SEC. 30801. PERMANENT EXTENSION OF CHILDREN’S**  
11 **HEALTH INSURANCE PROGRAM.**

12 (a) IN GENERAL.—Section 2104(a)(28) of the Social  
13 Security Act (42 U.S.C. 1397dd(a)(28)) is amended to  
14 read as follows:

15 “(28) for fiscal year 2027 and each subsequent  
16 year, such sums as are necessary to fund allotments  
17 to States under subsection (m).”.

18 (b) ALLOTMENTS.—

19 (1) IN GENERAL.—Section 2104(m) of the So-  
20 cial Security Act (42 U.S.C. 1397dd(m)) is amend-  
21 ed—

22 (A) in paragraph (2)(B)(i), by striking “,  
23 2023, and 2027” and inserting “and 2023”;

24 (B) in paragraph (5)—

1 (i) by striking “(10), or (11)” and in-  
2 serting “or (10)”;

3 (ii) by striking “for a fiscal year” and  
4 inserting “for a fiscal year before 2027”;  
5 and

6 (iii) by striking “2023, or 2027” and  
7 inserting “or 2023”;

8 (C) in paragraph (7)—

9 (i) in subparagraph (A), by striking  
10 “and ending with fiscal year 2027,”; and

11 (ii) in the flush left matter at the end,  
12 by striking “or fiscal year 2026” and in-  
13 serting “fiscal year 2026, or a subsequent  
14 even-numbered fiscal year”;

15 (D) in paragraph (9)—

16 (i) by striking “(10), or (11)” and in-  
17 serting “or (10)”;

18 (ii) by striking “2023, or 2027,” and  
19 inserting “or 2023”;

20 (E) by striking paragraph (11).

21 (2) CONFORMING AMENDMENT.—Section  
22 50101(b)(2) of the Bipartisan Budget Act of 2018  
23 (Public Law 115–123) is repealed.



1 **SEC. 30802. PERMANENT EXTENSIONS OF OTHER PRO-**  
2 **GRAMS AND DEMONSTRATION PROJECTS.**

3 (a) PEDIATRIC QUALITY MEASURES PROGRAM.—  
4 Section 1139A(i)(1) of the Social Security Act (42 U.S.C.  
5 1320b–9a(i)(1)) is amended—

6 (1) in subparagraph (C), by striking at the end  
7 “and”;

8 (2) in subparagraph (D), by striking the period  
9 at the end and insert a semicolon; and

10 (3) by adding at the end the following new sub-  
11 paragraphs:

12 “(E) for fiscal year 2028, \$15,000,000 for  
13 the purpose of carrying out this section (other  
14 than subsections (e), (f), and (g)); and

15 “(F) for a subsequent fiscal year, the  
16 amount appropriated under this paragraph for  
17 the previous fiscal year, increased by the per-  
18 centage increase in the consumer price index for  
19 all urban consumers (all items; United States  
20 city average) over such previous fiscal year, for  
21 the purpose of carrying out this section (other  
22 than subsections (e), (f), and (g)).”

23 (b) ASSURANCE OF AFFORDABILITY STANDARD FOR  
24 CHILDREN AND FAMILIES.—Section 2105(d)(3) of the  
25 Social Security Act (42 U.S.C. 1397ee(d)(3)) is amend-  
26 ed—

1           (1) in the paragraph heading, by striking  
2           “THROUGH SEPTEMBER 30, 2027”; and

3           (2) in subparagraph (A)—

4           (A) in the matter preceding clause (i)—

5           (i) by striking “During the period  
6           that begins on the date of enactment of  
7           the Patient Protection and Affordable Care  
8           Act and ends on September 30, 2027” and  
9           inserting “Beginning on the date of the en-  
10          actment of the Patient Protection and Af-  
11          fordable Care Act”;

12          (ii) by striking “During the period  
13          that begins on October 1, 2019, and ends  
14          on September 30, 2027” and inserting  
15          “Beginning on October 1, 2019”; and

16          (iii) by striking “The preceding sen-  
17          tences shall not be construed as preventing  
18          a State during any such periods from” and  
19          inserting “The preceding sentences shall  
20          not be construed as preventing a State  
21          from”;

22          (B) in clause (i), by striking the semicolon  
23          at the end and inserting a period;

24          (C) by striking clauses (ii) and (iii); and

1 (D) by striking “periods from” and all that  
2 follows through “applying eligibility standards”  
3 and inserting “periods from applying eligibility  
4 standards”.

5 (c) QUALIFYING STATES OPTION.—Section  
6 2105(g)(4) of the Social Security Act (42 U.S.C.  
7 1397ee(g)(4)) is amended—

8 (1) in the paragraph heading, by striking “FOR  
9 FISCAL YEARS 2009 THROUGH 2027” and inserting  
10 “AFTER FISCAL YEAR 2008”; and

11 (2) in subparagraph (A), by striking “for any  
12 of fiscal years 2009 through 2027” and inserting  
13 “for any fiscal year after fiscal year 2008”.

14 (d) OUTREACH AND ENROLLMENT PROGRAM.—Sec-  
15 tion 2113 of the Social Security Act (42 U.S.C. 1397mm)  
16 is amended—

17 (1) in subsection (a)—

18 (A) in paragraph (1), by striking “during  
19 the period of fiscal years 2009 through 2027”  
20 and inserting “, beginning with fiscal year  
21 2009,”;

22 (B) in paragraph (2)—

23 (i) by striking “10 percent of such  
24 amounts” and inserting “10 percent of  
25 such amounts for the period or the fiscal

1           year for which such amounts are appro-  
2           priated”; and

3                   (ii) by striking “during such period”  
4           and inserting “, during such period or such  
5           fiscal year,”; and

6           (C) in paragraph (3), by striking “For the  
7           period of fiscal years 2024 through 2027, an  
8           amount equal to 10 percent of such amounts”  
9           and inserting “Beginning with fiscal year 2024,  
10          an amount equal to 10 percent of such amounts  
11          for the period or the fiscal year for which such  
12          amounts are appropriated”; and

13          (2) in subsection (g)—

14                  (A) by striking “2017,,” and inserting  
15          “2017,”;

16                  (B) by striking “and \$48,000,000” and in-  
17          serting “\$48,000,000”; and

18                  (C) by inserting after “through 2027” the  
19          following: “, \$60,000,000 for fiscal years 2028,  
20          2029, and 2020, for each 3 fiscal years after  
21          fiscal year 2030, the amount appropriated  
22          under this subsection for the previous fiscal  
23          year, increased by the percentage increase in  
24          the consumer price index for all urban con-

1           sumers (all items; United States city average)  
2           over such previous fiscal year”.

3           (e) CHILD ENROLLMENT CONTINGENCY FUND.—

4 Section 2104(n) of the Social Security Act (42 U.S.C.  
5 1397dd(n)) is amended—

6           (1) in paragraph (2)—

7                 (A) in subparagraph (A)(ii)—

8                         (i) by striking “and 2024 through  
9                         2026” and inserting “beginning with fiscal  
10                         year 2024”; and

11                        (ii) by striking “2023, and 2027” and  
12                        inserting “and 2023”; and

13                 (B) in subparagraph (B)—

14                         (i) by striking “2024 through 2026”  
15                         and inserting “beginning with fiscal year  
16                         2024”; and

17                        (ii) by striking “2023, and 2027” and  
18                        inserting “and 2023”; and

19           (2) in paragraph (3)(A)—

20                 (A) by striking “fiscal years 2024 through  
21                 2026” and inserting “fiscal year 2024 or any  
22                 subsequent fiscal year”; and

23                 (B) by striking “2023, or 2027” and in-  
24                 serting “or 2023”.

1 **SEC. 30803. STATE OPTION TO INCREASE CHILDREN'S ELI-**  
2 **GIBILITY FOR MEDICAID AND CHIP.**

3 (a) IN GENERAL.—Section 2110(b)(1)(B)(ii) of the  
4 Social Security Act (42 U.S.C. 1397jj(b)(1)(B)(ii)) is  
5 amended—

6 (1) in subclause (II), by striking “or” at the  
7 end;

8 (2) in subclause (III), by striking “and” at the  
9 end and inserting “or”; and

10 (3) by inserting after subclause (III) the fol-  
11 lowing new subclause:

12 “(IV) at the option of the State,  
13 whose family income exceeds the maximum  
14 income level otherwise established for chil-  
15 dren under the State child health plan as  
16 of the date of the enactment of this sub-  
17 clause; and”.

18 (b) TREATMENT OF TERRITORIES.—Section  
19 2104(m)(7) of the Social Security Act (42 U.S.C.  
20 1397dd(m)(7)) is amended—

21 (1) in the matter preceding subparagraph (A),  
22 by striking “the 50 States or the District of Colum-  
23 bia” and inserting “a State (including the District  
24 of Columbia and each commonwealth and terri-  
25 tory)”;

1           (2) in subparagraph (B)(ii), by striking “or  
2     District”; and

3           (3) in the matter following subparagraph (B),  
4     by striking each place it occurs “or District”.

5     **SEC. 30804. EXTENDING CONTINUOUS CHIP COVERAGE FOR**  
6           **PREGNANT AND POSTPARTUM WOMEN.**

7           (a) REQUIRING FULL BENEFITS FOR PREGNANT  
8     AND POSTPARTUM WOMEN FOR 12-MONTH PERIOD POST  
9     PREGNANCY.—

10           (1) IN GENERAL.—Section 2107(e)(1)(J) of the  
11     Social Security Act (42 U.S.C. 1397gg(e)(1)(J)) is  
12     amended—

13           (A) by striking “Paragraphs (5) and (16)”  
14     and inserting “(I) For any fiscal year quarter  
15     with respect to which the amendments made by  
16     section 30804(a)(1)(B) of the Act titled ‘An  
17     Act to provide for reconciliation pursuant to  
18     title II of S. Con. Res. 14’ do not apply (begin-  
19     ning with the first fiscal year quarter beginning  
20     one year after the date of the enactment of  
21     such Act), paragraphs (5)(A) and (16)”;

22           (B) by adding at the end the following new  
23     clause:

24           “(ii) For any fiscal year quarter (beginning  
25     with the first fiscal year quarter beginning one

1           year after the date of the enactment of this  
2           clause), section 1902(e)(5)(B) (requiring, not-  
3           withstanding section 2103(e)(3)(C)(ii)(I) or any  
4           other limitation under this title, continuous cov-  
5           erage for pregnant and postpartum individuals,  
6           including 12 months postpartum, of medical as-  
7           sistance) if the State provides child health as-  
8           sistance for targeted low-income children who  
9           are pregnant or to targeted low-income preg-  
10          nant women, under the State child health plan  
11          or waiver, including coverage of all items or  
12          services provided to a targeted low-income child  
13          or targeted low-income pregnant woman (as ap-  
14          plicable) under the State child health plan or  
15          waiver).”.

16           (2) CONFORMING AMENDMENTS.—Section 2112  
17          of the Social Security Act (42 U.S.C. 1397ll) is  
18          amended—

19                   (A) in subsection (d)—

20                           (i) in paragraph (1), by inserting  
21                           “and includes, through application of sec-  
22                           tion 1902(e)(5)(B) pursuant to section  
23                           2107(e)(1)(J)(ii), continuous coverage for  
24                           pregnant and postpartum individuals, in-



1 cluding 12 months postpartum of assist-  
2 ance” before the period at the end; and

3 (ii) in paragraph (2), by striking “60-  
4 day period” and all that follows through  
5 “ends” and inserting “12-month period  
6 (or, for any fiscal year quarter with respect  
7 to which the amendments made by section  
8 30804(a)(1)(B) of the Act titled ‘An Act  
9 to provide for reconciliation pursuant to  
10 title II of S. Con. Res. 14’ do not apply  
11 (beginning with the first fiscal year quar-  
12 ter beginning one year after the date of the  
13 enactment of such Act), 60-day period)  
14 (beginning on the last day of her preg-  
15 nancy) ends”; and

16 (B) in subsection (f)(2), by striking “60-  
17 day period” and inserting “12-month period  
18 (or, for any fiscal year quarter with respect to  
19 which the amendments made by section  
20 30804(a)(1)(B) of the Act titled ‘An Act to  
21 provide for reconciliation pursuant to title II of  
22 S. Con. Res. 14’ do not apply (beginning with  
23 the first fiscal year quarter beginning one year  
24 after the date of the enactment of such Act),  
25 60-day period)”.

1 (b) EFFECTIVE DATE.—

2 (1) IN GENERAL.—Subject to paragraph (2),  
3 the amendments made by this section shall take ef-  
4 fect on the 1st day of the 1st fiscal year quarter  
5 that begins one year after the date of the enactment  
6 of this Act and shall apply with respect to child  
7 health assistance and pregnancy-related assistance,  
8 as applicable, provided on or after such date.

9 (2) EXCEPTION FOR STATE LEGISLATION.—In  
10 the case of a State child health plan under title XXI  
11 of the Social Security Act (42 U.S.C. 1397aa et  
12 seq.) that the Secretary of Health and Human Serv-  
13 ices determines requires State legislation in order for  
14 the plan to meet any requirement imposed by  
15 amendments made under this section, the plan shall  
16 not be regarded as failing to comply with the re-  
17 quirements of such title solely on the basis of its  
18 failure to meet such a requirement before the first  
19 day of the first calendar quarter beginning after the  
20 close of the first regular session of the State legisla-  
21 ture that begins after the date of the enactment of  
22 this Act. For purposes of the previous sentence, in  
23 the case of a State that has a 2-year legislative ses-  
24 sion, each year of the session shall be considered to  
25 be a separate regular session of the State legislature.

1 **SEC. 30805. PROVIDING FOR 1 YEAR OF CONTINUOUS ELIGI-**  
2 **BILITY FOR CHILDREN UNDER THE CHIL-**  
3 **DREN'S HEALTH INSURANCE PROGRAM.**

4 Section 2107(e)(1) of the Social Security Act (42  
5 U.S.C. 1397gg(e)(1)) is amended—

6 (1) by redesignating subparagraphs (K)  
7 through (T) as subparagraphs (L) through (U), re-  
8 spectively; and

9 (2) by inserting after subparagraph (J) the fol-  
10 lowing new subparagraph:

11 “(K) Section 1902(e)(17) (relating to 1  
12 year of continuous eligibility for children).”.

13 **Subtitle I—Medicare Coverage of**  
14 **Dental, Hearing, and Vision**  
15 **Services**

16 **SEC. 30901. PROVIDING COVERAGE FOR DENTAL AND ORAL**  
17 **HEALTH CARE UNDER THE MEDICARE PRO-**  
18 **GRAM.**

19 (a) **COVERAGE.**—Section 1861(s)(2) of the Social Se-  
20 curity Act (42 U.S.C. 1395x(s)(2)) is amended—

21 (1) in subparagraph (GG), by striking “and”  
22 after the semicolon at the end;

23 (2) in subparagraph (HH), by striking the pe-  
24 riod at the end and adding “; and”; and

25 (3) by adding at the end the following new sub-  
26 paragraph:

1           “(II) dental and oral health services (as defined  
2           in subsection (III));”.

3           (b) DENTAL AND ORAL HEALTH SERVICES DE-  
4 FINED.—Section 1861 of the Social Security Act (42  
5 U.S.C. 1395x) is amended by adding at the end the fol-  
6 lowing new subsection:

7           “(III) DENTAL AND ORAL HEALTH SERVICES.—

8           “(1) IN GENERAL.—The term ‘dental and oral  
9           health services’ means items and services (other  
10           than such items and services for which payment may  
11           be made under part A as inpatient hospital services)  
12           that are furnished during 2028 or a subsequent  
13           year, for which coverage was not provided under  
14           part B as of the date of the enactment of this sub-  
15           section, and that are—

16           “(A) the preventive and screening services  
17           described in paragraph (2) furnished by a doc-  
18           tor of dental surgery or of dental medicine (as  
19           described in subsection (r)(2)) or an oral health  
20           professional (as defined in paragraph (4)); or

21           “(B) the basic treatments specified for  
22           such year by the Secretary pursuant to para-  
23           graph (3)(A) and the major treatments speci-  
24           fied for such year by the Secretary pursuant to

1 paragraph (3)(B) furnished by such a doctor or  
2 such a professional.

3 “(2) PREVENTIVE AND SCREENING SERV-  
4 ICES.—The preventive and screening services de-  
5 scribed in this paragraph are the following:

6 “(A) Oral exams.

7 “(B) Dental cleanings.

8 “(C) Dental x-rays performed in the office  
9 of a doctor or professional described in para-  
10 graph (1)(A).

11 “(D) Fluoride treatments.

12 “(3) BASIC AND MAJOR TREATMENTS.—For  
13 2028 and each subsequent year, the Secretary shall  
14 specify—

15 “(A) basic treatments (which may include  
16 basic tooth restorations, basic periodontal serv-  
17 ices, tooth extractions, and oral disease man-  
18 agement services); and

19 “(B) major treatments (which may include  
20 major tooth restorations, major periodontal  
21 services, bridges, crowns, and root canals);

22 that shall be included as dental and oral health serv-  
23 ices for such year.

24 “(4) ORAL HEALTH PROFESSIONAL.—The term  
25 ‘oral health professional’ means, with respect to den-

1       tal and oral health services, a health professional  
2       (other than a doctor of dental surgery or of dental  
3       medicine (as described in subsection (r)(2))) who is  
4       licensed to furnish such services, acting within the  
5       scope of such license, by the State in which such  
6       services are furnished.”.

7       (c) PAYMENT; COINSURANCE; AND LIMITATIONS.—

8           (1) IN GENERAL.—Section 1833(a)(1) of the  
9       Social Security Act (42 U.S.C. 1395l(a)(1)), as  
10      amended by section 30511(b), is further amended—

11           (A) in subparagraph (N), by inserting  
12           “and dental and oral health services (as defined  
13           in section 1861(III))” after “section  
14           1861(hhh)(1)”;

15           (B) by striking “and” before “(EE)”; and

16           (C) by inserting before the semicolon at  
17           the end the following: “and (FF) with respect  
18           to dental and oral health services (as defined in  
19           section 1861(III)), the amount paid shall be the  
20           payment amount specified under section  
21           1834(z)”.

22           (2) PAYMENT AND LIMITS SPECIFIED.—Section  
23       1834 of the Social Security Act (42 U.S.C. 1395m)  
24       is amended by adding at the end the following new  
25       subsection:

1           “(z) PAYMENT AND LIMITS FOR DENTAL AND ORAL  
2 HEALTH SERVICES.—

3           “(1) IN GENERAL.—The payment amount  
4 under this part for dental and oral health services  
5 (as defined in section 1861(III)) shall be, subject to  
6 paragraph (3), the applicable percent (specified in  
7 paragraph (2)) of the lesser of—

8                   “(A) the actual charge for the service; or

9                   “(B) the amount determined under the  
10 payment basis determined under section 1848  
11 for the service, or, in lieu of such amount, if de-  
12 termined appropriate by the Secretary, an  
13 amount specified by the Secretary for such  
14 service under a fee schedule determined appro-  
15 priate by the Secretary, taking into account fee  
16 schedules for such services—

17                   “(i) under the TRICARE program  
18 under chapter 55 of title 10 of the United  
19 States Code;

20                   “(ii) under the health insurance pro-  
21 gram under chapter 89 of title 5 of such  
22 Code;

23                   “(iii) under State plans (or waivers of  
24 such plans) under title XIX;

1 “(iv) under Medicare Advantage plans  
2 under part C;

3 “(v) established by the Secretary of  
4 Veterans Affairs; and

5 “(vi) established by other health care  
6 payers.

7 “(2) APPLICABLE PERCENT.—For purposes of  
8 paragraph (1), the applicable percent specified in  
9 this paragraph is, with respect to dental and oral  
10 health services (as defined in section 1861(l)) fur-  
11 nished in a year—

12 “(A) that are preventive and screening  
13 services described in paragraph (2) or basic  
14 treatments specified for such year pursuant to  
15 paragraph (3)(A) of such section, 80 percent;  
16 and

17 “(B) that are major treatments specified  
18 for such year pursuant to paragraph (3)(B) of  
19 such section—

20 “(i) in the case such services are fur-  
21 nished during 2028, 10 percent;

22 “(ii) in the case such services are fur-  
23 nished during 2029 or a subsequent year  
24 before 2032, the applicable percent speci-  
25 fied under this subparagraph for the pre-



1           vious year, increased by 10 percentage  
2           points; and

3                   “(iii) in the case such services are fur-  
4           nished during 2032 or a subsequent year,  
5           50 percent.

6           “(3) LIMITATIONS.—With respect to dental and  
7           oral health services that are—

8                   “(A) preventive and screening oral exams,  
9           payment may be made under this part for not  
10          more than two such exams during a 12-month  
11          period;

12                   “(B) dental cleanings, payment may be  
13          made under this part for not more than two  
14          such cleanings during a 12-month period; and

15                   “(C) not described in subparagraph (A) or  
16          (B), payment may be made under this part only  
17          at such frequencies and under such cir-  
18          cumstances determined appropriate by the Sec-  
19          retary.

20           “(4) USE OF BUNDLED PAYMENTS.—The Sec-  
21          retary may make payment for dentures and associ-  
22          ated professional services, and for any other dental  
23          and oral health services, as bundled payments as the  
24          Secretary determines appropriate.

1           “(5) LIMITATION ON JUDICIAL REVIEW.—There  
2 shall be no administrative or judicial review under  
3 section 1869 or otherwise of—

4           “(A) the determination of payment  
5 amounts under this subsection for dental and  
6 oral health services and under subsection (h)(6)  
7 or subsection (z)(4) for dentures;

8           “(B) the determination of what services  
9 are basic and major services under subpara-  
10 graphs (A) and (B) of section 1861(III)(3); or

11           “(C) the determination of the frequency  
12 and circumstance limitations for dental and oral  
13 health services under paragraph (3)(C).”.

14 (d) PAYMENT UNDER PHYSICIAN FEE SCHEDULE.—

15           (1) IN GENERAL.—Section 1848(j)(3) of the  
16 Social Security Act (42 U.S.C. 1395w-4(j)(3)) is  
17 amended by inserting “(2)(II),” before “(3)”.

18           (2) EXCLUSION FROM MIPS.—Section  
19 1848(q)(1)(C)(ii) of the Social Security Act (42  
20 U.S.C. 1395w-4(q)(1)(C)(ii)) is amended—

21           (A) in subclause (II), by striking “or” at  
22 the end;

23           (B) in subclause (III), by striking the pe-  
24 riod at the end and inserting “; or”; and

1 (C) by adding at the end the following new  
2 subclause:

3 “(IV) with respect to 2028 and  
4 each subsequent year, is a doctor of  
5 dental surgery or of dental medicine  
6 (as described in section 1861(r)(2)) or  
7 is an oral health professional (as de-  
8 fined in section 1861(lll)(4)).”.

9 (3) INCLUSION OF ORAL HEALTH PROFES-  
10 SIONALS AS CERTAIN PRACTITIONERS.—Section  
11 1842(b)(18)(C) of the Social Security Act (42  
12 U.S.C. 1395u(b)(18)(C)) is amended by adding at  
13 the end the following new clause:

14 “(vii) With respect to 2028 and each subse-  
15 quent year, an oral health professional (as defined in  
16 section 1861(lll)(4)).”.

17 (e) DENTURES.—

18 (1) IN GENERAL.—Section 1861(s)(8) of the  
19 Social Security Act (42 U.S.C. 1395x(s)(8)) is  
20 amended—

21 (A) by striking “(other than dental)”; and

22 (B) by inserting “and excluding dental, ex-  
23 cept for a full or partial set of dentures (as de-  
24 scribed in section 1834(h)(6)) furnished on or  
25 after January 1, 2028” after “colostomy care”.

1 (2) SPECIAL PAYMENT RULES.—

2 (A) LIMITATIONS.—Section 1834(h) of the  
3 Social Security Act (42 U.S.C. 1395m(h)) is  
4 amended by adding at the end the following  
5 new paragraph:

6 “(6) SPECIAL PAYMENT RULE FOR DEN-  
7 TURES.—Payment may be made under this part  
8 with respect to an individual for dentures—

9 “(A) not more than once during any 5-year  
10 period (except in the case that a doctor de-  
11 scribed in section 1861(III)(1)(A) determines  
12 such dentures do not fit the individual); and

13 “(B) only to the extent that such dentures  
14 are furnished pursuant to a written order of  
15 such a doctor or professional.”.

16 (B) APPLICATION OF COMPETITIVE ACQUI-  
17 SITION.—

18 (i) IN GENERAL.—Section  
19 1834(h)(1)(H) of the Social Security Act  
20 (42 U.S.C. 1395m(h)(1)(H)) is amended—

21 (I) in the subparagraph heading,  
22 by inserting “, DENTURES” after  
23 “ORTHOTICS”;

1 (II) by inserting “, of dentures  
2 described in paragraph (2)(D) of such  
3 section,” after “2011,”; and

4 (III) in clause (i), by inserting “,  
5 such dentures” after “orthotics”.

6 (ii) CONFORMING AMENDMENT.—Sec-  
7 tion 1847(a)(2) of the Social Security Act  
8 (42 U.S.C. 1395w-3(a)(2)) is amended by  
9 adding at the end the following new sub-  
10 paragraph:

11 “(D) DENTURES.—Dentures described in  
12 section 1861(s)(8) for which payment would  
13 otherwise be made under section 1834(h).”.

14 (iii) EXEMPTION OF CERTAIN ITEMS  
15 FROM COMPETITIVE ACQUISITION.—Sec-  
16 tion 1847(a)(7) of the Social Security Act  
17 (42 U.S.C. 1395w-3(a)(7)) is amended by  
18 adding at the end the following new sub-  
19 paragraph:

20 “(C) CERTAIN DENTURES.—Those items  
21 and services described in paragraph (2)(D) if  
22 furnished by a physician or other practitioner  
23 (as defined by the Secretary) to the physician’s  
24 or practitioner’s own patients as part of the

1           physician’s or practitioner’s professional serv-  
2           ice.”.

3           (f) **EXCLUSION MODIFICATIONS.**—Section 1862(a) of  
4 the Social Security Act (42 U.S.C. 1395y(a)) is amend-  
5 ed—

6           (1) in paragraph (1)—

7           (A) in subparagraph (O), by striking  
8           “and” at the end;

9           (B) in subparagraph (P), by striking the  
10           semicolon at the end and inserting “, and”; and

11           (C) by adding at the end the following new  
12           subparagraph:

13           “(Q) in the case of dental and oral health serv-  
14           ices (as defined in section 1861(III)) that are preven-  
15           tive and screening services described in paragraph  
16           (2) of such section, which are furnished more fre-  
17           quently than provided under section 1834(z)(3) or  
18           under circumstances other than circumstances deter-  
19           mined appropriate under subparagraph (C) of such  
20           section;”; and

21           (2) in paragraph (12), by inserting before the  
22           semicolon at the end the following: “and except that  
23           payment may be made under part B for dental and  
24           oral health services that are covered under section

1 1861(s)(2)(II) and for dentures under section  
2 1861(s)(8)”.

3 (g) CERTAIN NON-APPLICATION.—

4 (1) IN GENERAL.—Paragraphs (1) and (4) of  
5 section 1839(a) of the Social Security Act (42  
6 U.S.C. 1395r(a)) are amended by adding at the end  
7 of each such paragraphs the following: “In applying  
8 this paragraph there shall not be taken into account  
9 benefits and administrative costs attributable to the  
10 amendments made by section 30901 (other than  
11 subsection (g)) of the Act titled ‘An Act to provide  
12 for reconciliation pursuant to title II of S. Con. Res.  
13 14’ and the Government contribution under section  
14 1844(a)(5)”.

15 (2) PAYMENT.—Section 1844(a) of such Act  
16 (42 U.S.C. 1395w(a)) is amended—

17 (A) in paragraph (4), by striking the pe-  
18 riod at the end and inserting “; plus”;

19 (B) by adding at the end the following new  
20 paragraph:

21 “(5) a Government contribution equal to the  
22 amount that is estimated to be payable for benefits  
23 and related administrative costs incurred that are  
24 attributable to the amendments made by section  
25 30901 (other than subsection (g)) of the Act titled

1       ‘An Act to provide for reconciliation pursuant to  
2       title II of S. Con. Res. 14’ .’; and

3               (C) in the flush matter at the end, by  
4               striking “paragraph (4)” and inserting “para-  
5               graphs (4) and (5)”.

6       (h) IMPLEMENTATION.—

7               (1) FUNDING.—

8                       (A) IN GENERAL.—In addition to amounts  
9                       otherwise available, the Secretary of Health and  
10                      Human Services (in this subsection referred to  
11                      as the “Secretary”) shall provide for the trans-  
12                      fer from the Federal Supplementary Medical  
13                      Insurance Trust Fund under section 1841 of  
14                      the Social Security Act (42 U.S.C. 1395t) to  
15                      the Centers for Medicare & Medicaid Services  
16                      Program Management Account of—

17                               (i) \$20,000,000 for each of fiscal  
18                               years 2022 through 2028 for purposes of  
19                               implementing the amendments made by  
20                               this section; and

21                               (ii) such sums as determined appro-  
22                               priate by the Secretary for each subse-  
23                               quent fiscal year for purposes of admin-  
24                               istering the provisions of such amend-  
25                               ments.



1 (B) AVAILABILITY AND ADDITIONAL USE  
2 OF FUNDS.—Funds transferred pursuant to  
3 subparagraph (A) shall remain available until  
4 expended and may be used, in addition to the  
5 purpose specified in subparagraph (A)(i), to im-  
6 plement the amendments made by sections  
7 30902 and 30903.

8 (2) ADMINISTRATION.—The Secretary may im-  
9 plement, by program instruction or otherwise, any of  
10 the provisions of, or amendments made by, this sec-  
11 tion.

12 (3) PAPERWORK REDUCTION ACT.—Chapter 35  
13 of title 44, United States Code, shall not apply to  
14 the provisions of, or the amendments made by, this  
15 section.

16 **SEC. 30902. PROVIDING COVERAGE FOR HEARING CARE**  
17 **UNDER THE MEDICARE PROGRAM.**

18 (a) PROVISION OF AURAL REHABILITATION AND  
19 TREATMENT SERVICES BY QUALIFIED AUDIOLOGISTS.—  
20 Section 1861(l)(3) of the Social Security Act (42 U.S.C.  
21 1395x(l)(3)) is amended by inserting “(and, beginning  
22 October 1, 2023, such aural rehabilitation and treatment  
23 services)” after “assessment services”.

24 (b) COVERAGE OF HEARING AIDS.—

1           (1) INCLUSION OF HEARING AIDS AS PROS-  
2           THETIC DEVICES.—Section 1861(s)(8) of the Social  
3           Security Act (42 U.S.C. 1395x(s)(8)) is amended by  
4           inserting “, and including hearing aids (as described  
5           in section 1834(h)(7)) furnished on or after October  
6           1, 2023, to individuals diagnosed with profound or  
7           severe hearing loss” before the semicolon at the end.

8           (2) PAYMENT LIMITATIONS FOR HEARING  
9           AIDS.—Section 1834(h) of the Social Security Act  
10          (42 U.S.C. 1395m(h)), as amended by section  
11          30901(e)(2)(A), is further amended by adding at the  
12          end the following new paragraph:

13                 “(7) LIMITATIONS FOR HEARING AIDS.—

14                         “(A) IN GENERAL.—Payment may be  
15                         made under this part with respect to an indi-  
16                         vidual, with respect to hearing aids furnished  
17                         on or after October 1, 2023—

18                                 “(i) not more than once during a 5-  
19                                 year period;

20                                 “(ii) only for types of such hearing  
21                                 aids that are not over-the-counter hearing  
22                                 aids (as defined in section 520(q)(1) of the  
23                                 Federal Food, Drug, and Cosmetic Act)  
24                                 and that are determined appropriate by  
25                                 the Secretary; and

1                   “(iii) only if furnished pursuant to a  
2                   written order of a physician or qualified  
3                   audiologist (as defined in section  
4                   1861(l)(4)(B)).

5                   “(B) LIMITATION ON JUDICIAL REVIEW.—  
6                   There shall be no administrative or judicial re-  
7                   view under section 1869 or otherwise of—

8                   “(i) the determination of the types of  
9                   hearing aids paid for under subparagraph  
10                  (A)(ii); or

11                  “(ii) the determination of fee schedule  
12                  rates for hearing aids described in this  
13                  paragraph.”.

14                  (3) APPLICATION OF COMPETITIVE ACQUISI-  
15                  TION.—

16                  (A) IN GENERAL.—Section 1834(h)(1)(H)  
17                  of the Social Security Act (42 U.S.C.  
18                  1395m(h)(1)(H)), as amended by section  
19                  30901(e)(2)(B)(i), is further amended—

20                  (i) in the header, by inserting “,  
21                  HEARING AIDS” after “DENTURES”;

22                  (ii) by inserting “, of hearing aids de-  
23                  scribed in paragraph (2)(E) of such sec-  
24                  tion,” after “paragraph (2)(D) of such sec-  
25                  tion”; and

1 (iii) in clause (i), by inserting “, such  
2 hearing aids” after “such dentures”.

3 (B) CONFORMING AMENDMENT.—

4 (i) IN GENERAL.—Section 1847(a)(2)  
5 of the Social Security Act (42 U.S.C.  
6 1395w-3(a)(2)), as amended by section  
7 30901(e)(2)(B)(ii), is further amended by  
8 adding at the end the following new sub-  
9 paragraph:

10 “(E) HEARING AIDS.—Hearing aids de-  
11 scribed in section 1861(s)(8) for which payment  
12 would otherwise be made under section  
13 1834(h).”.

14 (ii) EXEMPTION OF CERTAIN ITEMS  
15 FROM COMPETITIVE ACQUISITION.—Sec-  
16 tion 1847(a)(7) of the Social Security Act  
17 (42 U.S.C. 1395w-3(a)(7)), as amended  
18 by section 30901(e)(2)(B)(iii), is further  
19 amended by adding at the end the fol-  
20 lowing new subparagraph:

21 “(D) CERTAIN HEARING AIDS.—Those  
22 items and services described in paragraph  
23 (2)(E) if furnished by a physician or other  
24 practitioner (as defined by the Secretary) to the  
25 physician’s or practitioner’s own patients as

1 part of the physician’s or practitioner’s profes-  
2 sional service.”.

3 (4) INCLUSION OF AUDIOLOGISTS AS CERTAIN  
4 PRACTITIONERS TO RECEIVE PAYMENT ON AN AS-  
5 SIGNMENT-RELATED BASIS.—Section  
6 1842(b)(18)(C) of the Social Security Act (42  
7 U.S.C. 1395u(b)(18)(C)), as amended by section  
8 30901(d)(4), is further amended by adding at the  
9 end the following new clause:

10 “(viii) Beginning October 1, 2023, a  
11 qualified audiologist (as defined in section  
12 1861(l)(4)(B)).”.

13 (c) EXCLUSION MODIFICATION.—Section 1862(a)(7)  
14 of the Social Security Act (42 U.S.C. 1395y(a)(7)) is  
15 amended by inserting “(except such hearing aids or exami-  
16 nations therefor as described in and otherwise allowed  
17 under section 1861(s)(8))” after “hearing aids or exami-  
18 nations therefor”.

19 (d) CERTAIN NON-APPLICATION.—

20 (1) IN GENERAL.—The last sentence of section  
21 1839(a)(1) of the Social Security Act (42 U.S.C.  
22 1395r(a)(1)), as added by section 30901(g)(1), is  
23 amended by striking “section 30901 (other than  
24 subsection (g))” and inserting “sections 30901

1 (other than subsection (g)), 30902 (other than sub-  
2 section (d))”.

3 (2) PAYMENT.—Paragraph (4) of section  
4 1844(a) of such Act (42 U.S.C. 1395w(a)), as added  
5 by section 30901(g)(2), is amended by striking “sec-  
6 tion 30901 (other than subsection (g))” and insert-  
7 ing “sections 30901 (other than subsection (g)),  
8 30902 (other than subsection (d))”.

9 (e) IMPLEMENTATION.—

10 (1) FUNDING.—

11 (A) IN GENERAL.—In addition to amounts  
12 otherwise available, the Secretary of Health and  
13 Human Services (in this subsection referred to  
14 as the “Secretary”) shall provide for the trans-  
15 fer from the Federal Supplementary Medical  
16 Insurance Trust Fund under section 1841 of  
17 the Social Security Act (42 U.S.C. 1395t) to  
18 the Centers for Medicare & Medicaid Services  
19 Program Management Account of—

20 (i) \$20,000,000 for each of fiscal  
21 years 2022 through 2023 for purposes of  
22 implementing the amendments made by  
23 this section; and

24 (ii) such sums as determined appro-  
25 priate by the Secretary for each subse-

1           quent fiscal year for purposes of admin-  
2           istering the provisions of such amend-  
3           ments.

4           (B) AVAILABILITY AND ADDITIONAL USE  
5           OF FUNDS.—Funds transferred pursuant to  
6           subparagraph (A) shall remain available until  
7           expended and may be used, in addition to the  
8           purpose specified in subparagraph (A)(i), to im-  
9           plement the amendments made by sections  
10          30901 and 30903.

11          (2) ADMINISTRATION.—The Secretary may im-  
12          plement, by program instruction or otherwise, any of  
13          the provisions of, or amendments made by, this sec-  
14          tion.

15          (3) PAPERWORK REDUCTION ACT.—Chapter 35  
16          of title 44, United States Code, shall not apply to  
17          the provisions of, or the amendments made by, this  
18          section.

19   **SEC. 30903. PROVIDING COVERAGE FOR VISION CARE**  
20                   **UNDER THE MEDICARE PROGRAM.**

21          (a) COVERAGE.—Section 1861(s)(2) of the Social Se-  
22          curity Act (42 U.S.C. 1395x(s)(2)), as amended by section  
23          30901(a), is further amended—

24                  (1) in subparagraph (HH), by striking “and”  
25          after the semicolon at the end;

1           (2) in subparagraph (II), by striking the period  
2           at the end and adding “; and”; and

3           (3) by adding at the end the following new sub-  
4           paragraph:

5           “(JJ) vision services (as defined in subsection  
6           (mmm));”.

7           (b) VISION SERVICES DEFINED.—Section 1861 of  
8           the Social Security Act (42 U.S.C. 1395x), as amended  
9           by section 30901(b), is further amended by adding at the  
10          end the following new subsection:

11          “(mmm) VISION SERVICES.—The term ‘vision serv-  
12          ices’ means—

13                 “(1) routine eye examinations to determine the  
14                 refractive state of the eyes, including procedures per-  
15                 formed during the course of such examination; and

16                 “(2) contact lens fitting services;

17                 furnished on or after October 1, 2022, by or under the  
18                 direct supervision of an ophthalmologist or optometrist  
19                 who is legally authorized to furnish such examinations,  
20                 procedures, or fitting services (as applicable) under State  
21                 law (or the State regulatory mechanism provided by State  
22                 law) of the State in which the examinations, procedures,  
23                 or fitting services are furnished.”.

24          (c) PAYMENT LIMITATIONS.—Section 1834 of the  
25          Social Security Act (42 U.S.C. 1395m), as amended by



1 section 30901(c)(2), is further amended by adding at the  
2 end the following new subsection:

3 “(aa) **LIMITATION FOR VISION SERVICES.**—With re-  
4 spect to vision services (as defined in section 1861(mmm))  
5 and an individual, payment may be made under this part  
6 for only 1 routine eye examination described in paragraph  
7 (1) of such section and 1 contact lens fitting service de-  
8 scribed in paragraph (2) of such section during a 2-year  
9 period.”.

10 (d) **PAYMENT UNDER PHYSICIAN FEE SCHEDULE.**—  
11 Section 1848(j)(3) of the Social Security Act (42 U.S.C.  
12 1395w-4(j)(3)), as amended by section 30901(d)(1), is  
13 further amended by inserting “(2)(JJ),” before “(3)”.

14 (e) **COVERAGE OF CONVENTIONAL EYEGLASSES AND**  
15 **CONTACT LENSES.**—

16 (1) **IN GENERAL.**—Section 1861(s)(8) of the  
17 Social Security Act (42 U.S.C. 1395x(s)(8)), as  
18 amended by section 30902(b)(1), is further amended  
19 by striking “, and including one pair of conventional  
20 eyeglasses or contact lenses furnished subsequent to  
21 each cataract surgery with insertion of an intra-  
22 ocular lens” and inserting “, including one pair of  
23 conventional eyeglasses or contact lenses furnished  
24 subsequent to each cataract surgery with insertion  
25 of an intraocular lens, if furnished before October 1,

1       2022, and including conventional eyeglasses or con-  
2       tact lenses (as described in section 1834(h)(8)),  
3       whether or not furnished subsequent to such a sur-  
4       gery, if furnished on or after October 1, 2022”.

5           (2) CONFORMING AMENDMENT.—Section  
6       1842(b)(11)(A) of the Social Security Act (42  
7       U.S.C. 1395u(b)(11)(A)) is amended by inserting  
8       “furnished prior to October 1, 2022,” after “relating  
9       to them,”.

10       (f) SPECIAL PAYMENT RULES FOR EYEGLASSES AND  
11       CONTACT LENSES.—

12           (1) LIMITATIONS.—Section 1834(h) of the So-  
13       cial Security Act (42 U.S.C. 1395m(h)), as amended  
14       by section 30901(e)(2)(A) and section 30902(b)(2),  
15       is further amended by adding at the end the fol-  
16       lowing new paragraph:

17           “(8) PAYMENT LIMITATIONS FOR EYEGLASSES  
18       AND CONTACT LENSES.—

19           “(A) IN GENERAL.—With respect to eye-  
20       glasses and contact lenses furnished to an indi-  
21       vidual on or after October 1, 2022, subject to  
22       subparagraph (B), payment may be made under  
23       this part only—

24           “(i) during a 2-year period, for either  
25       1 pair of eyeglasses (including lenses and

1 frames) or not more than a 2-year supply  
2 of contact lenses;

3 “(ii) with respect to amounts attrib-  
4 utable to the lenses and frames of such a  
5 pair of eyeglasses or amounts attributable  
6 to such a 2-year supply of contact lenses,  
7 in an amount not greater than—

8 “(I) for a pair of eyeglasses fur-  
9 nished in, or a 2-year supply of con-  
10 tact lenses beginning in, 2022—

11 “(aa) \$85 for the lenses of  
12 such pair of eyeglasses and \$85  
13 for the frames of such pair of  
14 eyeglasses; or

15 “(bb) \$85 for such 2-year  
16 supply of contact lenses; and

17 “(II) for the lenses and frames of  
18 a pair of eyeglasses furnished in, or a  
19 2-year supply of contact lenses begin-  
20 ning in, a subsequent year, the dollar  
21 amounts specified under this subpara-  
22 graph for the previous year, increased  
23 by the percentage change in the con-  
24 sumer price index for all urban con-  
25 sumers (United States city average)

1 for the 12-month period ending with  
2 June of the previous year;

3 “(iii) if furnished pursuant to a writ-  
4 ten order of an ophthalmologist or optom-  
5 etrist described in subsection (mmm); and

6 “(iv) if during the 2-year period de-  
7 scribed in clause (i), the individual did not  
8 already receive (as described in subpara-  
9 graph (B)) one pair of conventional eye-  
10 glasses or contact lenses subsequent to a  
11 cataract surgery with insertion of an intra-  
12 ocular lens furnished during such period.

13 “(B) EXCEPTION.—With respect to a 2-  
14 year period described in subparagraph (A)(i), in  
15 the case of an individual who receives cataract  
16 surgery with insertion of an intraocular lens,  
17 notwithstanding subparagraph (A), payment  
18 may be made under this part for one pair of  
19 conventional eyeglasses or contact lenses fur-  
20 nished subsequent to such cataract surgery dur-  
21 ing such period.

22 “(C) LIMITATION ON JUDICIAL REVIEW.—  
23 There shall be no administrative or judicial re-  
24 view under section 1869 or otherwise of—

1                   “(i) the determination of the types of  
2                   eyeglasses and contact lenses covered  
3                   under this paragraph; or

4                   “(ii) the determination of fee schedule  
5                   rates under this subsection for eyeglasses  
6                   and contact lenses.”.

7                   (2) APPLICATION OF COMPETITIVE ACQUISITION.—  
8

9                   (A) IN GENERAL.—Section 1834(h)(1)(H)  
10                  of the Social Security Act (42 U.S.C.  
11                  1395m(h)(1)(H)), as amended by section  
12                  30901(e)(2)(B)(i) and section 30902(b)(3)(A),  
13                  is further amended—

14                  (i) in the header by inserting “, EYE-  
15                  GLASSES, AND CONTACT LENSES” after  
16                  “HEARING AIDS”;

17                  (ii) by inserting “and of eyeglasses  
18                  and contact lenses described in paragraph  
19                  (2)(F) of such section,” after “paragraph  
20                  (2)(E) of such section,”; and

21                  (iii) in clause (i), by inserting “, or  
22                  such eyeglasses and contact lenses” after  
23                  “such hearing aids”.

24                  (B) CONFORMING AMENDMENT.—

1 (i) IN GENERAL.—Section 1847(a)(2)  
2 of the Social Security Act (42 U.S.C.  
3 1395w–3(a)(2)), as amended by section  
4 30901(e)(2)(B)(ii) and section  
5 30902(b)(3)(B)(i), is further amended by  
6 adding at the end the following new sub-  
7 paragraph:

8 “(F) EYEGLASSES AND CONTACT  
9 LENSES.—Eyeglasses and contact lenses de-  
10 scribed in section 1861(s)(8) for which payment  
11 would otherwise be made under section  
12 1834(h).”.

13 (ii) EXEMPTION OF CERTAIN ITEMS  
14 FROM COMPETITIVE ACQUISITION.—Sec-  
15 tion 1847(a)(7) of the Social Security Act  
16 (42 U.S.C. 1395w–3(a)(7)), as amended  
17 by section 30901(e)(2)(B)(iii) and section  
18 30902(b)(3)(B)(ii), is further amended by  
19 adding at the end the following new sub-  
20 paragraph:

21 “(E) CERTAIN EYEGLASSES AND CONTACT  
22 LENSES.—Those items and services described in  
23 paragraph (2)(F) if furnished by a physician or  
24 other practitioner (as defined by the Secretary)  
25 to the physician’s or practitioner’s own patients

1 as part of the physician’s or practitioner’s pro-  
2 fessional service.”.

3 (g) EXCLUSION MODIFICATIONS.—Section 1862(a)  
4 of the Social Security Act (42 U.S.C. 1395y(a)), as  
5 amended by section 30901(f), is further amended—

6 (1) in paragraph (1)—

7 (A) in subparagraph (P), by striking  
8 “and” at the end;

9 (B) in subparagraph (Q), by striking the  
10 semicolon at the end and inserting “, and”; and

11 (C) by adding at the end the following new  
12 subparagraph:

13 “(R) in the case of vision services (as defined  
14 in section 1861(mmm)) that are routine eye exami-  
15 nations and contact lens fitting services (as de-  
16 scribed in paragraph (1) or (2), respectively, of such  
17 section), which are furnished more frequently than  
18 once during a 2-year period;”; and

19 (2) in paragraph (7)—

20 (A) by inserting “(other than such an ex-  
21 amination that is a vision service that is cov-  
22 ered under section 1861(s)(2)(JJ))” after “eye  
23 examinations”; and

24 (B) by inserting “(other than such a proce-  
25 dure that is a vision service that is covered

1           under section 1861(s)(2)(JJ)” after “refractive  
2           state of the eyes”.

3           (h) CERTAIN NON-APPLICATION.—

4           (1) IN GENERAL.—The last sentence of section  
5           1839(a)(1) of the Social Security Act (42 U.S.C.  
6           1395r(a)(1)), as added by section 30901(g)(1) and  
7           amended by section 30902(d)(1), is further amended  
8           by inserting “, and 30903 (other than subsection  
9           (h))” after “30902 (other than subsection (d))”.

10          (2) PAYMENT.—Paragraph (4) of section  
11          1844(a) of such Act (42 U.S.C. 1395w(a)), as added  
12          by section 30901(g)(2) and amended by section  
13          30902(d)(2), is further amended by inserting “, and  
14          30903 (other than subsection (h))” after “30902  
15          (other than subsection (d))”.

16          (i) IMPLEMENTATION.—

17               (1) FUNDING.—

18                   (A) IN GENERAL.—In addition to amounts  
19                   otherwise available, the Secretary of Health and  
20                   Human Services (in this subsection referred to  
21                   as the “Secretary”) shall provide for the trans-  
22                   fer from the Federal Supplementary Medical  
23                   Insurance Trust Fund under section 1841 of  
24                   the Social Security Act (42 U.S.C. 1395t) to



1 the Centers for Medicare & Medicaid Services  
2 Program Management Account of—

3 (i) \$20,000,000 for each of fiscal  
4 years 2022 and 2023 for purposes of im-  
5 plementing the amendments made by this  
6 section; and

7 (ii) such sums as determined appro-  
8 priate by the Secretary for each subse-  
9 quent fiscal year for purposes of admin-  
10 istering the provisions of such amend-  
11 ments.

12 (B) AVAILABILITY AND ADDITIONAL USE  
13 OF FUNDS.—Funds transferred pursuant to  
14 subparagraph (A) shall remain available until  
15 expended and may be used, in addition to the  
16 purpose specified in subparagraph (A)(i), to im-  
17 plement the amendments made by sections  
18 30901 and 30902.

19 (2) ADMINISTRATION.—The Secretary may im-  
20 plement, by program instruction or otherwise, any of  
21 the provisions of, or amendments made by, this sec-  
22 tion.

23 (3) PAPERWORK REDUCTION ACT.—Chapter 35  
24 of title 44, United States Code, shall not apply to

1 the provisions of, or the amendments made by, this  
2 section.

## 3 **Subtitle J—Public Health**

### 4 **PART 1—HEALTH CARE INFRASTRUCTURE AND** 5 **WORKFORCE**

#### 6 **SEC. 31001. FUNDING TO SUPPORT CORE PUBLIC HEALTH** 7 **INFRASTRUCTURE FOR STATE, TERRITORIAL,** 8 **LOCAL, AND TRIBAL HEALTH DEPARTMENTS** 9 **AT THE CENTERS FOR DISEASE CONTROL** 10 **AND PREVENTION.**

11 (a) IN GENERAL.—In addition to amounts otherwise  
12 available, there is appropriated to the Secretary of Health  
13 and Human Services (in this subtitle referred to as the  
14 “Secretary”) for fiscal year 2022, out of any money in  
15 the Treasury not otherwise appropriated, \$7,000,000,000,  
16 to remain available until expended, to carry out, acting  
17 through the Director of the Centers for Disease Control  
18 and Prevention (in this section referred to as the “Direc-  
19 tor”), activities described in subsection (b).

20 (b) USE OF FUNDS.—Amounts made available pursu-  
21 ant to subsection (a) shall be used to support core public  
22 health infrastructure activities to strengthen the public  
23 health system of the United States, including by awarding  
24 grants under this section and expanding and improving

1 activities of the Centers for Disease Control and Preven-  
2 tion under subsections (c) and (d).

3 (c) GRANTS.—

4 (1) AWARDS.—For the purpose of addressing  
5 core public health infrastructure needs, the Sec-  
6 retary shall award—

7 (A) a grant to each State or territorial  
8 health department, and to local health depart-  
9 ments that serve counties with a population of  
10 at least 2,000,000 or cities with a population of  
11 at least 400,000 people; and

12 (B) grants on a competitive basis to State,  
13 territorial, local, or Tribal health departments.

14 (2) ALLOCATION.—Of the total amount of  
15 funds awarded as grants under this subsection for a  
16 fiscal year—

17 (A) not less than 50 percent shall be for  
18 grants to health departments under paragraph  
19 (1)(A); and

20 (B) not less than 25 percent shall be for  
21 grants to State, local, territorial, or Tribal  
22 health departments under paragraph (1)(B).

23 (3) REQUIRED USES.—

24 (A) REALLOCATION TO LOCAL HEALTH  
25 DEPARTMENTS.—A State health department re-

1           ceiving funds under subparagraph (A) or (B) of  
2           paragraph (1) shall allocate at least 25 percent  
3           of the such funds to local health departments,  
4           as applicable, within the State to support con-  
5           tributions of the local health departments to  
6           core public health infrastructure.

7                   (B) PROGRESS IN MEETING ACCREDITA-  
8           TION STANDARDS.—A health department receiv-  
9           ing funds under this section that is not accred-  
10          ited shall report to the Secretary on an annual  
11          basis how the department is working to meet  
12          accreditation standards.

13                   (4) FORMULA GRANTS TO HEALTH DEPART-  
14          MENTS.—In awarding grants under paragraph (1),  
15          the Secretary shall award funds to each health de-  
16          partment in accordance with a formula which con-  
17          siders population size, the Social Vulnerability Index  
18          of the Centers for Disease Control and Prevention,  
19          and other factors as determined by the Secretary.

20                   (5) COMPETITIVE GRANTS TO STATE, TERRI-  
21          TORIAL, LOCAL, AND TRIBAL HEALTH DEPART-  
22          MENTS.—In making grants under paragraph (1)(B),  
23          the Secretary shall give priority to applicants dem-  
24          onstrating core public health infrastructure needs

1 for all public health agencies in the applicant's juris-  
2 diction.

3 (6) PERMITTED USES.—

4 (A) IN GENERAL.—The Secretary may  
5 make available a subset of the funds available  
6 for grants under paragraph (1) for purposes of  
7 awarding grants to State, territorial, local, and  
8 Tribal health departments for planning or to  
9 support public health accreditation.

10 (B) USES.—Recipients of such grants may  
11 use the grant funds to assess core public health  
12 infrastructure needs and report to the Centers  
13 for Disease Control and Prevention on efforts  
14 to achieve accreditation, as applicable.

15 (7) REQUIREMENTS.—To be eligible for a grant  
16 under this section, an entity shall—

17 (A) submit an application in such form  
18 and containing such information as the Sec-  
19 retary shall require;

20 (B) demonstrate to the satisfaction of the  
21 Secretary that—

22 (i) funds received through the grant  
23 will be expended only to supplement, and  
24 not supplant, non-Federal and Federal  
25 funds otherwise available to the entity for

1 the purpose of addressing core public  
2 health infrastructure needs; and

3 (ii) with respect to activities for which  
4 the grant is awarded, the entity will main-  
5 tain expenditures of non-Federal amounts  
6 for such activities at a level not less than  
7 the level of such expenditures maintained  
8 by the entity for fiscal year 2019; and

9 (C) agree to report annually to the Direc-  
10 tor regarding the use of the grant funds.

11 (d) CORE PUBLIC HEALTH INFRASTRUCTURE AND  
12 ACTIVITIES FOR THE CDC.—

13 (1) IN GENERAL.—The Secretary, acting  
14 through the Director, shall expand and improve the  
15 core public health infrastructure and activities of the  
16 Centers for Disease Control and Prevention to sup-  
17 port activities necessary to address unmet, ongoing,  
18 and emerging public health needs, including preven-  
19 tion, preparation for, and response to public health  
20 emergencies.

21 (2) LIMITATION.—Out of amounts appropriated  
22 under subsection (a) to carry out this section for a  
23 fiscal year, not more than 25 percent of the funds  
24 awarded per fiscal year may be used by the Centers

1 for Disease Control and Prevention to carry out this  
2 subsection.

3 (e) DEFINITION.—In this section, the term “core  
4 public health infrastructure” includes—

5 (1) workforce capacity and competency;

6 (2) laboratory systems;

7 (3) all hazards public health and preparedness;

8 (3) testing capacity, including test platforms,  
9 mobile testing units, and personnel;

10 (4) health information, health information sys-  
11 tems, and health information analysis;

12 (5) disease surveillance;

13 (6) contact tracing;

14 (7) communications;

15 (8) financing;

16 (9) other relevant components of organizational  
17 capacity; and

18 (10) other related activities.

19 (f) SUPPLEMENT NOT SUPPLANT.—Amounts made  
20 available by this section shall be used to supplement, and  
21 not supplant, amounts otherwise made available for the  
22 purposes described in this Act.

23 **SEC. 31002. FUNDING FOR HOSPITAL INFRASTRUCTURE.**

24 (a) IN GENERAL.—In addition to amounts otherwise  
25 available, there is appropriated to the Secretary for fiscal

1 year 2022, out of any money in the Treasury not otherwise  
2 appropriated, \$10,000,000,000, to remain available until  
3 expended, to carry out subsection (b) consistent with en-  
4 hancing the goals of parts B and C of title XVI of the  
5 Public Health Service Act (42 U.S.C. 300q et seq.).

6 (b) USE OF FUNDS.—From amounts made available  
7 under subsection (a), the Secretary shall, with priority  
8 given to applicants whose projects will include, by design,  
9 public health emergency preparedness, natural disaster  
10 emergency preparedness, or cybersecurity against cyber  
11 threats, award grants to entities described in section  
12 1610(a) of the Public Health Service Act (42 U.S.C.  
13 300r(a)) for purposes of increasing capacity and updating  
14 hospitals and other medical facilities in order to better  
15 serve communities in need.

16 (c) CONDITIONS.—The following requirements of  
17 parts B and C of title XVI of the Public Health Service  
18 Act (42 U.S.C. 300r et seq.) shall apply to funds made  
19 available under this section:

20 (1) The requirements related to reasonable vol-  
21 ume of care described under section  
22 1621(b)(1)(K)(ii) of such Act (42 U.S.C. 300s-  
23 1(b)(1)(K)(ii)).

24 (2) Section 1621(b)(1)(I) of such Act (42  
25 U.S.C. 300s-1(b)(1)(I)).



1           (3) Any other provision of such parts that the  
2           Secretary determines (as prescribed by regulation)  
3           to be appropriate to carry out this section.

4 **SEC. 31003. FUNDING FOR COMMUNITY HEALTH CENTER**

5                           **CAPITAL GRANTS.**

6           (a) **IN GENERAL.**—In addition to amounts otherwise  
7           available, there is appropriated to the Secretary for fiscal  
8           year 2022, out of any money in the Treasury not otherwise  
9           appropriated, \$10,000,000,000, to remain available until  
10          expended, for necessary expenses for awarding grants and  
11          entering into cooperative agreements for capital projects  
12          to health centers funded under section 330 of the Public  
13          Health Service Act (42 U.S.C. 254b) to be awarded with-  
14          out regard to the time limitation in subsection (e)(3) and  
15          subsections (e)(6)(A)(iii), (e)(6)(B)(iii), and (r)(2)(B) of  
16          such section 330, and for necessary expenses for awarding  
17          grants and cooperative agreements for capital projects to  
18          Federally qualified health centers, as described in section  
19          1861(aa)(4)(B) of the Social Security Act (42 U.S.C.  
20          1395x(aa)(4)(B)). The Secretary shall take such steps as  
21          may be necessary to expedite the awarding of such grants  
22          to Federally qualified health centers for capital projects.

23          (b) **USE OF FUNDS.**—Amounts made available to a  
24          recipient of a grant or cooperative agreement pursuant to  
25          subsection (a) shall be used for health center facility alter-

1 ation, renovation, remodeling, expansion, construction,  
2 and other capital improvement costs, including the costs  
3 of amortizing the principal of, and paying interest on,  
4 loans for such purposes.

5 **SEC. 31004. FUNDING FOR COMMUNITY-BASED CARE INFRA-**  
6 **STRUCTURE.**

7 (a) IN GENERAL.—In addition to amounts otherwise  
8 available, there is appropriated to the Secretary for fiscal  
9 year 2022, out of any money in the Treasury not otherwise  
10 appropriated, \$500,000,000, to remain available until ex-  
11 pended, for purposes of making awards to qualified teach-  
12 ing health centers (as defined in section 340H of the Pub-  
13 lic Health Service Act (42 U.S.C. 256h)), behavioral  
14 health care centers (as defined by the Secretary to include  
15 both substance abuse and mental health care facilities),  
16 and pediatric mental health care providers (as used in sec-  
17 tion 330M(b)(1)(G) of the Public Health Service Act (42  
18 U.S.C. 254e-19(b)(1)(G))).

19 (b) USE OF FUNDS.—Amounts made available pursu-  
20 ant to subsection (a) shall be used to support the improve-  
21 ment, renovation, or modernization of infrastructure at  
22 such centers, including to respond to public health emer-  
23 gencies declared under section 319 of the Public Health  
24 Service Act (42 U.S.C. 247d).

1 **SEC. 31005. FUNDING FOR SCHOOLS OF MEDICINE IN UN-**  
2 **DESERVED AREAS.**

3 (a) IN GENERAL.—In addition to amounts otherwise  
4 available, there is appropriated to the Secretary for fiscal  
5 year 2022, out of any money in the Treasury not otherwise  
6 appropriated, \$1,000,000,000, to remain available until  
7 expended, for purposes of making awards to eligible enti-  
8 ties for the establishment, improvement, or expansion of  
9 an allopathic or osteopathic school of medicine, or a  
10 branch campus of an allopathic or osteopathic school of  
11 medicine, consistent with subsection (b).

12 (b) USE OF FUNDS.—The Secretary, acting through  
13 the Administrator of the Health Resources and Services  
14 Administration, shall, with priority given to minority-serv-  
15 ing institutions described in section 371(a) of the Higher  
16 Education Act of 1965 (20 U.S.C. 1067q(a)), and taking  
17 into consideration equitable distribution of awards among  
18 the geographical regions of the United States (which shall  
19 include rural regions and populations as defined by the  
20 Secretary for the purposes of this section) and the loca-  
21 tions of existing schools of medicine and osteopathic medi-  
22 cine, use amounts appropriated by subsection (a) to award  
23 grants to eligible entities to—

24 (1) recruit, enroll, and retain students, includ-  
25 ing individuals who are from disadvantaged back-  
26 grounds (including racial and ethnic groups under-

1 represented among medical students and health pro-  
2 fessions), individuals from rural and underserved  
3 areas, low-income individuals, and first generation  
4 college students (as defined in section 402A(h)(3) of  
5 the Higher Education Act of 1965 (20 U.S.C.  
6 1070a–11(h)(3))), at a school of medicine or osteo-  
7 pathic medicine or branch campus of a school of  
8 medicine or osteopathic medicine;

9 (2) develop, implement, and expand curriculum  
10 that emphasizes care for rural and underserved pop-  
11 ulations, including accessible and culturally appro-  
12 priate and linguistically appropriate care and serv-  
13 ices, at such school or branch campus;

14 (3) plan and construct a school of medicine or  
15 osteopathic medicine in an area in which no other  
16 such school or branch campus of such a school is  
17 based;

18 (4) plan, develop, and meet criteria for accredi-  
19 tation for a school of medicine or osteopathic medi-  
20 cine or branch campus of such a school;

21 (5) hire faculty, including faculty from racial  
22 and ethnic groups who are underrepresented among  
23 the medical and other health professions, and other  
24 staff to serve at such a school or branch campus;

1           (6) support educational programs at such a  
2 school or branch campus, including modernizing cur-  
3 riculum;

4           (7) modernize and expand infrastructure at  
5 such a school or branch campus; or

6           (8) support other activities that the Secretary  
7 determines will further the establishment, improve-  
8 ment, or expansion of a school of medicine or osteo-  
9 pathic medicine or branch campus of a school of  
10 medicine or osteopathic medicine.

11 (c) DEFINITIONS.—In this section:

12           (1) ELIGIBLE ENTITY.—The term “eligible enti-  
13 ty” means an institution of higher education as de-  
14 fined in section 101 of the Higher Education Act of  
15 1965 (20 U.S.C. 1001).

16           (2) BRANCH CAMPUS.—

17           (A) IN GENERAL.—The term “branch cam-  
18 pus”, with respect to a school of medicine or os-  
19 teopathic medicine, means an additional loca-  
20 tion of such school that is geographically apart  
21 and independent of the main campus, at which  
22 the school offers at least 50 percent of the pro-  
23 gram leading to a degree of doctor of medicine  
24 or doctor of osteopathy that is offered at the  
25 main campus.

1 (B) INDEPENDENCE FROM MAIN CAM-  
2 PUS.—For purposes of subparagraph (A), the  
3 location of a school described in such subpara-  
4 graph shall be considered to be independent of  
5 the main campus described in such subpara-  
6 graph if the location—

7 (i) is permanent in nature;

8 (ii) offers courses in educational pro-  
9 grams leading to a degree, certificate, or  
10 other recognized educational credential;

11 (iii) has its own faculty and adminis-  
12 trative or supervisory organization; and

13 (iv) has its own budgetary and hiring  
14 authority.

15 **SEC. 31006. FUNDING FOR NURSING EDUCATION ENHANCE-**  
16 **MENT AND MODERNIZATION GRANTS IN UN-**  
17 **DESERVED AREAS.**

18 (a) IN GENERAL.—In addition to amounts otherwise  
19 available, there is appropriated to the Secretary for fiscal  
20 year 2022, out of any money in the Treasury not otherwise  
21 appropriated, \$1,000,000,000, to remain available until  
22 expended, for purposes of making awards to schools of  
23 nursing (as defined in section 801 of the Public Health  
24 Service Act (42 U.S.C. 296)) to enhance and modernize

1 nursing education programs and increase the number of  
2 faculty and students at such schools.

3 (b) USE OF FUNDS.—The Secretary, acting through  
4 the Administrator of the Health Resources and Services  
5 Administration, taking into consideration equitable dis-  
6 tribution of awards among the geographical regions of the  
7 United States and the capacity of a school of nursing to  
8 provide care in underserved areas, shall use amounts ap-  
9 propriated by subsection (a) to award grants for purposes  
10 of—

11 (1) recruiting, enrolling, and retaining students  
12 at such school, with a priority for students from dis-  
13 advantaged backgrounds (including racial or ethnic  
14 groups underrepresented in the nursing workforce),  
15 individuals from rural and underserved areas, low-in-  
16 come individuals, and first generation college stu-  
17 dents (as defined in section 402A(h)(3) of the High-  
18 er Education Act of 1965 (20 U.S.C. 1070a–  
19 11(h)(3)));

20 (2) creating, supporting, or modernizing edu-  
21 cational programs and curricula at such school;

22 (3) retaining current faculty, and hiring new  
23 faculty, with an emphasis on faculty from racial or  
24 ethnic groups that are underrepresented in the nurs-  
25 ing workforce;

1           (4) modernizing infrastructure at such school,  
2 including audiovisual or other equipment, personal  
3 protective equipment, simulation and augmented re-  
4 ality resources, telehealth technologies, and virtual  
5 and physical laboratories;

6           (5) partnering with a health care facility, nurse-  
7 managed health clinic, community health center, or  
8 other facility that provides health care, in order to  
9 provide educational opportunities for the purpose of  
10 establishing or expanding clinical education;

11          (6) enhancing and expanding nursing programs  
12 that prepare nurse researchers and scientists;

13          (7) establishing nurse-led intradisciplinary and  
14 interprofessional educational partnerships; or

15          (8) other activities that the Secretary deter-  
16 mines will further the development, improvement,  
17 and expansion of schools of nursing.

18 **SEC. 31007. FUNDING FOR TEACHING HEALTH CENTER**

19 **GRADUATE MEDICAL EDUCATION.**

20          (a) IN GENERAL.—In addition to amounts otherwise  
21 available, and notwithstanding the limitations referred to  
22 in subsections (b)(2) and (d)(2) of section 340H of the  
23 Public Health Service Act (42 U.S.C. 256h), there is ap-  
24 propriated to the Secretary for fiscal year 2022, out of



1 any money in the Treasury not otherwise appropriated,  
2 \$6,000,000,000, to remain available until expended, for—

3 (1) the program of payments to teaching health  
4 centers that operate graduate medical education pro-  
5 grams under such section; and

6 (2) the award of teaching health center develop-  
7 ment grants pursuant to section 749A of the Public  
8 Health Service Act (42 U.S.C. 2931–1).

9 (b) USE OF FUNDS.—Amounts made available pursu-  
10 ant to subsection (a) shall be used for the following activi-  
11 ties:

12 (1) For making payments to establish new ap-  
13 proved graduate medical residency training pro-  
14 grams pursuant to section 340H(a)(1)(C) of the  
15 Public Health Service Act (42 U.S.C.  
16 256h(a)(1)(C)).

17 (2) For making payments under section  
18 340H(a)(1)(A) of the Public Health Service Act (42  
19 U.S.C. 256h(a)(1)(A)) to qualified teaching health  
20 centers for maintenance of filled positions at existing  
21 approved graduate medical residency training pro-  
22 grams.

23 (3) For making payments under section  
24 340H(a)(1)(B) of the Public Health Service Act (42  
25 U.S.C. 256h(a)(1)(B)) for the expansion of existing

1 approved graduate medical residency training pro-  
2 grams.

3 (4) For making awards under section 749A of  
4 the Public Health Service Act (42 U.S.C. 2931-1) to  
5 teaching health centers for the purpose of estab-  
6 lishing new accredited or expanded primary care  
7 residency programs.

8 (5) To provide an increase to the per resident  
9 amount described in section 340H(a)(2) of the Pub-  
10 lic Health Service Act (42 U.S.C. 256h(a)(2)).

11 **SEC. 31008. FUNDING FOR CHILDREN'S HOSPITALS THAT**  
12 **OPERATE GRADUATE MEDICAL EDUCATION**  
13 **PROGRAMS.**

14 In addition to amounts otherwise available, there is  
15 appropriated to the Secretary for fiscal year 2022, out of  
16 any money in the Treasury not otherwise appropriated,  
17 \$250,000,000, to remain available until expended, for car-  
18 rying out section 340E of the Public Health Service Act  
19 (42 U.S.C. 256e).

20 **SEC. 31009. FUNDING FOR THE NURSE CORPS.**

21 In addition to amounts otherwise available, there is  
22 appropriated to the Secretary for fiscal year 2022, out of  
23 any money in the Treasury not otherwise appropriated,  
24 \$300,000,000, to remain available until expended, for car-

1 rying out section 846 of the Public Health Service Act  
2 (42 U.S.C. 297n).

3 **PART 2—PANDEMIC PREPAREDNESS**

4 **SEC. 31021. FUNDING FOR LABORATORY ACTIVITIES AT**  
5 **THE CENTERS FOR DISEASE CONTROL AND**  
6 **PREVENTION.**

7 (a) IN GENERAL.—In addition to amounts otherwise  
8 available, there is appropriated to the Secretary for fiscal  
9 year 2022, out of any money in the Treasury not otherwise  
10 appropriated, \$5,000,000,000 for purposes of carrying  
11 out, acting through the Director of the Centers for Disease  
12 Control and Prevention (in this section referred to as the  
13 “Director”), activities described in subsection (b), to re-  
14 main available until expended.

15 (b) USE OF FUNDS.—Amounts made available by  
16 subsection (a) shall be used for the following activities:

17 (1) Supporting renovation, expansion, and mod-  
18 ernization of State and local public health laboratory  
19 infrastructure (as the term “laboratory” is defined  
20 in section 353 of the Public Health Service Act (42  
21 U.S.C. 263a)), including—

22 (A) increasing and enhancing testing and  
23 response capacity;

1 (B) upgrades and expansion of the Labora-  
2 tory Response Network for rapid outbreak de-  
3 tection;

4 (C) improving and expanding genomic se-  
5 quencing capabilities to detect emerging dis-  
6 eases and variant strains;

7 (D) expanding biosafety and biosecurity  
8 capacity; and

9 (E) making other laboratory enhancements  
10 and modernization as determined by the Direc-  
11 tor to be important for maintaining public  
12 health.

13 (2) Renovating, expanding, and modernizing  
14 laboratories of the Centers for Disease Control and  
15 Prevention as described in subparagraphs (A)  
16 through (E) of paragraph (1).

17 (3) Enhancing the ability of the Centers for  
18 Disease Control and Prevention to monitor and exer-  
19 cise oversight over biosafety and biosecurity of State  
20 and local public health laboratories.

21 **SEC. 31022. FUNDING FOR STRENGTHENING VACCINE CON-**  
22 **FIDENCE.**

23 (a) IN GENERAL.—In addition to amounts otherwise  
24 available, there is appropriated to the Secretary for fiscal  
25 year 2022, out of any money in the Treasury not otherwise

1 appropriated, \$1,250,000,000, to remain available until  
2 expended, to carry out, acting through the Director of the  
3 Centers for Disease Control and Prevention, directly or  
4 by making grants to public or private entities, activities  
5 described in subsection (b) in the United States, including  
6 its territories and possessions.

7 (b) USE OF FUNDS.—Amounts made available by  
8 subsection (a) shall be used to—

9 (1) strengthen vaccine confidence;

10 (2) strengthen routinely recommended vaccine  
11 programs; and

12 (3) improve rates of vaccination, including  
13 through activities described in section 313 of the  
14 Public Health Service Act (42 U.S.C. 245).

15 **SEC. 31023. FUNDING FOR SURVEILLANCE ACTIVITIES AT**  
16 **THE CENTERS FOR DISEASE CONTROL AND**  
17 **PREVENTION.**

18 (a) IN GENERAL.—In addition to amounts otherwise  
19 available, there is appropriated to the Secretary for fiscal  
20 year 2022, out of any money in the Treasury not otherwise  
21 appropriated, \$1,000,000,000, to remain available until  
22 expended, to carry out, acting through the Director of the  
23 Centers for Disease Control and Prevention, directly or  
24 by making grants to public or private entities, activities  
25 described in subsection (b).

1 (b) USE OF FUNDS.—Amounts made available by  
2 subsection (a) shall be used to—

3 (1) enhance and strengthen early warning and  
4 detection systems, including public health and health  
5 care surveillance, wastewater testing, and global and  
6 domestic genomic surveillance;

7 (2) enhance and strengthen surveillance based  
8 in hospitals and other health care providers or facili-  
9 ties, and outpatient facility surveillance for severe  
10 acute respiratory infection, influenza-like illness,  
11 acute febrile illness, and other diseases as deter-  
12 mined by the Director of the Centers for Disease  
13 Control and Prevention to be in the interest of pub-  
14 lic health; and

15 (3) strengthen the antibiotic resistance initia-  
16 tive program to improve research, stewardship,  
17 genomic detection capabilities, and surveillance of  
18 existing and emerging antimicrobial resistant patho-  
19 gens.

20 **SEC. 31024. FUNDING FOR DATA MODERNIZATION AT THE**  
21 **CENTERS FOR DISEASE CONTROL AND PRE-**  
22 **VENTION.**

23 (a) IN GENERAL.—In addition to amounts otherwise  
24 available, there is appropriated to the Secretary for fiscal  
25 year 2022, out of any money in the Treasury not otherwise

1 appropriated, \$500,000,000, to remain available until ex-  
2 pended—

3 (1) to carry out, acting through the Director of  
4 the Centers for Disease Control and Prevention, di-  
5 rectly or by making grants to public or private enti-  
6 ties, activities described in subsection (b); and

7 (2) to supplement other available funds to carry  
8 out similar data modernization activities authorized  
9 by the Public Health Service Act (42 U.S.C. 201 et  
10 seq.).

11 (b) USE OF FUNDS.—Amounts made available by  
12 subsection (a) shall be used for the following:

13 (1) Supporting public health data surveillance,  
14 aggregation, and analytics infrastructure moderniza-  
15 tion initiatives.

16 (2) Enhancing reporting and workforce core  
17 competencies in informatics and digital health.

18 (3) Expanding and maintaining efforts to mod-  
19 ernize the United States disease warning system to  
20 forecast and track hotspots and emerging biological  
21 threats.

1 **SEC. 31025. FUNDING FOR PUBLIC HEALTH AND PRE-**  
2 **PAREDNESS RESEARCH, DEVELOPMENT, AND**  
3 **COUNTERMEASURE CAPACITY.**

4 (a) IN GENERAL.—In addition to amounts otherwise  
5 available, there is appropriated to the Secretary for fiscal  
6 year 2022, out of any money in the Treasury not otherwise  
7 appropriated, to remain available until expended, to carry  
8 out activities, acting through the Assistant Secretary for  
9 Preparedness and Response, to prepare for, and respond  
10 to, public health emergencies declared under section 319  
11 of the Public Health Service Act (42 U.S.C. 247d)—

12 (1) \$3,000,000,000 to support surge capacity,  
13 including through construction, expansion, or mod-  
14 ernization of facilities, to respond to a public health  
15 emergency, for procurement and domestic manufac-  
16 ture of drugs, active pharmaceutical ingredients,  
17 vaccines and other biological products, diagnostic  
18 technologies and products, personal protective equip-  
19 ment, medical devices, vials, syringes, needles, and  
20 other components or supplies for the Strategic Na-  
21 tional Stockpile under section 319F–2 of the Public  
22 Health Service Act (42 U.S.C. 247d–6b);

23 (2) \$2,000,000,000 to support expanded global  
24 and domestic vaccine production capacity, including  
25 by developing or acquiring new technology and ex-



1       panding manufacturing capacity through construc-  
2       tion, expansion, or modernization of facilities;

3               (3) \$2,000,000,000 to support activities to miti-  
4       gate supply chain risks and enhance supply chain  
5       elasticity and resilience for critical drugs, active  
6       pharmaceutical ingredients, and supplies (including  
7       essential medicines, medical countermeasures, and  
8       supplies in shortage or at risk of shortage), drug  
9       and vaccine raw materials, and other supplies, as the  
10      Secretary determines appropriate, including con-  
11      struction, expansion, or modernization of facilities,  
12      adoption of advanced manufacturing processes, and  
13      other activities to support domestic manufacturing  
14      of such supplies;

15              (4) \$500,000,000 to support activities con-  
16      ducted by the Biomedical Advanced Research and  
17      Development Authority for advanced research,  
18      standards development, and domestic manufacturing  
19      capacity for drugs, including essential medicines,  
20      diagnostics, vaccines, therapeutics, and personal pro-  
21      tective equipment; and

22              (5) \$500,000,000 to support increased biosafety  
23      and biosecurity in research on infectious diseases, in-  
24      cluding by modernization or improvement of facili-  
25      ties.

1                                   **PART 3—INNOVATION**  
2 **SEC. 31031. FUNDING FOR ADVANCED RESEARCH**  
3                                   **PROJECTS FOR HEALTH.**

4           (a) IN GENERAL.—In addition to amounts otherwise  
5 available, there is appropriated to the Secretary for fiscal  
6 year 2022, out of any money in the Treasury not otherwise  
7 appropriated, \$3,000,000,000, to remain available until  
8 expended, to establish the Advanced Research Projects  
9 Agency for Health (in this section referred to as the  
10 “ARPA–H”) for purposes of making pivotal investments  
11 in breakthrough technologies and broadly applicable plat-  
12 forms, capabilities, resources, and solutions that have the  
13 potential to transform important areas of medicine and  
14 health for the benefit of all individuals and that cannot  
15 readily be accomplished through traditional biomedical re-  
16 search or commercial activity.

17           (b) USE OF FUNDS.—Amounts made available by  
18 subsection (a) shall be used to—

19                   (1) hire a Director to head the ARPA–H (for  
20 a term of no more than 5 years subject to one re-  
21 newal period); and

22                   (2) acting through the Director of the ARPA–  
23 H, in consultation, as applicable, with the Director  
24 of the National Institutes of Health, the Commis-  
25 sioner of Food and Drugs, the Administrator of the  
26 Centers for Medicare & Medicaid Services, the Di-

1 rector of the Biomedical Advanced Research and De-  
2 velopment Authority, the Deputy Assistant Secretary  
3 for Minority Health, and the heads of other agen-  
4 cies, shall—

5 (A) ensure to the maximum extent prac-  
6 ticable that the projects and activities of the  
7 ARPA–H funded by subsection (a) are coordi-  
8 nated with, and do not duplicate the efforts of,  
9 programs within, or research conducted or sup-  
10 ported by, the Department of Health and  
11 Human Services; and

12 (B) in using amounts made available by  
13 subsection (a), expedite the development, appli-  
14 cation, and implementation of health break-  
15 throughs to prevent, detect, and treat serious or  
16 life-threatening diseases, including—

17 (i) providing awards in the form of  
18 grants, contracts, cooperative agreements,  
19 prizes, and other transactions (as defined  
20 under section 402(n) of the Public Health  
21 Service Act (42 U.S.C. 282(n))) to entities  
22 to carry out advanced research projects for  
23 health, including through multiyear con-  
24 tracts (subject to the availability of funds)  
25 and prize competitions;

1 (ii) developing funding criteria and  
2 evaluation criteria to assess projects fund-  
3 ed under clause (i);

4 (iii) establishing metrics or criteria to  
5 prioritize investments and research that  
6 should be funded under clause (i), includ-  
7 ing the novelty, scientific, and technical  
8 merit of proposed projects, the future com-  
9 mercial applications of projects, and the  
10 unmet need within patient populations;

11 (iv) identifying and promoting poten-  
12 tial advances in basic research that will as-  
13 sist in carrying out advanced health re-  
14 search and development;

15 (v) identifying areas of research and  
16 innovation that are high-risk, high-reward  
17 or where the incentives of the commercial  
18 market are unlikely to result in adequate  
19 or timely development;

20 (vi) supporting collaboration and com-  
21 munication among other Federal agencies,  
22 including both health and scientific agen-  
23 cies, institutions of higher education, pri-  
24 vate or public research institutions, private  
25 entities, including biotechnology and phar-

1                   maceutical companies, and nonprofit orga-  
2                   nizations, including patient advocacy  
3                   groups, including soliciting data, if applica-  
4                   ble;

5                   (vii) translating scientific discoveries  
6                   into technological innovations, including  
7                   through—

8                   (I) collaboration with the Food  
9                   and Drug Administration on the de-  
10                  velopment of medical products to fa-  
11                  cilitate transformation of break-  
12                  throughs in biomedicine into tangible  
13                  solutions for patients; and

14                  (II) ensuring that medical prod-  
15                  uct development programs gather non-  
16                  clinical and clinical data necessary for  
17                  approval as efficiently as practicable;

18                  (viii) hiring and appointing personnel  
19                  necessary to carry out activities described  
20                  in this section, including—

21                  (I) making and rescinding ap-  
22                  pointments of scientific, medical, and  
23                  professional personnel;

24                  (II) designating personnel to  
25                  serve as program managers (for terms

1 of no more than 3 years subject to  
2 one renewal period) to establish re-  
3 search and development goals for the  
4 ARPA–H, provide project oversight  
5 and management of strategic initia-  
6 tives, recommend restructure, expan-  
7 sion, or termination of research  
8 projects under this section, as nec-  
9 essary and appropriate, and carry out  
10 other activities described in this sub-  
11 section;

12 (III) recruiting and retaining a  
13 diverse workforce, including individ-  
14 uals underrepresented in science and  
15 medicine and, racial and ethnic mi-  
16 norities; and

17 (IV) hiring and appointing ad-  
18 ministrative, financial, and informa-  
19 tion technology staff as necessary to  
20 carry out this subsection;

21 (ix) compensating personnel at a rate  
22 to be determined by the Director of the  
23 ARPA–H;

24 (x) acquiring (by purchase, lease, con-  
25 demnation, or otherwise), constructing, im-

1           proving, repairing, operating, and main-  
2           taining such real and personal property as  
3           are necessary to carry out this section; and  
4           (xi) entering into or terminating con-  
5           tracts, including multiyear contracts, as  
6           appropriate to support advanced research  
7           projects for health.

8           (c) FUNDING AWARDS.—Research funded by  
9 amounts made available under this section shall not be  
10 subject to the requirements of section 406(a)(3)(A)(ii) or  
11 492 of the Public Health Service Act (42 U.S.C.  
12 284a(a)(3)(A)(ii), 289a).

13          (d) SUPPLEMENT NOT SUPPLANT.—Funds appro-  
14 priated by this section shall be used to supplement and  
15 not supplant any appropriations for institutes and centers  
16 of the National Institutes of Health.

#### 17                           **PART 4—MATERNAL MORTALITY**

#### 18   **SEC. 31041. FUNDING FOR LOCAL ENTITIES ADDRESSING** 19                           **SOCIAL DETERMINANTS OF MATERNAL** 20                           **HEALTH.**

21          (a) IN GENERAL.—In addition to amounts otherwise  
22 available, there is appropriated to the Secretary for fiscal  
23 year 2022, out of any money in the Treasury not otherwise  
24 appropriated, \$175,000,000, to remain available until ex-  
25 pended, to award grants to community-based organiza-

1 tions, Urban Indian organizations, Native Hawaiian orga-  
2 nizations, or other nonprofit organizations working with  
3 a community-based organization, operating in areas with  
4 high rates of adverse maternal health outcomes or with  
5 significant racial or ethnic disparities in maternal health  
6 outcomes.

7 (b) USE OF FUNDING.—Amounts made available by  
8 subsection (a) shall be used for the following activities:

9 (1) Addressing social determinants of maternal  
10 health for pregnant and postpartum individuals and  
11 eliminating racial and ethnic disparities in maternal  
12 health outcomes by—

13 (A) hiring, training, or retaining staff;

14 (B) developing or distributing culturally  
15 and linguistically appropriate resources for so-  
16 cial services programs;

17 (C) offering programs and resources to ad-  
18 dress social determinants of health;

19 (D) conducting demonstration projects to  
20 address social determinants of health;

21 (E) establishing a culturally and linguis-  
22 tically appropriate resource center that provides  
23 multiple social services programs in a single lo-  
24 cation; and



1 (F) consulting with pregnant and  
2 postpartum individuals to conduct an assess-  
3 ment of the activities conducted under this sec-  
4 tion.

5 (2) Promoting evidence-based health literacy  
6 and pregnancy, childbirth, and parenting education  
7 for pregnant and postpartum individuals, and indi-  
8 viduals seeking to become pregnant.

9 (3) Providing support from perinatal health  
10 workers, support persons, and providers to pregnant  
11 and postpartum individuals.

12 (4) Providing culturally congruent, linguistically  
13 appropriate, and trauma-informed training to  
14 perinatal health workers.

15 (5) Conducting outreach to eligible entities to  
16 encourage such entities to apply for grants under  
17 this section.

18 (6) Providing technical assistance to the eligible  
19 entities receiving funding under this section.

20 (c) MINIMUM FOR COMMUNITY-BASED ORGANIZA-  
21 TIONS.—Of the amounts made available by subsection (a),  
22 the Secretary shall award not less than \$75,000,000 for  
23 the Office of Minority Health to award grants to commu-  
24 nity-based organizations to carry out the activities de-  
25 scribed in subsection (b).

1 **SEC. 31042. FUNDING TO GROW AND DIVERSIFY THE NURS-**  
2 **ING WORKFORCE IN MATERNAL AND**  
3 **PERINATAL HEALTH.**

4 (a) IN GENERAL.—In addition to amounts otherwise  
5 available, there is appropriated to the Secretary for fiscal  
6 year 2022, out of any money in the Treasury not otherwise  
7 appropriated, \$150,000,000, to remain available until ex-  
8 pended, for grants to accredited schools of nursing for the  
9 purpose of growing and diversifying the perinatal nursing  
10 workforce.

11 (b) USES OF FUNDS.—

12 (1) GRANTEES.—Prioritizing students and reg-  
13 istered nurses who practice in a health professional  
14 shortage area designated under such section of the  
15 Public Health Service Act, amounts made available  
16 to grantees by subsection (a) shall be used for the  
17 following activities:

18 (A) Providing scholarships to students  
19 seeking to become nurse practitioners whose  
20 education includes a focus on maternal and  
21 perinatal health.

22 (B) Providing scholarships to students  
23 seeking to become clinical nurse specialists  
24 whose education includes a focus on maternal  
25 and perinatal health.

1 (C) Providing scholarships to students  
2 seeking to become certified nurse midwives.

3 (D) Providing scholarships to registered  
4 nurses seeking certification as an obstetrics and  
5 gynecology registered nurse.

6 (2) SECRETARY.—The Secretary shall use  
7 amounts made available pursuant to subsection (a)  
8 for the following activities:

9 (A) Developing and implementing strate-  
10 gies to recruit and retain a diverse pool of stu-  
11 dents seeking to enter careers focused on ma-  
12 ternal and perinatal health.

13 (B) Developing partnerships with practice  
14 settings in a health professional shortage area  
15 designated under section 332 of the Public  
16 Health Service Act (42 U.S.C. 254e) for the  
17 clinical placements of students at the schools  
18 receiving such grants.

19 (C) Developing curriculum for students  
20 seeking to enter careers focused on maternal  
21 and perinatal health that includes training pro-  
22 grams on bias, racism, or discrimination.

23 (D) Carrying out other activities under  
24 title VIII of the Public Health Service Act (42

1 U.S.C. 296 et seq.) for the purpose under sub-  
2 section (a).

3 **SEC. 31043. FUNDING TO GROW AND DIVERSIFY THE DOULA**  
4 **WORKFORCE.**

5 (a) IN GENERAL.—In addition to amounts otherwise  
6 available, there is appropriated to the Secretary for fiscal  
7 year 2022, out of any money in the Treasury not otherwise  
8 appropriated, \$50,000,000, to remain available until ex-  
9 pended, for grants to health professions schools, academic  
10 health centers, State or local governments, territories, In-  
11 dian Tribes and Tribal organizations, Urban Indian orga-  
12 nizations, Native Hawaiian organizations, or other appro-  
13 priate public or private nonprofit entities (or consortia of  
14 entities, including entities promoting multidisciplinary ap-  
15 proaches), to establish or expand programs to grow and  
16 diversify the doula workforce.

17 (b) USE OF FUNDS.—Amounts made available by  
18 subsection (a) shall be used for the following activities:

19 (1) Establishing programs that provide edu-  
20 cation and training to individuals seeking appro-  
21 priate training or certification as doulas.

22 (2) Expanding the capacity of existing pro-  
23 grams described in paragraph (1), for the purpose of  
24 increasing the number of students enrolled in such

1 programs, including by awarding scholarships for  
2 students.

3 (3) Developing and implementing strategies to  
4 recruit and retain students from underserved com-  
5 munities, particularly from demographic groups ex-  
6 periencing high rates of maternal mortality and se-  
7 vere maternal morbidity, including racial and ethnic  
8 minority groups, into programs described in para-  
9 graphs (1) and (2).

10 **SEC. 31044. FUNDING TO GROW AND DIVERSIFY THE MA-**  
11 **TERNAL MENTAL HEALTH AND SUBSTANCE**  
12 **USE DISORDER TREATMENT WORKFORCE.**

13 (a) IN GENERAL.—In addition to amounts otherwise  
14 available, there is appropriated to the Secretary for fiscal  
15 year 2022, out of any money in the Treasury not otherwise  
16 appropriated, \$75,000,000, to remain available until ex-  
17 pended, for grants to health professions schools, academic  
18 health centers, State or local governments, territories, In-  
19 dian Tribes and Tribal organizations, Urban Indian orga-  
20 nizations, Native Hawaiian organizations, or other appro-  
21 priate public or private nonprofit entities (or consortia of  
22 entities, including entities promoting multidisciplinary ap-  
23 proaches), to establish or expand programs to grow and  
24 diversify the maternal mental health and substance use  
25 disorder treatment workforce.

1 (b) USE OF FUNDS.—Amounts made available by  
2 subsection (a) shall be used for the following activities:

3 (1) Establishing programs that provide edu-  
4 cation and training to individuals seeking appro-  
5 priate licensing or certification as mental health or  
6 substance use disorder treatment providers who plan  
7 to specialize in maternal mental health conditions or  
8 substance use disorders.

9 (2) Expanding the capacity of existing pro-  
10 grams described in paragraph (1), for the purposes  
11 of increasing the number of students enrolled in  
12 such programs, including by awarding scholarships  
13 for students.

14 (3) Developing and implementing strategies to  
15 recruit and retain students from underserved com-  
16 munities into programs described in paragraphs (1)  
17 and (2).

18 **SEC. 31045. FUNDING FOR MATERNAL MENTAL HEALTH EQ-**

19 **UITY GRANT PROGRAMS.**

20 (a) IN GENERAL.—In addition to amounts otherwise  
21 available, there is appropriated to the Secretary for fiscal  
22 year 2022, out of any money in the Treasury not otherwise  
23 appropriated, \$100,000,000, to remain available until ex-  
24 pended, for grants to community-based organizations,  
25 Urban Indian organizations, Native Hawaiian organiza-

1 tions, health care providers, accredited medical schools,  
2 accredited schools of nursing, teaching hospitals, accred-  
3 ited midwifery programs, physician assistant education  
4 programs, residency or fellowship programs, or other non-  
5 profit organizations, schools, or programs determined ap-  
6 propriate by the Secretary, to address maternal mental  
7 health conditions and substance use disorders with respect  
8 to pregnant, lactating, and postpartum individuals in  
9 areas with high rates of adverse maternal health outcomes  
10 or with significant racial or ethnic disparities in maternal  
11 health outcomes.

12 (b) USE OF FUNDS.—Amounts made available pursu-  
13 ant to subsection (a), prioritizing community-based orga-  
14 nizations, shall be for the following activities:

15 (1) Establishing or expanding maternity care  
16 programs to improve the integration of mental  
17 health and substance use disorder treatment services  
18 into primary care settings where pregnant individ-  
19 uals regularly receive health care services.

20 (2) Establishing or expanding group prenatal  
21 care programs or postpartum care programs.

22 (3) Expanding existing programs that improve  
23 maternal mental health and substance use disorder  
24 treatment from the preconception through the  
25 postpartum periods, with a focus on individuals from

1 racial and ethnic minority groups with high rates of  
2 maternal mortality and morbidity.

3 (4) Providing services and support for individ-  
4 uals with maternal mental health conditions and  
5 substance use disorders, starting in pregnancy and  
6 continuing through the postpartum period.

7 (5) Addressing stigma associated with maternal  
8 mental health conditions and substance use dis-  
9 orders, with a focus on racial and ethnic minority  
10 groups.

11 (6) Raising awareness of warning signs of ma-  
12 ternal mental health conditions and substance use  
13 disorders, with a focus on pregnant, lactating, and  
14 postpartum individuals from racial and ethnic mi-  
15 nority groups.

16 (7) Establishing or expanding programs to pre-  
17 vent suicide or self-harm among pregnant, lactating,  
18 and postpartum individuals.

19 (8) Offering evidence-informed programs at  
20 freestanding birth centers that provide maternal  
21 mental health and substance use disorder education,  
22 treatments, and services, and other services for indi-  
23 viduals throughout the prenatal and postpartum pe-  
24 riod.



1           (9) Establishing or expanding programs to pro-  
2           vide education and training to maternity care pro-  
3           viders with respect to—

4                   (A) identifying potential warning signs for  
5                   maternal mental health conditions or substance  
6                   use disorders in pregnant, lactating, and  
7                   postpartum individuals, with a focus on individ-  
8                   uals from racial and ethnic minority groups;  
9                   and

10                   (B) in the case where such providers iden-  
11                   tify such warning signs, offering referrals to  
12                   mental health substance use disorder treatment  
13                   professionals.

14           (10) Developing a national website, or other  
15           source, that includes information on health care pro-  
16           viders who treat maternal mental health conditions  
17           and substance use disorders.

18           (11) Establishing or expanding programs in  
19           communities to improve coordination between mater-  
20           nity care providers and mental health and substance  
21           use disorder providers who treat maternal mental  
22           health conditions and substance use disorders.

23           (12) Carrying other programs aligned with evi-  
24           dence-based or evidence-informed practices for ad-  
25           dressing maternal mental health conditions and sub-

1 stance use disorders for pregnant and postpartum  
2 individuals from racial and ethnic minority groups.

3 **SEC. 31046. FUNDING FOR EDUCATION AND TRAINING AT**  
4 **HEALTH PROFESSIONS SCHOOLS TO IDENTIFY AND ADDRESS HEALTH RISKS ASSOCI-**  
5 **ATED WITH CLIMATE CHANGE.**  
6

7 (a) IN GENERAL.—In addition to amounts otherwise  
8 available, there is appropriated to the Secretary for fiscal  
9 year 2022, out of any money in the Treasury not otherwise  
10 appropriated, \$85,000,000, to remain available until ex-  
11 pended, for grants to accredited medical schools, accred-  
12 ited schools of nursing, teaching hospitals, accredited mid-  
13 wifery programs, physician assistant education programs,  
14 residency or fellowship programs, or other schools or pro-  
15 grams determined appropriate by the Secretary, to sup-  
16 port the development and integration of education and  
17 training programs for identifying and addressing health  
18 risks associated with climate change for pregnant, lac-  
19 tating, and postpartum individuals.

20 (b) USE OF FUNDS.—Amounts made available by  
21 subsection (a) shall be used for developing, integrating,  
22 and implementing curriculum and continuing education  
23 that focuses on the following:

24 (1) Identifying health risks associated with cli-  
25 mate change for pregnant, lactating, and

1 postpartum individuals and individuals with the in-  
2 tent to become pregnant.

3 (2) How health risks associated with climate  
4 change affect pregnant, lactating, and postpartum  
5 individuals and individuals with the intent to become  
6 pregnant.

7 (3) Racial and ethnic disparities in exposure to,  
8 and the effects of, health risks associated with cli-  
9 mate change for pregnant, lactating, and  
10 postpartum individuals and individuals with the in-  
11 tent to become pregnant.

12 (4) Patient counseling and mitigation strategies  
13 relating to health risks associated with climate  
14 change for pregnant, lactating, and postpartum indi-  
15 viduals.

16 (5) Relevant services and support for pregnant,  
17 lactating, and postpartum individuals relating to  
18 health risks associated with climate change and  
19 strategies for ensuring such individuals have access  
20 to such services and support.

21 (6) Implicit and explicit bias, racism, and dis-  
22 crimination in providing care to pregnant, lactating,  
23 and postpartum individuals and individuals with the  
24 intent to become pregnant.

1 **SEC. 31047. FUNDING FOR MINORITY-SERVING INSTITU-**  
2 **TIONS TO STUDY MATERNAL MORTALITY, SE-**  
3 **VERE MATERNAL MORBIDITY, AND ADVERSE**  
4 **MATERNAL HEALTH OUTCOMES.**

5 (a) IN GENERAL.—In addition to amounts otherwise  
6 available, there is appropriated to the Secretary for fiscal  
7 year 2022, out of any money in the Treasury not otherwise  
8 appropriated, \$50,000,000, to remain available until ex-  
9 pended for minority-serving institutions described in sec-  
10 tion 371 of the Higher Education Act of 1965 (20 U.S.C.  
11 1067q).

12 (b) USE OF FUNDS.—Amounts made available by  
13 subsection (a) shall be used for the following activities:

14 (1) Developing and implementing systematic  
15 processes of listening to the stories of pregnant and  
16 postpartum individuals from racial and ethnic mi-  
17 nority groups, and perinatal health workers sup-  
18 porting such individuals, to fully understand the  
19 causes of, and inform potential solutions to, the ma-  
20 ternal mortality and severe maternal morbidity crisis  
21 within their respective communities.

22 (2) Assessing the potential causes of relatively  
23 low rates of maternal mortality among Hispanic in-  
24 dividuals and foreign-born Black women.

1           (3) Assessing differences in rates of adverse  
2           maternal health outcomes among subgroups identi-  
3           fying as Hispanic.

4           (4) Conducting outreach to eligible minority-  
5           serving institutions to raise awareness of the avail-  
6           ability of the grants.

7           (5) Providing technical assistance on the appli-  
8           cation process for such grant.

9           (6) Promoting capacity building to eligible enti-  
10          ties.

11 **SEC. 31048. FUNDING FOR IDENTIFICATION OF MATERNITY**

12                   **CARE   HEALTH   PROFESSIONAL   TARGET**  
13                   **AREAS.**

14          In addition to amounts otherwise available, there is  
15          appropriated to the Secretary for fiscal year 2022, out of  
16          any money in the Treasury not otherwise appropriated,  
17          \$25,000,000, to remain available until expended, for car-  
18          rying out section 332(k) of the Public Health Service Act  
19          (42 U.S.C. 254e(k)).

20 **SEC. 31049. FUNDING FOR MATERNAL MORTALITY REVIEW**

21                   **COMMITTEES TO PROMOTE REPRESENTA-**  
22                   **TIVE COMMUNITY ENGAGEMENT.**

23          In addition to amounts otherwise available, there is  
24          appropriated to the Secretary for fiscal year 2022, out of  
25          any money in the Treasury not otherwise appropriated,

1 \$50,000,000, to remain available until expended, for car-  
2 rying out section 317K(d) of the Public Health Service  
3 Act (42 U.S.C. 247b–12(d)) to promote community en-  
4 gagement in maternal mortality review committees to in-  
5 crease the diversity of a committee’s membership with re-  
6 spect to race and ethnicity, location, and professional  
7 background.

8 **SEC. 31050. FUNDING FOR THE SURVEILLANCE FOR**  
9 **EMERGING THREATS TO MOTHERS AND BA-**  
10 **BIES.**

11 (a) IN GENERAL.—In addition to amounts otherwise  
12 available, there is appropriated to the Secretary for fiscal  
13 year 2022, out of any money in the Treasury not otherwise  
14 appropriated, \$100,000,000, to remain available until ex-  
15 pended, for carrying out section 317K of the Public  
16 Health Service Act (42 U.S.C. 247b–12) with respect to  
17 conducting surveillance for emerging threats to mothers  
18 and babies.

19 (b) USE OF FUNDS.—Amounts made available by  
20 subsection (a) shall be used for the following activities:

21 (1) Expanding the Surveillance for Emerging  
22 Threats to Mothers and Babies activities of the Cen-  
23 ters for Disease Control and Prevention.

24 (2) Working with public health, clinical, and  
25 community-based organizations to provide timely,

1 continually updated, evidence-based guidance to fam-  
2 ilies and health care providers on ways to reduce  
3 risk to pregnant and postpartum individuals and  
4 their newborns and tailor interventions to improve  
5 their long-term health.

6 (3) Partnering with more State, Tribal, terri-  
7 torial, and local public health programs in the collec-  
8 tion and analysis of clinical data on the impact of  
9 COVID–19 on pregnant and postpartum patients  
10 and their newborns, particularly among patients  
11 from racial and ethnic minority groups.

12 (4) Establishing regionally based centers of ex-  
13 cellence to offer medical, public health, and other  
14 knowledge (in coordination with State and Tribal  
15 public health authorities) to ensure that commu-  
16 nities, especially communities with large populations  
17 of individuals from racial and ethnic minority  
18 groups, can help pregnant and postpartum individ-  
19 uals and newborns get the care and support they  
20 need.

21 **SEC. 31051. FUNDING FOR ENHANCING REVIEWS AND SUR-**  
22 **VEILLANCE TO ELIMINATE MATERNAL MOR-**  
23 **TALITY PROGRAM.**

24 (a) IN GENERAL.—In addition to amounts otherwise  
25 available, there is appropriated to the Secretary for fiscal

1 year 2022, out of any money in the Treasury not otherwise  
2 appropriated, \$30,000,000, to remain available until ex-  
3 pended, for carrying out the Enhancing Reviews and Sur-  
4 veillance to Eliminate Maternal Mortality program estab-  
5 lished under section 317K of the Public Health Service  
6 Act (42 U.S.C. 247b–12).

7 (b) USE OF FUNDS.—Amounts made available by  
8 subsection (a) shall be used for the following activities:

9 (1) Expanding the Enhancing Reviews and Sur-  
10 veillance to Eliminate Maternal Mortality program  
11 (commonly known as the “ERASE MM program”)  
12 of the Centers for Disease Control and Prevention.

13 (2) Expanding partnerships with States, terri-  
14 tories, Indian Tribes, and Tribal organizations to  
15 support Maternal Mortality Review Committees.

16 (3) Providing technical assistance to existing  
17 maternal mortality review committees.

18 **SEC. 31052. FUNDING FOR THE PREGNANCY RISK ASSESS-**  
19 **MENT MONITORING SYSTEM.**

20 (a) IN GENERAL.—In addition to amounts otherwise  
21 available, there is appropriated to the Secretary for fiscal  
22 year 2022, out of any money in the Treasury not otherwise  
23 appropriated, \$15,000,000, to remain available until ex-  
24 pended, for carrying out section 317K of the Public



1 Health Service Act (42 U.S.C. 247b–12) with respect to  
2 the Pregnancy Risk Assessment Monitoring System.

3 (b) USE OF FUNDS.—Amounts made available by  
4 subsection (a) shall be used for the following activities:

5 (1) Supporting COVID–19 supplements to the  
6 Pregnancy Risk Assessment Monitoring System  
7 questionnaire.

8 (2) Conducting a rapid assessment of COVID–  
9 19 awareness, impact on care and experiences, and  
10 use of preventive measures among pregnant, labor-  
11 ing and birthing, and postpartum individuals.

12 (3) Supporting the transition of the question-  
13 naire described in paragraph (1) to an electronic  
14 platform and expanding the distribution of the ques-  
15 tionnaire to a larger population, with a special focus  
16 on reaching underrepresented communities.

17 **SEC. 31053. FUNDING FOR THE NATIONAL INSTITUTE OF**  
18 **CHILD HEALTH AND HUMAN DEVELOPMENT.**

19 In addition to amounts otherwise available, there is  
20 appropriated to the Secretary for fiscal year 2022, out of  
21 any money in the Treasury not otherwise appropriated,  
22 \$15,000,000, to remain available until expended, for car-  
23 rying out section 301 of the Public Health Service Act  
24 (42 U.S.C. 241) and title IV of the Public Health Service  
25 Act (42 U.S.C. 281 et seq.) with respect to child health

1 and human development, to conduct or support research  
2 for interventions to mitigate the effects of the COVID–  
3 19 public health emergency on pregnant, lactating, and  
4 postpartum individuals, with a particular focus on individ-  
5 uals from racial and ethnic minority groups.

6 **SEC. 31054. FUNDING FOR EXPANDING THE USE OF TECH-**  
7 **NOLOGY-ENABLED COLLABORATIVE LEARN-**  
8 **ING AND CAPACITY MODELS FOR PREGNANT**  
9 **AND POSTPARTUM INDIVIDUALS.**

10 (a) IN GENERAL.—In addition to amounts otherwise  
11 available, there is appropriated to the Secretary for fiscal  
12 year 2022, out of any money in the Treasury not otherwise  
13 appropriated, \$30,000,000, to remain available until ex-  
14 pended, for grants to community-based organizations,  
15 health care providers, accredited medical schools, accred-  
16 ited schools of nursing, teaching hospitals, accredited mid-  
17 wifery programs, physician assistant education programs,  
18 residency or fellowship programs, or other schools or pro-  
19 grams determined appropriate by the Secretary, that are  
20 operating in health professional shortage areas designated  
21 under section 332 of the Public Health Service Act (42  
22 U.S.C. 254e) with high rates of adverse maternal health  
23 outcomes or significant racial and ethnic disparities in ma-  
24 ternal health outcomes, to evaluate, develop, and expand  
25 the use of technology-enabled collaborative learning.

1 (b) USE OF FUNDS.—

2 (1) GRANTEES.—A recipient of a grant award-  
3 ed pursuant to subsection (a) shall use such grant  
4 amounts to—

5 (A) train maternal health care providers  
6 and students through the use and expansion of  
7 technology-enabled collaborative learning and  
8 capacity building models, including hardware  
9 and software that—

10 (i) enables distance learning and tech-  
11 nical support; and

12 (ii) supports the secure exchange of  
13 electronic health information; and

14 (B) conduct evaluations on the use of tech-  
15 nology-enabled collaborative learning to improve  
16 maternal health outcomes.

17 (2) SECRETARY.—The Secretary shall use  
18 amounts made available pursuant to subsection (a)  
19 to provide technical assistance to recipients of grants  
20 awarded pursuant to subsection (a) on the develop-  
21 ment, use, and sustainability of technology-enabled  
22 collaborative learning and capacity building models  
23 to expand access to maternal health services pro-  
24 vided by such entities.

1 **SEC. 31055. FUNDING FOR PROMOTING EQUITY IN MATER-**  
2 **NAL HEALTH OUTCOMES THROUGH DIGITAL**  
3 **TOOLS.**

4 (a) IN GENERAL.—In addition to amounts otherwise  
5 available, there is appropriated to the Secretary for fiscal  
6 year 2022, out of any money in the Treasury not otherwise  
7 appropriated, \$30,000,000, to remain available until ex-  
8 pended, for grants to community-based organizations,  
9 health care providers, accredited medical schools, accred-  
10 ited schools of nursing, teaching hospitals, accredited mid-  
11 wifery programs, physician assistant education programs,  
12 residency or fellowship programs, or other schools or pro-  
13 grams determined appropriate by the Secretary, that are  
14 operating in health professional shortage areas designated  
15 under section 332 of the Public Health Service Act (42  
16 U.S.C. 254e) with high rates of adverse maternal health  
17 outcomes or significant racial and ethnic disparities in ma-  
18 ternal health outcomes to reduce racial and ethnic dispari-  
19 ties in maternal health outcomes by increasing access to  
20 digital tools related to maternal health care.

21 (b) USE OF FUNDS.—Amounts made available pursu-  
22 ant to subsection (a) shall be used for the following activi-  
23 ties:

24 (1) Increasing access to digital tools that could  
25 improve maternal health outcomes, such as wearable

1 technologies, patient portals, telehealth services, and  
2 mobile phone applications.

3 (2) Providing technical assistance to recipients  
4 of grants awarded pursuant to subsection (a) on the  
5 development, use, evaluation, and postgrant sustain-  
6 ability of digital tools for purposes of promoting eq-  
7 uity in maternal health outcomes.

8 **SEC. 31056. FUNDING FOR ANTIDISCRIMINATION AND BIAS**  
9 **TRAINING.**

10 (a) IN GENERAL.—In addition to amounts otherwise  
11 available, there is appropriated to the Secretary for fiscal  
12 year 2022, out of any money in the Treasury not otherwise  
13 appropriated, \$25,000,000, to remain available until ex-  
14 pended, for the purpose described in subsection (b).

15 (b) USE OF FUNDS.—The Secretary shall use  
16 amounts appropriated under subsection (a) to award com-  
17 petitive grants or contracts to national nonprofit organiza-  
18 tions focused on improving health equity, accredited  
19 schools of medicine or nursing, and other health profes-  
20 sional training programs to develop, disseminate, review,  
21 research, and evaluate training for health professionals  
22 and all staff who interact with patients to reduce discrimi-  
23 nation and bias in the provision of health care, with a  
24 focus on maternal health care.

1 **PART 5—OTHER PUBLIC HEALTH INVESTMENTS**

2 **SEC. 31061. FUNDING FOR MENTAL HEALTH AND SUB-**  
3 **STANCE USE DISORDER PROFESSIONALS.**

4 In addition to amounts otherwise available, there is  
5 appropriated to the Secretary for fiscal year 2022, out of  
6 any money in the Treasury not otherwise appropriated,  
7 \$50,000,000, to remain available until expended, for pur-  
8 poses of carrying out section 597 of the Public Health  
9 Service Act (42 U.S.C. 290ll).

10 **SEC. 31062. FUNDING FOR PROJECT AWARE.**

11 In addition to amounts otherwise available, there is  
12 appropriated to the Secretary for fiscal year 2022, out of  
13 any money in the Treasury not otherwise appropriated,  
14 \$30,000,000, to remain available until expended, for car-  
15 rying out section 520A of the Public Health Service Act  
16 (42 U.S.C. 290bb–32) with respect to advancing wellness  
17 and resiliency in education.

18 **SEC. 31063. FUNDING FOR THE NATIONAL SUICIDE PRE-**  
19 **VENTION LIFELINE.**

20 In addition to amounts otherwise available, there is  
21 appropriated to the Secretary for fiscal year 2022, out of  
22 any money in the Treasury not otherwise appropriated,  
23 \$75,000,000, to remain available until expended, for ad-  
24 vancing infrastructure for the National Suicide Prevention  
25 Lifeline program under section 520E–3 of the Public  
26 Health Service Act (42 U.S.C. 290bb–36c) in order to ex-

1 pand existing capabilities for response in a manner that  
2 avoids duplicating existing capabilities for text-based crisis  
3 support.

4 **SEC. 31064. FUNDING FOR COMMUNITY VIOLENCE AND**  
5 **TRAUMA INTERVENTIONS.**

6 (a) IN GENERAL.—In addition to amounts otherwise  
7 available, there is appropriated to the Secretary, out of  
8 any money in the Treasury not otherwise appropriated to  
9 remain available until expended, for the purposes de-  
10 scribed in subsection (b):

11 (1) \$150,000,000 for fiscal year 2022.

12 (2) \$250,000,000 for fiscal year 2023.

13 (3) \$450,000,000 for fiscal year 2024.

14 (4) \$550,000,000 for each of fiscal years 2025,  
15 2026, and 2027.

16 (b) USE OF FUNDING.—The Secretary, acting  
17 through the Director of the Centers for Disease Control  
18 and Prevention, and in consultation with the Assistant  
19 Secretary for Mental Health and Substance Use, the Ad-  
20 ministrator of the Health Resources and Services Admin-  
21 istration, and the Deputy Assistant Secretary for Minority  
22 Health and with public health and medical professionals,  
23 victim services community-based organizations, and other  
24 violence reduction experts, shall use amounts appropriated  
25 by subsection (a) to support public health approaches to

1 reduce community violence and trauma, taking into con-  
2 sideration the needs of communities with high rates of,  
3 and prevalence of risk factors associated with, violence-  
4 related injuries and deaths, by—

5           (1) awarding competitive grants or contracts to  
6 local governmental entities, States, territories, In-  
7 dian Tribes and Tribal organizations, Urban Indian  
8 organizations, hospitals and community health cen-  
9 ters, nonprofit community-based organizations, cul-  
10 turally specific organizations, victim services pro-  
11 viders, or other entities as determined by the Sec-  
12 retary (or consortia of such entities) to support evi-  
13 dence-based, culturally competent, and develop-  
14 mentally appropriate strategies to reduce community  
15 violence, including outreach and conflict mediation,  
16 hospital-based violence intervention, violence inter-  
17 ruption, and services for victims and individuals and  
18 communities at risk for experiencing violence, such  
19 as trauma-informed mental health care and coun-  
20 seling, school-based mental health services, and  
21 other services; and

22           (2) supporting training, technical assistance,  
23 surveillance systems, and data collection to facilitate  
24 support for strategies to reduce community violence  
25 and ensure safe and healthy communities.



1 (c) SUPPLEMENT NOT SUPPLANT.—Amounts appro-  
2 priated under this section shall be used to supplement and  
3 not supplant any Federal, State, or local funding other-  
4 wise made available for the purposes described in this sec-  
5 tion.

6 **SEC. 31065. FUNDING FOR THE NATIONAL CHILD TRAU-**  
7 **MATIC STRESS NETWORK.**

8 In addition to amounts otherwise available, there is  
9 appropriated to the Secretary for fiscal year 2022, out of  
10 any money in the Treasury not otherwise appropriated,  
11 \$10,000,000, to remain available until expended, for car-  
12 rying out section 582 of the Public Health Service Act  
13 (42 U.S.C. 290hh–1) with respect to addressing the prob-  
14 lem of high-risk or medically underserved persons who ex-  
15 perience violence-related stress.

16 **SEC. 31066. FUNDING FOR HIV HEALTH CARE SERVICES**  
17 **PROGRAMS.**

18 In addition to amounts otherwise available, there is  
19 appropriated to the Secretary for fiscal year 2022, out of  
20 any money in the Treasury not otherwise appropriated,  
21 \$150,000,000, to remain available until expended, for  
22 modifications to existing contracts, and supplements to ex-  
23 isting grants and cooperative agreements under parts A,  
24 B, C, and D of title XXVI of the Public Health Service

1 Act (42 U.S.C. 300ff–11 et seq.) and section 2692(a) of  
2 such Act (42 U.S.C. 300ff–111(a)).

3 **SEC. 31067. SUPPLEMENTAL FUNDING FOR THE WORLD**  
4 **TRADE CENTER HEALTH PROGRAM.**

5 (a) SUPPLEMENTAL FUND.—

6 (1) IN GENERAL.—Title XXXIII of the Public  
7 Health Service Act (42 U.S.C. 300mm et seq.) is  
8 amended by adding at the end the following:

9 **“SEC. 3352. SUPPLEMENTAL FUND.**

10 “(a) IN GENERAL.—There is established a fund to  
11 be known as the World Trade Center Health Program  
12 Supplemental Fund (referred to in this section as the  
13 ‘Supplemental Fund’), consisting of amounts deposited  
14 into the Supplemental Fund under subsection (b).

15 “(b) AMOUNT.—Out of any money in the Treasury  
16 not otherwise appropriated, there is appropriated for fiscal  
17 year 2022, \$2,860,000,000, for deposit into the Supple-  
18 mental Fund, which amounts shall remain available  
19 through fiscal year 2031.

20 “(c) USES OF FUNDS.—Amounts deposited into the  
21 Supplemental Fund under subsection (b) shall be avail-  
22 able, without further appropriation and without regard to  
23 any spending limitation under section 3351(c), to the  
24 WTC Program Administrator as needed at the discretion

1 of such Administrator for carrying out any provision in  
2 this title, including sections 3303 and 3341(c).

3 “(d) RETURN OF FUNDS.—Any amounts that remain  
4 in the Supplemental Fund on September 30, 2031, shall  
5 be deposited into the Treasury as miscellaneous receipts.”.

6 (2) CONFORMING AMENDMENTS.—Title  
7 XXXIII of the Public Health Service Act (42 U.S.C.  
8 300mm et seq.) is amended—

9 (A) in section 3311(a)(4)(B)(i)(II) (42  
10 U.S.C. 300mm–21(a)(4)(B)(i)(II)), by striking  
11 “section 3351” and inserting “sections 3351  
12 and 3352”;

13 (B) in section 3321(a)(3)(B)(i)(II) (42  
14 U.S.C. 300mm–31(a)(3)(B)(i)(II)), by striking  
15 “section 3351” and inserting “sections 3351  
16 and 3352”;

17 (C) in section 3331 (42 U.S.C. 300mm–  
18 41)—

19 (i) in subsection (a), by inserting  
20 “and the World Trade Center Health Pro-  
21 gram Supplemental Fund” before the pe-  
22 riod at the end; and

23 (ii) in subsection (d)—

24 (I) in paragraph (1)(B), by in-  
25 serting “(excluding any expenditures

1 from amounts in the World Trade  
2 Center Health Program Supplemental  
3 Fund under section 3352)” before the  
4 period at the end; and

5 (II) in paragraph (2), in the  
6 flush text following subparagraph (C),  
7 by inserting “(excluding any expendi-  
8 tures from amounts in the World  
9 Trade Center Health Program Sup-  
10 plemental Fund under section 3352)”  
11 before the period at the end; and

12 (D) in section 3351(b) (42 U.S.C.  
13 300mm–61(b))—

14 (i) in paragraph (2), by inserting “or  
15 as available from the World Trade Center  
16 Health Program Supplemental Fund under  
17 section 3352” before the period at the end;  
18 and

19 (ii) in paragraph (3), by inserting “or  
20 as available from the World Trade Center  
21 Health Program Supplemental Fund under  
22 section 3352” before the period at the end.

23 (b) RESEARCH COHORT FOR EMERGING HEALTH IM-  
24 PACTS ON YOUTH.—

1           (1) IN GENERAL.—Section 3341 of the Public  
2       Health Service Act (42 U.S.C. 300mm–51) is  
3       amended—

4           (A) by redesignating subsections (c) and  
5       (d) as subsections (d) and (e), respectively; and

6           (B) by inserting after subsection (b) the  
7       following:

8       “(c) RESEARCH COHORT FOR EMERGING HEALTH  
9       IMPACTS ON YOUTH.—The WTC Program Administrator  
10      shall establish a research cohort of sufficient size to con-  
11      duct research studies on the health and educational im-  
12      pacts of exposure to airborne toxins, or any other hazard  
13      or adverse condition, resulting from the September 11,  
14      2001, terrorist attacks on the population of individuals  
15      who were 21 years of age or younger at the time of expo-  
16      sure and who are enrolled in the WTC Program or other-  
17      wise eligible for enrollment in the Program under section  
18      3321.”.

19           (2) SPENDING LIMITATION EXEMPTION.—Sec-  
20      tion 3351(c)(5) of such Act (42 U.S.C. 300mm–  
21      61(c)(5)) is amended in the matter preceding sub-  
22      paragraph (A), by inserting “(other than subsection  
23      (c) of such section)” after “section 3341”.

24           (3) CONFORMING AMENDMENT.—Section  
25      3301(f)(2)(E) of such Act (42 U.S.C.

1       300mm(f)(2)(E)) is amended by striking “section  
2       3341(a)” and inserting “subsection (a) or (c) of sec-  
3       tion 3341”.

## 4       **Subtitle K—Next Generation 9–1–1**

### 5       **SEC. 31101. DEPLOYMENT OF NEXT GENERATION 9–1–1.**

6       (a) APPROPRIATION.—

7               (1) IN GENERAL.—In addition to amounts oth-  
8       erwise available, there is appropriated to the Assist-  
9       ant Secretary for fiscal year 2022, out of any money  
10       in the Treasury not otherwise appropriated,  
11       \$10,000,000,000, to remain available until Sep-  
12       tember 30, 2030, to make grants to eligible entities  
13       for implementing Next Generation 9–1–1, operating  
14       and maintaining Next Generation 9–1–1, training  
15       directly related to implementing, maintaining, and  
16       operating Next Generation 9–1–1, if the cost related  
17       to such training does not exceed 3 percent of the  
18       total grant award, and planning and implementation  
19       activities, if the cost related to such planning and  
20       implementation does not exceed 1 percent of the  
21       total grant award.

22               (2) ADMINISTRATIVE EXPENSES.—Of the  
23       amount appropriated in this subsection, the Assist-  
24       ant Secretary may use not more than 2 percent to  
25       implement and administer this section.

1           (3) RULEMAKING REQUIRED.—Not later than  
2           180 days after the date of the enactment of this Act,  
3           the Assistant Secretary shall, after public notice and  
4           opportunity for comment, issue rules to implement  
5           this section.

6           (b) ELIGIBILITY.—

7           (1) IN GENERAL.—The Assistant Secretary  
8           shall not make a grant under this section to any eli-  
9           gible entity unless such entity certifies to the Assist-  
10          ant Secretary that—

11           (A) no portion of any 9–1–1 fee or charge  
12          imposed by the eligible entity, or (in the case  
13          that the eligible entity is not a covered State or  
14          Tribal organization) any State or taxing jurisdic-  
15          tion within which the eligible entity will carry  
16          out activities using grant funds, will be obli-  
17          gated or expended for any purpose or function  
18          other than a purpose or function for which the  
19          obligation or expenditure of such a fee or  
20          charge is acceptable (as determined by the Fed-  
21          eral Communications Commission pursuant to  
22          the rules issued under section 6(f)(3) of the  
23          Wireless Communications and Public Safety  
24          Act of 1999 (47 U.S.C. 615a–1(f)(3)), as such  
25          rules are in effect on the date on which the eli-

1           gible entity makes the certification) during any  
2           period during which the funds from the grant  
3           are available to the eligible entity;

4           (B) any funds received by the eligible enti-  
5           ty will be used to support the deployment of  
6           Next Generation 9–1–1 in a manner that en-  
7           sures reliability, interoperability, and requires  
8           the use of commonly accepted standards;

9           (C) the eligible entity has established, or  
10          commits to establish not later than 3 years  
11          after the date on which the funds are distrib-  
12          uted to the eligible entity, a sustainable funding  
13          mechanism for Next Generation 9–1–1 and ef-  
14          fective cybersecurity for Next Generation 9–1–  
15          1; and

16          (D) no funds received by the eligible entity  
17          will be used to purchase, rent, lease, or other-  
18          wise obtain covered communications equipment  
19          or services (as defined in section 9 of the Se-  
20          cure and Trusted Communications Networks  
21          Act of 2019 (47 U.S.C. 1608)).

22          (2) OTHER REQUIREMENTS.—The Assistant  
23          Secretary shall not make a grant under this section  
24          to an eligible entity unless such entity certifies to  
25          the Assistant Secretary that—



1 (A) the eligible entity, and (in the case  
2 that the eligible entity is not a covered State or  
3 Tribal organization) any covered State within  
4 which the eligible entity will carry out activities  
5 using grant funds, has designated a single offi-  
6 cer or governmental body to serve as the point  
7 of contact to coordinate the implementation of  
8 Next Generation 9–1–1 for such covered State  
9 or Tribal organization; and

10 (B) the eligible entity has developed and  
11 submitted a plan for the coordination and im-  
12 plementation of Next Generation 9–1–1 con-  
13 sistent with the requirements of the Assistant  
14 Secretary that, at a minimum—

15 (i) ensures interoperability, reliability,  
16 resiliency, and the use of commonly accept-  
17 ed standards;

18 (ii) enables emergency communica-  
19 tions centers to process, analyze, and store  
20 multimedia, data, and other information;

21 (iii) incorporates cybersecurity tools,  
22 including intrusion detection and preven-  
23 tion measures;

24 (iv) includes strategies for coordi-  
25 nating cybersecurity information sharing

1                   between Federal, covered State, Tribal,  
2                   and local government partners;

3                   (v) includes a governance body or bod-  
4                   ies, either by creation of a new body or  
5                   bodies or use of an existing body or bodies,  
6                   for the development and deployment of  
7                   Next Generation 9-1-1;

8                   (vi) creates efficiencies related to Next  
9                   Generation 9-1-1 functions, including the  
10                  virtualization and sharing of infrastruc-  
11                  ture, equipment, and services; and

12                  (vii) utilizes an effective, competitive  
13                  approach to establishing authentication,  
14                  credentialing, secure connections, and ac-  
15                  cess in deploying Next Generation 9-1-1,  
16                  including by—

17                   (I) requiring certificate authori-  
18                   ties to be capable of cross-certification  
19                   with other authorities;

20                   (II) avoiding risk of a single  
21                   point of failure or vulnerability; and

22                   (III) adhering to Federal agency  
23                   best practices such as those promul-  
24                   gated by the National Institute of  
25                   Standards and Technology.

1           (3) RETURN OF FUNDING.—If, after making a  
2           grant award to an eligible entity under subsection  
3           (a), the Assistant Secretary determines that such eli-  
4           gible entity has acted in a manner not in accordance  
5           with the certifications required under this sub-  
6           section, the Assistant Secretary shall, after affording  
7           due process, rescind such grant award and recoup  
8           funds from such eligible entity.

9           (c) OVERSIGHT.—In addition to amounts otherwise  
10          available, there is appropriated to the Inspector General  
11          of the Department of Commerce for fiscal year 2022, out  
12          of any money in the Treasury not otherwise appropriated,  
13          \$10,000,000, to remain available until September 30,  
14          2030, to conduct oversight to combat waste, fraud, and  
15          abuse of grant awards made under this section.

16 **SEC. 31102. ESTABLISHMENT OF NEXT GENERATION 9-1-1**  
17 **CYBERSECURITY CENTER.**

18          In addition to amounts otherwise available, there is  
19          appropriated to the Assistant Secretary for fiscal year  
20          2022, out of any money in the Treasury not otherwise ap-  
21          propriated, \$80,000,000, to remain available until Sep-  
22          tember 30, 2030, to establish a Next Generation 9-1-1  
23          Cybersecurity Center to coordinate with covered State,  
24          local, and regional governments on the sharing of cyberse-  
25          curity information about, the analysis of cybersecurity

1 threats to, and guidelines for strategies to detect and pre-  
2 vent cybersecurity intrusions relating to Next Generation  
3 9–1–1.

4 **SEC. 31103. PUBLIC SAFETY NEXT GENERATION 9–1–1 ADVI-**  
5 **SORY BOARD.**

6 In addition to amounts otherwise available, there is  
7 appropriated to the Assistant Secretary for fiscal year  
8 2022, out of any money in the Treasury not otherwise ap-  
9 propriated, \$10,000,000, to remain available until Sep-  
10 tember 30, 2030, to establish a 16-member Public Safety  
11 Next Generation 9–1–1 Advisory Board (in this section  
12 referred to as the “Board”), to be comprised of represent-  
13 atives of public safety organizations, to provide rec-  
14 ommendations to the Assistant Secretary with respect to  
15 carrying out the duties and responsibilities of the Assist-  
16 ant Secretary related to Next Generation 9–1–1, including  
17 with respect to the grant program established pursuant  
18 to section 31101.

19 **SEC. 31104. DEFINITIONS.**

20 In this subtitle:

21 (1) 9–1–1 FEE OR CHARGE.—The term “9–1–  
22 1 fee or charge” has the meaning given such term  
23 in section 6(f)(3)(D) of the Wireless Communica-  
24 tions and Public Safety Act of 1999 (47 U.S.C.  
25 615a–1(f)(3)(D)).

1           (2) ASSISTANT SECRETARY.—The term “Assist-  
2           ant Secretary” means the Assistant Secretary of  
3           Commerce for Communications and Information.

4           (3) COMMONLY ACCEPTED STANDARDS.—The  
5           term “commonly accepted standards” means the  
6           technical standards followed by the communications  
7           industry for network, device, and Internet Protocol  
8           connectivity that—

9                   (A) enable interoperability; and

10                   (B) are—

11                           (i) developed and approved by a  
12                           standards development organization that is  
13                           accredited by a United States or inter-  
14                           national standards body in a process  
15                           that—

16                                   (I) is open to the public, includ-  
17                                   ing open for participation by any or-  
18                                   ganization; and

19                                   (II) provides for a conflict resolu-  
20                                   tion process;

21                                   (ii) subject to an open comment and  
22                                   input process before being finalized by the  
23                                   standards development organization;

24                                   (iii) consensus-based; and

1 (iv) made publicly available once ap-  
2 proved.

3 (4) COST RELATED TO PLANNING AND IMPLE-  
4 MENTATION.—The term “cost related to planning  
5 and implementation” means any cost incurred by an  
6 eligible entity related to planning for and preparing  
7 an application and related materials as required  
8 under this title.

9 (5) COVERED STATE.—The term “covered  
10 State” means any State of the United States, the  
11 District of Columbia, Puerto Rico, American Samoa,  
12 Guam, the United States Virgin Islands, the North-  
13 ern Mariana Islands, and any other territory or pos-  
14 session of the United States.

15 (6) ELIGIBLE ENTITY.—The term “eligible enti-  
16 ty”—

17 (A) means a covered State or a Tribal or-  
18 ganization; and

19 (B) may be an entity, including a public  
20 authority, board, or commission, established by  
21 one or more entities described in subparagraph  
22 (A).

23 (7) EMERGENCY COMMUNICATIONS CENTER.—

24 (A) IN GENERAL.—The term “emergency  
25 communications center”—

- 1 (i) means a facility that—
- 2 (I) is designated to receive a 9–
- 3 1–1 request for emergency assistance;
- 4 and
- 5 (II) performs one or more of the
- 6 functions described in subparagraph
- 7 (B); and
- 8 (ii) may be a public safety answering
- 9 point, as defined in section 222 of the
- 10 Communications Act of 1934 (47 U.S.C.
- 11 222).

12 (B) FUNCTIONS DESCRIBED.—The func-

13 tions described in this subparagraph are the fol-

14 lowing:

- 15 (i) Process and analyze 9–1–1 re-
- 16 quests for emergency assistance and infor-
- 17 mation and data related to such requests.
- 18 (ii) Dispatch appropriate emergency
- 19 response providers.
- 20 (iii) Transfer or exchange 9–1–1 re-
- 21 quests for emergency assistance and infor-
- 22 mation and data related to such requests
- 23 with one or more facilities described under
- 24 this paragraph and emergency response
- 25 providers.

1 (iv) Analyze any communications re-  
2 ceived from emergency response providers.

3 (v) Support incident command func-  
4 tions.

5 (8) INTEROPERABLE; INTEROPERABILITY.—The  
6 term “interoperable” or “interoperability” means the  
7 capability of emergency communications centers to  
8 receive 9–1–1 requests for emergency assistance and  
9 information and data related to such requests, such  
10 as location information and callback numbers from  
11 a person initiating the request, and then process and  
12 share the 9–1–1 requests for emergency assistance  
13 and information and data related to such requests  
14 with other emergency communications centers and  
15 emergency response providers without the need for  
16 proprietary interfaces and regardless of jurisdiction,  
17 equipment, device, software, service provider, or  
18 other factors.

19 (9) NEXT GENERATION 9–1–1.—The term  
20 “Next Generation 9–1–1” means an interoperable,  
21 secure, Internet Protocol-based system that—

22 (A) employs commonly accepted standards;

23 (B) enables emergency communications  
24 centers to receive, process, and analyze all types  
25 of 9–1–1 requests for emergency assistance;



1 (C) acquires and integrates additional in-  
2 formation useful to handling 9-1-1 requests for  
3 emergency assistance; and

4 (D) supports sharing information related  
5 to 9-1-1 requests for emergency assistance  
6 among emergency communications centers and  
7 emergency response providers.

8 (10) PUBLIC SAFETY ORGANIZATION.—The  
9 term “public safety organization” means an organi-  
10 zation that represents the interests of personnel in—

11 (A) local law enforcement;

12 (B) fire and rescue;

13 (C) emergency medical service; or

14 (D) 9-1-1 services.

15 (11) RELIABILITY.—The term “reliability”  
16 means the employment of sufficient measures to en-  
17 sure the ongoing operation of Next Generation 9-1-  
18 1, including through the use of geo-diverse, device-  
19 and network-agnostic elements that provide more  
20 than one physical route between end points with no  
21 common points where a single failure at that point  
22 would cause the operation of Next Generation 9-1-  
23 1 to fail.

24 (12) STATE OR TAXING JURISDICTION.—The  
25 term “State or taxing jurisdiction” has the meaning

1 given such term in section 6(f)(3)(D) of the Wireless  
2 Communications and Public Safety Act of 1999 (47  
3 U.S.C. 615a-1(f)(3)(D)).

4 (13) SUSTAINABLE FUNDING MECHANISM.—  
5 The term “sustainable funding mechanism” means a  
6 funding mechanism that provides adequate revenues  
7 to cover ongoing expenses, including operations,  
8 maintenance, and upgrades.

## 9 **Subtitle L—Spectrum Auctions**

### 10 **SEC. 31201. SPECTRUM AUCTIONS AND INNOVATION.**

11 (a) DEFINITIONS.—In this section:

12 (1) ASSISTANT SECRETARY.—The term “Assist-  
13 ant Secretary” means the Assistant Secretary of  
14 Commerce for Communications and Information.

15 (2) COMMISSION.—The term “Commission”  
16 means the Federal Communications Commission.

17 (3) COVERED BAND.—The term “covered  
18 band” means the band of frequencies between 3100  
19 megahertz and 3450 megahertz, inclusive.

20 (4) RELEVANT CONGRESSIONAL COMMIT-  
21 TEES.—The term “relevant congressional commit-  
22 tees” means—

23 (A) the Committee on Energy and Com-  
24 merce of the House of Representatives; and

1 (B) the Committee on Commerce, Science,  
2 and Transportation of the Senate.

3 (5) SECRETARY.—The term “Secretary” means  
4 the Secretary of Commerce.

5 (b) 3.1–3.45 GHz BAND.—

6 (1) PRE-AUCTION FUNDING.—

7 (A) IN GENERAL.—On the date of enact-  
8 ment of this Act, the Director of the Office of  
9 Management and Budget shall transfer  
10 \$50,000,000 from the Spectrum Relocation  
11 Fund established under section 118 of the Na-  
12 tional Telecommunications and Information Ad-  
13 ministration Organization Act (47 U.S.C. 928)  
14 to the Secretary for the purpose of engineering  
15 studies, economic analyses, activities with re-  
16 spect to systems, or other planning activities to  
17 improve efficiency and effectiveness of Federal  
18 spectrum use in order to make available—

19 (i) frequencies in the covered band for  
20 identification by the Secretary under para-  
21 graph (2)(A); and

22 (ii) frequencies in the covered band  
23 for identification by the Secretary under  
24 paragraph (2)(B).

1           (B) EXEMPTION.—Section 118(g) of the  
2 National Telecommunications and Information  
3 Administration Organization Act (47 U.S.C.  
4 928(g)) shall not apply with respect to the pay-  
5 ment required under subparagraph (A).

6           (C) PLAN.—Not later than 180 days after  
7 the date of enactment of this Act, the Assistant  
8 Secretary, in coordination with the Secretary of  
9 Defense and the Executive Office of the Presi-  
10 dent, shall develop a plan for conducting the en-  
11 gineering studies, economic analyses, activities  
12 with respect to systems, or other planning ac-  
13 tivities described in subparagraph (A).

14           (D) CONSIDERATION OF COMMON PLAT-  
15 FORM.—In developing the plan required by sub-  
16 paragraph (C), the Assistant Secretary shall  
17 consider facilitating the sharing of spectrum be-  
18 tween Federal and non-Federal users imple-  
19 mented through a Federal user informing com-  
20 mon platform developed by the Assistant Sec-  
21 retary, in coordination with the Commission.

22           (E) OVERSIGHT.—The Assistant Secretary  
23 and the Executive Office of the President shall  
24 continuously review and provide oversight of the

1 execution of the plan required by subparagraph  
2 (C).

3 (F) REPORT TO SECRETARY OF COMMERCE  
4 AND CONGRESS.—Not later than 18 months  
5 after the date of enactment of this Act, for the  
6 purposes of aiding the Secretary in making the  
7 identification under paragraph (2) and in-  
8 formed by the findings of the engineering stud-  
9 ies, economic analyses, activities with respect to  
10 systems, or other planning activities described  
11 in subparagraph (A), the Assistant Secretary,  
12 in consultation with the Secretary of Defense,  
13 shall submit to the Secretary and the relevant  
14 congressional committees a report that—

15 (i) contains such findings; and

16 (ii) recommends—

17 (I) frequencies in the covered  
18 band for identification by the Sec-  
19 retary under paragraph (2)(A); and

20 (II) frequencies in the covered  
21 band for identification by the Sec-  
22 retary under paragraph (2)(B).

23 (2) IDENTIFICATION.—Not later than 24  
24 months after the date of enactment of this Act, in-  
25 formed by the findings of the engineering studies,

1 economic analyses, activities with respect to systems,  
2 or other planning activities described in paragraph  
3 (1)(A) and the report required under paragraph  
4 (1)(F), the Secretary, in consultation with the Sec-  
5 retary of Defense, the Director of the Office of  
6 Science and Technology Policy, and the Commission,  
7 shall submit to the President, the Commission, and  
8 the relevant congressional committees a report  
9 that—

10 (A) identifies for inclusion in a system of  
11 competitive bidding under paragraph (3) at  
12 least 200 megahertz of frequencies in the cov-  
13 ered band for non-Federal use, shared Federal  
14 and non-Federal use, or a combination thereof;  
15 and

16 (B) identifies additional frequencies of  
17 electromagnetic spectrum in the covered band  
18 that could be made available for non-Federal  
19 use, shared Federal and non-Federal use, or a  
20 combination thereof.

21 (3) AUCTION.—

22 (A) IN GENERAL.—Not later than 7 years  
23 after the date of enactment of this Act, the  
24 Commission, in coordination with the Assistant  
25 Secretary, shall commence a system of competi-

1           tive bidding under section 309(j) of the Com-  
2           munications Act of 1934 (47 U.S.C. 309(j)), in  
3           accordance with paragraph (2) of this sub-  
4           section, of the frequencies identified under sub-  
5           paragraph (A) of that paragraph.

6           (B) PROHIBITION.—No entity that is on  
7           the list required by section 2 of the Secure and  
8           Trusted Communications Networks Act of 2019  
9           (47 U.S.C. 1601) may participate in the system  
10          of competitive bidding required by subpara-  
11          graph (A).

12          (4) PREPARING SPECTRUM FOR AUCTION.—

13           (A) IN GENERAL.—The President shall  
14           modify or withdraw any assignment to a Fed-  
15           eral Government station of the frequencies iden-  
16           tified under paragraph (2)(A) to accommodate  
17           non-Federal use or shared Federal and non-  
18           Federal use in accordance with that paragraph.

19           (B) TIMING.—The President may not  
20           modify or withdraw any assignment to a Fed-  
21           eral Government station as described in sub-  
22           paragraph (A) before November 30, 2024.

23          (5) AUCTION PROCEEDS TO COVER 110 PER-  
24          CENT OF FEDERAL RELOCATION OR SHARING  
25          COSTS.—Nothing in this subsection shall be con-

1       strued to relieve the Commission from the require-  
2       ments under section 309(j)(16)(B) of the Commu-  
3       nications Act of 1934 (47 U.S.C. 309(j)(16)(B)).

4               (6) RULES AUTHORIZING ADDITIONAL USE OF  
5       SPECTRUM IN COVERED BAND.—Not later than 4  
6       years after the date of enactment of this Act, the  
7       Commission, in consultation with the Assistant Sec-  
8       retary, shall adopt rules that authorize the use of  
9       spectrum in the covered band identified under para-  
10      graph (2)(B) for non-Federal use, shared Federal  
11      and non-Federal use, or a combination thereof.

12              (7) OPPORTUNISTIC USE OF IDENTIFIED FRE-  
13      QUENCIES.—Not later than 4 years after the date of  
14      enactment of this Act, if the President modifies or  
15      withdraws assignments under paragraph (4), or if  
16      President accommodates the use described in para-  
17      graph (2)(A) without such modification or with-  
18      drawal, the Commission, in coordination with the  
19      Assistant Secretary, shall allow for the opportunistic  
20      use of the frequencies identified under such para-  
21      graph before the auction required by paragraph (3)  
22      is conducted. Opportunistic use, if such use is incon-  
23      sistent with the rights of licensees that obtained li-  
24      censes through such auction, shall cease upon the  
25      issuance by the Commission of such licenses.



1 (c) FCC AUCTION AUTHORITY.—

2 (1) TERMINATION.—Section 309(j)(11) of the  
3 Communications Act of 1934 (47 U.S.C. 309(j)(11))  
4 is amended by inserting after “2025” the following:  
5 “, and with respect to the electromagnetic spectrum  
6 identified under section 31201(b)(2)(A) of the Act  
7 to provide for reconciliation pursuant to title II of  
8 S. Con. Res. 14, such authority shall expire on the  
9 date that is 7 years after the date of enactment of  
10 that Act”.

11 (2) SPECTRUM PIPELINE ACT OF 2015.—The  
12 Spectrum Pipeline Act of 2015 (Public Law 114–74;  
13 129 Stat. 621) is amended—

14 (A) in section 1004—

15 (i) in subsection (a), by striking  
16 “2022” and inserting “2024”; and

17 (ii) in subsection (b)(1), by striking  
18 “2022” and inserting “2024”; and

19 (B) in section 1006(c)(1), by striking  
20 “2022” and inserting “2024”.

## 21 **Subtitle M—Distance Learning**

### 22 **SEC. 31301. ADDITIONAL SUPPORT FOR DISTANCE LEARN-** 23 **ING.**

24 (a) APPROPRIATION.—In addition to amounts other-  
25 wise available, there is appropriated for fiscal year 2022,

1 out of any money in the Treasury not otherwise appro-  
2 priated—

3           (1) \$4,000,000,000 to the Emergency  
4 Connectivity Fund established under subsection  
5 (c)(1) of section 7402 of the American Rescue Plan  
6 Act of 2021 (Public Law 117–2) to provide support  
7 under the covered regulations promulgated under  
8 subsection (a) of such section, except that such  
9 amount shall be used to provide support under the  
10 covered regulations for costs incurred after the date  
11 of enactment of this Act but before June 30, 2030,  
12 regardless of whether those costs are incurred dur-  
13 ing a COVID–19 emergency period (as defined in  
14 subsection (d) of such section); and

15           (2) \$500,000 to the Inspector General of the  
16 Federal Communications Commission to conduct  
17 oversight of support provided under the covered reg-  
18 ulations.

19 Amounts appropriated by this subsection shall remain  
20 available until September 30, 2030.

21           (b) LIMITATION.—None of the funds appropriated by  
22 subsection (a)(1) may be used to purchase, rent, lease, or  
23 otherwise obtain any covered communications equipment  
24 or service (as defined in section 9 of the Secure and Trust-

1 ed Communications Networks Act of 2019 (47 U.S.C.  
2 1608)).

3 **Subtitle N—Manufacturing Supply**  
4 **Chain**

5 **SEC. 31401. CRITICAL MANUFACTURING SUPPLY CHAIN RE-**  
6 **SILIENCE.**

7 (a) APPROPRIATION.—In addition to amounts other-  
8 wise made available, there is appropriated to the Depart-  
9 ment of Commerce for fiscal year 2022, out of any money  
10 in the Treasury not otherwise appropriated,  
11 \$10,000,000,000, to remain available until expended, ex-  
12 cept that no amounts may be expended after September  
13 30, 2031, to support the resilience, diversity, security, and  
14 strength of critical manufacturing supply chains affecting  
15 interstate commerce and related administrative costs.

16 (b) PURPOSES.—The amount under subsection (a)  
17 shall be available to the Secretary of Commerce for—

18 (1) critical manufacturing supply chain map-  
19 ping and monitoring, which may include providing  
20 grants and other financial assistance as appropriate  
21 to eligible entities for private and public sector-led  
22 mapping, monitoring, and forecasting;

23 (2) facilitating and supporting the establish-  
24 ment of voluntary standards, guidelines, and best  
25 practices to reduce risks to the resilience, diversity,

1 security, and strength of critical manufacturing sup-  
2 ply chains;

3 (3) identifying, accelerating, promoting, and  
4 demonstrating technological advances for critical  
5 manufacturing supply chains; and

6 (4) providing grants and other financial assist-  
7 ance as appropriate that support the resilience, di-  
8 versity, security, or strength of a critical manufac-  
9 turing supply chain to eligible entities for activities  
10 that may include enhancements to a domestic manu-  
11 facturing facility, process, or practice, the preserva-  
12 tion of surge capacity, the provision of goods, or  
13 other activities at the determination of the Sec-  
14 retary.

15 (c) LIMITATION.—Of the amounts made available  
16 under subsection (a), not more than 3 percent may be  
17 used for related administrative expenses.

18 (d) ELIGIBLE ENTITY DEFINED.—The term “eligible  
19 entity” means—

20 (1) a domestic enterprise;

21 (2) a domestic manufacturer;

22 (3) a State, local, or Tribal government entity;

23 (4) a domestic regional technology and manu-  
24 facturing hub;

25 (5) a domestic institution of higher education;

1 (6) a domestic public or private nonprofit orga-  
2 nization or association; or

3 (7) a consortium of any of the entities described  
4 in paragraphs (1) through (6).

5 **Subtitle O—FTC Privacy**  
6 **Enforcement**

7 **SEC. 31501. FEDERAL TRADE COMMISSION FUNDING FOR A**  
8 **PRIVACY BUREAU AND RELATED EXPENSES.**

9 (a) APPROPRIATION.—In addition to amounts other-  
10 wise available, there is appropriated to the Federal Trade  
11 Commission for fiscal year 2022, out of any money in the  
12 Treasury not otherwise appropriated, \$1,000,000,000, to  
13 remain available until September 30, 2031, for carrying  
14 out this section.

15 (b) PURPOSES.—The Federal Trade Commission  
16 shall use the funds appropriated under subsection (a) to  
17 create and operate a bureau, including by hiring and re-  
18 taining technologists, user experience designers, and other  
19 experts as the Commission considers appropriate, to ac-  
20 complish the work of the Commission related to unfair or  
21 deceptive acts or practices relating to privacy, data secu-  
22 rity, identity theft, data abuses, and related matters.

1           **Subtitle P—Department of**  
2           **Commerce Inspector General**

3   **SEC. 31601. FUNDING FOR THE OFFICE OF THE INSPECTOR**  
4                   **GENERAL OF THE DEPARTMENT OF COM-**  
5                   **MERCE.**

6           In addition to amounts otherwise available, there is  
7 appropriated to the Office of the Inspector General of the  
8 Department of Commerce for fiscal year 2022, out of any  
9 money in the Treasury not otherwise appropriated,  
10 \$10,000,000, to remain available until September 30,  
11 2031, for oversight of activities supported with funds ap-  
12 propriated to the Department of Commerce in this Act.

13           **TITLE IV—COMMITTEE ON**  
14           **FINANCIAL SERVICES**  
15           **Subtitle A—Creating and Pre-**  
16           **serving Affordable, Equitable**  
17           **and Accessible Housing for the**  
18           **21st Century**

19   **SEC. 40001. PUBLIC HOUSING INVESTMENTS.**

20           (a) APPROPRIATION.—In addition to amounts other-  
21 wise made available, there is appropriated to the Secretary  
22 of Housing and Urban Development (in this section re-  
23 ferred to as the “Secretary”) for fiscal year 2022, out of  
24 any money in the Treasury not otherwise appropriated—

1           (1) \$10,000,000,000 for the Capital Fund  
2 under section 9(d) of the United States Housing Act  
3 of 1937 (42 U.S.C. 1437g(d)) pursuant to the same  
4 formula as in fiscal year 2021, to be made available  
5 within 60 days of the date of the enactment of this  
6 Act;

7           (2) \$66,500,000,000 for eligible activities under  
8 section 9(d)(1) of the United States Housing Act of  
9 1937 (42 U.S.C. 1437g(d)(1)) for priority invest-  
10 ments as determined by the Secretary to repair, re-  
11 place, or construct properties assisted under such  
12 section 9;

13           (3) \$2,750,000,000 for competitive grants  
14 under section 24 of the United States Housing Act  
15 of 1937 (42 U.S.C. 1437v) (in this section referred  
16 to as “section 24”), under the terms and conditions  
17 in subsection (b), for transformation, rehabilitation,  
18 and replacement housing needs of public housing, to  
19 transform neighborhoods of poverty into functioning,  
20 sustainable mixed-income neighborhoods ; and

21           (4) \$750,000,000 for the costs to the Secretary  
22 of administering and overseeing the implementation  
23 of this section and the Public Housing Capital Fund  
24 and the section 24 grant program generally, includ-  
25 ing information technology, financial reporting, re-

1 search and evaluation, other cross-program costs in  
2 support of programs administered by the Secretary  
3 in this title, and other costs; the Secretary may  
4 transfer and merge amounts set aside under this  
5 subparagraph to section 40301.

6 Amounts appropriated by this section shall remain avail-  
7 able until September 30, 2031.

8 (b) TERMS AND CONDITIONS FOR SECTION 24  
9 GRANTS.—Grants awarded under subsection (a)(3) shall  
10 be subject to terms and conditions determined by the Sec-  
11 retary, which shall include the following:

12 (1) USE.—Grant funds may be used for resi-  
13 dent and community services, community develop-  
14 ment and revitalization, and affordable housing  
15 needs in the community.

16 (2) APPLICANTS.—Eligible recipients of grants  
17 shall include lead applicants and joint applicants, as  
18 follows:

19 (A) LEAD APPLICANTS.—A lead applicant  
20 shall be a local government or a public housing  
21 agency.

22 (B) JOINT APPLICANTS.—A nonprofit or-  
23 ganization or a for-profit developer may apply  
24 jointly as a joint applicant with such public en-  
25 tities specified in subparagraph (A).



1           (3) PERIOD OF AFFORDABILITY.—Grantees  
2 shall commit to a period of affordability determined  
3 by the Secretary of not fewer than 20 years, but the  
4 Secretary may specify a period of affordability that  
5 is fewer than 20 years with respect to homeowner-  
6 ship units developed with section 24 grants.

7           (4) ENVIRONMENTAL REVIEW.—For purposes  
8 of environmental review, a grantee shall be treated  
9 as a public housing agency under section 26 of the  
10 United States Housing Act of 1937 (42 U.S.C.  
11 1437x) and grants from amounts made available  
12 under this heading shall be subject to the regula-  
13 tions issued by the Secretary to implement such sec-  
14 tion.

15           (5) PARTNERSHIPS.—Grantees shall create  
16 partnerships with other local organizations, included  
17 assisted housing owners, service agencies, and resi-  
18 dent organizations.

19           (6) UNOBLIGATED BALANCES.—The Secretary  
20 may, until September 30, 2031, obligate any avail-  
21 able unobligated balances made available under sub-  
22 section (a)(3).

23           (7) LOW-INCOME HOUSING.—Amounts made  
24 available under this section shall be used for low-in-  
25 come housing (as such term is defined under section

1           3(b) of the United States Housing Act of 1937 (42  
2           U.S.C. 1437a(b)) and affordable housing, which  
3           shall be housing for which the owner or purchaser  
4           of the project has recorded an affordability use re-  
5           striction approved by the Secretary for households  
6           earning up to 120 percent of the area median in-  
7           come for no fewer than 20 years.

8           (c) OTHER TERMS AND CONDITIONS.—Grants  
9           awarded under this section shall be subject to the fol-  
10          lowing terms and conditions:

11                 (1) LIMITATION.—Amounts provided pursuant  
12                 to this section may not be used for operating costs  
13                 or rental assistance.

14                 (2) DEVELOPMENT OF NEW UNITS.—Paragraph  
15                 (3) of section 9(g) of the United States Housing Act  
16                 of 1937 (42 U.S.C. 1437g(g)(3)) shall not apply to  
17                 new funds made available under this section.

18                 (3) HEALTH AND SAFETY.—Amounts made  
19                 available under this section shall be used to address  
20                 health, safety, and environmental hazards, including  
21                 lead, fire, carbon monoxide, mold, asbestos, radon,  
22                 pest infestation, and other hazards as defined by the  
23                 Secretary.

24                 (4) ENERGY EFFICIENCY AND RESILIENCE.—  
25                 Amounts made available under this section shall ad-

1 vance improvements to energy and water efficiency  
2 or climate and disaster resilience in housing assisted  
3 under this section.

4 (5) ALTERNATIVE DEADLINES.—The Secretary  
5 shall establish, by notice, alternative deadlines to  
6 those established in section 9(j) of the United States  
7 Housing Act of 1937 (42 U.S.C. 1437g(j)) to pro-  
8 vide public housing agencies reasonable periods of  
9 time to obligate and expend funds provided under  
10 paragraphs (1) and (2) of subsection (a).

11 (6) RECAPTURE.—If the Secretary recaptures  
12 funding allocated by formula from a public housing  
13 agency under paragraph (a)(1), such recaptured  
14 amounts shall be added to the amounts available  
15 under paragraph (a)(2), and shall be obligated by  
16 the Secretary prior to the expiration of such funds.

17 (7) SUPPLEMENTATION OF FUNDS.—The Sec-  
18 retary shall ensure that amounts provided pursuant  
19 to this section shall serve to supplement and not  
20 supplant other amounts generated by a recipient of  
21 such amounts or amounts provided by other Federal,  
22 State, or local sources.

23 (8) WAIVERS AND ALTERNATIVE REQUIRE-  
24 MENTS.—The Secretary may waive or specify alter-  
25 native requirements for subsections (d)(1), (d)(2),

1 (e), and (j) of section 9 of the United States Hous-  
2 ing Act of 1937 (42 U.S.C. 1437g) and associated  
3 regulations in connection with the use of amounts  
4 made available under this section other than require-  
5 ments related to tenant rights and protections, fair  
6 housing, nondiscrimination, labor standards, and the  
7 environment, upon a finding that the waiver or alter-  
8 native requirement is necessary to facilitate the use  
9 of amounts made available under this section.

10 (d) IMPLEMENTATION.—The Secretary shall have au-  
11 thority to issue such regulations or other notices, guid-  
12 ance, forms, instructions, and publications as may be nec-  
13 essary or appropriate to carry out the programs, projects,  
14 or activities authorized under this section, including to en-  
15 sure that such programs, projects, or activities are com-  
16 pleted in a timely and effective manner.

17 **SEC. 40002. INVESTMENTS IN AFFORDABLE AND ACCES-**  
18 **SIBLE HOUSING PRODUCTION.**

19 (a) APPROPRIATION.—In addition to amounts other-  
20 wise made available, there is appropriated to the Secretary  
21 of Housing and Urban Development (in this section re-  
22 ferred to as the “Secretary”) for fiscal year 2022, out of  
23 any money in the Treasury not otherwise appropriated—  
24 (1) \$34,770,000,000, for activities and assist-  
25 ance for the HOME Investment Partnerships Pro-

1       gram (in this section referred to as the “HOME  
2       program”), as authorized under title II of the Cran-  
3       ston-Gonzalez National Affordable Housing Act (42  
4       U.S.C. 12721 et seq.) (in this section referred to as  
5       “NAHA”);

6           (2) \$36,770,000,000 for activities and assist-  
7       ance for the HOME Investment Partnerships Pro-  
8       gram, as authorized under title II of NAHA, subject  
9       to the terms and conditions in paragraphs (1) and  
10      (2) of subsection (b);

11          (3) \$100,000,000 to make new awards or in-  
12      crease prior awards to existing technical assistance  
13      providers, except that increases to prior awards do  
14      not exceed 10 percent of the amount made available  
15      under this subparagraph, to provide an increase in  
16      capacity building and technical assistance available  
17      to any grantees implementing activities or projects  
18      consistent with this section, except that the Sec-  
19      retary may use not more than 10 percent of the  
20      amount made available under this paragraph to in-  
21      crease prior awards to existing technical assistance  
22      providers to provide an immediate increase in capac-  
23      ity building and technical assistance; and

24          (4) \$360,000,000 for the costs to the Secretary  
25      of administering and overseeing the implementation

1 of this section and the HOME and Housing Trust  
2 Fund programs generally, including information  
3 technology, financial reporting, research and evalua-  
4 tions, other cross-program costs in support of pro-  
5 grams administered by the Secretary in this title,  
6 and other costs. The Secretary may transfer and  
7 merge amounts appropriated under this paragraph  
8 to section 40301.

9 Amounts appropriated by this section shall remain avail-  
10 able until September 30, 2031.

11 (b) TERMS AND CONDITION.—

12 (1) FORMULA.—The Secretary shall allocate  
13 amounts made available under subsection (a)(2) pur-  
14 suant to the formula specified in section 1338(e)(3)  
15 of the Federal Housing Enterprises Financial Safety  
16 and Soundness Act of 1992 (12 U.S.C. 4568(e)(3))  
17 to grantees that received Housing Trust Fund allo-  
18 cations pursuant to that same formula in fiscal year  
19 2021 and shall make such allocations within 60 days  
20 of the date of the enactment of this Act.

21 (2) ELIGIBLE ACTIVITIES.—Other than as pro-  
22 vided in paragraph (5) of this subsection, funds  
23 made available under subsection (a)(2) may only be  
24 used for eligible activities described in subpara-  
25 graphs (A) through (B)(i) of section 1338(e)(7) of

1 the Federal Housing Enterprises Financial Safety  
2 and Soundness Act of 1992 (12 U.S.C. 4568(c)(7)),  
3 except that not more than 10 percent of funds made  
4 available may be used for activities under such sub-  
5 paragraph (B)(i).

6 (3) FUNDING RESTRICTIONS.—The commit-  
7 ment requirements in section 218(g) (42 U.S.C.  
8 12748(g)) of NAHA, the matching requirements in  
9 section 220 (42 U.S.C. 12750) of NAHA, and the  
10 set-aside for housing developed, sponsored, or owned  
11 by community housing development organizations re-  
12 quired in section 231 of NAHA (42 U.S.C. 12771)  
13 shall not apply for amounts made available under  
14 this section.

15 (4) REALLOCATION.—For funds provided under  
16 paragraphs (1) and (2) of subsection (a), the Sec-  
17 retary may recapture certain amounts remaining  
18 available to a grantee under this section or amounts  
19 declined by a grantee, and reallocate such amounts  
20 to other grantees under that paragraph to ensure  
21 fund expenditure, geographic diversity, and avail-  
22 ability of funding to communities within the State  
23 from which the funds have been recaptured.

24 (5) ADMINISTRATION.— Notwithstanding sub-  
25 sections (c) and (d)(1) of section 212 of NAHA (42

1 U.S.C. 12742), eligible grantees may use not more  
2 than 15 percent of their allocations under this sec-  
3 tion for administrative and planning costs.

4 (c) WAIVERS.—The Secretary may waive or specify  
5 alternative requirements for any provision of NAHA (42  
6 U.S.C. 12701 et seq.) or regulation for the administration  
7 of the amounts made available under this section other  
8 than requirements related to fair housing, nondiscrimina-  
9 tion, labor standards, and the environment, upon a finding  
10 that the waiver or alternative requirement is necessary to  
11 expedite or facilitate the use of amounts made available  
12 under this section.

13 (d) IMPLEMENTATION.—The Secretary shall have au-  
14 thority to issue such regulations or other notices, guid-  
15 ance, forms, instructions, and publications as may be nec-  
16 essary or appropriate to carry out the programs, projects,  
17 or activities authorized under this section, including to en-  
18 sure that such programs, projects, or activities are com-  
19 pleted in a timely and effective manner.

20 **SEC. 40003. HOUSING INVESTMENT FUND.**

21 (a) ESTABLISHMENT.—There is established in the  
22 Treasury of the United States a fund to be known as the  
23 Housing Investment Fund, which shall be within the Com-  
24 munity Development Financial Institutions Fund (in this  
25 section referred to as the “CDFI Fund”), to—



1           (1) increase and preserve the affordability and  
2           quality of housing;

3           (2) increase the availability of affordable, acces-  
4           sible housing;

5           (3) improve the energy and water efficiency and  
6           resiliency of affordable housing;

7           (4) enhance economic opportunities for resi-  
8           dents, by financing or supporting affordable housing  
9           located within proximity to public transportation, as  
10          defined in section 5302 of title 49, United States  
11          Code, or centers of employment, and education, and  
12          critical community services;

13          (5) match the creation of housing supply to ex-  
14          isting demand and projected demand growth in the  
15          area, to the benefit of existing residents and with at-  
16          tention to preventing displacement of residents; and

17          (6) further fair housing purposes addressing  
18          historic disinvestment, the concentration of poverty,  
19          and housing segregation on the basis of race, color,  
20          religion, natural origin, sex, disability, or familial  
21          status.

22          (b) APPROPRIATION.—In addition to amounts other-  
23          wise available, there is appropriated for fiscal year 2022,  
24          out of any money in the Treasury not otherwise appro-  
25          priated—

1           (1) \$9,640,000,000 to the Housing Investment  
2           Fund established by this section; and

3           (2) \$360,000,000 for the costs to the CDFI  
4           Fund of administering and overseeing the implemen-  
5           tation of this section, including information tech-  
6           nology, financial reporting, research and evaluations,  
7           fair housing compliance, and other costs.

8           Amounts appropriated by this section shall remain avail-  
9           able until September 30, 2031.

10          (c) EXPENDITURES FROM FUND.—Amounts in the  
11          Housing Investment Fund shall be available to the CDFI  
12          Fund to make grants to increase investment in the devel-  
13          opment, preservation, rehabilitation, financing, or pur-  
14          chase of affordable housing primarily for low-, very low-  
15          , and extremely low- income families , and for homeowners  
16          with incomes up to 120 percent of the area median in-  
17          come. The CDFI Fund may impose such conditions as it  
18          deems necessary to achieve the program goals, including  
19          coordinating with the Secretary of Housing and Urban  
20          Development to housing achieve the purposes of sub-  
21          section (a)(6).

22          (d) ELIGIBLE GRANTEES.—A grant under this sec-  
23          tion may be made, pursuant to such requirements as the  
24          CDFI Fund shall establish for experience and success in

1 carrying out the types of activities proposed under the ap-  
2 plication of the grantee, only to—

3 (1) a CDFI Fund certified community develop-  
4 ment financial institution, as such term is defined in  
5 section 103 of the Riegle Community Development  
6 and Regulatory Improvement Act of 1994 (12  
7 U.S.C. 4702) that is not found to be out of compli-  
8 ance with the obligation to affirmatively further fair  
9 housing, as applicable;

10 (2) a nonprofit organization having as one of its  
11 principal purposes the creation, development, or  
12 preservation of affordable housing and that is not  
13 found to be out of compliance with the obligation to  
14 affirmatively further fair housing, as applicable, in-  
15 cluding a subsidiary of a public housing authority;  
16 or

17 (3) a consortium comprised of certified commu-  
18 nity development financial institutions, eligible non-  
19 profit housing organizations, or a combination of  
20 both.

21 (e) ELIGIBLE USES.—Grant amounts awarded from  
22 the Housing Investment Fund pursuant to this section  
23 may be used for the purposes described in subsection (c),  
24 including for the following uses:

25 (1) To provide loan loss reserves.

1           (2) To capitalize an acquisition fund to acquire  
2 residential, industrial, or commercial property and  
3 land for the purpose of the preservation, develop-  
4 ment, or rehabilitation of affordable, accessible hous-  
5 ing, including to support the creation, preservation,  
6 or rehabilitation of resident-owned manufactured  
7 housing communities.

8           (3) To capitalize an affordable housing fund ,  
9 for development, preservation, rehabilitation, or fi-  
10 nancing of affordable housing and economic develop-  
11 ment activities, including community facilities, if  
12 part of a mixed-use project, or activities described in  
13 this paragraph related to transit-oriented develop-  
14 ment, which may also be designated as a focus of  
15 such a fund.

16           (4) To capitalize an affordable housing mort-  
17 gage fund, to facilitate the origination of mortgages  
18 to buyers that may experience significant barriers to  
19 accessing affordable mortgage credit, including  
20 mortgages having low original principal obligations.

21           (5) For risk-sharing loans.

22           (6) To provide loan guarantees.

23           (7) To fund rental housing operations.

24           (f) APPLICATIONS.—The CDFI Fund shall provide,  
25 an application process, for eligible grantees under sub-

1 section (d) to submit applications for Housing Investment  
2 Fund grants to the CDFI Fund at such time and in such  
3 manner as the CDFI Fund shall determine.

4 (g) GRANT LIMITATION.—

5 (1) IN GENERAL.—The CDFI Fund shall estab-  
6 lish limitations on aggregate funds available for an  
7 eligible grantee and its subsidiaries and affiliates,  
8 and eligible uses and activities as appropriate.

9 (2) LEVERAGE OF FUNDS.—Each grant from  
10 the Housing Investment Fund awarded under this  
11 section shall be reasonably expected to result in eli-  
12 gible affordable housing activities that support or  
13 sustain affordable housing funded by a grant under  
14 this section and capital from other public and pri-  
15 vate sources.

16 (h) DIRECT HIRING AUTHORITY.—The CDFI Fund  
17 may use direct hiring authority to hire employees to ad-  
18 minister the Housing Investment Fund.

19 (i) IMPLEMENTATION.—The CDFI Fund shall have  
20 the authority to issue such regulations or other guidance,  
21 forms, instructions, and publications as may be necessary  
22 or appropriate to carry out the programs, projects, or ac-  
23 tivities authorized under this section, including to ensure  
24 that such programs, projects, or activities are completed  
25 in a timely and effective manner.

1 **SEC. 40004. SECTION 811 SUPPORTIVE HOUSING FOR PEOP-**  
2 **LE WITH DISABILITIES.**

3 (a) APPROPRIATION.—In addition to amounts other-  
4 wise available, there is appropriated to the Secretary of  
5 Housing and Urban Development (in this section referred  
6 to as the “Secretary”) for fiscal year 2022, out of any  
7 money in the Treasury not otherwise appropriated—

8 (1) \$898,000,000 for capital advances, includ-  
9 ing amendments to capital advance contracts, for  
10 supportive housing for persons with disabilities, as  
11 authorized by section 811 of the Cranston-Gonzalez  
12 National Affordable Housing Act (42 U.S.C. 8013)  
13 (in this section referred to as the “Act”), and for  
14 project rental assistance for supportive housing for  
15 persons with disabilities under section 811(d)(2) of  
16 the Act and for project assistance contracts pursu-  
17 ant to section 202(h) of the Housing Act of 1959  
18 (Public Law 86–372; 73 Stat. 667), for project rent-  
19 al assistance to State housing finance agencies and  
20 other appropriate entities as authorized under sec-  
21 tion 811(b)(3) of the Act, for State housing finance  
22 agencies;

23 (2) \$15,000,000 for providing technical assist-  
24 ance to support State-level efforts to integrate hous-  
25 ing assistance and voluntary supportive services for  
26 residents of housing receiving such assistance, which

1 funding may also be used to provide technical assist-  
2 ance to applicants and potential applicants to under-  
3 stand program requirements and develop effective  
4 applications; and the Secretary may use up to 10  
5 percent of such amounts made available under this  
6 paragraph to increase prior awards to existing tech-  
7 nical assistance providers to provide an immediate  
8 increase in capacity building and technical assist-  
9 ance; and

10 (3) \$87,000,000 for the costs to the Secretary  
11 of administering and overseeing the implementation  
12 of this section and the Supportive Housing for Per-  
13 sons with Disabilities program generally, including  
14 information technology, financial reporting, research  
15 and evaluations, other cross-program costs in sup-  
16 port of programs administered by the Secretary in  
17 this title, and other costs; the Secretary may trans-  
18 fer and merge amounts appropriated under this  
19 paragraph to section 40301.

20 Amounts appropriated by this section shall remain avail-  
21 able until September 30, 2031.

22 (b) WAIVERS.—The Secretary may waive or specify  
23 alternative requirements for any provision of section  
24 811(b)(3) of the Act (42 U.S.C. 8013(b)(3)), or regulation  
25 that the Secretary administers that is applicable to such

1 statute other than requirements related to fair housing,  
2 nondiscrimination, labor standards, and the environment,  
3 upon a finding that the waiver or alternative requirement  
4 is necessary to facilitate the use of amounts made avail-  
5 able under this section.

6 (c) IMPLEMENTATION.—The Secretary shall have au-  
7 thority to issue such regulations or other notices, guid-  
8 ance, forms, instructions, and publications as may be nec-  
9 essary or appropriate to carry out the programs, projects,  
10 or activities authorized under this section, including to en-  
11 sure that such programs, projects, or activities are com-  
12 pleted in a timely and effective manner.

13 **SEC. 40005. SECTION 202 SUPPORTIVE HOUSING FOR THE**  
14 **ELDERLY PROGRAM.**

15 (a) APPROPRIATION.—In addition to amounts other-  
16 wise available, there is appropriated to the Secretary of  
17 Housing and Urban Development (in this section referred  
18 to as the “Secretary”) for fiscal year 2022, out of any  
19 money in the Treasury not otherwise appropriated—

20 (1) \$2,360,000,000 for the Supportive Housing  
21 for the Elderly Program authorized under section  
22 202 of the Housing Act of 1959 (12 U.S.C. 1701q)  
23 (in this section referred to as the “Act”), which shall  
24 be used—



1 (A) for capital advance awards in accord-  
2 ance with section 202(c)(1) of the Act to recipi-  
3 ents that are eligible under the Act;

4 (B) for section 8 project-based rental as-  
5 sistance contracts in accordance with subsection  
6 (b) of this section and section 8 of the United  
7 States Housing Act of 1937 (42 U.S.C. 1437f),  
8 (in this section referred to as the “1937 Act”)  
9 for capital advance projects, including new  
10 project-based rental assistance contracts under  
11 section 8 of the 1937 Act for capital advance  
12 projects notwithstanding subsections (b) and (c)  
13 of section 202 of the Act (12 U.S.C. 1701q)  
14 and section 8 of the 1937 Act (42 U.S.C.  
15 1437f), with the Secretary setting the terms of  
16 such project-based rental assistance contracts,  
17 including the duration and provisions regarding  
18 rent setting and rent adjustment; and

19 (C) for service coordinators;

20 (2) \$15,000,000, to provide technical assistance  
21 to support State-level efforts to improve the design  
22 and delivery of voluntary supportive services for resi-  
23 dents of any housing assisted under the Act and  
24 other housing supporting low-income older adults, in  
25 order to support residents to age-in-place and avoid

1 institutional care, as well as to assist applicants and  
2 potential applicants with project-specific design; and  
3 the Secretary may use up to 10 percent of such  
4 amounts made available under this paragraph to in-  
5 crease prior awards to existing technical assistance  
6 providers to provide an immediate increase in capac-  
7 ity building and technical assistance; and

8 (3) \$125,000,000 for the costs to the Secretary  
9 of administering and overseeing the implementation  
10 of this section and the Supportive Housing for the  
11 Elderly program generally, including information  
12 technology, financial reporting, research and evalua-  
13 tion, other cross-program costs in support of pro-  
14 grams administered by the Secretary in this title,  
15 and other costs; the Secretary may transfer and  
16 merge amounts appropriated under this paragraph  
17 to section 40301.

18 Amounts appropriated by this section shall remain avail-  
19 able until September 30, 2031.

20 (b) WAIVERS.—The Secretary may waive or specify  
21 alternative requirements for any provision of section 202  
22 of the Act (12 U.S.C. 1701q), section 8 of the 1937 Act  
23 (42 U.S.C. 1437f), or regulation that the Secretary ad-  
24 ministers that is applicable to such statutes other than  
25 requirements related to fair housing, nondiscrimination,

1 labor standards, and the environment, upon a finding that  
2 the waiver or alternative requirement is necessary to facili-  
3 tate the use of amounts made available under this section.

4 (c) IMPLEMENTATION.—The Secretary shall have au-  
5 thority to issue such regulations or other notices, guid-  
6 ance, forms, instructions, and publications as may be nec-  
7 essary or appropriate to carry out the programs, projects,  
8 or activities authorized under this section, including to en-  
9 sure that such programs, projects, or activities are com-  
10 pleted in a timely and effective manner.

11 **SEC. 40006. IMPROVING ENERGY EFFICIENCY OR WATER**  
12 **EFFICIENCY OR CLIMATE RESILIENCE OF AF-**  
13 **FORDABLE HOUSING.**

14 (a) APPROPRIATION.—In addition to amounts other-  
15 wise available, there is appropriated to the Secretary of  
16 Housing and Urban Development (in this section referred  
17 to as the “Secretary”) for fiscal year 2022, out of any  
18 money in the Treasury not otherwise appropriated—

19 (1) \$5,314,000,000 for providing direct loans,  
20 which may be forgivable, and grants, subject to  
21 terms and conditions, including affordability require-  
22 ments, determined by the Secretary, to fund projects  
23 that improve the energy or water efficiency, imple-  
24 ment low-emission technologies, materials, or proc-  
25 esses, including zero-emission electricity generation,

1 energy storage, or building electrification, electric  
2 car charging station installations, or address climate  
3 resilience of multifamily properties;

4 (2) \$76,000,000 for the costs to the Secretary  
5 of administering and overseeing the implementation  
6 of this section, including information technology, fi-  
7 nancial reporting, research and evaluation, other  
8 cross-program costs in support of programs adminis-  
9 tered by the Secretary in this title, and other costs;  
10 and the Secretary may transfer and merge amounts  
11 appropriated under this paragraph to section 40301;

12 (3) \$360,000,000 for expenses of contracts ad-  
13 ministered by the Secretary, including to carry out  
14 property climate risk, energy, or water assessments,  
15 due diligence, and underwriting functions for such  
16 grant and direct loan program; and

17 (4) \$250,000,000 for energy and water  
18 benchmarking of properties eligible to receive grants  
19 or loans under this section, regardless of whether  
20 they actually received such grants, along with associ-  
21 ated data analysis and evaluation at the property  
22 and portfolio level, including the development of in-  
23 formation technology systems necessary for the col-  
24 lection, evaluation, and analysis of such data.

1 Amounts appropriated by this section shall remain avail-  
2 able until September 30, 2031.

3 (b) ELIGIBLE RECIPIENTS.—Amounts made avail-  
4 able under this section shall be for direct loans, grants,  
5 and direct loans that can be converted to grants to prop-  
6 erties receiving project-based assistance pursuant to sec-  
7 tion 202 of the Housing Act of 1959 (12 U.S.C. 1701q),  
8 section 811 of the Cranston-Gonzalez National Affordable  
9 Housing Act (42 U.S.C. 8013), or section 8(b) of the  
10 United States Housing Act of 1937 (42 U.S.C. 1437f(b)).

11 (c) COSTS.—The costs of direct loans provided under  
12 this section, including the cost of modifying such direct  
13 loans or converting direct loans into grants, shall be as  
14 defined in section 502 of the Congressional Budget Act  
15 of 1974 (2 U.S.C. 661a).

16 (d) WAIVER.—The Secretary may waive or specify al-  
17 ternative requirements for any provision of section 202 of  
18 the Housing Act of 1959 (12 U.S.C. 1701q), section 811  
19 of the Cranston-Gonzalez National Affordable Housing  
20 Act (42 U.S.C. 8013), section 8 of the United States  
21 Housing Act of 1937 (42 U.S.C. 1437f), or any regulation  
22 applicable to such statutes other than requirements re-  
23 lated to tenant rights and protections, rent setting, fair  
24 housing, nondiscrimination, labor standards, and the envi-  
25 ronment, upon a finding that the waiver or alternative re-

1 quirement is necessary to facilitate the use of such  
2 amounts.

3 **SEC. 40007. REVITALIZATION OF DISTRESSED MULTI-**  
4 **FAMILY PROPERTIES.**

5 (a) APPROPRIATION.—In addition to amounts other-  
6 wise available, there is appropriated to the Secretary of  
7 Housing and Urban Development for fiscal year 2022, out  
8 of any money in the Treasury not otherwise appro-  
9 priated—

10 (1) \$3,870,000,000 for providing direct loans,  
11 which may be forgivable, to owners of distressed  
12 properties for the purpose of making necessary phys-  
13 ical improvements, including to subsidize gross obli-  
14 gations for the principal amount of direct loans not  
15 to exceed \$6,000,000,000, subject to the terms and  
16 conditions in subsection (b); and

17 (2) \$130,000,000 for the costs to the Secretary  
18 of administering and overseeing the implementation  
19 of this section and the Office of Housing programs  
20 generally, including information technology, financial  
21 reporting, research and evaluations, other cross-pro-  
22 gram costs in support of programs administered by  
23 the Secretary in this title, and other costs; the Sec-  
24 retary may transfer and merge amounts appro-  
25 priated under this paragraph to section 40301.

1 Amounts appropriated by this section shall remain avail-  
2 able until September 30, 2031

3 (b) LOAN TERMS AND CONDITIONS.—

4 (1) ELIGIBILITY.—Owners of distressed multi-  
5 family housing projects who meet each of the fol-  
6 lowing requirements shall be eligible for loan assist-  
7 ance under this section:

8 (A) The actual rents received by the owner  
9 of the distressed property would not adequately  
10 sustain the debt needed to make necessary  
11 physical improvements.

12 (B) Any such additional eligibility criteria  
13 as the Secretary determines to be appropriate,  
14 including factors that contributed to the prop-  
15 erty's distressed state.

16 (2) USE OF LOAN FUNDS.—Each recipient of  
17 loan assistance under this section may only use such  
18 loan assistance to make necessary physical improve-  
19 ments to a distressed property.

20 (3) LOAN AVAILABILITY.—The Secretary shall  
21 only provide loan assistance to an owner of a dis-  
22 tressed property when such assistance, considered  
23 with other financial resources available to the owner,  
24 is necessary to remove the property from a dis-  
25 tressed state. The Secretary may provide assistance

1 in any amount that the Secretary determines is  
2 needed to make the necessary physical improvements  
3 that will correct the deficiencies of the distressed  
4 property.

5 (4) INTEREST RATES AND LENGTH.—Loans  
6 provided under this section shall bear interest at 1  
7 percent, and at origination shall have a repayment  
8 period coterminous with the affordability period es-  
9 tablished under paragraph (5), with the frequency  
10 and amount of repayments to be determined by re-  
11 quirements established by the Secretary.

12 (5) LOAN MODIFICATIONS OR FORGIVENESS.—  
13 With respect to loans provided under this section,  
14 the Secretary may take any of the following actions  
15 if the Secretary determines that doing so will pre-  
16 serve affordability of the property:

17 (A) Waive any due on sale or due on refi-  
18 nancing restriction.

19 (B) Consent to the terms of new owner  
20 debt to which the loans may be subordinate,  
21 even if such new debt would impact the rate of  
22 repayment of the loans.

23 (C) Extend the term of the loan.

24 (D) Forgive the loan in whole or in part.



1           (6) EXTENDED AFFORDABILITY PERIOD.—Each  
2 recipient of loan assistance under this section shall  
3 agree to an extended affordability period for the  
4 property that is subject to the loan by extending any  
5 existing affordable housing use agreements for an  
6 additional 30 years or, if the property is not cur-  
7 rently subject to a use agreement establishing af-  
8 fordability requirements, by establishing a use agree-  
9 ment for 30 years.

10           (7) MATCHING CONTRIBUTION.—Each recipient  
11 of loan assistance under this section shall secure at  
12 least 20 percent of the total cost needed to make the  
13 necessary physical improvements from non-Federal  
14 sources other than under this section, except in  
15 cases where the Secretary determines that a lack of  
16 financial resources qualifies a loan recipient for—

17                   (A) a reduced contribution below 20 per-  
18 cent; or

19                   (B) an exemption to the matching con-  
20 tribution requirement.

21           (8) ADDITIONAL LOAN CONDITIONS.—The Sec-  
22 retary may establish additional conditions for loan  
23 eligibility provided under this section as the Sec-  
24 retary determines to be appropriate.

1           (9) PROPERTIES INSURED UNDER NATIONAL  
2 HOUSING ACT.—In the case of a loan issued under  
3 this section that is secured by a property with insur-  
4 ance under title II of the National Housing Act (12  
5 U.S.C. 1707 et seq.), the Secretary may use funds  
6 available under this section as necessary to pay for  
7 the costs of modifying such loan in accordance with  
8 section 502 of the Congressional Budget Act of  
9 1974 (2 U.S.C. 661a).

10           (10) COSTS.—The costs of direct loans provided  
11 under this section, including the cost of modifying  
12 such direct loans, shall be as defined in section 502  
13 of the Congressional Budget Act of 1974 (2 U.S.C.  
14 661a).

15 (c) DEFINITIONS.—As used in this section—

16           (1) the term “multifamily housing project”  
17 means a project consisting of more than four dwell-  
18 ing units assisted, insured, or with a loan held by  
19 the Secretary or a State or State agency in part or  
20 in whole pursuant to—

21           (A) section 8 of the United States Housing  
22 Act of 1937 (42 U.S.C. 1437f), not including  
23 under subsection (o)(13) of such section;

24           (B) section 202 of the Housing Act of  
25 1959 (12 U.S.C. 1701q), as amended by section

1           801 of the Cranston-Gonzalez National Afford-  
2           able Housing Act;

3           (C) section 202 of the Housing Act of  
4           1959 (former 12 U.S.C. 1701q), as such section  
5           existed before the enactment of the Cranston-  
6           Gonzalez National Affordable Housing Act;

7           (D) section 811 of the Cranston-Gonzalez  
8           National Affordable Housing Act (42 U.S.C.  
9           8013); or

10          (E) section 236 of the National Housing  
11          Act (12 U.S.C. 1715z-1);

12          (2) the term “distressed property” means a  
13          multifamily housing project that has deficiencies  
14          that cause the property to be at risk of physical ob-  
15          solescence or economic non-viability;

16          (3) the term “Secretary” means the Secretary  
17          of Housing and Urban Development; and

18          (4) the term “necessary physical improve-  
19          ments” means capital improvements that the Sec-  
20          retary determines are necessary to address the con-  
21          ditions making a property a distressed property or  
22          that rise to such a level that delaying physical im-  
23          provements to the property would be detrimental to  
24          the longevity of the property as suitable housing for  
25          occupancy.

1 (d) IMPLEMENTATION.—The Secretary shall have the  
2 authority to issue such regulations or other notices, guid-  
3 ance, forms, instructions, and publications as may be nec-  
4 essary or appropriate to carry out the programs, projects,  
5 or activities authorized under this section, including to en-  
6 sure that such programs, projects, or activities are com-  
7 pleted in a timely and effective manner.

8 **SEC. 40008. INVESTMENTS IN RURAL RENTAL HOUSING.**

9 (a) APPROPRIATION.—In addition to amounts other-  
10 wise available, there is appropriated to the Secretary of  
11 Agriculture (in this section referred to as the “Secretary”)  
12 for fiscal year 2022, out of any money in the Treasury  
13 not otherwise appropriated—

14 (1) \$4,360,000,000, to remain available until  
15 expended, for carrying out new construction, im-  
16 provements to energy and water efficiency or climate  
17 resilience, the removal of health and safety hazards,  
18 and the preservation and revitalization of housing  
19 authorized under sections 514, 515, and 516 of the  
20 Housing Act of 1949 (42 U.S.C. 1484, 1485, and  
21 1486)), subject to the terms and conditions in sub-  
22 section (b);

23 (2) \$200,000,000, to remain available until  
24 September 30, 2024, to provide grants under section  
25 521(a)(2) of the Housing Act of 1949 (42 U.S.C.

1 1490a(a)(2)) or agreements entered into in lieu of  
2 debt forgiveness or payments for eligible households  
3 as authorized by section 502(c)(5)(D) of the Hous-  
4 ing Act of 1949 (42 U.S.C. 1472(c)(5)(D)), to pro-  
5 vide continued assistance to households assisted pur-  
6 suant to Section 3203 of the American Rescue Plan  
7 Act of 2021; and

8 (3) \$240,000,000, to remain available until ex-  
9 pended, for the costs to the Secretary of admin-  
10 istering and overseeing the implementation of this  
11 section, including information technology, financial  
12 reporting, research and evaluations, other cross-pro-  
13 gram costs in support of programs administered by  
14 the Secretary in this title, and other costs.

15 (b) PRESERVATION AND REVITALIZATION TERMS  
16 AND CONDITIONS.—

17 (1) LOANS AND GRANTS AND OTHER ASSIST-  
18 ANCE.—The Secretary shall provide direct loans and  
19 grants, including the cost of modifying loans, as de-  
20 fined in section 502 of the Congressional Budget Act  
21 of 1974 (2 U.S.C. 661a), to restructure existing De-  
22 partment of Agriculture multi-family housing loans  
23 expressly for the purposes of ensuring the project  
24 has sufficient resources to preserve the project for  
25 the purpose of providing safe and affordable housing

1 for low-income residents and farm laborers, includ-  
2 ing—

3 (A) reducing or eliminating interest;

4 (B) deferring loan payments;

5 (C) subordinating, reducing, or re-amor-  
6 tizing loan debt; and

7 (D) providing other financial assistance,  
8 including advances, payments, and incentives  
9 (including the ability of owners to obtain rea-  
10 sonable returns on investment) required by the  
11 Secretary, including such assistance to non-  
12 profit entities and public housing authorities.

13 (2) RESTRICTIVE USE AGREEMENT.—The Sec-  
14 retary shall as part of the preservation and revital-  
15 ization agreement obtain a restrictive use agreement  
16 consistent with the terms of the restructuring.

17 (c) IMPLEMENTATION.—The Secretary shall have au-  
18 thority to issue such regulations or other notices, guid-  
19 ance, forms, instructions, and publications as may be nec-  
20 essary or appropriate to carry out the programs, projects,  
21 or activities authorized under this section, including to en-  
22 sure that such programs, projects, or activities are com-  
23 pleted in a timely and effective manner.

1 **SEC. 40009. HOUSING VOUCHERS.**

2 (a) APPROPRIATION.—In addition to amounts other-  
3 wise available, there is appropriated to the Secretary of  
4 Housing and Urban Development (in this section referred  
5 to as the “Secretary”) for fiscal year 2022, out of any  
6 money in the Treasury not otherwise appropriated—

7 (1) \$48,460,000,000 for—

8 (A) incremental tenant-based rental assist-  
9 ance for extremely low-income families under  
10 section 8(o) of the United States Housing Act  
11 of 1937 (42 U.S.C. 1437f(o));

12 (B) renewals of such tenant-based rental  
13 assistance; and

14 (C) fees for the costs of administering ten-  
15 ant-based rental assistance and other eligible  
16 expenses, as determined by the Secretary, such  
17 as security deposit assistance and other costs  
18 related to the retention and support of partici-  
19 pating owners;

20 (2) \$24,000,000,000 for—

21 (A) incremental tenant-based rental assist-  
22 ance under section 8(o) of the United States  
23 Housing Act of 1937 (42 U.S.C. 1437f(o)) for  
24 households experiencing or at risk of homeless-  
25 ness, survivors of domestic violence, dating vio-

1            lence, sexual assault, and stalking, and sur-  
2            vivors of trafficking families;

3            (B) renewals of such tenant-based rental  
4            assistance; and

5            (C) fees for the costs of administering ten-  
6            ant-based rental assistance and other eligible  
7            expenses, as determined by the Secretary, such  
8            as security deposit assistance and other costs  
9            related to the retention and support of partici-  
10           pating owners;

11           (3) \$500,000,000 for—

12           (A) tenant protection vouchers for reloca-  
13           tion and replacement of public housing units  
14           demolished or disposed of pursuant to section  
15           18 of the United States Housing Act of 1937  
16           (42 U.S.C. 1437p) as part of a public housing  
17           preservation or project-based replacement  
18           transaction using funds made available under  
19           this Act;

20           (B) renewals of such tenant-based rental  
21           assistance; and

22           (C) fees for the costs of administering ten-  
23           ant-based rental assistance and other eligible  
24           expenses, as determined by the Secretary, such  
25           as security deposit assistance and other costs



1 related to the retention and support of partici-  
2 pating owners;

3 (4) \$750,000,000 for competitive grants, sub-  
4 ject to terms and conditions determined by the Sec-  
5 retary, to public housing agencies for mobility-re-  
6 lated services for voucher families, including families  
7 with children, and service coordination;

8 (5) \$500,000,000 for eligible expenses to fa-  
9 cilitate the use of voucher assistance under this sec-  
10 tion and for other voucher assistance under section  
11 8(o) of the United States Housing Act of 1937, as  
12 determined by the Secretary, including property  
13 owner outreach and retention activities such as in-  
14 centive payments, security deposit payments and loss  
15 reserves, landlord liaisons, and other uses of funds  
16 designed primarily—

17 (A) to recruit owners of dwelling units,  
18 particularly dwelling units in census tracts with  
19 a poverty rate of less than 20 percent, to enter  
20 into housing assistance payment contracts; and

21 (B) to encourage owners that enter into  
22 housing assistance payment contracts as de-  
23 scribed in subparagraph (A) to continue to  
24 lease their dwelling units to tenants assisted

1           under section 8(o) of the United States Hous-  
2           ing Act of 1937;

3           (6) \$750,000,000 for the costs to the Secretary  
4           of administering and overseeing the implementation  
5           of this section and the Housing Choice Voucher pro-  
6           gram generally, including information technology, fi-  
7           nancial reporting, research and evaluations, other  
8           cross-program costs in support of programs adminis-  
9           tered by the Secretary in this title, and other costs;  
10          and

11          (7) \$40,000,000 for making new awards or in-  
12          creasing prior awards to existing technical assistance  
13          providers to provide an increase in capacity building  
14          and technical assistance available to public housing  
15          agencies, except that the Secretary may use not  
16          more than 10 percent of the amount made available  
17          under this paragraph to increase prior awards to ex-  
18          isting technical assistance providers to provide an  
19          immediate increase in capacity building and tech-  
20          nical assistance.

21          (b) TERMS AND CONDITIONS.—

22          (1) ALLOCATION.—The Secretary shall allocate  
23          initial incremental assistance provided for rental as-  
24          sistance under subsection (a)(1) and (2) in each fis-  
25          cal year commencing in 2022 and ending in 2026 in

1       accordance with a formula that includes measures of  
2       severe housing need among extremely low-income  
3       renters and public housing agency capacity, and en-  
4       sures geographic diversity among public housing  
5       agencies administering the Housing Choice Voucher  
6       program.

7               (2) ELECTION TO ADMINISTER.—The Secretary  
8       shall establish a procedure for public housing agen-  
9       cies to accept or decline the incremental vouchers  
10      made available under this section.

11              (3) FAILURE TO USE VOUCHERS PROMPTLY.—  
12      If a public housing agency fails to lease the author-  
13      ized vouchers it has received under this subsection  
14      on behalf of eligible families within a reasonable pe-  
15      riod of time, the Secretary may offset the agency's  
16      voucher renewal allocations or revoke and redis-  
17      tribute any unleased vouchers and associated funds,  
18      including administrative fees and other expenses re-  
19      ferred to in subsections (a)(3) and (a)(4), to other  
20      public housing agencies.

21              (4) PROHIBITION OF USE UNDER MOVING TO  
22      WORK PROGRAM.— Public housing agencies des-  
23      ignated as Moving to Work agencies shall be eligible  
24      for an allocation under this section, but may only  
25      use such amounts for the activities listed in sub-

1 sections (a) for which the funds were provided to  
2 such agency.

3 (5) CAP ON PROJECT-BASED VOUCHERS FOR  
4 VULNERABLE POPULATIONS.—Upon request by a  
5 public housing agency, the Secretary may designate  
6 a number of the public housing agency’s vouchers al-  
7 located under this section as excepted units that do  
8 not count against the percentage limitation on the  
9 number of authorized units a public housing agency  
10 may project-base under section 8(o)(13)(B) of the  
11 United States Housing Act of 1937, in accordance  
12 with the conditions established by the Secretary.  
13 This paragraph may not be construed to waive,  
14 limit, or specify alternative requirements, or permit  
15 such waivers, limitations, or alternative require-  
16 ments, related to fair housing and nondiscrimina-  
17 tion, including the requirement to provide housing  
18 and services to individuals with disabilities in inte-  
19 grated settings.

20 (c) IMPLEMENTATION.—The Secretary shall have au-  
21 thority to issue such regulations or other notices, guid-  
22 ance, forms, instructions, and publications as may be nec-  
23 essary or appropriate to carry out the programs, projects,  
24 or activities authorized under this section, including to en-

1 sure that such programs, projects, or activities are com-  
2 pleted in a timely and effective manner.

3 **SEC. 40010. PROJECT-BASED RENTAL ASSISTANCE.**

4 (a) APPROPRIATION.—In addition to amounts other-  
5 wise available, there is appropriated to the Secretary of  
6 Housing and Urban Development (in this section referred  
7 to as the “Secretary”) for fiscal year 2022, out of any  
8 money in the Treasury not otherwise appropriated—

9 (1) \$14,760,000,000 for the project-based rent-  
10 al assistance program, as authorized under section  
11 8(b) of the United States Housing Act of 1937 (42  
12 U.S.C. 1437f(b)), (in this section referred to as the  
13 “Act”), subject to the terms and conditions of sub-  
14 section (b) of this section;

15 (2) \$40,000,000 for providing technical assist-  
16 ance to recipients of or applicants for project-based  
17 rental assistance or to States allocating the project-  
18 based rental assistance; and

19 (3) \$200,000,000 for the costs to the Secretary  
20 of administering and overseeing the implementation  
21 of this section and the section 8 project-based rental  
22 assistance program generally, including information  
23 technology, financial reporting, research and evalua-  
24 tions, and other cross-program costs in support of  
25 programs administered by the Secretary in this title,

1 and other costs; and the Secretary may transfer and  
2 merge amounts appropriated under this subpara-  
3 graph to section 40301.

4 Amounts appropriated by this section shall remain avail-  
5 able until September 30, 2031.

6 (b) TERMS AND CONDITIONS.—

7 (1) AUTHORITY.—Notwithstanding section 8(a)  
8 the Act (42 U.S.C. 1437f(a)), the Secretary may use  
9 amounts made available under this section to pro-  
10 vide assistance payments with respect to newly con-  
11 structed housing, existing housing, or substantially  
12 rehabilitated non-housing structures for use as new  
13 multifamily housing in accordance with this section  
14 and the provisions of section 8 of the Act. In addi-  
15 tion, the Secretary may use amounts made available  
16 under this section for performance-based contract  
17 administrators for section 8 project-based assistance,  
18 for carrying out this section and section 8 of the  
19 Act.

20 (2) PROJECT-BASED RENTAL ASSISTANCE.—

21 The Secretary may make assistance payments using  
22 amounts made available under this section pursuant  
23 to contracts with owners or prospective owners who  
24 agree to construct housing, to substantially rehabili-  
25 tate existing housing, to substantially rehabilitate

1 non-housing structures for use as new multifamily  
2 housing, or to attach the assistance to newly con-  
3 structed housing in which some or all of the units  
4 shall be available for occupancy by very low-income  
5 families in accordance with the provisions of section  
6 8 of the Act. In awarding contracts pursuant to this  
7 section, the Secretary shall give priority to owners or  
8 prospective owners of multifamily housing projects  
9 located or to be located in areas of high opportunity,  
10 as defined by the Secretary, in areas experiencing  
11 economic growth or rising housing prices to prevent  
12 displacement or secure affordable housing for low-in-  
13 come households, or that serve people at risk of  
14 homelessness or that integrate additional units that  
15 are accessible for persons with mobility impairments  
16 and persons with hearing or visual impairments be-  
17 yond those required by applicable Federal accessi-  
18 bility standards.

19 (3) ALLOCATION.—The Secretary may use var-  
20 ious mechanisms, alone or in combination, to award  
21 grants with amounts made available under this sec-  
22 tion, including—

23 (A) using a competitive process, which the  
24 Secretary may carry out in multiple rounds of  
25 competition, each of which may have its own se-

1           lection, performance, and reporting criteria as  
2           established by the Secretary;

3           (B) selecting proposals submitted through  
4           FHA loan applications that meet specified cri-  
5           teria;

6           (C) delegating to States and territories the  
7           awarding of contracts, including related deter-  
8           minations such as the maximum monthly rent,  
9           subject to the requirements of section 8 of the  
10          Act, as determined by the Secretary; and

11          (D) using any other means that the Sec-  
12          retary determines to be reasonable to accom-  
13          plish the purposes of this section.

14          (4) CONTRACT TERM, RENT SETTING, AND  
15          RENT ADJUSTMENTS.—The Secretary may set the  
16          terms of the contract, including the duration and  
17          provisions regarding rent setting and rent adjust-  
18          ments.

19          (c) WAIVERS.—The Secretary may waive or specify  
20          alternative requirements for any provision of section 8 of  
21          the Act (42 U.S.C. 1437f) or regulation that the Secretary  
22          administers that is applicable to such statute other than  
23          requirements related to tenant rights and protections, rent  
24          setting, fair housing, nondiscrimination, labor standards,  
25          and the environment, upon a finding that the waiver or



1 alternative requirement is necessary to expedite or facili-  
2 tate the use of amounts made available under this section.

3 (d) IMPLEMENTATION.—The Secretary shall have the  
4 authority to issue such regulations or other notices, guid-  
5 ance, forms, instructions, and publications as may be nec-  
6 essary or appropriate to carry out the programs, projects,  
7 or activities authorized under this section, including to en-  
8 sure that such programs, projects, or activities are com-  
9 pleted in a timely and effective manner.

10 **SEC. 40011. INVESTMENTS IN NATIVE AMERICAN COMMU-**  
11 **NITIES.**

12 (a) APPROPRIATION.—In addition to amounts other-  
13 wise available, there is appropriated to the Secretary of  
14 Housing and Urban Development (in this section referred  
15 to as the “Secretary”) for fiscal year 2022, out of any  
16 money in the Treasury not otherwise appropriated—

17 (1) \$784,375,000 for grants under title I of the  
18 Native American Housing Assistance and Self-De-  
19 termination Act of 1996 (in this section referred to  
20 as “NAHASDA”) (25 U.S.C. 4101 et seq.) , and  
21 the Secretary shall distribute such amount according  
22 to the same funding formula used in fiscal year  
23 2021;

24 (2) \$7,000,000 for grants under title VIII of  
25 NAHASDA (25 U.S.C. 4221 et seq.);

1           (3) \$784,375,000 for competitive grants to eli-  
2           gible recipients authorized under title I of  
3           NAHASDA (25 U.S.C. 4111 et seq.), which may be  
4           used for—

5                   (A) new construction and rehabilitation of  
6                   affordable housing;

7                   (B) improving water or energy efficiency or  
8                   increasing resilience to natural hazards for  
9                   housing assisted by amounts made available  
10                  under this subsection; or

11                  (C) ) other eligible affordable housing ac-  
12                  tivities under NAHASDA;

13           (4) \$334,250,000 for—

14                   (A) competitive single-purpose Indian com-  
15                   munity development block grants for Indian  
16                   tribes under title I of the Housing and Commu-  
17                   nity Development Act of 1974 (42 U.S.C. 5301  
18                   et seq.); and

19                   (B) imminent threat grants under title I of  
20                   the Housing and Community Development Act  
21                   of 1974 (42 U.S.C. 5301 et seq.) for Indian  
22                   tribes, or a tribal organization, governmental  
23                   entity, or nonprofit organization designated by  
24                   the Indian tribe to apply for a grant on its be-  
25                   half, which may be used to—

1 (i) address environmental threats, in-  
2 cluding long-term environmental threats;

3 (ii) assist Indian tribes with relocating  
4 a portion of or entire communities due to  
5 changes to the local environment; or

6 (iii) assist Indian tribes with address-  
7 ing other threats to health and safety;

8 (5) \$50,000,000 for the costs to the Secretary  
9 of administering and overseeing the implementation  
10 of this section and Native American programs gen-  
11 erally, including information technology, financial re-  
12 porting, research and evaluations, other cross-pro-  
13 gram costs in support of programs administered by  
14 the Secretary in this Act, and other costs; and

15 (6) \$40,000,000 to make new awards or in-  
16 crease prior awards to existing technical assistance  
17 providers to provide an immediate increase in capac-  
18 ity building and technical assistance to grantees; and  
19 the Secretary may use not more than 10 percent of  
20 the amount under this paragraph to increase prior  
21 awards to existing technical assistance providers to  
22 provide an immediate increase in capacity building  
23 and technical assistance.

24 Amounts appropriated by this section shall remain avail-  
25 able until September 30, 2031.

1 (b) GRANTEE ELIGIBILITY.—Notwithstanding any  
2 other provision of this section, of NAHASDA (25 U.S.C.  
3 4101 et seq.), or of the provisions of title I of the Housing  
4 and Community Development Act of 1974 (42 U.S.C.  
5 5301 et seq) applicable to the Indian community develop-  
6 ment block grant program, an Indian tribe shall be ineli-  
7 gible to receive grants with amounts made available under  
8 this section if the Secretary determines that the Indian  
9 tribe is not in compliance with obligations under its 1866  
10 treaty with the United States as it relates to the inclusion  
11 of persons who are lineal descendants of Freedmen as hav-  
12 ing the rights of the citizens of such tribes, unless a Fed-  
13 eral court has issued a final order that determines the  
14 treaty obligations with respect to including Freedmen as  
15 citizens. For purposes of this subsection, a court order is  
16 not considered final if time remains for an appeal or appli-  
17 cation for discretionary review with respect to the order.

18 (c) PRELIMINARY FUNDING.—

19 (1) USE OF IMMINENT THREAT GRANT  
20 AMOUNTS.—Of any amounts made available in sub-  
21 section (a)(4)(B), and in consultation with the De-  
22 partment of the Interior, the Secretary may award  
23 preliminary grants of up to \$2,000,000 each to ap-  
24 plicants that have applied for a grant under sub-  
25 section (a)(4)(B) before making a final determina-

1           tion as to whether to award a grant under sub-  
2           section (a)(4)(B) to such applicant.

3           (2) NEED AND CAPACITY.—Prior to awarding a  
4           preliminary grant under this subsection, the Sec-  
5           retary must determine, based on a preliminary as-  
6           sessment of need and administrative capacity, that  
7           the applicant is likely able to carry out the grant  
8           successfully but would need additional administrative  
9           and planning resources to develop a comprehensive  
10          implementation plan and additional administrative  
11          capacity in order to successfully administer a grant  
12          under subsection (a)(4)(B).

13          (3) ELIGIBLE ACTIVITIES.—Such preliminary  
14          grants shall be used for eligible program activities,  
15          as defined by the Secretary, that the Secretary de-  
16          termines will allow the applicant to successfully im-  
17          plement the grant.

18          (4) INAPPLICABILITY.—Such preliminary  
19          grants are not subject to administrative and plan-  
20          ning caps.

21          (5) FUNDING DETERMINATIONS.—The deter-  
22          mination of whether to award a final grant under  
23          subsection (a)(4)(B) to an applicant after prelimi-  
24          nary funding was granted to an applicant shall not  
25          be subject to review.

1           (d) REALLOCATION.—Amounts made available under  
2 subsection (a)(1) that are not accepted within a time spec-  
3 ified by the Secretary, are voluntarily returned, or are oth-  
4 erwise recaptured for any reason may be used to fund  
5 grants under paragraph (3) or (4) of subsection (a).

6           (e) WAIVERS.—The Secretary may waive or specify  
7 alternative requirements for any provision of NAHASDA  
8 (25 U.S.C. 4101 et seq.), title I of the Housing and Com-  
9 munity Development Act of 1974 (42 U.S.C. 5301 et seq),  
10 or regulation that the Secretary administers that is appli-  
11 cable to such statutes other than requirements related to  
12 fair housing, nondiscrimination, labor standards, and the  
13 environment, upon a finding that the waiver or alternative  
14 requirement is necessary to expedite or facilitate the use  
15 of amounts made available under this section.

16           (f) IMPLEMENTATION.—The Secretary shall have au-  
17 thority to issue such regulations or other notices, guid-  
18 ance, forms, instructions, and publications as may be nec-  
19 essary or appropriate to carry out the programs, projects,  
20 or activities authorized under this section, including to en-  
21 sure that such programs, projects, or activities are com-  
22 pleted in a timely and effective manner.

1 **Subtitle B—21st Century Sustain-**  
2 **able and Equitable Commu-**  
3 **nities**

4 **SEC. 40101. COMMUNITY DEVELOPMENT BLOCK GRANT**  
5 **FUNDING FOR AFFORDABLE HOUSING AND**  
6 **INFRASTRUCTURE.**

7 (a) APPROPRIATION.—In addition to amounts other-  
8 wise available, there is appropriated to the Secretary of  
9 Housing and Urban Development (in this section referred  
10 to as the “Secretary”) for fiscal year 2022, out of any  
11 money in the Treasury not otherwise appropriated—

12 (1) \$6,600,000,000 for grants to grantees  
13 under section 106 of the Housing and Community  
14 Development Act of 1974 (42 U.S.C.5306) under  
15 the community development block grant program  
16 under title I of such Act, subject to subsection (b)  
17 of this section, except that for purposes of amounts  
18 made available by this paragraph, paragraph (2) of  
19 such section 106(a) shall be applied by substituting  
20 “\$70,000,000” for “\$7,000,000”;

21 (2) \$1,000,000,000 for assistance to community  
22 development block grant grantees, as determined by  
23 the Secretary, under section 106 of the Housing and  
24 Community Development Act of 1974 (42 U.S.C.  
25 5306), only for colonias, to address the community

1 and housing infrastructure needs of existing colonia  
2 residents based on a formula that takes into account  
3 persons in poverty in the colonia areas, except that  
4 grantees may use funds in colonias outside of the  
5 150-mile border area upon approval of the Sec-  
6 retary;

7 (3) \$500,000,000 for grants under the commu-  
8 nity development block grant program under title I  
9 of the Housing and Community Development Act of  
10 1974 (42 U.S.C. 5301 et seq.) to eligible recipients  
11 under subsection (d) of this section for manufac-  
12 tured housing infrastructure improvements in eligi-  
13 ble manufactured home communities;

14 (4) \$300,000,000 for the costs to the Secretary  
15 of administering and overseeing the implementation  
16 of this section, the Community Development Block  
17 Grant program, and the manufactured home con-  
18 struction and safety standards program generally,  
19 including information technology, financial report-  
20 ing, research and evaluations, fair housing compli-  
21 ance, other cross-program costs in support of pro-  
22 grams administered by the Secretary in this title,  
23 and other costs; and the Secretary may transfer and  
24 merge amounts set aside under this paragraph to  
25 section 40301; and



1           (5) \$100,000,000 for providing technical assist-  
2           ance to recipients of or applicants for grants under  
3           this section.

4           Amounts appropriated by this section shall remain avail-  
5           able until September 30, 2031.

6           (b) HOUSING CONSTRUCTION.—Expenditures on new  
7           construction of housing shall be an eligible expense for a  
8           recipient of funds made available under this section that  
9           is not a recipient of funds under title II of the Cranston-  
10          Gonzalez National Affordable Housing Act (42 U.S.C. 42  
11          U.S.C. 12721 et seq.).

12          (c) MANUFACTURED HOUSING COMMUNITY IM-  
13          PROVEMENT GRANT PROGRAM.—

14                 (1) ESTABLISHMENT.—The Secretary of Hous-  
15                 ing and Urban Development shall carry out a com-  
16                 petitive grant program to award funds appropriated  
17                 under subsection (a)(4) to eligible recipients to carry  
18                 out eligible projects for improvements in eligible  
19                 manufactured home communities.

20                 (2) ELIGIBLE PROJECTS.—Amounts from  
21                 grants under this subsection shall be used only to  
22                 assist in carrying out a project for construction, re-  
23                 construction, repair, or clearance of housing, facili-  
24                 ties and improvements in or serving a manufactured  
25                 housing community that—

1 (A) is critically needed to protect the  
2 health and safety of the residents of the manu-  
3 factured housing community and the long-term  
4 sustainability of the community;

5 (B) can be commenced expeditiously as-  
6 sisted by a grant under this subsection; and

7 (C) includes activities—

8 (i) eligible under the community devel-  
9 opment block grant program under title I  
10 of the Housing and Community Develop-  
11 ment Act of 1974 (42 U.S.C. 5301 et  
12 seq.);

13 (ii) to facilitate installation, including  
14 foundation construction for new manufac-  
15 tured homes, as defined in section 603 of  
16 the National Manufactured Construction  
17 and Safety Standards Act of 1974 (42  
18 U.S.C. 5402) and regulated under associ-  
19 ated regulations, and previously sold cer-  
20 tified manufactured homes; or

21 (iii) to mitigate flood risk.

22 (3) CRITERIA.—The Secretary shall prioritize  
23 awards under this section by the extent to which the  
24 project will assist low-income families and preserve

1 long-term housing affordability for residents of an  
2 eligible manufactured home community.

3 (d) WAIVERS.—The Secretary may waive or specify  
4 alternative requirements for any provision of title I of the  
5 Housing and Community Development Act of 1974 (42  
6 U.S.C. 5301 et seq.) or regulation that the Secretary ad-  
7 ministers in connection with use of amounts made avail-  
8 able under this section other than requirements related to  
9 fair housing, nondiscrimination, labor standards, and the  
10 environment, upon a finding that the waiver or alternative  
11 requirement is necessary to expedite or facilitate the use  
12 of amounts made available under this section.

13 (e) DEFINITIONS.—For purposes of this section, the  
14 following definitions shall apply:

15 (1) COLONIA AREA.—The term “colonia area”  
16 means any census tract that—

17 (A) is an area of the United States within  
18 150 miles of the contiguous border between the  
19 United States and Mexico, except as otherwise  
20 determined by the Secretary; and

21 (B) lacks potable water supply, adequate  
22 sewage systems, and lack of decent, safe, sani-  
23 tary housing, and other objective criteria as ap-  
24 proved by the Secretary.

1           (2) ELIGIBLE MANUFACTURED HOME COMMU-  
2           NITY.—The term “eligible manufactured home com-  
3           munity” means a community that—

4                   (A) meets the affordable housing safe har-  
5                   bor requirements of the Internal Revenue Serv-  
6                   ice under section 601.201 of title 26, Code of  
7                   Federal Regulations; and

8                   (B)(i) is owned by the residents of the  
9                   manufactured housing community through a  
10                  resident-controlled entity, as defined by the Sec-  
11                  retary, in which at least two-thirds of residents  
12                  are member-owners of the land-owning entity;  
13                  or

14                  (ii) the Secretary otherwise determines is  
15                  subject to such binding agreements as are nec-  
16                  essary to ensure that the manufactured housing  
17                  community will be maintained as such a com-  
18                  munity, and affordable for low-income families  
19                  (as such term is defined in section 104 of the  
20                  Cranston-Gonzalez National Affordable Hous-  
21                  ing Act (42 U.S.C. 12704)), on a long-term  
22                  basis.

23           (3) ELIGIBLE RECIPIENT.—The term “eligible  
24           recipient” means a partnership of—

1 (A) a grantee under section 106 of the  
2 Housing and Community Development Act of  
3 1974 (42 U.S.C.5306); and

4 (B) an eligible manufactured home com-  
5 munity, a nonprofit entity, or a consortia of  
6 nonprofit entities working with an eligible man-  
7 ufactured home community.

8 (4) MANUFACTURED HOME COMMUNITY.—The  
9 term “manufactured home community” means any  
10 community, court, or park equipped to accommodate  
11 manufactured homes for which pad sites, with or  
12 without existing manufactured homes or other al-  
13 lowed homes, or other suitable sites, are used pri-  
14 marily for residential purposes, with any additional  
15 requirements as determined by the Secretary, includ-  
16 ing any manufactured housing community as such  
17 term is used for purposes of the program of the  
18 Federal National Mortgage Association for multi-  
19 family loans for manufactured housing communities  
20 and the program of the Federal Home Loan Mort-  
21 gage Corporation for loans for manufactured hous-  
22 ing communities.

23 (f) IMPLEMENTATION.—The Secretary shall have au-  
24 thority to issue such regulations or other notices, guid-  
25 ance, forms, instructions, and publications as may be nec-

1 essary or appropriate to carry out the programs, projects,  
2 or activities authorized under this section, including to en-  
3 sure that such programs, projects, or activities are com-  
4 pleted in a timely and effective manner.

5 **SEC. 40102. LEAD-BASED PAINT HAZARD CONTROL AND**  
6 **HOUSING-RELATED HEALTH AND SAFETY**  
7 **HAZARD MITIGATION IN HOUSING OF FAMI-**  
8 **LIES WITH LOWER INCOMES.**

9 (a) APPROPRIATION.—In addition to amounts other-  
10 wise made available, there is appropriated to the Secretary  
11 of Housing and Urban Development (in this section re-  
12 ferred to as the “Secretary”) for fiscal year 2022, out of  
13 any money in the Treasury not otherwise appropriated—

14 (1) \$6,430,000,000 for grants to States, units  
15 of general local government, Indian tribes or their  
16 tribally designated housing entities, and nonprofit  
17 organizations for the activities under subsection (c)  
18 in target housing units, and common areas servicing  
19 such units, where low-income families reside or are  
20 expected to reside that is not public housing, hous-  
21 ing assisted by project-based rental assistance under  
22 section 8 of the United States Housing Act of 1937  
23 (42 U.S.C. 1437f), including under subsection  
24 (o)(13) of such section, nor housing assisted under  
25 section 202 of the Housing Act of 1959 (12 U.S.C.

1 1701q) or section 811 of the Cranston-Gonzalez Na-  
2 tional Affordable Housing Act (42 U.S.C. 8013);

3 (2) \$500,000,000 for grants to State or local  
4 governments or nonprofit entities for the activities in  
5 subsection (e) in target housing units, and common  
6 areas servicing such units, that are being assisted  
7 under the Weatherization Assistance Program au-  
8 thorized under title IV of the Energy Conservation  
9 and Production Act (42 U.S.C. 6851 et seq.) but are  
10 not public housing, housing assisted by project-based  
11 rental assistance under section 8 of the United  
12 States Housing Act of 1937 (42 U.S.C. 1437f), in-  
13 cluding under subsection (o)(13) of such section, nor  
14 housing assisted under section 202 of the Housing  
15 Act of 1959 (12 U.S.C. 1701q) or section 811 of the  
16 Cranston-Gonzalez National Affordable Housing Act  
17 (42 U.S.C. 8013);

18 (3) \$2,000,000,000 for grants to owners of a  
19 property receiving project-based rental assistance  
20 under section 8 of the United States Housing Act of  
21 1937 (42 U.S.C. 1437f), including under subsection  
22 (o)(13) of such section, that meets the definition of  
23 target housing and that has not received a grant for  
24 similar purposes under this Act for the activities in  
25 subsection (c), except subsection (c)(2), in target

1 housing units receiving such assistance and common  
2 areas servicing such units;

3 (4) \$810,000,000 for costs related to training  
4 and technical assistance to support identification  
5 and mitigation of lead and housing-related health  
6 and safety hazards, research, and evaluation related  
7 to activities under this section; and

8 (5) \$260,000,000 for the costs to the Secretary  
9 of administering and overseeing the implementation  
10 of this section, and the Secretary's lead hazard re-  
11 duction and related programs generally including in-  
12 formation technology, financial reporting, research  
13 and evaluations, other cross-program costs in sup-  
14 port of programs administered by the Secretary in  
15 this Act, and other costs; the Secretary may transfer  
16 and merge amounts appropriated under this para-  
17 graph to section 40301.

18 Amounts appropriated by this section shall remain avail-  
19 able until September 30, 2031.

20 (b) TERMS AND CONDITIONS.—

21 (1) INCOME ELIGIBILITY DETERMINATIONS.—

22 Notwithstanding any inconsistent requirements, the  
23 Secretary may make income determinations of eligi-  
24 bility for enrollment of housing units for grants  
25 awarded under—



1 (A) subsection (a)(1) using criteria under  
2 title I of the Housing and Community Develop-  
3 ment Act of 1974 (42 U.S.C. 5301 et seq.),  
4 title II of the Cranston-Gonzalez National Af-  
5 fordable Housing Act (42 U.S.C. 12701 et  
6 seq.), section 8 of the United States Housing  
7 Act of 1937 (42 U.S.C. 1437f), title IV of the  
8 Energy Conservation and Production Act (42  
9 U.S.C. 6851 et seq.), section 2605 of the Low-  
10 Income Home Energy Assistance Act of 1981  
11 (42 U.S.C. 8624), or section 2044 of title 38,  
12 United States Code, as determined appropriate  
13 by the Secretary;

14 (B) subsection (a)(2) using criteria under  
15 section 8 of the United States Housing Act of  
16 1937 (42 U.S.C. 1437f) or title IV of the En-  
17 ergy Conservation and Production Act (42  
18 U.S.C. 6851 et seq.).

19 (2) HOUSING FAMILIES WITH YOUNG CHIL-  
20 DREN.—An owner of rental property that receives  
21 assistance under subsection (a)(3) shall give priority  
22 in renting units for which the lead-based paint has  
23 been abated pursuant to subsection (a)(3), for not  
24 less than 3 years following the completion of lead

1 abatement activities, to families with a child under  
2 the age of 6 years.

3 (3) ADMINISTRATIVE EXPENSES.—A recipient  
4 of a grant under this section may use up to 10 per-  
5 cent of the grant for administrative expenses associ-  
6 ated with the activities funded by this section.

7 (c) ELIGIBLE ACTIVITIES.—Grants awarded under  
8 this section shall be used for—

9 (1) abatement of lead-based paint in target  
10 housing;

11 (2) interim controls of lead-based paint hazards  
12 in target housing;

13 (3) lead-based paint inspections;

14 (4) lead risk assessments;

15 (5) lead hazard control clearance examinations;

16 (6) testing for housing-related health and safety  
17 hazards;

18 (7) mitigation of housing-related health and  
19 safety hazards, including lead faucets, fixtures, and  
20 interior lines;

21 (8) technical assistance;

22 (9) providing work practices training to local  
23 residents;

1           (10) outreach and engagement with community  
2           stakeholders, including stakeholders in disadvan-  
3           taged communities;

4           (11) capacity building;

5           (12) program evaluation and research;

6           (13) environmental reviews; or

7           (14) activities that directly or indirectly support  
8           the work under this section, as applicable, that with-  
9           out which such activities could not be conducted.

10          (d) ENVIRONMENTAL REVIEW.—For purposes of en-  
11          vironmental review pursuant to the National Environ-  
12          mental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and  
13          other provisions of law that further the purposes of such  
14          Act, a grant under subsection (a) of this section shall be  
15          considered funds for a special project for purposes of sec-  
16          tion 305(c) of the Multifamily Housing Property Disposi-  
17          tion Reform Act of 1994 (42 U.S.C. 3547), provided that  
18          references in such section 305(c) to “State or unit of gen-  
19          eral local government” shall be deemed to include Indian  
20          tribes.

21          (e) DEFINITIONS.—For purposes of this section, the  
22          following definitions, and definitions in section 1004 of the  
23          Residential Lead-Based Paint Hazard Reduction Act of  
24          1992 (42 U.S.C. 4851b), shall apply:

1           (1) NONPROFIT; NONPROFIT ORGANIZATION.—  
2           The terms “nonprofit” and “nonprofit organization”  
3           mean a corporation, community chest, fund, or foun-  
4           dation not organized for profit, but organized and  
5           operated exclusively for religious, charitable, sci-  
6           entific, testing for public safety, literary, or edu-  
7           cational purposes; or an organization not organized  
8           for profit but operated exclusively for the promotion  
9           of social welfare.

10           (2) PUBLIC HOUSING; PUBLIC HOUSING AGEN-  
11           CY; LOW-INCOME FAMILY.—The terms “public hous-  
12           ing”, “public housing agency”, and “low-income  
13           family’ ” have the same meaning given such terms  
14           in section 3(b) of the United States Housing Act of  
15           1937 (42 U.S.C. 1437a(b)).

16           (3) TRIBALLY DESIGNATED HOUSING ENTITY;  
17           INDIAN TRIBE.—The terms “tribally designated  
18           housing entity” and “Indian tribe” have the same  
19           meaning given such terms in section 4 of the Native  
20           American Housing Assistance and Self-Determina-  
21           tion Act of 1996 (25 U.S.C. 4103).

22           (4) UNIT OF GENERAL LOCAL GOVERNMENT.—  
23           The term “unit of general local government” has the  
24           same meaning given such term in section 102 of the

1       Housing and Community Development Act of 1974  
2       (42 U.S.C. 5302).

3       (f) IMPLEMENTATION.—The Secretary shall have the  
4 authority to issue such regulations or other notices, guid-  
5 ance, forms, instructions, and publications as may be nec-  
6 essary or appropriate to carry out the programs, projects,  
7 or activities authorized under this section, including to en-  
8 sure that such programs, projects, or activities are com-  
9 pleted in a timely and effective manner.

10 **SEC. 40103. UNLOCKING POSSIBILITIES PROGRAM.**

11       (a) APPROPRIATION.—In addition to amounts other-  
12 wise available, there is appropriated to the Secretary of  
13 Housing and Urban Development for fiscal year 2022, out  
14 of any money in the Treasury not otherwise appro-  
15 priated—

16           (1) \$4,260,000,000 for awarding planning  
17 grants under this section to develop and evaluate  
18 housing policy plans and substantially improve hous-  
19 ing strategies;

20           (2) \$20,000,000 for research and evaluation re-  
21 lated to housing policy planning and other associated  
22 costs;

23           (3) \$70,000,000 to provide technical assistance  
24 to grantees or applicants for grants made available  
25 by this section; and

1           (4) \$150,000,000 for the costs to the Secretary  
2 of administering and overseeing the implementation  
3 of this section, including information technology, fi-  
4 nancial reporting, research and evaluations, fair  
5 housing compliance, and other cross-program costs  
6 in support of programs administered by the Sec-  
7 retary in this title; the Secretary may transfer and  
8 merge amounts appropriated under this paragraph  
9 to section 40301.

10 Amounts appropriated by this section shall remain avail-  
11 able until September 30, 2031.

12       (b) PROGRAM ESTABLISHMENT.—The Secretary of  
13 Housing and Urban Development shall establish a com-  
14 petitive grant program for—

15           (1) planning grants to develop and evaluate  
16 housing policy plans and substantially improve hous-  
17 ing strategies;

18           (2) streamlining regulatory requirements and  
19 shorten processes, reform zoning codes, or other ini-  
20 tiatives that reduce barriers to housing supply elas-  
21 ticity and affordability;

22           (3) developing and evaluating local or regional  
23 plans for urban development to substantially im-  
24 prove urban development strategies related to sus-  
25 tainability, fair housing, and location efficiency;

1           (4) implementation and livable community in-  
2           vestment grants; and

3           (5) research and evaluation.

4           (c) GRANTS.—

5           (1) PLANNING GRANTS.—The Secretary shall,  
6           under selection criteria determined by the Secretary,  
7           award grants under this paragraph on a competitive  
8           basis to eligible entities to finance planning activi-  
9           ties, including engagement with community stake-  
10          holders and housing practitioners, to—

11                   (A) develop housing policy plans;

12                   (B) substantially improve State or local  
13           housing strategies;

14                   (C) develop new regulatory requirements  
15           and processes, reform zoning codes, or under-  
16           take other initiatives to reduce barriers to hous-  
17           ing supply elasticity and affordability;

18                   (D) develop local or regional plans for  
19           urban development; and

20                   (E) substantially improve urban develop-  
21           ment strategies, including strategies to increase  
22           availability and access to affordable housing, to  
23           further access to public transportation or to ad-  
24           vance other sustainable or location-efficient  
25           urban development goals.

1           (2) IMPLEMENTATION AND LIVABLE COMMU-  
2           NITY INVESTMENT GRANTS.—The Secretary shall  
3           award implementation grants under this paragraph  
4           on a competitive basis to eligible entities for the pur-  
5           pose of implementing—

6                   (A) completed housing strategies and hous-  
7                   ing policy plans and any planning to affirma-  
8                   tively further fair housing within the meaning  
9                   of subsections (d) and (e) of section 808 of the  
10                  Fair Housing Act (42 U.S.C. 608) and applica-  
11                  ble regulations and for community investments  
12                  that support the goals identified in such hous-  
13                  ing strategies or housing policy plans;

14                   (B) new regulatory requirements and proc-  
15                   esses, reformed zoning codes, or other initia-  
16                   tives to reduce barriers to housing supply elas-  
17                   ticity and affordability that are consistent with  
18                   a plan under subparagraph (A);

19                   (C) completed local or regional plans for  
20                   urban development and any planning to in-  
21                   crease availability and access to affordable  
22                   housing, access to public transportation and  
23                   other sustainable or location-efficient urban de-  
24                   velopment goals.



1 (d) COORDINATION WITH FTA ADMINISTRATOR.—  
2 To the extent practicable, the Secretary shall coordinate  
3 with the Federal Transit Administrator in carrying out  
4 this section.

5 (e) DEFINITIONS.—For purposes of this section, the  
6 following definitions apply:

7 (1) ELIGIBLE ENTITY.—The term “eligible enti-  
8 ty” means—

9 (A) a State, insular area, metropolitan  
10 city, or urban county, as such terms are defined  
11 in section 102 of the Housing and Community  
12 Development Act of 1974 (42 U.S.C. 5302); or

13 (B) for purposes of grants under sub-  
14 section (b)(1), a regional planning agency or  
15 consortia.

16 (2) HOUSING POLICY PLAN; HOUSING STRAT-  
17 EGY.—

18 (A) HOUSING POLICY PLAN.—The term  
19 “housing policy plan” means a plan of an eligi-  
20 ble entity to, with respect to the area within the  
21 jurisdiction of the eligible entity—

22 (i) match the creation of housing sup-  
23 ply to existing demand and projected de-  
24 mand growth in the area, with attention to  
25 preventing displacement of residents, re-

1           ducing the concentration of poverty, and  
2           meaningfully reducing and not perpet-  
3           uating housing segregation on the basis of  
4           race, color, religion, natural origin, sex,  
5           disability, or familial status;

6           (ii) increase the affordability of hous-  
7           ing in the area, increase the accessibility of  
8           housing in the area for people with disabil-  
9           ities, including location-efficient housing,  
10          and preserve or improve the quality of  
11          housing in the area;

12          (iii) reduce barriers to housing devel-  
13          opment in the area, with consideration for  
14          location efficiency, affordability, and acces-  
15          sibility; and

16          (iv) coordinate with the metropolitan  
17          transportation plan of the area under the  
18          jurisdiction of the eligible entity, or other  
19          regional plan.

20          (B) HOUSING STRATEGY.—The term  
21          “housing strategy” means the housing strategy  
22          required under section 105 of the Cranston-  
23          Gonzalez National Affordable Housing Act (42  
24          U.S.C. 12705).

1 (f) COSTS TO GRANTEES.—Up to 15 percent of a re-  
2 cipient's grant may be used for administrative costs.

3 (g) RULES OF CONSTRUCTION.—

4 (1) IN GENERAL.— Except as otherwise pro-  
5 vided by this section, amounts appropriated or oth-  
6 erwise made available under this section shall be  
7 subject to the community development block grant  
8 program requirements under title I of the Housing  
9 and Community Development Act of 1974 (42  
10 U.S.C. 5301 et seq.).

11 (2) EXCEPTIONS.—

12 (A) HOUSING CONSTRUCTION.—Expendi-  
13 tures on new construction of housing shall be  
14 an eligible expense under this section.

15 (B) BUILDINGS FOR GENERAL CONDUCT  
16 OF GOVERNMENT.—Expenditures on building  
17 for the general conduct of government, other  
18 than the Federal Government, shall be eligible  
19 under this section when necessary and appro-  
20 priate as a part of a natural hazard mitigation  
21 project.

22 (h) WAIVERS.—The Secretary may waive or specify  
23 alternative requirements for any provision of title I of the  
24 Housing and Community Development Act of 1974 (42  
25 U.S.C. 5301 et seq.) or regulation for the administration

1 of the amounts made available under this section other  
2 than requirements related to fair housing, nondiscrimina-  
3 tion, labor standards, and the environment, upon a finding  
4 that the waiver or alternative requirement is necessary to  
5 expedite or facilitate the use of amounts made available  
6 under this section.

7 (i) IMPLEMENTATION.—The Secretary shall have the  
8 authority to issue such regulations or other notices, guid-  
9 ance, forms, instructions, and publications as may be nec-  
10 essary or appropriate to carry out the programs, projects,  
11 or activities authorized under this section, including to en-  
12 sure that such programs, projects, or activities are com-  
13 pleted in a timely and effective manner.

14 **SEC. 40104. STRENGTHENING RESILIENCE UNDER NA-**  
15 **TIONAL FLOOD INSURANCE PROGRAM.**

16 (a) PROGRAM DEBT.—

17 (1) CANCELLATION.—Subject only to para-  
18 graphs (2) and (3) and notwithstanding any other  
19 provision of law, all indebtedness of the Adminis-  
20 trator of the Federal Emergency Management Agen-  
21 cy under any notes or other obligations issued pur-  
22 suant to section 1309(a) of the National Flood In-  
23 surance Act of 1968 (42 U.S.C. 7 4016(a)) and sec-  
24 tion 15(e) of the Federal Insurance Act of 1956 (42  
25 U.S.C. 2414(e)), and outstanding as of the date of

1 the enactment of this Act, is hereby canceled, the  
2 Administrator and the National Flood Insurance  
3 Fund are relieved of all liability to the Secretary of  
4 the Treasury under any such notes or other obliga-  
5 tions, including for any capitalized interest due  
6 under such notes or other obligations and any other  
7 fees and charges payable in connection with such  
8 notes and obligations, and the total amount of notes  
9 and obligations issued by the Administrator pursu-  
10 ant to such section shall be considered to be reduced  
11 by such amount for purposes of the limitation on  
12 such total amount under such section.

13 (2) USE OF SAVINGS.—Effective on and after  
14 October 1, 2031, the Administrator of the Federal  
15 Emergency Management Agency shall use any sav-  
16 ings accruing from the cancellation of debt under  
17 paragraph (1), including any amounts of interest  
18 payments avoided from such cancellation, only for  
19 deposit in and use under the National Flood Insur-  
20 ance Reserve Fund under section 1310A of the Na-  
21 tional Flood Insurance Act of 1968 (42 U.S.C.  
22 4017A).

23 (3) TREATMENT OF CANCELED DEBT.—The  
24 amount of the indebtedness canceled under para-

1 graph (1) may be treated as a public debt of the  
2 United States.

3 (b) FLOOD HAZARD MAPPING AND RISK ANAL-  
4 YSIS.—In addition to amounts otherwise available, there  
5 is appropriated to the Administrator of the Federal Emer-  
6 gency Management Agency for fiscal year 2022, out of any  
7 money in the Treasury not otherwise appropriated,  
8 \$3,000,000,000, to remain available until expended, for  
9 necessary expenses for flood hazard mapping and risk  
10 analysis, which shall be in addition to, and shall supple-  
11 ment—

12 (1) amounts otherwise available for those pur-  
13 poses, including amounts appropriated to the Na-  
14 tional Flood Insurance Fund established under sec-  
15 tion 1310 of such Act (42 U.S.C. 4017); and

16 (2) any funds provided to the Administrator by  
17 States and local governments under section  
18 1360(f)(2) of such Act (42 U.S.C. 4101(f)(2)).

19 (c) MEANS-TESTED ASSISTANCE FOR NATIONAL  
20 FLOOD INSURANCE PROGRAM POLICYHOLDERS.—

21 (1) APPROPRIATION.—In addition to amounts  
22 otherwise available, there is appropriated to the Ad-  
23 ministrator of the Federal Emergency Management  
24 Agency for fiscal year 2022, out of any money in the  
25 Treasury not otherwise appropriated,

1       \$1,000,000,000, to remain available until September  
2       30, 2026, to carry out a means-tested program  
3       under which the Administrator provides assistance  
4       to eligible policyholders in the form of graduated dis-  
5       counts for insurance costs with respect to covered  
6       properties.

7               (2) TERMS AND CONDITIONS.—

8                       (A) DISCOUNTS.—The Administrator shall  
9                       use funds provided under this subsection to es-  
10                      tablish graduated discounts available to eligible  
11                      policyholders under this subsection, with respect  
12                      to covered properties, which may be based on  
13                      the following factors:

14                               (i) The percentage by which the  
15                               household income of the eligible policy-  
16                               holder is equal to, or less than, 120 per-  
17                               cent of the area median income for the  
18                               area in which the property to which the  
19                               policy applies is located.

20                               (ii) The number of eligible policy-  
21                               holders participating in the program au-  
22                               thorized under this subsection.

23                               (iii) The availability of funding.

1 (iv) Any other factor that the Admin-  
2 istrator finds reasonable and necessary to  
3 carry out the purposes of this subsection

4 (B) DISTRIBUTION OF PREMIUM.—With  
5 respect to the amount of the discounts provided  
6 under this subsection in a fiscal year, and any  
7 administrative expenses incurred in carrying  
8 out this subsection for that fiscal year, the Ad-  
9 ministrator shall, from amounts made available  
10 to carry out this subsection for that fiscal year,  
11 deposit in the National Flood Insurance Fund  
12 established under section 1310 of the National  
13 Flood Insurance Act of 1968 (42 U.S.C. 4017)  
14 an amount equal to those discounts and admin-  
15 istrative expenses, except to the extent that sec-  
16 tion 1310A of the National Flood Insurance  
17 Act of 1968 (42 U.S.C. 4017a) applies to any  
18 portion of those discounts or administrative ex-  
19 penses, in which case the Administrator shall  
20 deposit an amount equal to those amounts to  
21 which such section 1310A applies in the Na-  
22 tional Flood Insurance Reserve Fund estab-  
23 lished under such section 1310A.

24 (C) REQUIREMENT ON TIMING.—Not later  
25 than 21 months after the date of the enactment



1 of this section, the Administrator shall issue in-  
2 terim guidance to implement this subsection  
3 which shall expire on the later of—

4 (i) the date that is 60 months after  
5 the date of the enactment of this section;  
6 or

7 (ii) the date on which a final rule  
8 issued to implement this subsection takes  
9 effect.

10 (3) DEFINITIONS.—In this subsection:

11 (A) ADMINISTRATOR.—The term “Admin-  
12 istrator” means the Administrator of the Fed-  
13 eral Emergency Management Agency.

14 (B) COVERED PROPERTY.—The term “cov-  
15 ered property” means—

16 (i) a primary residential dwelling de-  
17 signed for the occupancy of from 1 to 4  
18 families; or

19 (ii) personal property relating to a  
20 dwelling described in clause (i).

21 (C) ELIGIBLE POLICYHOLDER.—The term  
22 “eligible policyholder” means a policyholder  
23 with a household income that is not more than  
24 120 percent of the area median income for the

1 area in which the property to which the policy  
2 applies is located.

3 (D) INSURANCE COSTS.—The term “insur-  
4 ance costs” means, with respect to a covered  
5 property for a year—

6 (i) risk premiums and fees estimated  
7 under section 1307 of the National Flood  
8 Insurance Act of 1968 (42 U.S.C. 4014)  
9 and charged under section 1308 of such  
10 Act (42 U.S.C. 4015);

11 (ii) surcharges assessed under sections  
12 1304 and 1308A of such Act (42 U.S.C.  
13 4011, 4015a); and

14 (iii) any amount established under  
15 section 1310A(c) of such Act (42 U.S.C.  
16 4017a).

17 **SEC. 40105. COMMUNITY RESTORATION AND REVITALIZA-**  
18 **TION FUND.**

19 (a) APPROPRIATION.—In addition to amounts other-  
20 wise available, there is appropriated to the Community  
21 Restoration and Revitalization Fund established under  
22 subsection (b) for fiscal year 2022, out of any money in  
23 the Treasury not otherwise appropriated—

24 (1) \$5,700,000,000 for awards of planning and  
25 implementation grants to eligible recipients to carry

1 out community-led projects to stabilize neighbor-  
2 hoods and increase access to economic opportunity  
3 for residents by creating equitable civic infrastruc-  
4 ture and creating or preserving affordable, accessible  
5 housing;

6 (2) \$500,000,000 for awards of grants to eligi-  
7 ble recipients to create, expand, and maintain com-  
8 munity land trusts and shared equity homeownership,  
9 including through the acquisition, rehabilita-  
10 tion, and new construction of affordable, accessible  
11 housing;

12 (3) \$1,000,000,000 for the Secretary to provide  
13 technical assistance, capacity building, program sup-  
14 port to applicants, potential applicants, and recipi-  
15 ents of amounts appropriated for grants under this  
16 section; and

17 (4) \$300,000,000 for the costs to the Secretary  
18 of administering and overseeing the implementation  
19 of this section, including information technology, fi-  
20 nancial reporting, research and evaluations, fair  
21 housing compliance, and other cross-program costs  
22 in support of programs administered by the Sec-  
23 retary in this title; the Secretary may transfer and  
24 merge amounts appropriated under this paragraph  
25 to section 40301.

1 Amounts appropriated by this section shall remain avail-  
2 able until September 30, 2031.

3 (b) ESTABLISHMENT OF FUND.—The Secretary of  
4 Housing and Urban Development (in this section referred  
5 to as the “Secretary”) shall establish a Community Res-  
6 toration and Revitalization Fund (in this section referred  
7 to as the “Fund”) to award planning and implementation  
8 grants on a competitive basis to eligible recipients as de-  
9 fined in this section for activities authorized under title  
10 I of the Housing and Community Development Act of  
11 1974 (42 U.S.C. 5301 et seq.) for community-led projects  
12 that create civic infrastructure to support a community’s  
13 social, economic, and civic fabric, create fair, affordable  
14 and accessible housing opportunities, prevent residential  
15 displacement, acquire and remediate blighted properties,  
16 and promote quality job creation and retention.

17 (c) GRANTS.—

18 (1) GEOGRAPHICAL AREAS.—The Secretary  
19 shall award grants from the Fund to eligible recipi-  
20 ents within geographical areas at the neighborhood,  
21 county, census tract, or census tract level, including  
22 census tracts adjacent to the project area that are  
23 areas in need of investment, and that have at least  
24 two of the following indicators:

1 (A) Dwelling unit sales prices that are  
2 lower than the cost to acquire and rehabilitate,  
3 or build, a new dwelling unit.

4 (B) High proportions of residential and  
5 commercial properties that are vacant due to  
6 foreclosure, eviction, abandonment, or other  
7 causes.

8 (C) Low rates of homeownership.

9 (D) Disparities in racial and ethnic home-  
10 ownership rates.

11 (E) High and persistent rates of poverty.

12 (F) High rates of unemployment and  
13 underemployment.

14 (G) Population at risk of displacement due  
15 to rising housing costs.

16 (H) Historic population loss.

17 (I) Lack of private sector lending on fair  
18 and competitive terms for individuals to pur-  
19 chase homes or start small businesses.

20 (J) Other indicators of economic distress.

21 (d) ELIGIBLE RECIPIENTS AND APPLICANTS.—

22 (1) ELIGIBLE RECIPIENT.—An eligible recipient  
23 of a grant under subsection (b)(1) shall be a local  
24 partnership of a lead applicant and one or more  
25 joint applicants with the ability to administer the

1 grant. An eligible recipient of a grant under sub-  
2 section (b)(2) shall be a lead applicant with the abil-  
3 ity to administer the grant, including a regional or  
4 national nonprofit, that may include a joint appli-  
5 cant.

6 (2) LEAD APPLICANT.—An eligible lead appli-  
7 cant for a grant awarded under this section shall  
8 be—

9 (A)(i) a nonprofit organization that—

10 (I) demonstrates a commitment to  
11 anti-displacement efforts and has expertise  
12 in community planning, engagement, orga-  
13 nizing, housing and community develop-  
14 ment, or neighborhood revitalization; and

15 (II) is located within or serves the  
16 geographical area of the project or that de-  
17 rives its mission and operational priorities  
18 from the needs of the geographical area of  
19 the project; or

20 (ii) if the geographical area of the project  
21 is located in any area where no such local non-  
22 profit organization exists, a national nonprofit  
23 organization with such expertise;

24 (B) a community development corporation,  
25 that is located within or serves the geographical

1 area of the project and can demonstrate a track  
2 record of making investments in the geo-  
3 graphical area of the project, and demonstrates  
4 a commitment to anti-displacement efforts;

5 (C) a community housing development or-  
6 ganization, defined in section 104 of the Cran-  
7 ston-Gonzalez National Affordable Housing Act  
8 (42 U.S.C. 12704) or a community-based devel-  
9 opment organization, that is located within or  
10 serves the geographical area of the project and  
11 experienced in neighborhood revitalization, com-  
12 munity-based economic development, housing  
13 development activities, and demonstrates a com-  
14 mitment to anti-displacement efforts; or

15 (D) a community development financial in-  
16 stitution, as defined by section 103 of the Rie-  
17 gle Community Development and Regulatory  
18 Improvement Act of 1994 (12 U.S.C. 4702),  
19 that is located within or serves the geographical  
20 area of the project, demonstrates a commitment  
21 to anti-displacement efforts, and has a track  
22 record of making investments in the geographic  
23 project area.

24 (3) JOINT APPLICANTS.—A joint applicant shall  
25 be a local, regional or national entity that is—

1 (A) an organization that qualifies as a lead  
2 applicant;

3 (B) a unit of general local government, as  
4 defined in section 102 of the Housing and Com-  
5 munity Development Act of 1974 (42 U.S.C.  
6 5302);

7 (C) an Indian tribe, as defined in section  
8 102 of the Housing and Community Develop-  
9 ment Act of 1974 (42 U.S.C. 5302);

10 (D) a nonprofit organization;

11 (E) a community development corporation;

12 (F) an anchor institution;

13 (G) a State housing finance agency (as  
14 such term is defined in section 106(h) of the  
15 Housing and Urban Development Act of 1968  
16 (12 U.S.C. 1701x(h))) or a related State agen-  
17 cy;

18 (H) a land bank;

19 (I) a fair housing enforcement organization  
20 (as such term is defined in section 561 of the  
21 Housing and Community Development Act of  
22 1987 (42 U.S.C. 3616a));

23 (J) a public housing agency (as such term  
24 is defined in section 3(b) of the United States  
25 Housing Act of 1937 (42 U.S.C. 1437a(b)));



1 (K) a community development financial in-  
2 stitution, as defined by section 103 of the Rie-  
3 gle Community Development and Regulatory  
4 Improvement Act of 1994 (12 U.S.C. 4702); or

5 (L) a philanthropic organization.

6 (e) ELIGIBLE USES.—

7 (1) IN GENERAL.—Grants awarded under this  
8 section may be used to support civic infrastructure  
9 and housing-related activities. Projects must include  
10 at least one civic infrastructure and at least one  
11 housing-related activity.

12 (2) PLANNING GRANTS.—Planning grants  
13 awarded under this section may be used for civic in-  
14 frastructure and housing-related activities, includ-  
15 ing—

16 (A) fair housing planning, to affirmatively  
17 further fair housing;

18 (B) planning to prevent displacement espe-  
19 cially of extremely-low, very-low, low- and mod-  
20 erate-income homeowners, renters, and people  
21 experiencing homelessness;

22 (C) community planning and outreach;

23 (D) neighborhood engagement with resi-  
24 dent leaders and community groups;

25 (E) pre-development activities;

- 1 (F) community engagement processes;
- 2 (G) market analysis;
- 3 (H) financial planning and feasibility; and
- 4 (I) site surveys.

5 (3) IMPLEMENTATION GRANTS.—Implementa-  
6 tion grants awarded under this section may be used  
7 for activities eligible under section 105 of the Hous-  
8 ing and Community Development Act of 1974 (42  
9 U.S.C. 5305) and other activities to support civic in-  
10 frastructure and housing-related activities, includ-  
11 ing—

12 (A) new construction of housing;

13 (B) demolition of abandoned or distressed  
14 structures, but only if such activity is part of a  
15 strategy that incorporates rehabilitation or new  
16 construction, anti-displacement efforts such as  
17 tenants' right to return and right of first re-  
18 fusal to purchase, and efforts to increase af-  
19 fordable, accessible housing and homeownership,  
20 except that not more than 10 percent of  
21 any grant made under this section may be used  
22 for activities under this subparagraph unless  
23 the Secretary determines that such use is to the  
24 benefit of existing residents;

1 (C) facilitating the creation, maintenance,  
2 or availability of rental units, including units in  
3 mixed-use properties, affordable and accessible  
4 to a household whose income does not exceed  
5 80 percent of the median income for the area,  
6 as determined by the Secretary, for a period of  
7 not less than 30 years;

8 (D) facilitating the creation, maintenance,  
9 or availability of homeownership units afford-  
10 able and accessible to households whose incomes  
11 do not exceed 120 percent of the median in-  
12 come for the area, as determined by the Sec-  
13 retary;

14 (E) establishing or operating land banks;  
15 and

16 (F) providing assistance to existing resi-  
17 dents experiencing economic distress or at risk  
18 of displacement, including purchasing nonper-  
19 forming mortgages and clearing and obtaining  
20 formal title.

21 (4) COMMUNITY LAND TRUST GRANTS.—An eli-  
22 gible recipient of a community land trust grant  
23 awarded under this section may use such grant for  
24 activities to support civic infrastructure, including  
25 the production, acquisition, and rehabilitation of

1 housing for use in a community land trust or shared  
2 equity homeownership program, and expanding the  
3 capacity of the recipient to carry out the grant.

4 (5) COSTS OF GRANTEES.—Up to 20 percent of  
5 a recipient's grant may be used for administrative  
6 costs.

7 (f) RULES OF CONSTRUCTION.—Except as otherwise  
8 provided by this section, amounts appropriated or other-  
9 wise made available under this section shall be subject to  
10 the community development block grant program require-  
11 ments under title I of the Housing and Community Devel-  
12 opment Act of 1974 (42 U.S.C. 5301 et seq.).

13 (g) WAIVERS.—The Secretary may waive or specify  
14 alternative requirements for any provision of title I of the  
15 Housing and Community Development Act of 1974 (42  
16 U.S.C. 5301 et seq.) or regulation for the administration  
17 of the amounts made available under this section other  
18 than requirements related to fair housing, nondiscrimina-  
19 tion, labor standards, and the environment, upon a finding  
20 that the waiver or alternative requirement is necessary to  
21 expedite or facilitate the use of amounts made available  
22 under this section.

23 (h) DEFINITIONS.—For purposes of this section, the  
24 following definitions shall apply:

1           (1) ANCHOR INSTITUTION.—The term “anchor  
2 institution” means a school, a library, a healthcare  
3 provider, a community college or other institution of  
4 higher education, museum or cultural institution, or  
5 another community support organization or entity.

6           (2) COMMUNITY LAND TRUST.—The term  
7 “community land trust” means a nonprofit organi-  
8 zation or State or local governments or instrumen-  
9 talities that—

10           (A) use a ground lease or deed covenant  
11 with an affordability period of at least 30 years  
12 or more to—

13           (i) make rental and homeownership  
14 units affordable to households; and

15           (ii) stipulate a preemptive option to  
16 purchase the affordable rentals or home-  
17 ownership units so that the affordability of  
18 the units is preserved for successive in-  
19 come-eligible households; and

20           (B) monitor properties to ensure afford-  
21 ability is preserved.

22           (3) LAND BANK.—The term “land bank”  
23 means a government entity, agency, or program, or  
24 a special purpose nonprofit entity formed by one or  
25 more units of government in accordance with State

1 or local land bank enabling law, that has been des-  
2 ignated by one or more State or local governments  
3 to acquire, steward, and dispose of vacant, aban-  
4 doned, or other problem properties in accordance  
5 with locally-determined priorities and goals.

6 (4) SHARED EQUITY HOMEOWNERSHIP PRO-  
7 GRAM.—The term “shared equity homeownership  
8 program” means a program to facilitate affordable  
9 homeownership preservation through a resale restric-  
10 tion program administered by a community land  
11 trust, other nonprofit organization, or State or local  
12 government or instrumentalities and that utilizes a  
13 ground lease, deed restriction, subordinate loan, or  
14 similar legal mechanism that includes provisions en-  
15 suring that the program shall—

16 (A) maintain the home as affordable for  
17 subsequent very low-, low-, or moderate-income  
18 families for an affordability term of at least 30  
19 years after recordation;

20 (B) apply a resale formula that limits the  
21 homeowner’s proceeds upon resale; and

22 (C) provide the program administrator or  
23 such administrator’s assignee a preemptive op-  
24 tion to purchase the homeownership unit from  
25 the homeowner at resale.

1 **SEC. 40106. FAIR HOUSING ACTIVITIES AND INVESTIGA-**  
2 **TIONS.**

3 (a) APPROPRIATION.—In addition to amounts other-  
4 wise available, there is appropriated to the Secretary of  
5 Housing and Urban Development (in this section referred  
6 to as the “Secretary”) for fiscal year 2022, out of any  
7 money in the Treasury not otherwise appropriated—

8 (1) \$770,000,000 for the Fair Housing Initia-  
9 tives Program under section 561 of the Housing and  
10 Community Development Act of 1987 (42 U.S.C.  
11 3616a) to ensure existing and new fair housing or-  
12 ganizations have expanded and strengthened capaci-  
13 ty to address fair housing inquiries and complaints,  
14 conduct local, regional, and national testing and in-  
15 vestigations, conduct education and outreach activi-  
16 ties, and address costs of delivering or adapting  
17 services to meet increased housing market activity  
18 and evolving business practices in the housing, hous-  
19 ing-related, and lending markets. Amounts made  
20 available under this section shall support greater or-  
21 ganizational continuity and capacity, including  
22 through up to 10-year grants; and

23 (2) \$230,000,000 for the costs to the Secretary  
24 of administering and overseeing the implementation  
25 of this section and the Fair Housing Initiatives and  
26 Fair Housing Assistance Programs generally, includ-

1       ing information technology, financial reporting, re-  
2       search and evaluations, other cross-program costs in  
3       support of programs administered by the Secretary  
4       in this title, and other costs. The Secretary may  
5       transfer and merge amounts set aside under this  
6       paragraph to section 40301.

7       Amounts appropriated by this section shall remain avail-  
8       able until September 30, 2031.

9       (b) IMPLEMENTATION.—The Secretary shall have au-  
10      thority to issue such regulations or other notices, guid-  
11      ance, forms, instructions, and publications as may be nec-  
12      essary or appropriate to carry out the programs, projects,  
13      or activities authorized under this section, including to en-  
14      sure that such programs, projects, or activities are com-  
15      pleted in a timely and effective manner.

16      **SEC. 40107. INTERGOVERNMENTAL FAIR HOUSING ACTIVI-**  
17                                      **TIES AND INVESTIGATIONS.**

18      (a) APPROPRIATION.—In addition to amounts other-  
19      wise available, there is appropriated to the Secretary of  
20      Housing and Urban Development (in this section referred  
21      to as the “Secretary”) for fiscal year 2022, out of any  
22      money in the Treasury not otherwise appropriated—

23              (1) \$184,000,000 for support for cooperative  
24              efforts with State and local agencies administering  
25              fair housing laws under section 817 of the Fair



1       Housing Act (42 U.S.C. 3616) to assist the Sec-  
2       retary to affirmatively further fair housing, and for  
3       Fair Housing Assistance Program cooperative agree-  
4       ments with interim certified and certified State and  
5       local agencies, under the requirements of subpart C  
6       of part 115 of title 24, Code of Federal Regulations,  
7       to ensure expanded and strengthened capacity of  
8       substantially equivalent agencies to assume a greater  
9       share of the responsibility for the administration and  
10      enforcement of fair housing laws; the Secretary may  
11      transfer and merge amounts appropriated by this  
12      paragraph to section 40301; and

13             (2) \$66,000,000 for the costs to the Secretary  
14      of administering and overseeing the implementation  
15      of this section and the Fair Housing Assistance and  
16      Fair Housing Initiatives Programs generally, includ-  
17      ing information technology, financial reporting, re-  
18      search and evaluations, other cross-program costs in  
19      support of programs administered by the Secretary  
20      in this title, and other costs; the Secretary may  
21      transfer and merge amounts appropriated by this  
22      paragraph to section 40301.

23      Amounts appropriated by this section shall remain avail-  
24      able until September 30, 2031.

1 (b) IMPLEMENTATION.—The Secretary shall have au-  
2 thority to issue such regulations or other notices, guid-  
3 ance, forms, instructions, and publications as may be nec-  
4 essary or appropriate to carry out the programs, projects,  
5 or activities authorized under this section, including to en-  
6 sure that such programs, projects, or activities are com-  
7 pleted in a timely and effective manner.

8 **Subtitle C—Homeownership**  
9 **Investments**

10 **SEC. 40201. FIRST-GENERATION DOWNPAYMENT ASSIST-**  
11 **ANCE.**

12 (a) APPROPRIATION.—In addition to amounts other-  
13 wise available, there is appropriated to the First Genera-  
14 tion Downpayment Fund established under subsection (b)  
15 for fiscal year 2022, out of any money in the Treasury  
16 not otherwise appropriated—

17 (1) \$6,825,000,000 for the First-Generation  
18 Downpayment Assistance Fund under this section  
19 for allocation among States that the Secretary of  
20 Housing and Urban Development has not found to  
21 be out of compliance with the obligation to affirma-  
22 tively further fair housing, in accordance with a for-  
23 mula established by the Secretary, which shall take  
24 into consideration adult population size excluding  
25 homeowners, median area home prices, and racial

1       disparities in homeownership rates, to carry out the  
2       eligible uses of the Fund as described in subsection  
3       (c);

4           (2) \$2,275,000,000 for the First-Generation  
5       Downpayment Assistance Program under this sec-  
6       tion for competitive grants to eligible entities that  
7       the Secretary has not found to be out of compliance  
8       with the obligation to affirmatively further fair hous-  
9       ing, to carry out the eligible uses of the Fund as de-  
10      scribed in subsection (d);

11          (3) \$500,000,000 for the costs of providing  
12      housing counseling required under the First-Genera-  
13      tion Downpayment Assistance Program under sub-  
14      section (c)(1); and

15          (4) \$400,000,000 for the costs to the Secretary  
16      of administering and overseeing the implementation  
17      of the First-Generation Downpayment Assistance  
18      Program, including information technology, financial  
19      reporting, programmatic reporting, ensuring fair  
20      housing and fair lending compliance, research and  
21      evaluations, technical assistance to recipients of  
22      amounts under this section, and other cross-program  
23      costs in support to programs administered by the  
24      Secretary in this Act, and other costs; the Secretary

1       may transfer and merge accounts set aside under  
2       this clause to section 40301.

3       Amounts appropriated by this section shall remain avail-  
4       able until September 30, 2031.

5       (b) ESTABLISHMENT.—The Secretary of Housing  
6       and Urban Development shall establish and manage a  
7       fund to be known as the First Generation Downpayment  
8       Fund (in this section referred to as the “Fund”) for the  
9       uses set forth in subsection (d).

10      (c) ALLOCATION OF FUNDS.—

11           (1) INITIAL ALLOCATION.—The Secretary shall  
12           allocate and award funding provided by subsection  
13           (a) as provided under such subsection not later than  
14           12 months after the date of the enactment of this  
15           section.

16           (2) REALLOCATION OF FUNDS.—If a State or  
17           eligible entity does not demonstrate the capacity to  
18           expend grant funds provided under this section, the  
19           Secretary shall reallocate the grant funds of such  
20           grantee among States and eligible entities that dem-  
21           onstrate to the Secretary the capacity to expend  
22           such amounts and that are satisfactorily meeting the  
23           goals of this section.

24      (d) TERMS AND CONDITIONS OF GRANTS ALLO-  
25      CATED OR AWARDED FROM FUND.—

1           (1) USES OF FUNDS.—States and eligible enti-  
2           ties receiving grants from the Fund shall—

3                   (A) use such grants to provide assistance  
4                   on behalf of a qualified homebuyer who has  
5                   completed a program of housing counseling be-  
6                   fore entering into a sales purchase agreement,  
7                   as the Secretary shall require, provided through  
8                   a housing counseling agency approved by the  
9                   Secretary for—

10                           (i) costs in connection with the acqui-  
11                           sition, involving an eligible mortgage loan,  
12                           of an eligible home, including downpay-  
13                           ment costs, closing costs, and costs to re-  
14                           duce the rates of interest on eligible mort-  
15                           gage loans;

16                           (ii) subsidies to make shared equity  
17                           homes affordable to eligible homebuyers by  
18                           discounting the price for which the home  
19                           will be sold and to preserve the home’s af-  
20                           fordability for subsequent homebuyers; and

21                           (iii) pre-occupancy home modifications  
22                           that may be necessary to meet required  
23                           property standards or accommodate quali-  
24                           fied homebuyers or members of their  
25                           household with disabilities;

1 (B) use not more than 10 percent of their  
2 grant allocation or award for administrative  
3 costs and training for carrying out the program  
4 of the State or eligible entity to provide assist-  
5 ance with such grant amounts, as well as to de-  
6 velop the capacity to track and monitor pro-  
7 gram outcomes in consultation with community-  
8 based and nonprofit organizations that have as  
9 their mission to advance fair housing and fair  
10 lending; and

11 (C) comply with the obligation to affirma-  
12 tively further fair housing, as defined by the  
13 Secretary to implement section 808(e)(5) of the  
14 Fair Housing Act (42 U.S.C. 3608(e)(5)), in  
15 any program or activity related to the use of  
16 such funds.

17 (2) AMOUNT AND LAYERING OF ASSISTANCE.—  
18 Assistance under this section—

19 (A) may be provided to or on behalf of any  
20 qualified homebuyer only once;

21 (B) may not exceed the greater of \$20,000  
22 or 10 percent of the purchase price in the case  
23 of a qualified homebuyer, not to include assist-  
24 ance received under subsection (d)(1)(A)(iii) for  
25 disability related home modifications, except

1           that the Secretary may increase such maximum  
2           limitation amounts in the case of a qualified  
3           homebuyer who is economically disadvantaged;  
4           and

5           (C) may be provided to or on behalf of a  
6           qualified homebuyer who is receiving assistance  
7           from other sources, including other State, Fed-  
8           eral, local, private, public, and nonprofit  
9           sources, for acquisition of an eligible home.

10          (3) PROHIBITION OF PRIORITY.—In selecting  
11         qualified homebuyers for assistance with grant  
12         amounts under this section, a State or eligible entity  
13         may not provide any priority or preference for home-  
14         buyers who are acquiring eligible homes with a mort-  
15         gage loan made, insured, guaranteed, or otherwise  
16         assisted by the State housing finance agency for the  
17         State, any other housing agency of the State, or an  
18         eligible entity when applicable.

19          (4) REPAYMENT OF ASSISTANCE.—

20          (A) REQUIREMENT.—The Secretary shall  
21         require that, if a homebuyer to or on behalf of  
22         whom assistance is provided from grant  
23         amounts under this section fails or ceases to oc-  
24         cupy the property acquired using such assist-  
25         ance as the primary residence of the home-

1           buyer, except in the case of assistance is pro-  
2           vided in connection with the purchase of a prin-  
3           cipal residence through a shared equity home-  
4           ownership program, the homebuyer shall repay  
5           to the State or eligible entity, as applicable, in  
6           a proportional amount of the assistance the  
7           homebuyer receives based on the number of  
8           years they have occupied the eligible home up  
9           to 5 years, except that no assistance shall be re-  
10          paid if the qualified homebuyer occupies the eli-  
11          gible home as a primary residence for 5 years  
12          or more.

13                 (B) LIMITATION.—Notwithstanding sub-  
14          paragraph (A), a homebuyer to or on behalf of  
15          whom assistance is provided from grant  
16          amounts under this section shall not be liable to  
17          the State or eligible entity for the repayment of  
18          the amount of such shortage if the homebuyer  
19          fails or ceases to occupy the property acquired  
20          using such assistance as the principal residence  
21          of the homebuyer at least in part because of a  
22          hardship, such as death or military deployment;  
23          a financial hardship, such as a significant re-  
24          duction in income, or increase in medical ex-  
25          penses; relocation for a reason related to do-



1           mestic violence, dating violence, sexual assault,  
2           or stalking, as defined in the Secretary’s regula-  
3           tions implementing the Violence Against  
4           Women Act; or relocation for a reason related  
5           to the homebuyer or a member of the house-  
6           hold’s disabilities; or another hardships based  
7           on criteria established by the Secretary, or sells  
8           the property acquired with such assistance be-  
9           fore the expiration of the 60-month period be-  
10          ginning on such date of acquisition and the cap-  
11          ital gains from such sale to a bona fide pur-  
12          chaser in an arm’s length transaction are less  
13          than the amount the homebuyer is required to  
14          repay the State or eligible entity under sub-  
15          paragraph (A).

16           (5) COMMUNITY LAND TRUSTS AND SHARED  
17          EQUITY HOMEOWNERSHIP PROGRAMS.—If assistance  
18          from grant amounts under this section is provided in  
19          connection with an eligible home made available  
20          through a community land trust or shared equity  
21          homeownership program, such assistance shall re-  
22          main in the community land trust or shared equity  
23          property upon transfer of the property to keep the  
24          home affordable to the next eligible community land  
25          trust or shared equity homebuyer.

1           (6) RELIANCE ON BORROWER ATTESTATIONS.—

2           No additional documentation beyond the borrower’s  
3           attestation shall be required to demonstrate eligi-  
4           bility under subparagraphs (B) and (C) of sub-  
5           section (e)(6) and no State, eligible entity, or cred-  
6           itor shall be subject to liability, including monetary  
7           penalties or requirements to indemnify a Federal  
8           agency or repurchase a loan that has been sold or  
9           securitized, based on the provision of assistance  
10          under this section to or on behalf of a borrower who  
11          does not meet the eligibility requirements under such  
12          subparagraphs if the creditor does so in good faith  
13          reliance on borrower attestations of eligibility re-  
14          quired under such subparagraphs.

15          (7) REPORTING.—The Secretary may require  
16          the reporting of such information on the use of  
17          grants provided from the Fund as the Secretary may  
18          require to carry out this subsection.

19          (e) DEFINITIONS.—For purposes of this section, the  
20          following definitions shall apply:

21                (1) COMMUNITY LAND TRUST.—The term  
22                “community land trust” means a nonprofit organi-  
23                zation or State or local government, agencies or in-  
24                strumentalities thereof, that—

1 (A) use a ground lease or deed covenant  
2 with an affordability period of at least 30 years  
3 to—

4 (i) make homeownership units afford-  
5 able to households; and

6 (ii) stipulate a preemptive option to  
7 purchase the affordable homeownership  
8 units so that the affordability of the units  
9 is preserved for successive income-eligible  
10 households; and

11 (B) monitor properties to ensure afford-  
12 ability is preserved.

13 (2) ELIGIBLE ENTITY.—The term “eligible enti-  
14 ty” means—

15 (A) a minority depository institution, as  
16 such term is defined in section 308 of the Fi-  
17 nancial Institutions Reform, Recovery, and En-  
18 forcement Act of 1989 (12 U.S.C. 1463 note);

19 (B) a community development financial in-  
20 stitution, as such term is defined in section 103  
21 of the Riegle Community Development and  
22 Regulatory Improvement Act of 1994 (12  
23 U.S.C. 4702), that is certified by the Secretary  
24 of the Treasury and targets services to low-in-  
25 come and socially disadvantaged populations

1 and provides services in neighborhoods having  
2 high concentrations of minority, low-income and  
3 socially disadvantaged populations; and

4 (C) any other nonprofit, mission-driven en-  
5 tity that the Secretary finds has a track record  
6 of providing assistance to homeowners, targets  
7 services to low-income and socially disadvan-  
8 taged populations, and provides services in  
9 neighborhoods having high concentrations of  
10 minority, low-income, or socially disadvantaged  
11 populations.

12 (3) ELIGIBLE HOME.—The term “eligible  
13 home” means a residential dwelling, including a unit  
14 in a condominium or cooperative project or a manu-  
15 factured housing unit, that—

16 (A) consists of 1 to 4 dwelling units; and

17 (B) will be occupied by the qualified home-  
18 buyer, in accordance with such assurances and  
19 commitments as the Secretary shall require, as  
20 the primary residence of the homebuyer.

21 (4) ELIGIBLE MORTGAGE LOAN.—The term “el-  
22 igible mortgage loan” means a single-family residen-  
23 tial mortgage loan that—

24 (A) meets the underwriting requirements  
25 and dollar amount limitations for acquisition by

1 the Federal National Mortgage Association or  
2 the Federal Home Loan Mortgage Corporation;

3 (B) is made, insured, or guaranteed under  
4 any program administered by the Secretary;

5 (C) is made, insured, or guaranteed under  
6 title V of the Housing Act of 1949 (42 U.S.C.  
7 1471 et seq.);

8 (D) is a qualified mortgage, as such term  
9 is defined in section 129C(b)(2) of the Truth in  
10 Lending Act (15 U.S.C. 1639c(b)(2)); or

11 (E) is made, insured, or guaranteed for the  
12 benefit of a veteran.

13 (5) FIRST GENERATION HOMEBUYER.—The  
14 term “first-generation homebuyer” means a home-  
15 buyer that is, as attested by the homebuyer—

16 (A) an individual—

17 (i) whose living parents or legal  
18 guardians do not, to the best of the indi-  
19 vidual’s knowledge, have any present fee  
20 simple ownership interest in a principal  
21 residence in any State, excluding owner-  
22 ship of heir property;

23 (ii) who, if no parents or legal guard-  
24 ians are living upon acquisition of the eligi-  
25 ble home to be acquired using such assist-

1           ance, to the best of the individual's knowl-  
2           edge, their parents or legal guardians did  
3           not have any ownership interest in a prin-  
4           cipal residence in any State at the time of  
5           their death, excluding ownership of heir  
6           property; and

7                   (iii) whose spouse or domestic partner  
8           has not, during the 3-year period ending  
9           upon acquisition of the eligible home to be  
10          acquired using such assistance, had any  
11          present ownership interest in a principal  
12          residence in any State, excluding owner-  
13          ship of heir property, whether the indi-  
14          vidual is a co-borrower on the loan or not;  
15          or

16                (B) an individual who has at any time  
17          been placed in foster care or institutional care  
18          whose spouse or domestic partner has not, dur-  
19          ing the 3-year period ending upon acquisition of  
20          the eligible home to be acquired using such as-  
21          sistance, had any ownership interest in a prin-  
22          cipal residence in any State, excluding owner-  
23          ship of heir property, whether such individuals  
24          are co-borrowers on the loan or not.

1           (6)   QUALIFIED   HOMEBUYER.—The   term  
2   “qualified homebuyer” means a homebuyer—

3           (A) having an annual household income  
4   that is less than or equal to—

5           (i) 120 percent of median income, as  
6   determined by the Secretary, for—

7           (I) the area in which the home to  
8   be acquired using such assistance is  
9   located; or

10          (II) the area in which the place  
11   of residence of the homebuyer is lo-  
12   cated; or

13          (ii) 140 percent of the median income,  
14   as determined by the Secretary, for the  
15   area within which the eligible home to be  
16   acquired using such assistance is located if  
17   the homebuyer is acquiring an eligible  
18   home located in a high-cost area;

19          (B) who is a first-time homebuyer, as such  
20   term is defined at 42 U.S.C. 12704, except that  
21   ownership of heir property shall not be treated  
22   as owning a home for purposes of determining  
23   whether a borrower qualifies as a first-time  
24   homebuyer; and

25          (C) who is a first-generation homebuyer.

1           (7) SECRETARY.—The term “Secretary” means  
2           the Secretary of Housing and Urban Development.

3           (8) SHARED EQUITY HOMEOWNERSHIP PRO-  
4           GRAM.—

5           (A) IN GENERAL.—The term “shared eq-  
6           uity homeownership program” means affordable  
7           homeownership preservation through a resale  
8           restriction program administered by a commu-  
9           nity land trust, other nonprofit organization, or  
10          State or local government or instrumentalities.

11          (B) AFFORDABILITY REQUIREMENTS.—  
12          Any such program under subparagraph (A)  
13          shall—

14                 (i) provide affordable homeownership  
15                 opportunities to households; and

16                 (ii) utilize a ground lease, deed re-  
17                 striction, subordinate loan, or similar legal  
18                 mechanism that includes provisions ensur-  
19                 ing that the program shall—

20                         (I) maintain the homeownership  
21                         unit as affordable for subsequent very  
22                         low-, low-, or moderate-income fami-  
23                         lies for an affordability term of at  
24                         least 30 years after recordation;



1 (II) apply a resale formula that  
2 limits the homeowner's proceeds upon  
3 resale; and

4 (III) provide the program admin-  
5 istrator or such administrator's as-  
6 signee a preemptive option to pur-  
7 chase the homeownership unit from  
8 the homeowner at resale.

9 (9) STATE.—The term “State” means any  
10 State of the United States, the District of Columbia,  
11 the Commonwealth of Puerto Rico, the United  
12 States Virgin Islands, Guam, the Commonwealth of  
13 the Northern Mariana Islands, and American  
14 Samoa.

15 (10) HEIR PROPERTY.—The term “heir prop-  
16 erty” means residential property for which title  
17 passed by operation of law through intestacy and is  
18 held by two or more heirs as tenants in common.

19 (f) IMPLEMENTATION.—The Secretary shall have au-  
20 thority to issue such regulations or other notices, guid-  
21 ance, forms, instructions, and publications as may be nec-  
22 essary or appropriate to carry out the programs, projects,  
23 or activities authorized under this section, including to en-  
24 sure that such programs, projects, or activities are com-  
25 pleted in a timely and effective manner.

1 **SEC. 40202. WEALTH-BUILDING HOME LOAN PROGRAM.**

2 (a) APPROPRIATION.—In addition to amounts other-  
3 wise available, there is appropriated for fiscal year 2022,  
4 out of any amounts in the Treasury not otherwise appro-  
5 priated—

6 (1) \$480,000,000 to the Secretary of Housing  
7 and Urban Development for carrying out the pro-  
8 gram established under subsection (b) and programs  
9 of the Federal Housing Administration and the Gov-  
10 ernment National Mortgage Association generally,  
11 including information technology, financial report-  
12 ing, other cross-program costs in support of pro-  
13 grams administered by the Secretary in this Act,  
14 other costs, and for the cost of guaranteed loans and  
15 other obligations; and

16 (2) \$20,000,000 to the Secretary of Agriculture  
17 for carrying out the program established under sub-  
18 section (b) and programs of the Rural Housing  
19 Service generally, including information technology  
20 and financial reporting in support of the Program  
21 administered by the Secretary of Agriculture in this  
22 Act, other costs, and for the cost of guaranteed  
23 loans and other obligations.

24 Amounts appropriated by this section shall remain avail-  
25 able until September 30, 2031.

26 (b) ESTABLISHMENT OF LIFT HOME FUNDS.—

1           (1) IN GENERAL.—There is established in each  
2           Loan Guarantee Agency a fund to be known as the  
3           LIFT HOME Fund, into which amounts appro-  
4           priated under this section shall be deposited and  
5           which shall be used by each Department for carrying  
6           out the purposes of this section.

7           (2) MANAGEMENT OF FUND.—The LIFT  
8           HOME Fund of each Loan Guarantee Agency shall  
9           be administered and managed by the respective Sec-  
10          retary, who shall establish reasonable and prudent  
11          criteria for the management and operation of any  
12          amounts in the Fund.

13          (c) USE OF FUNDS.—

14           (1) TRANSFER OF AMOUNTS TO TREASURY.—  
15          Such portions of the appropriation to the Secretary  
16          of Housing and Urban Development shall be trans-  
17          ferred by the Secretary of Housing and Urban De-  
18          velopment to the Department of the Treasury in an  
19          amount equal to, as determined by the Secretary of  
20          the Treasury, in consultation with the Secretary of  
21          Housing and Urban Development—

22                   (A) the amount the Secretary of the Treas-  
23                   ury estimates to be necessary for the purchase  
24                   of securities under the Program during the pe-

1           riod for which the funds are intended to be  
2           available;

3           (B) the difference between—

4                   (i) the Secretary of the Treasury's re-  
5                   ceipts from the sale or other disposition of  
6                   securities acquired under the Program;  
7                   and

8                   (ii) the Secretary of the Treasury's  
9                   costs in purchasing such securities; and

10           (C) the Department of the Treasury's ad-  
11           ministrative expenses related to the Program.

12           (2) CREDIT SUBSIDY.—Such portion of the ap-  
13           propriation to each Secretary as may be necessary  
14           may be used for the cost to the respective Loan  
15           Guarantee Agency of guaranteed loans under this  
16           section. Such costs, including the costs of modifying  
17           such loans, shall be as defined in section 502 of the  
18           Congressional Budget Act of 1974 (2 U.S.C. 661a).

19           (d) ESTABLISHMENT OF THE LIFT HOME PRO-  
20           GRAM.—Each Secretary shall establish, and carry out,  
21           with respect to any mortgage with a case number issued  
22           on or before December 31, 2025, that is subsequently in-  
23           sured or guaranteed by such Secretary, a program to  
24           make covered mortgage loans available to eligible home-  
25           buyers to purchase a single-family residence for use as

1 their principal residence (referred to in this section as the  
2 “Program”), under which—

3 (1) the Secretary of the Treasury—

4 (A) shall act as a purchaser, on behalf of  
5 the Secretary of Housing and Urban Develop-  
6 ment, of securities that are secured by covered  
7 mortgage loans;

8 (B) may designate financial institutions,  
9 including banks, savings associations, trust  
10 companies, security brokers or dealers, asset  
11 managers, investment advisers, and other insti-  
12 tutions and such institutions shall—

13 (i) perform all reasonable duties re-  
14 lated to this section as a financial agent of  
15 the United States as may be required; and

16 (ii) be paid for such duties using ap-  
17 propriations available to the Secretary of  
18 the Treasury to reimburse financial insti-  
19 tutions in their capacity as financial agents  
20 of the United States;

21 (C) may use the services of any agency or  
22 instrumentality of the United States or compo-  
23 nent thereof on a reimbursable basis, and any  
24 such agency or instrumentality or component  
25 thereof is authorized to provide services as re-

1           requested by the Secretary using all authorities  
2           vested in or delegated to that agency, instru-  
3           mentality, or component;

4           (D) may manage, and exercise any rights  
5           received in connection with, any financial in-  
6           struments or assets purchased or acquired pur-  
7           suant to the authorities granted under this sec-  
8           tion;

9           (E) may establish and use vehicles to pur-  
10          chase, hold, and sell financial instruments and  
11          other assets; and

12          (F) may issue such regulations and other  
13          guidance as may be necessary or appropriate to  
14          carry out the authorities or purposes of this  
15          section;

16          (2) each Secretary of a Loan Guarantee Agency  
17          shall—

18                (A) establish pricing terms for covered  
19                mortgage loans such that the covered mortgage  
20                loans carry a monthly mortgage payment of  
21                principal and interest that is not more than 110  
22                percent and not less than 100 percent of the  
23                monthly payment of principal, interest, and  
24                periodic mortgage insurance premium or loan  
25                guarantee fee associated with a newly origi-

1 nated 30-year mortgage loan with the same  
2 loan balance insured or guaranteed by the Loan  
3 Guarantee Agency as determined by each Sec-  
4 retary, or such pricing terms as are determined  
5 by each Secretary to be necessary to develop li-  
6 quidity for securities backed by covered mort-  
7 gage loans and expand Program participation  
8 by eligible homebuyers; and

9 (B) establish an outreach and counseling  
10 program to increase stakeholder awareness of  
11 the Program; and

12 (3) the Secretary of Housing and Urban Devel-  
13 opment shall—

14 (A) in consultation with the Secretary of  
15 Treasury, establish the pricing terms for the  
16 purchase of securities guaranteed by the Asso-  
17 ciation secured by covered mortgage loans such  
18 that the covered mortgage loans carry a month-  
19 ly mortgage payment of principal and interest  
20 that is not more than 110 percent and not less  
21 than 100 percent of the monthly payment of  
22 principal, interest, and periodic mortgage insur-  
23 ance premium or loan guarantee fee associated  
24 with a newly originated 30-year mortgage loan  
25 with the same loan balance insured or guaran-

1           teed by the Loan Guarantee Agency, or such  
2           pricing terms as are determined by the Secre-  
3           taries to be necessary to develop liquidity for  
4           securities backed by covered mortgage loans  
5           and expand Program participation by eligible  
6           homebuyers;

7           (B) have the authority to designate mort-  
8           gage bankers, financial institutions, including  
9           banks, savings associations, trust companies,  
10          security brokers or dealers, asset managers, in-  
11          vestment advisers, and other institutions and  
12          such institutions shall—

13                 (i) perform all reasonable duties re-  
14                 lated to this section as an agent of the  
15                 United States as may be required; and

16                 (ii) be paid for such duties using ap-  
17                 propriations available under this section to  
18                 the Secretary of Housing and Urban De-  
19                 velopment to reimburse these entities in  
20                 their capacity as agents of the United  
21                 States;

22           (C) have the authority to use the services  
23           of any agency or instrumentality of the United  
24           States or component thereof on a reimbursable  
25           basis, and any such agency or instrumentality



1 or component thereof is authorized to provide  
2 services as requested by the Secretary of Hous-  
3 ing and Urban Development using all authori-  
4 ties vested in or delegated to that agency, in-  
5 strumentality, or component;

6 (D) operate the Program in coordination  
7 with the Association, the Federal Housing Ad-  
8 ministration, the Rural Housing Service, and  
9 the Secretary of the Treasury so as to dem-  
10 onstrate feasibility and workability to market  
11 participants, including—

12 (i) originators and servicers of mort-  
13 gages;

14 (ii) issuers of mortgage-backed securi-  
15 ties; and

16 (iii) investors; and

17 (E) gain price discovery experience by in-  
18 structing the Secretary of the Treasury, fol-  
19 lowing consultation with the Secretary of Treas-  
20 ury to sell acquired securities described in sub-  
21 paragraph (A) as soon as practicable, thereby  
22 hastening the development of liquidity for secu-  
23 rities backed by covered mortgage loans.

24 (3) LIMITATION ON AGGREGATE LOAN GUAR-  
25 ANTEE AUTHORITY.—The aggregate original prin-

1        ciproal obligation of all covered mortgage loans under  
2        this section for each Loan Guarantee Agency may  
3        not exceed \$5,000,000,000.

4            (4) GNMA GUARANTEE AUTHORITY.—To carry  
5        out the purposes of this section, the Association may  
6        enter into new commitments to issue guarantees of  
7        securities based on or backed by mortgages insured  
8        under this section, not exceeding \$10,000,000,000.

9            (5) GNMA GUARANTY FEE.—To carry out the  
10       purposes of this section, the Association may collect  
11       guaranty fees consistent with section 306(g)(1) of  
12       the National Housing Act (12 U.S.C. 1721(g)(1))  
13       that are paid at securitization.

14        (e) DEFINITIONS.—In this section:

15            (1) ASSOCIATION.—The term “Association”  
16       means the Government National Mortgage Associa-  
17       tion.

18            (2) COVERED MORTGAGE LOAN.—

19            (A) IN GENERAL.—The term “covered  
20       mortgage loan” means, for purposes of the Pro-  
21       gram established by the Secretary of Housing  
22       and Urban Development, a mortgage loan  
23       that—

24            (i) is insured or guaranteed by the  
25       Federal Housing Administration pursuant

1 to section 203(b) of the National Housing  
2 Act, subject to the eligibility criteria set  
3 forth in this subsection, and has a case  
4 number issued on or before December 31,  
5 2025;

6 (ii) is made for an original term of 20  
7 years or for an original term determined  
8 by the Secretary to be necessary to develop  
9 liquidity for securities backed by covered  
10 mortgage loans and expand Program par-  
11 ticipation by eligible homebuyers;

12 (iii) subject to subparagraph (C) of  
13 this paragraph and notwithstanding sec-  
14 tion 203(b)(2)(C) of the National Housing  
15 Act (12 U.S.C. 1709(b)(2)(C)), has a  
16 mortgage insurance premium of not more  
17 than 4 percent of the loan balance that is  
18 paid at closing, financed into the principal  
19 balance of the loan, paid through an an-  
20 nual premium, or a combination thereof;

21 (iv) involves a rate of interest that is  
22 fixed over the term of the mortgage loan;  
23 and

1 (v) is secured by a single-family resi-  
2 dence that is the principal residence of an  
3 eligible homebuyer.

4 (B) The term “covered mortgage loan”  
5 means, for purposes of the Program established  
6 by the Secretary of Agriculture, a loan guaran-  
7 teed under section 502(h) of the Housing Act  
8 of 1949 (42 U.S.C. 1472(h)) that—

9 (i) notwithstanding section  
10 502(h)(7)(A) of the Housing Act of 1949  
11 (42 U.S.C. 1472(h)(7)(A)), is made for an  
12 original term of 20 years or for an original  
13 term determined by the Secretary to be  
14 necessary to develop liquidity for securities  
15 backed by covered mortgage loans and ex-  
16 pand Program participation by eligible  
17 homebuyers; and

18 (ii) subject to subparagraph (C) of  
19 this paragraph and notwithstanding sec-  
20 tion 502(h)(8)(A) of the Housing Act of  
21 1949 (42 U.S.C. 1472(h)(8)(A)), has a  
22 loan guarantee fee of not more than 4 per-  
23 cent of the principal obligation of the loan.

24 (C) WAIVER OF MORTGAGE INSURANCE  
25 PREMIUM REQUIREMENT.—Each Secretary, in

1           consultation with the Secretary of the Treasury,  
2           and notwithstanding section 502(h)(8)(A) of  
3           the Housing Act of 1949 (42 U.S.C.  
4           1472(h)(8)(A)) for purposes of the Program es-  
5           tablished by the Secretary of Agriculture, may  
6           waive the mortgage insurance premium cap or  
7           loan guarantee fee cap under subparagraphs  
8           (A)(iii) and (B)(ii) with respect to covered  
9           mortgage loans insured or guaranteed by the  
10          Loan Guarantee Agency of which that Sec-  
11          retary is the head if necessary to protect the  
12          solvency of the associated insurance fund.

13          (3) DEPARTMENT.—Unless otherwise specified,  
14          the term “Department” means the Department of  
15          Housing and Urban Development or the Department  
16          of Agriculture, as appropriate.

17          (4) ELIGIBLE HOMEBUYER.—The term “eligible  
18          homebuyer” means an individual who—

19                  (A) for purposes of the Program estab-  
20                  lished by the Secretary of Housing and Urban  
21                  Development—

22                          (i) has an annual household income  
23                          that is less than or equal to—

24                                  (I) 120 percent of median income  
25                                  for the area, as determined by the

1 Secretary of Housing and Urban De-  
2 velopment for—

3 (aa) the area in which the  
4 home to be acquired using such  
5 assistance is located; or

6 (bb) the area in which the  
7 place of residence of the home-  
8 buyer is located; or

9 (II) if the homebuyer is acquiring  
10 an eligible home that is located in a  
11 high-cost area, 140 percent of the me-  
12 dian income, as determined by the  
13 Secretary, for the area within which  
14 the eligible home to be acquired using  
15 assistance provided under this section  
16 is located;

17 (ii) is a first-time homebuyer, as de-  
18 fined in paragraph (6) of this subsection;  
19 and

20 (iii) (iii) is a first-generation home-  
21 buyer as defined in paragraph (5) of this  
22 subsection;

23 (B) for purposes of the Program estab-  
24 lished by the Secretary of Agriculture—

1 (i) meets the applicable requirements  
2 in section 502(h) of the Housing Act of  
3 1949 (42 U.S.C. 1472(h)); and

4 (ii) is a first-time homebuyer as de-  
5 fined in paragraph (6) of this subsection  
6 and a first-generation homebuyer as de-  
7 fined in paragraph (5) of this subsection.

8 (5) FIRST-GENERATION HOMEBUYER.—The  
9 term “first-generation homebuyer” means a home-  
10 buyer that, as attested by the homebuyer, is—

11 (A) an individual—

12 (i) whose living parents or legal  
13 guardians do not, to the best of the indi-  
14 vidual’s knowledge, have any present fee  
15 simple ownership interest in a principal  
16 residence in any State, excluding owner-  
17 ship of heir property;

18 (ii) if no parents or legal guardians  
19 are living upon acquisition of the eligible  
20 home to be acquired using such assistance,  
21 to the best of the individual’s knowledge,  
22 whose parents or legal guardians did not  
23 have any ownership interest in a principal  
24 residence in any State at the time of their

1 death, excluding ownership of heir prop-  
2 erty; and

3 (iii) whose spouse, or domestic part-  
4 ner has not, during the 3-year period end-  
5 ing upon acquisition of the eligible home to  
6 be acquired using such assistance, had any  
7 present ownership interest in a principal  
8 residence in any State, excluding owner-  
9 ship of heir property, whether the indi-  
10 vidual is a co-borrower on the loan or not;  
11 or

12 (B) an individual who has at any time  
13 been placed in foster care or institutional care  
14 whose spouse or domestic partner has not, dur-  
15 ing the 3-year period ending upon acquisition of  
16 the eligible home to be acquired using such as-  
17 sistance, had any ownership interest in a prin-  
18 cipal residence in any State, excluding owner-  
19 ship of heir property, whether such individuals  
20 are co-borrowers on the loan or not.

21 (6) **FIRST-TIME HOMEBUYER.**—The term “first-  
22 time homebuyer” means a homebuyer as defined in  
23 section 104 of the Cranston-Gonzalez National Af-  
24 fordable Housing Act (42 U.S.C. 12704), except  
25 that ownership of heir property shall not be treated



1 as owning a home for purposes of determining  
2 whether a borrower qualifies as a first-time home-  
3 buyer.

4 (7) HEIR PROPERTY.—The term “heir prop-  
5 erty” means residential property for which title  
6 passed by operation of law through intestacy and is  
7 held by two or more heirs as tenants in common.

8 (8) LOAN GUARANTEE AGENCY.—Unless other-  
9 wise specified, the term “Loan Guarantee Agency”  
10 means the Federal Housing Administration of the  
11 Department of Housing and Urban Development or  
12 the Rural Housing Service of the Department of Ag-  
13 riculture, as appropriate.

14 (9) SECRETARY.—Unless otherwise specified,  
15 the term “Secretary” means the Secretary of Hous-  
16 ing and Urban Development or the Secretary of Ag-  
17 riculture, as appropriate.

18 (f) RELIANCE ON BORROWER ATTESTATIONS.—No  
19 additional documentation beyond the borrower’s attesta-  
20 tion shall be required to demonstrate eligibility under  
21 paragraph (4) of subsection (e) and no State, eligible enti-  
22 ty, or creditor shall be subject to liability, including mone-  
23 tary penalties or requirements to indemnify a Federal  
24 agency or repurchase a loan that has been sold or  
25 securitized, based on the provision of assistance under this

1 section to a borrower who does not meet the eligibility re-  
2 quirements under paragraph (4) of subsection (e) if the  
3 creditor does so in good faith reliance on borrower attesta-  
4 tions of eligibility required under such paragraph.

5 (g) IMPLEMENTATION.—The Secretary of Housing  
6 and Urban Development, the Secretary of Agriculture,  
7 and the Secretary of Treasury shall have authority to issue  
8 such regulations or other notices, guidance, forms, in-  
9 structions, and publications as may be necessary or appro-  
10 priate to carry out the programs, projects, or activities au-  
11 thorized under this section, including to ensure that such  
12 programs, projects, or activities are completed in a timely  
13 and effective manner.

14 **SEC. 40203. HUD-INSURED SMALL DOLLAR MORTGAGE**  
15 **DEMONSTRATION PROGRAM.**

16 (a) APPROPRIATION.—In addition to amounts other-  
17 wise available, there is appropriated to the Secretary of  
18 Housing and Urban Development (in this section referred  
19 to as the “Secretary”) for fiscal year 2022, out of any  
20 money in the Treasury not otherwise appropriated—

21 (1) \$76,000,000 for a program to increase ac-  
22 cess to small-dollar mortgages, as defined in sub-  
23 section (b), which may include payment of incentives  
24 to lenders, adjustments to terms and costs, indi-  
25 vidual financial assistance, technical assistance to

1 lenders and certain financial institutions to help  
2 originate loans, lender and borrower outreach, and  
3 other activities;

4 (2) \$10,000,000 for the cost of insured or guar-  
5 anteed loans, including the cost of modifying loans,  
6 as defined in section 502 of the Congressional Budg-  
7 et Act of 1974 (2 U.S.C. 661a); and

8 (3) \$14,000,000 for the costs to the Secretary  
9 of administering and overseeing the implementation  
10 of this section and programs in the Office of Hous-  
11 ing generally, including information technology, fi-  
12 nancial reporting, research and evaluations, fair  
13 lending compliance, and other cross-program costs in  
14 support of programs administered by the Secretary  
15 in this title, and other costs; the Secretary may  
16 transfer and merge amounts appropriated by this  
17 paragraph to section 40301.

18 Amounts appropriated by this section shall remain avail-  
19 able until September 30, 2031.

20 (b) SMALL-DOLLAR MORTGAGE.—For purposes of  
21 this section, the term “small-dollar mortgage” means a  
22 forward mortgage that—

23 (1) has an original principal balance of  
24 \$100,000 or less;

1           (2) is secured by a one- to four-unit property  
2           that is the mortgagor’s principal residence; and

3           (3) is insured by the Secretary pursuant to title  
4           II of the National Housing Act (12 U.S.C. 1707 et  
5           seq.), or guaranteed by the Secretary pursuant to  
6           section 184 or 184A of the Housing and Community  
7           Development Act of 1992 (12 U.S.C. 1715z-13a,  
8           1715z-13b).

9           (c) IMPLEMENTATION.—The Secretary shall have au-  
10          thority to issue such regulations or other notices, guid-  
11          ance, forms, instructions, and publications as may be nec-  
12          essary or appropriate to carry out the programs, projects,  
13          or activities authorized under this section, including to en-  
14          sure that such programs, projects, or activities are com-  
15          pleted in a timely and effective manner.

16       **SEC. 40204. INVESTMENTS IN RURAL HOMEOWNERSHIP.**

17          (a) APPROPRIATION.—In addition to amounts other-  
18          wise available, there is appropriated to the Secretary of  
19          Agriculture (in this section referred to as the “Sec-  
20          retary”), out of any money in the Treasury not otherwise  
21          appropriated—

22               (1) \$70,000,000 for direct loans made under  
23               section 502 of the Housing Act of 1949 (42 U.S.C.  
24               1472);

1           (2) \$95,000,000 for providing single family  
2 housing repair grants under section 504 of the  
3 Housing Act of 1949 (42 U.S.C. 1474), subject to  
4 the terms and conditions in subsection (b) of this  
5 section;

6           (3) \$25,000,000 for grants under section 523  
7 of the Housing Act of 1949 (42 U.S.C. 1490c); and

8           (4) \$10,000,000 for administrative expenses of  
9 the Secretary that in whole or in part support activi-  
10 ties funded by this section and related activities.

11 Amounts appropriated by this section shall remain avail-  
12 able until expended.

13       (b) TERMS AND CONDITIONS.—

14           (1) ELIGIBILITY.—Eligibility for grants from  
15 amounts made available by subsection (a)(2) shall  
16 not be subject to the limitations in section  
17 3550.103(b) of title 7, Code of Federal Regulations.

18           (2) USES.—Notwithstanding the limitations in  
19 section 3550.102(a) of title 7, Code of Federal Reg-  
20 ulations, grants from amounts made available by  
21 subsection (a)(2) shall be available for the eligible  
22 purposes in section 3550.102(b) of title 7, Code of  
23 Federal Regulations.

1 **SEC. 40205. SELF-HELP HOMEOWNERSHIP OPPORTUNITY**  
2 **PROGRAM.**

3 In addition to amounts otherwise available, there is  
4 appropriated for fiscal year 2022, out of any amounts in  
5 the Treasury not otherwise appropriated, to the Secretary  
6 of Housing and Urban Development—

7 (1) \$49,500,000 for grants under section 11 of  
8 the Housing Opportunity Program Extension Act of  
9 1996 (42 U.S.C. 12805 note); and

10 (2) \$500,000 for costs to the Secretary of ad-  
11 ministering and overseeing the implementation of  
12 this section, including information technology, finan-  
13 cial reporting, research and evaluations, fair lending  
14 compliance, and other cross-program costs in sup-  
15 port of programs administered by the Secretary in  
16 this title, and other costs.

17 Amounts appropriated by this section shall remain avail-  
18 able until September 30, 2031.

19 **Subtitle D—HUD and Community**  
20 **Capacity Building**

21 **SEC. 40301. PROGRAM ADMINISTRATION, TRAINING, TECH-**  
22 **NICAL ASSISTANCE, CAPACITY BUILDING,**  
23 **AND USICH.**

24 (a) APPROPRIATION.—In addition to amounts other-  
25 wise available, there is appropriated for fiscal year 2022,

1 out of any money in the Treasury not otherwise appro-  
2 priated,—

3 (1) \$1,985,000,000 to the Secretary of Housing  
4 and Urban Development for—

5 (A) the costs to the Secretary of admin-  
6 istering and overseeing the implementation of  
7 this title and the Department's programs gen-  
8 erally, including information technology, inspec-  
9 tions of housing units, research and evaluation,  
10 financial reporting, and other costs; and

11 (B) new awards or increasing prior awards  
12 to provide training, technical assistance, and ca-  
13 pacity building related to the Department's pro-  
14 grams, including direct program support to pro-  
15 gram recipients throughout the country, includ-  
16 ing insular areas, that require such assistance  
17 with daily operations;

18 (2) \$5,000,000 to the United States Inter-  
19 agency Council on Homelessness for necessary ex-  
20 penses in carrying out the functions of the Council  
21 pursuant to title II of the McKinney-Vento Home-  
22 less Assistance Act (42 U.S.C. 11311 et seq.); and

23 (3) \$10,000,000 to the Secretary of Housing  
24 and Urban Development for necessary salaries and  
25 expenses of the Office of the Inspector General of

1 the Department of Housing and Urban Development  
2 in carrying out the Inspector General Act of 1978.  
3 Amounts appropriated by this section shall remain avail-  
4 able until September 30, 2031.

5 (b) IMPLEMENTATION.—The Secretary shall have au-  
6 thority to issue such regulations or other notices, guid-  
7 ance, forms, instructions, and publications as may be nec-  
8 essary or appropriate to carry out the programs, projects,  
9 or activities authorized under this section, including to en-  
10 sure that such programs, projects, or activities are com-  
11 pleted in a timely and effective manner.

12 **SEC. 40302. COMMUNITY-LED CAPACITY BUILDING.**

13 (a) APPROPRIATION.—In addition to amounts other-  
14 wise made available, there is appropriated to the Secretary  
15 of Housing and Urban Development (in this section re-  
16 ferred to as the “Secretary”) for fiscal year 2022, out of  
17 any money in the Treasury not otherwise appropriated—

18 (1) \$90,000,000 for competitively awarded  
19 funds for technical assistance and capacity building  
20 to non-Federal entities, including nonprofit organi-  
21 zations that can provide technical assistance activi-  
22 ties to community development corporations, com-  
23 munity housing development organizations, commu-  
24 nity land trusts, nonprofit organizations in insular  
25 areas, and other mission-driven and nonprofit orga-



1       nizations that target services to low-income and so-  
2       cially disadvantaged populations, and provide serv-  
3       ices in neighborhoods having high concentrations of  
4       minority, low-income, or socially disadvantaged pop-  
5       ulations to—

6               (A) provide training, education, support,  
7               and advice to enhance the technical and admin-  
8               istrative capabilities of community development  
9               corporations, community housing development  
10              organizations, community land trusts, and other  
11              mission-driven and nonprofit organizations  
12              seeking to undertake affordable housing devel-  
13              opment, acquisition, preservation, or rehabilita-  
14              tion activities;

15             (B) provide grants or predevelopment as-  
16             sistance to community development corpora-  
17             tions, community housing development organi-  
18             zations, and other mission-driven and nonprofit  
19             organizations seeking to undertake affordable  
20             housing development, acquisition, preservation,  
21             or rehabilitation activities; and

22             (C) carry out such other activities as may  
23             be determined by the grantees in consultation  
24             with the Secretary; and

1           (2) \$10,000,000 for the costs to the Secretary  
2 of administering and overseeing the implementation  
3 of this section and the Department's technical as-  
4 sistance programs generally, including information  
5 technology, research and evaluations, financial re-  
6 porting, fair housing compliance, and other cross-  
7 program costs in support of programs administered  
8 by the Secretary in this title and other costs; the  
9 Secretary may transfer and merge amounts set aside  
10 under this subsection to section 40301.

11 Amounts appropriated by this section shall remain avail-  
12 able until September 30, 2031.

13       (b) IMPLEMENTATION.—The Secretary shall have au-  
14 thority to issue such regulations or other notices, guid-  
15 ance, forms, instructions, and publications as may be nec-  
16 essary or appropriate to carry out the programs, projects,  
17 or activities authorized under this section, including to en-  
18 sure that such programs, projects, or activities are com-  
19 pleted in a timely and effective manner.

## 20 **Subtitle E—Economic Development**

### 21 **SEC. 40401. MINORITY BUSINESS DEVELOPMENT AGENCY.**

22       (a) APPROPRIATION.—In addition to amounts other-  
23 wise available, there is appropriated to the Minority Busi-  
24 ness Development Agency for fiscal year 2022, out of  
25 amounts in the Treasury not otherwise appropriated—

1 (1) \$200,000,000, to remain available until  
2 September 30, 2026, for carrying out subsection  
3 (b)(1);

4 (2) \$1,200,000,000, to remain available until  
5 September 30, 2029, for carrying out subparagraphs  
6 (A), (B), (C), (D), (E), (F), and (H) of subsection  
7 (b)(2);

8 (3) \$50,000,000, to remain available until Sep-  
9 tember 30, 2026, for carrying out subparagraph (G)  
10 of subsection (b)(2);

11 (4) \$1,500,000,000, to remain available until  
12 September 30, 2026, for carrying out subsection  
13 (b)(3); and

14 (5) \$150,000,000, to remain available until  
15 September 30, 2029, for administrative costs associ-  
16 ated with carrying out subsection (b)(3).

17 (b) MINORITY BUSINESS DEVELOPMENT AGENCY.—

18 (1) RURAL BUSINESS CENTERS.—The Director  
19 of the Minority Business Development Agency may  
20 enter into agreements with one or more rural Busi-  
21 ness Centers of the Agency that are operated by a  
22 minority-serving institution of higher education or  
23 by a consortium of institutions of higher education  
24 that is led by a minority-serving institution of higher  
25 education. Under such an agreement, a rural Busi-

1           ness Center shall provide assistance primarily to eli-  
2           gible business enterprises located within a rural  
3           area, as defined by the Director.

4           (2) OTHER ACTIVITIES.—The Director of the  
5           Minority Business Development Agency shall—

6                   (A) pay salaries and related costs for em-  
7                   ployees;

8                   (B) pay for administrative and other costs  
9                   to support initiatives that assist the formation,  
10                  growth, and expansion of eligible business en-  
11                  terprises;

12                  (C) establish and provide assistance to  
13                  Business Centers and specialty Business Cen-  
14                  ters, prioritizing for such establishment in  
15                  States or regions that lack a Business Center  
16                  and have a significant population of members of  
17                  an underrepresented community;

18                  (D) establish not fewer than 5 regional of-  
19                  fices, in locations determined by the Director;

20                  (E) conduct an annual forum between the  
21                  Federal Government and businesses to review  
22                  existing programs and current challenges relat-  
23                  ing to capital formation by eligible business en-  
24                  terprises;

1 (F) establish a program to assist small,  
2 underserved manufacturers in accessing private  
3 capital by accelerating technology adoption and  
4 providing training and support in supply chain  
5 integration;

6 (G) provide grants to minority-serving in-  
7 stitutions of higher education to develop and  
8 implement entrepreneurship curricula; and

9 (H) collect data and develop research and  
10 policies regarding the needs and development of  
11 eligible business enterprises.

12 (3) GRANTS.—

13 (A) IN GENERAL.—The Director of the Mi-  
14 nority Business Development Agency may pro-  
15 vide grants to—

16 (i) a eligible business enterprise; and

17 (ii) an eligible nonprofit organization  
18 that will make subgrants to eligible busi-  
19 ness enterprises located in areas with sig-  
20 nificant populations of members of under-  
21 represented communities.

22 (B) APPLICATION.—In making grants and  
23 subgrants to eligible business enterprises and  
24 eligible nonprofit organizations under this sec-  
25 tion, the Director shall establish an application

1 process and selection criteria, which shall in-  
2 clude—

3 (i) assurances that the eligible busi-  
4 ness enterprise and eligible nonprofit orga-  
5 nization will use such grants and sub-  
6 grants to address gaps in access to capital,  
7 assist with startup costs, or support busi-  
8 ness expansion;

9 (ii) criteria for determining the size of  
10 grant or subgrant award for the eligible  
11 business enterprise and eligible nonprofit  
12 organization; and

13 (iii) other criteria as determined by  
14 the Director.

15 (C) ELIGIBLE NONPROFIT ORGANIZA-  
16 TIONS.—An eligible nonprofit organization that  
17 receives a grant under this section shall, when  
18 making a subgrant to an eligible business enter-  
19 prise described under subparagraph (A)(ii), also  
20 use such grant to provide support to the eligible  
21 business enterprise in one or more of the fol-  
22 lowing ways:

23 (i) Providing resources, which may in-  
24 clude physical workspace and facilities, to

1 startups and established eligible business  
2 enterprises.

3 (ii) Providing supports to accelerate  
4 the growth and success of eligible business  
5 enterprises through a variety of services,  
6 including—

7 (I) access to capital, business  
8 education, and counseling;

9 (II) networking opportunities;

10 (III) mentorship opportunities;

11 (IV) advising on market analysis,  
12 company strategy, revenue, growth,  
13 commercialization, and securing fund-  
14 ing; and

15 (V) other services intended to aid  
16 in developing eligible business enter-  
17 prises.

18 (D) BUSINESS IDENTIFIERS.—In accepting  
19 applications for grants to eligible business en-  
20 terprises or subgrants to eligible business enter-  
21 prises under this subsection, the Director shall  
22 allow each grantee or subgrantee to use existing  
23 business identifiers of the subgrantee instead of  
24 other forms of registration or identification.

1                   (E) ELIGIBLE NONPROFIT ORGANIZA-  
2                   TION.—In this paragraph, the term “eligible  
3                   nonprofit organization” means an organization  
4                   that is described in paragraph (3) or (6) of sec-  
5                   tion 501(c) of the Internal Revenue Code of  
6                   1986 and that is exempt from taxation under  
7                   section 501(a) of such Code for which a pri-  
8                   mary activity of the organization is to provide  
9                   services or financial support to eligible business  
10                  enterprises located in areas with significant  
11                  populations of members of underrepresented  
12                  communities.

13               (4) RETURNING FUNDS.—If an entity that re-  
14               ceives a grant or assistance under this subsection  
15               fails to use all the funds or permanently ceases oper-  
16               ations on or before September 30, 2031, the entity  
17               shall return the funds to the Minority Business De-  
18               velopment Agency. The Minority Business Develop-  
19               ment Agency shall return all such funds to the  
20               Treasury if not expended by September 30, 2031.

21               (5) PENALTIES FOR FAILURE TO ABIDE BY  
22               TERMS OR CONDITIONS OF AWARD.—At the discre-  
23               tion of the Director and in addition to any other  
24               civil or criminal consequences, the Director shall  
25               withhold payments to an eligible applicant or order



1 the eligible applicant to return any assistance pro-  
2 vided under this section for failure to abide by the  
3 terms and conditions of such assistance.

4 (c) DEFINITIONS.—In this section:

5 (1) BUSINESS CENTER.—The term “Business  
6 Center” means any business center that—

7 (A) is established by the Minority Business  
8 Development Agency; and

9 (B) provides technical business assistance  
10 to minority business enterprises.

11 (2) ELIGIBLE BUSINESS ENTERPRISE.—The  
12 term “eligible business enterprise” means a business  
13 owned or controlled by one or more members of an  
14 underrepresented community.

15 (3) MEMBER OF AN UNDERREPRESENTED COM-  
16 MUNITY.—The term “member of an underrep-  
17 resented community” means an individual who is—

18 (A) a resident of—

19 (i) a low-income community, as de-  
20 fined in section 45D(e) of the Internal  
21 Revenue Code of 1986;

22 (ii) a low-income rural community; or

23 (iii) a HUBZone, as defined in section  
24 31(b) of the Small Business Act (15  
25 U.S.C. 657a);

1 (B) a member of an Indian or Alaska Na-  
2 tive tribe, band, nation, pueblo, village, commu-  
3 nity, component band, or component reserva-  
4 tion, individually identified (including par-  
5 enthetically) in the most recent list published  
6 pursuant to section 104 of the Federally Recog-  
7 nized Indian Tribe List Act of 1994 (25 U.S.C.  
8 5131);

9 (C) an individual with a disability, as de-  
10 fined in section 3 of the Americans with Dis-  
11 abilities Act of 1990 (42 U.S.C. 12102);

12 (D) a veteran, as defined in section 101 of  
13 title 38, United States Code;

14 (E) an individual who completed a term of  
15 imprisonment;

16 (F) an Afghan refugee, including an indi-  
17 vidual who has received a Special Immigrant  
18 Visa, a P-2 classification, or special parole sta-  
19 tus; or

20 (G) an individual otherwise identified by  
21 the Director.

22 (4) MINORITY-SERVING INSTITUTION OF HIGH-  
23 ER EDUCATION.—The term “minority-serving insti-  
24 tution of higher education” means—

1 (A) an institution described in section  
2 371(a) of the Higher Education Act of 1965  
3 (20 U.S.C. 1067q(a)); or

4 (B) a junior or community college, as de-  
5 fined in section 312 of the Higher Education  
6 Act of 1965 (20 U.S.C. 1058).

7 (5) SPECIALTY BUSINESS CENTER.—The term  
8 “specialty Business Center” means a Business Cen-  
9 ter that provides specialty services focusing on spe-  
10 cific business needs, including assistance relating  
11 to—

12 (A) capital access;

13 (B) Federal procurement;

14 (C) entrepreneurship;

15 (D) technology transfer; or

16 (E) any other area determined necessary  
17 or appropriate based on the priorities of the Di-  
18 rector of the Minority Business Development  
19 Agency.

20 **SEC. 40402. MANUFACTURING FACILITY.**

21 (a) IN GENERAL.—The State Small Business Credit  
22 Initiative Act of 2010 (12 U.S.C. 5701 et seq.) is amend-  
23 ed—

24 (1) in section 3003—

1 (A) in subsection (b), by adding at the end  
2 the following:

3 “(3) 2022 ALLOCATION.—

4 “(A) IN GENERAL.—Not later than 30  
5 days after the date of enactment of this para-  
6 graph, the Secretary shall allocate Federal  
7 funds to participating States so that each State  
8 is eligible to receive an amount equal to what  
9 the State would receive under the 2022 alloca-  
10 tion, as determined under subparagraph (B).

11 “(B) 2022 ALLOCATION FORMULA.—

12 “(i) IN GENERAL.—With respect to  
13 States, the Secretary shall determine the  
14 2022 allocation by allocating Federal funds  
15 among the States based on the manufac-  
16 turing job losses per State over the 30-year  
17 period ending on the date of enactment of  
18 this paragraph.

19 “(ii) MANUFACTURING JOB LOSS  
20 DATA.—If the Secretary determines that  
21 manufacturing job loss data with respect  
22 to a State is unavailable from the Bureau  
23 of Labor Statistics of the Department of  
24 Labor, the Secretary shall consider such  
25 other economic and employment data that

1 is otherwise available for purposes of deter-  
2 mining the employment data of such  
3 State.”; and

4 (B) by adding at the end the following:

5 “(g) RULES FOR THE 2022 ALLOCATION.—With re-  
6 spect to the 2022 allocation:

7 “(1) TRANSFER OF ALLOCATION.—The Sec-  
8 retary shall transfer the full amount of each alloca-  
9 tion to a State in a single transfer and shall com-  
10 plete such transfer before September 30, 2022.

11 “(2) USE OF TRANSFERRED FUNDS.—States  
12 may use allocations of amounts appropriated for fis-  
13 cal year 2022 to carry out the Program only—

14 “(A) for making Federal contributions to,  
15 or for the account of, an approved State pro-  
16 gram, for the purposes of, as determined by the  
17 Secretary of the Treasury—

18 “(i) maintaining the economic com-  
19 petitiveness of the United States;

20 “(ii) maintaining a strong manufac-  
21 turing base in the United States, including  
22 promoting advanced manufacturing tech-  
23 nology and innovative technology;

24 “(iii) increasing the supply and inno-  
25 vation of factory-built housing for afford-

1 ability, accessibility, efficiency, and resili-  
2 ience; or

3 “(iv) helping the United States transi-  
4 tion to clean energy or clean manufac-  
5 turing processes to combat climate change  
6 or to invest in innovation for climate  
7 change adapted production processes;

8 “(B) as collateral for a qualifying loan or  
9 swap funding facility, for the purposes de-  
10 scribed under subparagraph (A); and

11 “(C) for paying administrative costs in-  
12 curred by the State in implementing an ap-  
13 proved State program in an amount not to ex-  
14 ceed 5 percent of such State’s allocation.

15 “(3) SPECIAL PERMISSION FOR CERTAIN MU-  
16 NICIPALITIES.—Section 3004(d) shall apply to the  
17 2022 allocation to the same extent as such provision  
18 applies to an allocation made under subsection (d),  
19 except that—

20 “(A) paragraph (1) of section 3004(d)  
21 shall be applied by substituting ‘6 months’ for  
22 ‘9 months’; and

23 “(B) paragraph (2) of section 3004(d)  
24 shall be applied by substituting ‘9 months’ for  
25 ‘12 months.’; and

1           (2) in section 3009(c), by striking “7-year pe-  
2           riod” and inserting “10-year period”.

3           (b) APPROPRIATION.—In addition to amounts other-  
4           wise available, there is hereby appropriated to the Sec-  
5           retary of the Treasury for fiscal year 2022, out of any  
6           money in the Treasury not otherwise appropriated,  
7           \$1,000,000,000, to remain available until September 30,  
8           2031, to carry out the amendments made by subsection  
9           (a).

10          (c) RULE OF APPLICATION.—The amendments made  
11          by this section shall apply with respect to funds appro-  
12          priated on the date of enactment of this section.

13                   **TITLE V—COMMITTEE ON**  
14                   **HOMELAND SECURITY**

15           **SEC. 50001. CYBERSECURITY AND INFRASTRUCTURE SECU-**  
16                   **RITY AGENCY.**

17           In addition to amounts otherwise made available,  
18           there is appropriated for fiscal year 2022, out of any  
19           money in the Treasury not otherwise appropriated, to re-  
20           main available until September 30, 2031—

21                   (1) \$50,000,000 to the Cybersecurity and In-  
22                   frastructure Security Agency for support of the  
23                   Multi-State Information Sharing and Analysis Cen-  
24                   ter;

1           (2) \$25,000,000 to the Cybersecurity and In-  
2           frastructure Security Agency for operating a cyber  
3           range;

4           (3) \$25,000,000 to the Cybersecurity and In-  
5           frastructure Security Agency for the execution of a  
6           national multi-factor authentication campaign;

7           (4) \$400,000,000 to the Cybersecurity and In-  
8           frastructure Security Agency for the implementation  
9           of Executive Order 14028 (86 Fed. Reg. 26633; re-  
10          lating to improving the cybersecurity of the United  
11          States), including the implementation of multi-factor  
12          authentication, endpoint detection and response, im-  
13          proved logging, and securing cloud systems;

14          (5) \$50,000,000 to the Cybersecurity and In-  
15          frastructure Security Agency for expansion and op-  
16          eration of the Crossfeed program;

17          (6) \$75,000,000 to the Cybersecurity and In-  
18          frastructure Security Agency for expansion and op-  
19          eration of the CyberSentry program;

20          (7) \$10,000,000 to the Cybersecurity and In-  
21          frastructure Security Agency for performing activi-  
22          ties in support of the development of the continuity  
23          of the economy plan required under section 9603(a)  
24          of title XCVI of the William M. (Mac) Thornberry



1 National Defense Authorization Act for Fiscal Year  
2 2021 (Public Law 116–283; 6 U.S.C. 322);

3 (8) \$20,000,000 to the Cybersecurity and In-  
4 frastructure Security Agency for expanding pro-  
5 grams working with international partners on the  
6 protection of critical infrastructure;

7 (9) \$50,000,000 to the Cybersecurity and In-  
8 frastructure Agency for researching and developing  
9 means to secure operational technology, including in-  
10 dustrial control systems, against cybersecurity  
11 vulnerabilities;

12 (10) \$100,000,000 to the Cybersecurity and In-  
13 frastructure Security Agency for cybersecurity work-  
14 force development and education, including providing  
15 education, training, and capacity development, in-  
16 cluding in collaboration with historically Black col-  
17 leges and universities, other minority-serving institu-  
18 tions, and community colleges, and to the Cybersecu-  
19 rity Education and Training Program, to be used  
20 for purposes that include—

21 (A) cybersecurity training and upskilling  
22 veterans;

23 (B) implementing cybersecurity apprentice-  
24 ships at the Agency; and

1 (C) cybersecurity programs for under-  
2 served communities, as a focus for activities au-  
3 thorized under section 2217 of the Homeland  
4 Security Act of 2002 (6 U.S.C. 665f); and  
5 (11) \$60,000,000 to the Cybersecurity and In-  
6 frastructure Security Agency for enhancing the  
7 cloud architecture, migration advisory services, and  
8 cloud threat hunting capabilities of the Agency.

9 **TITLE VI—COMMITTEE ON THE**  
10 **JUDICIARY**

11 **Subtitle A—Immigration**  
12 **Provisions**

13 **SEC. 60001. LAWFUL PERMANENT RESIDENCE FOR CER-**  
14 **TAIN ENTRANTS.**

15 (a) IN GENERAL.—Chapter 5 of title II of the Immi-  
16 gration and Nationality Act (8 U.S.C. 1255 et seq.) is  
17 amended by inserting after section 245A the following:

18 **“SEC. 245B. ADJUSTMENT OF STATUS OF CERTAIN EN-**  
19 **TRANTS.**

20 “(a) IN GENERAL.—Notwithstanding sections 201,  
21 202, 203, and 245(c), and subject to subsection (c), the  
22 Secretary of Homeland Security shall adjust to the status  
23 of an alien lawfully admitted for permanent residence, an  
24 alien described in subsection (b), if such alien—

1           “(1) submits an application for adjustment of  
2           status in accordance with procedures established by  
3           the Secretary;

4           “(2) in addition to any administrative proc-  
5           essing fee, pays a supplemental fee of \$1,500; and

6           “(3) completes, to the satisfaction of the Sec-  
7           retary—

8                   “(A) security and law enforcement back-  
9                   ground checks; and

10                   “(B) a medical examination consistent with  
11                   section 221(d).

12           “(b) ALIENS DESCRIBED.—An alien described in this  
13           subsection is an alien who—

14                   “(1)(A) has been continuously physically  
15                   present in the United States since January 1, 2021;

16                   “(B) was 18 years of age or younger on the  
17                   date on which the alien entered the United States  
18                   and has continuously resided in the United States  
19                   since such entry; and

20                   “(C) demonstrates—

21                           “(i) a record of honorable service in the  
22                           Uniformed Services of the United States;

23                           “(ii) attainment of, or completion of not  
24                           less than 2 years, in good standing, of a pro-  
25                           gram leading to—

1                   “(I) a degree from a United States in-  
2                   stitution of higher education; or

3                   “(II) a postsecondary credential from  
4                   an area career and technical education  
5                   school in the United States;

6                   “(iii) during the 3-year period immediately  
7                   preceding the date on which the alien submits  
8                   an application for adjustment of status under  
9                   this section, a consistent record of earned in-  
10                  come in the United States; or

11                  “(iv)(I) enrollment in a program described  
12                  in clause (ii); and

13                  “(II) current employment or participation  
14                  in an internship, apprenticeship, or similar  
15                  training program;

16                  “(2)(A) has been continuously physically  
17                  present in the United States since January 1, 2021;  
18                  and

19                  “(B) has demonstrated a consistent record of  
20                  earned income in the United States in an occupation  
21                  described in the guidance of the Department of  
22                  Homeland Security entitled ‘Advisory Memorandum  
23                  on Ensuring Essential Critical Infrastructure Work-  
24                  ers’ Ability to Work During the COVID–19 Re-  
25                  sponse’, issued on August 10, 2021, during the pe-

1       riod beginning on January 31, 2020, and ending on  
2       August 24, 2021;

3           “(3)(A) has been continuously physically  
4       present in the United States for not less than 3  
5       years; and

6           “(B)(i) is a national of a foreign state (or a  
7       part of a foreign state) (or in the case of an alien  
8       having no nationality, is a person who last habitually  
9       resided in such state) with a designation under sub-  
10      section (b) of section 244 on January 1, 2017;

11          “(ii) notwithstanding paragraphs (1)(A)(iv) and  
12      (3)(C) of subsection (c) of section 244, had or was  
13      otherwise eligible for temporary protected status  
14      under section 244 on that date; and

15          “(iii) has not engaged in conduct since that  
16      date that would render the alien ineligible for tem-  
17      porary protected status under section 244(c)(2); or

18          “(4)(A) has been continuously physically  
19      present in the United States for not less than 3  
20      years; and

21          “(B)(i) was eligible for deferred enforced depart-  
22      ure as of January 20, 2021; and

23          “(ii) has not engaged in conduct since that date  
24      that would render the alien ineligible for deferred  
25      enforced departure.

1 “(c) GROUNDS OF INELIGIBILITY.—

2 “(1) IN GENERAL.—Subject to paragraphs (2)  
3 and (3), an alien seeking adjustment of status under  
4 this section shall demonstrate that the alien—

5 “(A) is not inadmissible under paragraph  
6 (2), (3), (6)(E), (6)(G), (8), (10)(A), (10)(C),  
7 or (10)(D) of section 212(a);

8 “(B) has not ordered, incited, assisted, or  
9 otherwise participated in the persecution of any  
10 person on account of race, religion, nationality,  
11 membership in a particular social group, or po-  
12 litical opinion;

13 “(C) has not been convicted of—

14 “(i) any offense under Federal or  
15 State law, other than a State offense for  
16 which an essential element is the alien’s  
17 immigration status, that is punishable by a  
18 maximum term of imprisonment of more  
19 than 1 year; or

20 “(ii) 3 or more offenses under Federal  
21 or State law, other than State offenses for  
22 which an essential element is the alien’s  
23 immigration status, for which the alien was  
24 convicted on different dates for each of the

1                   3 offenses and imprisoned for an aggregate  
2                   of 90 days or more; and

3                   “(D) has registered under the Military Se-  
4                   lective Service Act (50 U.S.C. 3801 et seq.), if  
5                   the alien is subject to registration under that  
6                   Act.

7                   “(2) WAIVER.—With respect to any benefit  
8                   under this section, the Secretary of Homeland Secu-  
9                   rity may waive the grounds of inadmissibility under  
10                  paragraph (2), (6)(E), (6)(G), or (10)(D) of section  
11                  212(a)—

12                  “(A) for humanitarian purposes or family  
13                  unity; or

14                  “(B) if a waiver is otherwise in the public  
15                  interest.

16                  “(3) TREATMENT OF EXPUNGED CONVIC-  
17                  TIONS.—For purposes of paragraph (1), the Sec-  
18                  retary—

19                  “(A) may not automatically treat an ex-  
20                  punged conviction as a conviction; and

21                  “(B) shall evaluate expunged convictions  
22                  on a case-by-case basis according to the nature  
23                  and severity of the underlying offense to deter-  
24                  mine whether, under the circumstances, the  
25                  alien should be eligible for adjustment of status.

1 “(d) LIMITATION ON REMOVAL.—

2 “(1) IN GENERAL.—With respect to an alien  
3 who is in removal proceedings or subject to a final  
4 order of removal or an order of voluntary departure,  
5 the Secretary of Homeland Security shall provide  
6 the alien with a reasonable opportunity to apply for  
7 relief under this section if the alien—

8 “(A) requests an opportunity to so apply;

9 or

10 “(B) appears to be prima facie eligible for  
11 such relief.

12 “(2) STAY OF REMOVAL FOR CERTAIN CHIL-  
13 DREN.—The Secretary of Homeland Security shall  
14 stay the removal of an alien who—

15 “(A) meets the requirements of subpara-  
16 graphs (A) and (B) of subsection (b)(1);

17 “(B) subject to paragraphs (2) and (3) of  
18 subsection (c), is not subject to a ground of in-  
19 eligibility under paragraph (1) of such sub-  
20 section; and

21 “(C) is enrolled in—

22 “(i) an early childhood education pro-  
23 gram;

24 “(ii) an elementary school;

25 “(iii) a secondary school; or



1                   “(iv) an education program assisting  
2                   students in obtaining a high school di-  
3                   ploma or its equivalent.

4           “(e) EFFECTIVE DATE.—The section shall take effect  
5 on the earlier of—

6                   “(1) the date that is 180 days after the date of  
7                   the enactment of this section; or

8                   “(2) May 1, 2022.”.

9           (b) CONFORMING AMENDMENT.—The table of con-  
10 tents for the Immigration and Nationality Act (8 U.S.C.  
11 1101 et seq.) is amended by inserting after the item relat-  
12 ing to 245A the following:

“Sec. 245B. Adjustment of status of certain entrants.”.

13 **SEC. 60002. RECAPTURE OF UNUSED IMMIGRANT VISA**  
14 **NUMBERS.**

15           (a) RECAPTURE OF UNUSED IMMIGRANT VISA NUM-  
16 BERS.—

17                   (1) ENSURING FUTURE USE OF ALL IMMIGRANT  
18 VISAS.—Section 201(e)(1)(B)(ii) of the Immigration  
19 and Nationality Act (8 U.S.C. 1151(e)(1)(B)(ii)) is  
20 amended to read as follows:

21                                   “(ii) In no case shall the number com-  
22                                   puted under subparagraph (A) be less than  
23                                   the sum of—

24   “(I) 226,000; and

1                   “(II) the number computed  
2                   under paragraph (3).”.

3                   (2) RECAPTURING UNUSED VISAS.—Section 201  
4                   of the Immigration and Nationality Act (8 U.S.C.  
5                   1151) is amended by adding at the end the fol-  
6                   lowing:

7                   “(g) RECAPTURING UNUSED VISAS.—

8                   “(1) FAMILY-SPONSORED VISAS.—

9                   “(A) IN GENERAL.—Notwithstanding the  
10                  numerical limitations set forth in this section or  
11                  in sections 202 or 203, beginning in fiscal year  
12                  2022, the number of family-sponsored immi-  
13                  grant visas that may be issued under section  
14                  203(a) shall be increased by the number com-  
15                  puted under subparagraph (B).

16                  “(B) UNUSED VISAS.—The number com-  
17                  puted under this subparagraph is the dif-  
18                  ference, if any, between—

19                  “(i) the difference, if any, between—

20                  “(I) the number of visas that  
21                  were originally made available to fam-  
22                  ily-sponsored immigrants under sec-  
23                  tion 201(c)(1) for fiscal years 1992  
24                  through 2021, setting aside any un-  
25                  used visas made available to such im-

1 migrants in such fiscal years under  
2 section 201(c)(3); and

3 “(II) the number of visas de-  
4 scribed in subclause (I) that were  
5 issued under section 203(a), or, in ac-  
6 cordance with section 201(d)(2)(C),  
7 under section 203(b); and

8 “(ii) the number of visas resulting  
9 from the calculation under clause (i) issued  
10 under section 203(a) after fiscal year  
11 2021.

12 “(2) EMPLOYMENT-BASED VISAS.—

13 “(A) IN GENERAL.—Notwithstanding the  
14 numerical limitations set forth in this section or  
15 in sections 202 or 203, beginning in fiscal year  
16 2022, the number of employment-based immi-  
17 grant visas that may be issued under section  
18 203(b) shall be increased by the number com-  
19 puted under subparagraph (B).

20 “(B) UNUSED VISAS.—The number com-  
21 puted under this paragraph is the difference, if  
22 any, between—

23 “(i) the difference, if any, between—

24 “(I) the number of visas that  
25 were originally made available to em-

1                   ployment-based immigrants under sec-  
2                   tion 201(d)(1) for fiscal years 1992  
3                   through 2021, setting aside any un-  
4                   used visas made available to such im-  
5                   migrants in such fiscal years under  
6                   section 201(d)(2); and

7                   “**(II)** the number of visas de-  
8                   scribed in subclause **(I)** that were  
9                   issued under section 203(b), or, in ac-  
10                  cordance with section 201(c)(3)(C),  
11                  under section 203(a); and

12                  “(ii) the number of visas resulting  
13                  from the calculation under clause (i) issued  
14                  under section 203(b) after fiscal year  
15                  2021.

16                  “(3) **DIVERSITY VISAS.**—Notwithstanding sec-  
17                  tion 204(a)(1)(I)(ii)(II), an immigrant visa for an  
18                  alien selected in accordance with section 203(e)(2) in  
19                  fiscal year 2017, 2018, 2019, 2020, or 2021 shall  
20                  remain available to such alien (and the spouse and  
21                  children of such alien) if—

22                  “(A) the alien was refused a visa, pre-  
23                  vented from seeking admission, or denied ad-  
24                  mission to the United States solely because of  
25                  Executive Order 13769, Executive Order

1           13780, Presidential Proclamation 9645, or  
2           Presidential Proclamation 9983; or

3           “(B) because of restrictions or limitations  
4           on visa processing, visa issuance, travel, or  
5           other effects associated with the COVID–19  
6           public health emergency—

7           “(i) the alien was unable to receive a  
8           visa interview despite submitting an Online  
9           Immigrant Visa and Alien Registration  
10          Application (Form DS–260) to the Sec-  
11          retary of State; or

12          “(ii) the alien was unable to seek ad-  
13          mission or was denied admission to the  
14          United States despite being approved for a  
15          visa under section 203(c).”.

16 **SEC. 60003. ADJUSTMENT OF STATUS.**

17          Section 245 of the Immigration and Nationality Act  
18          (8 U.S.C. 1255) is amended by adding at the end the fol-  
19          lowing:

20          “(n) VISA AVAILABILITY.—

21                  “(1) IN GENERAL.—Notwithstanding section  
22          (a)(3), the Secretary of Homeland Security may ac-  
23          cept for filing, an application for adjustment of sta-  
24          tus from an alien (and the spouse and children of  
25          such alien) if such alien—

1           “(A) is the beneficiary of an approved peti-  
2           tion under section 204(a)(1);

3           “(B) pays a supplemental fee of \$1,500,  
4           plus \$250 for each derivative beneficiary; and

5           “(C) is otherwise eligible for such adjust-  
6           ment.

7           “(2) EXEMPTION.—The Secretary of State shall  
8           exempt an alien (and the spouse and children of  
9           such alien) from the numerical limitations described  
10          in sections 201, 202, and 203 and the Secretary of  
11          Homeland Security may adjust the status of such  
12          alien (and the spouse and children of such alien) to  
13          lawful permanent resident if such alien submits or  
14          has submitted an application for adjustment of sta-  
15          tus and—

16                 “(A) such alien—

17                         “(i) is the beneficiary of an approved  
18                         petition under subparagraph (A)(i) or  
19                         (B)(i)(I) of section 204(a)(1) that bears a  
20                         priority date that is more than 2 years be-  
21                         fore the date the alien requests a waiver of  
22                         the numerical limitations; and

23                         “(ii) pays a supplemental fee of  
24                         \$2,500;

25                 “(B) such alien—

1           “(i) is the beneficiary of an approved  
2           petition under subparagraph (E) or (F) of  
3           section 204(a)(1) that bears a priority date  
4           that is more than 2 years before the date  
5           the alien requests a waiver of the numer-  
6           ical limitations; and

7           “(ii) pays a supplemental fee of  
8           \$5,000; or

9           “(C) such alien—

10           “(i) is the beneficiary of an approved  
11           petition under subparagraph (H) of section  
12           204(a)(1) that bears a priority date that is  
13           more than 2 years before the date the alien  
14           requests a waiver of the numerical limita-  
15           tions; and

16           “(ii) pays a supplemental fee of  
17           \$50,000.

18           “(3) EFFECTIVE DATE.—

19           “(A) IN GENERAL.—The provisions of this  
20           subsection—

21           “(i) shall take effect on the earlier of  
22           the date that is—

23           “(I) 180 days after the date of  
24           the enactment of this subsection; or

25           “(II) May 1, 2022; and

1                   “(ii) except as provided in subpara-  
2                   graph (B), shall cease to have effect on  
3                   September 30, 2031.

4                   “(B) CONTINUATION.—Paragraph (2)  
5                   shall continue in effect with respect to an alien  
6                   who requested a waiver of the numerical limita-  
7                   tions and paid the requisite fee prior to the  
8                   date described in subparagraph (A)(ii), until  
9                   the Secretary of Homeland Security renders a  
10                  final administrative decision on such applica-  
11                  tion.”.

12 **SEC. 60004. ADDITIONAL SUPPLEMENTAL FEES.**

13                  (a) TREASURY.—The supplemental fees described in  
14                  subsection (b) of this section, and in sections 245B(a)(2)  
15                  and 245(n) of the Immigration and Nationality Act, as  
16                  added by this subtitle, shall be deposited in the general  
17                  fund of the Treasury of the United States.

18                  (b) SUPPLEMENTAL PETITION FEE.—Section  
19                  204(a)(1) of the Immigration and Nationality Act (8  
20                  U.S.C. 1154(a)(1)) is amended—

21                         (1) in subparagraph (A)(i), by adding at the  
22                         end the following: “A petition for classification by  
23                         reason of a relationship described in paragraph (1),  
24                         (3), or (4) of section 203(a) shall be accompanied by  
25                         a supplemental fee in the amount of \$100.”;



1 (2) in subparagraph (B)(i)(I), by adding at the  
2 end the following: “Such petition shall be accom-  
3 panied by a supplemental fee in the amount of  
4 \$100.”;

5 (3) in subparagraph (E), by adding at the end  
6 the following: “Such petition shall be accompanied  
7 by a supplemental fee in the amount of \$800.”;

8 (4) in subparagraph (F), by adding at the end  
9 the following: “Such petition shall be accompanied  
10 by a supplemental fee in the amount of \$800.”; and

11 (5) in subparagraph (H), by adding at the end  
12 the following: “Such petition shall be accompanied  
13 by a supplemental fee in the amount of \$15,000.”.

14 **SEC. 60005. U.S. CITIZENSHIP AND IMMIGRATION SERVICES.**

15 In addition to amounts otherwise available, there is  
16 appropriated to U.S. Citizenship and Immigration Serv-  
17 ices for fiscal year 2022, out of any money in the Treasury  
18 not otherwise appropriated, \$2,800,000,000, to remain  
19 available until expended, for the purpose of increasing the  
20 capacity of U.S. Citizenship and Immigration Services to  
21 efficiently adjudicate applications described in sections  
22 245B and 245(n) of the Immigration and Nationality Act,  
23 as added by sections 60001 and 60003 of this Act, respec-  
24 tively, and to reduce case processing backlogs.

1     **Subtitle B—Community Violence**  
2                     **Prevention**

3     **SEC. 61001. FUNDING FOR COMMUNITY-BASED VIOLENCE**  
4                     **INTERVENTION INITIATIVES.**

5             (a) IN GENERAL.—In addition to amounts otherwise  
6 available, there is appropriated to the Attorney General  
7 for fiscal year 2022, out of any money in the Treasury  
8 not otherwise appropriated, \$2,500,000,000, to remain  
9 available until September 30, 2031, for the purposes de-  
10 scribed in subsection (b).

11            (b) USE OF FUNDING.—The Attorney General, act-  
12 ing through the Assistant Attorney General of the Office  
13 of Justice Programs, the Director of the Office of Commu-  
14 nity Oriented Policing Services, and the Director of the  
15 Office on Violence Against Women, shall use amounts ap-  
16 propriated by subsection (a)—

17                 (1) to award competitive grants or contracts to  
18 units of local government, States, Indian Tribes,  
19 nonprofit community-based organizations, victim  
20 services providers, or other entities as determined by  
21 the Attorney General, to support evidence-informed  
22 intervention strategies to reduce community violence;

23                 (2) to support training, technical assistance, re-  
24 search, evaluation, and data collection on strategies

1 to effectively reduce community violence and ensure  
2 public safety; and

3 (3) to support research, evaluation, and data  
4 collection on the differing impact of community vio-  
5 lence on demographic categories.

6 (c) EXPENDITURE REQUIREMENT.—All expenditures  
7 made pursuant to subsection (a) shall be made on or be-  
8 fore September 30, 2031.

9 **TITLE VII—COMMITTEE ON**  
10 **NATURAL RESOURCES**  
11 **Subtitle A—Bureau of Indian**  
12 **Affairs and Indian Health Service**

13 **SEC. 70101. TRIBAL CONSULTATION.**

14 In addition to amounts otherwise available, there is  
15 appropriated to the Department of the Interior for fiscal  
16 year 2022, out of any money in the Treasury not otherwise  
17 appropriated, \$30,000,000, to remain available until Sep-  
18 tember 30, 2031, except that no amounts may be ex-  
19 pended after September 30, 2031, for the purposes of con-  
20 ducting consultation with Tribal Governments.

21 **SEC. 70102. BUREAU OF INDIAN AFFAIRS.**

22 (a) BIA ROAD MAINTENANCE.—In addition to  
23 amounts otherwise available, there is appropriated to the  
24 Bureau of Indian Affairs for fiscal year 2022, out of any  
25 money in the Treasury not otherwise appropriated,

1 \$300,000,000, to remain available until September 30,  
2 2031, except that no amounts may be expended after Sep-  
3 tember 30, 2031, for carrying out the Act of November  
4 2, 1921 (25 U.S.C. 13; commonly known as the “Snyder  
5 Act”) for Bureau of Indian Affairs road maintenance and  
6 to address the deferred maintenance backlog, of which no  
7 more than 2 percent shall be used for administrative costs  
8 to carry out this subsection.

9 (b) BIA PUBLIC SAFETY.—In addition to amounts  
10 otherwise available, there is appropriated to the Bureau  
11 of Indian Affairs for fiscal year 2022, out of any money  
12 in the Treasury not otherwise appropriated,  
13 \$200,000,000, to remain available until September 30,  
14 2031, except that no amounts may be expended after Sep-  
15 tember 30, 2031, for carrying out the Act of November  
16 2, 1921 (25 U.S.C. 13; commonly known as the “Snyder  
17 Act”) for Bureau of Indian Affairs Public Safety and Jus-  
18 tice, of which no more than 2 percent shall be used for  
19 administrative costs to carry out this subsection.

20 (c) BIA CLIMATE RESILIENCE.—In addition to  
21 amounts otherwise available, there is appropriated to the  
22 Bureau of Indian Affairs for fiscal year 2022, out of any  
23 money in the Treasury not otherwise appropriated,  
24 \$1,000,000,000, to remain available until September 30,  
25 2031, except that no amounts may be expended after Sep-

1 tember 30, 2031, for carrying out the Act of November  
2 2, 1921 (25 U.S.C. 13; commonly known as the “Snyder  
3 Act”) for Tribal climate resilience and adaptation pro-  
4 grams, of which no more than 2 percent shall be used for  
5 administrative costs to carry out this subsection.

6 (d) TRIBAL HOUSING.—In addition to amounts oth-  
7 erwise available, there is appropriated to the Bureau of  
8 Indian Affairs for fiscal year 2022, out of any money in  
9 the Treasury not otherwise appropriated, \$500,000,000,  
10 to remain available until September 30, 2031, except that  
11 no amounts may be expended after September 30, 2031,  
12 for carrying out the Act of November 2, 1921 (25 U.S.C.  
13 13; commonly known as the “Snyder Act”) to improve  
14 Tribal housing, of which no more than 2 percent shall be  
15 used for administrative costs to carry out this subsection.

16 (e) TRIBAL ENERGY.—In addition to amounts other-  
17 wise available, there is appropriated to the Bureau of In-  
18 dian Affairs for fiscal year 2022, out of any money in the  
19 Treasury not otherwise appropriated, \$35,000,000, to re-  
20 main available until September 30, 2031, except that no  
21 amounts may be expended after September 30, 2031, for  
22 carrying out the Act of November 2, 1921 (25 U.S.C. 13;  
23 commonly known as the “Snyder Act”) for Tribal energy  
24 programs, of which no more than 2 percent shall be used  
25 for administrative costs to carry out this subsection.

1 (f) SMALL AND NEEDY PROGRAM.—Funds made  
2 available under this section shall be excluded from the cal-  
3 culation of funds received by those Tribal Governments  
4 that participate in the “Small and Needy” program.

5 (g) ONE-TIME BASIS FUNDS.—Funds made available  
6 under this section to Tribes and Tribal organizations  
7 under the Indian Self-Determination and Education As-  
8 sistance Act (25 U.S.C. 5301) shall be available on a one-  
9 time basis. Such nonrecurring funds shall not be part of  
10 the amount required by section 106 of the Indian Self-  
11 Determination and Education Assistance Act (25 U.S.C.  
12 5325), and such funds shall only be used for the purposes  
13 identified in this section.

14 **SEC. 70103. INDIAN HEALTH SERVICE.**

15 (a) IHS INFORMATION TECHNOLOGY.—In addition  
16 to amounts otherwise available, there is appropriated to  
17 the Indian Health Service for fiscal year 2022, out of any  
18 money in the Treasury not otherwise appropriated,  
19 \$140,000,000, to remain available until September 30,  
20 2031, except that no amounts may be expended after Sep-  
21 tember 30, 2031, for carrying out the Act of August 5,  
22 1954 (68 Stat. 674), the Indian Self-Determination and  
23 Education Assistance Act, the Indian Health Care Im-  
24 provement Act, and titles II and III of the Public Health  
25 Service Act, with respect to the Indian Health Service, for

1 Indian Health Service electronic records (25 U.S.C.  
2 1660h), telehealth, system modernization, and information  
3 technology infrastructure.

4 (b) URBAN INDIAN HEALTH.—In addition to  
5 amounts otherwise available, there is appropriated to the  
6 Indian Health Service for fiscal year 2022, out of any  
7 money in the Treasury not otherwise appropriated,  
8 \$42,000,000, to remain available until September 30,  
9 2031, except that no amounts may be expended after Sep-  
10 tember 30, 2031, for carrying out the Act of August 5,  
11 1954 (68 Stat. 674), the Indian Self-Determination and  
12 Education Assistance Act, the Indian Health Care Im-  
13 provement Act, and titles II and III of the Public Health  
14 Service Act, with respect to the Indian Health Service, for  
15 the Urban Indian Health program for renovations, con-  
16 struction, expansion of facilities, including leased facilities,  
17 which shall be in addition to other amounts made available  
18 for Urban Indian organizations (as defined in section 4  
19 of the Indian Health Care Improvement Act 25 U.S.C.  
20 1603)) under this subsection.

21 (c) IHS FACILITIES MAINTENANCE.—In addition to  
22 amounts otherwise available, there is appropriated to the  
23 Indian Health Service for fiscal year 2022, out of any  
24 money in the Treasury not otherwise appropriated,  
25 \$610,000,000, to remain available until September 30,

1 2031, except that no amounts may be expended after Sep-  
2 tember 30, 2031, for carrying out the Act of August 5,  
3 1954 (68 Stat. 674), the Indian Self-Determination and  
4 Education Assistance Act, the Indian Health Care Im-  
5 provement Act, and titles II and III of the Public Health  
6 Service Act, with respect to the Indian Health Service, for  
7 maintenance and improvement of Indian Health Service  
8 and Tribal facilities.

9 (d) GREEN INFRASTRUCTURE.—In addition to  
10 amounts otherwise available, there is appropriated to the  
11 Indian Health Service for fiscal year 2022, out of any  
12 money in the Treasury not otherwise appropriated,  
13 \$10,000,000, to remain available until September 30,  
14 2031, except that no amounts may be expended after Sep-  
15 tember 30, 2031, for carrying out the Act of August 5,  
16 1954 (68 Stat. 674), the Indian Self-Determination and  
17 Education Assistance Act, the Indian Health Care Im-  
18 provement Act, and titles II and III of the Public Health  
19 Service Act, with respect to the Indian Health Service, for  
20 sustainability features for existing facilities.

21 (e) INPATIENT AND COMMUNITY HEALTH FACILI-  
22 TIES.—In addition to amounts otherwise available, there  
23 is appropriated to the Indian Health Service for fiscal year  
24 2022, out of any money in the Treasury not otherwise ap-  
25 propriated, \$40,000,000, to remain available until Sep-



1 tember 30, 2031, except that no amounts may be ex-  
2 pended after September 30, 2031, for carrying out the Act  
3 of August 5, 1954 (68 Stat. 674), the Indian Self-Deter-  
4 mination and Education Assistance Act, the Indian Health  
5 Care Improvement Act, and titles II and III of the Public  
6 Health Service Act, with respect to the Indian Health  
7 Service, for Inpatient and Community Health Facilities  
8 Design, Construction, in accordance with 25 U.S.C.  
9 1665h.

10 (f) MEDICAL EQUIPMENT.—In addition to amounts  
11 otherwise available, there is appropriated to the Indian  
12 Health Service for fiscal year 2022, out of any money in  
13 the Treasury not otherwise appropriated, \$150,000,000,  
14 to remain available until September 30, 2031, except that  
15 no amounts may be expended after September 30, 2031,  
16 for carrying out the Act of August 5, 1954 (68 Stat. 674),  
17 the Indian Self-Determination and Education Assistance  
18 Act, the Indian Health Care Improvement Act, and titles  
19 II and III of the Public Health Service Act, with respect  
20 to the Indian Health Service, for maintaining, upgrading,  
21 and replacing medical equipment for IHS and Tribal fa-  
22 cilities.

23 (g) SMALL AMBULATORY CONSTRUCTION.—In addi-  
24 tion to amounts otherwise available, there is appropriated  
25 to the Indian Health Service for fiscal year 2022, out of

1 any money in the Treasury not otherwise appropriated,  
2 \$60,000,000, to remain available until September 30,  
3 2031, except that no amounts may be expended after Sep-  
4 tember 30, 2031, for carrying out the Act of August 5,  
5 1954 (68 Stat. 674), the Indian Self-Determination and  
6 Education Assistance Act, the Indian Health Care Im-  
7 provement Act, and titles II and III of the Public Health  
8 Service Act, with respect to the Indian Health Service, for  
9 the small ambulatory construction program.

10 (h) PERSONNEL QUARTERS CONSTRUCTION.—In ad-  
11 dition to amounts otherwise available, there is appro-  
12 priated to the Indian Health Service for fiscal year 2022,  
13 out of any money in the Treasury not otherwise appro-  
14 priated, \$278,000,000, to remain available until Sep-  
15 tember 30, 2031, except that no amounts may be ex-  
16 pended after September 30, 2031, for carrying out the Act  
17 of August 5, 1954 (68 Stat. 674), the Indian Self-Deter-  
18 mination and Education Assistance Act, the Indian Health  
19 Care Improvement Act, and titles II and III of the Public  
20 Health Service Act, with respect to the Indian Health  
21 Service, for personnel quarters construction.

22 (i) IHS PRIORITY HEALTH CARE FACILITIES.—In  
23 addition to amounts otherwise available, there is appro-  
24 priated to the Indian Health Service for fiscal year 2022,  
25 out of any money in the Treasury not otherwise appro-

1 priated, \$2,000,000,000, to remain available until Sep-  
2 tember 30, 2031, except that no amounts may be ex-  
3 pended after September 30, 2031, for projects identified  
4 through the health care facility priority system established  
5 and maintained pursuant to section 301(e) of the Indian  
6 Health Care Improvement Act (25 U.S.C. 1631(e)).

7 (j) FACILITIES SUPPORT.—In addition to amounts  
8 otherwise available, there is appropriated to the Indian  
9 Health Service for fiscal year 2022, out of any money in  
10 the Treasury not otherwise appropriated, \$170,000,000,  
11 to remain available until September 30, 2031, except that  
12 no amounts may be expended after September 30, 2031,  
13 for environmental health and facilities support activities  
14 of the Indian Health Service.

15 (k) NONRECURRING FUNDS.—Funds made available  
16 under this section to Tribes and Tribal organizations  
17 under the Indian Self-Determination and Education As-  
18 sistance Act (25 U.S.C. 5301 et seq.) shall be available  
19 on a one-time basis. Such nonrecurring funds shall not  
20 be part of the amount required by section 106 of the In-  
21 dian Self-Determination and Education Assistance Act  
22 (25 U.S.C. 5325), and such funds shall only be used for  
23 the purposes identified in this section.

1 **Subtitle B—Subcommittee on Na-**  
2 **tional Parks, Forests, and Pub-**  
3 **lic Lands**

4 **SEC. 70201. OAK FLAT WITHDRAWAL.**

5 (a) DEFINITIONS.—In this section:

6 (1) DISPOSAL.—The term “disposal” means  
7 that the lands identified are not available under the  
8 proceedings outlined under section 203 of the Fed-  
9 eral Land Policy and Management Act of 1976 (43  
10 U.S.C. 1713).

11 (2) ENTRY.—The term “entry” has the mean-  
12 ing as it is used under section 103(j) of the Federal  
13 Land Policy and Management Act of 1976 (43  
14 U.S.C. 1702(j)), in its application to lands under the  
15 jurisdiction of the Secretary.

16 (3) LOCATION.—The term “location” has the  
17 meaning as it is used under section 2320 of the Re-  
18 vised Statutes (30 U.S.C. 23), in its application to  
19 lands under the jurisdiction of the Secretary;

20 (4) OAK FLAT WITHDRAWAL AREA.—the term  
21 “Oak Flat” means the approximately 2,422 acres of  
22 Forest System land in the Tonto National Forest in  
23 southeastern Arizona commonly known as “Oak  
24 Flat” and generally depicted as “Oak Flat With-

1       drawal Area” on the map titled “Oak Flat With-  
2       drawal” and dated June 15, 2021.

3           (5) PATENT.—The term “patent” has the  
4       meaning as it is used under section 2325 of the Re-  
5       vised Statutes (30 U.S.C. 29), in its application to  
6       lands under the jurisdiction of the Secretary.

7           (6) SECRETARY.—The term “Secretary” means  
8       the Secretary of Agriculture.

9           (b) REPEAL.—Section 3003 of the Carl Levin and  
10      Howard P. “Buck” McKeon National Defense Authoriza-  
11      tion Act for Fiscal Year 2015 (16 U.S.C. 539p) is re-  
12      pealed.

13          (c) WITHDRAWAL.—Subject to valid rights in exist-  
14      ence on the date of the enactment of this section, Oak  
15      Flat is withdrawn from all forms of disposal, location,  
16      entry, and patent.

17      **SEC. 70202. CIVILIAN CLIMATE CORPS.**

18          (a) NATIONAL PARK SERVICE CIVILIAN CLIMATE  
19      CORPS.—

20           (1) DEFINITIONS.—With regard to this sub-  
21      section:

22           (A) CONSERVATION PROJECT.—The term  
23           “conservation project” means a project for the  
24           conservation, restoration, construction, or reha-

1           bilitation of natural, cultural, historic, archae-  
2           ological, recreational, or scenic resources.

3           (B) CORPS PROGRAM.—The term “corps  
4           program” means a program established by a  
5           Federal, State, Tribal, or local government, or  
6           nonprofit organization that performs conserva-  
7           tion projects on Public Lands.

8           (C) PUBLIC LANDS.—The term “Public  
9           Lands” means lands administered by the Na-  
10          tional Park Service.

11          (2) IN GENERAL.—In addition to amounts oth-  
12          erwise available, there is appropriated to the Na-  
13          tional Park Service for fiscal year 2022, out of any  
14          money in the Treasury not otherwise appropriated,  
15          \$1,700,000,000, to remain available until September  
16          30, 2031, except that no amounts may be expended  
17          after September 30, 2031, for carrying out edu-  
18          cation and job training projects and conservation  
19          projects on Public Lands, including through the use  
20          of direct expenditure, contracts, grants, and coopera-  
21          tive agreements with corps programs.

22          (3) ADMINISTRATIVE EXPENSES.—Of the funds  
23          provided by this subsection, no more than 2 percent  
24          shall be used for administrative costs to carry out  
25          this section.

1 (b) BUREAU OF LAND MANAGEMENT CIVILIAN CLI-  
2 MATE CORPS.—

3 (1) DEFINITIONS.—With regard to this sub-  
4 section:

5 (A) CONSERVATION PROJECT.—The term  
6 “conservation project” means a project for the  
7 conservation, restoration, construction, or reha-  
8 bilitation of natural, cultural, historic, archae-  
9 ological, recreational, or scenic resources.

10 (B) CORPS PROGRAM.—The term “corps  
11 program” means a program established by a  
12 Federal, State, Tribal, or local government, or  
13 nonprofit organization that performs conserva-  
14 tion projects on Public Lands.

15 (C) PUBLIC LANDS.—The term “Public  
16 Lands” means lands administered by the Bu-  
17 reau of Land Management.

18 (2) IN GENERAL.—In addition to amounts oth-  
19 erwise available, there is appropriated to the Bureau  
20 of Land Management for fiscal year 2022, out of  
21 any money in the Treasury not otherwise appro-  
22 priated, \$900,000,000, to remain available until  
23 September 30, 2031, except that no amounts may be  
24 expended after September 30, 2031, for carrying out  
25 education and job training projects and conservation

1 projects on Public Lands, including through the use  
2 of direct expenditure, contracts, grants, and coopera-  
3 tive agreements with corps programs.

4 (3) ADMINISTRATIVE EXPENSES.—Of the funds  
5 provided by this subsection, no more than 2 percent  
6 shall be used for administrative costs to carry out  
7 this section.

8 (c) UNITED STATES FISH AND WILDLIFE SERVICE  
9 CIVILIAN CLIMATE CORPS.—

10 (1) DEFINITIONS.—With regard to this sub-  
11 section:

12 (A) CONSERVATION PROJECT.—The term  
13 “conservation project” means a project for the  
14 conservation, restoration, construction, or reha-  
15 bilitation of natural, cultural, historic, archae-  
16 ological, recreational, or scenic resources.

17 (B) CORPS PROGRAM.—The term “corps  
18 program” means a program established by a  
19 Federal, State, Tribal, or local government, or  
20 nonprofit organization that performs conserva-  
21 tion projects on Public Lands.

22 (C) PUBLIC LANDS.—The term “Public  
23 Lands” means lands administered by the  
24 United States Fish and Wildlife Service.



1           (2) IN GENERAL.—In addition to amounts oth-  
2           erwise available, there is appropriated to the United  
3           States Fish and Wildlife Service for fiscal year  
4           2022, out of any money in the Treasury not other-  
5           wise appropriated, \$400,000,000, to remain avail-  
6           able until September 30, 2031, except that no  
7           amounts may be expended after September 30,  
8           2031, for carrying out education and job training  
9           projects and conservation projects on Public Lands,  
10          including through the use of direct expenditure, con-  
11          tracts, grants, and cooperative agreements with  
12          corps programs.

13          (3) ADMINISTRATIVE EXPENSES.—Of the funds  
14          provided by this subsection, no more than 2 percent  
15          shall be used for administrative costs to carry out  
16          this section.

17          (d) TRIBAL CIVILIAN CLIMATE CORPS.—

18               (1) DEFINITIONS.—With regard to this sub-  
19               section:

20                       (A) CONSERVATION PROJECT.—The term  
21                       “conservation project” means any project for  
22                       the conservation, restoration, construction, or  
23                       rehabilitation of natural, cultural, historic, ar-  
24                       chaeological, recreational, or scenic resources.

1           (B) CORPS PROGRAM.—The term “corps  
2 program” means a program established by a  
3 Federal, State, Tribal, or local government, or  
4 nonprofit organization that performs appro-  
5 priate conservation projects on Public Lands.

6           (C) INDIAN LAND.—The term “Indian  
7 land” means land of an Indian Tribe or an In-  
8 dian individual that is—

9                   (I) held in trust by the United States;

10                   or

11                   (ii) subject to a restriction against  
12 alienation imposed by the United States.

13           (D) INDIAN TRIBE.—The term “Indian  
14 Tribe” has the meaning given the term in sec-  
15 tion 101 of the Federally Recognized Indian  
16 Tribe List Act (25 U.S.C. 5130).

17           (E) NATIVE HAWAIIAN.—The term “Na-  
18 tive Hawaiian” means any individual who is—

19                   (I) a citizen of the United States; and

20                   (ii) a descendant of the aboriginal  
21 people who, before 1778, occupied and ex-  
22 ercised sovereignty in the area that now  
23 comprises the State of Hawaii, as evi-  
24 denced by—

25                   (I) genealogical records;

1 (II) Kupuna (elders) or  
2 Kamaaina (long-term community resi-  
3 dents) verification; or

4 (III) certified birth records.

5 (F) NATIVE HAWAIIAN ORGANIZATION.—

6 The term “Native Hawaiian organization”  
7 means a private nonprofit organization that—

8 (I) serves the interests of Native Ha-  
9 waiians;

10 (ii) has Native Hawaiians in sub-  
11 stantive and policymaking positions within  
12 the organization; and

13 (iii) is recognized by the Governor of  
14 Hawaii for the purposes of planning, con-  
15 ducting, or administering programs (or  
16 portions of programs) for the benefit of  
17 Native Hawaiians.

18 (2) IN GENERAL.—In addition to amounts oth-  
19 erwise available, there is appropriated to the Bureau  
20 of Indian Affairs for fiscal year 2022, out of any  
21 money in the Treasury not otherwise appropriated,  
22 \$500,000,000, to remain available until September  
23 30, 2031, except that no amounts may be expended  
24 after September 30, 2031, for carrying out edu-  
25 cation and job training projects and conservation

1 projects, including through the use of direct expendi-  
2 ture, contracts, grants, and cooperative agreements  
3 with corps programs, and including projects on In-  
4 dian lands, pursuant to an agreement between an  
5 Indian Tribe or Native Hawaiian organization and a  
6 corps program for the benefit of an Indian Tribe or  
7 Native Hawaiians. None of the funds provided by  
8 this subsection shall be subject to cost-share require-  
9 ments.

10 (3) ADMINISTRATIVE EXPENSES.—Of the funds  
11 provided by this subsection, no more than 2 percent  
12 shall be used for administrative costs to carry out  
13 this section.

14 **SEC. 70203. PRESIDIO TRUST.**

15 (a) PRESIDIO TRUST DEFINED.—With regard to this  
16 section, the term “Presidio Trust” means the entity estab-  
17 lished under section 103(a) of title I of division I of Public  
18 Law 104–333 and under the requirements placed upon  
19 that entity by section 104(a) of title I of division I of Pub-  
20 lic Law 104–333.

21 (b) IN GENERAL.—In addition to amounts otherwise  
22 available, there is appropriated to the Presidio Trust for  
23 fiscal year 2022, out of any money in the Treasury not  
24 otherwise appropriated, \$200,000,000, to remain available  
25 until September 30, 2026, for carrying out projects identi-

1 fied by the Presidio Trust in accordance with the purposes  
2 identified under the first section of Public Law 92–589  
3 (16 U.S.C. 460bb).

4 **SEC. 70204. GRAND CANYON.**

5 (a) DEFINITION.—In this section:

6 (1) DISPOSAL.—The term “disposal” means  
7 that the lands identified are not available under the  
8 proceedings outlined under section 203 of the Fed-  
9 eral Land Policy and Management Act of 1976 (43  
10 U.S.C. 1713).

11 (2) ENTRY.—The term “entry” has the mean-  
12 ing as it is used under section 103 of the Federal  
13 Land Policy and Management Act of 1976 (43  
14 U.S.C. 1702(j)), in its application to lands under the  
15 jurisdiction of the Secretary.

16 (3) GRAND CANYON PROTECTION AREA.—The  
17 term “Grand Canyon Protection Area” means the  
18 approximately 1,054,923 acres of land depicted as  
19 “Federal Mineral Estate to be Withdrawn” on the  
20 map entitled “Grand Canyon Protection Area” and  
21 dated August 23, 2021.

22 (4) LOCATION.—The term “location” has the  
23 meaning as it is used under section 2320 of the Re-  
24 vised Statutes (30 U.S.C. 23), in its application to  
25 lands under the jurisdiction of the Secretary.

1           (5) PATENT.—The term “patent” has the  
2           meaning as it is used under section 2325 of the Re-  
3           vised Statutes (30 U.S.C. 29), in its application to  
4           lands under the jurisdiction of the Secretary.

5           (6) SECRETARY.—The term “Secretary” means  
6           the Secretary of the Interior.

7           (b) WITHDRAWAL.—In addition to amounts other-  
8           wise available, there is appropriated to the Bureau of  
9           Land Management for fiscal year 2022, out of any money  
10          in the Treasury not otherwise appropriated, \$1,500,000,  
11          to remain available until September 30, 2026, to carry  
12          out, subject to valid rights in existence on the date of en-  
13          actment of this section, the withdrawal of the Grand Can-  
14          yon Protection Area from all forms of disposal, location,  
15          entry, and patent.

16   **SEC. 70205. WILDFIRE.**

17          (a) PROTECTING COMMUNITIES AND ECOSYSTEMS  
18          FROM WILDFIRE.—In addition to amounts otherwise  
19          available, there is appropriated to the Bureau of Land  
20          Management for fiscal year 2022, out of any money in  
21          the Treasury not otherwise appropriated, \$900,000,000,  
22          to remain available until September 30, 2031, except that  
23          no amounts may be expended after September 30, 2031,  
24          to reduce wildfire risk on landscapes and communities  
25          through fire preparedness, fire science and research (in-

1 cluding improved fireshed mapping and management),  
2 emergency rehabilitation, rural fire assistance, non-  
3 commercial fuels management activities in the wildland-  
4 urban interface, the renovation or construction of fire fa-  
5 cilities, and for expenses necessary to support firefighter  
6 workforce reforms. None of the funds provided by this  
7 subsection shall be used for salvage logging.

8       (b) TRIBAL WILDFIRE PREVENTION.—In addition to  
9 amounts otherwise available, there is appropriated to the  
10 Bureau of Indian Affairs for fiscal year 2022, out of any  
11 money in the Treasury not otherwise appropriated,  
12 \$100,000,000, to remain available until September 30,  
13 2031, except that no amounts may be expended after Sep-  
14 tember 30, 2031, For carrying out the National Indian  
15 Forest Resources Management Act (25 U.S.C. 3101 et  
16 seq.) for renewable and manageable resources, commu-  
17 nications, economic and cultural benefits, improved  
18 fireshed mapping and management, and to protect Tribal  
19 forest lands from wildfire.

20       (c) FOREST TECHNOLOGY IMPROVEMENTS.—In ad-  
21 dition to amounts otherwise available, there is appro-  
22 priated to the Office of Wildland Fire Management for  
23 fiscal year 2022, out of any money in the Treasury not  
24 otherwise appropriated, \$1,000,000, to remain available  
25 until September 30, 2031, except that no amounts may

1 be expended after September 30, 2031, for carrying out  
2 a research, development, and testing pilot program to—

3 (1) assess new technologies, including un-  
4 manned aircraft system, geospatial, or remote sens-  
5 ing technologies, across all reforestation activities;

6 (2) accelerate the deployment and integration of  
7 such technologies into the operations of the Sec-  
8 retary of the Interior; and

9 (3) collaborate and cooperate with State, Trib-  
10 al, and private geospatial information system organi-  
11 zations with respect to such technologies.

12 **SEC. 70206. URBAN PARKS.**

13 In addition to amounts otherwise available, there is  
14 appropriated to the National Park Service for fiscal year  
15 2022, out of any amounts in the Treasury not otherwise  
16 appropriated, \$100,000,000, to remain available until  
17 September 30, 2026, to carry out direct, competitive  
18 grants to localities to create or significantly enhance ac-  
19 cess to parks or outdoor recreation facilities in urban  
20 areas, in accordance with the authorities outlined under  
21 section 200305(e)(2)(A) or 200305(e)(3) of title 54,  
22 United States Code, and subject to limitations outlined  
23 under section 200305(f)(3) of such title, of which no more  
24 than 2 percent shall be used for administrative costs to  
25 carry out this section.



1 **SEC. 70207. EVERY KID OUTDOORS.**

2 (a) DEFINITIONS.—With respect to this section:

3 (1) FEDERAL LAND AND WATERS.—The term  
4 “Federal land and waters” means any Federal land  
5 or body of water under the jurisdiction of the Direc-  
6 tor to which the public has access.

7 (2) DIRECTOR.—The term “Director” means  
8 the Director of the National Park Service.

9 (3) STUDENT OR STUDENTS.—The term “stu-  
10 dent” or “students” means any fourth, fifth, or  
11 sixth grader or home-schooled learner 10 years of  
12 age residing in the United States.

13 (b) IN GENERAL.—In addition to amounts otherwise  
14 available, there is appropriated to the National Park Serv-  
15 ice for fiscal year 2022, out of any money in the Treasury  
16 not otherwise appropriated, \$100,000,000, to remain  
17 available until September 30, 2031, except that no  
18 amounts may be expended after September 30, 2031, for  
19 the carrying out of the issuance and administration of  
20 passes, effective during the period beginning on September  
21 1 and ending on August 31 of the following year, at the  
22 request of a student, which allows access, when the stu-  
23 dent to which the pass was issued is present, to Federal  
24 lands and waters for which access is subject to an en-  
25 trance, standard amenity, or day use fee, free of charge  
26 for the student and three accompanying adults, and for

1 carrying out the purposes outlined under section  
2 9001(b)(3)(D) of Public Law 116–9.

3 **SEC. 70208. NATIONAL PARK SERVICE CLIMATE RESIL-**  
4 **IENCE.**

5 In addition to amounts otherwise available, there is  
6 appropriated to the National Park Service for fiscal year  
7 2022, out of any money in the Treasury not otherwise ap-  
8 propriated, \$115,000,000, to remain available until Sep-  
9 tember 30, 2031, except that no amounts may be ex-  
10 pended after September 30, 2031, for the protection, res-  
11 toration, and resiliency of public lands and resources in  
12 accordance with the purposes outlined in section  
13 100101(a) of title 54, United States Code. None of the  
14 funds provided by this section shall be subject to cost-  
15 sharing requirements.

16 **SEC. 70209. BUREAU OF LAND MANAGEMENT CLIMATE RE-**  
17 **SILIENCE.**

18 In addition to amounts otherwise available, there is  
19 appropriated to the Bureau of Land Management for fis-  
20 cal year 2022, out of any money in the Treasury not other-  
21 wise appropriated, \$110,000,000, to remain available until  
22 September 30, 2031, except that no amounts may be ex-  
23 pended after September 30, 2031, for the protection, res-  
24 toration, and resiliency of public lands and resources in  
25 accordance with the purposes outlined in section 102(a)(8)

1 of the Federal Land Policy and Management Act of 1976  
2 (43 U.S.C. 1701(a)(8). None of the funds provided by this  
3 section shall be subject to cost-sharing requirements.

4 **SEC. 70210. HISTORIC PRESERVATION.**

5 (a) IN GENERAL.—In addition to amounts otherwise  
6 available, there is appropriated to the Director of the Na-  
7 tional Park Service for fiscal year 2022, out of any money  
8 in the Treasury not otherwise appropriated, \$75,000,000,  
9 to remain available until September 30, 2031, except that  
10 no amounts may be expended after September 30, 2031,  
11 to carry out preservation or historic preservation as de-  
12 fined by section 300315 of title 54, United States Code.

13 (b) ADMINISTRATIVE EXPENSES.—Of the funds pro-  
14 vided by this section, no more than 2 percent shall be used  
15 for administrative costs to carry out this section.

16 **SEC. 70211. THOMPSON DIVIDE.**

17 (a) THOMPSON DIVIDE WITHDRAWAL.—

18 (1) THOMPSON DIVIDE WITHDRAWAL AND PRO-  
19 TECTION AREA DEFINED.—For the purposes of this  
20 subsection, the term “Thompson Divide Withdrawal  
21 and Protection area” means the Federal land and  
22 minerals generally depicted as the “Thompson Di-  
23 vide Withdrawal and Protection Area” on the map  
24 entitled “Greater Thompson Divide Area Map” and  
25 dated June 13, 2019.

1           (2) WITHDRAWAL.—Subject to valid rights in  
2           existence on the date of the enactment of this sec-  
3           tion, the Thompson Divide Withdrawal and Protec-  
4           tion Area is withdrawn from—

5                   (A) entry, appropriation, and disposal  
6                   under the public land laws;

7                   (B) location, entry, and patent under the  
8                   mining laws; and

9                   (C) operation of the mineral leasing, min-  
10                  eral materials, and geothermal leasing laws.

11          (b) THOMPSON DIVIDE LEASE PAYMENTS.—

12                  (1) THOMPSON DIVIDE WITHDRAWAL AND PRO-  
13                  TECTION AREA DEFINED.—With regard to this sub-  
14                  section, the term “Thompson Divide Withdrawal and  
15                  Protection Area” means the Federal land and min-  
16                  erals generally depicted as the “Thompson Divide  
17                  Withdrawal and Protection Area” on the map enti-  
18                  tled “Greater Thompson Divide Area Map” and  
19                  dated June 13, 2019.

20                  (2) IN GENERAL.—In addition to amounts oth-  
21                  erwise available, there is appropriated to the Bureau  
22                  of Land Management for fiscal year 2022, out of  
23                  any money in the Treasury not otherwise appro-  
24                  priated, \$500,000 to remain available until Sep-  
25                  tember 30, 2026, to acquire, from willing sellers, the

1 rights to oil or gas leases within the Thompson Di-  
2 vide Withdrawal and Protection Area, provided such  
3 leases are in effect on the date of enactment of this  
4 subsection. All rights acquired under this subsection  
5 shall be permanently cancelled and unavailable for  
6 reissue.

7 (3) ADMINISTRATIVE EXPENSES.—Of the funds  
8 provided by this subsection, no more than 2 percent  
9 shall be used for administrative costs to carry out  
10 this subsection.

11 (c) FUGITIVE COAL MINE METHANE USE PILOT  
12 PROGRAM.—

13 (1) PILOT PROGRAM AREA DEFINED.—For the  
14 purposes of this subsection, the term “pilot program  
15 area” means the areas identified as “Coal Mine  
16 Methane Capture Areas” on the map entitled  
17 “Greater Thompson Divide Fugitive Coal Mine  
18 Methane Use Pilot Program Area” and dated June  
19 17, 2019.

20 (2) IN GENERAL.—In addition to amounts oth-  
21 erwise available, there is appropriated to the Bureau  
22 of Land Management for fiscal year 2022, out of  
23 any money in the Treasury not otherwise appro-  
24 priated, \$1,000,000 to remain available until Sep-  
25 tember 30, 2026, for carrying out a pilot program

1 in the pilot program area to inventory and, subject  
2 to valid existing rights, to lease, capture, mitigate or  
3 sequester methane emissions that would leak or be  
4 vented into the atmosphere from an active, inactive,  
5 or abandoned underground coal mine.

6 **SEC. 70212. CHACO CANYON.**

7 (a) DEFINITIONS.—For the purposes of this section:

8 (1) CHACO CULTURAL HERITAGE WITHDRAWAL  
9 AREA.—The term “Chaco Cultural Heritage With-  
10 drawal Area” means the Federal land generally de-  
11 picted as the “Chaco Cultural Heritage Withdrawal  
12 Area” on the map entitled “Chaco Cultural Heritage  
13 Withdrawal Area” and dated April 2, 2019.

14 (2) NON-PRODUCING LEASES.—The term “non-  
15 producing leases” means any oil and gas lease on  
16 Federal land within the Chaco Cultural Heritage  
17 Withdrawal Area—

18 (A) on which drilling operations have not  
19 been commenced before the end of the primary  
20 term of the applicable lease;

21 (B) that is not producing oil and gas in  
22 paying quantities; and,

23 (C) that is not subject to a valid coopera-  
24 tive or unit plan of development.

1 (b) WITHDRAWAL.—Subject to valid rights in exist-  
2 ence on the date of enactment of this section, the Chaco  
3 Cultural Heritage Withdrawal Area is withdrawn from—

4 (1) entry and disposal under the public land  
5 laws;

6 (2) location, entry, and patent under the mining  
7 laws; and

8 (3) operation of the mineral leasing, mineral  
9 materials, and geothermal leasing laws.

10 (c) NON-PRODUCING LEASES.—A non-producing  
11 lease shall terminate pursuant to section 17(e) of the Min-  
12 eral Leasing Act (30 U.S.C. 226(e)) and subpart 3108  
13 of title 43, Code of Federal Regulations, and may not be  
14 extended.

## 15 **Subtitle C—Drought Response and** 16 **Preparedness**

### 17 **SEC. 70301. BUREAU OF RECLAMATION WATER SETTLE-** 18 **MENT FUNDING.**

19 Section 10501 of the Omnibus Public Land Manage-  
20 ment Act of 2009 (43 U.S.C. 407) is amended as follows:

21 (1) In subsection (b), by adding at the end the  
22 following:

23 “(3) ADDITIONAL DEPOSITS.—In addition to  
24 amounts otherwise available, there is appropriated—

1           “(A) for fiscal year 2032 and each fiscal  
2 year thereafter out of any money in the Treas-  
3 ury not otherwise appropriated, \$370,000,000,  
4 for deposit in the Fund, to remain available  
5 until expended; and

6           “(B) for fiscal year 2022, out of any  
7 money in the Treasury not otherwise appro-  
8 priated, \$2,000,000,000, for deposit in the  
9 Fund, to remain available until September 30,  
10 2031, except that no amounts may be expended  
11 after September 30, 2031.”.

12           (2) In subsection (c)(1)—

13           (A) in subparagraph (A), by striking “for  
14 each of fiscal years 2020 through 2034, the  
15 Secretary may expend from the Fund an  
16 amount not to exceed \$120,000,000,” and in-  
17 serting “for fiscal year 2022 and each fiscal  
18 year thereafter, the Secretary may expend from  
19 the Fund an amount not to exceed  
20 \$370,000,000”;

21           (B) in subparagraph (B), by striking  
22 “more than \$120,000,000, for any fiscal year if  
23 such amounts are available in the Fund due to  
24 expenditures not reaching \$120,000,000” and  
25 inserting “more than \$370,000,000 for any fis-



1 cal year if such amounts are available in the  
2 Fund, for the fiscal year in which expenditures  
3 are made pursuant to subparagraph (D) and  
4 paragraphs (2) and (3)”; and

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

6 “(C) The Secretary shall expend all  
7 amounts in the Fund available from deposits  
8 made under subsection (b)(1) and subsection  
9 (b)(3)(B) not later than the end of fiscal year  
10 2031.

11 “(D) If, in the judgment of the Secretary  
12 on an annual basis, the Secretary is unlikely to  
13 expend the amounts as required under subpara-  
14 graph (C) because expenditures cannot be made  
15 for activities authorized under paragraph (2),  
16 the Secretary shall expend from the Fund on an  
17 annual basis any projected unspent amounts by  
18 not later than the end of fiscal year 2031 on  
19 grants to disadvantaged communities (identified  
20 according to criteria adopted by the Secretary)  
21 or on grants to Indian Tribes (as defined in  
22 section 4 of the Indian Self-Determination and  
23 Education Assistance Act (25 U.S.C. 5304)), in  
24 a manner as determined by the Secretary, for  
25 up to 100 percent of the cost of the planning,

1 design, or construction of water projects the  
2 primary purpose of which is to provide potable  
3 water supplies to communities or households  
4 that do not have reliable access to potable water  
5 in a State or territory described in the first sec-  
6 tion of the Act of June 17, 1902 (43 U.S.C.  
7 391; 32 Stat. 388, chapter 1093).”.

8 (3) In subsection (c), by amending paragraph  
9 (2) to read as follows:

10 “(2) AUTHORITY.—

11 “(A) NON-TRIBAL SETTLEMENT EXPENDI-  
12 TURES.—The Secretary may expend money  
13 from the Fund to implement a settlement  
14 agreement approved by Congress that resolves,  
15 in whole or in part, litigation involving the  
16 United States and a party that is not an Indian  
17 Tribe (as defined in section 4 of the Indian  
18 Self-Determination and Education Assistance  
19 Act (25 U.S.C. 5304)), if the settlement agree-  
20 ment or implementing legislation requires the  
21 Bureau of Reclamation to provide financial as-  
22 sistance for, or plan, design, and construct—

23 “(i) water supply infrastructure; or

24 “(ii) a project—

1                   “(I) to rehabilitate a water deliv-  
2                   ery system to conserve water; or

3                   “(II) to restore habitat or other-  
4                   wise improve environmental conditions  
5                   associated with or affected by, or lo-  
6                   cated within the same river basin as,  
7                   a Federal reclamation project that is  
8                   in existence on March 30, 2009.

9                   “(B) TRIBAL EXPENDITURES.—The Sec-  
10                  retary may expend money from the Fund to im-  
11                  plement a settlement agreement approved by  
12                  Congress that resolves, in whole or in part,  
13                  claims concerning Indian water resources, if the  
14                  settlement agreement or implementing legisla-  
15                  tion authorizes the Secretary to provide finan-  
16                  cial assistance for, or plan, design, and con-  
17                  struct—

18                               “(i) water supply infrastructure; or

19                               “(ii) a project—

20                                       “(I) to rehabilitate a water deliv-  
21                                       ery system to conserve water; or

22                                       “(II) to restore habitat or other-  
23                                       wise improve environmental conditions  
24                                       associated with or affected by, or lo-

1 cated within the same river basin as,  
2 a Federal reclamation project.”.

3 (5) In subsection (c)(3)(C), by striking “for any  
4 authorized use” and inserting “for any use author-  
5 ized under paragraph (2) or paragraph (1)(D)”.

6 (6) By striking subsection (f).

7 **SEC. 70302. EMERGENCY DROUGHT RELIEF.**

8 (a) **IN GENERAL.**—In addition to amounts otherwise  
9 available, there is appropriated to the Bureau of Reclama-  
10 tion for fiscal year 2022, out of any money in the Treasury  
11 not otherwise appropriated, \$1,000,000,000, to remain  
12 available until September 30, 2026, except that no  
13 amounts shall be expended after September 30, 2026, for  
14 near-term drought relief actions carried out under—

15 (1) the Reclamation States Emergency Drought  
16 Relief Act of 1991 (Public Law 102–250);

17 (2) the Klamath Basin Water Supply Enhance-  
18 ment Act of 2000 (Public Law 106–498);

19 (3) section 201 of division D of Public Law  
20 108–7; or

21 (4) section 1109 of division FF of Public Law  
22 116–260.

23 (b) **ADMINISTRATIVE EXPENSES.**—Of the funds pro-  
24 vided by this section, no more than 2 percent may be used  
25 for administrative costs to carry out this section.

1 **SEC. 70303. EMERGENCY DROUGHT RELIEF FOR TRIBES.**

2 In addition to amounts otherwise available, there is  
3 appropriated to the Bureau of Reclamation for fiscal year  
4 2022, out of any money in the Treasury not otherwise ap-  
5 propriated, \$150,000,000, to remain available until Sep-  
6 tember 30, 2026, except that no amounts may be ex-  
7 pended after September 30, 2026, for near-term drought  
8 relief actions to mitigate drought impacts for Indian  
9 Tribes (as defined in section 4 of the Indian Self-Deter-  
10 mination and Education Assistance Act (25 U.S.C. 5304))  
11 that are impacted by the operation of a Bureau of Rec-  
12 lamation water project, including through direct financial  
13 assistance to address drinking water shortages and to  
14 mitigate for the loss of Tribal trust resources.

15 **SEC. 70304. SALTON SEA PROJECTS.**

16 (a) APPROPRIATION.—

17 (1) IN GENERAL.—In addition to amounts oth-  
18 erwise available, there is appropriated to the Bureau  
19 of Reclamation for fiscal year 2022, out of any  
20 money in the Treasury not otherwise appropriated,  
21 \$250,000,000, to remain available until September  
22 30, 2031, except that no amounts may be expended  
23 after September 30, 2031, to provide grants and  
24 enter into contracts and cooperative agreements to  
25 carry out projects located in the area of the Salton

1 Sea in Southern California to improve air quality,  
2 habitat, and water quality, in partnership with—

3 (A) State, Tribal, and local governments;

4 (B) water districts;

5 (C) joint powers authorities;

6 (D) nonprofit organizations; and

7 (E) institutions of higher education.

8 (2) COST SHARE.—The non-Federal share of  
9 the cost of a project under this subsection shall be  
10 50 percent of the cost of the project.

11 (b) INCLUDED ACTIVITIES.—The projects described  
12 in subsection (a) may include—

13 (1) construction, operation, maintenance, per-  
14 mitting, and design activities required for such  
15 projects; and

16 (2) dust suppression projects.

17 (c) FUNDING ELIGIBILITY.—To be eligible to receive  
18 funding, non-Tribal grantees must demonstrate compli-  
19 ance with prevailing wage requirements.

20 (d) ADMINISTRATIVE EXPENSES.—Of the funds pro-  
21 vided by this section, no more than 2 percent shall be used  
22 for administrative costs to carry out this section.

1 **SEC. 70305. WATER RESOURCES RESEARCH AND TECH-**  
2 **NOLOGY INSTITUTES.**

3 (a) IN GENERAL.—In addition to amounts otherwise  
4 available, there is appropriated to the United States Geo-  
5 logical Survey for fiscal year 2022, out of any money in  
6 the Treasury not otherwise appropriated, \$75,000,000, to  
7 remain available until September 30, 2031, except that no  
8 amounts may be expended after September 30, 2031, for  
9 carrying out section 104 of the Water Resources Research  
10 Act of 1984 (42 U.S.C. 10303).

11 (b) ADMINISTRATIVE EXPENSES.—Of the funds pro-  
12 vided by this section, no more than 2 percent shall be used  
13 for administrative costs to carry out this section.

14 **SEC. 70306. FEDERAL PRIORITY STREAMGAGES.**

15 (a) IN GENERAL.—In addition to amounts otherwise  
16 available, there is appropriated to the United States Geo-  
17 logical Survey for fiscal year 2022, out of any money in  
18 the Treasury not otherwise appropriated, \$150,000,000,  
19 to remain available until September 30, 2031, except that  
20 no amounts may be expended after September 30, 2031,  
21 for making operational streamgages that are identified by  
22 the Secretary of the Interior as Federal priority  
23 streamgages.

24 (b) COLLABORATION WITH NON-FEDERAL PART-  
25 NERS.—The United States Geological Survey shall  
26 prioritize the expenditure of funds available under sub-

1 section (a) in a manner that seeks to leverage the use of  
2 non-Federal funds made available through streamgange  
3 funding agreements with States and local agencies to im-  
4 prove environmental quality and water supply reliability.

5 (c) ADMINISTRATIVE EXPENSES.—Of the funds pro-  
6 vided by this section, no more than 2 percent shall be used  
7 for administrative costs to carry out this section.

8 **SEC. 70307. SNOW WATER SUPPLY FORECASTING.**

9 (a) IN GENERAL.—In addition to amounts otherwise  
10 available, there is appropriated to the Bureau of Reclama-  
11 tion for fiscal year 2022, out of any money in the Treasury  
12 not otherwise appropriated, \$50,000,000, to remain avail-  
13 able until September 30, 2031, except that no amounts  
14 may be expended after September 30, 2031, for carrying  
15 out section 1111 of division FF of the Consolidated Ap-  
16 propriations Act, 2021 (Public Law 116–260).

17 (b) ADMINISTRATIVE EXPENSES.—Of the funds pro-  
18 vided by this section, no more than 2 percent shall be used  
19 for administrative costs to carry out this section.

20 **SEC. 70308. WATER TECHNOLOGY INVESTMENT.**

21 (a) IN GENERAL.—In addition to amounts otherwise  
22 available, there is appropriated to the Bureau of Reclama-  
23 tion for fiscal year 2022, out of any money in the Treasury  
24 not otherwise appropriated, \$50,000,000, to remain avail-  
25 able until September 30, 2031, except that no amounts



1 may be expended after September 30, 2031, for carrying  
2 out section 1112 of division FF of the Consolidated Ap-  
3 propriations Act, 2021 (Public Law 116–260).

4 (b) ADMINISTRATIVE EXPENSES.—Of the funds pro-  
5 vided by this section, no more than 2 percent shall be used  
6 for administrative costs to carry out this section.

7 **SEC. 70309. AQUATIC ECOSYSTEM RESTORATION.**

8 (a) IN GENERAL.—In addition to amounts otherwise  
9 available, there is appropriated to the Bureau of Reclama-  
10 tion for fiscal year 2022, out of any money in the Treasury  
11 not otherwise appropriated, \$250,000,000, to remain  
12 available until September 30, 2031, except that no  
13 amounts may be expended before fiscal year 2027 or after  
14 September 30, 2031, for carrying out section 1109 of divi-  
15 sion FF of the Consolidated Appropriations Act, 2021  
16 (Public Law 116–260).

17 (b) ADMINISTRATIVE EXPENSES.—Of the funds pro-  
18 vided by this section, no more than 2 percent shall be used  
19 for administrative costs to carry out this section.

20 **SEC. 70310. LARGE SCALE WATER REUSE.**

21 (a) DEFINITIONS.—In this section:

22 (1) ELIGIBLE ENTITY.—The term “eligible enti-  
23 ty” means—

24 (A) a State, Indian Tribe, municipality, ir-  
25 rigation district, water district, wastewater dis-

1           trict, or other organization with water or power  
2           delivery authority;

3           (B) a State, regional, or local authority,  
4           the members of which include 1 or more organi-  
5           zations with water or power delivery authority;  
6           or

7           (C) an agency established under State law  
8           for the joint exercise of powers or a combina-  
9           tion of entities described in subparagraphs (A)  
10          through (B).

11          (2) INDIAN TRIBE.—The term “Indian Tribe”  
12          has the meaning given the term in section 4 of the  
13          Indian Self-Determination and Education Assistance  
14          Act (25 U.S.C. 5304).

15          (3) RECLAMATION STATE.—The term “Rec-  
16          lamation State” means a State or territory described  
17          in the first section of the Act of June 17, 1902 (32  
18          Stat. 388, chapter 1093; 43 U.S.C. 391).

19          (b) IN GENERAL.—In addition to amounts otherwise  
20          available, there is appropriated to the Bureau of Reclama-  
21          tion for fiscal year 2022, out of any money in the Treasury  
22          not otherwise appropriated, \$100,000,000, to remain  
23          available until September 30, 2031, except that no  
24          amounts may be expended before fiscal year 2027 or after  
25          September 30, 2031, to provide nonreimbursable grants

1 on a competitive basis to eligible entities that shall not  
2 exceed 25 percent of the total cost of an eligible project  
3 unless the project advances at least a proportionate share  
4 of nonreimbursable benefits authorized under the reclama-  
5 tion laws (including fish and wildlife benefits provided  
6 through measurable reductions in water diversions from  
7 imperiled ecosystems) up to a maximum 75 percent of the  
8 total costs of an eligible project, to carry out the planning,  
9 design, and construction of projects to reclaim and reuse  
10 municipal, industrial, domestic, or agricultural wastewater  
11 or impaired ground or surface waters that have a total  
12 estimated cost of more than \$500,000,000 and that pro-  
13 vide substantial water supply and other benefits to  
14 drought stricken regions within the Reclamation States for  
15 the purposes of—

16 (1) helping to advance water management plans  
17 across a multi-state area, such as drought contin-  
18 gency plans in the Colorado River Basin;

19 (2) providing multiple benefits, including water  
20 supply reliability benefits for drought-stricken  
21 States, Tribes, and communities, fish and wildlife  
22 benefits, and water quality improvements; and

23 (3) reducing impacts on environmental re-  
24 sources from water projects owned or operated by  
25 Federal and State agencies, including through meas-

1           urable reductions in water diversions from imperiled  
2           ecosystems.

3           (c) TOTAL DOLLAR CAP.—The Bureau of Reclama-  
4           tion shall not impose a total dollar cap on Federal con-  
5           tributions that applies to all individual projects funded  
6           under this section.

7           (d) FUNDING ELIGIBILITY.—An eligible project shall  
8           not be considered ineligible for assistance under this sec-  
9           tion because the project has received assistance authorized  
10          under title XVI of Public Law 102–575 or section 4009  
11          of Public Law 114–322.

12          (e) TREATMENT OF CONVEYANCE.—The Bureau of  
13          Reclamation shall consider the planning, design, and con-  
14          struction of an eligible project’s conveyance system to be  
15          eligible for grant funding under this section.

16   **SEC. 70311. CONVEYANCE REPAIRS AND BUILD BACK BET-**  
17                   **TER FUNDS FOR SOLAR CANAL INTEGRA-**  
18                   **TION.**

19          (a) CONVEYANCE REPAIRS.—In addition to amounts  
20          otherwise available, there is appropriated to the Bureau  
21          of Reclamation for fiscal year 2022, out of any money in  
22          the Treasury not otherwise appropriated, \$100,000,000,  
23          to remain available until September 30, 2031, except that  
24          no amounts may be expended after September 30, 2031,  
25          to provide nonreimbursable grants in a manner as deter-

1 mined by the Secretary of the Interior (in this section re-  
2 ferred to as the “Secretary”) on a competitive basis to  
3 eligible entities that in aggregate shall not exceed 33 per-  
4 cent of the total cost of an eligible project to carry out  
5 the planning, design, and construction of projects to make  
6 major, non-recurring maintenance repairs to water con-  
7 veyance facilities that do not enlarge the carrying capacity  
8 of a conveyance facility beyond the capacity as previously  
9 constructed for conveyance facilities in need of emergency  
10 capacity restoration due to subsidence and experiencing  
11 exceptional drought for the purposes of increasing drought  
12 resiliency, primarily through groundwater recharge.

13 (b) BUILD BACK BETTER FUNDS FOR SOLAR CANAL  
14 INTEGRATION.—In addition to amounts otherwise avail-  
15 able, there is appropriated to the Bureau of Reclamation  
16 for fiscal year 2022, out of any money in the Treasury  
17 not otherwise appropriated, \$100,000,000, to remain  
18 available until September 30, 2031, except that no  
19 amounts may be expended after September 30, 2031, for  
20 the design, study, and implementation of projects (includ-  
21 ing pilot and demonstration projects) to cover conveyance  
22 facilities receiving grants under subparagraph (a) with  
23 solar panels to generate renewable energy in a manner as  
24 determined by the Secretary or for other solar projects as-  
25 sociated with Bureau of Reclamation projects that in-

1 crease water efficiency and assist in implementation of  
2 clean energy goals.

3 **SEC. 70312. RIO GRANDE PUEBLOS IRRIGATION INFRA-**  
4 **STRUCTURE GRANTS.**

5 In addition to amounts otherwise available, there is  
6 appropriated to the Bureau of Reclamation for fiscal year  
7 2022, out of any money in the Treasury not otherwise ap-  
8 propriated, \$200,000,000, to remain available until Sep-  
9 tember 30, 2031, except that no amounts may be ex-  
10 pended after September 30, 2031, for carrying out section  
11 9106(d) of the Omnibus Public Land Management Act of  
12 2009 (Public Law 111–11).

13 **Subtitle D—Efficient and Effective**  
14 **NEPA Implementation**

15 **SEC. 70401. EFFICIENT AND EFFECTIVE NEPA IMPLEMEN-**  
16 **TATION.**

17 In addition to amounts otherwise available, there is  
18 appropriated to the Department of the Interior for fiscal  
19 year 2022, out of any money in the Treasury not otherwise  
20 appropriated, \$150,000,000, to remain available until  
21 September 30, 2031, except that no amounts may be ex-  
22 pended after September 30, 2031, to provide for more effi-  
23 cient and more effective environmental reviews under the  
24 National Environmental Policy Act of 1969 through the  
25 hiring and training of additional personnel, the develop-

1 ment of programmatic assessments or templates, the pro-  
2 curement of technical or scientific services, the develop-  
3 ment of data or technology systems, stakeholder and com-  
4 munity engagement, and the purchase of new equipment.

5 **Subtitle E—National Oceanic and**  
6 **Atmospheric Administration**

7 **SEC. 70501. COASTAL AND GREAT LAKES RESTORATION**  
8 **AND TECHNICAL ASSISTANCE.**

9 (a) IN GENERAL.—In addition to amounts otherwise  
10 available, there is appropriated to the National Oceanic  
11 and Atmospheric Administration for fiscal year 2022, out  
12 of any money in the Treasury not otherwise appropriated,  
13 \$9,500,000,000, to remain available until September 30,  
14 2031, except that no amounts may be expended after Sep-  
15 tember 30, 2031, through direct expenditure, contracts,  
16 grants, and cooperative agreements to provide funding and  
17 technical assistance for the purposes of restoring a ma-  
18 rine, estuarine, coastal, or Great Lake habitat; or pro-  
19 viding adaptation to climate change, including by pro-  
20 tecting, restoring, or establishing ecological features that  
21 protects coastal communities from sea-level rise, coastal  
22 storms, or flooding; or designing or implementing blue car-  
23 bon projects. None of the funds provided by this section  
24 shall be subject to cost share or matching requirements.

1 (b) ADMINISTRATIVE EXPENSES.—Of the funds pro-  
2 vided by this section, no more than 2 percent shall be used  
3 for administrative costs to carry out this section.

4 **SEC. 70502. PACIFIC COASTAL SALMON RECOVERY FUND.**

5 (a) IN GENERAL.—In addition to amounts otherwise  
6 available, there is appropriated to the National Oceanic  
7 and Atmospheric Administration for fiscal year 2022, out  
8 of funds in the Treasury not otherwise appropriated  
9 \$400,000,000, to remain available until 2026, for the pur-  
10 poses of climate resilience, habitat protection, and other  
11 habitat restoration projects to recover Pacific salmon.  
12 None of the funds provided by this section shall be subject  
13 to cost-sharing or matching requirements.

14 (b) ADMINISTRATIVE EXPENSES.—Of the funds pro-  
15 vided by this section, no more than 2 percent shall be used  
16 for administrative costs to carry out this section.

17 **SEC. 70503. NOAA STOCK ASSESSMENTS.**

18 (a) STOCK ASSESSMENTS.—In addition to amounts  
19 otherwise available, there is appropriated to the National  
20 Oceanic and Atmospheric Administration for fiscal year  
21 2022, out of any money in the Treasury not otherwise ap-  
22 propriated, \$200,000,000, to remain available until Sep-  
23 tember 30, 2031, except that no amount may be expended  
24 after September 30, 2031, for carrying out section 401  
25 of the Magnuson-Stevens Fishery Conservation and Man-



1 agement Reauthorization Act of 2006 (16 U.S.C. 1881)  
2 and, section 117 of the Marine Mammal Protection Act  
3 of 1972 (16 U.S.C. 1386) for fisheries data collections,  
4 surveys, and science, management, and ecosystem-based  
5 assessments in support of federally managed marine fish-  
6 eries.

7 (b) ADMINISTRATIVE EXPENSES.—Of the funds pro-  
8 vided by this section, no more than 2 percent shall be used  
9 for administrative costs to carry out this section.

10 **SEC. 70504. COASTAL HAZARDS AND SEA LEVEL RISE.**

11 In addition to amounts otherwise available, there is  
12 appropriated to the National Oceanic and Atmospheric  
13 Administration for fiscal year 2022, out of any money in  
14 the Treasury not otherwise appropriated, \$500,000,000,  
15 to remain available until September 30, 2031, except that  
16 no amounts may be expended after September 30, 2031,  
17 for carrying out the provisions of section 12304 of the In-  
18 tegrated Coastal and Ocean Observation System Act of  
19 2009 (33 U.S.C. 3603), section 4 of the Digital Coast Act  
20 (16 U.S.C. 1467), section 310 of the Coastal Zone Man-  
21 agement Act of 1972 (16 U.S.C. 1456e), section 303 of  
22 the Hydrographic Services Improvement Act of 1988 (33  
23 U.S.C. 892a), and the first section and section 2 of the  
24 Act of August 6, 1947 (chapter 504; 33 U.S.C. 883a and  
25 33 U.S.C. 883b), popularly known as the Coast and Geo-

1 detic Survey Act of 1947; for the purposes of making up-  
2 grades to the Integrated Ocean Observing System; making  
3 upgrades to the Shoreline Mapping Program; developing  
4 products, services, and coordinated decision-support  
5 frameworks with respect to coastal floods, sea level rise,  
6 Great Lakes water level, and vertical land motion data and  
7 conducting the research and development necessary to  
8 support such products and services; producing and main-  
9 taining authoritative and timely data, maps, charts, tidal  
10 and water level observations and information services for  
11 communities to plan for present and future coastal flood  
12 risks and to sustain the economic viability of ports and  
13 marine transportation system; and providing technical as-  
14 sistance to States, Insular areas, local governments, and  
15 end user at-risk communities.

16 **SEC. 70505. BLUE CARBON.**

17 In addition to amounts otherwise available, there is  
18 appropriated to the National Oceanic and Atmospheric  
19 Administration for fiscal year 2022, out of any money in  
20 the Treasury not otherwise appropriated, \$95,000,000, to  
21 remain available until September 30, 2031, except that no  
22 amounts may be expended after September 30, 2031, for  
23 carrying out the provisions of section 117 of the Magnu-  
24 son-Stevens Fishery Conservation and Management Reau-  
25 thorization Act of 2006 (16 U.S.C. 1891a); and section

1 309 of the National Marine Sanctuaries Act (16 U.S.C.  
2 1440); for research and extension activities to charac-  
3 terize, quantify, map, and study blue carbon ecosystems  
4 or protection and restoration efforts in blue carbon eco-  
5 systems, which include marine and coastal freshwater,  
6 brackish, and saltwater-fed ecosystems, such as coastal  
7 wetland forest and other tidal or historically tidal wetlands  
8 that have the capacity to sequester carbon from the atmos-  
9 phere for a period of not less than 100 years in the Gulf  
10 of Mexico region.

11 **SEC. 70506. COASTAL HAZARDS IN UNITED STATES INSU-**  
12 **LAR AREAS.**

13 In addition to amounts otherwise available, there is  
14 appropriated to the National Oceanic and Atmospheric  
15 Administration for fiscal year 2022, out of any money in  
16 the Treasury not otherwise appropriated, \$50,000,000, to  
17 remain available until September 30, 2031, except that no  
18 amounts may be expended after September 30, 2031, for  
19 carrying out the provisions of the Integrated Coastal and  
20 Ocean Observation System Act of 2009 (33 U.S.C. 3601),  
21 section 4 of the Digital Coast Act (16 U.S.C. 1467, and  
22 section 303 of the Hydrographic Services Improvement  
23 Act (33 U.S.C. 892a) to improve weather data collection  
24 and provide science, data, information, and impact-based  
25 decision support services to reduce tsunami, hurricane, ty-

1 phoon, drought, tide, and sea-level rise impacts in Insular  
2 Areas.

3 **SEC. 70507. NMFS SHORESIDE FACILITIES.**

4 In addition to amounts otherwise available, there is  
5 appropriated to the National Oceanic and Atmospheric  
6 Administration for fiscal year 2022, out of any money in  
7 the Treasury not otherwise appropriated, \$150,000,000,  
8 to remain available until September 30, 2031, except that  
9 no amounts may be expended after September 30, 2031,  
10 for carrying out the provisions of sections 404 through  
11 408 of the Magnuson-Stevens Fishery Conservation and  
12 Management Act (16 U.S.C. 1881e–1884), to replace,  
13 renovate, or maintain aging facilities in need of repair or  
14 replacement including piers, fisheries laboratories, and  
15 laboratory facilities.

16 **SEC. 70508. NOAA VESSEL RECAPITALIZATION.**

17 In addition to amounts otherwise available, there is  
18 appropriated to the National Oceanic and Atmospheric  
19 Administration for fiscal year 2022, out of any money in  
20 the treasury not otherwise appropriated, \$300,000,000, to  
21 remain available until September 30, 2031, except that no  
22 amounts may be expended after September 30, 2031, for  
23 vessel recapitalization needs.

1 **SEC. 70509. CIVILIAN CLIMATE CORPS AT NOAA.**

2 (a) NOAA CIVILIAN CLIMATE CORPS.—In addition  
3 to amounts otherwise available, there is appropriated to  
4 the National Oceanic and Atmospheric Administration for  
5 fiscal year 2022, out of any money in the Treasury not  
6 otherwise appropriated, \$120,000,000, to remain available  
7 until September 30, 2026, to carry out education and job  
8 training projects that conserve, restore, construct, or reha-  
9 bilitate natural, cultural, historic, archaeological, rec-  
10 reational, or scenic resources through direct expenditure,  
11 contracts, grants, and cooperative agreements. None of  
12 the funds provided by this section shall be subject to cost-  
13 sharing or matching requirements.

14 (b) ADMINISTRATIVE EXPENSES.—Of the funds pro-  
15 vided by this section, no more than 2 percent shall be used  
16 for administrative costs to carry out this section.

17 **SEC. 70510. NOAA HATCHERIES.**

18 (a) NOAA HATCHERIES.—In addition to amounts  
19 otherwise available, there is appropriated to the National  
20 Oceanic and Atmospheric Administration, for fiscal year  
21 2022, out of any money in the Treasury not otherwise ap-  
22 propriated, \$250,000,000, to remain available until Sep-  
23 tember 30, 2026, for grants to States and Indian Tribes  
24 (as defined in section 4 of the Indian Self-Determination  
25 and Education Assistance Act (25 U.S.C. 5304), to repair,  
26 replace, and upgrade hatchery infrastructure for produc-

1 tion of a marine fishery. None of the funds provided by  
2 this section shall be subject to cost-sharing or matching  
3 requirements.

4 (b) **FUNDING ELIGIBILITY.**—To be eligible to receive  
5 funding under this section, non-Tribal grantees must dem-  
6 onstrate compliance with prevailing wage requirements.

7 **SEC. 70511. ELECTRONIC MONITORING.**

8 (a) **ELECTRONIC MONITORING.**—In addition to  
9 amounts otherwise available, there is appropriated to the  
10 National Oceanic and Atmospheric Administration for fis-  
11 cal year 2022, out of any money in the Treasury not other-  
12 wise appropriated, \$75,000,000, to remain available until  
13 September 30, 2031, except that no amounts may be ex-  
14 pended after September 30, 2031, for the purposes of sup-  
15 porting the continued and timely implementation of elec-  
16 tronic monitoring and fishing effort reporting.

17 (b) **ADMINISTRATIVE EXPENSES.**—Of the funds pro-  
18 vided by this section, no more than 2 percent shall be used  
19 for administrative costs to carry out this section.

20 **SEC. 70512. WORKING WATERFRONTS.**

21 (a) **WORKING WATERFRONTS.**—In addition to  
22 amounts otherwise available, there is appropriated to the  
23 National Oceanic and Atmospheric Administration for fis-  
24 cal year 2022, out of any money in the Treasury not other-  
25 wise appropriated, \$160,000,000, to remain available until

1 September 30, 2031, except that no amounts may be ex-  
2 pended after September 30, 2031, for carrying out the  
3 provisions of section 309 of the Coastal Zone Management  
4 Act (16 U.S.C. 1456b) through direct expenditure, con-  
5 tracts, grants, and cooperative agreements for projects  
6 that preserve and protect coastal access for water-depend-  
7 ent commercial activities.

8 (b) FUNDING ELIGIBILITY.—To be eligible to receive  
9 funding under this section, the grantee must demonstrate  
10 compliance with prevailing wage requirements.

11 **SEC. 70513. MARINE SANCTUARY AND NATIONAL ESTUA-**  
12 **RINE RESEARCH RESERVE MAINTENANCE**  
13 **BACKLOG.**

14 In addition to amounts otherwise available, there is  
15 appropriated to the National Oceanic and Atmospheric  
16 Administration for fiscal year 2022, out of any money in  
17 the Treasury not otherwise appropriated, \$98,000,000, to  
18 remain available until September 30, 2031, except that no  
19 amounts may be expended after September 30, 2031, for  
20 carrying out the provisions of the National Marine Sanc-  
21 tuary Act (16 U.S.C. 1431) and the Coastal Zone Man-  
22 agement Act (16 U.S.C. 1461) for construction, mainte-  
23 nance, and renovation of facilities of National Marine  
24 Sanctuaries and National Estuarine Research Reserves.

1 **SEC. 70514. SEAFOOD IMPORT MONITORING PROGRAM EX-**  
2 **PANSION.**

3 In addition to amounts otherwise available, there is  
4 appropriated to the National Oceanic and Atmospheric  
5 Administration for fiscal year 2022, out of any money in  
6 the Treasury not otherwise appropriated, \$2,000,000, to  
7 remain available until September 30, 2031, except that no  
8 amounts may be expended after September 30, 2031, for  
9 carrying out the provisions of section 307 of the Magnu-  
10 son-Stevens Fishery Conservation and Management Reau-  
11 thorization Act (16 U.S.C. 1857(1)(Q)), to expand the  
12 Seafood Import Monitoring Program to apply to all sea-  
13 food and seafood products.

14 **Subtitle F—United States Fish and**  
15 **Wildlife Service**

16 **SEC. 70601. ENDANGERED SPECIES ACT RECOVERY PLANS.**

17 (a) IN GENERAL.—In addition to amounts otherwise  
18 available, there is appropriated to the United States Fish  
19 and Wildlife Service for fiscal year 2022, out of any money  
20 in the Treasury not otherwise appropriated, \$75,000,000,  
21 to remain available until September 30, 2031, except that  
22 no amounts may be expended after September 30, 2031,  
23 for the development and implementation of recovery plans  
24 under section 4(f) of the Endangered Species Act of 1973  
25 (16 U.S.C. 1533(f)).



1 (b) CANDIDATE CONSERVATION.—In addition to the  
2 amounts otherwise available, there is appropriated to the  
3 United States Fish and Wildlife Service for fiscal year  
4 2022, out of any money in the Treasury not otherwise ap-  
5 propriated, \$75,000,000, to remain available until Sep-  
6 tember 30, 2031, except that no amounts may be ex-  
7 pended after September 30, 2031, for developing Can-  
8 didate Conservation Agreements and Candidate Conserva-  
9 tion Agreements with Assurances for candidate and other  
10 at-risk species pursuant section 10 of the Endangered  
11 Species Act (16 U.S.C. 1539).

12 **SEC. 70602. ENDANGERED SPECIES ACT HABITAT CON-**  
13 **SERVATION.**

14 In addition to amounts otherwise available, there is  
15 appropriated to the United States Fish and Wildlife Serv-  
16 ice for fiscal year 2022, out of any money in the Treasury  
17 not otherwise appropriated, \$50,000,000, to remain avail-  
18 able until September 30, 2031, except that no amounts  
19 may be expended after September 30, 2031, for United  
20 States Fish and Wildlife Service responsibilities in the de-  
21 velopment, review, and permitting of Habitat Conservation  
22 Plans under section 10(a)(2) of the Endangered Species  
23 Act of 1973 (16 U.S.C. 1539(a)(2)) and for State pro-  
24 grams under section 6(d) of the Endangered Species Act  
25 of 1973 (16 U.S.C. 1535(d)).

1 **SEC. 70603. ENDANGERED SPECIES ACT INTERAGENCY**  
2 **CONSULTATIONS.**

3 In addition to amounts otherwise available, there is  
4 appropriated to the United States Fish and Wildlife Serv-  
5 ice for fiscal year 2022, out of any money in the Treasury  
6 not otherwise appropriated, \$40,000,000, to remain avail-  
7 able until September 30, 2031, except that no amounts  
8 may be expended after September 30, 2031, for carrying  
9 out consultations with Federal agencies that undertake  
10 agency actions affecting endangered species and threat-  
11 ened species under section 7 of the Endangered Species  
12 Act of 1973 (16 U.S.C. 1536).

13 **SEC. 70604. FUNDING FOR ISLAND PLANT CONSERVATION.**

14 (a) IN GENERAL.—In addition to amounts otherwise  
15 available, there is appropriated to the United States Fish  
16 and Wildlife Service for fiscal year 2022, out of any money  
17 in the Treasury not otherwise appropriated, \$25,000,000,  
18 to remain available until September 30, 2031, except that  
19 no amounts may be expended after September 30, 2031,  
20 for the conservation of endangered species and threatened  
21 species of plants in the Hawaiian Islands and the Pacific  
22 Island Territories of the United States as authorized by  
23 section 4 of the Endangered Species Act of 1973 (16  
24 U.S.C. 1533).

1 (b) ADMINISTRATIVE EXPENSES.—Of the funds pro-  
2 vided by this section, no more than 2 percent shall be used  
3 for administrative costs to carry out this section.

4 **SEC. 70605. FUNDING FOR POLLINATOR CONSERVATION.**

5 (a) IN GENERAL.—In addition to amounts otherwise  
6 available, there is appropriated to the United States Fish  
7 and Wildlife Service for fiscal year 2022, out of any money  
8 in the Treasury not otherwise appropriated, \$25,000,000,  
9 to remain available until September 30, 2031, except that  
10 no amounts may be expended after September 30, 2031,  
11 for the conservation of endangered species and threatened  
12 species of pollinators in the United States as authorized  
13 by section 4 of the Endangered Species Act of 1973 (16  
14 U.S.C. 1533).

15 (b) ADMINISTRATIVE EXPENSES.—Of the funds pro-  
16 vided by this section, no more than 2 percent shall be used  
17 for administrative costs to carry out this section.

18 **SEC. 70606. FUNDING FOR MUSSEL CONSERVATION.**

19 (a) IN GENERAL.—In addition to amounts otherwise  
20 available, there is appropriated to the United States Fish  
21 and Wildlife Service for fiscal year 2022, out of any money  
22 in the Treasury not otherwise appropriated, \$25,000,000,  
23 to remain available until September 30, 2031, except that  
24 no amounts may be expended after September 30, 2031,  
25 for the conservation of endangered species and threatened

1 species of freshwater mussels in the United States as au-  
2 thorized by section 4 of the Endangered Species Act of  
3 1973 (16 U.S.C. 1533).

4 (b) ADMINISTRATIVE EXPENSES.—Of the funds pro-  
5 vided by this section, no more than 2 percent shall be used  
6 for administrative costs to carry out this section.

7 **SEC. 70607. FUNDING FOR DESERT FISH CONSERVATION.**

8 (a) IN GENERAL.—In addition to amounts otherwise  
9 available, there is appropriated to the United States Fish  
10 and Wildlife Service for fiscal year 2022, out of any money  
11 in the Treasury not otherwise appropriated, \$25,000,000,  
12 to remain available until September 30, 2031, except that  
13 no amounts may be expended after September 30, 2031,  
14 for the conservation of endangered species and threatened  
15 species of desert fish in the Southwestern United States  
16 as authorized by section 4 of the Endangered Species Act  
17 of 1973 (16 U.S.C. 1533).

18 (b) ADMINISTRATIVE EXPENSES.—Of the funds pro-  
19 vided by this section, no more than 2 percent shall be used  
20 for administrative costs to carry out this section.

21 **SEC. 70608. FUNDING FOR THE UNITED STATES FISH AND**  
22 **WILDLIFE SERVICE TO ADDRESS CLIMATE-IN-**  
23 **DUCTED WEATHER EVENTS.**

24 (a) IN GENERAL.—In addition to amounts otherwise  
25 available, there is appropriated to the United States Fish

1 and Wildlife Service for fiscal year 2022, out of any money  
2 in the Treasury not otherwise appropriated,  
3 \$100,000,000, to remain available until September 30,  
4 2031, except that no amounts may be expended after Sep-  
5 tember 30, 2031, for the purposes of carrying out the Fish  
6 and Wildlife Act of 1956 (16 U.S.C. 742a) and the Fish  
7 and Wildlife Coordination Act (16 U.S.C. 661), through  
8 direct expenditure, contracts, grants, and cooperative  
9 agreements, for the purposes of rebuilding and restoring  
10 units of the National Wildlife Refuge System, other Fed-  
11 eral public assets, and State wildlife management areas  
12 including by addressing the threat of invasive species, in-  
13 creasing the resiliency and capacity of habitats and infra-  
14 structure to withstand weather events, or reducing the  
15 amount of damage caused by those events. None of the  
16 funds provided by this section shall be subject to cost-  
17 share requirements.

18 (b) ADMINISTRATIVE EXPENSES.—Of the funds pro-  
19 vided by this section, no more than 2 percent shall be used  
20 for administrative costs to carry out this section.

21 **SEC. 70609. FUNDING FOR THE UNITED STATES FISH AND**  
22 **WILDLIFE SERVICE FOR WILDLIFE COR-**  
23 **RIDOR CONSERVATION.**

24 In addition to amounts otherwise available, there is  
25 appropriated to the United States Fish and Wildlife Serv-